



State Justice Institute

Translation Requirements for Vital Documents, Intake and Notice of LEP Assistance for DOJ and HHS Grantees¹ Serving Immigrant Crime Victims

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Introduction

The accelerated growth of immigrant communities over the past thirty years has drastically altered the demographic landscape of the United States. The Census Bureau's latest 5-year estimates indicate that nearly 40 million people living in the United States are foreignborn. Additionally, over 50 million people – approximately 1 in 6 individuals - speak languages other than English at home. With roughly a half of these speakers possessing only a limited ability to speak, read, write or understand English, nearly 25 million people residing in the United States today qualify as limited English proficient (“LEP”).

These statistics establish the potential number of immigrants who are in need of access to critical services provided by agencies that are funded by the Department of Justice (“DOJ”) and Department of Health and Human Services (“HHS”).⁴⁵ Accordingly, it is important for grantees who receive federal funding to ensure that LEP members of the populations they serve are not precluded from accessing vital programs and services because of language barriers. This publication:

¹ The terms “grantee” and “recipient” are used interchangeably throughout this publication and refer equally to government grantees, sub grantees, recipients and sub recipients. Under federal language access laws, federal funds distributed to the states for distribution by the states to sub grantees or sub recipients remain federally funded grants despite the fact that they are distributed through state governments. Examples most relevant to victim services include: STOP grants under the Violence Against Women Act (VAWA); Family Violence Prevention and Services Act Funds (FVPSA) and Victims' of Crime Act funding (VOCA). *See also* U.S. DEPARTMENT OF JUSTICE, GUIDANCE TO FEDERAL FINANCIAL ASSISTANCE RECIPIENTS REGARDING TITLE VI PROHIBITION AGAINST NATIONAL ORIGIN DISCRIMINATION AFFECTING LIMITED ENGLISH PROFICIENT PERSONS, 67 Fed. Reg. 41455, 41459 (June 18, 2002) [hereinafter “DOJ LEP Recipient Guidance”].

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⁴ This publication highlights the positions taken by DOJ and HHS on language access because these agencies provide the vast majority of funding to governmental and nongovernmental agencies that interact with and serve immigrant crime victims. The requirements discussed here are also applicable to agencies receiving a combination of funding from federal sources, including block grants, and when funding comes solely from another federal government agency (e.g. FEMA at the Department of Homeland Security).

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- Focuses on promoting grantees’ understanding of the circumstances under which they may be required to translate “vital documents” for the local LEP population.
- Includes a step-by-step guide on how to use U.S. Census data to identify the languages spoken in your local community to determine which LEP populations need vital documents translated into their languages.
- Discusses the federal government’s “Safe Harbor” laws and provides a state-by-state summary of the languages in each state that meet the Safe Harbor thresholds.

Background

LEP individuals’ access to federally-funded programs and services is safeguarded by statute and DOJ regulations.⁶ In particular, Title VI of the Civil Rights Act prohibits discrimination on the basis of race, national origin or religion in any federally-funded program or activity.⁷ The DOJ regulations promulgated under Title VI forbid grantees from “utiliz[ing] criteria or methods of administration which have the effect of subjecting individuals to discrimination because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program as respects individuals of a particular race, color, or national origin.”⁸ Accordingly, these regulations prohibit all practices that have unjustified disparate impact grounded in national origin.

Court rulings, a Presidential Executive Order, and federal agency regulations and policy guidance confirm the inextricable link between language and national origin, holding that discrimination based on national origin includes discrimination against LEP individuals.⁹ Executive Order 13,166 established the foundation of the current regulatory framework in place to protect LEP individuals’ access to critical federally-funded programs and services by requiring that all federal agencies that provide financial assistance to non-federal entities to “develop and implement a system by which LEP persons can meaningfully access” those agencies’ programs and services.¹⁰ The Executive Order also mandated that federal agencies develop guidance materials that outline ways in which their grantees could guarantee that LEP individuals could access grantees’ programs and services in a meaningful way.¹⁰ DOJ has issued guidance and policies that establish guidelines for federal agencies and grantees to develop practices that ensure reasonable availability of programs and services to LEP immigrants.¹¹

The guidance and policies issued by DOJ have been used as a model by other federal agencies that provide federal funding to programs and services that serve LEP individuals and has served as a catalyst for expanded training and coordination within the DOJ to ensure that DOJ funds grantees are “taking reasonable steps to provide meaningful access to LEP

⁶ Title VI of the Civil Rights Act is the foundation of the legal framework created to protect LEP individuals’ access to federally-funded programs and services.

⁷ 42. U.S.C. § 2000d et seq.

⁸ 28 CFR 42.104(b)(2).

⁹ *Lau v. Nichols*, 414 U.S. 563 (1974) (The Court held that the school district’s policy of providing instruction in English only in programs run by the district for students violated the Title VI prohibition against discrimination based on national origin because the policy had a disproportionately negative effect on the school district’s LEP student population).

¹⁰ Exec. Order No. 13,166, 65 Fed. Reg. 50,121 (Aug. 16, 2000); *see also* U.S. DEPARTMENT OF JUSTICE, FEDERAL COORDINATION AND COMPLIANCE SECTION, COMMONLY ASKED QUESTIONS AND ANSWERS REGARDING EXECUTIVE ORDER 13166 (April 2011), available at: http://niwaplibrary.wcl.american.edu/language-access/government-materials/042511_Q-A_EO_13166.pdf (DOJ explanation of the goals of the Executive Order and guidance for federal agencies in providing access to services for LEP individuals in compliance with the Executive Order). ¹⁰ Exec. Order No. 13,166, 65 Fed. Reg. 50,121 (Aug. 16, 2000).

¹¹ The first DOJ Guidance was issued on the same day as the Executive Order, *see* U.S. DEPARTMENT OF JUSTICE, ENFORCEMENT OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 NATIONAL ORIGIN DISCRIMINATION AGAINST PERSON WITH LIMITED ENGLISH PROFICIENCY, 61 Fed. Reg. 50123 (August 16, 2000). The next Guidance was issued on January 16, 2001, *DOJ Recipient LEP Guidance*, for DOJ grantees. The final version of its LEP Recipient Guidance was issued on June 18, 2002, *see generally* DOJ LEP Recipient Guidance, 67 Fed. Reg. 41455 (June 18, 2002).

individuals.”¹² DOJ has since trained hundreds of grantees at the federal, state, and local level on the development of best practices to ensure access to critical programs and services by the local LEP population and has conducted compliance reviews of the language services provided by grantees. Finally, this commitment to the language access obligations established by Executive Order 13,166 was reiterated in a memorandum issued by the Office of the Attorney General on February 17, 2011, requiring, among other things, agencies to collaborate to “improve efficiency, standardize federal terminology, and streamline processes for obtaining community feedback on the accuracy and quality of professional translations intended for mass distribution.”¹³ All grantees, whether they receive full or partial funding for their programs or are in jurisdictions where English has been designated as the official language, are subject to the obligations outlined in the DOJ LEP Recipient Guidance, which covers a wide range of grantees, including police and sheriffs’ offices, courts, prisons, correctional and detention facilities, and numerous nonprofit agencies working in the fields of law enforcement, public safety, emergency assistance and victims’ services.¹⁴

Identifying “Vital Documents” For Translation

A. Overview of “Vital Documents”

When determining whether to provide translation¹⁵ services, the DOJ LEP Recipient Guidance outlines four chief factors for grantees to consider. These factors include:¹⁶ 1)

- “The number or proportion of LEP persons eligible to be served or *likely to be encountered* by the program or grantee;
- 2) The frequency with which LEP individuals come in contact with *or should have contact with* the program in light of LEP population;
- 3) The nature and importance of the program, activity, or service provided by the program to people’s lives including whether denial or delay of access to services or information could have *serious or even life-threatening implications* for the LEP person; and
- 4) The resources available to the grantee/recipient and costs.”

Determining which documents should be classified as vital, however, is highly contextspecific. The decision should be made in the light of considerations that include the “importance of the program, information, encounter, or service involved, and the consequence to the LEP person if the information in question is not provided accurately or in a timely manner.”¹⁷ The more serious the consequence of failing to provide the information in question, the more likely it is that the documents containing the information should be translated. For governmental and nongovernmental agencies providing services and assistance to immigrant victims of domestic

[HEREINAFTER “CIVIL RIGHTS DIVISION”], EXECUTIVE ORDER 13166: LIMITED ENGLISH PROFICIENCY RESOURCE DOCUMENT: TIPS AND TOOLS FROM THE FIELD [hereinafter “Tips and Tools”], (Sept. 21, 2004), available at: http://www.lep.gov/guidance/tips_and_tools-9-21-04.htm.¹³ Memorandum from the Attorney General, Federal Government’s Renewed Commitment to Language Access Obligations under Executive Order 13166, 2 (Feb. 17, 2011), available at http://www.justice.gov/crt/about/cor/AG_021711_EO_13166_Memo_to_Agencies_with_Supplement.pdf.

¹⁴ See DOJ LEP Recipient Guidance at 41459.

¹⁵ See DOJ LEP Recipient Guidance at 41463-65 (interpretation is the act of listening to something in one language [source language] and orally translating it into another language [target language]. Translation is the replacement of a written text from one language [source language] into an equivalent written text in another language [target language]); see also *Tamagachi v. Kan Pacific Saipan, Ltd.*, 132 S. Ct. 1997, 2003-04 (May 21, 2012) (holding that the reimbursement for interpretation costs provided under the Court Interpreters Act, codified as 28 U.S.C. § 1827, did not encompass translation costs).

¹⁶ DOJ LEP Recipient Guidance at 41459-61 (emphasis added). ¹⁷ *Id.* at 41463.

¹² The Coordination and Review Section (COR) of the Civil Rights Division of the DOJ is an entity that is tasked with “coordinating enforcement and implementation” of laws that require grantees to take these steps. See U.S. DEPARTMENT OF JUSTICE, CIVIL RIGHTS DIVISION

violence, sexual assault, dating violence, stalking, and human trafficking, life and safety concerns are factors that weigh heavily in favor of translating outreach and educational materials on crime victims' legal rights and intake forms. When providing victim services¹³ to immigrant crime victims, vital documents can include:¹⁴

- Information on legal rights and outreach materials provide information that can help victims muster the courage to seek help. These documents discuss:
 - A description of the dynamics of and the fact that domestic violence, sexual assault and human trafficking are crimes in the United States;
 - Availability of immigration relief, including protection from deportation, work authorization, and confidentiality protections for immigrant victims of domestic violence, sexual assault, stalking, dating violence, human trafficking, and other violent crimes through VAWA, T and U visa protections;
 - Civil protection orders and custody laws designed to help immigrant victims of family violence, sexual assault and stalking;
 - Services available to help crime victims that are necessary to protect life and safety including emergency shelter, transitional housing, soup kitchens, emergency medical assistance, and crime victim services;
 - Health care available from HHS funded public health centers, including postassault health care and prenatal care; and
 - How to call 911 for help.
- Intake forms used by service providers to determine:
 - eligibility for protection orders, immigration relief, public benefits, victims' rights and other services necessary to protect life and safety;
 - whether a victim's case involves any application deadlines that, if missed, could impede an LEP victim's access to legal protection (e.g. VAWA's requirement that a self-petition be filed within 2 years of divorce or helping an LEP rape victim obtain a forensic examination at no charge); and
 - whether a victim has physical injuries that need to be treated and documented or is in urgent need of mental health assistance (e.g. suicidal inclinations).
- Notices of rights and eligibility for participating in grantees' programs.
- Notices of free language services provided by grantees.
- Law Enforcement/Justice System materials.

This list clearly demonstrates that vital documents can include a variety of critical documents containing important information that, if not translated to meet the needs of an LEP individual, can jeopardize that person's legal rights, life, health and/or safety. Grantees should assess the impact written documents may have on an LEP victim's rights, health, and safety when considering which documents require translation.

¹³ It is important to note that courts also have document translation obligations under federal language access laws that extend to *pro se* court forms and related instructions, written notices of outcomes of hearings the LEP individual was involved in, and notices that courts provide free interpreters to LEP parties and witnesses, including how to obtain interpreters in a range of court related contexts. *See also* Letter from Thomas E. Perez, Assistant Attorney General, U.S. Department of Justice, to Chief Justice/State Court Administrators (Aug. 16, 2010) (clarifying "the requirement that courts receiving federal financial assistance provide meaningful access for LEP individuals"), available at: http://niwaplibrary.wcl.american.edu/language-access/government-materials/final_courts_ltr_081610.pdf

¹⁴ This list of materials is not exhaustive. Vital documents will vary with each service/programs each grantee provides to the community.

B. Using “Safe Harbor” Provisions to Determine Into Which Languages Vital Documents Need to be Translated

The DOJ LEP Recipient Guidance’s “safe harbor” provisions help grantees determine the languages into which vital documents should be translated. These provisions highlight two circumstances in which translation of vital documents into particular languages constitutes strong evidence of that grantee’s compliance with its Title VI obligations. Grantees can benefit from safe harbor provisions:

- When they translate vital documents in all the languages that are spoken by the lesser of 1,000 or five percent of members of the population of persons “eligible to be served or likely to be encountered or affected” by the grantee’s activities.¹⁵
- When there are fewer than 50 persons in the language group that constitutes five percent of the eligible population, grantees may, instead of translating vital documents, provide written notice in that language of the group members’ right to receive competent oral interpretation free of charge.

To benefit from Safe Harbor provisions grantees must determine which LEP populations in the agency’s service area meet these thresholds. Grantees can rely on data collected in the U.S. Census to determine which languages are spoken by either 1,000 people or 5% of the population. Detailed instructions on how to obtain this data is included below. Grantees should search for U.S. Census data on their agencies’ “service area.” The term “service area” typically refers to the geographic area that has been represented to a federal funder in a grant proposal and/or the federal funder has designated. In cases where the grantee’s Federal grant agency has not designated a service area, state or local authorities, as well as the grantee itself, may supply the designation. The only caveat, in this regard, is that the designation may not discriminate against particular populations.¹⁶

When U.S. Census data indicates that 50 people or less are members of a language group that constitutes 5% of the eligible population, the DOJ LEP Recipient Guidance advises grantees to provide written notice to these LEP groups that they are eligible to receive competent oral interpretation free of charge. Under these circumstances, grantees can opt not to translate vital documents and still be in compliance with the Safe Harbor provisions under federal law.

C. Strategies to Efficiently and Effectively Comply with Safe Harbor Provisions

Grantees can employ the following strategies to facilitate compliance with safe harbor provisions and ensure a streamlined process of translating vital documents.

- Utilize resources developed by federally funded technical assistance providers¹⁷ and the Federal Interagency Working Group Website:
 - Federally funded technical assistance providers have materials on immigrant victim’s legal rights that have been translated into multiple languages.
 - The Federal Interagency Working Group on LEP website:

¹⁵ DOJ LEP Recipient Guidance at 41464.

¹⁶ *Id.*

¹⁷ National Immigrant Women’s Advocacy Project (NIWAP) provides brochures with information on victims’ legal rights, which are available at: <http://niwaplibrary.wcl.american.edu/reference/manuals/materials-in-other-languages> and provides tools for service providers who work with LEP individuals here: <http://niwaplibrary.wcl.american.edu/language-access>. The Asian & Pacific Islander (API) Institute on Domestic Violence also provides resources that include translated materials for LEP victims and curricula and tools for service providers here: <http://www.apiidv.org/resources/resources.php>. Casa de Esperanza provides information in Spanish and English for victims and service providers

- Compiles and distributes information aimed at assisting grantees with establishing appropriate language services in their organizations;
 - Shares LEP plans designed by federal agencies and federal grantees; ▪ Provides sample materials that can be used with LEP individuals; and
 - Provides up to date legal information on language access for grantees.
 - Visit: <http://www.lep.gov/>
- Standardizing documents that require translation and sharing resources among agencies:
 - Facilitates collaboration between agencies including, sharing information about translation services and volunteer or low cost alternatives that may be available or that could be developed in the community.
 - Reduces number of times similar documents have to be translated.
 - Maintains uniformity in the translation and use of consistent words and phrases to improve understanding of legal rights and services available to LEP victims and to reduce confusion that can arise when collaborating agencies translate legal concepts differently.
- Maintaining updated databases of the local LEP population
 - Awareness of the local demographic trends can help grantees anticipate translation (and interpretation) needs.
 - This helps grantees plan and implement cost-effective translation options (e.g. forming partnerships with local universities where students receive training and receive credit (towards academic or volunteer targets) for translating documents that benefit immigrant crime victims.
- Ensuring accuracy of translation
 - Providing translators with previous accurate translations of similar materials.
 - Using certified translators.
 - When volunteers or persons who are not a certified translators are used, recruiting or hiring “a second, independent translator [to] ‘check’ the work of the primary translator.”²³
 - Securing a “back translation” of the document in which a second, independent translator translates the document back into English to ensure that the initial translation did not change the meaning of the document.
- Develop written plans for translating vital documents
 - Written plans help provide grantees with a standardized and streamlined process to identify local LEP populations.
 - Provide grantees with a community outreach system that notifies LEP individuals of the services the grantees offer.
 - Grantee staffers can refer to the organization’s written plan to determine which vital documents are offered in different languages with ease when working with an LEP individual.

here: <http://www.casadeesperanza.org/>. A full list of DOJ Office on Violence Against Women (OVW) funded national technical assistance providers can be found at: http://www.ovw.usdoj.gov/tech_providers.htm and many of the organizations listed provide translated materials for LEP victims, as well as technical assistance for service providers working with LEP victims. ²³ See DOJ LEP Recipient Guidance at 41464.

- Grantees can keep track of previously translated documents, documents in the process of being translated, and documents that are in need of translation.
- Allows grantees to document their compliance with safe harbor provisions and federal law.

- Attend trainings provided by the DOJ Coordination and Review Section
 - To date, COR has provided over 50 trainings to law enforcement and other agencies funded by DOJ and HHS.
 - Trainings provide the opportunity for grantees to review their current practices with federal agency experts and collaborate with other grantees to refine their best practices.
 - Grantee participation allows the DOJ to incorporate their experiences into future trainings and guidance materials to improve them.

Benefits of Complying with Safe Harbor Provisions

Complying with safe harbor provisions of federal language access laws helps grantees in a number of ways:

- Enhances knowledge among LEP crime victims about domestic violence, sexual assault, stalking, dating violence and human trafficking, leading more LEP victims to seek help from victim services agencies and the justice and health care systems;
- Furthers agency mission and goals of curbing violence in the community and providing help for victims of violence, including LEP victims;
- Leads to earlier identification of immigrant crime victims who are eligible to receive protections under U.S. laws (immigration, family law, public benefits, and access to services necessary to protect life and safety);
- Improves evidence collection that facilitates the ability of the justice system to hold offenders accountable;
- Supports community outreach efforts;
- Builds successful and trusting relationships with the LEP victims in the agencies' communities; and
- Promotes and encourages cooperation between the local LEP population and local law enforcement.

How to Analyze U.S. Census Data to Identify Local LEP Populations

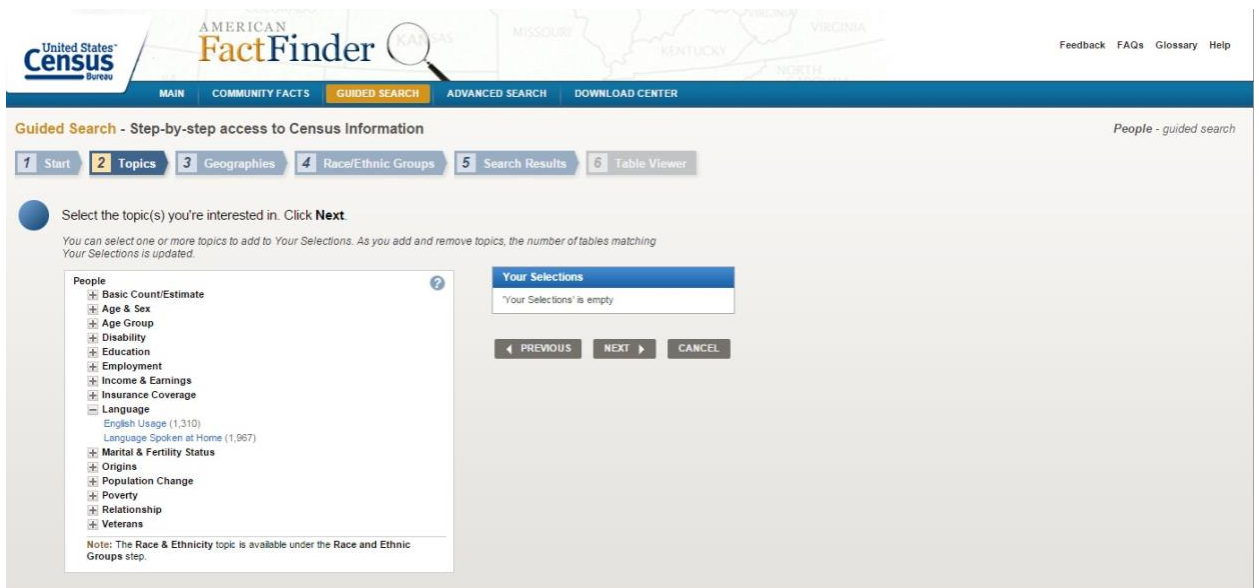
Below is a step-by-step method to find data about LEP populations in your local service area to ensure that your organization is in compliance with the safe harbor provisions outlined by the U.S. Department of Justice (DOJ).

Step-by-step directions on accessing LEP population data provided by the American Community Survey:

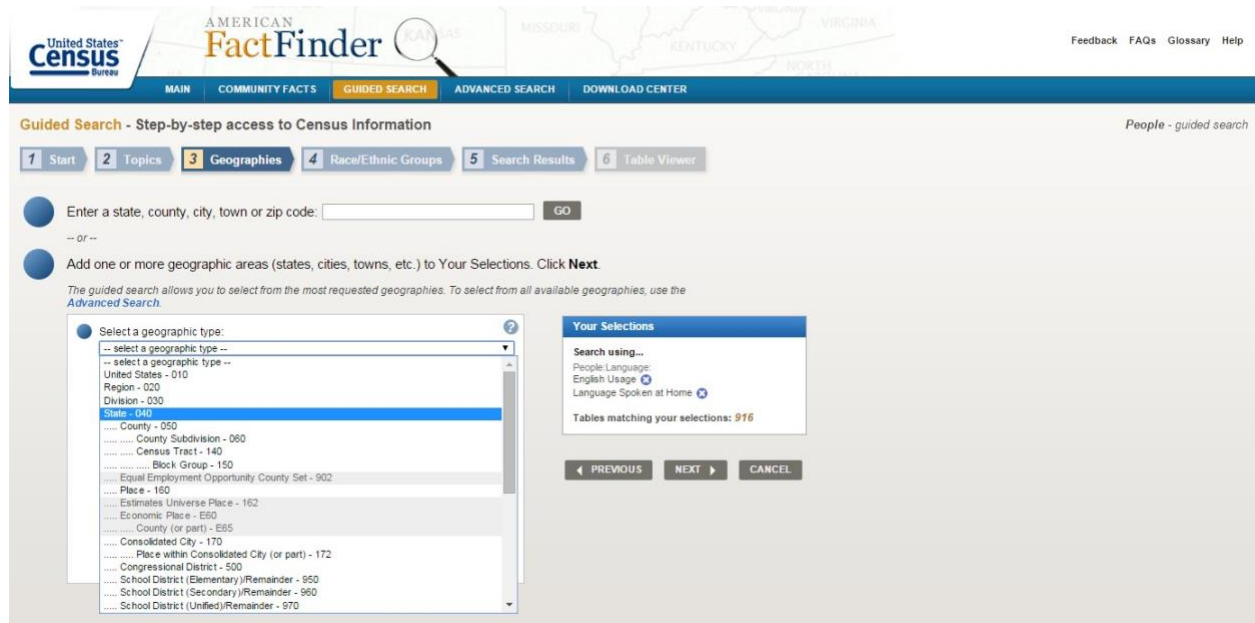
- Go to <http://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>
- Select “Guided Search” from the main screen and then click “get me started”

- Select the bullet that says “I’m looking for information about **people**” and click “next”

- The page will say “Select the topic(s) you’re interested in” and shows an expandable menu under the heading “people”, expand the section that says “language” by clicking the plus sign.



- You will have two selections: 1) English Usage and 2) Language Spoken at Home. You can select either or both, depending on what information you are looking for. Click “next”
- The next page will allow you to either type in a state, county, city, town or zip code or select a geographic area from the drop down box. The drop down box provides broad information ranging from select small districts up to statewide, regional, or national. You can select multiple jurisdictions by clicking the gray box “add to your selections” before clicking next.



- Next, you can either narrow down your search to find data on a specific race, ethnicity, ancestry, or tribe or you may also skip this step to access general data.
- With these parameters established, the website will offer you a number of search results that appear as different tables and cover different years, ranging from 1-5 years.

- You can narrow results by year, the 2014 ACS 5 year estimates are the most recent.
- To find out the total size of the LEP population in your service area, narrow your search to the “languages spoken at home” (exclude the “English usage” search) and click on the table titled “Selected Social Characteristics in the United States.”
- Alternately, to review the number of speakers per each individual LEP language group in your service area, select the chart titled “Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over.” Click on the link for the tables to access them.

Guided Search - Step-by-step access to Census Information

1 Start 2 Topics 3 Geographies 4 Race/Ethnic Groups 5 Search Results 6 Table Viewer

Select a table, file or document from these top search results:

Table, File or Document Title	ID	Dataset
★ LANGUAGE SPOKEN AT HOME	S1601	2014 ACS 5-year estimates
★ CHARACTERISTICS OF PEOPLE BY LANGUAGE SPOKEN AT HOME	S1603	2014 ACS 5-year estimates
★ SELECTED SOCIAL CHARACTERISTICS IN THE UNITED STATES	DP02	2014 ACS 5-year estimates
★ LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER	B16001	2014 ACS 5-year estimates
★ NATIVITY BY LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER	B16005	2014 ACS 5-year estimates
★ AGE BY LANGUAGE SPOKEN AT HOME FOR THE POPULATION 5 YEARS AND OVER	B16007	2014 ACS 5-year estimates
LANGUAGE SPOKEN AT HOME	S1601	2014 ACS 1-year estimates
LIMITED ENGLISH SPEAKING HOUSEHOLDS	S1602	2014 ACS 5-year estimates

Your Selections

Search using...
 People: Language: Language Spoken at Home ✕

Tables matching your selections: 1,967

PREVIOUS NEXT CANCEL

Narrow your search here by clicking the blue ex next to English Usage if it is currently included, then your screen should show the charts to the left.

- Once you have the search results you are looking for and the table is open, you can modify the table to highlight certain characteristics, add/remove geographies and either print your results or download them.

Guided Search - Step-by-step access to Census Information People - guided search

1 Start 2 Topics 3 Geographies 4 Race/Ethnic Groups 5 Search Results 6 Table Viewer

S1603 CHARACTERISTICS OF PEOPLE BY LANGUAGE SPOKEN AT HOME
2010-2014 American Community Survey 5-Year Estimates

Table View

Actions: [Modify Table](#) [Add/Remove Geographies](#) [Bookmark/Save](#) [Print](#) [Download](#) [Create a Map](#) [BACK TO SEARCH RESULTS](#)

This table is displayed with default geographies. [Click Back to Search to select other geographies using the search options on the left.](#) [View Geography Notes](#) [View Table Notes](#)

Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, it is the Census Bureau's Population Estimates Program that produces and disseminates the official estimates of the population for the nation, states, counties, cities and towns and estimates of housing units for states and counties.

Subject	United States							
	Total		People who speak only English at home		Percent distribution of people who speak a language other than English at home			
	Estimate	Margin of Error	Estimate	Margin of Error	Total		Spanish or Spanish Creole	
Total population 5 years and over	294,133,373	+/-3,687	232,724,203	+/-121,279	61,409,170	+/-119,977	38,098,698	+/-72,339
AGE								
5 to 17 years	18.3%	+/-0.1	18.1%	+/-0.1	19.2%	+/-0.1	22.2%	+/-0.1
18 to 64 years	67.0%	+/-0.1	66.1%	+/-0.1	70.7%	+/-0.1	70.2%	+/-0.1
65 years and over	14.7%	+/-0.1	15.9%	+/-0.1	10.2%	+/-0.1	7.6%	+/-0.1
NATIVITY AND CITIZENSHIP STATUS								
Native population 5 years and over	86.1%	+/-0.1	97.3%	+/-0.1	43.9%	+/-0.1	52.1%	+/-0.1
Foreign-born population 5 years and over	13.9%	+/-0.1	2.7%	+/-0.1	56.1%	+/-0.1	47.9%	+/-0.1
Naturalized U.S. citizen	6.4%	+/-0.1	1.7%	+/-0.1	24.1%	+/-0.1	15.0%	+/-0.1
Not a U.S. citizen	7.5%	+/-0.1	1.1%	+/-0.1	31.9%	+/-0.1	32.9%	+/-0.2
POVERTY STATUS IN THE PAST 12 MONTHS								
Population 5 years and over for whom poverty status is determined	286,561,252	+/-11,028	228,346,604	+/-126,883	80,214,648	+/-120,538	37,368,287	+/-72,891
Below poverty level	15.0%	+/-0.1	13.3%	+/-0.1	21.0%	+/-0.1	24.5%	+/-0.1
At or above poverty level	85.0%	+/-0.1	86.7%	+/-0.1	79.0%	+/-0.1	75.5%	+/-0.1
EDUCATIONAL ATTAINMENT								
Population 25 years and over	209,056,129	+/-15,007	166,560,494	+/-86,175	42,495,635	+/-74,141	24,815,991	+/-40,931
Less than high school graduate	13.7%	+/-0.1	9.7%	+/-0.1	29.3%	+/-0.1	38.8%	+/-0.1
High school graduate (includes equivalency)	28.0%	+/-0.1	29.2%	+/-0.1	23.2%	+/-0.1	25.9%	+/-0.1
Some college or associate's degree	29.1%	+/-0.1	31.1%	+/-0.1	21.3%	+/-0.1	21.2%	+/-0.1

- After each search, you will need to eliminate prior search results by clicking the blue circle with an “X” next to your search factors in the small box titled “Your selections” on the right side of the screen.
- Once you select the “Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over”, you’ll get a detailed list of languages spoken in the area and whether those speakers speak English “very well” or “less than very well”. At this point, to determine which languages your organization will need to provide LEP services for, you will need to determine your threshold. This will be the smallest of two numbers; 5% of the total population, or 1,000 people.
 - For instance: if I were serving a large geographic area, like Washington State, I would take 5% of the total population of roughly 6.5 million (about 325,000 people); this will obviously be larger than 1,000 people. Thus, in this case I would need to look through the list of languages spoken for Washington State with populations of over 1,000 who speak English less than “very well” and provide translation services for documents into those languages.
 - However, if I were serving a small town of only 3,000 people, taking 5% of the total population would yield only 150 people; since this is smaller than 1,000, this is my threshold. I would need to examine geographic data to find out which language populations of over 150 speak English less than “very well”, and provide translation services for documents in those languages.

Note: Some language categories are grouped, such as “Other Pacific Island Languages” or “Other Slavic Languages.” These categories may end up being larger than 1,000, but comprise a wide array of additional regional languages. Since the census data found online is not fully detailed or comprehensive when it comes to languages that may be less prevalent nationally, if you suspect that your area may have a particularly large concentration of individuals from a particular language group, you may want to translate into that language as well.

State by State Demographics on Languages Spoken

Below is a chart that lists languages other than English spoken in all 50 states, the District of Columbia and Puerto Rico as reported on the 2014 U.S. Census. This chart provides general information about each state. This chart was developed to assist statewide programs serving immigrant crime victims and state grant makers. The chart can also be used to facilitate collaboration and coordination of written translated materials for crime victims that could be developed and used statewide. The chart lists, for each jurisdiction, the languages for which the number of speakers of that particular language is above the 1,000 person threshold at the state level. This information is provided as a guide for statewide use. For purposes of federal language laws, the safe harbor provisions, and planning for written translation and oral interpretation needs, it is recommended that your organization uses the directions above to search the U.S. Census for language data regarding your specific service area.

Demographic Samples (All 50 U.S. States + Puerto Rico and D.C)

State/Territory	Languages Requiring Translation Services as of 2014 (n > 1000)		
Alabama	Spanish or Spanish Creole	75,000	
	Chinese	5,405	
	Vietnamese	3,708	
	Korean	4,554	
	German	1,411	
	French (incl. Patois, Cajun)	1,278	
	Arabic	1,440	
Alaska	Tagalog	7,021	
	Spanish or Spanish Creole	5,975	
	Chinese	1,008	
	Korean	2,219	
	Russian	1,392	
	Hmong	1,944	
Arizona	Spanish or Spanish Creole	457,022	
	Navajo	20,627	
	Chinese	14,028	
	Vietnamese	12,996	
	Arabic	6,737	
	Tagalog	6,109	
	Korean	4,759	

	Serbo-Croatian	3,013
	German	2,896
	French (incl. Patois, Cajun)	2,978
	Russian	2,353
	Japanese	2,308
	Persian	2,262
	Hindi	1,159
	Italian	1,505
	Polish	1,379
	Gujarati	1,081
	Thai	1,779
Arkansas	Spanish or Spanish Creole	68,847
	Vietnamese	2,932
	Chinese	3,088
	Laotian	1,701
	Tagalog	1,074

California	Spanish or Spanish Creole	4,490,408
	Chinese	610,934
	Vietnamese	316,886
	Tagalog	260,443
	Korean	218,938
	Armenian	94,516
	Russian	73,133
	Persian	74,437
	Japanese	63,441
	Arabic	62,500
	Mon-Khmer, Cambodian	41,476
	Hmong	34,953
	Hindi	31,256
	Thai	27,573
	Portuguese or Portuguese Creole	24,596
	French (incl. Patois, Cajun)	19,220
	Laotian	17,506
	German	13,536
	Italian	12,796
	Gujarati	13,574
	Urdu	12,975
	Polish	5,003
	Serbo-Croatian	6,095
Hebrew	6,877	
Greek	4,618	
Hungarian	3,953	
French Creole	1,525	

Colorado	Spanish or Spanish Creole	226,453
	Vietnamese	12,078
	Chinese	10,489
	Korean	8,475
	Russian	6,405
	German	2,856
	Arabic	4,093
	French (incl. Patois, Cajun)	2,528
	Tagalog	2,055
	Japanese	1,635
	Thai	1,123
	Serbo-Croatian	1,021
	Polish	1,138
	Hmong	1,050
	Persian	1,280
Connecticut	Spanish or Spanish Creole	156,861
	Portuguese or Portuguese Creole	15,109
	Polish	16,014
	Chinese	13,409
	Italian	10,037
	French (incl. Patois, Cajun)	7,501
	French Creole	5,567
	Vietnamese	4,681
	Russian	4,916
	Korean	3,535
	Arabic	3,805
	Greek	2,242
	Tagalog	2,639
	Urdu	1,934
	Hindi	2,930
	Gujarati	1,992
	Serbo-Croatian	2,058
	Japanese	1,454
	German	1,250
	Laotian	1,736
Mon-Khmer, Cambodian	1,168	
Delaware	Spanish or Spanish Creole	25,069
	Chinese	3,265
	Gujarati	1,104
	French Creole	1,281

District of Columbia	Spanish or Spanish Creole	17,465
	Chinese	2,070
	French (incl. Patois, Cajun)	1,824
Florida	Spanish or Spanish Creole	1,640,329
	French Creole	172,555
	Portuguese or Portuguese Creole	33,193
	Vietnamese	35,602
	French (incl. Patois, Cajun)	29,811
	Chinese	33,151
	Tagalog	17,755
	Russian	16,572
	Italian	13,210
	German	11,442
	Arabic	15,490
	Korean	9,686
	Polish	9,020
	Serbo-Croatian	7,610
	Thai	5,259
	Greek	4,761
	Hindi	3,828
	Japanese	4,807
	Gujarati	5,850
	Hungarian	3,521
	Urdu	4,271
	Hebrew	3,973
Persian	3,170	
Mon-Khmer, Cambodian	2,606	
Laotian	2,637	
Yiddish	1,122	

Georgia	Spanish or Spanish Creole	342,161
	Korean	25,239
	Vietnamese	26,867
	Chinese	23,196
	French (incl. Patois, Cajun)	6,923
	Gujarati	6,945
	Russian	5,146
	Portuguese or Portuguese Creole	3,623
	French Creole	5,169
	Hindi	5,381
	Arabic	4,485
	Serbo-Croatian	3,246

	Persian	3,618
	German	3,394
	Japanese	3,114
	Tagalog	2,902
	Urdu	2,530
	Laotian	2,334
	Mon-Khmer, Cambodian	2,306
	Hmong	1,236
	Italian	1,292
	Thai	1,350
	Polish	1,030
Hawaii	Tagalog	31,449
	Japanese	21,288
	Chinese	19,649
	Korean	11,595
	Spanish or Spanish Creole	6,974
	Vietnamese	5,602
	Laotian	1,362
	Thai	1,089
Idaho	Spanish or Spanish Creole	47,041
	Chinese	1,798

Illinois	Spanish or Spanish Creole	694,457
	Polish	90,066
	Chinese	52,736
	Korean	25,762
	Tagalog	23,742
	Russian	19,419
	Arabic	19,749
	Gujarati	17,728
	Vietnamese	11,973
	Italian	10,319
	Serbo-Croatian	12,595
	Urdu	12,001
	Hindi	9,862
	Greek	8,392
	German	7,481
	French (incl. Patois, Cajun)	8,435
	Japanese	5,883
	Thai	3,930
Laotian	2,374	

	Persian	2,254
	Mon-Khmer, Cambodian	1,743
	Portuguese or Portuguese Creole	1,613
	French Creole	1,294
	Hungarian	1,025
Indiana	Spanish or Spanish Creole	121,383
	Chinese	14,737
	German	7,565
	Korean	3,729
	French (incl. Patois, Cajun)	2,835
	Vietnamese	3,434
	Serbo-Croatian	2,647
	Arabic	3,783
	Japanese	2,679
	Tagalog	1,887
	Russian	1,759
	Hindi	1,712
	Polish	1,159
	Gujarati	1,395
Greek	1,002	
Urdu	1,125	

Iowa	Spanish or Spanish Creole	49,357
	Vietnamese	4,552
	Chinese	6,025
	Serbo-Croatian	3,731
	German	2,624
	Laotian	1,997
	Korean	1,950
	Arabic	2,213
	Hindi	1,078
Kansas	Spanish or Spanish Creole	83,374
	Vietnamese	7,435
	Chinese	5,876
	Korean	2,022
	Laotian	1,998
	German	2,202
	Arabic	1,643
	Tagalog	1,223

Kentucky	Spanish or Spanish Creole	48,275
	Chinese	4,565
	German	3,138
	Vietnamese	8
	Serbo-Croatian	3,076
	Japanese	6
	French (incl. Patois, Cajun)	2,553
	Arabic	3
	Korean	2,320
		0
Louisiana	Spanish or Spanish Creole	1,914
	French (incl. Patois, Cajun)	3,004
	Vietnamese	1,739
	Chinese	69,262
	Arabic	17,467
	Portuguese or Portuguese Creole	15,024
	Tagalog	5,462
	Korean	2,460
Maine	French (incl. Patois, Cajun)	1,048
	Spanish or Spanish Creole	1,567
	Chinese	1,271
	Vietnamese	8,381

Maryland	Spanish or Spanish Creole	174,142
	Chinese	29,766
	Korean	21,344
	French (incl. Patois, Cajun)	12,695
	Vietnamese	12,905
	Russian	8,713
	Tagalog	10,644
	Urdu	5,456
	Persian	4,756
	Gujarati	3,270
	Portuguese or Portuguese Creole	3,396
	German	2,450
	French Creole	3,854
	Arabic	3,363
Hindi	3,252	

	Italian	2,030
	Japanese	2,325
	Greek	2,419
	Thai	1,458
	Polish	1,224
Massachusetts	Spanish or Spanish Creole	219,004
	Portuguese or Portuguese Creole	81,920
	Chinese	59,573
	French Creole	30,607
	Vietnamese	24,785
	Russian	15,633
	French (incl. Patois, Cajun)	11,221
	Mon-Khmer, Cambodian	12,262
	Italian	10,022
	Arabic	13,726
	Korean	7,725
	Polish	6,240
	Greek	6,453
	Japanese	3,242
	Hindi	3,552
	Gujarati	3,543
	Tagalog	2,168
	Armenian	1,819
German	1,696	
Persian	2,257	

	Urdu	1,206
	Thai	1,481
	Serbo-Croatian	1,230
	Laotian	1,709
Michigan	Spanish or Spanish Creole	93,487
	Arabic	50,019
	Chinese	20,265
	Vietnamese	9,173
	Korean	8,479
	Polish	6,508
	German	6,385

	Japanese	5,543
	Serbo-Croatian	5,713
	Italian	5,720
	French (incl. Patois, Cajun)	4,431
	Russian	5,107
	Tagalog	4,453
	Urdu	3,478
	Hindi	3,256
	Gujarati	3,442
	Greek	2,568
	Hmong	1,595
	Portuguese or Portuguese Creole	1,043
	Laotian	1,018
Minnesota	Spanish or Spanish Creole	83,799
	Hmong	24,584
	Vietnamese	13,241

	Chinese	9,922
	Russian	6,463
	German	4,032
	Laotian	5,053
	Mon-Khmer, Cambodian	3,691
	French (incl. Patois, Cajun)	3,187
	Korean	2,146
	Arabic	3,251
	Tagalog	1,800
	Japanese	1,248
	Serbo-Croatian	1,687
	Thai	1,012
	Hindi	1,202

Mississippi	Spanish or Spanish Creole	28,414	
	Vietnamese	3,687	
	Chinese	2,298	
Missouri	Spanish or Spanish Creole	54,023	
	Chinese	10,426	
	Vietnamese	7,399	
	Serbo-Croatian	6,441	
	German	5,476	
	Korean	4,183	
	Russian	3,831	
	Arabic	4,383	
	French (incl. Patois, Cajun)	2,596	
	Tagalog	2,067	
	Persian	1,094	

Montana	Spanish or Spanish Creole	3,129	
	German	1,030	
Nebraska	Spanish or Spanish Creole	57,612	
	Vietnamese	4,973	
	Chinese	2,504	
	Arabic	2,161	
	French (incl. Patois, Cajun)	1,244	
Nevada	Spanish or Spanish Creole	229,155	
	Tagalog	21,723	
	Chinese	16,103	
	Korean	6,342	
	Vietnamese	5,068	

	Thai	3,348
	Japanese	2,445
	Russian	1,757
	Arabic	1,945
	Serbo-Croatian	1,145
	French (incl. Patois, Cajun)	1,734
	Persian	1,344
	German	1,156
New Hampshire	Spanish or Spanish Creole	9,708
	French (incl. Patois, Cajun)	4,372
	Chinese	2,621
	Vietnamese	1,338

New Jersey	Spanish or Spanish Creole	598,155
	Chinese	52,343
	Korean	41,424
	Portuguese or Portuguese Creole	36,578
	Polish	29,060
	Gujarati	29,495
	Italian	23,336
	Tagalog	21,205
	French Creole	18,642
	Russian	18,816
	Arabic	22,488
	Hindi	14,913
	Vietnamese	12,659
	French (incl. Patois, Cajun)	9,881
	Urdu	8,280
Japanese	5,414	

	Greek	5,310
	German	3,962
	Serbo-Croatian	2,978
	Persian	2,594
	Hungarian	2,212
	Hebrew	1,676
	Armenian	1,732
	Thai	1,321

New Mexico	Spanish or Spanish Creole	152,981
	Navajo	10,292
	Chinese	2,205
	Vietnamese	2,727
	German	1,488

New York	Spanish or Spanish Creole	1,240,490
	Chinese	350,976
	Russian	130,296
	Italian	58,200
	Korean	61,833
	French Creole	68,509
	Yiddish	53,052
	Polish	40,883
	French (incl. Patois, Cajun)	33,699
	Arabic	36,053
	Urdu	29,109
	Greek	19,521
	Tagalog	22,095
	Portuguese or Portuguese Creole	15,315
Japanese	16,442	

	Hindi	15,170
	Hebrew	12,706
	Serbo-Croatian	12,641
	Vietnamese	12,163
	Persian	9,536
	German	10,391
	Gujarati	6,714

	Hungarian	4,443
	Thai	5,061
	Laotian	1,781
	Armenian	2,436
	Mon-Khmer, Cambodian	2,060
North Carolina	Spanish or Spanish Creole	329,155
	Chinese	14,502
	Vietnamese	14,257
	Korean	7,473
	French (incl. Patois, Cajun)	6,338
	Arabic	5,494
	Gujarati	3,338
	Russian	3,420
	Hmong	3,804
	German	2,578
	Japanese	2,335
	Tagalog	3,339
	Mon-Khmer, Cambodian	2,607
	Laotian	2,346
	Hindi	2,428
Portuguese or Portuguese Creole	1,615	

	Persian	1,300
	Urdu	1,986
	Thai	1,069
	Italian	1,379
	Serbo-Croatian	1,209
	Greek	1,449

North Dakota	German	1,452
	Spanish or Spanish Creole	1,984
Ohio	Spanish or Spanish Creole	88,196
	Chinese	20,651
	German	13,583
	Arabic	12,864
	Russian	8,141
	French	6,525
	Vietnamese	6,438
	Korean	5,516
	Serbo-Croatian	4,679
	Japanese	4,709
	Italian	4,766
	Polish	2,608
	Tagalog	2,942
	Greek	2,369
	Gujarati	2,595
	Hindi	2,704
	Mon-Khmer, Cambodian	2,151
Hungarian	1,688	
Thai	1,204	
Laotian	1,128	

	Persian	1,465
Oklahoma	Spanish or Spanish Creole	104,866
	Vietnamese	9,131
	Chinese	4,498
	Korean	2,267

	German	1,477
	Arabic	1,403
	Hmong	1,084
	Tagalog	1,003
Oregon	Spanish or Spanish Creole	140,093
	Vietnamese	15,643
	Chinese	13,886
	Russian	9,547
	Korean	5,322
	Japanese	3,036
	Arabic	2,610
	Tagalog	2,866
	German	1,459
	French (incl. Patois, Cajun)	1,241
	Mon-Khmer, Cambodian	1,666
	Thai	1,208
Persian	1,342	

Pennsylvania	Spanish or Spanish Creole	215,529
	Chinese	43,089
	Vietnamese	23,912
	Russian	17,418
	Korean	14,783

	Italian	12,079
	German	9,444
	French (incl. Patois, Cajun)	9,751
	Arabic	11,150
	Polish	7,030
	Gujarati	7,231
	Mon-Khmer, Cambodian	6,820
	Portuguese or Portuguese Creole	5,087
	French Creole	6,849
	Hindi	4,744
	Tagalog	4,305
	Greek	3,636
	Serbo-Croatian	3,247
	Japanese	2,773
	Urdu	2,465
	Laotian	1,273
	Persian	1,354
	Thai	1,036
Puerto Rico		2,724,973
	Spanish or Spanish Creole	
	Chinese	1,242

Rhode Island	Spanish or Spanish Creole	48,872
	Portuguese or Portuguese Creole	12,291
	Chinese	3,616
	French (incl. Patois, Cajun)	1,922
	French Creole	2,610
	Mon-Khmer, Cambodian	2,397
	Italian	1,739
	Arabic	1,259

	Laotian	1,387
South Carolina	Spanish or Spanish Creole	91,878
	Chinese	5,355
	Vietnamese	3,766
	Korean	2,446
	German	1,712
	French (incl. Patois, Cajun)	2,187
	Tagalog	2,108
	Arabic	1,531
	Russian	1,945
	Japanese	1,134
	Portuguese or Portuguese Creole	1,248
	Gujarati	1,575
South Dakota	Spanish or Spanish Creole	6,600
Tennessee	Spanish or Spanish Creole	111,267
	Chinese	6,462
	Arabic	7,880
	Vietnamese	6,361
	Korean	3,969

	French (incl. Patois, Cajun)	2,544
	Laotian	2,418
	German	1,895
	Japanese	1,814
	Gujarati	1,825
	Russian	1,319
	Persian	1,224
	Hindi	1,346
	Tagalog	1,635

Texas	Spanish or Spanish Creole	2,966,475
	Vietnamese	115,640
	Chinese	71,139
	Korean	30,852
	Tagalog	17,982
	Arabic	22,002
	Urdu	18,041
	German	10,664
	French (incl. Patois, Cajun)	12,673
	Hindi	12,656
	Gujarati	9,864
	Persian	11,610
	Russian	7,004
	Japanese	6,620
	Mon-Khmer, Cambodian	5,611
Laotian	5,709	
Thai	5,021	
Portuguese or Portuguese Creole	5,084	

	Serbo-Croatian	2,592
	Italian	2,533
	Polish	2,150
	French Creole	1,783
	Greek	1,220
Utah	Spanish or Spanish Creole	99,208
	Chinese	5,825
	Vietnamese	4,190
	Korean	1,835
	Navajo	1,450

	Serbo-Croatian	1,504
	Japanese	1,127
	German	1,289
	Russian	1,287
	Portuguese or Portuguese Creole	1,121
	French (incl. Patois, Cajun)	1,132
	Mon-Khmer, Cambodian	1,152
	Arabic	1,225
	Tagalog	1,319
Vermont	French (incl. Patois, Cajun)	1,583
	Spanish or Spanish Creole	1,501

Virginia	Spanish or Spanish Creole	217,843
	Korean	30,193
	Vietnamese	25,813
	Chinese	23,706
	Tagalog	12,976
	Arabic	13,844
	Persian	9,316
	French (incl. Patois, Cajun)	6,755
	Urdu	6,892
	Russian	5,332
	German	4,056
	Hindi	4,552
	Japanese	3,490
	Thai	3,556
	Mon-Khmer, Cambodian	2,525
Gujarati	2,865	
Portuguese or Portuguese Creole	2,214	

	Italian	1,784
	Greek	1,730
	Serbo-Croatian	1,667
	Urdu	8,094
	French Creole	1,388
Washington	Spanish or Spanish Creole	232,748
	Chinese	42,812
	Vietnamese	38,432
	Korean	27,088
	Russian	25,421

	Tagalog	19,128
	Japanese	9,016
	Mon-Khmer, Cambodian	9,046
	German	3,863
	Laotian	3,712
	Arabic	6,417
	French (incl. Patois, Cajun)	3,421
	Persian	3,213
	Hindi	3,416
	Thai	2,613
	Serbo-Croatian	1,931
	Polish	1,199
	Portuguese or Portuguese Creole	1,230
	Italian	1,023
West Virginia	Spanish or Spanish Creole	6,677
	Chinese	1,534
Wisconsin	Spanish or Spanish Creole	103,190
	Hmong	17,202

	Chinese	8,142
	German	6,583
	Russian	2,482
	Korean	2,398
	Hindi	1,472
	Polish	1,666
	French (incl. Patois, Cajun)	1,678
	Serbo-Croatian	1,848
	Laotian	1,767
	Arabic	2,816
	Vietnamese	2,151
	Tagalog	1,336
	Italian	1,206
Wyoming	Spanish or Spanish Creole	7,924