

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON GOVERNMENTAL OPERATIONS
COMMITTEE ON IMMIGRATION

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OCTOBER 25, 2018
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HELD AT: COUNCIL CHAMBERS - CITY HALL

B E F O R E: FERNANDO CABRERA, CHAIRMAN

COUNCIL MEMBERS: BEN KALLOS
ALAN N. MAISEL
BILL PERKINS
KEITH POWERS
YDANIS A. RODRIGUEZ
KALMAN YEGER
CARLOS MENCHACA, CHAIRMAN
ROBERT HOLDEN
DANIEL DROMM
MATHIEU EUGENE
MARK GJONAJ

A P P E A R A N C E S (CONTINUED)

BITTA MOSTOFI, Commissioner Mayor's
Office of Immigrant Affairs

ANNE MONTESANO, Executive Director of
Immigrant Inclusion at MOIA

PERSEPHONE TAN, Assistant Director of
Immigration and Policy at Asian American
Federation

MOKMUNA DIAYA (SP?), Program Manager at
African Communities Together

BETSY PLUM, Vice President of Policy at
New York Immigration Coalition

SABRINA GELLAW (SP?), Public Housing
Organizer at CAV

SYLVIA SICKDAY (SP?), Representing India
Home

TASFIA RAHMAN, Policy Coordinator at
Coalition of Asian American Children and
Families (CACF)

MAHAK FATIF (SP?), African American
Support Center

AMY TORRES, Director of Policy and
Advocacy at the Chinese American Planning
Council (CCC)

A P P E A R A N C E S (CONTINUED)

UGEN KIM, Project Coordinator of Services
at Korean Community

JOSEPH LIN (SP?), Asian Americans for
Equality

JULIA SHAROGI (SP?), Supervising Attorney
at the Family Defense Practice at
Brooklyn Defender Services

1
2 SARGEANT AT ARMS: Test, test, this is a
3 test. This is a Committee hearing on Immigration,
4 dealing with Governmental Operations. Being recorded
5 by Sargeant at Arms.

6 CHAIR FERNANDO CABRERA: (gavel
7 pounding). Good afternoon and welcome to this joined
8 oversight hearing on the Committee on Governmental
9 Operations and the Committee on Immigration and Local
10 Law 30, the City's Language Access Law. I am Council
11 Member Fernando Cabrera, Chair of the Committee on
12 Governmental Operations and I want to thank my co-
13 chair Council Member Carlos Menchaca who has been at
14 the forefront of fighting for improved language
15 access in our City so I thank you publically for your
16 leadersh... tremendous work that you have done.
17 During the Bloomberg Administration there was an
18 executive order of Language Access (coughing), excuse
19 me that required agencies to require services to the
20 public in six languages. Last session we clarified
21 and expanded upon that Executive Order by passing
22 Local Law 30 in 2017. We increased the number of
23 languages to 10. We mandated certain good practices
24 and we required regular outreach to language
25 communities outside of the designated languages.

3 Every Agency is required to develop an implantation
4 plan to be updated annually on how they would carry
5 out that Law's Language Access Requirement. Today's
6 hearing will be a discussion on those plans and a
7 discussion how the Mayor's Office of Immigrant Affair
8 has coordinated the City's Language Access efforts
9 generally. First I think it is important to say
10 right up front that our review of the City's Language
11 Access plans found those plans to be more in
12 compliance with our law than not. So even though we
13 are going to question and examine the parts of those
14 plans that we believe were not in compliance. I will
15 ask everyone watching this hearing to keep in mind
16 there is some good work in this plans too. Our goal
17 for today is to improve the city's Language Access
18 Plans but we are not starting from zero. Second I
19 will also ask people to remember that we are still
20 early in the implantation of this Law. Passing the
21 Law was not the end of the process for the City
22 Council. This oversight hearing, as this oversight
23 hearing shows we are committed to working together to
24 reach a successful implementation by every cover
25 agency but as my co-chair will explain in a moment,
the question of who can access City's Services is an

3 incredibly important one and we must get this right.
4 There are real consequences for people's education,
5 housing, families and well being when they are unable
6 to communicate with a City Agency. We do not benefit
7 when we isolate our neighbors. I encourage everyone
8 here to keep in mind the real cost if we do not
9 implement this Law well. Let me just say it right
10 off the note before I close, I know what it is to uhm
11 having lived in Puerto Rico, only born here in the
12 Bronx but being in Puerto Rico, learning Spanish uhm
13 and end up in California not being able to only say
14 jyes and no and that was it. But I also know what it
15 is to go through the shame factor, the fear factor,
16 the anxiety, being afraid to ask questions that are
17 freely asked because perhaps of my accent or of what
18 I thought people were going to say, the mocking, this
19 and that and that becomes part of it was really of
20 the culture so, so with that I want to thank the
21 members of both committees for their time and
22 commitment. I also want to thank the staff of both
23 Committees, Brian Reed, Elizabeth Cronk, Zac Harris,
24 Herbani Fahulia (SP?), Emily Fargoni (SP?), Irene
25 Bicowski (SP?) and Jen Li as well as my own
Legislative Director Claire McVain (SP?) for the

3 tremendous amount of work they have put into their
4 hearing. I look forward to our discussion. With
5 that, I would be glad to pass it on to my stein, co-
6 chair Carlos Menchaca.

7 CHAIR CARLOS MENCHACA: Thank you Chair
8 Cabrera and (SPEAKING SPANISH) to everyone here
9 today. I am Carlos Menchaca Chair of the Immigration
10 Committee and really just proud to be here with you
11 all today. I want to thank my colleague and co-chair
12 Council Member Fernando Cabrera, the Chair of the
13 Governmental Operations Committee for extending the
14 invitation to join today's discussion on this very
15 important oversight topic. I also want to thank all
16 of the members of our committees that are here today.
17 We are going to start with Mr. Ben Kallos, Bill
18 Perkins, we have Holden and Yeger and Powers on the
19 right. Thank you all for being here today. The
20 dedication to our New Yorkers, our neighbors with
21 limited English uhm and I want to thank all of you
22 for the dedication to our New Yorkers to really
23 engage in this discussion about limited access and
24 limited English proficiency. I look forward to your
25 contributions in this conversation. Today we will be
conducting and in-depth oversight of Local Law 30 of

2017. As Chair Cabrera shared the enacted law requires covered agencies to provide language access services for all designated citywide languages. This law expanded the list of languages from the original six languages based on census data to 10 languages based on census data and the Department of Education data. Under the current data, this list encompasses Spanish, Chinese, all variations and both written scripts, Russian, Haitian-Creole, Korean and the newly added Arabic, Urdu, French and Polish. Covered agencies were required by June 30, 2018 to provide the City Council with their new language access implementation plans. Staff have spent the last several months pouring over these plans and we are here today to discuss the plans with the administration. I hope that by doing the heavy lifting and detailed scrutiny now, today, that we will set a good trajectory as we open the next chapter of the history of this City and its commitment to our immigrant communities. There will be time to ask questions concerning specific plans, languages and MOIA the Mayor's Office of Immigrant Affairs efforts to ensure City compliance with the Law. Before we get to this; however, I want to spend

1 some time contextualizing this conversation.

2 Language access can be the difference between using

3 City Services and living outside the many safety nets

4 our city provides. In fact for some and I will bring

5 one story to mind that effectively bans people from

6 engaging people from service in their community, in

7 their schools. Beyond this, Language Access ensures

8 that all New Yorkers have an equal playing field when

9 it comes to navigating interactions with City

10 Agencies and many of you know the breath of City

11 interactions can be never-ending from call NYPD to

12 sending your children to school, to securing

13 affordable housing and filing a complaint or seeking

14 information through 3-1-1 yet alone the numerous

15 specific programs and social services offered by our

16 different agencies. It is a reminder that we have a

17 rich, we have rich services here in the City and all

18 of them deserve to be accessed and I know we usually

19 in the Immigration Committee have a tradition of

20 bringing impacted communities today. I have decided

21 to illustrate instead a recent experience of a parent

22 from Sunset Park in my district who was given a

23 limited access letter by the Department of Education,

24 the Public Safety Division. This letter dated on

25

1
2 October 15, 2018 restricted this parent's ability to
3 access their child's school and was only delivered in
4 English. Despite the request for a letter translated
5 into their native language, Chinese, she never
6 received one. The school did not submit a request to
7 the DOE for a translated until October 24 in a
8 meeting where I and some parents stood with the
9 principal and the superintendant. This case raises
10 many alarming issues. But the issue I want to
11 highlight here is the impact on our immigrant
12 communities when our City Agencies fail to provide
13 that translation, especially when it is asked for.
14 This is inadequate. In this instance, this
15 particular parent not only had to grapple with the
16 fear and the confusing stemming from a letter of this
17 kind of gravity but also the fact that she could not
18 understand its instructions and as a result she
19 dropped off her 6-year-old child with security, her
20 child missed a number of events at school including
21 mealtimes and her child was so traumatized that she
22 resisted going to school after. While the DOE does
23 not fall within the scope of Local Law 30, this case
24 raises many questions, should DOE in fact fall within
25 the scope of this Law? What steps is MOIA, the

3 Mayor's Office of Immigrant Affairs taking to ensure
4 that Agencies, all of our City Agencies including the
5 DOE and other covered agencies provide our immigrant
6 communities the language access services that are
7 critical. Critical for them to navigate the City's
8 programs, services, and their life. I am looking
9 forward to hearing from the Administration concerning
10 the compliance of Local Law 30 but I also want to
11 make sure that we keep all of our services in mind as
12 we think about moving forward. In addition to this,
13 I hope to explore, perhaps the requirements for City
14 Contractors and others to ensure that language no
15 longer is a barrier. I want to thank Chair Cabrera
16 again for his commitment to this issue and incredible
17 work of our Committee Staff and colleagues who took
18 the time to comb through every submitted Language
19 Access Implementation Plan. I saw the stack of
20 information and analysis. It is pretty hefty and
21 really comprehensive. A special thanks to Brad Reed,
22 Herbani Fahulia (SP?), Emily Fargoni (SP?), Zac
23 Harris and Irene Bicowski (SP?) and the analysis and
24 to my staff Senior Advisor Cesar Vargas, Chief of
25 Staff Sasha Mang (SP?) and Communications Director
Tony Chiaritto (SP?). We have also been joined by

3 Council Member Dromm. Thank you so much for being
4 here today and with that I want to give the Chair,
5 uhm no with that I want to bring our Commissioner up
6 to the dais and we will swear you in. Commissioner.
7 Bitta Mostofi, thank you so much for joining us today
8 and you will kick us off and we will do the swearing
9 in. Thank you.

10 COUNSEL: Please raise your right hand.
11 Do you swear to affirm to tell the truth, the whole
12 truth and nothing but the truth in your testimony
13 before this Committees and to respond honestly to
14 Council Member questions?

15 COMMISSIONER BITTA MOSTOFI: I do.

16 COUNSEL: Thank you.

17 COMMISSIONER BITTA MOSTOFI: Gracias
18 (SPEAKING DIFFERENT LANGUAGE). Uhm (SPEAKING
19 DIFFERENT LANGUAGE). Oh no I'm mixing my languages
20 (laughing). (SPEAKING DIFFERENT LANGUAGE). So thank
21 you uhm to members of the Council for having me here
22 today to talk about this very important issue of
23 access to language access for all New Yorkers. As I
24 started intentionally with the languages that I speak
25 to uhm really emphasize the importance of this work
to me and to the work that we do in our office. I

1
2 grew up as the daughter of immigrants who first
3 arrived in the United States the year that I was born
4 I know very intimately what it meant to be the
5 interpreter for my family in many situations and to
6 help my parents through bureaucratic processes. Uhm
7 and have really uhm both wanted to celebrate the
8 importance of having that language capability and the
9 beauty of language diversity as well as the
10 importance of making sure that we are reaching all of
11 our communities in the most effective and efficient
12 way. So thank you for calling this hearing. Uhm
13 thank you to the Chairs Menchaca and Cabrera and
14 members of the Immigration and Governmental
15 Operations Committees for the opportunity to testify.
16 As the Commissioner of the Mayor's Office of
17 Immigrant Affairs I am pleased to speak on behalf of
18 the Administration about our work on the Language
19 Access and the implementation of Local Law 30 of
20 2017. As I will describe Local Law 30 has been a
21 remarkably valuable tool in just this period of time
22 that it was enacted since last year. My offices
23 coordinated the citywide implementation process and
24 the agencies have done excellent work to improve
25 their language access. I am particularly pleased to

1 report that aggregate city spending on language
2 assistance services saw a huge increase over the last
3 year alone. From Fiscal Year 2017 to Fiscal Year
4 2018 Agency spending on translation services through
5 our citywide contracts rose 62% to a total of \$3.1
6 million. Spending on in person interpretation rose
7 23% to a total of about \$1.7 million and spending on
8 telephonic interpretation rose 31% to a total of \$4.1
9 million. In sum, that represents an increase in
10 spending of 38% with total spending in Fiscal Year of
11 2018 of nearly \$8.9 million. These increases reflect
12 the deep commitment and impressive efforts by
13 agencies across the city in response to Local Law 30
14 and MOIAs implementation support. New York City is
15 home to a remarkable diversity of languages and a
16 stunning number of residents who are not English
17 speakers. This is especially true about the city's
18 immigrant population. 76% of the city's immigrants
19 speak a language other than English at home and 49%
20 of city's immigrants have limited English
21 proficiency. Among undocumented immigrants we
22 estimate that nearly 2 in 3, 63% are LEP. The city
23 government has enacted a series of laws and policies
24 over the past 15 years to address these, these
25

1 issues. In 2003, the city enacted Local Law 73, the
2 Equal Access to Human Services Act which mandated
3 translation and interpretation services to be
4 provided by the Human Resources Administration in six
5 languages, Arabic, Chinese, Haitian-Creole, Korean,
6 Russian and Spanish and also imposed certain
7 requirements of the Administration for Children's
8 Services, the Department of Homeless Services and the
9 Department of Health and Mental Hygiene. In the
10 continuing effort to ensure that persons eligible for
11 Social Services receive them and avoid the
12 possibility that a person who attempts to access
13 services will face discrimination based upon the
14 language she or he speaks. In 2008, Mayor Bloomberg
15 issued Executive Order 120. This order expands Local
16 Law 73s language assistance requirements to all city
17 agencies that provide direct public services. Local
18 Law 30 enacted last year codified and expanded upon
19 Executive Order 120. It added four languages to the
20 list of languages for which document translation is
21 required bringing the total to 10. It also expanded
22 the types of assistance required in a number of other
23 ways including requiring about agencies that provide
24 direct public services must provide telephonic
25

1 interpretation in at least 100 languages, post multi-
2 lingual signage about the availability of language
3 access services, appoint language access coordinators
4 and develop and carry out a language access
5 implementation plan describing plans for training
6 agency staff, incorporating plain language principals
7 into their materials and informing community members
8 about the availability of language assistance
9 services. The Law also required outreaching
10 neighborhoods with large numbers of residents who
11 speak languages beyond the 10 Local Law 30 designated
12 citywide languages. To understand and help respond
13 to the needs of those communities. Over the course
14 of these developments, MOIA has played an
15 increasingly central role in the city's language
16 access policies. Now under Mayor de Blasio MOIA
17 serves the charter mandated functions of the Office
18 of Language Services Coordination in consultation
19 with the Office of Operations. Local Law 30 enacted
20 in early 2017, is among the most ambitious and
21 expansive language access laws in the United States
22 at any level of government. The Law has incredibly
23 broad scope, extending across nearly all city
24 agencies and requiring translation in at least 10
25

1 languages and telephonic interpretation in at least
2 100. Accordingly MOIA has developed and launched an
3 implementation plan in two major phases. The
4 guidance phase and the oversight phase. The guidance
5 phase which took place over the course of the first
6 year of the law's effective period. And was
7 completed in June of this year. During this phase
8 MOIA and the Office of Operations made the
9 determination based on our analysis of relevant data
10 pursuant the Law's Requirements that the 10 citywide
11 designated languages are Spanish, Chinese, Russian,
12 Bengali, Haitian-Creole, Korean, Arabic, Urdu, French
13 and Polish. Following this determination, MOIA
14 issued a memo to agency heads about the Law. MOIA
15 also provided guidance to agencies to support the
16 development of their required Language Access
17 Implementation Plans and reviewed and provided robust
18 feedback when agencies draft plans. MOIA has also
19 served as a clearing house and provider of best
20 practices on Language Access Services and Agencies
21 Implementations of the Local Law. This guidance work
22 has taken a variety of forms ranging from developing
23 guidance documents to organizing convenings of
24 Language Access Coordinators from agencies covered by
25

3 Local Law 30 to intensive one on one technical
4 assistance provided by MOIA directly to agencies.
5 The guidance phase culminated in the publication of
6 this past June of the nearly 500 page long, Local Law
7 30 report compiling agencies Language Access
8 Implementation Plans and providing additional
9 background and information about outreach efforts.
10 MOIA has now turned to the oversight phase of Local
11 Law 30s implementation. During this period, we will
12 be going, which will be ongoing MOIA will be meeting
13 with agencies to ensure that Language Access
14 Implementation Plans are effectively implemented.
15 Holding multi-agency convenings to continue to share
16 best practices, monitoring agencies provision of
17 Language Assistance Services and more. We have been
18 working with agencies to address areas in which they
19 needed additional guidance about the Laws
20 requirements and we have been encouraged that the
21 agencies have been eager to learn and improve on
22 their Language Assistance Services. I am pleased to
23 report on the process of many agencies in meeting
24 these requirements as well as examples of agencies,
25 Language Access accomplishments that even go beyond
the Law's requirements. I would also like to note

how engaged agencies have been regarding Local Law

30. Many agencies have proactively reached out to us to clarify the Law's requirements, to get advice on how best to implement aspects of the Law and more.

Agencies have secured or are in the process of securing the appropriate Language Services Contracts.

They have identified or in the process of identifying their most commonly distributed documents and have

translated or are in the process of translating those documents. They have also posted multi-lingual

signage about the availability of free interpretation services and are training their staff on language

access. Here are just a few highlights. At the Department of Social Services, HRA, Staff use

telephonic interpretation 279,389 times in 2017.

That is an average of a 1,000 times per business day.

Every HRA Center has a free interpretation service

poster in 19 different languages. The Commission on

Human Rights has expanded its in house language

proficiency capacity to 35 languages spoken across

the agency. The Department of Transportation has

translated its documents into 13 languages including

Italian and Greek in addition to the 10 languages

required under the Local Law. In addition, DOT

3 identified specific needs for certain documents and
4 translated them into 8 more languages, Hebrew,
5 Punjabi, Tagalog, Fulani, Bombari, Twi, Nepali and
6 Tibetan. The Fire Department is in the final stages
7 of preparing a new guide on Emergency Preparedness
8 for Apartment Building Residents and Staff in all of
9 the Local Law 30 languages. The Department of Health
10 and Mental Hygiene has been conducting fluency
11 assessments of its own bilingual staff who want to
12 qualify to provide services in languages other than
13 English and the Department of Buildings is using a
14 Customer Comment Card to receive feedback from LEP
15 Customers in order to improve their services. The
16 Central Tool that MOIA will be using in the oversight
17 phase is the forthcoming annual reporting tool and
18 template that will be launched in January. This
19 assessment will help inform MOIAs oversight and
20 technical assistance across the agencies. Under
21 Local Law 30 we also conduct outreach in
22 neighborhoods with large numbers of speakers of
23 languages other than the 10 designated citywide
24 languages. In order to understand the needs of these
25 residents and to work with agencies to address those
needs. For example, after successful Town Halls with

1 the African community in 2015 and the Tibetan and
2 Nepali communities in 2016, this year we hosted an
3 Afghan Town Hall attended by about 200 people and
4 conducted Indori and Pashto. We also hosted Agutti
5 Funo (SP?) Town Hall attended by about 250 people.
6 Through these meetings and other outreach work that
7 MOIA staff members perform across the city, we have
8 continued to learn about and help connect speakers of
9 languages beyond the 10 Local Law 30 languages to
10 their city government. As described above, MOIAs
11 work on language access long predates Local Law 30
12 and includes a range of projects that are above and
13 beyond the requirements of the Law. For example, we
14 work collaboratively with local government entities
15 not covered by Local Law 30 to share best practices
16 and guidance. These include the Department of
17 Education which we have worked with on a range of
18 translated materials provided to LEP and immigrant
19 students, including educational information on the
20 Trump's Administration rescission of DACA, anti-
21 discrimination resources and more as well as NYC
22 Health and Hospital which we have worked with on a
23 multi-lingual open letter to immigrant patients
24 issued jointly by MOIA and H and H. We have
25

3 developed standard multi-lingual signage about the
4 availability of interpretation for city agencies and
5 we have produced translations of the State Voter
6 Registration Form in 11 additional languages beyond
7 the four already provided by the City's Board of
8 Elections. As the agency functioning as the lead
9 coordinator for Language Access across the City, MOIA
10 holds itself to a high standard for Language
11 Assistant Services. To ensure our standards are met,
12 we have also begun using a secondary review vendor to
13 perform additional quality control on translations.
14 These efforts have resulted in increased
15 accessibility to MOIA and MOIA generated materials.
16 In 2017 alone, we arranged for the presence of 433 in
17 person interpreters at 153 events and translated it
18 up to 76 documents into different languages. I am
19 confident that we will continue to realize progress
20 in Language Access due to in large part to our Agency
21 partner's receptiveness and eagerness to improve the
22 City's Language Assistant Services for immigrants and
23 LEP residents. I am equally gratified by the
24 attention of the of the Council, to the ongoing
25 progress of the City Government Speak to New Yorkers
of all Languages. My team and I have additionally

3 been in conversation with the many dedicated advocacy
4 organizations and community members who have been
5 working in this area for decades. Input from these
6 advocates and community members and from Council
7 Members who have been working on this issues has been
8 extraordinarily valuable in not only ensuring that
9 New York City has the most ambitious access law in
10 the country but also ensuring that that Law is
11 implemented as effectively as possible. I look
12 forward to hearing more about areas where we can
13 continue to collaborate. Thank you for the
14 opportunity to describe our work and to hear further
15 from you and from the City's residents about how we
16 can continue to move toward a City in which language
17 does not represent a barrier to accessing benefits
18 and services.

18 CHAIR FERNANDO CABRERA: (SPEAKING
19 DIFFERENT LANGUAGE).

20 COMMISSIONER BITTA MOSTOFI: (SPEAKING
21 DIFFERENT LANGUAGE).

22 CHAIR FERNANDO CABRERA: Thank you my
23 Arabic friends will saw (SPEAKING DIFFERENT
24 LANGUAGE).

3 COMMISSIONER BITTA MOSTOFI: I spoke
4 Farsi so I ...

5 CHAIR FERNANDO CABRERA: And my Guinea
6 friends will say (SPEAKING DIFFERENT LANGUAGE).
7 Welcome.

8 COMMISSIONER BITTA MOSTOFI: (laughing).
9 Thank you.

10 CHAIR FERNANDO CABRERA: So I just I'm
11 going to start with a few questions and then turn it
12 over to the co-Chair and then to our esteem
13 colleagues here today I know they have questions. So
14 let me start, let me start a bit broad here, to the
15 best of your knowledge, can you confirm whether Local
16 Law 30 report the MOIA submitted is fully compliant
17 with Local Law 30 and if not, what is missing?

18 COMMISSIONER BITTA MOSTOFI: Sure so
19 thank you for the question, so I should note that in
20 addition to MOIA reviewing the Language Access Plans
21 the Mayor's Office of Operations also did a review of
22 the Language Access Plans to show you how dedicated
23 we are to this. Uhm we provided updated plans to the
24 Council as you know in September and that was because
25 we wanted to ensure that the Plans actually reflected
the full requirements of the Law and were as robust

3 as they could be at this time. Uhm so you have those
4 updated Plans as a part of the oversight that we have
5 already done. Uhm we are now in the process of as I
6 noted working with the agencies on the full
7 implementation. We will certainly know more about
8 what that implementation looks like after we get the
9 reports for this year which as I noted will be, we
10 will share with folks our template for responses in
11 January and we will have those by mid-next year.

12 CHAIR FERNANDO CABRERA: So you sent a
13 report in September you mentioned?

14 COMMISSIONER BITTA MOSTOFI: We sent
15 additional updated plans, yes.

16 CHAIR FERNANDO CABRERA: To who? Do you
17 know? Because our staff has not received it, maybe
18 it went to...?

19 COMMISSIONER BITTA MOSTOFI: It went to
20 your spam boxes, we will have to look and make sure.
(laughing).

21 CHAIR FERNANDO CABRERA: Yeah your staff
22 coordinate with our staff.

23 COMMISSIONER BITTA MOSTOFI: Yeah, yeah.

24 CHAIR FERNANDO CABRERA: To make sure
25 that we could get it.

3 COMMISSIONER BITTA MOSTOFI: Yeah of
4 course.

5 CHAIR FERNANDO CABRERA: Because we want
6 to give credit where credit is due.

7 COMMISSIONER BITTA MOSTOFI: Please yes,
8 we want to get that credit.

9 CHAIR FERNANDO CABRERA: Okay, yeah so
10 let me go on to the next question and as you know,
11 Local Law 30 requires agencies to post both their
12 current Implementation Plan and the name and the
13 title of the Language Access Coordinator to the
14 website but committee staff found several covered
15 agencies have not done this. Have you checked for
16 compliance with this requirement? And when can we
17 expect all agencies to be compliant?

18 COMMISSIONER BITTA MOSTOFI: So thank you
19 for the question, I would say we have done sort of an
20 an overall check on every single elements of the
21 Plans for all of the agencies. Part of that is
22 because the agencies are still in that Implementation
23 Phase uhm which is what this year forecasts for them.
24 We will get the reports from agencies uhm at the
25 beginning of next year. We will then follow up to
confirm that everything is in compliance so that we

3 can report to the Council's required to in the next
4 year.

5 CHAIR FERNANDO CABRERA: So you have to
6 wait for their report before you check their website?

7 COMMISSIONER BITTA MOSTOFI: I mean they
8 are given this period of time to do full
9 implementation.

10 CHAIR FERNANDO CABRERA: Okay.

11 COMMISSIONER BITTA MOSTOFI: Agencies
12 have you know begun to focus on different areas,
13 right, so if there are specific concerns for agencies
14 that have not yet posted we can absolutely follow up
15 on those concerns. Uhm we have not uhm placed in any
16 particular order for them the requirements on what
17 they move first, but we will be going through to make
18 sure that they have done everything that they are
19 required to do.

20 CHAIR FERNANDO CABRERA: Have you found
21 that most of the agencies are reaching out to you
22 regarding their website? Being specific, regarding
23 their website, they are reaching out to you regarding
24 consultation, advice, regarding the website?

25 COMMISSIONER BITTA MOSTOFI: Uhm
regarding what to do in regards to the website?

3 CHAIR FERNANDO CABRERA: Right.

4 COMMISSIONER BITTA MOSTOFI: No but as I
5 noted we are happy to directly reach out to, to them
6 uhm that's obviously one of the requirements and so
7 we will be looking to make sure that they have
8 completed that.

9 CHAIR FERNANDO CABRERA: You know one of
10 the things that might be helpful is to reach out to
11 all of the agencies as they are in the process.

12 COMMISSIONER BITTA MOSTOFI: Yeah.

13 CHAIR FERNANDO CABRERA: Of
14 implementation if they need advice, consultation or
15 help that, that help is readily available.

16 COMMISSIONER BITTA MOSTOFI: So yeah,
17 absolutely, so in addition to the guidance that we
18 have given out, we've already convened all of the
19 Language Access Coordinators three times. Our next
20 convening is actually next month so this is something
21 that we see as an ongoing part of the Implementation
22 and Oversight uhm and so it is, they both, they both
23 know through our the convenings that we bring them
24 together but on a weekly basis we are providing
25 technical assistance to agencies.

3 CHAIR FERNANDO CABRERA: What is the
4 biggest challenges the Coordinators are bringing up
5 to your attention?

6 COMMISSIONER BITTA MOSTOFI: Uhm I would
7 say, uhm that it varies by agencies, so for some
8 agencies you know we have go... we have asked them to
9 go beyond sort of direct translation of their
10 documents to putting their documents into plain
11 language so that is in and of itself is skills uhm
12 that we have been working with agencies on and that
13 they are looking for training for their staff for.
14 So that itself takes a lot of time. Obviously the
15 Quality Assurance of the agencies uhm and as they are
16 continuing in the development of their plans and
17 making sure that they are effectively implementing
18 them, making sure that the contracts that they have
19 has been one are in place, that they know how to
20 effectively leverage them. The theme actually for
21 our next convening is around how to best utilize the
22 services that are available through the contracts so
23 that they are getting the most effective uhm
24 translation and interpretation from those because
25 that is something that we have heard, is you know I
am not getting back the highest quality, how can I

3 better get that. So we are hearing the feedback on
4 an individual agency basis. They are as I said
5 diverse because the agencies are so diverse but we
6 are trying to address sort of over our chained themes
7 through convenings and best practices as we well.

8 CHAIR FERNANDO CABRERA: Uhm you kind of
9 uhm, uhm started to answer my next question but I
10 want to give an opportunity to expand on it if
11 agencies have yet to identify and translate their
12 essential documents, would MOIA review each agency
13 list of essential documents for compliance?

14 COMMISSIONER BITTA MOSTOFI: So we have,
15 we have left it up to the Agencies to identify what
16 those documents are, uhm and begin to move those
17 documents to the stage of translation but yes we are
18 asking for what the documents identify, were the
19 value of the documents, etc.

20 CHAIR FERNANDO CABRERA: So you will do a
21 thorough review?

22 COMMISSIONER BITTA MOSTOFI: Of which
23 documents they translated? Yes.

24 CHAIR FERNANDO CABRERA: Which they did
25 or didn't?

3 COMMISSIONER BITTA MOSTOFI: Uhm we have
4 not intended to look at the ones that they didn't uhm
5 just because again when you are talking about an
6 agencies it could be a voluminous amount of
7 documents.

8 CHAIR FERNANDO CABRERA: Uh-huh.

9 COMMISSIONER BITTA MOSTOFI: But I think
10 as we are going through the process uhm we will take
11 that into consideration in terms of what we are
12 looking for.

13 CHAIR FERNANDO CABRERA: I have more
14 questions but uhm I want to turn it over, thank you
15 so much Commissioner Mostofi. Uhm I want to turn it
16 over now to my co-Chair and then thereafter to our
17 colleagues.

18 CHAIR CARLOS MENCHACA: Thank you Chair
19 and uhm thank you again Commissioner and for your
20 opening as well. This is, this is uhm just a moment
21 to be thankful for that the leadership in our city
22 really reflects the nature of our reality on the
23 ground and it was really beautiful to hear the
24 languages that you speak. Uhm and the, the focus on
25 my next set of questions and I'll do a first round
and then come back after the, the members ask the

3 questions but really kind of focusing on the Language
4 Service Coordinator, uhm or essentially the office,
5 the charter mandated office of the Language Service
6 Coordinator, who holds that title?

7 COMMISSIONER BITTA MOSTOFI: Sure, and so
8 thank you for the question, so I think as you are
9 aware the Office of Operations is listed in the
10 Charter uhm as being the Office of the Language
11 Services Coordinator. MOIAs Charter also requires
12 that MOIA perform functions of surveying and engaging
13 Limited English Proficient New Yorkers and New
14 Yorkers who speak all different languages. We under
15 the de Blasio Administration, so several years ago,
16 predating Local Law 30 had a conversation with the
17 Mayor's Office of Operations about this work, the
18 importance of this work to both offices and the ways
19 that we could partner together to ensure the you
20 know, the utmost effectiveness at driving this work
21 for the city. Uhm and from there have driven it
22 forward together so what I would say is MOIA brings a
23 particular expertise and skill set around working
24 with immigrant communities, direct contact with
25 communities and advocates and providers to understand
what the needs are. We have helped to develop the

1 methodology and the way that we look at what the
2 languages are and the needs of our, of New Yorkers
3 are Ops has continued to play the role of oversight
4 with us. So as I said, also reviewing all of the
5 Plans, providing feedback on the Plans, they serve as
6 the citywide essential Agency that is responsible for
7 Customer Service and Language Access is under that so
8 they provide trainings on Language Access uhm as well
9 and provide uhm oversight to make sure that things
10 like signage and so forth are uhm placed correctly in
11 the agencies for in, in the right view. They also
12 provide trainings and instruction on plain language
13 and how to put documents into plain language. So I
14 think from our perspective it is a smart partnership
15 in advancing the shared goals of the work and we are
16 leveraging each others skills to do that.

18 CHAIR CARLOS MENCHACA: Uhm so what I
19 heard was a real kind of goals oriented commitment by
20 both Operations and MOIA to the kind of mandate
21 itself and I am kind of looking for a human and title
22 holding the role?

23 COMMISSIONER BITTA MOSTOFI: Yeah.

24 CHAIR CARLOS MENCHACA: Is there a person
25 that's?

3 COMMISSIONER BITTA MOSTOFI: Sitting next
4 me.

5 CHAIR CARLOS MENCHACA: Okay can they,
6 can they introduce themselves please?

7 ANNE MONTESANO: Hi my name is...

8 CHAIR CARLOS MENCHACA: Oh uhm in and
9 let's swear you in actually.

10 COUNSEL: Do you swear to affirm to tell
11 the truth, the whole truth and nothing but the truth
12 in your testimony before these committees and to
13 respond honestly to Council Member questions:

14 ANNE MONTESANO: I do.

15 COUNSEL: Thank you.

16 ANNE MONTESANO: Hi good afternoon, my
17 name is Anne Montesano and I am the Executive
18 Director of Immigrant Inclusion at MOIA.

19 CHAIR CARLOS MENCHACA: Great and so, so
20 just just because this is in some ways a lot, very
21 technical and we want to, I want to ask the question
22 so is this essentially because that title is not
23 necessarily the Language Service Coordinator and so
24 we are looking for if effectively that is your role
25 as the leader of the Office of the Language Service
Coordinator, is that right?

3 COMMISSIONER BITTA MOSTOFI: So she is
4 leading the work for the office. We have actually
5 talked about a title change to make that more clear.

6 CHAIR CARLOS MENCHACA: Okay.

7 COMMISSIONER BITTA MOSTOFI: (laughing)
8 Uhm including Executive Director of Language Access
9 and Interagency Initiatives, uhm so that's something
10 that we have, we've talked about moving towards in
11 the interest of transparency and for people to know
12 who to go to for these issues so Anne oversees both
13 the worker on the Local Law 30 Implementation but
14 also our Language Services work which I described as
15 being, which is quite robust.

16 CHAIR CARLOS MENCHACA: Okay, so, so
17 right now it's not that, but, but you are in
18 conversations to make it that and so that's, that's
19 part of how we are trying to figure out the kind of
20 charter there is a lot of conversations about the
21 charter right now.

22 COMMISSIONER BITTA MOSTOFI: Yes.

23 CHAIR CARLOS MENCHACA: And so this is an
24 opportunity. You know does this, does this become a
25 topic at hand how to really think about? Maybe the
26 charter is old, maybe it needs to get updated, maybe

3 we need to change it and so this is why, this is why
4 we are really engaging in this kind of transparency
5 oversight component.

6 COMMISSIONER BITTA MOSTOFI: Uh-huh.

7 CHAIR CARLOS MENCHACA: To the person, the
8 human, the humans uhm of New York who are working on
9 this.

10 COMMISSIONER BITTA MOSTOFI: Uh-huh.

11 CHAIR CARLOS MENCHACA: And and making
12 sure that that is clear uhm not just for
13 responsibility but and accountability but also just
14 for us to be clear about about roles. And so
15 essentially, so essentially Anne and you and your
16 last name again?

17 ANNE MONTESANO: Montesano.

18 CHAIR CARLOS MENCHACA: Montesano are
19 effectively the kind of Language Service Coordinator
20 Leader. And so tell me about your role and how you
21 interact with other agencies and other coordinators
22 at these agencies?

23 ANNE MONTESANO: Sure so MOIA does
24 extensive one on one technical assistance with
25 agencies and that is driven by agencies reaching out
proactively to us and then us as well kind of

1 identifying sets of agencies to uhm reach out to on
2 certain issues and then we also do uhm Language
3 Access Coordinator Convenings several times a year to
4 bring agencies together to share best practices, to
5 ensure that agencies are aware of, of the resources
6 that they've developed so that they don't have to
7 reinvent the wheel but can learn from one another so
8 it's not just coming from MOIA to agencies but its,
9 there is a lot of cross sharing as well.
10

11 CHAIR CARLOS MENCHACA: And I understand
12 that you are convening with the coordinators soon
13 again maybe this month or...

14 ANNE MONTESANO: Uhm in November.

15 CHAIR CARLOS MENCHACA: In November, in
16 November, great. And so how many staff do you have
17 working for you in this effort to support the
18 Language Service Coordination?

19 ANNE MONTESANO: Sure uhm so we work with
20 different uhm agencies and so we have a couple of
21 staff uhm one who is responsible for Local Law 30
22 oversight and then one staff who is responsible for
23 the Language Services piece which is really the
24 ensuring that interpretation and translation services
25 are happening at, at MOIA.

3 CHAIR CARLOS MENCHACA: And and say that
4 again, you said the first one is Local 30 oversight
5 and then the second one was?

6 ANNE MONTESANO: Language Services.

7 CHAIR CARLOS MENCHACA: Language
8 Services.

9 ANNE MONTESANO: So particular
10 interpretation and translation services so liasioning
11 with our vendors you know when events come up needing
12 interpretation we have a point person who coordinates
13 that.

14 COMMISSIONER BITTA MOSTOFI: I would just
15 add to that that one of the things that they have
16 been effective at doing too is as issues are
17 identified uhm putting forward ways that we as MOIA
18 can test solves for those issues uhm and kind of
19 piloting them through the work that we do before we
20 share our suggestions to other agencies.

21 CHAIR CARLOS MENCHACA: Got it, got it.
22 Uhm and who are those people, the Local 30 Oversight
23 uhm who are they?

24 ANNE MONTESANO: So Ken Lowe is here.
25

3 CHAIR CARLOS MENCHACA: Ken, hi Ken how
4 are you doing? Uhm and whose the Language Services
5 Interpretation person?

6 ANNE MONTESANO: Santiago Torres who is
7 now here right now.

8 CHAIR CARLOS MENCHACA: Great so
9 essentially you are a team of three? Is that right?
10 As I understand?

11 ANNE MONTESANO: We have fellows as well
12 that.

13 CHAIR CARLOS MENCHACA: Say that again?

14 ANNE MONTESANO: We have fellows also
15 that...

16 CHAIR CARLOS MENCHACA: Fellows?

17 ANNE MONTESANO: Uh-huh.

18 CHAIR CARLOS MENCHACA: Okay how many
19 fellows do you have?

20 ANNE MONTESANO: Two right now?

21 COMMISSIONER BITTA MOSTOFI: One right now
22 yes.

23 CHAIR CARLOS MENCHACA: One right now,
24 possibly two?

25 COMMISSIONER BITTA MOSTOFI: Yeah if they
are.

3 CHAIR CARLOS MENCHACA: They come on a
4 yearly basis to support the team. Great uhm and so
5 I am assuming and so the next question is kind of in
6 assumption but does MOIA have the designed uhm
7 designed unit assistant agencies with Language
8 Access. I am assuming you are that unit?

9 ANNE MONTESANO: Yes.

10 CHAIR CARLOS MENCHACA: Okay great, and
11 then how many people on MOIAs staff have Language
12 Access Compliance and Outreach as their primary job
13 responsibility outside of the unit that you have?
14 That we have identified?

15 COMMISSIONER BITTA MOSTOFI: That Language
16 Access is their primary responsibility?

17 CHAIR CARLOS MENCHACA: Yeah and
18 outreach?

19 COMMISSIONER BITTA MOSTOFI: I mean so I
20 would say that there is overlap there. Uhm so we
21 have this year additional staff who are assisting us
22 with different Language Access projects. Uhm so
23 three additional staff this year that are doing that.
24 Uhm we have uhm an outreach team that does this work,
25 some of which I described particularly in, in,
engaging communities who speak different languages

1 who are less engaged uhm and are not included in the
2 top 10. One of the things that team has done which
3 has been really remarkable is uhm in the last 3 years
4 done an Annual International Mother Day Celebration.
5 Uh part of that has been responsive to some of the
6 feedback about uhm communities and I think you spoke
7 Council Member Cabrera to uhm some of the shame that
8 communities might feel and also the, the uhm
9 conversely the pride right in having the languages
10 and wanting to pass those down so we actually started
11 to do that as an Annual celebration to honor the
12 diversity of the languages in the city and to
13 celebrate them. Uhm and so our commitment through
14 that work and through that team it to continue to do
15 both of those things. Additional folks advise on
16 issues as they come up, particularly Legal or Policy
17 obviously focused and how best to address them and
18 then as we have been looking at again solves for uhm
19 challenges that we see, we pulled in different people
20 to help think through solutions, particularly from an
21 office from an operational space as well as some of
22 the upspoke goes here as well.
23

24 CHAIR CARLOS MENCHACA: Got it, got it
25 and so I'm I'm kind of getting a sense of the

3 different teams. Is there a way that you can just
4 give us a number of the, the staff that has uhm has
5 it being the Language Access Compliance and Outreach
6 as their primary job and then those who are maybe in,
7 I think you are kind of describing as projects, side
8 projects that are working on things or maybe have it
9 as a secondary or just one component of their larger
10 job?

11 COMMISSIONER BITTA MOSTOFI: Sure I mean I
12 would just say, it's three who are central to the
13 work that they do and then this year as I said uhm up
14 to uhm I would say four additional who are working on
15 them and then uhm that doesn't include the outreach
16 and engagement work where you have a few additional
17 staff who, who do that work.

18 CHAIR CARLOS MENCHACA: Okay thank you.
19 Thank you for that. Uhm should agencies rely on the
20 Volunteer Language Bank to provide Language Access
21 Services as some plans indicate that they do?

22 COMMISSIONER BITTA MOSTOFI: Uhm so the
23 question being should they?

24 CHAIR CARLOS MENCHACA: Yeah and just
25 this is really kind out of an advocacy opportunity
for you as MOIA.

3 COMMISSIONER BITTA MOSTOFI: Sure.

4 CHAIR CARLOS MENCHACA: I am really
5 asking MOIA, the Mayor's Office of Immigrant Affairs,
6 should they be allowed to rely on that?

7 COMMISSIONER BITTA MOSTOFI: So the, the
8 best practice and the guidance that we have given to
9 the agencies as it relates to Local Law 30
10 implementation has been to have their own contracts
11 with vendors. Uhm and to move towards ensuring that
12 agencies uhm are leveraging professional
13 interpretation for, professional interpretation where
14 interpretation is needed and then translation for the
15 service. Where we have recommended that the LV is a
16 good resource that could go to as a first cut is for
17 review of translation so getting those second eyes
18 from perhaps a speaker or certified speaker uhm
19 recognizing that it is a volunteer language bank so
20 the speed is sometimes not as quick as you might need
21 for translation but the review process is easier for
22 volunteers to do and can take less time. Uhm so we
23 certainly think there continues to be a place for the
24 use of, of that Volunteer Language Bank and certainly
25 a way I think to build the community of city workers
who speak languages and help build their own

3 professional development as we have done before and
4 helping them get certified. Uhm but there are, there
5 are, I think we, our, our best practices in terms of
6 professional services uhm and how you use that bank.

7 CHAIR CARLOS MENCHACA: Got it and so
8 help me understand because you are kind of
9 anticipating the next piece, which is the
10 certification component that you just mentioned.

11 COMMISSIONER BITTA MOSTOFI: Uh-huh.

12 CHAIR CARLOS MENCHACA: And whether or
13 not there was funding that was kind of MOIA driven to
14 get the volunteers to certification as interpreters.

15 COMMISSIONER BITTA MOSTOFI: There was
16 when we did it. Yes.

17 CHAIR CARLOS MENCHACA: When you did it?

18 COMMISSIONER BITTA MOSTOFI: Yes.

19 CHAIR CARLOS MENCHACA: Okay tell me a
20 little bit about that and the time line and the what,
21 what has happened since then.

22 COMMISSIONER BITTA MOSTOFI: Sure I thin
23 the last time we did it was maybe a couple of years
24 ago and we had so I'm getting odd so I'm saying, so
25 uhm uhm and we had a onetime budget to provide the
training for uhm city workers who wanted to have that

3 professional development opportunity uhm to be able
4 to go through that certification process have that.

5 CHAIR CARLOS MENCHACA: Okay final
6 question, these are all super technical really
7 because we want to get the oversight done but also
8 the charter. Thinking about the charter, we want to
9 continue this conversation even after this hearing.
10 Uhm on the budget lines does MOIA, the staff who work
11 at MOIA on Language Access appear on a single budget
12 line or the budget lines of multiple agencies and if
13 they are in multiple agencies that we just discussed
14 and identified before, what agencies are those?

15 COMMISSIONER BITTA MOSTOFI: Sure, yes,
16 multiple agencies. So agency partners uhm largely
17 from DCAS yeah.

18 CHAIR CARLOS MENCHACA: All of those?
19 Including.

20 COMMISSIONER BITTA MOSTOFI: DCAS and
21 HRA.

22 CHAIR CARLOS MENCHACA: Montes... Ms.
23 Montesano.

24 COMMISSIONER BITTA MOSTOFI: Yes, she's,
25 DCAS.

CHAIR CARLOS MENCHACA: DCAS yes.

3 COMMISSIONER BITTA MOSTOFI: DCAS and
4 HRA.

5 CHAIR CARLOS MENCHACA: And HRA.

6 COMMISSIONER BITTA MOSTOFI: Yes.

7 CHAIR CARLOS MENCHACA: Okay, majority
8 DCAS, majority HRA?

9 COMMISSIONER BITTA MOSTOFI: Uhm if you,
10 if you are talking about the three, majority DCAS.

11 CHAIR CARLOS MENCHACA: Yeah well, the
12 three DCAS and then the rest of the three staff and
13 other four workers HRA?

14 COMMISSIONER BITTA MOSTOFI: Yeah.

15 CHAIR CARLOS MENCHACA: Okay got it,
16 super helpful, uhm and thank you our staff just
17 received the updated report that you referred to
18 earlier.

19 COMMISSIONER BITTA MOSTOFI: Things get
20 accomplished in hearings.

21 CHAIR CARLOS MENCHACA: Yeah it's
22 amazing, it's amazing.

23 COMMISSIONER BITTA MOSTOFI: (laughing).

24 CHAIR CARLOS MENCHACA: Could you clarify
25 in what ways this report is updated from the
previously submitted reports? Any big flags?

3 Anything that, anything that we can kind of
4 anticipate? It's 100 plus, not 100s, 500 page report
5 so we are going to take some time to review it but
6 anything that we can anticipate that are important to
7 highlight today.

8 COMMISSIONER BITTA MOSTOFI: Uhm I would
9 just say and I don't know Anne if you recall off of
10 the top of your head some of the things. I don't
11 think there were flags I think it was us going back
12 in with like a fine tooth comb with ops to see that
13 we were being as responsive as we could in pushing
14 agencies to have plans that were robust but with
15 meetable goals recognizing that they just have this
16 year to implement so are they are least meeting the
17 bare minimums of what the law requires and then are
18 there ways to build on that that we think that they
19 can get to and so it was, it was more of that of
20 making some of those adjustments where we thought uhm
21 you are not quite where we want you to be uhm and
22 giving some of that feedback. I don't know if you
23 want to give anything specific?

24 ANNE MONTESANO: Yeah I thin there were
25 a few agencies that had perhaps missed a particular
requirement of two of what they should be including

3 in their plans like ensuring that they have an
4 Emergency Preparedness Plan or having considered
5 Plain Language Principals sort of elements like that
6 so they were included to have that.

7 CHAIR CARLOS MENCHACA: So updates mean
8 better reports from agencies and filling in some of
9 the holes.

10 COMMISSIONER BITTA MOSTOFI: Yes.

11 CHAIR CARLOS MENCHACA: That's what we
12 can anticipate from this update? Great.

13 COMMISSIONER BITTA MOSTOFI: Yes.

14 CHAIR CARLOS MENCHACA: Thank you for
15 that. We have uhm Council Member Eugene who has
16 joined us as well, thank you. Uhm Council Member
17 Eugene, Council Member Yeger for first question,
18 second question Council Member Powers, or second
19 member. Council Member Yeger?

20 KALMAN YEGER: Thank you Mr. Chair. Mr.
21 Chair it's an honor to serve on both committees with
22 you. Uhm Commissioner I have a question about the
23 DOTs expansion beyond the 10 languages required of
24 the Local Law it seems that they have translated into
25 8 additional language, uhm languages. Something that
I applaud. I am fascinated by it because I consider

3 in the City of New York for the DOT to be perhaps the
4 biggest failure of any City Agency in the entire
5 city. I think nothing they do is right and on this
6 particular item that happen to have gotten it right
7 to the exclusion it seems of any other agency. Uhm
8 and I'm curious by what standard they have come to
9 the conclusion that they needed an additional 8
10 languages beyond the, the 10 required and why other
11 agencies have not necessarily come to that same
12 conclusion?

13 COMMISSIONER BITTA MOSTOFI: So uhm you
14 now all of the agencies were encouraged beyond the 10
15 to apply the Department of Justice's kind of fore
16 factors in thinking about what Language Access should
17 look like for them. So looking at the population
18 they are serving or not, looking at their own
19 resources, etc. uhm again agencies are all at
20 different levels of, of Language Access some have
21 already been doing it for years some are just
22 beginning. Uhm the Department of Transportation uhm
23 I think in the application of those for additional
24 factors came back and said that we think that we are
25 serving people who speak limited English, more
Limited English Proficient speakers based on census

1 data... our census data and the way that we've
2 applied it to what we are doing and so this is our
3 recommendation and certainly from our perspective if
4 they are able to. If they have the resources to go
5 beyond they may have done that analysis. We are
6 referring to them on doing more.

8 KALMAN YEGER: Do you believe that there
9 are other agencies that are, that should be, I hate
10 to say this perhaps taking the lead from DOT and I
11 really don't want any agency in the city to get the
12 message that they should take a lead from DOT on
13 anything with the limited exception of perhaps
14 expanding access to languages?

15 COMMISSIONER BITTA MOSTOFI: You know I
16 think every agency without feeling too redundant is
17 at a different place. I think they have all made
18 great progress. I think we are seeing that in terms
19 of even the dollar expenditures already without full
20 implementation and it really in many ways depends on
21 the agency, the nature of the work that they are
22 doing uhm and the the analysis that they are doing?
23 And so would I say yes. Like could other agencies
24 build on.

3 KALMAN YEGER: What can we do to get
4 other agencies to identify other agencies that when
5 DOT interacts with the community sure but there are
6 many agencies that have similar interactions on a
7 regular basis with the communities at large and you
8 know for example, they are doing Hebrew, Punjabi and
9 languages that, that are perhaps limited to very
10 localized areas of New York City.

11 COMMISSIONER BITTA MOSTOFI: They are.

12 KALMAN YEGER: But they are they are doing
13 a good job to make that, again just on this but they
14 are doing a good job and there have to be other
15 agencies that have the similar interaction with the
16 community that are not getting their what can we do?
17 What can you do? What does the city council need to
18 do? What does your agency need to do?

19 COMMISSIONER BITTA MOSTOFI: Yeah.

20 KALMAN YEGER: To make that happen? If
21 anything. Unless you think it is just happening
22 already and we just need to wait for it and.

23 COMMISSIONER BITTA MOSTOFI: You know I
24 would just, sure I would say a few things. I would
25 say you know we talked about how robust Local Law 30
itself is. So if you are doing the translation and

3 the ten required by the Law, you are already meeting
4 86% of Limited English Proficient New Yorkers. That
5 doesn't even account for interpretation. Our
6 interpretation goes beyond the 100 required by the
7 Law. It goes up to 200 languages that people can,
8 can provide and that's included in our signage.
9 Other agencies and programs have gone well beyond
10 these requirements from IDNYC to paid sick leave to
11 others, have done translations in 20 languages plus
12 so I think there is a lot of best practices and, and
13 different programs or different agencies that are
14 leading in different ways. Part of our goal is to get
15 everybody up to what we think should be the bare
16 minimum standard and then build on that.

17 KALMAN YEGER: Alright thank you
18 Commissioner, thank you Chair.

19 CHAIR CARLOS MENCHACA: Thank you Council
20 Member Yeger, Council Member Powers.

21 KEITH POWERS: Thank you very impressive.
22 Three languages.

23 COMMISSIONER BITTA MOSTOFI: Yes. A
24 little bit of Arabic. (SPEAKING ARABIC).

25 KEITH POWERS: Pretty good uhm, uhm I
would say that I am the Chair of the Criminal Justice

3 Committee I just want to ask about some compliance
4 around the Department of Corrections. Just for
5 starters can you tell us if they are in compliance
6 with the Local Laws around Language Access?

7 COMMISSIONER BITTA MOSTOFI: Uhm so
8 similarly I would say the Department of Corrections
9 is one where we have some updates and support that we
10 have been doing but don't have the full vantage point
11 into their compliance until we get the reporting
12 back.

13 KEITH POWERS: Got it and I think our
14 staff noted that their website didn't have their plan
15 on it. Is there any effort?

16 COMMISSIONER BITTA MOSTOFI: They are one
17 that we will follow up on.

18 KEITH POWERS: Okay I appreciate it. I
19 mean the reason I raise is because of all the
20 agencies the one to have if you have a language I
21 mean a lot it matters for but certainly it is one
22 where it is unique relative to other agencies and
23 would certainly. Uhm do you know if the Inmate
24 Handbook is translated into other languages and if so
25 what languages?

3 COMMISSIONER BITTA MOSTOFI: So they are
4 in the process of identifying the documents that
5 they've translated. I don't know, if Anne, you know
6 for certain that they have identified that? No but
7 we can get back to you.

8 KEITH POWERS: And that would be
9 identifying it to know if it is a good or critical
10 essential document?

11 COMMISSIONER BITTA MOSTOFI: Yes.

12 KEITH POWERS: I would make the case that
13 the Inmate Handbook is definitely one because it is
14 often referred to, and has all of the rights, so
15 that, so if it is not I would certainly encourage it
16 to be included but also I think it is important that
17 it's, it's translated into as many languages as we as
18 we can get it into because of the uniqueness of the,
19 of the system that we are talking about the
20 importance to the importance to the person that's uh
21 there. Uhm do we, do you know uhm when do you
22 anticipate that you will have more information about
23 the DOC in terms of their uhm, their uhm.

24 COMMISSIONER BITTA MOSTOFI: So on those
25 two questions we can try to get back to you shortly.
We can reach out to DOT, over... DOC overarching the

3 as I noted we are working with the agencies on the
4 reporting requirements, uhm on where they are at with
5 implementation and for the beginning of the new year
6 and we are we're required to report to Council on
7 that by middle of next year.

8 KEITH POWERS: And do you know uhm any
9 information on like Language Translation, like, like
10 having translators in in like any of the jail
11 facilities in case in addition the handbook and other
12 materials whether somebody actually needs to be?

13 COMMISSIONER BITTA MOSTOFI:
14 Interpretation you mean?

15 KEITH POWERS: Yeah interpretation yeah.

16 COMMISSIONER BITTA MOSTOFI: I believe
17 that DOC also utilizes the interpretation contracts
18 but we can confirm that for you as well.

19 KEITH POWERS: Okay I appreciate it. I
20 would, I will follow up with them as well to get more
21 information but I would appreciate if we could maybe
22 just work on that together and in light of everything
23 that we are talking about in criminal justice right
24 now certainly one part of it could be ensuring that
25 everybody has sort of a clear sense of right, rights
and information so. Thank you.

3 COMMISSIONER BITTA MOSTOFI: Thank you.

4 CHAIR CARLOS MENCHACA: Thank you Council
5 Members Powers, Council Member Dromm?

6 DANIEL DROMM: Thank you very much. I
7 just wanted to ask some questions about the
8 Department of Education.

9 COMMISSIONER BITTA MOSTOFI: Sure.

10 DANIEL DROMM: And uhm does the Department
11 of Educations, DOEs Language Access efforts uhm how
12 do they match up with Local Law 30.

13 COMMISSIONER BITTA MOSTOFI: So uhm what I
14 would say is their efforts in many ways go beyond
15 Local Law 30 in that they have their own
16 interpretation and translation unit, uhm so that unit
17 is greatly robust and it works across the DOE system
18 where the majority of schools uhm actually have or
19 sorry to say DOE implemented plans to expand the
20 level of management and training at the schools which
21 we think is great and a huge uhm kind of growth in
22 the kind of work that they are doing. Additionally
23 they have field access coordinators that do this work
24 so similar in the thinking around the coordinators
25 and training. Uhm, they, they go, they provide
translation in the top 9 languages uhm but they go

1 above in the same way around interpretation uhm I'm
2 not sure that we know and I don't know if Anne if you
3 do how they select the documents uhm that they
4 translate uhm but we know they do the telephonic and
5 up to the 200, they do the translation and what they
6 are sending home and giving to students in the 9.
7 They actually join our convenings even though they
8 are not required to under Local Law so they have been
9 a partner that has come to the table in talking
10 through and thinking about best practices. Uhm and
11 we look forward to continuing to do that work with
12 them. Uhm and we look forward to continuing to do
13 that work with them.

14 DANIEL DROMM: And what about parent
15 teacher conferences? Uhm do uhm they provide
16 translation at all of those conferences?

17 COMMISSIONER BITTA MOSTOFI: I don't know
18 the answer to that but we can get back to you.

19 DANIEL DROMM: Uh-huh cause you know
20 sometimes they have the uhm evening parent teacher
21 conferences where I have seen in the past some
22 translators available but only like in certain
23 languages, they don't have them in the necessary
24 languages that they would need for all of the parents
25

3 to participate. But then the DOE also now the
4 teachers do have an afternoon that is devoted to
5 meeting with parents one afternoon a week is devoted
6 to professional development, the other one is devoted
7 to working with parents. So it would be good if you
8 could look into that also.

9 COMMISSIONER BITTA MOSTOFI: Sure.

10 DANIEL DROMM: I think probably the
11 language line is available for that type of a
12 situation but when you are having the one on one
13 conferences I think it is really important and
14 actually it draws parents into the school when they
15 know that somebody is there who can do those
16 translations.

17 COMMISSIONER BITTA MOSTOFI: Yeah we can
18 follow up with you on when they provide their, and I
19 think as noted they probably tell folks that they can
20 rely on the language line interpretation.

21 DANIEL DROMM: And have you heard of any
22 limitations with the Department of Education, has any
23 complaints, have any complaints come to you?

24 COMMISSIONER BITTA MOSTOFI: Uhm no I
25 think honestly getting on the ground feedback more
readily coming to us is a goal of ours. We did

3 establish the ability for people call 3-1-1 and
4 register a Language Access complaint so that does
5 come to us but that's not where I think where the
6 majority of the issues or concerns are permeating.
7 We probably will hear more on that from the
8 communities that we are engaged with. So also there
9 is a way to think about how to best share with
10 Council Members offices to direct things to us so
11 that we have awareness. We would love to partner
12 with you and think about that.

13 DANIEL DROMM: So in the case that Council
14 Member Menchaca mentioned in his opening statement,
15 uhm where the parent received a limited access
16 letter, limited access letter denies a parent access
17 to the school for some alleged reason and to violate
18 that could result in the arrest of the parent.

19 COMMISSIONER BITTA MOSTOFI: Uh-huh.

20 DANIEL DROMM: I don't know if that's what
21 happened in this case or not but what role do you
22 play in that at all if you have any role in that and
23 I wonder also if you know anything about suspension
24 hearings or anything like that when the DOE holds
25 those types of hearings.

3 COMMISSIONER BITTA MOSTOFI: Uhm so again
4 because DOE is not actually covered under us we don't
5 have the direct oversight authority but DOE has never
6 not engaged us on this issue or any others related to
7 the needs of immigrant families. So I think just
8 readily we would see our office as one that would
9 certainly work with and follow up with DOE to address
10 the issue not just for the individual family both
11 overarching systematically. Uhm and can get back to
12 you on the suspension hearings and what they do in
13 terms of interpretation there.

14 DANIEL DROMM: Just point out one other
15 area too, I think when parents come in for IEP
16 interviews, uhm. It is critically important that
17 there be Language Access available for that also.

18 COMMISSIONER BITTA MOSTOFI: So they
19 actually started a pilot on that uhm so there is a
20 new pilot where a new pub... a new pilot this year
21 that they are starting in school on IEPs so hopefully
22 we will get good feedback on what is working with
23 that and be able to expand it more broadly.

24 DANIEL DROMM: Okay thank you very much.

25 COMMISSIONER BITTA MOSTOFI: Sure.

3 CHAIR CARLOS MENCHACA: Thank you Council
4 Member Dromm and before I hand it over to Council
5 Member, or Chair Cabrera I want to follow up on the
6 DOEPs that really kind of speaks to this uhm kind of
7 larger conversation about Local Law 30 and its
8 ability. We are, we are uhm we are limited in
9 ourselves in how to how to legislate policy here and
10 so what we are looking for from you today is is what
11 is the leadership here and the question around that
12 gap or Local Law compliance and what can we do to
13 think about your role uhm for all agencies as the
14 Mayor's office which is under DOEs under,
15 essentially.

16 COMMISSIONER BITTA MOSTOFI: Uh-huh.

17 CHAIR CARLOS MENCHACA: And so tell us a
18 little bit about that. The case is under still
19 investigation at the school and and Council Member
20 Dromm's question is a good one about what role do you
21 play even if, if officially technically the
22 compliance isn't there to compel you to do that
23 what's the, what's the drive, the leadership, the
24 goal, the mission that you have been speaking to
25 about that, about that gap.

3 COMMISSIONER BITTA MOSTOFI: Yeah so like
4 I said predating Local Law 30 we started to bring
5 agencies together at DOE was at that table and has
6 continued to be at that table and in conversations
7 with us about this work. They are certainly one of
8 the agencies because they have had the breath of
9 experience that they do that have shared with other
10 agencies and with us how best practices around this
11 work. So. You know from a sort of share kind of
12 collegial responsiveness to us I would say DOE is
13 doing that. Uhm and they've, we've done nothing
14 short of being responsive to our concerns around
15 these issues. I think uh it is helpful to hear the
16 specific questions so that we can be even more direct
17 and targeted in what we are trying to address. Uhm
18 but they have always been responsive and certainly
19 Chancellor Carranza has noted a deep commitment to
20 ensuring that he is effectively serving and working
21 with immigrant families.

22 CHAIR CARLOS MENCHACA: Uh okay I want to
23 move out of DOE but I will say that I want to invite
24 MOIA into that conversation around that parent. It's
25 a great case.

COMMISSIONER BITTA MOSTOFI: Yeah.

3 CHAIR CARLOS MENCHACA: For us to solve
4 together.

5 COMMISSIONER BITTA MOSTOFI: Yeah.

6 CHAIR CARLOS MENCHACA: And then I will
7 save the rest for a next set of questions. Thank
8 you.

9 COMMISSIONER BITTA MOSTOFI: Sure thank
10 you.

11 CHAIR CARLOS MENCHACA: So we have a few
12 more questions, feel free to give us the parts as
13 concise version because there are a few that uhm we
14 really need answers for. So the four newly added
15 languages are particularly absent from some
16 implementations which you agree that agencies are
17 required to provide such translation in all of the
18 designated languages?

19 COMMISSIONER BITTA MOSTOFI: Yes.

20 CHAIR CARLOS MENCHACA: Uhm several
21 agencies required by Law have identified LEP
22 populations that heavily use their services but do
23 not speak a language covered under Local Law 30;
24 however some of the agencies do not also detail a
25 plan to ensure that those individuals have any
services any information provided to them in their

3 languages. So I have three questions related to
4 that. Do you believe that is compliant with Local
5 Law 30? Have you established any baseline or
6 standard for which such agencies should be required
7 to provide services or translations in languages
8 heavily representing end of service population? And
9 third, are you reviewing data on agencies service
10 population to identify such communities as well?

11 COMMISSIONER BITTA MOSTOFI: Sure uhm I
12 think as I noted previously I will again be concise,
13 the goal for us is to get everybody at that, at that
14 minimum standard and as I noted with the top 10 which
15 is expanding four languages in a very short amount of
16 time for a lot of agencies or doing this for the
17 first time for many other agencies getting everybody
18 to do that and do that effectively has been the focus
19 of the plans and the goals in the work with the
20 agencies. We have as the law requires and also we
21 have encouraged agencies to do their own report
22 analysis around who they are surveying, what might
23 gaps look like and how might they be able to meet
24 those. I think they are just to be perfectly honest
25 at different levels of their ability to kind of get
to the top 10 effectively and then go beyond it. So

1 while DOT is ready and able to go beyond it so while
2 DOT is ready and able to go beyond it other agencies
3 might not yet neither. What we have encouraged is
4 that the signage be made available for interpretation
5 and that is available well beyond the top 10, right
6 200 languages, also MOIA has often served as an
7 agency where people might come to us right and ask us
8 specific questions, hey should I be doing this
9 translation for this particular uhm issue or what
10 have you? Was it important to this population and we
11 will give sort of feedback and advice on that.
12

13 CHAIR CARLOS MENCHACA: Uhm so now let me
14 uhm just change gears briefly here to regarding
15 outreach to underserved language, underserved
16 language communities. If you could please describe
17 the outreach MOIA has and be conducting for
18 nondesigned language community as required by Law.

19 COMMISSIONER BITTA MOSTOFI: Sure so the
20 way that we've tackled this is largely identifying
21 populations that are not uhm designed or underserved
22 who we haven't frankly robustly engaged as a city
23 across agencies and what we have been doing with this
24 population is working on the ground with community
25 partners uhm who serve the populations by way of

3 example I mentioned the work that we have been doing
4 with the Afghan community and Darian Pashto (SP?) and
5 we have been working closely with Women for Afghan
6 Women around that work. Uhm sort of building out a
7 series of conversations with the community we are
8 providing interpretation or the organization is
9 helping us facilitate the communication,
10 understanding the needs of the population uh that are
11 most pressing and then from those needs building out
12 larger forms for the community that have the live
13 interpretation and have materials present that are
14 translated in the documents that were most requested
15 or the information that was most requested. So
16 that's been the way that we have been approaching it,
17 largely to not just try to just hit every community
18 but to sort of like really dive deeply and be
19 responsive in an effective way and then from those
20 forums we do, we continue to do follow up. The
21 agencies are a part of on the key issues so sometimes
22 that entails the translation of a document for
23 example, for that one IDNYC was a big thing we
24 actually hadn't translated our applications into the
25 languages that we did for the first time as a part of

3 this process. So that is kind of work that we will
4 continue to do.

5 CHAIR CARLOS MENCHACA: And you have the
6 staff capacity to expand?

7 COMMISSIONER BITTA MOSTOFI: Uhm so we
8 will continue to monitor sort of what our needs are
9 in this respect but this is the focus of what we have
10 been doing.

11 CHAIR CARLOS MENCHACA: Okay cause it
12 sounds like a tremendous amount of work uhm to
13 accomplish that. Uhm MOIA conducted the first ever
14 Afghan Town Hall in Pashto and Dari. What resulted
15 uhm from that Town Hall, were any services, programs
16 or documents identified as being critical uhm to
17 those communities. Were any additional services or
18 documents now be available in either language?

19 COMMISSIONER BITTA MOSTOFI: So uh I can
20 see generally I mentioned the IDNYC one additional I
21 belief for that that one a big one was housing needs
22 uhm and kind of public assistance access that we
23 brought in partners to those conversations who have
24 remained uhm working with the community organization
25 and taking the individual community needs for follow
up.

3 CHAIR CARLOS MENCHACA: Along those
4 lines, what other measureable outcomes have resulted
5 from town halls or outreach conducted by MOIA?

6 COMMISSIONER BITTA MOSTOFI: Uhm so
7 measurable outcomes I cannot speak right now to
8 individual cases that we were, that we addressed or
9 were responsive to. Uhm the really the town hall
10 itself is the outcome to be perfectly honest so as I
11 said there is a series of engagements that we do that
12 lead up to that where we brought the agencies that
13 speak to the issues that the community has raised to
14 us as central to their needs. So I would say two
15 fold. Sometimes it is resulted in document
16 translation, sometimes it is resulted in individual
17 case assistance, in all cases it has resulted in some
18 of the rights sharing in the language that the
19 community speaks.

20 CHAIR CARLOS MENCHACA: Last question
21 before I turn it over to my co-Chair, has MOIA
22 developed plans on how agencies should adapt when the
23 list of designed citywide languages changes as city
24 demographics shift.

25 COMMISSIONER BITTA MOSTOFI: Good
questions, uhm so as the Law requires we are to do an

1 analysis every three years of, of the designed
2 languages. We have not thought about sort of in
3 three years from now what that will look like in
4 terms of shifts. I would saw part of what will
5 inform that for us is how people have implemented
6 this year's Laws and what challenges there were in
7 doing that implementation and where the gaps are. I
8 would imagine just based on migration patterns that
9 you will not see dramatic changes so it will be less
10 of a lift for agencies, maybe one or two language
11 changes but probably not beyond that. So arguably
12 our hope is that because they have already gotten
13 accustomed to doing the translation in maybe one of
14 the languages if it switches they will keep doing
15 that and just add another but that's part of the goal
16 too right is institutionalizing the way that you do
17 Language Services Work and Access and making it so
18 that it is just a part of the daily thinking of
19 operations.
20

21 CHAIR CARLOS MENCHACA: I'm curious what
22 demographics data do you rely upon to make this
23 decision? Is there a particular city wide, is it
24 Federal, State?
25

3 COMMISSIONER BITTA MOSTOFI: Sure this
4 was part of uhm, uhm a conversation with Council as
5 we were looking at the establishment of Local Law 30.
6 The city has traditionally relied on census data to
7 determine the top 10 languages, what we wanted to be
8 able to do is in going beyond the 6, look at data
9 that changes more frequently. Uhm what we decided to
10 do was actually look at DOE data as a result of that
11 so in looking at the 4 additional languages, the
12 Department of Education actually collects you know
13 over 1 million households, the preferred languages
14 and that is ever changing uhm from a year to year
15 basis so it is the most kind of up to date handle of
16 data that we can look at whereas census as you know
17 is every 10 years. So that's been the thinking of
18 why we married the two.

19 CHAIR CARLOS MENCHACA: Okay thank you so
20 much. I will turn it over now to my co-Chair.

21 CHAIR FERNANDO CABRERA: Thank you co-
22 Chair and uhm I have some questions around Chinese
23 Language Access, DYCD and ACS. We will start with
24 Chinese Language Access. The Language Access Plans
25 that were reviewed by the staff, across, across the
board varies significantly.

COMMISSIONER BITTA MOSTOFI: Uh-huh.

CHAIR FERNANDO CABRERA: And I know you spoke a lot to the getting everyone to the base foundation and then and then moving up. Uhm in their agenc... in these agency approaches they do offer some Chinese Language support this is especially concerning though as Chinese is the umbrella term for multiple dialects. You have Mandarin, Cantonese, Fujinese, etc. and then you have two different written scripts. The simplified and traditional. In my, in my district you have uhm so many different probably all of these are significant in the community and even from one district office uhm with limited resources it is a difficult thing so this is what we deal with on a daily basis when we think about participatory budgeting and maintaining our, our commitment to that really powerful uhm initiative what guidance has MOIA provided to agencies regarding Chinese language, provisions uhm for the different languages and uhm written uhm what have you provided?

COMMISSIONER BITTA MOSTOFI: So we have provided guidance on this that we have not made it mandatory to date which is something that we are thinking about uhm the guidance.

3 CHAIR FERNANDO CABRERA: So repeat, repeat
4 that again you have.

5 COMMISSIONER BITTA MOSTOFI: We have
6 provided guidance but not you must do.

7 CHAIR FERNANDO CABRERA: Oh I see just
8 guidance.

9 COMMISSIONER BITTA MOSTOFI: Yes so uhm
10 based on research that we have done, uhm
11 conversations with communities and others we believe
12 that the best practice is in terms of translation,
13 simplified Chinese. Uhm and we.

14 CHAIR FERNANDO CABRERA: How did you come
15 up with that?

16 COMMISSIONER BITTA MOSTOFI: Based on,
17 honestly a lot of research, looking at migration
18 patterns uhm looking at, uhm speaking directly to
19 community based organizations and kind of
20 understanding but what we were gathering or
21 gardening for the research and the data was
22 accurate to the experiences of communities on the
23 ground, uhm making simplified Chinese the
24 recommendation, uhm the best practice that we have
25 given uhm agencies and that's what we do. Uhm in
terms of interpretation that is available in in the

3 different uhm from Mandarin to Cantonese to
4 Portuguese and others through the telephonic
5 interpretation uhm so that shouldn't be a limitation
6 uhm some agencies spend specifically the different
7 realm social services in doing their own kind of fore
8 factor analysis know it's valuable for us to do both
9 simplified and traditional Chinese so they are doing
10 both uhm and so I think that's an ongoing thing to be
11 looking at and understanding what makes sense, kind
12 of overarching me and then what should be added.

13 CHAIR FERNANDO CABRERA: And what is
14 preventing you from moving from guidance to kind of
15 regs through, through the process, that you've,
16 you've taken on for MOIA for other agencies.

17 COMMISSIONER BITTA MOSTOFI: Uhm mostly I
18 think it is that most of the agencies are doing what
19 we have recommended is the best practice.

20 CHAIR FERNANDO CABRERA: And do have
21 that. And I don't remember that being one of the
22 things in the report that showed that kind of, again
23 they varied, they clearly varied, there are still
24 some gaps and maybe the updated, uhm analysis that we
25 just got today will kind of show us getting there but
if you were able to kind of grade in general across

1 the board are people, are most people needing that
2 guidance that you have given them?
3

4 COMMISSIONER BITTA MOSTOFI: Uhm I can't,
5 I don't remember off the top of my head if they are
6 doing that.

7 CHAIR FERNANDO CABRERA: Okay.

8 COMMISSIONER BITTA MOSTOFI: If they are
9 doing that. I think we will also see from the
10 reporting period what they ended up doing but I think
11 in terms of when we say Chinese translation we mean
12 simplified Chinese, that is something for us to think
13 about in moving forward.

14 CHAIR FERNANDO CABRERA: Okay. Are you
15 working with other municipalities to get best
16 practices to get best practices from them and if you
17 are which ones.

18 COMMISSIONER BITTA MOSTOFI: Uhm on
19 Language Access specifically we have worked with
20 other municipalities, I'm trying to jog my memory on
21 whether or not, not to uhm you know through sister.

22 CHAIR FERNANDO CABRERA: Yes we are the
23 best.

24 COMMISSIONER BITTA MOSTOFI: Under the
25 bus.

3 CHAIR FERNANDO CABRERA: We are the best.

4 COMMISSIONER BITTA MOSTOFI: (laughing).

5 CHAIR FERNANDO CABRERA: I know that, the
6 second best though right and that's allowed.

7 COMMISSIONER BITTA MOSTOFI: We are often
8 doing just determine this amount more than cities
9 across the country. We have engaged uhm some cities
10 just to understand what they are doing, including
11 Boston, Phili and San Francisco uhm who do this work.
12 We actually had a convening through our coalition for
13 action maybe earlier this year and one of the
14 conversations was around uhm starting Offices of
15 Immigrant Affairs and Language Access being at the
16 core of our recommendation for what people should be
17 thinking about in that work.

18 CHAIR FERNANDO CABRERA: Wonderful. It
19 is really exciting that we can kind of share that
20 with other cities. Uhm and then finally the Chinese
21 Language Access uhm questions are you aware of any
22 major complaints from agencies or from people uhm
23 with unfulfilled requests for translation around
24 Chinese and just really kind of thinking about
25 individuals in our service community or being

3 serviced by our agencies. Are you aware of any big
4 major complaints?

5 COMMISSIONER BITTA MOSTOFI: I'm not, I
6 made note that there are a couple of organizations
7 here to testify so we will be sure to grab their
8 testimonies to see if there is something that we
9 haven't missed.

10 CHAIR FERNANDO CABRERA: Okay. Awesome.
11 Let's move over to the DYCD Language Access question.
12 At a joint hearing that we had, uhm both the
13 Immigration and Youth Service Committee on September
14 17 of this year, DYCD said that they were not
15 considered a covered agency under Local Law 30
16 because most of their services are provided through
17 contracted entities; however, DYCD does provide at
18 least one direct public service through its Youth
19 Connect Hotline just as 3-1-1s phone line is covered
20 by this Law would you agree that DYCD should also be
21 covered? Even if it just the Youth Connect Hotline?

22 COMMISSIONER BITTA MOSTOFI: Uhm so yes
23 on that front.

24 CHAIR FERNANDO CABRERA: Okay.

25 COMMISSIONER BITTA MOSTOFI: Uhm so we
have talked to DYCD uhm they have talked to us about

3 what their plans are in this regard. They have
4 designated a Language Access Coordinator. They are
5 working on a plan uhm for themselves. They will be
6 joining our conversations and convenings on Youth
7 Connect. They actually have telephonic
8 interpretation contract in place uhm and they have
9 uhm translated their materials or working on that in
10 the 10 languages.

11 CHAIR FERNANDO CABRERA: Okay so it
12 sounds like they are trying to comply as much as they
13 can?

14 COMMISSIONER BITTA MOSTOFI: Yes.

15 CHAIR FERNANDO CABRERA: Okay and great
16 and that will probably be part of the report that is
17 coming as well I'm assuming?

18 COMMISSIONER BITTA MOSTOFI: I'm sorry?

19 CHAIR FERNANDO CABRERA: Would that be,
20 would that be inserted into the report, the updated
21 report that we are getting? Do you know if that's in
22 there?

23 COMMISSIONER BITTA MOSTOFI: The.

24 CHAIR FERNANDO CABRERA: The DYCD?

25 COMMISSIONER BITTA MOSTOFI: Yeah it's
not in the...

3 ANNE MONTESANO: Updated report that you
4 received, that you received.

5 CHAIR FERNANDO CABRERA: Okay.

6 ANNE MONTESANO: But they are working on
7 the plan to incorporate and add it.

8 CHAIR FERNANDO CABRERA: Got it so we
9 will be expecting it. Great. ASC has 193 complaints
10 according to the report you all just submitted or not
11 just but before was submitted. This number stood out
12 significantly to us. Could you tell us a little bit
13 about any of the commonalities that come out of those
14 complaints and how you are working with ASC to
15 improve their Language Access Services?

16 COMMISSIONER BITTA MOSTOFI: Yeah I was
17 just conferring with Anne, I don't think we know the
18 specifics of commonalities amongst those complaints.

19 CHAIR FERNANDO CABRERA: Okay well we
20 want to work with you to.

21 COMMISSIONER BITTA MOSTOFI: Sure.

22 CHAIR FERNANDO CABRERA: Cause I think we
23 we saw that as a, as a red flag at that number uhm
24 and we know that complaints like this when comes out
25 it really represents a larger number that might not
have ever gotten there uhm in the first place.

3 COMMISSIONER BITTA MOSTOFI: Uh-huh.

4 CHAIR FERNANDO CABRERA: And uhm Council
5 Gjonaj and Council Member Holden have questions. uhm
6 Council Member Holden first.

7 ROBERT HOLDEN: Yes thank you for
8 Commissioner for the testimony. I just want to uhm
9 whose checking the translation of some months back I
10 walked into the translator just so happen to be with
11 him in a Department of Buildings in Queens and there
12 pamphlets piled on the desk, many languages, he
13 looked at the Chinese pamphlet and said this is
14 totally wrong it doesn't make sense. Uhm it was
15 misleading actually. Does somebody because he
16 pointed it out to the DOB and said you shouldn't give
17 these out. Uhm he does this professionally he does
18 this uhm for a living, so who, who checks the
19 translations? For agencies?

20 COMMISSIONER BITTA MOSTOFI: Sir thank
21 you for the question and I think this is one area of
22 ongoing challenge that we are looking to try and
23 improve and the first, a couple of things is we
24 believe part of why the translations don't always
25 come out as effectively and as accurately as we would
like them to is because of the way that agencies are

3 working with the vendors. Uhm part of that is what
4 they are giving the vendor to translate, is it really
5 in as much plain language as possible to avoid
6 confusion around the nuance and the intention of the,
7 of the document. And uhm how to talk to the agency
8 about what you are looking for, etc. We are as I
9 said in November bringing that agencies together for
10 another convening. This is exactly the focus of that
11 because it has been an ongoing issue. Uhm and
12 additional way we are trying to address this is uhm
13 through frankly piloting a best practice so we for
14 the first time this year entered a contract with a
15 third vendor. Uhm that we are giving our translated
16 documents to for a third party review. In the
17 absence of that contract we recommended that agencies
18 can use the volunteer language bank as well for a
19 third party review but these are some of the ways
20 that we are trying to address it and recognize that
21 it is an ongoing area of work.

22 ROBERT HOLDEN: Yeah just seem a
23 tremendous waste when you see thousands of pamphlets
24 and they are wrong. And they and he said don't give
25 these out because they are totally misleading. Uhm
the second thing I have a large Albanian population.

3 COMMISSIONER BITTA MOSTOFI: Uh-huh.

4 ROBERT HOLDEN: Uhm in my, in my district
5 and I think we need more communication there. If I
6 if I speak to your office and we need some special
7 communications in a certain area whether it be
8 housing, you could actually get some things printed
9 possibly or at least?

10 COMMISSIONER BITTA MOSTOFI: We could
11 certainly try yes.

12 ROBERT HOLDEN: Yes because we do have to
13 do some outreach I know.

14 COMMISSIONER BITTA MOSTOFI: Yeah.

15 ROBERT HOLDEN: Councilman Gjonaj wanted
16 to say something for that too but we need, we do need
17 more outreach in the communities and working with the
18 Council Members if we could identify certain
19 populations that are in need.

20 COMMISSIONER BITTA MOSTOFI: We'd love to
21 do that.

22 ROBERT HOLDEN: Thank you so much for.

23 COMMISSIONER BITTA MOSTOFI: Thank you.

24 ROBERT HOLDEN: Thanks.
25

3 CHAIR FERNANDO CABRERA: Council Member
4 Yeger? Gjonaj you are next sorry. You are all over
5 there.

6 MARK GJONAJ: The other Albanian.

7 CHAIR FERNANDO CABRERA: You are not the
8 same.

9 MARK GJONAJ: Thank you Chair uhm and
10 just to piggyback on Councilman's questioning, I know
11 that you are targeting neighborhoods and communities
12 where you are trying to get a better understanding of
13 the needs of the various.

14 COMMISSIONER BITTA MOSTOFI: Uh-huh.

15 MARK GJONAJ: Adversities. Clearly you
16 can see the difference between DOT and DOJ and the
17 assessments that are made on their need to go further
18 than the 10 recognized languages. What is it that
19 you are doing that can be improved upon as we target
20 these ethnic neighborhoods? Which will continue to
21 expand and it is not too difficult to understand why.

22 COMMISSIONER BITTA MOSTOFI: Sure.

23 MARK GJONAJ: Uhm but as they immigrate
24 here obviously they will immigrate to a region where
25 they can speak their own native language and have
26 others that share their same culture and history so

1 that they can fit in. What more can be done by your
2 agency?
3

4 COMMISSIONER BITTA MOSTOFI: Uhm so thank
5 you for the question. So some of the, some of the
6 communities that we have been looking at being, doing
7 some of that deeper dive into are because people are
8 coming to us and sort of identifying the need and
9 some of it is from us looking at where there is
10 growth in communities and language and the diversity
11 needs. Uhm and some of it is kind of responsive as
12 we know just sort of a girth of information and
13 materials getting to them in their languages. Uhm so
14 we love, we love to hear sort of where there are gaps
15 that maybe we have not yet addressed so that we can
16 think about with you. One of the things that some of
17 the programs have done, not necessarily an agency
18 wide best practice but a program best practice has
19 been creating brochures that while they might be in a
20 particular language or in certain languages have
21 mention in more languages the ability to get
22 information in their language by calling X number or
23 visiting the location uhm so those kinds of
24 expansions are things that we think are best
25 practices that we want organizations, agencies to

1 work on. Additionally if there is a particular
2 document or area where you see this is you know this
3 is what we are constantly hearing is a gap or an area
4 where there is gaps, we can certainly work with the
5 agencies to make sure that we are meeting that. I
6 think that we are mindful of as I said how we are
7 best, how quickly we are asking the agencies to go in
8 terms of the translation but certainly if we can be
9 narrow and specific on where it makes sense to go
10 beyond that that reflects what they are seeing in
11 terms of their service delivery. There is good,
12 there is good opportunity there to build on the work.

14 MARK GJONAJ: That's a good, that's a
15 good deal but why aren't we focusing on a real micro
16 level like the community boards for example, they can
17 be very helpful in finding the neighborhoods and the
18 various ethnicities and the pockets that exist?

19 COMMISSIONER BITTA MOSTOFI: Oh I mean we
20 do that work through our own data analysis so we
21 definitively have a sense of where we, where we need
22 to be and uhm what languages people speak through our
23 own work. I think as I noted what you are talking
24 about is sort of individual questions that are coming
25 to you in terms of needs and maybe community boards

3 are another good place to go to for those, for that
4 awareness but we often work with community based
5 organizations that serve the populations to make sure
6 that we are hearing kind of what are the, what are
7 the continuous questions or concerns that their
8 communities are facing so we will welcome ideas and
9 community boards are one that we can follow up upon.

10 MARK GJONAJ: But we took the approach of
11 using the feedback from community boards that will
12 determine or more specific the side of the
13 ethnicities in a particular neighborhood where you
14 can be more aggressive instead of waiting for some of
15 the ethnic... some of these ethnic groups don't even
16 have recognized organizations.

17 COMMISSIONER BITTA MOSTOFI: Uh-huh
18 that's right.

19 MARK GJONAJ: So when you are saying that
20 we rely on these ethnic organizations to provide us
21 the information, well they may not even have an
22 organization that represents them or they are so
23 widespread that it is difficult to represent there or
24 bring them together, bring their needs to our
25 attention.

3 COMMISSIONER BITTA MOSTOFI: I think
4 that's right. The one thing that I would say is that
5 even in groups that don't have established
6 organizations for example, the Uzbek community we
7 there are established leaders or mosques that they go
8 to or so forth and they are who we have approached to
9 say hi, hey we are interested in in working with this
10 community and helping to address some of their
11 concerns or bring agencies and services to them and
12 if it's not an established organization we have
13 worked to identify a leadership within the community
14 and then convene them.

15 MARK GJONAJ: I'm sorry you I believe you
16 used an example here of we had an Afghani Town Hall
17 last year.

18 COMMISSIONER BITTA MOSTOFI: Uh-huh.

19 MARK GJONAJ: Right which lead to
20 participation of over 200 members that brought to
21 your attention specific needs. What transpired that
22 Afghani Town Hall?

23 COMMISSIONER BITTA MOSTOFI: What, what
24 brought that to fruition? Uhm work that we had
25 started to do uhm with that community in Queens,
basically as part of the work that we do at MOIA in

1 trying to ensure that we are uhm speaking to
2 communities across the city. Uhm so in that instance
3 it was working with particular organizations so Women
4 for Afghan Women being one of them who we had started
5 to work with and uhm and who as they brought issues
6 to use you know we note that this seems like a bigger
7 a larger, there is a larger need here to bring
8 agencies to the community and that's what lead us to
9 that. It's been different in different uh situations
10 so for uhm uhm as I said Uzbek is actually a good
11 example. Nobody came to us. There was not an
12 established organization, we met with Uzbek leaders
13 that had been identified and began conversations and
14 then continued to build on that work towards doing
15 engagements with them. There is no community center
16 or organization but the mosque where many go to and
17 so forth.

19 MARK GJONAJ: Okay so I'm going to
20 introduce myself, Councilman Mark Gjonaj the only
21 Albanian elected in the State of New York. I need
22 your help. We have an Albanian community that is
23 completely underserved and off the radar uhm that is
24 having a very difficult time navigating through the
25 different agencies and departments within the city.

3 There is a real need there and uhm there are many
4 other ethnicities that are going through the same
5 issues. So I am looking forward to working with you
6 on this and many other issues.

7 COMMISSIONER BITTA MOSTOFI: Thank you

8 CHAIR FERNANDO CABRERA: Thank you

9 Council Member Gjonaj. We have two quick follow up
10 on DYCD questions and then we want to hear from the
11 advocates as well. Thank you so much for your
12 patience. We want to hear your voice as well and
13 I'm, we are expecting that MOIA staff will be here as
14 well. Okay so earlier you testified at the very
15 beginning about the compliance for Local Law 30 and
16 we found a gap in the DYCDPs so that is on its way
17 which is not right now currently covered and so we
18 want to find out if there are other agencies that
19 should be covered even if most of their services
20 might not be covered by Law. And will you commit to
21 a review to identify such agencies?

22 COMMISSIONER BITTA MOSTOFI: Sure.

23 CHAIR FERNANDO CABRERA: Okay, easy.

24 Thank you. Do you believe that it would be
25 beneficial to extend our Language Access requirements
to entities who provide direct public services paid

3 for by the City of New York pursuant to a contract
4 with the City agency?

5 COMMISSIONER BITTA MOSTOFI: Uhm so we
6 are certainly open to conversations about that. I
7 think that uhm I would say that for awareness that
8 the HRA already does this in many respects pursuant
9 to Executive Order 70 Local Law 73, not Executive
10 Order 73, I think this is uhm you know uhm a place of
11 conversation. I would also just note be it obvious a
12 place of resources.

13 CHAIR FERNANDO CABRERA: And I love that
14 question about resources you know and so I am hoping
15 that we can, can anticipate that as we move forward
16 and ask for those resources. Because that's what we
17 do. We approve the budget. We all present it, you
18 are the Mayor's Office you present it and so we would
19 like to see some of this anticipated addressed so
20 that we can be so happy to say yes, got it. Thank
21 you.

22 COMMISSIONER BITTA MOSTOFI: Thank you.

23 CHAIR FERNANDO CABRERA: Okay. Thank you
24 for coming and testify. Oh wait, hold on. Hold for
25 two seconds. Okay I think we are good. Thank you so
much. Okay and with that we will have uhm and thank

1 you Commissioner, thank you so much again (SPEAKING
2 SPANISH). With that we have our next panel and we
3 want to thank this next panel because they were
4 instrumented and they provided leadership in shaping
5 Local Law 30 and so will ask Persephone Tan from the
6 Asian American Federation, Mokmuna Diaya (SP?) from
7 African Communities Together, Betsy Plum for New York
8 Immigration Coalition, Sabrina Gellow (SP?) from CAV
9 and Sylvia Sickday (SP?) from India **(INAUDIBLE)**. And
10 you can begin as soon as you are ready.
11

12 PERSEPHONE TAN: Thank you Chair Menchaca
13 and Chair Cabrera and the Committees on Governmental
14 Operations and Immigration for convening this hearing
15 today. I am Persephone Tan Associate Director of
16 Immigration and Policy at the Asian American
17 Federation. First we thank the City Council for
18 passing this Law last year and to continue working
19 with MOIA and other city agencies to protect the
20 rights of immigrant and limited English proficient
21 New Yorkers. In December of 2016, the Federation
22 joined the New York Immigration Coalition and African
23 Communities together to advocate for an updated
24 citywide Language Access policy. As leadership
25 organizations for African, Asian and all immigrant

1 New Yorkers we understand that our language needs of
2 our various diverse communities. Through our members
3 and partners we recognize the urgency in security
4 language accessibility so that New York's most
5 vulnerable populations are able to access public
6 services. For the Asian Immigrant Community the
7 Department of Education tracks 55 languages across
8 more than 20 Asian Ethnic groups. The solidarity
9 shown across our three organizations prompted the New
10 York City Council to unanimously approve an
11 additional four languages to include Arabic, French,
12 Polish and Urdu which it will be in part support the
13 growing African, Arab, and Pakistani immigrant
14 populations. This collective advocacy demonstrates
15 our continued commitment in ensuring that the City
16 can meet the demands of its ever changing
17 demographics. After reviewing MOIAs report published
18 in June 2018, we want to raise four concerns. One,
19 there is no clarity or uniformity of which form of
20 Chinese should be used between simplified Chinese
21 versus traditional Chinese for written and printed
22 material. It is important to identify dialects as
23 well because not only in Chinese but not everyone is
24 literate and may not have the ability to read written
25

1 forms in their language so we recommend that city
2 agencies should identify which Chinese scripts and
3 dialects are used most often for the people that they
4 serve, hard data on script preferences would be
5 necessary to determine which should be used. Two,
6 according to the report, the Department of Health and
7 Mental Hygiene does not have a standardized system of
8 collecting and tracking a client's primary or
9 preferred language. We recommend that the DOHMH
10 should standardize a system or utilize processes that
11 other city agencies put into place in order to
12 identify client's primary preferred language use for
13 example, ACS and HRA both use language cards to
14 identify and track this. DIFTA uses another system
15 to track preferred language when they send mail or
16 emails to clients. MOIA should regularly evaluate
17 those practices as seen from agency implementation
18 plans across the board. If this is not already put
19 into place we recommend that MOIA develops a plan to
20 regularly assess and implement this with the Local
21 Law 30 corresponding city agencies. Three, we want
22 to know what is the criteria or parameters in which
23 MOIA will hold agencies accountable for not providing
24 proficient language access to individual seeking
25

1 assistance. What is the accountability mechanism
2 between MOIA and the City Agencies. We recommend
3 transparency in MOIAs Corrective Action Plan to
4 address noncompliance from city agencies who fail to
5 provide adequate and proper language interpretation
6 and translation services, sufficient funding and
7 resources are necessary to implement their language
8 asset plans. Lastly we are concerned that the 3-1-1
9 reporting system for Language Access complaints is
10 underutilized. As evidenced by the fact that within
11 the first year of Local Law 30 was in effect there
12 were limited to no complaints made for each agency as
13 stated on the report. Based on anecdotal information
14 from our member agencies we know that there are many
15 unreported examples of unmet Language Access needs
16 and that the community is unaware of or is unwilling
17 to use a core reporting mechanism through 3-1-1. In
18 this case, we recommend that there should be more
19 outreach to the community to build awareness of
20 availability of Language Assistance and inform people
21 how to register their needs through 3-1-1. We all
22 know that limited English proficient communities may
23 not be utilizing or know how to call 3-1-1. This
24 also exists, there also exist previous experiences of
25

3 individuals who were unable to reach someone who
4 spoke their language when using 3-1-1. And as an
5 example from one of our member orgs. Uhm a Japanese
6 CBO mentions and I will just read from their
7 testimony. They are not there today but I just want
8 to indicate one example uhm one client visited a
9 government agency to apply for public benefits and
10 requested for an interpreter for Japanese. Then the
11 staff at the agency called a Mandarin speaking
12 interpreter. So that is just only one of many
13 examples that exist in which my uhm colleagues on
14 this panel will mention as well and as the City
15 continues to address the ongoing concerns with
16 Language Access such as the ones I just mentioned,
17 uhm we look forward to working with the City Council,
18 MOIA and other city agencies to address Language
19 Access needs for New Yorkers. Thank you.

20 CHAIR FERNANDO CABRERA: Thank you and I
21 quick thing about the panel so we can move the panel
22 forward if there are things that we can focus on that
23 have not been uhm we want to get some specific
24 concepts so that we can send, spend some time on Q
25 and A as well. Thank you.

3 MOKMUNA DIAYA (SP?): Good afternoon
4 members of the Committee on Governmental Operations
5 and the Committee of Immigration and Council Members,
6 my name is Mokmuna Diaya (SP?) a program at African
7 Communities Together (ACT). At ACT I lead our
8 Community Interpreter Program and supervise the
9 development of uhm African and supervise the
10 development of Language Services Worker Cooperative
11 so ACT is an organization of African Immigrants which
12 empowers our community members and a grade socially
13 to get ahead economically and engage physically. On
14 behalf of ACT I would like to applaud the city's
15 major accomplishment of Local Law 30 of 2017. First
16 in recognizing that New York is one of the most
17 diverse cities in the country and much of its
18 population speaks language other than English and
19 second in explaining the Language Access to French
20 and Arabic and in providing enforcement provisions in
21 the new Law many of the communities that we serve at
22 ACT are west African immigrants who speak in addition
23 to their native languages French so this Language
24 Access Expansion means that now that 2000 more
25 African can access services in uhm in the city in
French. Although the Local Law 30 is a great start

3 to Language Access it does not cover all African
4 immigrants. As you may know, many Africans who are
5 from foreign countries can communicate most
6 effectively in their native languages instead of
7 French. This is because uhm French is widely spoken
8 by Africans who have access to higher education.
9 With the increase of African immigrants from coming
10 from different economic and educational background in
11 New York City we are faced with two major concerns
12 that the Local Law 30 Bill did not address. So the
13 first one being uhm the challenging of that our
14 community members face in finding interpreters in
15 African languages other than French in city agencies
16 and our office often receives call from our new
17 immigrant community members who are unable to access
18 city services because they were not able to
19 communicate with the city agencies. Uhm and I will
20 give you an example of a person who came from Mali
21 and she didn't have access to education so she called
22 one of our staff members to communicate with her in
23 uhm she went to the HR office after she was going to
24 SIE to get benefits where she wasn't able to
25 communicate and no one was there to assist her. Uhm
so she decided to call a staff member in our office

3 who speaks Mandingo uhm to communicate so that she
4 was "able to access services." So a number of and
5 that is just one case out of many and so a number of
6 our staff will receive calls asking about
7 interpretations and so the second one is inadequacy
8 in telephonic interpretation and is inferiority in
9 building connection and trust between the interpreter
10 and the client and also uhm especially in sensitive
11 issues like health and domestic violence and the
12 other one is in its quality and availability for
13 language use, we have regional variations like
14 Mandingo just like Persephone mentioned just now for
15 the, the Chinese language. So I'm here on behalf of
16 my community to ask the city to hire in key offices
17 bilingual front line staff who can serve as
18 navigators and facilitators in accessing languages
19 that the client speak and in connecting them with the
20 right interpreter. The second one is to consider
21 investing in the community legal interpreter bank, a
22 monitor the District of Columbia has successfully
23 used uh which consists of a group of professional
24 interpreters and translators who are occluded and
25 trying to provide language access services free of
cost to qualified nonprofit organizations that serve

3 low income individuals. We advised the city to
4 consider emulating this model of Language Services.
5 Language Access. So ACT is in the process of
6 incubating an African Language Services Worker
7 Cooperative which would be a worker run agency that
8 provides in person interpretation, translation, uhm
9 language instruction in African in both African
10 languages and ESL for new immigrants. So the City
11 Council has invested in worker own cooperative and
12 ACT Asian American Federation and New York
13 Immigration coalition believe that the city should
14 support Language Services Cooperative development.
15 In that Language Services Coop can meet two of the
16 city goals uhm which consist of Language Access and
17 Economic Development. So the community based
18 Language Services Workers Coop can work in a
19 complimentary fashion by building the supply of
20 interpreters and language use limited diffusion
21 including many African Asian Indians lacking American
22 languages. We again felt solute the city's effort in
23 recognizing effective language access the cornerstone
24 of equity in this beautiful and diverse city that we
25 live in but we call all of you to remember that
fairness is not existent if some people are left out.

3 In this case, we have to extend Language Services to
4 the people to the people who do not speak the 10
5 designated citywide languages. Thank you for your
6 valuable time and consideration in implementing our
7 recommendations. Thank you.

8 BETSY PLUM: Good afternoon and thank you
9 to the Government Operations Committee and the
10 Immigration Committee for convening today's hearing
11 and to the entire City Council for your continued
12 leadership on behalf of New York City's Immigrant
13 Communities. My name is Betsy Plum and I am the Vice
14 President of Policy at the New York Immigration
15 Coalition. The NYC was proud to partner with our New
16 York City members last year to push for the passage
17 of Local Law 30. Local Law 30's codification and
18 expansion of the city's language access protections
19 has ensured that our diverse communities can come
20 closer to language equity while having greater access
21 to the city's vital services. Today we want to use
22 the opportunity to underscore the need to see Local
23 Law 30 as just the start to our city's robust
24 response to language access needs and offer ways that
25 the City Council and Mayor de Blasio's Administration
can better support immigrant New Yorkers, navigate

1 our City and its services. A need that is all the
2 more vital given the hate the hostility that is
3 transmitting from our Federal Government. In our
4 City, three out of every five residents are an
5 immigrant or the child of an immigrant and nearly one
6 out of every four immigrants is limited English
7 proficient. Offering immigrants and their families
8 the tools that they need to meaningfully navigate our
9 City is vital. Increasing the number of languages to
10 10 that city agencies must translate their most
11 commonly distributed documents into was a critical
12 step forward. However, we live in a city where more
13 than 176 languages are spoken in our schools, where
14 Queens is home to more than 138 language speakers and
15 where an estimated over 800 languages are spoken. I
16 think we can all agree 10 mandated languages by city
17 Law should only be the beginning. There are also
18 unique concerns that we have the standing
19 implementation of Local Law 30. Much of this has
20 been mentioned by my colleagues but I want to
21 underscore that there are numerous distinct dialects
22 and regional variations even within the top 10
23 languages. Similarly as mentioned for a language
24 like Chinese beyond distinct dialects there are
25

1 different ways to write the language. The city has
2 enacted a number of measures to gather and maintain
3 stronger data on users of city agencies and it would
4 be extremely helpful to use the data to understand
5 which versions, dialects or variations of a language
6 both written and spoken are most necessary,
7 understanding that this may vary in different parts
8 of the city and for different agencies. Moreover if
9 the data does not tell us these things, we need to be
10 developing improved data gathering tools and methods.
11 We are also concerned with the current mechanisms for
12 reporting complaints or violations to the city's
13 Language Access Protections and the ripple effect
14 that this then has for ensuring agencies are being
15 held accountable and Local Law 30 is being enforced.
16 To date, advocates have been instructed that 3-1-1 is
17 the best way to register complaints; however, there
18 is little if any visible effort to outreach about
19 using 3-1-1 for this purpose or on what 3-1-1 is
20 entirely or when and why to use it. More so, if
21 someone is seeking to report a complaint about a
22 Language Access Service provided or the quality of
23 services it is very unlikely that they will see
24 calling a city hotline as a meaningful remedy. This
25

1 is all the more true when individuals do try to call
2 3-1-1 and these are all based off of real examples,
3 only to be met with the same language access
4 roadblocks that they are calling to complain about.
5 We welcome the opportunity to think through how to
6 create more community friendly ways to register
7 complaints and how to make 3-1-1 a truly inclusive
8 tool for all New Yorkers. As we look toward true
9 structural improvement and how our city engages with
10 Language Access I want to mention two longer term
11 investments that we would encourage City Council to
12 consider. The first is what Mokmuna (SP?) mentioned
13 around funding worker lead language cooperatives and
14 interpreter banks. These are cooperatives that could
15 actually meet the demand of languages spoken
16 regularly in New York City outside the 10 covered by
17 Local Law 30 including the many African Asian and
18 indigenous native languages that are not included in
19 the Law and that we see agencies needing to provide
20 services in. We have seen these models work in
21 cities like Washington DC and they are able to offer
22 individuals the most culturally and linguistically
23 fluent interpretation in language access possible.
24 My second recommendation would be to fund a true
25

3 investment in English language instruction designed
4 for immigrants with the outcomes that are most
5 relevant for their experience, the lives and their
6 integration. Currently English for speakers of other
7 languages, ESOL programs are supported by the City's
8 Adult Education System which receives funding from
9 the local, state and Federal level but the system has
10 been chronically underfunded and is increasingly
11 shipped to requiring ownerist, career and college
12 readiness standards with the greatest unmet demand in
13 the system for those who speak the lowest levels of
14 English language. Until we as a city take the
15 educational needs of adults seriously, we will
16 continue to need to grapple with the beautiful and
17 diverse immigrant community that cannot meaningfully
18 navigate and contribute to our city simply because of
19 language barriers. We applaud the investments that
20 City Council has made to support English and other
21 adult education programs and encourage a broader
22 investment in this next year to support programming.
23 Really seeing the deep connection between Language
24 Access and Limited English Proficiency and the
25 ability to learn English. For each of these, as well
as the ongoing concerns regarding agency compliance

3 and accountability we look forward to working as
4 stock partners but we really are so proud of New York
5 City for taking the critical steps to support
6 Language Access and are proud to be here today
7 pushing the city to make its best even better.

8 SABRINA GELLAW: I'm not going to lie I'm
9 a bit nervous (laughing) and this would be my first
10 testimony but my name is Sabrina Gellaw (SP?) I am
11 public housing organizer at CAV organizing aging
12 communities. Uhm and we organize on the lower East
13 Side as well Queens New York. Uhm so although Local
14 Law 30 is a great start to implementing language
15 access it doesn't cover all bases. There are more
16 than 400,000 New York, New Yorkers living in public
17 housing developments run by New York City Housing
18 Authority and for them NYCHA is property manager, is
19 landlord and is the super. Uhm NYCHA systems and
20 staffs are the point persons for inter for interface
21 repair issues, rental payments, emergency information
22 and other services. For NYCHA tenants with limited
23 proficiency in English navigating policies,
24 procedures and paperwork associated with their
25 housework can be fought with challenges. Issues of
Language Access have serious implications. Tenants

1 whose rents are raised incorrectly may be taken to
2 housing court for nonpayment of rent because they
3 were unable to communicate with NYCHA to resolve the
4 error. Tenants may be forced to miss work because
5 they have to schedule repeated meetings in attempt to
6 communicate their needs. Victims of domestic
7 violence who are in need of emergent, emergency
8 housing transfers are not able to make that need
9 known. The safety of tenants apartments can be
10 jeopardized by a lack of language access in repair
11 access in repair processes. Crucial housing
12 information such that as emergency protocols uhm may
13 not reach tenants because they are not translated.
14 Lack of language access impacts the day to day
15 experience of tenants and interaction with NYCHA
16 staff and their ability to participate meaningfully
17 in the NYCHA community perpetrating isolation. Uhm
18 in 2008, Mayor Michael Bloomberg signed Executive
19 Order 120 which requires a city agency to ensure
20 meaningful access to direct public services for LEP
21 individuals. While housing authority is not
22 exclusively a city agency NYCHA references Executive
23 Order 120 uhm on their website introducing their
24 Language Assistant Service implementation and it was
25

1 developed in 2009 shortly after it was uhm on the
2 website; however, NYCHAs Customer Contact Center, the
3 CCC line uhm which was previously referred it is
4 meant to provide residents with one central point of
5 contact for their apartment and developed maintenance
6 needs; however, it is not accessible to all our Asian
7 LEP tenants. Many of the tenants have been deterred
8 from calling CCC because they do not think that they
9 can talk to someone in their language and that's
10 becoming an issue. Uhm most of them from Nepal don't
11 get to an interpreter unless they follow through a
12 bunch of steps which are in English so they have no
13 way of understanding or where to go. NYCHA does not
14 proactively provide Language Access Service to LEP
15 tenants during the repair process and even if they
16 have requested it to be done in a different language.
17 Nearly all tenants who have been surveyed were asked
18 to sign a document that they can't read and that's
19 not fair. If you can't read a document you should
20 not sign it uhm and while NYCHA contracts with
21 Language Line a translator vendor to provide
22 interpretation services for the CCC tenants first
23 attempt to navigate a number of steps without
24 translation in order to reach the translator and on
25

1 the next page I provided a graph, a chart that showed
2 what are the top 10 languages in New York City of
3 those spoken at home and in Queens you can see that
4 the top four languages include Spanish, Chinese,
5 Monali, Korean and Russian. Although those are the
6 top 5 it is not implanted in NYCHAs CCC services.
7 Uhm yeah uhm there are also some testimonies from
8 members that we have interacted with uhm and show
9 their experience of like paint lead that has been
10 like coming off and they have had to go to the
11 hospital with their children, uhm but language access
12 issues impact tenants ability to understand crucial
13 housing matters and it can impact their health,
14 safety and stability of their housing and their sense
15 of belonging in NYCHAs community. To move forward
16 NYCHA must provide a system that provides meaningful
17 access to all tenants of untrained, non English
18 speaking can successfully navigate the CCC system
19 disseminate information about Language Access
20 Services more widely and ensure that information
21 about available services is shared in language
22 tenants speak and include tenants and community
23 groups as partners in evaluating improved language
24 access services. Thank you.
25

3 SYLVIA SICKDAY (SP?): Good afternoon
4 everyone, my name is Sylvia Sickday (SP?) and I am
5 representing India Home. India Home is a nonprofit
6 organization founded by the community members to
7 serve the foundation older adults. The mission of
8 our organization is to improve the quality of the
9 life of older adults by providing quality care in a
10 culturally appropriate environment. We serve 200
11 older adults across Queens through city assisted
12 programs, case management, recreational activities
13 and education. I am here today on behalf of my
14 community and our community members are very limited
15 in their English proficiency and English language
16 skills. As such, our services and other culture
17 related services that come from the immigrant
18 communities are extremely necessary. More over our
19 members feel a greater level of comfort talking to
20 only our staff members and rely on us on the first
21 and sometimes the only point of contact when
22 accessing services. Oftentimes we have been told by
23 our members that they have reported to the HRA or
24 other city agencies and when asked for language
25 services have not received immediately. Immediate
services and instead have been told to return at a

1 later time to receive those services. Because of
2 this inadequate service our members reserve to asking
3 our staff to accompany them to such appointments and
4 serve as translators. This creates strain on our
5 staff to accompany them to such appointments and
6 serve as time and resources. Furthermore we are
7 required to have telephonic HIPPA complaint language
8 interpretation services as per DIFTA regulations but
9 with all of these languages costing over \$1 per
10 minutes and appointments taking upward of 30 to 60
11 minutes the cost of providing these services can be a
12 financial strain for a small organization like ours.
13 While meeting Languages Access Plan such as those of
14 NYC Well or DIFTA are not always operations. NYC
15 Well states that it is available in 200 plus
16 languages and DIFTA Language Access Plans cover to
17 top 10 languages and then uses 3-1-1 for 165 other
18 languages. In both instances, many older adults get
19 left behind through experiences upper community
20 members we found out that older adult members have
21 reported unsatisfactory experiences while attempting
22 to access services in Kanata, Palligu (SP?), Sinhala,
23 Maratine (SP?) and other languages just to name a few
24 languages here. As such stating that accessing
25

3 available in 170 or 200 languages is encouraged. In
4 other instances, getting a translator takes too much
5 time and the community members feel frustrated and
6 helpless. All of the Language Access plans are
7 commendable, we recommended further access. To
8 monitor the implementation of the language access
9 plan be the focus on spoken languages to grant more
10 city contracts to agencies and service providers that
11 come directly from immigrant communities that hire
12 culturally appropriately and linguistically competent
13 staff to provide direct services. These will enter
14 it better and increase utilization of government
15 services. And three and the last one to give smaller
16 organizations special funding to be able to provide
17 Language Access Lines. Thank you very much.

18 CHAIR FERNANDO CABRERA: Thank you so much
19 as you are all, first of all thank you so much for
20 all the work that you do I don't think the addition
21 of time here to all of us to just go on and on and
22 express our gratitude for the daily work that you do
23 and we literally making a difference. People may
24 find themselves in a vulnerable situation due to the
25 language and cultural challenges. I was very curious
to know as, as you were speaking have you ever just

3 happen to call 3-1-1 and and speak in a language
4 other than English and see what they do with that?
5 You have?

6 SYLVIA SICKDAY (SP?): I do have the
7 answer for this because we have saw these issues
8 older adults who speaks different languages so some
9 of them don't know how to speak English. So I told
10 them like okay you can just start calling and them
11 that you speak just say about your language, but they
12 were denied like my uhm my colleague over here she
13 says like uhm when Japanese was, she was needed a
14 Japanese language speaker right, but she was
15 recommended a Mandarin. Like here my the client she
16 was needed like Kanata and that person was given
17 Hindi. She doesn't speak Hindi.

18 CHAIR FERNANDO CABRERA: So what happened
19 at that point when they were.

20 SYLVIA SICKDAY (SP?): They got off of
21 the line.

22 CHAIR FERNANDO CABRERA: They got off the
23 line.

24 SYLVIA SICKDAY (SP?): Yes.

25 CHAIR FERNANDO CABRERA: Okay I'm curious
to know what will happen after that uhm and what's,

1 what's the process because I can see, it was scary
2 and not just making that call, uhm and I am just
3 curious to see what would the City do and there is
4 no, there is not a system in place what do you
5 recommend that they should do.
6

7 SABRINA GELLAW (SP?): Uhm I think I can
8 also add to what the Commissioner had mentioned
9 earlier is that which is when there are languages
10 that are not under the designated 10 languages uhm
11 that is mandated city wide then they refer to us.
12 Uhm them CBOs who do work with the community on a
13 daily basis on the ground so we recognize so for
14 example India Home just mentioned several south Asian
15 languages uhm that even I don't even know what they
16 are right and I think it is important for the City to
17 work with us to identify those needs uhm in terms of
18 how to implement if a client is unable to call 3-1-1
19 and they decide to hang out they will probably call
20 one of us to make that call for them. So it is the
21 reliance on knowing exactly who can provide those
22 services if it is not the city then there would be
23 nonprofits such as ours and many of our uhm groups
24 have a lot of members and partners under us who you
25 know who, who provide these daily services to the uh.

3 CHAIR FERNANDO CABRERA: Yeah but I am
4 curious I am a 3-1-1 operator and I have no idea
5 where even to begin what should be the next step you
6 know what I mean like if I don't even know if it is
7 like even within this realm of languages, uhm what
8 happens at that point and I would imagine that we got
9 to have an answer to that, otherwise we are going to,
10 the result will be either they hang up or hopefully
11 they will have a friend that will call but usually if
12 a friend calls they are able to translate right, so
13 it kind of meets that need but they are calling
14 because they do need and it kind of defeats to me the
15 intention of Local Law 30 if we don't have that in
16 place. So maybe that is something that you can start
17 thinking about if you could channel back some
18 constructive feedback so we could it down to
19 administration. Uhm and with that I will turn it
20 over to my colleague.

21 CHAIR CARLOS MENCHACA: Thank you Chair,
22 well we have also been joined by Council Member
23 Ydanis Rodriguez and here here is something that I
24 want to point out. I am really thankful that you
25 went through the 3-1-1 conversations. I think that
is really telling uhm I was going to ask about that

1 too but something else that I heard very plainly and
2 across the board was that we are not, we are not
3 there yet that this is just the beginning and that
4 the Local Law really has a lot of blank spots,
5 through agency, we talked about NYCHA, DOE uhm HRAs
6 incorporated but had some complaints about it and so
7 there are some, some real blind spots to the requests
8 for the for the City to respond to this Language
9 Access issue. But what I think was more compelling
10 was this idea that this, this is not just a concept
11 of a technological answer, that this Language Line
12 doesn't create that trust between a client, a
13 neighbor of ours that needs something, uhm either in
14 service to their community through civic engagement
15 or enrolling in SNAP or enrolling in something that
16 is critical to their family and instead what we need
17 are human, people that can translate in their
18 language that has an appropriate cultural
19 understanding that can, that can make that happen.
20 Am I hearing that correct? And so if I am hearing
21 that correctly what are we then talking about here?
22 What are we ask... what's the vision and I think we
23 need to start moving into a vision about what we are
24 seeing to fill that gap of people that need to be in
25

1 our neighborhoods, employed. It can't be volunteer.
2 This is already happening on a long term basis
3 including young kids and their own families serving
4 and the Commissioner spoke to this herself that we as
5 children, myself included and probably Chair Cabrera
6 and Ydanis Rodriguez we have all been interpreters
7 for our families, that is not how we need to solve
8 the issue. How do we create a system that allows for
9 that. And I heard Worker Cooperatives and so anyway
10 I just want to reflect that back that I think that's
11 exciting and if anybody wants to take that a little
12 bit further and what you are doing as a coalition to
13 really push us to make that happen that would be
14 great and maybe some models and pilots that we can
15 kind of push forward but I think that was one of the
16 more compelling things that I started drawing a
17 picture about myself and how to like think about it
18 in a way that is structured and building up on the
19 adult literacy classes because we are not going to
20 just assume that, I need to stop getting off. I'm
21 going to get off the mic here but we are not just
22 saying that there are communities that don't have
23 language and then therefore we have to solve that
24 problem, we are bringing Language Literacy to them as
25

1 well, how do we make that more robust, get them a job
2 so they can go back to their own community and serve
3 as the interpreter. That is an economic development
4 job. Where is EDC in this? Uhm okay I am going to
5 stop any, any response would be great but thank you
6 for that.
7

8 BETSY PLUM: I would just briefly say we
9 absolutely welcome the opportunity to have the
10 conversation, I think from each of our organizations
11 were hear and our members that are not at this table
12 how often they are called into these situations to
13 serve as interpreters particularly for languages that
14 are not among the top 10 where there are more readily
15 available services. This is an incredible burden
16 that is put on to community based organizations and
17 just community members on a volunteer basis. We know
18 that the city implementing Local Law 30 is an
19 incredible undertaking and we respect that and we
20 understand that even to add one language above the 10
21 will make it an even bigger burden and so I think
22 there is a more complex eco system that's necessary
23 here that involves the expertise of community based
24 organizations and I think the idea of Worker Coops
25 that we have seen be successful in other cities of an

3 Interpreter Bank where you can actually call on
4 individuals who are trained and licensed as
5 interpreters to support the City, or lawyers, if you
6 think about someone going through the asylum process
7 where you are not guaranteed a lawyer. We want to
8 think about these systems and work on this together.

9 CHAIR CARLOS MENCHACA: Good let's do it.
10 That's our next step, that the next chapter of this
11 Coalition, thank you.

12 CHAIR FERNANDO CABRERA: Thank you so
13 much and keep up the great work. With that we will
14 move on to our next panel, uhm Tasfia Rahman, Mahak
15 Fatif (SP?), Amy Torres, Ugen Kim (SP?), Joseph Lin
16 (SP?). Okay we will begin and we will just be
17 mindful that we have a clock a two minute clock and
18 with that who would like to begin first? If you can
19 take your mic. Uhm yeah turn it on. Thank you so
20 much.

21 TASFIA RAHMAN: Good afternoon, my name
22 is Tasfia Rahman and I am the Policy Coordinator at
23 the Coalition of Asian American Children and Families
24 (CACF). We thank the Committee Chairs and the
25 members of the Committees on Governmental Operations
and on Immigration for holding this hearing on

1 Language Access Implementation Plans. Since 1986,
2 the ACF is the nations only Pan Asian Children and
3 Families Advocacy Organization and leads to fight for
4 improved and equitable policy systems, funding and
5 services to support those in need. The Asian Pacific
6 American APA population comprises over 15% of New
7 York City yet the needs of the APA community are
8 consistently overlooked, misunderstood and are
9 counted. We are constantly fighting the negative and
10 harmful impacts of the model minority myth which
11 prevents our needs from being recognized and
12 understood. Our communities as well as the
13 organizations that serve the community too often lack
14 the resources to provide critical services to the
15 most marginalized APAs. We work with almost 50
16 member organizations across the city to identify and
17 speak out on the many common challenges our community
18 faces. I'll try not to be too redundant so the
19 needs, so APA individuals and families face numerous
20 barriers to success. One of which is adequate
21 language access. Our community is growing and we are
22 growing quickly. In 2014, 35% of APAs in New York
23 City were limited English proficient which means that
24 no one in the household above the age of 14 speaks
25

1 English well. Most recently the percent of LEPs in
2 the community rose to 42%. That is nearly half of
3 our community that move in our families, children
4 have no choice to serve as interpreters for their
5 families causing additional stress and anxiety.

6 Limited English proficient also prevents parents from
7 participating in school events, discussions and
8 meeting crucial to the social and emotional health of
9 their children. Additionally many APAs have limited
10 literacy in the need of languages. This issue
11 highlights the increasing importance of collaborating
12 with community based organizations and community
13 members to engage in direct outreach to contact
14 isolated families by phone, visits or word of mouth.

15 We commend the council for passing Local Law 30 in
16 2017 which seeks to improve access to the city. Uhm
17 we also acknowledged the administrations efforts to
18 implement the mandates outlined of the Law through
19 the Mayor's Office of Immigrant Affairs and the
20 Mayor's Office of Operation; however, I really want
21 to make the point that Mayor Availability of
22 Languages if not enough. As we have all said it is
23 the stress that is getting. Effective outreach is
24 vital to the implementation of Language Access Plans.
25

3 When reviewing MOIAs report on the number of
4 requesting complaints there were 0 requests reported
5 by the agencies such as ACS, Social Services, and HRA
6 but there were numerous complaints; however, it is
7 possible when 42% of our community consists of LEPs
8 and also have the highest rates of need and
9 utilization in services such as Medicaid. We are
10 left to assume that the process has not become
11 transparent and still yet to inaccessible to the ACS
12 community. Even after the passing of the Law, there
13 are major barriers to implementation. The CACFs
14 member organizations are a direct service provider to
15 work closely with students and families in the
16 community. We meet with members regularly to discuss
17 the needs and concerns in fact many of our CBOs still
18 receive numerous requests to accompany their clients
19 and going to agency because they are not receiving
20 proper interpretation services from the agencies
21 themselves. Additionally every access point must
22 constantly be monitored to improve to ensure groups
23 are receiving communication even in the correct
24 language. For example, from personal experience, my
25 parents every year fuss that they receive their HRA
paper communication, mainly the Medicaid renewal

1 documents in Bengali but every year including this
2 past year they have received an English version and
3 strangely enough a Spanish version neither of which
4 is very helpful to them. Uhm while we appreciate
5 the City's effort and recording and the number of
6 calls, requests and intakes regarding Language
7 Accessibility there also needs to be a way to monitor
8 quality of translation and interpretation services.
9 The thing is to improve the data collection and
10 reporting protocols along linguistics accessibility
11 to better reach APA communities. Sorry this is also
12 why CACF is a long time advocate for the fair and
13 accurate reporting of racial and socioeconomic data,
14 particularly on the crucial needs that includes the
15 desegregation data. In 2016, the Mayor signed a
16 package of data equity bills that mandates the
17 collection and reporting desegregated data from city
18 and state social service agencies. Local Law 30
19 would benefit from utilizing the data equity bills
20 into tracking the diverse growing and emerging
21 populations in New York City. This ensures that the
22 communities that need language services and those
23 receiving culturally appropriate resources for their
24 family. The reporting of such data would also
25

1 address the negative of mono minority. However we
2 have yet to see any implementation of the equity
3 bills. We end by reiterating that uhm city agencies
4 provide Language Translation and interpretation
5 services that are culturally confident so I think
6 that is one of the partial answers to question that
7 you would raise with the 3-1-1 operators. There
8 needs to be a more depth and meaningful training when
9 dealing with individuals and clients who have those
10 language barriers, even if they don't necessarily
11 speak the same language. Uhm our membership
12 continues to report Language Barriers our LEPs
13 community members have been facing when interacting
14 with staff city agencies who needs to include
15 cultural competency and training of interpreters and
16 frontline city agency staff. APA individuals are
17 often intimidated about asking for interpretation for
18 fear of imposing on staff or that there may be
19 repercussions for their children and families.
20 Cultural competency help ensure that interpreters and
21 front line staff are sensitive and the interpreter
22 using co lingual language, front line staff are
23 respectful and acknowledge cultural practices and
24 that LEP individuals feel comfortable engaging with
25

3 city agencies. Thank you for the opportunity to
4 testify.

5 CHAIR FERNANDO CABRERA: Thanks. Next,
6 there you go you are bold.

7 MAHAK FATIF (SP?): I'll go. Good
8 afternoon my name is Mahak Fatif I am the program
9 that helps New York City to help navigate family and
10 support system my colleague Arich (SP?) who is in
11 charge of the preventative services. On behalf of
12 the African American Family Support Center we would
13 like to thank the Governmental Operation Committee
14 for holding this hearing on the assessment of New
15 York City Language Access Service. We all agree for
16 your commitment and has the shape of our city by
17 increasing access crucial service and documents who
18 follow many. At the African American Family Support
19 Center we have strengthening immigrant and refugee
20 families since 1994. By promoting well being,
21 preventing violence, getting families ready to learn
22 work and succeed and provide the voice of
23 Americanized population. Our organization service
24 anyone who is in need about over nearly 25 years of
25 experience, we have gained culture and competency
service. The growing population are apart of

1 American, middle Eastern, Muslin and South Asian
2 communities. Our staff speak 16 languages. Which is
3 on the list I want to just save time. Uhm and we as
4 well as 30 various dialects in our agency.
5 Additionally we are the only navigator site in New
6 York State that has Arabic speaking health
7 navigators. We offer our services in this many
8 languages because the need exists within our
9 diversity. In our health program alone we cover over
10 1200 individuals whose primary language is not
11 English. Compiling our already existing challenges,
12 limited literacy and native languages is perfect in
13 many communities that we serve and require rather
14 than written translation material such as value of
15 culture and language competency. Our city is rich in
16 vary diversity we cannot utilize a one size fits all
17 approach to any service resource. We can only drive
18 real effective and sensible change when we offer
19 service and language that makes sense to our clients.
20 The African American Support Center is grateful for
21 the improvement that we have seen since New York
22 implemented Local 30 in 2017. Adding our Arabic and
23 Urdu, to the top languages. The agencies are
24 required to provide service and translation, we have
25

1
2 seen an increase in the amount of access and social
3 service material that are available in languages our
4 clients and communities speak, nearly Arabic and
5 Urdu. This is an impact of those upward thousands of
6 individual who need the formal system. Shall I
7 finish it? Two more minutes. Okay. With all
8 movements of pride we know that together we are
9 working further and has impact ongoing challenges
10 remain. For example, within the Arabic language over
11 128 dialect are spoken which needs the sensitivity
12 and awareness around various different meanings. Our
13 tenants represent client who speak various dialects
14 are often unable to understand certain material even
15 if they are in Arabic without additional translation
16 to support them. I had that experience with one
17 client over the phone when she called the state. She
18 is from Yemen. They gave her someone who speak the
19 Moroccan dialog which she couldn't understand
20 anything he said even if it was in Arabic. So I have
21 to request someone for Afghan to translate for her.
22 Language Line is a very helpful resource but not
23 entirely access to our clients. We have witnessed
24 multiple situations in which Arabic speakers are
25 unable to understand the Arabic dialect that is being

3 spoken on Language Line. For the hospitals and the
4 emergency responders in addition to the need for
5 additional staff who can provide guidance translation
6 in a time of crisis. Imagine someone walking through
7 the emergency room with a heart attack and nobody
8 understands that is going on without hiring someone
9 who speaks that language so the phone lines its good
10 but it is not working. I'll stop here and when you
11 ask questions will respond to your questions thank
12 you.

13 AMY TORRES: Good afternoon my name is
14 Amy Torres and I am Director of Policy and Advocacy
15 at the Chinese American Planning Council (CCC), thank
16 you Chairs Cabrera and Menchaca for convening today's
17 hearing so I want to uhm just talk a little bit about
18 some of the issues that we have noticed in our
19 recommendations around them and provide some vinyest
20 (SP?) from uhm my colleagues who have worked directly
21 experience these things. Uhm so uhm to first talk
22 about a lining and reviewing Language Access Plans
23 across the City agencies and the enforcement of those
24 plans once they are in place. We as other panelists
25 mentioned and as members on the committees mentioned
we were really shocked to see that there were 0

3 requests logged in this report. I think seeing the
4 number 0 is more alarming to me than seeing you know
5 a number in the 100s or anything else because it
6 shows to me that people cannot get in the door to ask
7 for these services. Uhm and then we were also
8 disappointed to see that in the report uhm while
9 there were brief blurbs on how issues and complaints
10 were addressed there wasn't any information on what
11 the complaints were if they were then being
12 integrated into the plan afterward uhm this is some
13 that that is really important and uhm you know we
14 would be very happy to work with MOIA and the Council
15 on uhm and making sure that these uhm plans are then
16 enforced, you know that that transparency and
17 enforcement goes hand in hand. Another
18 recommendation that we have that is outlined in our
19 testimony is the hiring and training of staff that
20 are providing language services. So uhm a number of
21 my panelists have mentioned cultural confidence.
22 When we spoke with our child welfare preventative
23 services manager she mentioned that during joint home
24 visits that she has that she always requests to have
25 a translator from ACS with her because she has a lot
to do during that, during that home visit but there

1 have been multiple times in which she had to step in
2 for the translator because things that they are not
3 translating, things that they are mistranslating,
4 things that they are missing from the conversation,
5 uhm it's really you know, this is a burden at Human
6 Services Providers and especially for a staff of
7 color and immigrant staff themselves carry in a way
8 that other providers don't. We are doing our jobs in
9 top of doing translation and on top of doing very
10 emotionally draining work uhm and so really an
11 investment in this sector in making sure that the
12 staff are you know compensated with dignity and with
13 fairness. We want to make sure that we retain the
14 staff that really have the cultural competency and
15 shared understanding of our community members. Uhm
16 and sorry I don't want to take up too much more time
17 but just you know just to, to talk through the
18 cultural competency piece, it's not just having a
19 shared understanding you know there is body language
20 that differs across our communities we have heard
21 stories about parents who to indicate respect and
22 that they are listening and engage that they would
23 nod or they would not make eye contact which would
24 then be put into the report as the parent consenting
25

3 or the parent not understanding and then when we
4 would walk through with the parent we would
5 understand that these are signals in body language
6 cues that are just part of our culture but then has a
7 devastating impact on that parent and that child and
8 so committing to real uhm robust on boarding and
9 hiring diversity for these staff is critical, hand in
10 hand with investing in Human Service Providers who
11 are the primary point of trust for our communities.
12 Uhm so thank you for letting me go over. Uhm.

13 CHAIR CARLOS MENCHACA: Thank you so much
14 and the reason why uhm we are sticking to these two
15 minutes is we have been informed that there is going
16 to be another event taking place here, the BLAC and
17 we have to be out of here by four and we still have
18 another panel.

19 AMY TORRES: I apologize thank you.

20 CHAIR FERNANDO CABRERA: So thank you so
21 much.

22 UGEN KIM (SP?): Hi good afternoon, my
23 name is Ugen Kim (SP?) and I represent the Korean
24 Community. I am a project coordinator at the Korean
25 Community Services. Uhm thank you Chair Cabrera and
thank you Chair Menchaca for this convening uhm and

3 the rest of the members of the Immigration Committee
4 and the Committee on Governmental Operations. To
5 keep it short, I will go through some of the numbers
6 of our demographic and share a story with you with
7 uhm of two of my clients. Uhm so Language Access is
8 one of the countless barriers that Korean New Yorkers
9 face uhm as of this year almost 70% of Koreans living
10 in New York are born and more than half 52% of
11 Koreans living in New York were limited in English
12 proficiency. However, what is more alarming is the
13 senior Korean population in New York City so 9 and
14 10, that's 94% of Korean Seniors living in New York
15 City do not speak English, uhm so that really
16 highlights the need for culturally competent language
17 services. Uhm so not only is this important the
18 translated materials that the city has published, a
19 lot of that is too hard to word meaning that it is
20 doesn't deliver the information correctly and
21 sometimes I will have clients to come in ask me what
22 this means. Even if it is translated into Korean.
23 Uhm also a lot of Korean community members do not
24 refer or do not go on city websites or refer to the
25 resources because uhm they just it's, its distrusting
for them, its stressful, also the information the

1
2 ACLA gets even more comprehensible than if it was,
3 than if they spoke English. Uhm so to highlight the
4 need for quality cultural adept language access
5 services uhm I would like to share a story quickly of
6 my client Ms. Lee. So she is, she does not speak
7 English. She also has a cognitive impairment that
8 got worse with age. Recently she had a lot of, so a
9 lot of the Korean community members would go seek
10 help to brokers so they are not, they are not
11 authorized they are going, the brokers that provide
12 services that the city should be providing and they
13 charge people for it. And there is no accountability
14 no oversight. So she receives some information, word
15 of mouth in the community, something that is
16 misleading, also she found out recently that there
17 was a mistake made by a broker on her paperwork for
18 Medicaid recertification which eventually she went to
19 a fair hearing and requested an interpreter who
20 misinterpreted a lot of information that a lot of
21 identifications for her Medicaid services. For
22 instance, when she was asked why she missed, made a
23 mistake on her form, paperwork, she replied lack of
24 resources which was the interpreted to then lack of
25 motivation. You can see how the nuance is completely

3 missed. Moreover, uhm recently another client of
4 mine called the New American Hotline for information
5 public charge, only to be told the Korean interpreter
6 was on vacation. So there is no accountability so I
7 just wanted to share that with you. Thank you so
8 much for your time and for you know letting me share
9 the stories.

10 CHAIR FERNANDO CABRERA: Try to keep it
11 short.

12 JOSEPH LIN (SP?): Hi everyone, good
13 afternoon (SPEAKING SPANISH). And my name is Joseph
14 Lin (SP?) I am Asian Americans for Equality. We are
15 a citywide providing affordable housing, social
16 services, small business lending so a lot of what I
17 am sharing is from a lot of my colleagues. Uhm it
18 goes to say thank you to the City and Council Members
19 for providing this uhm opportunity to really look at
20 how we can do better as New York City because New
21 York is the best, right. Uhm so one in this time of
22 fear I think there is a lot of uh we really need to
23 keep in mind a lot of things like site visits really
24 need to be provided, translations before hand or
25 interpretation beforehand because we are seeing
things like ACS Site visit or the Department of

1 Building Site Visit is trying to contact the tenant
2 in English and eventually of course the landlord ends
3 up using that as a reason to evict the tenant. Uhm
4 so I think this kind of we really have to review I
5 think a lot of the agencies in terms of the quality
6 and if they are holding up to it. Second, I think a
7 lot of the publicity around Chinese right I think we
8 already talked about the dialects well then is it, do
9 the community know on Language Line is it available
10 in the other uhm dialects which by the way most of
11 are mutually intelligible. Right uhm there is a lot
12 of stigma with the community on whether they speak
13 Chinese languages other than Mandarin, whether it is
14 Toi Son (SP?) or Futo. A lot of which are seniors,
15 right, similar to the Korean community 90+% of our
16 seniors are linguistically isolated. Right so when
17 it comes to critical services like a tenant staying
18 at their home it is of utmost importance that tenants
19 know and all New Yorkers know and are these, can
20 these translations in terms of turnaround time
21 especially interpretation by fast even. Right, we
22 were in the school in Flushing and a youth was crying
23 because their parent just got deported and they did
24 not know who to call, so they had to go across the
25

1 street, come to us and ask us to interpret that.
2
3 Right, do the interpreters have training for these
4 sort of emotionally taxing situations in a time of
5 need? And then finally in terms of quality of the
6 translation, there was a Flushing event where a small
7 business town hall where Flushing was translated as
8 Big Flush literally like, and they asked me why the
9 ch... we caught it before it went out but needless to
10 say there was not really a lot of Chinese small
11 business owners there at that event. So if we really
12 look at some of the ideas about looking at local
13 interpreters that will make a huge difference and
14 going into our companies and you know our local New
15 York City minority owned business, immigrant run
16 businesses, right and really supporting people that
17 know New York. So uhm thank you, thank you, thank
18 you.

19 CHAIR FERNANDO CABRERA: Thank you so
20 much. Thank you so much for the amazing work that
21 you all do uhm and with that we will call up the last
22 panel. I believe we have Julia Sharogi (SP?) from
23 Brooklyn Defender Services. And the last call if you
24 would like to testify uhm you can see the Sargeant of
25 Arms.

3 CHAIR CARLOS MENCHACA: Is MOIA in the
4 house can you, raise your. Thank you just wanted to
5 make sure.

6 CHAIR FERNANDO CABRERA: Great you may
7 begin. Thank you. If you could turn the mic on.
8 Thank you so much.

9 JULIA SHAROGI (SP?): Is it on? Good
10 afternoon my name is Julia Sharogi (SP?) I am a
11 supervising attorney at the Family Defense Practice
12 of Brooklyn Defender Services. I have represented
13 primarily Spanish speaking clients in child welfare
14 proceedings since I have started at FDP in 2009. I
15 have also done advocacy surrounding Language Access
16 issues since 2014. I would like to thank the City
17 Council, particularly Chair Persons Cabrera and
18 Menchaca for the opportunity to testify today. I
19 would like to focus on Language Access issues
20 primarily surrounding New York City Administration
21 for Children Services or ACS. Over 15% of our
22 clients at BDS speak a language other than English.
23 While having a legal advocate that speaks your
24 language makes an enormous difference in the outcome
25 of cases it is equally important for our clients to
have access to services in their native language as

1 they navigate all aspects of the child welfare
2 system. Both in family court and outside of family
3 court when they are dealing with ACS case workers.
4 Our client's ability to communicate with ACS staff is
5 critical in keeping their families together. Yet for
6 years our clients have experienced problems with
7 communicating with ACS staff whom do not speak their
8 language. Some of the issues that our clients face
9 and continue to face since Local Law 30 was passed
10 are the following: Case workers often incorrectly
11 assume and assert that our clients speak English even
12 when BDS staff tell them that our clients do not.
13 Instead of calling an interpreter ACS case workers
14 will use our client's children many of whom are the
15 subjects of the ACS cases they will use other family
16 members and in some cases other respondents to
17 interpret complex and sensitive information. Rather
18 than providing a interpreter ACS case workers may
19 force families to converse in English during
20 supervised visits, even if the household language is
21 a language other than English and case workers do
22 this so that they can monitor what is being said
23 during the visits, instead of providing an
24 interpreter to interpret for the family. Our LEP
25

1 clients are often not made aware of interpretation or
2 translation services that ACS offers and they may
3 feel reluctant to assert their right to
4 interpretation services for fear of being retaliated
5 against. In some cases where interpretation services
6 are utilized case workers have used an interpreter
7 who speaks and entirely different language than our
8 client does. Uhm a great example is with our Uzbek
9 speaking clients, ACS case workers insist on calling
10 Russian interpreters are they are two completely
11 different languages. BDS attorneys often witness ACS
12 case workers using telephonic interpretation services
13 on speaker phone in public areas of family court to
14 discuss sensitive case information. While the goals
15 and policies outlined on ACSs Language Access
16 Implementation Plan should ensure that LEP families
17 receive the interpretation and translation services
18 that they need our experience shows that ACS staff do
19 not follow the policies which confuse our clients and
20 exclude them from participating fully in their cases.
21 Whenever possible ACS should assign case workers that
22 speak the same language as the parents. ACS should
23 also include Language Access Protocol Review and
24 Supervision so when case workers are meeting
25

1 periodically with their supervisors they should be
2 reviewing how the Language Access Policy is being
3 implemented and how interpretation services are being
4 provided to the families. ACS should also make their
5 best effort to refer parents to outside programs and
6 services that are actually culturally competent and
7 provide services in their client's primary language
8 or provide interpretation services. We urge the
9 Council and MOIA to hold ACS accountable in enforcing
10 its implementation plan and ensuring the New York
11 parents and families can effectively communicate with
12 ACS so that they can have successful cases and re-
13 unify with their family.
14

15 CHAIR CARLOS MENCHACA: Thank you so much
16 for walking us through the kind of legal pieces and
17 we have kind of jotted down a lot of the, we clearly
18 have ACS issues as well so I want to say thank you
19 and because we have to close unfortunately. I just
20 want to offer some final comments. Uhm I think it
21 was incredibly productive for us to hear from all of
22 advocates and MOIA about the challenges in front of
23 us even though we have so much to celebrate in a lot
24 of ways about how far we have come as a city to
25 really address this, these barriers. There is so

1 much opportunity to keep innovating and these, these
2 impacts that are relating to language access in so
3 many different ways are transformative good or bad,
4 transformative in a way that a mom can then go and
5 get food services, health services, legal services
6 for their family, a senior gets their rent frozen and
7 gets to see in the neighborhood they live in or IDNYC
8 uhm card or votes in PB because the ballot is
9 correctly translated in their language. That is
10 about trust and that is what we want in our
11 government. Uhm or it can be transformed in a way
12 that really blocks a father from getting the services
13 that he needs regarding a medical issue or just does
14 not return to HRA because he has a job and that one
15 time was a bad experience and never returns. Uhm or
16 gets a limited access letter and in the frustration
17 cops are called and now an immigrant father has to
18 interact with police and potentially deported. This
19 is what we are talking about here. And so I'm really
20 excited about all the ideas that came out and I want
21 to move forward with Chair Cabrera and really all the
22 Council to figure out how we build the better plan
23 for our communities who deserve it and who in this
24 moment where we are in, in the Federal Government uhm
25

3 where trust is so hard to come by that at the very
4 least we give access to language abilities and
5 interpreters where humans are talking to humans about
6 human things and human cases and so that's important
7 or me and that is my commitment to everyone here.

8 Thank you chair.

9 CHAIR FERNANDO CABRERA: Thank you to my
10 co-Chair I believe that this was a very productive
11 day, a productive hearing and to all the advocates,
12 thank you for all you do, you are simply I'm running
13 out of adjectives, amazing, life changing life giving
14 someone who had to struggle with language issues uhm
15 it goes beyond even the issues of the services that
16 are provided, limited resources that define
17 themselves if they are not able to communicate but he
18 is also, this is also psychological piece and I have
19 to tell you the truth, I, I went through that and I
20 was talking earlier to Brad earlier about how it
21 affected me for some years, the whole shame factor,
22 uhm you get tagged, uhm you become self-conscious
23 about your accident and whether you are able to
24 communicate. I finally learned that English is not
25 an accent it is a language and and you know have some
really good people that spoke into my life so we must

1 do better and we will do better. I know the more I
2 is looking forward with the agencies alongside with
3 the Council so we could have a brighter day. Thank
4 you so much and so with that today it concludes
5 today's awesome hearing. (gavel pounding).
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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date November 25, 2018