



MEDFIELD POLICE DEPARTMENT

POLICY NO. 1.23

LIMITED ENGLISH PROFICIENCY

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BACKGROUND:

The Medfield Police Department 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, presenting safety, evidentiary, and ethical problems. 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. Ensuring the ability to communicate between law enforcement and all segments of the community serves the interests of both.

POLICY:

The Medfield Police Department will take reasonable steps to provide timely and meaningful access to police services for LEP persons. Free language assistance services will be provided to all LEP individuals when necessary to facilitate appropriate communication.

PROCEDURES:

The Medfield Police Department will use law enforcement interpreters, civilian interpreters, and written interpretation documents to facilitate fair and equitable access and treatment to LEP individuals.

Telephone Services

When receiving a telephone call for service, either on the business line or on 9-1-1, it is important to have clear communication. If a language barrier exists, Dispatch personnel should attempt to ascertain what language the caller speaks. If the caller's native language can be determined and an officer fluent in that language is present in the police station, that officer should be immediately summoned to the Dispatch. The fluent officer should then translate as necessary.

In the event that Dispatch personnel are unable to ascertain the native language of the caller, or there is not an officer in the police station that is fluent in the caller's language, then a contracted third party interpretation service should be utilized. The department contracts with such a service specifically for this purpose. The contact information is located in the Dispatch.

In Person Encounters

When answering calls for service or offering other police services it is important to have clear communication. If a language barrier exists, the officer(s) should attempt to ascertain what language the subject they are interacting with speaks. If the subject's native language can be determined and an officer fluent in that language is on duty, that officer should be immediately dispatched to the call location. The fluent officer should then translate as necessary.

In the event that there is not an officer on duty that is fluent in the caller's language, then police departments in the surrounding region should be contacted to determine if there is a fluent officer in one of those communities that is on duty and able to respond for mutual aid.

If a police officer who is fluent in the subject's language is not available, then a civilian may be used with approval from a supervisor. If resources do not permit the use of an interpreter on location with the subject, then a third party interpretation service should be utilized via telephone. This is the least preferable means of communication.

Interviews and Interrogations

Accuracy in obtaining statements from victims, witnesses, and suspects in criminal cases can be vital to the successful conclusion of the case. It is important to use the proper resources when obtaining statements from a LEP individual for the purposes of a criminal investigation. Translation by telephone should only be used as a last resort in extraordinary circumstances.

The procedures outlined in the policies on **Interviewing Victims and Witnesses** and **Interrogating Suspects** should be followed when speaking with a LEP individual for a criminal case with the addition of a translator. Preferably, a law enforcement translator should be used to translate the conversation in these cases. In rare circumstances a civilian may be used with the approval of a supervisor, but only after attempts to locate a law enforcement translator have failed.

Family members, neighbors, friends, or parties who have ties to any aspect of the criminal case being investigated should not be used for translation purposes unless exigent circumstances exist.

Translation Documents

Officers will be issued language identification cards to assist in identifying the language spoken by a LEP individual they encounter. The cards will contain the statement, "Point to your native language?" written in various languages. The cards will allow LEP individuals to pick which language they speak in an easy to understand manner, in order to help avoid confusion.

Signs in several common languages will also be posted in the booking area explaining that translation services are available.

Miranda rights forms, and consular notification forms in most languages are also available in the booking area for use when necessary.