



Limited English Proficiency Audit Report

December 15, 2022

Audit Team

This audit was managed and conducted by the Professional Standards and Accountability Bureau Innovation Manager, Faith Butler.

Executive Summary

Innovation Manager Faith Butler of the Professional Standards and Accountability Bureau conducted an audit of the Limited English Proficiency Services (LEP) and Language Assistance Plan (LAP) of related incidents and documents. The LEP Audit is completed to ensure Limited English Proficiency is addressed in accordance with the rights secured or protected by the Constitution and laws of the United States. This process is regulated by the New Orleans Police Department's **Chapter 55.4: Limited English Proficiency Services, Chapter 42.11: Custodial Interrogations, Chapter 52.1.1: Misconduct Complaint Intake and Investigation, and the Language Assistance Plan**. This protocol addresses Consent Decree requirements from paragraphs 42, 189, 190, 191, 192, 193, 194, 266, 390, 407, and 448.

The LEP audit address consent decree and policy requirements of the existence of relevant policies and plan, accessible translated resources, documentation, and recordation of services provided, PIB records of complaints and intake forms, maintaining and accuracy of the authorized interpreter lists, distribution of policies, plans, and translated documents, training, collaboration with other LEP organizations for the expansion of services and languages served, and OPCD records.

The audit range is set to occur every six months. During this audit, Innovation Manager Butler reviewed documentation provided by Language Access Coordinator, Officer Leslie Guzman, from March 1, 2022 – August 31, 2022. The LAC provided all documentation required prior to receiving the audit notification. The Public Integrity Bureau, Recruitment, Investigation and Support Bureau, and Human Resources were given a two week notice of the audit plan and was provided questions for each specific office from the checklist of the audit criteria. This LEP Audit was conducted according to the current protocol and verified through a “Single Audit Review” and “Auditor Review and Resolution” process by Sgt. Shannon Brewer, supervisor of the Community Engagement Section. During this audit, other languages that were required/requested for interpretation services other than Spanish, Vietnamese, and American Sign Language were Arabic (6), Cantonese (1), Chinese (1), Croatian (1), Portuguese (4), French (2), Mandarin (1), Russian (1), and Wolof (1). The VOIANCE services were used to serve the needs during these specific incidents.

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Audit Checklist Results

Innovation Manager Butler conducted the LEP Audit through in-person documentation review, CAD data analysis, the review of the completed Authorized Interpreter Activity Forms, Recruitment and Human Resource records, PIB records, review of translated NOPD forms, OPCD training, policies and NOPD AI lists, distribution of information to NOPD personnel, and meeting notes and agendas with LEP collaborators. Below is the checklist with the responses of Yes, No, or Not Applicable (N/A) used to verify requirements according to the Consent Decree specified paragraphs and NOPD Policies:

Audit Sheet 1

	March 1, 2022 - August 31, 2022	Yes	No	N/A	Comments:
1	Does the Department have a language assistance plan and policy that complies with Title VI of the Civil Rights Act of 1964 and other applicable laws?	x			
2	Does the policy comport with best practices and professional standards?	x			
3	Is NOPD able to provide documentation and data that demonstrates the provision of LEP services? This includes 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.	x			
4	Have any complaints been filed at PIB regarding a failure to provide language assistance?	x			
5	Were there any sustained charges for failure to provide language assistance?		x		

6	Did the sustained complaints lead to meaningful corrective actions?				x
7	Can the NOPD provide the list of NOPDAI?	x			
8	Is the NOPDAI list current?	x			
9	Does the NOPDAI list concur with the Orleans Parish 911 Communications Center?	x			
	OPCD Records				
10	Can the OPCD provide a list of personnel who were provided the LEP SOP?	x			
11	Can the NOPD provide a list of all personnel trained in providing language Assistance to LEP individuals?	x			
12	Is there an adequate lesson plan for personnel trained in providing language assistance to LEP individuals?	x			
13	Does the NOPD have interrogation and interview protocols for LEP individuals?	x			
14	Do PIB and OIPM have explanations of the complaint process and complaint forms in Spanish and Vietnamese posted on line (and other languages available upon request)?	x			
15	Does PIB have a process for taking, and tracking citizen complaints filed by LEP individuals?	x			Complaints tracked in IAPro
16	Did PIB track the resolutions?	x			
17	Is there evidence the complainant received a complaint form in the appropriate language?	x			

18	Is there evidence translation services were provided to the complainant?	x			
19	Does the NOPD have documentation listing the NOPDAI who conducted the interview or obtained the statement?	x			
20	Were any LEP interviews conducted, or statements received in duty locations other than PIB?		x		
21	Does the NOPD have a list of documents subject to translation to Spanish and Vietnamese when publicly disseminated?	x			
	Does that list include:				
a	consent to search forms?	x			
b	witness and victim statement forms?	x			
c	citation forms?	x			
d	victim rights notification forms?	x			
e	citizen complaint forms?	x			
f	notices advising LEP persons of free language assistance in connection with NOPD activities?	x			
22	Does NOPD have a record of annual review of forms in need of update or newly translated forms pursuant to its Language Access Plan			x	No new documents have been suggested for translation during this audit period.
23	Does NOPD have a process for recruiting qualified bilingual personnel?	x			
24	Is the process sufficient to achieve the goal of recruiting qualified bilingual personnel to meet demonstrated service needs?	x			

24	Has the NOPD implemented incentives for bilingual employees to become NOPDAI?	x			
26	Do the incentives include pay differentials?	x			
27	Do the incentives include consideration during performance evaluations?	x			
28	Do the incentives include choices in assignments?		x		
29	How many assignments were at least partially met by bilingual ability?			x	
30	Was the language assistance plan and policy translated into Spanish and Vietnamese?	x			
31	Can the NOPD provide a copy in Spanish and Vietnamese?	x			
32	Was the plan translated into any other languages?		x		
a	If so, what languages?			x	
33	Have the Spanish and Vietnamese translations been posted on the website?	x			
34	Are the English and translated versions posted in the public area of the following:				
	a. Each district?	x			
	b. SOD?	x			
	c. Headquarters?	x			
	d. PIB Building?	x			
35	Does the NOPD have a list of the organizations and when they received the plan?	x			
36	Can the NOPD provide a list of personnel who were provided the LEP plan?	x			

37	Can the NOPD provide a list of all personnel trained in providing language Assistance to LEP individuals?	x			
38	Is there an adequate lesson plan for personnel trained in providing language assistance to LEP individuals?	x			
39	Does the lesson plan and training include				
	a. NOPD's LEP plan and policies; and the requirements of Title VI and the consent decree?	x			
	b) how to access NOPD-authorized telephonic and in-person interpreters?	x			
	c) how to work with interpreters in the field?	x			
	d) cultural diversity?	x			
	e) how to communicate with LEP individuals in commonly encountered scenarios?	x			
	f) basic command of Spanish or Vietnamese, for officers assigned to Districts with significant LEP populations?	x			
40	Does the NOPD have a language access coordinator?	x			Off. Leslie Guzman
41	Has the collaboration with the LEP community identified any additional languages that would be appropriate for translation materials?		x		
42	Is the process in writing?			x	No other language has been identified.
43	Are there reports documenting the ongoing efforts?			x	
44	Does that documentation include the following:				
	a. Staff are listed by language	x			

	b. Staff are listed by job title	x			
	c. Staff are listed by level or proficiency			x	Officers receive either a pass or failing notification.
	d. Staff listed by vital documents translated			x	Documents are translated by a third-party contractor
	e. Staff listed by languages into which the documents were translated			x	Documents are translated by a third-party contractor
45	Does the Training Academy provide recruit instructional hours in how to communicate with LEP individuals in commonly encountered scenarios?	x			
	a. How many hours?		40		
	b. Are the number of hours adequate?	x			

Audit Sheet 2

	March 1, 2022 - August 31, 2022	Yes w/Comments:	No	N/A
1	Has the department identified and assessed demographic data for the LEP individuals within the city and each district?	x		
2	Where is the data maintained for LEP individuals who sought NOPD services?	CAD, NOPDAI Forms, PIB Intake, ISB Internal filing/reporting system		
3	Does NOPD use collected demographic and service data to identify and meet hiring needs for bilingual staff?	x		
4	How was the demographic data and service data used to meet hiring needs for bilingual staff?	NOPD reviews the local Census and assess by the number of LEP calls received by language to determine the additional need for resources		

5	How were employees assessed by NOPDAI exam to be considered bilingual?	The Civil Service department has contracted a third-party to issue and score the test for bilingual employees.		
6	How many were approved?	3 during the audit period		
7	Where are the records for the proficiency and qualifications maintained?	Community Engagement Office (NOPDAI List) and Civil Service		
8	What are the pay differences?	5% pay increase		
9	What consideration is provided during performance evaluations?	Supervisors of AIs are instructed to give examples of incidents including interpretations from their subordinates. Also supervisors are asked to verify the employees NOPDAI status.		
10	When was it last updated?	12/6/2022		
11	When was the last updated NOPDAI list provided to the Orleans Parish 911 Communications Center?	12/6/2022		
12	What local and state-wide organizations and community organizations has NOPD established relationships as a source for qualified bilingual applicants?	No new relationships established during the audit period.		
13	Can the NOPD provide a list of the organizations?	Yes		
14	How does NOPD continue those relationships? (Meetings, e-mail, phone calls, etc.)	Our team continues conversations via email, telephone calls and in-person if meetings are necessary.		
15	Does the NOPD have a list of those interactions?	Yes		

16	What community organizations serving LEP communities encountered by NOPD have received the plan?	City of New Orleans Health Department, Family Justice Center, Louisiana Supreme Court, Louisiana Language Access Coalition, Familius Unidas, Viet, VOYLA, EMS, Sexual Trauma Awareness and Response (STAR), Lighthouse Louisiana, CCANO, Nuestra Voz		
17	How does coordinator assess the effectiveness and efficiency of the plan?	Attached		
18	Are there written reports or documents that explain the assessments of the language assistance plan?		None during the audit period	
19	Where are the reports to the Superintendent regarding needed improvements and accountability concerns?			x; no recommendations were given during the audit period.
20	What changes did the Superintendent (or designee) make to ensure the language assistance plan is effective?			x; no recommendations were given during the audit period.
21	Where are those changes documented?			x
22	What is the process of consulting with representatives of the LEP community to develop and annually review implementation of the language assistance plan?		None during the audit period	
23	Are there reports documenting the consultations?			x
24	What other evidence does the department have of annual reviews with the LEP community?	Emails with partners and meeting notes		

25	How has the collaboration with the LEP community helped ensure the language assistance plan's effectiveness?	The meetings attended help the department understand the needs of the LEP community and ensure NOPD is achieving assistance measures as reasonable as possible.		
26	How has the collaboration with the LEP community enhanced the accuracy and quality of NOPD language assistance services?	x		
27	What is the process for determining whether new documents, programs, services and activities need to be made accessible for LEP individuals?	The Language Access Coordinator and PSAB manager review documents and incidents most frequently answered for LEP individuals and ensure documents related to the most frequent calls are translated. Department initiative programs and flyers translated and published with advertisement of events.		
28	Where are the reports documenting the number of LEP persons requiring NOPD services and their primary language?	CAD and NOPDAI forms		
29	Where is the documentation of bilingual staff who have been evaluated for language proficiency?	Maintained in Civil Service and Community Engagement Unit		
30	How did PIB ensure the NOPDAI was not involved in the complaint?	PIB has 2 NOPDAIs assigned to their office. If the assigned NOPDAI is target of the complaint, the bureau request an uninvolved AI to take the complainant's statement. The target AI is not involved in the interview or intake process.		

31	How has the NOPD compared response times between LEP and non-LEP individuals seeking assistance?	Chart provided		
32	What documents does the NOPD have explaining the response times?	Refer to "Recommendation" section. Corrective Action Plan to come.		
33	What were the results between LEP and non-LEP calls?	Chart provided		

LEP			TimeCreate	
Median	Code	CountItem	3/1/2022	8/31/2022
234.44	Code 1	236		
11.05	Code 2	75		
62.66	Other	120		
104.95		431		
Not LEP				
Median	Code	CountItem		
84.00	Code 1	38,558		
9.77	Code 2	19,981		
45.82	Other	28,410		
34.45		86,949		

Audit Sheet 3

	March 1, 2022 - August 31, 2022	Answer	No	N/A	Comments:
1	How many requests did NOPD receive for LEP services (through OPDC or through direct interaction) as recorded in NOPDAI form?	587 (NOPDAI Forms); 531 (CAD data)			
2	How often did NOPD meet that need by:				
	a. Direct NOPDAI use	492			
	b. Electronic translation device	68			
	c. Ad-hoc interpreter (not acceptable)	1			Interpretation provided by non-NOPD employee
	d. Need not met	13			9 - interpreter no longer needed, 4 unavailable

	e. other:		13		1 - document translation, 4 transcriptions of BWC and audio interview, 1 bilingual individual. 7 ASL video usage
3	How many LEP victims and witnesses sought NOPD services for the past year?		78		This question has been answered based on the results from the Victim Witness Assistance Unit.
4	During the preceding year, how many people with bilingual skills have been hired by the NOPD?		13		
5	How many NOPDAI-certified translators did NOPD hire for Spanish-speaking persons?		9		Can the wording of this question be edited? Employees may not be hired for the sole reason of their ability to speak a language other than English.
6	How many NOPDAI-certified translators did NOPD hire for Vietnamese-speaking persons?		2		Can the wording of this question be edited? Employees may not be hired for the sole reason of their ability to speak a language other than English.
7	How many NOPD personnel are bilingual?	31 NOPDAIs			
9	How many times has the Orleans Parish 911 Center dispatched a NOPDAI?		531		
10	How many 911 calls did 911 call takers note a caller was LEP?		531		
11	How many of those 911 calls included the language of the LEP?		375		
12	How many times was a qualified interpreter used during interrogations and interviews?		15		14 Spanish 1 Vietnamese

13	Were any complaints filed by LEP individuals who stated they were not provided a qualified interpreter?	0			
	a. If so, how many?			N/A	
14	How many complaints were filed in the prior year?	0			2021 year
15	How many of those complaints were sustained?			N/A	
16	Of those sustained, did they all involve corrective action?			N/A	
17	How many bilingual personnel have been recruited in the prior year?				
a	Total bilingual recruited ___	627			
b	Spanish speaking ___	393			
c	Vietnamese speaking ___	13			
d	Other language speaking beyond just English ___	627			
18	How many incidents were there during the past year?	896 CAD and 53 interrogations/interviews			2021 CAD calls
19	How many times was an interpreter used during the past year?	548			
20	Of this year's, how many of each language were interpreters used? ¹	*			Will report in Annual Report
a	Spanish				
b	Vietnamese				
21	How many times were each of the language interpreters used by telephone or in-person?				The numbers below are for incidents during this audit period.
a	Spanish telephone	277			
b	Spanish in person	204			
c	Vietnamese telephone	3			

¹ Due to the date of completion of this report we will give the 2022 calls and incident specifics in the 2022 Limited English Proficiency Annual Report.

d	Vietnamese in person	1			
22	How many LEP individuals file a complaint in the prior year?	0			2021 year
23	How many LEP individuals file a complaint to date this year?	1			2022 year
24	How many complaints were received at PIB by those speaking Vietnamese or Spanish?	1 - Spanish			2022 year
25	How many statements or interviews were taken by those speaking Vietnamese or Spanish?	1 - Spanish			2022 year

CAD Dispositions						
DUP	GOA	RTF	VOID	NAT	UNF	BLANK
36	203	193	19	78	1	1

Review of Deficiencies

The below listed information reveals the deficient outcome of the Auditor’s checklist.

- *What were the results between LEP and non-LEP calls?*

Currently the NOPD is taken a granular analysis to determine and resolve response times for LEP vs. Non-LEP calls. While holding supervisors accountable to manage those particular calls and utilized the mobile data terminal installed for their use. Continued training, Roll Call specific topics, LEP spot checks, and conducting qualitative interviews will allow the department to gain perspective on the matter. The qualitative interviews will include obtaining real time information as steps are conducted from the time the LEP call reaches dispatch to the officer arriving on the scene of the incident. Another suggested action is working with Orleans Parish Communication District to evaluate different measures taken that can possibly delay times in dispatch.

Recommendations

During the audit the Innovation Manager noticed questions that were repetitive in nature and requested the same information. Those questions were deleted to reduce providing receptive information and only answered one time. Manager also asked for the rewording of two questions for clarity. These questions stated employees were being hired for the sole purpose of interpreting and/or translating and the Department does not hire based on bilingual abilities entirety. (How many NOPDAI-certified translators did NOPD hire for Spanish/Vietnamese-speaking persons?) These questions will be reworded for the next audit.

Conclusion

The NOPD has certified three (3) additional Authorized Interpreters during this audit period. However, as personnel changes and employees are separating from the Department this also impacts the number of AIs the department maintains. The NOPD continues to have 31 NOPDAIs as personnel changes occur. The Department is exploring multiple avenues to better assist the citizens of New Orleans. Of those include providing more officers with Department issued Cellular Devices. This measure will provide swifter time to obtain an interpreter via the language line using VOIANCE.

As the NOPD serve the LEP Community, citizens and tourists, the department continues to explore avenues to improve its strategies and inclusiveness.