Language Assistance Report

2018

Language Access Coordinator

The Commanding Officer of the Community Relations Bureau has been designated as the Department's Language Access Coordinator (LAC). The LAC is responsible for coordinating the provision of all language assistance services and is tasked with creating and maintaining all policies and procedures that pertain to those services. The LAC also oversees the certification process for all Department interpreters and bilingual members, and facilitates the translation of all documents and correspondence. Finally, the LAC authors the Department's Language Access Plan.

The Language Access Plan

The Department first issued a Language Access Plan (LAP) in 2013. After collaborating with subject matter experts from the U.S. Department of Justice (DOJ) that plan was expanded and eventually enshrined in policy.[1] In its present form the LAP:

> Informs the public of all language assistance services available

> Explains how LEP populations are identified and served

> Details the responsibilities of each level of command in providing language assistance services

> Gives precise instruction to line officers regarding when and how to provide language assistance services

> Establishes robust audit and compliance protocols

> Outlines language training curricula and the process of language skills certification

The LAP is updated annually every Fall, and is available on the Department's website in seven languages.[2] Highlights of the 2018 update include the installation of VoIP-enabled tablets in patrol units which can access telephonic/video interpreters; expansion of the Department's tracking and audit protocols regarding 911 calls which require language assistance; and enhancements to the procedures for taking written statements in languages other than English.

The LAP is a living document that adapts to the ever-changing needs and demographics of the Police District. It is designed to allow flexibility in the deployment of language

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[1] Suffolk County Police Department Rules and Procedures Chapter 26, §5.
[2] https://suffolkpd.org/Home/LanguageAccessPlaninMultipleLanguages.aspx

assistance services while simultaneously requiring strict adherence to protocols regarding the delivery of those services. It serves as a central reference for all issues related to language access for both the Department and the public.[3]

Translation of Vital Documents

Since the inception of the LAP, the Department has identified certain documents within its system of records as "vital". These are documents which convey information of legal significance, without which core police service cannot be effectively rendered. These documents include forms such as "Family Offense Assistance & Court Procedures" (PDCS-7109p); "How to obtain a Police Report" (PDCS-8100i); and "Crime Victim Information Report" (PDCS-8105b). Also designated 'vital' are many policies, procedures and informational materials such as "Arrest of Non-U.S. Citizens and Persons with Dual Citizenship Procedure" (Rules and Procedures Chapter 16, §4); "Hate Crimes" (Rules and Procedures Chapter 24, §6); and the "Suffolk County Traffic and Parking Violations Bureau" informational pamphlet. In addition to 'vital' documents, other materials are also translated and provided to various LEP communities according to need.

With each annual update, the LAP identifies additional vital documents and other materials for translation. Examples from 2018 include:

U-Visa Request Letter (Spanish)

I-918b Release Form (Spanish)

Level 3 Sex Offender Notification Letter (Spanish)

Recruitment Flyer (Spanish)

Title VI Public Notice (Spanish)

Language Access Plan (Spanish, Mandarin, Haitian Creole, and Polish

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[3] The U.S. DOJ has characterized the LAP as a strong, comprehensive and solid policy since 2017 (https://suffolkpd.org/Portals/59/scpd_pdfs/infoandpolicies/DOJCompliance1_19_2017.pdf)

LAP and Community Awareness

The Department conducts many education and awareness programs about language assistance services throughout the county every year. Most programs are delivered locally at religious venues, schools, libraries and advocacy centers and inform members of the LEP community where and how they can engage the police in the language they are most comfortable using. Of course, bilingual Department members and telephonic interpretation services are available at all of these events.

In addition to live presentations, the Department disseminates print media throughout the County describing its language access resources. For example, members of the CRB distribute the five point **"Did You Know"** post card which highlights an individual's right to language services, and advises that a request for those services will not result in any inquiries about immigration status. The card is presently available in Spanish and English, and in 2019 will also be translated into Haitian Creole and Polish.

The LAC and CRB also meet regularly with advocates and community groups to solicit input regarding the Language Access Plan to ensure that it is addressing the needs of LEP communities. LEP demographics of school districts are also tracked by the LAC in order to identify relevant and emerging language populations. Finally, CRB analyzes billing documents through Language Line Solutions which indicate the most current trends regarding language assistance

Language Proficiency Certification

The CRB facilitates the certification of all Department Authorized Interpreters (DAI), Translators and Bilingual Officers. To date, the Department has certified ten (10) DAIs[4], one hundred eight (108) certified sworn Bilingual Officers,[5] and fifteen (15) certified civilian Bilingual members.[6] Nineteen (19) officers are presently scheduled to take the bilingual exam which will bring the total number of certified members to at least one hundred and fifty-two (152) by the end of 2019[7].

In addition to In-Service certifications, the Department has also hired a total of sixty-four (64) police officers from the Spanish-Speaking civil service list since 2013, comprising just over 10% of all new hires.

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[4] All in Spanish
[5] 101 Spanish, 4 Polish, 1 Portuguese, 1 Italian, and 1 Russian
[6] 13 Spanish and 2 Mandarin
[7] Representing 6% of the Department's sworn personnel

To bolster the number of DAIs, the Department has contracted with Stony Brook University Continuing Education to create a preparatory class focused on enhancing the abilities of certified bilingual members. The classes will begin during the 2019 calendar year and will provide training for thirty (30) Spanish speaking officers/civilian members to prepare for the DAI certification test.

Language Assistance Tracking Database

The Language Assistance Tracking Database (LATD) is the repository for all language assistance by the Department. It began as a rudimentary storage database in 2014. Interpretations were documented on a paper form and then entered into a dedicated portion of the Department's Incident Reporting System. The original database captured the date and time, the sworn interpreter, the case number, the length of the interpretation, and the command of occurrence. It was searchable by date range, requesting officer and interpreter. By the end of 2016 the database was fully integrated into the Online Reporting System, which allowed it to link language assistance documentation with incident reporting and 911.

During 2018 several enhancements were made to the system. Among the most significant was the expansion of the "Interpreter" field to allow several inputs on a single call. This change was driven chiefly by the need to account for Department interpreters who provide assistance after a temporary interpreter is used during an emergency. Previously, this information was captured in a narrative field and not accessible as a search parameter.

Additional 2018 changes include new drop down screens for DAI, Certified Bilingual Member, Temporary Interpreter (Sworn Member), Language Line Solutions and Temporary Interpreter (Civilian). Pre-populated lists of certified members were built into the programming to decrease completion time and limit the inaccurate entry of information. These lists are continually updated through the Personnel System as Department members complete proficiency testing.

In April of 2018 a Department Directive was issued detailing the changes and providing instruction on how to navigate the system.[8] A flip guide was also issued to all officers, highlighting the interpretation protocols and documentation requirements contained in the LAP.

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[8] Department Memorandum 18-96

Analysis of Language Assistance Tracking Database

In April of 2018 the Department hired a statistical analyst to manage and analyze data generated by several programs associated with the DOJ Settlement Agreement. Analysis of the LATD began in July of 2018 after the noted changes and additions were complete. DOJ subject matter experts from the Vera Institute provided valuable assistance in constructing systems to identify and manage important data points.

The first analysis of the LATD focused on the provider of interpretation services. In the early days of the Agreement, the Department relied heavily upon non-certified members and temporary interpreters to provide service. As the interpretation protocols were finalized and the certification process implemented, those statistics began to correct, resulting in an increase in certified interpretations and decreases in the use of civilians and non-certified Department members.

This positive trend was accompanied by a steady increase in the use of Language Line telephonic interpretation services over the same time period. Usage went up from 5294 interpretations in 2014 to 9887 in 2018

Data analysis also revealed several reporting inconsistencies across the Police District. One such problem involved certified officers reporting that no language assistance was rendered on a particular call but then entering narrative details indicating that they provided such service. This discrepancy was reported to the Precinct Commanders for

remedial action, and gave rise to a monthly data-integrity report coined the "Lima Report".[9]

The monthly Lima Report[10] is organized from general to specific. It starts by displaying the number of Lima calls received for the subject month and identifies how many of those calls received language assistance. The second page focuses on the reasons given for not providing assistance, and is organized according to the forced-choice selections available in the online report. The third page narrows further into a single selection reason and then identifies the officers who chose that reason in order of frequency. Finally, the last page identifies any calls which were marked with that selection criteria incorrectly, identifying the reporting officer and the case number assigned to the call.

The first Lima Reports were sent to the Precincts in September of 2018. By October each had formulated a procedure to effect remedial action. Coupled with the identification of reporting discrepancies, these reports have resulted in significant improvement in the provision of language assistance. For example, the number of L calls in which no assistance was rendered because the officer indicated that the complainant spoke "sufficient English" dropped from 45% to 33% in the Third Precinct from September of 2018 to February of 2019.

Another deficiency uncovered during analysis of the LATD was the significant lack of reporting language assistance rendered outside of 911 calls. Contacts which required language assistance, such as follow-up investigations, community meetings and events and officer initiated enforcement were not being documented to any meaningful degree. This discovery led to changes in many reporting systems. The Incident Reporting System, utilized mainly by investigators following up on first-line officer reporting, was equipped with mandatory prompts for language assistance, and the Community Relations Database which records all meetings and event had the same prompts written into its programming. While these deficiencies were remedied during the last calendar year, in-house interpretation numbers have risen from 511 hours in 2014 to 2876 hours in 2018.

Language Assistance Audits

In addition to the audits based on statistical data, the Internal Affairs Bureau also conducted independent telephone interviews of one hundred ten (110) 911 callers during 2018. All of these individuals were identified as LEP by the 911 call taker and all

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[9] All 911 calls for service which involved persons with limited English proficiency are designated with an "L", allowing auditors to reconcile the number of language assistance entries with the number of "L" calls.

[10] Sample report from February of 2019 is attached as Appendix A, with officer names redacted.

their calls were designated with an "L" in the Online Reporting System. Of those calls, twenty-seven (27) were found in breach of the interpretation protocols. Twenty-five (25) of those cases were referred back to the reporting officer's command for remediation and additional training, while two (2) were investigated by Internal Affairs as misconduct cases.

2019 Language Assistance Goals

The Department believes its targeted analysis of reporting data will continue to improve compliance statistics through the 2019 calendar year. Enhanced mobile connectivity will also make Language Line a more viable and efficient option in the field. Finally, hiring more recruits from the Spanish speaking list, certifying more in-service officers and providing enhance language skills classes will also increase the number of in-person interpretations performed in 2019.

APPENDIX A

Lima Reports – CAD "L" Calls
Monthly Precinct Reporting
Office of the Commissioner — Legal
2019 February Report — 3rd Precinct

Overview – Department

Synopsis

Comparison of the number of "L calls" vs. the number of calls in which interpretation was provided.
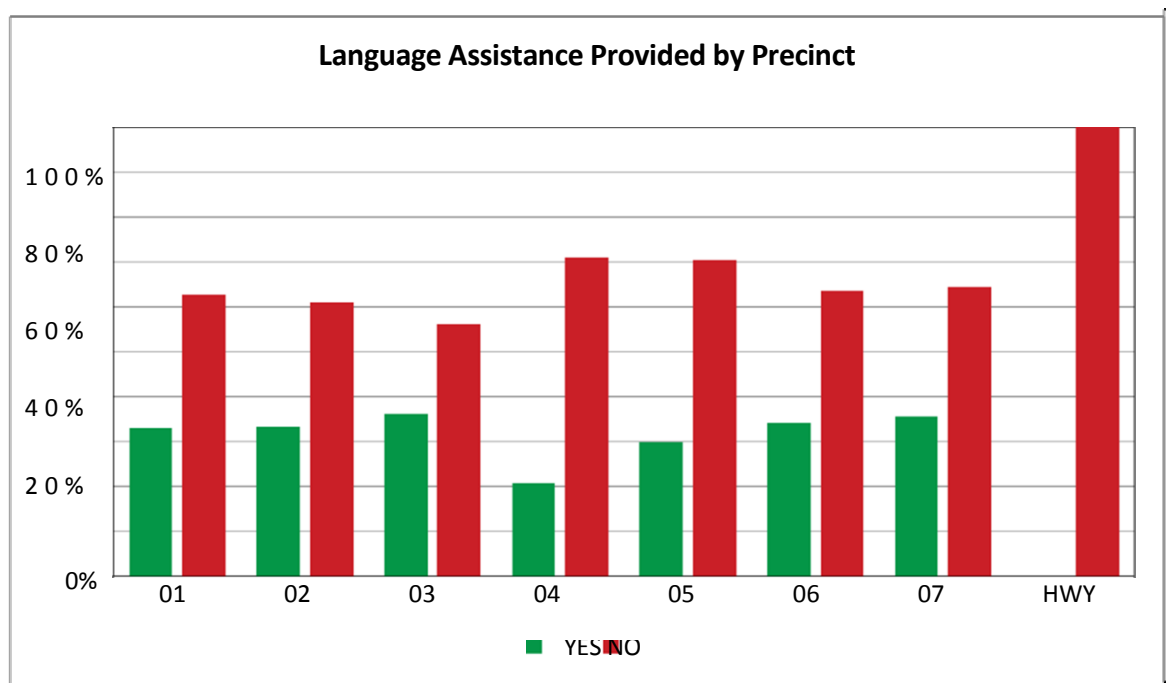
Tables

Counts & Percentages — Language Assistance provision for Lima calls.

	% L Call Volume		Language Assistance — 2019 Feb					
PCT	**L Calls**	**%**	**YES**	**%**	**NO**	**%**	****NA**	**%**
01	91	16.0%	30	33.0%	57	62.6%	4	4.4%
02	69	12.1%	23	33.3%	42	60.9%	4	5.8%
03	273	48.0%	99	36.3%	153	56.0%	21	7.7%
04	24	4.2%	5	20.8%	17	70.8%	2	8.3%
05	37	6.5%	11	29.7%	26	70.3%	0	0.0%
06	41	7.2%	14	34.1%	26	63.4%	1	2.4%
07	31	5.4%	11	35.5%	20	64.5%	0	0.0%
HWY	3	0.5%	0	0.0%	3	100.0%	0	0.0%
SCPD	569	100.0%	193	33.9%	344	60.5%	32	5.6%

** NA: data not available or incomplete

Figures

Comparison of assistance rates by Precinct.

Language Assistance Provided by Precinct

Overview – 3rd PCT

Synopsis

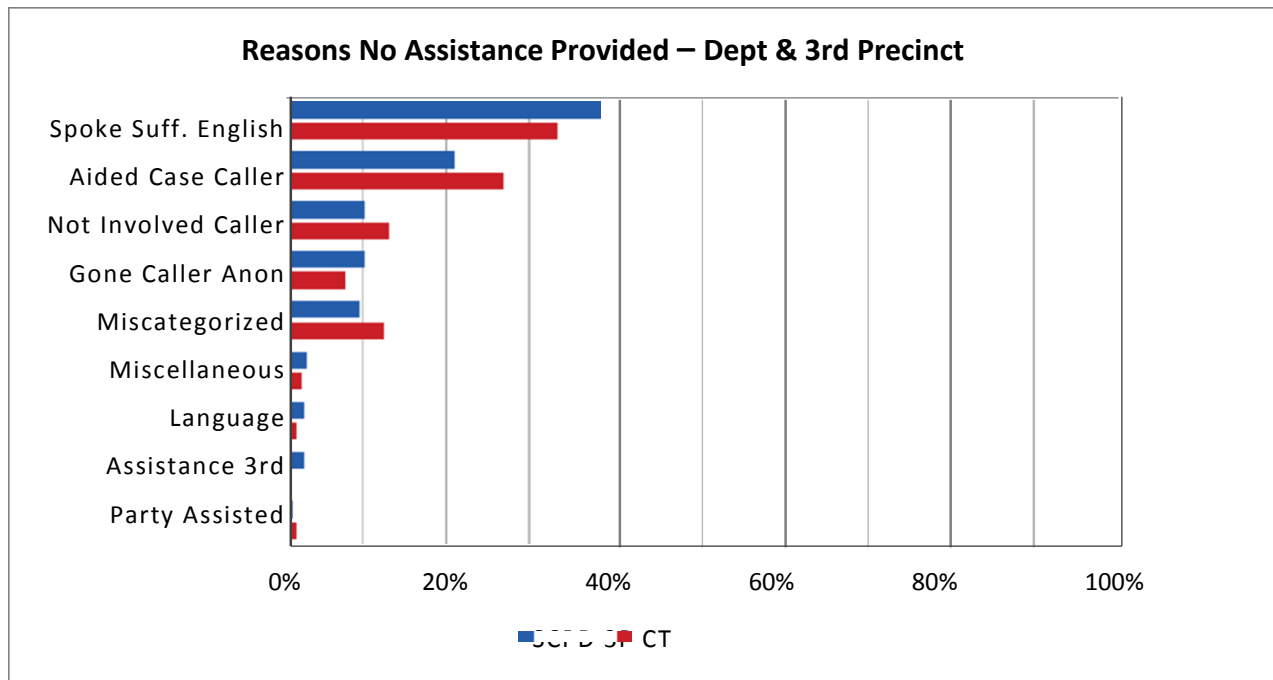L calls which did not receive language assistance services, broken down by category.

Tables

Counts & Percentages – "Reason No Assistance" was provided during Lima calls.

	SCPD		3PCT	
Category	**Calls**	**%**	**Calls**	**%**
Complainant spoke sufficient English	133	38.7%	51	33.3%
Caller was gone/missing from scene	35	10.2%	12	7.8%
Caller wishes to remain anonymous	33	9.6%	19	12.4%
Caller was not involved in incident	35	10.2%	20	13.1%
Aided case (10-8 or 10-9)	72	20.9%	41	26.8%
Other - Subcategories				
Complainant assisted by Department	10	2.9%	0	0.0%
Complainant assisted by 3rd Party	5	1.5%	3	2.0%
Call miscategorized as Lima	11	3.2%	4	2.6%
Miscellaneous	10	2.9%	3	2.0%
Total	404	100.0%	153	100.0%

Figures

Comparison between your Precinct and the Department for reasons no assistance was provided.

Overview - 3rd PCT - Flagged Calls - "Spoke Sufficient English"

Synopsis

L call counts in which officers used "Spoke Sufficient English" as a reason for not providing language assistance services.

Tables

Counts – "Spoke Sufficient English" for Lima designated calls.

PID	Officer Name	Calls	L Total	PID	Officer Name	Calls	L Total
■	■	2	2	■	■	1	1
■	■	2	2	■	■	1	1
■	■	2	2	■	■	1	1
■	■	2	2	■	■	1	1
■	■	2	2	■	■	1	2
■	■	2	3	■	■	1	2
■	■	2	3	■	■	1	2
■	■	2	4	■	■	1	2
■	■	2	4	■	■	1	2
■	■	2	5	■	■	1	2
■	■	2	5	■	■	1	2
■	■	2	5	■	■	1	2
■	■	2	8	■	■	1	3
■	■	2	9	■	■	1	3
■	■	1	1	■	■	1	3
■	■	1	1	■	■	1	4
■	■	1	1	■	■	1	4
■	■	1	1	■	■	1	6
■	■	1	1				

Case Listings

L calls in which language service were not provided and categorized as "Spoke Sufficient English".

Included are calls which were aided cases, but marked "Sufficient English". These cases were likely incorrectly identified by reporting officers when their info was entered into CAD. Fixing aided case reporting will help properly reflect the work that officers are doing.

PID	Officer	CC	10	PID	Officer	CC	10
███	███████████	19-0101057	09	███	█████████	19-0128933	85
███	██████████	19-0092305	30	███	█████████	19-0128986	30
███	█████████	19-0115319	17	███	███████████	19-0115613	02
███	█████████	19-0123986	17	███	█████████	19-0091038	02
███	█████████	19-0084874	86	███	█████████	19-0112511	14
███	█████████	19-0097969	17	███	██████████	19-0100509	02
███	████████	19-0120390	08	███	██████████	19-0130345	10
███	█████████	19-0099259	30	███	██████████	19-0087866	21
███	█████████	19-0125007	02	███	██████████	19-0094588	17
███	█████████	19-0086239	09	███	██████	19-0119953	21
███	█████████	19-0101342	02	███	████████	19-0100557	09
███	████████	19-0083205	08	███	████████	19-0100872	08
███	█████████	19-0110342	17	███	██████	19-0105716	17
███	██████████	19-0121426	17	███	██████	19-0126755	07
███	████████	19-0099233	02	███	█████████	19-0124622	09
███	█████████	19-0099425	08	███	██████	19-0097338	21
███	█████████	19-0108346	85	███	███████	19-0127081	17
███	███████	19-0127744	09	███	████████	19-0085010	10
███	█████	19-0100863	30	███	████████	19-0117820	07
███	█████████	19-0114048	10	███	██████████	19-0114540	10
███	████████	19-0128805	30	███	████████	19-0105660	17
███	██████	19-0118637	08	███	████████	19-0115504	85
███	███████	19-0117965	17	███	█████████	19-0125079	86
███	█████████	19-0104274	10	███	████████	19-0095734	86
███	██████	19-0124891	23	███	████████	19-0123076	17
███	█████	19-0101431	08				