

MONTANA DEPARTMENT OF JUSTICE

TITLE VI PROGRAM PLAN



Montana Department of Justice
Central Service Division
840 Helena Ave-PO Box 201401
Helena, MT 59601

**MONTANA DEPARTMENT OF JUSTICE
TITLE VI PROGRAM MANUAL**

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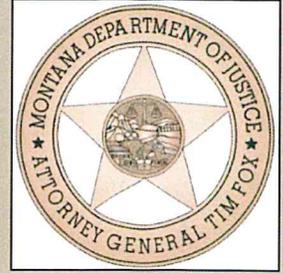
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Documents

Documents	Document	Issue Date
EEO-AA Plan	EEO/AA	
MDT & MHP MOU	1A	12-16-2016
Notice for Contracts, bids & RFP's	2A	03-13-2017
MVD Non-Discrimination Assurances Plan	3A	01-17-2017
Title VI Complaint Brochure	4A	03-13-2017

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Policy Statement



Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall on the grounds of race, color, or national origin be discriminated against under any program or activity receiving Federal Financial Assistance. The Federal Aid Highway Act of 1973 (23 U.S.C. 324) added "sex" as a protected status. The Title VI Program also refers, where appropriate, to related Nondiscrimination authorities. The State of Montana forbids discrimination in many areas through its Constitution, codes and rules.

Title VI was clarified by the Civil Rights Restoration Act of 1987 (P.L. 100-259), effective March 22, 1988, which added section 606, defining the terms "programs and activities" to include all of the operations of an educational institution, government entity, or private employer that receives federal funds if any one operation receives federal funds.

The Montana Department of Justice (MDOJ) is a State governmental entity. It is the policy of MDOJ to ensure compliance with Title VI of the Civil Rights Act of 1964 and related Nondiscrimination authorities as identified in the signed FMCSA Title VI Program Assurance, including 49 CFR Part 21 and 49 CFR Part 303, in all programs and activities.

MDOJ assures that no person shall, as provided by Federal and State civil rights authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. MDOJ further ensures every effort will be made to ensure non-discrimination in all programs and activities, whether these programs and activities are federally funded or not.

The Department recognizes the need for continuous Title VI Program training for Department personnel. When MDOJ distributes federal-aid funds to another governmental entity, MDOJ will include Title VI Program language in all written agreements and will monitor for compliance.

Title VI Program-related activities are delegated by the Central Services Division, Human Resources (HR) Bureau. Title VI Program –related responsibilities are delegated to the appropriate Division program managers. The CSD Human Resources Bureau charges them with the responsibility to develop and implement procedures and guides to adequately monitor their programs. In turn, HR conducts periodic Compliance reviews to assure implementation is adequate.

The Attorney General has delegated the authority to administer and monitor the Title VI Program as promulgated under Title VI of the Civil Rights Act of 1964 and related nondiscrimination authorities to the Central Services Division. The CSD Human Resource Bureau Chief will coordinate the effective implementation of the Title VI Program will all Department of Justice personnel.

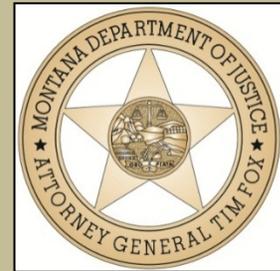
Tim Fox, Attorney General

5 May 2017

Date

MONTANA DEPARTMENT OF JUSTICE TITLE VI PROGRAM MANUAL

Organization & Staffing



The Department of Justice was created on September 1, 1972, through the Executive Reorganization Act of 1971. The Attorney General, who is elected to serve a four-year term, heads the department. The Department's primary functions are to provide for effective statewide law enforcement, legal services and public safety.

In the same Executive Reorganization Act that created the Department of Justice, the Board of Crime Control was established and attached to the Department of Justice for administrative purposes. The board is composed of 18 members appointed by the Governor and confirmed by the senate. The staff hired by the board operates as the Crime Control Division.

The nine operating divisions of the Department of Justice are listed below:

Central Services Division - provides centralized administrative support for the accounting, budgetary and fiscal, and human resources function of the Department. Administers the county attorney payroll and extradition and prisoner transportation program expenditures.

Crime Control Division - prepares and implements an annual plan for strengthening Montana's criminal justice system. In addition to administering federal grant funds, the division provides support services to criminal justice agencies in the form of peace officer certification, data collection and research. This division is attached to the Department for administrative purposes only.

Division of Criminal Investigation - provides professional investigative and training assistance to local law enforcement and fire services agencies and promotes cooperation among federal, state and local agencies. Administers the Montana Law Enforcement Academy, which provides a professional education and training program in criminal justice for Montana law enforcement officers and other qualified personnel.

Forensic Science Division - performs scientific analyses of specimens submitted by law enforcement officials, coroners, and state agencies, promotes forensic science training and scientific criminal investigations in the state and manages a statewide system of death investigations.

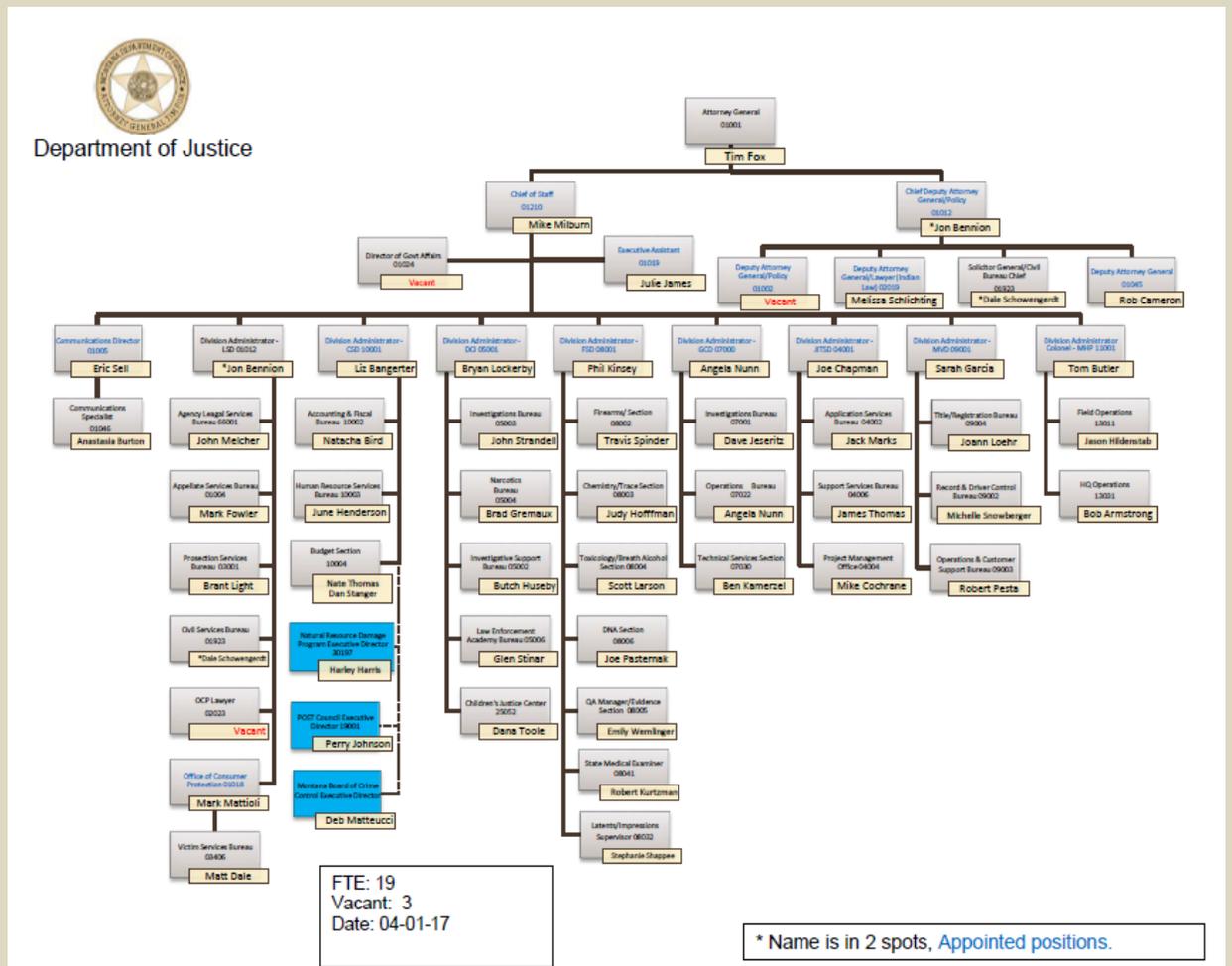
Gambling Control Division - responsible for licensure, regulation and enforcement of gambling activities in the State of Montana. The division was created by the 51st Legislature in 1989 in a bill generally revising gambling laws.

Highway Patrol Division – responsible for highway traffic safety through officer traffic patrol activities; vehicle crash investigations; motorist assistance; auto theft investigation; vehicle inspection and general traffic enforcement; commercial vehicle regulation and provides executive protection for the Governor’s Office.

Information Technology Services Division - supports the Department's information technology environment and provides law enforcement telecommunication and identification services.

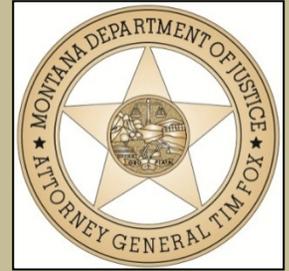
Legal Services Division - provides the Attorney General with legal research and analysis; represents the state in cases before state and federal courts; provides legal assistance to state and local governments on issues involving Indian jurisdiction; provides legal assistance, training, and support for county prosecutors; provides legal advice and support for all state agencies, and administers Crime Victims' Compensation and Restorative Justice Programs.

Motor Vehicle Division - provides for vehicle titling through the Title & Registration Bureau; vehicle registration and inspection, driver licensing and regulation, and motor vehicle dealer investigation and compliance.



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Description of Federal Aid Programs



Motor Vehicle Division

Commercial Driver's License Program Implementation

The Department of Justice, Motor Vehicle Division's (MVD) federally funded program is the Commercial Driver's License Program Implementation GRANT Program (CDLPIGP). The CDLPIGP purpose is to reduce the number and severity of commercial motor vehicle crashes in the United States by ensuring that only qualified drivers are eligible to receive and retain a CDL. This goal focuses on maintaining the concept that for every commercial driver, there is only one driving record and only one licensing document, commonly referred to as "One Driver One License One Record". States are required to conduct knowledge and skills testing before issuing a CDL; to maintain a complete and accurate driver history record for anyone who obtains a CDL; and to impose driver disqualifications as appropriate.

The CDLPIGP projects have a direct impact protecting members of the public and serving the public on Montana and US highways. Additionally, MVD continually evaluates and enhances its CDL program to improve its services to commercial drivers, CDL applicants, including the increased number of Native American CDL applicants.

MVD's CDL program supports the primary mission of the Federal Motor Carrier Safety Administration (FMCSA), which is to reduce crashes, injuries and fatalities involving large trucks and buses.

MVD received CDLPIGP funding in the past. These programs include:

- 2007 Automated Knowledge Testing system
- 2008 CDLIS Modernization
- 2009 Enhancements to MVD Legacy system
- 2010 CDL Helpdesk
- 2011 E-citation and outreach
- 2012 Project Management

In 2016, MVD submitted a 2016 CDLPI funding request for Document Indexing and CD31 records.

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Notification & Training



Notification to Beneficiaries/Participants:

Under this compliance plan, DOJ will give written notification to beneficiaries, participants, and member of the public detailing our Title VI Program obligations. This written notification will include,

DOJ will take the following steps:

1. By March 31, 2017
 - a. Posters and brochures are disseminated to all DOJ publicly accessed facilities.
 - b. Develop a poster for the public
 - c. Develop a brochure for the public
2. By September 30, 2017
 - a. Add information on the DOJ website <https://dojmt.gov/>

Training

DOJ requires all new employees, as part of the onboarding process to complete Title VI Program training. In addition, all DOJ staff are required to complete the online Civil Rights training course yearly. Additional training will be offered online via the DOJ intranet specifically addressing Title VI utilizing the FMCSA Basic Title VI Program power point presentation to be presented at the MVD all staff training yearly. This will be implemented by September 31, 2017.

MONTANA DEPARTMENT OF JUSTICE
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Public Notice of Title VI Program Rights



Public Notice of Title VI Program Rights

The Montana Department of Justice gives public notice of its' policy to uphold and assure full compliance with the non-discrimination requirements of Title VI of the Civil Rights Act of 1964 and related Nondiscrimination authorities. Title VI and related Nondiscrimination authorities stipulate that no person in the United States of America shall on the grounds of race, color, national origin, sex, age, disability, income level or limited English proficiency be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance.

You may find out more information on the DOJ Title VI Program by visiting our website at <https://dojmt.gov>. Any person who desires more information regarding Montana Department of Justice's Title VI Program can contact its Title VI Coordinator – Human Resource Manager, June Henderson at jhenderson@mt.gov or 406-444-4229.

If you believe you have, individually or as a member of any specific class of persons, been discriminated against based on race, color, national origin, sex, age, disability, income level or limited English proficiency, you have the right to file a formal complaint. Your complaint must be in writing and submitted within 180 days following the date of the alleged occurrence to:

Department of Justice Human Resources Office
Attn: Human Resources Manager
840 Helena Ave, PO Box 201404
Helena, MT 59620
(406) 444-4229

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Responsibilities



Title VI Coordinator Responsibilities

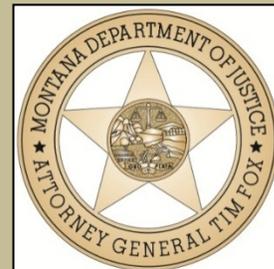
1. Develop/implement procedures for prompt processing and dispositions of Title VI complaints.
2. Conduct Title VI reviews of program areas.
3. Review DOJ program directives and include Title VI Program-related requirements.
4. Conduct Title VI training for DOJ program staff.
5. Prepare an annual Title VI accomplishments report and work plan by October 1.
6. Submit an updated Title VI plan within time frames for each federal agency.
7. Disseminate Title VI Program information (i.e., Notice to the Public) to the general public.
8. Establish procedures to identify and eliminate discrimination when found to exist.
9. Establish procedures for promptly resolving deficiency status through voluntary means.

DOJ Program Representatives Responsibilities

1. Complete and submit Title VI Periodic Report every four months.
2. Report all written Title VI complaints immediately to Coordinator.
3. Seek opportunities to train staff/public on Title VI and notify coordinator.
4. Ensure Title VI Notices are posted/pamphlets are available to the public.
5. Monitor Division activities for potential Title VI Program impact and consult with the Title VI Coordinator as necessary.

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Complaint Process



Title VI Program Complaint Disposition Process

DOJ is an equal employment opportunity employer and prohibits discrimination based on race, color, national origin, age, physical or mental disability, marital status, religion, creed, sex, or sexual orientation unless based on a bona fide occupational qualifications (BFOQ), as well as prohibiting retaliation. DOJ also prohibits discrimination in providing services, activities and programs unless providing reasonable accommodation or reasonable modification would cause an undue hardship.

Any employee, client, beneficiary, participant, or applicant for employment who alleges to have been discriminated against due to any DOJ regulation or policy or the official action of any DOJ employee may, as soon as possible, but within one hundred eighty (180) calendar days of the alleged discriminatory occurrence, initiate complaint proceedings by notifying the Human Resource Services Bureau Chief (ADA/EEO Officer). An employee or applicant may notify the ADA/EEO Officer, their immediate supervisor, or any DOJ supervisor, even if s/he is not the employee's direct supervisor. If the complaint is not filed within one hundred eighty (180) calendar days of the alleged discriminatory occurrence, the individual will lose the right to file an internal complaint.

Title VI Program Complaint Form-Appendix A

Title VI Program Assurance-Appendix B

Sub-Recipient Compliance Reports

Department of Justice, Motor Vehicle Division

MVD has not and does not plan to provide any federal funding to another entity. Since MVD does not have any sub-recipients, the division does not need to identify such an entity, make sure they understand Title VI Non-Discrimination, monitor its effectiveness, or require periodic reporting.

Access to Records

Montana Department of Justice, Motor Vehicle Division (DOJ/MVD) will make all Title VI Non-Discrimination Program records, or any relevant records, available to FMCSA upon request.

Complaint Disposition Process

The Department of Justice, Motor Vehicle Division (DOJ/MVD) will develop its own public Title VI nondiscrimination complaint. Currently, DOJ/MVD has non-discrimination complaint procedures for employees. The procedures for handling Title VI Program discrimination complaints received from the public will be developed to meet legal standards with a goal to be timely and effective. The procedures will include steps for the submission of a complaint, the investigation, and appropriate actions based on final report. The procedures will include a Title VI complaint log with all relevant information. The complaint log will be made available to FMCSA. This process will be defined by September 30, 2017, including the complaint log.

Status of Corrective Actions, Implemented by Applicant to Address Deficiencies Previously Identified During a Title VI Program Compliance Review

FMCSA OCR or other Federal Agency has not completed a Title VI Program compliance review of DOJ/MVD. DOJ/MVD is not under a corrective action plan.