



UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY  
WASHINGTON, D C. 20460

Office of Environmental Justice and External Civil Rights  
Office of External Civil Rights Compliance

January 26, 2023

**In Reply Refer to:**

EPA Complaint No: O6X-23-R6

Juan Garcia  
Senior Warden  
H.H. Coffield Unit  
2661 FM 2054  
Tennessee Colony, TC 75884  
Juan.Garcia@tdcj.texas.gov.

**Re: Acknowledgement, Rejection & Referral of Receipt of Administrative Complaint**

Dear Warden Garcia:

This letter is to notify you that the U.S. Environmental Protection Agency (EPA), Office of Environmental Justice & External Civil Rights Compliance, Office of External Civil Rights Compliance (OECRC),<sup>1</sup> received a complaint on January 18, 2023, involving the Coffield Unit operated by the Texas Department of Criminal Justice alleging discrimination based on race in violation of Title VI of the Civil Rights Act of 1964.

After careful review, OECRC has determined that OECRC is rejecting the complaint for investigation because it does not meet the jurisdictional requirements described in the EPA's nondiscrimination regulation. However, OECRC is referring the complaint to the U.S. Department of Justice (DOJ).

Pursuant to EPA's nondiscrimination regulation, OECRC conducts a preliminary review of administrative complaints to determine acceptance, rejection, or referral to the appropriate Federal agency. *See* 40 C.F.R. § 7.120(d)(1). To be accepted for investigation, a complaint must meet the jurisdictional requirements described in the EPA's nondiscrimination regulation. First, the complaint must be in writing. *See* 40 C.F.R. § 7.120(b)(1). Second, it must describe an alleged discriminatory act that, if true, may violate the EPA's nondiscrimination regulation (i.e., an alleged discriminatory act based on race, color, national origin, sex, age, or disability). *Id.* Third, it must be filed within 180 days of the alleged discriminatory act. *See* 40 C.F.R. § 7.120(b)(2). Finally, the complaint must be filed against an applicant for, or recipient of, EPA financial assistance that allegedly committed the discriminatory act. *See* 40 C.F.R. § 7.15.

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<sup>1</sup> On September 24, 2022, EPA announced the establishment of the [Office of Environmental Justice and External Civil Rights](#) (OEJECR). The new Office includes the External Civil Rights Compliance Office, which was renamed the [Office of External Civil Rights Compliance](#) (OECRC). [OECRC](#) continues to enforce and ensure compliance with federal civil rights laws, which prohibit discrimination by applicants for and recipients of EPA financial assistance. OECRC accomplishes in accordance with the procedure described in the [Case Resolution Manual](#).

The correspondence does not meet the jurisdictional requirements of the EPA's nondiscrimination regulation at 40 CFR Part 7. Specifically, the Texas Department of Criminal Justice is not a recipient of EPA financial assistance, and the constitutional violations alleged are beyond OECRC's jurisdictional authorities. As a result, the OECRC must reject your complaint and close this case as of the date of this letter.

Because the Texas Department of Criminal Justice is a recipient DOJ financial assistance, DOJ's Civil Rights Division may have jurisdiction. OECRC refers the complaint to DOJ for appropriate action. A copy of the letter to DOJ is enclosed with this correspondence. Please contact Steven Rosenbaum at DOJ for information regarding the referral of this complaint. Mr. Rosenbaum's contact information is:

U.S. Department of Justice  
Special Litigation Section  
Civil Rights Division  
950 Pennsylvania, Avenue, NW  
Washington, DC 20530  
or [steven.rosenbaum@usdoj.gov](mailto:steven.rosenbaum@usdoj.gov)

We are also forwarding to DOJ a copy of the complaint. If you have any questions, please contact me by telephone at (202) 809-3297 or by email at [hoang.anhthu@epa.gov](mailto:hoang.anhthu@epa.gov).

Sincerely,

Anhthu Hoang  
Acting Director  
Office of Environmental Justice & External  
Civil Rights Compliance  
Office External Civil Rights Compliance

Enclosure

cc: Ariadne Goerke  
Deputy Associate General Counsel  
Civil Rights & Finance Law Office

Charles Maguire  
Acting Deputy Regional Administrator  
Deputy Civil Rights Official  
US EPA Region 5

James McGuire  
Regional Counsel