

Tucson Police Department
Limited English Proficiency Plan



January 2019

Ready to Protect

Proud to Serve

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Introduction

Most individuals in the United States read, write, speak and understand English. However, there are many individuals whose primary language is not English. Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English can be Limited English Proficient, or “LEP.” This language barrier may prevent individuals from accessing services and benefits.

There are two pieces of legislation that provide the foundation for the development of an LEP plan: Title VI of the Civil Rights Act of 1964, and Executive Order 13166. In some circumstances, failure to ensure that LEP persons can effectively participate in federally assisted programs may constitute discrimination based on national origin under Title VI. In order to comply with Title VI, the Tucson Police Department takes reasonable actions to provide competent language assistance. Executive Order 13166 clarifies requirements for LEP persons under Title VI. The Executive Order requires our agency to examine the services it provides, and develop and implement a system by which LEP persons can meaningfully access those services.

Four-Factor Analysis

There are four factors agencies should consider when assessing language needs and determining what steps they should take to ensure access for LEP persons. The four factors are:

1. The number, or proportion, of LEP persons eligible to be served, or likely to be encountered by a program, activity, or service of the recipient;
2. The frequency with which LEP individuals come in contact with the program;
3. The nature and importance of the program, activity or service provided by the recipient to people’s lives; and
4. The resources available to the recipient, and costs.

A brief description of TPD’s self-assessment undertaken in each of these areas follows.

1. The number, or proportion, of LEP persons eligible to be served, or likely to be encountered by a program, activity or service.

As of the 2010 Census, the total population within the City of Tucson is 520,116. Per the 2012-2016 American Community Survey (ACS), the estimated population is 527, 586. The estimated population of persons age five years and older is 495,223. Of this number, 168,724 or 34% speak a language other than English at home. Spanish speakers are the primary LEP persons likely to be encountered by Tucson Police Department employees. In Tucson, Spanish is the language spoken at home by 142,551 people, or 20% of the population five years and older. Of the 142,551 persons who speak Spanish at home, 24,103 or 17% report speaking English “not well” or “not at all.”

2. The frequency with which LEP individuals come in contact with the program.

Tucson Police Department assesses the frequency with which staff has, or could possibly have, contact with LEP persons. This includes examining Census data, telephone inquiries, requests for translated documents, and staff feedback. As discussed above, Census data indicate that there is a fairly large percentage (9.3%) of the general population of Tucson who are Spanish-speaking LEP persons. As a law enforcement agency, it is necessary to recognize this segment of the general population. Telephone inquiries and staff feedback also indicate that Spanish-speaking LEP persons have regular contact with police services. The Public Safety Communications Department (PSCD) currently subscribes to Language Line Services, a service that provides interpretation of 9-1-1 calls in 140 different languages. Language Line Services is used by Communications personnel to assist in determining a caller's language, name, address, telephone number, and a short narrative of the situation and the help needed, as well as with suspect information, if available, to ensure an appropriate dispatch of services.

The PSCD employs eight Spanish-speaking employees who interact with Spanish-speaking LEP callers. Currently, we operate with Intergraph which consists of both the former CAD and former RMS systems combined. In the records management system there are mandatory drop down boxes to ensure not only that LEP information is captured by officers at the point of contact, but also that this information is easily searchable and tracked within the database for periodic monitoring. Additionally, this database integrates any captured information on police contacts, as well as information recorded at the time of the emergency and non-emergency calls for service in the form of a call-taker notes field. This database enables us to tabulate the data and incorporate it as a component to our Department's Annual Report.

The Field Services Bureau comes into contact with Spanish speaking community members on a regular basis. Several translation and interpretation options are available to assist with these contacts. Language Line Services provides translation services over the phone for officers communicating with LEP individuals. Additionally, the Department currently has a list of approximately 100 personnel who are Certified Bilingual. 90% of these personnel are certified Spanish speakers.

3. The nature and importance of the program, activity, or service provided by the recipient to people's lives.

The Tucson Police Department has formed a partnership with the community and other public safety agencies in the area to provide quality services to protect life and resolve problems. Clear communication, no matter what language, with our citizens is critical in order for this partnership to occur. PSCD dispatchers and police service operators serve as the cornerstone in this partnership. Operators answer emergency and non-emergency calls from the public. Dispatchers send first responders on calls for service, and relay their requests to the appropriate sources. This communication interchange occurs 24 hours a day, 365 days a year. The Tucson Police Department has bilingual staff throughout the agency available to provide interpretation, and also has contracts for oral and written language assistance services.

In order to ensure our continuing transparency and accountability to the LEP community, the Tucson Police Department provides several methods for citizens to report misconduct. The TPD's Office of Professional Standards (OPS) is responsible for investigating internal and external complaints. The procedures for receiving and investigating such complaints are set forth in the OPS General Operations Manual, Section 200, and TPD General Order 3100. Members of the public may file a complaint of alleged police misconduct in writing, over the telephone, over the Internet, in person at the OPS, or in person to a supervisor at any TPD facility. The OPS sends complainants a letter acknowledging receipt of a complaint, which also contains a False Information Warning. The OPS sends this acknowledgement letter in both English and Spanish. The OPS has a complaint allegation category which allows users to identify a complaint as "failure to provide non-English language services."

In lieu of filing a complaint directly with the TPD, citizens may file a complaint with the Independent Police Auditor (IPA), an independent city agency. A complainant who is not satisfied with an OPS investigation may also contact the City's Citizen Police Advisory Review Board (CPARB), comprised of members appointed by the Mayor and the City Council. The CPARB reviews completed OPS investigations and provides non-binding recommendations to the OPS. As an alternative to an official OPS investigation, certain types of complaints are eligible for the TPD's Complaint Mediation Program, which is a voluntary program operated by the TPD, the IPA, and Our Family Services, a local non-profit resource. The City's Office of Equal Opportunity Programs (OEOP) is responsible for implementing anti-discrimination laws for the City of Tucson, including ensuring that LEP individuals are afforded meaningful access to all federally-assisted City programs and services in accordance with Title VI.

4. The resources available to the recipient and costs.

The Tucson Police Department continually assesses its available resources used to provide language assistance. This includes identifying bilingual staff, reviewing the existing City of Tucson contracts for professional translation-service providers, determining which documents should be translated, and deciding what level of staff training is needed. These services are available at no cost to the LEP community member.

The Tucson Police Department provides oral language assistance to LEP individuals through: (1) Language Line Services; (2) bilingual TPD employees; (3) interpreters contracting with the City of Tucson; and (4) friends or family members of LEP individuals or third-party bystanders. Additionally, for LEP individuals who are hearing impaired, the PSCD offers TTY services and is in the process of developing a "text to 911" program that will allow citizens to contact 911 via text. TPD offers language skills assessment and additional compensation to bilingual employees under two programs, the Second Language Pay Program (SLP) and the Certified Bilingual Commissioned Officer Program (CBCOP). The SLP is open to sworn and non-sworn City employees, is administered by the City of Tucson's Human Resources Department, and governed by TPD General Order 4033 and City of Tucson's Administrative Directive 2.01-ID, "Second Language Pay" (July 1, 2007). The CBCOP involves a more stringent assessment of an applicant's language skills and is only open to sworn TPD officers. The CBCOP is governed by TPD General Order 4034 and the TPD's "Certified Bilingual Commissioned Officer Program Guidelines and Procedures," and compensates officers who demonstrate fluency in Spanish.

Only those applicants who demonstrate fluency in speaking, comprehension, and reading of Spanish necessary to converse at a technical level pass the exams.

The Tucson Police Department determines what documents to translate into languages other than English by conducting an assessment consistent with the four-factor analysis contained in the Department of Justice (DOJ) Guidance. Specifically, TPD analyzes the number of LEP persons that would utilize the material, the frequency with which LEP individuals would come into contact with the material, the nature and importance of the material, and the resources available to translate the materials. Based on the large Hispanic and Latino population in the City of Tucson, much of the written materials, and all of the vital documents, have been translated into Spanish.

In accordance with the four-factor analysis described above, the Tucson Police Department developed the following plan for providing language assistance to LEP persons.

Components of the Plan

There are five areas that comprise the Tucson Police Department's LEP plan:

1. Identifying LEP individuals who need language assistance;
2. Language assistance measures;
3. Training staff;
4. Providing notice to LEP persons; and
5. Monitoring and updating the LEP plan.

1. Identifying LEP individuals who need language assistance

As stated above, the 2010 Census and the 2008-2010 American Community Survey data indicate that Spanish-speaking LEP persons are the primary group within the City of Tucson requiring language assistance. This information can also be used to identify concentrations of LEP persons within the service area. There are five zip code areas within the City that contain a higher proportion of LEP persons than the overall Tucson population: 85706, 85713, 85714, 85745 and 85756.

In general, there are higher populations of LEP persons on the south and west sides of the city of Tucson, and specifically in the area located between I-10 and I-19. Identifying concentrations of LEP persons helps to ensure that they receive the necessary language assistance measures. In addition to U.S. Census Bureau data, we have found the data collected by local school districts on the languages spoken by enrolled students in a given area to be helpful. This data provides information on the foreign language groups in a particular area and their relative size. We have established contacts with the various language departments for our area school districts so that we can better track our foreign language populations by area. The identified school districts include the Tucson Unified School District, the Amphitheater Unified School District, the Sunnyside School District, and the Flowing Wells Unified School District.

The Tucson Police Department also tracks its LEP population to monitor population shifts. In an effort to review the latest data available about our community's population, we have expanded

our data search to include the information contained in the American Community Surveys to be able to track emerging trends and population shifts more promptly. Through our Tucson Office of Emergency Management and Homeland Security section, we use the Urban Area Security Initiative (UASI) to track emerging refugee populations as well. This enables us to pinpoint how many refugees have resettled in Tucson and to accurately monitor the housing complexes in which the refugee populations have been resettled. The Department actively offers opportunities to meet with the prominent refugee groups that have settled in Tucson. From these meetings we gain information on updated population numbers, what languages are spoken, and how we can provide them with exceptional service to include language assistance. These meetings include an education component whereby we ensure that the refugees are fully aware of their rights to language assistance.

Additional measures to identify individual persons who may need language assistance:

- When attending neighborhood association meetings and other community meetings, Spanish-speaking staff are on hand, and staff members may document other language preferences using the Language Identification Flashcard (see Appendix – A, page 14). Our personnel are required to have those flashcards with them while in the field and at the substations. While staff may not be able to provide interpretation assistance at the time, the cards are an excellent tool to identify language needs for future events/meetings.
- Post a notice in English and Spanish of available language assistance in all customer service areas to encourage LEP persons to self-identify.

2. Language assistance measures

There are several language assistance measures available to LEP persons, including both oral and written language services. There are also various ways in which Tucson Police Department employees respond to LEP persons, whether in person, by telephone, or in writing.

In addition to the contracted interpretation services already discussed, the Tucson Police Department oral language services include bilingual staff in our Police Substations, Records Section, Office of Professional Standards, Public Information Office and Field Services Bureau. Bilingual staff are available upon request for a variety of presentations and events, and as a rule, Spanish-speaking staff is on hand at public meetings or forums intended for providing information and gathering public input. Additionally, Bilingual officers are available in all of the patrol divisions as well as the Investigative Services Bureau for other law enforcement related encounters with LEP individuals.

Contracts are also available for written language translation and interpretation services. Documents that are determined to be vital - documents without which a person would be unable to access services - are translated into Spanish or any other language as needed or requested.

The Tucson Police Department also provides officers with Language Identification Flashcards that allow an LEP individual to point to the language that the individual speaks. The Tucson Police Department monitors current population and Census data on an annual basis at

minimum, to ensure that we remain in compliance.

All of our other key documents, especially those relating to a citizen's rights, seizure of property, arrest information, or a provision of consent, are available in Spanish. We regularly monitor any new forms that become necessary, and changes to current necessary forms, to ensure that they continue to be translated in compliance with the safe harbor threshold.

The Tucson Police Department has signage in Spanish at all of the patrol substations. This signage provides instructions for LEP individuals on completing necessary forms, directs LEP individuals to customer service areas such as the Records section and public fingerprinting, warns LEP individuals of prohibited areas, and that free language assistance services are available. Additionally, our Tucson Police Department website allows a user to complete a Spanish version of an online crime reporting form and a records request form, and to access translated information on the Office of Professional Standards complaint mediation program.

Public Safety Communications Department

When a caller speaks a language other than English, and a Second Language certified Police Service Operator (PSO) is not available, contact is made with our telephone contract interpreter service, Language Line Services. The contractor provides conference call style interpreter service for a wide range of languages. Call takers are provided a "Linguinator Pronunciation Slide Glide." This language pronunciation tool provides phonetic instruction in 25 common languages. Using that tool, the call taker can provide basic instruction to the caller, in their language, until an interpreter is on the line to assist. It includes statements like "Please hold," "Please do not hang up," "Please hold for an interpreter," and similar. Additionally, the call taker will note in the call text if the caller is an LEP individual and the dispatcher will attempt to dispatch a Second Language Certified Police Officer.

Field /Investigative Personnel

When personnel encounter a member of the community in need of LEP assistance, they are strongly encouraged to first use the contracted interpreter service, Language Line Services. All field personnel are now equipped with cell phones so this is the most efficient method for facilitating translation services. For investigations that require an in person interpreter, the City provides a list of contracted translation services. This includes names of individuals and businesses within the community and our agency that can assist with specific interpretation services. Additionally, a comprehensive list of Certified Bilingual personnel can also be found on Wiki. This list includes the employee's second language, their work days and hours, their level of translation ability, and their contact information. Department Personnel understand that they may only use family members, friends, or bystanders of an LEP individual to interpret in unforeseen, emergency circumstances while awaiting a qualified interpreter.

Due to the serious nature of investigative interviews and the implications on the constitutional rights of the individuals involved, it is critical that employees utilize a qualified interpreter through the Language Line or a Certified Bilingual Officer if possible. In the case of an LEP individual who speaks a language other than English or Spanish, or in the case of illiteracy,

Miranda warnings and other vital documents will be read using the services of a qualified interpreter.

Due to the City's large population of Spanish speakers, the Tucson Police Department has been instructing Spanish Language Training as part of its basic recruit curriculum since 2006. All of our Basic Recruit students receive Spanish language instruction. Our Post-Basic Probationary Officers receive Spanish language instruction. Spanish language training was also introduced as part of the Advanced Officer Training (AOT) curriculum in 2005 and as part of the Community Service Officer curriculum in 2007.

Research and Analysis Unit

The Department's Research and Analysis Unit serves as the point of contact for the translation of documents for LEP individuals. If an employee recognizes the need for the translation of a non-translated document, they can coordinate through the Research and Analysis Unit.

Public Information Office (PIO)

The Public Information Office (PIO) serves as the primary contact for local, state, and national media outlets that request information regarding pending criminal investigations, as well as a direct link to the public. Current staff includes one sergeant and two police officers, one of whom is fluent in Spanish and the other is fluent in Russian. Calls are directed to these individuals as needed, and they address topics ranging from police service, to criminal investigations, to the policies and procedures of the Tucson Police Department. The PIO also produces a monthly internal communication, keeping our employees updated on the latest developments and events occurring within the agency.

In addition, the PIO office serves as the principal contact on police issues for Spanish language radio, television, and print media. This includes providing explanations for emerging issues, providing Public Service Announcements tracking and targeting current crime and traffic trends, and presenting crime related information through general interest programming. The PIO office also conducts individual presentations to groups and organizations, tours, and formal training programs for target audiences.

3. Training Staff

It is important that staff members, especially those having contact with the public, know their obligation to provide meaningful access to information and services for LEP persons. Even staff members who do not interact regularly with LEP persons should be aware of and understand the LEP plan. Training staff is a key element in the effective plan implementation.

The primary Tucson Police Department groups critical to the LEP plan are Patrol Officers and Patrol Sergeants, Community Service Officers, Police Service Operators, Records Specialists, Dispatchers, and Secretaries. These groups are most likely to encounter LEP persons, either in-person or by telephone, and thus to provide language assistance. LEP training for these groups occurs during their initial departmental training and updates during annual Advanced Officer

Training (AOT), and through our online training system, PowerDMS. The most recent and updated training was completed for all Department personnel via PowerDMS in January 2019.

Training topics for these groups include:

- Understanding the Title VI LEP responsibilities
- What language assistance services the Tucson Police Department offers
- Specific procedures to be followed when encountering an LEP person
- How to use the “I Speak...” multi-language identification flashcards
- How to contact translation services if needed
- Ensuring that Department personnel understand they can only use family members, friends, or bystanders to interpret in unforeseen, emergency circumstances while awaiting a qualified interpreter.

Tucson Police Department Administrators and Supervisors of areas that have public contact are crucial in implementing LEP policy. Copies of the LEP plan are distributed to all Division Administrators, and it is their responsibility to disseminate LEP plan information to their chain of command. Supervisors will ensure that their employees understand Title VI responsibilities. A summary of the LEP plan is addressed during initial training and orientation of new employees. The Public Information Office and Office of Professional Standards are also an integral part of the implementation of the LEP plan. They produce many written forms of communication to our citizens who have questions of our laws, department policies, and procedures.

Spanish Elective Classes

The Tucson Police Spanish Language Training program offers Spanish elective classes in the in an effort to provide continuous Spanish language training throughout the year to our commissioned police officers. The objectives of the Spanish elective classes are that the student will become proficient, confident, and take command of the language through practice and use. Spanish elective classes will be approximately 4 hours in length, and consist of 2-3 hours of instruction and 1-2 hours of hands on practical use in reality based scenarios.

4. Providing notice to LEP persons

The Tucson Police Department will continue to utilize qualified contractors to translate our official documents to ensure accuracy of those materials for our identified LEP populations. For less formal documents such as flyers or other document releases to the community, we have implemented the recommended quality control measure of having these documents coordinated through our PIO office which will take the necessary steps to ensure that Department personnel who participate in the CBCOP, or a non-departmental individual that is recognized for their competency in translation services, also reviews the document prior to release.

There are several ways that Tucson Police Department employees provide notice to LEP persons that language assistance measures are available, through both oral and written communications:

- The Tucson Police Department's non-emergency lines use an automated greeting in both Spanish and English, directing callers to select which language they prefer.
- The Tucson Police Department provides vital documents that are in both Spanish and English, indicating that the publication is accessible to Spanish speakers (i.e. Victim Right's Notification, Public Records Requests, Arrest Clearance Letters, Mediation /Complaint Process, Defensive Driving School, DDS).
- A statement on the Police Department's website indicating that language assistance is available.
- Notice at all public counters in English and Spanish that language assistance is available.
- The Tucson Police Department also provides officers with Language Identification Flashcards which allow an LEP individual to point to the language that the individual speaks.
- The TPD website allows a user to complete a Spanish version of an online crime reporting form and a records request form, and to access translated information on the Office of Professional Standards complaint mediation program.

5. Monitoring and updating the LEP plan

This plan is designed to be flexible, and should be viewed as a work in progress. As such, it is important to consider whether new documents and services need to be made accessible for LEP persons, to monitor changes in demographics and types of services, and to update the LEP plan when appropriate by the designated plan liaison from the Human Resources Division. At a minimum, the Tucson Police Department will review the LEP plan on an annual basis and update as needed. Additionally, the LEP plan will be updated to incorporate any recommendations provided by the Office of Civil Rights Compliance Review as needed.

We are incorporating long-term goals of establishing stronger ties to our refugee and LEP segments of our community as well as instilling routine periodic measures for monitoring our contacts with LEP individuals and for recognizing any shifts in the population of our community. In addition to maintaining the positive relationships that we have with our Spanish language community and continuing to work with the various ethnic media outlets using our PIO staff, we have department personnel that reach out to local refugee communities and organizations in order to build trust with those groups. The Department also offers Law Enforcement Orientation and Education Classes to both refugee adults and children, as well as establishes town hall meetings to improve the relationship between the refugee population and law enforcement. Our Research and Analysis Unit has consolidated a list of the various refugee community liaison personnel and organizations.

Summary

Our Department is not only committed to meeting all regulations as set forth by the DOJ in regard to servicing our LEP population, but also to providing an exceptional service to all segments of our community, ensuring that we are providing avenues and information to all of our citizens, so that we are open and accessible to them. We have shown our commitment to recruiting and retaining exceptional bilingual officers by increasing the compensation rate for those officers that are certified for their language skills, and who use those skills to help our

community. We have been long recognized as a leader in law enforcement for establishing strong bonds with our Spanish-speaking population, and continue to provide timely and useful information in a manner that is meaningful to them. Furthermore, we are a proactive Department that has extended our services and established connections with our refugee communities, offering orientation and education classes to them. We will continue to be receptive to the needs of our LEP community and expand our outreach efforts in a continuing effort to provide exceptional service.

National Origin Discrimination Complaints

National origin discrimination complaints from LEP persons are forwarded to the Office of Internal Affairs for investigation and review. Complainants can also be directed to the City of Tucson's Office of Equal Opportunity Programs (OEOP) according to City policy.

Dissemination of the LEP Plan

An electronic version of the Tucson Police Department's LEP Plan is available on the Police Department's website at <http://cms3.tucsonaz.gov/police>. Hard copies of the plan are provided to any person or agency requesting a copy. LEP persons may obtain copies/translations of the plan upon request.

LEP Plan Contact Information

Any questions or comments regarding this plan should be directed to:

Lieutenant Jamie Brady
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270 S. Stone
Tucson, AZ 85701
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Arabic أنا أتحدث اللغة العربية

Armenian Ես խոսում եմ հայերեն

Bengali আমি বাংলা কথা বলতে পারী

Cambodian ខ្ញុំនិយាយភាសាខ្មែរ

Cantonese 我講廣東話

Chamorro Motka i kahhon ya yangin ûntûngnu' manitai pat ûntûngnu' kumentos Chamorro

Dinka Riŋp êkēnē yic tē yījam nē thunjäy ye tōk, ku kor raan Bī yī geer thok.

Simplified Chinese 如果你能读中文或讲中文，请选择此框。

Traditional Chinese 如果你能讀中文或講中文，請選擇此框。

Croatian Govorim hrvatski

Czech Mluvím česky

Language Identification Flashcard ✓

Ik spreek het Nederlands

Dutch

English

I speak English

Farsi

من فارسی صحبت می کنم

French

Je parle français

German

Ich spreche Deutsch

Greek

Μιλώ τα ελληνικά

Haitian Creole

M pale kreyòl ayisyen

Hindi

मैं हिंदी बोलता हूँ ।

Hmong

Kuv has lug Moob

Hungarian

Beszélek magyarul

Ilocano

Language Identification Flashcard



Italian

Parlo italiano

Japanese

私は日本語を話す

Korean

한국어 합니다

Laotian

ຂ້ອຍປາກພາສາລາວ

Mandarin

我講國語。

Polish

Mówię po polsku

Portuguese

Eu falo português do Brasil
(for Brazil)

Portuguese

Eu falo português de Portugal
(for Portugal)

Romanian

Vorbesc românește

Russian

Я говорю по-русски

Serbian

Ja говорим српски

Sl

Language Identification Flashcard



Spanish

Yo hablo español

Somali

Waxaan ku hadlaa af-Soomaali

Tagalog

Marunong akong mag-Tagalog

Thai

พูดภาษาไทย

Tongan

Maaka 'i he puha ni kapau 'oku ke lau
pe lea fakatonga

Ukrainian

Я розмовляю українською мовою

Urdu

میں اردو بولتا ہوں

Vietnamese

Tôi nói tiếng Việt

Yiddish

איך רעד יידיש

American Sign Language

