



STATE OF ILLINOIS Torture Inquiry and Relief Commission

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Governor

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LANGUAGE ACCESS PLAN

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I. Introduction and Overview

The [Torture Inquiry and Relief Commission \(TIRC\) Act](#), passed in 2009 and amended in 2016, provides for an eight-member commission chaired by a former judge. The Commission began receiving claims in April 2011 and continued accepting them until August 10, 2014, the filing deadline specified by the original Act. In 2016, the legislature re-opened the filing period through August 10, 2019. The Commission does not have jurisdiction to investigate claims submitted after that date. The claimants, their families, and the victims and/or survivors of the underlying crime are the individuals for whom the Commission has developed its Language Access Plan.

II. Function of TIRC

The TIRC Act allowed a claim to be filed before the Commission by anyone who had a "claim of torture." "Claim of torture" means a claim on behalf of a living person convicted of a felony in Illinois asserting that he was tortured into confessing to the crime for which the person was convicted and the tortured confession was used to obtain the conviction and for which there is some credible evidence related to allegations of torture occurring within a county of more than 3,000,000 inhabitants. Cook County is the only county in Illinois that meets that definition.

The Commission is authorized by the Act to gather evidence about a claim and then determine whether there is sufficient credible evidence of torture to merit judicial review.

The TIRC Act requires claimants to waive their rights against self-incrimination for the Commission to conduct a formal inquiry into a claim of torture. The claimant must agree to provide full disclosure regarding inquiry requirements of the Commission. The Commission also requires a waiver allowing the Commission to communicate with a claimant's trial or appellate counsel and to access medical records and certain court records. Each waiver the Commission requires claimants to sign is a Vital Document.

To evaluate a claim, the Commission's staff can serve subpoenas to compel the testimony of witnesses and the production of evidence, administer oaths, and use any measure provided for in Illinois civil and criminal codes of procedure. After the Commission has investigated a matter, it may develop a written disposition of its determinations:

- i. It can find by a preponderance of the evidence that there is sufficient credible evidence of torture to merit judicial review. If it does, it can vote to refer the claim and supporting evidence to the Cook County Circuit Court and petition for its assignment to a trial judge.
- ii. It can determine that the preponderance of the evidence does not demonstrate credible evidence of torture. If it does, it can vote to not refer the claim to the Cook County Circuit Court. A claimant has the right to file with the Circuit Court within 35 days a petition for administrative review of the Commission's decision to not refer a claim.

- iii. The Commission has the discretion to refer evidence of criminal acts, professional misconduct, or other wrongdoing to appropriate authorities, and to recommend changes in the law to the General Assembly.

Under the TIRC Act, the Commission must perform victim notification for a formal inquiry. The victim of the underlying crime (or if the victim of the crime is deceased, the next of kin of the victim, which shall be the parent, spouse, child, or sibling of the deceased victim) has the right to present his or her views and concerns throughout the Commission's investigation of the matter. The victim is permitted to attend proceedings otherwise closed to the public, subject to any limitations imposed by this Act, and subject to Section 2(c)(14) of the Open Meetings Act. The Commission is required to post notice of its meetings.

III. Policy Statement

The Commission commits to ensuring limited English proficient (LEP) individuals have meaningful access to its information. Staff will take reasonable steps to provide interpretation and translations when feasible, prioritizing clear communication over any language barriers within available budgetary resources.

This Plan describes the Commission's policies and practices to provide Language Access Services to LEP individuals. The Plan also outlines anticipated future actions to assist LEP Individuals. Pursuant to this Plan, the Commission seeks to continue to eliminate or reduce - to the maximum extent practicable - limited English proficiency as a barrier to LEP individuals proceeding with a claim of torture, the family of those individuals, and the victims of the underlying crime or their next of kin from accessing the Commission. We anticipate that this Plan and related documents will be reevaluated every two years.

IV. Definitions

- a. **Bilingual Staff** - A staff person who has demonstrated proficiency in English and reading, writing, speaking, or understanding at least one other language. For the purposes of this plan, a Bilingual Staff member is a merit compensation staff member who receives Assignment Pay when required to use Second Language Ability. 80 Ill. Adm. Code 310.490(j).
- b. **Effective Communication** - Communication sufficient to provide a Limited English Proficient ("LEP") Individual with substantially the same level of services received by individuals who are not LEP. For example, staff must take reasonable steps to ensure communication with an LEP Individual is as effective as communication with English proficient individuals when providing similar programs and services.
- c. **Interpretation** - The act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining

the same meaning.

- d. **Language Access Coordinator (LAC)** - Commission staff who are responsible for ensuring that their respective offices provide meaningful access to agency programs and services to LEP Individuals within their jurisdiction.
- e. **Language Assistance Services** - Oral and written language services needed to assist LEP Individuals to communicate effectively with staff, and to provide LEP individuals who meet the statutory requirements to file a claim of torture with meaningful access to the proceedings of the Commission.
- f. **Limited English Proficient (LEP) Individuals** – Individuals with claims of torture, the family of those individuals, and any victims of the underlying crime or their next of kin who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English. LEP individuals may be competent in English for certain types of communication (e.g., speaking or understanding), but still be LEP for other purposes (e.g., reading or writing).
- g. **Meaningful Access** - Language assistance that results in accurate, timely, and effective communication at no cost to the LEP Individual. For LEP Individuals, meaningful access denotes access that is not significantly restricted, delayed, or inferior compared to programs or services provided to English proficient individuals.
- h. **Primary Language** - An individual's primary language is the language in which the individual most effectively communicates.
- i. **Translation** - The replacement of written text from one language (source language) into an equivalent written text in another language (target language).
- j. **Vital Document** - Paper or electronic written material that contains information that is critical for accessing the Commission's services or is required by law.

V. Determining Language Needs and Providing Language Access

Commission staff recognize the diverse language needs of the populations within the State. Accordingly, the Commission has developed the process for its Language Access Plan, which includes reviewing claim forms and determining which, if any, require Language Assistance Services. This Plan is intended to ensure that LEP Individuals have meaningful access to the Commission's information. It is the responsibility of the Commission staff and not the LEP Individual to ensure that communications between the Commission and the LEP Individual are not impaired as a result of the limited English proficiency of the LEP Individual.

The Commission's Plan will be overseen by the Commission's Language Access Coordinator (LAC), with the assistance of the Commission's General Counsel, and implemented by Commission staff, including Commissioners, Managers, Administrative Support Assistants,

Supervisors, the Executive Director, and Attorneys.

a. Identifying LEP Individuals

There are a number of ways of identifying LEP Individuals:

- LEP person self-identifies as LEP
- LEP person requests an interpreter or translator
- Commissioners or staff believes that the individual does not speak or understand English well enough to effectively understand or communicate questions and answers.

b. Protocol for Gathering Language Preference

Commission staff will gather language preference information during initial contact with claimants. This will be recorded in the claimant's file and used to ensure appropriate language services are provided. Staff will use a standardized form that includes a language preference question.

c. Bilingual Staff

Nearly all people who contact the Commission are not LEP Individuals, and the Commission rarely encounters LEP Individuals. Thus, position requirements within the Commission's staff do not include bilingual skills. Where reasonable and where the Commission's monetary resources or budget will allow, the Commission will assign Bilingual Staff to engage with LEP Individuals.

The Commission endeavors to recruit, interview, and hire bilingual employees based on the applicant's ability to speak, interpret, and translate, and to perform the duties and functions required by the position. As of April 2025, the Commission has 15 employees, some of whom are bilingual and fluent in Spanish and Greek.

If staff determines that an LEP Individual speaks a language in which Commission Staff is fluent, Bilingual Staff will assist the LEP Individual immediately or schedule the LEP Individual for a follow-up call. Staff should also provide the LEP Individual with translated Vital Documents of the Commission where applicable.

If no Bilingual Staff is available for the LEP Individual's language, reception staff should follow the office's procedures for securing telephonic interpretive services, as indicated below.

d. Telephonic Interpretation

Telephone calls are the most common method by which members of the public, including possible LEP Individuals, contact the Commission. The Commission's main number is 312-814-1094.

555 W. Monroe, Suite 600-S Chicago, Illinois 60661
Phone (312) 814-1094 Fax (312) 814-5333 TTY (866) 214-4479

Front desk Commission staff will be instructed to provide interpretive services to LEP Individuals through Bilingual Staff or through telephonic interpretation by a Language Service (Propio) with professional certified linguists based on need and available resources.

e. Teletype Device/Telecommunications Device for the Deaf

This policy ensures that individuals who are deaf, hard of hearing, or have speech impairments are provided equitable access to agency services through the use of Telecommunications Devices for the Deaf (TTY). The Commission is committed to ensuring that all individuals, regardless of their communication abilities, can access its services and information. TTY services will be made available to provide effective and accessible communication for those who require it. Staff will promptly respond to TTY communications to ensure timely support. TTY numbers will be prominently displayed on all public-facing communications, including websites, vital documents, and notices.

f. Exigent Circumstances

In some instances, LEP Individuals may request that a friend or family member serve as an interpreter when communicating with the Commission. As indicated above, the Commission's preferred method of communication with an LEP Individual who is seeking information from the Commission is through a Bilingual Staff member. However, in exigent circumstances when the Commission staff is unable to obtain qualified interpretive services on short notice, or where the Commission's monetary resources or budget prevents the Commission from obtaining such services, the Commission may allow the LEP's relative or friend to serve as an interpreter when communicating with the Commission or Commission staff.

VI. Translation of Vital Documents

To enhance communication with LEP Individuals, the Commission will translate its Vital Documents into languages other than English. The Commission's selected languages for translation of Vital Documents is based on the language needs of the State and particularly those LEP Individuals to whom the TIRC Act applies. This selected language is determined to be Spanish. The documents selected for translation are Vital Documents in that they provide information about the TIRC Act, claim filing and jurisdictional requirements, and Commission processes. The Commission will ensure quality control of Translations through qualification standards and safeguards in the procurement of Translation services or the use of Bilingual Staff.

Classification of a document as "vital" depends on the importance of the document being filed or executed, the information and disclosures contained therein, and the consequence to the LEP Individual if the information in question is not provided accurately.

The Commission's Vital Documents are:

- TIRC Claim Form;

- TIRC Waiver Form;
- TIRC Limited Attorney-Client & Work Product Waiver Form;
- TIRC Blanket HIPAA Medical Records Waiver/Release Form;
- TIRC Release of Documents Waiver Form;
- TIRC Victim Notifications;
- TIRC Claim Determination Notification Letters; and
- Meeting Notices.

In general, Vital Documents can be classified into two categories: (1) specific communication regarding a case between an LEP Individual (usually the torture claimant, the family of the claimant, and/or any victims of the underlying crime or their next of kin) and the Commission; and (2) notices to the general public.

VII. Notification of the Availability of Free and Fee-Based Language Services

The Commission uses the language identification sheet from the Language Service Propio and provides it to torture claimants as handouts accompanying the Commission's initial correspondence to the claimant prior to beginning formal inquiry. These handouts feature the phrase "If you need a free interpreter, please point to your language". We anticipate that the handout will enable any LEP Individuals, their representatives, and staff assigned to investigating the claim to quickly ascertain language needs and provide bilingual assistance, forms, or informational material to LEP Individuals.

When Vital Documents that have been translated into other languages are reprinted or updated, the Commission will include a statement in each document about the availability of Language Assistance Services.

VIII. Access to the Commission Public Website

The Commission's public website, <https://tirc.illinois.gov>, includes an "About Us" subpage with information about the Commission's history, statutory authority, and processes. The Commission endeavors to provide this information on its website to increase access to Commission information. The Commission's website can be translated into six different languages by selecting the language from a drop-down menu at the top right of the page.

IX. Oversight and Complaint Process

The Language Access Coordinator (LAC) is responsible for overseeing all aspects of the Commission's Language Assistance Services for LEP individuals. This includes managing the complaint process, coordinating with staff, and ensuring compliance with the Language Access Plan.

Complaints regarding language access may be submitted:

- Online via a standardized complaint form
- Orally to Commission staff
- By email or mail to:

Jennifer Crespo, General Counsel Illinois Torture Inquiry and Relief Commission 555 W. Monroe Suite 600-S Chicago, IL 60661 Phone: 312-814-3113 Email: jennifer.crespo@illinois.gov	Paul Haidle, Communications Director Illinois Torture Inquiry and Relief Commission 555 W. Monroe Suite 600-S Chicago, IL 60661 Phone: 312-814-7099 Email: paul.haidle@illinois.gov
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Complaints are reviewed by the LAC in coordination with the Executive Director and General Counsel. The team will:

- Assess the nature and validity of the complaint
- Attempt resolution
- Respond to the complainant
- Evaluate whether the complaint indicates a need for agency-wide policy or practice changes

If a complaint is not resolved in a timely or adequate manner, it may be elevated to the Governor's Office of New Americans (ONA) for further review and resolution.

X. Training and Continuous Improvement

a. Staff training

The Commission is committed to ensuring that LEP individuals have meaningful access to its information and processes. To achieve this, the Commission will continue to provide on-going staff training, review and refine processes as necessary, analyze data, and enhance coordination efforts. All new and existing staff will receive annual training on language access policies, including how to identify LEP individuals, access interpretation services, and use translated documents. Training will be role-specific and include certification procedures for bilingual staff. Initial training will be completed by September 2026, with ongoing annual training thereafter.

b. Language access needs assessment

The Commission will conduct a comprehensive Language Access Needs Assessment annually.

This includes tracking the number and proportion of LEP individuals served, the frequency of LEP interactions, and the languages spoken. Data will be collected from claim forms, staff interactions, and telephonic interpretation logs and analyzed quarterly so that the Commission may identify trends that will inform the annual Language Access Needs Assessment. The Commission will use this data to refine service delivery and prioritize translation needs.

c. Community Outreach

Subject to available resources, the Commission will partner with community organizations and other agencies to identify LEP populations and disseminate information about available language services. As applicable, outreach materials will be translated into Spanish, Polish, Chinese, Tagalog, and Arabic, and distributed through community events and online platforms. The Commission will conduct outreach to inform LEP individuals, their representatives, and the public about the Language Access Plan. Language Access Coordinators (LACs) will play a key role in identifying barriers to access, developing solutions, and reviewing agency programs for language accessibility. LACs will assess the training needs of bilingual staff and provide recommendations to the Executive Director and Chair to address those needs.

To ensure accessibility, the Commission's website will be regularly updated to include vital information about its mission, jurisdiction, contact details, and Language Assistance Services. If underserved LEP individuals are identified, the Commission will translate and deliver Vital Documents to address their needs.

XI. Conclusion

The Commission is committed to ensuring that LEP Individuals have meaningful access to Commission meetings and information. The LAC will determine which documents are considered "vital" and will also consider recommendations regarding which documents to translate and the languages for translation from employees familiar with the claims in order to ensure LEP Individuals a seamless as possible process from the filing of a claim of torture through its adjudication.

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