

LEP Resource Guide for Law Enforcement

Federal law requires law enforcement agencies that receive federal financial assistance to take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP).

Both the U.S. Department of Justice (<http://go.usa.gov/4KRe>) and U.S. Department of Homeland Security (<http://go.usa.gov/4Knx>) provide guidance for funding recipients on the obligation to provide meaningful access to LEP individuals.

The following provides guidance on strategies for your agency to ensure language access, resources for obtaining language services, and possible funding sources for your agency.

STRATEGY	TACTICS AND TIPS
<p>Know how to determine limited English proficiency. It’s not always simple, and individuals can be limited English proficient for certain purposes but not for others.</p>	<ul style="list-style-type: none"> • LEP individuals may be competent in English for speaking or understanding but not for reading or writing. LEP individuals may have sufficient English language skills to communicate basic information, such as name and address, but insufficient skills to communicate detailed information such as eyewitness accounts, medical information, etc. • Similarly, LEP designations are context-specific: an individual may possess sufficient English language skills to function in one setting (e.g., social), but not in other situations (e.g., legal, courthouse, witness statements). • Do not make assumptions about an individual’s primary language. For example, many persons from Mexico do not speak Spanish, but rather an indigenous language. • Utilize “I Speak” materials to assist you in identifying the language spoken by the LEP person.
<p>Determine the languages spoken in your jurisdiction.</p>	<ul style="list-style-type: none"> • Obtain demographic data from your agency or other local or federal sources, including school district and census data. • Reach out to community organizations that serve LEP persons to learn more about specific language needs of the community and services that may be available.
<p>Collect data. Record the type of contact, the language encountered, as well as of the type of assistance rendered.</p>	<ul style="list-style-type: none"> • Maintaining such data helps your office to understand who it serves, and potentially helps to justify funding requests.
<p>Make a plan. Undergo a planning process to develop a language access policy and protocol guidance</p>	<ul style="list-style-type: none"> • Though there is no one size fits all approach, examples include the DOJ language access plan, available at http://www.justice.gov/open/language-access-plan.pdf.

<p>for personnel to follow when interacting with LEP individuals.</p>	<p>Other examples are available on http://www.LEP.gov.</p> <ul style="list-style-type: none"> • Include members of the community in the planning process. • Educate all agency personnel about language access and how to utilize agency language assistance services including how to work with an interpreter. • Train employees routinely. • Reassess the plan periodically, and whenever there are demographic shifts.
<p>Utilize bilingual personnel.</p>	<ul style="list-style-type: none"> • Recruit bilingual personnel and offer a base pay increase for staff who pass a proficiency exam. • Assess the language skills of bilingual personnel and provide ongoing training on the skills and ethics associated with interpretation. For example, professional interpreters follow a canon of ethics that requires them to interpret accurately, impartially, maintain confidentiality, and refrain from embellishing, among other things. • Periodic assessment of language ability should be mandatory if bilingual personnel engage in high stakes interactions (i.e., conducting investigations, executing warrants, conducting arrests, providing advice of rights/Miranda warnings, conducting booking, interrogations, witness interviews, etc., as opposed to providing directions). • Provide bilingual personnel with police interpreter training. Encourage officers and civilian staff to use their language skills in accordance with the principles above with regard to assessment of language skills and training. • Deploy bilingual personnel to areas with high numbers of LEP residents. • Use bilingual civilian staff to conduct community outreach and build relationships between your department and immigrant and LEP residents. • Avoid the use of friends and family members of the LEP individual
<p>Work with other agencies.</p>	<ul style="list-style-type: none"> • Pool resources and leverage assets with other agencies and services in your city or county. • Find out what other agencies are doing.
<p>Include telephonic interpretation.</p>	<ul style="list-style-type: none"> • Provide information on telephonic interpretation, including its use for a variety of communication needs: from witness interviews, to interviewing LEP motorists, and in many other types of investigative scenarios. The officer need only have a portable

	<p>phone (cell phone) with a speakerphone. Officers should have the telephonic interpretation number on speed dial, and have ready access to your agency's assigned access code. (Telephonic interpretation is not necessarily expensive. A 10 minute conversation can cost less than \$10.)</p>
Translate signage and documents.	<ul style="list-style-type: none"> • Translate signage and documents that communicate vital information to the public into the most prevalent languages spoken by LEP community members. • Notify the public about your agency's language access policy and language assistance resources.

RESOURCE	EXAMPLES
<p>Interagency Working Group on Limited English Proficiency (www.lep.gov)</p>	<ul style="list-style-type: none"> • Overcoming Language Barriers: Solutions for Law Enforcement http://www.lep.gov/resources/vera_translating_justice_final.pdf • What is the difference between a bilingual staff person and an interpreter or translator? http://www.lep.gov/faqs/faqs.html#OneQ11 • Law enforcement resources for working with limited English proficient individuals http://www.lep.gov/resources/resources.html#LawE
<p>Additional resources</p>	<ul style="list-style-type: none"> • "I Speak" materials http://www.dhs.gov/department-homeland-security-language-access-plan • Lost in Translation: Limited English Proficient Populations and the Police http://www.policechiefmagazine.org/magazine/index.cfm?fuseaction=display_arch&article_id=861&issue_id=42006 • VERA Institute of Justice publications on language access in law enforcement http://www.vera.org/topics/policing • Migration Policy Institute language portal http://www.migrationinformation.org/integration/language_portal/search.cfm • FBI language services unit http://www.fbi.gov/seattle/contact-us/contact • National Association of Judiciary Interpreters and Translators www.najit.org/ • Commercial interpreter services (see, e.g., www.language-line.org) • Language Training Facility

	<p>http://languagetrainingfacility.com/</p> <ul style="list-style-type: none"> • Public Agency Training Council Spanish classes http://www.patc.com/courses/languages.shtml • Español for Law Enforcement, an online course offered by the National Institute for Justice, Office of Justice Programs, U.S Department of Justice http://espanolforlawenforcement.gov/
Washington State-Specific Resources	<ul style="list-style-type: none"> • Finding interpreters and translators in Washington https://fortress.wa.gov/dshs/dshsltc/MyReports/Search.aspx • Finding charities in Washington http://www.sos.wa.gov/charities/search.aspx

Examples of past grants programs which may supplement LEP improvements

FUNDING SOURCES	SPECIFIC PROGRAMS
Office of Justice Program (OJP)	<ul style="list-style-type: none"> • Byrne JAG • Drug Court Discretionary • Tribal Courts Assistance Program • Justice & Mental Health Collaboration Program • Residential Substance Abuse Treatment for State Prisons • Second Chance Act • VOCA Assistance Formula Grant • Services for Victims of Human Trafficking Assistance • Title V Community Prevention Grant • Youth Gang Prevention and Intervention • Enforcing Underage Drinking Laws Block Grant
Office on Violence Against Women (OVW)	<ul style="list-style-type: none"> • Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program • Grants to Reduce Sexual Assault, Domestic Violence, Dating Violence and Stalking on Campus • Grants to Assist Children Exposed to Violence • Grants to Enhance Culturally and Linguistically Specific Services for Victims of Sexual Assault, Domestic Violence, Dating Violence, and Stalking Program • Court Training and Improvements Program • Education, Training, and Enhanced Services to End Violence Against and Abuse of Women with Disabilities Program • Enhanced Training and Services to End Violence and Abuse of Women in Later Life Program • Engaging Men and Youth in Preventing Sexual Assault, Domestic Violence, Dating Violence and

	<p>Stalking Grant Program</p> <ul style="list-style-type: none"> • Legal Assistance for Victims Grant Program • Rural Sexual Assault, Domestic Violence, Dating Violence, and Stalking Assistance Program • Sexual Assault Services Formula Grant Program • Sexual Assault Services Culturally Specific Grant Program • Tribal Sexual Assault Services Program • Grants to State Sexual Assault and Domestic Violence Coalitions and Sexual Assault Services to State Coalitions Program • STOP Violence Against Women Formula Grant Program • Safe Havens: Supervised Visitation and Safe Exchange Grant Program • Supporting Teens through Education and Protection (STEP) Program • Transitional Housing Assistance Grants for Victims of Sexual Assault, Domestic Violence, Dating Violence, and Stalking Program • Services to Advocate for and Respond to Youth Program
COPS Office	<ul style="list-style-type: none"> • COPS CHP program
Department of Health and Human Services	<ul style="list-style-type: none"> • State Court Improvement Program, Basic Grant • State Court Improvement Program, Data and Training Grants
Department of Homeland Security	<ul style="list-style-type: none"> • FEMA Preparedness (Non-Disaster) Grants