



# Language Access Policy and Implementation Plan June 2019

## I. Agency Mission and Language Access Policy Background

### ***OCME Mission***

The Office of Chief Medical Examiner (OCME) investigates cases of persons who die within the City of New York from criminal violence; by accident or by suicide; suddenly, when in apparent health; when unattended by a physician; in a correctional facility; or in any suspicious or unusual manner. The Office also reviews applications made pursuant to law for a permit to cremate the body of a person.

OCME provides the following direct public services in the five boroughs through interaction between OCME staff members and members of the public:

- Investigation of reportable deaths
- Identification of decedents, in which family members may come to any one of OCME's five Family Service Centers to view a photograph of their loved one to make the identification
- Discussion of relevant cases between family members and the assigned Medical Examiner, most commonly by telephone but by in-person appointment if requested
- Records requests, such as autopsy reports
- Various family services, including the World Trade Center Hotline and Missing Persons Day

### **Executive Order 120 and Local Law 30**

In July 2008, Mayor Michael Bloomberg signed Executive Order 120, creating a centralized language access policy for New York City. Executive Order 120 mandates that all City agencies that provide direct public services create a language access implementation plan in order to ensure meaningful language access to their services. In July of 2017, Local Law 30 went into effect, expanding language access at city agencies. Local Law 30 amended the New York City Charter and Administrative Code to require all covered City agencies provide language access services in ten designated citywide languages<sup>1</sup>.

## II. Agency Language Access Policy and Goals

OCME created this Language Access Policy and Implementation Plan in 2008 to ensure compliance with Executive Order 120 and continues to comply with Local Law 30. The policy of OCME is that limited English proficiency shall not be a barrier to receiving effective

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<sup>1</sup> OCME provides language access services in the following languages: Spanish, Chinese, Russian, Korean, Haitian-Creole, Arabic, French, Polish, Italian, and Hindi.

services. This Plan affirms OCME's commitment to providing meaningful access for all citizens of New York and other locations, including individuals with limited English proficiency who need the agency's services.

Ensuring timely access to services through language assistance measures is essential for OCME staff members to interact effectively with families and reach the most appropriate outcomes. This Plan outlines how OCME seeks to ensure that individuals in need of OCME's services receive them, and to avoid the possibility that a person who requires access to services is denied such services based on the language he or she speaks. This Plan is monitored by the agency's Language Access Coordinator, Florence Hutner, who also serves as General Counsel to OCME.

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

OCME uses the Department of Justice's Four-Factor Analysis as a guide to evaluate the limited English proficient (LEP) populations served by the agency. This approach provides a balanced assessment of OCME's current language assistance needs while allowing flexibility to adjust language assistance measures in response to monitoring and measuring. OCME reviewed monthly invoices from Language Line to determine which languages were most frequently requested by LEP individuals. The most frequently requested languages at OCME are Spanish, Chinese, Russian, Korean, Haitian-Creole, Arabic, French, Polish, Italian, and Hindi. Vital forms, such as the Identification Form, Autopsy Objection Form, etc., along with the "Information for Family and Friends" brochure, were translated into those ten languages to better assist LEP individuals seeking OCME's assistance. In keeping with Local Law 30 of 2016, OCME will also translate these documents into Urdu and Bengali.

#### **Factor 1: Demographic Analysis**

OCME's eligible service population is defined as New York City, broken down by county to correspond with the agency's service for families in each of the five boroughs. According to data obtained from the U.S. Census Bureau's 2017 American Community Survey 1-Year Estimates, the total population of New York City is 8.6 million, and of that population, 22.9% (1.96 million) persons are Limited English Proficient (LEP).

Data provided by the New York City Department of City Planning, based on the 2017 American Community Survey, shows that the top six languages spoken by the 1.9 million LEP persons in New York City are Spanish (48.1%), Chinese<sup>2</sup> (18.5%), Russian (6%), Bengali (3.1%), Korean (2.5%), and Haitian-Creole (2.4%).

In Manhattan (New York County), 15% (244,313) of the total population of 1.57 million is LEP. Among the LEP population in Manhattan, the most frequent<sup>3</sup> languages spoken are Spanish (60.9%), and Chinese (21.6%).

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<sup>2</sup> Includes Chinese, Cantonese, and Mandarin.

<sup>3</sup> Languages spoken more than 5% of the time.

In Brooklyn (Kings County), 22.8% (557,807) of the total population of 2.4 million is LEP. Among the LEP population in Brooklyn, the most frequent languages spoken are Spanish (30.9%), Chinese (22.7%), Russian (14.9%), Haitian-Creole (5.9%), and Yiddish (5.4%).

In Queens (Queens County), 29.2% (641,668) of the total population of 2.2 million is LEP. Among the LEP population in Queens, the most frequent languages spoken are Spanish (40.9%), Chinese (23.3%), Bengali (5.6%), and Korean (5.5%).

In the Bronx (Bronx County), 26% (351,692) of the total population of 1.3 million is LEP. Among the LEP population in the Bronx, the most frequent language spoken is Spanish (80.7%).

In Staten Island (Richmond County) 10% (49,000) of the total population of 469,000 is LEP. Among the LEP population in Staten Island, the most frequent language spoken is Spanish (35%).

### **Factor 2: LEP Data Tailored Specifically to OCME**

OCME instituted Language Line in 2007 to provide telephonic interpretation and translation services in more than 170 languages. Language Line usage is tracked by monitoring monthly invoices to measure the frequency of languages encountered by OCME, in order to make adjustments to Language Access services as necessary, and to inform future planning.

From 2016 through the first quarter of 2019, 4,093 calls were made to Language Line in order to provide families served by OCME with Language Access assistance. In a close reflection of the Citywide demographic analysis, Spanish, Chinese and Russian represented the vast majority of languages encountered, at 90.5%. Spanish accounted for 77% of calls, with families served in the Bronx, Manhattan, Queens, and Brooklyn. Chinese accounted for 9% of calls, with families served in Brooklyn, Manhattan, and Queens. Russian accounted for 4% of calls, with families served in Manhattan and Brooklyn.

A total of 40 languages were encountered from 2016 through the first quarter of 2019. In addition to Spanish and Chinese, top languages included Korean (1%, in Manhattan and Queens), Polish (2%, in Queens), and Haitian (.9%, in Manhattan).

Use of Language Line increased by 66% between 2016 and 2018, from 914 calls to 1,519 calls. With 449 calls in the first quarter of 2019, use of Language Line is anticipated to increase again by the end of 2019.

### **Factor 3: Nature and Importance of the Services Requiring Language Assistance Measures**

The services requiring language assistance are essential to the mission of OCME. These services include the Communications Unit's intake of calls reporting deaths that warrant investigation; interactions between medico-legal investigators and individuals including next of kin at the scene of a death; the identification process, which includes arranging for final disposition of a decedent; discussion of death investigations between family members and the assigned medical examiners; and requests for important records, such as autopsy reports.

Denial or delay in these essential services can pose negative consequences for family members, as well as the criminal justice and public health systems served by OCME.

**Factor 4: Resources Designated for Language Assistance Services**  
**Language Line**

Language Line provides interpretation and translation services in more than 170 languages. The resource is available to OCME staff members whose work involves interactions with the families and other members of the public served by the agency.

**Volunteer Language Bank**

OCME created and maintains a Volunteer Language Bank to centralize awareness of the availability of bilingual staff members who can offer oral interpretation in each of the agency's service areas. The language bank currently has 30 staff members representing 16 languages.

**IV. Provision of Language Access Services**

**Interpretation Services**

Interpretation services are available over the phone or in person at OCME service centers in each of the five boroughs. Telephone interpretation service is available in more than 170 languages through OCME's participation in the Department of Information Technology and Telecommunications' citywide contract with Language Line. In-person interpretation is currently available in 16 languages through OCME's bilingual staff who have registered with the Volunteer Language Bank. The primary languages of LEP persons are identified through a Language ID card used by staff members at all OCME service centers. Both telephone and in-person interpretation services are available in Spanish, Chinese, and Russian, the primary languages of the vast majority of LEP persons served by OCME. These in-house volunteer translators also provide assistance with translating pieces of evidence and speaking with family members on a day-to-day basis.

**Translation Services**

OCME identifies vital forms as official documents that require signature, and brochures that explain key practices and policies of the agency. These vital forms were previously translated into the languages most frequently encountered by OCME. The top ten most requested languages at OCME are Spanish, Chinese, Russian, Korean, Haitian Creole, Arabic, French, Polish, Italian, and Hindi. Going forward, OCME will translate vital forms in Bengali and Urdu in order to ensure all vital documents have been translated into the top ten designated citywide languages.

Official documents that have been translated include the Identification Form, Organ Retention Form, and Autopsy Objection Form signed by families, and the Pending Death Certificate signed by medical examiners. Brochures that have been translated include "General Information" and "Information for Family and Friends." Translations are provided through Language Line and the Geneva Worldwide vendor, which certifies its work for accuracy and authenticity. All translations are made using the "Easy-to-Read NYC: Guidelines for Clear and Effective Communication" developed by the Mayor's Office of Immigrant Affairs.

OCME began the process of updating vital forms as necessary in the second half of 2015. Updated forms were translated into Spanish and Chinese, the languages most frequently encountered by OCME, and other languages if necessary, as measured by tracking and monitoring. The materials were reviewed to ensure that they are written in plain language.

OCME has also provided language assistance through its website since February 2009. Translations of the website are available in more than 30 languages through the "Translate This Page" link at the top of each web page.

### **Emergency Preparedness and Response**

In the event that there is an emergency resulting in a mass fatality, OCME is prepared to assist LEP individuals seeking information through the use of volunteer employee translators and Language Line.

### **V. Training**

All staff members whose work involves regular contact with the public receive Language Access training. Frontline employees who interact with LEP persons include Medical Examiners, Medico-Legal Investigators, Security, and staff members of the Identifications and Communications Units. Training is provided at the start of employment and thereafter as needed.

Training for frontline employees encompasses the content of OCME's Language Access Policy, a review of the "Guidelines and Procedures for Using Language Line," viewing of the Language Line training video (available on the Language Line website), methods for implementing interpretation and translation services (e.g. identifying a customer's primary language, reporting requests for language services, the use of telephonic interpreters, and placing translation requests), as well as notes on cultural competency. During these training sessions, "Interpretation Services Available" wall posters, language ID cards, 311 complaint posters, and Language Line quick reference guides are distributed. These materials are also made available to employees for downloading at any time on OCME's Intranet.

### **VI. Record Keeping and Evaluation**

OCME tracks Language Line usage by monitoring the charges detailed on the service's monthly invoices to OCME. This data provides insight into which languages are being requested at each of the five service centers and enables OCME to identify additional languages into which forms should be translated, and areas within the agency where additional training may be necessary.

In early 2015, OCME established an e-mail address where the Mayor's Office can forward any 311 complaints related to the agency's Language Access services.

To ensure compliance with Executive Order 120 and Local Law 30, OCME will continue to review its Language Access Policy and Implementation Plan at least every three years for the following:

- Changes in the LEP population or in the service areas.
- Changes in the frequency of encounters with LEP language groups.
- Changes in resources, including new technologies, additional resources, and budget availability.

- Effectiveness of existing language assistance to LEP individuals.
- Staff knowledge of OCME's Language Access Policy and its implementation.
- Whether identified sources for assistance are still available.
- Changed language abilities available among staff.
- Revision of the Language Access Policy, as necessary.

## **VII. Resource Analysis and Planning**

OCME conducts a periodic review of the most frequently requested languages to ensure that adequate language services are provided to LEP individuals. OCME monitors which languages are requested and how frequently the languages are requested by employees using language line. This enables OCME to determine if there are changes in language requests across the city. OCME also relies on the U.S. Census American Community Survey Summary File of Top Languages Spoken at Home in New York City and Boroughs to track language trends. This information allows OCME to determine whether documents need to be translated in specific languages or if additional resources are required for a specific LEP population. OCME also has access to City resources which provide additional language interpretation services. Currently, OCME utilizes telephonic interpretation.

## **VIII. Outreach and Public Awareness of Language Access Services**

OCME's mission and the nature of services provided do not warrant conducting public awareness outreach. For those citizens of New York and other locations who need to avail themselves of OCME's services, the agency's policy is to ensure that limited English proficiency is not a barrier to receiving meaningful and effective services. To inform those members of the public about its Language Access policy and services, OCME posts signage in family waiting areas to advise clients of Language Access services such as the availability of free interpretation and translation. In addition, OCME makes its two brochures, "General Information" and "Information for Family and Friends" available on its website in the languages most frequently encountered by the agency. The Language Access Policy and Implementation Plan is posted on the website, and the website also includes a "Translate This Page" button to make online material available in over 30 languages.

While OCME does not frequently host events for the public, the agency incorporates Language Access resources into such events when applicable. In November of 2014, OCME hosted the first ever NYC Missing Persons Day and provided in-person translators for Spanish-speaking families at the event. Promotion was also conducted for the event in Spanish, with a logo designed in Spanish and significant outreach to Spanish language media.

Most recently in May of 2019, OCME hosted Missing Persons Day and again provided similar language access services. The Missing Persons Day flier was translated in over 10 languages to promote the event to LEP individuals. The event took place in the OCME Family Assistance Center, where the Family Assistance Team met with families and individuals. This team consisted of OCME employees who were able to conduct interviews and provide in-person translation in six different languages. The employees also had access to Language Line in the event an employee could not provide translation services. A DNA collection form that was provided to families was available in both English and Spanish. In the past, the event has had a

large population of Spanish-speaking families in attendance. In 2019, approximately 20 out of 30 families seeking assistance were Spanish-speaking. In addition, OCME is able to prepare for a mass fatality event using its experience during Missing Persons Day by utilizing the same team of employees to meet with families, collect DNA, and provide language access services as it would in an emergency.

## **IX. Language Access Complaints**

OCME is committed to ensuring that LEP individuals have access to the same resources as English proficient individuals. OCME seeks to ensure that any complaints made about its language access services are handled in a proactive and efficient manner. Members of the public can submit complaints or requests for language access services from OCME by calling or emailing 311. OCME receives email notification of any filed 311 complaints or requests from the Mayor's Office. This 311-email inbox is monitored by OCME's Director of Public Affairs. If a complaint or request for language access services was filed through 311, the Director of Public Affairs would notify OCME's Language Access Coordinator. The complaint or request would then be handled accordingly.

Between 2016-2019, OCME received 0 complaints or requests for language access services.

## **X. Implementation Plan Logistics**

### **Goals**

OCME has two prospective goals in relation to Language Access. OCME will re-train all current employees and will train new employees on how to provide assistance to LEP individuals in their preferred language by September of 2019. OCME will also translate vital documents and the "Information for Family and Friends" brochure into Bengali and Urdu promptly.

### **Language Access Milestones**

Through the years, OCME has made significant progress in its ongoing effort to ensure meaningful access to services for individuals with limited English proficiency and is committed to maintaining its high standards of achievement and effectiveness in this area. OCME has:

- Long utilized the skills of bilingual staff to provide timely interpretation and translation services.
- Since the 1990s, provided Spanish language translations of the "Information for Family and Friends" brochure, which offers essential information about OCME tailored to those who have lost a lost one.
- Since May 2007, supplemented bilingual staff with Language Line's translation and interpretation services for additional language assistance support in over 170 languages.
- Since June 2008, offered vital forms used by families, such as the Identification Form, Autopsy Objection Form, and others, in the following top languages as determined by data from the U.S. Census Bureau and the frequency of languages encountered specifically by OCME: Spanish, Chinese, Russian, Korean, Italian, Haitian-Creole, and Polish. Vital forms were subsequently translated into Arabic,

- French, and Hindi, in response to monitoring and measuring of language assistance needs.
- Since June 2008, offered the revised “Information for Family and Friends” brochure and the “General Information” brochure in Spanish, Chinese, and Russian. The brochures were subsequently translated into Korean, Italian, Haitian-Creole, Polish, Arabic, French, and Hindi.
  - Created and continually updated a Volunteer Language Bank to centralize awareness of the bilingual skills of OCME staff members and their availability to assist individuals with limited English proficiency seeking access to OCME services. The language bank contains 30 employees, representing approximately 5% of OCME’s workforce, proficient in 16 languages.
  - In May of 2019, OCME hosted the New York City Missing Persons Day event for the third year. OCME provided live translation services, which consisted of volunteer OCME employees that were fluent in French, Spanish, Hindi, Gujarati, Russian, and Mandarin. The interview specialists and family escorts also had access to language line. Through these translation services, OCME was able to provide support for families seeking to identify and locating missing family members.

### **Language Access Coordinator**

In 2019, OCME designated the General Counsel as its Language Access Coordinator for offices serving families in all five boroughs. The Language Access Coordinator serves as the primary point of contact for implementing Local Law 30 and Executive Order 120, as well as similar Federal and City mandates. In this role, the Language Access Coordinator works to:

- Increase the visibility of interpreter services to LEP clients.
- Enhance support for staff utilizing these services.
- Manage document translations by approving which documents are sent for translation and determining languages into which documents should be translated.
- Ensure availability to staff of translated forms and booklets by managing the posting of such material on OCME’s intranet.
- Collaborate with others to address any cultural and linguistic barriers relevant to OCME’s service areas.