

Department of Correction (DOC)
Language Access Implementation Plan
June 2021

I. Agency Name and Agency Access Coordinator

This Language Access Implementation Plan is submitted for The New York City Department of Correction by Diane Murray Ward, Language Access Coordinator and Liaison, Newspapers Contract Manager, Auditor / Associate Staff Analyst

<https://www1.nyc.gov/site/doc>

II. Agency Mission and Background

The New York City Department of Correction (hereafter DOC) provides for the care and custody of people ordered held by the courts and awaiting trial or who are convicted and sentenced to one year or less of jail time. This includes parole violators and individuals awaiting transfer to state custody.

The DOC maintains facilities located on Rikers Island, hospital prison wards and borough-based facilities. Given the decreasing population of incarcerated individuals, we periodically close facilities in accordance with initiatives geared towards closing Rikers Island. At each step of these changes, we remain ever mindful of our commitment to assist all LEP (Limited English Proficient) persons in DOC custody.

Upon admission, incarcerated individuals are provided a handbook outlining behavioral expectations, counseling services, programming, and medical services. The DOC also provides families and friends of incarcerated individuals with guidelines for many engagements (e.g. bail, mail, etc.) via our multi-lingual website. The Most-Commonly Distributed Documents (hereafter MCD) are available in the ten designated languages per Mayoral Local Law 30 (hereafter LL30).

As stewards of public safety, the DOC strives to build safer communities by recognizing the humanity in everyone and creating a supportive environment that provides opportunities for positive change. To accomplish this, the DOC invests in staff through wellness and professional development and provides incarcerated individuals programs and rehabilitative services to those in our care.

III. Agency Language Access Policy and Goals

DOC policy requires commands to develop rosters identifying staff willing to volunteer their linguistic skills to foster 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 Department's Central Operations Desk and Language Access Coordinator.

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.

The DOC is also sensitive to the needs of incarcerated individuals who are deaf. 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 detainees.

Various Departmental 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. The 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. The Department also provides audio books on tape, braille newspapers and/or magazines, large print materials, and magnifiers. Posters, which notify inmates 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) Multilingual phones are well-maintained and located throughout visit houses and incarcerated individual services areas.
- 5) The Department procures ongoing contracted and budgeted coverage for translation and telephonic interpretation services.

The 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. The DOC also accounts for interactions with LEP individuals outside of our custody by providing comprehensible materials for public consumption on our multilingual agency website.

IV. Agency Language Access Accomplishments and Progress on Goals from Previous LAIP

Since the Department published its previous LAIP, we have attempted to advance and integrate LEP needs within security and service needs of incarcerated persons. The following eight accomplishments underscore our efforts:

1. The Department has installed numerous multilingual phones, which provide staff with readily available access to over two hundred languages via contracted operators. Each phone is lock-secured and housed with an accompanying logbook which records all phone activations (e.g. language, date, time, duration of call, signatures of staff accessing the system, and the name of the incarcerated individual requesting the service).
2. DOC Health Affairs Unit's Disability Rights Unit has secured Video Relay Systems (hereafter VRS) in areas in which incarcerated individuals receive support services. VRS can provide American Sign Language (hereafter ASL) as needed for LEP detainees.
3. Forty college students were recruited from CUNY undergraduate and graduate programs between the years of 2018 and 2020 to provide LAC assistance by reviewing translated documents for accuracy. These students offered their language skills remotely for periods ranging from three months to one year. In addition to LL30's ten designated languages, these students also provided language

services in Romanian, Fukanese, Mooré, Hindi, and others. The students’ areas of study included Psychology, Business Administration, International Business, Forensic Psychology, Journalism, Humanities, Law, Society and criminal Justice. Students’ input regarding the program was welcomed by Language Line (the contracted provider of these services). This program was an educational win/win, as it promoted learning and engagement while students gained valuable insight into DOC workings and the confidential handling of materials.

4. The DOC Academy engaged a contractor to conduct special trainings for Visit House supervisors who engage the public. The training addressed LEP persons and attendees were made aware of facility rosters, “I Speak” posters, and the multi-lingual phones located in their space.
5. The DOC Academy hosted several Fraternal Days for new officers, which allowed for the recruitment of new officers into fellowship with ethnic and culturally diverse peers. The Department actively encouraged new officers to volunteer their language skills for facility roster development.
6. The DOC Human Resources Division included information on the Language Bank and roster recruitment in their Orientation Package for new hires.
7. The DOC Public Information Office sent persistent reminders to staff regarding their ability to contact the LAC if they have language skill sets.
8. The Volunteer Language Bank, our shared resources center for Language Liaisons, offered ongoing assistance primarily with translated document review.

2018 Goal	2021 Update
1. Inclusion of LEP goals for New Recruits and In-Service Orientation/Training	1. The Correction Academy’s Fraternal Days initiated new officers into the language skills rosters and encouraged volunteering of their abilities.
2. LEP Orientation/Training for Civilian Managers	2. The Human Resources Division incorporated information on the language bank and roster recruitment in orientation materials for new hires.
3. Civilian Facility Staff Awareness of LL30	3. The Public Information Office sent reminders to staff regarding their ability to contact the LAC

	if they have language skill sets to promote compliance with LL30.
4. Medical provider provides data or are at least apprised of a LEP incarcerated individual's needs (this requires shared procedural approvals from both DOC and H+H).	4. Now that we have the language selection drop down menu in the intake process, we can now provide this data to our housing area officers and to contracted medical providers.
5. Expansion of telephonic services	5. Multilingual accessible phones were installed in all Visit Houses and support/counseling services areas.
6. Language ID Posters Re-Issuance	6. "I Speak Posters," are posted in conspicuous areas and remain legible, being replaced as needed.
7. Language Identification Memo Book Inserts Re-Issued	7. Memo Insert Cards (language identification) are carried continuously on all officers and are always available for immediate use.
8. VRS for incarcerated individuals who are deaf	8. The Health Affairs Unit's Disability Rights Unit has secured Video Relay Systems (hereafter VRS) in support services areas for incarcerated individuals. VRS can provide American Sign Language (hereafter ASL) as needed for LEP detainees.

V. LEP Population Assessment

Our Population Research Group has implemented a four-factor resource assessment model, which utilizes data gleaned from our intake processing and citywide demographics sources.

Factor One (Number/Proportion of LEP population): Identifying people at risk of exclusion based on language barriers

Recent U.S. Census American Community Survey figures indicate that 22.4 % of individuals in New York State are foreign born. Overall in the United States, 13.7% of individuals are foreign born. In New York State, Hispanics and Latinos constitute 19.3% of our census population. According to census data provided by the Department of City Planning, 23% of New Yorkers or two million individuals self-identify as speaking English “less than very well,” and are defined as LEP (Limited English Proficient) persons. Census data indicated that the top ten languages for FY 18-21 are the following: Polish, Urdu, Arabic, French, Russian, Chinese (Simplified), Haitian-Creole, Korean, Spanish and Bengali.

Factor Two (Frequency of Contact): Identifying engagement

The DOC Population Research Group provided the figures below which indicate the scope of languages DOC encounters and accommodate; DOC often provides language services above the ten languages within the LL30 mandate. During Calendar Year 2020 (CY20 hereafter), DOC had a total admittance of 15,585 individuals. 96.4% of incarcerated individuals self reported understanding the English language to some degree. 2.9% self reported only speaking the Spanish language, 2% self reported only speaking other languages. Other languages reported by less than 1% of incarcerated individuals upon intake include Malayan, Turkish, French, Arabic, Albanian, Korean and Vietnamese. Twelve languages were presented in phone calls during CY20 as follows: Cambodian, Gana, Hokkien, Karenni / Kayah, Korean, Mandarin, Polish, Russian, Spanish, Tagalog, Tamil and Vietnamese. The majority of calls in descending order were as follows: Russian, Mandarin, Spanish, Korean, Vietnamese, Polish and Tagalog.

These figures highlight the importance of providing materials in multiple languages for safety, health and security considerations. The DOC is cognizant of the value of every person’s ability to access the same materials in a language they comprehend and will remain in compliance with LL30’s designated languages.

Factor Three (Nature/Importance of Program): The risk of language barriers

The DOC’s provision of language access services is multi-pronged. Since communication is key, DOC remains committed to servicing all incarcerated individuals and their loved ones within the scope of mandated services. While incarcerated individuals and loved ones can utilize 311, and incarcerated individuals can also utilize the DOC’s Office of Constituent Services for complaints, DOC seeks to avoid these situations with a proactive system in operation.

Factor Four (Resources Available): How DOC addresses our LEP response

The DOC provides services to address our ethnically diverse city’s needs. The DOC utilizes facility-based rosters of multilingual staff, and multilingual phones that

provide DOC with immediate access to a plethora of languages. The Volunteer Language Bank Liaisons provide shared language resources primarily as document reviewers. The DOC recruited college volunteers for a two-year period and their contributions were very much appreciated.

The L-RAD (long range acoustic device) system is a megaphone utilized to reach large capacity crowds which can be fitted with the ability to provide multi-lingual messaging. Implementation and use of the L-RAD system was an excellent addition to our available communicative tools which contributed to enhanced security.

We will continue to secure contracted vendors. Language Line always provides superb, timely and accurate document translation services. LMT Services, a minority woman-owned business, also provides excellent attention and care to our materials. Voiance secures our multilingual phone service which this LAC hasn't any report of complaint.

Because incarcerated individuals and public communications vary daily, the DOC will continue to provide language services as outlined in LL30. Providing clear, concise, timely, and accurate information is paramount to keeping everyone in our facilities safe. Thus, the DOC will provide coverage in no fewer than the ten languages required in LL30. The DOC's diverse staff also provides access to an array of languages above and beyond that which is required by LL30 (e.g. Vietnamese, Italian, Twi, and Greek).

VI. Provision of Language Access Services

The Mayor's Office of Immigrant Affairs (MOIA) has helped DOC share methods of engagement from colleagues addressing LEP concerns. Further, our LEP sensitive staff decreases instances of miscommunications with the following features already employed:

Interpretation

Interpretation Services are provided via Voiance through a telephonic system. Additionally, posters advertising MOIA's free interpreter services and "I Speak" posters appear throughout our Visit Houses and frequented areas of all commands (e.g. corridors, counseling services /program, support services). Additional language services are provided by our volunteer multilingual staff (rosters allow in-person LEP accommodation as needed), and multilingual accessible phones located within commands' Visit Houses for the public and support services for incarcerated individuals. The DOC generally has language coverage appropriate to our needs and has ready vendor access if additional languages above the LL30 required are needed.

Agency Communications

The DOC provides Most Commonly Distributed (MCD) materials identified for public consumption on our agency website. The DOC continues to provide document translations as needed.

Plain Language Principles

The DOC is mindful of its commitment to adhere to “plain language” principles and guidelines when creating policies, operations orders, directives, and materials distributed to incarcerated individuals and the public.

Staffing and Contracts

The DOC will designate a LAC and Liaison for continuing engagement, reporting and assessment of agency LEP internal policy deliverables and LL30 compliance. Contracts will be engaged for translation and telephonic interpretation services. In-person interpretation, outside of DOC’s own staff, is not envisioned at this time.

Translation Services

The process by which documents are translated is as follows:

1. MCD materials deemed final are submitted by management to the LAC.
2. LAC advises Language Line, the vendor responsible for translation, of the translation request and receives a cost quote. Costs vary depending upon the turnaround time required of the source requestor.
3. Depending on the document, the vendor may indicate that formatting or clarification is necessary. The LAC relays this information to the source submitter.
4. A timeframe is then established for completion of the materials.
5. Upon delivery of the materials, a sample review may occur with a reviewer(s). The materials are then forwarded to the submitter and the Segunda Center DOC Print Shop for production, command retrieval and distribution. The Segunda Center supplies materials in designated languages and secures the requisite number of copies for all DOC facilities.
6. Commands are alerted of their materials readiness in a coordinated, timely and efficient manner for command distribution.

The DOC is in the process of implementing a central repository for documents requesting translation for future consideration.

LAC Work with Emergency Preparedness and COVID-19 Preparedness

The DOC website provides key engagement information in several languages. COVID-19 materials are regularly monitored and updated in multiple languages. DOC

also provides Most Commonly Distributed (MCD) materials identified for public consumption on our agency website. The DOC continues to provide document translations as immediately as possible.

The following documents provided in multiple languages during CY20 include: Inmate Rule Book, COVID-19 Power-Points, COVID Webpage, Body Scanner Signs, Inmate Grievance Forms, Property Retrieval Information, Social Distancing, and Visitor Screening. The DOC's provision of MCD in the ten languages identified in LL30 sufficiently meets agency needs.

VII. Training

The Training Academy instructors have developed lesson plans utilizing LL30 and DOC Operations Orders and Directives cover procedures for all of the following: the multilingual phone system, use of facility rosters, assistance of the LAC when VLB requires activation, and VRS assistance for ASL requests from detainees. Training also includes IT guidance for proposed tracking and recording of LEP incarcerated individual needs.

VIII. Recordkeeping and Evaluation

The Central Operations Desk (COD) maintains a logbook of facility requests for LEP assistance. Each multilingual phone is also accompanied by a logbook, in which the details of all phone activations are recorded (e.g. language, date, time, duration of call, signatures of staff accessing the system, and the name of the incarcerated individual requesting the service).

During the DOC's intake procedure, our computer system offers a language identification feature, which provides an opportunity to track language requests.

The utilization of VRS specifically for ASL assistance can be added to future reporting.

IX. Resource Analysis and Planning

Language contracts are handled via the Central Office of Procurement (COP) and senior management. In the past, resource planning was far more predictable based on a stable pattern of translation requests in a given year. However, the COVID-19 pandemic resulted in a much larger, unexpected need for translated materials, thus increasing the required budget.

X. Outreach and Public Awareness of Language Access Services

DOC’s website provides information in over one hundred languages and DOC’s Public Information Office periodically shares a PSA via the Department’s 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.) command areas.

XI. 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 Services (OCS hereafter), which records and routes 311 complaints accordingly.

XII. Implementation Plan Logistics

Managers from the Human Resources, Emergency Planning and Training Divisions as well as commanding officers continue to accommodate the LAC’s requests for engaging staff. Further, the DOC Public Information Office publishes notices to staff of the LAC’s ongoing language skill recruitment on the Department’s intranet page. The chart below reflects future goals which will enhance the Department’s ability to provide language services to LEP incarcerated individuals.

Language Access Goal	Milestones	Responsible staff	Deadline
Provide language services orientation and refresher training	Fully approved language access policy statement and template for training. No less than 70% of staff with direct population and public engagement access LEP training annually.	Agency Senior Staff	CY22
Improve tracking of language service provision	One hundred percent of staff will be required to incorporate logging	Senior IT Staff /Senior Uniform Staff	CY22

	their involvement with LEP persons.		
Distribute periodic roll call reminders of LL30's mandates	Teletype should be drafted detailing the provisions of LL30 so staff are aware	Agency senior staff	CY22
Closed captioning to include ASL in a corner of the orientation constant loop tape and voiceovers in Spanish.	The Department continues to work towards this goal. For now, we provide MCDs in various languages and accommodate ASL needs as required.	Agency senior staff	CY22