

CIVILIAN COMPLAINT REVIEW BOARD
LANGUAGE ACCESS POLICY AND IMPLEMENTATION PLAN

Agency Mission and Background

The New York City Civilian Complaint Review Board (CCRB) is an independent agency. It is empowered to receive, investigate, hear, make findings and recommend action on complaints against New York City police officers alleging the use of excessive or unnecessary force, abuse of authority, discourtesy or the use of offensive language. The Board's investigative staff, composed entirely of civilian employees, conducts investigations in an impartial fashion. It also mediates complaints by scheduling meetings with the officer, the complainant and a trained mediator. The Board forwards its findings to the Police Commissioner. On April 2, 2012, the NYPD and the CCRB signed a Memorandum of Understanding (MOU) which conferred on the CCRB the power to prosecute substantiated cases where the Board recommended "charges and specifications," the most serious discipline. Since 2013, all substantiated cases in which the Board recommends that charges and specifications be brought against an officer are prosecuted by a team of CCRB attorneys in the Agency's Administrative Prosecution Unit (APU). The Board is comprised of 13 board members who must reflect the diversity of the city's population.

In fulfillment of its mission, the Board has pledged:

- To encourage members of the community to file complaints when they feel they have been victims of police misconduct.
- To encourage all parties involved in a complaint to come forward and present evidence.
- To investigate each allegation thoroughly and impartially.
- To make objective determinations on the merits of each case.
- To recommend disciplinary actions that are fair and appropriate, if and when the investigative findings show that misconduct occurred.
- To respect the rights of the civilians and officers.
- To engage in community outreach to educate the public about the agency and to respond to concerns relevant to the agency's mandate.
- To report relevant issues and policy matters to the Police Commissioner.
- To offer civilians and officers the opportunity to mediate their complaints in order to promote understanding between officers and the communities they serve.

The Board appoints an Executive Director who has a staff of 180 employees: 115 in the Investigations Division, 5 in the Mediation Unit, 8 in the Outreach Unit, 20 in the APU, and 32 in the Administrative Division. The CCRB is located at 100 Church Street in Manhattan.

In 2014, the CCRB received 4,778 complaints and it is mandated to investigate or mediate these cases prior to the 18 month statute-of-limitation. The majority of complaints are filed by calling the CCRB directly or by dialing 311. Civilians also file complaints in person, in writing, by email, via the agency's website and at police precincts throughout the City. Although most complaints are filed by phone - either with an investigator during normal business hours or by leaving a phone-recorded message during non-business hours - all complainants are required to visit the CCRB for an interview so that investigators can gather more facts about the case. If the case is suitable for mediation, complainants must attend a mediation session with the officer and a trained mediator who is contracted with the CCRB. Each year, on average, the CCRB conducts over 4,500 civilian interviews and has approximately 54,000 instances of telephone contact with the public.

Agency Language Access Goals

The CCRB aims to continue to make agency services accessible to New Yorkers with limited English proficiency (LEP). Accordingly, the CCRB will standardize and expand its use of language access practices for services that include communication with members of the public.

Implementing this Language Plan will allow the CCRB to better serve the LEP population and consequently the agency will be able to more accurately memorialize and track this population's concerns with respect to police misconduct.

Demographics, LEP Population Assessment

The CCRB will utilize the US Department of Justice (DOJ) "Four Factor Analysis" to aid the agency in determining its LEP client's language access needs and to evaluate service:

DOJ Factor 1: The number and proportion of LEP persons in the eligible service population. The CCRB has access to statistical information as to the racial and ethnic composition of the boroughs of the city from which complaints are received. These are broken down by Community Boards, zip codes and precincts. The CCRB also has obtained information as to the number of LEP individuals throughout the City, both by geographic distribution and by primary languages most commonly spoken. The CCRB will review, and periodically reevaluate, both of these sets of data to isolate areas which need additional language access services.

DOJ Factor 2: The frequency with which LEP individuals come in contact with the agency. The CCRB's Language Liaison, in conjunction with the agency Operations (contracting) Unit, estimates that the CCRB receives about five requests per week for

interpretive services that are filled through outside sources. In the past year, the CCRB has made requests for outside interpretive services in 19 different languages serving over 200 LEP individuals. This figure, however, underestimates the agency's language services because it does not include requests fulfilled by our foreign language pool of employees who speak, among other languages, Spanish, Russian, French, Haitian Creole, Arabic and Hebrew.

Investigators first recognize LEP needs of complainants at the point of intake (in-person or by telephone.) They are trained to assess the number of individuals that require language assistance services and determine the language. The staff then make an immediate request for services either in-house, and if that is not available, with an outside vendor.

In the next few months the CCRB will enhance our recordkeeping system to better capture both the services provided in-house and by our vendors. With the information gathered by the data captured the CCRB will adjust its specific services if necessary to meet the actual needs of the agency in the future.

DOJ Factor 3: Explanation of the nature and importance of the program/services for the LEP person requiring language assistance. One of the CCRB's primary missions is to encourage civilians to file complaints whenever they feel they have been a victim of or a witness to police misconduct. It is particularly important for the CCRB to provide a voice for traditionally marginalized populations such as the LEP population. Accordingly, it is imperative that the CCRB's core outreach material and all its investigative materials are available in languages other than English. Thus, the CCRB has taken steps to ensure that LEP individuals have available to them the means to file and participate in the investigation or mediation of complaints against police officers.

DOJ Factor 4: The resources available to the agency and the cost of providing language services. As detailed below, the CCRB will endeavor to make greater use of resources available in-house, especially bilingual staff, in order to both provide more comprehensive service, and to reduce, if possible, its reliance on vendors and other City agencies. Given the small size of the agency, however, some reliance of vendors and City agencies will continue to be necessary. The CCRB will also explore installing a multilingual voice messaging system.

Service Provision Plan

Outreach: Contact information posters will be posted in every police precinct in Spanish. The CCRB will periodically re-evaluate whether contact posters need to be translated into additional languages. Additionally, all contact information on the CCRB's website is translated into Spanish, Chinese and Arabic.

Our outreach staff is sometimes accompanied by bilingual speakers on staff and at times has fielded questions or explained our services in the native language of the audience, e.g., Spanish, Russian, Haitian Creole, Chinese and other languages. Bilingual speakers are often made available to attend outreach session, particularly if there is a predominance of LEP speakers in the neighborhood in which the outreach presentation is being given. Additionally, outreach presentations for LEP audiences can be given upon request.

Investigation/Mediation: Investigators and mediators interact with the public via phone and in-person. When an LEP individual contacts the CCRB, whenever possible, a member of the CCRB staff who is fluent in that person's native language is assigned either to meet with the individual or to act as an interpreter. In the case of a LEP individual who is filing a complaint against a police officer, if there is a staff investigator fluent in that person's native language, that investigator will be assigned to investigate the complaint. If the CCRB does not have such a bilingual investigator readily available, but has someone in another job title who speaks the LEP individual's native language, the CCRB will, whenever possible, assign that staff person to act as the interpreter between the LEP individual and the investigator assigned to investigate the complaint.

If the CCRB does not have a person on staff that speaks the LEP individual's native language, the Language Liaison will contact the volunteer language bank in order to identify someone from another City agency who can act as an interpreter. The person will then interpret either through conference call or in-person meeting. If the Language Liaison is unable to identify anyone who can act as an interpreter, then the CCRB will use DOITT Language Line contract or our existing language services vendors. The use of adult relatives or friends of the civilian as interpreters is only permitted when time is of the essence and no other interpretation alternative is available. In these circumstances the LEP person is informed in their primary language about the availability of free interpreter services and the potential problems of utilizing a related translator.

The Language Liaison continuously updates the agency's internal list of employees who are willing and able to act as volunteer interpreters and/or translators. The goal has always been to make interpretive/translation services more readily available in-house, thus shortening response time to requests for such services, as well as reducing the CCRB's dependence upon other City agencies for assistance. In addition, the CCRB is committed to insuring that no person is denied its services, or denied timely services, simply because that person has limited English proficiency. For this purpose, the Language Liaison will monitor the development of this Plan, its implementation and its effectiveness. The Language Liaison will review the Plan as least annually and modify it as needed. The CCRB will encourage its entire bilingual or multilingual staff to be

NYcertified and it will submit applications for each qualified staff member to DCAS for approval. The CCRB posted signs internally which provide instructions to staff on how to become a NYcertified interpreter/translator volunteer. The Language Liaison will help prepare the selected staff for the language proficiency assessment by reviewing available materials.

Translation of written material

The CCRB has available its most frequently distributed documents, such as correspondences and informational brochures about its services translated into Spanish, Chinese and Arabic. CCRB brochures are also available on the agency's website in Spanish, Chinese and Arabic. The CCRB intends to utilize its vendors to translate its brochures into the three additional languages, Korean, Russian and Haitian Creole. Additionally, the CCRB will periodically reviews its outreach material to ensure that it complies with the Plain English guidelines issued by the Mayor's Offices of Adult Education and Immigrant Affairs.

When complainants are required to fill out and/or sign a document, the CCRB has the interpreter verbally translate the information in the document. The interpreter then reads the document to the LEP individual in his/her native language before he/she signs the document.

Advertisement and Signage

The CCRB will continue to develop methods to ensure that LEP individuals are aware that our services are available to them. This will include informing staff that the agency provides or arranges for the provision of free language assistance services and informing them of the procedure to follow when needing such services.

In addition, the CCRB will develop written information, such as flyers and posters, in the most commonly spoken language within New York City informing LEP individual of the availability of free language access services. The CCRB will post Spanish signs with instruction on how to file a complaint in police precincts.

The CCRB has obtained language identification or "I speak" cards for each investigative team and at our reception booth. This will assist staff in determining a LEP individual's native language.

The CCRB is configured in a way that does not require directional signage, the reception booth is visible immediately upon exiting the elevators on the 10th floor which the CCRB fully occupies. Complainants or individuals who enter the lobby looking for the CCRB must first sign in at the security desk, after which the guard directs them to the 10th floor. We will also issue "I speak" cards to the security staff in the lobby of the building to help them identify LEP individuals that visit the CCRB.

Outreach and Public Awareness

The CCRB outreach program has identified several community groups, organizations and neighborhoods that serve LEP individuals. The agency will begin informing these groups and organizations of the availability of its free services to LEP individuals.

Training

The CCRB will train its staff on all aspects of this LEP policy and its implementation. The policy will be emailed to all staff, as well as distributed in hard copy at training sessions and will be placed on the agency's website. The CCRB will conduct training of existing staff and will train new hires as part of their general orientation. Topics of the training will include: the protocol for use of bilingual staff; the procedure for providing or arranging for the provision of interpretive or translation services; means of identifying a LEP individual's native language; and the process for referrals to the pool of foreign language speakers or language service vendors.

Record Keeping and Evaluation

The CCRB will continue to record requests it receives and fills through outside sources for interpretive and translations services. The CCRB will provide this data to the Mayor's Office of Operations for incorporation into the Citywide Performance Report.

The CCRB further intends to incorporate data regarding translation requests into our automated complaint tracking system ("CTS"). We will then have the ability to quantify the LEP services provided by CCRB and perform queries and cross-comparisons of data related to these individuals in order to serve them better.

The CCRB will also develop and implement means for evaluating the quality of the services it provides to LEP individuals. These will include evaluating the language proficiency of the individuals, whether they are members of its own staff or others, as well as requesting feedback from LEP individuals as to their level of satisfaction with the services they have received.

Resources Analysis and Planning

The CCRB will continue to utilize the resources discussed above, as well as any others that become known or available to it, in order to assure continued improvement in the quality of the interpretation and translation services it provides. Our automated system (CTS) coupled with the diversity of foreign language speakers will allow the CCRB to implement its plan and policy effectively. The CCRB is equipped to execute this very important initiative that will benefit all New Yorkers regardless of their native language. The agency is committed to the full compliance with Executive Order 120 and we are, in effect, removing the barriers to public services that LEP individuals face.

Timeline

Annually

Update and circulate the internal list of foreign language-speakers memo (foreign language-speakers pool).

Semi-annually (at periodic investigative training session).

Distribute LEP policy to new staff and incorporate instructions for identifying LEP individuals in the training session. Distribute policy to administrative staff during new-hire orientation.

2010

- Distributed to precincts copies of translated signage into Spanish which describes how to file a complaint with the CCRB.
- Distributed “I Speak” cards to Security Staff in the lobby of 40 Rector Street and met with staff to discuss language access.
- Developed a method for evaluating geographically the population of complainants with LEP needs..
- Incorporated into the complaint tracking system (CTS) an indicator of LEP.
- Put brochures translated Korean, Russian and Haitian Creole on the agency website, displayed all links to brochures prominently and translated all hyperlinks into the language of the linked brochure.
- Explored installing a multilingual voice messaging system.

2010 - Present

- Provide translation services, upon, request, for members of the public with limited English proficiency who want to attend and/or speak to the Board, at its monthly public meetings.

2014

- Translated our basic brochure into Arabic, Chinese and Italian and posted translated versions on our website with hyperlinks in these respective languages.
- Distributed bright orange laminated signs in Spanish and English to all police precincts, Transit Disctricts and PSAs with information on how to file a complaint, to be posted in public areas.
- Distributed 8.5x17 multi-colored posters with complaint filing information in Italian, Russian, Spanish, English, Haitian-Creole, Arabic, Chinese and Korean to all police precinct station houses, Transit Districts and PSAs.
- Mailed bright orange laminated signs in Spanish and English to NYCHA's Property Management Departments and Community Operations Managers for posting in their respective housing manager's officers and community centers.