

DISTRICT ATTORNEYS COUNCIL

COMMUNICATION WITH PERSONS WITH LIMITED ENGLISH PROFICIENCY

May 2017



POLICY AND PROCEDURES

POLICY:

The District Attorneys Council (DAC) will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in the services available through the DAC. This Policy is to ensure meaningful communication with LEP victims of crime and their authorized representatives involving their victims' compensation application. The policy also provides for communication of information contained in vital documents, including but not limited to, victims compensation application instructions and decisions and orders of the Crime Victims Compensation Board. All interpreters, translators and other aids necessary to comply with this policy shall be provided without cost to the person being served, and victims and their families will be informed of the availability of such assistance free of charge.

Language assistance will be provided through use of competent bilingual staff or technology and telephonic interpretation services. All staff will be provided notice of this policy and procedure, and staff that may have direct contact with LEP individuals will be trained in effective communication techniques, including the effective use of the telephonic interpretation services.

The DAC will conduct an annual review of U.S. Census population statistics, and update and monitor the implementation of this policy and these procedures, as necessary.

PROCEDURES:

1. IDENTIFYING LEP PERSONS AND THEIR LANGUAGE

The District Attorneys Council Victims Services Division provides services to a wide range of persons, including people who do not speak English or who are hearing impaired.

According to the U.S. Census, between 2009 and 2013, 91% of Oklahoma's population speaks English. In 9% of Oklahoma homes, English is reportedly spoken "less than very well," and other languages are primarily spoken as follows:

- Spanish and Spanish Creole (224,324)
- Asian and Pacific Island languages, with Vietnamese being spoken the most (49,658)
- Other Indo-European Languages (33,010)
- All other Languages (10,780)
- Native American languages of the 38 Federally Recognized Tribes in Oklahoma (13,735)

DAC will promptly identify the language and communication needs of the LEP person. If necessary, staff will use "I speak cards," available online at www.lep.gov. In addition, when records are kept of past interactions with victims or their authorized representative, the language used to communicate with the LEP person will be included as part of the record.

2. OBTAINING A QUALIFIED INTEPRETER

The DAC Victims Services Assistant is responsible for:

- (a) Maintaining an accurate and current list showing the name, language, phone number and hours of availability of bilingual staff at DAC;
- (b) Maintaining language line procedures to be used in the event bilingual staff is unavailable or does not speak the needed language;
- (c) Training Victims Services Staff on the use of the language; and
- (d) Maintaining a record of language line services for reconciliation with the invoice.

Family members or friends of the LEP person will not be used as interpreters unless specifically requested by the individual, and after the LEP person has understood that an offer of an interpreter at no charge to the person has been made. The offer and response will be documented in the victim's file. If the LEP person chooses to use a family member or friend as an interpreter, issues of competency of interpretation, confidentiality, privacy, and conflict of interest will be considered. If the family member or friend is not competent or appropriate for any of these reasons, competent interpreter services will be provided to the LEP person. In order to ensure confidentiality of information and accurate communication, children under the age of eighteen (18) will not be used to interpret.

3. PROVIDING WRITTEN TRANSLATIONS

When translation of vital documents is needed, the Crime Victims Compensation Program will submit documents for translation into the most frequently-encountered language using a qualified translation services vendor listed in Oklahoma's state contract.

4. PROVIDING NOTICE TO LEP PERSONS

Crime victim compensation brochures and the application for compensation are translated into the second most frequently spoke language. In Oklahoma, that language is Spanish.

5. MONITORING LANGUAGE NEEDS AND IMPLEMENTATION

On an ongoing basis, DAC will assess changes in demographics, types of services or other needs that may require reevaluation of this policy and its procedures. In addition, DAC will periodically assess the efficacy of these procedures, including but not limited to mechanisms for securing telephonic interpreter services.