

SOUTH BURLINGTON POLICE DEPARTMENT
OP-218: Language Interpreter Services

Effective: 5/3/2021

Updated: 4/23/2021

1. PURPOSE

- A. The purpose of this policy is to provide guidance to South Burlington Police Department employees who encounter people with limited English proficiency in order to provide all persons the same level of service as those who speak English fluently. This general order supersedes Memo 2018-08.

2. POLICY

- A. The South Burlington Police Department will make all attempts to provide the same level of service to all persons regardless of their English language fluency. The Department will implement systems and provide services to those persons with limited English proficiency.

3. DEFINITIONS

- A. Limited English proficiency individual: Persons who do not speak English as a primary language AND/OR who have a limited ability to read, speak, write, or understand English. These individuals may be entitled to language assistance surrounding law enforcement services.
- B. Multilingual: Fluency in at least two languages. In reference to police officers, this is suggestive of who are able to conduct police operations in any of the languages.
- C. Interpretation: The immediate communication of meaning from one language (the source language) into another (the target language). An interpreter conveys meaning orally, while a translator conveys meaning from written text to written text.

4. AGENCY RESPONSIBILITIES

- A. Employees of the South Burlington Police will take all reasonable steps to ensure that persons of limited English proficiency have meaningful access to the services of the agency by balancing of the following four factors:
- i. The number or proportion of limited English proficiency persons eligible to be served or likely to be encountered by the agency (demographically does the City have a limited English proficiency individual population group or groups? if so, what is the group or groups and what is the level of the population proportionally);
 - ii. The frequency with which limited English proficiency individuals come into contact with the agency;
 - iii. The nature and importance of the particular services rendered by the agency, i.e. suspect, victim, complainant etc., and
 - iv. The resources available to the agency.
- B. If the agency determines that a significant portion of the City's population are a specific limited English proficiency group, the agency may arrange for forms that are translated to regularly encountered languages which are regularly provided to the public in English.
- C. The South Burlington Police Department will maintain a policy describing the interpretation services the Department plans to provide. (These services can include bilingual staff,

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contract interpreters and/or translators, private vendors accessible via telephone, or referral to the language services provided by other governmental agencies or non-profit organizations.)

- D. All employees having public contact shall be aware the available resources.

5. EMPLOYEE RESPONSIBILITIES

- A. Department employees shall take all reasonable steps to provide services to persons of limited English proficiency.
- B. Suspects:
- i. If an in-custody suspect is to be questioned and it is believed they are a person of limited English proficiency, officers shall ensure that the suspect receives all constitutional rights in their native language using an approved interpreter service or a multilingual officer. Officers will not use family, friends, or non-certified interpreters for this task.
 - ii. If a suspect is going to be asked to consent to any procedure or search, the officers shall ensure that the suspect is asked for consent by a multilingual employee, an approved interpreter, or, after ensuring that the suspect can read, by use of a consent form translated to the suspect's native language.
 - iii. If a suspect is to be held by the Department in a holding cell, officers shall ensure that any normally practiced method of medical, mental health, or other screening normally completed in English is equally conducted in the detainee's native language.
- C. Victims:
- i. Employees shall take all necessary steps to obtain information from victims. Officers may use family, friends, or other persons present where immediate translation is necessary to quickly investigate or attempt to apprehend a suspect.
 - ii. In serious cases, a victim's subsequent statements shall be taken by a multilingual employee or by an approved interpretation service.
- D. Witnesses:
- i. Employees shall ensure that all necessary information is obtained from witnesses to a crime, crash, or other law enforcement incident requiring such statements. In cases where time is of the essence officers may use others to assist in the immediate interpretation of the witness's observations.
 - ii. When time is not of the essence and an officer is investigating a serious event, the officer shall seek the assistance of a multilingual employee or an approved interpreter service.

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- E. Others Seeking Services:
 - i. Employees shall take all reasonable steps, within the constraints of the resources of the Department, to provide services to any person of limited English proficiency to include reasonable efforts for an interpretation or translation of communications.

- F. Other Services:
 - i. Any programs or services which this agency conducts shall be reviewed to determine the demographic makeup of the target audience.

 - ii. In cases where the target audience includes a proportion of limited English proficiency individuals, the agency shall take steps to deliver the program in a manner which enables the participation of those individuals with limited English proficiency.

6. PROCEDURES

- A. The South Burlington Police Department employs a language interpretation service. The following procedures shall be followed when using the interpretation service.

- B. **Officers:**
 - i. Notify dispatch that interpretation services are going to be used;
 - ii. Call for a Department cell phone to be brought to the scene if necessary;
 - iii. Contact the interpretation service via the mobile application – select language;
 - iv. Clearly identify themselves and their agency when speaking to the service telephonically;
 - v. Provide the subject with the interpretation service.

- C. **Dispatchers:**
 - i. Document in the South Burlington Police Department incident that translation services are being accessed, with start and end time if feasible.

APPROVED BY:



DATE: 04/23/2021