



BUREAU OF MOTOR VEHICLES
DIVISION OF ENFORCEMENT, ANTI-THEFT, AND REGULATIONS
INVESTIGATIVE REPORT

CASE
NAME [REDACTED]

CASE
NUMBER 2018-02691

INVESTIGATOR Bruce Hurley

DATE 01/03/2019

APPROVED

BY

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Driver License Exams Section personnel suspects that an interpreter assisting driver license written exam applicants may be cheating the exam, by providing the applicant the correct answer to the question during the exam. The suspicion is based on a 100% pass rate for one particular interpreter.

Details:

Driver license Exams Section Chief Examiner [REDACTED] forwarded a complaint from Driver License Examiner [REDACTED] against [REDACTED] St. Auburn, Maine. In his complaint, [REDACTED] states that [REDACTED] is an interpreter providing interpreting services to individuals having trouble with the languages offered on the written driver license exam software program. He believes that [REDACTED] is possibly assisting the applicant in cheating the exam by covertly providing the correct answer to the question on the test during the actual exam. [REDACTED] also states that it appears to him that the applicants for which [REDACTED] provides assistance, have high exam pass rates, that are much higher than other interpreters that assist applicants as well. Based on this unusually high pass rate, [REDACTED] believes [REDACTED] must be cheating on the exam.

I contacted Chief Examiner [REDACTED] and requested information on the following:

1. Number of exams and dates that [REDACTED] was the interpreter,
2. Name of the applicants,
3. Of those applicants listed, how many passed the exam?
4. How many failed the exam?
5. Provide the exam for each applicant to compare questions and answers,
6. How often and when does [REDACTED] arrive at the branch to provide interpretation?
7. Has anyone (Examiners) heard or observed [REDACTED] give answers to the exam? if so, who?
8. Did the examiner report this to management?

According to Chief Examiner [REDACTED], there is no pre-determined time, date or schedule, as to when [REDACTED] provides interpretation services to applicants at any branch. His presence on exam day is apparently random. Motor Vehicle Exams Section procedures do not require the applicant to advise the Exams Section in advance that an interpreter will be used during the written exam and/or who that person will be on the day of the test. [REDACTED] also states it would be difficult to obtain through the database which exam (s) [REDACTED] may have interpreted for in the past, without examining each document. Apparently, interpreter information is noted on the applicant's documentation but is not captured on the Motor Vehicle Exams area of the database.

I interviewed Examiner [REDACTED] and asked him if he observed anything out of the ordinary during an actual exam that [REDACTED] assisted with that would cause him to believe they were cheating the test. I suggested examples such as pointing to the correct answer, nudging the applicant at a certain time, etc. and he said nothing stood out. Examiner [REDACTED] is adamant that [REDACTED] is cheating on the tests based mostly on his 100% pass rate during initial exams as well as re-test exams. [REDACTED] advised me that he spoke to [REDACTED] on a couple of different occasions regarding his interpreting services. According to [REDACTED], [REDACTED] told him he collects a fee for his services and the amount of money collected varies depending on the customer's ability to pay. According to [REDACTED], [REDACTED] advised him he does it for business and to help people in his community that struggle with english. [REDACTED] stated that on at least one occasion he advised [REDACTED] he suspected he was cheating on exams and told him he was contacting upper-level management requesting an investigation. [REDACTED] apparently told [REDACTED] if he did so and he lost his ability to interpret exams for applicants, would take away a large income source and hurt him financially.

No other Driver License Examiners have come forward or submitted statements alleging cheating on written exams involving [REDACTED].

On 01/22/2019 I requested a list from Information Services for all "Oral" exams in the Portland Branch from January 2018 through December 2018. ("Oral Exam" can be through the computer or an actual interpreter). That list produced 1,003 oral exams that were requested during that timeframe in 2018. Of those exams given, Examiner [REDACTED] administered 105.

Motor Vehicle Information Services Section provided the requested information and that report was further broken down by The Division of Enforcement, Anti Theft and Regulations personnel listing applicant names, dates, initial test dates, re-test dates, pass/fail notes and interpreters names. The report indicates that seven interpreter names appear more than once on the list. Three interpreters on the list have a 100% pass rate on initial exams and re-test exams. The re-test exam list indicates the applicant came in for an "Oral Exam", using the computer language software program, failed the exam, then requested another "Oral Exam" for the re-test, used an interpreter and passed the re-test.

<u>Name</u>	<u>OLN#</u>	<u>Total Tests</u>	<u>Initial</u>	<u>Re-test</u>	<u>Fail</u>	<u>Pass rate</u>
[REDACTED]	7682356	25	14	11	0	100%
[REDACTED]	4266351	25	22	3	0	100%
[REDACTED]	5282357	15	8	7	0	100%

The pass rates for the other four interpreters on the list range from 87.07% to 28.57%.

Conclusion:

- Given the number of oral tests given, while being assisted by the aforementioned top three interpreters, and all having a 100% pass rate, it is possible that they are assisting the applicant taking the exam by one or more of the following methods:
 1. Giving the applicant the correct answer by signaling in some way during the exam;
 2. The interpreter and the applicant speaking in their native language and collaborate with each other to select the correct answer;
 3. The interpreter has assisted enough applicants during exams and is familiar enough with what questions that will be asked and/or subject areas of interest, makes it likely they can coach/teach the applicant the answers to the test at home before the exam.
- There is no direct observation of cheating and/or specific instances where actual observations or conversations were overheard during exams between the applicant and the interpreter. With the lack of direct evidence to show cheating definitely happened, it would be difficult to prove beyond any reasonable doubt.

Recommendations:

- The Bureau of Motor Vehicles reviews current policies and/or develop new policies regarding the administration of exams to include the use of interpreters by applicants during written driver license exams.