



Limited English Proficiency (LEP)	Related Policies:
<i>This policy is for internal use only and does not enlarge an employee’s civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Arkansas Statutes:	
CALEA Standard:	
Note-this policy is required for any department receiving federal funding.	
Date Implemented:	Review Date:

- I. **Purpose:** The purpose of this policy is to direct this department’s operational procedures when dealing with persons of Limited English Proficiency (LEP).
- II. **Policy:** It is the policy of this department to provide equal protection and service to all persons. The department recognizes that officers will have contacts with individuals who have limited English proficiency and will take reasonable steps to ensure that these individuals receive equal services and treatment.
- III. **Definitions**
 - A. **Limited English Proficiency Individual:** Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English can be limited English proficient, or “LEP.” These individuals may be entitled to language assistance with respect to law enforcement services.
 - B. **Bilingual:** Fluency in two languages by officers who are able to conduct law enforcement operations in either of the two languages.
 - C. **Interpretation:** involves the immediate communication of meaning from one language (the source language) into another (the target language). An interpreter conveys meaning orally, while a translator conveys meaning from written text to written text.
- IV. **Procedure**
 - A. **Department Responsibilities:**
 - i. This department will take reasonable steps to ensure that persons of LEP have meaningful access to the services of this department in accordance with a balancing of the following four factor test:
 - a. The number or proportion of LEP persons eligible to be served or likely to be encountered by this department (In other words, demographically does

- a. Officers shall ensure that all necessary information is obtained from witnesses to a crime, accident, or other law enforcement event requiring such statements. In cases where time is of the essence, officers may use others to assist in the immediate interpretation of the witnesses observations.
 - b. Where time is not of the essence and the officer is investigating a serious event, the officer shall seek the assistance of a bilingual employee or a certified translator.
- iv. **Others Seeking Services:**
 - a. Officers shall take reasonable steps, within the constraints of the resources of this department, to provide services to any person of LEP to include reasonable efforts for an interpretation or translation of communications.
- v. **Other Services:**
 - a. Any programs or services that this department conducts should be reviewed to determine the demographic makeup of the target audience.
 - b. In cases where the target audience includes a proportion of LEP individuals, the department shall take steps to deliver the program in a manner that enables the participation of those individuals with LEP.