



CITY OF AKRON, OHIO
POLICE DIVISION
KENNETH R. BALL II, CHIEF OF POLICE

NUMBER P-2020-012	EFFECTIVE DATE January 31, 2020	RESCINDS P-14-12 issued 8-25-14
SUBJECT Limited English Proficiency Procedure		ISSUING AUTHORITY Chief Kenneth R. Ball II

I. POLICY

The Akron Police Department recognizes the importance of effective and accurate communication between its personnel and the community that they serve, including those individuals with limited English proficiency. Hampered communication with Limited English Proficient (LEP) victims, witnesses, suspects, and community members can jeopardize safety and create evidentiary and investigative challenges. Officers shall take every reasonable step to ensure timely and accurate communication and access to all individuals, regardless of national origin or primary language.

The purpose of this policy 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, and the Mayor's Executive Order of January 1, 2006, for departmental personnel to follow when providing services to, or interacting with, individuals who are LEP.

II. DEFINITIONS

- A. **Primary Language** – An individual's native tongue or the language in which an individual most effectively communicates. Every effort should be made to ascertain an individual's primary language to ensure effective communication.
- B. **Limited English Proficiency (LEP)** – Designates individuals whose primary language is not English, and who have a limited ability to read, write, speak, or understand English.
- 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 same meaning.
- D. **Telephonic Interpretation Service (TIS)** – Language interpreting.
- E. **Translation** – The replacement of written text from one language (source language) into an equivalent written text in another language (target language).

III. PROCEDURE

- A. OFFICER'S RESPONSIBILITIES

1. Officers in the field who encounter LEP individual(s) will attempt to identify the individual's primary language.
2. Once it is determined that interpretation services are needed, officers shall notify a supervisor that they will be requesting an interpreter.
3. It is the primary officer's responsibility to develop and ask any questions relevant to their investigation. Under no circumstances will an interpreter independently question an LEP individual.
 - a. Officers should only use family, friends, or bystanders for interpreting in very informal, non-confrontational contexts, and only to obtain basic information.
 - b. Exigent circumstances may require officers to immediately seek the most reliable, temporary interpreter available. For the purpose of this procedure, exigent circumstances are defined as threat to life, officer safety, fleeing suspect information, or the potential loss or destruction of evidence or property. Once exigency has passed, officers will proceed with obtaining proper interpretation services.
4. Utilizing Interpreting Services
 - a. Accessing Telephonic Interpretation Services (TIS):
 1. Dial 1-877-261-6608
 2. Provide Client ID # 912165.
 3. Select the language you need
 - a. Press '1' for Spanish
 - b. Press '2' for all other languages and state the name of the language you need
 - c. Press '0' for agent assistance if you do not know the language
 4. You will be connected to an interpreter who will provide his/her name and ID number.
 5. Brief the interpreter. Summarize what you wish to accomplish, and provide any special instruction.
 6. Add the LEP onto the call.
 7. Say "End of Call" to the interpreter when your call is completed.

- b. Accessing an Interpreter: Officers shall request interpreter services through the Safety Communications Center.
5. Custodial Interrogations and Crime Victim and Witness Interviews
- a. Interviews and interrogations potentially involve statements with evidentiary value upon which a witness may be impeached in court. As such, accuracy is important. Moreover, a failure to protect the rights of LEP individuals during arrests and interrogations presents risks to the integrity of the investigation. A certified interpreter shall be used for any interrogation or taking of a formal statement where the suspect or witness' legal rights could be adversely impacted. If a certified interpreter is not available, a qualified interpreter may be used.
 - b. Miranda warnings, and all other vital written materials, will be available to the suspect or witness in his or her primary language. In the case of a language into which forms have not been translated, and in the case of illiteracy, forms will be read to the suspect or witness in his or her primary language using an interpreter.

B. SAFETY COMMUNICATION'S RESPONSIBILITIES

The Communications Center will contact the Interpreter Service Agency and provide them with:

- 1. The specific language needed.
- 2. The requesting officer's name, identification number, and car number.
- 3. The exact location where the interpreter is needed.
- 4. The Communications Center will ascertain the estimated time of arrival of the interpreter and relay that information to the requesting officer.

C. SUPERVISOR'S RESPONSIBILITIES

The supervisor will ensure that the officer/detective records the interpreter's name, phone number, address, and company affiliation on the investigative report, along with the interpreter's arrival and departure times. This information is to be forwarded to the Service Commander to verify billing from the interpreter.

By Order Of,



Kenneth R. Ball II
Chief of Police

Date January 31, 2020