COUNTY OF SUFFOLK

STEVEN BELLONE
COUNTY EXECUTIVE

EDWARD WEBBER
POLICE COMMISSIONER

POLICE DEPARTMENT

August 13, 2014

Michael Goldberger
Chief of Civil Rights
Civil Division
United States Attorney's Office
Eastern District of New York
271 Cadman Plaza East
Brooklyn, New York 11201

Re: United States query to SCPD report dated April 1, 2014.

Dear Mr. Goldberger:

A response to your May 8, 2014 letter follows. As we discussed during our most recent conference call, the Department only became aware of your inquiry on July 2, 2014. We hope the information below fully addresses the issues raised.

1. DISSEMINATION OF THE LANGUAGE ACCESS PLAN AND POLICY

The Department has translated and disseminated the Language Access Plan (LAP) as described in the July 2014 Compliance Report (pages 16 and 17).

Additionally, the Department has submitted Rules and Procedures Chapter 26, Section 5 (26/5) to the United States for approval. Although 26/5 overlaps the LAP to a degree, it also contains the policy statements to which the United States refers in its May 8, 2014 letter. Once the Department receives approval, 26/5 will be issued to all members immediately, prioritized for translation, and disseminated to the community as rapidly as possible through the same channels as the LAP. Finally, in order to memorialize the Department's commitment to the equal provision of services across languages, an additional statement of policy is proposed for the "Policy" section of 26/5. (Attachment 1)

Given the sizeable Latino community within Suffolk County, the Department has focused its initial translation and interpretation efforts on the Spanish-speaking segment of the population.

Once language access policies and procedures have been approved and established for Spanish, Department resources may be devoted to addressing the needs of other language groups. While the Department recognizes the need to engage all LEP populations, the disproportionate need for Spanish language services must take priority.

This disproportionate need is reflected by independent data analyses as well as the Department's own experience using the Language Line service. According to the Suffolk County Planning Department's analysis of the U.S. Census Bureau's 2007-2011 American Community Survey, Spanish-speaking residents comprise approximately 12% of the County's population. The next largest self-identified language groups are Italian (1.2%), Mandarin (0.8%), Polish (0.6%), Haitian Creole (0.6%), and Portuguese (0.4%). In comparison, the Department's 2012 statement of charges from Language Line indicates that utilization of that service followed roughly similar proportions (in number of calls); Spanish (4362), Mandarin (122), Polish (48), Haitian Creole (37), Portuguese (16), and Italian (15). The statement for 2013 reflects a similar result; Spanish (4465), Mandarin (127), Haitian Creole (48), Polish (36), Italian (16), and Portuguese (12). (Attachment 2)

Both of these data analyses confirm that the need for Spanish language assistance far outweighs the need for assistance in all other non-English languages combined. This disparity justifies the Department's initial focus of manpower and resources on the Spanish-speaking LEP population. As the Department constructs a robust language access infrastructure for that population, it will research the need and means for expanding its model to encompass additional LEP populations. Resources that will assist in that research include the new Interpretation Tracking Form, feedback from community surveys; information gleaned from Community Meeting/Presentation Reports, input from Precinct CLOs, and usage records of existing language access tools such as Language Line. It is anticipated that sufficient data will be available from those sources to allow the Community Response Bureau to conduct this research at the beginning of the next reporting period, January of 2015.

Regarding the dissemination of the existing LAP, the Department has distributed it to a wide variety of civic organizations, churches, libraries, advocacy groups, and municipal entities. (Attachment 3) Additional groups can be added to this distribution list upon request or when the Department encounters them through its work in the community. The Department's use of the word "appropriate" in the April 2014 Report was not intended to suggest that organizations will be vetted prior to being provided copies of the LAP. The Department's intent is to distribute the LAP as broadly and inclusively as possible.

2. CONSULTATION WITH THE LATINO COMMUNITY CONCERNING LANGUAGE ACCESS

A. Representation of the Latino Community in Consultations

The Latino Community Advisory Committee was developed by the CRB using contacts already in place in communities with large Latino populations. Those initial contacts were canvassed for suggested additions to the Committee, and the Department in turn solicited all of those suggested entities for inclusion. Going forward, the Department will maintain an "open door" policy regarding inclusion on the Committee and does not contemplate requiring any particular criteria for membership. The Department considers itself a member of the committee, and intends to exert no form of executive control. Should unforeseen and unusual circumstances arise; the Department will consult with the members of the Committee and the United States before refusing admission to, or terminating the membership of any group.

B. Meeting with Community Consultants

The Department has implemented a tracking form for all community consultations. This form, "Community Meeting-Presentation Report" (PDCS-1310a) is designed for use by any member of the Department, and provides routing information to ensure that the CRB receives notice of the consultation. (Attachment 4) The policy and procedure for the utilization of this form will be addressed in R&P Chap. 26, §1, which is being rewritten to more accurately reflect the functions of the CRB.

C. SCPD Review of Community Feedback

The review process referred to in the Department's prior letter of March 31, 2014 will be more thoroughly addressed in R&P Chap. 26, §1. Feedback from members of the community, regardless of the manner in which it is captured (Community Meeting Report, Compliment/Complaint form, etc.) will be routed to the CRB. A portion of 26/1 will address the handling of social media feedback and insure that the CRB is advised of feedback pertaining to its operations and areas of responsibility.

3. POLICY DETAILING CRB'S PLAN FOR ENGAGING WITH THE LATINO COMMUNITY

The Department advised the United States of the CRB's plan for community engagement by providing an internal memorandum from the Compliance Coordinator to the Police Commissioner. A final decision had not been made at that time as to where this plan would be incorporated into the Rules and Procedures. While R&P Chap. 26, §1 ("Community Relations Function") seemed appropriate, Chap. 1, §5 ("Command Duties and Responsibilities") also contains lengthy descriptions of the function of the CRB, COPE and Community Response Officers (CLOs). Since that writing, the Department has decided to use Chapter 26 to detail all policies and functions of the CRB, and incorporate a very brief synopsis in Chapter 1.

Regarding the United States' technical assistance offered in their letter of May 8, 2014, the Department is aware of the need to detail the recruitment process and the self-assessment procedure for that process. The Department also recognizes that the CRB critique must take place quarterly pursuant to the Agreement, and not semi-annually as stated in its April 1, 2014 report.

As noted above, Chapter 26, §1 will comprehensively address the functions of the CRB. Self-assessment of programmatic success, using community feedback, will be detailed within that R&P as well. In sum, the CRB will solicit feedback regarding the effectiveness of it programs through two channels; a written survey which will be available to everyone, and directed requests which will be aimed at community and political leaders. The survey instrument is addressed below. It will be widely distributed in a manner identical to the LAP dissemination. It will be available in hardcopy at the Precincts, and also in electronic form on the website. While community and political leaders will be provided copies for dissemination, their input will be sought directly through questions related to their particular constituencies. This input will contain more detail and specificity than is contained in the written survey, such as how a particular problem is being handled in a particular Precinct.

Finally, with regard to selection of the CLOs, a Department Memo is attached which was used to solicit applications. (Attachment 5) Candidates were interviewed by a panel consisting of the Deputy Police Commissioner, the Commanding Officer of the CRB, and an experienced member of the CRB. These candidates were questioned regarding their experience and interaction with community and advocacy groups in their Precincts, and their awareness of particular issues regarding local community relations. The candidates were evaluated on their ability to communicate, their interpersonal skills and their knowledge of relevant issues within their Precincts. Candidates were also asked to identify any language skills they possessed that were relevant to their proposed community of assignment.

4. SURVEY REGARDING CRB SUCCESS

In its letter of May 8, 2014 the United States offered several suggestions for the Department's proposed written survey instrument. Those suggestions were incorporated into the latest version of the survey which is attached. (Attachment 6). Upon finalization of this survey instrument it will be translated, and disseminated as described above.

5. SCPD WEBSITE

The Department presently verifies the accuracy of the information contained on its website through the Information Technologies Section. This duty is not yet codified into the Rules and Procedures, but Chapter 1, §5 will be amended to assign this responsibility to the Police Technology Bureau, which is the parent command of the IT Section. (R&P Chap. 1, §5 (VI)(F)(7))

The Rules and Procedures identified by the United States in the letter of May 8, 2014 are presently being translated. Chapter 9, §27 and Chapter 16, §4 are complete and are posted in place of the 2011 versions. They are attached for reference (Attachment 7) and can be viewed on the website at

http://apps.suffolkcountyny.gov/police/information_sp.htm

Chapter 5, §2 is near completion and will be posted by August 22, 2014. Chapter 26, §6 will be complete by September 1, 2014, followed by Ch. 26, §2 and Ch. 24, §6. Of course, when Ch. 26, §5 is approved, it will be prioritized for translation and posting.

The Department hopes that this response has addressed all the issues raised in the United States' letter of May 8, 2014, and looks forward to further discussion on the matter.

Sincerely,

Love Sgt 1086/1000

Christopher A. Love, Sergeant
Compliance Coordinator
Suffolk County Police Department

ATTACHMENT 1

TYPE	AUTHORITY	SIGNATURE
DEPARTMENT GENERAL ORDER	EDWARD WEBBER POLICE COMMISSIONER	

SUBJECT/TOPIC/TITLE
PERSONS WITH LIMITED ENGLISH PROFICIENCY

DISTRIBUTION	SECTION CREATED	DATE EFFECTIVE	DATE AMENDED
ALL MEMBERS OF THE DEPARTMENT	12/04/09		

Rules and Procedures Chapter 26, Section 5 has been amended to comply with the USDOJ consent decree.

This Section has been extensively reorganized and rewritten. Therefore, it is reprinted in its entirety.

RULES AND PROCEDURES

CHAPTER 26: TITLE: COMMUNITY RELATIONS

SECTION 5: TITLE: PERSONS WITH LIMITED ENGLISH PROFICIENCY

I. PURPOSE

The Suffolk County Police Department recognizes the need for effective and accurate communication between members of the Department and all members of the community. Language barriers can inhibit or prohibit individuals with Limited English Proficiency (LEP) from obtaining services and understanding their legal rights and obligations. Hampered communication with LEP individuals challenges the Department's ability to operate effectively, safely and ethically.

The purpose of this Directive is to establish effective guidelines for providing services to LEP individuals, consistent with Title VI of the Civil Rights Act of 1964 and the Omnibus Crime Control and Safe Streets Act of 1968.

II. POLICY

It is the policy of the Suffolk County Police Department to provide LEP individuals timely and meaningful access to all services and benefits the Department provides. Department Personnel shall provide all members of the public with equal access to police services and shall not discriminate based upon

English proficiency, national origin, or immigration status. Department personnel shall provide free language assistance services to LEP individuals, and shall inform members of the community that language assistance services are available free of charge.

III. DEFINITIONS

A. Primary Language - the language in which an individual most effectively communicates. Department personnel should avoid assumptions about an individual's primary language, and make every effort to ascertain an individual's primary language to ensure effective communication.

B. Limited English Proficiency - designates individuals whose primary language is not English and who have a limited ability to read, write, speak or understand English. LEP individuals may be competent in certain types of communication (e.g. speaking or understanding), but still be LEP for other purposes (e.g. reading or writing). LEP designations are context specific: an individual may possess sufficient English language skills to function in one setting, but these skills may be insufficient in other situations.

C. Target Language - the language into which someone translates or interprets.

D. Source Language - the language of the original document or the principal speaker.

E. Language Access (LA) Coordinator - the Commanding Officer of the Community Response Bureau is designated as the Police Department Language Access Coordinator.

F. Interpretation - the act of listening to a communication in one language (source language) and orally converting it to another language (target language).

G. Translation - the replacement of written text from the source language into an equivalent written text in the target language.

H. Bilingual - the ability to use two languages to a level of proficiency sufficient to participate effectively in a conversation on practical, social and professional topics, and possession of a broad vocabulary, moderate accent and the comprehension level required for a normal rate of speech.

I. Department Authorized Interpreter (DAI) – a member of the Department, with a fluency in a language other than English, who is authorized to interpret for others.

J. Department Authorized Interpreter List (DAI List) – a list of members of the Department who are authorized to act as interpreters. The Communications Section supervisor shall maintain the DAI list.

K. Language Line Services – the Department's contracted, 24 hours per day/7 days per week telephonic language interpretation service that provides access to interpreters with the ability to interpret and translate over 200 languages.

L. Temporary Interpreter – any member of the Department, or the general public, who is bilingual and capable of interpreting from the applicable source language into the required target language. ~~Temporary interpreters are only utilized when exigent circumstances exist which preclude the use of a DAI or the Language Line service. Exigent circumstances exist in situations where any person's life or personal safety is threatened, a suspect's escape is imminently possible, or evidence may be removed or destroyed. This is also termed as emergency circumstances or special circumstances.~~

Comment [A1]: Repetitive and unnecessary

M. Interpretation Tracking Form (PDCS 7042a) – the Department form used to capture the circumstances of a translation conducted pursuant to this Chapter. The completed form will be submitted to the reporting member's supervisor for review and endorsement; the endorsed form will then be forwarded to the member's administration office, or functional equivalent, for entry into the online interpretation database.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

A. Procedure for Providing Interpretation Services to 9-1-1 Callers

1. When a 9-1-1 operator receives a call and determines that the caller has LEP, the operator shall attempt to ascertain the caller's primary language.

a. If the 9-1-1 operator determines that the caller's primary language is Spanish, the operator shall immediately ascertain if a Spanish speaking operator is available, and if so, shall patch the call directly to that Spanish speaking operator.

b. If the 9-1-1 operator determines that the caller's primary language is other than Spanish, the operator will immediately call the Language Line service.

c. The 9-1-1 operator will note in the CAD "remarks" section that the caller has LEP, ~~and~~ will specify the caller's language~~.~~, and will assign an "L" designation to the call.

Comment [A2]: Lima code

d. The 9-1-1 operator is not required to fill out a PDCS 7042a.

Comment [A3]: No form is required, all relevant information contained in the 7042a is already captured by the CAD.

2. Dispatchers will make every effort to dispatch appropriate bilingual officers to all calls involving LEP callers.

B. Procedure for Providing Interpretation Services in the Field

1. All members of the Department who, in the course of their duties, must communicate with LEP individuals in order to provide services to that individual which necessitate the completion of any Departmental form or the entry of any data obtained from that individual into the Department's system of records shall:

Comment [A4]: This insures tracking on all data received by means of interpretation. It also eliminates the need to track unnecessary interactions.(10-60s)

a. identify the LEP individual's primary language, using the Language Identification Chart, if necessary, and;

b. request the appropriate language assistance service from the Communications Section

i. bilingual officers may be used in all situations except as detailed below in Paragraph C:

Comment [A5]: 'may' is on purpose, instead of 'shall'

ii. a DAI shall be used when the information obtained through translation will be used in a criminal prosecution, or will be recorded in any written statement;

iii. the Language Line Service shall be used when a DAI is not available.

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~~b. request the appropriate DAI from the Communications Section. If no DAI is available, the member will contact the Language Line service and connect the LEP individual requesting service.~~

c. complete an Interpretation Tracking Form (PDCS-7042).

2. Exigent circumstances - Department personnel who must communicate with LEP individuals in dangerous or rapidly developing situations may temporarily use any available interpreter.

a. Temporary interpreters may include:

~~(1) bilingual Department personnel;~~

~~(2)~~ bilingual bystanders, including friends and family members of the LEP individual.

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i. Members of the Department utilizing these types of temporary interpreters shall first consider the chosen interpreter's apparent proficiency in both the source and target languages, and shall also consider any apparent bias, personal interest, or confidentiality issues raised by the use of a particular temporary interpreter.

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ii. Members of the Department utilizing ~~these types of~~ temporary interpreters are

responsible for developing and asking all questions. Under no circumstances will a temporary interpreter be permitted to independently question an LEP individual. Members shall also consider the degree to which the temporary interpreter appears to remain neutral, or appears to be inserting his or her own perspective or information into the communication.

b. Documentation of use of temporary interpreters - Whenever information is obtained through the use of a temporary interpreter and that information is recorded on an official Department form, report, document, or other medium, an Interpretation Tracking Form (PDCS-7042a) shall be completed.

c. Duration of the exigency - When the circumstances giving rise to the exigency have passed, members of the Department shall determine whether a continued need for temporary interpretation services exists.

(1) If no further temporary interpretation is required, members shall review the content of the interpretation for accuracy and sufficiency.

(2) If the content provided by the temporary interpreter is incomplete, inaccurate or otherwise compromised, or if the need for interpretation services extends beyond the period of exigency, members of the Department shall utilize bilingual officers, a~~the~~ DAI ~~list~~, or the Language Line service as detailed in this section.

C. Interrogation, Interviews, and Complaints

1. Criminal suspects with LEP

a. Any statement taken from a suspect with LEP must be taken with the assistance of a DAI. If no DAI is available in the LEP's primary language, the sworn member taking the statement will utilize the Language Line service.

(1) Miranda warning forms will be made available to the suspect in his or her primary language. If no form exists in that language, or the LEP is illiterate, Miranda warnings will be read to the suspect using a DAI or the Language Line service.

(2) When preparing an interrogation or interview for an associated agency, members of the Department may utilize an interpreter designated by that agency.

b. Members of the Department who utilize a DAI when taking a suspect's statement or confession shall, in addition to ~~also~~ completing an Interpretation Tracking Form (PDCS-7042), record within that statement:

(1) the date, time and location of the statement;

(2) the DAI's name, rank and command assignment;

(3) the source and target languages.

c. Members of the Department who utilize the Language Line service when taking a suspect's statement or confession shall, in addition to ~~also~~ completing an Interpretation Tracking Form (PDCS-7042), record within that statement:

(1) the date, time and location of the statement;

(2) the name and contact information of the interpreter;

(3) the source and target languages.

2. Victims and witnesses with LEP

a. Any victim or witness statement which is taken from an LEP individual that will provide an evidentiary basis for an arrest or prosecution shall be taken utilizing a DAI.

b. If a DAI is not available in the LEP's primary language, the Language Line service shall be utilized.

c. The name and contact information for the interpreter utilized, along with the date, time, location, and source and target languages will be recorded within the victim or witness statement, and recorded on an Interpretation Tracking Form (PDCS-7042a).

3. Complaints against SCPD personnel

a. Any LEP individual who wishes to file a complaint against any SCPD personnel for any reason shall be provided assistance in their primary language by a DAI, or if none is available, by utilizing the Language Line service.

b. Use of any interpretation service, including bilingual members of the Department assigned to the Internal Affairs Bureau, requires the completion of an Interpretation Tracking Form (PDCS-7042).

c. Disposition of any complaint will be provided to the LEP complainant in his or her primary language.

D. Notifying the Public about SCPD's Language Services

1. Signage

a. Signage shall be posted at the public entry points of all SCPD facilities, stating:

(1) that interpreters are available free of charge;

(2) that written forms and documents are available in languages other than English.

b. Signage shall be printed in English, Spanish, and other languages commonly spoken in the Police District.

c. In the case of illiteracy or languages in which written materials have not been translated, such forms and documents will be read to LEP individuals in their primary language through an available DAI or the Language Line service.

2. Commanding Officer Responsibilities

a. The Commanding Officer of each Department facility shall ensure that the above referenced signage is posted and visible to the general public.

b. The Commanding Officer shall ensure that subordinate personnel are completing Interpretation Tracking Forms (PDCS-7042) when utilizing any interpretation services.

E. Training

1. LEP policy and procedures - The Department will provide annual training to all members which will include:

a. updates and amendments to this chapter, if applicable;

b. familiarization with the Department's Language Access Plan and any amendments thereto;

c. procedure for utilizing DAIs and the Language Line service.

2. Responsibilities

a. The LA Coordinator (as defined herein) will create and maintain a comprehensive training curriculum in accordance with the Department's Language Access Plan.

b. The Police Academy Bureau will administer the curriculum and conduct training.

F. Qualifications

1. All members of the Department shall provide written notification to the Personnel Section, via PDCS-7043

(Foreign Language Fluency Questionnaire) to the member's commanding officer, of the member's identified proficiency in languages other than English.

a. The Supervisor of the Personnel Section shall maintain an inventory of all language skills possessed by members of the Department.

b. The LEP Coordinator shall compile and maintain a DAI list and provide this list to the Communications Section.

2. Skill ~~assessment~~certification

a. Members of the Department seeking inclusion on the DAI list will ~~provide the LA Coordinator written certification of language proficiency.~~ contact the LA Coordinator and request an assessment of their language proficiency.

b. The LA Coordinator will schedule an oral proficiency evaluation through the Department of Civil Service for members seeking certification on an as needed basis.

~~b~~c. The LA Coordinator will conduct ongoing assessment of all members on the DAI list through direct observation and the review of the Interpretation Tracking Form Database~~s (PDCS-7042)~~.

~~(1) Each member of the Department utilizing a DAI shall complete an Interpretation Tracking Form (PDCS-7042) upon completion of interpretation service and forward that report to the LA Coordinator.~~

~~(2) The LA Coordinator shall promulgate minimum standards for DAI proficiency, and shall cause each member on the DAI list to submit to annual testing based upon those standards.~~

G. Monitoring and Updating Language Assistance Efforts

1. LA Coordinator - ~~The Commanding Officer of the Community Response Bureau~~ is ~~the Police Department~~ LA

Comment [A6]: The LA Coordinator will determine the optimal number of DAIs and conduct certification exams in order to maintain that number on the list.

Comment [A7]: Moved to III(M)

Comment [A8]: Civil Service is providing the standards. Presently, annual testing from Civil Service is not available, so the LA Coordinator will assess by review. Going forward an annual DIIT will be created as a re-certification.

Comment [A9]: Redundant. Already explained in definitions

~~Coordinator~~ responsible for coordinating and implementing all aspects of the Department's services to LEP individuals.

2. Community Review - The LA Coordinator shall assess demographic data, review Language Line Services' utilization data, and consult with community-based organizations annually in order to determine

a. if there are additional languages into which vital documents should be translated.

b. if there are additional documents that should be translated

~~3. Translated Documents - The LA Coordinator shall be responsible for annually reviewing all documents issued by the Department to assess the need to translate documents into additional languages.~~

Comment [A10]: redundant

c. if the Department is providing meaningful access to police services for LEP individuals.

4. Collection of LEP Contact Data

a. Original Report - Any member of the Department documenting an incident where the complainant, witness, or any other involved party has an LEP that required the member to enlist the assistance of any interpreter and/or translator shall include a description of the assistance rendered within the original report.

b. Investigatory Reporting - Any member of the Department conducting an investigation where the victim, witness, and/or suspect has an LEP that requires the assistance of any interpreter and/or translator shall include within the investigative report a description of the services rendered.

5. Collection, Tracking and Analysis of LEP Data

a. The LA Coordinator shall be responsible for collecting SCPD LEP contacts. This data may be collected through:

(1) Departmental records;

(2) customer service logs and billing statements submitted by the Language Line service;

(3) DAI's and other in-person service providers.

b. The LA Coordinator shall be responsible for assessing this data to ensure the effectiveness, accuracy and quality of LEP services. An assessment of the LEP services rendered shall be reported to the Commissioner annually.

~~c. The LA Coordinator, in addition to assessing relevant demographic data, shall consult with community-based organizations to ensure the Department is providing meaningful access to police services for LEP individuals.~~

Comment [A11]: inserted above G(2)

VII. ACCREDITATION STANDARDS

N/A

VIII. INDEX

Limited English Proficiency 26/5

Commanding Officers are directed to inform all members of their commands of this amendment and to have them note the change in the appropriate section of their Rules and Procedures.

~~The completed form will be submitted to the supervisor of the Recording Officer for review and endorsement; the authorized form will be forwarded to the command's administration office for entry into the online interpretation database.~~

END

ATTACHMENT 2

IV. LEP Population Assessment

In response to Executive Order 10-2012, EDP has prepared "*The Six Most Common Non-English Languages Spoken by Individuals with Limited-English Proficiency At Home by Ability to Speak English, For the Population Age 5 and Over.*"

As given in the table below, the six most common Non-English languages spoken by LEP individuals in Suffolk County are French Creole, Italian, Mandarin, Polish, Portuguese, and Spanish.

The Six Most Common Non-English Languages Spoken By Individuals With Limited-English Proficiency Age 5 and Over At Home By Ability To Speak English, For the Population Suffolk County, New York, By Town, For the Period 2007-2011*

	SUFFOLK COUNTY	
Total persons age 5 and over:	1,400,148	
Speak only English	1,119,388	
Spanish or Spanish Creole:	166,141	11.9% of Suffolk County residents who speak Spanish or Spanish Creole
Speak English "very well"	79,112	
Speak English less than "very well"	87,029	52.4% of Spanish speakers who speak English less than very well
French Creole:	7,932	0.6% of Suffolk County residents who speak French Creole
Speak English "very well"	4,284	
Speak English less than "very well"	3,648	46.0% of French Creole speakers who speak English less than very well
Italian:	17,223	1.2% of Suffolk County residents who speak Italian
Speak English "very well"	12,659	
Speak English less than "very well"	4,564	26.5% of Italian speakers who speak English less than very well
Portuguese or Portuguese Creole:	5,176	0.4% of Suffolk County residents who speak Portuguese
Speak English "very well"	2,696	
Speak English less than "very well"	2,480	47.9% of Portuguese speakers who speak English less than very well
Polish:	7,797	0.6% of Suffolk County residents who speak Polish
Speak English "very well"	4,394	
Speak English less than "very well"	3,403	43.6% of Polish speakers who speak English less than very well
Chinese:	10,552	0.8% of Suffolk County residents who speak Chinese (Mandarin)
Speak English "very well"	5,512	
Speak English less than "very well"	5,040	47.8% of Mandarin) speakers who speak English less than very well

Source: U.S. Census Bureau, 2007-2011 American Community Survey, Table B16001
The 2007-2011 American Community Survey (ACS) data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from

*Edited version of Document Prepared by Suffolk County Planning, Peter Lambert 4/15/2013 to include only the top six languages of LEP speakers. K:\PLambert\Census and Demographics\Race Minority Ancestry\LanguageSpoken.xlsx

911 Suffolk County Police Dept - 102027

ClientLangRpt.exe

01/01/2012 thru 11/30/2012

Language	Minutes	Calls	Avg Length of Call	% of Total	Undiscounted Charges
SPANISH	27594	4362	6.3	89.8%	$24,504.00
MANDARIN	1009	122	8.3	3.3%	$898.50
POLISH	401	48	8.4	1.3%	$375.15
HAITIAN CREOLE	264	37	7.1	0.9%	$234.15
KOREAN	226	27	8.4	0.7%	$208.50
PORTUGUESE	194	16	12.1	0.6%	$182.90
TURKISH	172	27	6.4	0.6%	$168.12
BENGALI	110	8	13.8	0.4%	$103.90
HINDI	110	16	6.9	0.4%	$108.90
ITALIAN	92	15	6.1	0.3%	$84.80
URDU	83	11	7.5	0.3%	$78.25
FRENCH	78	14	5.6	0.3%	$69.00
RUSSIAN	66	11	6.0	0.2%	$58.65
ROMANIAN	53	5	10.6	0.2%	$42.95
CROATIAN	42	4	10.5	0.1%	$39.90
CANTONESE	32	6	5.3	0.1%	$28.80
TELUGU	30	2	15.0	0.1%	$29.70
JAPANESE	26	5	5.2	0.1%	$23.10
GREEK	19	4	4.8	0.1%	$18.05
UKRAINIAN	17	1	17.0	0.1%	$16.15
PUNJABI	13	2	6.5	0.0%	$12.87
VIETNAMESE	12	2	6.0	0.0%	$11.40
DARI	10	1	10.0	0.0%	$9.90
BURMESE	9	1	9.0	0.0%	$8.91
GERMAN	7	1	7.0	0.0%	$6.65
ALBANIAN	6	1	6.0	0.0%	$5.70
SERBIAN	6	1	6.0	0.0%	$5.70
INDONESIAN	5	1	5.0	0.0%	$4.95
CZECH	4	1	4.0	0.0%	$3.00
TAGALOG	4	1	4.0	0.0%	$3.96
ARABIC	3	1	3.0	0.0%	$2.85
NEPALI	3	1	3.0	0.0%	$2.97
FRENCH CANADIAN	3	2	1.5	0.0%	$2.73
HUNGARIAN	3	1	3.0	0.0%	$2.97
MALAY	3	1	3.0	0.0%	$2.97
FARSI	3	1	3.0	0.0%	$2.97
Language Count:36	30712	4760	6.5		$27,363.97

0.0% Discount:	$0.00
Minimum Charges:	$0.00
Total Interpretation Charge:	$27,363.97

911 Suffolk County Police Dept - 102027

01/01/2013 thru 12/31/2013

Language	Total Minutes	Total Calls	Avg Length of Call	Pct of Total Minutes	Undiscounted Charges
102027 911 Suffolk County Police Dept					
SPANISH	29455	4465	6.6	89.4%	$22,091.25
MANDARIN	1146	127	9.0	3.5%	$859.50
TURKISH	359	36	10.0	1.1%	$269.25
KOREAN	339	32	10.6	1.0%	$254.25
HAITIAN CREOLE	317	48	6.6	1.0%	$237.75
POLISH	296	36	8.2	0.9%	$222.00
URDU	119	12	9.9	0.4%	$89.25
BENGALI	114	10	11.4	0.3%	$85.50
RUSSIAN	113	13	8.7	0.3%	$84.75
FRENCH	111	17	6.5	0.3%	$83.25
PORTUGUESE	107	12	8.9	0.3%	$80.25
ITALIAN	86	16	5.4	0.3%	$64.50
ROMANIAN	75	4	18.8	0.2%	$56.25
VIETNAMESE	52	6	8.7	0.2%	$39.00
HINDI	41	8	5.1	0.1%	$30.75
JAPANESE	33	3	11.0	0.1%	$24.75
SLOVAK	26	1	26.0	0.1%	$19.50
CZECH	21	2	10.5	0.1%	$15.75
HUNGARIAN	18	1	18.0	0.1%	$13.50
CANTONESE	15	4	3.8	0.0%	$11.25
TAGALOG	12	2	6.0	0.0%	$9.00
UZBEK	11	1	11.0	0.0%	$8.25
GREEK	10	1	10.0	0.0%	$7.50
NEPALI	10	1	10.0	0.0%	$7.50
FARSI	8	1	8.0	0.0%	$6.00
FRENCH CANADIAN	8	1	8.0	0.0%	$6.00
INDONESIAN	7	1	7.0	0.0%	$5.25
UKRAINIAN	6	1	6.0	0.0%	$4.50
DIULA	5	1	5.0	0.0%	$3.75
PUNJABI	4	1	4.0	0.0%	$3.00
THAI	3	1	3.0	0.0%	$2.25
ARABIC	3	1	3.0	0.0%	$2.25
AKAN	2	1	2.0	0.0%	$1.50
Lang Count: 33	32932	4867	6.8		$24,699.00

0.0% Discount:	$0.00
Minimum Charges:	$0.00
Total Interpretation Charge:	$24,699.00

ATTACHMENT 3

LAP Distribution Chart

Date	Individual	Contact Agency	Phone #	Email	Distribution Copies	Hardcopy	Email	Language
2/25/2014	Patrick Young	CARECEW	516-489-8330	PYCARECEN@AOL.COM	1	yes		Eng
2/25/2014	MaryAnn Slutsky	Long Island Wins	516-333-7004	mslutsky@longislandwins.com	1	yes		Eng
2/25/2014	Luis Valenzuela	L.I. Immigrant Alliance	631-789-0720	luis.valenzuela@liia.org	1	yes		Eng
2/25/2014	Irma Solis	Make the Road NY	631-512-1587/631-231-2220x307	irma.solis@maketheroadny.org	1	yes		Eng
2/25/2014	Hector Gerardo	NY Civil Liberties Union		HGERARDO@NYCLU.ORG	1	yes		Eng
2/25/2014	Cheryl Keshner	Empire Justice Center(LILAC)	631-650-2317	ckeshner@empirejustice.org	1	yes		Eng
2/25/2014	Martha Maffei	Sepa Mujer Inc	631-650-2307	mmaffei@sepamujer.org	1	yes		Eng
2/25/2014	Amol Sinha	NY Civil Liberties Union	631-650-2302	asinha@nyclu.ort	1	yes		Eng
		Police/Comm Outreach Committee @ Touro Law Center		**Total hardcopies distributed 2/25/14**	**8**			Eng
4/16/2014		**Community Roundtable Mtg/Bellone @ Brentwood Library**		**Total hardcopies distributed 4/16/14**	**20**	yes		Eng/Span
4/28/2014		Adelante		miriamg@adelantesc.org			yes	Eng/Span
4/28/2014	Angel Ramirez			angel264@optonline.net			yes	Eng/Span
4/28/2014		Bellport Hagerman Alliance		bhepfred@gmail.com			yes	Eng/Span
4/28/2014		Brentwood Neighborhood Watch		maxima.castro2011@gmail.com			yes	Eng/Span
4/28/2014		C.M. spanish prayer group		aquilinovelasquez@live.com			yes	Eng/Span
4/28/2014		Centereach civic association		ccaudullo@optonline.net			yes	Eng/Span
4/28/2014		Ctrl Islip Coalition of Good Neighbors		Debbie12@optonline.net			yes	Eng/Span
4/28/2014		Commack Coalition for Caring		dvirga@commack.k12.ny.us			yes	Eng/Span
4/28/2014		Coram Civic Association		egbcats@optonline.net			yes	Eng/Span
4/28/2014		East Yaphank Civic		eastyaphankcivic@aol.com			yes	Eng/Span
4/28/2014		Farmingville Residents Assoc		fra23@optonline.net			yes	Eng/Span
4/28/2014		Greater Civic Assoc & Source the Station		marita@nastasiassociates.com			yes	Eng/Span
4/28/2014		Help Suffolk Bellport		sgarcia@helpusa.org			yes	Eng/Span
4/28/2014		Hunt Stat Enrichment Ctr		huntsec@aol.com			yes	Eng/Span
4/28/2014		Hunt Sta Latin Quarters		xpalacios@xpalaciosslaw.com			yes	Eng/Span
4/28/2014		kings park in the know		maureen.l rossi@gmail.com			yes	Eng/Span
4/28/2014		Lk Ronk Civic		information@lakeronkonkomacivic.org			yes	Eng/Span

LAP Distribution Chart

Date	Individual	Contact Agency	Phone #	Email	# Copie	Distribution Hardcopy	Email	Language
4/28/2014		Lighthouse Mission		Pastorjim@lighthouseMission.net			yes	Eng/Span
4/28/2014		Lindenhurst Chamber		joan.boettcher@prudential			yes	Eng/Span
4/28/2014		Mastic Beach Property Owners		mbpoa1928@optonline.net			yes	Eng/Span
4/28/2014		Mastic Beach Village		singingfool41@hotmail.com			yes	Eng/Span
4/28/2014		Mastic Beach Village		genifo@masticbeachillageny.gov			yes	Eng/Span
4/28/2014		Middle Island Civic		tomtalbot@hotmail.com			yes	Eng/Span
4/28/2014		One More For Jesus Church/Pstr Cruzate		rcuzate@yahoo.com			yes	Eng/Span
4/28/2014		Pastor at Lambs Chaple		Pastor@lambschapel.net			yes	Eng/Span
4/28/2014		Pattersquash Creek Civic		norton2526@peoplepc.com			yes	Eng/Span
4/28/2014		Port Jeff Neighborhood Watch		homekingdom@optonline.net			yes	Eng/Span
4/28/2014		Project Hope		daniellewoh@gmail.com			yes	Eng/Span
4/28/2014		Ridge Civic		csosik@optonline.net			yes	Eng/Span
4/28/2014		rocky point civic		mok11778@optonline.net			yes	Eng/Span
4/28/2014		Sonjay Inc		dougking32@yahoo.com			yes	Eng/Span
4/28/2014		Sound Beach Civic		rubertob11789@aol.com			yes	Eng/Span
4/28/2014		St. Anne's Parish Outreach		kirnond@gmail.com			yes	Eng/Span
4/28/2014		St. Joseph's Church		catherinea@stjosephtheworkerep.net			yes	Eng/Span
4/28/2014		Strathmore Ridge		hypurblu@gmail.com			yes	Eng/Span
4/28/2014		The Woods Neighborhood Watch		thewoodsneighborhoodwatch@hotmail.com			yes	Eng/Span
4/28/2014		Town of Islip		jmistretrta@townofislipny.gov			yes	Eng/Span
4/28/2014		Wyandanch Weed and Seed		astewart@eoc-suffolk.com			yes	Eng/Span
				Total Copies Distributed 4/28/14	**38**			
5/2/2014		Suffolk County Library System-HQ		**Total Copies Distributed 5/2/14**	**65**	yes		Eng/Span
5/19/2014		William Floyd Library/ESL Group		**Total Copies Distributed 5/19/14**	**20**	yes		Span
5/29/2014	Valerie Cartwright	Town of Brookhaven Councilwoman			8	yes		Eng/Span
5/29/2014	Angela	EAC			4	yes		Span
5/29/1930	Haster Cruzante	1 More Jesus Christ Church/Farmingville			1	yes		Span
				Total Copies Distributed 5/29/14	**13**			

ATTACHMENT 4

POLICE DEPARTMENT, COUNTY OF SUFFOLK
ACCREDITED LAW ENFORCEMENT AGENCY

COMMUNITY MEETING-PRESENTATION REPORT
PDCS-1310a

Upon Completion: **Precinct Commands:** All reports will be submitted to your Precinct Community Liaison Officer (CLO)
Non-Precinct Commands: will **FAX** to Community Response Bureau: **852-6112**

Organization Name	**Telephone #**	
Organization Street Address	**Town**	**Zip Code**
Organization Contact Person/Leader - Name	**Telephone #**	
Organization Contact Person/Leader - Address	**Town**	**Zip Code**
Organization E-mail Address	**Contact Person E-Mail Address**	
Location of Meeting	**Date of Meeting**	**Time of Meeting**

Department and Community Members Present - Names	Rank/Title	Shield #	Command #

Total # Attendees	# Caucasian	# African Americans	# Hispanic/Latino	# Others

Purpose of Meeting - Presentation

Summary of Issues Discussed

Proposed Solutions	Referral/Follow Up

ATTACHMENT 5

POLICE DEPARTMENT, COUNTY OF SUFFOLK, NY
ACCREDITED LAW ENFORCEMENT AGENCY
DEPARTMENT DIRECTIVE
PDCS-2008a

ORDER NUMBER 14-49

TYPE	AUTHORITY	SIGNATURE
DEPARTMENT MEMORANDUM	JAMES C. BURKE CHIEF OF DEPARTMENT	

SUBJECT/TOPIC/TITLE
JOB POSTING - COMMUNITY LIAISON OFFICERS - COMMUNITY RESPONSE BUREAU

DISTRIBUTION	DATE ISSUED	DATE EFFECTIVE	DATE TO BE REVIEWED
ALL MEMBERS OF THE DEPARTMENT	2/28/14	2/28/14	N/A

The Community Response Bureau (CRB) anticipates seven openings, one per precinct, for the position of Community Liaison Officer (CLO). Although CLO's will be assigned to Headquarters they will be detailed to the precinct. Duties and responsibilities include the following:

- Engage minority residents within the precinct to strengthen relationships between the Suffolk County Police and the community.
- Point of contact within the precinct for community issues.
- Arrange and attend monthly meetings with community residents. Refer community concerns to the appropriate authority. CLO's will work closely with Precinct COPE Officers.
- Assist with promoting the Department's goals and strategies including, recidivism reduction initiatives, minority police recruitment, language access plan, and other future initiatives.
- Receive specialized training in federal and state civil rights law, problem oriented policing, cultural sensitivity and other topics.
- Attend a weekly meeting with CRB supervisor to discuss precinct issues.
- Perform other duties as required

Community Liaison Officers must have a genuine interest in helping residents receive exceptional police service.

The work schedule will be Monday through Friday, two tour. Interested applicants should submit an application for transfer through their chain of command to the Community Response Bureau, (852-6530) no later than Monday, March 10, 2014.

-END-

ATTACHMENT 6

Suffolk County Police Department Community Engagement Survey

1. Please indicate how you obtained this survey:

- o **From a Police Officer**
- o **From a local community or advocacy group**
- o **From my church**
- o **From the SCPD website**
- o **Other**

2. When was your most recent contact with the SCPD?

- o **Within the last week**
- o **Within the last month**
- o **More than a month ago**
- o **More than a year ago**

3. Please indicate the precinct where that contact occurred:

- o **1st Precinct**
- o **2nd Precinct**

- 3rd Precinct
- 4th Precinct
- 5th Precinct
- 6th Precinct
- 7th precinct
- Unknown

If you do not know the precinct, please list the town/location where the contact occurred:_____

4. Please indicate if that contact was with a:

- Uniformed Police Officer
- Plain Clothes Police Officer/Detective
- Internal Affairs Bureau Investigator
- Hate Crimes Detective
- Unknown

5. Please indicate the frequency of your contact with the SCPD over the last year?

- Frequent contact
- Occasional contact
- No contact

6. How would you describe your contacts with the SCPD?

- Mostly initiated by me
- Mostly initiated by the police
- Equally initiated by myself and the police

7. Please indicate what initiated your most recent contact with the SCPD.

- o I was the victim of a crime
- o I was pulled over while driving
- o I was arrested
- o I reported an incident
- o I requested information
- o I had a medical emergency
- o I was at a community event or meeting
- o I filed a compliment about Officer or Police
- o I filed a complaint about Officer or Police
- o Other (please specify) _____

8. During your contact with the SCPD were you able to communicate easily with the officer(s)?

Yes

No

9. During your contact with the SCPD, did you request any language assistance services?

Yes

No

10. During your contact with the SCPD, did you receive any language assistance services?

Yes (What type of service_____)

No

11. If you answered yes to question # 10 please describe your level of satisfaction with those language assistance services:

- o **Extremely satisfied**
- o **Satisfied**
- o **Not satisfied**

12. Please describe your overall level of satisfaction regarding the contact referred to in question #10:

- o **Extremely satisfied**
- o **Satisfied**
- o **Not satisfied**

13. How much of a problem is crime in your neighborhood of Suffolk County?

- o **A big problem**
- o **A minor problem**
- o **Not a problem**
- o **I don't know**

14. What services would you like to see, or see more of? (Select all that apply)

- o **Bike patrol**
- o **Foot patrol**
- o **Patrol cars**
- o **School Resource Officers**
- o **Community Liaison/COPE officers**
- o **Community substations**

15. Please rank the police issues that are most important to you: (1 most important, 5 least important)

_____Community and quality of life issues (Youths congregating at a particular location, graffiti in area, noise complaints etc.)

_____Drug enforcement

_____Police visibility

_____Response to calls for service

_____Traffic enforcement

16. How would you rate your feelings about how safe you feel in your neighborhood?

- o Very Safe
- o Safe
- o Not safe at all

17. Which of the following SCPD programs are you aware of?

- o Police Athletic League (PAL)
- o Neighborhood Watch
- o Child car seat donations and installations
- o Bicycle safety courses
- o Food drives
- o Cooking classes
- o Citizen Academy
- o Youth Academy

- o Crime Stoppers
- o Summer beach programs
- o School Resource Officer presentations
- o Recruitment presentations
- o Community Liaison and COPE officer outreach meetings
- o Police Week at SCPD Headquarters

18. How did you become aware of the above programs (check all that apply):

- o Community Liaison or COPE officer
- o Newspaper
- o Radio Advertisement
- o Television
- o SCPD Website
- o Community or civic meeting
- o Church
- o Social Media
- o Friend/relative
- o School
- o I was not aware

19. Which of these programs have you or your family members participated in:

- o Police Athletic League (PAL)
- o Neighborhood Watch
- o Child car seat donations and installations

- o Bicycle safety courses
- o Food drives
- o Cooking classes
- o Citizen Academy
- o Youth Academy
- o Crime Stoppers
- o Summer beach programs
- o School Resource Officer presentations
- o Recruitment presentations
- o Community Liaison and COPE officer outreach meetings
- o Police Week at SCPD Headquarters
- o Have not participated in any of the above programs

20. If you participated in any of the programs, how would you describe your experience?

	Excellent	Good	Needs Improvement
Police Athletic League (PAL)	O	O	O
Neighborhood Watch	O	O	O
Child car seat donations/install	O	O	O
Bicycle safety courses	O	O	O
Food drives	O	O	O
Cooking classes	O	O	O
Citizen Academy	O	O	O
Youth Academy	O	O	O
Crime Stoppers	O	O	O

Summer beach programs	O	O	O
School Resource Officer	O	O	O
Recruitment presentations	O	O	O
Community Liaison/COPE officer meetings	O	O	O
Police Week at Headquarters	O	O	O

21. How would you describe relations between the SCPD and the neighborhood where you live?

- o Excellent
- o Good
- o Fair
- o Poor

22. Based on your personal experience, how many of the SCPD officers you encounter treat you with respect?

- o Almost all
- o Most
- o Few
- o None

23. How certain are you that the SCPD will take and fully investigate a complaint against one of their own officers for police misconduct?

- o Very certain
- o Somewhat certain
- o Not certain

24. How would you rate the services that SCPD provides overall?

- o **Excellent**
- o **Good**
- o **Fair**
- o **Poor**

25. If you answered "Good" "Fair" or "Poor" to question #24, what recommendations do you have to improve the service(s) SCPD is providing?

_____

_____

26. Do you live in Suffolk County?

- o **Yes**
- o **No**

If you live in Suffolk County, please provide the neighborhood you live in:

_____

27. What is your gender?

- o **Male**
- o **Female**
- o **Do not wish to answer**

28. Which of the following categories include your age?

- o **Under 15 years old**
- o **15 to 19**
- o **20 to 29**

- 30 to 39
- 40 to 49
- 50 to 59
- 60 to 69
- 70 or older

29. Are you of Hispanic or Latino descent?

- Yes (Hispanic/Latino)
- No (not Hispanic/Latino)
- I don't know
- Do not wish to answer

30. What group do you mostly identify with?

- African American
- Asian
- Pacific Islander
- White
- Other
- I don't know
- Do not wish to answer

ATTACHMENT 7

CLASE	AUTORIDAD	FIRMA
ORDEN GENERAL DEL DEPARTMENTO	EDWARD WEBBER COMISIONADO DE POLICIA	

TEMA/TITULO
MEDIOS REGISTRADOS EN POSESION DE ESECTADORES EN INCIDENTES DE POLICIA

DISTRIBUCIÓN	SECCION CREADA	FECHA EFFECTIVA	FECHA ENMENDADA
TODOS LOS MEMBEROS DEL DEPARTMENTO	09/08/11	06/25/13	06/25/13

REGLAS Y PROCEDIMIENTOS

CAPITULO 9: TITULO: OPERACIONES DE PATRULLA

SECCION 27: TITULO: LOS MEDIOS GRABADOS EN POSESION DE ESPECTADORES EN INCIDENTES DE POLICÍA

I. PROPÓSITO

Para establecer procedimientos para que un miembro del Servicio siga en la escena de un incidente con respecto a la investigación, la incautación y la búsqueda de dispositivo de grabación portátil de un espectador que puede contener grabaciones de valor probatorio.

II. POLÍTICA

El Departamento respeta los derechos civiles de todos los miembros del público. Estos derechos se extienden a los espectadores de incidentes policiales. Junto con estos derechos un espectador debe seguir ciertas reglas en orden de que la actividad policial proceda sin obstáculos y también para la seguridad del público. Los miembros del Servicio deben asumir que sus actividades, en todo momento, están siendo observadas y grabadas. En caso de que un Miembro del Servicio determine que los medios grabados en la posesión de un espectador puede contener valor de evidencia, cualquier incautación y búsqueda de las grabaciones y / o el dispositivo de grabación portátil serán gobernadas por las leyes constitucionales y estatutarias, así como las políticas departamentales.

III. DEFINICIONES

A. Espectador – Un individual presente pero no participando en una situación o evento: un espectador de oportunidad.

Nota: La grabación de oficiales vestidos de civil/ operaciones encubiertas llevadas a cabo en lugares abiertos a la opinión pública no es ilegal. Los miembros del departamento deben referir al Capítulo 26, Sección 2 (VI) (E) para dirección pos si un miembro de los medios graba a un oficial vestido de civil/ operaciones encubiertas.

e. No amenacen con palabras o acciones.

f. No trate de incitar a otros a violar la ley.

B. Los miembros del Servicio no deben de exigir ver fotografías tomadas por un espectador ausente consentimiento o circunstancias extremas. Cuando existe una causa probable para creer que el material grabado contiene evidencia, el artículo puede ser incautado. Sin embargo, una orden de registro debe ser obtenido con el fin de ver su contenido. Además, una persona que ha tomado medios grabados deben ser dirigidos a no borrar o destruir las imágenes archivadas en el dispositivo.

C. Parada Inicial de un Individuo (Fotógrafo / Videógrafo No-Periodista) -

1. Cuando un miembro del Servicio detiene a un individuo que se cree razonablemente que ha capturado los medios grabados de valor de evidencia, el miembro deberá:

a. Anunciar su autoridad y identificación.

(1) Miembros de vestido civil deberán identificarse exhibiendo ostensiblemente credenciales Departamentales.

b. Informar al individuo el propósito de la parada.

c. Pedirle a la persona si él o ella capturó soportes grabados pertinentes al incidente.

d. Pedir que el individuo proporcione su identificación y su información de contacto.

2. La parada no deberá durar mas de lo necesario para efectuar su propósito. Brevedad es importante para determinar si es o no es una parada es razonable.

D. Consentimiento Para Buscar y / o Incautar Dispositivos de Vídeo Portátil y Grabación de Fotos de un Individuo (Fotógrafo / Videógrafo No-Periodista) –

1. Miembros pueden pedirle a un individuo por su consentimiento para la búsqueda y / o incautación de una foto portátil y / o un dispositivo de grabación de vídeo para determinar si los medios registrados tienen presente valor de evidencia

2.

a. Si se produce una incautación consensual, la propiedad será inventariada y documentados de conformidad con el Capítulo 20, Sección 3 de estas normas y procedimientos.

b. Autorización para buscar el dispositivo se documentará de acuerdo con el Capítulo 24, Sección 16 de estas Normas y Procedimientos, utilizando Formulario del Departamento PDCS-1067, Permiso Para Buscar. Formulario PDCS-1067 se completará siempre que un miembro del Servicio realiza una búsqueda basado en el consentimiento, a pesar de todo si el consentimiento es proporcionado verbalmente o por escrito.

(1) Todos los detalles relativos a la obtención de un consentimiento válido para buscar, y los resultados de la búsqueda, será precisa y completa documentada.

E. Incautación No-Consentido de Vídeo Portátil y Dispositivos de Grabación de Fotos de un Individuo (Fotógrafo / Videógrafo No-Periodista)

1. Cuando existe una causa probable para creer que el vídeo portátil y/o dispositivo de foto de grabación contiene elementos visuales y/o de audio relacionado a evidencia, el dispositivo puede ser incautado sin consentimiento si existen circunstancias extremas.

a. El tipo más común de circunstancia exigente es la inminente destrucción de pruebas. Dos requisitos deben cumplirse para que esta exigencia se produzca:

(1) Miembros deben tener una causa probable para creer que existe la evidencia destructible.

(2) Los miembros deben tener razone para creer que la evidencia puede ser destruida si retrasan la adopción de medidas hasta que se emita una orden de registro.

b. El supervisor del miembro será notificado inmediatamente después de cualquier incautación, y el supervisor deberá responder a la escena.

c. No se llevará a cabo la búsqueda del dispositivo hasta que se emita una orden de registro a menos que haya razones para creer que la búsqueda inmediata de tales materiales es necesaria para evitar la muerte o heridas graves de un ser humano.

d. En ausencia de circunstancias extremas, como se describe en subpárrafo c. anterior, el supervisor del miembro asegurara la preparación y presentación de una solicitud de una orden de registro.

e. La base para incautación será precisamente y completamente documentada.

f. Si ocurre una incautación, la propiedad será inventariada y documentada de conformidad con el Capítulo 20, Sección 3 de las Normas y Procedimientos.

F. Parada Inicial de Personal Periodista -

1. Cuando un miembro del Servicio pare a un fotógrafo / camarógrafo periodista que se cree que han capturado soportes grabados de valor de evidencia, el miembro deberá:

a. Anunciar su autoridad e identidad.

(1) Miembros de Vestido Civil se identificarán exhibiendo ostensiblemente credenciales Departamentales.

b. Anunciar al periodista el proposito de la parada.

c. Preguntarle al periodista si él o ella capturó soportes grabados pertinentes al incidente.

(1) Si el/la periodista reconoce la captura de soportes grabados pertinentes y se compromete a permitir la revisión y/o de suministrar una copia al Departamento, el miembro deberá:

(a) Notificar inmediatamente a su supervisor y a la Oficina de Información Pública / Crime Stoppers.

(b) Recaudar y documentar haber recibido las grabaciones de conformidad con el Capítulo 24, Sección 16 de estas Normas y Procedimientos, utilizando Formulario del Departamento PDCS-1067, Permiso para Buscar. Formulario PDCS-1067 se completará siempre que un miembro del Servicio realiza una búsqueda basada en el consentimiento, independientemente de si el consentimiento es proporcionado verbalmente o por escrito.

(c) Documentar apropiadamente la solicitud y la respuesta.

(2) Si el periodista reconoce la captura de soportes grabados pertinentes y se niega a permitir la revisión y / o proporcionar una copia de las grabaciones pertinentes capturados, o se niega a declarar si capturaron soportes grabados pertinentes, el miembro deberá:

(a) Notificar inmediatamente a su supervisor y a la Oficina de Información Pública/Crime Stoppers.

(b) Instruir al periodista que no destruya, borre o altere las grabaciones pertinentes capturadas.

(c) Apropiadamente documentar la solicitud y la respuesta.

(d) Solicitar al periodista que proporcione su identificación personal, credenciales de prensa y su información de contacto.

d. Solicitar al periodista que proporcione su identificación personal, credenciales de prensa y su información de contacto.

2. La parada no debe de durar más de lo necesario para efectuar su propósito. Brevedad es importante para determinar si es o no es una parada es razonable.

3. Los Miembros no incautaran dispositivos de grabación portátil de periodistas a menos que sean detenidos bajo arresto o de otra manera son directamente involucrados en el acto criminal, o si hay razones para creer que la búsqueda inmediata de tales materiales son necesarios para evitar la muerte o heridas graves a una persona.

a. Una búsqueda sin orden de registro de dispositivos de grabación portátiles incautados incidente a la participación directa o arresto de periodista está prohibido a menos que haya motivos para creer que la búsqueda inmediata de tales materiales es necesaria para evitar la muerte o heridas graves a una persona.

G. Notificación de Supervisión

1. El supervisor del miembro será notificado inmediatamente después de la incautación de un dispositivo de grabación portátil, ya sea consensual o no consensual, y deberá ser aconsejado de:

a. La totalidad de las circunstancias que rodean a la parada y la incautación.

b. El tipo de dispositivo incautado.

c. El estado de la persona de quien se apoderó del dispositivo (por ejemplo, detenido, arrestado, etc.).

H. Responsabilidades del Supervisor

1. El supervisor deberá:

a. Responder inmediatamente a la escena.

b. Asegurar de que la totalidad de las circunstancias que rodean a la parada y la incautación como comunicado por el miembro están justificados, adecuados, y en cumplimiento de esta Orden General del Departamento y de las Normas y Procedimientos del Departamento.

(1) Si el supervisor determina que la parada y la incautación es apropiada, el supervisor deberá determinar si se justifica la búsqueda inmediata del dispositivo de vídeo portátil y/o dispositivo de grabación de fotografías por el miembro.

(2) Si el supervisor determina que la incautación no es apropiada, el supervisor se asegurará de que:

(a) El vídeo portátil y/o dispositivo de grabación de fotos se devuelva inmediatamente a la persona detenida es compensada. El supervisor deberá documentar estos resultados en el Supplementary Report (PDCS-1084).

(3) Las circunstancias y las acciones tomadas serán apropiadamente documentados en un Incident Report / Informe de Incidentes (PDCS-1099).

c. Asegurar de que toda la documentación requerida se ha completado.

d. Asegurar de que todos los protocolos de manejo de evidencia se sigan.

e. Asegurar de que Crime Stoppers y la Oficina de Información Pública ha sido notificada.

f. Asegurar de que cualquier preguntas o dudas sobre la validez de la parada y/o incautación sean

dirigidas inmediatamente al siguiente nivel de supervisión en la cadena de mando.

I. Incautación de Propiedad

1. Siempre que un miembro incauta cualquier dispositivo de grabación portátil de un individual, el miembro deberá presentar a esa persona un General Receipt / Recibo General (PDCS-0094), y el dispositivo será facturado de acuerdo al Capítulo 20, Sección 3 de estas Normas y Procedimientos.

J. Acciones Prohibidas

1. Miembros del Departamento no deberán ordenar o participar en la destrucción de los dispositivos de grabación portátil.

2. Miembros del Departamento no deberán participar en borrar, eliminar o destruir evidencia analógica, digital o de cinta.

3. Miembros del Departamento no impedirán el derecho de una persona a fotografiar o grabar un vídeo de un evento a menos que las acciones de esa persona:

a. Entra cualquier área restringida (pueden permanecer en lugares abiertos al público).

b. Interfieren con operaciones policiales.

c. Violan alguna ley.

d. Compromete la seguridad de un oficial, detenido o cualquier otro miembro del público

Nota: La grabación de oficiales vestidos de civil/operaciones encubiertas llevadas a cabo en lugares abiertos a la opinión pública no es ilegal. Miembros del departamento deben referir al Capítulo 26, Sección 2 (VI) (E) para dirección pos si un miembro de los medios graba a un oficial vestido de civil/ operaciones encubiertas.

e. Amenacen con palabras o acciones

f. Atentan de incitar a otros a violar la ley.

VII. REFERENCIAS ESTÁNDAR DE ACREDITACIÓN

N/A

VIII. ÍNDICE

Soportes grabados en Posesión de espectadores 9/27

FIN

CLASE	AUTORIDAD	FIRMA
ORDEN GENERAL DEL DEPARTMENTO	EDWARD WEBBER COMISIONADO DE POLICIA	

TEMA/TITULO
ARRESTO DE CIUDADANOS NO ESTADOUNIDENSES Y PERSONAS CON DOBLE CIUDANANIA

DISTRIBUCIÓN	SECTIÓN CREADA	FECHA EFECTIVA	FECHA ENENDADA
TODOS LOS MIEMBROS DEL DEPARTAMENTO	06/01/92	05/02/14	05/02/14

REGLAS Y PROCEDIMIENTOS

CAPÍTULO 16: TITULO: ARRESTOS Y PRISONEROS

SECCIÓN 4: TITULO: ARRESTOS DE CIUDADANOS NO ESTADOUNIDENSES Y PERSONAS CON DOBLE CIUDANANIA

I. PROPÓSITO

Para proveer procedimientos que deben seguirse al ejecutar un arresto de un ciudadano no estadounidense, interactuando con personas indocumentadas sospechosos y haciendo notificaciones a autoridades federales de inmigración.

II. POLÍTICA

La misión primordial del Departamento de Policía es proporcionar y mantener un ambiente seguro para todas las personas en el Condado de Suffolk, independientemente de residencia o estatus migratorio. Si las personas creen que no pueden presentarse para reportar un crimen o cooperar con la policía a causa de su condición migratoria, la misión del Departamento de Policía y la seguridad de todos los residentes es comprometida.

En consonancia con los mandatos constitucionales, así como los principios básicos de la actuación policial efectiva, víctimas, así como testigos y otras personas que solicitan ayuda de la policía, no deben ser disuadidos de acercarse a los agentes de policía por temor a una encuesta sobre su estatus migratorio. Oficiales no deben preguntar o investigar el estatus migratorio de cualquier víctima, testigo, testigo potencial, o persona que solicita o recibe ayuda de la policía. Existirá una excepción a este requisito si: (a) la Oficina del Fiscal de Distrito determina, por escrito, de que existe una buena causa para preguntar sobre o investigar el estatus migratorio de la

persona; (b) la persona ha sido arrestado y acusado de un crimen; o (c) según sea necesario por la Constitución o de otra manera legalmente durante el proceso de descubrimiento de los litigios penales.

Cuando existen motivos para creer que una persona arrestada por un delito puede ser una persona indocumentada, el Departamento de Policía es responsable de alertar a las autoridades federales de inmigración, el fiscal y el poder judicial. Después de que un individuo ha sido arrestado y acusado de un delito penal, el estatus migratorio de la persona es relevante para determinar sus vínculos con la comunidad y para determinar la probabilidad de que él o ella aparecerá en un procedimiento judicial en el futuro. Además, el gobierno federal debe ser notificado para evaluar si procedimientos de ejecución de inmigración deben ser iniciados en contra de una persona indocumentada involucrada en actividades delictivas.

III. DEFINICIONES

A. Ciudadano No Estadunidense - Incluye a todas personas que no son ciudadanos estadounidenses.

B. Doble Ciudadanía - El Departamento de Estado de los Estados Unidos informa que una persona que es un ciudadano/nacional de uno o más países distintos a los Estados Unidos debe ser tratado de acuerdo con las normas aplicables a cada uno de esos países. Aconsejan, además, que una persona que es un ciudadano de los Estados Unidos y otro país puede ser tratado exclusivamente como un ciudadano de los EE.UU., cuando en los Estados Unidos. Notificación consular no es necesaria incluso si el otro país de ciudadanía es un país de notificación obligatoria.

C. LESC - Law Enforcement Support Center (Centro de Soporte de Aplicación De Leyes) - Williston, Vermont.

D. INSQ - Inquiry search through Immigration database (Consulta de búsquedas a través de la base de datos de inmigración).

IV. REFERENCIAS

Publicación del Departamento de Estado de los Estados Unidos, titulado "Consular Notification and Access" / "Notificación Consular y Acceso."

V. REGLAS Y REGULACIONES

N/A

VI. PROCEDIMIENTOS

A. Determinando el Estado Migratorio del Arrestado

1. Al procesar un arresto por un delito grave o delito menor, los oficiales llevando a cabo un arresto deben de preguntarle a todos los detenidos cerca lo siguiente:

a. Ciudadanía del Arrestado (Estados Unidos u otro país)

b. Lugar de Nacimiento del Arrestado

2. Si un detenido indica que él o ella nació fuera de los Estados Unidos, o no es un ciudadano de los Estados Unidos o el agente que lo detuvo sospecha razonablemente que en acusado nacio fuera de los Estados Unidos, los siguientes procedimientos serán adheridos:

a. Completar un Immigration/Customs Enforcement Inquiry Request, (form PDCS-6100-44, disponible en línea), y mandar por fax el formulario de solicitud de consulta a Teletipo en la Unidad de Recibir, Despachar y Teletipo. Esto generará una búsqueda ICE a través de su Centro de Soporte de Inmigración y Aduanas de Aplicación de la Ley (LESC). (Lugar de nacimiento es un apunte crítico.)

b. ICE enviará los resultados de la búsqueda a la Unidad de Teletipo que, reenviara el mismo al Oficial que lo solicito, la Oficina de Inteligencia Criminal, al Jefe del *Case Advisory Bureau* de la Oficina del Fiscal del Distrito del Condado de Suffolk, y a *Probation ROR* para instrucción de cargos.

c. Indicar en la sección de Información Personal de la *Arrest Worksheet*, (PDCS-1086), las entradas correspondientes para "estatus de residencia, ciudadanía, estado

migratorio y el número INS", si está disponible. Someter una copia de los resultados de la encuesta INSQ, si está disponible, con los documentos de arresto y remitir al tribunal de instrucción de cargos. En todo caso la investigación INSQ debe indicarse en el sistema de procesamiento de arresto en línea o documentos de arresto.

d. Si la respuesta a la encuesta INSQ es recibida por el Departamento de Policía de manera oportuna, y los resultados son los siguientes: *"In Status"* o *"Out of Status,"* el acusado puede ser puesto en libertad bajo fianza si los predicados de conformidad con *New York State Criminal Procedure Law* y la política del Departamento están satisfechos. Si la encuesta INSQ revela que un detenido fue deportado anteriormente, "No Hit" o ICE solicita detención del sujeto, ese individuo no debe ser puesto en libertad bajo fianza.

e. Si el supervisor del escritorio determina que la respuesta a la encuesta INSQ no es recibida en un tiempo razonable y todos los predicados de la fianza son cumplidos el acusado tendría derecho a libertad bajo fianza.

f. *Probation* (Libertad Vigilada) contactara ICE si la encuesta INSQ revela que se requiere más investigación sobre el estatus de residencia del acusado, y solicitará a un agente de servicio de la sección *Criminal Aliens Section*.

B. Números de Contacto -

1. *Law Enforcement Support Center* (LESC)/ Centro de Apoyo para la Aplicación de Leyes: 802-872-6020 (24 horas/7dias)

2. *ICE Communications Desk* / Servicio de Inmigración y Control de Aduanas de Estados Unidos: (646) 230-3200

3. *Probation* ROR/Libertad Limitada: 631-853-5115; *Probation Supervisor*/Supervisor de Libertad Limitada 631-853-5007, Fax – 631-853-4032

4. *Suffolk County District Attorney's Office Case Advisory Bureau / Case Advisory Bureau* de la Oficina del Fiscal del Distrito del Condado de Suffolk: Fax - 853-5892

C. Responsabilidades de Criminal Intelligence Bureau (CIB) Oficina de Inteligencia Criminal - La Oficina de Inteligencia Criminal evaluará todas las respuestas recibidas INSQ y realizara todas investigaciones de seguimiento de proceda necesarias, conjuntamente con el personal de ICE. CIB preparará y mantendrá una base de datos para catalogar todas las respuestas INSQ que reciben de Teletipo.

D. Notificación Consular – Además de lo anterior, los siguientes procedimientos serán seguidos cuando un Miembro del Servicio sabe o sospecha razonablemente que el acusado no es ciudadano de EE.UU.:

1. Determine el país de origen de la persona y contacte el supervisor de la Sección de Comunicaciones para determinar si el país del extranjero se encuentra en la lista de países que requieren notificación obligatoria. (Se proporciona una lista como anexo en esta Orden)

2. Si se requiere un intérprete para facilitar la comunicación con el sujeto un intérprete puede ser solicitado a través del supervisor de la Sección de Comunicaciones.

3. Si el país del extranjero está en la lista de países que requieren notificación obligatoria, el Supervisor de Escritorio o el Oficial a Cargo de la Comisaría deberá:

a. Notificar a oficiales consulares del país más cercanos del arresto, sin demora.

b. Proporcionar al oficial que realizo el arresto de la fecha, hora y nombre / título del funcionario consular que recibió la notificación y cualquier instrucciones dadas.

4. El Supervisor de Comunicaciones deberá tomar nota del asunto en el *Confidential Log* de la Sección de Comunicaciones.

5. Si el país del extranjero **ESTÁ** en la lista de países con notificación obligatoria, el oficial que realizo el arresto debe indicarle a la persona que él o ella está haciendo esta notificación, mediante la declaración recomendada por el Departamento de Estado de EE.UU.: "A causa de su nacionalidad, tenemos la obligación de notificar a funcionarios consulares de su país que está aquí en los Estados Unidos que ha sido arrestado o detenido. Haremos esto tan pronto como sea posible. Además, usted tiene derecho a comunicarse con sus oficiales consulares. Usted no está obligado a aceptar su ayuda, pero sus funcionarios consulares pueden ser capaz de ayudarle a obtener representación legal, y pueden comunicarse con su familia y visitarlo en detención, entre otras cosas."

6. Si el país del extranjero **NO ESTÁ** en la lista de países con notificación obligatoria, el oficial que realizo el arresto debe:

a. Ofrecer, sin demora, a notificar a los funcionarios consulares de la persona arrestada, mediante la declaración recomendado por el Departamento de Estado de EE.UU.: "Como ciudadano no Estadounidense quien ha sido arrestado o detenido, usted tiene derecho a que nosotros notifiquemos funcionarios consulares de su país que está aquí en los Estados Unidos de su situación. Usted también tiene derecho a comunicarse con sus oficiales consulares. Un oficial consular puede ser capaz de ayudarle a obtener representación legal, y puede ponerse en contacto con su familia y visitarlo en detención, entre otras cosas. Si desea que le notifiquemos a sus funcionarios consulares, puede solicitar esta notificación ahora, o en cualquier momento en el futuro. ¿Quiere que notifiquemos a sus funcionarios consulares en este momento?"

b. Si el extranjero pide que se dé la notificación consular, el oficial realizando el arresto deberá ponerse en contacto con el Supervisor de Escritorio o el Oficial a Cargo, que luego deberá:

(1) Notificar a los funcionarios consulares del extranjero más cercanos, sin demora, del arresto.

(2) Asesorar al oficial que realizo el arresto o detective de la fecha, hora y nombre / título del funcionario consular que recibió la notificación y las instrucciones dadas.

(3) Informar al Supervisor la Sección de Comunicaciones para que el asunto pueda ser anotado en el *Confidential Log* de la Sección de Comunicaciones.

7. Los Miembros del Servicio deben documentar estas notificaciones y acciones tomadas sobre el detenido en el *Prisoner Activity Log* (PDCS-2032).

8. De conformidad con las pautas del Departamento de Estado de EE.UU. un oficial consular puede visitar a un extranjero de su país que se encuentra bajo custodia policial. En el evento que se hizo una visita personal, la entrada correspondiente debe ser registrada en el Prisoner Activity Log (PDCS-2032) del arrestado.

VII. REFERENCIAS ESTÁNDAR DE ACREDITACIÓN

A. CALEA
B. NYSLEAP

VIII. ÍNDICE

Undocumented Persons, Arrest of - 16/4
Dual Citizenship, Arrest of Persons With - 16/4
Foreign National, Arrest of - 16/4
Immigration/Customs Enforcement Inquiry Request - 16/4
INSQ - 16/4
LESC - 16/4
Non-U.S. Citizen, Arrest of - 16/4

(Nota: Por Favor Ver Anexo Ajunto)

Anexo a Capitulo 16, Sección 4
(Arrestos de Ciudadanos No Estadounidenses Y Personas Con Doble Ciudadanía)

Países y Jurisdicciones Con Notificación Consular Obligatorio (Modificado 9/10):

Albania
Argelia
Antigua y Barbuda
Armenia
Azerbaiyán
Bahamas
Barbados
Bielorrusia
Belice
Brunéi
Bulgaria
China (incluyendo Hong Kong y Macao)
Costa Rica
Chipre
República Checa
Dominica
Fiji
Gambia
Georgia
Ghana
Granada
Guayana
Hungría
Jamaica
Kazajstán
Kiribati
Kuwait
Kirguistán
Malasia
Malta
Mauricio
Moldavia
Mongolia
Nigeria
Filipinas
Polonia
Rumania
Rusia
Saint Kitts and Nevis
Santa Lucía
San Vicente y las Granadinas
Seychelles
Sierra Leona
Singapur
Eslovaquia
Tayikistán
Tanzania
Tonga
Trinidad y Tobago
Túnez
Turkmenistán
Tuvalu
Ucrania
Reino Unido
Uzbekistán
Zambia
Zimbabue

Para obtener instrucciones más detalladas y material legal, consulte la publicación del Departamento de Estado ***Consular Notification and Access*** / Notificación Consular y Acceso. La publicación completa se encuentra disponible en:

www.travel.state.gov/consularnotification

Preguntas pueden ser dirigidas a:

Office of Policy Coordination and Public Affairs (CA/P)
Bureau of Consular Affairs
U.S. Department of State
2100 C St. NW, Room 4800
Washington, D.C. 20520
Telephone: (202)647-4415
Fax: (202)736-7559

Consultas urgentes fuera del horario pueden dirigirse a: (202)647-1512 (*State Department Operations Center* / Centro de Operaciones del Departamento del Estado)
Se aconseja a los miembros del Departamento que contacten el supervisor de la Sección de Comunicaciones para verificar si el país del extranjero está en la lista de Países y Jurisdicciones Con Notificación Consular Obligatorio. Recordatorio: el proceso anterior está contenido en el Capítulo 16, Sección 4.VI.D. de las Normas y Procedimientos.

A los miembros del departamento se les recuerda que si el país de un extranjero no está en la lista de Países y Jurisdicciones Con Notificación Consular Obligatorio, todavía tienen que ofrecer, sin demora, a notificar a los funcionarios consulares de la persona del arresto, mediante la declaración contenida en VI.D.6.a. del Capítulo 16, Sección 4 de las Normas y Procedimientos.

FIN