



# Limited English Proficiency Audit Report

August 10, 2023

Audit Team – Off. Leslie Guzman

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

## *Executive Summary*

Language Access Coordinator, Officer Leslie Guzman, and 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 addresses consent decree and policy requirements of the existence of relevant policies and plan, accessible translated resources, documentation, and recordation of services provided, Public Integrity Bureau (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, interviews and interrogations of LEP individuals, and Orleans Parish Communications District (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 **September 1, 2022 – February 28, 2023**. The Public Integrity Bureau, Recruitment, Investigation and Support Bureau, and the Human Resources Division 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 (1), Chinese (2), French (4), Mandarin (1), Portuguese (3), and Russian (2). The VOIANCE services were used to serve the needs during these specific incidents. In November of 2022, the Department provided an additional one hundred (100) smartphones that were 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.

## *Table of Contents*

### **Contents**

|                                      |    |
|--------------------------------------|----|
| <i>Executive Summary</i> .....       | 2  |
| <i>Table of Contents</i> .....       | 3  |
| <i>Audit Checklist Results</i> ..... | 4  |
| <i>Review of Deficiencies</i> .....  | 14 |
| <i>Recommendations</i> .....         | 15 |
| <i>Conclusion</i> .....              | 15 |

## *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 (NOPD Authorized Interpreter list) lists, distribution of information to NOPD personnel, and meeting notes and agendas with LEP collaborators. The audit checklist has been modified and reorganized by Bureau sections and audit topics for better understanding of the audit results.

Below is the checklist with the responses of Yes, No, Not Applicable (N/A), or clarifying comments used to verify requirements according to the Consent Decree specified paragraphs and NOPD Policies:

### *Audit Sheet 1: Public Integrity Bureau (PIB)*

| <b>PIB</b>   | <b>Answer</b> |
|--|---------------|
| Have any complaints been filed at PIB regarding a failure to provide language assistance?  | No            |
| Were there any sustained charges for failure to provide language assistance?   | N/A           |
| Did the sustained complaints lead to meaningful corrective actions?  | N/A           |
| Were any complaints filed by LEP individuals who stated they were not provided a qualified interpreter?  | No            |
| a. If so, how many?  | N/A           |
| Did PIB track the resolutions?   | N/A           |
| How many complaints were filed in the prior year?  | 0             |
| How many of those complaints were sustained?   | N/A           |
| Of those sustained, did they all involve corrective action?  | N/A           |
| Do PIB and OIPM have explanations of the complaint process and complaint forms in Spanish and Vietnamese posted online (and other languages available upon request)? | Yes           |
| Does PIB have a process for taking, and tracking citizen complaints filed by LEP individuals?  | Yes           |
| How many LEP individuals filed a complaint in the prior year?  | 1 - Spanish   |
| How many LEP individuals filed a complaint to date this year?  | 1 - Spanish   |
| Is there evidence the complainant received a complaint form in the appropriate language?   | Yes           |

|  |                               |
|--|-------------------------------|
| Is there evidence translation services were provided to the complainant?                                   | Yes                           |
| Does the NOPD have documentation listing the NOPDAI who conducted the interview or obtained the statement? | Yes                           |
| Were any LEP interviews conducted, or statements received in duty locations other than PIB?                | No                            |
| How did PIB ensure the NOPDAI was not involved in the complaint?   | Following Ch. 55.4 para 35-38 |

***Audit Sheet 2: Recruitment/Human Resources***

| <b>Recruitment/Human Resources</b>  | <b>Answer</b>   |
|---|---|
| Does NOPD use collected demographic and service data to identify and meet hiring needs for bilingual staff?   | Yes   |
| How was the demographic data and service data used to meet hiring needs for bilingual staff?  | N/A; NOPD hires based on qualified applicants received.   |
| During the preceding year, how many people with bilingual skills have been hired by the NOPD?   | 46  |
| How many NOPD personnel are bilingual?  | 31 (29 Spanish; 2 Vietnamese)   |
| Does NOPD have a process for recruiting qualified bilingual personnel?  | Yes   |
| Is the process sufficient to achieve the goal of recruiting qualified bilingual personnel to meet demonstrated service needs?                           | Yes   |
| How many bilingual personnel have been recruited in the prior year?   |   |
| Total bilingual recruited ____  | 492   |
| Spanish speaking ____   | 313   |
| Vietnamese speaking   | 8   |
| Other language speaking beyond just English ____  | 171   |
| What local and state-wide organizations and community organizations have NOPD established relationships as a source for qualified bilingual applicants? | Golden Change, Inc., Hispanic Chamber of Commerce, National Asian Peace Officer Association, Asian Pacific American Society, TET (means Festival in Vietnamese), Audubon Zoo                              |
| Can the NOPD provide a list of the organizations?   | See above   |
| How does NOPD continue those relationships? (Meetings, e-mail, phone calls, etc.)   | Recruiters maintain contact with the above-listed organizations and contacts throughout the year. In the future, Recruiters must contact local and state-wide organizations at least once per quarter via |

|  |  |
|--|--|
|  | email, documented phone calls, or attendance at an event.          |
| Does the NOPD have a list of those interactions? | Yes, the list is documented and maintained with MSB Chief of Staff |

***Audit Sheet 3: Interviews and Interrogations***

| <b>Interviews and Interrogations</b>  | <b>Answer</b>  |
|---|--|
| Does the NOPD have interrogation and interview protocols for LEP individuals?         | Yes; Ch. 55.4, Ch. 42.10, Ch. 42.11                        |
| How many times was a qualified interpreter used during interrogations and interviews? | 31 - Spanish 23; Vietnamese 1; Haitian Creole - 6; ASL – 1 |

| <b><i>Audit Sheet 4: New Orleans Police Department Authorized Interpreters (NOPDAIs)</i></b><br><b>NOPDAIs</b> | <b>Answers</b>  | <b>Comments</b>                                     |
|--|---|---|
| How many NOPD personnel were certified as translators for Spanish-speaking persons?                            | 2   | Question was reworded as recommended in last audit. |
| How many NOPD personnel were certified as translators for Vietnamese-speaking persons?                         | 0   | Question was reworded as recommended in last audit. |
| Has the NOPD implemented incentives for bilingual employees to become NOPDAI?                                  | Yes   |   |
| Do the incentives include pay differentials?   | Yes   |   |
| What are the pay differences?  | 5% pay increase   |   |
| Do the incentives include consideration during performance evaluations?  | Evaluation question 9 requires supervisors to indicate if their subordinate is an NOPDAI. In those cases, supervisors should use one incident to describe the employee performing is/her NOPDAI duties. |   |
| What consideration is provided during performance evaluations?   | In those cases, supervisors should use one incident to describe the employee performing is/her NOPDAI duties.   |   |

|   |   |   |
|---|---|---|
| Do the incentives include choices in assignments?   | No  |   |
| How many assignments were at least partially met by bilingual ability?                          | N/A   |   |
| Where is the documentation of bilingual staff who have been evaluated for language proficiency? | N/A   | Civil Service keeps the records and scores of NOPDAI test results. The LAC maintains the NOPDAI List. |
| Does that documentation include the following:  |   |   |
| a. Staff are listed by language   | Yes   |   |
| b. Staff are listed by job title  | Yes   |   |
| c. Staff are listed by level or proficiency   | N/A the test only provides a "Pass" or "Fail" scoring system and not by level of proficiency. |   |
| d. Staff listed by vital documents translated   | N/A Documents are translated by a third party.  |   |
| e. Staff listed by languages into which the documents were translated                           | N/A Documents are translated by a third party.  |   |
| How were they assessed by NOPDAI exam to be considered bilingual?                               | Certification test is administered by a third-party contractor.                               |   |
| How many were approved?   | 2   |   |
| Where are the records for the proficiency and qualifications maintained?                        | NOPDAI List   |   |
| Can the NOPD provide the list of NOPDAI?  | Yes   | The list is maintained and posted on an internal portal for employee reference (NOPD WebApps).        |
| Is the NOPDAI list current?   | Yes   |   |
| When was it last updated?   | 3/20/2023   |   |

***Audit Sheet 5: Orleans Parish Communications District Records (OPCD)***

| OPCD Records  | Answers |
|---|---------|
| Can the OPCD provide a list of personnel who were provided the LEP SOP? | Yes     |

|   |           |
|---|-----------|
| Can the NOPD provide a list of all personnel trained in providing language Assistance to LEP individuals?   | Yes       |
| Is there an adequate lesson plan for personnel trained in providing language assistance to LEP individuals? | Yes       |
| When was the last updated NOPDAI list provided to the Orleans Parish 911 Communications Center?             | 3/20/2023 |
| Does the NOPDAI list concur with the Orleans Parish 911 Communications Center?                              | Yes       |

***Audit Sheet 6: Language Assistance Plan Review and Recommendations***

| <b>LAP Review and Recommendations</b>   | <b>Answers</b> |
|---|----------------|
| 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? | Yes            |
| Does the policy comport with best practices and professional standards?   | Yes            |
| Does the NOPD have a list of documents subject to translation to Spanish and Vietnamese when publicly disseminated?                                   | Yes            |
| Does that list include:   |                |
| Consent to search forms?  | Yes            |
| Witness and victim statement forms?   | Yes            |
| Citation forms?   | Yes            |
| Victim rights notification forms?   | Yes            |
| Citizen complaint forms?  | Yes            |
| notices advising LEP persons of free language assistance in connection with NOPD activities?  | Yes            |
| Does NOPD have a record of annual review of forms in need of update or newly translated forms pursuant to its Language Access Plan?                   | Yes            |
| Was the language assistance plan and policy translated into Spanish and Vietnamese?   | Yes            |
| Can the NOPD provide a copy in Spanish and Vietnamese?  | Yes            |
| Was the plan translated into any other languages?   | No             |
| If so, what languages?  | N/A            |
| Have the Spanish and Vietnamese translations been posted on the website?  | Yes            |
| Are the English and translated versions posted in the public area of the following:   |                |
| a. Each district?   | Yes            |



|   |  |
|---|--|
| b. SOD?   | Yes  |
| c. Headquarters?  | Yes  |
| d. PIB Building?  | Yes  |
| 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   |
| Does the NOPD have a list of the organizations and when they received the plan?                             | Yes: Plans have not been given to any new or different organizations during this audit period.   |
| Can the NOPD provide a list of personnel who were provided the LEP plan?                                    | Yes: Plans have not been given to any new or different organizations during this audit period.   |
| Does the NOPD have a language access coordinator?   | Yes; Off. L. Guzman  |
| How does the coordinator coordinate and monitor compliance with the language assistance plan?               | Yes  |
| How does coordinator assess the effectiveness and efficiency of the plan?                                   | Use data and call response interpretations provided to determine if the needs of the LEP community are being met by NOPD's current resources and adjust to the deficiency or suggest more resources of the needs when possible. Provided recommendations to deficiencies of service as needed. |
| Are there written reports or documents that explain the assessments of the language assistance plan?        | Yes  |
| Where are the reports to the Superintendent regarding needed improvements and accountability concerns?      | 2022 Annual Report in Recommendation Section   |
| What changes did the Superintendent (or designee) make to ensure the language assistance plan is effective? | Providing additional Department phones in the districts to allow for more use and access to the electronic   |

|  |   |
|--|---|
|  | interpretation services when needed/requested.  |
| Where are those changes documented?  | LEP Annual Report 2022  |
| What is the process of consulting with representatives of the LEP community to develop and annually review implementation of the language assistance plan? | Attending scheduled meetings and developing open dialogue with attendees of the meetings asking for opinions of the current practices of NOPD and if there are any known complaints or suggestions regarding NOPD's LEP services.   |
| Are there reports documenting the consultations?   | Meeting Agendas/Meeting Minutes   |
| What other evidence does the department have of annual reviews with the LEP community?   | Hispanic Heritage Presentation at NOLA Public School all staff meeting on 09/20/22; Carver High School partnered with Las Sierras Academy on 09/28/22   |
| How has the collaboration with the LEP community enhanced the accuracy and quality of NOPD language assistance services?                                   | Listening to other agencies during the City Language Committee meetings share their processes and protocols to determine if NOPD can alter its methods or decide if we are providing the best services as resources are available. Collaboration with other agencies has prompted them to ask for assistance and mirror NOPD's Plan. Meetings held on 01/05/23 03/08/23 |
| What is the process for determining whether new documents, programs, services, and activities need to be made accessible for LEP individuals?              | Identifying what forms are being used or requested most frequently by citizens and citizen presence at events to determine if more advertisement needs to be utilized.  |
| Are there reports documenting the ongoing efforts?   | 2022 LEP Annual Report and Community Engagement Annual/Quarterly Reports <sup>1</sup>   |

<sup>1</sup> Annual and Quarterly Reports can be found at <https://nola.gov/nopd/nopd-consent-decree/>

**Audit Sheet 7: Limited English Proficiency (LEP) Services Count<sup>2</sup>**

| <b>LEP Services count</b>  | <b>Answer</b>                               |
|--|---|
| 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. | Yes   |
| How many requests did NOPD receive for LEP services (through OPDC or through direct interaction) as recorded in NOPDAI form?   | 366 CFS; 107 NOPDAI Forms <sup>3</sup>      |
| How often did NOPD meet that need by:  |   |
| a. Direct NOPDAI use   | 40  |
| b. Electronic translation device   | 6   |
| c. Ad-hoc interpreter (not acceptable)   | 1; bilingual family member                  |
| d. Need not met  | 0   |
| Has the department identified and assessed demographic data for the LEP individuals within the City and each police district?  | Yes   |
| Where is the data maintained for LEP individuals who sought NOPD services?   | CAD, NOPDAI Forms, ISB and PIB file records |
| How has the NOPD compared response times between LEP and non-LEP individuals seeking assistance?   | See LEP response time chart                 |
| What documents does the NOPD have explaining the response times?   | See LEP response time chart                 |
| What were the results between LEP and non-LEP calls?   | See LEP response time chart                 |
| How many times has the Orleans Parish 911 Center dispatched a NOPDAI?  | 6; possible rewording of this question.     |
| How many 911 calls did 911 call takers note a caller was LEP?  | 366   |
| How many of those 911 calls included the language of the LEP?  | 338   |

<sup>2</sup> The incidents in the audit sheet below only reflect the incidents by calls for service and does not include PIB complaints nor interviews/interrogations.

<sup>3</sup> After reviewing the calls for service and removing the GOA, DUP, and VOID calls 189 of the calls received are reviewed for assessment. Of those calls 179 LEP individuals were bilingual and did not require interpretation services.

|   |  |
|---|--|
| How many incidents were there during the past year?   | Possible deletion; answered in LEP Annual Reports.   |
| Where are the reports documenting the number of LEP persons requiring NOPD services and their primary language? | NOPDAI forms and CAD   |
| During the audit period, how many of each language were indicated LEP for interpretation?                       | Arabic 1<br>ASL 1 (GOA)<br>Chinese 2<br>French 4<br>Mandarin 1<br>Portuguese 3<br>Russian 2<br>Spanish 318; Vietnamese 6 |
| How many times were each of the NOPDAI language interpreters used by telephone or in-person?                    |  |
| a. Spanish telephone  | 13   |
| b. Spanish in person  | 22   |
| c. Vietnamese telephone   | 4  |
| d. Vietnamese in person   | 1  |

|                                  |     |     |      |     |
|----------------------------------|-----|-----|------|-----|
| CAD <sup>4</sup><br>Dispositions |     |     |      |     |
| DUP                              | GOA | RTF | VOID | NAT |
| 27                               | 138 | 139 | 12   | 50  |

***DUP = Duplicate call with an existing item number.***

***GOA = Gone on Arrival, when the officers responded or arrived on the location of the incident documented by OPCD and the LEP individual requesting NOPD services were no longer at the location.***

***RTF = Report to Follow, the officer documented the incident in the proper NOPD Report (EPR).***

***VOID = Void, the call was voided/deleted by OPCD for reason.***

***NAT = Necessary Action Taken, the officer completed the assignment (took the proper action) without being required to document the interaction in an EPR.***

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<sup>4</sup> Computer Aided Dispatch (CAD).

## LEP vs. Non-LEP Response Time Chart<sup>5</sup>

### LEP

| MedianRT    | Code   | CountItem  |
|-------------|--------|------------|
| 163.0       | Code 1 | 139        |
| 15.5        | Code 2 | 64         |
| 54.5        | Other  | 124        |
| <b>72.8</b> |        | <b>327</b> |

TimeCreate

9/1/2022

2/28/2023



### Not LEP

| MedianRT    | Code   | CountItem     |
|-------------|--------|---------------|
| 64.8        | Code 1 | 36,041        |
| 10.5        | Code 2 | 16,735        |
| 44.7        | Other  | 27,951        |
| <b>34.4</b> |        | <b>80,727</b> |

\*The response times are captured in minutes.

## Audit Sheet 8: Training Assessment

| Training  | Answer  |
|---|---|
| Can the NOPD provide a list of all personnel trained in providing language Assistance to LEP individuals?   | Yes; NOPDAI Training (31), In-service (902), and recruit training (26) <sup>6</sup>               |
| Is there an adequate lesson plan for personnel trained in providing language assistance to LEP individuals? | Yes; taught in annual in-service and during NOPDAI recertification class (scheduled for 07/07/23) |
| Does the lesson plan and training include   |   |
| a. NOPD's LEP plan and policies; and the requirements of Title VI and the consent decree?                   | Yes   |
| b) How to access NOPD-authorized telephonic and in-person interpreters?                                     | Yes   |
| c) How to work with interpreters in the field?  | Yes   |
| d) Cultural diversity?  | Yes   |
| e) How to communicate with LEP individuals in commonly encountered scenarios?                               | Yes   |

<sup>5</sup> The LEP Dashboard does not capture calls with the disposition of VOID or DUPLICATE; these additional dispositions are counted in the CAD data.

<sup>6</sup> [2022 Education and Training Annual Report](#)

|   |     |
|---|-----|
| f) Basic command of Spanish or Vietnamese, for officers assigned to Districts with significant LEP populations? | Yes |
|---|-----|

|   |     |
|---|-----|
| Does the Training Academy provide recruit instructional hours in how to communicate with LEP individuals in commonly encountered scenarios? | Yes |
| a. How many hours?  | 40  |
| b. Are the number of hours adequate?  | Yes |

**Audit Sheet 9: Total Services Count**

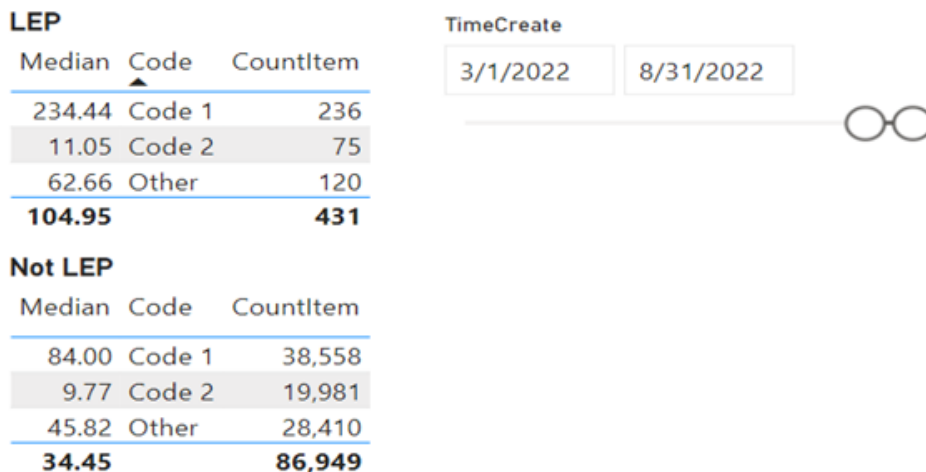
| Total  | Answer   |
|--|--|
| How many LEP victims and witnesses sought NOPD services for the past year? | 398 - (31 Interviews/Interrogations, 1 PIB Complaint, and 366 CFS) |

**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?*

The LEP Response Dashboard has shown a decrease in response times for LEP calls for service since the previous audit (see chart below); however this remains an area for improvement. The LAC will continue to train officers on how to obtain a NOPDAI and utilize the electronic interpretation device for swifter services. It was noted in this audit that most of the calls for service were for bi-lingual LEP individuals.



*\*The response times are captured in minutes.*

### ***Recommendations***

There are currently no recommendations for the LAC regarding the use and services provided to the LEP community. NOPD will continue to track and assess its services as Department resources increase.

### ***Conclusion***

The NOPD has certified one (1) additional Authorized Interpreter during this audit period and the Department continues to maintain 31 NOPDAIs as personnel changes occurred. As the NOPD serves the LEP Community, citizens and tourists, the department continues to maximize their resources and provide continuous training to the Department to ensure the LEP community receives adequate services.