Plain Language Analysis—U.S. Department of Justice

October 31, 2019

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U.S. Department of Justice

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Executive Summary

This report addresses whether the U.S. Department of Justice (DOJ) follows plain language guidelines. I compared a total of six of the most popular content pages from the agency (four from the _justice.gov_ root domain and two from external agency pages) to the Center for Plain Language's rubric. The rubric is broken down into six categories:

- Understanding of audience needs
- Style and voice
- Structure and content
- Information design and navigation
- Pictures, graphics, and charts
- Overall rating

I gave each category a score from 1–5 and converted those scores into letter grades (A–F). In this report, I gave the DOJ a plain language compliance score of 1/F. The DOJ has been compliant with plain language standards between 2014–2015, though has teetered between a D and D- for overall compliance from 2012–2013 and 2016–2017. The overall compliance grades and writing and information design grades of the DOJ from the Center for Plain Language Report Cards were combined for an average of the two. This report's grades are compared to this average. This grade averaging was done with the exception of the grades the DOJ received in 2016 as there is only a grade for writing and information design, not an overall compliance score.

Reports from the Center for Plain Language (CPL) were analyzed to calculate the average score of the DOJ's compliance with plain language. This report compares the average of the overall compliance and writing and information design grades from the CPL to the grade I gave in this report. To keep the DOJ on the right track and meet plain language standards in the future, here are a few recommendations that would improve the site:

1. Eliminate complex, passive sentence structures
2. Make color choices for static text and links parallel across all domain pages
3. Break down page contents into more appropriate sections
4. Use more you-inclusive text

Introduction

The purpose of this report is to determine how well the United States' Department of Justice (DOJ) follows the plain language guidelines as described by the Center for Plain Language.[1] The DOJ has been in compliance with plain language standards in previous years, but since 2012, the agency's grades have varied. A government agency's compliance with plain language standards is important for both the agency and its audience; if the agency fails to provide information that the general public can understand and use, readers will miss the information they seek out and leave the agency website feeling confused. The Plain Language Action and Information Network (PLAIN) upholds this claim and states that "… using plain language will save federal agencies time and money and provide better service to the American public."[2]

History of Plain Language

Plain language is a method of communication that makes content easy for a general audience to retrieve and understand the first time they encounter it. Plain language is void of things such as complex sentence structures, jargon, slang, wordiness, and irrelevant information. Instead, plain language keeps the audience in mind and consists of items such as active voice, common words, and simple sentence structures. The Plain Writing Act of 2010 established plain language as the standard form of communication for all business and government agencies across the United States. It requires that "… federal agencies use clear government communication that the public can understand and use."[3] An organization is in compliance of plain language when the audience can:

1. Find the information they need,
2. Understand the information they find, and
3. Utilize that information to accomplish their goal(s).

DOJ History

Before the Department of Justice (DOJ) was established, the Office of the Attorney General created by the Judiciary Act of 1789 was tasked with handling affairs related to the United States. The Attorney General's workload necessitated the formation of the department which subsequently employed private attorneys and other members. Thus, the United States Department of Justice was officially established on July 1, 1870 following the nationwide rise of litigation. According to a quote by Thomas Jefferson on the agency's *About DOJ* section of their website, the DOJ was created to "… do equal and impartial justice to all its citizens." The agency was ultimately created to safeguard the interests of the U.S. and ensure due process of its citizens.

Plain language helps users understand what a certain piece of information means. The DOJ has to take into account their audience and their reason for visiting their agency website. The DOJ's audience wants to understand the information provided on their website, utilize it to fulfill a

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[1] https://centerforplainlanguage.org/learning-training/five-steps-plain-language/
[2] https://www.plainlanguage.gov/about/
[3] https://www.plainlanguage.gov/law/

task or objective, and move on. If the user fails to find information in a timely manner, or fails to understand and use that information once they find it, they will not feel inclined to visit the site in the future. Instead, they will seek direct answers by calling the agency's call center directly which raises call center costs. This can be expensive for agencies, but using plain language can eliminate these issues and help build a deeper connection between the agency and its users.[4] Use of plain language is critical, especially by government agencies whose services are relied on by most citizens.

DOJ Mission

While the agency serves all citizens of the United States, its targeted populations get more specific to those directly impacted by programs and initiatives the department handles. For instance, the Elder Justice Initiative was created to protect the safety and interests of the nation's elderly while the agency's resources on combating hate crime are provided for use by victims of hate crimes, law enforcement, advocacy groups, researchers, etc. Although the department handles a variety of initiatives and subject matter areas to ensure public safety against domestic and foreign threats, the agency provides other core services: It provides resources for the general public to report crime, locate inmates, apply for/request access to certain records, and submit complaints against the DOJ and its employees. The agency also provides services specific to attorneys such as internships and vacancies as well as the federal attorney recruitment program, the Attorney General's Honors Program, wherein law students and graduates can apply.

DOJ Structure

Since 1789, the DOJ has evolved from a one-person position of Attorney General to an executive department of the U.S. government that employs over 100,000 individuals. The department's structure has changed over the years, implementing the roles of Associate Attorney General, Assistant Attorneys General, and Deputy Attorney General and forming agency divisions by topic. The Attorney General provided advice to the President of the United States and members of the Supreme Court on matters related to the law, but the services have evolved over the last 230 years; they are more encompassing to a variety of matters affecting its citizens as they become apparent. As the agency's services continue to increase, the agency's intended audience is becoming more specific by topic, or subject matter area. As of 2019, the DOJ hosts 58 agency divisions. These agencies are overseen by the U.S. Department of Justice. The agency is currently headed by Attorney General, William Pelham Barr, as of February 14, 2019.

DOJ's Use of Plain Language

The DOJ claims to uphold plain language standards according to the Plain Writing Act of 2010. The department uses the Federal Plain Language Guidelines by the Plain Language Action and Information Network (PLAIN) for new and considerably revised documents. However, an embedded link to a PDF of those guidelines on the department website is broken. Since 2018, the agency uses jargon and other words that might prove difficult for a general audience to

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[4] https://www.visiblethread.com/2019/09/how-plain-language-cuts-call-center-costs/

understand. The agency website fails to provide further context on special terminology and other words and lacks plain writing. The DOJ uses jargon and wordy phrases throughout the homepage which makes it difficult for visitors to quickly identify and obtain specific information. The 2018 Federal Plain Language Report Card by the Center for Plain Language rated the overall writing quality of the department from an average of the homepage and most-visited webpage grades. The report card also graded the agency's organizational compliance which covers communication, internal staffing, and training. These grades are given based on demonstrated use and "… understanding of audience, style, structure, and design" as decided by a set of judges from the Center for Plain Language.

In 2018, the Department of Justice received a D (needs improvement) for organizational structure and a C (satisfactory) for overall writing quality. However, in 2015, the DOJ received a grade of A (excellent) for compliance with the requirements as defined by the Plain Writing Act of 2010 and B (good) for writing and information design. In sum, the agency has failed to maintain or improve their compliance of plain language across their website over the years. There is no continuous trend of report card grades since 2012, but the agency has gone back and forth between a good and bad average set of grades as defined by the Center for Plain Language.

This report will describe the webpages analyzed, why they were chosen, the criteria they were graded upon, and the grades they received. The report will also explain the methods and rubric used to analyze the DOJ's compliance with plain language standards (as of October 2019), a discussion of these findings and what they mean, and a comparison of these grades to the agency's historical compliance of plain language. Finally, the report will include recommendations on how the agency can improve and maintain their current application of plain language.

Methods

For this report, research was conducted using secondary resources that provided useful information about the agency's use (and lack thereof) of plain language. This section describes the various methods used to assess the overall readability of the U.S. Department of Justice's online presence. It also provides the grading criteria used to assess the agency's use of plain language based on selected content pages.

Popular Content Pages

The websites analytics.usa.gov and gachecker.com were used to identify six popular content pages across the DOJ's website. The first website is used by government agencies to understand how individuals locate, access, and use government services online. The second website lists the most popular pages of a domain in numerical order and identifies which pages contain or lack Google Analytics. However, this site was used solely to locate additional content pages from the justice.gov root domain by highest number of visits.

Site visitors come to the DOJ homepage, justice.gov, seeking information from specific agency divisions. From there, site visitors are either sent to pages from the main justice.gov domain, or to external websites of different federal law enforcement agencies. The following pages were chosen because they generated the most traffic across the agency's website based on the U.S. government analytics website. According to information retrieved from analytics.usa.gov, the agency's most popular content pages between September 12, 2019 and October 12, 2019 (listed from most to least popular) came from:

1. DOJ homepage (justice.gov), with an average of 4.7 million visitors,
2. The Federal Bureau of Prisons website (bop.gov), with an average of 1.9 million visitors, and
3. The National Sex Offender Public Website (nsopw.gov), with an average of 1.5 million visitors.

For sizable results, further analysis was conducted on three popular pages from the DOJ's root domain (aside from the homepage). The numbered list continues by incorporating additional pages in the order they were retrieved from gachecker.com;

4. The Office of Public Affairs website (justice.gov/opa), *average number of visitors unavailable*
5. Accessibility Information page (justice.gov/accessibility/accessibility-information), *average number of visitors unavailable*
6. Office of Information Policy (justice.gov/oip), *average number of visitors unavailable*

NOTE: These additional pages were retrieved on October 31, 2019 from gachecker.com as the analytics.usa.gov website did not provide a list of the most popular content pages of the same domain. It is also important to note that the average number of site users for sites 4, 5, and 6 were not provided by either analytic site checker. Thus, that data is unavailable.

Grading Criteria

The DOJ content pages were graded based on a rubric provided by Dr. Ryan Boettger, a lecturer for the department of Technical Communication at the University of North Texas. Each content page was analyzed individually and collectively, then graded according to the Plain Language Rubric provided by Dr. Boettger. The Plain Language Rubric is based on the Center for Plain Language's plain language criteria which is used to judge the success of plain language usage by an organization or federal agency. The Center For Plain Language uses its own set of criteria when providing grades for the Federal Report Card and ClearMark Awards. These rubrics only differ in that the rubric used by the Center for Plain Language evaluates an additional category titled Evaluation.

This report does not include nor grade the Evaluation category as the Center for Plain Language does not explain their evaluation methods. However, their website provides a more detailed description of the criteria for each of the six categories.[5] The Plain Language Rubric grades the plain language compliance of a federal agency based on six categories, each with its own set of criteria. These categories are graded on a scale from 1–5 (poor–excellent) and are as follows:

- Understanding of audience needs
- Style and voice
- Structure and content
- Information design and navigation
- Pictures, graphics, and charts
- Overall effectiveness

After each category was graded score based on the 1–5 scoring scale, the number grades were converted into letter grades (A–F). Once each category was given a letter grade, these grades were compared to those given by the Center for Plain Language from 2012–2018 to see how the DOJ's compliance with plain language has changed throughout those years.

NOTE: The rubric and scoring scale are provided in the Appendices section of this report.

DOJ Vocabulary and Readability

Three online text analyzers were used to assess the DOJ's vocabulary and readability. The Readability Analyzer from Datayze (datayze.com/readability-analyzer.php) was used to analyze the collective readability of the justice.gov, bop.gov, and nsopw.gov content pages. The Hemingway App (hemingwayapp.com) was used to evaluate the readability of the justice.gov/opa, justice.gov/accessibility/accessibility-information, and justice.gov/oip pages. The text analysis application, Voyant Tools (voyant-tools.org), was then used to analyze the vocabulary of the DOJ's domain pages and content pages on external domains. These analyses of the popular content pages from the U.S. Department of Justice are meant to evaluate the agency's compliance with plain language standards as defined by the Center for Plain Language.

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[5] centerforplainlanguage.org/awards/clearmark/criteria/

Results

This section contains the findings from grading the overall readability of the U.S. Department of Justice's six most popular content pages. These results were derived based on the methods and set of criteria used as established in the *Methods* section of this report.

Understanding of Audience Needs

Rating: 3/C

The agency's writing is not entirely appropriate for their audience who is comprised of American citizens (the general public) and government employees. Although each content page speaks in a formal tone, effective presentation and writing aspects by the agency are lacking. The four *justice.gov* domain pages contain large bodies of text and other miscellaneous information. This can make users feel overwhelmed, confused, and uninterested after landing on any of these pages for the first time. The content pages provide users with quick links to the most requested online services, though it is difficult to locate other services provided by the agency. With this in mind, it appears that the agency does not try enough to help their audience find, understand, and succeed in using located information across all content pages.

Style and Voice

Rating: 2/D

The agency does a subpar job of using plain writing throughout the content pages as defined by The Plain Writing Act of 2010. This act made it possible for government agencies to write in a way that allows a general audience to find the information they need, understand the information they find, and use that information to accomplish their goal(s). The DOJ, BOP, and NSOPW homepages best exemplify compliance with plain writing principles, although there is no parallel writing structure. The other *justice.gov* domain pages meet some of these guidelines, but users can still have trouble finding what they need—and fast.

Lengthy character count, passive voice, and complex sentence structures indicate the *justice.gov/opa*, *justice.gov/accessibility/accessibility-information*, and *justice.gov/oip* pages as being incompliant with plain language. For example, according to the Hemingway Editor, the Office of Public Affairs contains a sentence in their opening paragraph that uses the passive voice and a complex sentence structure: "The Office is responsible for ensuring that the public is informed about the Department's activities and about the priorities and policies of the Attorney General and the President with regard to law enforcement and legal affairs." This information is presented in Figure 1:
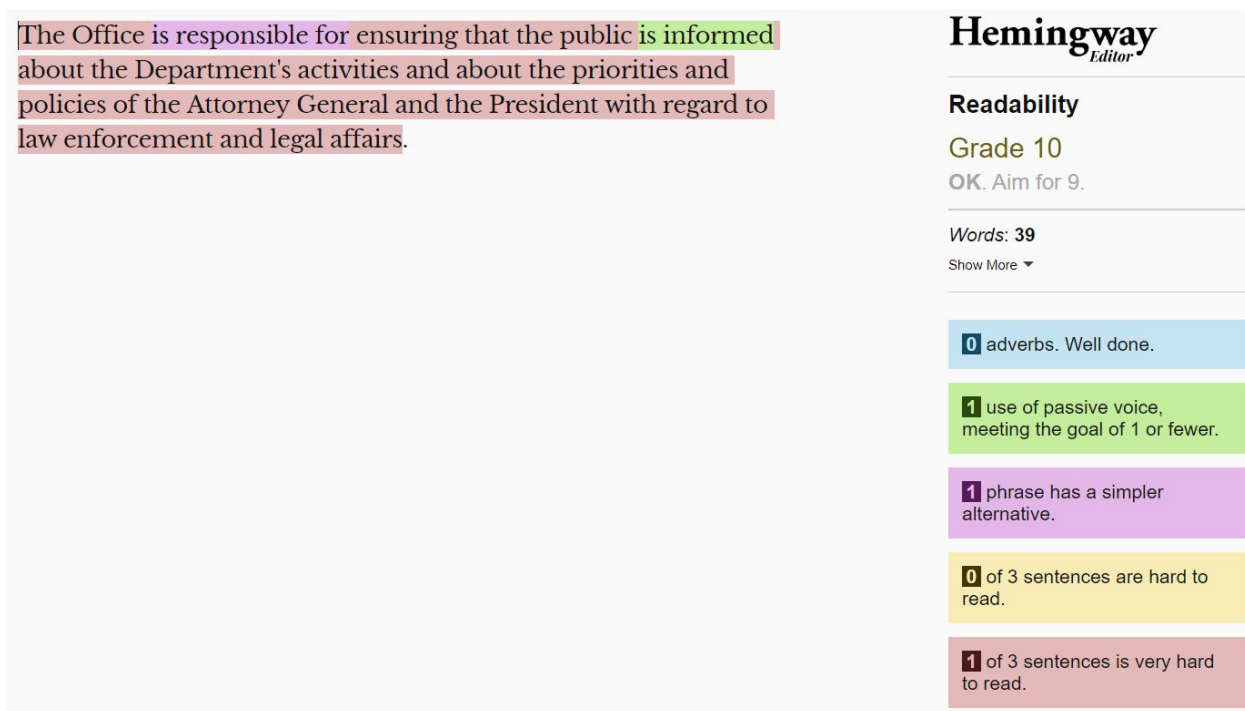
Figure 1: *Readability of the Office of Public Affairs page according to Hemingway Editor*

Likewise, a run-on sentence retrieved from the Accessibility Information page contains 63 words; "Section 508 requires us to ensure that Federal employees with disabilities, and members of the public with disabilities seeking information or services from us, have access to and use of information and data that is comparable to the access and use by Federal employees, or members of the public who are not individuals with disabilities, unless an undue burden would be imposed on us." Plain Language Campaign founder Martin Cutts suggests that sentences following plain language standards should contain no more than 20 words.[6] The sentence also uses the passive voice, "… unless an undue burden would be imposed upon us." This analysis is visualized in Figure 2, color-coding certain instances of complex writing from the text that hinder readability.

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[6]http://countwordsworth.com/blog/what-is-a-good-average-sentence-length/##targetText=In%20the%20Oxford%20Guide%20To,is%20best%2C%20sometimes%20a%20shorter.
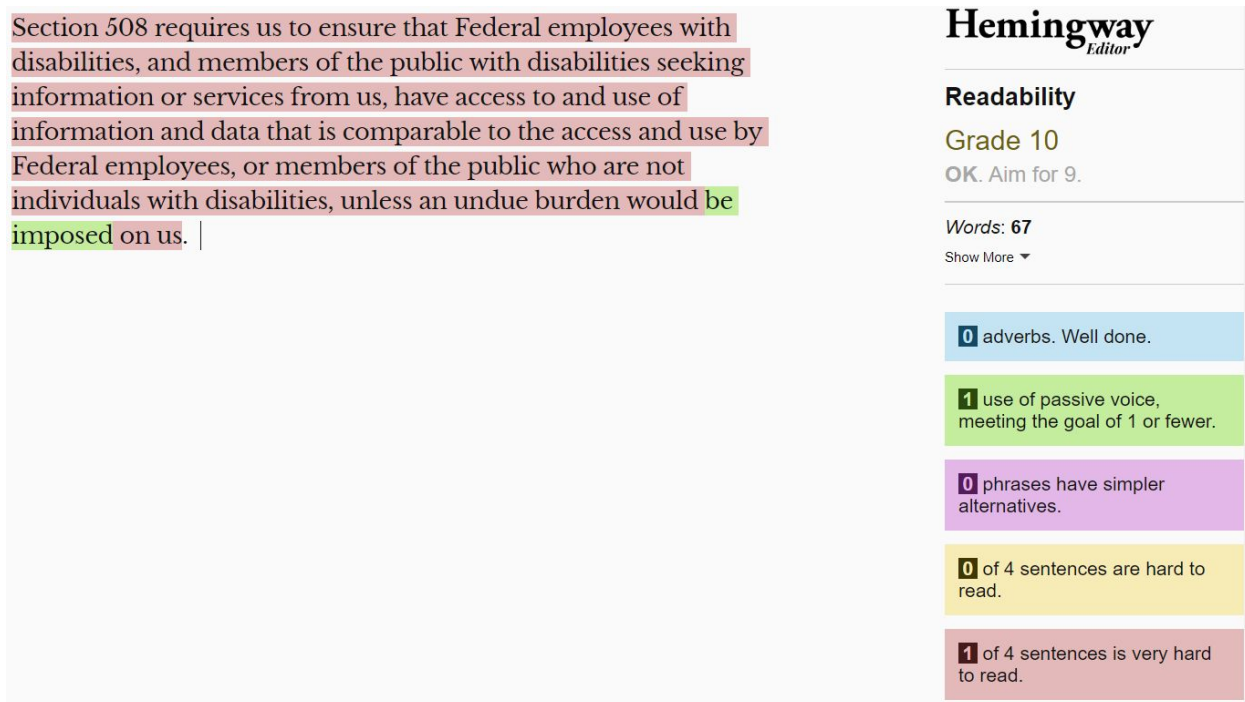
Section 508 requires us to ensure that Federal employees with disabilities, and members of the public with disabilities seeking information or services from us, have access to and use of information and data that is comparable to the access and use by Federal employees, or members of the public who are not individuals with disabilities, unless an undue burden would be imposed on us.

Hemingway Editor

Readability

Grade 10

OK. Aim for 9.

Words: **67**

Show More ▼

0 adverbs. Well done.

1 use of passive voice, meeting the goal of 1 or fewer.

0 phrases have simpler alternatives.

0 of 4 sentences are hard to read.

1 of 4 sentences is very hard to read.

Figure 2: *Readability of the Accessibility Information page according to Hemingway Editor*

The pages from the justice.gov domain do not speak in a conversational style with site visitors. The Accessibility Information, BOP, and NSOPW pages are exceptions to this since they use the inclusive *you* and *I* pronouns to address and refer to readers directly. This makes information seem more credible and sincere to site visitors. The writing also feels conversational yet formal since the Quick Links are titled with a brief description of the link's contents and take the audience's needs into consideration. It is easy to find and understand sought-after information as the Quick Links section from all six content pages use simple sentences and active verbs.

Structure and Content

Rating: 3/C

Headings within each page and titles of items within the navigation bars helps users scan pages to retrieve what they want. These headings are the clearest indicators for what each section might contain. Each navigation bar contains appropriate headings, but users must hover over these headings to view the links that provide more information. The DOJ homepage and Office of Public Affairs page have a Justice News Feed section in the body section of the pages with articles listed in order from the most recently published. Web pages from the justice.gov domain have a somewhat disorganized information structure, providing different tidbits of information throughout each page. In comparison, the BOP and NSOPW pages appear less cluttered and better prime the reader on what to expect before clicking on something. The text on each page provides users with either too much or too little information, or starts off with information that does not immediately describe the contents of the particular website.

Regardless, the navigation bars and search features make it relatively simple to complete a desired task.

Information Design and Navigation

Rating: 2/D

The BOP and NSOPW pages are relatively easier for a general audience to navigate when compared to the _justice.gov_ domain sites. All six content pages are equipped with a navigation bar located at the top of each page. This condenses information into manageable chunks that site visitors can use to locate specific information and/or complete a task. Each site also has either a sidebar or other section with a series of quick links. These sidebars contain quick links that present users with the most sought out tasks performed on the agency website for faster access to information. Quick links are titled with a brief description of the link's contents. The NSOPW site and those with the _justice.gov_ domain are also equipped with an internal search engine at the top-right corner; the only site of the six missing an internal search engine is the NSOPW.

On the DOJ homepage, users are presented with a variety of content items such as the DOJ Newsfeed, video, and photo galleries. The section titles within the _justice.gov_ domain's navigation bar are straightforward and take users to a page that is relevant judging by the title name. Once users click on one of the links from the domain's navigation bar, users are taken to another page with sections and subheadings contained in a sidebar to the left of the page which are arbitrarily included. For example, upon clicking the Protecting National Security section under the Priorities dropdown menu options, users are shown a left-hand sidebar with various types of information.
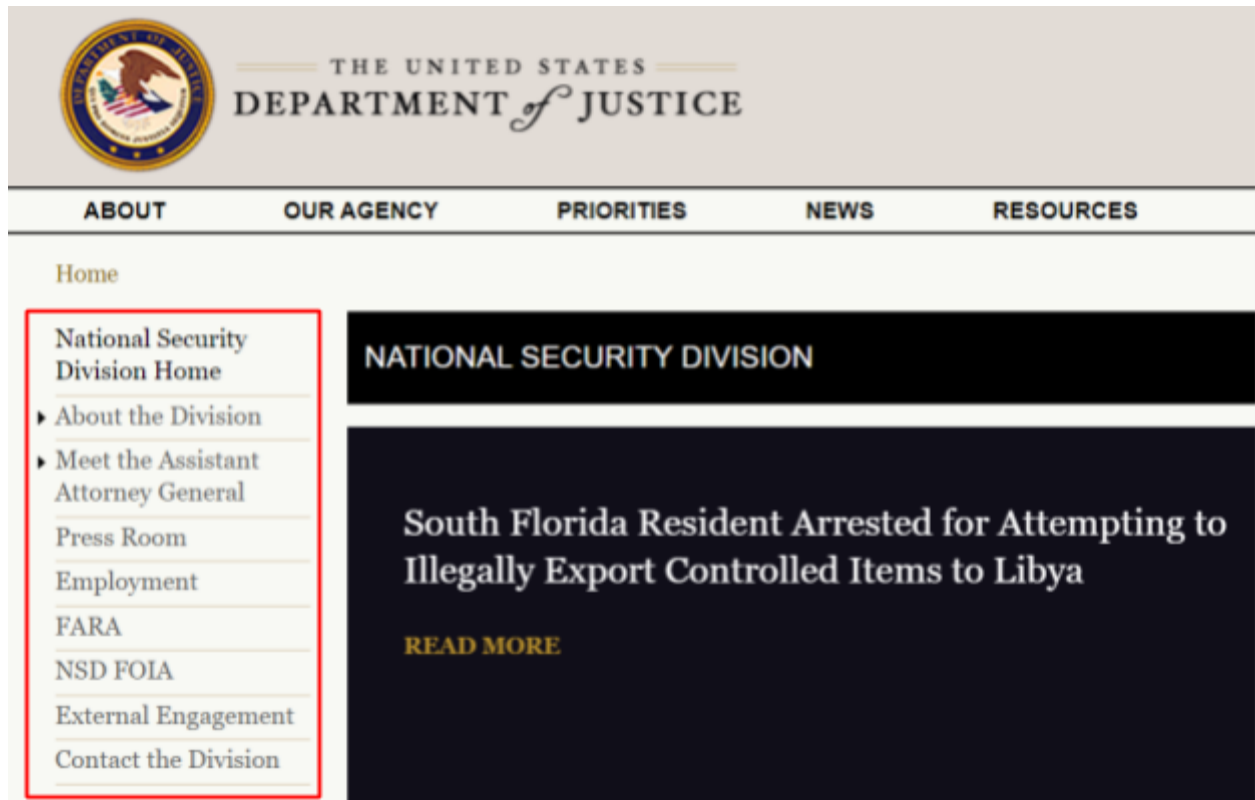
Figure 3: *Different information types*

Figure 3 shows that the *About the Division* and *Meet the Assistant Attorney General* sections direct the user to a particular portion of the same page (as indicated by the arrows to the left of the section names). The National Security Division Home button redirects users to the justice.gov/nsd. The *FARA* section takes users to the agency's Foreign Agents Registration Act (FARA) page with information relevant to FARA. This page contains a new series of sidebar sections which can trigger confusion or irritability in users. The *External Engagement* page provides a text-heavy letter to users from the Assistant Attorney General for National Security, John C. Demers. Underneath this letter is an interactive box with more content that is challenging for users to identify at first glance. The remaining sections are also text-heavy, but provide information that is easier to manage.

In the physical world outside cooperation by victim companies has resulted in successful prosecution of company insiders for stealing trade secrets, from the formula for the color white to genetically programmed rice seeds.

On this website, you will more information about NSD's programs and ways to connect and engage. I encourage you to browse this site and learn more about the resources available to you and the role you play in defending the nation from national security threats. If you have any questions, or would like more information about NSD's outreach initiatives, please contact us at nsd.public@usdoj.gov✉.

John C. Demers
Assistant Attorney General for National Security

Figure 4: *Interactive box with unjustifiable contents*

Users can locate important information across all six content pages, albeit while expending some time and effort in the process. Once users clicks on a link within the navigation bar or anywhere else on the BOP and NSOPW pages, they are directed to a page with information relevant to the link name. The users are primed on what to expect after clicking on an item. On the other hand, users must hover over the section titles within the navigation bar to find out more information. While the hovering navigation is targeted more towards younger, tech-savvy users, this may not be the best option for a general audience. The agency needs to consider their target audience when trying to make content easy to navigate.

The website owners chose basic colors for the content pages; the *justice.gov* domain uses a solid light gray background with black static text and alternates between a dark yellow-gold and light gray for links (see Figure 5). These pages differentiate between the navigation bar contents and that of the sidebar contents by case; The main sections of the top navigation bar are displayed in all caps while dropdown menu titles are written in title case (only the first letter of each word in the title is capitalized). Body text is in a serif font which hinders readability for some users, but section titles within the navigation bar and main headings use a sans-serif font.

The BOP site has a blue and light gray gradient background and underlines links when users hover over them. Static text alternates between black and light gray, and link colors alternate between blue and black. The NSOPW contains a background image of a random map with location markers. This site's navigation bar section titles and headings stand out because they are both written in uppercase. It uses a mix of dark gray and white static text. Upon hovering over links, they are either colored dark blue, are contained within a box that is shaded in, or do not change. The BOP and NSOPW content pages are the most effective in getting the audience's attention.

NOTE: Screenshots of the websites are provided on pages 18–20.

Pictures, Graphics, and Charts

Rating: 4/B

The six chosen content pages are void of any graphs or charts. The only page within the justice.gov domain that contains a chart is justice.gov/agencies/chart, which gives users a chart view of the organizational structure of the U.S. Department of Justice. When one considers that the agency's goal is to provide textual information rather than graphical information, their lack of graphs and charts do not appear to make a significant difference in users understanding content.

Images on the DOJ homepage are part of the newsfeed, and image and video galleries; these pages do not use any sort of filler image with the exception of the DOJ logo seen in the head of each page. The Office of Public Affairs and the Office of Information Policy pages show an image of the building wherein the offices are located. In addition, the OIP site includes a headshot image of OIP Director, Melanie Ann Pustay.

The Federal Bureau of Prisons website has an auto-playing image player. Inside this player is the name of the article title that the photo corresponds to. The background image used on the National Sex Offender Public Website can be argued by some to be an unnecessary decorative image. However, it relates to the NSOPW in that the site shows users a topographic map with location markers that indicate the location of registered sex offenders. The bottom of the NSOPW also features a yearbook photo of Dru Sjodin, a sexual assault, kidnapping, and murder victim who the National Sex Offender Public Website is named after.

For context, screenshots of the DOJ homepage, BOP site, and NSOPW page are shown below:

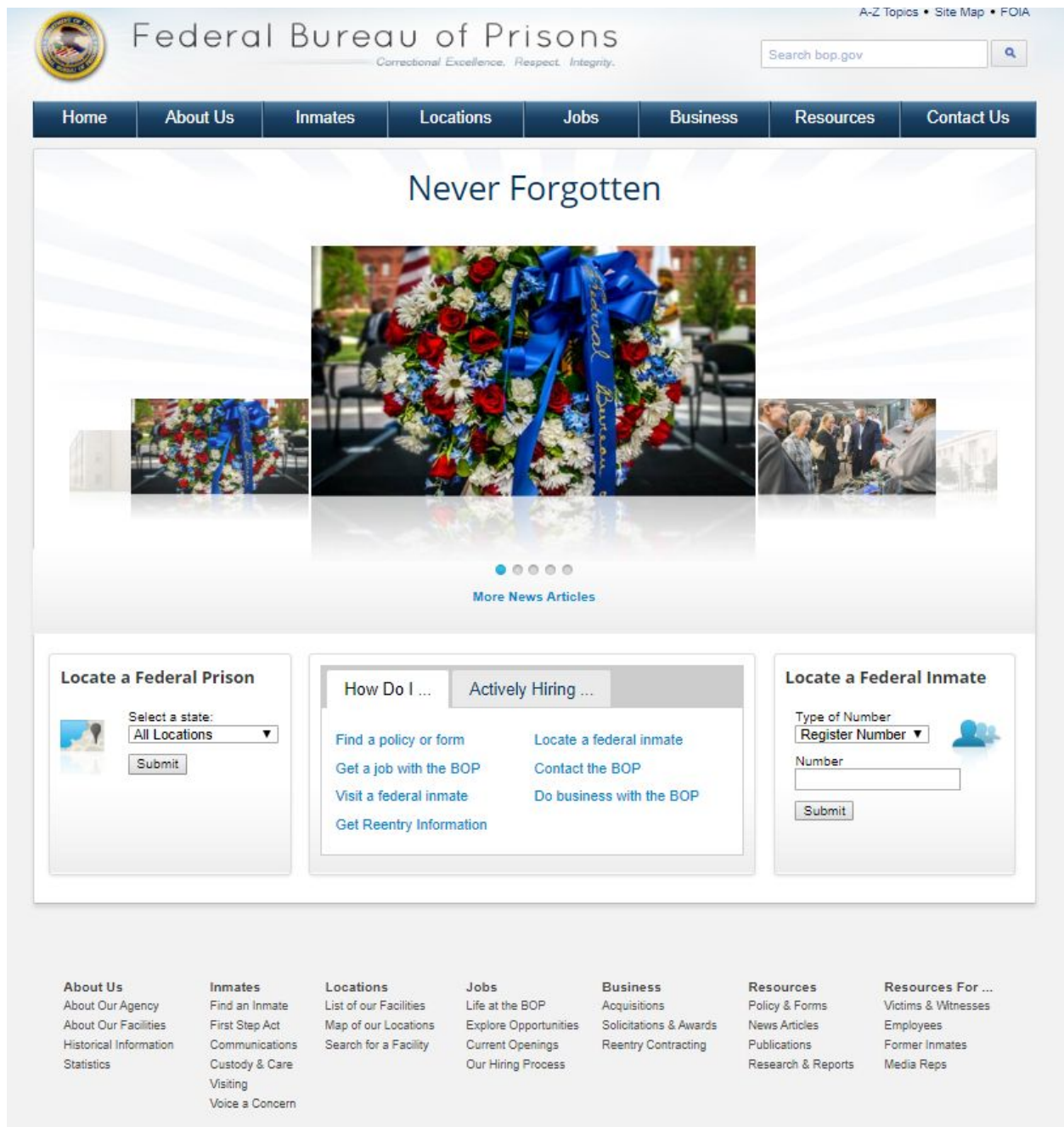*Figure 5*: *U.S Department of Justice homepage (justice.gov)*

Figure 6: *Federal Bureau of Prisons homepage (bop.gov)*
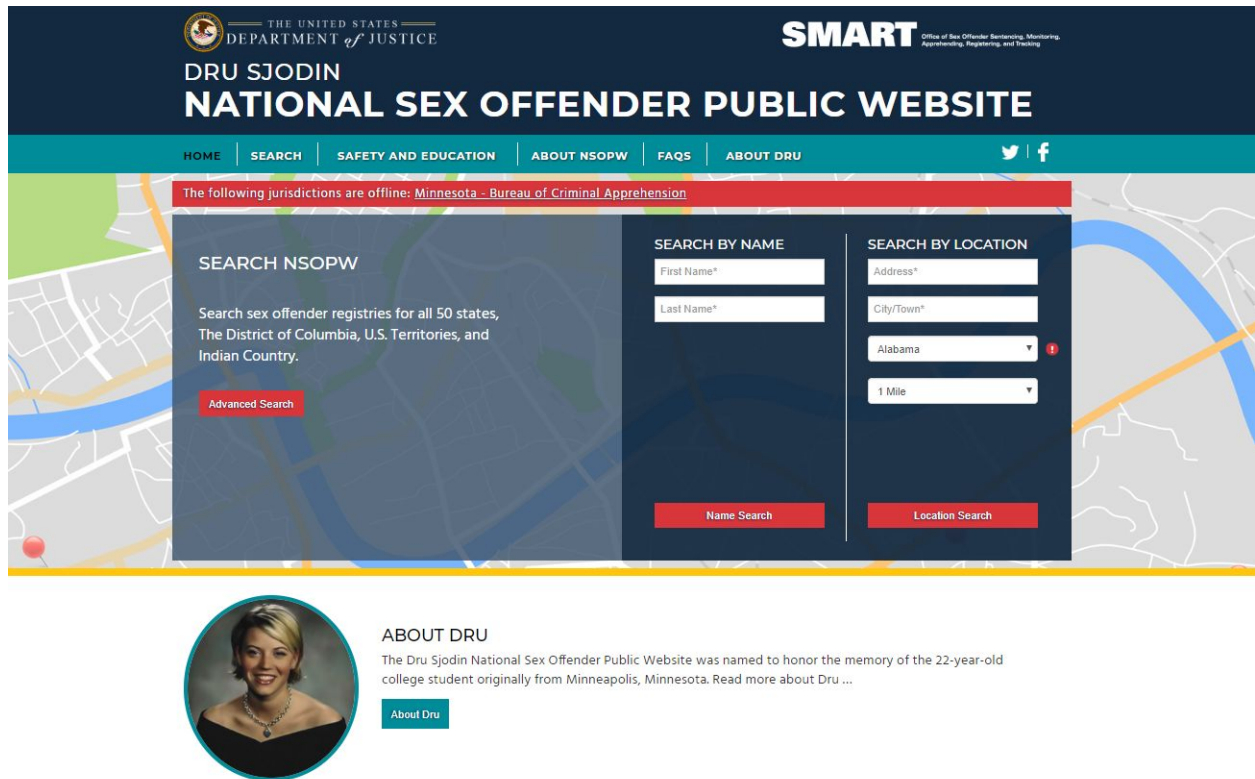
Figure 7: *National Sex Offender Public Website homepage (nsopw.gov)*

Overall Rating

Rating: 3/C

Pros

Overall, the agency allows users to complete basic tasks from the Quick Links section across the justice.gov domain. The DOJ homepage, BOP, and NSOPW pages are good representations of information design and plain language. Five out of the six total content pages are equipped with self-service features that site visitors can utilize to locate information.

Cons

The text used across the justice.gov domain pages are wordier and more difficult for the intended audience to understand when compared to the text from the Bureau of Federal Prisons and National Sex Offender Public Website pages. Inconsistent use of colors for static text and links may also further users' ability to locate and use information.

Agency Vocabulary

To analyze the agency's vocabulary, style, and voice across all popular content pages, text files containing the copied-and-pasted contents of each page were uploaded to the Voyant Tools text analyzer. The corpus was made up of 6 text documents (*justice1.txt*, *justice2.txt*, *justice3.txt*, *justice4.txt*, *bop.txt*, and *nsopw.txt*) which contain the contents of justice.gov,

justice.gov/opa, justice.gov/accessibility/accessibility-information, justice.gov/oip, bop.gov, and nsopw.gov. This corpus had a total of 2,014 words and 704 unique word forms.[7]

NOTE: *Justice1.txt, bop.txt,* and *nsopw.txt* were retrieved on October 23, 2019 while *justice2.txt, justice3.txt,* and *justice4.txt* were retrieved on October 31, 2019.

Important features of the content to note are common words and vocabulary density: Common words are the most frequently used words and the vocabulary density refers to the ratio of the number of words in the document to the number of unique words in the document.[8] The most frequent words across all pages contained in the corpus were FOIA (24 hits), October (10 hits), new (8 hits), Dru (7 hits; regarding Dru Katrina Sjodin, a sexual assault, kidnapping, and murder victim who the National Sex Offender Public Website is named after[9]), and public, OIP, and NSOPW (6 hits each). The Federal Bureau of Prisons site (bop.txt) had the highest vocabulary density with 0.692 words followed by the DOJ homepage (justice.txt) with 0.629 words, the Office of Public Affairs website (justice2.txt) with 0.568 words, the National Sex Offender Public Website (nsopw.txt) with 0.552 words, and the Accessibility Information site (justice3.txt) with 0.543 words. Each content page has their own set of distinctive words, some of which reflect the intended mission of the U.S. Department of Justice.

Distinctive words (compared to the rest of the corpus):
1. bop: locations (3), inmates (3), step (2), number (2), jobs (2).
2. justice1: tuesday (5), october (10), wednesday (3), pleads (3), fraud (3).
3. justice2: thursday (5), affairs (5), law (2), public (5), october (5).
4. justice3: web (4), webmaster (3), section (3), pages (3), material (3).
5. justice4: new (8), oip (6), foia (24), pustay (4), melanie (4).
6. nsopw: dru (7), nsopw (6), sexual (5), sjodin (4), right (4).

Figure 8: Top 6 distinctive words per document

The text analyzer found that the *justice.txt* document had these most common distinctive words; *October, Tuesday, Wednesday, pleads,* and *fraud.* Each of these words are found underneath the department's news module on their homepage. This indicates that their news articles are frequently posted to the homepage and reflect the days of the week (*Tuesday, Wednesday*) and month in which they were posted; In this case, the month of October (*October*) is when this information was analyzed and report was written. The words *pleads* and *fraud* are used within 3 of the 9 listed article titles from October 31, 2019.

The *justice2.txt* document contained these most common distinctive words; *October, Thursday, affairs, public,* and *law.* The website has a Justice News section and contained five articles, all of which were posted on Thursday, October 31, 2019 (*October, Thursday*). The Office of Public Affairs is the "... principal point of contact for the Department of Justice with the news media"[10] (*affairs, public*) and is "... responsible for ensuring that the public is informed about the [DOJ's] activities and about the priorities and policies of the Attorney General and the President with

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[7] https://voyant-tools.org/?corpus=2ca24fe20eec0f264cc4ef82f616fde9
[8] https://www.perseus.tufts.edu/hopper/help/vocab
[9] https://www.nsopw.gov/en/About/DruSjodin
[10] https://www.justice.gov/opa

regard to law enforcement (*law*) and legal affairs.". The word *law* is also used within an article title.

The *justice3.txt* document's most common distinctive words were *web*, *webmaster*, *section*, *pages*, and *material*. Webmaster is jargon used when referring to a website's owner. [11]The target audience is comprised of individuals with disabilities who are told to contact the DOJ's webmaster if the webpages or other content are inaccessible to those with a disability (*webmaster*, *web*, *pages*). The site provides information and resources for individuals with disabilities to access if the material across the DOJ pages is not presented in a desired format (*material*). *Section* pertains to Section 508 of the Rehabilitation Act which "... requires federal agencies to develop, procure, maintain and use information and communications technology (ICT) that is accessible to people with disabilities—regardless of whether or not they work for the federal government."[12]

The *justice4.txt* document contained these most common distinctive words; *FOIA*, *new*, *OIP*, *Melanie*, and *Pustay*. FOIA is an acronym that stands for the Freedom of Information Act (FOIA); The Office of Information Policy (OIP) oversees agency compliance with FOIA which allows the public to request access to records from federal agencies.[13] There is a blog section called The FOIA Post that features articles containing the word *new* (in reference to new tools, guidelines, and other miscellany). *New* is also partially derived from a section of the top navigation bar titled News. Melanie Ann Pustay is the Director of the Office of Information Policy of the DOJ.

The *bop.txt* document's most common distinctive words were *locations*, *inmates*, *step*, *number*, and *jobs*. *Locations*, *inmates*, and *number* are relevant to the Bureau of Federal Prisons inmate and location search engine; its primary objective is to allow users to find the whereabouts of a federal inmate that is or was previously incarcerated by name or identification number. Step refers to the First Step Act (FSA), a "... significant bi-partisan legislation promoting criminal justice reform."[14] *Jobs* is used in reference to job opportunities for potential applicants interested in working for the Federal Bureau of Prisons.

The *nsopw.txt* document contained the distinctive terms *Dru*, *NSOPW*, *sexual*, *Sjodin*, and *right*. *Dru* and *Sjodin* directly correlate with the site's reason for naming the Dru Sjodin National Sex Offender Public Website after then-22-year-old college student and victim, Dru Katrina Sjodin (d. circa November 22, 2003). NSOPW is the acronym for National Sex Offender Public Website which contains helpful information and resources on sexual assault and abuse that the general public can access (*NSOPW*, *sexual*). In this case, *right* is in reference to the alt text for the clickable right arrow icons under the Safety and Education section (*right*). These icons direct the user to information pages on sexual assault and how to prevent, identify, and respond to it.

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[11] https://www.yourhtmlsource.com/starthere/glossary.html#webmaster
[12] https://www.epa.gov/accessibility/what-section-508
[13] https://www.foia.gov/faq.html
[14] https://www.bop.gov/inmates/fsa/

Agency Readability

The Readability Analyzer from Datayze (datayze.com/readability-analyzer.php) was used to analyze the collective readability of justice.gov, bop.gov, and nsopw.gov. Specific examples of readability from two of the three justice.gov/opa, justice.gov/accessibility/accessibility-information, and justice.gov/oip pages are addressed on pages 12–13 of this report.

The readability analysis of the popular content pages from the U.S. Department of Justice was used to evaluate the agency's compliance with Plain Language Standards as defined by the Center for Plain Language. The readability of the DOJ described in this report is based on the readability scores from the Flesch Reading-Ease, Flesch-Kincaid Grade Level heuristic, and Dale-Chall score; these readability formulas and scores were chosen because these standard readability formulas are used by many U.S. government agencies.[15]

The Dale-Chall and Flesch-Kincaid readability metrics and formulas are described in Figure _.

Dale-Chall	Assess the difficulty of comprehending reading materials for students above fourth grade level	Grade = (0.1579 x percent unfamiliar words) + (word/sentence) + 3.6365
Flesch-Kincaid	Assess comprehension difficulty of reading materials for upper elementary through secondary grades	Grade = 0.39 (average words/sentence) + 11.8 (average syllable/word) – 15.59

Figure 9: Dale-Chall and Flesch-Kincaid readability metrics and formulas

The Dale-Chall readability metric uses a list of 3,000 simple words understood by 80% of students at the 4th grade level. Thereafter, the Dale-Chall score is computed based on how many words within the text are not contained in simple word list. The Flesch-Kincaid score and Reading-Ease level are determined by sentence length and number of syllables present. In simpler terms, each of the three readability metrics were used to conduct a more in-depth analysis of the DOJ's compliance with plain language.

Based on the Readability Analyzer, the content from the DOJ's homepage and popular external domain pages is given a Flesch Reading-Ease score of 39.22 and a Flesch-Kincaid Grade Level score of 8.84. According to the Readability Metrics PDF provided by Dr. Ryan Boettger[16], a Reading-Ease score within the 30–50 range indicates the content is easily comprehended at the college level. In other words, the text contained within the content pages can be easily understood by college-level students (individuals between the ages of 18–22). When rounded up, the Flesch-Kincaid Grade Level score ranks the text as being easily read by the average 9th grade student. This can be translated as having a Reading-Ease score of 60–70, which is easily read by those aged 13–15. (*Note from the Datayze website:* "A Flesch score of 60 is taken to be plain English. A score in the range of 60-70 corresponds to 8th/9th grade English level.")[17] The Flesch Reading-Ease and Flesch-Kincaid Grade Level scores differ considerably, the

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[15] http://www.readabilityformulas.com/flesch-reading-ease-readability-formula.php
[16] https://unt.instructure.com/courses/18398/modules/items/1223539
[17] https://datayze.com/readability-analyzer.php/

Reading-Ease metric putting the content at a college-level readability (fails to meet plain language standards) and the Grade Level metric at a high school freshman-level readability (meets plain language standards.) The DOJ is placed at a *Difficult* level of difficulty according to the Reading-Ease score, but is placed at a *Plain English* level of difficulty according to the Grade Level score, thus these scores conflict.

The DOJ's content pages are given a Dale-Chall score of 11.17; the Readability Metrics PDF identifies the highest score as ranking between 9.0–9.9, easily understood by the average 13th–15th grade/college student. A score of 11.7 (exceeding the highest score of 9.9) on the Dale-Chall readability metric indicates that the agency's content pages are easily understood by the average college graduate-level student. The Dale-Chall score conflicts with those of the Flesch Reading-Ease readability metric and Flesch-Kincaid Grade Level heuristic. Even so, the Dale-Chall and Flesch Reading-Ease scores are closer in their grading of the DOJ content pages than when compared to the Flesch-Kincaid Grade Level score. According to the Datayze website, the Dale-Chall readability metric is one of the most accurate readability metrics to date. Users should consider this information when determining which readability metric is the most reliable of the three.

Discussion

In this report, I gave the U.S. Department of Justice 17 out of 30 possible points based on the Plain Language Rubric and scoring scale. This 17 out of 30 points yields an average grade of 56 which equates to an F. Here is a recap of the number and letter grades for each category:

- Understanding of audience's needs: 3/C
- Style or voice: 2/D
- Structure and content: 3/C
- Information design and navigation: 2/D
- Pictures, graphics, and charts: 4/B
- Overall rating: 3/C

The criterion for each rubric category was assessed to come up with the number and letter grades assigned to the U.S. Department of Justice. The overall compliance grades and writing and information design grades were combined for an average of the two. This report's grades are compared to this average. This grade averaging was done with the exception of the grades the DOJ received in 2016 as there is only a grade for writing and information design, not an overall compliance score. Enclosed is a chart with the average plain language compliance grades of the DOJ given by the Center for Plain Language from 2012–2018. These grades are listed starting from most recent year:

Year	Average Compliance Grade
2018	2.5/D+
2017	2.5/D+
2015	4.5/B+
2014	4/B
2013	2/D
2012	2.5/D+

Figure 10: Table of the DOJ's previous average compliance grades

As the table above illustrates, my overall rating of the DOJ's compliance with plain language standards does not align with grades that the agency has received in previous years from the Center for Plain Language. The grade I assigned to the federal agency is a failing grade of 56, or an F. It is important to note that from 2012–2013 and again from 2017–2018, the DOJ was graded with an average compliance score between a D and D+. The agency did better in 2014 and 2015 with regard to meeting compliance of plain language standards, earning a B and B+. Since 2015, the agency has since failed to uphold its use and compliance of plain writing.

Overall, the DOJ has done an unsatisfactory job of incorporating plain language into their agency websites. The DOJ did a better job in years prior and can stand to make some drastic changes to help users better navigate and understand site contents. The simpler that information is displayed, the easier it is for users to understand and complete tasks. Major revisions to content pages must be implemented to help site visitors better find, understand, and use the information they find from the federal agency's website.

Recommendations

I have provided a list of recommendations for the DOJ to improve overall readability across the agency's content pages. My recommendations include the following:

- Eliminate complex, passive sentence structures
- Make color choices for static text and links parallel across all domain pages
- Break down page contents into more appropriate sections
- Use more you-inclusive text

My first recommendation is to remove complex sentence structures across all content pages. This also includes eliminating use of passive voice, jargon, redundancy, and other structures that violate plain writing standards. The DOJ should analyze the writing of content pages from the _justice.gov_ domain which is where most of the complex and wordy sentence structures appear to originate from. A team of content writers could benefit from conducting research on readability metrics to determine which readability metric the agency should use to analyze its own compliance with plain language.

The next recommendation is to choose a color for static text and links and stick with those colors. Using too many colors for the same pieces of content detract users from differentiating between what one colored piece of text means compared to text that is another color. As noted in the results section, users will enter the agency website feeling confused and unable to retrieve desired information quickly and efficiently. Although five of the six content pages contain a built-in search feature, it is not intuitive for general users to go out of their way to search for a specific item. Instead, these pages should contain information that is more readily available and easy to scan.

The third recommendation is to categorize page contents based on their relevance to the page topic(s). Miscellaneous page contents that are arranged in no apparent order can bombard and confuse users with information that they are not exactly seeking out. Readjusting page contents into more appropriate sections make the agency website more accessible to users.

My fourth and final recommendation is to use more you-inclusive text. Using you-inclusive text humanizes content pages and makes users feel like their wants and needs are being addressed by the agency. This change will bring more awareness to users of the conversational style that the agency tries to deploy. As a result, it will help the target audience succeed in finding, understanding, and using information for their own benefit.

References

https://centerforplainlanguage.org/learning-training/five-steps-plain-language/

https://www.plainlanguage.gov/about/

https://www.plainlanguage.gov/law/

https://www.visiblethread.com/2019/09/how-plain-language-cuts-call-center-costs/

centerforplainlanguage.org/awards/clearmark/criteria/

http://countwordsworth.com/blog/what-is-a-good-average-sentence-length/##targetText=In%20the%20Oxford%20Guide%20To,is%20best%2C%20sometimes%20a%20shorter.

https://voyant-tools.org/?corpus=2ca24fe20eec0f264cc4ef82f616fde9

https://www.perseus.tufts.edu/hopper/help/vocab

https://www.nsopw.gov/en/About/DruSjodin

https://www.justice.gov/opa

https://www.yourhtmlsource.com/starthere/glossary.html#webmaster

https://www.epa.gov/accessibility/what-section-508

https://www.foia.gov/faq.html

https://www.bop.gov/inmates/fsa/

http://www.readabilityformulas.com/flesch-reading-ease-readability-formula.php

https://unt.instructure.com/courses/18398/modules/items/1223539

https://datayze.com/readability-analyzer.php/

Appendices
Appendix A: Plain Language Rubric

Plain Language Rubric

Understanding of audience needs (1–5 points)

- Is it clear what the audiences should learn or do using this entry?
- Are the writing, tone and presentation appropriate for the audiences?
- Did you get the sense that the writers genuinely want the audiences who use this product to succeed?

Style or Voice (1–5 points)

- Do the writers follow plain writing principles? (e.g., shortish sentences, active voice, and no hidden verbs)
- Does the product feel credible and sincere?
- Do the tone, choice of words and conversational style convey respect for the target audience?
- Do they avoid jargon?

Structure and content (1–5 points)

- Are the sections of the product clearly organized and labeled?
- Will the labels help audiences predict what is in each section?
- Do they create effective transitions between sentences, paragraphs and sections?
- Is the content presented in an order that tells a story or helps audiences complete a task?
- Do they convey key content while effectively winnowing unnecessary details?
- Do they provide relevant information in a balanced way, without overselling or underselling their points?

Information Design and Navigation (1–5 points)

- Do the typography, color, and whitespace grab and guide the audiences' attention?
- Do the layout and presentation make the product easy to scan?
- Can you tell by glancing where the important information or action is?
- (For websites) Does the navigation offer a visible, guided path through the content?

Pictures, Graphics, and Charts (1–5 points)

- Do any pictures, graphics or charts map to and support the content?
- Will audiences understand the point of the chart or graph?
- Do the visuals help audiences understand important points better or guide them on how to take important steps?
- Conversely: Are the images and graphics included merely as decoration? Or would the page be easier to understand if the writers had chosen more or different graphics?

Overall Rating (1–5 points)

- Will the target users be able to find, understand and act confidently using what they learn in this this entry?
- Will the entry help the authoring organization achieve business goals (e.g., increased customer self-service, enhanced mission, better consumer decisions, positive impact on targeted consumers)?
- Would you use this entry as an example of effective plain writing and information design?

Appendix B: Scoring Scale

Scoring Scale

We grade each one of the criteria on a one-to-five scale, with five being the best. Here's how we score your entries:

5 – Excellent	A thought provoking and inspiring example of plain language. Masters all of the principles. Judges will want to tell others about this work. *Distribution: The top 10 percent of the work we review.*
4 – Above Average	Not much room to improve. Applies plain language principles consistently and effectively. *Distribution: 20 percent of the work we review.*
3 – Average	A competent example of plain language. Some more focus could significantly improve the execution. *Distribution: The middle 40 percent of the work we review.*
2 – Improving	Uses some, but misses most of the principles of plain language. Some, but not all, principles may be misunderstood or misapplied. *Distribution: 20 percent of the work we review.*
1 – Needs Work	Something significantly misses the mark. Principles and insights from testing may be misapplied. *Distribution: The bottom 10 percent of the work we review.*