



Policy Advisory Report Proposal:
Law Enforcement Accessibility and Community Outreach in Limited English Proficient, Deaf, deaf and Hard-of-Hearing Communities

MNCO requests approval from the Community Oversight Board for a Policy Advisory Report on MNPd's outreach to Limited English Proficient (LEP), Deaf, deaf and hard-of-hearing community members, levels of access to law enforcement assistance within these communities, and recommendations for policy revisions and additions.

Background

Communication and outreach are important parts of building a trusting relationship between law enforcement officials and community members. These two actions can also prove to be challenging in places where community members and law enforcement officials don't share the same language abilities or cultural customs. As cities across the country – including Nashville – become more diverse, law enforcement agencies must work to connect with a wider range of people in order to effectively carry out their duties. As an oversight agency focused on improving the relationship between the Metro Nashville Police Department (MNPd) and the greater Nashville community, the Community Oversight Board should further analyze the current levels of access to law enforcement within Limited English Proficient (LEP), Deaf, deaf and hard-of-hearing communities and the type of outreach being conducted by the MNPd to these community members.

The foreign-born population in Nashville is consistent with the national average, at about 13% of the population, with the majority of immigrants arriving from non-English speaking nations.¹ A report created for The NashvilleNext Plan predicts that by 2040, Hispanics will represent a third of the total population of Davidson County. In addition, the Asian population will double to be 6.9% of the county's population in 2040.² According to the latest ACS 5-Year estimates by the U.S. Census Bureau, 17.7% of people in Nashville and Davidson County speak a language other than English at home and 9.4% of people speak English less than very well.³ A Metro Human Relations Commission's 2017 report on language access found that the most common non-English languages used in interactions with the public by Metro departments and extensions were: Spanish, Arabic, Kurdish, Somali, Burmese, and Vietnamese.⁴ When looking at Metro Nashville Public Schools, the Human Relations Commission found that students speak more than 100 different languages and that almost 30% of students spoke a language other than English at home.

¹ "Metro Language Access Report."

² "Metro Language Access Report."

³ "American Community Survey - Why We Ask Questions About Languages Spoken at Home."

⁴ "Metro Language Access Report."

The Metro Human Relations Commission's *Metro Language Access Study (MLA)* also studied the level of access to services provided to those who are Deaf, deaf, and hard of hearing in addition to those who are Limited English Proficient.⁵ The goal of the *MLA* report was to highlight best practices already in place within Metro Nashville departments and to identifying areas for improvement. Although more than 200,000 individuals with hearing loss live in Middle Tennessee, it is difficult to decipher the number of those who use American Sign Language (ASL). ASL is often not included as a language other than English on surveys and censuses.⁶

Some participants in the Metro Human Relations Commission's study reported that the Nashville Police Department lacked bilingual officers and staff.⁷ MNPd officers receive some language training at the MNPd training academy – they complete a ten-hour course in basic command Spanish and a two-hour course on serving people with varying degrees of hearing loss.⁸ The course on serving individuals with hearing loss covers federal and state laws regarding professional interpreters, the Americans with Disabilities Act, aspects of the Deaf culture, American Sign Language, and strategies for communication.⁹ Command Spanish teaches trainees basic Spanish phrases that an officer may need to make an arrest, issue a traffic citation, or take a report from a Spanish speaker. The course also includes information on Spanish culture that could impact an officer's interactions with individuals from the community. Officers also receive a one-hour course on the El Protector Program, an MNPd outreach program aimed towards the Latinx community. The course also touches on using programs within El Protector for assistance with language barriers.¹⁰

According to §18.90 of the MNPd Manual, when interpreting services are needed, personnel are instructed to first seek others at the scene, such as a neighbor, a friend, or the victim's children for help with interpretation on routine calls for service. If no such person is available to assist, then personnel have two options to utilize "when communication is necessary with non-English speaking persons," 1) utilization of on-duty bilingual personnel or 2) the Language Line, a phone-based translation service.¹¹ In §18.100.020 of the MNPd Manual, regarding interactions with individuals with hearing impairments, personnel are instructed to use appropriate sign language or to communicate in writing. Should a conversation require an interpreter, personnel are instructed to contact their immediate supervisor. MNPd personnel are specifically instructed to not ask a family member or friend of the individual to interpret.¹²

Proposed Study

This proposal is for a one-time policy advisory report on community outreach and language access that will serve two primary purposes. First, it will assess the types of community outreach conducted by MNPd to Limited English Proficient as well as Deaf, deaf and hard-of-hearing communities. Specifically, we will assess the frequency with which types of outreach are conducted and by who, the distribution of such outreach amongst different communities within Nashville and Davidson County, and the perceived effectiveness of such outreach. Second, this report will review the MNPd training curriculums, policies,

⁵ "Metro Language Access Report."

⁶ "Metro Language Access Report."

⁷ "Metro Language Access Report."

⁸ "Basic Police Curriculum - Ethics, Law, Community & Fitness - SESSION 86," 86.

⁹ "Basic Police Curriculum - Ethics, Law, Community & Fitness - SESSION 86," 86.

¹⁰ "Basic Police Curriculum - Ethics, Law, Community & Fitness - SESSION 86," 86.

¹¹ Metropolitan Nashville Police Department, *Department Manual*.

¹² Metropolitan Nashville Police Department.

and procedures, regarding communication with Limited English Proficient, Deaf, deaf and hard-of-hearing community members and compare them to policy and training best practices being established by other researchers, law enforcement agencies, and oversight organizations across the country.

Methodology

This policy advisory report will largely be based upon qualitative data and information from interviews and communication with community members and local law enforcement officials. In this report, we will aim to assess the types of outreach MNPd is conducting to Limited English Proficient, Deaf, deaf and hard-of-hearing communities and how popular opinion leaders in these communities perceive the effectiveness of outreach programs. The report will also assess the methods through which challenges in communication are overcome, including the use of the Language Line vendor and other interpreting options.

Data

This report will use information from the MNPd Manual, the MNPd training curriculum, communication with leadership at the MNPd, community engagement logs, and interviews, to assess training, policy, and practice regarding community outreach and language access. MNCO will use research, data, and best practices from other researchers, organizations, and oversight bodies, as appropriate, in order to review MNPd policies and procedures then propose changes to related policies and practices.

Community Input

MNCO plans to consult community members regarding the scope and direction of our research for this policy advisory report. There is some preliminary information available on this topic from interviews that MNCO staff conducted with community members and advocates for the “Policy Advisory Report Examining Local Law Enforcement and Federal Immigration Enforcement Actions.” Community input is a crucial part of the work of oversight organizations and should be a part of the discussion surrounding future policy recommendations and decisions. We will reach out to affected community members and request additional interviews with them. We also plan to solicit input from members of the community who are in law enforcement. We would like law enforcement input to help inform our understanding of the challenges officers face when there are barriers to communication with a community member and their opinion on the interpretation resources that are available to them.

Impact of COVID-19

COVID-19 will impact MNCO’s ability to communicate in-person with community members or law enforcement until public health officials give clearance. MNCO researchers will work remotely to conduct the research but MNCO research staff may be limited in the scope of their research for this report. For instance, researchers will not be able to attend outreach events until approved for safety. The research staff will continue to monitor the situation and assess our ability to engage personally with outreach programs hosted by the MNPd as well as how social distancing may affect the research timeline.

Broader Impact

While MNPd already has some policies and practices in place that guide communication and relationships with LEP, Deaf, deaf and hard-of-hearing community members, staying current with national best practices can help to build a stronger relationship between law enforcement and the local community in Nashville and Davidson County. The research and analysis conducted for this policy advisory report can help to facilitate a more informed discussion and policy decisions surrounding

community outreach and communication with community members who are Limited English Proficient, Deaf, deaf and hard-of-hearing.

The research conducted for this research report can help to provide insight and guidance for other law enforcement agencies and/or civilian oversight organizations seeking to change outreach and language access policies and practices in their cities or jurisdictions. As other cities around the country work to improve their community outreach to an increasingly diverse population, the Metro Nashville Police Department and Metro Nashville Community Oversight can be valuable contributors to the conversation and lead by example with policy actions.

References

- “American Community Survey - Why We Ask Questions About Languages Spoken at Home.” United States Census Bureau, 2020. <https://www.census.gov/acs/www/about/why-we-ask-each-question/language/>.
- “Basic Police Curriculum - Ethics, Law, Community & Fitness - SESSION 86.” Metropolitan Police Department - Training Academy, 2019.
- “Metro Language Access Report.” Metro Human Relations Commission, February 2017. <https://www.nashville.gov/Portals/0/SiteContent/Human%20Realations%20Commission/docs/publications/MetroLanguageAccessStudy.pdf>.
- Metropolitan Nashville Police Department. *Department Manual*, 2018. <https://www.nashville.gov/Police-Department/Department-Manual.aspx>.