

INSTRUCTOR GUIDE TOPIC

Instructor Guide

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**COURSE TITLE:**

Promoting Accurate and Effective Communication with Limited English Proficient Persons:  
Law Enforcement and Community Safety Benefits

**INSTRUCTIONAL GOALS:**

This training is designed to improve officer, victim and community safety for officers working with Limited English Proficient (LEP) persons by building skills for identification and effective communication with LEP victims, witnesses and suspects.

**INSTRUCTIONAL OBJECTIVES:**

- At the end of this training participants will be able to:
  - Identify the predominant languages spoken in the jurisdiction
  - Use tools for determining whether an individual is LEP and identifying what language the individual speaks
- Identify factors that complicate communication from LEP victims and witnesses
- Use tips and tools for communicating effectively using a qualified interpreter (bilingual officer or qualified interpreter)
- Know the benefits to law enforcement, prosecution and case outcomes of using qualified interpreters
- Understand the limitations when using non-qualified interpreters in exigent circumstances
- Be familiar with relevant legislation regarding LEP individuals and Department of Justice model guidance for law enforcement professionals

**INSTRUCTIONAL METHODS:**

- Interactive training using adult learning exercises and activities
- A limited number of short lecture/information sections included
- PowerPoint training curriculum supplemented by handouts with key points to remember, tips, tools and summaries of relevant legislation
- Quiz testing trainees knowledge at the beginning and the end of the course
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**HANDOUTS:**

- LEP Interpreters Code of Conduct
  - Working With Interpreters: Important Tips to Remember
  - “What Court Interpreters Would Tell You If They Were Here”
  - Office of Justice Programs Sample: Police Department Limited English Proficiency Guidelines Directive (OJP Sample LEP Directive)
  - “Why Using an Interpreter is Beneficial to Law Enforcement”
  - “Steps for Obtaining Interpreters”
  - “Tips to Help Law Enforcement Identify Victims, Witnesses, And Other Persons Who Are Limited English Proficient And Need an Interpreter”
  - “Lost in Translation”
  - “Laws Governing Law Enforcement Agency Provision of Language Assistance to Limited English Proficient Persons”
  - “Consecutive Interpretation Exercise”
  - “Tips for working effectively with telephone interpreters”
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- Language identification card

COURSE DURATION: 90 minute workshop

CURRICULUM REFERENCES:

- *Census data*
- *Title VII of the Civil Rights Act of 1964; 42 U.S.C. § 2000 et seq; 45 CFR § 80, Nondiscrimination*
- Executive Order 13166 Issued By President Clinton on August 11, 2000 and U.S. Department of Justice Clarifying Memorandum
- DOJ Department of Justice Guidelines: Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition against National Origin discrimination Affecting Limited English Proficient Persons
- Natalia Lee, Daniel J. Quinones, Nawal Ammar, Leslye E. Orloff *National Survey of Service Providers on Police Response to Immigrant Crime Victims, U Visa Certification and Language Access*, (National Immigrant Women's Advocacy Project, American University, Washington College of Law, April 16, 2013).
- U.S. Department of Justice Sample of LEP Guidelines

SAFETY CONSIDERATION:

Ability to communicate effectively with crime victims and witnesses enhances officer, victim and community safety by helping law enforcement officials correctly identify perpetrators, improving the accuracy of police reports and investigation that build stronger cases against crime perpetrators

EQUIPMENT, PERSONNEL, AND SUPPLIES NEEDED: PowerPoint projector, laptop computer, flip chart, flipchart stand and marker, certificates

TARGET AUDIENCE: Law enforcement officers for in-service training and cadets at the law enforcement academy

COURSE PREREQUISITES:

None

INSTRUCTOR CERT.: New Mexico DPS Train the Trainer Course for this curriculum

INSTRUCTOR RATIO: 2 to 40

EVALUATION STRATEGY: Pre-test and post-test will be included in the training. Officers will be asked to complete evaluations of the training and will be provided certificates documenting their attendance at the training

AUTHOR & ORIGINATION DATE: Albuquerque Police Department in collaboration with Albuquerque Mayor's Taskforce on Domestic Violence, Enlace Comunitario, New Mexico Asian Family Center, Wya Luta, National Immigrant Women's Advocacy Project (NIWAP) American University, Washington College of Law, and the Asian and Pacific Islander Institute on Domestic Violence, June 2013

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REVISION / REVIEW DATE(S):

REVISED / REVIEWED BY:

COURSE OUTLINE:

- Benefits to law enforcement of using qualified interpreters to assure maximum communication ability between law enforcement and all segments of the community (DOJ)
- New Mexico and Albuquerque Immigrant and LEP Demographics
  - Languages (top and emerging)
  - Percentage of foreign born population
  - Time when immigrants entered the US
  - Countries/Regions of Origin
- Factors that Complicate Communication for LEP Crime Victims and Witnesses
- Laws Governing Law Enforcement Agency Provision of Language Assistance to Limited English Proficient Persons
- DOJ Model Guidance
- Bilingual Officer and interpreter resources
- Procedures for obtaining assistance from a bilingual officer, Pacific interpreter, or contract or volunteer qualified interpreter
- Illustrative Scenarios with introductory dialogue tips for identifying a person's need for a qualified interpreter and use of language identification card to determine the language spoken
- Exigent Circumstances: what needs to be communicated for the purpose of
  - Securing the scene
  - Getting medical assistance to someone who is injured
  - Limitations of using family, friends, and bystanders to interpret in exigent circumstances

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- How interpretation benefits law enforcement
  - How qualified interpreters or lack thereof affects case outcomes
  - Importance of accuracy of information
- How to work with an in-person interpreter
  - Consecutive Interpretation Exercise
  - Tips for working with an interpreter
  - Signs of interpretation problems
  - Interpreters code of ethics
- How to access and use telephonic interpretation
- Technical Assistance and Resources



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ADDITIONAL INSTRUCTOR NOTES



**COURSE CONTENT:**

This training course is designed to provide officers with an overview of the U.S. Department of Justice's recommended policies for law enforcement interacting with limited English proficiency (LEP). Language barriers can sometimes inhibit or even prohibit individuals with limited English proficiency (LEP) from accessing and/or understanding important rights, obligations, and services, or from communicating accurately and effectively in difficult situations.

The course begins by examining which languages are most frequently spoken in New Mexico based upon U.S. census data as of 2011. Through this examination, law enforcement professionals will learn of the top and emerging languages that LEP persons (victims, witnesses, suspects) speak in New Mexico. The course will look at the legal definitions of LEP and deaf individuals provided by the Department of Justice, while placing this into context with the Americans with Disabilities Act.

Next, law enforcement professionals trainees, will identify the factors that complicate communication for LEP crime victims and witnesses. This includes how trauma affects a person's need to communicate in their native language, rather than English, languages that do not have words for certain crimes, and cultural taboos about discussing sex and sexual violence.

These factors will be juxtaposed against important laws governing law enforcement agency provision of language assistance to LEP individuals, including the Civil Rights Act of 1964, *Lau v. Nichols* (1973), and the Presidential Executive Order 13166, and the Omnibus Crime Control and Safe Streets Act of 1968 nondiscrimination requirements for law enforcement agencies receiving federal funding and/or assistance. Trainees will learn of the DOJ model guidance encouraging police to provide free language access, to inform members of the public that language assistance is available free of charge, and to provide language access in the person's primary language. Officers will learn how to request language assistance of a bilingual officer (qualified by the city of Albuquerque), from Pacific Interpreters for telephone interpretation and how to obtain a contract or volunteer in person interpreter.

Participants will participate in an interactive activity and will be provided in a handout a tool to take officers through examples of how officers can determine when individual needs an interpreter for effective communication with law enforcement. The scenarios and handout describe examples of open ended questions law enforcement can ask to determine whether an individual speaks and understands English effectively and identify language needs. This includes brainstorming good questions to ask someone that they may think may be LEP. The professionals will learn about introductory dialogue techniques, including asking open-ended questions and being cautious to avoid misinterpretation due to cultural differences.

The course describes exigent circumstances that may happen and advises law enforcement professionals to use the most reliable temporary interpreter available at the time and to immediately seek an interpreter that is HR approved once the exigency passes. The course will cover tips for securing the scene and obtaining information to secure the scene and obtain medical assistance for injured persons when victims, witnesses and/or others at the scene are LEP. Why using family, friends, and bystanders children must be limited in exigent circumstances and the benefits for successful criminal investigations and prosecutions of using qualified interpreters beginning at the earliest stages of a criminal investigation including for the police report.

Trainees will be asked to look at the big picture and discuss how interpretation benefits law enforcement and affects case outcomes, usually resulting in less cases being dismissed with offenders appropriately charged, improved officer safety, and improved integrity and quality of the

investigation. Trainees will examine why the accuracy of information is important in relation to the prosecution and how interpretation helps guarantee the accuracy of information. Along these lines, the course examines good techniques of using an interpreter in a criminal investigation and ensuring interpreter impartiality. The course will distinguish the role of a bilingual officer serving as an interpreter as opposed to a bilingual officer who is conducting an interrogation with an offender who speaks the same language. All of these techniques also be discussed in the context of the Interpreter Code of Ethics.

Finally, to apply what they have learned, the professionals complete an interactive consecutive interpretation exercise in the course. The course reviews the basic principles of working with an interpreter and signs to look for interpretation problems.



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ADDITIONAL INSTRUCTOR NOTES

## COURSE AUDIT

PRIMARY INSTRUCTOR:

SECONDARY INSTRUCTOR:

SUPPORT STAFF (i.e.: Scenario Managers, Role Players, etc):

DATE(S)/ TIME(S) OF INSTRUCTION:

LOCATION OF INSTRUCTION:

RECOMMENDED CURRICULUM CHANGES: Identify inaccurate information, outdated information, new information to be added to update material, etc. (Use additional pages if necessary)

### COURSE AUDIT (Continued)

ADDITIONAL INSTRUCTOR COMMENTS: (If any portion of the course content was not presented, indicate the specific content here)

If course content other than the NMDPS TRD approved Basic or PST academy curriculum is taught, the alternative curriculum must be submitted to the Law Enforcement Academy Deputy Director's office and approved prior to delivery of the alternative instructional materials.

**D** Alternative curriculum was taught.

Accreditation number of alternative curriculum:

	SIGNATURE	DATE
Primary Instructor		
Reviewed by Program Coordinator		
Reviewed by Bureau Chief		
Reviewed by LEA Director or Designee		