



**U.S. Department of Justice**

Office of Justice Programs

*Office for Civil Rights*

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*Washington, D.C. 20531*

**CERTIFIED-RETURN RECEIPT REQUESTED**

November 30, 2007

Joseph Polisar, Chief  
Garden Grove Police Department  
11301 Acacia Parkway  
Garden Grove, CA 92840

Re: Compliance Review of the Garden Grove Police Department (06-OCR-0054)

Dear Chief Polisar:

I am writing to report the findings of the Compliance Review for language services at the Garden Grove Police Department (GGPD), conducted by the Office for Civil Rights (OCR), Office of Justice Programs, U.S. Department of Justice (DOJ). The OCR would like to thank you and your staff, especially Senior Administrative Analyst Chuck Boyd, for so graciously assisting OCR attorney JuanCarlos Hunt during his March 2006 onsite visit. I appreciate the open, cooperative spirit that GGPD has shown in all interactions with our office.

In my letter of January 9, 2006, I wrote to inform you that OCR had selected GGPD for a compliance review under Title VI of the Civil Rights Act of 1964 (Title VI) and the Omnibus Crime Control and Safe Streets Act of 1968 (Safe Streets Act) and their implementing regulations. As I noted at that time, the OCR limited the scope of the compliance review to GGPD's provision of services to people with limited English proficiency (LEP). A LEP person is an individual whose primary language is other than English and who has a limited ability to read, write, speak, or understand English.

In June of 2002, the U.S. Department of Justice published guidance for its financial aid recipients on taking reasonable steps to provide meaningful access to programs and activities for LEP persons in accordance with Title VI and the Safe Streets Act. See Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 67 Fed. Reg. 41455 (2002) [hereinafter DOJ Guidance]. Using the technical assistance standards in the DOJ Guidance, the OCR initiated this compliance review to determine the extent to which GGPD is providing language services to its LEP population.

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After a thorough evaluation of GGPD's services and activities, including GGPD's responses to our data request and the information Mr. Hunt gathered during his onsite visit, which included interviews with the command staff, sworn and unsworn GGPD employees, and community representatives, we sent you a draft report on October 11, 2007, in accordance with 28 C.F.R. §§42.107(d)(2) and .206(e). In a November 27, 2007, telephone conversation, GGPD Lieutenant Steve Sanders told OCR Attorney Advisor Shelley Langguth that GGPD did not find any factual inaccuracies in the draft report.

In regard to the limited scope of our review, we conclude that GGPD appears to be taking steps to provide LEP persons with meaningful access to police services. However, the following Compliance Review Report contains recommendations based on the DOJ Guidance for how the GGPD may improve its services to LEP persons, beginning with developing a comprehensive written language assistance plan.

### **Compliance Review Report**

This Compliance Review Report closely tracks the DOJ Guidance: first assessing GGPD's obligation to provide LEP services and then reviewing the elements that GGPD would include in a more effective plan for offering language assistance to LEP persons.

#### **I. Assessing the Obligation to Provide LEP Services**

According to the DOJ Guidance, a recipient's obligation to take reasonable steps to ensure meaningful access to its programs and activities for LEP persons requires an assessment that balances four factors: (1) the number or proportion of LEP persons that are the likely beneficiaries of a recipient's services; (2) the frequency with which LEP persons come into contact with the recipient's programs or activities; (3) the nature and importance of the program, activity, or service provided; and (4) the resources available to the recipient and the related costs. 67 Fed. Reg. 41459-61. In considering the application of these four factors to GGPD, OCR offers the following observations and recommendations.

##### **A. The Number or Proportion of LEP Individuals in the Service Population**

The GGPD provided a detailed map indicating that it organizes policing efforts into two divisions, East and West. The GGPD further subdivides each of these divisions into five beats. Data published by the U.S. Census Bureau reports that in 2005, the racial and ethnic composition of the City of Garden Grove's (City) 192,345 residents was as follows: 33.5% White; 2.6% Black or African American; 0.7% American Indian or Alaska Native; 33.7% Asian; 0.8% Native Hawaiian or Other Pacific Islander; 27.2% some other race; and 1.5% two or more races. U.S. Census Bureau, American FactFinder, Garden Grove city, California at <http://factfinder.census.gov>. Hispanics of any race made up 40.2% of the population. *Id.*

According to the 2005 Census Data, the City had an estimated population of 175,281 age five and older; of this group, 60,397 spoke Spanish, and almost half of this number (34,115) spoke English less than “very well,” which OCR considers LEP. Id. This data further indicates that 53,389 City residents spoke an Asian or Pacific Islander language, with 34,641 speaking English less than “very well;” 2,698 spoke other Indo-European languages, with 1,330 speaking English less than “very well;” and 968 spoke other languages, with 201 speaking English less than “very well.” Id.

Data published by the U.S. Census Bureau in 2000 provides some further information on the languages spoken by the City’s Asian populations. Among the City’s 45,028 residents who spoke an Asian dialect in 2000, the most common languages were Vietnamese (32,059 residents); Korean (5,495); Chinese (2,385); and Tagalog (1,999). U.S. Census Bureau, American FactFinder, Garden Grove city, California at <http://factfinder.census.gov>.

In its data response, GGPD provided a summary of data obtained from the Garden Grove Unified School District on the languages spoken by students within this school district. According to GGPD, this data indicates that the City has a population that speaks 36 languages; the five most prevalent languages are the following: 1) Spanish; 2) Vietnamese; 3) Korean; 4) Filipino; and 5) Arabic.

#### Recommendation

The GGPD should review the latest data from the U.S. Census Bureau to determine more accurately the current language needs of its service population. Additionally, GGPD should continue to collect information from the Garden Grove Unified School District; this data may serve as a good indicator of the languages spoken by enrolled students in a given area. In order to obtain even more accurate information on the size and nature of the language groups in its jurisdiction, GGPD may also want to utilize Geographic Information Systems (GIS) technology and census tract data to obtain a more precise accounting of the linguistic demographics of police department subdivisions (*e.g.*, beats) and neighborhoods.

#### B. The Frequency of Contacts between GGPD and LEP Persons

In its data response, the GGPD estimated that it provided language assistance services to LEP individuals on over 3,000 occasions between January 1 and December 31, 2004, either over the phone or during a face-to-face encounter. This estimate was based in part on invoices obtained from Language Line, a private vendor that provided telephonic interpretation services for GGPD=s emergency and non-emergency calls in 2004. Based on these invoices, GGPD requested interpretation services from Language Line 1,227 times in 2004. The three largest interpretation requests were for Spanish (865), Vietnamese (294), and Korean (46).

While the Language Line invoices provide some helpful information on how often GGPD provided language assistance to LEP callers, it underestimates GGPD's frequency of contact with LEP callers. Language Line data only captures the situations when GGPD employees used Language Line; it does not capture the telephone calls with LEP persons when the GGPD did not contact Language Line. During the onsite interviews, dispatchers from GGPD's Communications Division told OCR that they sometimes resolve telephonic encounters with LEP persons without using Language Line, such as using bilingual co-workers or the dispatcher's own language skills.

The GGPD's estimate also includes situations where GGPD provided language assistance during a face-to-face encounter. The GGPD stated that this information came in part from monthly reports kept by part-time Master Reserve Officers assigned to the front counter at the police station; these reports contain information on the number of times that the Master Reserve Officers who are City-certified as bilingual provided language assistance services that month. The GGPD further explained that full-time employees are not required to document the number of times they provide language assistance services, and that GGPD requested that they provide an estimate for the purposes of OCR's review. Accordingly, the GGPD's estimate does not reliably capture the number of times that GGPD provided language assistance services to LEP persons during face-to-face encounters.

### Recommendation

The GGPD should establish reliable systems for gathering information on contacts with its LEP service population. Supplementing the reports from Language Line, GGPD should establish procedures for recording and gathering data on all emergency and non-emergency calls from LEP persons that did not involve Language Line, including information on the nature of the call, the language requested, and the length of time a bilingual dispatcher or other interpreter spent with the LEP caller. The GGPD should also develop procedures for recording and gathering data on all face-to-face encounters with LEP persons, either by modifying its existing reporting forms or creating a new form. However the GGPD chooses to track its contacts with LEP persons, it should be sure to include information on the language spoken by the LEP person and the GGPD's response to the need for language assistance.

#### C. Important Public Services to LEP Individuals

##### 1. Emergency and Non-Emergency Calls

The GGPD's Communications Division handles emergency and non-emergency calls for service. Prior to April 2005, GGPD contracted with Language Line to provide telephonic interpretation services for both emergency and non-emergency calls from LEP persons. The GGPD continues to use Language Line for interpretation services on non-emergency calls; however, in April 2005, GGPD switched to Network Omni Language Services (Network Omni) for telephonic

interpretation services on its emergency line. The GGPD provides Communications Division dispatchers with a written instruction sheet on how to contact Language Line and Network Omni and what information they need to provide. Other than this instruction sheet, GGPD does not have a written policy on providing language assistance services to LEP callers.

During the onsite visit, several Communications Division dispatchers told OCR that while they generally use Language Line or Network Omni for interpretation, they also rely on bilingual dispatchers or the LEP caller's family and friends to interpret. Dispatchers also stated that for non-emergency calls, they may ask LEP persons to call the station later with a bilingual family member or friend or during a bilingual dispatcher's shift.

## 2. Field Encounters and Walk-Ins

According to GGPD's data response, GGPD does not have any written policies regarding the provision of language assistance services to LEP persons. The GGPD explained that if employees need an interpreter during field and walk-in encounters, the employees use bilingual GGPD employees, other law enforcement agencies, Language Line or Network Omni, or local agencies such as the Garden Grove Unified School District and the Family Youth and Guidance Center. The GGPD reported in its data response that all GGPD employees know which GGPD employees are bilingual and that GGPD's telephone contact directory lists the employees who the City of Garden Grove has certified as being able to speak a language other than English.

However, it is unclear to OCR whether GGPD employees have access to and regularly use this directory; during OCR's onsite interviews with GGPD employees, only one employee mentioned the directory, and this employee could not produce it for OCR. The GGPD further stated that employees often use family members or friends of a LEP person or third-party bystanders to interpret.

During the onsite interviews, GGPD officers and civilian employees told OCR that when they encounter a LEP individual in the field or at a GGPD facility, they rely on bilingual GGPD employees to interpret, along with Language Line or bilingual employees from neighboring police departments. The employees told OCR that they request language assistance services by contacting a dispatcher, requesting services over the radio themselves, or calling a Sergeant. A few officers also reported using their personal cell phones or the phone at a citizen's home to call Language Line. All of the employees with whom OCR spoke also reported using a LEP person's friends or family members, including minors, or third-party bystanders to interpret. Several officers identified situations where they would not use a friend, family member, or bystander to interpret, such as when the individual was a suspect in a crime; the individual was a young child; the situation involved a serious crime; or the situation involved domestic violence. Several employees also told OCR that they often use hand-gestures or require a LEP person to use broken English to communicate; one employee stated that the employee generally encourages LEP persons to speak English.

### 3. Interrogations & Arrests

In its data response, the GGPD reported following the same procedures described above in interrogating and arresting LEP persons. These procedures involve using bilingual GGPD employees to interpret, contacting an outside law enforcement agency or local organization to locate an interpreter, or using Language Line or Network Omni to obtain telephonic interpretation. The GGPD noted that in cases where there may be future court proceedings, “a department recognized interpreter is preferred but not mandatory;” OCR understands that a “department recognized interpreter” refers to a bilingual GGPD employee who obtained certification by the City.

### 4. Bookings and Detentions

In its data response, the GGPD explained that it operates a temporary holding facility and that it generally detains arrestees for no longer than six hours. After that time, the GGPD releases the arrestee or transfers the arrestee to another detention facility, such as the Orange County Jail. The City of Garden Grove contracts with Correctional Services Inc./Cornell Companies to provide management and staffing services for this holding facility. In the case of LEP inmates, the GGPD said that it relies on bilingual contract employees working in the holding facility for language assistance services, or would follow the same procedures described above.

The GGPD General Order 10.5 requires that GGPD post signs in English, Spanish, and Vietnamese informing detainees of the procedures for requesting medical assistance. The GGPD said that if a detainee cannot read any of these languages then a bilingual GGPD employee would explain the procedures verbally.

### 5. Complaints

The GGPD has a written policy for handling complaints from the public alleging employee misconduct; this policy does not address the receipt of complaints from LEP individuals. See GGPD General Order 4.8. Briefly, complaints may be in writing, in person, or over the phone. The GGPD employee receiving the complaint completes a Citizen’s Complaint Form and provides the complainant with a copy of the Form. The Form is forwarded to the GGPD’s Internal Affairs Unit, which may investigate the complaint or refer it to the appropriate Division, Unit, or Bureau commander for investigation.

During OCR’s onsite visit, an officer from GGPD’s Internal Affairs Unit told OCR that the Internal Affairs Unit uses bilingual GGPD employees to interpret for LEP complainants. Additionally, the GGPD reported in its data response that it may obtain language assistance services from outside law enforcement agencies, local organizations, or Language Line or Network Omni when processing complaints from LEP persons.

The GGPD Citizen's Complaint form is only available in English. The GGPD's Complaint Advisory Form is available in 47 different languages. This document informs complainants of the right to file a complaint and the penalty for filing a false complaint.<sup>1</sup> According to GGPD's data response, it did not receive any complaints from the public alleging ineffective communication with a LEP person from July 1, 2003 through March 2006.

## 6. Community Outreach

The GGPD reaches out to LEP populations through its City-wide Neighborhood Watch Program, Korean Community Policing Outreach, and Vietnamese Community Policing Outreach, and through participation in community group meetings and events. As part of its outreach programs, GGPD employs community service officers who serve as GGPD liaisons to the Korean and Vietnamese communities. The GGPD makes efforts to have an interpreter on hand at meetings with LEP communities. During OCR's onsite visit, GGPD officers told OCR that GGPD has conducted Neighborhood Watch meetings in Vietnamese and Korean. Additionally, officers said that GGPD has provided interpreters at meetings or presentations on crime prevention with Korean, Vietnamese, and Hispanic community groups, and that GGPD's Youth Services Unit conducts diversion classes in Korean, Vietnamese, and Spanish.

Representatives from GGPD also attend community cultural festivals such as the Korean Festival, Arab American Festival, and TET festival. The GGPD works with ethnic media in the Hispanic, Vietnamese, and Korean communities to inform LEP persons of the availability of translated documents. The GGPD has advertised in the Korean Times to recruit Korean-speaking officers, and it attends various ethnic events in an attempt to attract bilingual employees. During OCR's onsite visit, one GGPD employee told OCR that the GGPD is currently organizing a consortium of Vietnamese community groups to assist the GGPD in recruiting Vietnamese-speaking employees.

In OCR's conversations with community groups representing various LEP populations, they confirmed GGPD's outreach efforts and suggested that it do more to reach LEP communities.

## 7. General Language Services

To provide the foregoing public services to its LEP population, GGPD offers both oral and written language assistance.

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<sup>1</sup> Please note that the IACP National Law Enforcement Police Center advises law enforcement agencies that it is not a good general practice to inform complainants of the penalties for filing a false complaint, as it creates a chilling effect on the filing of complaints and could be perceived as an attempt to intimidate potential complainants. Additionally, a law enforcement agency's failure to fully document all complaints from the public can create a perception that the agency is covering up some officer misconduct. See the Model Policy on Investigation of Employee Misconduct and its accompanying Concepts and Issues Paper, published by the IACP National Law Enforcement Policy Center (revised October 2001).

a. Oral Language Services

As previously discussed in this Compliance Review Report, GGPD provides oral language assistance services to LEP persons through the following means: 1) Language Line or Network Omni; 2) multilingual GGPD employees; 3) friends or family members of the LEP person, including minors, or third-party bystanders; and 4) multilingual employees of other law enforcement agencies or local organizations. During OCR's onsite interviews with GGPD officers, one officer reported using multilingual officers from the Anaheim Police Department, Santa Ana Police Department, and Westminster Police Department; OCR understands that GGPD utilizes other law enforcement agencies as well.

The GGPD uses Language Line and Network Omni to respond to telephone calls from LEP persons. Additionally, several GGPD employees with whom OCR spoke reported using Language Line to provide telephonic interpretation during face-to-face encounters with LEP persons. These GGPD employees told OCR that they access Language Line by contacting a Communications Division dispatcher or a supervisor, and several officers also reported using a personal cell phone or the phone at a citizen's home.

For non-telephonic encounters with LEP persons, GGPD employees primarily rely on bilingual GGPD employees, friends or family members of LEP persons, or third-party bystanders. The City of Garden Grove administers oral and written tests to certify GGPD employees as being able to speak and interpret designated foreign languages; based on the information compiled during the compliance review, OCR understand that the City administers these tests for the languages of Spanish, Vietnamese, Korean, and Arabic. The GGPD provided OCR with a list of 40 GGPD employees, out of 236 employees, who the City has certified as bilingual as of January 2006. Of these 40 bilingual employees, 31 speak Spanish, four speak Korean, four speak Vietnamese, and one speaks Arabic. This list only includes the bilingual GGPD employees who the City has certified in Spanish, Vietnamese, Korean, or Arabic; OCR understands that the GGPD has additional bilingual employees who speak other foreign languages.

The GGPD provides incentive pay to certified Vietnamese, Korean, Spanish, and Arabic interpreters and translators. The GGPD pays full-time sworn officers who pass the City's written and oral tests a five percent salary increase; if an officer only passes the oral test, the GGPD instead pays the officer an additional \$60.00 per pay period. The GGPD pays full-time civilian employees who pass the written and oral tests an additional \$70.00 per pay period. In addition, part-time employees who are certified as bilingual earn an additional \$2.00 each time they provide language assistance services, with earnings capped at \$50.00 per month. The GGPD considers employees' language abilities when making assignments and promotional decisions. As previously discussed in this Compliance Review Report, GGPD actively recruits in immigrant communities to attract bilingual employees.



Regarding the use of family members, friends, and bystanders to interpret, as previously discussed, GGPD employees regularly use these individuals to interpret. Additionally, several employees with whom OCR spoke reported using hand gestures to communicate with LEP persons or requiring LEP persons to speak in broken English. Several officers also told OCR that at times they contact a neighboring law enforcement agency to locate a bilingual employee, such as the Anaheim Police Department, Santa Ana Police Department, and Westminster Police Department. The GGPD said in its data response that it also uses local agencies or groups such as the Garden Grove Unified School District and the Family Youth and Guidance Center to interpret. During the onsite visit, one GGPD officer reported obtaining an interpreter from Disneyland's Ambassador Program, which provides interpreters for its theme park.

The GGPD does not have a written policy on providing oral language assistance to LEP persons. The GGPD said in its data response that it requires all new employees to complete some type of orientation or training program, and that cultural diversity and interacting with persons who do not speak English are part of these programs. However, many of the GGPD employees with whom OCR spoke could not recall receiving training on how to provide language assistance services to LEP individuals. A few employees did recall receiving some training on how to access Language Line.

b. Written Language Services

In its data response, the GGPD stated that it translates documents into languages other than English based on the frequency of use and the needs of the service community. The GGPD provided OCR with approximately 42 brochures, pamphlets, and informational booklets relating to safety and crime prevention that are available in languages other than English. These materials address topics such as drug prevention; domestic violence; gang awareness; graffiti; elder abuse; how to call the police; how to prevent burglaries; Neighborhood Watch; terrorism; business, child, firearm, home, pedestrian, and bicycle safety; and what to do in the case of an earthquake. Of the 42 translated documents, 24 are in Vietnamese, 21 are in Spanish, and 17 are in Korean.<sup>2</sup>

The GGPD also provided OCR with several GGPD forms that it has translated into foreign languages. As previously discussed, the GGPD has translated the Complaint Advisory Form into 47 different languages, and the GGPD has translated the Parent Notification of Arrested Juvenile form into Spanish and Vietnamese.

The GGPD stated that GGPD or City employees who the City has certified as bilingual are responsible for translating the above-referenced materials. The GGPD explained that to verify the accuracy of the translated materials, it often has a second certified bilingual employee review the translated document before it goes to print.

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<sup>2</sup> Many of the 42 documents are translated into more than one foreign language.

According to the GGPD's data response, it notifies the public of the availability of translated material by working with Korean, Spanish, and Vietnamese media and the City's weekly cable show. The GGPD distributes the materials to the public by having them available at the front desk of police headquarters, at the City's Juvenile Justice Center, and at key locations throughout the City such as schools, libraries, and the Boys & Girls Club. The GGPD also distributes translated materials at community meetings, events, and forums, and by inserting translated materials in police beat newsletters and the City's water billing notices. During OCR's interviews with GGPD officers, many officers reported carrying translated materials with them in the field to distribute to the public.

As previously discussed in the Compliance Review Report, the GGPD General Order 10.5 requires GGPD to post notices in English, Spanish, and Vietnamese notifying detainees how they can request medical assistance; according to GGPD's data response, GGPD posts this translated information in the sally port of the detention facility and within the facility. During the onsite visit, OCR observed a few signs in Korean posted at one storefront office along with some pamphlets translated into Korean; OCR did not observe any pamphlets or brochures in languages other than English at any other GGPD facility. The OCR also did not observe any signs notifying the public of the availability of language assistance services at any GGPD facility.

The information contained on GGPD's website, [www.ggpd.org](http://www.ggpd.org), is only available in English.

### Recommendation

While the GGPD is currently taking steps to provide services to LEP persons, such as employing bilingual individuals who have been certified by the City of Garden Grove and translating some materials into Spanish, Korean, and Vietnamese, the GGPD should build on these steps to provide more effective language assistance to LEP individuals. As an initial matter, the GGPD should establish a comprehensive written policy on providing services to LEP persons in a variety of contexts, including field and walk-in encounters, interrogations, arrests and bookings, complaint processing, and community outreach. As part of this policy, the GGPD should establish protocols to ensure that employees are obtaining language assistance services from the most qualified interpreter available. The protocols should instruct employees to obtain language assistance services in the following order: 1) City-certified GGPD employees; 2) Language Line or Network Omni; or 3) bilingual employees from outside law enforcement agencies or local organizations. The GGPD should advise employees to ensure that bilingual employees obtained from outside agencies are qualified to interpret, and that employees should use family members, friends, or bystanders to interpret only in unforeseen, emergency circumstances while awaiting a qualified interpreter.

The GGPD should ensure that all employees have access to a current list of bilingual employees, including those who are certified in designated languages and those who speak other foreign languages. The GGPD should also ensure that all employees are aware of how to access

Language Line and Omni, and should consider providing officers in the field with cell phones to contact Language Line. The GGPD's written policy should emphasize that it is important for LEP individuals to be able to access GGPD's services and that employees must provide some form of effective language assistance to all individuals who are LEP.

Once the GGPD has developed this policy document, it should immediately train all employees on the policy to ensure that employees are aware of the proper procedures for providing language assistance services. Following this initial training, the GGPD should establish annual training sessions focused specifically on providing language assistance services to LEP individuals, and should be sure to include this issue in its new recruit training.

The GGPD is currently taking positive steps to recruit bilingual employees by offering additional compensation for employees who obtain certification from the City of Garden Grove in the languages of Spanish, Korean, Vietnamese, and Arabic. Given the relatively small number and percentage of listed bilingual GGPD employees – 40 employees, or 17% of its workforce – the GGPD should increase its efforts to recruit bilingual officers, particularly those who speak other frequently-encountered foreign languages such as Filipino, Chinese, and Tagalog. Additionally, the GGPD may want to work with the City to expand the languages that are eligible for certification to include other frequently-encountered languages. The GGPD should also work with the City to ensure that the oral tests used in the City's certification process go beyond testing an employee's skill of communicating in a foreign language and assess the particular skill of interpreting, which requires listening to speech on one language and orally conveying its meaning into another language. Similarly, tests of a bilingual employee's written translation skills should capture an employee's ability to render written communication in one language into the writing of another language.

In regard to written materials, while the GGPD has taken steps to make various documents and resources available to frequently-encountered LEP populations, it should take additional steps to ensure compliance with Title VI. The Department of Justice encourages recipients to satisfy the "safe harbor" provision in the DOJ Guidance when determining what documents to translate. See DOJ Guidance, 67 Fed. Reg. 41464. This provision states that recipients should translate "vital documents" for LEP groups that comprise five percent or 1,000, whichever is less, of the eligible service population. Id. Whether a document is "vital" depends on the "importance of the program, information, encounter, or service involved, and consequence to the LEP person if the information in question is not provided accurately or in a timely manner." Id. at 41463. Examples of documents that may be "vital" are consent and complaint forms; intake forms; written notices of rights; denial, loss, or decrease of benefits; notices of disciplinary actions; written tests for a license, skill, or job for which knowing English is not required; applications to participate in a program or activity; and applications to receive a benefit or service. Id.

In accordance with the DOJ Guidance, the GGPD should conduct an inventory of all of its written materials, identify the documents it considers "vital," and translate these documents into

the languages that meet the safe harbor threshold. Based on the 2000 Census Data previously cited in this Compliance Review Report, it appears that the City of Garden Grove's LEP populations that speak Spanish, Vietnamese, Korean, Chinese, and Tagalog may meet the 1,000 person safe harbor threshold. Although the data is less clear for other language groups, their presence may also meet the safe harbor threshold. The GGPD should also continue to implement quality control measures to ensure the accuracy of all translated materials and to make sure that all of the information is being conveyed to LEP persons.

The GGPD should post a sign(s) in the primary languages of the largest LEP populations in the lobby of its police stations and other places of public contact stating that on request, free language services are available. The GGPD should also review its website and make sure that important information available in English is also available in the primary languages of the largest LEP populations.

Regarding community outreach, the GGPD is currently making an effort to build relationships with LEP communities, such as employing community service officers to serve as liaisons to the Vietnamese and Korean communities and conducting meetings with LEP community groups. To ensure that its community outreach efforts are effective, the GGPD should establish a mechanism for gathering community feedback on its provision of services to LEP individuals. For example, the GGPD may want to develop a written survey of community groups serving LEP populations, or to convene a focus group of LEP individuals. The GGPD should continue to work with ethnic media outlets to publicize these meetings and to inform LEP persons of the availability of free language assistance services and other important resources.

#### D. Available Resources

The GGPD's fiscal year (FY) is from July 1 to June 30. According to GGPD's data response, its total operational budget in FY 2005 was \$34,360,200, and its total budget in FY 2006 was \$36,817,400. The documentation provided by GGPD appears to indicate that GGPD expended approximately \$93,950 on additional pay for bilingual employees and \$3,229.77 on Language Line Services in FY 2005. The documentation further appears to indicate that GGPD budgeted approximately \$101,845 for additional pay for bilingual employees in FY 2006, and that as of December 23, 2005, GGPD spent \$2,998.21 on Language Line services in FY 2006. The OCR understands that the expenditure figures do not include money paid to Network Omni for telephonic interpretation services on its emergency line.

As previously discussed in this Compliance Review Report, the GGPD actively recruits bilingual officers. The GGPD provided OCR with a job advertisement posted on its website stating that "[a]pplicants with the ability to speak Spanish, Vietnamese, Korean, Laotian, or Cambodian are highly desirable." The GGPD's officer recruitment flyer also emphasizes the desirability of bilingual recruits. The GGPD provides additional pay to bilingual employees certified by the City of Garden Grove in Spanish, Korean, Vietnamese, and Arabic.

In addition to bilingual employees, Language Line, and Network Omni, GGPD occasionally uses the services of outside agencies to provide interpretation and translation services. During OCR's onsite interviews, GGPD officers reported obtaining interpretation services from neighboring law enforcement agencies and from Disneyland's Ambassador Program.

#### Recommendation

The GGPD should undertake a review of its human and capital resources to assess how well it is responding to the needs of its LEP populations, including the City's significant Spanish-, Vietnamese-, and Korean-speaking communities. As previously discussed in this Compliance Review Report, the GGPD should gather feedback from the local LEP service population on how GGPD can provide more effective language assistance services. The GGPD should also work with community groups serving LEP populations to determine what additional steps it can take to attract more bilingual employees capable of providing language assistance services. The GGPD may also wish to consult with community groups to identify all of the community resources that may be available to assist in providing cost-effective and reliable language services to the City's LEP populations.

#### II. Developing an Effective Plan on Language Assistance for LEP Persons

According to the DOJ Guidance, an effective plan for providing language assistance to LEP persons has five elements: (1) identifying LEP persons who need language assistance; (2) providing information on effective language assistance measures; (3) training staff; (4) providing notice to LEP persons; and (5) monitoring and updating the plan.

#### Recommendation

The GGPD should develop a comprehensive, written language assistance plan that incorporates the five elements referenced above and addresses the concerns raised in this Compliance Review Report. In doing so, the GGPD may wish to consult the DOJ Guidance, along with the following documents: (1) Planning Tool for Creating a Language Assistance Policy and Plan in a Law Enforcement Agency; (2) Limited English Proficiency Resource Document: Tips and Tools from the Field; and (3) a sample written language assistance plan. These documents are available online at <http://www.lep.gov>, and should assist the GGPD in preparing a language assistance plan or a general order on services to LEP persons.

#### Conclusion

This letter serves as notice that OCR has made a preliminary determination that the GGPD appears to be taking steps to provide meaningful access to its programs and activities to LEP persons. However, the GGPD should build on these steps to ensure compliance with Title VI.

Joseph Polisar, Chief  
November 30, 2007  
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On request, the OCR is available to provide technical assistance in implementing its recommendations and formulating a written language assistance plan. **Immediately upon receipt of this letter, we ask that a responsible GGPD official contact Attorney Advisor Shelley Langguth to develop a timeline and goals for developing a written language assistance plan.**

Thank you for your cooperation and the assistance of your staff throughout the compliance review process. If you have any questions, please contact Ms. Langguth at (202) 305-2353.

Yours very truly,  
/s/  
Michael L. Alston  
Director

cc: Lieutenant Steve Sanders  
Garden Grove Police Department