



INTERACTIONS WITH PERSONS WITH LIMITED ENGLISH PROFICIENCY



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I. PURPOSE

This directive:

- A. delineates the procedures to be recognized as a multilingual Department member.
- B. outlines the guidelines and procedures for responding to and interacting with persons with limited English proficiency (LEP).
- C. introduces the use of the LanguageLine InSight Application for immediate remote interpretation services.
- D. introduces the:
 - 1. Language Assistance Feedback Report:
 - a. English ([CPD-21.170-E](#));
 - b. Arabic ([CPD-21.170-E-A](#));
 - c. Chinese (Simplified) ([CPD-21.170-E-C](#));
 - d. Polish ([CPD-21.170-E-P](#)); and
 - e. Spanish ([CPD-21.170-E-S](#)).
 - 2. Language Identification Guide ([CPD-21.171](#)).
 - 3. Request for Translation ([CPD-21.172](#)).
 - 4. Guide to Language Assistance:
 - a. English ([CPD-21.173](#));
 - b. Arabic ([CPD-21.173](#));
 - c. Chinese (Simplified) ([CPD-21.173](#));
 - d. Polish ([CPD-21.173](#)); and
 - e. Spanish ([CPD-21.173](#)).
 - 5. I Speak Card:
 - a. Arabic ([CPD-21.174](#));
 - b. Chinese (Simplified) ([CPD-21.174](#));
 - c. Polish ([CPD-21.174](#)); and
 - d. Spanish ([CPD-21.174](#)).
 - 6. Language Phone Application Notice ([CPD-21.184](#)).

E. continues the use of the Language Assistance Notice (CPD-21.126).

F. discontinues the Language Identification Card (CPD-21.125).

NOTE: The Department has determined circumstances that require an immediate revision to and clarification of this policy. The Department will continue to work collaboratively with the Independent Monitoring Team and the Illinois Office of the Attorney General to review and modify the procedures and responsibilities established by this directive, including but not limited to the development and implementation of a process for multilingual Department members to verify their language skills through a practical exam and certification. While this review is being conducted and until a revised directive is published, the procedures established by this directive remain in effect.

II. POLICY

A. The Chicago Police Department and its members will provide professional, respectful, and courteous police service to all persons, equally and without prejudice, and will take reasonable steps to provide Department services to all individuals encountered regardless of their ability to speak, read, write, or understand English. Department members will not exhibit any bias or racially or culturally discriminate against individuals with limited English proficiency (LEP).

B. Pursuant to federal law, the enforcement of immigration law generally rests with the U.S. Immigration and Customs Enforcement (ICE) and not with the state and local police.

1. Department members will not participate in civil immigration enforcement operations or assist in the civil enforcement of federal immigration law and comply with the provisions of the Illinois [TRUST Act. 5 ILCS 805](#). Members will continue to follow the procedures outlined in the Department directive titled "[Responding to Incidents Involving Citizenship Status](#)," including compliance with the provisions of [the City of Chicago's Welcoming City Ordinance \(MCC 2-173\)](#).

2. This requirement does not preclude Department members from taking police action in response to a public safety issue that is unrelated to civil or federal immigration law or in response to alleged violations of the Illinois Compiled Statutes or Municipal Code of Chicago (e.g., offender wanted for a criminal case) provided such action is otherwise consistent with the Illinois [TRUST Act. 5 ILCS 805/15](#)."

C. Ensure the individuals with limited English proficiency (LEP) requiring a Department service will be provided timely and meaningful access to police services, including translation and interpretation services, provided by the Department free of charge, to ensure proper communication exists throughout the incident to understand the documents they are signing.

D. Department members interacting with individuals with limited English proficiency will use certified interpreters available via the LanguageLine InSight application or multilingual Department members to ensure appropriate resolution of the incident, including but not limited to community interactions, preliminary investigations, and custodial interrogations (e.g., the provision of Miranda warnings.)

1. Department members will use certified interpreters available via LanguageLine, either InSight Application or in-person interpreters services for all encounters involving a person with limited English proficiency (LEP) except in the following situations:

a. when exigent circumstances exist and immediate interpretation is required to protect the safety of individuals present or potential loss or destruction of evidence (physical loss of property, witness or victim, etc.).

NOTE: Once an exigent circumstance, as listed in Item II-D-1-a, has passed, Department members will continue to follow the LanguageLine InSight procedures outlined in this directive.

- b. the Department member does not have access to the LanguageLine Insight application due to a service outage, similar service disruption, or device malfunction, and a supervisor approves using a multilingual Department member.
- c. when a Department service is requested by a person with LEP that is both informational in nature (e.g., informal, non-confrontational, or only requires basic information) and does not require an emergency response.
- 2. Under these circumstances, Department members may use members on the multilingual Department member list or non-Department civilians for interpretation.
 - a. As a reminder, using family, friends, or bystanders to interpret could result in a breach of confidentiality, a conflict of interest, or an inadequate interpretation. Barring the exigent circumstances listed in **Item II-D-1-a**, Department members should not use minor children to provide interpreter services.
 - b. Family members and friends will **NOT** be permitted to interpret for a person with LEP during a criminal investigation unless the conversation is informational in nature (e.g., informal, non-confrontational, and only requires basic information).
- E. A person with limited English proficiency (LEP) may also be experiencing a crisis. Department members will follow the Department directive titled "[Recognizing and Responding to Individuals in Crisis.](#)"

III. DEFINITIONS

- A. **Core Languages** — those languages spoken by non-English speakers or people with limited English proficiency that comprise 5% of the total population of the City of Chicago or 10,000 persons, whichever is less.
- B. **LanguageLine Solutions** — a Department-authorized language-service vendor that provides translation and interpretation services worldwide in over 240 languages.
- C. **LanguageLine InSight** — an application installed in a Department-issued electronic communication device or tablet that enables its user to provide 24-hour access to interpretation on demand in 240 languages, including American Sign Language (ASL).
- D. **Multilingual Department member** — a non-certified Department-member who declared language(s) proficiency levels in speaking, writing, reading, and listening by completing the Personnel Change Notice ([CPD-11.611](#)) and Personnel Data Entry Worksheet ([CPD-62.326](#)).
- E. **Translation** — replacement of written text from one language (source language) to equivalent written text of another language (target language).
- F. **Interpretation** — conveying meaning orally from one language (source language) into another language (target language) while retaining the same meaning.

IV. DEPARTMENT LANGUAGE ACCESS COORDINATOR

The Department Language Access Coordinator will:

- A. Be a resource for the multilingual Department members, the Department's limited English proficiency policy, and the access to Department services for individuals with limited English proficiency.
- B. Collect, analyze, and interpret language services data to support and evaluate the Department's response to LEP individuals, understand language needs across the city, and allocate language resources accordingly. Data collection points may include, but are not limited to, the following:
 - 1. languages used, call duration, and originating location of remote interpretation requests citywide made through the LanguageLine InSight Application and Alternate Response System (ARS);
 - 2. in-person interpretation requests;

3. translation requests, languages and locations where needed, and type of materials requested;
 4. work with the Office of Emergency Management and Communications (OEMC) to collect phone data to ensure equitable deployment citywide and Department-wide. Address language access complaints by civilians.
- C. Facilitate the translation and publication of the Department's language access policy on its website and make it available to community-based groups serving LEP communities in Chicago.
 - D. Oversee the quality, consistency, and continuous improvement of language services and assist Department units in establishing best practices in language access.
 - E. Plan and schedule LanguageLine presentations to Department units and districts to demonstrate remote interpretation and the InSight Application.
 - F. Coordinate the Department's compliance with the requirements of Municipal Code of Chicago (MCC) 2-40, "[Citywide Language Access to Ensure the Effective Delivery of City Services](#)," to provide individuals with limited English proficiency meaningful access to vital Department public documents and services and perform related duties as required for language access coordinator.
 - G. Coordinate with the City of Chicago Language Access Coordinator or designated City of Chicago staff who will assess the effectiveness and efficiency of the Department's limited English proficiency policy, as well as other associated policies and Department forms, publications, and distribution materials on a continual basis and annually submit a report to the Superintendent, or his or her designee, outlining any recommendations for policy or operational modifications.
 - H. Participate in the City of Chicago Language Access Coordinator meetings as required.
 - I. Assist with the implementation of a language proficiency exam for Department members declaring foreign language oral and aural proficiency when such an exam becomes available.

V. BACKGROUND LEGISLATION

- A. White House Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency," charges each agency that receives federal financial assistance to develop and implement a system by which LEP persons can meaningfully access those services consistent with and without unduly burdening, the fundamental mission of the agency.
- B. Title VI of the Civil Rights Act of 1964

"No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

NOTE: Different treatment due to a person's ability to speak, read, write, or understand English may be a type of national-origin discrimination.
- C. Select text from Municipal Code of Chicago (MCC) 2-40-020, "[Language Access Plans](#)"
"All City departments that provide direct public services shall ensure meaningful access to such services by taking reasonable steps to develop and implement department-specific language access plans regarding LEP [limited-English proficiency] persons."

VI. MULTILINGUAL DEPARTMENT MEMBER LIST

- A. Department members will use certified interpreters via LanguageLine, either InSight Application or in-person interpreter services, for all encounters involving a person with limited English proficiency (LEP) except in the limited circumstances outlined in Item II-D-1 of this directive.
- B. Department members who have language skills and wish to be added to the multilingual Department member list will:

1. complete a Personnel Change Notice ([CPD-11.611](#)) and:
 - a. check the box labeled "Language Skills"; and
 - b. indicate in the "Language Proficiency Table" his or her proficiency level to understand, speak, write, and read a language than English.
2. complete a Personnel Data Entry Worksheet (CPD-62.326) and indicate in the "Language Skills" Section his or her proficiency level to understand, speak, write and read a language other than English.

NOTE: Department members declaring proficiency in a language other than English may be requested to assist in interpretation during field encounters.

3. submit the original Personnel Change Notice and Personnel Data Entry Worksheet to the Office of Public Safety Administration, Human Resources Division (OPSA-HR).
 4. submit the duplicate copy of the Personnel Change Notice to their unit commanding officer.
- C. Unit commanding officers who receive a Personnel Change Notice indicating an acquired language skill will ensure the submitting member's unit personnel file is updated with the language skill information.
- D. OPSA-HR will ensure:
1. the submitting member's personnel file is updated with the appropriate language skill information when a Personnel Change Notice is received indicating a newly reported or acquired language skill.
 2. the multilingual Department member list is maintained and supplied to:
 - a. the Crime Prevention and Information Center (CPIC); and
 - b. all unit commanding officers.
 - c. the Language Access Coordinator

NOTE: The list provided to unit commanding officers need only identify the multilingual Department members assigned to the commanding officer's unit.

- E. The commanding officer, Crime Prevention and Information Center (CPIC), will ensure:
1. a current list of multilingual Department members is maintained.
 2. Department members are provided with the name/contact information of multilingual Department members for the requested language.

VII. RESPONSIBILITIES

- A. The Deputy Chief, Training and Support Group will establish and maintain training programs (e.g., streaming video, e-Learning curriculum) to train Department members on the Department's LEP policy and its implementation, including the use of multilingual Department members, including certified interpreter Department members, and LanguageLine certified interpreters.
- B. The Director, Field Technology and Innovation Section (OPSA-FTIS), will ensure that the Department LEP policy is prominently displayed on the Department's public website and Department-issued electronic communication devices are equipped with the LanguageLine InSight Application.
- C. The Department's Language Access Coordinator, in coordination with the Commander, Inspections Division, will establish a monitoring program to ensure Department-wide compliance with the LEP policy, including the:

1. implementation of the policy;
2. assignment and use of interpretation and translation services;
3. necessity of translating Department forms, publications, and distribution materials; and
4. visible posting of required language rights signage at the Department facilities.

D. Unit commanding officers:

1. will ensure the current multilingual Department member list identifying unit members is provided to each watch operations lieutenant or designated unit supervisor.
2. responsible for a Department-facility will ensure the appropriate Language Assistance Notice ([CPD-21.126](#)), Language Phone Application Notice ([CPD-21-184](#)), and Language Identification Guide ([CPD-21.171](#)) are prominently displayed in a public area of the facility.

NOTE: The display of the Language Assistance Notice will be Department facility specific and include written text translated into the three most predominant languages used within the facility's immediate surrounding communities.

VIII. PROCEDURES

A. At the beginning of the tour of duty, Department members will:

1. request a Department-issued electronic communication device equipped with the LanguageLine InSight Application, when available in their unit of assignment.
 - a. Department members will record the issuance of the device on the Personal Equipment Log ([CPD-21.919](#)).
 - b. Department members will continue to follow the procedures for Department-issued electronic communication devices as outlined in the Department directive titled "Department-Issued Electronic Communication Devices."
2. visually and physically inspect the Department-issued electronic communication device and ensure that it is charged and operational.

NOTE: Department members will refer to the Language Phone Application Notice ([CPD-21.184](#)) for additional information and tips on using the LanguageLine InSight Application.

B. When a Department member encounters a person with LEP who requires an interpreter to effectively communicate during the course of an investigation or while providing another Department service, the member will:

1. determine the primary language understood by the person with LEP;

NOTE: The Language Identification Guide ([CPD-21.171](#)) or the InSight Application's language selection tool on the mobile device may be used to determine the primary language. Alternatively, an LEP person may show an I Speak Card ([CPD-21.174](#)) to indicate the language they speak.

2. notify the Office of Emergency Management and Communications (OEMC) of the need for interpretation services and;
 - a. that LanguageLine will be contacted via the InSight Application; or

NOTE: Department members will select the language needed for audio/video interpretation, and a LanguageLine-certified interpreter will ask for their 4-digit beat of occurrence at the beginning of the call and provide their name and identification number.

- b. if the LanguageLine InSight Application is not available, contact ARS to provide language assistance through the LanguageLine.
3. introduce him or herself and briefly explain the nature of the request to the interpreter;
4. speak clearly to the person with LEP, not the interpreter, in short sentences, pausing at the end of thought to give the interpreter an opportunity to relay the information to the individual, including the content of any documents required to sign.
5. before the conclusion of the incident or the end of the need for interpretation services, ask the person with LEP to restate the information they received and assess their recall of information to ensure their understanding of the situation; and

NOTE: If the interpretation services were not provided by the LanguageLine InSight Application or a multilingual Department member, the report will also document the reason an alternate interpreter was used.

6. document the use of language assistance from LanguageLine Insight application or multilingual Department member, the interpreter's name and his or her identification number in the narrative section of any report completed for the incident.
- C. Multilingual Department members requested to provide interpretation or translation services for an incident will:
1. respond to the incident without unnecessary delay;
 2. identify themselves by name and rank to the individual requesting interpretation services;
 3. provide an accurate and impartial interpretation and translation; and
 4. be compensated consistent with the member's collective bargaining agreement.

NOTE: If at any time a multilingual Department member determines that his or her level of language proficiency is insufficient to complete the interpretation, the member will notify a supervisor and request a certified interpreter via LanguageLine InSight Application.

- D. Department members who interact with a person who is Deaf, DeafBlind, or Hard of Hearing will follow the procedures outlined in the Department directive titled "Interactions with Persons Who Are Deaf, DeafBlind, or Hard Of Hearing."

- E. In addition to the procedures listed above, when a Department member interrogates or arrests a person with LEP who requires an interpreter to effectively communicate, the member will:

1. continue to follow the established procedures outlined in the Department directives titled "[Custodial Interrogations](#)," "[Processing Persons Under Department Control](#)," "[Procedures for the Arrest and Detention of Foreign Nationals](#)," and "[Recognizing and Responding to Individuals in Crisis](#)."

NOTE: If applicable, follow the processing procedures for a person who is Deaf, DeafBlind, or Hard of Hearing outlined in the Department directive titled "Interactions with Persons Who Are Deaf, DeafBlind, or Hard Of Hearing" including obtaining a sign language certified interpreter.

2. delay the interrogation or processing of the arrest until contact is made with LanguageLine via the InSight Application for language assistance.

3. before the interrogation begins, explain the process to the LanguageLine interpreter and familiarize him or her with questions that may be asked of the accused.
4. inform the LanguageLine certified interpreter to maintain all interpreted and assignment-related information confidential, and that they will not be permitted to counsel, advise, or include their personal opinion while interpreting for a person in custody.
5. use the LanguageLine certified interpreter to conduct the interrogation or arrest processing. The Department member conducting the interrogation or arrest processing will:
 - a. expressly warn the individual of their constitutional rights (Miranda warning) orally translated in their primary language via a LanguageLine certified interpreter by reciting each of the warnings and obtaining a response for each warning.

NOTE: Warning of the individual's rights must be given before the commencement of any in-custody interrogation about a specific crime or offense for which the individual is in custody.

 - b. inform the person in custody that the requested interpreter is provided free of charge.
 - c. speak clearly to the person in custody in a normal tone and avoid expediting the interrogation in a manner that will not identify all of the details of the incident being investigated or allow for an accurate interpretation.
- F. Supervisors notified of an incident involving a person with LEP will ensure:
 1. that interpretation services are provided using the LanguageLine InSight Application, or a multilingual Department member, as appropriate.
 2. ensure the use of an interpreter is documented in the narrative section any report completed for the incident, including the interpreter's name and identification number.

IX. PROCEDURES FOR RECEIVING COMPLAINTS AND INVESTIGATION INITIATION

- A. Consistent with the Department directive titled "[Complaint and Disciplinary System](#)," the Bureau of Internal Affairs (BIA) and the Civilian Office of Police Accountability (COPA) conduct thorough, objective, and efficient investigations into allegations of misconduct by members of the Chicago Police Department, including alleged violations of this policy.
- B. The Department provides members of the public numerous opportunities and methods, including anonymously and through third-party representatives, to submit complaints and report allegations of misconduct against Department members, including:
 1. in person at Department district stations or Public Safety Headquarters or by requesting a Department supervisor in the field.
 2. via telephone by calling the City of Chicago non-emergency service phone number at 3-1-1 (from within the City of Chicago) or (312) 744-5000 (from outside the City of Chicago), 24-hours a day, 7 days a week. Callers will be given the option to leave a voicemail for COPA or speak to a Department supervisor.
 3. via the Department's website (<https://home.chicagopolice.org>), which contains a link to COPA's online complaint form that can be accessed by selecting "submit a complaint."
 4. contacting COPA in person, by telephone, via its website, or by U.S. Mail at:

Civilian Office of Police Accountability (COPA)
1615 W Chicago Ave, 4th Floor
Chicago, Illinois 60622
(312) 746-3609
(312) 745-3598 TTY
<http://www.chicagocopa.org/>

- C. The Department will use LanguageLine certified interpreters to facilitate the reporting of allegations of misconduct and the complaint initiation process.
- D. Department members investigating complaints against the Department or Department members involving persons with LEP will:
1. continue to follow the established procedures outlined in the Department directive titled "[Complaint and Disciplinary System](#)."
 2. present all required documentation to the complainant in the person's primary language, when available, or orally translated by a certified interpreter via the LanguageLine Insight Application.
- NOTE:** Department members will inform complainants that interpreter services are provided free of charge and a third party vendor may be contacted at the LEP individual's request or if deemed necessary by a supervisor.
3. be responsible to develop and ask any questions to obtain the required information.

X. MULTI-LANGUAGE DEPARTMENT MATERIALS

- A. Department members who identify Department forms that would be beneficial to have translated into a language other than English will make this request to the Research and Development Division consistent with the procedures outlined in the Department directive titled "[Forms Management System](#)."
- B. Essential Department forms are available to Department members to use in situations involving a person with LEP. Department members will refer to the Department Directives System located at <https://directives.chicagopolice.org> for all available translated Department forms.
- C. Department members who identify Department distribution materials (e.g., pamphlet, flyers, brochures) that would be beneficial to have translated into a language other than English will make this request by completing a Request for Translation (CPD-21.172).
- D. The Department will translate this policy (S02-01-05), "Interactions with Persons with Limited English Proficiency" and other associated policies into any non-English language spoken by a limited or non-English proficient population in Chicago that constitutes 5% or 10,000 individuals, whichever is less, and publish this policy and the translations on the Department's website at: <https://home.chicagopolice.org/community-policing-group/language-access/>.
- E. The Chicago Police Department website has a computer-enabled translation service, translated documents, downloadable forms, and other public resources. It can be found at <https://home.chicagopolice.org/community-policing-group/language-access/>.
1. The Language Assistance Feedback Report (CPD-21.170-E) as listed in Item I-D-1 of this directive. This form collects and records public feedback related to language access services to enhance equal access to public services and programs.
 2. The Guide to Language Assistance (CPD-21.173) explains that everyone can communicate with the police regardless of what language he or she speaks.
 3. I Speak Card (CPD-21.174) are available in various languages, as listed in Item I-D-5 of this directive.

XI. POLICY REVIEW

The Department will review this directive periodically, at minimum every two years, to evaluate whether it provides effective guidance and direction to Department members and is consistent with the current law and the Department's vision, mission, objectives, and practices. When reviewing and revising this policy, the Department will seek input from members of the community and community-based organizations with relevant knowledge and experience through community-engagement efforts.

(Items indicated by italics/double underline have been added or revised.)

DRAFT