



Mayor's Office of
Immigrant Affairs
Bitta Mostofi
Commissioner

October 25, 2018

Testimony of Commissioner Bitta Mostofi
NYC Mayor's Office of Immigrant Affairs

Before a hearing of the New York City Council
Committees on Immigration and Government Operations:

“Oversight – Local Law 30 of 2017: Language Access Implementation Plans”

Thank you to Chair Menchaca, Chair Cabrera, and the members of the Committees on Immigration and Governmental Operations for the opportunity to testify on this topic. As the Commissioner of the Mayor's Office of Immigrant Affairs (MOIA), I am pleased to speak on behalf of the Administration about our work on language access and the implementation of Local Law 30 of 2017.

As I will describe, Local Law 30 has been a remarkably valuable tool in just the short period of time since it was enacted last year. My office has coordinated the citywide implementation process and the agencies have done excellent work to improve their language access. I am particularly pleased to report that aggregate City agency spending on language assistance services saw a huge increase over the last year. From fiscal year 2017 to fiscal year 2018, agencies' spending on translation services through our citywide contracts rose 62%, to a total of about \$3.1 million. Spending on in-person interpretation rose 23%, to a total of about \$1.7 million, and spending on telephonic interpretation rose 31%, total of about \$4.1 million. In sum, that represents an increase in spending of 38%, with total spending in fiscal year 2018 of nearly \$8.9 million. These increases reflect the deep commitment and impressive efforts by agencies across the city in response to Local Law 30 and MOIA's implementation support.

Language access in New York City

New York City is home to a remarkable diversity of languages and a stunning number of residents who are not English speakers. This is especially true among the city's immigrant population. 76% of the city's immigrants speak a language other than English at home, and 49% of the city's immigrants have limited English proficiency (LEP). Among undocumented immigrants, we estimate that nearly two in three (63%) are LEP.¹

In recognition of the significant challenges faced by LEP residents, including LEP immigrant residents, the City government has enacted a series of laws and policies over the past 15 years.

In 2003, the City enacted Local Law 73, the "Equal Access to Human Services Act," which mandated translation and interpretation services to be provided by the Human Resources Administration in six languages (Arabic, Chinese, Haitian Creole, Korea, Russian, and Spanish), and also imposed certain requirements on the Administration for Children's Services, the Department of Homeless Services, and the Department of Health and Mental Hygiene. The law went in to effect in 2004 and represented an important, if incomplete, measure towards securing its stated goal of "ensur[ing] that persons eligible for social services receive them and . . . avoid[ing] the possibility that a person who attempts to access services will face discrimination based upon the language s/he speaks."

In the continuing effort to vindicate that goal, in 2008 Mayor Bloomberg issued Executive Order 120. This order expanded Local Law 73's language assistance requirements to all City agencies that provide direct public services.

¹ Mayor's Office of Immigrant Affairs, *State of Our Immigrant City* (March 2018).

Local Law 30, enacted last year, codified and expanded upon Executive Order 120. It added four more languages to the list of languages for which document translation is required, bringing the total to 10. It also expanded the types of assistance required in a number of other ways, including requiring that agencies that provide direct public services must:

- provide telephonic interpretation in at least 100 languages;
- post multilingual signage about the availability of language access services;
- appoint a language access coordinator; and
- develop and carry out a language access implementation plan, describing plans for training agency staff, incorporating plain language principles into their materials, and informing community members about the availability of language assistance services.

The law also required outreach in neighborhoods with large numbers of residents who speak languages beyond the ten Local Law 30 designated citywide languages, to understand and help respond to the needs of these communities.

Over the course of these developments, MOIA has played an increasingly central role in the City's language access policies. Now, under Mayor de Blasio, MOIA serves the Charter-mandated functions of the Office of Language Services Coordinator, in consultation with the Office of Operations.

MOIA's language access goals

MOIA coordinates the implementation of the City's language access laws and policies, including Local Law 30. In addition, MOIA also works on a range of other language access initiatives, above and beyond the requirements of the City's local laws, as part of our Charter mandate to promote the well-being of immigrants and speakers of languages other than English.

I will begin by describing the implementation of Local Law 30 first, and then turn to the additional work that MOIA has undertaken on language access, as well as the language services provided by MOIA directly under the supervision of our Language Services staff.

Local Law 30 implementation

Local Law 30, enacted in early 2017, is among the most ambitious and expansive language access laws in the United States, at any level of government. The law has an incredibly broad scope, extending across nearly all City government agencies and requiring translation in at least ten languages and telephonic interpretation in at least 100 languages. Accordingly, MOIA has developed and launched an implementation plan in two major phases: the guidance phase and the oversight phase.

Guidance

The guidance phase took place over the course of the first year of the law's effective period and was completed in June of this year. During this phase, MOIA and the Office of Operations made the determination, based on our analysis of relevant data pursuant to the law's requirements, that the 10 citywide designated languages are, in order of the number of LEP speakers: Spanish, Chinese, Russian, Bengali, Haitian Creole, Korean, Arabic, Urdu, French, and Polish.

Following this determination, MOIA provided guidance and explanatory materials about the law's requirements to City agencies. First, we issued a memo to agency heads about the new law. MOIA also provided specific guidance to agencies to support the development of their required Language Access Implementation Plans and reviewed and provided robust feedback on agencies' draft plans.

MOIA has also served as a clearinghouse and provider of best practices on language access services and agencies' implementation of Local Law 30.

This guidance work has taken a variety of forms, ranging from developing guidance documents, to organizing convenings of Language Access Coordinators, to intensive one-on-one technical assistance provided by MOIA directly to agencies. Our staff have hosted three large-scale convenings of Language Access Coordinators to thoroughly explain Local Law 30's requirements and upcoming deadlines, with another one scheduled for next month, and have held more than 20 one-on-one meetings with agencies.

The guidance phase, which MOIA carried out over the course of 2017 and the first half of 2018, culminated in the publication this past June of the Local Law 30 Report, provided by MOIA to the City Council, and updated with further information in September. This nearly-500-page report compiled City agencies' Language Access Implementation Plans and provided additional background and information about outreach efforts.

Oversight

MOIA has now turned to the oversight phase of Local Law 30 implementation. During this period, which will be ongoing, MOIA is meeting with agencies to ensure that the Language Access Implementation Plans are effectively implemented, holding multiagency convenings to continue sharing best practices, and monitoring agencies' provision of language assistance services. We have been working with agencies to address areas in which they needed additional guidance about the law's requirements, and we have been very encouraged that the agencies have been eager to learn and improve their language assistance services.

I am pleased to report on the progress of many agencies in meeting these requirements, as well as examples of agencies' language access accomplishments that 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 or get advice on how best to implement aspects of the law. Agencies have secured or are securing the appropriate language services contracts. They have identified or are in the process of identifying their most commonly distributed documents and have translated or are in the process of translating these documents. They have also posted multilingual signage about the availability of free interpretation services, and are training their staff on language access. Here are just a few highlights that show agencies' progress on Local Law 30 and their efforts to go above and beyond the law:

- At the Department of Social Services/HRA, staff used telephonic interpretation 279,389 times in 2017. That is an average of more than 1,000 times per business day. Every HRA walk-in location has a "Free Interpretation Services" poster in 19 languages and HRA's public-facing website now includes professionally translated pages in 11 languages. Additionally, last year DSS translated over 2,100 documents going well beyond the Local Law requirement to ensure their clients have access to agency documents in their preferred language.
- The Commission on Human Rights has expanded its in-house language capacity to 35 languages spoken across the agency. The Commission's Law Enforcement Bureau has created an advisory notice in 23 languages to ensure that clients understand that attached documents contain important information about their case and that they can call for telephonic interpretation of the document.
- The Department of Transportation (DOT) has elected to translate its documents into 13 languages, including Yiddish, Italian, and Greek in addition to the 10 languages required under Local Law 30. In addition, DOT identified specific needs for certain documents and translated them in to eight more languages: Hebrew, Punjabi, Tagalog, Fulani, Bambara, Twi, Nepali, Tibetan.
- The Fire Department is in the final stages of preparing a new guide on emergency preparedness for apartment building residents and staff. This has been a huge project to produce a comprehensive guide, and it will be translated into all of the Local Law 30 languages and will be made available to the public online.
- The Department of Health and Mental Hygiene, in addition to providing language assistance services through contracted vendors, has been conducting fluency assessments of its own bilingual staff who want to qualify to provide services in languages other than English.
- The Department of Buildings is using a customer comment card to receive feedback from LEP customers in order to improve their services.

The central tool that MOIA will be using in the oversight phase is a forthcoming annual reporting template, to be launched in January. This annual reporting template will help guide agencies in sharing actionable information with MOIA about their implementation of Local Law 30. This assessment will also help guide MOIA's technical assistance across City agencies.

The oversight phase will also include ongoing work with the agencies to develop and publish updated Language Access Implementation Plans at least every three years.

Outreach to speakers of non-designated languages

Under Local Law 30, we also conduct outreach in neighborhoods with large numbers of speakers of languages other than the ten designated citywide languages, in order to understand the needs of these residents and work with agencies to address them. One of the ways we've done this is through multilingual town hall forums where we bring communities and city agencies together to ensure there's a clear line of communication between them. For example, after successful town halls with the African community in 2015 and the Tibetan and Nepali community in 2016, we hosted an Afghan town hall last year, attended by about 200 people and conducted in Dari and

Pashto. This year, we hosted a Garifuna town hall, attended by about 250 people. At these events, we have heard about issues including housing, legal services, ESL classes, immigration, and senior services, and we have brought other agencies in to address questions on the spot. We also work with agencies afterward to respond to concerns that were raised.

Through these meetings and other outreach work that MOIA staff members perform across the city, we have continued to learn about and help connect speakers of languages beyond the ten Local Law 30 languages to their City government.

Language access efforts beyond Local Law 30

As described above, MOIA's work on language access long predates Local Law 30, and includes a range of projects that are above and beyond the requirements of Local Law 30. For example, this work includes:

- *Non-covered entities:* MOIA works collaboratively with local government entities not covered by Local Law 30 to share best practices and guidance. These include the Department of Education, which we have worked with on a range of translated materials provided to LEP and immigrant students, including educational information on the Trump Administration's rescission of DACA, anti-discrimination resources, and more, as well as NYC Health + Hospitals, which we have worked with on a multilingual open letter to immigrant patients issued jointly by MOIA and H+H.
- *Signage.* We have developed standard multilingual signage about the availability of interpretation for City agencies and have consulted on questions of signage displayed to members of the public.
- *In-person interpretation at public events.* We have further worked with agencies and Mayoral Offices to provide interpretation at public events and hearings, including Mayoral Town Halls.
- *Translation of voter registration forms.* MOIA worked with the Mayor's Office of Operations and the Campaign Finance Board to provide translations of the state voter registration form in 11 additional languages beyond the four already provided by the City's Board of Elections.

Language services within MOIA

As the agency functioning as the lead coordinator for language access across the City government, MOIA holds itself to a high standard for language assistance services. MOIA has staff from a range of backgrounds and who speak many languages, but we use professional interpretation and translation providers to do most language assistance. To ensure our standards are met, we have also begun using a secondary-review vendor to perform additional quality control on translations.

MOIA coordinates language services for an increasing number of Mayoral Offices as well and has brought in language industry practices and tools, like Computer-Assisted Translation (CAT) tools, to manage demand and improve quality. Our work with CAT tools entails growing and maintaining a database of professionally translated content and glossary terms to leverage over



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time, increasing quality and consistency while reducing turnaround time and cost. This is an important management tool as the demand for multilingual content expands. MOIA is also running a similar pilot project for delivering multilingual websites more effectively. We are sharing lessons from these improvements with other agencies.

These efforts have also resulted in increased accessibility to MOIA and MOIA-generated materials. In 2017, MOIA's Language Services staff arranged for the presence of 433 in-person interpreters at 153 events, and the translation of 76 different documents. I look forward to sharing more information soon about the tremendous work of our Language Services staff in 2018 as well.

Next steps and opportunities for collaboration

I am confident that we will continue to realize progress in language access due in large part to our agency partners' receptiveness and eagerness to improve the City's language assistance services for immigrants and LEP residents. I am equally gratified by the attention of the Council to the ongoing progress of the City government to speak the language of all New Yorkers.

My team and I have additionally been in conversation with the many dedicated advocacy organizations and community members who have been working in this area for decades. Input from these advocates and community members, and from Council Members who have been working on this issue, has been extraordinarily valuable in not only ensuring that New York City has the most ambitious language access law in the country, but also ensuring that that law is implemented as effectively as possible.

I look forward to hearing more about areas where we can continue to collaborate. Thank you for the opportunity to describe our work and hear further from you and from the City's residents about how we can continue to move towards a city in which language does not represent a barrier to accessing benefits and services.



**BROOKLYN
DEFENDER
SERVICES**

TESTIMONY OF:

Juliana Chereji – Family Defense Practice

BROOKLYN DEFENDER SERVICES

Presented before

The New York City Council

Committee on Governmental Operations and Committee on Immigration

Oversight Hearing on

Local Law 30 of 2017: Language Access Implementation Plans.

October 25, 2018

My name is Juliana Chereji and I am a supervising attorney in the Family Defense Practice (FDP) of Brooklyn Defender Services (BDS). Our organization provides multi-disciplinary and client-centered criminal defense, family defense, immigration, civil legal services, social work support and advocacy in nearly 35,000 cases involving indigent Brooklyn residents every year.

Since its inception, BDS' Family Defense Practice, has sought to bring the highest quality interdisciplinary representation to our clients, while helping them obtain the benefits and services they need out-of-court to keep their families safe and strong. I have represented primarily Spanish-speaking clients during my tenure at BDS since 2009 and have done advocacy surrounding language access issues since 2014.

I thank the New York City Council Committee on Governmental Operations and the Committee on Immigration, and in particular Chairpersons Fernando Cabrera and Carlos Menchaca, for the opportunity to testify about language access issues in the New York City Administration of Children's Services (ACS).

Background

With over 15% of our clients speaking a primary language other than English, FDP knows how important it is for our clients with limited English proficiency (LEP) to have attorneys and social workers who can communicate with them in their primary language. It enhances the attorney-client relationship and vastly improves the quality of representation that FDP provides our clients.¹

FDP recruits attorneys and social workers from different backgrounds who speak many languages because clients greatly benefit from working with attorneys and social workers who speak their primary language. Reflecting the diversity of Brooklyn, FDP staff speaks over ten different languages, including Spanish, Russian, Haitian Creole, Mandarin, Cantonese, Arabic, French, Korean, Urdu and Bengali. Over a third of FDP's staff is bilingual. Clients who do not speak English as their first language benefit from being paired with FDP staff attorneys who speak their language, and who, in many cases, have contacts with community-based agencies and familiarity with a client's cultural or religious background, a factor which is often relevant in an Article 10 case. FDP also uses telephonic interpretation services to translate for LEP clients that speak a language other than those spoken by our staff.

While having a legal advocate that speaks your language makes an enormous difference in the outcome of cases, it is equally important for our clients to have access to services in their native language as they navigate all aspects of the child welfare system in Family Court, in meetings with their ACS caseworker, or when engaging in programs and other services. Our clients' ability to communicate with ACS staff is critical to keeping their families stable and together, yet for years, our clients have experienced problems with communicating with ACS staff who do not speak their language.

FDP regularly raises language access issues with ACS officials, both by email and in-person meetings with managerial staff. In November 2015, BDS submitted a letter to then-Commission Gladys Carrión about language access issues that we encountered on a regular basis. Three years later, many of these same problems continue to have a negative impact on our clients. In the spring of 2018, BDS, along with other family defense providers citywide, met with staff for Councilmembers Stephen Levin and Margaret Chin of the New York City Council to discuss language access issues in the child welfare system.

Despite ACS' administrative efforts and policies enacted through its Language Access Implementation Plan required by Local Law 30, our LEP clients still regularly encounter problems, especially when assigned caseworkers who do not speak the same primary language as they do.

Lack of Quality Interpretation Services

¹ See, e.g., Jayesh M. Rathod, *The Transformative Potential of Attorney Bilingualism*, 46 U. MICHIGAN J. LAW REFORM 863-920 (2013).

ACS' Language Access Implementation Plan entitles LEP families to have "full access to in-person and telephonic interpretation services in over 200 languages (including sign language) through ACS language services vendors," interpretation services through bilingual ACS staff, or services from ACS staff in their primary language.²

While the New York State Office of Court Administration is responsible for providing interpretation services at court hearings, ACS policy requires these services to be available 24 hours per day, 7 days per week, and to be provided in "all interactions between ACS staff and clients who are LEP, deaf, or hearing impaired" for all other interactions with ACS.³

Nevertheless, BDS often witnesses and hears from our clients that either inappropriate interpretation services are being used or that no interpretation services are being used at all:

- Case workers often incorrectly assume and assert that our clients understand English even when BDS has clarified to them that our clients do not meaningfully understand English enough to communicate regarding their child welfare case.
- Instead of calling interpreter services, ACS case workers may use our clients' children (including children that are subjects in their cases), other family members, and even the other respondents in their case to interpret complex and sensitive information.
- Rather than providing an interpreter, ACS caseworkers may force families to converse in English during supervised visits, even if their household language is a language other than English, so the caseworker can monitor what is being said.
- Our LEP clients are often not made aware of interpretation or translation services that ACS offers or may feel reluctant to assert their right to interpretation services.
- In some cases where interpretation services are utilized, case workers have used an interpreter who speaks a different specific dialect from the one our client speaks or even an entirely different language, diminishing the quality of the conversation and the accuracy of the information that is being relayed. ACS often does not make a sufficient effort to ensure that culturally competent interpretation services are offered.
- Case workers often express concerns about what our clients are saying to their children during supervised visits when the case workers do not understand their language. The case workers then have additional people observe the visit to monitor their language which greatly reduces the quality of the visits.

² The Mayor's Office of Immigrant Affairs and the Mayor's Office of Operations, *Local Law 30 Report* (June 30, 2018), available at <https://www1.nyc.gov/assets/immigrants/downloads/pdf/moia-report-LL30-june-2018.pdf>.

³ *Ibid.*

- BDS attorneys often witness ACS caseworkers using telephonic interpretation services on speaker phone in public areas of family court to discuss sensitive information in front of other people not involved in our clients' case. Forcing clients to discuss sensitive information in public diminishes the effectiveness of case work contact and erodes trust between parents and caseworkers.

Client Stories

In August, 2018, BDS arraigned **Mr. H.**, a native Uzbek speaker. Mr. H. speaks a little Russian and very little English, but enough of both to muster basic conversation. Two BDS attorneys, including one supervisor, attempted to speak with him in English but were not able to have a full and complete conversation with an acceptable level of understanding for a legal proceeding. BDS requested at multiple points that the court provide an Uzbek-language interpreter but the court apparently could not find one. Instead, a Russian interpreter was provided. Mr. H. said multiple times that he did not speak Russian well and that he needed an Uzbek interpreter. However, he had been in court all day waiting for an Uzbek interpreter. He later told his attorney that under the circumstances he felt pressured to use the Russian interpreter. He was arraigned without understanding many substantive portions of the court hearing, what was being asked of him, or what his rights were.

Since the arraignment, from at least August 9 until October 12, he did not see his child even though he desperately wanted to see them. Though OCA was responsible for interpretation in court, based on our understanding of his interactions with ACS, his Child Protective Special (CPS) almost always contacts Ms. S without a translator and expects him to be able to communicate in English. While he can discuss logistical and other mundane issues in English, Mr. H. and counsel have been adamant that he needs an Uzbek interpreter when he is discussing anything of substance.

Finally, ACS and FLCS have requested that Mr. H. engage in various parenting/ DV courses and alcohol treatment. Mr. H. has told his counsel on multiple occasions that he is happy to engage in these services. Counsel for Mr. H. has told FCLS that they should find a language-appropriate referral. On at least four occasions, counsel for Mr. H. told the FCLS attorney assigned to this case that Mr. H. needs Uzbek-language accommodations for his services and for communication with the CPS. FCLS insisted each time either that FCLS had seen the client speak English with the CPS or that the client spoke Russian, or both. None of the attorneys working on this case speak Russian, but BDS produced a Russian-speaking attorney before an October Preliminary Conference. The Russian-speaking attorney attempted to speak with Mr. H. in Russian in front of the FCLS attorney. The Russian-speaking attorney they certified to the FCLS attorney that Mr. H. indeed spoke "very bad Russian." Despite the ACS Language Access Implementation Plan requiring interpretation services for interactions, ACS staff continued to fail to provide Mr. H. with appropriate translation in his native Uzbek language.

BDS arraigned **Mr. B.**, a native Uzbek speaker, in September, 2018. He arrived in court around 9:30 AM and was forced to wait for an Uzbek interpreter to arrive. Before BDS was assigned,

his BDS attorney witnessed Mr. B. attempting to ask his ACS caseworker many questions, partially using a translation app on his phone. His caseworker kept telling him that an interpreter was coming and he should wait and talk to his attorney. Around 12:30 PM, his caseworker, at the urging of a court officer, suggested he work with a Russian interpreter. Mr. B. refused. The Uzbek interpreter arrived around 4:15 PM and he was able to have counsel assigned.

After intake, FCLS asked Mr. B.'s BDS attorney if he knew of any Uzbek-speaking providers to whom Mr. B. could be referred for a domestic violence accountability program. Shortly thereafter, Mr. B. allegedly told his caseworker that he would not be doing services unless ordered by the court, which led FCLS to believe they had no further responsibility to find an appropriate provider. However, through appropriate translation services, Mr. B. expressed a different position to his BDS attorney. FCLS's position may be based, at least in part, on the caseworker's inability or unwillingness to communicate with him using a translator, as well as their inability to actually find an appropriate provider.

Recommendations

While the goals and policies outlined in ACS' Language Access Implementation Plan should ensure LEP families are receiving the interpretation and translation services they need, our experience shows that public-facing staff often do not follow the policies, which can confuse our clients and exclude them from full participation in their cases.

- Because many respondents do not feel comfortable asking for interpretation services or may not know they have the right to ask, ACS staff must be trained to proactively offer interpretation and translation services in every case, even if there is an assumption that the client speaks English.
- Whenever possible, ACS should assign case workers that speak the same language as the parents.
- ACS should include language access protocol review in supervisory review between public-facing staff and their supervisors.
- ACS should make their best efforts to refer parents to outside programs and services that are culturally competent and offer interpretation services.

Conclusion

BDS thanks the Council for ensuring ACS and other city agencies create and implement language access policies through Local Law 30. It is crucial to all of our clients' cases and to their families that they are able to effectively communicate with their caseworkers and other ACS staff. When public-facing ACS staff members are not compliant with ACS' language access protocols, our LEP clients are unable to fully participate in their cases and risk further

instability in their families' lives. We urge the Council to use its power to hold ACS accountable in enforcing its implementation plan and ensure New York parents and families can effectively communicate with ACS.

Thank you for your time and consideration of this important issue. If you have any questions, please feel free to reach out to Daniel Ball, Communications & Development Coordinator, 718-254-0700 ext. 579 or dball@bds.org.



Testimony Before the New York City Council
Committee on Immigration and
Committee on Governmental Operations:
Re: Assessment of NYC's Language Access Services
October 25, 2018

Testimony of Yoojin Kim, Project Coordinator
The Korean Community Services of Metropolitan New York, Inc. (KCS)

Good afternoon. My name is Yoojin Kim, and I am a Project Coordinator at the Korean Community Services. I would like to thank Chair Menchaca and Chair Cabrera, and members of the Committee on Immigration and Committee on Governmental Operations for holding today's hearing on the assessment of NYC's Language Access Services.

For over 40 years, the Korean Community Services of Metropolitan New York, Inc. has been serving the Korean-American population, as well as the wider immigrant communities through the provision of programs in the areas of Aging, Education, Immigration, Workforce Development, Public Health and Mental Health. KCS continues to operate under the mission of helping immigrants fully integrate into society and overcome any economic, health and social barriers so that they become independent and thriving members of the community.

Language access is one of countless barriers that Korean New Yorkers face. As of 2018, almost 70% of Koreans in New York were foreign-born, and more than half (52%) of Korean New Yorkers were Limited English Proficient (LEP).¹ Of particular concern is the Limited English Proficient rate of Korean seniors in NYC: over nine in ten (94%) Korean seniors were LEP, compared to one in three (33%) seniors in general.² This portrait highlights the need for language access services that are culturally competent and contextually appropriate.

The language and cultural barriers that Korean New Yorkers face are compounded by the fact that they are often unfamiliar with the City's social service systems and processes. Many feel a dire sense of isolation as they face difficulty accessing services and effectively communicating their needs. Moreover, many Korean New Yorkers are simply not aware of the resources available to them since information materials are either not translated into Korean, or the translated materials are not comprehensible.

¹ King L, Deng WQ. Health Disparities among Asian New Yorkers. New York City Department of Health and Mental Hygiene: Epi Data Brief (100); March 2018.

² Profile of New York City's Korean Americans: 2013 Edition. (2013). Retrieved from <http://www.aafederation.org/cic/briefs/korean2013.pdf>

KCS Main Office	Corona Senior Center Korean Mutual Aid Society	Flushing Senior Center	Public Health and Research Center	Brooklyn Project
Adult Daycare Afterschool Immigration ESOL Workforce Development Thrift Shop 35-56 159th Street, Flushing, NY 11358 Tel: (718) 939-6137 Fax: (718) 886-6126	37-06 111 th Street Corona, NY 11368 Tel: (718) 651-9220 Fax: (718) 478-6055	42-15 166th Street Flushing, NY 11358 Tel: (718) 886-8203 Fax: (718) 886-8205	2 W 32nd Street, Ste. 604 New York, NY 10001 Tel: (212) 463-9685 Fax: (212) 463-8347	8710 5th Ave. 1FL Bay Ridge, NY 11209 Tel: (718) 630-0001 Fax: (718) 630-0002



The Korean language line and interpretation services are just as difficult to use for many Koreans due to chronic staffing shortages and inappropriate, low-quality interpretation with no accountability. There is a widespread reluctance and discomfort utilizing these language services in the Korean community, which further marginalizes them from the wider society.

As an advocate working directly with the Korean community, I have experienced the sense of isolation that the members of the community face. Due to the quality of language services provided to them, many in the Korean community express distress utilizing the language line, as well as the interpretation services provided by the City's agencies. I have seen many turn to unauthorized broker services within the community for help. Yet these practices are often exploitative and misleading.

To highlight the need for high-quality, culturally-adept language access services, I would like to share my client's story with you. Mrs. Lee immigrated to the U.S. three decades ago. She calls Queens, New York her home, and worked in the community for years. Her cognitive impairment exacerbated with age, and now she relies on her husband to support her. She does not speak much English, and nor does her husband. They rely on information that circulates in the community through word-of-mouth, and when needed, they receive help applying for, and receiving the City's social services through a paid broker. Recently, the couple found out there was an important paperwork mistake on a public health insurance document. They requested and attended a fair hearing to rectify this issue, and requested a Korean interpreter to be present. At the hearing, however, the interpreter did not deliver his information correctly, and some of his answers were completely taken out of context. This resulted in a delayed hearing process, as well as a big misunderstanding of the client's story. Moreover, due to the short contract period of the interpreter, the hearing had to be adjourned. The client was frustrated that his case was not being communicated correctly, and that his case could not be resolved in timely manner simply due to the interpreter's schedule. He is still awaiting his fair hearing.

As such, countless Korean immigrants encounter similar issues when trying to access the City's various services. In another instance, one of KCS' clients had called the New Americans Hotline for more information regarding Public Charge, only to be told that the Korean interpreter was on vacation. This highlights the need for more staffing that can provide Korean interpretation services, but also the need for greater cultural competency, training, and accountability of the interpreters.

New York City's initiative to expand language access services is commendable, and NYC is a true example of embracing and respecting the diversity that thrives in its communities.

New York City has been a leader on expanding language access for its immigrant populations. We hope that NYC will continue this commitment by considering the suggestions contained in this letter. We welcome the opportunity to further discuss these issues with you.

Thank you for this opportunity to share our story.

<p>KCS Main Office Adult Daycare Afterschool Immigration ESOL Workforce Development Thrift Shop 35-56 159th Street, Flushing, NY 11358 Tel: (718) 939-6137 Fax: (718) 886-6126</p>	<p>Corona Senior Center Korean Mutual Aid Society 37-06 111th Street Corona, NY 11368 Tel: (718) 651-9220 Fax: (718) 478-6055</p>	<p>Flushing Senior Center 42-15 166th Street Flushing, NY 11358 Tel: (718) 886-8203 Fax: (718) 886-8205</p>	<p>Public Health and Research Center 2 W 32nd Street, Ste. 604 New York, NY 10001 Tel: (212) 463-9685 Fax: (212) 463-8347</p>	<p>Brooklyn Project 8710 5th Ave. 1FL Bay Ridge, NY 11209 Tel: (718) 630-0001 Fax: (718) 630-0002</p>
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**Chinese-American Planning Council, Inc.
Testimony at the New York City Council
Oversight - Local Law 30 of 2017: Language Access Implementation Plans**

**Honorable Fernando Cabrera, Chair
Committee on Governmental Operations
jointly with
Honorable Carlos Menchaca, Chair
Committee on Immigration
October 25th, 2018**

Thank you Chairs Cabrera and Menchaca and the Members of the City Council for the opportunity to testify today. The mission of the Chinese-American Planning Council, Inc. (CPC) is to promote social and economic empowerment of Chinese American, immigrant, and low-income communities. CPC was founded in 1965 as a grassroots, community-based organization in response to the end of the Chinese Exclusion years and the passing of the Immigration Reform Act of 1965. Our services have expanded since our founding to include four key program areas: Childhood Development, Education & Career Services, Senior Services, and Community Services.

CPC is the largest Asian American social service organization in the U.S., providing vital resources to more than 60,000 people per year through more than 50 programs at over 30 sites across Manhattan, Brooklyn, and Queens. CPC employs over 700 staff whose comprehensive services are linguistically accessible, culturally sensitive, and highly effective in reaching low-income and immigrant individuals and families. To that end, we are grateful to testify about issues that impact the individuals and families we serve, and we are grateful to the Council for their leadership on these issues.

The City's Language Access Plan is 10 years old this year. There have been great strides made in improving how Limited English Proficient (LEP) and immigrant New Yorkers access city information and services. As we look toward the future of Language Access, CPC raises the following issues and recommendations.

Reduce reliance on Google Translate and Review Written Translation Contractors

CPC is pleased to see that some websites have recently been redesigned to provide uniformity between English and other translated languages. Last year, the Committee on Immigration convened a hearing where CPC testified that English and Chinese versions of DOE sites varied in layout, causing communication between staff who were helping Limited English Proficient (LEP) speaking parents navigate the site in their own language. We are pleased to see this issue has been resolved.

However, CPC notes that many sites are now using translation toolbars "powered by Google." While some translation is better than none at all, many of the key services and programs that New Yorkers use have specialized names or use highly technical language. This makes it challenging when staff refer to a service by an in-language name and community members are then unable to access it on their own because the Google-translated version is inaccurate or dissimilar.

Review the Contractors or Increase Incentives for Telephonic Interpretation Positions

Many of CPC's community members have complained that the language hotline has long wait times. For our parents at DOE sites, parent teacher conference times are often shorter than the wait time for a language line translator. As a result, parents cannot ask needed questions or understand important information about their child's education. Sometimes, a child ends up translating information, a burden that we all recognize is unfair but a reality resources like the language hotline fail. Many of CPC's parents come to our community-based afterschool providers with questions that they should otherwise be able to access at their child's school.

We have heard the same reports from families who interact with NYPD. Often, in pursuit of uncovering information quickly and assessing the situation upon arrival, police may hear from bystanders or family members who step in to translate on behalf of LEP individuals who call 911. While often benign, this is a problem for LEP survivors whose abuser may "step in" to clarify and translate on their behalf.

Telephonic interpretation is only helpful when there are enough live interpreters in the language requested. Too infrequently, the long wait times are a deterrent for callers. The City should either review who they contract with or provide incentives to increase the number of telephonic interpretation positions.

Promote Hiring Diversity or Train on Cultural Competency for City Translators

CPC's Child Welfare Preventative Services staff have shared that they request translators are present during joint home visits with ACS. Many times, the translators who attend do not translate in full or translate information inaccurately. CPC staff often step in to provide direct translation on top of the responsibilities they already have during the visit. This is unfair to families and human services staff alike, and contributes unnecessary stress to the home visits.

Our Preventative Services staff have also shared that during Family Team Conferences, parents are often confused about the cause of investigation. Translators often interpret "nodding" body language as affirming consent or decisions made during meetings, but parents are often nodding because of cultural differences in signaling body language, listening, and respect. These visits and conferences are highly emotionally charged, and translators must be culturally competent and familiar with the gestures and values that our community members use that do not necessarily indicate a "yes" or "no."

The City should commit to hiring diversity plans that ensure in-person translators and interpreters are culturally competent and come from the communities they interact with. Translators should be provided with onboarding and ongoing cultural competency training which should include body language, cues, and other forms of non-verbal communication.

Make Cross-Agency Language Access Plans Consistent

CPC understands how challenging it is for agencies to coordinate consistent Language Access Plans, but we were disappointed to see that MOIA's June 2018 report on Language Access Coordinators and 311 Information highlighted so many inconsistencies in handling complaints and requests.

As the City expands the number of languages covered, it must review how complaints are handled and addressed and how the public is able to request and access language services. CPC was shocked that there were zero requests received of any of the agencies included in the report. Because so many New Yorkers are LEP, the number of requests is indicative of low need, rather, it is indicative of how poorly streamlined or difficult-to-access these services are.

CPC hopes to see broader oversight and management of agencies' individual language access coordinators. We also hope that future reports will include the nature of complaints and how those public comments were then integrated into improving the agency's plans and language coordination.

CPC appreciates the opportunity to testify on these issues that so greatly impact the communities we serve, and look forward to working with you on them.

If you have any questions, please contact Amy Torres at atorres@cpc-nyc.org



Brooklyn Headquarters

150 Court Street, 3rd Fl
Brooklyn, NY 11201
T: (718) 643- 8000
F: (718) 797- 0410

Queens Office

37-10 30th Street, 2nd Fl
Queens, NY 11101
T: (718) 937- 8000
F: (347) 808- 8778

AAFSC @ the Family Justice Centers

FJC Bronx: (718) 508-1220
FJC Brooklyn: (718) 250 - 5035
FJC Manhattan: (212) 602-2800
FJC Queens: (718) 575 - 4500
FJC Staten Island: (718) 697 - 4300

**AAFSC @ The Khalil Gibran
International Academy**

362 Schermerhorn St,
Brooklyn, NY 11217
T: (718) 237- 2502

Maha Attieh, Health Program Director, Arab-American Family Support Center

Arij Abdul-Halim, Senior Director of Preventive Services, Arab-American Family Support Center

On behalf of the Arab-American Family Support Center, we would like to thank the Governmental Operations Committee for holding this hearing on the assessment of New York City's Language Access Services. We are grateful for your commitment to enhancing the inclusivity of our city by increasing access to critical services and documents in a fuller menu of languages.

At the Arab-American Family Support Center, we have strengthened immigrant and refugee families since 1994 by promoting wellbeing, preventing violence, getting families ready to learn, work, and succeed, and amplifying the voices of marginalized populations. Our organization serves anyone who is in need, but over our nearly 25 years of experience, we have gained cultural and linguistic competency serving the growing population of Arab, Middle Eastern, Muslim, and South Asian communities. Our staff speak 16 languages: Arabic, Armenian, Bangla, English, Farsi, French, Hindi, Italian, Nepali, Navajo, Pashto, Punjabi, Somali, Spanish, Tibetan, Turkish, as well as 30 various dialects. Additionally, we are the only Health Navigator Site in New York that has an Arabic-speaking Health Navigator. We offer our services in this many languages because the need exists within our diverse city. In our health program alone, we serve over 1,200 individuals whose primary language is not English. Compounding already existing challenges, limited literacy in native languages is prevalent in many communities we serve and requires verbal rather than written translation of materials. As such, the value of cultural and linguistic competence cannot be overstated. Our city is rich with diversity - we cannot utilize a one-size fits all approach to any service or resource.

We can only drive real, effective, and sustainable change when we offer services in a language that makes sense to the clients, when we understand the cultural elements at play, and when the service providers appreciate and respect the trauma our clients have faced in their home countries, in war, through harrowing migration journeys, and living in poverty.

The Arab-American Family Support Center is grateful for the improvements we have seen since New York implemented Local Law 30 in 2017, adding Arabic, Urdu, Polish, and French to the top languages that agencies are required to provide services and translations in. We have seen an increase in the amount of health access and social services materials that are available in languages our clients and communities speak: namely, Arabic and Urdu. This is incredibly impactful for thousands upon thousands of individuals who are navigating an unfamiliar system.

As with all moments of progress, we know that together, we can work to further enhance impact. Ongoing challenges remain. For example, within the Arabic language, over 128 dialects are spoken, which necessitates sensitivity and awareness around various definitions and meanings of terms, not currently present. Clients who speak various dialects are often unable to understand certain materials even if they are in Arabic without additional translation support. Language Line is a helpful resource, but not entirely accessible to our clients. We have witnessed multiple situations in which Arabic speakers were unable to understand the Arabic dialect being spoken on Language Line. Further, hospitals and emergency responders need additional staff who can provide guiding translation in times of crisis. Our clients have reported difficulty in accessing materials in Arabic and Urdu within their children's school, making it challenging for them to be the supportive advocates their children need.

Further, language accessibility on its own is critical, but not enough. Cultural competency and respect is equally as important in bridging gaps and misunderstandings, and connecting people to the appropriate services in a timely manner. We need more support for community based organizations like the Arab-American Family Support Center that are filling in gaps in translations, referrals, education, and awareness generation as needed to ensure the best for our community members.

We urge the New York City Council to continue your commitment to prioritizing and increasing the availability of culturally and linguistically competent, trauma-informed services, materials, resources, and human capital throughout the five boroughs. The Arab-American Family Support Center stands ready to work with you to help the most vulnerable among us thrive.



**New York City Council – Joint Governmental Operations Committee & Committee on Immigration
Oversight Hearing – Local Law 30 of 2017: Language Access Implementation Plans
October 25th, 2018**

**Prepared by Tasfia Rahman, Policy Coordinator
The Coalition for Asian American Children and Families (CACF)**

Good Afternoon. My name is Tasfia Rahman and I am the Policy Coordinator of the Coalition for Asian American Children and Families (CACF). We thank the Committee Chairs Council Members Cabrera and Menchaca and the members of the Committees on Governmental Operations and on Immigration for holding this hearing on the Language Access Implementation Plans.

Since 1986, CACF is the nation's only pan-Asian children and families' advocacy organization and leads the fight for improved and equitable policies, systems, funding, and services to support those in need. The Asian Pacific American (APA) population comprises over 15% of New York City, over 1.3 million people—the same size as the entire population of Dallas. Yet, the needs of the APA community are consistently overlooked, misunderstood, and uncounted. We are constantly fighting the harmful impacts of the model minority myth, which prevents our needs from being recognized and understood. Our communities, as well as the organizations that serve the community, too often lack the resources to provide critical services to the most marginalized APAs. We work with almost 50 member organizations across the City to identify and speak out on the many common challenges our community faces.

APAs come from countries in South Asia, Southeast Asia, East Asia, and Central Asia, as well as from the Pacific Islands. In NYC alone, we represent over 40 ethnicities, tens of languages and religions, and a multitude of cultures and immigration experiences. On behalf of the nearly 50 Asian-led and Asian-serving community and social service organizations in our membership, I ask the Council to advocate for Language Access Implementation Plans that consider the unique and diverse language and culturally competent needs of the APA community.

The Needs: APA individuals and families face numerous barriers to success, one of which is adequate language access. Our community is growing and we're growing quickly. In 2014, 35% of APAs in NYC were Limited English Proficient which means that no one in a household above the age of 14 speaks English well. Most recently, the percent of LEPs in the community rose to 42%. That is nearly half of the APA community! This means in our families, children have no choice but to serve as interpreters for their families, causing additional stress and anxiety for the family. Limited English Proficiency also prevents parents from participating in school events, discussions and meetings crucial to the social and emotional health of their children.

Additionally, many APAS have limited literacy in their native languages. This issue highlights the increasing importance of collaborating with community-based organizations and community members to engage in direct outreach to contact isolated families by phone, visits, or word of mouth.



We commend the Council for passing Local Law 30 in 2017, which seeks to improve access to the city services for those who are Limited English Proficient by expanding and codifying 2008's Executive Order 120. We also acknowledge the Administration's efforts to implement the mandates outlined in Local Law 30, through the Mayor's Office of Immigrant Affairs and the Mayor's Office of Operations.

However, the mere availability of languages is not enough. Effective outreach is vital to the implementation of language access plans. When reviewing MOIA's report on the number of requests and complaints, there were 0 requests reported by agencies such as ACS, Social Services, and HRA that individuals and families are often in contact with. How is this possible when 42% of our community consists of LEPs and also have the highest rates of utilization in services such as Medicaid? We're left to assume that the process is not transparent and too inaccessible to the APA community.

Even after the passing of Local Law 30, there are still major barriers to implementation. CACF's member organizations are direct service providers who work closely with APA students and families. We meet with members regularly to discuss the needs and concerns that community members face. Our communities are still reporting the many difficulties they face in accessing health and social services and support in education for their children. In fact, many CBOs receive numerous requests to accompany their clients when going to agencies because they're not receiving proper interpretation services from the agencies themselves.

Additionally, every access point must constantly be monitored and improved to ensure groups are receiving communication in the correct language. For example, my parents every year request they receive their HRA paper communication, namely Medicaid Renewal documents, in Bengali. They're usually given English and a Spanish translation. It was no different this year. While we appreciate the City's efforts in recording the number of calls, requests, and intakes regarding language accessibility, there also needs to be a way to monitor the quality of translation and interpretation services. The City needs to improve their data collection and reporting protocols around linguistic accessibility to better reach APA communities.

This is also why CACF is a long-time advocate for the fair and accurate reporting of racial and socio-economic data, particularly on the crucial need to include the disaggregation of data. On October 31, 2016, Mayor de Blasio signed a package of data equity bills (Intro 251-A, 551-1, 552-A) that mandates the collection and reporting of disaggregated data from city and state social service agencies.

Local Law 30 would benefit from utilizing these data equity bills into tracking the diverse, growing, and emerging populations in NYC. This will ensure that communities that need language services the most are receiving the proper linguistic and culturally appropriate resources for their families. The collection and reporting of disaggregated data would spotlight challenges and barriers that APA groups face in public services as many struggle with financial, linguistic and cultural barriers. The reporting of such data would also address the negative impact of the model minority myth. However, we have yet to see any implementation of the bills.

We end by reiterating that City agencies provide language translation and interpretation services that are culturally competent and fit the different needs of individuals and communities. Our membership continues to report language barriers their LEP APA community members have been facing when interacting with the staff



Coalition for Asian American Children + Families

of City Agencies, who need to include cultural competency training of interpreters and frontline City Agency staff. APA individuals are often intimidated about asking for interpretation for fear of imposing on staff or that there may be repercussions for their children and families. Cultural competency helps ensure that interpreters and frontline staff are sensitive, that the interpreter uses colloquial language, frontline staff are respectful and acknowledge cultural practices, and that LEP individuals feel comfortable engaging with City Agencies.

New York City has been a leader on language access and we hope it will lead the work in providing more culturally competent services. We hope that you will continue to honor this commitment by addressing the issues raised and implementing the recommendations offered in this testimony. We hope to continue communicating with your offices on these issues and thank you for the opportunity to testify today.



Testimony for Language Access Implementation Plans
Committee on Governmental Operations and Committee of Immigration
October 25th 2018

African Communities Together / Maimouna Dieye
127 West 127th St. Suite 221
New York, NY 10027

Oversight - Local Law 30 of 2017: Language Access Implementation Plans.

Good afternoon members of the Committee on Governmental Operations and Committee of Immigration, My name is Maimouna Dieye, program manager at African Communities Together, ACT. At ACT, I lead our Community Interpreter program and supervise the development of our African Language services worker cooperative. African Communities Together is an organization of African immigrants that empowers our community members to integrate socially, get ahead economically and engage civically.

On behalf of ACT, I would like to applaud the city's major accomplishment in the Local Law 30 of 2017:

- First, in recognizing that New York City is one of the most diverse cities in the country and much of its population speaks languages other than English.
- Second in expanding Language Access to French and Arabic and in providing enforcement provisions in the new law. Many of the communities we serve at ACT are West African immigrants who speak, in addition to their native languages, French. This Language Access expansion means now that about 2000 more Africans can access city services in French.

Although the LL 30 is a great start to language access, it does not cover all African immigrants. As you may know, many Africans who are from Francophone countries can communicate most effectively in their native languages instead of French this is because French is widely spoken by Africans who have access to higher education. With an increase of African immigrants coming from different economic and educational background in NYC, we are faced with two major concerns that the LL 30 bill did not address:

1. The first being the challenge our community members face in finding interpreters in African languages other than French in city agencies. Our office often receives calls from our new immigrant members who were unable to access city services because they were not able to communicate with city agencies. A number of them, will call a staff to assist in interpretation.



2. The inadequacy in telephonic interpretation and in its inferiority in building connection and trust between the interpreter and the client and in its quality and availability for languages with regional variations i.e: Mandingo

I am here today on behalf of my community to ask the city to:

1. Hire in key offices bilingual frontline staff who can serve as navigators and facilitators in assessing languages that the clients speak and connecting them to the right interpreter.
2. Consider investing in the establishment of a Community Legal Interpreter Bank, a model that the District of Columbia has successfully use which consists of a group of professional interpreters and translators who were recruited and trained to provide language access services free of cost to qualified non-profit organizations that serve low-income individuals. We advise the city to consider emulating this model of language access.
3. ACT is in the process of incubating an African Language services worker co-operative which will be a worker run agency that provides in-person interpretation, translation and language instruction of African languages and ESL for new African immigrants.

The city council has invested in worker owned cooperatives and ACT, Asian American Federation and NYIC believe the city should support language services co-operative development language. In that, language services co-op can meet two of the city's goals of language access and economic development. The community based language services worker co-op can work in a complementary fashion by building the supply of interpreters in languages of limited diffusion including many African, Asian and Indigenous Latin languages..

We again salute the city's effort in recognizing effective language access as the cornerstone of equity in this beautiful and diverse city that we live but we call all of you to remember true fairness is not existent if some people are left out. In this case, we have to expand language services to the people who do not speak the 10 designated citywide languages.

Thank you for your valuable time and consideration in implementing our recommendations.

Sincerely,
Maimouna Dieye
African Communities Together

Sabrina Jalal
Public Housing Organizer @ CAAAV

Testimony:

More than 400,000 New Yorkers live in public housing developments run by the New York City Housing Authority (NYCHA).¹ For them, NYCHA is property manager, landlord and super. NYCHA systems and staff are the points of interface for repair issues, rental payments, emergency information and more.

For NYCHA tenants with limited proficiency in English, navigating the policies, procedures and paperwork associated with their housing can be fraught with challenges. Issues of language access have serious implications. Tenants whose rents are raised incorrectly may be taken to housing court for non-payment of rent because they were not able to communicate with NYCHA to resolve the error. Tenants may be forced to miss work because they have to schedule repeat meetings in an attempt to communicate their needs. Victims of domestic violence who are in need of emergency housing transfers are not able to make that need known. The safety of tenants' apartments can be jeopardized by a lack of language access in the repairs process. Crucial housing information, such as emergency protocols, may not reach tenants because they are not translated. Lack of language access impacts the day-to-day experience of tenants in interaction with NYCHA staff and their ability to participate meaningfully in the NYCHA community, perpetuating isolation.

Signed by Mayor Michael Bloomberg in 2008, Executive Order 120 requires city agencies to ensure meaningful access to direct public services for LEP individuals. While the housing authority is not exclusively a city agency, NYCHA references Executive Order 120 on their website in introducing their Language Assistance Services Implementation, which was first developed in 2009, shortly after the order was signed.

NYCHA's Customer Contact Center (CCC), previously referred to as the Centralized Call Center, "provides residents with one central point of contact for their apartment and development maintenance needs."⁴³

We find that this extremely important system is largely inaccessible to Asian LEP tenants. Many tenants have been deterred from calling the CCC because they did not think they could talk to someone in their language, and most of those who do call have not been able to connect to an interpreter. In addition, the repairs process itself is inaccessible. The broader repairs crisis in NYCHA—massive repairback logs, requests that go unacknowledged, extremely long wait times, repairs that are marked as completed even though no work has been done—is exacerbated by language access issues. NYCHA does not proactively provide language access services to LEP tenants during the repair process, even if they have requested the repair in a language other than English. Nearly all surveyed tenants who have been asked to sign a document related to repairs have not been given a document in their language.

While NYCHA contracts with Language Line, a translation vendor, to provide interpretation services for the CCC, tenants must first attempt to navigate a number of steps without translation in order to reach a translator. The Interactive Voice Response system (IVR) that provides prompts to tenants calling the CCC has four options; English, Spanish, Russian and Chinese however it does not have Bangla, or Korean even

though they are the top 5 languages spoken by people in their homes according to the 2014 American Community Survey:

Top Languages Spoken at Home by the Limited English Proficient (LEP) Population
Universe: Population 5 years and over
2014 American Community Survey Public Use Microdata 1-Year Sample
New York City and Boroughs

New York City		
	Total	Percent
Total LEP	1,856,795	100.0
Spanish	889,425	47.9
Chinese*	334,125	18.0
Russian	111,217	6.0
Bengali	57,118	3.1
French Creole	47,996	2.6
Korean	39,501	2.1
Arabic	33,122	1.8
Yiddish	32,101	1.7
Italian	27,785	1.5
Urdu	25,191	1.4
Polish	23,670	1.3
French	18,255	1.0

Bronx		
	Total	Percent
Total LEP	348,969	100.0
Spanish	283,114	81.1
Bengali	8,192	2.3
Kru, Ibo, Yoruba	7,331	2.1
Arabic	5,684	1.6
French	5,338	1.5
Chinese*	4,718	1.4
Mande	4,513	1.3
Fulani	3,942	1.1
Italian	3,894	1.1
Albanian	3,894	1.1
Vietnamese	2,509	0.7
Russian	1,399	0.4

Brooklyn		
	Total	Percent
Total LEP	570,336	100.0
Spanish	175,113	30.7
Chinese*	127,868	22.4
Russian	83,485	14.6
French Creole	37,583	6.6
Yiddish	30,997	5.4
Arabic	13,149	2.3
Urdu	11,546	2.0
Italian	10,816	1.9
Bengali	10,606	1.9
Polish	10,338	1.8
Ukrainian	8,280	1.5
Hebrew	7,940	1.4

Manhattan		
	Total	Percent
Total LEP	247,760	100.0
Spanish	150,701	60.8
Chinese*	51,316	20.7
French	5,461	2.2
Japanese	4,752	1.9
Korean	4,597	1.9
Russian	4,084	1.6
Fulani	2,645	1.1
Albanian	2,643	1.1
Arabic	2,173	0.9
Portuguese	1,812	0.7
Slovak	1,525	0.6
Polish	1,486	0.6

Queens		
	Total	Percent
Total LEP	637,796	100.0
Spanish	261,757	41.0
Chinese*	143,271	22.5
Bengali	36,779	5.8
Korean	27,841	4.4
Russian	17,738	2.8
Punjabi	15,226	2.4
Urdu	12,113	1.9
Polish	10,241	1.6
Tagalog	10,177	1.6
Greek	9,779	1.5
French Creole	8,758	1.4
Arabic	8,164	1.3

Staten Island		
	Total	Percent
Total LEP	51,934	100.0
Spanish	18,740	36.1
Chinese*	6,952	13.4
Italian	4,760	9.2
Russian	4,511	8.7
Arabic	3,952	7.6
Albanian	2,838	5.5
Korean	2,635	5.1
Polish	1,605	3.1
Tagalog	676	1.3
Nepali	570	1.1
Bengali	474	0.9
Urdu	472	0.9

* Includes Chinese, Cantonese, Mandarin, and Formosan

Sources: U.S. Census Bureau, 2014 American Community Survey Public Use Microdata 1-Year Sample
 Population Division -- New York City Department of City Planning (March 2016)

Clearly, for tenants who speak languages other than English/Spanish/Chinese/Russian, this initial interface is inaccessible. The intended procedure for non-English and other speakers listed is to connect to interpretation services is to select the fifth option. Then, the tenant should be connected to a NYCHA representative, who should determine that they are in need of interpretation, and call in to Language Line, who will identify their language needs and connect to an appropriate interpreter. Each step of navigating the CCC system—until the connection to an interpreter—is in a language that the tenant does not speak. Does that sound fair?

Even when the NYCHA call system has the tenants language, the rest of the process is still inaccessible:

Tong Yun Ru moved to Queensbridge Houses 5 years ago with his wife. He was born and raised in Shanghai and speaks Mandarin and Shanghaiese.

Ru has struggled to request repairs in his apartment due to language barriers. "Repair issues have been incredibly problematic," he says. "We were really happy to receive a home. We arrived in the United States and only after a little while we had a place to live. But in the office there aren't any Chinese people so when we have repair issues...it's hard to communicate about it. We've had this wall repair issue for over half a year now. They come in and work but they leave and it's still not fixed."

"It'd be better if the workers at least understood Chinese. For us there's no way to resolve the issue because we can't learn English."

Of the Customer Contact Center, which tenants are instructed to call to request repairs, Ru says: "It doesn't work for us to call the call center. We have to have our daughter call for us. It's a bit of a bigger issue. We have to wait hours for them to come and do repairs. Sometimes they tell us they're coming and we wait for hours, or even the next day one time. When they come they give us a sheet to sign after repairs. They're all in English and we can't understand it. We have to trust they won't trick us."

Bengali Member:

Shakila Akhther has lived in Ravenswood for almost 12 years with her husband and three sons, the eldest of whom is disabled. She grew up in Dhaka, Bangladesh, and speaks Bangla/Bengali.

Akhther has long-standing repair issues in her apartment, including damage in her bathroom caused by a leak upstairs. She has had varied experience calling the Centralized Call Center to request repairs: "When I call, sometimes they have nice people who can understand. And sometimes I can't explain very well. Then that becomes a problem, they can't understand... I definitely have problems sometimes since I can't explain it to them in their language, when I have to explain in English, then it's hard for me." Akhther was not aware that she could request interpretation over the phone. "I never told them [that I wanted services in Bangla/Bengali], and they didn't tell me either. And actually I didn't even know that that service existed."

Peeling paint in her apartment poses a health risk to Akhther's young child, and she has been forced to make her own repairs (taping over the paint) in an attempt to protect him. She isn't certain why her call for repairs to the paint has not been addressed. "I don't know if they have trouble understanding me or if they don't believe me. I have requested repeatedly, that instead of speaking to me, why don't you send someone to inspect the situation at my place. I have a little kid. This lead—this paint—you see how I have tape all over, he keeps putting it in his mouth. This is very dangerous for my child. I don't understand if it's because of my language or what, but I haven't received any kind of help as of yet."

Akhther also describes being treated rudely by NYCHA staff when she has attempted to have her issues resolved. When she spoke to a staff member about her apartment condition, "He was extremely annoyed...he wanted me to go away, he wanted me to leave. The way he behaved! He said I was crazy.... We have been here for 12 years... Their behavior is extremely bad. I don't understand. Maybe because I am Asian, because I am Bengali."

When asked what she would change about NYCHA's services, Akhther says: "The biggest thing is, if I can get services in my language, that would be very good because I could explain properly and share my

problems. I think then they would be able to understand me properly. And I think I would get better services if I was able to explain my problems properly, maybe I would get them faster.”

Language access issues impact tenants’ ability to understand crucial housing matters, and can impact their health, safety, the stability of their housing, and their sense of belonging to NYCHA’s community. To move forward NYCHA must provide a system that provides meaningful access to all tenants by ensuring that non-English speakers can successfully navigate the CCC system, disseminate information about language access services more widely, and ensure that information about available services is shared in the languages tenants speak, and include tenants and community groups as partners in evaluating and improving language access services.



131 West 33rd Street, Suite 610
New York, NY 10001
(212) 627-2227
www.nyic.org

October 25, 2018

Testimony of the New York Immigration Coalition

Oversight Hearing: Local Law 30 of 2017: Language Access Implementation Plans

Good afternoon, and thank you to the Government Operations Committee and the Immigration Committee for convening today's hearing and to you, Speaker Johnson, and the entire City Council for your continued leadership on behalf of New York City's immigrant communities.

My name is Betsy Plum and I am the Vice President of Policy at the New York Immigration Coalition. We are an umbrella policy and advocacy organization with over 200 member organizations across New York State. We aim to achieve a fairer and more just society that values the contributions of immigrants and extends opportunity to all.

The NYIC was proud to partner with our NYC members last year to push for the passage of Local Law 30. Local Law 30's codification and expansion of the City's language access protections ensures that our diverse communities can come closer to language equity, while having greater access to the City's vital services. We are excited to hear from the Administration today on Local Law 30's implementation, but also want to use this opportunity to underscore the need to see Local Law 30 as just the start to our City's robust response to language access needs and offer ways that the City Council and Mayor de Blasio's Administration can better support immigrant New Yorkers navigate our City and its services, a need that is all the more vital given the hate and hostility transmitting from the Federal Government.

In our city, three out of every five residents are an immigrant or the child of an immigrant, and nearly one out of every four immigrants is Limited English Proficient. Offering immigrants and their families the tools they need to meaningfully navigate our city is vital. Increasing the number of languages to 10 that City agencies must translate their most commonly distributed documents into was a critical step forward. However, in a city where 176 languages are spoken by students in the city's public schools, where one borough (Queens) is home to speakers of 138 languages, and where an estimated over 800 languages are spoken, 10 languages being mandated by City law should be seen as only the beginning.

There are also unique concerns that we have with the standing implementation. While there are 10 approved languages, many of these have distinct dialects and regional variations. Similarly, for a language like Chinese, beyond distinct dialects, there are different ways to write the language and there is no uniformity in which form should be used between simplified and traditional Chinese for written and printed materials. The City has enacted a number of measures to gather and maintain stronger data on users of City agencies, and it would be extremely helpful to use the data to understand what which versions, dialects, or variations of a language, both written and spoken, are most necessary. It should also be understood that this

may vary across the City in different locations. Moreover, if data does not tell us, we need to develop improved data-gathering tools and methods.

We are also concerned with the current mechanisms for reporting complaints or violations to the City's language access protections, and the ripple effect that this then has for ensuring agencies are being held accountable and Local Law 30 is being enforced. To date, advocates have been instructed that 311 is the best way to register complaints. However, there is little, if any, visible effort to outreach about using 311 for this purpose, or on what 311 is entirely or when and why to use it. More so, if someone is seeking to report a complaint about a lack of language access services provided, or the quality of services, it is very unlikely that they will see calling a City hotline as a meaningful remedy. This is all the more true when individuals do try to call 311, only to be met with the same language access roadblocks that they're calling to complain about. We welcome the opportunity to think through how to create more community-friendly ways to register complaints, and how to make 311 a truly inclusive tool for all New Yorkers.

As we look toward true, structural improvements in how our city engages with language access needs, two long-term investments we would encourage City Council to consider include:

- 1) Funding worker-led language cooperatives that are able to meet the demand for the languages spoken regularly in New York City outside the 10 covered by Local Law 30, including the many African, Asian, and indigenous native languages that are not included in the law. These cooperatives have been modeled in cities like Washington, D.C. and offer a way to ensure individuals are receiving the most culturally and linguistically fluent interpretation and language access possible. Language Line is unfortunately not an appropriate intervention for many sensitive conversations, and there are often significant challenges with different regional variations of a particular language.
- 2) Funding a true investment in English language instruction designed for immigrants, with the outcomes that are most relevant for their experiences, lives, and integration. Currently, English for Speakers of Other Languages (ESOL) programs are supported by the City's adult education system, which receives funding from the local, state, and federal level. This system has been chronically underfunded and has increasingly shifted to requiring onerous career and college readiness standards, with the greatest unmet demand in the system being the first levels of English language instruction. Until we as a City take the educational needs of adults seriously, we will continue to need to grapple with a beautiful and diverse immigrant community that cannot meaningfully navigate and contribute to our city simply because of a language barrier. We applaud the investments City Council has made over the last years to support English and other adult education programs, and encourage a broader investment in this next year to support programming specifically designed for immigrants, understanding that the impact will be far and wide.



131 West 33rd Street, Suite 610
New York, NY 10001
(212) 627-2227
www.nyic.org

For each of these, as well as our ongoing concerns regarding agency compliance and accountability with Local Law 30, we look forward to working as thought partners. We are so proud of New York City for taking the critical steps to support language access and the integration of our City's more than 3 million immigrant residents, and are similarly proud to be here today pushing the City to make its best even better.



Commitment to Improve the Quality of Life

October 25, 2018

To: New York City Council Committee on Governmental Operations

From: India Home, Inc.

Re: Oversight – Assessment of New York City’s Language Access Services

Local Law 30 of 2017: Language Access Implementation Plans

India Home is a non-profit organization founded by community members to serve South Asian older adults. The mission of India Home is to improve the quality of life for older adults by providing quality care in a culturally appropriate environment. We serve 200 older adults across Queens through senior center programs, case management, recreational activities, and advocacy.

Our community members are very limited in their English language skills. As such, our services and other culturally appropriate services that come from the immigrant communities are extremely necessary. Moreover, our members feel a greater level of comfort talking to only our staff members and rely on us as a first and sometimes only point of contact when accessing services. Oftentimes we’ve been told by our members that they’ve reported to the HRA or other city agencies, and when asked for language services have not received immediate service and instead have been told to return at a later time to receive the service. Because of this inadequate service, our members resort to asking our staff to accompany them to such appointments and serve as translators. This creates a strain on our staff, as we are limited with our time and resources. Furthermore, we are required to have telephonic, HIPAA-compliant, language interpretation services as per DFTA regulations, but with South Asian languages costing over \$1 per minute and appointments taking upwards of 30-60 minutes, the cost of providing these services can be a financial strain for smaller organizations like our own.

Well-meaning language access plans such as those of NYC Well or DFTA are not always operational. NYC Well states that it is available in 200+ languages and DFTA’s language access plan covers the top ten languages and then uses 311 for 165 other languages. In both instances, many South Asian older adults get left behind. Through experiences of our community members, we found out that South Asian older adults cannot access these services, especially those that use large providers like Language Line. Our community members have reported unsatisfactory experiences when attempting to access services in Kannada, Telugu, Sinhala, and Marathi – just to name a few languages. As such, stating that access is available in 170 or 200 languages is incorrect. In other instances, getting a translator takes too much time and the community member feels frustrated and helpless.

Although language access plans are commendable, we recommend three further steps:

178-36 Wexford Terrace Suite 2C Jamaica, NY 11432

Phone: (917) 288 7600 ▪ Fax: (718) 425 0891 ▪ www.indiahome.org ▪ indiahomeusa@gmail.com

Board of Directors Officers
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Ms. Anjali Thadani
Ms. Neetu Jain

1. To monitor and evaluate the implementation of the language access plan with a focus on lesser-spoken languages
2. To grant more city contracts to agencies and service providers that come directly from immigrant communities and that hire culturally appropriate and linguistically competent staff to provide direct services. This will ensure a better and increased utilization of government services.
3. To give smaller organizations special funding to be able to provide language access lines.

Sincerely,



Vasundhara D. Kalasapudi, M.D.

178-36 Wexford Terrace Suite 2C Jamaica, NY 11432

Phone: (917) 288 7600 ▪ Fax: (718) 425 0891 ▪ www.indiahome.org ▪ indiahomeusa@gmail.com

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Ms. Afreen Alam
Ms. Anjali Thadani
Ms. Neetu Jain



Asian American Federation

Testimony for New York City Council Oversight Hearing on Local Law 30 of 2017: Language Access Implementation Plans

Submitted to the New York City Council Committee on Immigration and Committee on Governmental Operations

October 25, 2018

Thank you, Chair Menchaca and Chair Cabrera and the Committees on Governmental Operations and Immigration for convening this hearing today. I am Persephone Tan, Associate Director of Immigration & Policy at the Asian American Federation (AAF). The Federation's mission is to raise the influence and well-being of the pan-Asian American community through research, policy advocacy, public awareness, and organizational development. We come to you today representing our network of over 60 member organizations and partner agencies supporting our community with their work in health & human services, education, economic development, civic participation, and social justice.

Specifically, we are here on behalf of the Asian immigrants of New York City. Overall, Asians make up 15 percent and growing of the City's population. Among this group, about 7 in 10 Asian New Yorkers are immigrants, making immigration issues particularly salient for our community.

First, we thank the City Council for passing this law last year and to continue working with the Mayor's Office of Immigrant Affairs (MOIA) and other city agencies to protect the rights of immigrant and limited English proficient (LEP) New Yorkers.

We must take action to protect our newest New Yorkers in this era of federal anti-immigrant action while increasing access to culturally competent immigrant services. These include assistance in finding employment, navigating immigration statuses, and providing health care and education for themselves and their families. AAF works with our member agencies to help Asian New Yorkers address these needs without the additional burdens of language and cultural barriers.

In December of 2016, the Federation joined with the New York Immigration Coalition (NYIC) and African Communities Together (ACT) to advocate for an updated citywide language access policy. As leadership organizations for African, Asian, and all immigrant New Yorkers, we understand the dire language needs of our very diverse communities. Through our members and partners, we recognize the urgency in securing language accessibility so that New York's most

vulnerable populations are able to access public services. For the Asian immigrant community, the Department of Education tracks 55 languages across more than 20 Asian ethnic groups.

The solidarity shown across our three organizations prompted the New York City Council to unanimously approve an additional four languages to include Arabic, French, Polish, and Urdu, which will in part support the growing African, Arab, and Pakistani immigrant populations. This collective advocacy demonstrates our continued commitment to ensuring the City can meet the demands of its ever-changing demographics.

The enactment of Local Law 30 last year increased the total number of citywide designated languages from six to ten languages, in which all city agencies must have available when providing services. This reflects the increase in the number of immigrants living in New York City and the need to recognize this growth by evaluating the inclusion for additional languages.

From 2000-2016, the Asian population grew by 58 percent, with Asians now making up 16 percent of the city's population. In particular, the addition of Urdu to the required languages addresses the 63 percent increase in the Pakistani community in New York City, from just under 34,000 in 2000 to almost 55,000 in 2016. Urdu is the most commonly spoken language by Pakistani Americans. The Federation has and will continue to monitor the City's implementation of language access plans to ensure that quality services are provided in-language.

MOIA published its first annual report in June 2018, which contained an overview of each mandated component for each city agency subject to the requirements of section 23-1102 of the NYC Administrative Code. This includes providing information on: the names of designated individuals responsible for coordinating language access for the agency; how the general public may submit complaints or questions regarding language access; collecting data on these complaints or requests for assistance; documenting the types of outreach conducted by each agency especially with individuals whose spoken and written languages do not fall within the ten citywide designated languages.

After reviewing this report, we want to raise several concerns:

1. **There is no clarity or uniformity on which form of Chinese should be used between Simplified Chinese versus Traditional Chinese for written and printed materials.** Additionally, as there are many dialects of Chinese that exist, such as Toishanese and Fujianese, it is unclear if these specific Chinese dialects are tracked when providing services to individuals. It is important to identify these dialects, and not only in Chinese, because not everyone is literate and may not have the ability to read written forms in their language.
2. **According to the report, the Department of Health and Mental Hygiene (DOHMH) does not have a standardized system of collecting and tracking a client's primary or preferred language.** While they are utilizing the American Community Survey to determine the City's LEP population, we believe that all programs across the board at DOHMH should be standardized to sustain consistency in reporting language access

needs and services provided. Even more crucial is the need to track a client's primary or preferred language use in order to provide optimal services from DOHMH.

3. While we understand that MOIA provides guidance and technical assistance to support city agencies through the Office of Language Services Coordinator (based in the Mayor's Office of Operations but led by MOIA), **what is the criteria or parameters in which MOIA will hold agencies accountable for not providing proficient language access to individuals seeking assistance?** What is the accountability mechanism between MOIA and a LL30 city agency?
4. **We are concerned that the 311 reporting system for language access complaints is underutilized**, as evidenced by the fact that, within the first year of Local Law 30 was in effect, that zero "Language Access Complaints" went to DFTA; only two for DOHMH; zero for DOT; one for HPD; 15 for DSS/HRA; 12 for NYPD; zero for OATH; and zero for SBS. Based on anecdotal information from our member agencies, we know that there are many unrecorded examples of unmet language access needs and that the community is unaware of or is unwilling to use the current reporting mechanism through 311.

RECOMMENDATIONS:

1. **City agencies should identify which Chinese script and dialects are used most often for the people they serve.** For example, we assume DFTA may use traditional Chinese script more to cater to Chinese seniors, while ACS may encounter more recent immigrant families from mainland China who would prefer simplified script. Because this is only an assumption, hard data on script preferences would be necessary to determine which should be used.
2. **DOHMH should standardize a system or utilize processes that other city agencies put into place in order to identify a client's primary or preferred language use.** For example, ACS and HRA both use language cards ("I Speak...") to identify and track this. DFTA uses a "Correspondence Tracking System (CTS)" to identify primary language(s) used by specific LEP persons to mail and email in their language of choice, if requested. We believe that DOHMH needs to develop a standardized system to track all clients' primary and preferred language. This particular situation leads us to another question of how often MOIA determines and evaluates "best practices" as seen from agency implementation plans across the board. If this is not already put into place, we recommend that MOIA develops a plan to regularly assess and implement this with the LL30 corresponding city agencies.
3. **Transparency in MOIA's corrective action plans to address non-compliance from city agencies who fail to provide adequate and proper language interpretation/translation services.** Under the current policies of the federal administration, immigrant New Yorkers are more vulnerable and will need access to public services in-language. We need to ensure that not only are agencies held accountable but that they also receive the resources necessary to implement their language access plans.

4. **More outreach to the community to build awareness of the availability of language assistance. And inform people how to register their need through 311.** We all know that limited English proficient (LEP) communities may not be utilizing or know how to call 311. There also exists previous experiences of individuals who were unable to reach someone who spoke their language when using 311.

As the City continues to address ongoing concerns with language access, such as the ones indicated above, we look forward to working with the City Council, MOIA, other city agencies, and immigrant advocates on addressing language access needs in New York City. Thank you.



Asian Americans for Equality

2 Allen Street, 7th Floor • New York, NY 10002

Tel: 212-964-2288 • Fax: 212-964-6003 • www.aafe.org



New York City Council – Committee on Immigration Oversight – Local Law 30 of 2017

Oct. 25, 2018

Testimony of Asian Americans for Equality

Good afternoon, and thank you for the opportunity to testify today before the City Council's Committees on Immigration and Governmental Operations regarding Local Law 30 on Language Access Implementation Plans. I present this testimony on behalf of Asian Americans for Equality (AAFE) and executive directors Jennifer Sun and Thomas you. My name is Joseph Lin, Director of Program Administration and Development.

For nearly 45 years, AAFE has been serving Asian American, immigrant and low-income communities in New York City through affordable housing, social service, health, education and small business programs. Our work is centered in Manhattan's Chinatown/Lower East Side; Flushing, Queens; Jackson Heights, Queens; and Sunset Park, Brooklyn. We have a long-term commitment to helping our communities access government services regardless of the language they speak. AAFE has the ability to assist community members in the major Chinese dialects, Korean and Spanish.

We would like to thank Speaker Johnson and Chairperson Menchaca, as well as the city administration, for enacting and implementing this important legislation. Just 18 months after Local Law 30 was approved, New York City's commitment to improving language access is making a substantial positive difference in the lives of immigrant New Yorkers every day.

In particular, AAFE would like to express our appreciation to the Mayor's Office of Immigrant Affairs for its diligence in disseminating multilingual information about the federal government's proposed "Public Charge" rule changes. This proposal has caused tremendous fear in our community. The city's proactive information sharing campaign in partnership with community-based organizations has been tremendously helpful.

Based on our first-hand experience in immigrant communities, we wanted to offer our feedback for strengthening the current program. In some instances, it has become clear that the quality of materials translated from English to Chinese needs improvement.. In outreach for an event held in Flushing, Queens, for example, the translation for Flushing actually was interpreted as "The Big Flush." If there had more opportunity to assess the quality of the translation earlier, the impact of this event could have been greater.

We believe additional quality control systems should be implemented. Outreach to those communities served and outreach to community-based non-profits serving immigrant neighborhoods would be a major step in the right direction.

The quality of language access programs would also be enhanced through the use of more locally-based translations firms, rather than relying on large national or international corporations. At times, services have not been offered in a sufficient number of dialects, and faulty information has been disseminated by translators who are obviously unfamiliar with our communities.



Asian Americans for Equality

2 Allen Street, 7th Floor • New York, NY 10002

Tel: 212-964-2288 • Fax: 212-964-6003 • www.aafe.org



AAFE is eager to work side-by-side with city agencies to improve the quality of translations. We are more than willing to provide assistance in outreaching to our communities and identifying high quality translation providers.

In closing, we would like to again thank the City Council and the city administration for taking crucial steps to create a more equitable New York for all of its residents.



Japanese American Social Services, Inc.
100 Gold Street, Lower Level, New York, NY 10038

Phone: (212) 442-1541
Web: <http://jassi.org> E-mail: info@jassi.org

Organization: Japanese American Social Services, Inc. (JASSI)

October 25, 2018

RE: Oversight - Local Law 30 of 2017: Language Access Implementation Plans

Dear Committee on Governmental Operations jointly with the Committee on Immigration,

Japanese American Social Services, Inc. (JASSI) is a non-profit, community-based organization which has been providing an array of social services to the Japanese community for 37 years through the Hotline Program, the Senior Program, the Caregiver Support Program, and the Community Outreach Program.

I, on behalf of JASSI, would like to share some of our clients' stories and to ask for your support in strengthening language access programs in the community.

During FY2018 (July 1, 2017 through June 30, 2018), JASSI assisted 1,818 clients. The total number of contacts we received or made from them was 4,394. Approximately 85% of them required assistance in Japanese. We receive many inquires of translation and interpretation. Many government issued forms are translated into some languages, but the list of New York City's "major languages" does not include Japanese. Many of our clients struggle in finding the right resources and information, reading letters from government agencies, and figuring out how to fill in forms. We would like to ask you to strongly consider including Japanese into the future translated language list.

Furthermore, we often hear about negative experiences they had with interpreters at the government agencies when they went to apply for public benefits or to seek social services. One of our clients reported that her interpreter judged her history and inserted inappropriate comments from their personal perspective; another client shared their story that she had to wait for more than 30 minutes at the family court for an interpreter to arrive because there were not enough Japanese interpreters and one court interpreter had to pack their schedule; another client visited a government agency to apply for public benefits and requested for an interpreter. Then, staff at the agency called a Mandarin-speaking interpreter.

These issues should be well addressed by providing training on cultural competence and appropriate interpretation and language access services to interpreters and service providers.

We need your help to provide services to those in need and to strengthen the community.
Thank you for your time and consideration.

Sincerely,

Hiroko Hatanaka
JASSI Board of Director

JASSI Honorable Chairman: Hiroshi Aoki; **Board President:** Ryoko Mochizuki, CBP, CCP, CPA, MBA, Esq., *President of Law Office of Ryoko Mochizuki & Associates LLC (LORMA)*; **Board Treasurer:** Sayaka Araki, CPA; *The Noguchi Museum*; **Board Secretary:** Mayumi Iijima, Esq., *Law Offices of Mayumi Iijima, P.C.*; **Board of Directors:** Hiroko Hatanaka, *Former V.P. of IW Group*; Sato Iwamoto, MSW; Monica Jenson, *Sumitomo Corporation of Americas*; Yoshio Kano, *Executive Secretary of Japanese Medical Society of America, Inc.*; Machiko Mori; Tazuko Shibusawa, Ph.D., LCSW, *Associate Professor of Social Work, New York University Silver School of Social Work*; Sayaka Takeda, *Nomura Research Institute America*; Narumi Yoshida, CPA, *Financial Advisor of Ameriprise Financial Services, Inc.*; **Advisory Board:** Hideo Dan, Attorney at Law; Richard Hara, Ph.D., *Assistant Director of Field Education at Columbia University School of Social Work*; Yoko Naka, MSW; Kanako Okuda, MSW, LCSW, *Director of Field Education at Hunter College Silberman School of Social Work*; Kozo Osaki, CPA; **Staff:** Chisato Horikawa, LMSW, CAC, *Director*; Mizue Katayama, MA, *Senior Program Manager*; Yoko Sakai, *Administrative and Accounting Assistant*; Fumie Singh, MSed, CAC, *Program Assistant Coordinator*; Yoko Yoshida, *Case Worker/Administrative Assistant*

TESTIMONY: UJA-FEDERATION OF NEW YORK

New York City Council

Committee on Immigration, Honorable Carlos Menchaca, Chair

Committee on Governmental Operations, Honorable Fernando Cabrera, Chair

Oversight – Local Law 30 of 2017: Language Access Implementation Plans

Submitted by:

Ariel Savransky

UJA-Federation of New York

October 25, 2018

TESTIMONY: UJA-FEDERATION OF NEW YORK
Committee on Finance, Committee on Governmental Operations
October 25, 2018

Good afternoon Chairperson Menchaca and Chairperson Cabrera and members of the Committees on Immigration and Governmental Operations. My name is Ariel Savransky and I am an Advocacy and Policy Advisor at UJA Federation of New York. On behalf of UJA, our network of nonprofit partners and those we serve, thank you for the opportunity to testify on the importance of maintaining and expanding language access implementation services for New York City's most vulnerable residents.

Established more than 100 years ago, UJA Federation of New York is one of the nation's largest local philanthropies. Central to our mission is to care for those in need. We identify and meet the needs of New Yorkers of all backgrounds and Jews everywhere. We connect people to their communities and respond to crises in New York, Israel and around the world. We support nearly 100 nonprofit organizations serving those that are most vulnerable and in need of programs and services.

UJA thanks the City Council for its efforts to ensure that residents of diverse backgrounds have the tools they need to communicate efficiently and effectively with City agencies. This investment will better allow for our agencies to provide critical services to New Yorkers in need.

New York City is home to over 3 million foreign-born residents, comprising over 37% of the total population. Three out of every five New Yorkers are immigrants or children of immigrants. Additionally, nearly one in four New Yorkers have limited English proficiency.

Communication and language barriers are associated with decreased quality of care and poorer health outcomes. Individuals with limited English proficiency are less likely to have routine health visits, more likely to defer needed health care, and more likely to leave the hospital against medical advice.¹ In addition to health outcomes, those with limited English proficiency may face difficulties in accessing food supports and housing programs, navigating the education system, and knowing what resources are available to them, among other challenges.

A language access plan will help to guarantee that a City agency provides high-quality and appropriate language services and will ensure that services are accessible to those with limited English proficiency. By ensuring effective communication with the public, Local Law 30 of 2017 can improve the reach of city agencies and enhance the safety of all New Yorkers. With the expansion of the languages covered under Local Law 30 from six to ten to include Arabic, Urdu, French and Polish, City agencies will be able to reach even more New Yorkers.

We submit the following recommendations:

1) UJA-Federation of New York urges the new York City Council and the Administration to ensure that documents are translated accurately and effectively

In order to guarantee that documents are translated accurately and effectively, we urge the New York City Council and the Administration to ensure that all City agencies use competent interpreters. This means that interpreters must have demonstrated proficiency in both English and the intended language; training that

¹ Health Affairs. *Pay Now or Pay Later: Providing Interpreter Services in Health Care*. March/April 2015.
<http://content.healthaffairs.org/content/24/2/435.full>

includes the skills and ethics of interpreting (issues of confidentiality); fundamental knowledge in both languages of any specialized terms or concepts; and sensitivity to the client's culture.²

2) Translated content should be conceptually, linguistically, and culturally accurate

It is also critical to ensure that, once translated, the content is conceptually, linguistically, and culturally accurate. In this vein, we recommend that agencies work directly with the communities served to ensure that translations are culturally relevant. This will further serve to educate the community about the availability of language assistance service. Community involvement will also help to evaluate and monitor the language access plan to ensure that it continues to work effectively for the agency in the communities aimed to be served.

3) Restore and Baseline the \$12 Million Investment for Community-Based Adult Literacy Programs

We greatly appreciate the commitment of the New York City Council and the Administration to invest in adult literacy programs in New York City, notably for the \$12 million investment in educational opportunities for immigrant New Yorkers, a commitment which was renewed for FY 2019. For the 2.2 million adults in New York City – one-third of the adult population – who lack English Language Proficiency, basic literacy skills, or a high school diploma, these programs are necessary tools in teaching these individuals how to read, write, obtain an equivalency diploma, and enter job training or post-secondary education programs.

If this funding is not restored in the FY20 budget, many English language learners will lose their classes. Therefore, in addition to supporting effective language access implementation plans throughout all City agencies that provide direct and emergency services to New Yorkers, we urge the New York City Council and Administration to not only restore, but baseline, the \$12 million investment in community-based adult literacy programs.

We look forward to working with the City Council and the administration to ensure that language is not a barrier to accessing the services that New Yorkers need. Thank you again for the opportunity to testify, as well as for the commitment of the New York City Council and the Administration to investing in New York City's immigrants. Please contact Ariel Savransky at savranskya@ujafedny.org if you have any questions.

² National Council on Interpreting Health Care. *FAQ – Translators and Interpreters*. <https://www.ncihc.org/faq-for-translators-and-interpreters>

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

N/MAHA and to answer questions in favor in opposition

Date: 10/25/18

(PLEASE PRINT)

Name: ARIJ ABDUL-HALIM

Address: 37-10 30TH STREET Queens NY

I represent: ARAB-AMERICAN FAMILY SUPPORT

Address: 1101 CENTER

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Amy Torres

Address: 15

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Y

Address: _____

I represent: _____

Address: 2 West 32nd St, Suite 604, New York NY
10001

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 10-25-18

(PLEASE PRINT)

Name: Juha (Cereji)

Address: _____

I represent: Brooklyn Defender Services

Address: 177 Livingston St. 7th fl., Brooklyn NY 11201

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. Local Law 30 Res. No. Access Plans

in favor in opposition

Date: 10/25

(PLEASE PRINT)

Name: Tasfia Rahman

Address: _____

I represent: CACE

Address: 50 Broad St New York, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. Local Law 30 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: MAHA ATTIEH

Address: 150 Court Street BK NY 11201

I represent: Arab American Family Support Center

Address: 150 Court Street

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 10/25/18

(PLEASE PRINT)

Name: Commissioner Bitts Mostafi

Address: _____

I represent: MOIA

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 10/25/18

(PLEASE PRINT)

Name: Joseph Lin

Address: 2 Allen Street, 7th Floor, NY, NY 10002

I represent: Asian Americans for equality

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Sabrina Jalal

Address: _____

I represent: CAAAY

Address: _____

AAPI
advocate
- member
of
AAF

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Selvia Sikder

Address: _____

I represent: India Home

Address: _____

◆ Please complete this card and return to the Sergeant-at-Arms ◆

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 10/25/2018

(PLEASE PRINT)

Name: Betsy Plum

Address: New York Immigration Coalition

I represent: 137 West 33rd St #610

Address: NY, NY

◆ Please complete this card and return to the Sergeant-at-Arms ◆

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: MAIMOUNA DIEVE

Address: 127 West 127th St. Suite 221

I represent: African Communities Together

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Persephone Tan

Address: _____

I represent: ASIAN AMERICAN FEDERATION

Address: _____

Please complete this card and return to the Sergeant-at-Arms