



Cover Memorandum

Language Access Services, JHPD Directive #434

Purpose of the Directive

The purpose of this Directive is to establish language access procedures for Johns Hopkins Police Department (JHPD) members to follow when encountering persons with limited English proficiency (LEP) whose primary language is not English and who have a limited ability to read, write, speak, or understand English.

Summary of Directive Requirements

This Directive states that JHPD will make every reasonable effort to provide meaningful access and timely assistance to LEP persons through various language access methods and at no cost.

The Directive details the various means available to JHPD members for identifying and providing for an LEP person's language needs. It guides JHPD members on using the Language Line application, Language Line interpreter assistance, or the Language ID card (in the appendix or posted at JHPD public buildings) to identify the person's primary language.

The Directive then discusses telephone interpreters, which provide JHPD members with 24/7/365 access to interpreters through a mobile application or phone number. It guides JHPD members on how to conduct communication with an LEP using a telephone interpreter. The Directive explains that in circumstances requiring lengthier and more complex communications, such as formal witness and victim interviews and suspect interrogations, it is strongly preferred to use onsite (in-person) interpreters. Members seeking to use onsite interpreters shall consult their supervisor for approval and submit a written request. The Directive also strongly recommends that an onsite interpreter assist with the delivery of Miranda warnings and that, where available, a translated version of the written Miranda warnings is provided to the suspect. Next, the Directive recognizes that certain JHPD members may be language skilled bilingual members and encourages them to use their language skills, but that any time their language proficiency is insufficient to properly communicate with an LEP person, they shall use a professional telephone or in person interpreter.

The Directive restricts the use of family, friends, or bystanders as interpreters to only instances where the exchange is informal and nonconfrontational and only to obtain basic information, unless exigent circumstances exist. The Directive explains that for domestic violence situations, family/friends of the LEP person shall not be used unless urgent communication is required due to an immediate safety risk or to obtain the description of a fleeing suspect. Once the situation is stabilized, the JHPD member must use a telephone interpreter to confirm the incident details and proceed with their casework. The Directive prohibits the use of a suspect as an interpreter. The policy also prohibits the use of children as interpreters unless exigency exists, and no other means are available.

The Directive states that translated vital documents will be available and provides a process for JHPD members to request the translation of documents and/or evidence for an investigation. The Directive also requires that applicable JHPD reports document an LEP person's primary language and the use of language services.

The Directive lists requirements for posting in JHPD's public buildings that language services are available and confirms that complaints shall be accepted by JHPD no matter the complainant's primary language. All written notices sent to LEP complainants shall be translated into the person's primary language.

Lastly, the Directive includes training requirements for JHPD members on JHPD's language access procedures, requiring it to be a topic of training at least every two years.

Blueprint for the Policy Development Process

The draft JHPD policies (hereinafter referred to as "directives") shared for community feedback are based on examples of 21st century best practices in public safety policy, identified through extensive benchmarking of university and municipal law enforcement agencies across the nation. Taken together, they represent a comprehensively progressive approach to policing that prioritizes equity, transparency, accountability, and community-based public safety strategies.

The JHPD's draft directives embody approaches that community advocates and leading experts have championed locally and in law enforcement reform efforts across the nation. The draft directives have also been developed based on input received through robust community engagement in prior phases of JHPD development, including suggestions received in the legislative process as well as last fall's Memorandum of Understanding (MOU) public comment period and feedback opportunities.

In addition, the directives were drafted to exceed the minimum requirements of the Constitution and laws of the United States and the State of Maryland, to align with the Community Safety and Strengthening Act (CSSA) and to fulfill the requirements of the MOU between the Johns Hopkins University and the Baltimore Police Department. The Hopkins community and our neighbors throughout Baltimore can help improve and strengthen these directives further through their feedback and input.

Material that was considered in the drafting of the Directive and Procedure Manual, include:

- a. **Publicly available policies from municipal police departments that have undergone substantial reform efforts**, including: the New Orleans Police Department; Seattle Police Department; Portland Police Department; Detroit Police Department; Ferguson Police Department; and Baltimore Police Department;
- b. **National guidance on best practices and model policies from criminal justice reform efforts, social science research centers, and civil rights organizations**, including: the Leadership Conference on Civil and Human Rights; American Civil Liberties Union (ACLU), including the ACLU of Massachusetts's "Racially Just Policing: Model Policies for Colleges and Universities"; the International Association of Chiefs of Police (IACP); the Police Executive Research Forum (PERF); U.S. Department of Justice Office of Community Oriented Policing Services (COPS Office); The Justice Collaboratory (The JC) at Yale University Law School; and The Center for Innovation in Community Safety (CICS) at Georgetown Law School.
- c. **National and local higher education institutions that are based in comparable environments and make policies publicly available**, including: Carnegie Mellon University; Morgan State University; Towson

University; University of Chicago; University of Cincinnati; University of Maryland, Baltimore County; University of Pennsylvania; and Yale University.

To ensure that the proposed directives captured national best practices in community-focused public safety services, the development team collaborated with independent experts from two organizations: National Policing Institute (the Institute), a non-profit dedicated to advancing excellence in policing through research and innovation, and 21CP Solutions, an expert consulting team of former law enforcement personnel, academics, civil rights lawyers, and community leaders dedicated to advancing safe, fair, equitable, and inclusive public safety solutions. Each directive was reviewed by experts selected by both organizations, who provided feedback, suggestions, and edits that were fully incorporated into the current draft.

Finally, individuals and organizations representing the diversity of the Johns Hopkins University community provided feedback to ensure the policies and procedures reflect and respond to the values of our institution and to our community's public safety service needs.

Now they are available for your review. Johns Hopkins is committed to adopting, incorporating, or otherwise reflecting recommended changes and feedback in the final version of policies so long as feedback is aligned with our values and commitments, permissible within legal parameters, and supported by national best practices for community policing and public safety.



POLICE DEPARTMENT

LANGUAGE ACCESS SERVICES

OPERATIONAL PROCEDURE #434

Responsible Executive:
Chief of Police
Responsible Office:
Vice President for Public Safety
Approved by:
Dr. Branville G. Bard, Jr.
Issued: [full date]
Revised: [full date]

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Policy Statement

It is the policy of the Johns Hopkins Police Department (JHPD) to take all reasonable steps necessary to ensure timely and meaningful access to law enforcement programs, services, and activities, regardless of national origin or primary language. When performing law enforcement functions, JHPD officers shall provide language assistance to limited English proficient (LEP) persons whenever such assistance is requested or required. Such assistance shall be provided free of charge.

Who is Governed by this Policy

All personnel, including sworn, non-sworn and contractual or voluntary persons in service with the JHPD are governed by this Directive.

Purpose

The purpose of this Directive is to establish language access procedures for JHPD members to follow when encountering LEP persons whose primary language is not English and who have a limited ability to read, write, speak, or understand English. Guidelines for interactions with persons who are deaf or hard of hearing are addressed in JHPD Directive #435, Communicating with Hearing Impaired Persons.

Definitions

Interpreting/ Interpretation:	The act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning.
Language Line:	A service through which JHPD members can access telephone interpreters 24/7 in 200+ languages (and video remote interpreters for American Sign Language). JHPD members can access Language Line via the application on their JHPD cell phones or by placing a call to Language Line.
Limited English Proficient (LEP) Person:	A person whose primary language is not English and who has a limited ability to read, write, speak, or understand English. LEP persons may be competent in English in certain types of communication (e.g., speaking or understanding) but still be LEP for other forms of communication (e.g., reading or writing). LEP designations can also be specific to context, meaning that a person may have adequate English ability to function in one setting but not in others.
Member:	All members of the JHPD, including employees, officers, and volunteers, unless the term is otherwise qualified (e.g., member of the public, member of the Baltimore Police Department, etc.).
Officer:	All sworn police officers, at any rank, as defined by MD Code, Public Safety, § 3-201, in service with the JHPD.
Primary Language:	The language in which a person most effectively communicates. JHPD members should note that many languages have regional variations (e.g., Puerto Rican vs. Honduran Spanish).
Translation:	The conversion of text from one language (source language) into an equivalent text in another language (target language) while retaining the same meaning.

Policy

The JHPD will reasonably ensure that LEP persons receive meaningful access to its law enforcement services and activities, while not demanding undue strain on JHPD members. The JHPD does not discriminate against or deny anyone access to services, rights, or activities due to

their national origin or any other protected personal characteristics. See JHPD Directive #106, Fair & Impartial Policing.

Core Principles

- I. **Compliance with Law**, Title VI of the Civil Rights Act of 1964, Maryland Code, Article §10–1103 of 2002 and the Safe Streets Act of 1968 require recipients of Federal financial assistance to provide meaningful language access. More importantly, the JHPD recognizes the importance of effective communication between its members and the diverse communities they serve.
- II. **Effective Service Provision**, language barriers impede the effective delivery of law enforcement services in a variety of ways. Ineffective communication with LEP victims, witnesses, and suspects creates investigative and evidentiary challenges and prevents LEP persons from fully understanding important rights, obligations, services, and even jeopardizes safety.

Procedures

I. **General**

- A. The JHPD will make every reasonable effort to provide meaningful and timely assistance to persons with LEP through a variety of methods, including language identification cards, translated forms and documents, and language interpreting. Language access will be provided at no cost.
- B. When it is apparent in police related matters that effective communication is not possible due to a language barrier, JHPD members shall take reasonable steps to provide language access in the LEP person's primary language.
 - JHPD members who interact with LEP persons will inform them that language access services are available free of charge and that JHPD will provide them with this service.
 - As a best practice, JHPD members should ask a person in which language they prefer to communicate with the JHPD member.
 - The JHPD member shall not attempt to struggle through an encounter in English with an LEP person when that person is unable to express themselves in English, or if they request language assistance, unless presented with exigent circumstances.
 - JHPD members shall not tell any LEP person that they must learn English to use police services or that they must provide their own interpreter.

- C. It is important for JHPD officers to effectively communicate the reason for a law enforcement action or contact, the need for information, and the significance or consequences of enforcement actions they intend to take. For example, a JHPD officer shall not request consent to search if the JHPD officer cannot communicate with an LEP person.

II. Identification of Primary Language

- A. If an LEP person is unable to communicate what their primary language is, the JHPD member shall attempt to identify the person's primary language through one of these methods:
- Opening the Language Line application on their JHPD cell phone (the "Insight" app) and scroll the list of languages for the person to point to their primary language,
 - Calling the Language Line by choosing in the mobile app the language that they believe may be correct, and the Language Line interpreter can assist the JHPD member in identifying the person's language, or
 - Asking the person to point to their language using either Appendix A of this Directive or pointing to Language ID Cards posted in JHPD's public facilities.
- B. The JHPD shall have Language ID Cards posted in all public reception areas of police buildings to facilitate the public's access to language services and to communicate that all members of the public shall be served, free of charge, in their primary language as needed.

III. Use of Interpreters (for Verbal Communication)

- A. **Telephone Interpreters (Language Line)**
- The JHPD's primary method for providing language accessibility for verbal communications between JHPD members and LEP persons is through its approved telephone interpreter service. The JHPD contracts with Language Line Solutions ("Language Line") to provide telephone interpreter services in over 200 languages. Language Line interpreters are available by phone on a 24/7 basis, 365 days per year.
 - JHPD members shall access Language Line services by one of the following methods:

- Navigating to the Language Line app on their JHPD cell phone (the app is called “Insight”, and the icons says “Interpreters”), or
- Calling JHPD’s account access number.
- Once the JHPD member is connected to a Language Line interpreter, they shall:
 - Explain the situation to the operator (e.g., that the member is a police officer responding to a scene and is trying to understand someone on scene who is on speaker phone with them).
 - Always speak in the first person (e.g., JHPD members shall state “My name is Officer Jones.” Instead of saying, “Tell him that my name is Officer Jones.”).
 - Once the exchange with the LEP person has begun, the member shall speak directly to the person and not to the interpreter (e.g., ask “What did you see happen?” instead of saying, “Ask her what she saw happen.”).
 - Speak in one or two sentences at a time, pausing to give the interpreter enough time to interpret. JHPD members should avoid interrupting the interpretation.
 - Not have side conversations with the interpreter.
 - Be clear and concise and use their normal volume and tone.
 - Attempt to verify with the LEP person that they understand what was said.

B. Onsite/In Person Professional Interpreters

- There are certain circumstances where it would be advisable for JHPD members to obtain the assistance of a professional onsite (in-person) interpreter. These instances may include circumstances requiring more important, lengthy, and complex communications, such as formal witness and victim interviews, and/or an interrogation of a person suspected of a crime.
- Formal crime victim interviews and custodial interrogations of a person suspected of a crime potentially involve statements with evidentiary value, upon which a person may be impeached in court. As such, accuracy is a priority. Moreover, a failure to protect the rights of LEP persons during arrests and custodial interrogations presents risks to the integrity of the

process. JHPD members must recognize that miscommunication during custodial interrogations may have a substantial impact on the evidence presented in any related criminal prosecution. Therefore, it is strongly preferred that for any custodial interrogation or taking of a formal statement where the suspect or witnesses' legal rights could be adversely impacted, a professional onsite interpreter is used. All custodial interrogations of LEP persons shall be recorded unless exigent circumstance(s) exist. See Directive #461, Custodial Interrogation.

NOTE: In-person interpreters are better equipped to take in more contextual information – such as the person's body language, posture, and nonverbal demeanor – that may help them better interpret the meaning of the person's words and/or more accurately convey the person's message.

- When the JHPD officer is planning to conduct a formal victim or witness interview or a custodial interrogation, or if the JHPD officer otherwise believes that the use of an in-person interpreter would be in the best interest of JHPD and the integrity of the investigation, the JHPD officer shall consult their supervisor for approval to request an in person professional interpreter from JHPD's approved vendor.
- To make this request, the JHPD officer shall submit a written request, through their chain of command, to the Patrol Commander, providing the specific parameters for the needed service (to include: LEP's primary language, type of interaction (e.g., victim interview, suspect interrogation, etc.), proposed date and time of the meeting with the LEP person, and estimated length of time the interpreter will be needed).
- In addition, Miranda warnings shall be provided to a suspect or witness in their primary language. It is strongly recommended that an in-person interpreter assists with the provision of *Miranda* warnings to ensure the person understands their rights fully.
 - If Miranda warnings have been translated into the person's primary language, the JHPD officer will use the translated Miranda form for the person to sign.
 - In the case of a language for which forms have not been translated and in the case of illiteracy, forms will be read to the suspect or witness in their primary language using either an in-person interpreter or a telephone interpreter. When a form is read to the suspect or witness in their primary language, that oral communication will be recorded.

C. Language Skilled Bilingual Members

- Language skilled bilingual members are sworn and non-sworn JHPD members who can communicate in a language other than English. JHPD encourages these employees to speak their non-English language during their work when presented with the opportunity.
- Language skilled bilingual members may communicate with members of the public in their non-English language if they believe that their level of language proficiency is sufficient to accurately communicate given the circumstances of the interaction. At any time the JHPD member determines that their proficiency is insufficient to properly communicate with the LEP person, they shall use the Language Line or an in-person interpreter.
- Some factors language skilled bilingual members should consider when determining whether to conduct policework in the foreign language include whether the LEP person is in police custody, the potential severity of the outcome of the interaction, and the exigency of the situation. For example, a language skilled bilingual member should not conduct formal witness and crime victim interviews, nor should they conduct custodial interrogations.

D. Use of Family, Friends and/or Bystanders

- Using an LEP person's family or friends or asking bystanders to interpret can cause a breach of confidentiality, a conflict of interest, or inadequate interpreting.
- Therefore, absent exigent circumstances, JHPD members shall only use family/friends/bystanders to interpret for very informal, nonconfrontational exchanges and only to obtain basic information. It may be acceptable for a member of the public to interpret, for example, if it will expedite the delivery of police services without adversely impacting the quality of those services. In making this determination, the JHPD member shall consider the following factors:
 - Nature and importance of the police services being provided,
 - Apparent linguistic capacity of the interpreter, and
 - Apparent impartiality of the interpreter.
- JHPD officers are prohibited from using an LEP person's family or friends to interpret for domestic violence situations, unless exigency exists (see subpoints below), since friends or family may have biases that impact how they convey the message, they may not interpret accurately, and/or it may put the victim at greater risk.

- For domestic violence situations requiring urgent communication due to someone's safety being at immediate risk or the need to obtain descriptive information about a fleeing suspect, a family member may be temporarily used as an interpreter to stabilize the situation. Once the situation is stabilized, the JHPD officer shall call Language Line to verify the details of the incident and proceed with their casework.
- The suspect of any type of incident, including in domestic violence situations, shall not be used as an interpreter.
- JHPD members shall not use children as interpreters for any kind of police incident unless there exists an exigency and no other options are available. Since JHPD members have access to Language Line interpreters 24/7, it should be extremely rare that this circumstance occurs. Children may lack the cognitive ability, vocabulary, or impartiality needed to convey meaning effectively.

IV. Document Translation

- A. JHPD contracts with an outside vendor to translate vital documents (including forms where a person waives a right and important public information) into the most needed languages for the LEP populations that the JHPD serves.
- B. The Commander of JHPD's Patrol Section serves as the central hub for document translation requests. Any requests for documents to be translated shall be made to the Commander, via the requesting JHPD member's area command, for approval. Such requests shall include the file of the requested document and the reason for the translation request.
- C. Upon receiving the translated document, the Patrol Commander will maintain an electronic copy and will send the electronic copy of the document to the requestor's chain of command.
- D. Each JHPD division, unit, or office shall have electronic access to translated written forms and documents for use with LEP persons. These documents are printable.
- E. The JHPD shall translate (and transcribe, when applicable) into English recordings, evidence, and/or documents submitted by LEP person(s) when such evidence is necessary to continue an investigation and/or prosecution of a criminal case or a JHPD administrative investigation. This translation shall be completed by JHPD's translation vendor. The JHPD member in need of the language service shall submit their request to the Patrol

Commander and shall indicate any deadlines by which they require the translation. In those investigations involving an arrest, the investigator is authorized to seek the assistance of the State's Attorney's Office for any translation services that the SAO may be able to provide.

V. Reporting

- A.** Whenever an incident report is prepared regarding an incident involving an LEP person, the report shall identify the primary language spoken by the LEP person, the method of language access provided (e.g., telephone interpreter, professional onsite interpreter, language skilled bilingual member, etc.), interpreter contact information and/or ID number (in the case of telephone interpreters), and any additional applicable details about the language service provided.
- B.** Where a language skilled bilingual member communicated with the LEP person in a non-English language, that JHPD member shall specify their level of proficiency in that language (e.g., native speaker of the language, years of schooling learning the language, etc.)
- C.** Wherever applicable, JHPD members shall use translated JHPD forms available in the LEP person's language. In instances of illiteracy or where there is not a translated version of the form available, members shall:
- Use an interpreter by having the JHPD member read the form in English, and the interpreter will interpret it into the non-English language to ensure that the person understands the information and/or the form that they are signing.
 - If an in-person interpreter is present, that interpreter can instead read the English document aloud to the LEP person in their non-English language.
 - Translation websites and/or applications (e.g., Google Translate, among many others) shall not be used to translate documents containing vital information, nor those where a person is waiving a right or signing for comprehension of their rights. This is because their accuracy is inconsistent, and their use can compromise a person's lawfully protected rights. Similarly, websites or applications that translate spoken words into another language shall not be used when the message being transmitted contains vital information and/or a discussion of waiver or comprehension of a person's rights.
- D.** Whenever a translated form is used or an English form is conveyed to an LEP person through an interpreter, the JHPD member shall write in the

incident report that either the translated form was used or that the English form was communicated via interpreter, as applicable.

VI. Notification of Available Language Services

- A. Each JHPD division, unit, or office with direct public access shall display signs in common foreign languages encountered at Johns Hopkins that language services are available free of charge to LEP persons. Signs shall be displayed at public entrances and on JHPD’s website.
- B. JHPD shall ensure that any area used by detainees has posted the procedures for gaining access to medical services in all common languages encountered at Johns Hopkins. Commission on Accreditation for Law Enforcement (CALEA 72.6.3)

VII. Complaints

- A. Any Spanish speaking LEP person who wishes to file a complaint with JHPD shall be informed that translated complaint forms are available in Spanish, and those forms shall be provided. For LEP persons who speak other languages, complaints shall be accepted by JHPD using an interpreter to assist with ensuring that the person’s complaint is accurately and fully captured.
 - For JHPD complaints with LEP complainants, any written notice required to be sent to the complainant, including the written notice of case disposition, shall be translated into that person’s primary language.

VIII. Training

- A. The Public Safety Training Section will provide periodic training to all JHPD personnel on its language access procedures, including how to access telephonic interpreters, onsite professional interpreters, and translated documents. The Public Safety Training Section shall conduct such training for new recruits, during annual police officer and supervisor in-service training, and online training for officers at least every two years.

Policy Enforcement

Enforcement	JHPD managers and supervisors are responsible for enforcing this Directive.
Reporting Violations	Suspected violations of this Directive should be reported to the Office of Public Safety Accountability Unit (PSAU).

Related Resources

University Policies and Documents
<p>Conduct & Responsibility #106, Fair & Impartial Policing</p> <p>Operational Procedure #435, Communicating with Hearing Impaired Persons</p> <p>Operational Procedure #461, Custodial Interrogation</p> <p>Johns Hopkins Medicine Policy PASP001, Interpretation and Translation Services: Patient Language and Communication Needs</p> <p>Johns Hopkins Medicine Language Services Resource Webpage: https://intranet.insidehopkinsmedicine.org/jhm-language-services/index.html</p>
External Documentation
<p style="text-align: center; font-size: 2em; opacity: 0.2; transform: rotate(-45deg);">DRAFT</p>
Police Department Forms and Systems
<p style="text-align: center; font-size: 2em; opacity: 0.2; transform: rotate(-45deg);">DRAFT</p>

Contacts

Subject Matter	Office Name	Telephone Number	E-mail/Web Address
Policy Clarification and Interpretation			

Appendix A
I Speak Poster

I SPEAK...

Ask your patients to point to the language they speak.

Amharic	አማርኛ እናገራለሁ	Krubassa	Me pot Bassa
Arabic	أنا اتحدث العربية	Chinese	我讲普通话
ASL		Nepalese	म नेपाली बोल्छु
Bengali	আমি বাংলায় কথা বলি	Farsi	من فارسی صحبت می‌کنم
Burmese	မြန်မာစကား ပြောတတ်ပါတယ်	Polish	Mówię po Polsku
Cantonese	我會說廣東話	Portuguese	Eu falo Português
French	Je parle français	Punjabi	ਮੈਂ ਪੰਜਾਬੀ ਬੋਲਦਾ ਹਾਂ
Haitian Creole	Mwen pale Kreyòl Ayisyen	Romanian	Vorbesc limba română
German	Ich spreche Deutsch	Russian	Я говорю по-русски
Greek	Μιλάω Ελληνικά	Spanish	Yo hablo español
Gujarati	હું ગુજરાતી બોલું છું	Swahili	ninazungumza Kiswahili
Hebrew	אני מדברת עברית	Tagalog	Nagsasalita ako ng tagalog
Hindi	मैं हिंदी बोलता हूँ	Thai	ฉันพูดภาษาไทย
Igbo	Ana m asu igbo	Tigrinya	ኣነ ትግርኛ ይሠረብ ኢየ
Italian	Parlo italiano	Urdu	میری زبان اردو ہے
Japanese	私は日本語を話します	Vietnamese	Tôi nói Tiếng Việt
Korean	나는 한국어를 말한다	Yiddish	איך רעד אידיש
		Yoruba	Mó gbọ̀ Yòrùbá

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LANGUAGE SERVICES

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SERVICES WE OFFER

- Foreign Language Interpretation Services
- Sign Language Interpretation
- Document Translation Services
- Qualified Bilingual Services



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