

**DEPARTMENT OF POLICE ACCOUNTABILITY &  
LANGUAGE ACCESS WORKING GROUP'S RECOMMENDATIONS TO ENHANCE  
SFPD'S LANGUAGE SERVICES<sup>1</sup>**

**I. TRAINING**

**A. INTERPRETER TRAINING FOR CERTIFIED BILINGUAL OFFICERS**

***1. Issue***

It is well established that being an interpreter requires skills and training beyond bilingualism. To ensure that certified bilingual officers receive interpreter training, Department General Order 5.20 (Language Access Services for Limited English Proficient (LEP) Persons) specifically requires the Department to provide interpreter training for certified bilingual officers on interpreting techniques, roles, terminology, and ethics in accordance with confidentiality and impartiality rules. (See DGO 5.20 (II) (E).). The Department has not provided interpreter training for its certified bilingual officers, despite repeated recommendations from the Department of Police Accountability and the Language Access Working Group since DGO 5.20's adoption in 2007.

***2. SFPD Action Steps***

- Immediately develop interpreter training or alternatively, hire an outside agency to provide bilingual officer interpreter training. Interpreter training for bilingual officers should include assessment on interpretation skills to ensure information retention.
- The Language Access Working Group strongly recommends that the Department consider the Asian and Pacific Islander Institute on Gender Based Violence's proposal for bilingual officer interpreter training that it submitted on September 21, 2016.

**B. RE-CERTIFICATION OF BILINGUAL OFFICERS**

***1. Issue***

Language proficiency is a perishable skill. Currently, once an officer passes the Department of Human Resource's test for language proficiency, the officer is forever entitled to bilingual pay and is considered a "qualified bilingual officer" for the purposes of Department General Order 5.20. The Police Department does not have any recertification requirements. The absence of a recertification procedure is inconsistent with best practices. The lack of

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<sup>1</sup> The Department of Police Accountability provided these recommendations to San Francisco Police Department Chief William Scott in a letter dated May 8, 2017 following Chief Scott's attendance to the Language Access Working Group's meeting on April 18, 2017. The Language Access Working Group is comprised of domestic violence and sexual assault service providers and attorneys, language access advocates, city agencies, a Police Commissioner, and the Police Department, a practice the Department of Police Accountability initiated in 2012 to enhance language access services.

recertification potentially jeopardizes the quality of an officer's interpretation which, in turn, can undermine the investigation and prosecution of cases and negatively impact an officer's ability to communicate with a victim, suspect, witness or community member.

## ***2. SFPD Action Steps***

- Implement a system of language proficiency recertification that requires retesting of all bilingual officers every 2-3 years
- Include a requirement of recertification of language proficiency in the 2017-2018 labor contract with SFPD officers
- Either obtain DHR's assistance or hire an outside contractor to provide recertification every 2-3 years

## **C. ADVANCED OFFICER AND FIELD OFFICER TRAINING AND POST CERTIFICATION OF LEP CURRICULUM**

### ***1. Issue***

Department General Order 5.20 states that the Department will provide periodic training on its LEP policies, including how to access in-person and telephone interpreters and how to work with interpreters. DGO 5.20 states that it shall conduct such trainings for new recruits, at in-service training and at roll-call at least every two years. (DGO 5.20 (III)(N). The two-hours of DGO 5.20 training for recruits is not POST certified. DGO 5.20 updates and language access issues are not included in advanced officer or field officer training.

The Language Access Working Group has repeatedly recommended that language access training be incorporated into the Field Training program and advanced officer curriculum. Topics should include how to use language access technology, updates in the law, and scenario-based exercises involving LEP issues.

### ***2. SFPD Action Steps***

- Incorporate language access training into the Field Training program and advanced officer curriculum.
- Include language access issues & requirements in all training modules and written materials.
- Obtain Police Officer Standard Training (POST) certification for current DGO 5.20 training

## **II. LANGUAGE SERVICES AT STATIONS**

### ***A. Issue***

Spanish-speaking and Cantonese-speaking domestic-violence survivors have reported significant wait times for language assistance to file a report at certain stations and instances where LEP victims/reportees have been told to come back later or sent to other stations. LEP

victims/reportees have also reported encounters with Police Service Aides at the stations who do not use language assistance to explain wait times or when a bilingual officer will be available to take a report. LEP reportees and service providers have repeatedly shared their concerns with the Department that many stations are not welcoming or user friendly which is further exacerbated when language assistance is not readily provided. Additionally, there is no privacy in the district station lobby where reportees often need to provide sensitive information about themselves and the nature of an incident. (For further discussion of domestic violence, immigration and language access concerns involving SFPD, see the Blue Ribbon Panel on Transparency, Accountability, and Fairness in Law Enforcement (July 2016), pages 20-21).

### ***B. SFPD Action Steps***

- Provide easily accessible information in multiple languages at each station that explains procedures such as how an LEP individual can file a report, talk with a bilingual officer, and obtain other police services.
- Prominently post that language services are free and available and include this information in district station newsletters.
- Require stations to identify the top language needs of the community in which the station is located and provide an incentive system so that stations are able to staff the stations with bilingual officers and Police Services Aides who speak the languages most needed.
- In each station and to the public, prominently post when bilingual officers and Police Service Aides are available and the language they speak.
- Conduct an audit using LEP reportees to evaluate the effectiveness of language access at all of the stations and implement improved accessibility where needed.

## **III. DISPATCHING BILINGUAL OFFICERS TO THE SCENE**

### ***A. Issue***

DGO 5.20 states that officers "shall provide oral interpretation services to LEP persons they encounter in the following order of preference unless deviations are required to respond to exigent circumstances." The priority is direct communication by a qualified bilingual officer, followed by a qualified civilian interpreter and last by a telephone interpreter. (DGO 5.20 (III)(D) Order of Preference.) Department General Order 5.20 requires SFPD's Language Access Liaison Officer to work in conjunction with Department of Emergency Management (DEM) "to establish a system that immediately identifies LEP calls and promptly dispatches language assistance, preferably with a bilingual officer speaking the needed language." (DGO 5.20 (III)(O)(1)(5).

In 2009, the Department of Police Accountability recommended a communication system that would enable 911 dispatchers to immediately identify the location and availability of bilingual officers to respond to LEP calls for service. For several years, the DPA in partnership with the Language Access Working Group worked with SFPD and the Department of Emergency Management to design and implement such a system. Although this system was to become operational in April 2013, it has never been fully implemented. When DEM dispatchers

identify a LEP caller, instead of relying upon the system that identifies an available certified bilingual officer, many dispatchers continue to put out a request for a bilingual officer and wait for a volunteer to respond. This approach is inefficient and does not comply with the system of dispatching available bilingual officers immediately as required under DGO 5.20.

#### ***B. SFPD Action Steps***

- Work with DEM to fully implement the dispatch procedure in which dispatchers identify and dispatch immediately an available bilingual officer to respond to a LEP call for service.
- Explain the new dispatch procedure to SFPD officers through a Department Bulletin.
- Once implemented, monitor compliance under the new procedure through an audit.

### **IV. LEP DATA COLLECTION AND ANALYSIS**

#### ***A. Issue***

DGO 5.20 states that officers "shall provide oral interpretation services to LEP persons they encounter in the following order of preference unless deviations are required to respond to exigent circumstances." The priority is direct communication by a qualified bilingual officer, followed by a qualified civilian interpreter and last by a telephone interpreter. (DGO 5.20 (II I)(D) Order of Preference.) DGO 5.20 requires the Department to collect and report on data including the number of calls for service, contacts and investigations involving LEP persons where an incident report was required and the manner in which interpretation services were provided. (DGO 5.20 (III)(O)(2-3)).

The Department of Police Accountability in partnership with Language Access Working Group recommended and worked with SFPD to add LEP data collection to the incident report writing system. This data collection will enable the Department to assess language needs and analyze the extent to which language services are being provided by bilingual officers, civilians or telephone interpreters. Mandatory LEP data collection was announced on February 26, 2016 via a Department "A" Bulletin (16-029 LEP Data Collection Crime Data Warehouse) and became effective on March 16, 2016. The Department has accumulated over a year's worth of LEP data though not yet reported publicly upon this data.

Upon the recommendation of the Department of Police Accountability and in partnership with the Language Access Working Group, in 2016 the Department required all officers to view the training video "Detecting and Overcoming Language Barriers" and to complete an on-line survey about language access services and training. SFPD has not yet analyzed and reported upon this data.

***B. SFPD Action Steps***

- Analyze and report upon the LEP data collected through the Crime Data Warehouse from March 2016-2017.
- Analyze and report upon the data collected through the on-line survey about language access services and training.