

## **NEW YORK CITY DEPARTMENT OF CORRECTION LANGUAGE ACCESS PLAN (2/26/09)**

### **I. Agency Mission and Background**

#### **Mission**

NYC Department of Correction provides for the care, custody and control of individuals charged with crimes in the City of New York and detained awaiting the disposition of their case, or convicted of a crime and sentenced to one year or less. The Department also provides programs and services to help these individuals prepare for life after release from jail. Through the achievement of this mission, the Department ensures the safety of individuals in custody, staff and the public.

#### **Agency Overview**

Approximately 14,000 individuals are held in the custody of the New York City Department of Correction (DOC) on a daily basis. The department operates ten (10) jail facilities on Riker's Island and borough facilities in Manhattan, Brooklyn and the Bronx. Seriously ill individuals and those requiring intensive psychiatric observation are held in prison wards that the Department operates in Elmhurst General and Bellevue Hospitals.

#### **Direct Services**

Direct services to the public provided by The NYC Department of Correction include:

- Visits for family members and friends of individuals held in DOC custody.
- Procedures to deposit money and property for use by individuals while in DOC custody.
- Bail payment.

Direct services NYC-DOC provides to individuals in its custody include:

- Admission processing upon entry into DOC custody that assesses individuals' social service needs, security risk level and background and provides them with appropriate housing assignments.
- Program services, including:
  - Visits with friends and family members.
  - Discharge planning services that connect individuals in custody with community-based organizations that can help them obtain employment and housing, stay sober and access other services after release.
  - Access to legal resources while in custody (Law Library).
  - Religious services.
  - Social services, including substance abuse treatment and counseling.
  - Grievance services to register complaints about Department policy and practice or any other matters of concern to individuals in custody.
- The Department of Health and Mental Hygiene also provides medical and mental health services in DOC facilities, and the Department of Education provides educational services for both the adolescent and older adult populations.

## II. Agency Language Access Goals

**Goals:** In accordance with the Department's core mission, the goals of our language access policy are:

- To ensure that all individuals in DOC custody can effectively communicate with the Department in all ways necessary to ensure their safety, health and well-being while in custody.
- To ensure that family members and friends of individuals in DOC custody can communicate effectively with the Department.
- To achieve these goals by providing appropriate and effective language assistance services whenever necessary.

**Plan Summary:** The Department of Correction remains committed to ensuring language access for those in our custody, and the members of the public with whom we interact. The Department has always provided translation services for individuals in our custody in all 6 languages identified in the Mayor's Executive Order 120 (EO 120) as well as the translation of all necessary written materials into Spanish. The Department's Language Access Plan combines long-standing best practices with several enhancements and a new pilot initiative. The cornerstones of the Department's language access system will continue to be: (1) The use of language identification materials to identify the languages spoken by individuals in custody, (2) the Bi-Lingual Staff Roster which currently contains 726 agency volunteers conversant in over 25 languages that can provide immediate interpretation services, and (3) the Language Service Team (LST), which consists of 37 members of the department prepared to respond to a specific language request in any of the 6 languages identified in EO 120 and provide both interpretation and written translation services for individuals in custody. The LST responds when the Bi-Lingual Staff Roster cannot quickly and easily meet the interpretation need or when written translation services are required.

As part of the Language Access Plan, the Department will be expanding the use of language identification tools within DOC facilities beyond the Language Identification **Cards** currently in use to also include **Posters** and **Memo Book Inserts**. Currently, Language Identification Cards are available at all major "posts"<sup>1</sup> within DOC facilities. We are in the process of posting Language Identification Posters and distributing Memo Book Inserts that staff will carry with them at all times to allow for the identification of the native language of individuals in custody.

The Department also seeks to ensure that friends and family members of individuals in custody are able to communicate effectively with the Department during visits. In our Central Visitor Processing area (also known as the Central Visit House), through which all visitors are processed for visitation, notices to visitors are posted in English and Spanish. Informational publications including health pamphlets, information on in-jail and after-jail services, the Visitor's Guild and the informational power point for visitors (always on display in the Central Visitor Processing

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<sup>1</sup> Posts are areas of operation with assigned staff, where staff-inmate interaction is most frequent, including intake, housing areas, social service areas, medical clinics, and other areas.

Area) are all available in English and Spanish. In addition, The Department recently launched a **Language Line pilot project** in the visit registration areas of two jail facilities, including the Central Visitor Processing Area, to enhance access to interpretation services for friends and family members during the visit registration process.

These services are described in detail in our Service Provision Plan.

**Oversight:** The Bureau Chief of Administration, one of only three, three-star chiefs second in rank to the Chief of the Department, is the designated Language Access Coordinator and will have overall responsibility for the implementation of the Department of Correction's plan. As the designated Language Access Coordinator, The Bureau Chief of Administration will monitor the effectiveness of the plan, and will review and update the plan on an annual basis.

The Director for Program and Resource Management is presently responsible for all language translation services being provided by the Department. This includes monitoring the provision of interpretation services to visitors through the utilization of the Language Line pilot, discussed in detail in our Service Provision Plan.

### **III. LEP Population Assessment**

Based on DOC's Population Research Group, the demographic breakdown of individuals in DOC custody is as follows:

- 57% Black,
- 34% Hispanic,
- 7% White,
- 1% Asian,
- 2% other

Based on this demographic breakdown and the Department's analysis of population trends, the primary languages spoken by individuals in DOC custody are English and Spanish. To ensure the Department is meeting the language needs of those in our custody; we will continue to monitor the language needs of the DOC population through our Population Research Group, which can provide up-to-date statistical data relative to the ethnicity of our population.

### **IV. Service Provision Plan**

#### **A. Current Translation and Interpretation Services**

**Bi-Lingual Staff Roster:** The Department has many conduits to provide translation and interpretation services. The largest and most heavily utilized is the agency's **Bi-Lingual Staff Roster** maintained by the Director of Programs and Resource Management. The Bi-Lingual Staff Roster is the "first responder" and the primary mechanism by which the department provides direct language assistance and in-person interpretation for individuals in custody with limited English proficiency. The Roster reflects the immense diversity of the Department, and

currently contains 726 agency staff, who serve on a voluntary basis, fully conversant in over 25 languages. This roster is maintained in each facility and is updated quarterly. If a request for interpretation within a given facility cannot be accommodated within that facility, the facility Tour Commander must contact our 24-hour Central Operations Desk (COD) and request notification to the Department's Language Liaison so that a member of our agency's Language Service Team (LST) can respond.

The organizations that provide medical care in City jails, the Department of Health and Mental Hygiene and their contractor, Prison Health Services, use a dial-up interpretation service, which they utilize either through dual handset telephones or speakerphones, to provide interpretation of inmate medical information.

**The Language Service Team (LST)** consists of 37 DOC staff members prepared to respond to a specific language request in any of the 6 languages identified in EO 120 if the Bi-lingual Staff Roster cannot quickly and easily meet the language need of the individual in custody at that time. LST members provide interpretation services and assistance with translating written material for individuals in custody.

**Language Identification Cards** are available at all major "posts"<sup>2</sup> within DOC facilities and are currently used by staff members to assist individuals in custody in identifying the language they speak so staff can make arrangements for an appropriate interpreter. These cards are available in the 22 languages identified in the Mayor's Executive Order 120. As indicated below under Subsection C "New Initiatives," we are expanding the use of language identification tools to include **Posters** and **Memo Book Inserts**.

### **B. Signage**

All essential inmate and public documents have already been identified and translated and will continue to be posted in English and Spanish. Our posters and notices are written in **plain language standards** and we continually update this signage to reflect changes to departmental policy. In our Central Visitor Processing area, through which all visitors are processed for visitation, notices to visitors are posted in English and Spanish. Informational publications such as the Inmate Handbook and Inmate Rule Book (which provides individuals in custody with information on jail rules and regulations, access to services while incarcerated and other useful information), the Connections Booklet (for after-jail services), the Visitor's Guide and the informational power point for visitors (that is always on display in the Central Visitor Processing Area) are all available in English and Spanish.

### **C. New Initiatives:**

**Language Line pilot:** As previously mentioned, the Department recently launched a Language Line pilot project in the visit registration area of two DOC facilities. The Language Line enhances the capacity of the department to provide live interpretation services for visitors, specifically at the registration point of the visit process. The Language Line is a dual headset telephone service that permits visitors to speak with a live operator in their selected language

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<sup>2</sup> Posts are areas of operation with assigned staff, where staff-inmate interaction is most likely, including intake, housing areas, social service areas, medical clinics, etc.

within one minute of placing the call. Utilization of the Language Line commenced in October 2008 as a pilot project in two of our visit registration areas: our main registration area located in the Central Visit Processing Area and in the George Motchan Detention Center. We will monitor the utilization of this service and determine whether it is necessary and feasible to expand this capacity beyond the two pilot areas.

**Language Identification Posters:** Similar to Language Identification Cards, these posters allow individuals in custody to point to the language they speak so that staff can make arrangements for an appropriate interpreter. These posters will be posted in the Court facilities, all facility intake areas, social service areas, grievance areas, inmate housing areas and Law Libraries.

**Memo book inserts:** The Department will produce and disseminate the Language Identification Cards as **Memo Book Inserts**. Every Correction Officer and other uniform staff member carries their memo book with them at all times—it allows them to track and document their daily activities. Memo Book Inserts will enable Officers to immediately assist the individual in custody by identifying the language they speak and provide an appropriate interpreter. Officers are required to contact a supervisor if they are unable to provide immediate assistance.

These new initiatives will be implemented as outlined in the implementation plan below.

#### **D. Sign-Language Interpretation**

If an individual in custody has a need for sign language services, a request is made to the Department's Disability Rights Coordinator for Inmates. The Disability Rights Coordinator utilizes a requirements contract with the vendor Accurate Communications, Inc. for sign language translation services. The agency has also identified 24 staff volunteers familiar with sign language interpretation. Their roster of names and contact information are available in all facilities and at the Central Operations Desk, which operates 24 hours a day. The Agency Disability Right Coordinator updates this roster on a quarterly basis. Through the contract with Accurate Communications and our volunteer roster the Agency Disability Right Coordinator will ensure that all sign language service needs are met.

#### **V. Implementation Plan Logistics**

Timeline as of January 1, 2009.

**February 2009:** Departmental policy regarding interpretation services for individuals in custody will be updated to include:

- Our recent commitment to create and post new **Language Identification Posters** which will allow individuals in custody to point to the language they speak so that assigned staff member can arrange for appropriate interpretation.
- The corresponding staff **Memo Book Inserts**.

**Milestone:** Departmental Policy will be revised and posted in all relevant documents and locations, including departmental directives, the website, command level orders and all other necessary documents and locations by Feb 28, 2009.

**April 2009:** The Department will have compiled six (6) months of data on the utilization of the Language Line pilot in the two (2) identified facilities. This will enable us to measure the utilization of this service and determine whether to expand this service to our remaining facilities.

**Milestone:** Language line pilot data gathering will be completed. An assessment of usage to date will be conducted and a decision made regarding expansion of the language line. If, based on usage, the language line should be expanded; a determination will be made as to which facilities to expand into. These activities will be completed by April 30, 2009.

**April 2009:** Language Line posters have already been received and are prominently displayed in the visitor registration areas of the two (2) pilot facilities. With guidance from the Language Access Coordinator, the DOC Office of Information Technology will update “How Do I” section of the Department of Correction website to advise visitors of the Language Line services available to them when they come to visit incarcerated inmates.

**Milestone:** The DOC Office of Information Technology will update the NYC-DOC website with the Language Line services information by April 30, 2009.

**July 2009:** With guidance from the Language Access Coordinator, the DOC Office of Custody Management and Environmental Health and Safety will implement **Language Identification Posters** that allow individuals in custody to point to the language they speak so that staff can make arrangements for an appropriate interpreter. These posters will also be posted in all 22 languages in the Court facilities, all facility intake areas, social service areas, grievance areas, inmate housing areas and Law Libraries.

**Milestone:** Language Identification Posters posted in all identified facilities and facility areas by July 31, 2009.

**July 2009:** The Department will produce and disseminate the Language Identification Cards currently in use as **Memo Book Inserts**. Every Correction Officer and other uniform staff member carry memo books with them at all times—it allows them to track and document their daily activities. Memo Book Inserts will enable Officers to immediately assist the individual in custody by identifying the language they speak and provide an appropriate interpreter. Officers are required to contact a supervisor if they are unable to provide immediate assistance.

**Milestone:** Language Identification Memo Book Inserts will be included in all memo books by July 31, 2009.

**Training:** Upon finalization of our revised language translation policy, the written policy will be disseminated to all staff. This will include the development of command (facility) specific training briefs and the completion of hands-on training with staff. These trainings will be

specifically geared towards teaching staff how to identify a visitor or individual in custody's primary language and provide appropriate interpretation and translation services. The training components are described in more detail in Section VI, Training, below.

**Milestone:** Training will begin after Departmental policy and procedure are revised and published in July 2009. Thus, training will begin in late August or September 2009. Training will be ongoing to ensure all current and new staff is aware of Departmental policy and can effectively identify and provide needed language services.

## **VI. Training**

Upon finalization of our revised language interpretation and translation policy, the written policy will be disseminated to all staff. A training protocol will be developed and implemented to ensure that all staff are aware of and can capably use the tools available to them.

As indicated, this training will be conducted after the Directive is updated and published in July 2009, so will begin in August/September 2009.

## **VII. Record Keeping and Evaluation**

The Department will continually review complaints arising from inmate council meetings, the Mayor's 311 System and the inmate grievance process to identify areas for improvement.

The Department's Disability Rights Coordinator will monitor requests for sign language services through our identified vendor. Additionally, utilization of the Language Line in our two pilot facilities will be monitored through the monthly invoices provided by the vendor.