



CITY OF NEW YORK  
**OFFICE OF THE COMPTROLLER**  
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MARJORIE LANDA  
DEPUTY COMPTROLLER FOR  
AUDIT

BUREAU OF AUDIT

May 18, 2017

**By Electronic Mail**

Barbara A. Sampson, M.D., Ph.D.  
Chief Medical Examiner  
New York City Office of Chief Medical Examiner  
520 First Avenue  
New York, NY 10016

**Re: Final Letter Report on the New York City Office of Chief Medical Examiner's  
Compliance with Local Law 25 Regarding Translation of Agency Website  
(Audit Number SZ17-117AL)**

Dear Dr. Sampson:

This Final Letter Report concerns the New York City Comptroller's audit of the New York City Office of Chief Medical Examiner's (OCME's) compliance with Local Law 25, which governs the translation of websites of New York City agencies. The objective of this audit was to determine whether OCME is in compliance with Local Law 25, which is intended to make City agencies, and ultimately the City as a whole, more accessible to foreign-born residents whose primary language is not English. Our audit found that OCME generally complies with Local Law 25. This audit is one in a series of audits we are conducting of City agencies' compliance with Local Law 25.

**Background**

New York City, with a population of more than 8.5 million people, is home to one of the most diverse populations in the world, with more than 3.2 million foreign-born residents from more than 200 countries.<sup>1</sup> 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 age five and over, or 1.8 million persons, are not proficient in English.<sup>2</sup> For residents with limited English proficiency, interacting with City government and receiving access to City services can be a challenge.

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<sup>1</sup> NYC Department of City Planning (DCP), *New York City Population*, <http://www1.nyc.gov/site/planning/data-maps/nyc-population/population-facts.page>, downloaded April 19, 2017; DCP, *NYC's Foreign-born, 2000 to 2015*, March 2017, <https://www1.nyc.gov/assets/planning/download/pdf/about/dcp-priorities/data-expertise/nyc-foreign-born-info-brief.pdf?r=2>, downloaded April 12, 2017; DCP, *Limited English Proficient Population*, <https://www1.nyc.gov/site/planning/about/language-access.page>, downloaded April 12, 2017.

<sup>2</sup> DCP, *Limited English Proficient Population*, *op. cit.*

Most City agencies have a significant presence on the internet, and they rely on agency websites to provide information and interact with the public. Accordingly, in 2016, Mayor de Blasio signed Local Law 25, amending the City's Administrative Code in relation to citizens' ability to access translation of City websites. Local Law 25 requires 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. It also requires that the translation service be identifiable in a manner that is comprehensible to speakers of the seven most commonly spoken languages in the city. As determined by the Department of City Planning, the seven most commonly spoken languages in New York City amongst residents with limited English proficiency are:

- 1) Spanish
- 2) Chinese (includes Cantonese, Mandarin, and Formosan)
- 3) Russian
- 4) Bengali
- 5) French Créole (also called Haitian Créole)
- 6) Korean
- 7) Arabic<sup>3</sup>

## **Findings and Recommendations**

Our audit found that OCME generally complies with Local Law 25. OCME's website, found at <http://www1.nyc.gov/site/ocme/index.page>, includes a translation feature for viewing text in various languages, including the top seven noted languages, and key documents in the top most frequently encountered languages of residents with limited English proficiency.<sup>4</sup>

OCME's primary function involves the investigation, examination and analysis of deceased persons. Its website provides important information pertaining to its functions and services, how services are accessed and its locations. The website also provides answers to frequently asked questions. OCME defines its vital forms as official documents that require signatures and brochures that explain key practices and policies of the agency.

When we initially examined OCME's website, we found that it provided a "General Information" brochure and a brochure entitled "Information for Family and Friends" that could be translated into nine languages: Arabic, Chinese, French, Hindi, Italian, Korean, Polish, Russian and Spanish. OCME's website was subsequently updated during the course of the audit. We reviewed it after the update and found that the information in the "Information for Family and Friends" brochure had been incorporated into the "Frequently Asked Questions" section of the website and that the information in the "General Information"

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<sup>3</sup> DCP report, issued in February 2017, entitled *Top Languages Spoken at Home by Limited English Proficiency (LEP) Universe: Population 5 Years and Over*.

<sup>4</sup> The City agency determines which documents are key, essential, and frequently used.

brochure had been incorporated into other sections of the website. We also found that all of this information could be accessed in the top seven languages upon translation of the website.

In addition, we found that OCME’s website also provides two forms on its website, the *Request an Expert Speaker Form* and the *Internship Inquiry Form*. Both forms could be translated into the top seven applicable languages.

Our findings are summarized in the table entitled Compliance Summary below.

COMPLIANCE SUMMARY		
Local Law 25 Criteria	Compliance	Notes
Translation feature for viewing text in the top seven most commonly spoken languages of residents with limited English proficiency.  (As required by Local Law 25)	Yes	OCME’s website enables translation into various languages including all seven applicable languages.
Key documents translate into the top most frequently encountered languages of residents with limited English proficiency.  (As prescribed by OCME standards)	Yes	OCME’s website provided two brochures, “General Information” and “Information for Family and Friends.” Translated versions of the brochures were provided in nine languages. OCME’s website provided two forms: the <i>Request an Expert Speaker Form</i> and the <i>Internship Inquiry Form</i> . Both forms translated into the top seven languages of residents with limited English.

We recommend that OCME continue to maintain its compliance with Local Law 25 to ensure it effectively meets the needs of residents with limited English proficiency when accessing City services online.

**Scope and Methodology**

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require 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 based on 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 November 14, 2016 to March 31, 2017, the last day of our fieldwork. Our methodology for this audit consisted of the following steps:

- We reviewed applicable laws, rules, policies and procedures to determine our criteria in accordance with Local Law 25.

- We researched and determined the top seven most commonly spoken languages in the City among residents with limited English proficiency, as determined by the Department of City Planning.
- We reviewed and analyzed OCME’s website and tested its ability to translate to the top seven most commonly spoken languages for residents with limited English proficiency.
- We reviewed and analyzed OCME’s June 2016 Language Access Plan to determine what steps OCME took to comply with Local Law 25.<sup>5</sup>
- We reviewed and analyzed whether OCME’s essential documents and forms could be downloaded on the website, and tested whether they translate to the top seven most commonly spoken languages for residents with limited English proficiency.
- We conducted interviews with OCME’s staff members to discuss the agency’s website efforts and verify its compliance with Local Law 25.

Based on our understanding of the Local Law 25 requirements, we outlined all the criteria necessary for agencies to be in compliance. The table below outlines agencies’ core criteria required to achieve compliance under Local Law 25. A summary of these core criteria forms the basis for the compliance summary reported for each audited agency.

CORE CRITERIA	
Compliance	Detailed Criteria
Spanish	Agency’s website includes a translation feature for viewing text, essential information and key documents in Spanish
Chinese	Agency’s website includes a translation feature for viewing text, essential information and key documents in Chinese
Russian	Agency’s website includes a translation feature for viewing text, essential information and key documents in Russian
Bengali	Agency’s website includes a translation feature for viewing text, essential information and key documents in Bengali
French Créole (Haitian Créole)	Agency’s website includes a translation feature for viewing text, essential information and key documents in French Créole/Haitian Créole
Korean	Agency’s website includes a translation feature for viewing text, essential information and key documents in Korean
Arabic	Agency’s website includes a translation feature for viewing text, essential information and key documents in Arabic

<sup>5</sup> OCME’s June 2016 Language Access Plan is the most current plan available from the agency or the website. A Language Access Plan is developed by each agency using a four factor analysis based on guidance issued by the U.S. Department of Justice including: the number or proportion of LEP persons in the eligible service population; the frequency with which LEP individuals come in contact with the agency; the importance of the benefit, service, information, or encounter to the LEP person; and the resources available to the agency and the costs of providing various types of language services.

Chief Medical Examiner Sampson

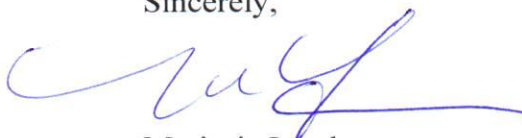
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The issues covered in this report were discussed with OCME officials during and at the conclusion of this audit and OCME officials agreed no exit conference was necessary. On May 4, 2017, we submitted a draft report and provided OCME with the opportunity to formally respond in writing. OCME's written response was received on May 15, 2017. In it, OCME agreed with the report's findings and stated, "OCME has reviewed the Report and the Findings and Recommendations, and thanks the Office of the Comptroller for its finding that OCME generally complies with Local Law 25, including a translation feature on our website for viewing text and key documents in various languages including the top most frequently encountered languages of residents with limited English proficiency. OCME will continue to maintain compliance with Local Law 25 to ensure we effectively meet the needs of residents with limited English proficiency when accessing City services online."

The full text of OCME's comments is included as an addendum to this report.

Sincerely,



Marjorie Landa

- c: Julie Bolcer, Director of Public Affairs and Language Access Coordinator
- Florence Hutner, General Counsel
- Mindy Tarlow, Director, Mayor's Office of Operations
- George Davis, III, Deputy Director, Mayor's Office of Operations



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May 15, 2017

Ms. Marjorie Landa  
Deputy Comptroller for Audit  
Office of the Comptroller, Bureau of Audit  
Municipal Building  
1 Centre Street, Room 1100  
New York, NY 10007

Re: Draft Letter Audit Report - Audit Number SZ17-117AL

Dear Ms. Landa:

The New York City Office of Chief Medical Examiner (OCME) is in receipt of your Draft Letter Audit Report, dated May 4, 2017, pertaining to the audit on whether OCME complies with Local Law 25, which governs the translation of websites of New York City agencies (Audit Number SZ17-117AL).

OCME has reviewed the Report and the Findings and Recommendations, and thanks the Office of the Comptroller for its finding that OCME generally complies with Local Law 25, including a translation feature on our website for viewing text and key documents in various languages including the top most frequently encountered languages of residents with limited English proficiency.

OCME will continue to maintain compliance with Local Law 25 to ensure we effectively meet the needs of residents with limited English proficiency when accessing City services online.

Sincerely,

A handwritten signature in black ink that reads "Barbara A. Sampson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Barbara A. Sampson, M.D.; Ph.D.  
Chief Medical Examiner

Cc: Mindy Tarlow, Director, Mayor's Office of Operations  
George Davis III, Deputy Director, Mayor's Office of Operations  
Florence Hutner, General Counsel, OCME  
Julie Bolcer, Executive Director of Public Affairs and Communications, OCME