

2021 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.

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.

EXECUTIVE SUMMARY

Language Assistance Plan and Chapter 55.4 – Limited English Proficiency Services

In early March 2021, NOPD, with collaboration from the Department of Justice and Office of Consent Decree Monitors, assessed, revised, and approved the Language Assistance Plan (LAP) and NOPD Policy Chapter 55.4- Limited English Proficiency Services. In order to achieve the requirements of the Plan and Chapter, departmental and citywide demographic data was updated to meet the revisions that were implemented. The LAP and chapter approvals were finalized in June 2021, which were then translated into Spanish and Vietnamese. Once the translation of the documents was completed, NOPD ensured these documents were distributed to Limited English

Proficiency organizations, the Health Department, Coroner's Office, the Louisiana Supreme Court, posted in public areas, as required by the Consent Decree, and Police Department's buildings. These building included NOPD Headquarters, the Department's eight police districts, Public Integrity Bureau, Special Operations Division/Traffic, Investigative Services Bureau (Sex Crimes), six public libraries, and City Hall. These documents can be viewed on the City of New Orleans website at <https://www.nola.gov/nopd/policies/>.

Electronic Interpretation Device

NOPD established a contract with VOIANCE to provide language interpretation via an Electronic Interpretation Device and document translation for the Department. The Electronic Interpretation Device is a mobile interpretation device that provides 24-hour access interpretation to communicate in 180 different languages. The NOPD distributed two Electronic Interpretation Devices (smartphones) on April 8th, 2021, to each police district, Special Operations Division and Traffic Section, and Juvenile Intake, to assist 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 other bureaus/divisions such as; Child Abuse, Domestic Violence, Sex Crimes, Homicide, Intelligence, Narcotics, and Public Integrity Bureau; where officers/detectives have been assigned departmental cellphones, were provided with access codes to be connected to the interpretation line. The Electronic Interpretation Devices are housed at each Police District Station's front desk along with a sign-out logbook Officers are instructed to request an electronic interpretation device from a supervisor, who is responsible for the necessary sign-out of the device in the logbook. Once the device is used for interpretation services, the requesting officer must complete an NOPDAI Activity Form located on the internal NOPD Web Apps Page under FORMS prior to the end of the call for service for which the device was requested.

The Language Access Coordinator (LAC) provided roll call training to the Department's District personnel regarding the proper use and documentation of the Electronic Interpretation Device with a live interpreter and how to properly complete the phone usage entry in the District Logbooks. The visual and hands-on training aided NOPD officers have a personal experience with an interpreter prior to interacting with real LEPs in the field. Additionally, the LAC gives proper instruction on completing the NOPDAI Form at the conclusion of interacting with LEP individuals and what is required from the requester of an interpreter and Authorized Interpreters alike.

Revised Chapter 10.0- Community Policing and Engagement

In October 2021, NOPD revised Chapter 10.0- Community Policing and Engagement to reflect the use of its Authorized Interpreters and Language Access Coordinator to ensure the Department is engaging with all communities they serve. This document expands on establishing and maintain partnerships with the LEP community and ensure they are included in all community programs hosted by the NOPD.

NOPD Translated Forms

The NOPD assessed the number and frequency of forms utilized by its personnel. To continue to serve the LEP communities, fifteen (15) of the most commonly used NOPD forms and documents, in addition to the Language Assistance Plan and Chapter 55.4, were translated into Spanish and Vietnamese by professional translation services provide via Cyacom International Inc. (VOIANCE). The Department now has a total of seventeen (27) translated forms and documents accessible by all NOPD personnel. All the Department's translated forms are posted on the City of New Orleans website NOLA.GOV and can be located at <https://www.nola.gov/nopd/community-services/forms/>.

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
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

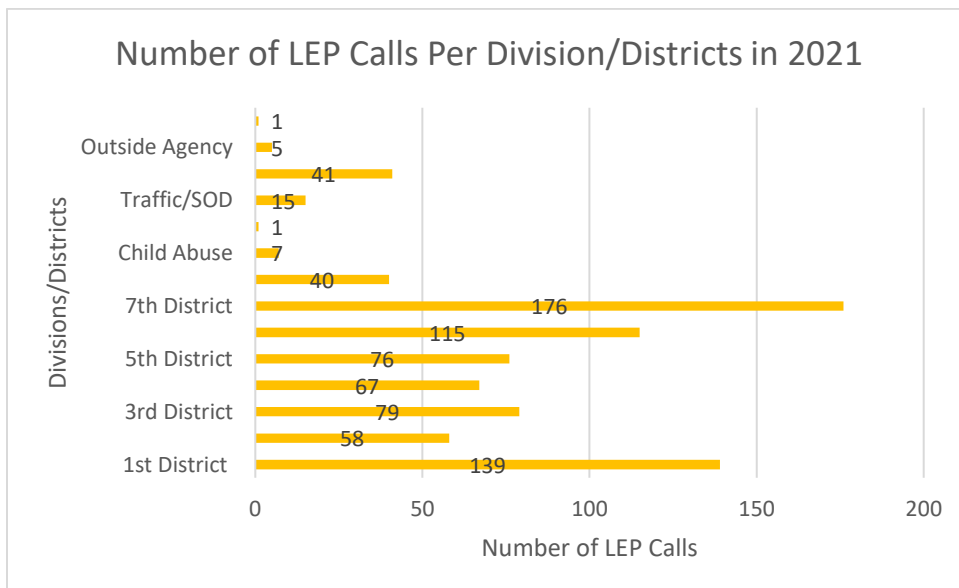
FINDINGS

In 2021, NOPD received 896 calls for service through Orleans Parish Communication District for which, Limited English Proficiency (LEP) individuals requested or required interpretation

services. In 2021, NOPD received 137 additional calls requesting interpretation services, compared to LEP calls received in 2020.

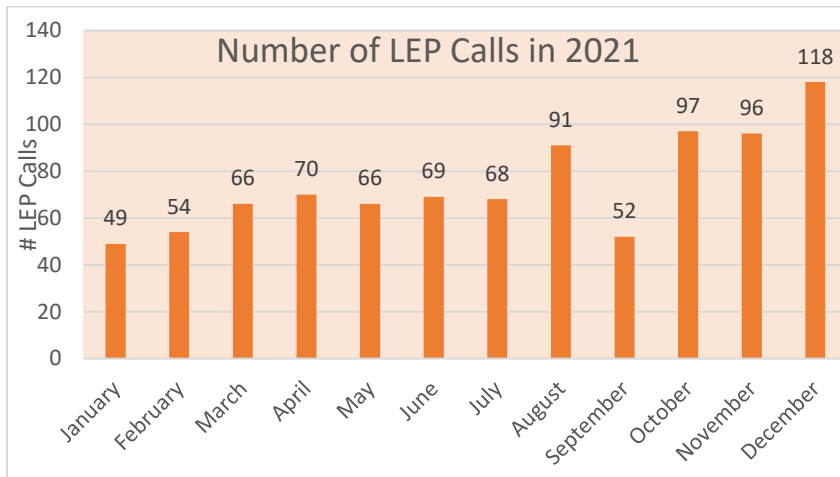


NOPD assessed the number of LEP Calls for Service (CFS) per District and Division, in addition to unclassified units, and outside agencies, which is illustrated in the graph below. The 7th District, which is geographically the largest district in New Orleans, received the most calls (176) where LEP individuals requested interpretation services, followed by the 1st District at 139 (CFS) and the 6th District at 115 (CFS) for the year of 2021¹.

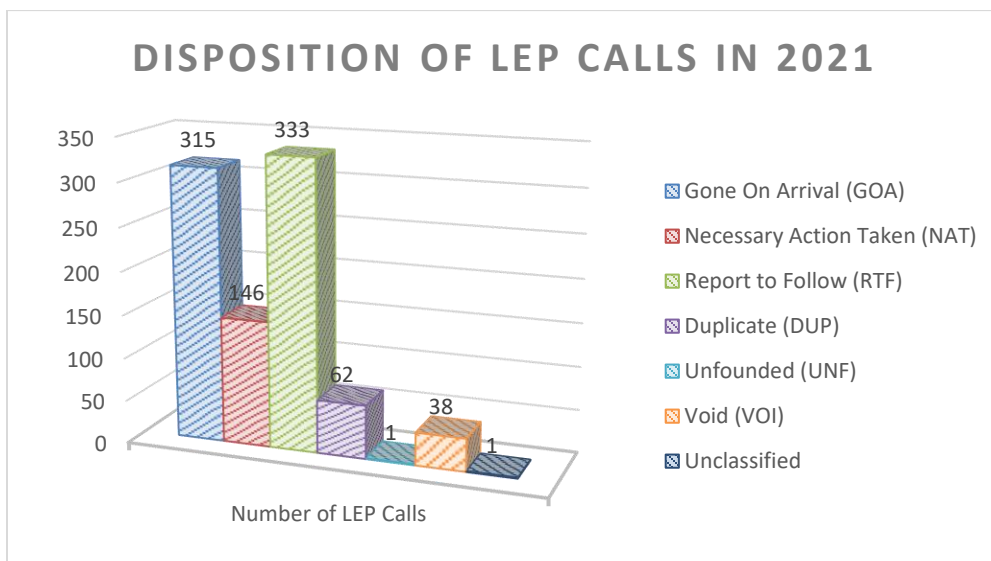


¹ The calls that are classified as “Unknown” are languages that were not indicated in the CAD comments by the dispatcher and/or operator who initially answered the 911 call.

The graph below illustrates the LEP calls NOPD received in 2021 by month. The assessment determined that the busiest months of the year were December, followed by October, November, and August, while January received the least number of calls requesting interpretation services.



NOPD assessed the number of LEP calls by language requested in 2021. 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, the majority of these calls did not require interpretation services, because upon the officer’s arrival, the LEP caller was bilingual and/or was able to communicate with the officer in English. The Department received three American Sign Language (ASL) calls for service. One call was marked Gone on Arrival (GOA), which means, the caller was not at the scene upon the officer’s arrival. The second call was marked Necessary Action Taken (NAT), in which, the officers took the necessary actions to remedy the need for officer assistance. The third call was marked Report to Follow (RTF), which indicates a report was documented for this incident.



In 2021, NOPD assessed the LEP calls for service by the languages served via Authorized Interpreters and Electronic Interpretation Device Interpreters. The chart below indicates the type of interpretation services provided categorized according to the language served.

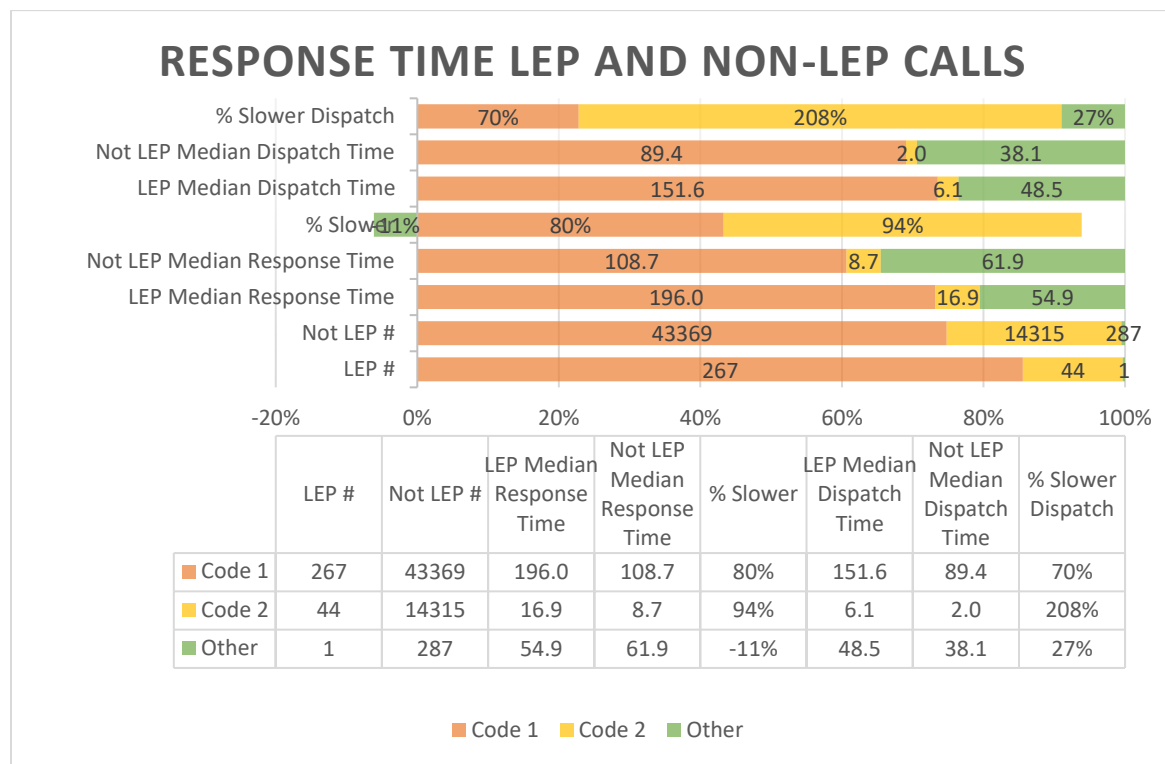
Language Served	NOPDAI In-person	NOPDAI via telephone	Interpretation Device	Unauthorized Interpretation ²	Trainings
Spanish	360	183	37	2	18
Vietnamese	2	3	1	0	
ASL	0	0	1	1	
Dutch	0	0	1	0	
Mandarin	0	0	2	0	

NOPD assessed the number of LEP calls in 2021 with the disposition of Gone on Arrival (GOA), 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 determined that the busiest months based on GOA disposition for the year were October, followed by December, August, and November, while February contained the least number of calls with the same disposition.



² 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 service 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 2021. The comparison between the two by Code 1 and Code 2 calls for service for 2021 determined the slower response and dispatch time percentages were essentially equal. 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 have been handled by district personnel, Code 1s are then dispatched as officers become available. Please note, in 2021 the NOPD received 43,369 Code 1 non-LEP calls for service in comparison to 267 Code 1 non-LEP calls for service. The NOPD received 14,315 Code 2 non-LEP calls for service in comparison to 44 Code 2 LEP calls for service.



NOPDAI LIST

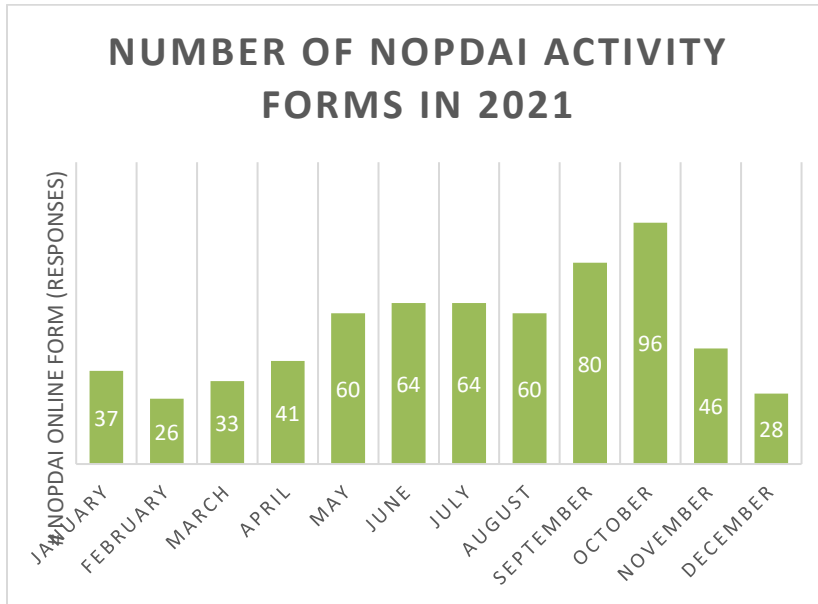
The NOPD has created and maintained the New Orleans Police Department Authorized Interpreter (NOPDAI) List. As of 2021, this list was comprised of twenty-seven (27) authorized interpreters; one (1) whose primary language is Vietnamese and twenty-six (26) whose primary language is Spanish. The list of authorized interpreter members includes two (2) 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 prioritize for in providing in-person interpreters. In 2022, the Department 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 morning	Spanish	Commissioned
3rd District/A Platoon	Spanish	Commissioned
3rd District/B Platoon	Spanish	Commissioned
3rd District/C Platoon	Spanish	Commissioned
3rd District/DIU	Spanish	Commissioned
4th District/C Platoon	Spanish	Commissioned
5th District/C Platoon	Spanish	Commissioned
5th District/DIU	Spanish	Commissioned
6th District/B Platoon	Spanish	Commissioned
7th District/A Platoon	Spanish	Commissioned
7th District/B Platoon	Spanish	Commissioned
7th District/B Platoon	Vietnamese	Commissioned
8th District/Promenade	Spanish	Commissioned
Academy	Spanish	Commissioned
APR/A Platoon	Spanish	Commissioned
FOB/Community Eng.	Spanish	Commissioned
ISB/Auto Theft	Spanish	Commissioned
ISB/Child Abuse	Spanish	Commissioned
ISB/Child Abuse	Spanish	Commissioned
ISB/HIDTA	Spanish	Commissioned
ISB/Homicide	Spanish	Commissioned
PIB	Spanish	Commissioned
PIB	Spanish	Civilian
Recruitment	Spanish	Civilian

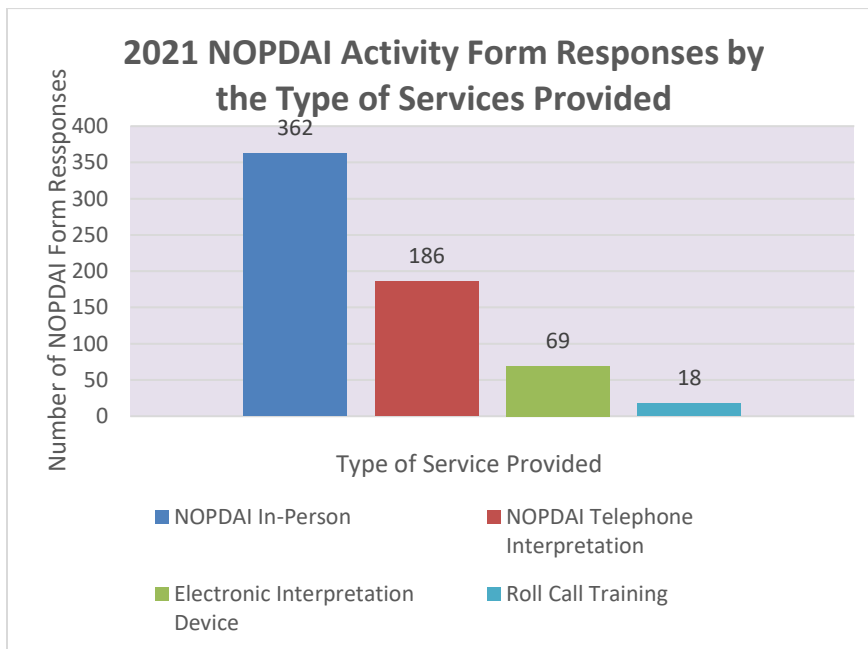
NOPDAI Activity Form

The NOPD implemented the NOPDAI Activity Form database as a method to document each time language assistance services have been provided in any manner. 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). In 2021, NOPD personnel completed a total of 632 NOPDAI Activity Forms. The number of forms completed (632) and calls received (896) by OPCD differ due to the callers ability to communicate with the officers in English and therefore there is no need for interpretation service requiring the officer to complete a form.

The graph below illustrates the number of NOPDAI Activity Forms completed in 2021 documented by month.



The NOPDAI Activity Form database system demonstrated that in 2021, most of the language access services were provided via NOPDAI in-person interpretation services (632) and NOPDAI telephonic interpretation service interactions (186) and 69 Electronic Interpretation Device services provided.



Note, the collected NOPDAI Activity Forms reflect all LEP calls for service, in which interpretation services were provided, and represent whether said interpretation services were provided via NOPDAI in-person and/or via telephone, or via Electronic Interpretation Device.ⁱ

Obstacles

NOPD faced a few challenges relating to interpretation and translation services, including having limited to no access of American Sign Language (ASL) interpreters. Currently the only source of ASL interpretation services NOPD has access to is provided 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 worked with only one Vietnamese Authorized Interpreter for 2021. Lastly, the initial NOPDAI Activity Form was lacking revisions that would accurately documents data required to complete a report on the LEP calls for services receiving interpretation services. The online form was updated in May of 2021 to reflect the required changes.

Recommendations

The Department is seeking a contractual agreement with The Deaf Action Center to provide American Sign Languages services in person, if available. The Department continues to actively recruits, 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.

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

On April 8, 2021, the NOPD incorporated the Electronic Interpretation Devices (smartphone) to continue to provide interpretation services to LEP individuals. The devices were distributed to all the department's districts, SOD/Traffic, and Juvenile Intake Units. Each district/division received a logbook to maintain a record of each time the device is signed-out to provide interpretation services.