



**PROCEDURES FOR RESPONDING TO DISCRIMINATION COMPLAINTS
FROM CLIENTS, CUSTOMERS, OR PROGRAM PARTICIPANTS
(BENEFICIARIES) OF THE JUDICIAL BRANCH AND THE JUDICIAL
BRANCH'S SUBRECIPIENTS IMPLEMENTING FUNDING FROM THE
U.S. DEPARTMENT OF JUSTICE (DOJ)**

I. Policy

It is the policy of the Judicial Branch that all individuals have the right to participate in programs and activities operated by the Judicial Branch and its subrecipients regardless of actual or perceived race, color, national origin, sex, religion, physical or mental disability, age, gender identity, and sexual orientation. The Judicial Branch shall make reasonable efforts to ensure that the Branch and its subrecipients comply with applicable federal laws and regulations prohibiting discrimination in the delivery of services or benefits.

The applicable federal rules and regulations include, but are not limited to, the following:

- Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color, and national origin in the delivery of services (42 U.S.C. § 2000d), and the U.S. Department of Justice (DOJ) implementing regulations at 28 C.F.R. pt. 42, subpt. C;
- Applicable program statutes, including section 809 (c) of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, which prohibits discrimination on the basis of race, color, national origin, religion, and sex in the delivery of services and employment practices (34 U.S.C. § 10228 (c)), and the DOJ implementing regulations at 28 C.F.R. pt. 42, subpt. D; the grant condition set out at section 40002 (b) (13) in the Violence Against Women Act of 1994, as amended, which prohibits discrimination on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, and disability in the delivery of services and employment practices (34 U.S.C. § 12291 (b) (13)); the Victims of Crime Act of 1984, as amended, which prohibits discrimination on the basis of race, color, national origin, religion, sex, and handicap in the delivery of services and employment practices (34 U.S.C. § 20110 (e)); and section 299A (b) of the Juvenile Justice and Delinquency Prevention Act of 2002, which prohibits discrimination on the basis of race, color, national origin, religion, and sex in the delivery of services and employment practices (34 U.S.C. § 11182 (b));

- Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (29 U.S.C. § 794), and the DOJ implementing regulations at 28 C.F.R. pt. 42, subpt. G;
- Title II of the Americans with Disabilities Act of 1990, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (42 U.S.C. § 12132), and the DOJ implementing regulations at 28 C.F.R. pt. 35;
- Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in educational programs (20 U.S.C. § 1681), and the DOJ implementing regulations at 28 C.F.R. pt. 54;
- The Age Discrimination Act of 1975, which prohibits discrimination on the basis of age in the delivery of services (42 U.S.C. § 6102), and the DOJ implementing regulations at 28 C.F.R. pt. 42, subpt. I; and
- The DOJ regulations on the Equal Treatment for Faith-Based Organizations, which prohibit discrimination on the basis of religion in the delivery of services and prohibit organizations from using DOJ funding on inherently religious activities (28 C.F.R. pt. 38).

These laws also prohibit agencies from retaliating against an individual for taking action or participating in action to secure rights protected by these laws.

II. Purpose

The purpose of this policy is to establish written procedures for Judicial Branch employees to follow when a complaint is received alleging discrimination in the delivery of services or benefits from a beneficiary of the Judicial Branch or from a beneficiary of a Judicial Branch subrecipient implementing funding from the DOJ.

III. Definitions

“Beneficiary” refers to a client, customer, or program participant.

“Complainant” refers to the person or persons who initiate a complaint.

“Subrecipient” refers to an agency which receives a DOJ grant award that is administered by the Judicial Branch.

IV. Complaint Procedures

- A. Beneficiaries who wish to file a complaint of discrimination may file a complaint directly with the subrecipient; with the Judicial Branch; with the Commission on Human Rights and Opportunities (CHRO) at 450 Columbus Boulevard, Suite 2, Hartford, CT 06103, 860-541-3400; or with the Office for Civil Rights (OCR), Office of Justice Programs (OJP), at 810 7th Street N.W., Washington, D.C. 20531. If a beneficiary raises an allegation of discrimination with a Judicial Branch employee, the Judicial Branch employee shall instruct the complainant to submit a written statement of the allegations to the Judicial Branch Director of the Human Resource Management Unit (HRMU), 90 Washington Street, Hartford, CT 06106, 860-706-5280.
- B. If the complaint is filed with the Judicial Branch, it must be done in writing using the JD-ES-284 Rev. 3-18, Discrimination Complaint/Federal Grants form (www.jud.ct.gov/webforms/forms/es284.pdf).
- C. The Judicial Branch Director of the HRMU or his designee shall provide the complainant with written notice acknowledging receipt of the complaint and shall be responsible for coordinating the series of actions described below.
- D. The Judicial Branch Director of the HRMU or his designee shall determine whether the matter should be investigated internally or referred to an appropriate external agency for investigation and resolution, such as the CHRO or the OCR, OJP. All complaints shall be reviewed in an objective and impartial manner.

If the complaint is referred to an appropriate external agency for investigation, the HRMU shall notify the complainant and the OCR, OJP in writing.

If the HRMU determines that an internal investigation is appropriate, it shall notify the complainant and the OCR, OJP of the investigation in writing. The complainant shall be notified of how correspondence will be administered throughout the investigation and shall be provided with an explanation of how the complaint will be investigated and resolved. Upon completion of the investigation, the HRMU shall notify the complainant and the OCR, OJP of the outcome in writing.

- E. Judicial Branch program monitors shall ensure that subrecipients have written policies or procedures in place for responding to complaints of discrimination regarding the delivery of services or benefits that are filed directly with the subrecipient. Program monitors shall notate compliance with this general grant condition in executing the compliance checklist.
- F. Each subrecipient will receive subgrant terms and conditions, which will include standard assurances notifying them of their civil rights obligations.

V. Training and Policy Dissemination

The Judicial Branch shall post these procedures on the Judicial Branch website to notify Judicial Branch subrecipients and their employees of prohibited discrimination and the procedures for filing a complaint of services or benefits discrimination. The policy shall be included in new employee orientation materials and Judicial Branch employees shall be trained on complaint procedures, including the employee's responsibility to refer services or benefits discrimination complaints to the Judicial Branch Director of the HRMU.

Non-discrimination and non-retaliation clauses will continue to be incorporated into all subrecipient contracts and agreements.