



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ERIC T. SCHNEIDERMAN
ATTORNEY GENERAL

DIVISION OF SOCIAL JUSTICE
CIVIL RIGHTS BUREAU

September 27, 2013

Re: Rochester Police Department (RPD)'s Language Access
Services for Persons of Limited English Proficiency (LEP)

The purpose of this letter is to memorialize the Rochester Police Department (RPD)'s cooperation with the Attorney General's Office (OAG), and commitment to implementing and maintaining policies, procedures, and training protocols to help ensure that individuals of Limited English Proficiency (LEP) are provided meaningful access to RPD services regardless of the individual's LEP status.

By way of context, the City of Rochester ("Rochester"), New York has a population of 210,565 people, 16.4 percent of whom identify as Hispanic. Moreover, an estimated 8.4 percent of Rochester residents five (5) years of age or older speak English less than "very well" or have a limited ability to read, speak or understand English. As language for LEP individuals can be a barrier to accessing important police services, the RPD recognizes the need for timely, effective, and accurate communication between RPD employees and the LEP communities they serve. The RPD has expanded and strengthened its language access services to better serve Rochester's LEP population and, in turn, the community at large.

Accordingly, the Rochester Police Department has, and remains, committed to the following:

1. Taking reasonable steps to ensure that its officers and civilian employees who have regular contact with the public effectively communicate with LEP persons, and provide them with timely and meaningful access to all of the services and benefits the RPD provides, including but not limited to responding to calls for assistance; making traffic stops; taking complaints; and interviewing victims, witnesses or subjects of criminal investigations. Going forward, the RPD will also assess the technological feasibility of making public service announcements and safety alerts available in other languages, and accessible to LEP persons.
2. Taking reasonable steps to ensure that its officers and civilian employees who have regular contact with the public are periodically trained on how to effectively communicate with LEP persons and provide them with timely and meaningful access to all RPD services. The RPD will also issue the following policies and training materials regarding service to LEP persons to all officers and civilian employees who have regular contact with the public: revised versions of RPD General Order # 411 regarding Interrogation Procedures, General Order # 502 regarding Bias Based Profiling; a revised version of Training Bulletin P-42-03, addressing Bias Based Profiling; and Training Bulletin C-09-13, entitled "Limited English Proficiency Persons."

3. Taking steps to identify bilingual RPD officers and staff, and maintain a mechanism for testing the proficiency level of its bilingual officers and staff, to the extent permitted, given existing legal and contractual obligations.
4. Refraining from contacting and/or relying on federal enforcement authorities, including U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, for the sole purpose of providing interpretation and/or translation assistance, unless there are exigent circumstances or situations involving imminent threat to life or safety. This provision does not restrict or limit the RPD's activities carried out pursuant to a joint investigation or task force investigation conducted in conjunction with any federal law enforcement agency.
5. Translating vital documents, and utilizing translated materials made available through other law enforcement entities, agencies, and courts.
6. Making English and Spanish-language Personnel Complaint Forms available at all RPD buildings, and on the RPD website; and when a complaint relates to language access, providing written notice of the disposition of the complaint to the complainant in the language (English or Spanish) in which the complaint was written.
7. Periodically convening with the OAG's Civil Rights Bureau (hereinafter "Bureau") to discuss the RPD's provision of language access services to LEP individuals, including those efforts outlined in this letter. During those meetings, the OAG and the RPD will jointly discuss and review: (a) a set of recent RPD police report forms and other documents that illustrate the RPD's efforts to provide language assistance services in the field; (b) documentation concerning in-service training sessions on the LEP policies; (c) copies of all forms and documents translated pursuant to the LEP Policies; and, (d) any complaints RPD has received regarding the provision of language access services.

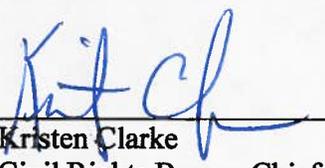
The contents of this letter neither constitute nor suggest any accusation or admission of wrongdoing on the part of the RPD, or any violation of any laws, regulations, or administrative pronouncements applicable to the RPD. Rather it is the result of a cooperative project undertaken by RPD and OAG to enhance law enforcement services in the City of Rochester for persons with limited English proficiency.

**CITY OF ROCHESTER
POLICE DEPARTMENT**

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ATTORNEY GENERAL OF
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