

Suffolk County Probation Department



General Department Policies

**Section Title: Suffolk County Probation Department
Language Access Plan**

**Effective Date: 11/14/2013
Revised 8/25/2017
Revised 11/30/2018**

I. AGENCY MISSION STATEMENT AND BACKGROUND

Mission Statement

The mission of the Suffolk County Probation Department is to promote public safety by implementing evidence based practices that foster positive change in our clients, their families, and our communities.

Background

Probation is an alternative to incarceration that permits offenders to live and work in the community, support their families, receive rehabilitative services and make restitution to the victims of their crimes. Probation also addresses juvenile crime through early intervention for at risk youth. Probation is a judicial function governed by the courts that sentence defendants; it is the most frequently utilized criminal punishment in the US today. When carefully administered, and when applied only to those offenders who can safely be monitored in the community, Probation can provide rehabilitation and reintegration of the offender into society, ultimately helping to reduce crime.

Since 1908 the Suffolk County Probation Department has maintained a high standard of public safety by providing solutions to crime, delinquency, and families in crisis. Each year, thousands of residents come to the Department seeking assistance in preparing court petitions involving family offenses, custody and visitation, support, and persons in need of supervision (PINS). The Department provides public safety through treatment, planning, and prevention.

II. AGENCY LANGUAGE ACCESS GOALS

Meaningful Access

The Suffolk County Probation Department is subject to the civil rights requirements set forth in Title VI of the Civil Rights Act of 1964 (Title VI), the Omnibus Crime Control and Safe Streets Act of 1968 (Safe Streets Act) and their implementing regulations, which prohibit discrimination in programs and activities based on national origin. The Department is further subject to Suffolk County Executive Order #10-2012, which requires agencies, departments, and divisions of Suffolk County government to take all reasonable steps to ensure that persons having limited English proficiency have access to county programs and services. The Department is therefore obligated to take reasonable steps to ensure that limited English proficient (LEP) persons can access services and benefits. A LEP person is someone whose primary language is other than English, and whose ability to read, write, speak, or comprehend English is limited.

The Probation Department is required by NYS statute to conduct presentence/pre-dispositional investigations and to supervise those persons placed on Probation by the courts. To perform these tasks effectively and efficiently, Department personnel must be able to communicate with the offender, and with those most directly impacted by the offender's actions.

To that end, the Probation Department has developed a language access plan. The purpose of the plan is to identify those measures the Department has taken to ensure that LEP persons have ready access to all of our services and benefits.

Current Policy

Currently, the Department communicates with LEP persons in their primary language, using either bilingual employees or Language Line Solutions, a telephonic interpretation and translation service. These services are provided at no cost whenever the Department services a LEP person, or whenever a LEP person requests language assistance services. As a matter of policy, the Department does not allow the child of a LEP person to interpret for the client, nor do we engage another adult who is also involved with the justice system to interpret for the client, except in the case of an emergency or imminent danger. Written documents deemed 'vital' to the various functional areas of the Department have been translated into Spanish, Italian, Mandarin, Polish, French Creole and Portuguese.

Existing Language Assistance Services

The Probation Department has provided, and will continue to provide, language assistance services to offenders, as well as to those persons who voluntarily utilize the services offered by the Department. Language assistance includes both interpretation (orally converting one language, the source language, to the target language, while retaining the same

meaning) and translation (converting written text from the source language to the target language). As previously noted, language assistance services are provided by bilingual staff (both civilian and peace officers), as well as by a private contractor.

Within our Criminal and Family Court divisions, we have identified all bilingual employees available to provide in-language, interpretation and sight translation services for Spanish speakers. These employees provide immediate support to those Probation clients who are primary Spanish speakers. The Department has established a list of these employees, to include their duty station, telephone number, and bilingual language. The list is updated annually, and circulated internally to all staff members. Although all of the bilingual, Spanish speaking employees have been deemed 'proficient' by the Suffolk County Civil Service Department in terms of their ability to read and to converse in Spanish, LEP persons will also be able to access a professional interpreter should they choose to do so.

The Department has also contracted with Language Line Solutions, which provides telephonic interpretation and translation services in multiple languages including Spanish, Italian, Mandarin, Polish, French Creole, and Portuguese. The Department maintains contact information for Language Line Solutions in all its offices, and that information has been circulated agency wide.

III. LEP POPULATION ASSESSMENT

Methodology for Language Assessment

Based on US Census data, more specifically, the 2007-2011 American Community Survey, the Suffolk County Probation Department has determined that within the LEP population, the most frequently spoken languages county wide are Spanish/Spanish Creole, Italian, Mandarin, Polish, French Creole, and Portuguese speakers.

Language Spoken at Home By Ability to Speak English, For the Population Ages 5 and Over, For the Period 2007 – 2011

| | <i>Total Persons Age 5 or Older</i> | <i>Speaks English "Very Well"</i> | <i>Speaks English Less Than "Very Well"</i> |
|----------------------------------|-------------------------------------|-----------------------------------|---|
| <i>Spanish or Spanish Creole</i> | 166, 141 | 79, 112 | 87, 029 |
| <i>Italian</i> | 17, 223 | 12, 659 | 4, 564 |
| <i>Chinese</i> | 10, 552 | 5, 512 | 5, 040 |
| <i>French Creole</i> | 7, 932 | 4, 284 | 3, 648 |
| <i>Polish</i> | 7, 797 | 4, 394 | 3, 403 |
| <i>Portuguese</i> | 5, 176 | 2, 696 | 2, 480 |

Signage has been posted in the lobby of all Probation Department offices in multiple languages, to advise clients that interpreters are available at no charge to LEP individuals. Additionally, the Department maintains translated forms and documents for LEP persons in Spanish, Italian, Mandarin, Polish, French Creole and Portuguese.

IV. Implementation

Organizational Commitment

The Suffolk County Probation Department's language access plan was implemented on 11/14/2013, and will be updated periodically as needed.

General Roles and Responsibilities

The Department's senior and mid-level managers will ensure that all Probation employees comply with the agency's language access policy to communicate with clients, their families, and other involved parties in their primary language.

The Department's 'Language Access Coordinator,' Director Andrea Neubauer, or the designee, Principal Probation Officer Peter Kwiatkoski, will monitor the contractor providing telephonic translation and interpretation services and maintain records related to those services; ensure that language identification information is posted Department-wide; review and update as necessary the Department's list of bilingual employees; review the Department's catalog of written materials to ensure that vital documents have been translated; and in conjunction with senior managers, review and update as necessary the Department's language access plan.

Action Items

➤ Data Collection

Review historical data on our contracted language assistance services so as to identify utilization access trends.

➤ Information Dissemination

Beginning 11/14/2013, and annually thereafter, all Department employees will receive written notification on (1) how to obtain language assistance from the pool of bilingual Probation staff and (2) how to access telephonic language interpretation and translation services from the contractor. The listing of bilingual staff will include the employee's name, bilingual language, duty station, and telephone number.

➤ Notification to the Public

The Department will display 'Language Identification Card' posters in all public waiting areas, informing clients about free language assistance resources.

➤ **Document Translation**

The Department has identified, and will continue to identify, all its vital documents and provide for the translation of those documents into a language or languages, as determined by the results our language assessment.

➤ **Community Review**

On an annual basis, the Language Access Coordinator or the designee will assess demographic data, review the language access services utilization rate and as needed, consult with community-based organizations to determine the need to translate vital documents into a language other than Spanish.

V. Service Provision Plan

Identifying and Documenting Primary Language

When interacting with a LEP person, their family, or another interested party, Department staff can identify the person's primary language by using a "Language Identification Card."

Securing Oral Language Assistance

Employees will inform the LEP person that the Department provides free language assistance services. If the person requests an interpreter, one will be provided.

When communicating with a LEP person by telephone, if a bilingual employee is not available, or if the LEP person's primary language is not Spanish, the employee will use the Department's contractor, Language Line Solutions, to enable that communication by following these steps:

When receiving a call:

- Use Conference Hold to place the LEP person on hold
- Dial 1-866-874-3972 and provide the 6 digit client ID number
- Press 1 for Spanish or Press 2 for all other languages. At the prompt, speak the name of the language needed. If assistance is needed to identify the language, press 0 and stay on the line
- Provide the building's 4 digit access code
- Brief the interpreter

- Add the LEP person to the call

When placing a call:

- Begin by dialing 1-866-874-3972, then follow the above instructions

Translation of Written Materials

The Department has identified those documents considered vital to the supervision, investigation, and intake functions. A list of these vital documents will be maintained and updated, as necessary, by the Department's Language Access Coordinator or the designee. Although a private contractor will provide document translation services, whenever possible, documents will be translated by the Department's bilingual (Spanish speaking) employees.

Department staff should enlist the assistance of bilingual employees to provide sight translation of a non-vital document as may be requested by the LEP person.

VI. Complaint Process

The Probation Department will take all reasonable measures to ensure that LEP persons receive free language assistance services in their primary language. Should a LEP person assert that they did not receive adequate language assistance, the LEP person will be advised to submit a written complaint, using the Language Access Complaint Form available on line. The Language Access Coordinator or the designee will promptly review, investigate, and respond in writing to that complaint.

VII. Training

The Department will disseminate information regarding its language assistance program to new workers (non-peace officer staff) during employee orientation. For newly hired Probation Officer Trainees, this information will be incorporated into the Cultural Diversity module, as part of the Fundamentals of Probation Practice curriculum. Current staff will receive this information during periodic section and/or unit meetings. Additionally, an 'all Department' memo will be issued no less than once each year, detailing key aspects of the Department's language access plan.

VIII. Record Keeping

The Language Access Coordinator, or the designee, will monitor the Department's language assistance program by collecting and reviewing any data deemed relevant to the program.

IX. Future Planning

The Suffolk County Probation Department is committed to providing effective and efficient language services to LEP persons. To that end, the Department will:

- (1) Examine population and language trends in the county on an annual basis
- (2) Examine demographic data vis-à-vis the Probation supervision, investigation, and intake caseloads annually
- (3) Review its catalog of vital documents, adding or removing documents from that catalog as necessary

Enhancements to the existing plan will be implemented as needed, and as circumstances allow.