

DO 5.20 - SFPD Policy Working Group Recommendations and Discussion Tracking as of 8/22/2024

#	Working Group Recommendations	Page Number	Meeting Date	SFPD Response	SFPD Explanation	Open/Closed
R1	A working group member inquired about the procedure and number of meetings required to replace members who are not consistently participating according to working group meeting agreements as presented by the Department.	N/A	7/30/24	Administrative Question and Answer-not for inclusion in DO	Guidelines for managing the working group membership, including procedures for addressing behavioral issues and uncommunicated absences, will be shared with all working group members at the next meeting on August 15, 2024.	Open
R2	A working group member proposed using the recent amendments to the Language Access Ordinance (LAO) as a foundation for discussions on updating DO 5.20. Additionally, it was suggested that it would be helpful for Office of Civic Engagement and Immigration Affairs (OCEIA) to present on the requirements and mandates of the LAO, particularly in light of new amendments.	N/A	7/30/24	Administrative Question and Answer-not for inclusion in DO	The Department has scheduled a presentation by OCEIA for the next meeting on August 15, 2024. This presentation will cover the requirements and mandates of the LAO, focusing on the recent amendments. Topics will include major changes to the LAO, updated definitions, and departmental responsiveness requirements for translation requests.	Open
R3	In response to the discussion on presenting the requirements and mandates of the Language Access Ordinance, particularly in light of the new amendments, the following issues were discussed for the presentation content: 1. Translation Requests Responsiveness: Departments must acknowledge receipt of translation requests and provide status updates on when the translated documents will be available. 2. Definitions: Include definitions related to the Language Access Ordinance, such as the differences between interpretation and translation terminology. 3. Key Points: Highlight substantive elements that OCEIA believes departments should incorporate verbatim from the new amendments to LAO, such as the definition of LEP and the right to receive services in one's native language upon request.	N/A	7/30/24		The Department has scheduled a presentation by OCEIA for the next meeting on August 15, 2024. This presentation will cover the requirements and mandates of the LAO, focusing on the recent amendments. Topics will include major changes to the LAO, updated definitions, and departmental responsiveness requirements for translation requests. Additionally, both the currently active and draft versions of DO 5.20 already states: "When performing law enforcement functions, members shall provide free language assistance to LEP individuals whom they encounter or whenever an LEP person requests language assistance services".	Open
R4	A working group member requested to agendize for the next working group meeting the discussion on a different time and location for the fourth and/or fifth working group meetings.	N/A	7/30/24	Administrative Question and Answer-not for inclusion in DO	The Community Working Group Coordinator will explore alternative meeting locations that can effectively support hybrid meetings. Once confirmed, these options will be added to the agenda for the working group members to vote on.	Open
R5	During Officer Panel Q/A , the following issues were stated by officers as barriers to effectively provide language access services: 1. Certification Challenges: Inability to get SFPD members certified outside of the testing provided by the Department of Human Resources (DHR) in as many languages as they can speak, and in a process and manner that suits them, thus hindering their ability to effectively serve the multilingual community of San Francisco. 2. Restrictive DO Language: The prescribed order of preference for the use of oral interpretation services, as outlined in the DO, being too restrictive to account for undue delays that may occur when responding to non-exigent street situations amidst the myriad of laws, policies, cultural concerns, or other priorities unfolding simultaneously, especially when there is an unavailability of qualified bilingual members or services in the needed language. 3. Language Line Challenges: - Connectivity issues. - Language Line interpreters not having the competency needed to ask questions pertaining to highly complex and sensitive matters such as sexual assaults. - Inability to build trust in a timely and effective manner using Language Line, especially in light of the mental and emotional state of the persons needing interpretations in one of the worst moments of their life. - Using the language line during ongoing investigations to perform complex tasks, such as photo spreads, is cumbersome and may lead to potential miscommunication regarding specific details that may dictate the success in resolving the case.	N/A	8/15/24	Recommendation requires further discussion/analysis	The working group will review any policy updates informed by issues raised during the Officer Panel Q&A in future meetings, as each relevant section of the policy is discussed	Open
R6	During the Officer Panel Q/A , working group members raised the following questions and concerns about the implementation of DO 5.20, which may inform DO 5.20 revisions: 1. The language in DO 5.20 appears passive regarding the determination of an LEP person or an encounter with an LEP individual by an officer. 2. Clarification on how officers disseminate the right to Language Access Services during encounters with LEP individuals. 3. Challenges in using Language Line and whether these difficulties are tracked. 4. The application of DO 5.20 in ongoing communications with victims and community members after the initial on-field contact.	N/A	8/15/24	Recommendation requires further discussion/analysis	The working group will review any policy updates informed by issues raised during the Officer Panel Q&A in future meetings, as each relevant section of the policy is discussed	Open
R7	During the OCEIA presentation on recent LAO amendments , the following changes were discussed as potentially impacting DO 5.20 revisions: 1. First Responder Departments must provide language assistance during emergencies, per the updated Dymally-Alatorre Bilingual Services Act, effective January 1, 2025. 2. Translation requirements for vital information now extend to public signage and digital content (e.g., websites and social media). 3. Departments must acknowledge receipt of translation requests within 48 business hours and provide an update on the anticipated completion time starting immediately. 4. Department's responsibility to make the "Know Your Rights" brochure, once developed and finalized by OCEIA, available to community members they serve.	N/A	8/15/24	Recommendation requires further discussion/analysis	The working group will review any policy updates informed by recent changes to San Francisco's Language Access Ordinance in future meetings, as each relevant section of the policy is discussed	Open
R8	The working group members recommended including citations for Title VI of the Civil Rights Act of 1964 and San Francisco's Language Access Ordinance in either the purpose or references section of DO 5.20.	1	8/15/24	Recommendation requires further discussion/analysis	This recommendation will be discussed during the next working group session.	Open