



U.S. Department of Justice

Office of Justice Programs

Office for Civil Rights

Washington, D.C. 20531

October 17, 2012

Nick A. Soulas, Jr.
First Assistant Prosecuting Attorney
Office of the Franklin County Prosecuting Attorney, Civil Division
373 South High Street
Columbus, Ohio 43215-6318

Re: [REDACTED] v. Franklin County Mun. Ct. et al. (10-OCR-0314)
Voluntary Resolution of Preliminary Finding of Discrimination

Dear Mr. Soulas:

Thank you for the documentation that you have submitted on behalf of your client in connection with the Office for Civil Rights (OCR), Office of Justice Programs, U.S. Department of Justice's (DOJ) administrative investigation of the Complaint that [REDACTED] (Complainant) filed against the Franklin County Sheriff's Office (FCSO). On June 15, 2012, the OCR made a preliminary determination that the FCSO engaged in disability discrimination in violation of Title II of the Americans with Disabilities Act of 1990 (ADA), as amended, 42 U.S.C. § 12132, and Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. § 794, and their implementing regulations.

In accordance with the DOJ's implementing regulations of the ADA and Section 504 at 28 C.F.R. §§ 35.172(c) and 42.530(a), prior to the issuance of a final determination of noncompliance, the OCR provided the FCSO with the opportunity to voluntarily resolve our preliminary finding of discrimination. In order to voluntarily resolve this preliminary finding of discrimination, the FCSO was required to take certain actions, including developing a comprehensive policy for ensuring effective communication with inmates and visitors of the Franklin County Corrections Center (FCCC) who are deaf or hard of hearing and providing regular training for FCCC staff on this written policy.

Since the issuance of the OCR's preliminary finding of discrimination, the FCSO has been working with the OCR to take the required actions to voluntarily come into compliance with the nondiscrimination provisions of the ADA and Section 504, including the development of the enclosed policy effective November 1, 2012, regarding communicating with deaf and hearing impaired inmates. The OCR has reviewed this policy and concludes for the purposes of our review that it substantially complies with the requirements of the ADA and Section 504 and the DOJ's implementing regulations and is

Nick A. Soulas, Jr., First Assistant Prosecuting Attorney

October 17, 2012

Page 2

sufficient to ensure effective communication with inmates and visitors to the FCCC who are deaf or hard of hearing. According to the terms of this policy, the FCSO will provide all newly hired deputies with information and training on the policy as part of the basic corrections training and will provide all other deputies with information and training on the policy as part of their regular roll call training.

Based on the FCSO's actions, the OCR finds that the FCSO has voluntarily resolved our June 15, 2012, preliminary finding of discrimination. Accordingly, we are closing our administrative review of this Complaint. However, please be advised that should the OCR discover that the FCSO is not complying with its written policy or otherwise fulfilling the terms of this voluntary resolution, we will re-open our investigation of the FCSO and proceed accordingly.

Thank you for your cooperation in resolving this matter. If you have any questions, please contact OCR Attorney Shelley Langguth at (202) 305-2353.

Sincerely,

/s/

Michael L. Alston

Director

Enclosure