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Foreign Language Interpreters		



Cross Reference: 10.07

Supervisor's Manual: 1.00

I. Introduction

- A. Division personnel will occasionally encounter limited English proficient (LEP) individuals who require police services. The inability to effectively communicate due to a language barrier can be frustrating for both parties. During these encounters, Division personnel should remain calm, patient, and courteous, as ensuring maximum communication ability between the Division and all segments of the community serves the interest of both.
- B. The purpose of this directive is to establish guidelines for Division personnel who provide services to or interact with LEP individuals, consistent with law.

II. Definitions

A. Bilingual

The ability to use two languages proficiently.

B. Interpretation

The act of listening to a communication and orally converting it into another language while retaining the same meaning.

C. Limited English Proficient (LEP)

A term describing individuals whose primary language is not English and who have a limited ability to read, write, speak, or understand English.

Note: LEP individuals may be competent in certain types of communication, but limited in others (for example, competent in speaking and understanding, but limited in reading and writing).

D. Qualified Interpreter

1. A Division employee who is able to speak and comprehend an LEP individual's native language and who has demonstrated proficiency by receiving a rating of Level 9 or higher on the ALTA Language Services Law Enforcement Officer Speaking and Listening Exam; or
2. A Division-contracted vendor employee who is able to effectively interpret with LEP individuals and Division personnel.

E. Translation

The act of replacing written text with the equivalent written text in another language.

III. Policy Statements

- A. Sworn personnel encountering LEP individuals shall make all reasonable attempts to provide equitable and appropriate police services as needed.
- B. Sworn personnel who conduct a **custodial** interrogation of an LEP suspect, or who conduct an interview of an LEP **suspect**, witness, or victim **once it is apparent charges are likely to be filed**, shall use a qualified interpreter within the Division or from the Division-contracted vendor. Sworn personnel shall not use any individual as a qualified interpreter who has a conflict of interest with the investigation.
- C. Sworn personnel may request a qualified interpreter, **request** any on-duty bilingual Division employee, **or use an approved translation application on a Division-issued mobile phone** to:
 - 1. Gather preliminary information in exigent circumstances, or
 - 2. Provide assistance in situations not involving criminal or critical witness interviews or interrogations (for example, take a report or mediate a dispute).
- D. Sworn personnel should only use a family member, friend, or bystander to gather preliminary information in exigent circumstances.
- E. Division personnel shall only serve as a qualified interpreter after demonstrating language proficiency and recertifying their proficiency every two years according to the procedures outlined in Section IV.C.

IV. Procedures

A. Division Personnel

- 1. Attempt to establish communications and determine the need to contact a qualified interpreter or a bilingual Division employee.
- 2. When there is a need for a qualified interpreter:
 - a. Attempt to determine for which language a qualified interpreter is needed. Use the **Language Identification Card published on the "Online Forms" page of the Division intranet** or an electronic translating application.
 - b. Determine if a qualified interpreter is available within the Division by reviewing the Qualified Interpreter List **published on the "Directories" page of the Division intranet**.
 - (1) Contact Communications personnel and request an on-duty employee to respond, if available.
 - (2) If only an off-duty employee is available, contact a Division supervisor for approval and to make the necessary notifications.
 - c. Contact ASIST Translation Services (614-451-2027) to request a qualified interpreter when one is unavailable within the Division and provide the following:
 - (1) Date and time
 - (2) Location of the assignment

- (3) Name of the Division employee in need of a qualified interpreter
- (4) Case number if available
- d. Contact a sworn supervisor if guidance is needed regarding Division-contracted vendor interpreting services.
 - (1) When requesting an on-site qualified interpreter and the need is at least two business days in advance, complete the ASIST Translation Services Interpreter Request Information Form and email it to interpreting@asistranslations.com. The form is available through the "Online Forms" link on the Division's intranet.
 - (2) If an on-site qualified interpreter is not needed, Telephone Interpreting Services are also available by dialing 1-855-607-7555.
 - (a) State the language needed.
 - (b) Use the access code of 87610.
 - (c) State your name and the LEP individual's name.
 - (3) When a qualified interpreter from the Division-contracted vendor is used, complete a Sign/Foreign Language Interpreter Use Report, form A-31.104, and forward it to the Fiscal Operations **office**.

Note: The qualified interpreter may present a verification form requiring a signature upon his or her arrival and/or departure.

- 3. For criminal investigations:
 - a. List qualified interpreters as witnesses.
 - b. Collect written communications as evidence when appropriate.
 - c. Video record all parties involved during the interpretation when possible.
- 4. When there is a need for a bilingual Division employee other than a qualified interpreter:
 - a. Contact the Communications personnel and request an on-duty bilingual Division employee to respond, if available.
 - b. Document the use of the bilingual Division employee within the CAD system and on all appropriate paperwork.

B. Division Supervisor

- 1. When contacted, determine the need to call in a qualified interpreter and request an off-duty employee from the Qualified Interpreter List to respond as applicable.
- 2. Ensure a Sign/Foreign Language Interpreter Use Report is completed as appropriate.

C. Division Personnel Seeking Qualified Interpreter Certification

- 1. Requesting Personnel
 - a. Forward **an email** through the chain of command to the bureau commander/manager requesting approval to obtain certification in the desired language.

b. Notify the Qualified Interpreter Coordinator after receiving approval.

Note: The Criminal Investigations Subdivision Deputy Chief is responsible for designating the Qualified Interpreter Coordinator. Refer to the Qualified Interpreter List located on the “Directories” page of the Division intranet for current contact information.

c. Schedule and take the ALTA Language Services Law Enforcement Officer Speaking and Listening Exam **when directed.**

d. Receive a rating of Level 9 or higher in order to qualify for Division certification. Recertify language proficiency every two years from the date of the last exam following the above procedures.

2. Bureau Commander/Manager

Approve or disapprove the employee’s request.

3. Qualified Interpreter Coordinator

a. Proctor, or designate another supervisor to proctor, the requesting employee’s exam **and facilitate payment.**

b. If the employee receives a rating of Level 9 or higher on the exam, forward the ALTA Language Services results listing the employee’s name, language tested, test score, and test date to the:

(1) Training Bureau Commander or a designee for inclusion on the employee’s training record; and

(2) **Emergency Communications Center (ECC) Administrator** or a designee for inclusion on the special skills section of the CAD.

c. Compile the Qualified Interpreter List with the names of Division personnel who have passed the appropriate exam, their certified languages, and their dates of certification.

d. Ensure that the Qualified Interpreter List is posted on the Division’s intranet, and notify the **ECC Administrator** or a designee of any changes.

e. Notify Division personnel to recertify their language proficiency every two years from the date of the last exam, and remove personnel from the Qualified Interpreter List who have not recertified their proficiency by the listed date, **no longer wish to participate, or separate employment.**

4. ECC Administrator or Designee

Ensure that the special skills section of the CAD is regularly updated with the names of Division personnel who have passed the appropriate exam, their certified languages, and their dates of certification.