



# BETHLEHEM POLICE DEPARTMENT

<b>Limited English Proficiency (LEP)</b>	<b>Related Policies:</b>
<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>	
<b>Applicable State Statutes:</b>	
<b>CALEA Standard:</b>	
<b>Date Implemented:</b>	<b>Review Date:</b>
<b>Note-this policy is required for any agency receiving federal funding.</b>	

- I. **Purpose:** The purpose of this policy is to direct this agency’s operational procedures when dealing with persons of Limited English Proficiency (LEP)
- II. **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 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 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. **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:





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- i. Officers shall take all necessary steps obtain information from victims. Officers may use family, friends, or other persons present where immediate translation is necessary to quickly investigate or attempt to apprehend a suspect.
- ii. In serious cases, a victim's subsequent statements shall be taken by a bilingual employee or certified interpreter.

### 3. Witnesses:

- i. Officer 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.
- ii. 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.

### 4. Others Seeking Services:

- i. Officers 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.

### 5. Other Services:

- i. Any programs or services which this agency conducts shall be reviewed to determine the demographic makeup of the target audience.
- ii. In cases where the target audience includes a proportional of LEP individuals, the agency shall take steps to deliver the program in a manner which enables the participation of those individual with LEP.