

2022 Limited English Proficiency Services Annual Report

[Consent Decree ¶189]

NOPD agrees to effectively communicate with and provide timely and meaningful access to police services to all members of the community, regardless of their national origin or limited ability to speak, read, write, or understand English. To achieve this outcome, NOPD shall:

- a) develop and implement a language assistance plan and policy that complies, at a minimum, with Title VI of the Civil Rights Act of 1964, as amended, (42 U.S.C. § 2000d et seq.) and other applicable law, and that comports with best practices and current professional standards;
- b) ensure that all NOPD personnel take reasonable steps to provide timely, meaningful language assistance services to LEP individuals they encounter and whenever an LEP individual requests language assistance services;
- c) identify and assess demographic data, specifically the number of LEP individuals within its jurisdiction and the number of LEP victims and witnesses who seek NOPD services;
- d) use collected demographic and service data to identify and meet hiring needs for bilingual staff;
- e) regularly assess the proficiency and qualifications of bilingual staff to become an NOPD Authorized Interpreter;
- f) create and maintain an NOPDAI List and provide that list to the Orleans Parish Communications District 911 Communications Center;
- g) ensure that Orleans Parish Communications District 911 call takers are trained to recognize the need for a NOPDAI to respond to an incident involving an LEP individual and dispatch a NOPDAI as appropriate. If no NOPDAI is available, the personnel shall contact a telephonic interpretation service provider. The call taker shall note in information to the radio dispatch that the 911 caller is an LEP individual and indicate the language;
- h) develop protocols for interpretation for interrogations and interviews of LEP individuals to ensure a qualified interpreter is used for the taking of any formal statement from a suspect or witness in order to protect their legal rights;
- i) develop and implement a process for taking, responding to, and tracking citizen complaints and resolutions of complaints filed by LEP individuals;
- j) identify official and vital documents that are subject to public dissemination, and require translation of such documents into Spanish and Vietnamese, at a minimum. Such vital documents include consent to search forms; witness and victim statement forms; citation forms; victim rights notification forms; citizen complaint forms; and notices advising LEP persons of free language assistance in connection with NOPD activities;
- k) implement a process for recruiting qualified bilingual personnel to meet demonstrated service needs. As part of this process, NOPD agrees to establish meaningful relationships with local and state-wide institutions and community organizations that can serve as the source of qualified bilingual applicants and facilitate outreach to such advocates; and l) implement incentives for bilingual employees to become NOPDAIs, such as pay differentials, consideration in performance evaluations, or assignments.

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KEY DEFINITIONS

Bilingual- A demonstrated competence and ability to speak in English and a second language including all necessary vocabulary, terms, and phrases.

Electronic Interpretation Device- A hands-free, mobile interpretation device that provides 24-hour access to interpreters able to communicate in 180 different languages.

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.

Language Assistance Plan- Information about the language assistance services offered by NOPD to both the community and NOPD. Then plan sets forth: (1) an assessment of need for LEP services in New Orleans; (2) the NOPDA LEP services available and the roles of NOPD member in providing those services, and (3) NOPD's obligations to track and analyze data on the use of LEP services to ensure their adequacy. The plan is available in English, Spanish, and Vietnamese at <https://nola.gov/nopd/policies/>.

Limited English Proficiency (LEP)- Refers to a person who does not speak English as his/her primary language and has limited ability to read, write, speak, or understand English. LEP individuals may be competent in certain types of communication (e.g., speaking or understanding), but still be LEP for other purposes (e.g., reading or writing). Similarly, LEP designations are context-specific: an individual may possess sufficient English language skills to function in one setting, but these skills may be insufficient in other situations.

NOPD Authorized Interpreter (NOPDAI)- A Bilingual NOPD employee who has been assessed, tested, and demonstrated their competency in English and a second language using the terminology, phrases, vocabulary, and phrases needed. Once an interpreter establishes competence and receives training on ethical and professional conduct as an interpreter, the officer will be certified and NOPD may authorize him/her to interpret for others in certain situations, such as interviews, interrogations, or talking and responding to citizen complaints.

Translation- The conversion of text from one language (source language) into an equivalent text in another language (target language) while retaining the same meaning.

2022 EXECUTIVE SUMMARY

Electronic Interpretation Device

Since the distribution of the Electronic Interpretation Devices (smartphones) on April 8th, 2021 to each police district, Special Operations Division and Traffic, and Juvenile Intake, NOPD renewed the contractual agreement with VOIANCE for another year. The current contract will expire in the beginning of June 2023 and the new contract will begin on June 1, 2023 through May 31, 2024. In November of 2022, the Department provided an additional one hundred (100) smartphones that was dispersed throughout all police districts. These new phones were assigned to both property and persons' crimes detectives. These additional phones are used to assist with obtaining timely

access to Language Interpretation Services through VOIANCE. District detectives are responsible for completing a NOPDAI Activity Form, located on the internal “NOPD WebApps”, prior to the end of the call for service or their tour of duty.

Additionally, the Language Access Coordinator (LAC) provided Roll Call Training to all police districts to reiterate the visual and hands-on training on Limited English Proficiency Services and Language Assistance. The training was then incorporated in the NOPD Education and Training Division (Academy) to recruit classes in a live scenario setting to assist them by giving a personal experience with an interpreter prior to interacting with Limited English Proficiency communities in the field. The same training was also provided to the Alternative Police Response (APR) Unit. The APR Unit has hired civilian employees as Police Investigative Specialists to answer certain calls for service and complete police reports via telephone. The training was geared to educate NOPD personnel responding to any call for service involving a known Limited English Proficient (LEP) individual, in the event an NOPD Authorized Interpreter (NOPDAI) is not available or when immediate interpretation services are required. The training also helps NOPD personnel to properly use the language line with a live interpreter and proper documentation of its use on the NOPDAI Activity Form.

NOPD Translated Forms

In 2022, NOPD assessed the number and frequency of forms and policy chapters utilized by its personnel. To continue to serve the LEP communities, eight (8) additional NOPD policy chapters were translated into Spanish and Vietnamese by professional translation services provide via Cyracom International Inc. (VOIANCE). The Department now has a total of thirty-five (35) translated forms and documents accessible by all NOPD personnel for public consumption. All the Department’s translated chapter policies¹ and forms² are posted on the City of New Orleans website NOLA.GOV.

These forms include:

1. Form 007- Missing Person Affidavit
2. Form 026- Item Number Form
3. Form 046- Domestic Violence Patrol Report Checklist
4. Form 146- Consent of Search Form
5. Form 153- Miranda Rights Form
6. Form 208- Auto Theft Affidavit
7. Form 212- Missing Person Entry Form
8. Form 222- Theft -Burglary Affidavit
9. Form 230- PIB Initial Intake Form
10. Form 260- Driver Information Exchange Form
11. Form 277- Eyewitness Identification Form
12. Traffic Citation

¹ NOPD Chapter Policies <https://nola.gov/nopd/policies/>

² NOPD Translated forms <https://www.nola.gov/nopd/community-services/forms/>.

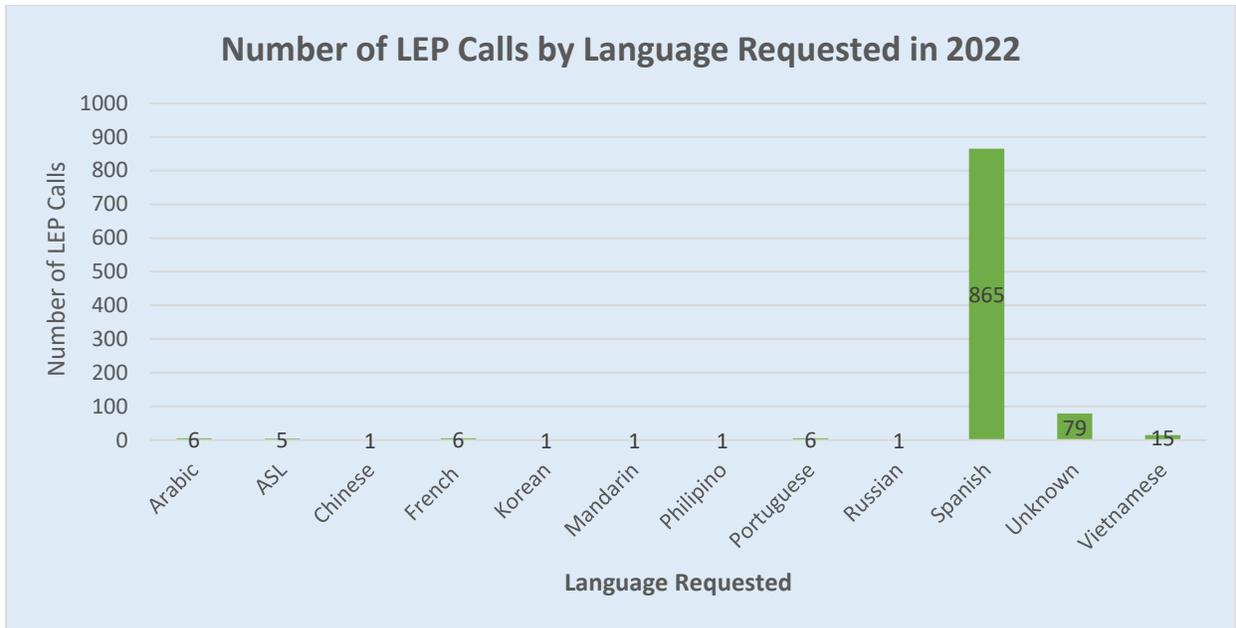
13. Notice to Adults Victims of Family Violence Form
14. NOPD C.I.T. Resource Sheet
15. Domestic Violence Resource Sheet
16. N.C.I.C. Information Bulletin on Amber Alert Form
17. Central Evidence and Property: Evidence Collection Instructions
18. Central Evidence and Property: Property Collection Instructions
19. DWI Arrestee's Rights Form
20. Standardized Field Sobriety Test (SFST) Form
21. Chapter 55.4 Limited English Proficiency Services
22. Language Assistance Plan
23. NOPD SVS Pamphlet
24. PIB Intro Complaint Letter
25. PIB Status Update Letter
26. PIB Community Awareness
27. NOPD Notice of Interpretation Services

In addition to the newly added NOPD Chapters

28. Chapter 1.2.4 Search and Seizure
29. Chapter 1.3 Use of Force
30. Chapter 1.9.1 Miranda Rights
31. Chapter 41.13 Bias Free
32. Chapter 42.19 Child Abuse
33. Chapter 42.4 Domestic Violence
34. Chapter 42.4.1 Domestic Disturbance
35. Chapter 55.1 Victim and Witness Assistance

FINDINGS

In 2022, NOPD received 987 Calls for Service (CFS) through Orleans Parish Communication District for which, Limited English Proficiency (LEP) individuals requested or required interpretation services from NOPD. NOPD received 91 LEP additional calls for service requesting interpretation services compared to LEP calls for service received in 2021. *The illustrations of the charts below solely demonstrate the data collected from CAD through OPCD. These charts do not account for the data collected in combination with the VIOANCE usage or NOPDAI Forms completed.



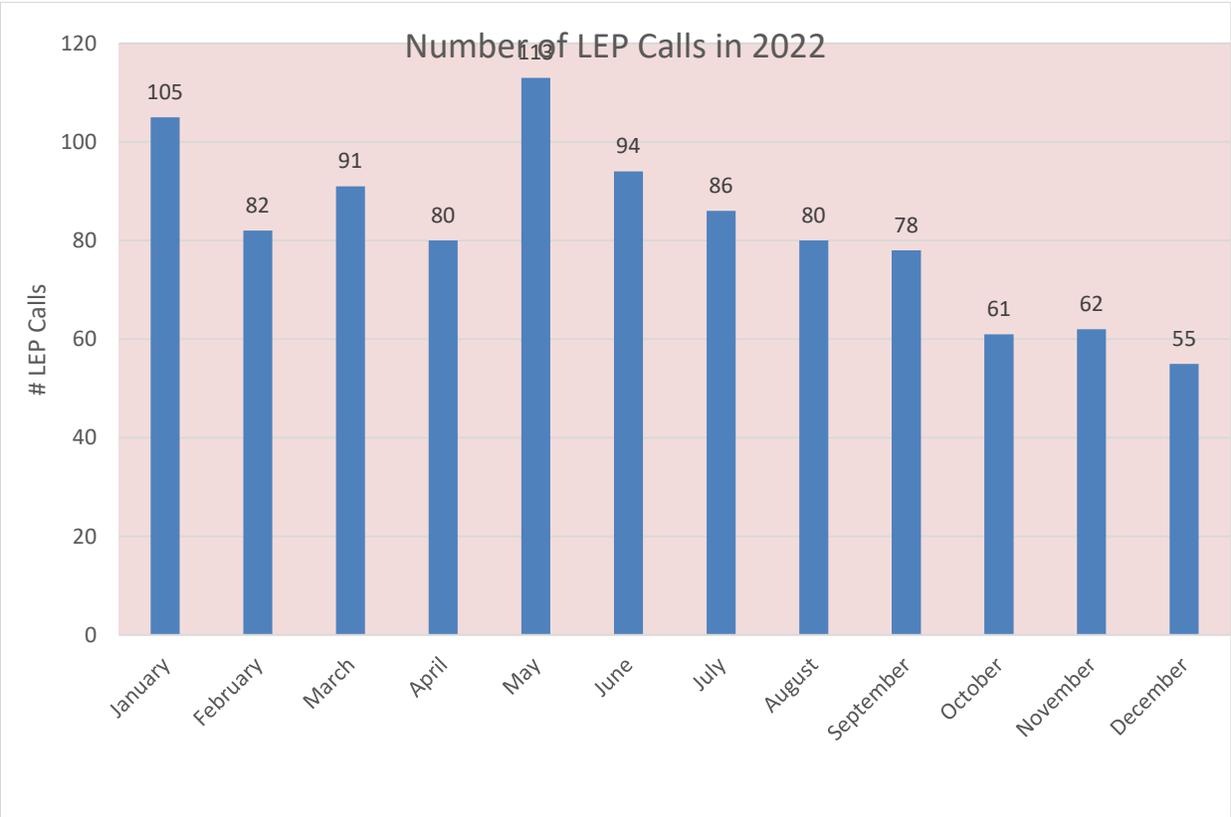
The chart above illustrates the various languages requested by LEP individuals who required interpretation services with Spanish being the most requested language in 2022³.

NOPD assessed the number of LEP Calls for Service (CFS) per District and Division, in addition to unclassified units, and outside agencies. The 7th District, which is geographically the largest district in New Orleans, received the most calls where LEP individuals requested interpretation services, followed by the 1st District at 150 (CFS) and the 6th District at 119 (CFS) for the year of 2022, as shown below.

³ The calls that are classified as “Unknown” are languages that were not indicated in the CAD comments’ section produced by the dispatcher and/or operator who initially answered the 911 call nor was there body worn camera footage of the incident to determine the language requested.

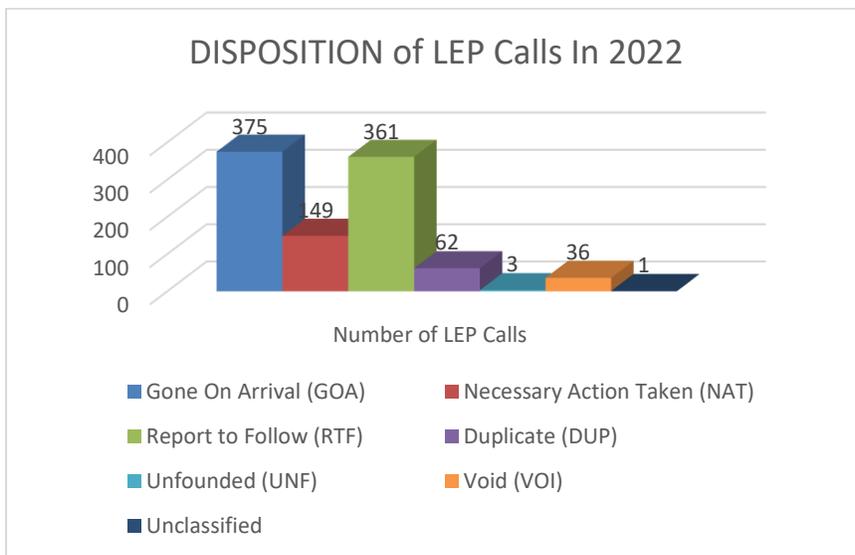


The graph below illustrates the LEP calls NOPD received in 2022 by month. The assessment determined that the busiest months of the year were May, followed by January, June, and March, while December received the least number of calls requesting interpretation services.



NOPD assessed the number of LEP Calls for Service (CFS) by language requested in 2022. The LEP callers requested the languages seen on the chart below during their initial 911 call received at Orleans Parish Communications District (OPCD). Please note, many of these calls did not require interpretation services and were marked Gone on Arrival (GOA), because the LEP callers were already gone upon the officers' arrival at the location where the police were requested. The Department received five (5) American Sign Language (ASL) calls for service, two (2) of which were assisted via the Electronic Interpretation Device. One call was marked Gone on Arrival (GOA), the second call was VOID by the OPCD, which means the call had been cancelled by the caller and three of the five ASL calls were marked Report to Follow (RTF), which indicates a report was documented for this incident, however one (1) of these calls, the caller was not at the location.

In 2022, of the 987 calls for service requesting LEP Services, OPCD had a total of 375 calls that were marked GOA, 149 were marked NAT, 361 were marked RTF, 3 were UNFOUNDED, 62 were Duplicates, 36 were marked VOID, and 1 was Unclassified. Of the 987 calls received, 865 calls requested Spanish interpretation, 312 calls were marked GOA, 339 calls were marked RTF, and 130 were marked NAT. The 79 Unknown languages requested were calls that did not specify the requested language in the comment's section data reported from OPCD.



In 2022, NOPD assessed the LEP calls for service by the languages served via Authorized Interpreters and Electronic Interpretation Device Interpreters. The number of calls utilizing the Electronic Interpretation Device is generated by a report produced by VOIANCE on their website. The report indicates the date, time, number of minutes utilized, the language requested; including American Sign Language calls for service, the interpreters' ID numbers, and the NOPD employee ID numbers. The chart below indicates the type of interpretation services provided categorized according to the language served by the use of the Electronic Interpretation Device

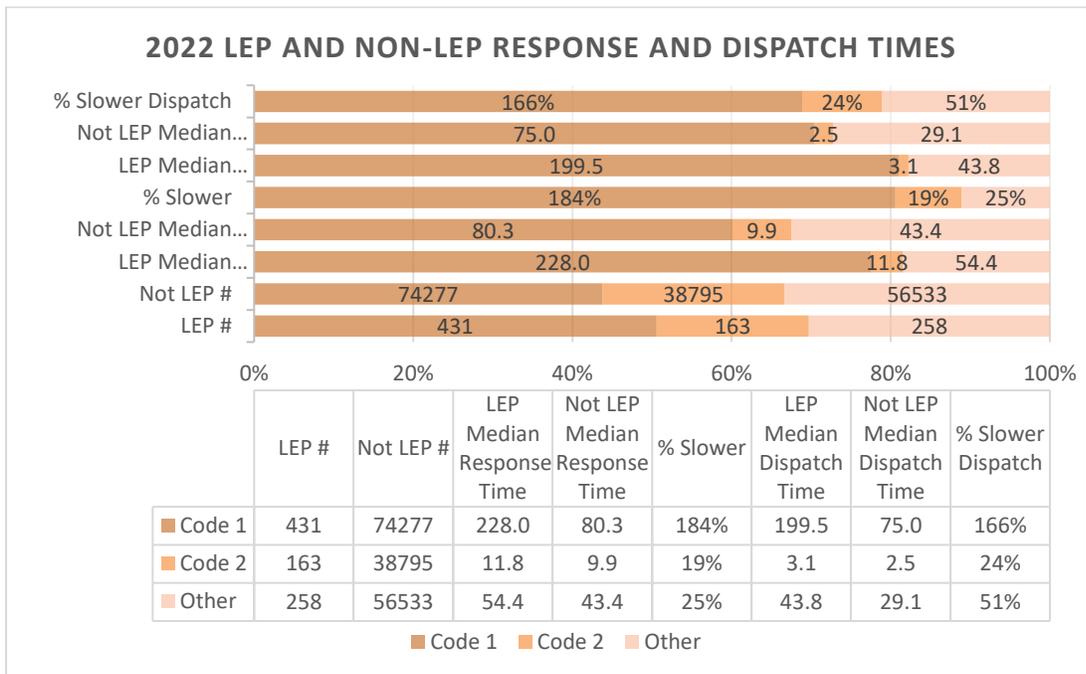
Language Served	NOPDAI In-person	NOPDAI via telephone	Interpretation Device	Unauthorized Interpretation ⁴
Spanish	153	65	337	59
Vietnamese	0	2	11	4
Arabic	0	0	4	0
ASL	0	0	16	1
Chinese	0	0	1	0
Croatian	0	0	1	0
French	0	0	4	0
Haitian Creole	0	0	1	0
Japanese	0	0	1	0
Mandarin	0	0	9	0
Portuguese	0	0	1	0

NOPD assessed the number of LEP calls in 2022 with the disposition of 375 Gone on Arrival (GOA) calls for service, dispatched per month. Gone on Arrival means the caller/complainant was not at the location where the police were requested upon the arrival of the responding officer(s). The assessment below illustrates the months in which received the most GOA dispositions for the year were June, followed by May, September, and January, while October contained the least number of calls with the same disposition.



⁴ Unauthorized Interpretations are interpretations provided by bilingual officers who have not been certified by the Department as an Authorized Interpreter, bilingual friends/family members of the LEP individual, bilingual bystanders, or another electronic interpretation service other than the approved services provided by NOPD.

The NOPD assessed the percentage of response and dispatch time for both LEP and Non-LEP (Code 1 and Code 2) calls with the disposition of GOA for 2022. The comparison between the two by Code 1 and Code 2 calls for service for 2022 determined the slower response and dispatch time percentages were close in proximity. The Orleans Parish Communications District (OPCD) dispatches calls for service by priorities. Code 2 (emergency calls) are dispatched before any Code 1 (non-emergency calls). Once Code 2s Calls for Service have been handled by district personnel, Code 1s are then dispatched as officers become available. Note, in 2022 the NOPD received 74,277 Code 1 non-LEP calls for service in comparison to 431 Code 1 LEP Calls for Service. The NOPD received 38,795 Code 2 non-LEP calls for service in comparison to 163 Code 2 LEP calls for service.



NOPDAI LIST

The NOPD has created and maintained the New Orleans Police Department Authorized Interpreter (NOPDAI) List. As of 2022, this list was comprised of thirty-two (32) Authorized Interpreters; two (2) whose primary language is Vietnamese and thirty (30) whose primary language is Spanish. The list of authorized interpreter members includes four (4) civilian employees, while the remaining are commissioned officers. The NOPD utilized citizen demographics, the CAD data, and collaborated with other agencies to determine which languages the Department should

⁵ The data used in this chart to demonstrate the median LEP response times do not include calls for service where the final disposition is VOID or DUPLICATE, self-initiated interactions, or signal codes that have been downgraded/upgraded from its original priority status and only include incidents with NOPD Primary Units. This data does not reflect the entire universe of LEP calls, it is used to determine the median response times for non-LEP calls vs. LEP calls.

prioritize in providing in-person interpreters. In 2023, the Department of will reassess its data to determine if there is a need for Authorized Interpreters in additional languages.

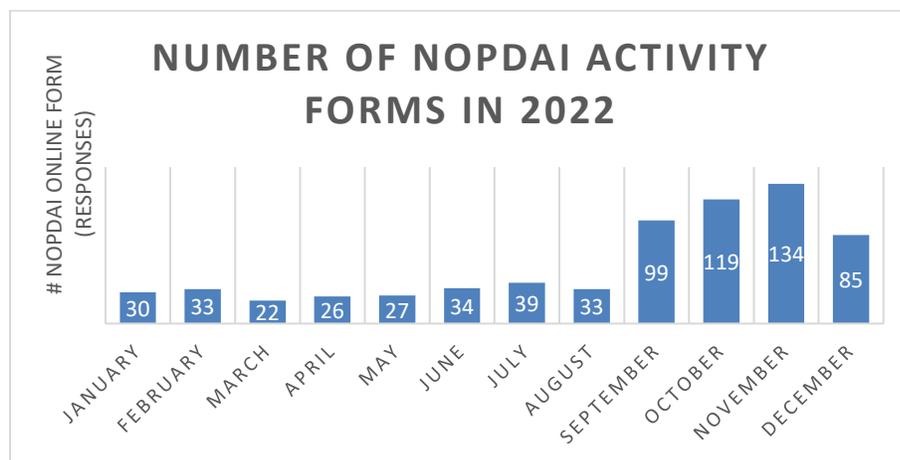
1st District/B Platoon	Spanish	Commissioned
1st District/B Platoon	Spanish	Commissioned
1st District/DIU	Spanish	Commissioned
2nd District/DCAT	Spanish	Commissioned
2nd District/DCAT	Spanish	Commissioned
3rd District/Captain	Spanish	Commissioned
3rd District/A Platoon	Spanish	Commissioned
3rd District/A Platoon	Spanish	Commissioned
3rd District/DCAT	Spanish	Commissioned
3rd District/DIU	Spanish	Commissioned
4th District/B Platoon	Spanish	Commissioned
4th District/DIU	Spanish	Commissioned
5th District/DIU	Spanish	Commissioned
5th District/D Platoon	Spanish	Commissioned
6th District/DIU	Spanish	Commissioned
7th District/Platoon	Vietnamese	Commissioned
7th District/B Platoon	Spanish	Commissioned
7th District/C Platoon	Spanish	Commissioned
8th District/A Platoon	Spanish	Commissioned
8th District/DCAT	Spanish	Commissioned
Academy	Spanish	Commissioned
FOB/Comm. Engagement	Spanish	Commissioned
ISB/Auto Theft	Spanish	Commissioned
ISB/Child Abuse	Spanish	Commissioned
ISB/HIDTA	Spanish	Commissioned
ISB/Homicide	Spanish	Commissioned
MSB/Fiscal	Vietnamese	Civilian
PIB	Spanish	Commissioned
PIB	Spanish	Civilian
Recruitment	Spanish	Civilian
Recruitment	Spanish	Civilian
SOD/K-9	Spanish	Commissioned

NOPDAI Activity Form

The NOPD implemented the NOPDAI Activity Form database as a method to document each time language assistance services have been provided, trainings are attended and/or hosted, resources provided, and documents translated and/or videos transcribed by NOPDAIs. The NOPDAI

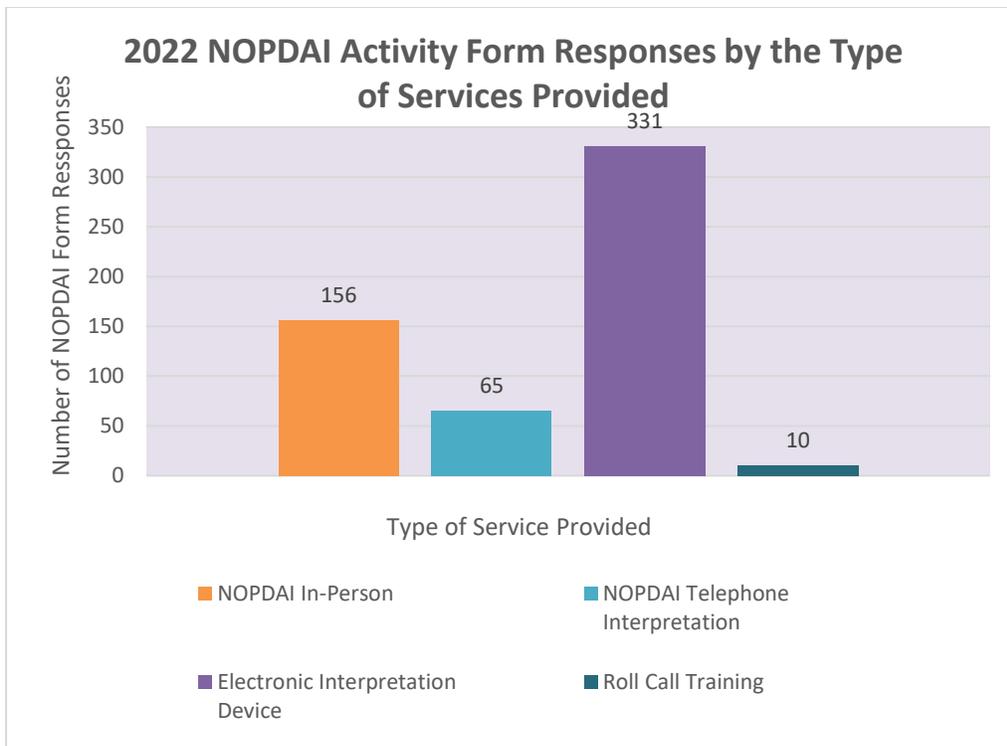
Activity Form is required to be completed whether the services provided were via NOPDAI in-person, NOPDAI via telephone call, document translation, and/or via the Electronic Interpretation Device (smartphone). NOPDAI Forms are to be completed by NOPD personnel after the completion of an LEP interpretation service is conducted per NOPD Policy Chapter 55.4: Limited English Proficiency Services⁶. In 2022, NOPD personnel completed a total of 681 NOPDAI Activity Forms. The number of forms completed (681) and calls received (987) by OPCD differ due to the caller’s ability to communicate with the officers in English in some calls for service and therefore there is no need for interpretation service requiring the officer to complete a form. This information is verified as the Language Access Coordinator reviews every Body Worn Camera video that was marked NAT and RTF from the CAD report produced by OPCD. Based on the video footage and the assessment of how the call for service was conducted by the officers in the field, it is noticed if and when a caller is bilingual, assisted by a bilingual individual, assisted via the Electronic Interpretation Device and/or if the officer called for an interpreter to assist the LEP caller(s). Based on the observation of the BWC videos, it was learned that 72 callers were in fact bilingual and interpretation services were not required, 220 calls were conducted with the assistance of NOPDAIs (153 were assisted in person and 67 via telephone), 55 were assisted via the Electronic Interpretation Device. Note, this is data obtained from OPCD and it does not include all of the VOIANCE Report in which the Electronic Interpretation Device was utilized to assist LEP individuals.

The graph below illustrates the number of NOPDAI Activity Forms completed in 2022 documented by month.



The NOPDAI Activity Form database system demonstrated that in 2022, of the language access services were provided via NOPDAI in-person interpretation services (153 and NOPDAI telephonic interpretation service interactions (65) and Electronic Interpretation Device services provided were 331.

⁶ [NOPD Ch. 55.4: Limited English Proficiency Services](#)



Note, the collected NOPDAI Activity Forms reflect LEP calls for service in which interpretation services were provided and whether the interpretation services were provided via NOPDAI in-person and/or via telephone, or via Electronic Interpretation Device that were completed by NOPD employees. There is a difference in the CAD data given and the NOPDAI Activity Forms completed due to all forms not being completed as required by Ch. 55.4: Limited English Proficiency Services. When forms are not completed the LAC informs the employee and their immediate supervisor to rectify the lack of documentation for the missing forms (disciplinary actions are suggested for repeat offenders of this error).ⁱ

Obstacles

NOPD continued to face a few challenges relating to interpretation and translation services, including having limited to no access of American Sign Language (ASL) interpreters since the Department does not have a contractual agreement with any agency that provides such services. Currently the only source of ASL interpretation services NOPD has access to remains to be by the Electronic Interpretation Device via Video Remote Interpretation (VRI), which provides a live ASL interpreter via video as requested. Secondly, the Department does not have enough bilingual personnel who are currently Authorized Interpreters for Spanish and/or Vietnamese in the field to meet the demand. The Department was able to add one more Vietnamese Authorized Interpreter for 2022, which now has a total of two Vietnamese AIs. An added recommendation is to have all NOPD patrol officers be assigned to departmental cellphones to have access to VOIANCE to avoid long wait time on calls for service requesting interpretation services.

Furthermore, the requirement to complete NOPDAI Activity Forms for GOA calls shows a discrepancy in numbers in the database because forms are not completed if no interpretation

services were provided to LEP individuals. Consequently, the NOPDAI Activity Form Dashboard database demonstrates a difference in the number of NOPDAI Activity Forms that should be recorded versus the number of LEP Calls for Service documented in the CAD, since not every LEP Call for Service requires interpretation services.

Recommendations

The Department continues to actively recruit, both existing members and new applicants and encourage more bilingual employees to apply to become Authorized Interpreters for the most requested languages, which are currently Spanish and Vietnamese, and inform them of the 5% pay increase incentive given to Authorized Interpreters. As the Department grows the response times to calls for service will decrease, however the telling sign will be decreased in crime over time, which will directly correlate to the volume of calls requiring officer assistance. It is recommended to hire and train bilingual personnel to be assigned to the Alternative Police Response (APR) Unit and certify them as Authorized Interpreters, they will also receive the bilingual supplemental pay as an intensive, long term, greater than six months. Additionally, NOPD's Analytics Division can create a dashboard to aid in tracking LEP data internally, short term, one to six months.

Conclusions

The New Orleans Police Department continues to improve the Community Engagement and Policing guidelines to service its diverse communities. With the philosophy of the Language Assistance Plan and Chapter 55.4 dedicated to Limited English Proficiency Services, the NOPD will continue to provide LEP individuals with meaningful and timely access to services and benefits.

¹ LANGUAGE ACCESS UPDATES

In November 2022, the NOPD incorporated one hundred (100) additional Electronic Interpretation Devices (smartphones) to continue to provide interpretation services to LEP individuals. The devices were distributed to all the Department's District Investigative Units (DIU). Each district will continue to maintain a logbook record of each time the device assigned to the district is signed-out to provide interpretation services (not the phones assigned to the DIU Detectives).