

# Breaking DOWN THE BARRIERS

/Abbie Darst, Program Coordinator

Identifying and combating communication barriers between Kentucky law enforcement and non-English speaking populations

**D**efined as anything that restrains or obstructs progress, a barrier is not an unfamiliar concept in today's society. There are natural barriers that often exist between different populations, cultures and individuals based on cultural and language differences. However, when one looks at how these particular barriers affect the ability of law enforcement officers to effectively communicate and serve the populations within their communities, one quickly sees how such barriers jeopardize the safety and efficiency of providing law enforcement services to the entire community.

Whether during a routine traffic stop or in a high-stakes homicide investigation, law enforcement officers need to be able to communicate effectively to do their jobs. Yet, as growing numbers of immigrants become more geographically dispersed throughout the United States, communication breakdowns are becoming more and more commonplace. Fortunately, having recognized how this issue has pervaded many aspects of American society, law enforcement around the country, and specifically in Kentucky, is responding with a variety of promising and effective new strategies for communicating with victims, suspects and witnesses who speak little to no English. Even where police departments and sheriffs' offices have limited resources and few or no bilingual officers, some have found ways to bridge the language gap and make services more accessible.

## A changing population

In recent years, the United States has seen the biggest wave of immigration since the early 20th century. The number of foreign-born U.S. residents increased by 57 percent between 1990 and 2000. While only 2 percent of Kentucky's population is foreign born, according to the 2000 census, certain areas in Kentucky have seen tremendous growth in the past decade, especially in more recent years since the census. The Louisville Metro area has experienced a 93 percent increase in the foreign-born population since 2000 and a 388 percent increase since 1990, according to an Urban Institute study. Nearly 80 different languages are spoken in Louisville Metro area homes and schools. These Louisville-Metro statistics are reflective of the changing demographic throughout the commonwealth.

As foreign-born populations continue to increase, various challenges face law enforcement personnel who police the ever changing and growing communities of which they are a part. The most obvious challenge is the language barrier that is present in the majority of individuals who migrate from other countries. Laws such as Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.) make it mandatory for law enforcement agencies to find ways to overcome language barriers. According to Title VI, any police agency that receives federal assistance must take reasonable steps to ensure their services are meaningfully accessible to those who do not speak English

well. Not to do so could constitute national-origin discrimination. However, in Kentucky, many agencies are going beyond merely trying to follow laws requiring equal service provision and document translation. Instead, they are finding ways to break down barriers by building up relationships with limited-English proficient or LEP communities.

"I think probably over time the way we conduct ourselves, the way law enforcement conducts themselves with that ethnic group, I think that's a positive in the respect that they do feel as if they really can come to you if they really need you," said Shelby County Sheriff Mike Armstrong about the way his deputies respond to the Latino population in Shelby County.

In Boone County, building relationships, particularly within the Hispanic communities, is a high priority. Sgt. Dean Pattison is often referred to as the department's 'welcoming wagon' in the Hispanic community.

"Pattison is our outreach program," said Tom Scheben, public information officer for the Boone County Sheriff's Office. "He visits Spanish [Hispanic] businesses, talks to them, finds out their concerns and what we can do for them. It may not sound like much for one man, but if you saw him work and listened to him, he does a whale of a program."

Pattison, who began his career in law enforcement with the Boone County Sheriff's Office nearly 14 years ago, has been studying and speaking Spanish for many years. >>

>> “Speaking Spanish has opened more doors for me than I ever would have dreamt,” he said. “I thought in high school that it would be a good segue into law enforcement, so I started studying it in high school and college and studied at the University of Madrid in Spain for a while. But the doors it has opened are phenomenal – you get to be in on absolutely everything.”

Through his job and language skills, Pattison has formed a great relationship with the owners of a store called Abuelitos De Dios. The relationship, which started out with Pattison visiting the store as part of his community outreach initiative, has developed into a close friendship with the store owners, their children and grandchildren. The positive interaction he has within the store opens the door to positive interaction during outside encounters as well.

“Talking to [Hispanics] in the store allows them to get to know me and feel a little more comfortable with me,” Pattison said.

Fulfilling his lifelong desire of being an officer, Pattison enjoys every aspect of his job within the department, in particular that of being the main translator.

“My favorite part of being our translator is it’s kind of prestigious – if there is something that positively has to be done and done right, they grab me and it’s the neatest feeling in the world,” he said. “And it’s not always in a negative connotation; it’s not always chasing bad guys. You do get to help people out in a lot of situations.”

Pattison also served three years on a Drug Enforcement Administration task force at the Cincinnati/Northern Kentucky Airport

looking for drug and money couriers traveling from the east to west coast. Pattison recalled using his Spanish-language skills in an unexpected way during that assignment. He and his Hispanic partner often would converse in Spanish when dealing with non-Spanish speaking suspects if they had information they needed to discuss that they did not necessarily want the suspect to know about.

Though the Boone County Sheriff’s Office only has two other officers that speak Spanish at various levels, the department’s determination to form relationships within the Hispanic community goes further than just the abilities of those three officers.

In the six years since its inception, the department’s bike patrol has had a huge impact on relationship building within the county’s Hispanic communities. In Boone County, the majority of the Hispanic population is concentrated in mobile home parks and apartment complexes, prime locations for officers to ride their bikes into the communities and interact with families, Scheben said.

“Anytime kids see police, on a bike especially, it’s like a carnival ride – their eyes light up, they’re just excited,” said Boone County Deputy Chris Combs. “We never just keep riding no matter what we’re on. If I’m on a call, I’ll stop and talk to the kids, pass out stickers and you’d think they had won the lottery.”

As is commonly experienced by officers across the state, children in LEP populations are much more open than older generations to interact with law enforcement. For Combs, kids are the key to get the parents, but the parents tend to be very skittish of the police, he said.

Presenting a welcoming and inviting presence is what the bike patrol is all about.

“You don’t get to be a bike patrol deputy because you are super fit or look great on a bike,” Scheben said. “They are a problem-solving team. The bike is nothing more than a conveyance, so when we see an issue of distrust in apartment complexes or trailer parks, these are the people that are sent in because they don’t have 3,000 pounds of metal and glass around them. They’re sitting on a bicycle and they are open and vulnerable and they do stop and they talk to kids. That’s what they’re paid to do and that’s what they are good at.”

### Learning to trust again

Combs uses the inviting presence of his bike and the excitement of the children to help break down barriers already established in the Hispanic culture toward law enforcement.

“When we’re out there talking to the kids ... some parents will come out and speak to us without it being an emergency call, but the older generation is still too much afraid of the police that they won’t make any attempt to talk to us,” he said.

This fear and distrust of law enforcement stems from less than favorable interaction with law enforcement entities in the countries from which many LEP residents originate.

“In generations of where those people have come from, the police are corrupt and they’re dangerous and they’ll kill you and they are not there to help you,” said Boone County Lt. Col. Robert Reuthe. “So we have to find ways to get them to actually believe and trust us.”

Many places in the world have a very different standard for law enforcement than what is experienced in Kentucky, and officers across the commonwealth have to realize that previous negative experiences have a major impact on the way these populations respond

to law enforcement here.

“People from Mexico have [a] different feeling of police, don’t respect police and don’t trust police and that is [the] police’s fault because they are so corrupt, but when they come over here they sense that [the] police are different,” said Miguel Laguana, an alumnus of the Louisville Metro Police Department’s Latino Citizens’ Police Academy. “When they come to this class they become believers that the police are not [there] to harm them all the time.”

Immigrants from Mexico are not the only ones who tend to have a negative view of law enforcement officers. Various places across Kentucky also are home to refugee populations from war-torn countries all over the world, where perhaps they were not treated fairly or their human rights were violated.

In Bowling Green, these refugee populations, a large number of which are from Bosnia, are just as prevalent as the growing Hispanic population because of the International Center located within the city limits, which is part of the Western Kentucky Refugee Mu-

tual Assistance Association, Inc.

“For our purposes, it doesn’t matter how they came here. It might matter why because that tells us about what they experienced, where they came from and why they might not trust us,” said Officer Monica Woods, international communities liaison for the Bowling Green Police Department, new position for the agency. “I grew up here in the United States and Kentucky and I can’t relate to that, but I can appreciate it and be tolerant of that and know that it’s not going to be an overnight thing if they don’t trust me and believe in the police department or just people in general. There is going to be a trust issue for people who have experienced bad things and that’s true of everyone, regardless of whether you were born here and lived here your whole life and we have to remember that everyday as police officers. Everybody is not going to respond the same way to you.”

Bowling Green Chief Doug Hawkins created Woods’ international communities liaison position as a way of breaking down more than just the language barriers in their com- >>



/Photo by Abbie Darst

## Best Practices for Gathering Demographic Data in Your Area

For an accurate picture of a jurisdiction’s residents, agencies can look at demographic data collected by the U.S. Census Bureau, city and state agencies such as departments of education and city planning, state and municipal court systems, local hospitals, and even marketing and research companies. Specifically, departments may want to look for information on race/ethnicity, language spoken at home, English proficiency and education levels of the people in the command area. Keep in mind, however, that data on race and ethnicity cannot always tell precisely what language is spoken. For example, there are as many Asian languages as there are Asian countries, and some countries have more than one language group. In India, for example, more than 30 languages are spoken.

It also can be helpful to supplement this demographic data with information gathered from community- and faith-based organizations and social service providers. These organizations – particularly those that serve new immigrants – can help identify emerging demographic trends that are too recent to be documented by formal counts such as the U.S. Census. ■

◀ Bowling Green Police Officer Monica Woods, international communities liaison for the agency, talks with a non-English speaking citizen in Bowling Green. Woods’ position is new to the department.



/Photo by Abbie Darst

>> munity, by using true relationship building to change the perception different cultures have toward law enforcement. In Hawkins' concept, building relationships is the key to solving issues in the community.

"Monica's position is initially designed to create relationships," Hawkins said. "First and foremost to create relationships in international communities that we don't have a lot of contact with, and that it would be beneficial for that community and law enforcement and/or local government to have relationships within that community. But to take it a step further and to extrapolate from those relationships – use them to solve problems. Whether they are issues that we have that need to be resolved within a community or issues that the communities have that local government can be part of the solution to their issues. But without those relationships, those communications don't take place and those problems never get solved effectively."

Woods, who has held the international communities liaison title since early July, was chosen to fill Bowling Green's new position for her skill set and personality, Hawkins said. The fact that she is fluent in Spanish allows her to communicate effectively with the approximately 5,000 Spanish-speaking individuals residing in Bowling Green. Woods also has the personality it takes to effectively relate to other people, he added.

"Monica has the right personality in a job where personality can make all of the difference," Hawkins said. "Monica is friendly, outgoing, easy to talk to and easy to get along with. Those qualities are valuable when you're making friends – since that's her job, I needed someone who had that ability naturally. ... Even though she wears a uniform, she doesn't come across with that over-authoritative presence."

The department's hope is that by seeking relationships with community leaders within the various international communities in the city, Woods will make her uniformed image

one that is welcomed and trusted, and in turn, change these communities' perceptions of uniformed officers.

"We're not all about knocking on doors and dragging people away, matter of fact, that is the smallest part of what law enforcement does," Hawkins said.

The same concept of changing perceptions of law enforcement does not resonate solely in Bowling Green. In Louisville, former members of the Latino Citizens' Police Academy believe there are many positives to having uniformed officers speak to their classes.

Seeing them in uniform is "even better because people gain more respect for the uniform – say he's a policeman and he's not here to harm me, but to tell me that we are welcome, that they need our help – we need

relationships, explaining laws, explaining our position and building that relationship."

Woods plans to target pastors and other religious leaders in the community as one of the prime ways to begin building those relationships within the international communities, specifically the Hispanic communities where religion tends to be very important. Since the religious leaders have already earned the trust of the community, by developing a relationship with them, they can introduce Woods to others who are leaders in the Spanish-speaking communities and build from there, Hawkins explained.

### Tangible barrier breakers

In a society where population dynamics are continually growing and changing, law en-

◀ Bowling Green Police Officer Monica Woods position as international communities liaison initially was designed to create relationships, said Bowling Green Police Chief Doug Hawkins. However, Hawkins said he hopes to take those relationships and build on them to solve problems more effectively in non-English speaking communities.

forcement agencies also may want to look at specific options for defining how their department and officers will relate to and work with foreign-born and LEP populations.

Officers building relationships in their communities is not a new concept. The basic principles of community oriented policing have been around for many years, though they may not have been focused primarily on LEP populations.

"What's wonderful about this department and others around the state and the Department of Criminal Justice Training's teaching is the idea of community oriented policing and using community members to solve problems in other ways," Woods said. "It will last much longer than the immediate punishment. With police, we don't always have the luxury of discussion – sometimes things have to be done and people need to go to jail. But in my position I have the luxury of trying to build those

enforcement agencies also may want to look at specific options for defining how their department and officers will relate to and work with foreign-born and LEP populations.

The Vera Institute of Justice's study "Overcoming Language Barriers: Solutions for Law Enforcement," establishes several different specific methods that law enforcement agencies of any size can use to combat communication barriers among the LEP populations in their jurisdictions. Law enforcement agencies across the country already operate within a culture of policies and procedures. Most agencies have policies on almost every aspect of an officer's job, including uniform dress code, procedures for making arrests and use of force protocols. So, it's not surprising that a growing number of agencies are developing policies for interacting with persons who are LEP. Without a written policy or protocol, a program or service is at risk of being imple-

>>

>> mented incompletely and, perhaps, incorrectly. A written language access policy can guide officers and civilian staff on how and when to use language services. It also formalizes a department's commitment to ensuring access for residents who do not speak English well.

The Lexington Division of Police put together a communication barrier policy in May establishing standard protocol for the department in dealing with "LEP, deaf/hard

of hearing and blind/vision impaired members of [their] community" to ensure that the department is taking "reasonable steps to provide timely, meaningful access to ... all services and programs provided by the division," the policy states. Lexington's policy lays out specific procedures relating to requesting interpretation services; translating documents; public notification and communication services; training; and tracking contact with LEP, deaf/hard of hearing and blind/vision impaired individuals.

▼ Kentucky Vehicle Enforcement Officer Chad Mays assists Alcoholic Beverage Control officers on a detail in Lexington. Mays was called to help administer a field-sobriety test to an Hispanic driver.



Photo by Elizabeth Thomas

In addition to creating a language access policy, departments also can identify and train bilingual staff. Some agencies have been able to successfully recruit, hire and/or compensate staff with foreign language skills. However, since levels of bilingualism among individuals can vary, the best way to ensure that a person is truly bilingual is to test his or her spoken and written proficiency in the other language. Some agencies in Kentucky have chosen to build on the bilingual skills with which officers have come to the department.

Even with limited staff and resources, in Shelby County the sheriff's office allowed Deputy Tim Gilbert, who is fairly fluent in Spanish, to go to Mexico for a few weeks to become even more fluent and get a good understanding of the way that culture looks at things, Sheriff Armstrong said.

Other agencies have sent numerous officers to language training in an attempt to create a pool of officers that can communicate with the Spanish-speaking population in their communities. The Boone County Sheriff's Office partnered with Gateway Community and Technical College for a 10-week Spanish language training class. The agency sent 14 officers to the program, which met one night each week, in order to train deputies with enough Spanish to at least get introductions made and gather the basic who, what, when, where and why information, if they come across a non-English speaking individual, Reuthe said.

After many attempts and program trial and error, the Lexington Division of Police took officer and staff training a step further with the creation of what they now call the Advanced Language Program. Lexington's public information officer, Ann Gutierrez, recalled how 10 years ago the agency really started noticing an influx of people who could not communicate with the officers. At the time, the department only had two officers who could speak any Spanish at all. Chief Ronnie Bastin, who was the head of training at that time, thought it would be

useful to teach recruits what he called 'survival Spanish' in the academy. Gutierrez, who was part of the first classes to learn survival Spanish in basic training, said after recruits left the academy, if they did not use their Spanish skills on a consistent basis it did not stick with them well.

"We had officers on the street who knew they should know something in Spanish, but couldn't remember," she said. "It really didn't work."

It was around this time that the department partnered with Murray State University and came up with the Advanced Language Program. This program, which was first offered in 2000, consists of five semesters of college Spanish condensed to two intense semesters. With class every day for three to four hours each day, officers have said that they are much more likely to retain the information than if they attended a class only once or twice per week. At the end of the two semesters of classroom training, members of the class can choose to take a five-week trip to Mexico, giving them the opportunity to be immersed in the language and gain knowledge about cultural traits and attitudes that may prove helpful to them while patrolling the streets of Lexington.

"This program has been well worth it because we are seeing a huge turn around in how cooperative our Spanish-speaking population is being with our police officers now," Gutierrez said. "It's a big difference. They trust us more because they know that we've put forth an effort to be able to communicate with them a little more effectively."

Since its inception, 124 officers have completed the program and taken their skills into Lexington's communities. Detective Aundria Burkhart, who completed the program in 2003, said the best part of completing the program is that it allows her to communicate directly with victims and build a relationship that is impossible to build through a translator. In one case in particular, Burkhart came across a young woman who had been raped by

her father and was reluctant to talk about the situation or give any details to officers. But, Burkhart was able to speak to her in Spanish, build a positive, trusting rapport with her, and eventually officers were able to get the young lady out of the situation and put her father in prison.

"If you have to rely solely on an interpreter, in many situations that relationship is never built, that rapport is not there, and that can really hinder an investigation," Burkhart said.

However, an interpreter is often the only option an officer has to communicate with a victim, witness or suspect. Even at a department with more than 100 officers who speak a second language, there will never be an officer available who speaks every language, from French to German to Croatian, that may be encountered while in the field. For this reason, some agencies take advantage of what is called the Language Line. The Language Line is a bank of interpreters that are accessible 24/7 and offers translation from more than 150 languages into English. An officer can call the Language Line number and, if they know the language the individual is speaking, ask for interpretation in a particular language. Officers can also put the individual on the phone and after the individual speaks just a few words, the service will identify the spoken language and provide an interpreter within minutes.

"It's effective for that short interview and it's a great tool to have especially for an obscure language for someone that you can't find an interpreter for," Gutierrez said.

In Lexington, the Language Line was originally used in the communications centers for dispatchers to communicate with anyone who may call in, but more recently, all Lexington officers have been made aware of the Language Line and guided on how to use it while out on duty. In the 2005-2006 fiscal year, Lexington Division of Police officers made 1,700 calls to the Language Line. >>

# BY THE NUMBERS

**135%**  
Increase in Kentucky's foreign born population from 1990 - 2000. The 10th highest increase in the nation (U.S. Census Bureau)

**2%**  
Population of Kentuckians of Hispanic or Latino origin. (U.S. Census Bureau)

**3.9%**  
Kentucky's population which speaks a language other than English at home (U.S. Census Bureau)

**21,287**  
Current inmate population in the Kentucky state prisons. (Department of Corrections 07/08/08)

**57**  
Number of inmates who list Spanish as their primary language in Kentucky prisons and require an interpreter. (Department of Corrections)

**81**  
The number of Kentucky law enforcement agencies reporting officers who can converse in Spanish (DOCJT 2007 Comprehensive Survey)

**171**  
Foreign born offenders in Kentucky state prisons (Department of Corrections 07/08/08)



Photo by Abbie Darst

>> Likewise, the Bowling Green Police Department has been using language line-type services since the mid 1990s, and its last Language Line report showed officers accessing 11 different languages.

"I thought we might have four or five, but not 11," said Barry Pruitt, Bowling Green Police Department public information officer. "It's a good litmus test to see how diverse our population is that we have to utilize that many different languages during the day or night."

While the Language Line service is particularly helpful with more obscure languages, some departments, especially smaller departments with fewer officers, may also find it helpful to pool language resources with other area agencies or institutions.

Kentucky Vehicle Enforcement Officer Chad Mays assisted Lexington-area Alcoholic Beverage Control officers during a late-night detail in one of Lexington's high-Hispanic populated areas. The Hispanic driver had been stopped at a drive-through liquor store window because he did not have proper identification. It quickly became evident to the ABC officers that he may be intoxicated, but because of their inability to effectively communicate with him, they called Mays to help administer a field sobriety test.

Using liaisons and interpreters from other areas outside of law enforcement also is an option for departments wanting to create a pool of reliable translators. The Lexington Division of Police has informally partnered with the University of Kentucky language program and officers are able to call them and ask if they have someone who can help them out in various situations. A UK interpreter will usually respond within 30 minutes, Gutierrez said. The department also is looking at having a language bank in Lexington where different service agencies would be part of one language bank.

"It's not up yet, but that's where I see us moving for those more in-depth interviews/

interrogations where we need someone who is impartial and can just sit and do their role as an interpreter," Gutierrez said.

The LMPD is one of several agencies across the state that has created programs to proactively tackle the communication and cultural barriers that exist between law enforcement and LEP populations. The agency has numerous different citizens' police academies that target different areas of Louisville's diverse communities. Like other departments, Louisville offers a Latino Citizen's Police Academy specifically geared toward the Hispanic community. Each academy session, which is 12 weeks long and accommodates up to 50 participants, focuses on a different area of law enforcement and explains how participants

◀ Boone County Sheriff's Deputy Chris Combs, left, talks with a group of children during one of his shifts. Combs said children are an important key to getting to their non-English speaking parents and helping them to understand that law enforcement is there to help. Combs, a bike patrol officer, said a welcoming and inviting presence is what the bike patrol is all about.

can benefit from various services or how to report different types of crime or problems.

"The most beneficial part [of the academy] is that they understand that police are not out to get them. ..." Louisville Latino CPA graduate Laguana said. "Even though the community comes in with that impression."

In addition to the Latino CPA, the metro police also offer an international CPA each February. In the international CPA everyone speaks English, but they are immigrant community leaders or they work in an area that has a lot of immigrants or diversity, said LMPD Officer Minerva Virola, who heads up all of the agency's citizens' police academies. In this particular academy, Virola said she focuses on different information, especially laws.

"An American doesn't have to worry too much about how to get a driver's license or ID, but the immigrant community can't do that and they don't know if they are supposed

to have one," she said. "Participants can go back to their communities and share what they've learned and if they have any questions they can call me and I'll come do a special presentation on an issue."

The international CPA also focuses on how Metro government works and the participants are invited to the Mayor's Conversation, conducted once a month.

Communication barriers break down cooperation and relationships and in a field like policing these two concepts are immeasurably important. Likewise, their lack has a significant impact not only on the job of each officer, but also the quality of service offered within the community, which affects in some shape, form or fashion, every citizen of the

commonwealth. As the cultural makeup of the country continues to evolve, issues of effective communication between different language groups will not disappear any time soon, however, many agencies across the country have taken great strides to make big and small changes to better accommodate the population they serve. Kentucky agencies have taken a giant step forward in establishing best practices for breaking down the existing language barriers in their communities and all law enforcement agencies can do something to ensure their commitment to justice and service is not lost in translation.

"Before it was like the band-aid on the gunshot wound – doing a little here and there," Gutierrez said. "We needed officers that would be here and would work in the areas that had the high LEP populations and [training and educating our officers] has allowed us to do that." J

▼ Kentucky State Police and Lexington Division of Police together with the Kentucky Commission on the Deaf and Hard of Hearing developed visor cards, seen below, to aid law enforcement officers in communicating with those who cannot hear them speaking. The laminated cards feature traffic signs and special instructions to assist in the communication.

# A DIFFERENT CHALLENGE

Recently the Louisville Metro Police Department took notice of a group that faces many communication issues within society. The hearing impaired

lutions. Last September, the LMPD offered its first Deaf and Hard of Hearing Citizens' Police Academy, graduating 27 students. The agency brought in interpreters from a deaf and hard of hearing school, who volunteered their time for 12 weeks of the class because they thought the program was so important to that community, LMPD Officer Minerva Virola said.

"The deaf/hard of hearing community really took the opportunity to embrace this program because they had never been given the opportunity before," she added. "They appreciated the attention, education and opportunity for them to become partners with and learn about the police department, and it also educated our officers because we didn't know their issues because we've never tapped into that community or resource."

The LMPD is not the only agency taking specific action to ensure that the deaf/hard of hearing community is no longer excluded and to improve communication with that population. The Kentucky State Police and Lexington Division of Police have partnered with the Kentucky Commission on the Deaf and Hard of Hearing individuals to use during a traffic stop to inform the officer that he or she is hearing impaired and to allow the officer to communicate to the individual the reason for the stop.

The laminated cards, which feature simple traffic signs on the front, with specialized instructions for law enforcement on

the back, are being distributed to deaf, oral deaf and hard of hearing citizens throughout Kentucky. The cards are thin and lightweight and designed to fit under the sun visor for quick communication access in traffic stops or other interaction with law enforcement. In addition to citizens, state and local law enforcement throughout Kentucky are being trained to spot the cards and understand their significance. KSP and KCDHH also have made a training video on the existence and use of the visor cards for law enforcement agencies to use in preparing officers.

Educating officers about interaction with the hearing impaired community is an extremely important and often overlooked necessity, said Ann Gutierrez, Lexington Division of Police public information officer. When the Lexington Division of Police began putting together its communication barrier policy, representatives met with members of the hearing impaired and blind communities to talk about issues and things that could be done to improve communication, she said.

Across the country, similar issues arise when law enforcement officers encounter deaf/hard of hearing individuals. For example, when an officer turns on his sirens to pull over an individual, if that person is hearing impaired, the officer's sirens will not be heard and he or she may not pull over immediately. The perceived non-compliance gives the officer the impression that the individual is trying to run from the police. In the same vein, if the officer then addresses the driver over a public announcement system from the cruiser telling him or her to exit the vehicle, the individual will probably not respond, which escalates the misperceived situation even further. Training officers not only about the use of the visor cards, but also about being aware that situations of seeming non-compliance from a motorist may be a simple communication barrier with a hearing impaired person is vital, Gutierrez said. J

## How to Create a Language Access Plan

The Department of Justice identified four factors that should be considered when developing a language access policy and plan: demographics of the population served, frequency of contact with LEP persons, nature of the contacts with LEP persons and agency resources.

Most law enforcement language access plans generally include the following:

- A glossary of commonly encountered terms (such as language access, limited English proficient, etc.)
- A procedure for officers and staff about how to access language assistance services under different circumstances, including when receiving and responding to requests for assistance, making enforcement stops, conducting field investigations and witness interviews, conducting custodial interrogations, carrying out intake and booking responsibilities and performing other law enforcement operations
- A protocol for training personnel about the language access policy and effective use of the agency's language assistance services
- Information about training and certifying interpreters and bilingual personnel
- Information about how the public will be notified about the department's language assistance services

The Department of Justice Civil Rights Division has created a planning tool available online at [http://www.lep.gov/Law\\_Enforcement\\_Planning\\_Tool.htm](http://www.lep.gov/Law_Enforcement_Planning_Tool.htm), which guides law enforcement agencies in creating a language access policy and plan. ■

## Glossary

- Bilingual** – Able to speak effectively in two languages.
- Immigrant** – A person who leaves one country to settle in another. Motives for immigration can include economic, religious, political or social factors.
- Interpretation** – The process of orally rendering communication from one language to another. Interpretation deals with oral or signed speech. Someone who interprets is called an interpreter.
- Language Access** – A term used to describe an agency or organization's efforts to make its programs and services accessible to LEP individuals.
- Limited English Proficient (LEP)** – A person is LEP if his/her native language is not English and he or she has limited ability to speak, read, write or understand English.
- Telephonic Interpreting Service** – An over-the-phone interpretation service in which off-site interpreters assist public and private organizations in communicating with people who are LEP.
- Translation** – Changing a written text from one language into an equivalent written text in another language. A translator performs the act of translating. ■



# KNOW WHO YOU ARE SERVING

**A**ccording to the Vera Institute of Justice's study "Overcoming Language Barriers: Solutions for Law Enforcement," in order to be effective in fighting crime and protecting residents, a law enforcement agency needs to understand the changing demographics of the communities in its jurisdiction. Obviously, building relationships with the various populations is crucial to knowing the changing demographics of the population the agency serves. But there are other resources that may prove valuable in helping an agency determine whether its services are being properly and effectively administered to and used by all aspects of its surrounding population.

Agencies can compare demographic data from the U.S. Census Bureau or other city and state agencies, such as departments of education and city planning, with data about how often police have contact with LEP individuals. The Institute's study recommends gathering this information from front desk logs for station walk-ins, by routinely polling officers during roll call training and analyzing call information from telephonic interpreting-service providers or other language-service providers. This comparison could shed light on whether LEP populations are fully accessing services.

Some agencies across the state have already found that there tends to be an under reporting of crime in the majority of LEP communities. There are several possibilities for why this trend exists. One prevalent reason is the inherent fear and distrust of law enforcement that pervades the first generation of some immigrant populations.

Some departments also identified the cloud of illegal immigration that hovers

over the Hispanic population in particular. According to the Pew Hispanic Center, in 2005, an estimated 28 to 56 percent of the foreign-born population in Kentucky was made up of illegal immigrants. However, how an individual came to reside in a given community does not impact the fact that individuals should not have to tolerate crime being committed against them.

"Irrespective of that perception, we still have to provide law enforcement services to that community and, in as much as we can, include them in our community," Bowling Green's Hawkins said. "It's not about dealing with illegal immigration, but an issue of dealing with the reality of having a specific population in our community that does have a demand on our police services. ... I think we have an obligation – whether they are legal or illegal – if they are a victim of crime,

to provide policing services. And if they are afraid to report that crime then we can not provide those services."

Hawkins hopes that as relationships are formed between the Hispanic community and the police department, the comfort level of the Hispanic community as a whole will improve and the department will see more crime reported as a result.

The issues created by illegal residents can pose challenges to law enforcement in other ways as well. Those in the country illegally don't have reliable identification, making it hard to keep track of who they are and where they are from, many officers said.

"It's hard to police an entity that can be so anonymous," Boone County's Pattison said. "However, there's not much local officials can do about Hispanic legality. ... We run across them every day. We can contact Immigration and Customs Enforcement, but they aren't going to spend thousands of dollars on each individual person we grab."

A third possibility for under reporting crime in LEP populations is simply the difference in cultural norms. In some cultures, certain issues like domestic violence are tolerated and almost never reported. For Boone County officers, this is especially true in the Japanese population that resides in the county because of the Toyota headquarters located in Erlanger. Understanding these cultural differences is vital for law enforcement when dealing with these populations.

"Some people are just here on short work visas for Toyota and they will go back and you won't change their culture, but we should be respectful to understand what their culture is," Boone County's Reuthe said. "It helps us build that partnership and helps us out a lot." J

## Tips and Tools

**Whether an agency interacts with LEP individuals only occasionally or on a daily basis, it is useful to plan and identify language resources. Executive Order 13166 Limited English Proficiency Resource Documents: Tips and Tools for the Field is a report developed by the Department of Justice's Civil Rights Division and includes information about language access tips, tools, and practices identified in informal surveys of court personnel, social service providers, police departments, 911 call centers and several other agencies. For more information visit the Web site <http://www.lep.gov/index.htm>.** ■