



Mayor's Office of
Immigrant Affairs
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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

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.