

NYC Civilian Complaint Review Board

Language Access Implementation Plan

I. Agency name and agency language access coordinator

The Language Access Coordinators for the New York City Civilian Complaint Review Board (CCRB) are Senior Investigations Managers Edwin Peña and Jessica Peña. The contact information for both Language Access Coordinators is located on the main page of the agency's website.

II. Agency mission and background

The CCRB is an independent agency. It is empowered to receive, investigate, hear, make findings, and recommend action on complaints against uniformed members of the New York City Police Department (NYPD) alleging the use of excessive or unnecessary force, abuse of authority, discourtesy, or the use of offensive language. The agency also investigates the truthfulness of statements made by members of service during a CCRB investigation. The Board's investigative staff, composed entirely of civilian employees, conducts investigations in an impartial fashion. It also mediates complaints through meetings with the officer, the complainant and trained mediator. The Board forwards its findings to the Police Commissioner, who has final authority over the disposition of police disciplinary matters. On April 2, 2012, the NYPD and the CCRB signed a Memorandum of Understanding (MOU), which authorized the CCRB to prosecute substantiated cases where the Board recommended "charges and specifications," the most serious discipline. These cases are prosecuted by a team of attorneys from the CCRB's Administrative Prosecution Unit (APU). A 15-member Board governs the CCRB, with five members appointed by the Mayor, five appointed by the City Council, three designated by the Police Commissioner, one appointed by the Public Advocate, and the Chair is jointly appointed by the Mayor and City Council.

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, 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 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 to promote understanding between officers and the communities they serve.

The Board appoints an Executive Director, who in the year 2020, had a staff of 192 employees, 123 in the Investigations Division, six in the Mediation Unit, six in the Outreach and Intergovernmental Affairs Unit, 11 in the APU, and 46 in the Administrative Division. The Administrative Division is comprised of four in the Human Resources Unit; two in the

Communications Unit; six in the Management Information Systems Unit, 6 in the Operations Unit, six in the Policy Unit, two in the Training Unit, 10 in the Case Management Unit, seven in the General Counsel’s Unit, three in the Executive Staff, and five noted as additional staff. The CCRB is located at 100 Church Street, 10th Floor in Manhattan.

In 2020, the CCRB received 3,871 complaints that fell under its jurisdiction. Most of the complaints received by the agency are referred to the CCRB by the NYPD’s Internal Affairs Bureau (IAB). Civilians can file complaints in person, in writing, by email, by calling the CCRB or 311, via the agency’s website, at police stationhouses throughout the City, or at designated City Council members’ offices. Most complaints are filed by phone—either with an investigator during normal business hours or by phone-recorded message during non-business hours. The vast majority of complaints require that the complainant appear for an in-person interview with an investigator to gather more facts about the case. If the case is suitable for mediation, and if the civilian and officer agree to mediate the complaint, complainants attend a mediation session with the officer and a trained third-party mediator. In 2020, the CCRB conducted nearly 3,000 civilian interviews and had approximately 50,000 instances of telephone contact with members of the public.

III. Agency language access policy and 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.

The CCRB will seek to draft regulations that set forth requirements for:

- Translating documents containing essential information regarding the agency in the 10 designated citywide languages outlined in LL30.
- Making interpretation services available to LEP individuals.
- Collecting data regarding the primary language spoken by these individuals and whether such person requires language assistance to communicate with the CCRB.
- Increasing awareness regarding LEP individuals’ right to and the availability of language access services.

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

IV. Agency language access accomplishments and progress on goals from previous Language Access Implementation Plan (LAIP)

Goal	Update
Provide training to newly hired investigators	The first Language Access training session was provided on October 2020 to eight newly hired investigators.
Create a folder to house all translated documents related to the investigations division by language	This folder was created and is being updated as documents are translated.
Renew contracts with private vendors	The contracts were renewed in 2020

Translate essential documents commonly distributed to LEP in accordance to LL30	A portion of the essential documents have been translated. The agency is seeking additional funds to translate the remaining of the documents.
Distribute Language Access Policy to staff	A memo was disseminated to staff in July 2019

V. LEP population assessment

The CCRB will utilize the United States 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 or proportion of LEP persons in the eligible service population:

The CCRB looked at citywide data to assess the number or proportion of LEP persons and their languages in the eligible service population for our investigations, administrative prosecution, and outreach units. According to data from the American Community Survey, 48.5% of New Yorkers above the age of five, or approximately four million New Yorkers, speak a language other than English at home and almost 25%, or 1.8 million persons, are not English proficient.

For individuals who are not English proficient, interacting with City government can be a challenge. In February 2017, the New York City Council passed Local Law 30 (LL30), which required all City agencies to appoint a language access coordinator, develop language access implementation plans, provide telephonic interpretation in at least 100 languages, translate their most-distributed documents into the 10 designated citywide languages, and post signage about the availability of free interpretation services, among other requirements. Based on data from the U.S. Census Bureau and the New York City Department of Education, the New York City Mayor’s Office of Immigrant Affairs (MOIA) identified the ten citywide languages as: Spanish, Chinese, Russian, Bengali, Haitian-Creole, Korean, Arabic, Urdu, French, and Polish.

DOJ Factor 2 – The frequency with which LEP individuals come into contact with the agency:

The CCRB engages with LEP individuals who appear in-person, contact the agency via phone or our website, or who interact with our outreach unit. The CCRB received an estimated 43 requests per month, out of approximately 517 requests, for interpretive services that require outside assistance. In the past year, the CCRB has made requests for outside interpretive services in 17 different languages serving over 120 LEP individuals. The top languages that require interpretive services are Spanish, Mandarin, Russian, Haitian-Creole, and Bengali. This figure, however, underestimates the agency’s language services because it does not include the assistance provided by our bilingual employees who are fluent in Spanish, Mandarin, Korean, Twi, Bengali, Urdu, Tamil, Akan, French, Italian, Yoruba, Hindi, Japanese, Cantonese, Russian, and Arabic.

On the second Wednesday of every month, the CCRB holds a public meeting that is open to the public. Board meetings provide an opportunity for members of the public to testify before the board on the topic of police oversight. A sign language interpreter is available for every public hearing. Foreign language interpreters are provided on-demand.

The CCRB determines the frequency with which it interacts with LEP individuals by conducting periodic examinations of interpretation and translation reports from its language service vendors.

DOJ Factor 3 – Explanation of the nature and importance of the program/services for the LEP person requiring language assistance:

The CCRB receives, investigates, mediates, hears, make findings, and recommends action on complaints by members of the public against uniformed members of the NYPD alleging excessive or unnecessary force, abuse of authority, discourtesy, or the use of offensive language. It is important for CCRB to be able to communicate effectively with all stakeholders involved when investigating a complaint. Lack of language services may result in an inability to conduct a thorough investigation into an incident. Language access should not be a barrier to filing a complaint with the agency.

Factor 4 – The resources available to the agency and the cost of providing language services:

The agency contracts with translation, in-person, sign language and telephonic interpretation vendors through the Department of Citywide Administrative Services (DCAS) language service contracts.

Language Line Services and Legal Interpreting Services

The CCRB provides interpretation services over the phone, in the field, and in its office through Language Line Services and Legal Interpreting Services. These vendors provide telephonic interpretation services in over 180 languages.

Geneva World Wide/Accurate Communication/Legal Interpreting Services

These vendors are utilized for the translation of documents.

LC Interpreting/Legal Interpreting Services

Legal Interpreting Services provide sign language interpreters for CCRB public meetings. LC Interpreting provides sign language as well as CART Captioning.

The CCRB employs non-certified bilingual staff, who can engage directly with LEP individuals when necessary.

Multi-language signs are posted to advise LEP individuals of the availability of free interpretation services. These signs are prominently displayed in all publicly accessible areas within the CCRB offices.

The CCRB posts various items on its website that are translated into foreign languages, including information regarding the agency's jurisdiction, its mediation program, the many ways of filing a complaint, and how complaints are resolved. Some of the translated pamphlets give information about what to do if you are stopped and frisked by police. Additionally, the CCRB's homepage can be accessed via an online translation tool that covers more than 200 languages.

In 2020, the agency spent \$42,331.30 in providing language access services to LEP individuals. The agency is exploring the purchase of special dual handset telephones for accessing the interpretation services of Language Line at the CCRB offices.

VI. Provision of language access services

Translation Services

The CCRB's most essential and frequently-distributed documents, such as forms, correspondences and informational brochures about its services, are translated into Spanish, Chinese, Haitian- Creole, Italian, Korean, Arabic and Russian. These documents were translated by Geneva World Wide. The agency is in the process of securing funding from the Office of Management and Budget to translate all essential documents in the 10 designated Citywide languages outlined in LL30. The Language Access Coordinators and the General Counsel's office will determine which documents are deemed essential.

CCRB brochures are available on the agency's website in the languages cited above. Palm cards and printed material geared towards the LGBTQIA community are translated into Spanish.

At the moment, when an LEP individual is required to fill out and/or sign a document that has not been translated, the CCRB staff member has the interpreter verbally translate the information in the document to the LEP individual in the person's native language before the individual completes and/or signs the document.

To ensure the CCRB staff is aware of the process of requesting translated materials, an internal memo is disseminated to the staff outlining how to request documents for translation. The CCRB is creating an email address for language access related matters that will be monitored by the Language Access Coordinators. Staff will use this email address to request translation of any needed agency documents. The Language Access Coordinators will liaise with the agency's Operation Unit to ensure that the documents are translated by the contracted vendor within one business day.

Interpretation Services

The CCRB requires that its staff provide interpretation and translation services to individuals whose primary language is not English. These services are provided either in-person, in the field, or to those seeking assistance by telephone.

CCRB is committed to hiring staff that reflect the diversity of the city. Many of the members of the agency's investigative staff are bilingual and are able to provide immediate assistance to LEP individuals.

If an LEP individual appears at the CCRB offices and a bilingual staff member that can assist this individual in this person's native language is not available, the CCRB will contact the Language Line Services for telephonic interpretation. The CCRB does not rely on bilingual staff members to provide in-depth interpretation. The bilingual staff members are utilized to provide immediate guidance or assistance until a certified interpreter is connected with the LEP individual. When scheduling an in-person appointment with an LEP individual at the offices of the CCRB or in the field, the CCRB arranges for a certified interpreter to conduct the interpretation.

The CCRB is exploring the ability to offer LEP individuals with on-demand video interpretation services. In addition, the agency will be examining the possibility of certifying a number of its bilingual staff members as interpreters and/or translators.

Language access in agency communications

Citywide Meetings

The agency holds a public board meeting every month. Interpreters are provided upon requests made by the event host(s) or expected attendees. The CCRB ensures that an American Sign Language interpreter is present for every meeting.

Outreach

The CCRB's contact information is posted in every police stationhouse in English and Spanish. These posters are considered essential documents and the agency will prioritize their translation into the remaining eight languages, as required by LL30. The CCRB will periodically re-evaluate whether contact posters need to be translated into additional languages depending on the communities that are being served. All essential information on the CCRB's website can be translated into 113 languages with the assistance of the Google Translate tab located within the website.

In 2020, our Outreach and Intergovernmental Affairs staff conducted approximately 600 presentations. While most of these presentations were in English, some presentations were conducted in other languages, including Spanish and Arabic. In 2021, the Outreach and Intergovernmental Affairs staff will be expanding its outreach to ESOL (English Speakers of Other Languages) communities and communities where English is not the predominant language. Upon request, Outreach presentations will be given in any language.

Plain language

The written material that is disseminated to the public is drafted in a way that is easy to understand. Staff members from the agency's General Counsel's office will undergo plain language training and review the frequently-distributed documents to ensure that they adhere to the plain language guidelines.

Policies and Procedures

In July 2019, a memo was distributed to all members of the CCRB staff documenting the commitment of the CCRB to provide Language Access services to LEP individuals via interpretation. This memo will be updated to incorporate the procedure to be followed when interacting with an LEP individual and how staff members can request interpretation or translation services through the Language Access Coordinators. This memo will be revised as needed and distributed twice a year to reinforce the importance of providing language access services to the public.

Notification of free interpretation signage

There is multilingual signage posted near the CCRB's reception desk notifying all visitors of the availability of translation and interpretation services free of charge. Language Identification Cards are available at the front desk to help LEP individuals identify their language.

The CCRB's website informs the public of upcoming board meetings and provides the contact information for a member of the Outreach staff should interpretation assistance be required. The website notes that interpretation services are free of charge upon request.

Languages beyond the top 10

Should an LEP individual require in-person services beyond the top 10 languages noted, a bilingual staff member would assist until a certified interpreter is contacted. The agency is exploring the use of on-demand video interpretation services to provide a faster level of assistance.

As needed, documents are translated beyond the 10 languages outlined in LL30 in order to service LEP individuals.

Emergency Preparedness and Response

The CCRB does not provide emergency services to the public. In the event of an emergency in which the agency needs to provide critical information to the public (i.e., reduction in office hours or office closure), this message will be available in over 100 languages through the agency's website.

Due to challenges from the pandemic, the CCRB performed almost all of its functions digitally. Services provided by the agency to the public were continuous and only encountered minor disruptions. The CCRB website explains how civilians can file complaints with the agency and allows civilians to track the progress of their investigations. All CCRB staff members are equipped with agency-issued laptops with remote access to the agency's databases. They also have digital access to use their office phone numbers.

VII. Training

As of October 2020, the CCRB's Language Access Coordinators developed a comprehensive training that is provided to all new investigators hired by the agency. This training includes all aspects of LEP policy and its implementation. Topics include: the protocols for use of bilingual staff; the procedure for providing or arranging interpretive or translation services; how to identify a LEP individual's native language; and how to utilize contracted language service vendors. A comprehensive training program like the one described above will be developed and conducted for all public-facing staff members.

VIII. Record keeping and evaluation

The CCRB records the requests it receives and fills through the agency's interpretation and translation vendors. The CCRB intends to make changes to its Complaint Tracking System to capture the type of language service provided to individuals who visit the agency or file a complaint. The CCRB will then have the ability to quantify the LEP services provided in-house and over the phone.

The CCRB will also develop and implement means for evaluating the quality of the services it provides to LEP individuals. The agency will conduct periodic surveys of LEP persons and staff who use the interpretation and translation services of private vendors in order to determine the quality of the language access services. The agency will keep copies of the results of any surveys it conducts in connection with services provided to LEP persons.

The Language Access Coordinators and the agency's Training Unit will document any formal language access trainings and keep file copies of training materials.

IX. Resource analysis and planning

To assure continued improvement in the quality of the interpretation and translation service it provides, the CCRB will continue to utilize the resources discussed above as well as any others that become known or available to the agency. Our automated case tracking system, coupled with the diversity of in-house 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 CCRB has continued to request funds through the Office of Management and Budget to assist in the translation of essential and frequently-used documents. As these requests have not been fulfilled, the agency has allocated funds from its own budget to translate essential documents to bring us closer to being in full compliance with LL30.

X. Outreach and public awareness of language access services

The CCRB's Outreach Unit is committed to providing presentations to LEP communities. Ahead of every presentation, the community outreach team requests the assistance of the host entity to identify any potential need for interpretation services. If the need arises, these events typically will be covered with interpreters from a contracted vendor. The Outreach team conducts presentations throughout the five boroughs to a wide variety of groups, including:

- High schools, middle schools, Alternative/transfer, and colleges
- Public libraries
- Tenant associations
- Advocacy organizations
- Community groups
- Non-governmental organizations
- Religious organizations
- Community board meetings
- Precinct council meetings
- LGBTQIA-related groups
- NYCHA
- Homeless Shelters and Street Homeless Outreach organizations
- Cure Violence and Crisis Management System groups
- Immigrant Population
- Criminal Justice-Involved Adult and Youth Groups
- Fatherhood/Family Engagement programs.

In 2021, the Outreach team will seek to conduct presentations to sexworkers and victims of human trafficking.

The community outreach team offers attendees of its events a CCRB brochure that describes what to do if you have experienced or witnessed police misconduct. This reader-friendly pamphlet details the agency's jurisdiction, the many ways of filing a complaint, and how complaints are resolved. The materials are available in English, Spanish, Italian, Korean, Mandarin, Arabic, Haitian Creole and Russian (www1.nyc.gov/site/ccrb/about/outreach/publications.page). The CCRB is in the process of ensuring that these brochures will be available in all 10 languages. With the funds that the CCRB has earmarked for translation of documents, the CCRB is prioritizing making these pamphlets available in the remaining 10 languages. The Outreach unit will be coordinating with

MOIA's Outreach unit to determine best methods of servicing LEP individuals.

XI. Language Access complaints

The agency website lists the name, email address, and telephone number for its Language Access Coordinators. The CCRB is creating an email address where agency staff and members of the public can report any comments or complaints related to language access services provided by the CCRB.

- a. How would complaints about the quality of translation be handled by CCRB?

If there is a complaint about the quality of translation services provided by a private vendor, the complaint would be routed to the agency's Language Access Coordinators. They would investigate the complaint and notify the complainant of the results after the investigation is complete. If the complaint was in another language, the response would be translated before being sent to the complainant.

- b. How does the CCRB provide quality assurance and handle complaints of poor quality of service by a vendor?

CCRB submits complaints to vendors if we encounter quality control problems and we respectfully request plans of action from them if the problem is persistent. In regards to over the phone interpretation, the agency has a secondary contract that can be used if a problem is not solved to our satisfaction by our primary vendor. A formal protocol is being developed for using the second vendor, including documenting instances of poor-quality services and making formal complaints with the vendor and giving them the opportunity to resolve the issue.

In terms of quality assurance for document translation, the CCRB will have translated documents reviewed by bilingual employees who are fluent in the languages in which the documents are translated. Outside review will be sought if no staff member is able to review the documents.

XII. Implementation plan logistics

Language access goal	Milestones	Responsible staff	Deadline
Attempt to secure funding to translate all essential documents as required by LL30	Since September 2017, several requests seeking \$75,000.00 have been submitted to the Mayor's Office of Management to secure funds for this goal.	Deputy Executive Director for Administration	Unknown
Attempt to secure funding for dual headsets	September 2021	Deputy Executive Director for Administration	Unknown

Attempt to secure funding to certify bilingual staff members as interpreters and/or translators	September 2021	Deputy Executive Director for Administration	Unknown
General Counsel's office staff to receive Plain Language training	August 2021	General Counsel's office	September 2021
Create inventory of essential documents commonly distributed to the public that will be revised to ensure they adhere to plain language guidelines	October 2021	Language Access Coordinators General Counsel's office	November 2021
Begin to review of essential documents to ensure that they adhere to plain language guidelines	November 2021	General Counsel's office	December 2022
To conduct presentations within LEP communities to bring awareness of the CCRB'S mission	May 2021	Director of Outreach and Intergovernmental Affairs	June 2021
Create Language Access training for public facing staff	September 2021	Language Access Coordinators General Counsel's office	December 2022
Create a method to effectively evaluate Language Access services provided by the CCRB	October 2021	Language Access Coordinators General Counsel's office	December 2021
Formalize guidelines to investigate Language Access Complaints	September 2021	Language Access Coordinators General Counsel's office	October 2021

Update the agency's Complaint Tracking System with checkboxes that would allow to record LEP service needs of civilians in our investigations	October 2021	Director of Data Process and App Development Acting Chief of Investigations General Counsel's office Language Access Coordinators	December 2021
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