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#### SUMMARY OF REVISION/REVIEW

PROCESS – I.D. – Language updated. Minor grammar changes throughout.

APPROVED:

  
[Rob Jeffreys \(Aug 1, 2024 09:27 CDT\)](#)

Rob Jeffreys, Director  
Nebraska Department of Correctional Services

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## PURPOSE

To establish authority, responsibility and procedures for interpretation and translation services within the Nebraska Department of Correctional Services (NDCS). It is the policy of NDCS to ensure effective communication occurs between all incarcerated persons and staff members, the Board of Parole and the public. This includes interpretation and translation services for individuals who have Limited English proficiency (LEP) and individuals who are deaf or hard of hearing. These services may be requested by any NDCS team member. Service delivery includes written translation of policy, procedure, correspondence and other written communication; oral interpretation to facilitate in-person or video-conference communication; use of language line services for oral interpretation with contracted, independent, certified interpreters. Each facility, consistent with its function and the nature of its incarcerated individual population and programs, shall develop its own Procedure within the limits and guidelines of this policy. (ACI-7D-13, ACRS-3A-05)

## PROCESS

### I. TEAM MEMBER AVAILABILITY

- A. The NDCS interpretation and translation team members are not assigned by geographic areas. The number of positions and location of those positions is based on NDCS need. The interpreter supervisor reports to the assistant deputy director - programs.

Generally, each interpreter is located in a different facility and are supervised by the interpreter supervisor. Interpreters are expected to work with facility leadership to meet the needs of the facility. When facility leadership direction and supervisor direction conflict, clarity will be sought from the supervisor and the assistant deputy director - programs.

- B. Each interpreter will be available to travel to each NDCS facility/program as needed. Such requests should be coordinated through the interpreter supervisor. Interpretation/translation services may also be handled by telephone, teleconference, or video conference, as agreed upon by facility leadership, incarcerated individual, and interpreter.

For telephone use through Language Line Services call [1-800-874-9426](tel:1-800-874-9426). Callers must provide the facility's phone number and the client code [535010](#). This is a resource provided by the State of Nebraska. To obtain telephonic interpretation services from an NDCS interpreter, please call them directly.

- C. Services available from the interpreters are:


1. Interpretation.

Verbal interpretation from Spanish to English or from English to Spanish.

2. Translation.

- a. Written translation of documents from Spanish to English or from English to Spanish.

- b. A letter or e-mail denying any request for translation from team members or incarcerated individuals shall be forwarded to the requesting facility,

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along with an explanation detailing the specifics. Situations include but are not limited to:

- 1) Documents directly related to an incarcerated individual's court case (conflict of interest)
- 2) Personal letters (family members/love interests, etc.)
- 3) Immigration and Customs Enforcement (ICE) documents or letters to ICE
- 4) Attorney requested translation of documents
- 5) Frivolous requests for translations from English fluent incarcerated individuals

3. All other interpretation and translation services provided for languages other than Spanish and English shall be coordinated through the interpreter supervisor.

- D. Other interpretation/translation services may be provided by qualified team members but may not leave their regular work duties to provide interpretation. Such interpretation/translation must be documented in accordance with Process V.A.

## II. GENERAL PROTOCOL


- A. All Incarcerated Individual Interview Request forms not written in English will be routed directly to the on-site interpreter by the person to whom it is addressed. Facilities that do not have an on-site interpreter should notify the interpreter supervisor. The interpreter will in turn translate and route the incarcerated individual request to the appropriate team member/department (i.e. Health Services, Custody, etc.) to avoid any delays.
- B. When interpreters are required, the requesting team member will provide the following information to the interpreter: incarcerated individual name, facility number, time needed, appointment time, and a brief description of the interpretation need.
- C. The team member will verbalize one sentence or phrase at a time, speaking slowly and clearly, unless otherwise specified by the interpreter. Only one person is to speak at a time. The location and noise level should be such that the communication is effective and allows for the appropriate level of confidentiality.

The interpreter will advise all parties involved that it is their duty and responsibility to interpret everything said and instruct the parties to direct questions, comments, etc. to each other and not directly to the interpreter (first person dialog).

## III. INTERPRETATION / TRANSLATION NEEDS

### A. Interpretation

1. Team members will contact the on-site interpreter to make the request known. If no interpreter is assigned to the facility, team members will contact the interpreter supervisor.

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2. The interpreter will contact the interpreter supervisor and explain the request if such is outside routine daily interpretation needs.
3. The interpreter supervisor will make the necessary arrangements and advise the on-site interpreter and/or facility contact person.
4. Should an outside contract interpreter be hired in an emergency situation (weekend, after hours, etc.) the team member that contacted the interpreter is responsible for informing the interpreter supervisor as soon as possible of this situation and submit a written report.

**B. Translation**

1. Any facility and/or NDCS documents requiring translation will be forwarded to the interpreter supervisor. Routine documents (Incarcerated Individual Interview Requests, Grievances, Intel documents, etc.) may be translated by the on-site interpreter.
2. The interpreter supervisor will review the materials for translation and will notify the team member submitting the materials of the disposition of the request.
3. The interpreter supervisor will return translated documents to the appropriate on-site interpreter with an email notification of approval.

**C. Services for the Deaf and Hard of Hearing to Access NDCS Programs and Services**

1. Upon request, NDCS interpretation and translation services team members shall arrange for a qualified and licensed interpreter to assist an incarcerated individual who is deaf or hard of hearing with the following: (ACI-7D-13)
  - a. Incarcerated individual orientation
  - b. The incarcerated individual disciplinary process
  - c. The incarcerated individual classification process
  - d. Incarcerated individual transportation orders
  - e. Parole hearing/reviews
  - f. Health services
  - g. Programs/Clubs
  - h. Community inquiries
  - i. Emergency services
  - j. Other needs as determined by the warden

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2. The Commission for the Deaf and Hard of Hearing is a resource for obtaining the contact information of a qualified and licensed interpreter. (ACI-7D-13)

The website for the Commission for the Deaf and Hard of Hearing is a resource for obtaining the contact information of a qualified and licensed interpreter. The commission is no longer involved in the procurement of American Sign Language (ASL) interpreter services. The individual ASL interpreter must be contacted directly by the Interpretation/Translation Division for scheduling.

#### IV. SERVICES

- A. The Language Line Services shall provide a variety of interpretation and translation services to include but not limited to the following:

1. Incarcerated individual orientation (ACRS-3A-05)
2. Incarcerated individual disciplinary process
3. Incarcerated individual classification process
4. Incarcerated individual transportation orders

Interpreters may be utilized to interpret and/or translate during a transportation order. However, interpreters will not serve as the Officer-in-Charge of a transportation order.

5. Parole hearings / reviews
6. Health services consultation interpretation
7. Community inquiries


Interpreters may be utilized to assist with inquiries from the community/general public and incarcerated individual family members as needed. In the event that such services are needed, the team member in need of interpretation assistance shall contact the on-site interpreter or interpreter supervisor to coordinate this process. The interpreter/translator shall be responsible for receiving telephonic and written communication in Spanish directed to them by coordinating facility team members.

8. Pre-employment and post-employment

Positions that require or desire Spanish speaking skills shall be tested in accordance with Policy 112.03 *Team Member Selection*. Specific processes will be designed and clarified by each facility's Procedures.

9. Emergency Services

The interpreter/translator will respond to any emergency as determined by the warden or incident commander. The interpreter supervisor will be responsible for

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implementing an emergency on-call procedure for interpretation/translation team members.

10. External Matters

Interpreters will not provide interpretation/translation services for matters external to NDCS, including judicial matters. Attorneys may not request interpretation services from NDCS interpreters; they must make other arrangements for communication with their clients.

V. DOCUMENTATION OF SERVICES

A. Logs

All interpretation/translation services shall be documented in either the Interpreter or Translation logs (Attachments B and C). The logs will be returned on a monthly basis to the interpreter supervisor's office. All hours logged will be reflected on a monthly report which is submitted to the interpreter supervisor and the on-site supervisor.

B. Records

1. General Correspondence.

The interpreter providing the translation services shall maintain copies of the general correspondence translated.

2. Health Services/Mental Health.

The only Health Services/Mental Health translation documentation that may be retained by interpreters is limited to the Inmate Interview Request/Health Services Request forms that were translated. Copies of all other translated documents shall be sent by Health Services/Mental Health to the interpreter supervisor for review and filing. The interpreter supervisor shall retain these documents in a secure manner for statistical tracking purposes.

VI. CONFIDENTIALITY AND ETHICS


Interpretation services shall be provided in a manner consistent with statutory and agency confidentiality requirements and Policy 112.31 *Code of Ethics and Conduct*. Interpreters shall perform their job function without paraphrasing or individual personalization. Interpreters shall not advocate for either side. Interpreters must remain neutral, impartial and express no personal opinion.

REFERENCE

I. STATUTORY REFERENCE AND OTHER AUTHORITY – None noted

II. NDCS POLICIES

A. Policy 112.03 *Team Member Selection*

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B. Policy 112.31 *Code of Ethics and Conduct*

### III. ATTACHMENTS

A. Organization Chart

B. Interpreter Log

C. Translation Log

### IV. AMERICAN CORRECTIONAL ASSOCIATION (ACA)

A. Expected Practices for Adult Correctional Institutions (ACI) (5<sup>th</sup> edition): 5-ACI-7D-13

B. Standards for Adult Community Residential Services (ACRS) (4<sup>th</sup> edition): 4-ACRS-3A-05