

New York City Department of Correction Language Access Implementation Plan (LAIP)

As of March 2018, Diane Murray Ward was named the Language Access Coordinator for the New York City Department of Correction.

I. Agency Mission and Background: "As part of the criminal justice system, the New York City Department of Correction (hereafter DOC) is dedicated to enhancing public safety by maintaining a safe and secure environment for our staff, while providing inmates with the tools and opportunities they need to successfully re-enter their communities."

The DOC is a detention system providing for the care, custody and control of individuals (hereafter population) which includes individuals either awaiting the disposition of their case or convicted of crimes whereupon sentenced to one year or less, state ready prisoners and parole violators. Our daily population approximates 9, 133 individuals. We operate two borough-based hospital prison wards, three borough facilities and nine facilities located on Rikers Island. Direct services to our population include but are not limited to rules and regulations detailing behavioral expectations, counseling services, mandated programs (e.g.regularly scheduled Law Library access) and medical services. Post-release programs and services developed to thwart recidivism have been enshrined within our operational systems.

Rikers Island hosts approximately 1, 000 visitors daily. The public's engagement with the DOC commences with our multi-lingual web-site providing general information including facility locations, travel instructions, access hours, appropriate attire, bail, commissary requirements, mailing instructions, and restricted items.

II. Agency Language Access Policy and Goals

Policy: Existing policy requires facilities promulgate rosters of multi-lingual staff. Rosters are disseminated quarterly to the Language Liaison with access to our Central Operation Desk (COD) which provides 24- hour inter-agency communication for all commands. The DOC has historically and continuously provides Limited English Proficient (LEP) persons language access. Fortunately the diversity of DOC staff allow us to provide in- house language coverage for most language needs. We presently provide language coverage for internal daily operations when identified in no less than 28 languages. Facility language rosters consists of staff presently identifiable in twenty-eight languages inclusive of those ten identified within Local Law 30. A sample representation of languages at any given quarter has historically included the following: Urdu, Portuguese, Igbo, Punjabi, Albanian, .Serbian, Bengali, Greek, Arabic, Hebrew, Edo, Patois, Bangladesh, Romanian, Tagalog, Hindu, Yoruba, and Vietnamese. The population's language needs are serviced via these quarterly rosters except in rare instances when an identified language is not within our staff's. We utilize the citywide language bank (VLB) when a language need is outside of our staff's purview. We contract written materials for the population and public's consumption.

Service delivery requires effective communication. The DOC is sensitive and responsive to LEP persons in our custody and during our engagement with the public. We will recruit multi-lingual staff for rosters via internal memorandum disseminated within 1) Human Resources new civilian hires, 2) Academy new recruit and pre-promotional officer training classes. 3) Morale Committee meetings. (The Morale Committee is comprised primarily of fraternal organizations who have historically provided native source language staff). 4) Teletypes which are agency-wide notifications.

The DOC's medical provider (Health and Hospital) contracts for their language coverage needs separately. Our Health Services Division provides for American Sign Language (ASL) secured by the Disability Rights for Inmates Coordinator. ASL knowledgeable staff and contracted services provide coverage as operationally needed. An upgrade of the orientation tape for the population proposes including ASL and multi-language captioning perhaps in FY20. We have been working with deaf and hearing-impaired persons in our custody for decades. In addition to ASL we provide the New York Times in braille. Health and Hospital doesn't maintain phone language access figures which they use for clinical purposes. ASL figurers we record. We've begun discussion on how to sharing language identification- only information between our agencies.

The DOC Language Access Coordinator will ensure agency compliance of LL30 as described within this Language Access Implementation Plan (LAIP). Data retrieval can occur via several avenues which include the following: 1) Telephonic assistance as noted from invoices. 2) The Language Liaison's record of direct requests.

Activation Language Services

When the commands cannot internally provide the coverage necessary for their presenting verbal and written requests from their roster, they inform the Central Operations Desk (COD). The COD is a 24 hour operation. The Language Access Coordinator is phoned or emailed either form the command, COD or both. DOC's participation with MOIA Liaisons is always invaluable especially since the VLB identifies language certified employees.

The DOC ensures that persons in our custody have the ability to effectively communicate with staff therefore ensuring a safe, secure and respectful correctional environment. The DOC ensures that LEP (Limited English Proficient) family and friends can comprehend materials generated for public consumption which includes security requirements, various procedures and practices, restrictions and allowances. Our agency website remains multi-language accessible.

III. LEP Population Assessment: The four point resource assessment model will be implemented by our Population Research Group utilizing data gleaned from our intake processing and citywide demographics sources.

Factor I: As of December 2017, data derived from DOC's Population Research Group provided the following racial/ ethnic breakdown for the inmate population: Black 53%, Hispanic 33.7% White 7.4%, Asian 1.8% and Other 4.1%. Additional demographic data sources will be gleaned from data provided upon intake.

Multi-lingual assistance under consideration may require at a minimum two sets of phones per command, one for the public in the facility visit area (and an additional one at the borough-based facilities in the bail payment areas and one for inmates at intake. We may utilize instead or in sync with dual headset phones, language phone codes accessible from agency phones for designated staff.

Visitors to Rikers Island might enter the Perry Building and/or the Benjamin Ward Central Visit, both of which will have some form of phone access.

During Intake, when language needs are identified, we will determine how staff can report how necessary assistance was provided at the command level, COD or Headquarters. This flagging will allow us to quantify the frequency of these needs, and how they are rectified.

Effective communication when possible is crucial upon Intake in particular when we have so much to sort out, (e.g. housing and medical assessments). Our ability to secure language needs upon entry sets the tone for the duration of the incarceration. Intake may require another set of phones and/or code access on existing phones. Mutual understanding by staff and the population and expectations is crucial. Language cannot be a deterrent to comprehension. .

Factor 2: We are invoiced on phone generated language assists. The DOC will commence noting on a quarterly basis data retrieved from a contractor regarding calls generated for public consumption

Factor 3: Importance to DOC: We are responsible for the care, custody and control of persons in our custody. Effective communication allows us to address needs and concerns expeditiously. We provide documents, notices, posters, program schedules, and visit guides.

The DOC has always been acutely sensitive and responsive to LEP persons in our custody and during our engagement with the public. Our Central Office of Procurement (COP) has been advised of our intent with respect to LL30. Task orders have been prepared for DCAS.

The DOC will continue to provide LEP persons in our custody with access to services ensuring the safety and security of the facility and care, custody and control of all persons in our custody.

Language Identification Cards will be readily available to all Tour Commanders for their immediate access. Upgraded materials (e.g. rule book inserts) are provided in both English and Spanish utilizing plain language via a contracted vendor. Agency specific materials are translated continuously for LEP persons and are carefully vetted.

Telephonic language coverage will be re-introduced and utilized to include the public and internal population needs with access codes for identified staff with direct inmate contact.

We will reintroduce the language identification memo book inserts carried by uniform staff at all times. PREA (Prison Rape Elimination Act) and all special populations will be afforded the same access to language services via language identification posters and trained staff.

Upon custody, individuals interact with both uniform and civilian staff. Initial intake processing provides us an opportunity to determine if there is a language barrier. Language Identification posters will be prominently displayed advising the public of our accessible available to them. MOIA is updating posters, so when available we will place them in these public areas. These language identification posters were previously placed in common, high trafficked areas within commands, visit houses, and Central Visit. We will resume that practice with new posters. I presently have facility rosters and will remind commands to forward theirs to COD as well. I am in the process of revamping and resurrecting the telephonic system.

Emergency Service Responders will be apprized of the availability of COD's rosters and telephonic systems in place for language assistance.

Factor 4: Costs approximated for this coverage are presently designed as blanket orders activated as needed for the multiple year (3) coverage have been approximated as follows: ASL for@ \$9,657.00, Translations for \$83, 625.00 Telephonic for \$10, 867, and In-Person for \$9,950. We will secure a small purchase order providing Document Review for less than \$20,000. ASL though not included within the LL30 identified languages is an inclusion we've covered for decades. We provide the New York Times in braille, identify Basic ASL proficient staff, and we may repeat ASL staff training FY19. According to LL30, agencies are encouraged to utilize certified interpreters as well. We have not traditionally contracted for such service. Human Resources is determining if there are any union issues resulting from staff volunteering their language skills. However we have include a task order providing for onsite assistance after the exhaustion of other volunteer resources.

The Emergency Response Unit employs a LRAD (Long Range Acoustic Device). We are discussing any upgrades allowing for the inclusion of additional languages.

We translated posters (e.g. Appropriate Visitor Attire) in the previously required languages namely Chinese, Haitian-Creole, Italian, Korean, Russian, Polish, and Spanish which still appear sufficient per our demographics.

Our existing Operations Order provides for the command level roster's quarterly development and dissemination to COD and the Language Access Coordinator. We are in the process of promulgating a revision within FY19 outlining the procedures staff will employ for enhancing language access. "Commonly distributed materials" is defined within DOC as those Rules and Regulations which govern the smooth operation of the commands.

IV. Provision of Language Access Services

Translation Services: After managerial approval, staff provide materials for translation and forwarding to the contractor. The contractors provides a quote that has to be approved by the Language Liaison Coordinator. Upon determination of project cost (regular or rush materials), the signed quote is sent back to the contractor as approved for work commencement. The vendor supplies the translated materials which are reviewed by in-house staff and/or VLB recruits. After review and discussion, a final version is supplied to the submitter and the translation is considered completed.

Braille New York Times, magazine and audio books are provided to our population free of charge from the New York Public Library.

Interpretation Services Facility rosters are our source for verbal language exchange. The VLB is accessed when an identified language is not in-house. Funding is provided for contracted professional language services agency -wide, however we do not presently contract for an on-site interpreter.

Notification of Free Interpretation Signage

V Training: Our Academy's inclusion of LEP awareness and tools in all pre-promotional training and entry level orientation literature is assured. Inclusion within Human Resources packages as well for new employees serves the following dual purpose:

- 1) An informational resource when determining /assessing that an LEP person requires assistance
- 2) Recruitment after their probationary period for self- disclosure of language proficiency.

We will continue to scour college programs for free college interns and trainings for DOC staffers interested in becoming language document reviewers. We are also considering upgrading our ASL staffs' skills with refresher trainings.

Staff will be apprised of our requirement to note all instances of language assistance for compliance with Local Law 30's reporting needs. Logging interpretations on a daily basis is not feasible since they occur seamlessly. We have to consider how this data is noted for reporting purposes.

"Plain language" is already employed by staff who develop materials for public consumption. These materials are reviewed and are required to state they are approved by management by the submitter prior to submission for translating in some instances by our legal division. To the extent that plain language doesn't interfere with the comprehension of the material presented, footnotes of terminology might have to be added which requires administrative approval and consideration.

- Included within the mandatory training packages of staff will ensure that all are aware of our outreach and .tools available to assist LEP persons.
- Annual reminders to all staff with email access will underscore the recruitment and advise everyone of the language accessing process we employ will commence FY19.
- Academy training sign-in sheets will be tallied on a quarterly basis when the topics covered include languages access materials. Teletype distribution cited for the numbers of staffers advised of our language access procedures and processing.
- Human Resources trainings will be tallied quarterly when engaging materials for new hires and any follow-up that HR deems staff may have, especially those who have been processed prior to our initial inclusion of these materials (prior to FY 19).

VI. Record Keeping and Evaluation:

Data sources have been internally identified for the reporting requirements of LL30.

Population Research Group will continue to provide necessary data for reporting features.

The metrics and indicators proposed to management include: Pre and post tests immediately following instruction, then an annual quick interactive quiz , How much do you use or refer to: posters, language access telephone, peers, for language assistance? Annual spot checks with staff informally or formally to assess language access will be incorporated.

VI. Resource Analysis and Planning:

- 1) Facility generated rosters will continue to provide on-site initial coverage.
- 2) We will investigate contracting on-site interpreters via college interns for coverage when all other options have been exhausted.
- 3) The city's Language Bank Liaisons continue to provide resources and volunteers from their respective agency coffers.
- 4) Informal connections with DOC staff provide on the spot translation reviews and suggestions
- 5) regarding translations as needed.
- 6) The DOC will continue contracting services (telephonic coverage of one hundred languages) to provide for compliance of LL30.

The Language Access Coordinator will compile reports from all areas providing service for an analysis of any areas lack of language access. Our front -line staff and their supervisors are the key to informing all of us if they suspect a language barrier is a presenting problem. We address circumstances immediately in order to quell any potential security, care and control problems. Staff will be reminded to use query listed on Intake Form 239M (Section D) flagging possible LEP status.

VII. Outreach and Public Awareness: Language variable phones will be secured via a contracted vendor for distribution projected usage within Visit Houses, the Perry Center, and the Benjamin Ward Central Visit site.

Our website presently provides multi-lingual information which also complies with LL30 requirements. Identification of language needs via identification cards will continue. We continue to ensure that LEP persons have access to all necessary agency information allowing for the safe, secure and respectful engagement of their exchange with the DOC.

Posters will be prominently displayed in public accessible areas as mentioned above. Visit house assigned staff will have access to telephonic services.

IX. Language Access Complaints: Constituent Services will be encouraged to identify feedback from 311 calls. We continue to ensure that LEP persons have access to all necessary agency information allowing for the safe, secure and respectful engagement of their exchange with the DOC. Agency staff tracking these instances will have to be identified to the Coordinator of Language Access for future reporting purposes.

X. Implementation Plan Logistics: The DOC will continue providing language assistance for LEP persons in our custody and the public. Staffs awareness is strengthened via our use of posters displayed in common areas, stand-alone language identification cards in offices, and the reissuance of the memo insert cards all uniform staff carry on their person. The expansion of telephonic access to additional front-line staff will be initiated.

Compliance of LL30 will be monitored by the Language Access Coordinator who will oversee the following milestones:

Milestones: FY19

Goal 1: Inclusion LEP goals for New Recruits and In-Service Orientation/Training

Materials: Orientation Package Updating

Milestone: DOC employees are reminded of this policy during continuous ongoing training cycles

Staff: Academy and Human Resources

Deadline: June 2019

Goal 2: LEP Orientation/Training for Civilian Managers

Materials: Rosters

Milestone: Quarterly

Staff: Academy and On-Site Coordinator

Deadline: June 2019

Goal 3: Civilian Facility Staff Awareness of LL30

Materials: Memorandum via email accounts

Milestone: Command-based civilians are apprised of the LL30 and their volunteer recruitment

Staff: Administration

Deadline: June 2019

Goal 4: Medical provider provides data or are at least apprised of a LEP detainee (this requires shared procedural approvals from both agencies)

Milestone: Quarterly data retrieval

Staff: D/C Health Affairs and Health staff and Hospital Administration

Deadline: June 2019

Goal 5: Expansion of telephonic services

Materials: Code designations provided to DW Programs

Milestone: All commands

Staff: Intake, Security Intelligence, Counseling, Law Library

Deadline: June 2019

Goal 6: Language ID Posters Re-Issuance

Milestone: All commands

Staff: Facility staff will ensure placement of posters per LL 30

Deadline: MOIA is presently updating (August 2018?)

Goal 7: Language Identification Memo Book Inserts Re-Issued

Milestone: All uniform staff

Staff: All staff

Deadline: MOIA is updating (August 2018?)

Milestones FY20

Continuation of all prior FY Milestones

Goal 1: Video Relay Services (VRS) for deaf/ hearing impaired persons in our custody.

Milestone: Secured as needed

Staff: Health Affairs

Deadline: June 2020

Goal 2: Closed- captioning to include ASL in a corner of the orientation constant loop tape and voiceovers in Spanish

Milestone: All facilities utilizing the Orientation Tapes

Staff: Facility staff

Deadline: June 2020

