



**Palm Beach County Sheriff's Office
Corrections Operating Procedures**

C.O.P.# 932.05

Page 1 of 6

SUBJECT: Interpreters and Related Services

INDEX AS: Inmate Services and Programs

ISSUED DATE:	EFFECTIVE DATE:	REVISION DATE:	REFERENCE:
5/11/10	5/11/10	N/A	ACA - 4-ALDF-2A-28 FCAC - 7.01 FMJS - 4.01, 13.09(c)

- I. **POLICY:** The Palm Beach County Sheriff's Office Department of Corrections (PBSO DOC) provides limited English proficient (LEP) inmates (including detainees) and members of the public (including LEP parents of minors being held by the DOC) with meaningful access to important information, rights, and services. LEP persons are individuals who do not speak English as their primary language and have a limited ability to read, write, speak, or understand English. LEP inmates will be able to both participate effectively and also receive effective communication in their language in important services, programs, and proceedings; notices of rights and responsibilities; disciplinary actions and proceedings; medical and mental health requests and services; religious, disability, and other accommodations, and the inmate request system. The DOC does not retaliate against any inmate or member of the public for requesting language assistance, and encourages and trains staff to ensure that they are communicating effectively with LEP persons.

- II. **PURPOSE:** The purpose of this Policy Statement is to establish a system of communication with all inmates and members of the public to include those that do not speak, read, write, and/or understand English well enough to communicate effectively in English.

- III. **SCOPE:** This Corrections policy statement applies to all PBSO DOC staff, which includes salaried and hourly employees, persons providing services under contract, volunteers, interns, and any other individuals providing services for PBSO DOC.

- IV. **DISCUSSION:** There will be occasions when staff within our facilities will encounter inmates and/or members of the public with whom they are unable to communicate effectively in English. These instances pose varying degrees of difficulty for staff, inmates and members of the public in obtaining and providing information. Inmates should have the ability to access and/or provide information effectively to Correctional and other staff, regardless of the inmates' English language ability.

- V. **DEFINITIONS:**
 - A. **Bilingual:** The ability to speak two languages fluently and to communicate directly and accurately in both English and another language.
 - B. **Interpretation:** The act of listening to a communication in one language and orally converting it into another language, while retaining the same meaning.
 - C. **Translation:** The replacement of written text from one language with an equivalent written text in another language.

- D. Limited English Proficient (LEP) Person:** A person who does not speak English as his/her primary language and has a limited ability to read, write, speak, or understand English.
- E. Primary language:** The language in which an individual is most effectively able to communicate.
- F. Uncommon Language:** Those languages not spoken by a significant portion of our inmate population (I.E. English, Spanish, Creole). Translation data will be reviewed annually.

VI. PROCEDURES:

A. Identification of LEP Inmates:

1. Inmate Management Division: The individual's primary language will be identified and documented during the initial intake process utilizing one or more of the following approved methods.
 - a. Language identification poster displayed in the intake area.
 - b. Verification of language by qualified bilingual staff.
 - c. Qualified interpreter
 - d. I Speak Booklet
 - e. Telephonic interpretation service (Language Line)
2. In addition to identification above, PBSO DOC will automatically provide language services in the LEP person's primary language for any individual who was provided an interpreter in court proceedings and will, likewise, ensure that the court clerk is informed of any inmates who have been identified as LEP by PBSO DOC.
3. Although Spanish is a common language of persons from Latin America, many persons from this area may speak another language as their primary language. For example, persons from Guatemala speak more than 20 different native languages including Kanjobal and Q'eqchi', but may be mistaken as Spanish speakers. Given that many times, these individuals are somewhat familiar with Spanish, but not fluent in either Spanish or English, it is critical to identify the primary language of the LEP person. PBSO DOC will do so by carefully using the methods described above to ensure that the individual's primary language is properly identified.

B. Providing language assistance:

1. The policy statement in paragraph I above will be translated into Spanish, Haitian-Creole. Additional languages for translation will be identified through consultation with representatives of the LEP community, and organizations representing LEP inmates and detainees, and the school district. In order to ensure that all inmates and members of the public are aware that language services are provided, the English and translated versions will be posted in appropriate areas throughout all DOC facilities and printed in materials provided to detainees during the intake process.
2. Inmates who are LEP will receive notification of applicable rules, regulations, and procedures in their primary language. Intake staff will utilize appropriate language services to obtain information from, and provide information to, LEP inmates. Using signage and/or oral language services, LEP inmates will be provided information about oral and written language assistance services that will be available to them at no charge for the duration of their incarceration or supervision.

3. When a determination has been made that an inmate is LEP using methods in paragraph A above, the following actions will be taken:
 - a. Inmate Management staff will notify their immediate supervisor that they are processing an individual in need of language services.
 - b. The Supervisor will initiate language services based on the procedures outlined in this Policy Statement and will make the appropriate notifications to their command staff.
 - c. A notation will be made in the alert portion of the jail management system that the individual is LEP and will identify the person's primary language. A notation will also be made in all centralized files and or databases.
 - d. In addition to the regular wrist band utilized for inmate identification, a second TBD colored wrist band will be applied identifying that language assistance is required.
 - e. In the event that translated forms are not available, the inmate is not able to read or write in their primary language, or whenever oral communication is needed, a qualified bilingual staff member, interpreter, or a telephonic interpretation services will be utilized to communicate and gather required information.
 - f. The Inmate Management Division will notify the Commander of the Standards & Staff Development Division when they identify an LEP individual that speaks a language other than Spanish or Creole.
 - g. The Standards & Staff Development Division will work with contracted services to obtain specialized forms in the required language. Until such time as the forms are received, staff will utilize qualified bilingual officers, interpreters, or the language line service to communicate with the individual.
4. Medical staff will be notified of all LEP inmates and will utilize translation and interpretation resources whenever an LEP person is being seen and/or treated. If the medical provider is a qualified bilingual speaker of the LEP person's primary language, then direct communication in that language, rather than interpretation services, would be appropriate. Medical confidentiality will be maintained during this process.
5. Court appearances, legal services. In cases requiring legal correspondence/communication, PBSO DOC shall request the services of a court certified interpreter or, if the language is not one in which the courts have a certification program, a court qualified interpreter.
6. Inmate program activities (religious, educational, etc.). Programs will be made available for LEP inmates.
7. Establishing dietary requirements. The Chaplain or Medical staff will ensure that appropriate language services are utilized to identify any special dietary requirements of LEP inmates.
8. Inmate disciplinary processes. In the event disciplinary action is required, staff will utilize one or more of the approved methods of language services, described in paragraph D below, to communicate with the individual. The method(s) of language services will be documented on all related reports.

9. Fellow inmates are not considered approved language service providers and will not be relied upon to provide language services where potential conflicts may arise, where important services or information is being communicated, in any of the situations specifically noted above (1-8), or where accuracy is important.
10. Visitation. Translated visitation forms for inmates and visitors shall be provided in Spanish, Haitian-Creole, and other appropriate languages. Visitation rules shall be posted in Spanish, Haitian-Creole, and other appropriate languages. PBSO DOC staff shall use qualified bilingual staff, interpreter, or telephonic interpreter service to handle situations involving LEP visitors. Staff should be particularly mindful of the need for accurate communication when dealing with parental contact and information issues (including communication with LEP parents).

C. Language Line: In the event that one of our facilities is in need of an interpreter, the Department of Corrections has contracted interpreter services (via telephone) with **Language Line Services**. The procedure to procure these services is as follows:

1. Authorization from a supervisor will be obtained prior to use of these services.
2. Dial 1-800-523-1786
3. Press “1” for Spanish or “2” for all other languages and speak the name of the language at the prompt.
4. If you need assistance, press “0” or stay connected to the line to be connected with a representative.
5. Enter on touch tone phone, or provide representative with :
 - a. Client Identification number: 103078
 - b. Organization name: Palm Beach County Sheriff’s Office.
 - c. Personal code: Your ID number
 - d. An interpreter will then be connected to the call.
6. Brief the interpreter in summary form as to the nature of what information you are trying to gather or convey.
7. Add the LEP person to the line.
8. Upon completion of the interview/ conversation, state “end of call” to the interpreter.
9. A “Language Assist Form” (PBSO # 0629 REV 09/04) shall be completed and forwarded to the Standards & Staff Development Division following the use of the language line.

D. Staff Assistance:

1. Staff may utilize one or more of the following methods to assist them in effectively communicating with LEP individuals.
 - a. Language identification posters (Displayed in intake and housing areas) and I Speak Booklet -- To be used only to identify the language the person speaks.
 - b. Qualified bilingual staff speaking directly to inmates in the inmates’ primary language.
 - c. Qualified staff or contract interpreters
 - d. Language Line Service
 - e. Certified Court Interpreters or interpreters who are “otherwise qualified” by the courts to interpret in the court.
 - f. Translated forms and translations of written communications from and to the inmates.

2. Bilingual Staff: Bilingual staff shall be assessed to confirm fluency. If the staff member satisfies the requirements of fluency for a particular language, he/she may speak directly with LEP persons in that language. However, he/she cannot act as an interpreter unless the requirements of paragraph 3 below are also satisfied.
3. Staff Interpreters: The Department of Corrections shall identify and select qualified staff interpreters based upon expertise. Selected bilingual staff shall be tested in Spanish, Creole, and other appropriate languages, through the Language Line University. The test consists of:
 - a. Knowledge of terminology (including special terminology used throughout the corrections context, *e.g.*, health care terms)
 - b. Vocabulary
 - c. Accuracy
 - d. Grammatical correctness
 - e. Pronunciation
 - f. Enunciation
 - g. Intonation
 - h. Attentive listening
 - i. Information retention
 - j. Ability to follow directions
 - k. The role of the interpreter (including confidentiality and conflict of interest)
 - l. Presentation and delivery
 - m. Customer service skills
 - n. Professional demeanor
4. Test results shall be mailed directly to our field training office with the score provided in a numeric and percentage system based on the Language Line University's Scoring Guidelines. Participants successfully passing the test receive a certificate. All test scores and copies of certificates will be retained in the employee's training file.

E. INMATE REQUESTS & DOCUMENTS:

1. Inmate initiated forms shall be translated in Spanish and Creole through a qualified source. Uncommon languages will be addressed on a case by case basis. All inmates, regardless of language spoken, will be provided medical services in a timely fashion and will be able to make dietary and religious requests and communicate effectively in disciplinary proceedings.
2. When translated forms are not immediately available or inmates are unable to fill out forms and documents in their own language, PBSO DOC staff shall use another method of communication described above in paragraph VI.B.3.e., including a qualified bilingual staff member, interpreter, or a telephonic interpretation service.
3. Standards & Staff Development will be the manager of Correctional forms and documents. Quality control will be ensured through second or third check measures. Command staff shall determine forms and documents requiring translation and will forward that information to the Standards & Staff Development Division for implementation. Any written or electronic material that is regularly encountered by inmates and is associated with health and safety, length of stay, and discipline will typically be forwarded for translation.

4. The Standards & Staff Development Division will be responsible for the purchasing and distribution of translated forms and documents.
5. Spanish or Creole forms and documents that require translation shall be directed to a designated certified translator for processing.
6. Uncommon language translations shall be coordinated through the shift Commander and the Commander of the Standards & Staff Development Division.
7. Translation services shall be documented and forwarded through the chain of command to the Major level with copies being provided to the Standards & Staff Development Division.

VII. COMPLAINT PROCEDURE: Language access complaints shall be directed to the Commander of the Standards and Staff Development Division. Any resolution, or action if any, shall be coordinated with the Standards & Staff Development Division and the appropriate Division Commander.

VIII. TRAINING: All members with the potential exposure to limited English proficient individuals shall receive annual training on this policy including, among other things, training on how to access the list of in-house interpreters and consulates and utilization of the language line system. New employees shall receive this information during their Field Training program.

IX. SUPERVISOR RESPONSIBILITY: Supervisors as part of his/her responsibilities coordinate and ensure compliance with the PBSO DOC LEP requirements within each facility. In addition, a language access coordinator will be selected who shall, as part of his/her other responsibilities, coordinate and ensure compliance with the PBSO DOC LEP requirements within PBSO detention facilities.

X. CONSULTATION, MONITORING, AND UPDATING: The PBSO will develop and implement a process of consultation with, at a minimum, representatives of the LEP community, the court system, law enforcement agencies, the school system (particularly programs dealing with English language learners and LEP parent communications), and representatives of inmates and detainees to review, among other things:

- A. Implementation of this plan, including areas of possible collaboration to assure its effectiveness;
- B. Identification of additional languages, at least annually, that would be appropriate for translation of materials given the populations encountered within these systems and communities and the populations identified during intake under paragraph V.A.1. above;
- C. Concerns, ideas and strategies for ensuring language access within the PBSO.