

New York City Department of Juvenile Justice

Language Access Plan

I. AGENCY MISSION & BACKGROUND

Agency Mission

The Department of Juvenile Justice (DJJ) was created in 1979 by a change in Chapter 28 of New York City's Charter. Sections 675 through 678 delineate the mandate for the Agency and its powers.

DJJ's mission is to provide Non-Secure (NSD) and Secure Detention for alleged Juvenile Delinquents (JDs) and Secure Detention for alleged Juvenile Offenders (JOs) whose cases are pending, along with post-adjudicated juveniles awaiting transfer to state facilities. DJJ detains youth in structured and secure settings. While in detention, residents receive an array of services, such as education, health, mental health and psychiatric services, case management, discharge planning, voluntary religious services, and recreation.

Direct Services

The Department of Juvenile Justice provides custody and care for young people engaged in the juvenile justice system through three secure detention facilities operated as part of its Secure Detention component, and 16 Non-Secure Detention group homes.

Each year, nearly 6,000 young people between the ages of 7 and 15 years travel through the City's juvenile justice system, some of whom are Limited English Proficient (LEP), but more commonly have family members who are LEP. Juveniles are placed with DJJ either by the police when the Family Court is closed, by order of a Family Court judge during business hours, or by order of a Criminal Court judge. Young people placed in DJJ's custody and care may remain with the Department for the length of time required to fully adjudicate their case. Throughout their stay, residents receive direct services, from intake to discharge, which may require ongoing interpretation and translation services for the Limited English Proficient (LEP) youth or family member. These services and procedures include:

Intake & Admissions – All juveniles placed in DJJ custody are required to complete the intake process, that includes physical and mental health assessments, orientation, case management intake, and educational assessments.

Resident Advocacy Program (RAP) – The Resident Advocacy Program (RAP) advocates for the rights of detained youth, enhances accountability and strengthens youth care while monitoring the living conditions within the DJJ's secure detention facilities. Residents and family members may request to meet with the Ombudsman, and interpretation and translation for LEP residents or family members may be required.

Reentry – Young people who meet certain criteria may be eligible for release or reentry assistance through one of multiple efforts, including the Collaborative Family Initiative (CFI),

Release to Parent (RTP) policy initiative, LIFE Transitions Program (part of the Mayor's Center for Economic Opportunity (CEO) initiative aimed at helping youth escape the cycles of poverty and delinquent behavior), as well as other programs, which may require court approval, active participation of a resident and resident's family, and ongoing interaction with an approved community-based organization.

Case Management – Case Management coordinates services for the youth in detention, both in secure and non-secure. Youth are given medical and mental health screenings upon admission, and when needs are identified, Case Managers work to ensure that those needs are met. Case Managers also maintain contact with families, arrange special visits, and make certain that residents stay in telephone contact with their families.

Medical and Mental Health Treatment – The Department is committed to ensuring that the health and mental health needs of residents are met in a timely, appropriate manner. Residents in detention receive health, mental health and psychiatric services both in DJJ's Health Services Units and at local hospitals and clinics. Upon admission, residents are provided an initial assessment, and within three days of admission, a comprehensive medical history and physical examination are completed.

Court Services – DJJ's Court Services Unit has the dual function of transporting youth to and from the Family, Criminal and Supreme Courts in all five boroughs, and supervising the Family Court detention rooms. Court Services staff act as liaison to the court, communicating with judges, lawyers, probation officers and other court personnel. Juvenile Counselors both supervise and counsel youth awaiting their hearings.

Note: Language Access services are provided by other City agencies to juvenile residents while they are in court and when receiving classroom education within a DJJ facility.

II. AGENCY LANGUAGE ACCESS GOALS

Juvenile detention should be an option of last resort, reserved only for those young people who pose a flight or safety risk to their communities. A lack of understanding on the part of a young person involved in the juvenile detention system or their family members of certain aspects of juvenile detention carries the risk that a young person may remain in detention longer than necessary or may return to detention in the future. Accordingly, effective interaction and communication between the Department of Juvenile Justice and juvenile residents and family members can have a profound impact in producing better outcomes for young people and reducing unnecessary detention.

Accordingly, DJJ's Language Access goals fall into two primary categories:

- a. Ensuring that residents understand DJJ's role in the juvenile justice process and that they can effectively communicate with staff as part of receiving critical services. Communication between residents and staff is especially important during or as part of:
 - Intake and admissions
 - Receiving health and mental health services
 - Case management
 - Navigating the facility in which they are placed

- Communicating with facility staff
 - Communicating with the Ombudsman
 - Communicating with the Chaplain, if desired
 - Understanding alternative options and special programs
 - Understanding relevant agency policies and procedures
 - Discharge planning
 - Understanding behavioral patterns that will and won't bring them back into the juvenile justice system upon discharge
- b. Ensuring that DJJ staff can effectively communicate with resident family members is essential during intake and admissions, as part of discussing medical and mental health issues, engaging family members in the court process and informing them of options that may be available to provide for the release of their child with continuing services after discharge. In addition, communication with family members is a critical part of promoting visits between residents and their families while a young person is in detention, as well as keeping parents or guardians apprised of important information affecting their son's or daughter's case and care.

III. LEP POPULATION ASSESSMENT

In developing its language access plan, the Department of Juvenile Justice analyzed the frequency with which each of its three Secure Detention facilities and 16 Non-Secure Detention group homes encountered residents who could be classified as Limited English Proficient. In addition, DJJ calculated a total number of LEP juveniles placed with the agency each year.

This LEP population assessment was conducted pursuant to the four-factor analysis articulated by the U.S. Department of Justice in 2002 requiring DJJ and other agencies to take reasonable steps in ensuring meaningful access to agency programs and activities by LEP persons.

LEP juveniles make up less than 2% of DJJ's resident population

The Department determined that fewer than 100 LEP juveniles, or less than 2% of its overall population, entered DJJ custody on an annual basis, and was evenly spread across secure and non-secure facilities. While this number is relatively small when compared to the total number of juveniles placed in DJJ's care each year, it does create an obvious need for the translation of key forms and publications, and requires that DJJ provide for interpretation services in its secure and non-secure detention facilities.

Family members of residents are much more likely to be Limited English Proficient

While the Department found that only a small number of its residents could be classified as LEP, DJJ determined that it was much more common for family members of youth in juvenile detention to be Limited English Proficient. As communication with and active engagement of parents or guardians of residents can have a profound effect on the outcome of a juvenile's case and future involvement with the juvenile justice system, the need for DJJ to provide language access services is significantly increased.

Access needs include interpretation, translation of key forms & publication and signage

While the Department determined that the number and percentage of LEP youth in custody and/or corresponding LEP parents/guardians are relatively small, providing interpretation and translation is essential to producing better outcomes for young people affected by LEP issues.

The Department's language access needs sufficiently justify continuing live interpretation services for LEP youth and LEP family members of juveniles in detention, translation of key forms and publications, and placement of signage in facility areas utilized by LEP youth.

DJJ's LEP population assessment found that the most common languages spoken by residents and resident family members classified as Limited English Proficient are Spanish, Chinese and Russian. Consistent with the top citywide languages identified in Executive Order 120, the Department will ensure that the following languages will be covered by its Language Access Plan: Spanish, Chinese, Russian, Korean, Italian, and Haitian Creole.

IV. IMPLEMENTATION PLAN LOGISTICS

DJJ's implementation plan incorporates provision of interpretation services, translation of forms, documents and publications, website strategy and signage in secure and non-secure detention facilities and its main reception area located in its Manhattan headquarters.

LANGUAGE ACCESS MILESTONES

DJJ has identified milestones for each component of its overall Language Access Plan:

Interpretation Services

- Implementation of contract for interpretation & translation services
- Installation of essential equipment
- Completion of staff training for new and existing staff who may interact with individuals who are LEP
- Full activation of live interpretation services

Translation of Key Forms, Documents & Publications

- Identification of forms, documents & publications for translation
- Identification of and order placement for urgent translation items & essential public documents
- Receipt, distribution and posting of completed urgent need translations
- Order placement for remaining translation needs
- Receipt, distribution and posting of all translated forms, documents & publications
- Ongoing translation of new and revised documents, as needed

DJJ Website

- Launch of redesigned DJJ website, incorporating citywide web strategy for language access
- Posting of translated forms, publications & essential public documents

Signage in Secure and Non-Secure Facilities and in Public Access Areas

- Identification of signage needs for Secure and Non-Secure facilities and public access areas
- Order placement for translation of facility and headquarters signage text/graphics
- Order placement for facility and headquarters signage
- Receipt and installation of facility and headquarters signage

Other

- Execution of DJJ Language Access Outreach & Awareness Campaign
- Implementation of record keeping & evaluation functions

DJJ STAFF ROLES & RESPONSIBILITIES

Language Access Coordinator

DJJ's Assistant Commissioner for Communications and Public Affairs shall serve as the agency's Language Access Coordinator, overseeing development and implementation of the Department's Language Access policy and plan. In addition, he shall be responsible for the following duties related to DJJ's Language Access service implementation:

- Assess the language assistance needs for the agency.
- Coordinate an intra-agency language access committee to create the language access policy and implementation plan.
- Identify existing Agency resources dedicated to the provision of language assistance services.
- Identify additional language assistance resources needed by the agency (potentially including bilingual workers, interpreter staff, vendor contract, etc.).
- Assess and monitor the proper use of bilingual employees.
- Oversee translation, including: identification of documents to translate, ensuring quality control, securing translation services, ensuring access for staff to translated documents, etc.
- Provide for employee training on accessing all language assistance measures.
- Monitor budgetary and procurement/contracting matters related to implementation of the policy.
- Convene an intra-agency language access committee to develop and implement the language access policy and implementation plan. The coordinator could then convene the committee periodically to address issues related to language access services.

Executive Directors – Secure and Non-Secure Detention

Executive Directors at the Department's secure and non-secure detention facilities shall oversee implementation of language access services within their respective facilities. This will include:

- Promote awareness about and distribute DJJ's Language Access policy/plan to employees
- Coordinate identification, collection and submission of forms, documents and publications for translation
- Oversee installation of interpretation equipment
- Oversee placement of signage in all resident and family traffic areas
- Ensure implementation and operation of all language access activities within the facility

Staff Education and Training Academy (SETA)

As part of its responsibility for designing and executing training for all new employees and providing ongoing training to existing staff, SETA will:

- Work with the Department's Communications & Public Affairs Office to design and implement a Language Access component to be incorporated into DJJ's introductory mandatory training for all new employees.
- Work with the Department's Communications & Public Affairs Office and the approved

language interpretation provider to develop and implement language access training for existing staff in DJJ's secure and non-secure detention facilities, and headquarters.

Intake/Admissions and Security Staff, and Case Managers who Schedule Visits/Calls

- Will provide language access services to LEP residents and family members of detained youth identified as Limited English Proficient.

DJJ Headquarters Reception Staff

- Will ensure that all phone calls received at the Department's William Street headquarters who may be Limited English Proficient are able to effectively communicate with DJJ via Language Line Services interpreters.

V. SERVICE PROVISION PLAN

In ensuring language access services, DJJ will provide for live interpretation, translation of key forms, documents and publications, website information, signage and an outreach and awareness campaign. Guidelines on Plain Language Principles developed by the Mayor's Office of Adult Education and the Mayor's Office of Immigrant Affairs will be incorporated into all language access materials, translations and interpretation.

INTERPRETATION SERVICES

The Department's most critical language access need is ensuring that LEP residents and resident parents/guardians who are Limited English Proficient may effectively communicate with DJJ staff upon admission. To accomplish this, DJJ must provide live, ongoing interpretation services.

- 07/01/09 – Distribution of Language ID materials to all facilities
- 07/01/09 – Contract with Language Line Services
- 07/01/09 – Installation of dual handsets in DJJ Secure and Non-Secure Detention facilities
- 07/01/09 – Complete training of DJJ facility staff in residential/intake facilities who interact with LEP youth and Families

TRANSLATION OF KEY FORMS, DOCUMENTS & PUBLICATIONS

To expand and enhance its language access services for LEP youth and their parents/guardians, DJJ will translate critical forms, documents and publications into the six top citywide languages identified in Executive Order 120. This will be completed via a phased approach, with the process of identifying and translating essential public documents beginning in Fiscal Year 2009, and continuing into FY 2010. Thereafter, new forms, documents and publications identified as critical to the Department's Language Access Plan will be translated as they are produced and/or publicly released.

- 05/15/09 – Request comprehensive list of forms, documents and publications for translation from all DJJ units. Urgently needed translations should be noted and corresponding electronic or paper copies attached
- 07/01/09 – Complete review of translation lists and urgent requests
- 07/15/09 – Complete preparation and submission of urgent translation order

WEBSITE

DJJ anticipates a redesign and expansion of its agency website as we move toward the end of the fiscal year. As part of this project, the agency has addressed the issue of translation for the new website with the Department of Information and Telecommunications Technology. Upon launch, DJJ's website will be compliant with the citywide web strategy currently being developed. Essential public documents incorporated within the current website will be translated and available upon launch of the redesigned website.

Translations of general and non-essential forms, documents and publications will be posted to the new website as they are completed. Translations of new documents will be posted in tandem with English versions as they are completed and/or publicly released, beginning in FY 2010.

07/01/09 – Anticipated launch of DJJ's redesigned website

SIGNAGE

DJJ will identify and/or create, translate and install critical signs in areas utilized by LEP residents and LEP parents/guardians, including emergency, exit and special situation signage in all of its secure and non-secure facilities.

05/15/09 – Request comprehensive list of existing and/or needed signage, including emergency, exit and special situation signs. forms, documents and publications for translation from all DJJ units, corresponding electronic or paper copies/photos should be attached.

07/01/09 – Complete review of translation lists

07/15/09 – Submit translation order to Language Line Services or NYC Language Bank

08/15/09 – Submit order for signage to approved vendor, if bid solicitation is not required

OUTREACH & AWARENESS CAMPAIGN

Upon activation of Language Line interpretation services, completion of staff training, and receipt, distribution and posting of critical forms and publications and essential public documents, DJJ will implement a comprehensive outreach and awareness campaign. This campaign will include internal communication, contact with resident family members, coordination with related agencies (OCA and DOE), advocates and stakeholders, print and broadcast media, and DJJ's website. The focus of this effort will be to promote awareness about DJJ's new language access services and encourage LEP residents and parents/guardians with Limited English Proficiency to take advantage of these services and resources.

09/01/09 – Notice to staff in all offices and facilities

09/01/09 – Posting to DJJ agency website and throughout offices and facilities

09/15/09 – Notice to agencies, stakeholders, resident families and media

VI. TRAINING

As a condition of employment with the Department of Juvenile Justice, new direct care employees are required to complete and graduate from a comprehensive three-week training program. In addition, existing staff must complete certain training on an annual basis to remain

current on issues, information and techniques involved in providing detention services to juvenile residents and interacting with youth in certain situations.

The Department's commitment to ensuring language access services for all LEP residents and family members identified as Limited English Proficient requires a trained, knowledgeable and responsive staff. As a result, DJJ staff should know their obligations to provide meaningful access to information and services for LEP persons. Accordingly, DJJ's LEP plans includes the following training components:

- Staff should know about LEP policies and procedures, and how to implement them.
- Staff should be aware of proper noticing requirements for LEP persons, to include posting of signs in common areas, stating in outreach documents that language services are available from the Department, and using the telephone voice mail menu, etc.
- Staff should be aware of the types of language services available (i.e., interpretation and translation)
- Staff should be trained on how they can obtain these services for their LEP clients
- Staff should be trained on how to respond to LEP callers
- Staff should be trained on how to use DJJ's Language-Identification ("I Speak") Cards.
- Staff should be trained on how to respond to written communication from LEP persons
- Staff having contact with the public need to be trained to work effectively with in-person and telephone interpreters
- Staff should be trained on how to respond to LEP persons who have in-person contact with recipient staff, and
- Staff should be trained to know how to ensure competency of interpreters and translation services.

The Department will provide a one-time orientation of these policies and procedures to all its employees in public contact positions upon implementation and activation of the Language Line services contract and installation of equipment within DJJ facilities. Training will be provided to new employees as part of their orientation, which must be successfully completed before an employee is assigned to an office, work place or agency facility. The more frequent the contact with LEP persons, the greater the need will be for in-depth training. Staff with little or no contact with LEP persons may only have to be aware of the LEP plan. However, supervision and management staff, even if they do not interact regularly with LEP persons, should be fully aware of and understand the plan so they can reinforce its importance and ensure its implementation by staff.

VII. RECORD KEEPING & EVALUATION

The Department of Juvenile Justice will ensure the quality of its language access services by requiring documentation of all language access requests and responses at the time the request is made.

Data concerning each language access service request and response will be collected on a form to be developed by the agency. This form will be distributed to all Secure and Non-Secure Detention facilities, as well as to its reception staff at its William Street headquarters.

Forms will be completed at the time a service request is made. This includes, but is not limited to:

- During intake screening, for residents and/or resident parents/guardians
- In case files
- During telephone calls to parents or guardians
- During telephone calls the agency receives
- During scheduled appointments
- During in-person interactions with parents/guardians

Forms will be submitted on a monthly basis to the Department's Communications & Public Affairs Office, where they will be maintained and regularly reviewed for accuracy and response. In addition, data will be shared with the Department's Office of Strategic Planning.

Data collected from submitted forms will be subject to compliance analysis and review on a quarterly basis to ensure that the agency is providing effective language access services overall, as well as to identify opportunities to improve and enhance the Department's responsiveness to its LEP residents and their family members, consistent with Executive Order 120.

VIII. RESOURCE ANALYSIS & PLANNING

The Department will take a graduated approach to implementing its Language Access plan. This will include immediate provision of interpretation services for LEP residents and family members through a contract with Language Line Services. In addition, forms, documents and publications identified as requiring expedited interpretation, as well as those determined to be essential public documents will be translated, distributed and posted to the Department's website. Remaining translation and the translation of new forms, documents and publications will be completed in Fiscal Year 2010.

The Department will also explore opportunities to reduce the overall cost of providing language access services, without sacrificing the quality or immediate availability of those services. These may include:

- Use of the City's existing agency Language Bank
- Creation of an agency-based volunteer language bank
- Share information with other agencies
- Pool resources with other agencies
- Use of qualified community volunteers
- Hire bilingual or multilingual staff

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