

Annual Report on Language Access Implementation

for Calendar Year 2021

New York City Department of Correction

June 30, 2022



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 2021.

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

Section 1: Agency Information

Agency name	New York City Department of Correction (DOC)
Name of the agency's Language Access Coordinator and all office titles held by this individual.	Selwyn Fergus, Executive Director
Link to the agency's Language Access Implementation Plan (LAIP) posted on the agency's website.	https://www1.nyc.gov/site/doc/about/language-access.page
Year the LAIP was last updated	2021

Section 2: Agency Language Access Policy and Goals

Various DOC procedures contain several key features which ensure compliance with LL30 as well as enhancing service delivery and security efficiency:

- 1) During the intake process, newly incarcerated individuals are asked to disclose their preferred language. This information is used to provide comprehensible services interactions and prevent miscommunications. DOC has plans to extend this LEP identification capability as an alert to both DOC housing area staff and contracted medical providers.
- 2) The presence of "I Speak Posters," which are posters that provide an opportunity for literate LEP incarcerated individuals to point to their preferred language, are posted in conspicuous areas and remain legible, being replaced as needed. Additionally, uniform staff carry Memo Insert Cards, which also assist LEP incarcerated individuals to identify their preferred language. Officers continuously carry these cards so that they are always available for immediate use.
- 3) Auxiliary aids and services are made available to incarcerated individuals with special needs including hearing aids, qualified sign language interpreters, closed captioning, telephonic communication devices including text telephones (TTYs/TTDs) and Video Relay Services, to the extent available. DOC also provides audio books on tape, braille newspapers and/or magazines, large print materials, and magnifiers. Posters, which notify persons in custody of the name, address, and phone number of the Disability Rights Coordinator for incarcerated individuals, the Social Services Counselor and/or Grievance Coordinator assigned to each facility, and an explanation of the rights of incarcerated individuals with special needs to request a reasonable accommodation or file complaints are posted in applicable areas of all facilities.
- 4) DOC procures ongoing contracted and budgeted coverage for translation and telephonic interpretation services.

DOC policy requires facilities to develop rosters identifying staff willing to volunteer their linguistic skills to foster limited-English proficient (hereafter LEP) engagement. Current copies of these rosters are maintained in each facility. Additionally, each time the rosters are updated, a copy is forwarded to the DOC's Central Operations Desk (hereafter COD) and Language Access Coordinator (hereafter LAC).

The diversity of DOC's staff allows us to provide in-house language coverage for most language needs, inclusive of the ten languages identified in LL30. Multilingual staff volunteers are generally recruited via fraternal organizations or are recommended by DOC Academy instructors when they are newly hired. DOC's Human Resources Division also now provides language recruitment information to new hires to encourage them to volunteer their skills in assisting with multilingual incarcerated individuals. In the rare instance that an identified language is not within our staff's skill set, we utilize the City's volunteer language bank (VLB) to assist in communicating with LEP individuals. Additionally, multilingual phones are maintained and located throughout visit houses and incarcerated individual services areas.

DOC is also sensitive to the needs of incarcerated individuals who are deaf or hard of hearing. The Disability Rights Unit within DOC's Health Affairs Unit has secured Video Relay Systems (hereafter VRS) in areas where incarcerated individuals receive support services. VRS can provide American Sign Language (hereafter ASL) as needed for LEP persons in custody.

DOC always seeks to provide a safe, secure, and respectful correctional environment by ensuring that incarcerated individuals have the tools they need to effectively communicate with our staff. DOC also accounts for interactions with LEP individuals outside of our custody by providing comprehensible materials for public consumption on our multilingual agency website.

Section 3: Language Access Complaints

The DOC website provides information in multiple languages regarding how to file a language access complaint through 311. Incarcerated individuals may also contact the DOC's Office of Constituent and Grievance Services (hereafter OCGS), which records and routes 311 complaints accordingly.

Section 4: Language Access Complaint Data & Resolutions

OCGS records indicate that there were (0) zero language access complaints received during CY 2021. Below is a description of how such complaints and requests would be addressed.

Q. Does the agency have a process or procedure for resolving language access complaints made via 311? [Required by LL30]*

If a grievance is submitted that is written in a language other than English or appears to show the person in custody has limited use or understanding of English, OCGS staff shall immediately contact and ensure an appropriate interpreter is secured to assist in resolving the grievance for that person in custody. If an appropriate interpreter/advisor cannot be immediately located, OCGS staff shall use the services of the DOC's Language Service Team. All interpreters shall be instructed by OCGS staff to maintain the confidentiality of grievance

submissions. OCGS staff shall also enter all occurrences when the person in custody uses an interpreter who is also a person in custody, staff, or member of the DOC's Language Service Team into Service Desk.

Section 5: List of Designated Citywide Languages and Data

According to the Mayor's Office of Immigrant Affairs (MOIA) 2019 Annual Report, 23% of New Yorkers are LEP. Of that population, MOIA provides information on the percentage of LEP foreign-born New Yorkers who speak different languages, which is included below:

- Spanish
- Chinese
- Russian
- Bengali
- Haitian Creole
- Korean
- Arabic
- French
- Polish
- Urdu

Section 6: Outreach and Public Awareness of Language Access Services

DOC's website provides information in over one hundred languages and its Public Information Office periodically shares a PSA via the intranet reminding staff of the LAC's ongoing recruitment efforts. The "I Speak Posters" appear throughout DOC Visit Houses and commonly trafficked (e.g., Counseling Services, main corridors, etc.) areas.

At the end of calendar year 2021, the population at the Rose M. Singer Center was temporarily transferred to Bedford Hills Correctional Facility. DOC was committed to providing individuals in the DOC's custody, their family members, and the public with accurate information. Incarcerated Persons FAQs, Bedford Hills Correctional Facility Fact Sheet and visitor bus schedules were translated to the ten languages identified under LL30 and distributed to individuals in DOC's custody, their families, and the public. Furthermore, COVID 19 Visitor's Screening forms and posters were translated for visitors' use.

Section 7: Language Access During COVID

Throughout the COVID pandemic, DOC developed and distributed self-guided materials based on the interests and needs of its clients. Additionally, the agency worked closely with a contracted vendor to upload content to tablets given to persons in custody.