



CITY OF NEW YORK  
OFFICE OF THE COMPTROLLER  
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MAURA HAYES-CHAFFE  
DEPUTY COMPTROLLER FOR AUDIT

BUREAU OF AUDIT

October 4, 2023

**By Electronic Mail**

Bridget G. Brennan, Esq.  
Special Narcotics Prosecutor  
Office of the Special Narcotics Prosecutor for the  
City of New York  
80 Centre Street, 6th Floor  
New York, NY 10013

**Re: Final Letter Report on the Office of the Special Narcotics Prosecutor's Provision of Language Access Services (Audit # SZ23-093AL)**

Honorable Bridget G. Brennan:

This Final Audit Letter Report concerns the New York City Comptroller's audit of the New York City Special Narcotics Prosecutor's (SNP) provision of language access services and compliance with relevant laws and regulations which govern the translation of websites of New York City agencies. Language Access laws are intended to make City agencies, and ultimately the City as a whole, more accessible to foreign-born residents whose primary language is not English.

**Background**

New York City, with a population of more than 8 million people, is home to one of the most diverse populations in the world, with more than 3 million foreign-born residents from more than 200 countries. According to the New York City Department of City Planning, nearly one-half of all New Yorkers speak a language other than English at home, and almost 25 percent of City residents aged five and over are not proficient in English. For residents who have a non-English Language Preference (NELP), interacting with City government and receiving access to City services can be a challenge.<sup>1</sup>

Most City agencies have a significant presence on the internet and rely on agency websites to both provide information to and interact with the public. In 2016, NYC Administrative Code, Title 23, Chapter 8, City Website, § 23-801 (Local Law 25 of 2016) was signed into law, requiring that every website maintained by or on behalf of a City agency include a translation service enabling users to view the text of that website, wherever practicable, in languages other than English. Local Law 25 of 2016 also requires that the translation feature be identifiable in a manner that is comprehensible to a person whose preferred language is one

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<sup>1</sup> NYC Administrative Code, Title 8, Chapter 10, Equal Access to Human Services, § 8-1002, Local Law 73 of 2003 (LL73), LL30, and EO120 use the term "limited English proficient" or "LEP"; however, for the purposes of this report, the term "non-English language preference" (or "NELP") is used.

other than English. NYC Administrative Code, Title 23, Chapter 11 Language Access § 23-1101 (Local Law 30 of 2017) requires that the website is translatable into the top 10 designated citywide languages<sup>2</sup>.

SNP works collaboratively with New York City's elected District Attorneys to investigate and prosecute felony narcotics cases across all five boroughs of the City. The City's five District Attorneys appoint the Special Narcotics Prosecutor and assign Assistant District Attorneys to serve in SNP. SNP shares the common goals of protecting city residents and ensuring New York City's criminal justice system is fair for all. Built on a task force model, SNP has authority to prosecute felony cases involving narcotics, including heroin, fentanyl, cocaine, and addictive pills, and related crimes such as weapons sales and possession. Working in collaboration with its partners, SNP strives to strengthen communities. SNP's mission is to protect the public and prevent overdose deaths by investigating and prosecuting high-level narcotics trafficking organizations and illicit prescription drug distribution networks, and persistent drug activity and associated violence.

According to SNP officials, SNP's jurisdiction is limited to felony narcotics cases and associated crimes and does not provide direct public services. While other District Attorneys' offices interact directly with members of the public such as victims and witnesses of crimes, according to SNP, it primarily interacts with police as witnesses and criminal defendants. If a defendant's attorney requests a translator or interpreter for grand jury appearances, SNP arranges for one to be provided. For all other court proceedings, the court will provide translation or interpretation services. Therefore, this audit focused on SNP's compliance with language access provisions as it relates to its website.

The objective of this audit was to determine whether SNP is complying with relevant laws and regulations which are intended to make City agencies' services more accessible to the NELP population through translations of their websites.

## **Findings and Recommendation**

The audit found that SNP's website was compliant with Local Law 25 and allows NELP users to translate the text into languages other than English. The website is translatable into 104 languages, including English and the top 10 designated citywide languages, as required by Local Law 30. The website's main purpose is to provide the public with information about SNP's main functions and responsibilities.

A user can select from a menu that depicts flags from countries that are commonly associated with the language options they represent. The translation feature provides NELP users with adequate access to information provided on SNP's website such as information about the ongoing opioid crisis, links to other agencies that provide substance abuse services, and how to contact the SNP.

The translation feature appears on the bottom right of the page as a small tab with the word "English" written in white and two arrows pointing towards the right indicating other language

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<sup>2</sup> The top 10 designated citywide languages are determined by the Mayor's Office of Immigrant Affairs (MOIA) by using census data to determine the top six languages spoken by New Yorkers with limited English proficiency, and by using NYC Department of Education data to determine the next four languages spoken by New Yorkers with limited English proficiency.

options that are available. SNP did not have any essential documents that should have been translated and posted on its website.

We recommend that SNP continue to ensure that its website is accessible to the NELP population by maintaining a translation feature that includes the top 10 designated citywide languages.

SNP's Response: "SNP will continue to ensure that our website is accessible to the Non-English Language Preference (NELP) population by maintaining a translation feature that includes the top ten (10) designated citywide languages."

### **Scope and Methodology**

We conducted this performance audit in accordance with Generally Accepted Government Auditing Standards (GAGAS). GAGAS requires that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions within the context of our audit objectives. This audit was conducted in accordance with the audit responsibilities of the City Comptroller as set forth in Chapter 5, §93, of the New York City Charter.

The scope period for this audit was January 27, 2023, through August 30, 2023. The methodology for this audit consisted of the following steps; specifically, the auditors:

- Reviewed applicable laws, rules, policies, and procedures to determine their criteria in accordance with NYC Administrative Code, Title 23, Chapter 8, City Website, § 23-801 (Local Law 25 of 2016) and NYC Administrative Code, Title 23, Chapter 11 Language Access § 23-1101 (Local Law 30 of 2017).
- Researched and determined the top 10 designated Citywide languages in the City among NELP residents as determined by the Department of City Planning, the Mayor's Office of Immigrant Affairs as required by Local Laws 25 and 30.
- Reviewed and analyzed SNP's website and tested its ability to translate into the top 10 designated Citywide languages.
- Reviewed and analyzed SNP's website to determine whether SNP's essential documents, if any, could be downloaded on the website, and tested whether they translate to the 10 most commonly spoken languages for residents with limited English proficiency.

Preliminary findings of this audit were sent to SNP on August 24, 2023. SNP agreed to waive the need for an Exit Conference Summary and an Exit Conference. On September 11, 2023, we submitted a draft letter report to SNP officials with a request for comments. We received a written response from SNP on September 21, 2023. In its response, SNP agreed with the audit's findings and recommendation, stating that it will continue to ensure that their website is accessible to NELP residents.

The full text of SNP's response is included as an addendum to this report.

Sincerely,

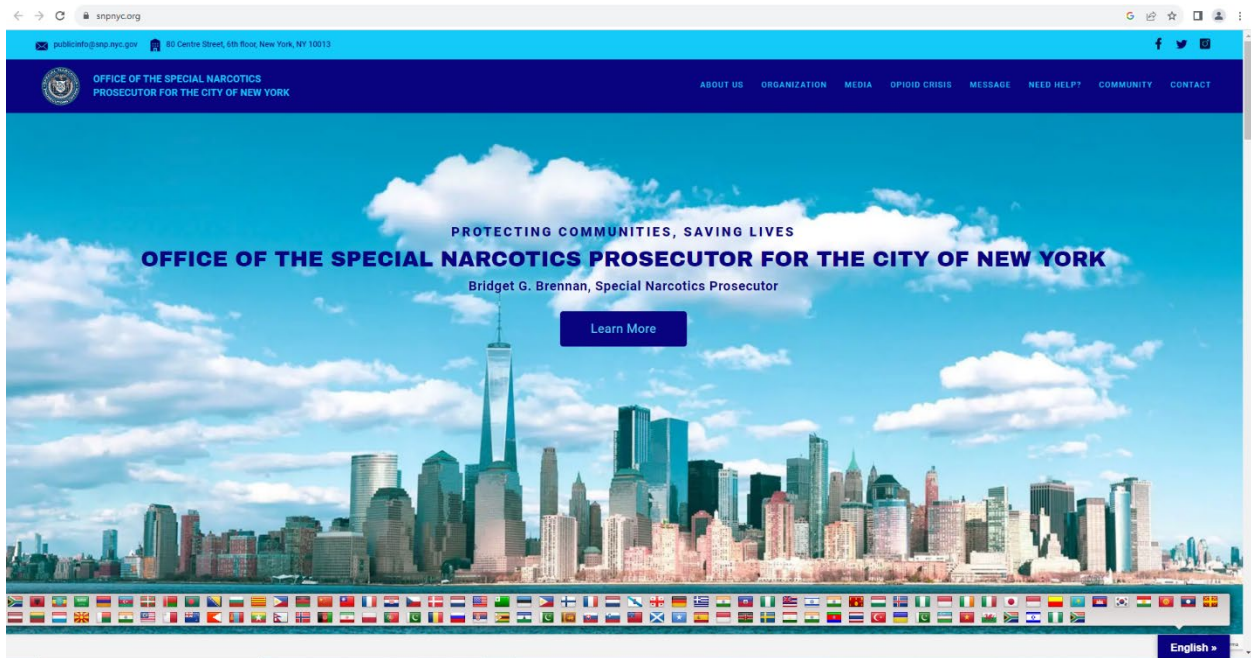


Maura Hayes-Chaffe

c: Lei (Lily) Yuan, Office of Special Narcotics Prosecutor Chief Financial Officer  
Krisna Ramkhelawan, Office of Special Narcotics Prosecutor Deputy for Fiscal Operations  
Thomas Van Noy, Office of the Special Narcotics Prosecutor Executive Assistant District  
Attorney for Administration  
Marjorie Landa, Director, Mayor's Office of Risk Management and Compliance  
Douglas Giuliano, Deputy Director, Mayor's Office Risk Management and Compliance

# Appendix I

## #1 – SNP Website Translation Feature



**Office of the Special Narcotics Prosecutor for the City of New York**

Bridget G. Brennan, Special Narcotics Prosecutor

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September 19, 2023

By Electronic Mail  
Maura Hayes-Chaffe  
Deputy Comptroller For Audit  
City of New York  
Office of the Comptroller  
One Centre Street,  
New York, NY 10007

Re: Reply to Draft Letter Report on the Office of the Special Narcotics Prosecutor's Provision of Language Access Services (Audit # SZ23-093AL) Dated 9/11/2023.

Dear Deputy Comptroller Hayes-Chaffe:

Thank you for sending us the Draft Audit Letter Report concerning the New York City Comptroller's audit of the Office of Special Narcotics Prosecutor's Office for the City of New York (SNP) with respect to the provision of language access services and compliance with relevant laws and regulations which govern the translation of websites of New York City agencies. I agree with the findings of the report. As the report shows, my agency has worked diligently to make sure the agency's website is accessible to foreign-born residents whose primary language is not English. SNP will continue to ensure that our website is accessible to the Non-English Language Preference (NELP) population by maintaining a translation feature that includes the top ten (10) designated citywide languages.

Sincerely,

*Bridget Brennan*

Bridget G. Brennan  
Special Narcotics Prosecutor