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| Policy # **Limited English Proficiency**  **(LEP)** | Related Policies: |
| *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 for internal discipline and/or criminal charges.* | |
| Applicable State Statutes: | |
| |  |  | | --- | --- | | Date Implemented: | Revision Date: May 1, 2025 |   KACP Accreditation Standard:  Note: This policy is required for any agency receiving federal funding. | |

1. **Purpose:** The purpose of this policy is to direct this agency’s operational procedures when dealing with persons of limited English proficiency (LEP).
2. **Policy:** It is the policy of this agency to provide equal protection and service to all persons. Toward this end, the agency recognizes that officers will have contacts with individuals who have limited English proficiency and will take steps to ensure that these individuals receive meaningful access to services and treatment.
3. **Definitions:**
   1. **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.
   2. **Bilingual:** Individuals fluent in two languages who are able to conduct law enforcement operations in either of the two languages.
   3. **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.
   4. **Vital Forms:** An agency document that contains information that is critical for obtaining services or benefits, or is required by law.
4. **Procedure:**
   1. **Agency Responsibilities:**
      1. This agency will take all reasonable steps to ensure that persons of limited English Proficiency have meaningful access to the services of this agency in accordance with a balancing of the following four-factor test:
         1. The number or proportion of LEP persons eligible to be served or likely to be encountered by this agency. (In other words, demographically, does the town or city have an LEP population group, and if so what is the group and what is the level of the population proportionally?);
         2. The frequency with which LEP individuals come into contact with this agency;
         3. The nature and importance of the particular services rendered by this agency, i.e., suspect, victim, complainant, etc., and
         4. The resources available to this agency and the cost of the particular steps to be taken by the agency.
      2. Vital forms shall be translated and provided to meet the previously stated four-factor test.
      3. The agency will maintain a language assistance plan which describes the translation and interpretation services the law enforcement agency plans to provide. (These services can include bilingual staff, contract interpreters and translators, private vendors accessible via telephone, or referral to the language services provided by other governmental agencies or non-profit organizations.)
      4. Interpretation services, as required in section III C above, for this agency will be provided by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
      5. All sworn members as well as non-sworn members having public contact shall be trained regarding the language assistance plan with an emphasis on how to utilize the available resources.
   2. **Staff responsibilities:** Sworn and non-sworn personnel shall take all reasonable steps, within the constraints of the resources of this agency, to provide services to any person of limited English proficiency to include reasonable efforts for an interpretation or translation of communications.
   3. **Other Agency Programs:**
      1. Any programs or services which this agency conducts shall be reviewed to determine the demographic makeup of the target audience.
      2. In cases where the target audience includes LEP individuals, the agency shall take steps to deliver the program in a manner which enables the participation of those individuals with LEP.