Assessing Crime Victims’ Languages to Enhance Victim Services

Brockton Police Department

&

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Center for Victim Research
The Center for Victim Research (CVR) is a one-stop resource center for victim service providers and researchers to connect and share knowledge. Its goals are to increase 1) access to victim research and data and 2) the utility of research and data collection to crime victim services nationwide. CVR’s vision is to foster a community of victim service providers and researchers who routinely collaborate to improve practice through effective use of research and data. Accordingly, CVR engages in a number of training and technical assistance activities to support victim research-and-practice collaborations. Specifically, CVR:

- Hosts a library of open-access and subscription-based victim research;
- Provides light-touch research-focused technical assistance to victim service providers;
- Translates research findings for the field in fact sheets, reports, and webinars; and
- Highlights useful research-and-practice tools and training resources for the field.

CVR also supports two types of researcher-practitioner collaborations: interagency VOCA-SAC partnerships and local-level Research-and-Practice (R/P) Fellowships. In 2018, CVR’s R/P Fellowship program supported nine teams of researchers and practitioners engaging in a variety of victim-focused research projects. Fellows were engaged in emerging, ongoing, or advanced research-and-practice partnerships. This report describes activities by one of CVR’s 2018 R/P Fellowship teams.

R2P Fellows: Organizational Descriptions

The Brockton Police Department is located in Plymouth County, Massachusetts, roughly 25 miles south of Boston. The city prides itself on its diversity of cultures and is home to approximately 100,000 residents. The 183 sworn officers of the Brockton Police Department (BPD) include one chief, six captains, 14 lieutenants, 23 sergeants, 26 detectives, and 113 patrol officers. In 2019, the BPD applied for and was awarded a Law Enforcement-Based Victim Specialist Program (LEV) grant from the Department of Justice Office for Victims of Crime to implement an in-house Victim Assistance Program (VAP), which officially launched in 2020. The primary goal of the VAP is to support victims of crime in the city by providing them with resources, support, and information about their case. Secondary goals of the VAP are to increase conviction rates and reduce secondary victimization. The VAP also serves as a liaison between the BPD and the District Attorney’s Office. The VAP consists of two positions: a sworn Victim Liaison Officer and a Civilian Victim Specialist.

Curry College is a small, private institution located in Milton, Massachusetts, right outside Boston. Dr. Rebecca Kendall is an Assistant Professor in the Department of Criminal Justice and Sociology at Curry College where she teaches both undergraduate and graduate courses. Dr. Kendall received her Ph.D. in Criminology and Justice Policy from Northeastern University in 2017, with a focus on violence and victimization, including sexual offending, intimate partner violence, and human trafficking. Dr. Kendall has been published in the Journal of Interpersonal Violence and Criminal Justice Policy Review and she has book chapters on topics including serial offending, desistance from sexual offending, and intimate partner violence prevention among underserved and understudied groups. Dr. Adam Stearn is an Associate Professor in Curry College’s Department of Criminal Justice and Sociology where he teaches both undergraduate and graduate courses. He is also the co-director of Curry’s Master’s in Criminal Justice Program. He completed his Ph.D. in Criminology and Justice Policy at Northeastern University in 2012, writing his dissertation on the connection between the identities of middle-class adolescents and delinquency.
Description of the Problem

In 2019, the City of Brockton recorded the fourth highest annual total of violent crimes in Massachusetts (Federal Bureau of Investigation, 2019), prompting the BPD’s application for a Law Enforcement-Based Victim Specialist Program (LEV) grant to assist implementation of an in-house Victim Assistance Program (VAP). Upon award in October 2019, the BPD envisioned quickly building the much-needed VAP around the funded Victim Specialist collaborating with two officers already dedicated to domestic violence and sexual assault cases, but organizational changes and a Covid-19 pandemic-dictated year-long delay in hiring altered those plans. Because the BPD’s domestic violence/sexual assault officers were folded back into regular patrol in February 2020 and a Victim Specialist was not hired and installed until October 2020, the fledgling VAP’s progress lagged far behind expectations. To compensate, the BPD reallocated the first year Victim Specialist salary to support a new sworn Victim Liaison Officer position in which an officer would dedicate 50% of their time to victim outreach.

Further complicating victim service provision is limited English proficiency in Brockton. According to the U.S. Census Bureau, 32.6% of the population in Brockton is foreign born and a language other than English is spoken in 46.8% of Brockton homes (American Community Survey, n.d.). This leads to communication barriers preventing many victims of crime from understanding what resources are available and how to access them. Moreover, one of the most vital victim services is guidance through the criminal justice process, and the language barriers currently in place greatly impede efforts of the VAP to provide such education. Since no candidates who applied for the Victim Specialist position were multilingual, the VAP needed a strong language access plan (LAP) to provide essential victim services, and the BPD had no experience in creating one.

Addressing the Problem

With the LEV award period lasting only until September 30, 2022, long term service provision and sustainability planning was vital, leading the BPD to partner with Curry College researchers Drs. Kendall and Stearn to apply for the Justice Research and Statistics Association grant. The primary goals of this new partnership were to 1. assess the languages spoken in Brockton, with a focus on victims of crime; and 2. construct a framework of promising practices for the BPD to follow in building a VAP with a robust LAP and service provision strategy that provides the greatest benefit to the most crime survivors. While the most pressing problems rested in ensuring adequate communication of availability and services along with finding the most beneficial and effective service provision strategy, addressing those issues would have the corresponding effects of demonstrating program worth and stabilizing cost, both critical to finding a path to sustainability and ensuring victims would be served for years to come.

As the research began, it became evident the BPD lacked a formalized LAP at the departmental level and thus it would not be realistic to develop an LAP for one specific program within the department. After consulting with their contact at the BPD, Drs. Kendall and Stearn shifted the project’s focus from developing an LAP specific to the VAP to helping the BPD formalize their current language access policies based on findings from the research, which could then be applied to the VAP. Both partners believed this approach would be the best way to ensure
quality access to BPD services for all members of the Brockton community, including victims. The LAP would focus on both spoken and sign language as well as oral interpretation and written translation of documents.

**Data Sources**

To address the project objectives, the Curry College researchers conducted a multi-stage, mixed methods research process. The first stage consisted of a comprehensive needs assessment with the following primary objectives:

- Understand the demographic characteristics of the Brockton community, including, but not limited to, racial/ethnic makeup and language statistics.
- Assess the needs of the limited English proficient (LEP) community in Brockton.
- Assess the needs of those who are deaf or hard of hearing in Brockton.
- Understand crime and victimization trends in the city.
- Determine the capacity of the BPD’s VAP to meet the needs of victims who are LEP, deaf, or hard of hearing.
- Assess existing resources for victims and language access in the local community.

Data for the needs assessment came from crime statistics and general city demographics provided by the BPD, demographic data collected from the U.S. Census Bureau and Massachusetts Department of Education, a survey of BPD officers, and semi-structured interviews with victim service agencies and other stakeholders in the community (see Table 1 for a full list of data sources).

The second stage of the project consisted of a literature review to identify promising language access practices for providing effective outreach and communication with non-proficient English speakers. The research team evaluated published journal articles, published case studies, government reports, and resources from non-profit and research organizations. This included research on and resources for both spoken and sign language.

Although the researchers initially intended to conduct interviews with police agencies and victim advocacy programs similar in traits and challenges to the BPD, this step was determined to be unnecessary given the plethora of existing published case studies available. In lieu of interviews with other police departments, the final step of the project consisted of semi-structured interviews with stakeholders in the community, including victim service providers, advocates, non-profit organizations, and legal service providers (see Table 1). The researchers designed an interview protocol covering several key topics, but respondents were also encouraged to provide open-ended discussion of the topics when appropriate.

**Results**

As part of the needs assessment, the researchers first began by collecting demographic data for the City of Brockton, with a focus on language. The total population of the city in 2019 was 95,708, with roughly an even split of males and females (Hartsfield et al., 2019). Almost one-third (32.6%) of the population in Brockton was foreign born in 2019, which was an increase from the percent foreign born in 2010 (22.9%) and significantly higher than the population of foreign born at the state level in both 2010 and 2019 (15.0% and 17.3% respectively; American Community Survey, n.d.).

Assessing the languages spoken in Brockton was challenging, as detailed language data is not available for the entire population at the city level. Thus, several sources were examined to provide an overview of the language landscape in the city (see Table 2). Taken together, findings
indicated that a large percentage of children and adults in Brockton speak languages other than English as their primary language. This includes some whose first language is not English but may be proficient in English, those learning English, and those who are unable to speak English. Based on the information combined from official data sources as well as interviews with local community stakeholders, it appears the most common non-English languages in Brockton are Spanish, Portuguese, Cape Verdean/Portuguese Creole, and Haitian Creole.

The BPD’s VAP has maintained a database of information on victims of crime in the city since July 18, 2020. Deidentified data from this database was analyzed for the current project to better understand victim characteristics and needs (see Table 3). The dataset included information on a total of 609 cases over a 10-month period between July 18, 2020, and April 12, 2021. It should be noted, there was a large percentage of missing data on some variables in the dataset. Of the 609 cases, charges were filed in 76.5% and an arrest was made in 34.8%. A large number of the cases (63.4%) were considered domestic violence incidents. While the variable for victim’s gender was missing for 70% of the incidents, of the remaining cases, 71.5% of the victims were female. Language spoken by the victim was another variable with significant missing data (70.6%). Among the cases with language coded, English was the predominant language (94.4%). Other languages included Cape Verdean Creole, Spanish, and one case with an unknown language.

As part of this project, the VAP’s Victim Liaison Officer was interviewed to collect basic information about the program, including the process for working with LEP victims. This respondent described the procedure for working with victims who do not speak English as informal. They indicated that in situations in which the victim is LEP, a person associated with the victim, or a bilingual officer is typically used to interpret for the victim. Bilingual officers who are needed on the scene to interpret are typically contacted over the radio. When asked how an officer’s language proficiency is determined, this respondent indicated officers list whether they speak another language on their job application but noted there is no standard assessment to determine their language proficiency beyond that point. When a bilingual officer is not available, a victim’s family member is sometimes used for interpretation. In addition, they have reached out to one local community group’s bilingual advocates for interpretation assistance in the past. When asked about the language access needs of the VAP, the Victim Liaison Officer identified having written material translated, access to a language interpretation phone service, written procedures for interacting with victims, and a list of which community service agencies have language plans and for which languages to help the VAP make appropriate referrals. According to the Victim Liaison Officer, one long-term goal for the VAP has been to have an advocate working at the courthouse. This respondent noted they cannot accompany victims to court for things like restraining orders because they are a sworn officer and need to maintain objectivity. The Civilian Victim Specialist is, however, able to accompany victims to court. Given pandemic-related challenges, the current Civilian Victim Specialist has had reduced face-to-face interaction with victims and has not yet been able to attend court hearings.

To assist in the creation of a department-wide LAP, a survey was developed to understand how language access is currently handled within the department. The survey consisted of seven questions administered to all BPD officers between July 6 and July 31, 2021, receiving 56 responses out of 87 total eligible patrol officers. Findings showed that almost 15% of respondents identified being fluent in a language other than English (see Table 4). Among those fluent in another language, respondents endorsed speaking Spanish, Portuguese, Portuguese/Cape Verdean Creole, French, and American Sign Language. Just over 50% of officers indicated they encounter someone who is not fluent in English or who is deaf or hard of hearing between one and two times
on a typical shift. Interestingly, roughly 85% of respondents reported having at least one encounter with someone who is not fluent in English or is deaf or hard of hearing, and 7.1% respondents indicated this occurs more than 10 times on a typical shift. Officers were asked to indicate what they do in these situations when they encounter a person who is LEP, deaf, or hard of hearing. Sixty-four percent of respondents indicated they radio for someone else in the department who can interpret, 30.4% indicated they use someone on the scene (e.g., family member, child, friend, etc.) to interpret, and 5.4% reported they communicate with the individual in that person’s language. None of the officers endorsed calling a professional interpretation service or using an interpretation website or application. Finally, officers were queried about the services or resources they believe would be most beneficial for them to better communicate with non-English speakers or individuals who are deaf or hard of hearing; these responses were broadly grouped into the following recommendations:

- Increase availability of on-call interpretation services (phone, app, website, etc.);
- Offer foreign language and ASL classes as well as incentives to learn a second language;
- Offer more services to communicate with those who are deaf or hard of hearing (e.g., TTY, training, etc.);
- Provide more information about what services are available to communicate the LEP, deaf, and hard of hearing;
- No change necessary.

Promising Practices with Examples

A wide variety of promising practices emerged from the plethora of existing published case studies and journal articles. The purpose of this section will be to synthesize and summarize these approaches. Broadly, these promising practices can be divided into two main areas: oral interpretation and written translations.

Interpretation involves the immediate communication of meaning from language (the source language) into another (the target language). An interpreter conveys meaning orally, while a translator conveys meaning from written text to written text. As a result, interpretation requires skills different from those needed for translation. (U.S. Department of Justice, Civil Rights Division, 2011)

Both areas must be addressed to have a fully functioning LAP. In addition, it is important to note that while there are separate practices in developing oral interpretation and translated documents, they do function together to provide LEP individuals the resources they need.

Oral Interpretation

There are advantages and disadvantages that must be considered to determine the best approach for oral interpretation. These considerations can make it difficult to decide on one specific approach. Nevertheless, there are some clear approaches that are preferred, and it is important to keep in mind that these approaches are not mutually exclusive.

It is first important to address a common practice used in interpretation. Frequently, when one of the options discussed below is not readily available, officers will reach out to family members, friends, relatives, or bystanders for interpretation. While this practice is understandable, it should be avoided as much as possible. In fact, this should only be used for an “immediate emergency, eminent danger to the LEP person, law enforcement, and/or civilians while waiting
for a qualified interpreter to be contacted or to arrive at the scene” (Summit County Sheriff’s Department & City of Lorain Police Department, 2004).

There are several reasons why this practice should be avoided. First, these individuals cannot be considered neutral parties. Second, and related, they may have an interest in how the case proceeds. In some extreme cases they may even be suspects themselves. Third, the LEP individual may not want to disclose information to someone they know. Fourth, since they are not professional interpreters, they most likely have not been tested for their proficiency in a specific language, nor have they been trained in the specifics surrounding interpreting in these cases. Finally, they will not be aware of the limitations of their role as interpreter. In other words, they may feel obligated to take on the role of advocate or mediator (Curtis, 2006; U.S. Department of Justice, 2002; Summit County Sheriff’s Department & City of Lorain Police Department, 2004).

**Option 1: Bilingual Employees.**

One of the most commonly used approaches in oral interpretation is the use of bilingual employees. A bilingual employee refers to an individual who is fluent in two or more languages and is “able to conduct the business of the workplace in either of those languages” (U.S. Department of Justice, Civil Rights Division, n.d.). These individuals can work with the LEP person directly in the individual’s primary language.

**Advantages and Disadvantages.** Four major advantages are apparent with the use of bilingual employees. First, they cost significantly less than professional interpreters. While there may be pay incentives attached to these abilities, these are certainly less costly than paying for an additional employee whose sole responsibility is interpretation. Second, by communicating with LEP persons in their primary languages, bilingual officers can build trust. Third, it has been noted that bilingual employees, because they are able to conduct oral interpretation in person, may be more effective in situations that require a certain level of interpersonal work. Finally, while bilingual staff interpreters need to be “competent” in translation/interpretation, they do not necessarily need to be formally certified (Khashu et al., 2005). As a note, the Department of Justice defines competency to interpret as “demonstrate[d] proficiency in and ability to communicate information accurately in both English and in the other language and identify and employ the appropriate mode of interpreting.”

The economic considerations alone may make this approach very attractive. However, there are several important disadvantages that need to be considered. First, since there will most likely be a limited number of bilingual employees in any single department, these individuals’ skills will be at a premium. Therefore, when an interpreter is needed, it is likely these officers will be called away at a moment’s notice. During interviews, when bilingual staff were asked about their experiences, Khashu et al. (2005) found that these individuals frequently expressed frustration at these additional responsibilities. Specifically, they noted they found this additional work burdensome, that it sometimes made it difficult to keep up with their primary responsibilities, and that conflicts of interests would occasionally emerge. Therefore, it is important for departments to recognize and make allowance for these extra demands.

**Considerations.** There are certain legal and constitutional considerations when using bilingual police officers for oral interpretation. Since it is debatable whether they can be considered neutral and independent in this role, the use of bilingual officers in certain circumstances has opened departments up for later legal challenges (Summit County Sheriff’s Department & City of Lorain Police Department, 2004). A related potential issue with the use of bilingual employees has to do with the specialized terms and concepts used in law enforcement. This specialization must be considered for certain tasks including, but not limited to, conducting interrogations, taking
Due to the above issues, the U.S. Department of Justice (2011) generally recommends the use of professional interpreters and translators over bilingual staff and officers. However, if bilingual staff are used, they must be qualified. Specifically, their language ability must be assessed, they need to be trained on the ethics and standards surrounding interpretation, and policies must be put into place that address when professional services should be used instead of bilingual staff.

Option 2: Professional Interpreters.

While the use of bilingual staff and officers may seem like the most attractive approach to communicating with LEP communities, the previous section demonstrated that there are challenges to such an approach. These obstacles led the Department of Justice and other organizations to recommend the use of professional interpreters. Specifically, in any cases where “the consequences of miscommunication are serious, such as when a person’s rights are at stake or when the proper function of the system relies on the accuracy of the conveyed information” (Khashu et al., 2005), agencies are strongly advised to use professional interpreters. It is important to keep in mind that just because someone is bilingual it does not mean they are qualified to interpret; rather, interpreters need specific training (Shah & Estrada, 2009). Before discussing the specific advantages and disadvantages of this approach, certain foundational issues, concepts, and terms must be examined.

Interpretation relies on direct speech. Specifically, interpreters should avoid the use of the third person (e.g., “He says that…”); this provides the speaker their own voice and avoids the interjection of the interpreter into the communication. “This permits the record to be accurate, avoids confusion, and enables all parties to communicate directly with each other as though a language barrier were not present” (Summit County Sheriff’s Department & City of Lorain Police Department, 2004). The complexity of interpretation cannot be understated. It combines several abilities: comprehending two languages, speaking both languages, and choosing an expression in the target languages that completely and accurately matches the meaning of the source language (U.S. Department of Justice, 2011).

Advantages and Disadvantages. The advantages of using professional interpreters are clear: they are professionals who have been trained in their field. As such, their translations are generally above reproach and will stand up in court. In addition, for the most part, the potential conflicts of interest that can occur when using bilingual staff and officers are not present. Finally, during interviews with community stakeholders, several respondents pointed to the role that having interpreters can play in increasing the level of trust between the community and the department. In particular, respondents noted that if community members know they will have access to resources that allow them to communicate effectively with the police, they are much more likely to reach out when they need assistance.

There are certain issues and disadvantages that need to be considered when deciding to use professional interpreters. First, the use of professional interpreters is more expensive than using existing employees. Additionally, it can sometimes be difficult to locate interpreters who are familiar with or have training in the specific procedures and terminologically associated with law enforcement. Finally, by adding a third party there is a chance for miscommunication or conflicts of interest to develop. Nevertheless, there are ways to overcome these weaknesses.

Considerations. One of the most frequent considerations when it comes to the use of professional interpreters is whether to use telephonic or in-person interpretation. Generally, the
Department of Justice recommends that when the interaction is lengthy or has significant potential consequences for the LEP individual (e.g., interviews or interrogations), in-person interpretations are preferred. Conversely, telephonic interpretation is recommended in cases where the interaction is brief, no in-person interpreter is available, while awaiting an in-person interpreter, or during a telephone conversation with a LEP individual.

In order to avoid conflicts of interest that can emerge when using bilingual staff and officers, the neutrality of professional interpreters is of the utmost importance. This neutrality is part of certified interpreters’ code of professional responsivity. “They cannot serve as investigators or interrogators nor interject their own opinions or advice” (Summit County Sheriff’s Department & City of Lorain Police Department, 2004). As such, they should ultimately be viewed as language conduits, not working towards the benefit of any single individual or organization.

In cases that deal with sexual assault victims, issues surrounding gender need to be considered when using professional interpreters. Specifically, LEP individuals from certain immigrant communities, where sex is a taboo subject, may feel uncomfortable using an interpreter of a different gender. “Similarly, male interpreters may have preconceived notions about victims of sexual assault including disbelief that rape can happen within a marital context” (Orloff et al., 2010). Therefore, it is important that individuals working with these victims talk to them about what interpretation services would make them feel most comfortable and safe (Orloff et al., 2010).

Options 3: Using Technology.

The previous two options for communicating with LEP individuals have one thing in common: they both require a human interpreter. With recent technological advances, this is changing. Language assistance technology refers to any “computer and networking technology that can help individuals who do not share a common language to communicate” (Rahman et al., 2007). Their application in a law enforcement setting must be considered.

Generally, language assistance technology falls into one of three categories: one-way technology, two-way technology, or remote simultaneous interpreting technology. One-way technology, only allows the user, in this case a police officer, to be understood by the LEP individual, not vice versa. Two-way technology improves on the previous device by allowing both the officer and the LEP individual to communicate with each other in their desired languages. This technology relies of voice-recognition and automatic translation technology. While the capability of these devices is increasing rapidly, they are still not quite ready for full deployment and implementation. The final approach, remote simultaneous interpreting technology, is similar to the professional interpretation services discussed previously, in that it requires a human interpreter to serve as a “conduit” for the two parties. The major difference is that it utilizes more technology throughout the process. Specifically, both parties (in this case the officer and the LEP individual) call in to the interpreter on two separate phone lines. The interpreter can then control what each caller hears. Therefore, the interpreter can provide near-instantaneous interpretation since the two callers will not be speaking to each other directly. This “approximates a real-time conversation” (Rahman et al., 2007).

Advantages and Disadvantages. There are several overarching advantages in the use of language assistance technology. Most notably, their use is straightforward, and many companies provide specialized training for law enforcement. In addition, these companies generally provide real-time user assistance (Khashu et al., 2005). Finally, Rahman et al. (2007) found that the use of these technologies can improve efficiency by cutting down the time between arrest and arraignment. These approaches are not without their disadvantages. The first overarching issue is the cost. In fact, some of these devices can be extremely costly and the services that accompany
them may only be cost-effective if they are coordinated between several agencies (Khashu et al., 2005). The second consideration is that while these technologies are fairly user-friendly and do not seem to have a steep learning-curve, they will still require training and some familiarity with technology (i.e., at least some experience with smart phones).

**Written Documents**

The use of written documents is crucial in communicating with LEP individuals. They can serve a variety of functions and can be used at various times throughout the process. This section will discuss a variety of these documents and how they can be utilized in an LAP.

**I Speak Cards.** “I Speak” cards should be carried by all officers and, in many cases, will be part of the initial interaction with LEP individuals in the field. Specifically, these cards allow LEP individuals to quickly identify their preferred language. The use of these cards significantly decreases the time between initial contact with the officer and securing an interpreter (Orloff et al., 2010).

**Flash Card Communications Booklet.** A Flash Card Communications Booklet is used in emergency situations while waiting for an interpreter to be contacted. These booklets are generally more substantial than “I Speak Cards” and through the use of universal signs and symbols can serve multiple functions. First, they are used to help officers determine an LEP individual’s immediate language needs. Second, they can assist officers in understanding what crime has taken place. Finally, with the inclusion of basic objects (e.g., eyeglasses, hats, types of cars, etc.) they allow the LEP individual to assist officers in the immediate search for a suspect and/or vehicle. It is important to note that while these booklets can be extremely helpful in “temporarily bridging communication gaps in a cost-effective fashion,” they cannot take the place of interpreters and should not be over-relied upon (Summit County Sheriff’s Department & City of Lorain Police Department, 2004).

**Signage, Forms, and Documents in Police Departments.** Title VI and several other federal acts require important information to be clearly posted and readily available in a wide range of languages (based upon the demographics of the community). Specifically, according to the Department of Justice’s “Safe Harbor” provision, law enforcement agencies will show evidence of compliance with Department of Justice guidelines if all vital documents are translated into the language of each LEP language group that represent 5% or 1,000 (whichever is less) of its service population. If there are fewer than 50 people that make up 5%, the agency may not need to translate the document, but there should be written notification in that language to the right to receive oral interpretation of written material free of charge (U.S. Department of Justice, 2002).

For translated documents it may be best to have translation done by a certified translator or, if that is not an option, have someone check the work of the first translator. One way to do this is to use “back translation.” In other words, have one person translate the document into another language and then have someone else translate the document back into English. If the meaning is still conveyed, then the translation can be considered successful. Another potential starting place is the use of online translation tools (e.g., Google translate). These services are far from perfect and as such should not be used as the sole method of translation. However, they may provide the first step in the “back translation” approach.

**Written Communication Between LEP Individuals and the Department.** There will be times when the department receives written documentation from the LEP individual in their preferred language. In these cases, the department should reasonably ensure that the document is translated accurately. The more significant the communication is to the LEP person, the higher the need for quality, accurate, and timely translation. However, there may be cases when timely
translation is not possible or reasonable. In these cases, taglines should be used to inform the LEP individual that they can receive oral interpretation of the information contained in the written document (U.S. Department of Justice, n.d.).

**Implications for Policy and Practice**

It is important to state that first and foremost, any LAP must specify that the highest quality language assistance be used in situations where there are the most significant consequences for the LEP person or when safety or evidence is involved. This will guide every suggestion in this section of the report.

**Recommendations for Bilingual Employees**

The following are recommendations for increasing the number of bilingual employees through the hiring process:

1. Use of targeted recruitment. Place job advertisements and talk to community leaders in neighborhoods with a high percentage of people who speak the targeted language. Use advertisements through minority advocacy groups and minority publications, magazines, newspapers, and websites. Include a question on the job application about language skills. Target local high schools and colleges with large immigrant student populations to recruit for the cadet program (Khashu et al., 2005; Lee et al., 2019; Shah & Estrada, 2009; Shah et al., 2007).

2. Implement a mechanism for testing bilingual staff and officers.

3. Create an incentive pay for bilingual staff and officers. For example, bilingual employees in San Antonio who pass an exam can qualify for a $50 per month incentive (Khashu et al., 2005).

4. Provide a tuition reimbursement program for bilingual staff and officers to participate in continuing education to enhance language proficiency, participate in interpretation, and receive cross-cultural training (Summit County Sheriff’s Department & City of Lorain Police Department, 2004).

Once a solid core of bilingual staff and officers has been developed, it will become necessary to create an internal database. The database should include the language(s) spoken by each staff person or officer as well as each person’s specific skill level in written and oral communication. It is preferable to have individuals’ language fluency level determined by an outside company’s proficiency test. When an interpreter is requested, the database operator will then be able to use the database to identify the individual with the highest language fluency score available at that time to deploy. Those with the highest skill should handle situations that require the most fluency (Shah & Estrada, 2009).

**Recommendations for Professional Interpreters**

Even if in-person interpreters are hired by the department, it is highly recommended that a nationwide telephonic interpretation service is contracted. This will ensure that any gaps in interpretation will be covered. Specifically, while in-person interpreters may be prepared to step in when LEP individuals who speak the most common foreign languages in the jurisdiction are encountered, there must be a protocol in place for encounters with individuals who speak languages outside this coverage.

It is important that the availability and use of interpreters is clearly communicated to the community being served. For instance, several respondents during the qualitative interviews
suggested attending community meetings and events in order to increase trust and knowledge of the resources available to LEP individuals within the department.

The first step in using an interpreter in the field is to determine whether the individual needs interpretation services. In general, law enforcement should err on the side of caution to provide qualified interpreters (Curtis, 2006). Next, it is important that individuals be given a choice about the language access services that work best for them, as this will increase their likelihood of participating in the justice system and seeking out resources. In addition, empowering victims to be more actively involved in service provision may help increase their confidence in the system (Office for Victims of Crime, n.d.). Finally, since the information being conveyed by professional interpreters is extremely important, it is important for officers to monitor their interactions with LEP persons.

**Recommendations for Written Documents**

All employees should be given tangible resources to carry with them like “I Speak” cards, language guides for criminal justice agencies, and instructions on how to access telephonic interpreting services (Shah et al., 2007). Employees should also be trained on what to do if the person’s language cannot be identified through using the card (e.g., use of the telephone language line).

The use of interns from local universities, colleges, and high schools should not be overlooked. Specifically, students in interpreting/translating programs can be utilized for creating or editing bilingual glossaries, aiding in the creation of databases, preparing reports on various groups and cultures in the community, and helping to plan community outreach programs (Summit County Sheriff’s Department & City of Lorain Police Department, 2004).

**Recommendations for the Deaf or Hard of Hearing**

While many of the recommendations made above can be modified and applied to those who are deaf or hard of hearing, there are additional factors that should be considered. Individuals who are deaf or hard of hearing do not represent a monolithic culture. Therefore, methods of communication can vary from individual to individual based on personal preference and the type of impairment (Asian Pacific Institute on Gender-Based Violence, 2016).

There are several different types of devices available for communicating with those who are deaf or hard of hearing. CART uses captioning technology to transcribe spoken language into text. The captioner types exactly what the speaker is saying in real time and the text is displayed on screen for the deaf or hard of hearing person to read. Text telephone (TTY) devices are used for the deaf or hard of hearing person to communicate over the phone using a keyboard and display screen. The user types the message on their TTY machine that is then relayed to the other person’s TTY machine. Video remote interpretation (VRI) uses an offsite interpreter connected to the parties through video communication equipment. Finally, video relay service (VRS) allows people who use sign language to communicate with sign language over the telephone. The VRS user is connected to the interpreter by video, and they communicate through sign language as the interpreter interprets over the phone to the hearing individual (Asian Pacific Institute on Gender-Based Violence, 2016).

During interviews several respondents pointed to previous interactions between deaf and hard of hearing individuals and the police that may impact how the former views the later. For example, personal biases will often lead individuals to speak only to a hearing member of the family or use a child to interpret. In addition, there have been several examples in which emotional signing has been misconstrued as aggressive actions that has led to negative interactions between the police and deaf and hard of hearing individuals. Stories like these can cause mistrust and a
general hesitancy to contact the police when assistance is needed. Similarly, the physical set up of a police department can marginalize those who are deaf or hard of hearing. For example, some lobbies have bulletproof glass that makes it difficult to face read through. Other police station lobbies require individuals to speak to the person at the front desk through a phone. Not only do these regrettable situations lead to distrust, but they can also have legal ramifications.

Several policies can be implemented to avoid these situations. First, interview respondents suggested that all officers receive training on how to interact with the deaf and hard of hearing population. In the lobbies of police departments video phones should be installed so that deaf and hard of hearing individuals have immediate access to an interpreter or help for more mundane activities (e.g., help filling out paperwork). Another possibility would be the instillation of an induction loop system. This technology is installed on the police officer’s side of the glass and sends soundwaves on the other side of the glass to a 4- to 5-foot radius. Those with cochlear implants or certain hearing aids will be able to hear and communicate directly with the officer. Finally, it is important that available services for those who are deaf and hard of hearing are displayed on a clearly visible notice for those entering the station.

When an officer encounters individuals who are deaf or hard of hearing in the field there are certain polices that can be put into place to assure constructive interactions. Upon arriving on the scene an officer should first try to determine if an individual is deaf or hard of hearing. In addition, it is important for officers to ask how the individual wants to communicate. Even if the officer has previously had interactions with the individual, they should still ask their current communication preference. Officers should not assume even if they have used a specific method of communication with this person in the past that things have not changed (either with the individual or in the circumstances). Another important tool is visor cards with symbols that police officers can use when interacting who individuals who are deaf or hard of hearing. When more substantial interactions are required, several options are available. First, automatic speech recognition (ASR) technology on cell phones has become much more advanced in recent years. ASR is a live transcription application that allows for near instantaneous communication. Nevertheless, one thing that needs to be considered is that ASR technology requires the use of cellular data. As such, in areas with poor cellular coverage it may not function properly.

Interview respondents also suggested that officers should have access to certified interpreters. Since interpretation with this population is visual in nature, this would require officers to have tablets with immediate access to certified interpreters. When the level of interaction becomes more impactful for the individual (e.g., arrest and reading of Miranda rights), respondents strongly suggested that officers contact the Massachusetts Commission for the Deaf and Hard of Hearing to request a legal interpreter.

Once these policies are in place, they should be communicated to those who are deaf or hard of hearing in the community. Respondents suggested hosting community events. At these events individuals have the opportunity to self-identify with the police via a disability indicator form. This would allow officers in the future to immediately identify if a person they are interacting with is deaf or hard of hearing. Respondents pointed out that individuals who are hard of hearing generally do not form as close-knit a community as do those who are Deaf. As such, it can be more challenging to communicate the newly available services in a single event. Instead, it was recommended that the department reach out to audiologists, senior centers, and long-term care facilities to reach those with various levels of hearing loss who may not attend a community event for the Deaf.

Immigration
It was noted by several of the interview respondents that since a large proportion of LEP individuals are immigrants, an LAP cannot be properly implemented without also considering immigration. Specifically, many LEP individuals, due to their immigration status, may not be comfortable reaching out to the police for fear of being reported to federal agencies. It is thus important to formalize a departmental policy that immigration status will not be taken into account or reported when people call the police.

**Sustaining the Partnership**

While the deliverables from this project most significantly benefit the BPD, the project also provides an evidence-based foundation upon which Curry and the BPD can build to create a lasting partnership. Periodic evaluations of the VAP’s efficacy and actual benefit versus measured potential conducted by students in the Curry College Master’s in Criminal Justice Program will hopefully evolve from this initial research. Creating future applied research opportunities will prove as beneficial to Curry as the research and evaluations will be to the BPD and the victims it serves. Additional targeted dissemination of the results of this project will also benefit other law enforcement agencies with similar programs and challenges.

One important way in which the partnership between Curry College and BPD can be sustained is in the use of evaluations. The Department of Justice clearly recommends that a system be put in place for assessing the effectiveness of the department’s language services. It is important to stay up to date with the languages being used by those interacting with the department. These data can be further capitalized on with the inclusion of information about, for instance, local demographics, frequency of contact with different language groups, the nature of the interactions, types of services required, and the duration of the interaction (Khashu et al., 2005; Summit County Sheriff’s Department & City of Lorain Police Department, 2004). These data can be used by both members of the partnership to evaluate the effectiveness and efficiency of the LAP. This will also allow the LAP to be updated based on evidence-based information. In fact, Lee et al. (2019) recommend that a language plan be updated on a yearly basis.

In addition, this report illustrates the need for the increased collection of quality data. These data should focus on, but are not limited to: the languages spoken in Brockton, the languages encountered in calls for service, and languages spoken by those interacting with the department; there should be a particular focus on languages spoken and language services utilized by victims of crime.
References


The United States Census Bureau, American Community Survey (ACS) and Puerto Rico Community Survey (PRCS). (n.d.). *1-Year Estimates.*


Appendix

Table 1  
Sources of Data

Community Resources  
- Family and Community Resources, Inc.  
- Old Colony Elder Services  
- A New Day  
- Justice Center of Southeastern Massachusetts  
- Brockton Neighborhood Health Center  
- DOVE

Demographic Data  
- Bridgewater State University – Shannon Grant Report  
- Signature Healthcare  
- U.S. Census  
- American Crime Survey  
- Massachusetts Department of Elementary and Secondary Education  
- Centers for Medicare & Medicaid Services  
- Migration Policy Institute  
- Office of Public Health Strategy and Communications  
- Center for Immigration Studies

Crime Data  
- NIBRS  
- Bridgewater State University – Shannon Grant Report  
- Brockton Police Department

Table 2  
Language Demographics by County and City

<table>
<thead>
<tr>
<th></th>
<th>n/ %</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Plymouth County, 2009-2013</strong>*</td>
<td></td>
</tr>
<tr>
<td>Speak English only at home</td>
<td>88.45%</td>
</tr>
<tr>
<td>Speak language other than English at home</td>
<td></td>
</tr>
<tr>
<td>Portuguese</td>
<td>3.75%</td>
</tr>
<tr>
<td>Spanish</td>
<td>2.53%</td>
</tr>
<tr>
<td>French Creole</td>
<td>1.97%</td>
</tr>
<tr>
<td>Speak English less than &quot;very well&quot;</td>
<td>21,208 (4.52%)</td>
</tr>
<tr>
<td>Portuguese</td>
<td>44.15%</td>
</tr>
<tr>
<td>French Creole</td>
<td>19.55%</td>
</tr>
<tr>
<td>Spanish</td>
<td>17.87%</td>
</tr>
<tr>
<td>Asian and PI</td>
<td>7.70%</td>
</tr>
<tr>
<td>All other</td>
<td>1.90%</td>
</tr>
</tbody>
</table>
### Brockton**

**Population 5 and over, 2019**

- Speak only English: 47,557 (53.3%)
- Speak language other than English: 41,695 (46.7%)
- Spanish: 7,783 (8.7%)
- Other Indo-European languages: 31,557 (35.4%)
- Asian and PI: 1,073 (1.2%)
- Other languages: 1,282 (1.4%)

**Population 5 and over, 2018**

- Speak only English: 49,105 (55.2%)
- Speak language other than English: 39,812 (44.8%)
- Spanish: 7,687 (8.6%)
- Other Indo-European languages: 29,879 (33.6%)
- Asian and PI: 771 (0.9%)
- Other languages: 1,475 (1.7%)

*Data sources: U.S. Census; **American Community Survey

### Table 3

**Brockton Police Department, Victim Assistance Program Log**

<table>
<thead>
<tr>
<th></th>
<th>n</th>
<th>%*</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Charges Filed</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No</td>
<td>142</td>
<td>23.5%</td>
</tr>
<tr>
<td>Yes</td>
<td>465</td>
<td>76.5%</td>
</tr>
<tr>
<td><strong>Arrest Made</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No</td>
<td>396</td>
<td>65.2%</td>
</tr>
<tr>
<td>Yes</td>
<td>211</td>
<td>34.8%</td>
</tr>
<tr>
<td><strong>Domestic Violence</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No</td>
<td>222</td>
<td>36.6%</td>
</tr>
<tr>
<td>Yes</td>
<td>385</td>
<td>63.4%</td>
</tr>
<tr>
<td><strong>Victim Gender</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Male</td>
<td>51</td>
<td>28.5%</td>
</tr>
<tr>
<td>Female</td>
<td>128</td>
<td>71.5%</td>
</tr>
<tr>
<td><strong>Victim Language</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>English</td>
<td>169</td>
<td>94.4%</td>
</tr>
<tr>
<td>Cape Verdean Creole</td>
<td>5</td>
<td>2.8%</td>
</tr>
<tr>
<td>Spanish</td>
<td>4</td>
<td>2.2%</td>
</tr>
<tr>
<td>Unknown</td>
<td>1</td>
<td>0.6%</td>
</tr>
<tr>
<td><strong>Contact with Victim</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No</td>
<td>10</td>
<td>1.7%</td>
</tr>
<tr>
<td>Yes</td>
<td>594</td>
<td>98.3%</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------------------------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Type of Contact with Victim</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CAC</td>
<td>19</td>
<td>6.2%</td>
</tr>
<tr>
<td>In-person</td>
<td>3</td>
<td>1%</td>
</tr>
<tr>
<td>Letter</td>
<td>138</td>
<td>45.1%</td>
</tr>
<tr>
<td>Phone</td>
<td>132</td>
<td>43.1%</td>
</tr>
<tr>
<td>Letter/phone</td>
<td>12</td>
<td>3.9%</td>
</tr>
<tr>
<td>Other</td>
<td>2</td>
<td>0.7%</td>
</tr>
<tr>
<td><strong>Resource Referrals Accepted</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CAC</td>
<td>24</td>
<td>9.2%</td>
</tr>
<tr>
<td>No</td>
<td>110</td>
<td>42.1%</td>
</tr>
<tr>
<td>Yes</td>
<td>127</td>
<td>48.7%</td>
</tr>
</tbody>
</table>

*Valid percentage of total cases, does not include missing data

**Table 4**  
*BPD Language Survey Results*

<table>
<thead>
<tr>
<th>Shift</th>
<th>n</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>8am-4pm</td>
<td>28</td>
<td>50%</td>
</tr>
<tr>
<td>4pm-12am</td>
<td>22</td>
<td>39.30%</td>
</tr>
<tr>
<td>12am-8am</td>
<td>6</td>
<td>10.7%</td>
</tr>
</tbody>
</table>

**Fluent in language other than English**

| Yes | 8   | 14.30% |
| No  | 48  | 85.70% |

**Second languages**

| Spanish | 3   | - |
| Cape Verdean Creole | 3   | - |
| French | 1   | - |
| Portuguese | 3   | - |
| American Sign Language | 1   | - |

**Frequency of encounters with LEP/deaf/hard of hearing**

<p>| 0 | 7   | 12.50% |
| 1-2 | 29  | 51.80% |
| 3-4 | 6   | 10.70% |
| 5-6 | 7   | 12.50% |
| 7-8 | 0   | - |
| 9-10 | 2   | 3.60% |
| More than 10 | 4   | 7.10% |
| N/A | 1   | 1.70% |</p>
<table>
<thead>
<tr>
<th>Method</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Communicate in their own language</td>
<td>3</td>
<td>5.40%</td>
</tr>
<tr>
<td>Radio for someone who can interpret</td>
<td>36</td>
<td>64.30%</td>
</tr>
<tr>
<td>Use someone on the scene</td>
<td>17</td>
<td>30.40%</td>
</tr>
<tr>
<td>Call a language interpretation service</td>
<td>0</td>
<td>-</td>
</tr>
<tr>
<td>Use an interpretation or translation website/app</td>
<td>0</td>
<td>-</td>
</tr>
</tbody>
</table>