



GENERAL ORDER OPS-19 LIMITED ENGLISH PROFICIENCY

EFFECTIVE FEBRUARY 15, 2019

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I. POLICY

It is the policy of the Howard County Department of Police (HCPD) to recognize the importance of effective communication between its members and the community. The HCPD will provide timely and pertinent access to services for those citizens, suspects, victims, and witnesses who are not proficient in the English language.

II. DEFINITIONS

- A. Bilingual: The ability to use two languages fluently and communicate directly and accurately in both languages.
- B. Certified Interpreter: A bilingual HCPD member who has successfully passed the language certification test given by an HCPD-approved independent organization and is deemed fluent in that language.
- C. Interpretation: The act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the original meaning.
- D. Language Liaison: A designee within the HCPD who will be charged with maintaining a current call-out list for interpreters.
- E. Limited English Proficiency (LEP): Individuals whose primary language is not English and have a limited ability to write, read, and comprehend English.
- F. Primary Language: The language in which an individual most effectively communicates.
- G. Translation: The replacement of written text from one language (source language) into an equivalent written text in another language (target language).

III. TRAINING AND CERTIFICATION

- A. The Employment Services Division (ESD) will be responsible for identifying bilingual officers employed by HCPD and will provide those names to the Education and Training Division (E&T) to arrange for training and certification.
- B. Members who successfully complete an examination from an HCPD-approved contractor in a foreign language will be certified as an HCPD interpreter.
- C. E&T will be responsible for arranging testing of all self-identified bilingual officers. E&T will maintain certification records and forward copies to ESD for the member's personnel folder.

- D. E&T will maintain the certified interpreter list for the department. The list will be provided to ESD for specialty payments per the union contract, the Community Outreach Division for on-call scheduling, and the Professional Standards Section (PSS) to be uploaded in PowerDMS.
- E. Entry-level training that covers the most important Spanish commands, questions, and phrases critical to police work is required by all HCPD recruit officers as part of the Education and Training curriculum. Periodic in-service training may also be provided.

IV. OPERATIONAL PROCEDURES

- A. The Language Liaison (COD-Multicultural Liaison) is responsible for creating a biannual on-call interpreter list and disseminating the list to the Communications Division and PSS.
- B. When a member encounters an LEP citizen in need of services he shall:
 - 1. Advise the LEP that a certified interpreter will be provided to them at no cost.
 - 2. Attempt to locate an on-duty member who is bilingual or a certified interpreter with the assistance of dispatch. The identified member shall respond to assist, with supervisory approval.
 - 3. The interpreter is tasked with objectively interpreting.
- C. The requesting officer shall remain the primary investigator unless a supervisor reassigns case responsibility.
 - 1. Statements the LEP makes will be noted in a supplement report by the interpreting officer.
 - 2. LEP actions, including those within the Standardized Field Sobriety Test, are to be recorded by the primary officer as observed.
- D. If a bilingual member is unavailable, the member may call the contracted language service provider or request that dispatch contact the service.
 - 1. The contracted language service provider shall be used for cases where communication barriers need to be overcome to abate non-criminal queries and minor criminal and traffic cases.
 - 2. Members with HCPD issued cell phones may use their phone to accomplish this task by following the steps listed in the New Vendor for Translation Services Training Bulletin found in PowerDMS.
- E. A supervisor may authorize the use of a certified on-call interpreter if there is no bilingual officer working and the contracted language service provider cannot satisfactorily meet the need. Situations could include, but are not limited to, investigatory needs where face to face communication is imperative, investigations requiring interrogations, DUI arrest procedures, and suspect interviews that require the utilization of a certified interpreter. In these cases, a supplement report shall be written by the certified interpreter.
- F. Intra-County assistance for LEP citizens may be provided by HCPD members on the interpreter list only with the authorization of a Watch Commander or above.
 - 1. Watch Commanders may request that dispatch contact neighboring police agencies to ascertain if an interpreter is available to assist with LEP needs when there are no HCPD interpreters working, when practical.

2. If HCPD interpreters are available to assist outside jurisdictions with similar needs, the Watch Commander may grant permission.
- G. HCPD translators are not permitted to do independent translation in Howard County court cases.
- H. The use of family or friends as interpreters for LEP citizens shall be limited to asking general questions to help stabilize a scene or on routine calls for service. These individuals may not be a neutral party, are not trained in legal interpreting and/or translating, may not know the limitations of their role, and may be a potential suspect. They shall not be used in any manner that may compromise an investigation.

V. LEP SERVICES

- A. To ensure that all citizens receive the same opportunity to request administrative assistance, the HCPD will provide certain documents in critical foreign languages electronically on www.hcpd.org and in the lobbies of police facilities.
- B. The HCPD will ensure that any pertinent signs posted for the public in the district station lobbies are translated. Examples of forms available in foreign languages are as follows:
 1. Complaint/Inquiry Regarding an HCPD employee;
 2. Citizen Survey form; and
 3. Request for Police Report.

VI. TRANSLATION OF DOCUMENTS

- A. To ensure accurate and uniform translation of documents, a company specializing in foreign language translation will be used. The Chief of Police or his designee will take reasonable steps to determine the critical need for any document translation into additional languages.
- B. "Reasonable steps" requires an individual assessment that balances the following four factors:
 1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient.
 2. The frequency with which LEP individuals come in contact with the program.
 3. The nature and importance of the program, activity, or service provided by the program to peoples' lives.
 4. The resources available to the recipient and costs.
- C. When exigent circumstances exist, a certified interpreter may translate existing internal documents into the target language by reading it to the individual. If this occurs, the interpreter shall notify the Professional Standards Section of the document translated and the target language so that the need for a translated form may be assessed.

VII. TRACKING LEP SERVICES

- A. Members shall check the LEP box on the Incident Report for tracking purposes whenever LEP services are requested.
- B. The HCPD will track LEP services by examination of the billing system provided by the contracted language service provider to use for data collection.

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- C. HCPD members who submit overtime slips for call-out pay will use the designated language code to track occurrences that warranted notifying an off-duty interpreter.
- D. Certified interpreters will maintain a monthly log of when their services are employed while on duty or if they are called out to maintain a more detailed tracking system of the LEP services the HCPD provides. This monthly report will be sent to the language liaison and recorded, and an annual report provided to the Chief of Police by March 1 of each year.

VIII. CANCELLATION

This General Order cancels and replaces Special Order 2012-04, Limited English Proficiency, dated September 4, 2014.

AUTHORITY:



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