



**Providing Language Access Services for
Limited English Proficient (LEP) Individuals**
(Re-issue DB 16-107)

The San Francisco Police Department recognizes the importance of effective and accurate communication between its members and the diverse community it serves. This bulletin identifies situations when language assistance to limited English proficient (LEP) persons is required. It also outlines how to use Language Line Services when a qualified bilingual officer or qualified civilian interpreter is not available. Nothing in this policy prohibits members from using their communication skills or other available resources to gather information necessary to protect public safety, establish control of a scene, identify the nature of an issue brought to their attention, or provide basic information to the public.

Department General Order 5.20 "*Language Access Services for Limited English Proficient Persons*," requires members to provide free language assistance to LEP individuals they encounter or when an LEP person requests language assistance. LEP persons do not speak English as their primary language and have a limited ability to read, write, speak or understand English.

Language barriers between LEP persons and law enforcement can jeopardize safety, thwart investigations, and prevent LEP individuals from understanding important rights and obligations. A member's failure to provide language access can jeopardize the accuracy of a LEP person's statement and its admissibility in court.

COMMON INDICATORS THAT LANGUAGE ASSISTANCE IS NECESSARY:

- The individual asks for an interpreter or translator.
- The individual switches from English into another language or mixes English with another language while speaking.
- The individual uses words that suggest a request for language assistance (i.e. "You speak Spanish?" or "Cantonese officer?")
- The call taker at dispatch used Language Line Services (or bilingual staff) to obtain information from the 911 caller.
- The individual speaks in incomplete or fragmented sentences and additionally uses English words incorrectly, relies upon incorrect verb tenses or speaks in the present tense even when needing to describe past or future events.
- The individual's response to open-ended questions indicates no understanding or a limited ability to understand the question or to communicate in English (i.e. the individual answers "yes" or "no" to questions that require an explanation.)
- The individual's facial or body gestures indicate the individual is having difficulty understanding or communicating in English.
- The individual responds physically to simple verbal commands (i.e. hand me your driver's license); however any of the aforementioned common indicators are also present.

The mere presence of an accent does not mean a person is LEP; however, officers should examine if any of the common indicators exist.

ADDITIONAL FACTORS THAT MAY HINDER EFFECTIVE COMMUNICATION WITH AN LEP PERSON:

- An LEP person may read, write, speak, or understand some English, but not proficiently.
- An LEP person may speak and understand English sufficient for a casual conversation but needs language assistance when speaking with an officer.
- Unfamiliar or stressful situations can affect language ability in individuals who are otherwise proficient in English.
- LEP persons may state or act as if they understand more English than they actually do. Cultural beliefs, deference, politeness, or unfamiliarity with SFPD's language access policy may prevent an LEP person from requesting language assistance.
- Someone may appear to speak one language, but may actually speak another. For example, Spanish may not be the primary language for some people from Central and South America. Someone appearing African-American may be from Africa, the Caribbean, Europe, or elsewhere and not speak English well.

IF A QUALIFIED BILINGUAL OFFICER OR CIVILIAN INTERPRETER IS NOT AVAILABLE, IMMEDIATELY CALL THE LANGUAGE LINE

Pursuant to DGO 5.20, unless exigent circumstances exist, members shall provide language services to LEP persons in the following order of preference:

1. Qualified Bilingual Member: SFPD members who identify themselves as "bilingual" must demonstrate, through a formal procedure which has been established by the Department of Human Resources (DHR), competency to communicate in the source language by demonstrating the ability to listen to a communication in one language (source language) and orally convert it to another language (target language) while retaining the same meaning.
2. Qualified Civilian Interpreter: A Qualified Civilian Interpreter is an individual who has been certified by the City or other designated qualifying agency. A Qualified Civilian Interpreter may be an employee of another city department or an outside agency contracted to provide language interpretation services to the Department.
3. Telephone Language Line Interpreter

If a Qualified Bilingual Member or a Qualified Civilian Interpreter is **not available** or cannot respond to your location in a **reasonable amount of time, immediately call [REDACTED]** for a Language Line interpreter; see Quick Reference Guide - Wallet Card (attached). This is a new dedicated phone number for SFPD members. Give the Language Line representative the following information:

1. Our Client ID which is [REDACTED]
2. The language needed for interpretation
3. Your Personal User [REDACTED]
4. [REDACTED] Number
5. [REDACTED]

DOMESTIC VIOLENCE, SEXUAL ASSAULT & CHILD ABUSE

- Perpetrators may attempt to control LEP victims or the information provided to the police by taking advantage of their victim's inability to speak English. Using an interpreter ensures that statements from LEP victims, witnesses and suspects are accurate and detailed.
- Members are reminded that except in exigent circumstances, family members, neighbors, friends, volunteers, bystanders and/or children are NOT to be used as interpreters.

- Civilian members shall use the Language Line to advise LEP victims/witnesses if there will be any delay in a sworn member responding to take an incident report.

EXIGENT CIRCUMSTANCES

Exigent circumstances are situations that require deviation from procedures, such as threats to life, safety, or property, a fleeing suspect, or the potential loss or destruction of evidence.

- During exigent circumstances, members shall use the most reliable, temporary interpreter available.
- DGO 5.20 requires that once the exigency has passed, members are expected to confirm or supplement the initial interpretation with a qualified bilingual member, qualified civilian interpreter or language line interpreter.

INCIDENT REPORT

- Include (1) the primary language spoken by any LEP victim, witness or suspect, (2) the manner in which interpretation services were provided, and (3) the name of the person who interpreted.
- Document any deviation from DGO 5.20 standard procedures.
- Members collecting written statements or other documents prepared in a foreign language shall ensure the documents are translated into English prior to filing an incident report and booking the documents into evidence; refer to DB 17-131 *“Translation of Statements/Documents Prior to Completing Incident Reports and Booking Statements/Documents as Evidence.”*

DIGITALLY RECORD LEP STATEMENTS

Pursuant to DGO 5.20, unless exigent circumstances exist:

- Members are required to digitally record all custodial interrogations of LEP suspects.
- LEP witness interviews should be recorded during criminal investigations.
- LEP victim interviews should be recorded during criminal investigations.

DEAF OR HARD OF HEARING PERSONS

Sign interpreters are available through **Partners in Communication** (██████████). Members needing assistance should refer to SFPD’s Pocket Guide *“Communication with Deaf and Hard of Hearing People”* and DB 17-061, *“Request for Sign Language Interpreters,”* which outlines how to request a sign language interpreter. Additionally, members can expect calls from people with hearing or speech limitations through California Relay Service (CRS), refer to DB 18-128, *“California Relay Services”* for specific details.


WILLIAM SCOTT
Chief of Police

Per DB 17-080, both sworn and non-sworn members are required to electronically acknowledge receipt and review of this Department Bulletin in HRMS.

To Access an Interpreter:

1. DIAL: [REDACTED]
2. PROVIDE: [REDACTED]
3. INDICATE: language needed
4. PROVIDE: [REDACTED]

Document the name and ID number of the interpreter for reference.
Brief the interpreter and give any special instructions.

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LANGUAGE IDENTIFICATION If you do not know the language needed ask our representative for help.

INTERPRETER IDENTIFICATION Interpreters identify themselves by name and ID number which you can document.

WORKING WITH AN INTERPRETER Briefly explain the nature of your call to the interpreter. Then speak directly to the limited English speaker and pause at the end of a complete thought.

CUSTOMER SERVICE Call [REDACTED]

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