

**FREDERICK POLICE DEPARTMENT
GENERAL ORDER**

Section 5:	Special Populations	Order Number:	552
Topic:	FOREIGN LANGUAGE INTERPRETING	Issued by:	Chief of Police
Approved:	10/03/18		
Review:	Annually in February by the Patrol Division 1 Commander		
Supersedes:	G.O. 552 dated 11/01/15		

.01 PURPOSE:

To specify procedures for accessing foreign language interpreters by personnel dealing with non-English speaking individuals

.02 CROSS-REF:

.03 DISCUSSION:

As the City of Frederick continues to grow in population and becomes more ethnically diverse, personnel of the Department must have the ability to communicate to non-English speaking citizens with whom they come in contact in a variety of situations.

.04 POLICY:

It is the policy of the Frederick Police Department to provide foreign language interpreting to facilitate communication between personnel and the non-English speaking citizens we serve. Telephonic interpreting is a tool to be utilized for quick communication. Whenever telephonic interpreting is not effective, the Department will utilize whatever means are available to effectively communicate with the individual and ensure their constitutional rights are not violated.

.05 DEFINITIONS:

.10 TELEPHONIC FOREIGN LANGUAGE INTERPRETING PROCEDURES:

1. The Department has contracted Voiance Language Services, LLC (hereafter "Voiance") to provide foreign language interpreting by telephone, 24 hours a day, seven days a week. Calls from Department personnel will be quickly routed to an interpreter of the language requested.
2. If a bi-lingual employee is not on-duty or available for interpreting, and there is no operational need to transport the interviewee, members working in the field have the option to use a departmental cell phone to dial a Voiance interpreter. The interpreter will facilitate communication between the employee and the individual.
3. Whenever necessary, feasible, and lawful, personnel may transport an individual to Headquarters, CID, or SOD, and utilize a speaker phone in order to have a controlled communication environment.
4. If the interviewee is not present, the interviewee's phone number can be added during the set up process, and dialed once the interpreter is ready.
5. Personnel will get approval from a supervisor before utilizing Voiance. Once approval is obtained, the employee will:
 - A. Dial **1-866-998-0338** on a departmental phone.
 - B. When prompted, enter the Department's five digit account number. At the second prompt, enter your Division's four digit PIN. Then enter your departmental ID

number. (This is not a badge number: 4-digit ID for civilian employees, 3-digit ID for sworn). Press "1" to confirm.

- C. Select "1" for Spanish, or "0" for all other languages. You will be connected to the first available Spanish interpreter, or prompted to enter a code for another language. (A list of language codes will be kept at Communications.)
- D. If applicable, select the option to add an additional person to the call.
- E. Allow the interpreter to greet you and to provide his/her interpreter ID number. Write down the interpreter's ID number for your documentation.
- F. Provide the interpreter with a brief explanation of the call.
- G. Allow the interpreter to introduce him/herself to the interviewee.

.15 SECURITY OF ACCESS CODES:

1. The Department's Voiance account number and access codes are confidential numbers used for billing and usage tracking. The codes will NOT be divulged to anyone outside the Department. The codes will remain secure within personnel of the Department and will never be given over the radio or in any other form of communication where unauthorized persons may learn of it. If any of the Department's codes are compromised, the TSD Commander will be responsible for obtaining new codes from Voiance.
2. Because of separate funding sources, the Communications Section uses a different Voiance account and access code, which is provided by the Frederick County Department of Emergency Communications. At no time will Communications Section employees provide other Departmental employees with the account number and access code of the Department of Emergency Communications. Likewise, no employees will provide Communications Section employees the Department's account number and access codes.

.20 SUGGESTIONS FOR WORKING SUCCESSFULLY WITH AN INTERPRETER:

1. Identify yourself and your purpose clearly and distinctly. Speak more slowly than usual. Speak in the first person and avoid slang.
2. Consider the interpreter as the human conduit for effective communication between languages and cultures. Interpretation is more an art than a science and must be experienced accordingly.
3. Give the interpreter a quick picture of the situation. Are you in the presence of the non-English speaking person?
4. Direct the interpreter as to what crucial information you must deliver to and/or obtain from the non-English speaking person.
5. Allow the interpreter a few moments to obtain feedback from the non-English speaking person.
6. Understand that there may be some delay before the interpreter can elicit the information you need from the non-English speaking person due to cultural differences and/or a need on the part of the non-English speaking person to establish trust.
7. Be prepared to hear accented English from some interpreters, particularly those from Asian countries. Feel free to ask the interpreter to repeat a response.
8. Be aware of linguistic differences. It takes more words in Spanish, for example, than English

to communicate a certain idea.

9. Expect occasional periods of what might appear as idle chatter between the interpreter and the non-English speaking person as the communication bridge is built. Please be patient, the interpreter will get back to you, but feel free to interrupt if you believe it appropriate.
10. Request input from the interpreter as to what extraneous information the non-English speaking person is conveying.

.30 USE OF TELEPHONIC FOREIGN LANGUAGE INTERPRETER FOR CRIMINAL INVESTIGATIONS:

1. There will be situations in which personnel may need to interview a victim or interrogate a non-English speaking suspect in reference to a criminal case. What will be crucial to an interrogation will be the same as any other case - the understanding of Miranda Rights, the voluntariness of the statement, and the substance of the statement (i.e., Do words in English have the same context in a foreign language?) Some foreign languages cannot be translated exactly into English. It is important for the investigator to know, if the interpreter is not asking verbatim, what words are being utilized and what do they mean (if different).
2. After consultation with the Frederick County State's Attorney's Office (SAO), the following guidelines were developed to utilize Voiance during a formal interview or interrogation for serious criminal matters:
 - A. The interviewee will be transported to an interview/interrogation room, and the interview or interrogation will be **audio recorded** by the Department.
 - B. A speaker phone will be used to allow for simultaneous communication. The investigator will call Voiance, and upon making contact with the interpreter, advise them immediately of the need to record the conversation because it is a criminal matter.
 - C. The interpreter and the interviewee must be told at the beginning of the conversation that the conversation is being recorded. Everyone involved will be identified on the recording, as well as the date and time. The interpreter will use his/her interpreter ID number only.
 - D. On the recording, the officer will explain the situation to the interpreter and what information they are seeking. The interpreter should be told whether or not the non-English speaking person is a victim; or if the subject is under arrest; the crime being investigated, etc., so they can relay that information to the interviewee. It is important for both the interpreter and the non-English speaking person to fully understand what is being asked by the investigator. The investigator will then follow the regular procedures for taking a verbal statement.
 - E. At the conclusion, the interviewing / interrogating officer will have the interpreter ask the interviewee to reply verbally if he/she has understood the communication that has transpired, and is his/her statement truthful and accurate.
 - F. The audio file will be handled per our established evidence procedures.
3. By following these procedures, the recording can be submitted as evidence and the interpreter supplied by the court for the actual trial can interpret what is being said on the audiotape if needed. The State's Attorney's Office may also subpoena the Voiance interpreter, if necessary.

.32 MAJOR CRIMINAL CASES (i.e., homicide, rape, etc.)

1. Supervisors can authorize "in person" interpreting from Sign Language USA (SLUSA) if face to face communication will be more effective. (Voiance does not provide "in person" interpreting.)
2. With supervisory approval, the employee in charge of the incident will contact SLUSA at **703-628-5472** to schedule the interpreting. Depending on the abundance or scarcity of interpreters for the required language, immediate response may not be available.
3. To avoid all indications of bias, personnel will **NOT** utilize a family member, friend, or other law enforcement officer to facilitate communication.
4. Interpreters may not be readily available during non-business hours. Personnel may utilize Voiance phone interpreting to advise the suspect of the specifics concerning date and time of the interrogation, and any other information which is non-evidentiary in nature.
5. Personnel will report to the Fiscal Affairs Manager the date and length of time the "in person" interpreter spent interpreting.

.40 OTHER NON-CRIMINAL FOREIGN LANGUAGE INTERPRETING:

There may be circumstances that are non-criminal in nature and telephone interpreting is not adequate. In those situations in which a member would request the presence of an interpreter, Communications will notify an interpreter from their list of sources such as the Provost Marshall's Office at Ft. Detrick, Hood College, other law enforcement agencies, etc. Members requesting the presence of an interpreter will consult with their supervisor prior to requesting same through Communications. If the Department is unable to locate a local interpreter, then SLUSA will be contacted for their face-to-face interpreters.

.45 TRAFFIC STOPS AND UNUSUAL SITUATIONS:

1. Foreign language interpretation during traffic stops will generally be handled utilizing the phone or utilizing a person who is fluent in the language, because the majority of stops do not include interrogation. If there is a need to advise the person of their constitutional rights and conduct an interrogation during the stop, an interpreter from Voiance should be utilized via telephone. If time is of the essence, such as in a "Driving While Intoxicated" arrest, members shall document the actions they took so the court can judge the reasonableness of it when introduced.
2. If involved in an emergency, such as a hostage situation, members should utilize whatever resources they have available to stabilize the situation until they are able to secure the services of a phone interpreter from Voiance, or a face-to-face interpreter from SLUSA, if needed. Again, the goal is to resolve the critical problem while ensuring the rights of the citizens we serve are not violated.

.50 DOCUMENTATION OF INTERPRETING SERVICE:

1. Whenever a member utilizes Voiance for interpreting, Voiance will have a complete record of who provided the interpreting in case there is a need for that individual at a later date in court. In order to protect confidentiality, Voiance may not give identifying information over the phone concerning the phone interpreter when the interpretation takes place. Members will note in their report the date and time Voiance was utilized, as well as the interpreter ID number, so that Voiance can provide the full information later, if necessary.
2. In cases where an actual on-scene interpreter is utilized, the investigating officer shall note full identifying information in their report.