

Reno Police Department

Limited English Proficiency Plan



Last updated: August 2006

Background

In July of 2004, the Office for Civil Rights (OCR), Office of Justice Programs, U.S. Department of Justice (DOJ) conducted an random Compliance Review of the language services at the Reno Police Department (RPD), including the City of Reno's Department of Communication and Technology (DOCT), and the Washoe County Sheriff's Office (WCSO) which both perform services for the Reno Police Department. The compliance review focused on the Reno Police Department's provision of services to persons with limited English proficiency (LEP). Per OCR, an LEP person is defined as "an individual whose first language is other than English and who has limited ability to read, write, and speak or understand English."

As a result of the Compliance Review, and using the technical assistance standards in the DOJ Guidance, OCR collected and reviewed the information RPD, WCSO and DOCT submitted. In early December of 2004, the Reno Police Department received the final report detailing the findings of the compliance review. The OCR found that RPD, WCSO and DOCT had taken steps toward providing LEP person with meaningful access to their services; however recommended RPD, WCSO and DOCT improve its services to LEP persons. OCR made the following recommendations to the Reno Police Department:

- 1) The Reno Police Department must establish a means of tracking the frequency of its contact with LEP communities to ensure that it is providing them with meaningful access to its services and activities.
- 2) The Reno Police Department must be able to track LEP persons that enter headquarters or a district station.
- 3) The Reno Police Department needs to track and tabulate LEP complaints.
- 4) The Reno Police Department must train its officers, ..., and civilian personnel on the importance of providing adequate language services to LEP individuals.
- 5) The Reno Police Department should take proactive steps to inform the public that it recognizes the importance of providing language assistance.

- 6) The Reno Police Department should devise a recruitment strategy directed at those who possess verifiable language skill. In addition, to the extent that the Reno Police Department is constrained by the Civil Service Commission ("Commission") processing rules which prevent the Reno Police Department or the Civil Service Commission from giving additional points for a language skill, the Reno Police Department should request from the Commission permission to enumerate the language skills it seeks in new police officers and to have that skill be given value in the hiring process by either the Reno Police Department or the Commission.**
- 7) If the Reno Police Department does not offer any additional monetary compensation for officers working in specialized units or for "premium skills", then the Reno Police Department should consider non-monetary ways of compensating multi-lingual officers who use their non-English language skills.**
- 8) The Reno Police Department should consider requiring recruits to begin learning a language while at the police academy, which they can continue learning through police certification courses or by taking language classes. The Reno Police Department should pay for these courses or seek waivers from the institution that provides the language course.**
- 9) The Reno Police Department should consider implementing procedures for determining the competency of its bilingual employees.**
- 10) [Regarding interpretive services], The Reno Police Department should spend time specifically explaining the importance of competent interpretations and their availability through interpretation services to all of their employees.**
- 11) The Reno Police Department needs to establish a procedure for determining document vitality. The Reno Police Department should conduct a review of its document inventory and make an internal assessment as to what documents are vital.**
- 12) The Reno Police Department needs to establish a procedure to determine into what languages it will translate vital documents.**
- 13) After ensuring that employees are competent to provide language services, the Reno Police Department should continue to tap into human resources it has in its workforce to communicate with the LEP community it encounters.**

As a result of the OCR final report and its recommendations, the Reno Police Department immediately created a working group, the goal of which was to create the comprehensive plan for providing meaningful access to RPD services to LEP individuals and then communicate that plan to the public. For the purposes of fulfilling the requirements of the compliance review, the Reno Police Department included the DOCT into the working group because of the interrelated nature of some of the tasks to be accomplished.

The Reno Police Department recognizes that it serves a diverse community consisting of people from many national origins. It is the responsibility of all federally funded recipients to make sure that the LEP population is not denied access to services or to information about services. This document outlines the Reno Police Department language assistance plan for obtaining, providing and displaying language assistance services to the LEP population, and general population it serves.

The Reno Police Department LEP Plan

The Reno Police Department recognizes the need to identify, analyze, respond and assess its service to the LEP population. Every effort will be made to identify department deficiencies and implement responses to improve service delivery to enable staff to better meet the needs of the LEP community while sustaining the Department's mission.

Areas of Response

In order to respond in an organized manner to the needs identified by the OCR compliance review, the Reno Police Department has categorized our LEP Plan into 4 different areas of response; Training, Communication, Outreach and Quality Control. Each area includes identification of the corresponding OCR recommendation and response plans (short term and long term). Responses may be put into action by the Reno Police Department, the DOCT or both.

Training

OCR Recommendations:

#4: The Reno Police Department must train its officers, ..., and civilian personnel on the importance of providing adequate language services to LEP individuals.

#8: The Reno Police Department....should consider requiring recruits to begin learning a language while at the police academy, which they can continue learning through police certification courses or by taking language classes. The Reno Police Department...should pay for these courses or seek waivers from the institution that provides the language course.

#9: The Reno Police Department...should consider implementing procedures for determining the competency of its bilingual employees.

#10: [Regarding interpretive services], The RPD should spend time specifically explaining the importance of competent interpretations and their availability through interpretation services to all of their employees.

Reno Police Department Responses:

- 1. Implement an extensive a department-wide training program which will include all issues identified in the Compliance Review. Because the training will logically follow the development of the comprehensive plan, general order and other vital components, the development of the training will follow. Spend time specifically explaining the importance of competent interpretations to all employees. (RPD/DOCT) The elements of the department-wide training identified to date include:**

- **Language Line training for all personnel and volunteers.**

Training has been completed and is now scheduled on a bi-annual basis.

- **Training for language bank personnel to be more aware of and responsive to law enforcement needs.**

Training is pending.

- **Training for all employees answering incoming calls on "Hold Please" in Spanish.**

Training has occurred for communications and employees who are initial point of contact at each station. Additionally, "I speak" cards are at every station for personnel to utilize.

- **Purchase of dual phones (head sets) for three-way connect to Language Line, to be used by CSOs. Training to be scheduled after purchase.**

Purchase is being reviewed.

- **Briefing training for all commissioned personnel.**

Training has been completed and is now scheduled on a bi-annual basis.

- **Outreach and training Community Resource Program Manager (aimed at Domestic Violence).**

Position was hired, however title changed to Victim Advocate Supervisor. Outreach is ongoing. Department hired a bi-lingual victim advocate to assist.

- **Law Enforcement Handbook training (translation guide for law enforcement terms).**

Training has been completed. Handbooks are given out in the academy to recruits. All sworn officers have been given handbook and supply is kept on hand in the department.

- **Upon development of the policy, specific training for all personnel in the elements of the policy.**

A draft policy has been written and is in the approval process.

- **Research possibility of officers using translator devices.**

Different divisions are testing a translator device. The Gang Unit and Traffic are currently testing the "Voice Response Translator" by Integrated Wave Technologies, Inc. Testing and assessment are ongoing at this time.

- **Develop process for officers in the field to access interpreters.**

Bilingual/Interpreter list of RPD personnel is currently being updated. Process of how to access will be in policy which is currently under review. Once approved, bi-annual training will be conducted. Currently, officers ask DOTC for bilingual personnel and a request is broadcasted on the air for assistance.

2. Require that recruit officers begin learning a second language while in the academy and encourage them to continue this training throughout their career. The training would be approved and provided by the department. (RPD/DOCT)

- *At this time, learning a second language in the academy is not feasible, but is still being investigated. However, the use of language line is covered in the academy curriculum and the recruits are tested on the use of the resource in their practical exercises.*

3. Continue training of bilingual employees to improve their competency including sending them to interpreter training courses. (RPD/DOCT)

- *Training options being explored at this time. The department provides education incentives and these can be used to take classes to improve competency in a second language.*

4. Training bilingual staff and contractors used for interpretations and translations on the importance of competency and ethics when involved in these activities for the department. (RPD/DOCT)

- *Training options being explored at this time. The newly hired Victim Advocate Supervisor has this included in her action plan for 2006-2007.*

5. Enable community-based organizations to train bilingual individuals to perform basic interpretation tasks through a cost effective means.

- *This option is being explored at this time. This responsibility will fall under the newly hired Victim Advocate Supervisor and will be in her action plan for 2006-2007.*

OCR Recommendations:

#7: *If the Reno Police Department...does not offer any additional monetary compensation for officers working in specialized units or for "premium skills", then the Reno Police Department...should consider non-monetary ways of compensating multi-lingual officers who use their non-English language skills.*

#10: *[Regarding interpretive services], The RPD should spend time specifically explaining the importance of competent interpretations and their availability through interpretation services to all of their employees.*

#11: *The Reno Police Department needs to establish a procedure for determining document vitality. The Reno Police Department should conduct a review of its document inventory and make an internal assessment as to what documents are vital.*

#12: *The Reno Police Department needs to establish a procedure to determine into what languages it will translate vital documents*

#13: *After ensuring that employees are competent to provide language services, the Reno Police Department should continue to tap into human resources it has in its workforce to communicate with the LEP community it encounters.*

Reno Police Department Responses:

- 1. Identification and publication of language assistance (translation/interpretation) services to be used by the Reno Police Department / DOTC.**
 - *Examined several and chose International Professional Development Services (IPDS) for document translation services.*
 - *Language Bank (located and affiliated with the University of Nevada, Reno) and Court Services are utilized for in-person interpreters, as well as qualified sworn/non-sworn RPD personnel.*
 - *"I speak" cards are located in each station lobby.*
 - *Signage for each station/entry point is in the development process*
 - *Press release regarding the recent updating of LEP services will be sent out upon completion/approval of the LEP policy and completion of pending items.*

- 2. Development of LEP Policies/Procedures. Topics to be included: policies / procedures for use of translation services / interpreters, interpreter certification / qualifications, guidelines for communication with LEP individuals for sworn and non-sworn, requirements, etc. (RPD/DOCT)**
 - *A draft policy has been written and in the approval process.*
- 3. Determine language assistance costs and factor into budget and planning process. (RPD/DOCT)**
 - *Completed by the Finance Manager. A project code for LEP will be established to track expenses. The 2005/06 costs will be evaluated for adjustment as needed in the 2006/07 budget.*
- 4. Develop on-call list of interpreters. Work collaboratively with community groups and academic institutions to identify potential sources of language assistance resources to serve as part-time interpreters. (RPD)**
 - *Assigned to newly hired Victim Advocate Supervisor. This will be in addition to language line, agency personnel and translation services.*
 - *An on-call list of department interpreters is being updated and established on the LAN system and in file accessible to DOTC on Tiburon. Process of how to access is in the draft RPD LEP policy.*
- 5. Create a dedicated telephone line for Spanish Speakers. Staff line with Spanish speaker or have it provide a recorded message explaining how callers can access the services we provide and receive language assistance if necessary. Post / advertise the phone number. (RPD)**
 - *There is a recorded message presently on the main station and substation phone lines..*
 - *There is a recorded message presently on the Internal Affairs phone and on the internet.*
 - *The telephone number is reproduced on the back of citations, with the language, "Para información en Español llame el número (775) 334-2290."*
 - *A contact number has been established through the bi-lingual victim's advocate. Her cards reflect her telephone number and she is available to respond to general inquiries.*

- 5. Make language flash cards available to personnel to assist them in identifying the LEP individual's native language. (RPD)**
 - *This has been completed. "I speak" type cards and posters have been provided to the substations and front desk personnel at the main station.*

- 6. Research and development of viable incentive pay plan for multi-lingual officers for use in upcoming contract negotiations. (RPD)**
 - *Incentive pay plan for multi-lingual officers was an issue on the table during contract negotiations for the Reno Police Protective Association (RPPA) and the Reno Police Supervisory/Administrative Employees (RPSAE). No agreement was made in regards to incentive pay for either union.*
 - *The committee will be considering other options for discussion with administration.*

- 7. Continued identification and publication of language classes available to personnel. (RPD)**
 - *On-going by RPD Training Section and by Laura Dickey, Diversity Coordinator, for the City of Reno.*

- 8. Translation of all vital documents into Spanish. (RPD)**
 - *All vital documents identified to date have been translated, with the exception of the RPD website. The identification process will be on-going.*
 - *RPD is presently establishing a process that centralizes all Department forms for inventory maintenance and translation as needed.*

- 9. Development of procedure for determining into what languages documents will be translated. (RPD)**
 - *Currently, all vital documents have been translated into Spanish and examining other options as population increases, per DOJ guidelines.*
 - *Draft RPD LEP policy incorporates this procedure and process for getting documents translated.*

- 10. Development of LEP resources (internally and externally) file. Creation of file of contacts/services that is readily available / accessible to all personnel. (RPD)**

- *Central location for this has been identified. There will be an LEP file on the LAN system, which will provide computer access to resources to all personnel. Creation of the file and Input of information will be under the Community Affairs unit*
- *The Training Division is responsible for maintaining the interpreter file on the LAN.*
- *Development and fine tuning of the process is ongoing and is in the draft RPD LEP policy.*

Outreach

OCR recommendations:

#5: *The Reno Police Department should take proactive steps to inform the public that it recognizes the importance of providing language assistance.*

#6: *The Reno Police Department should devise a recruitment strategy for those who possess verifiable language skill. In addition, to the extent that the Reno Police Department is constrained by the Civil Service Commission ("Commission") processing rules which prevent the Reno Police Department or the Civil Service Commission from giving additional points for a language skill, the Reno Police Department should request from the Commission permission to enumerate the language skills it seeks in new police officers and to have that skill be given value in the hiring process by either the Reno Police Department or the Commission.*

#13: *After ensuring that employees are competent to provide language services, the Reno Police Department should continue to tap into human resources it has in its workforce to communicate with the LEP community it encounters.*

Reno Police Department Responses:

1. **Partner with community-based organizations that serve our various language communities to promote referrals, sharing of expertise, and to spread awareness about assistance available to LEP community members. Consider teaming bi-lingual staff with coinciding language community groups. (RPD/DOCT)**
 - *Assigned to Community Affairs Sergeant. We have already partnered with the underserved community in reference to "You Too Have a Right" and the Victims' Rights Committee.*

- *The Victim Advocate Supervisor is partnering with community based organizations and will continue on an ongoing basis.*
- 2. Distribute important information at gathering places for non-native English speakers within community. (RPD/DOCT)**
- *The Community Affairs Sergeant will be working with the Victim Advocate Supervisor to accomplish this goal.*
 - *At this time 33 different agencies are receiving bilingual documents at their locations.*
 - *The Victim Advocate Supervisor has developed a literature distribution plan.*
- 3. Development of Community Relations Officer. (RPD/DOCT)**
- *RPD has created a Community Affairs Unit and assigned a Sergeant, two police officers and a civilian assistant. An additional part-time employee has just been hired to assist with the programs of the Unit. The new employee is bi-lingual.*
 - *The responsibilities and goals of the Community Affairs Unit for FY2005/06 are as follows:*
 1. *To develop a part-time Public Information Officer.*
 - *This has been completed*
 2. *To provide the organization with a full-time Crime Prevention officer who will develop and implement relevant and practical strategies that are in alignment with the organization's problem-solving efforts.*
 - *This has been completed*
 3. *To revitalize Neighborhood Watch throughout the City, utilizing resources that will enhance citizen involvement, community policing and problem-solving.*
 - *Ongoing and currently implementing business watch program*
 4. *To better utilize the SAVE volunteers to ensure maximum production for the organization and the community.*
 - *Ongoing*

5. To develop Citizen Emergency Teams, a corps of citizens that can be responsive and available for those community emergencies that require additional resources.

- In the developmental phase

6. To better incorporate the Reno Police Department into the community. All officers will interact with the community within their respective assignments by participating in all programs developed for that purpose.

- Ongoing

4. Partner with media outlets (private television / radio stations and print media, ethnic and foreign language media) to develop feature stories, public service announcements, and dramatizations to deliver important information to non-English speakers in the community. (RPD/DOCT)

- RPD has hired a PIO (part-time) who will coordinate this. The Community Affairs Sergeant will also be involved. SNCAT program is being developed in Spanish and English. RPD has partnered with the Underserved Committee on this project.
- RPD's bi-lingual victim's advocate was interviewed in May, 2005 on "La Voz Cristiana", a Spanish language radio station, about her duties and the services available to victims at the Reno Police Department.
- RPD's bi-lingual victim's advocate was also chosen as the "Latina employee of the year" for the City of Reno at the Nevada Hispanic Services "Adelante" Annual Awards Dinner.

5. Partner with community-based organizations that serve our various language communities to promote recruitment of applicants with language skills and to spread awareness of value given in hiring process. (RPD/DOCT)

- RPD's Diversity Committee is working with the LEP Committee in making recommendations. The new Community Affairs Unit will also be involved.
- Upon recommendation from the Diversity Committee, a full time recruiting position was developed.
- In May 2005, RPD's Chief of Police hosted a luncheon with representatives of minority community groups to discuss the Department's recruiting process and to seek community assistance in the process. Two people volunteered to assist the Department in developing recruiting strategies to improve RPD's diversity hiring.

- *In December 2005, RPD put together a recruitment plan that includes recruiting diverse candidates and maintaining a diverse work force by (not all inclusive):*

1. *Expanding internet recruiting*
2. *Holding minority recruitment summits and establishing a recruitment council to represent the interest of each minority group.*
3. *Expanding military recruitment efforts in highly diverse areas.*
4. *Developing applicants at an early age through summer work programs, Explorer Post, Cadet Program as well as developing Police Magnet Schools in diversely populated high schools.*

6. Through the City of Reno Civil Service Commission, seek to grant preference points for language skills.

- *RPD has been unsuccessful to date in accomplishing this goal. However, it is engaged in discussions with Civil Service to establish a method through which a preference for language skills can be included in the position announcements. Additionally, it will continue to work to achieve preference point credit in the hiring process for those with language skills.*

Quality Control (Assessment/Tracking)

OCR Recommendations:

#1: *The Reno Police Department must establish a means of tracking the frequency of its contact with the LEP communities to ensure that it is providing them with meaningful access to its services and activities.*

#2: *The Reno Police Department must also be able to track LEP persons that enter headquarters or a district station.*

#3: *The Reno Police Department needs to track and tabulate LEP complaints.*

#9: *The Reno Police Department...should consider implementing procedures for determining the competency of its bilingual employees.*

#10: *[Regarding interpretive services], The RPD spend time specifically explaining the importance of competent interpretations and their availability through interpretation services to all of their employees.*

Reno Police Department Responses:

1. Develop a method of tracking all contacts with LEP.

- *DOCT has developed a method of tracking LEP contacts with reference to calls for service.*
- *Officers making traffic stops track LEP contacts.*
- *Victim Advocate Supervisor is tracking all LEP victims assisted by the Victim Services Unit. Includes primary language, age and crime category.*
- *Victim Advocate Supervisor is also tracking how many Spanish translated documents they are sending out to victims of crime.*
- *Presently, contacts at the substations are being tracked by hand. The Department intends to develop a comprehensive tracking procedure for the entire Department; however, the method is yet to be developed.*

2. Track and tabulate all LEP complaints.

- *Formal complaints will be tracked and tabulated by Internal Affairs.*
- *Informal complaints are tracked and tabulated.*
- *A victim experience survey in Spanish was developed by the Victim Advocate Supervisor and implemented in July 2006. Survey was approved by research department of the University of Nevada, Reno.*

3. Develop LEP policies and procedures that include: assessing competency, ability to interpret/translate, procedures for background checks for determining the competency of bilingual employees and their abilities to interpret/translate, and evaluate services. (RPD/DOCT)

- *Being researched, but the certification is currently being performed at Truckee Meadows Community College.*
- *We currently have 64 bilingual employees, an increase of 36% from our initial audit year. Additionally, our original audit identified that 31 of our bilingual employees spoke Spanish. Currently, 43 of our employees speak Spanish, an increase of 38%.*

4. Develop a procedure whereby there is a "second-check" system that confirms that the translations are correct. Two looks are better than one and it can be costly to have to have things done twice. If possible, have representatives of LEP groups to take the second look at the professional translations to ensure that they are "readable". (RPD/DOCT)

- *We have identified a number of resources as second checks. The procedure for when and how to utilize the resources is being developed.*

- *RPD translations have yet to be questioned in a court of law.*
- 5. If appropriate, interpreters/translators should be provided with relevant background information regarding the LEP (native country and town, educational level, reading and writing ability, speech particularities and any information pertaining to a potential conflict of interest that may exist.**
- *Part of training to be done for interpreters and will fall under the duties of the Victim Advocate Supervisor.*
- 6. Develop a procedure whereby the following is considered/accomplished when obtaining language services (RPD/DOCT):**
- **Ensure interpreter/translator understands his/her ethical obligations.**
 - **Ensure that all parties understand each other by asking questions that require more than a "yes" or "no" answer, to ensure effective communication is occurring.**
 - **Ensure the LEP is comfortable with the person providing the language services.**
 - **Instruct the LEP and the language provider not to have long conversations.**
 - **Ensure that the language provider answers all questions in the first person, as if he/she were the LEP person.**
- *The Department intends this to be part of the Interpreter/translator training and certification process.*
- 7. Develop a procedure so that when dealing with professional language services (in person or over the telephone) the following information is asked and the appropriate terms are included in any contractual agreement regarding the services and qualifications of the interpreters (RPD/DOCT):**
- **Is the interpreter familiar with specialized terminology used in this field?**
 - **Does the interpreter have the experience in the particular field that is subject of the interpretation (medical, legal, etc.)? How much experience?**
 - **What is the cost? When entering into a contract with a telephone interpretation service or professional interpretation/translation company, can the company offer services in a sufficient number of languages to justify the cost?**

- Are the interpreters familiar with both the formal and colloquialisms/street slang? Are the interpreters familiar enough with the community to be able to interpret effectively?
- What is the connection time necessary for telephonic interpretation? Is it swift enough for your purposes?
- *Training for language line personnel is in the developmental stage.*

8. Continual assessment should be done to determine the quality of services provided by language assistance contractors. A tool that can assist with this assessment can be found at www.lep.gov.selfassesstool.htm (RPD/DOCT)

- *Regular auditing.*
- *One already done.*
- *Other auditing continuing randomly in the future.*

9. Develop a procedure for assuring quality control in interpretation and translation. Guidance on this can be found at: <http://www.usdoj.gov/crt/cor/lep/DOJFinLEPFRJun182002.pdf> pages 41461 to 41461 (RPD/DOCT)

- *Responsibility of Victim Advocate Supervisor.*

10. Develop a quality control and monitoring program of emergency calls involving the use of language services. (DOCT)

- *Research of best practices is currently underway.*

Resources

Research and development of the Reno Police Department LEP Plan was aided by the following resources (not all inclusive):

- The website for the Interpreter's Office for the United States District Court, Southern District of New York: <http://sdnyinterpreters.org>
- A guide to buying translations entitled "Translation: Getting it Right" can be accessed at www.atanet.org or e-mail a request to ata@atanet.org
- Learn more about interpreter and translator standards in legal settings from The National Association of Judiciary Interpreters and Translators (NAJIT) at www.najit.org

- "The Summit/Lorain Project", developed by the Summit County Sheriff's Office & The City of Lorain Police Department, along with the National Association of Judiciary Interpreters and Translators (NAJIT).
- Executive Order 13166- August 11, 2000 - Improving Access to Services for Persons With Limited English Proficiency
- U.S. Department of Justice- Enforcement of Title VI of the Civil Rights Act of 1964 – National Origin Discrimination Against Persons With Limited English Proficiency; Policy Guidance
- U.S. Department of Justice - Civil Rights Division – "Executive Order 13166, Limited English Proficiency Resource Document: Tips and Tools from the Field", September 21, 2004
- U. S. Department of Justice – Civil Rights Division – "Compliance Review of the Reno Police Department", December 7, 2004

DRAFT

RENO POLICE DEPARTMENT DIRECTIVE: LIMITED ENGLISH PROFICIENCY

I. PURPOSE

The Reno Police Department (RPD) recognizes the importance of effective and accurate communication between its personnel and the community that they serve. Language barriers can impede effective and accurate communication in a variety of ways. Language barriers can sometimes inhibit or even prohibit individuals with limited English proficiency (LEP) from accessing and/or understanding important rights, obligations, and services, or from communicating accurately and effectively in difficult situations. Hampered communication with LEP victims, witnesses, alleged perpetrators, and community members can present the RPD with safety, evidentiary and ethical challenges. Ensuring maximum communication ability between law enforcement and all segments of the community serves the interest of both.

The purpose of this Directive is to establish effective guidelines, consistent with Title VI of the Civil Rights Act of 1964 and the Omnibus Crime Control and Safe Streets Act of 1968, for departmental personnel to follow when providing services to, or interacting with, individuals who are LEP.

II. POLICY

The RPD's policy is to take reasonable steps to provide timely, meaningful access to LEP persons to the services and benefits the RPD provides in all RPD-conducted programs and activities. All RPD personnel shall provide free language assistance services to LEP individuals whom they encounter or whenever an LEP individual requests language assistance services. The RPD personnel will inform members of the public that language assistance services are available free of charge to LEP persons and that RPD personnel will provide these services to them.

III. DEFINITIONS

- A. Primary language means an individual's native tongue or the language in which an individual most effectively communicates. The RPD personnel should avoid assumptions about an individual's primary language and the RPD personnel should make every effort to ascertain an individual's primary language to ensure effective communication.
- B. Limited English Proficiency designates individuals whose primary language is not English and who have a limited ability to read, write, speak or understand English. LEP individuals may be competent in certain types of communication (e.g., speaking or understanding), but still be LEP for other purposes (e.g., reading

or writing). Similarly, LEP designations are context-specific; an individual may possess sufficient English language skills to function in one setting, but these skills may be insufficient in other situations.

- C. Interpretation is the act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning.
- D. Translation is the replacement of written text from one language (source language) into an equivalent written text in another language (target language).
- E. Bilingual refers to the ability to use two languages proficiently.
- F. Tiburon refers to the department's report writing system.
- G. VESTA refers to the computer software system that handles all incoming calls (911 and non-emergency) for Reno E-Comm.
- H. IPDS (International Professional Development Services) refers to the company that provides document translation services to the RPD.
- I. Language Line refers to the RPD contracted language service supplier who provides language translation services on a 24 hour basis (via phone line) and can assist with over 140 different languages.
- J. RPD Authorized Interpreter (RPDAI) is a bilingual RPD employee who has been authorized to interpret for others in certain situations.
- K. RPDAI List is an accounting of RPD personnel who are bilingual and are authorized to act as interpreters. The Training Division will create and maintain the list. They will provide it to RPD Records Division for updating in the Capability Code section of Tiburon. The Training Division will be responsible for updating the RPDAI file on J:/drive.

IV. PROCEDURES FOR ACCESSING INTERPRETATION SERVICES

A. Civilian Emergency Calls to 9-1-1 and Non-Emergency Line

When a call is received (on either 9-1-1 or a non-emergency line) from a non-English or limited English speaking caller, the Emergency Services Operator (ESO) will keep the caller on the line and conference with the Language Line Services via VESTA. Incidents requiring language services assistance will be processed on the line on which they were received.

- Advise the caller to stay on the line and hold while you connect their call.

- Using the pre-programmed 9-1-1 transfer button (on Vesta), transfer the call to the Language Line Services; or transfer the call using the Conference/Transfer button by dialing 1-800-523-1786 (for emergencies) or 1-800-874-9426 (for non-emergencies).
- When the voice tree is heard, press 1 for Spanish. Press 2 for all other languages or press 0 [zero] and stay on the line for assistance.
- Enter on your telephone keypad or provide the representative the six digit client ID number when requested. The ID # is: 147010.
- Organization Name: Reno Emergency 9-1-1
- Personal Code: Your PINF number (employee number) or the number of your CTO (Communications Training Officer).
- If the ESO is unsure about the language being spoken, tell the language service that assistance is needed in identifying the language. Offer any suggestions about language possibilities. Ask the limited/non-English speaker if he/she speaks a particular language.
- Once an interpreter has been connected, brief them as to what information you need. The ESO will remain on the line until all needed information is obtained and/or relayed.

All incidents will be processed in accordance with the general call taking protocol utilized in Reno E-Comm (ESO Manual, 6 W's, etc.). Each call that is transferred to the Language Line Service will be identified in the call by entering "LEP" (language) in the type code description field and a notation made in the call "info via transfer to Language Bank".

Note 1: Reno E-Comm will take reasonable steps to develop in-house language capacity by recruiting and hiring personnel with specific language skills.

B. RPD Personnel Requesting Interpretation Services:

1. Responding RPD Personnel Responsibilities: RPD personnel in the field in need of interpretation services will attempt to identify the LEP individual's primary language through the use of the language identification card, language line assistance or any other means available. RPD personnel will contact Reno E-Comm to determine if a bi-lingual officer or other available interpreter is available to respond to the assignment; or if no one is readily available, RPD personnel should use language line services for interpretation. Reno E-Comm may make an on-air request and/or refer to Tiburon (Capability Code section) in an attempt to locate a bilingual employee.

Note 1: Exigent Circumstances:

RPD personnel are expected to follow the general procedures outlined in this Directive; however exigent circumstances may require some deviations. In such situations, personnel are to use the most reliable, temporary interpreter available. Examples may include the need to obtain descriptive information on a fleeing suspect, or identifying information of an injured person. However, once an exigency has passed, all personnel are expected to revert to the general procedures in this directive.

Note 2: Family, Friends and Bystanders:

In other than exigent circumstances, RPD personnel should only use family, friends or bystanders for interpreting in very informal, non-confrontational contexts, and only to obtain basic information at the request of the LEP individual. Using family, friends, or bystanders to interpret could result in a breach of confidentiality, a conflict of interest, or inadequate interpretation. Barring exigent circumstances, RPD personnel should not use minor children to provide interpreter services.

C. Contracted In-Person Interpretation Services

Contracted in-person interpretation services shall be available to all RPD investigative personnel when interacting with LEP individuals. Contracted in-person interpretation services are best suited for investigative units operating under non-emergency situations and controlled environments, such as witness interviews and criminal interrogations.

1. Accessing Contracted In-Person Interpreters: RPD Investigative personnel who believe they need this service will consult with their supervisor on location. If the supervisor concurs, the investigator will contact the Language Bank or Court Services to make arrangements for an interpreter. A memo of occurrence should be forwarded to the Finance Manager to facilitate tracking of expenses and for data collection purposes.

2. Upon arrival of contracted In-Person Interpreter: Upon arrival of the interpreter, the officer/investigator will examine the interpreter's employee identification. The officer/investigator shall record the interpreter's name and affiliation in the investigative report along with the interpreter's arrival and departure times. Once the interpreter is prepared, RPD personnel will ask all questions through the interpreter.

Note 1: It is RPD personnel's responsibility to develop and ask questions. Under no circumstances will an interpreter independently question a LEP individual. The interpreter's role is to serve as a neutral third party, taking care not to insert his or her perspective into the communication between parties.

3. Conflict of Interest/Bias of Interpreter: If the officer/investigator believes that there is any conflict of interest with the assigned interpreter, bias, or any other reason why the interpreter should be recused, the officer/investigator shall consult with the highest ranking supervisor on scene and the supervisor shall decide if another interpreter is warranted. If this should occur, it should be noted in the investigative report.

V. INTERROGATION, INTERVIEWS AND COMPLAINTS

A. Criminal Interrogations and Crime Witness Interviews: These scenarios potentially involve statements with evidentiary value upon which a witness may be impeached in court. As such, accuracy is a priority. Moreover, a failure to protect the rights of LEP individuals during arrests and interrogations presents risks to the integrity of the

investigation. RPD personnel must recognize that miscommunication during the interrogations or crime witness interviews may have a substantial impact on the evidence presented in any related criminal prosecution. A qualified interpreter shall be used for any interrogation or taking of a statement where the suspect's or witness' legal rights could be adversely impacted.

Note 1: Miranda warnings, and all other vital written materials, will be available to the suspect or witness in his or her primary language. If a form has not been translated in the suspect's or witness' primary language, or in cases of illiteracy, the forms will be read to the suspect or witness in his or her primary language using an interpreter.

B. Complaint Procedures for LEP persons: Any LEP individual who wishes to file a complaint with the RPD regarding language access shall be provided information in accordance with General Order E-210-04 – Internal Affairs / Employees Rights. The assigned Internal Affairs investigator shall utilize a contracted, outside agency interpreter when conducting any in-person interviews of LEP complainants or witnesses. Language Line may be utilized for phone interviews. The Internal Affairs investigator will provide written or verbal notification of the disposition of any LEP complaint in the complainant's primary language.

Note 1: In the event formal disciplinary charges result from an LEP complaint, the Internal Affairs investigator will ensure that a contracted, outside agency interpreter is available for any scheduled hearings.

VI. PROCEDURES FOR ACCESSING DOCUMENT TRANSLATION SERVICES

A. Identification and Translation of Vital Documents

The Department's Legal Advisor, with assistance from the Community Affairs Division and guidance from the Department of Justice, shall be responsible for classifying all documents as vital or non-vital, and determining into what languages the vital documents should be translated. The Community Affairs Unit will assess demographic data, review contracted language access services utilization data, and consult with community-based organizations to inform them of these decisions. The Community Affairs Unit will be responsible for saving the documents translated and distributing them to LEP communities. The Community Affairs Unit will serve as the central repository of all translated documents and make them available to RPD personnel and members of the public on request. LEP documents will be stored both in hard copy (in supply) and in electronic copy (on the J:/drive).

B. Requests for Document Translation

Although the Community Affairs Unit shall be the central conduit for non-investigative document translation, all RPD personnel shall have access to this service through the following procedures:

1. Translation of Non-investigative Documents: All documents needing to be translated into another language must be approved by a supervisor. Should a supervisor identify a need for a specific document to be translated, an e-mail will be forwarded to the Community Affairs supervisor containing an electronic version of the document to be translated, the reason for the document being translated and the language into which the document is to be translated. The Community Affairs supervisor will review the request and confirm that no similar document has already been translated. If no similar document has been translated, the Community Affairs supervisor will submit a purchase request to the Finance Manager requesting translation. Upon completion, a computer copy of the finalized document will be placed into the LEP folder on the J:/drive and hard copies will be maintained in supply and/or the Community Affairs unit.

2. Translation of Investigative Documents: Should an investigator need a note, letter or other document translated for an investigation, they will consult the RPD AI list for a capable translator. If no translator is available, a memorandum will be completed and a copy of the requested document attached. The copy of the document must be stamped "confidential." The memorandum will be approved by the investigator's supervisor. Once approved, the document should be hand delivered to IPDS for translation. A memo of occurrence should be forwarded to the Finance Manager facilitate the tracking expenses and for data collection purposes.

VII. NOTIFYING THE PUBLIC ABOUT RPD'S LANGUAGE SERVICES

A. Signage

At each RPD building entry point or lobby, signage shall be posted in the most commonly spoken languages stating that interpreters are available free of charge to LEP individuals. The RPD will also maintain translated vital forms and documents for LEP individuals. Forms and documents will be translated into languages that are in accordance with DOJ guidelines related to community demographics. A list of these forms is available on the J:/drive. Notification of the availability of translated forms and documents will be posted in the public lobbies of the RPD. In the case of illiteracy or languages into which written materials have not been translated, such forms and documents will be read to the LEP individuals in their primary language.

VIII. TRAINING: LANGUAGE ASSISTANCE POLICY

A. LEP Policies

The RPD shall provide periodic training to personnel about RPD's LEP policies, including how to access authorized telephonic and in-person interpreters. The RPD shall conduct such training for new recruits, at in-service training and at roll call for officers at least every two years. Training shall initially be conducted within 180 days of the effective date of this directive.

IX. MONITORING AND UPDATING LANGUAGE ASSISTANCE EFFORTS

A. LEP Coordinator

The Chief of Police will appoint a LEP Coordinator who is responsible for coordinating and implementing all aspects of the RPD services to LEP individuals.

B. Community Review and Collection of LEP Data

The Community Affairs Unit shall assess demographic data, review contracted language access services utilization data and consult with community-based organizations annually in order to determine if there are additional languages into which vital documents should be translated.

C. Documents

The Community Affairs Unit will be responsible for annually reviewing all new documents issued by the RPD to assess whether they should be considered vital documents to be translated.



Washington, D.C. 20531

December 27, 2007

Karen Swaney Fraley
Deputy City Attorney
Reno Police Department
455 East Second Street
Reno, NV 89505

Re: Language Services Compliance Review

Dear Ms. Fraley:

We are writing to provide you with our comments on the Reno Police Department's (RPD) Limited English Proficiency (LEP) Plan and draft Policy that you submitted to us last year. We regret the delay in responding to you, but we have reviewed your plans and we are providing this letter to summarize our comments and to advise you that we are formally closing the Compliance Review upon receipt of the final versions of the LEP Plan and policy.

First, we note, that RPD has taken many steps to address the recommendations that we included in our December 2004 report. Upon review of the draft Policy, we note that RPD has substantially complied with the *DOJ Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (Guidance)*, 67 Fed.Reg. 117, 41455 (June 12, 2002) ("DOJ Guidance"). Although we have concluded that the draft policy substantially conforms to Guidance, we offer the following suggestions that you might want to consider incorporating into the final version:

1. § IV.A. In addition to training telephone personnel to say "hold please" in Spanish, we suggest that RPD and the Department of Communications and Technology (that answers the emergency calls for RPD), consider also utilizing prerecorded messages in commonly encountered languages when placing a caller on hold while connecting to Language Line (LL). The message can advise callers that an interpreter is being summoned, NOT to hang up and that someone will come back on the line to assist them.
2. § IV.B. We suggest that Field Officers (who are allowed to contact LL while in the Field), be given information in accessible format (such as small pre-preprinted cards) during RPD Training on Language services that explain the procedure for contacting LL (e.g. access number and pin codes).

3. § IV.C. We suggest defining Language Bank and Court Services in the Definition Section of the Policy, as the sources that RPD has chosen to conduct in-person interpretation services (as it has done with its document translation service provider).

We thank you and RPD personnel for your dedication in ensuring that LEP persons in Reno have their language needs met when interacting with RPD personnel. If you should need any further assistance or recommendations on providing language access services to LEP persons, please do not hesitate to contact Daphne Felten-Green, Special Counsel, 202-305-3010.

Sincerely,



Michael L. Alston
Director

Scott A. H. [unclear]
R/20 [unclear]

December 17, 2007

Karen Swaney Fraley
Deputy City Attorney
Reno Police Department
455 East Second Street
Reno, NV 89505

Re: Language Services Compliance Review

Dear Ms. Fraley:

We are writing to provide you with our comments on the Reno Police Department's (RPD) Limited English Proficiency (LEP) Plan and draft Policy that you submitted to us last year. We regret the delay in responding to you, but we have reviewed your plans and we are providing this letter to summarize our comments and to formally close the Compliance Review that we conducted on RPD.

First, we note, that RPD has taken many steps to address the recommendations that we included in our December 2004 report. We appreciate the effort that RPD has placed on convening a task force on this matter and generating new and creative methods for meeting its obligations to LEP persons that it serves. In reviewing the Draft Order, we offer the following suggestions:

1. § IV.A. In addition to training telephone personnel to say "hold please" in Spanish, we suggest that RPD and the Department of Communications and Technology (that answers the emergency calls for RPD), consider also utilizing prerecorded messages in commonly encountered languages when placing a caller on hold while connecting to Language Line (LL). The message can advise callers that an interpreter is being summoned, NOT to hang up and that someone will come back on the line to assist them.
2. § IV.B. We suggest that Field Officers (who are allowed to contact LL while in the Field), be given information cards during RPD Training on Language services that explain the procedure on contacting LL (e.g. access number and pin codes). *info in an access + convenient format*
3. § IV.C. We suggest defining Language Bank and Court Services in the Definition Section of the Policy, as the sources that RPD has chosen to conduct in-person interpretation services (as it has done with its document translation service provider).

4. §VI.B.1. We suggest that the Policy explain that anyone, including Field officers, can make a suggestion as to a document that might need to be translated.

We thank you and RPD personnel for your dedication in ensuring that LEP persons in Reno have their language needs met when interacting with RPD personnel. If you should need any further assistance or recommendations on providing language access services to LEP persons, please do not hesitate to contact Daphne Felten-Green, Special Counsel, 202-305-3010.

Sincerely,

Michael L. Alston
Director

December 27, 2007

Karen Swaney Fraley
Deputy City Attorney
Reno Police Department
455 East Second Street
Reno, NV 89505

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Sincerely,

Michael L. Alston
Director

Felten-Green, Daphne

From: Felten-Green, Daphne
Sent: Thursday, December 20, 2007 3:34 PM
To: Alston, Michael
Subject: I've made the following modifications...

- 1) For Lexington, I de-highlighted the document, except for the language I added re the 66% of persons not reporting crime to LDP. If this is ok, just de-highlight and it is ready to go out along with the cover letter I sent you on Monday.
- 2) I've modified Reno as we discussed
- 3) I've modified Howard Cty Corrections as we discussed.

All three are attached, Let me knw if you have any more questions or comments on these....

December 20, 2007

Karen Swaney Fraley
Deputy City Attorney
Reno Police Department
455 East Second Street
Reno, NV 89505

Re: Language Services Compliance Review

Dear Ms. Fraley:

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Michael L. Alston
Director