

MEMORANDUM OF SUPPORT

REQUIRE STATE AGENCIES TO PROVIDE INTERPRETATION SERVICES

A.3436 Kim

The New York State Coalition Against Domestic Violence (NYSCADV) urges the New York State Legislature to pass this legislation, which would require all state agencies directly serving the community to ensure interpretation and/or translation services for all people with limited English proficiency.

According to the US Census Bureau, there are over 4.5 million immigrants residing in New York, representing almost one quarter of the state's total population.¹ Immigrant communities represent a diverse and integral part of local communities with hundreds of languages spoken across the state. Yet many are left out when it comes to accessing services provided by state agencies, largely due to lack of interpretation and/or translation services offered by these agencies.

Domestic violence does not discriminate and permeates all communities. Immigrant victims of domestic violence face heightened exploitation from their abusers due to lack of English proficiency, isolation from family or other systems of support, lack of understanding or familiarity with the American legal system, religious and/or cultural customs and unstable immigration status. When fleeing an abusive partner, immigrant victims of domestic violence must be able to successfully interact with a variety of state agencies to ensure their needs are met. The only reasonable solution to ensuring ALL victims of domestic violence have equitable access to service provisions from the state is to require language access tools for people with limited English proficiency.

This bill addresses the lack of interpretation and translation services in state agencies that furnish information or render services, programs or activities directly to the public, or contract with other entities to conduct such programs. Such state agencies would be required to provide competent interpretation at all stages of the individual's interaction with the state agency, at no cost to the individual. Such interpretation services must be provided promptly.

In addition, the bill would require state agencies to establish a language access plan within 180 days and revise it every two years. At minimum, plans would include: when and by what means the agency will provide language assistance services and how; a list of all documents translated and in what languages; number of bilingual employees in public contact positions, including languages they speak; a process for documenting changing language needs of the community including a tracking system, and a training plan for all employees. Agencies must also designate a language access coordinator responsible for maintaining compliance with the established language access plan who also would serve as the primary point of contact for the statewide director of language access.

NYSCADV urges the New York State Legislature to pass this bill ensuring state agencies provide equitable access to services to all New Yorkers, including those with limited English proficiency.

ABOUT NYSCADV:

Established in 1978, NYSCADV is designated by the U.S. Department of Health and Human Services as the information clearinghouse, primary point of contact, and resource center on domestic violence for the State of New York. NYSCADV is

1. "Selected Characteristics of the Foreign-Born Population by Period of Entry into the United States," accessed July 24, 2019, 2017 ACS 5-Year Estimates, available through factfinder.census.gov.

responsible for supporting the development of policies, protocol, and procedures to enhance domestic violence intervention and prevention and also provides education and technical assistance to the network of primary-purpose domestic violence service providers statewide.

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