

Annual Report on Implementation of Language Access

**New York City Department of
Probation**

2/11/2019

This annual report provides an update on the agency's implementation of its Language Access Implementation Plan, as required by Local Law 30 (2017). The report covers activity during calendar year 2018.

This report also addresses updates for agencies covered by Local Law 73 (2003).

Section 1: Agency Information

Agency name	NYC Department of Probation
Name of the agency's Language Access Coordinator (LAC) and all office titles held by this individual.	Phyllis R. DeLisio, Language Access Coordinator (LAC), Assistant to the Commissioner, Diversity and EEO Officer, Disability Rights Manager, Disability Service Facilitator, Fleet and Facilities Administrator
Link to the agency's Language Access Implementation Plan (LAIP) posted on the agency's website.	https://www1.nyc.gov/assets/probation/pdf/policies/dop-language-access-plan.pdf
Year the LAIP was last updated	2018

Section 2: Agency language access policy and goals

Describe your agency's language access policy and how it is communicated to staff.

The Department of Probation (DOP) is required by law to conduct Pre-Sentence/Dispositional Investigations and to supervise individuals sentenced to Probation by the court. For our agency's mission to be realized, it is essential that our officers communicate clearly and effectively with the clients they supervise as most discussions are about issues that could impact their freedom. It is DOP's goal to ensure that a client's primary language is never an obstacle to achieving a successful life outside the criminal justice system. The agency's commitment to the provision of language access services to every LEP client is communicated to all staff in several ways. First, the Commissioner sends a memorandum to all staff on an annual basis advising that she expects all staff to be fully committed to the provision of clear communication to clients, in their primary language, and free of charge. The provision of language assistance is available through contracted telephonic and in-person interpretation as well as the translation of essential documents in the primary language of the client. In the Academy, all newly hired officers are trained about the agency's policies regarding language access services; are taught how to access telephonic and in-person services and are educated on the laws that require the agency to provide language access services to our clients and at times, the public. All newly hired personnel that engage with clients are given I SPEAK cards to assist them with their responsibility to provide LEP clients with language access services. During field visits, Probation Officers are trained by their supervisors to use their phone to provide telephonic services to LEP clients. Should this not be an option due to poor cell phone reception, a Probation Officer, family member or friend who speaks the primary language of the client may assist with communication during the field visit. During the very next office visit, the information obtained during the field visit is verified through contracted interpretation services. Through the ongoing emphasis and continuous reminders, staff clearly understand what the Commissioner and supervisory personnel expect of them when they are in communication with a LEP client or individual.

Section 3: Provision of language services

(Refer to Administrative Code §23-1102 a.; §23-1102 b. (2, 5, 6, 7, 11); §23-1102 c.)

1.- Subcategory: Translation

(§23-1102 a.(1))

Describe the progress that the agency has made in translating its most commonly distributed documents into the 10 designated languages.

In compliance with Local Law 30, DOP determines the translation and interpretation needs of the LEP population that will attend public events by providing the LAC's telephone number on all advertising for the event. The LAC uses telephonic services to learn the needs of the individual and works with the contracted vendors to provide interpreters and documents in the primary language of the requestor.

Identify any relevant goals from the agency's most recent LAIP, progress toward those goals, and any related accomplishments.

In collaboration with the Director of Press Relations, the LAC ensured that all advertising materials for public events in 2018 included the telephone number to request language access services.

2 - Subcategory: Telephonic Interpretation

(§23-1102 a.(2) and §23-1102 c.)

Describe the progress the agency has made providing telephonic interpretation during the previous calendar year.

Identify any relevant goals from the agency's most recent LAIP, progress toward those goals, and any related accomplishments.

The agency continues to utilize contracted services, secured through DCAS Procurement, for the provision of telephonic interpretation. In calendar year 2018, 3,354 telephone calls were made to secure telephonic services to our clients at an annual cost of \$31,109.00.

3 - Subcategory: In-Person Interpretation

(§23-1102 a.(2))

Describe the progress the agency has made providing in-person interpretation during the previous calendar year.

Identify any relevant goals from the agency's most recent LAIP, progress toward those goals, and any related accomplishments.

In calendar year 2018, the agency continued to use DCAS contracts to secure In-Person interpreter Services. 32 clients were interviewed with the assistance of an In-Person interpreter and another 109 clients were interviewed with the assistance of a sign language interpreter. In total, the agency spent

\$19,642 for the provision of in-person interpreter services for our clients.

4 - Subcategory: Posting of multilingual signage about the availability of free interpretation services

(§23-1102 a.(3))

Describe the progress the agency has made posting multilingual signage about free language services.

Identify any relevant goals from the agency's most recent LAIP, progress toward those goals, and any related accomplishments.

DOP continues to display I SPEAK/Language Identification posters and cards throughout all client waiting areas and in the offices of Probation Officers who meet with clients. These posters and cards are also available on the agency's intranet and can be shown to clients on the officer's computer monitor. I SPEAK/Language Identification cards are also placed in visible areas at agency events for clients and the community.

5 - Subcategory: Emergency Preparedness and Language Access

(§23-1102 b.(5))

Describe the agency's progress to ensure that language access services are provided during an emergency response.

Identify any relevant goals from the agency's most recent LAIP, progress toward those goals, and any related accomplishments.

Every client is assigned to a specific Probation Officer who engages with and develops strong connections to the client during each supervision visit. During an emergency at the office, each Probation Officer would communicate directly with their LEP clients through contracted telephonic services. Should a verifiable emergency occur on a client's reporting day that prevents the client from attending the appointment, the client is excused for not reporting and another appointment is scheduled.

6 - Subcategory: Language Access Considerations in Agency Communications

(§23-1102 b.(6))

Describe your agency's progress toward making other types of agency communications (such as emergency notifications, public hearings and events, press releases, website content, social media, and other communications to the public) accessible to individuals and/or communities with Limited English Proficiency (LEP).

Identify any relevant goals from the agency's most recent LAIP, progress toward those goals, and any

related accomplishments.

All our advertising materials include the LAC's telephone number, who responds and provides requested assistance with language access services. Additionally, at events where Probation Officers are present, LEP individuals are connected to telephonic services via cell phone. In 2018, the agency began advertising events on various social media venues including the LAC's telephone number for language access services.

7 - Subcategory: Plain Language
(§23-1102 b.(7))

Describe the agency's progress in ensuring that communications with the public are in plain language. Identify any relevant goals from the agency's most recent LAIP, progress toward those goals, and any related accomplishments.

Our Director of Communications and Press as well as our General Counsel received training in Plain Language. They review communications to the public to ensure that they are written in plain language.

8 - Subcategory: Licenses, Permits, and Registrations
(§23-1102 b.(12))

*Note: The deadline for this section of Local Law 30 is June 30, 2020. Provide updates as applicable.

If your agency issues licenses, permits, and registrations, describe its progress toward providing language access when issuing licenses, permits, and registrations.

Identify any relevant goals from the agency's most recent LAIP, progress toward those goals, and any related accomplishments.

Our agency does not issue licenses, permits an registrations.

Section 4: Training

(Refer to §23-1102 b.(8))

Describe the agency's progress in developing training on laws and agency policies and protocols on language access, and in training staff.

Identify any relevant goals from the agency's most recent LAIP, progress toward those goals, and any related accomplishments.

The agency has a curriculum in place for training staff on agency policies and protocols on language access which has been updated to include training on Local Law 30 requirements. All newly hired Probation Officers are taught about the agency's commitment to language access services and the rights of LEP clients during in the Academy. Officers are given the agency's written policy/procedure notice and a palm card explaining how to access telephonic services. After the Academy and once assigned to a borough office, supervisors show them how to access telephonic and in person interpreter services for LEP clients. The agency continues to provide customer service training to waiting room greeters which includes appropriate steps to take when greeting a client whose primary language is not English. I-SPEAK cards are provided to the greeters and they are instructed to use the card and personally walk the client over to an Intake Officer or Supervisory Probation Officer for assistance. A bi-annual review of the rights of LEP clients to language access services is provided to all staff during mandated Right to Know Training. The agency's Diversity training also includes information on language access services.

Section 5: Record keeping and evaluation

(Refer to §23-1102 b.(3) and §23-1102 b.(4))

Describe the progress your agency has made in record keeping of language services and monitoring the delivery and quality of language services. Include any considerations that may influence the agency's "four-factor analysis."

Identify any relevant goals from the agency's most recent LAIP, progress toward those goals, and any related accomplishments.

DOP serves a defined population sentenced by a judge to court ordered supervision by Probation Officers. Through DOP's case management system, the agency maintains data on the primary language of every client, the frequency with which each client meets with their assigned Probation Officer as well as the language access services provided to the client. As language access services are provided to clients, by a contracted vendor, in the presence of the Probation Officer, the Officer is the best resource for determining the effectiveness of services. Therefore, Supervisory Probation Officers check-in regularly with Officers to determine whether language access services are meeting the needs of our LEP clients. Any problems are promptly reported to the LAC who engages with the service contractor to bring about immediate remedy. In calendar year 2018, 3,354 telephone calls were made to telephonic access services at an annual cost of \$31,109.00. 32 clients were interviewed with the assistance of an in-person interpreter and another 108 clients were interviewed with the assistance of a sign language interpreter at an annual cost of \$19,642.

Section 6: Resource analysis and planning

(Refer to §23-1102 b.(11))

Describe the progress your agency has made in managing its language access resources (including staff and contracted services) to facilitate and/or improve language access. Include any considerations that may influence the agency's "four-factor analysis."

Identify any relevant goals from the agency's most recent LAIP, progress toward those goals, and any related accomplishments.

DOP has had much success in managing its language access resources to facilitate and /or improve language access. In 2018, there were no complaints filed with regard to the provision of language access services. Every LEP client has been accommodated with an in-person interpreter within the timeline requested by the Probation Officer, the court and the treatment provider. Borough Branch Chiefs serve as Language Access Ambassadors to ensure that all events that may require translation services and any issues with language access services are communicated to the LAC. DOP is very satisfied with the current language access service providers who have proven to be reliable, timely and competent in translation and interpretation of the many languages our clients speak. DOP monitors the cost of language access services to routinely adjust its contracts and funding to meet the increasing need for interpretation and translation services.

Section 7: Outreach and public awareness of language access services

(Refer to §23-1102 b.(9))

Describe the progress your agency has made in implementing strategies and outreach activities that will create public awareness of your agency's language assistance services. Include any updates regarding public awareness of the 311 Language Access complaint system.

Identify any relevant goals from the agency's most recent LAIP, progress toward those goals, and any related accomplishments.

In 2018, DOP expanded much of its advertising to social media. This advertising is sometimes for events that are not focused on people on probation supervision (like a public hearing, food pantry or job fair for the community). DOP has centralized the development of this advertising to the Office of the Director of Communications and the LAC who work collaboratively to ensure that the requirements of Local Law 30 are met. All social media advertising includes the phone number of the LAC so the public can call to request language access assistance for the event. Our website guides the public to 311 to obtain assistance with language access needs. 311 correspondence regarding language access needs are received and promptly handled by the LAC.

Section 8: Language Access complaints

(Refer to §23-301 and §23-1102 b.(10))

1 - Describe how members of the public can submit language access complaints, questions and requests to the agency.

All events that are open to the public are advertised with the telephone number of the agency's LAC .
Our website includes information on how to file a complaint through 311.

2 - How many *language access complaints* did the agency receive via 311 during the previous calendar year? How were they handled?

There were no language access complaints in 2018.

3 - How many *requests for language access services did the agency receive through 311 during the previous calendar year? How were they handled?**

There were no requests for language access services through 311 during 2018.

***NOTE: "Requests for additional language services"** refers to new ways in which the agency can make its services or information available to those who do not read or speak English well – e.g., translating a specific brochure into additional languages, or providing bilingual staff at a particular service facility. It does NOT refer to individual requests for interpretation.

Section 9: Language Access Goals

List your agency's language access goals for Calendar Year 2019.

DOP will translate more essential documents into the primary languages of our LEP clients, enabling Probation Officers with additional resources to communicate more effectively with clients.

DOP will send the LAC and all other relevant stakeholders to all trainings to support DOP's efforts to provide clear communication to our clients and ensure that language is never an obstacle to achieving a successful life outside of the criminal justice system.

Addendum: Reporting questions for Local Law 73

(Refer to §8-1007 and §8-1008 d. of the Administrative Code)

***Note:** This section applies only to those agencies covered under Local Law 73: ACS, DHS/HRA, DOHMH.

1 - Record the number of LEP individuals served during Calendar Year 2018, disaggregated by primary language; agency contractor, contractor, or agency office *[HRA only]*; and assistance type required. *[Add rows as needed]*

Language	Agency contractor, contractor or agency office <i>[HRA only]</i>	Type of assistance required (<i>translation; telephonic interpretation; onsite interpretation</i>)	2018 Language Services instances (<i>number</i>)
Spanish	Language Line	Telephone	3,354
Mandarin			
Bengali			
Burmese			
Cantonese			
Russian			
Arabic			
Tibetan			
Korean			
French			
Japanese			
Fulani			
Punjabi			
Uzbek			
Polish			
Albanian			
Urdu			
Portuguese			
Haitian			
Fuzhou			
Romanian			
Bambara			
Hindi			
American Sign Language	Accurate Communications	In Person	99
Sign Language Spanish			4
Sign Language Mandarin			2
Sign Language Judeo-Yemini Arabic			1

Sign Language	Accurate	In Person	1
Albanian	Communications		
Deaf/Blind Tactile			2
Spanish			27
Creole/Haitian			1
French			1
Arabic			1
Russian			
Fuzhou / Min Dong Chinese			2

2 - Record the number of bilingual and interpreter personnel employed by the agency, broken down by language translated or interpreted. *[Add rows as needed]*

Language	Number of staff
	0

3 – How does the agency assess whether primary language determinations are properly recorded?

The primary language of all clients is captured at Intake and recorded in the agency’s case management system by an Intake Officer, who assists the LEP client through contracted telephonic services. The primary language of the client is then confirmed each time the client meets with their respective Officer, communicating through telephonic or in person contracted services.

4 – How does the agency assess whether documents are translated accurately and disseminated properly?

All documents are translated through contracted service providers. The documents provided to clients by their officers are kept on the agency’s intranet. This year, the agency had an Op-Ed translated into Spanish and posted it in El Diario; it was called “Everyone Deserves Music” and was written by Commissioner Bermudez. An essential document, “Request for Early Discharge” was translated into Spanish and Mandarin. We purchased, Restorative Questions Cards in Spanish from the company that produces these cards. We distributed two flyers in Spanish to our client waiting rooms borough wide: one from the Department of Social Services, to help parents pay off NYC child support debt and the

other advertised a hotline number from Good Call Arrest Support Hotline.