

**MPD Provision of Police Service To Persons With Limited English Proficiency (LEP)**

**(Last Updated – March 2011)**

<b>Recommendation</b>	<b>Status</b>
<p>MPD should develop a written policy statement that unequivocally affirms the agency’s commitment to providing language assistance to LEP individuals in order to ensure that persons with LEP have meaningful access to MPD’s services. The policy statement, in addition to voicing support for equalizing the treatment of LEP individuals, should emphasize the legally binding, nondiscretionary nature of this duty. The policy statement should then be included in MPD’s language access plan, in any new or revised language access directives, and in all language access-related training materials.</p>	<p><b>Adopted.</b> MPD has written a policy statement incorporating the suggested language.</p>
<p>Include in MPD’s forthcoming language access general order clear, specific guidance for officers regarding: 1) how to recognize the need for LEP assistance 2) the mandatory legal obligation to provide such assistance, and 3) step-by-step instruction on how, particularly during field encounters with LEP individuals, to employ the various language assistance services currently available. A binding directive that that brings together all of the relevant information would clarify for officers how to handle field stops and routine encounters with LEP individuals. The new general order should: define “LEP;” explain that LEP individuals may be able to communicate on a basic level but warn that it is easy to overestimate an LEP person’s English comprehension skills; require officers to provide language assistance to anyone who meets the objective criteria of having difficulty communicating and/or understanding and to anyone who specifically requests language assistance; discourage officers from relying on family members, friends, or bystanders except in exigent circumstances; and instruct officers to err on the side of providing language assistance when in doubt.</p>	<p><b>Adopted.</b> MPD published GO-SPT-304.18 (Language Access Program) on September 15, 2010, which incorporates PCB’s recommendations. MPD previously reported that once the general order was finalized, the Department would commence training on this issue.</p>
<p>With respect to which services to provide, the general order should outline the services and techniques available to be used, such as MPD-certified interpreters and interviewers, the Language Line, qualified outside interpreters, and translated documents. The step-by-step instruction contained in the teletypes and “Dispatch” articles should be included. This directive also should inform officers of any preferable order in which the services should be accessed and spell out when the provision of particular services is mandatory.</p>	

<b>Recommendation</b>	<b>Status</b>
<p>Enhance LEP training by including in MPD’s cultural competency and diversity training a segment that provides step-by-step review of how to identify and provide language assistance to LEP individuals, particularly during field encounters. Additionally, refine MPD’s mandatory online LEP training course to more clearly distinguish between officers’ mandatory legal obligation to provide language assistance to LEP individuals and voluntary customer service standards. In addition, include a section in its cultural competency training on assisting persons with LEP. Finally, the mandatory MPD online LEP training course should be modified to make clearer the legal obligation under Title VI and the Language Access Act to provide language assistance to the LEP community so that officers will understand that it is mandatory, not discretionary, to offer language assistance where it is needed.</p>	<p><b>Adopted.</b> MPD states that the mandatory online LEP training course will be modified to distinguish clearly between voluntary customer service standards and mandatory language access requirements, as well as emphasize the mandatory nature of providing language assistance. In addition, LEP training was incorporated into the 40-hour training given to new members of the Special Liaison Branch, which is composed of the Asian Liaison Unit, the Deaf and Hard of Hearing Liaison Unit, the Gay and Lesbian Liaison Unit, and the Latino Liaison Unit.</p>
<p>Adopt and incorporate the recommendations made by DOJ in its compliance review and those made by OHR in its 2008 ruling in <i>OHR v. MPD</i> (08-264-LA).</p>	<p><b>Adopted.</b> MPD has developed an audit plan to determine the extent of compliance by members of MPD with the principles and standards of Federal and District government laws and regulations that require access to all MPD programs and services by persons who have little or no proficiency in English. The audit will be conducted annually to ensure that all oral and written MPD communications, such as notices, complaint forms, and outreach material, are in a language that individuals can understand. The audit will also ensure that all MPD personnel provide oral interpreters and document translations services in a timely manner.</p>
<p>Consider and utilize the federal, state, and municipal resources identified in the Best Practices section of this report to update and revise MPD’s LEP plan, directives, and training. For example, review the DOJ planning tool and the LEP departmental directives that have been adopted in Philadelphia, San Francisco, and New Jersey, as these serve as clear, relevant examples of how to incorporate and implement many of the improvements recommended by DOJ and OHR.</p>	<p><b>Adopted.</b> Although MPD has not reported on whether they considered or utilized the resources identified in the Best Practices section of the PCB’s report and recommendation, MPD states that its review of best practices is ongoing and considers best practices in developing both Departmental policy and training of its officers.</p>