

**DISTRICT ATTORNEY'S OFFICE
LANGUAGE ACCESS PLAN & PROTOCOL
APRIL 2019**

1. Purpose and Authority

The purpose of this plan is to establish an effective process and protocol for the District Attorney's Office (DAO) staff to follow to ensure individuals with limited English proficiency (LEP) have access to the District Attorney's Office. Our mission is to seek justice for the citizens of Philadelphia, to prosecute criminal matters on behalf of the Commonwealth and to provide services to victims and witnesses of crimes.

This document establishes the plan and protocols for the District Attorney's Office personnel to follow when individuals who have limited English proficiency (LEP) contact our office and require information pertaining to matters within the office, or when such individuals need more general direction for resolving their issues in the criminal justice system.

2. General Policy

The District Attorney's Office is committed to compliance with Title VI of the Civil Rights Act of 1964, 2 C.S. §561 et seq. (Act 172 of 2006), and the Philadelphia Home Rule Charter §8-600 and §A-200, in ensuring meaningful access to City services and programs for individuals with limited English proficiency (LEP).

3. Responsibility Statements

The office, rather than the LEP individual, bears the responsibility for providing language appropriate services. Staff at the initial point of contact have the specific duty to identify and record language needs;

Use of informal interpreters, such as family, friends of the person seeking service, or other members of the public, is discouraged. Minor children are prohibited from acting as interpreters;

No staff may suggest or require that an LEP individual provide an interpreter in order to receive services.

4. Preferred Method of Service

If an LEP individual needs to communicate with the office, the preferred method to communicate with that person is through language line;

Instructions for utilizing the Language Line is available to all staff at the Language Assistance icon on the home page of every staff person's office

computer. Staff will provide language services to communicate effectively even when the individual has not requested such assistance.

If necessary, available bilingual trained and certified staff may be used for both in-person and telephone interpreting;

5. Language Access Coordinator (LAC)

The LAC for the District Attorney's Office is Quetcy Lozada, Senior Director of Community Engagement, who can be reached at:

Quetcy Lozada
Senior Director of Community Engagement
Philadelphia District Attorney's Office
3 South Penn Square
Philadelphia, PA 19107
quetcy.lozada@phila.gov
215-686-8717

6. Direct Contact with LEP Individuals

The District Attorney's Office has the following points of contact with LEP individuals:

Front desk. The security desk at 3 South Penn Square has contact with LEP individuals seeking access to District Attorney's Office staff. Staff at the security desk has access to the Language List and Language Access icons described above;

Victim Witness Assistance;

Private Criminal Complaint Unit. Members of the public are seeking assistance in filing private criminal complaints.

7. Language Access Services and Protocols

Interpretation

Protocol/Procedure

When an individual calls or visits the District Attorney's Office and is communicating in a language other than English, staff will determine whether the individual requires language assistance in several ways:

By asking the individual if he or she would like language assistance;

By using Language Line Interpretation Services. Signs posted at reception areas to determine the individual's primary language.

By asking an available bilingual trained and certified staff person to inquire if language assistance service is necessary;

Translation

Protocols for Document Translation

Each division of the District Attorney's Office will continue to consider whether there are additional documents that are vital, and thus, should be translated into other languages;

Supervisors are expected to notify the Language Access Coordinator of any need for translation.

8. Procedure for Submitting a Document for Translation

Email the editable document to the Language Access Coordinator (LAC) at quetcy.lozada@phila.gov;

LAC will submit the translation request to translation vendors to obtain a quote;

LAC will get the quote approved and signed;

The quote will be returned to vendor for translation to occur;

The LAC will forward the translated document to the requesting employee when returned by the vendor;

The LAC will keep an office-wide library of translated documents.

NOTE: Before submitting a document for translation, staff members are to review the document and insure the following:

The content has not already been translated in another document.

The document and translation procedure have been approved by the Chief of Staff Arun Prabhakaran.

The document is in a format that can be edited (i.e., MS Word, Publisher, InDesign, etc.)

Terms which should NOT be translated will be highlighted, i.e., the name of the District Attorney's Office unit or program.

The document can be understood by readers with lower literacy skills.

If the translation is a continuation of a series or collection of documents, staff should request the same vendor to keep the translation consistent.

9. Future Plans

Use telephonic interpretation, and insure that the public knows about the availability of these services. The DAO will make telephonic interpretation services more widely available. One service, Language Line, offers more than 175 languages. The office will inform the public about these resources through visible multilingual signs in reception areas and will train staff working in primary points of contact on using telephonic interpretation services quarterly.

The DAO has approximately 50 bilingual employees. This information has been shared with all staff in the form of a directory. Bilingual staff will be trained and certified on providing interpretation services on a volunteer basis. Current bilingual staff levels in the DAO are adequate to serve LEP individuals.

Nonetheless, the DAO is currently taking measures to maximize the diversity of its workforce so that it is representative of the City of Philadelphia. A more inclusive workforce is likely to increase in-house language capacity.

The main reception areas and interview area of the Private Criminal Complaint Unit will be outfitted with a dual headset phone to allow employees staffing these areas access to the Language Line telephonic interpretation service.

To provide notice to LEP individuals about interpretation services, the Language Line Interpretation Signs will be posted in any area where an employee might encounter an LEP individual, including the main reception area, the victim-witness waiting room and the interview area of the Private Criminal Complaint Unit.

Senior office management will consider the options available to assign or configure employees to best communicate with LEP individuals served by or in contact with the office without imposing unfair burdens on bilingual staff. Should there be any issue concerning the assignment of bilingual staff to assist in primary points of contact with LEP individuals, senior office management will contact the Language Access Coordinator who will work to resolve the issue.

10. Signage

Currently, no signs are available in other languages.

11. Website

Currently, portions of the District Attorney's Office website are in Spanish and Vietnamese.

12. Training Staff on Policy, Plan and Protocols

Training Protocol

The District Attorney's Office Language Access Plan & Protocol is part of the District Attorney's Office Manual, which is available to all staff online. In addition, hard copies have been placed in all office reception areas to serve as a reference resource.

In order to establish meaningful access to information and services for LEP individuals, staff that regularly interact with the public and those who will serve as in-house interpreters will be trained on the District Attorney's Office LEP policy, plan and protocols. Training will insure that staff members are effectively able to work in person and/or by telephone with LEP individuals. Supervisory staff will be included in this training, even if they do not interact regularly with LEP individuals, to insure that they fully understand the policy, plan and protocols and are able to reinforce the importance of the plan and insure implementation.

Formal training for those serving as interpreters will be explored with the help of the OIA.

LEP training will include information on the following topics:

Legal obligation to provide language assistance;

LEP plan and protocols;

Identifying and responding appropriately to LEP individuals;

Documenting an LEP individual's language preference;

Obtaining interpreters (in-person and over the phone); and

Using and working with interpreters (in-person and over the phone);

Translating procedures

Documenting language requests; and

Using or not using bilingual staff as in-house interpreters.

The District Attorney's Office will circulate its language access policy and related protocols to all staff within 30 days of approval by the District Attorney and the OIA. Every two years, the office will circulate the revised policy and protocols to all staff after adoption. During FY 2019, the District Attorney's Office will provide cultural competency training, including training in regard to this policy and the appropriate use of interpreters and translators, to all staff who have regular interaction with LEP individuals.

All new staff members assigned to primary points of contact will receive cultural competency training within twelve months of the beginning of their employment with the District Attorney's Office. After initial training, staff members will receive refresher training in cultural

competency and language access every three years. The District Attorney's Office LAC will work with the DAO Human Resources Director to document training and schedule training sessions within these timelines.

The Director of Human Resources will be responsible to schedule this training for their employees by contacting the LAC.

13. Notice of the Right to Language Access

In all areas of public contact and on its website, the District Attorney's Office will post and maintain clear and readable signs in the languages most prevalent in the City notifying LEP individuals that free translation and interpretation services are available to them.

14. Data Collection and Annual Report

In order to effectively gather and analyze data on the language needs of those who use the office's services, the District Attorney's Office has created a Language Assistance Report. This report will document the LEP encounter by language, the type of service provided to LEP individuals, any translation services requests, and any expenditures for assisting LEP individuals.

The Language Assistance Report is to be completed by the District Attorney's Office employee any time services are rendered to LEP individuals and any time translation services are requested. The report is to be sent to the Language Access Coordinator. The Language Access Coordinator will prepare a quarterly report documenting the following for the period:

- Number of LEP encounters (by language).

- Type of language services provided to LEP constituents.

- Number of documents translated.

- Language services expenditures.

In addition, the Language Access Coordinator will report biannually on the following:

- Number of bilingual staff; and

- Number of staff trained in Language Access/Cultural Competency.

The Supervisor of the Civil Litigation Unit will develop as system within 90 days of the completion of the Language Access Plan to insure that contractors of the office who may come in contact with LEP members of the public in the course of their City work comply with the District Attorney's Office Language Access Plan & Protocol.

15. Annual Report and Evaluation

The District Attorney's Office will conduct an annual evaluation of its Language Access Plan & Protocol to determine its overall effectiveness, review the progress of office goals and identify new goals or strategies for serving LEP residents. The evaluation will include the following:

Assessment of the use of telephonic interpretation, in-person interpretation and translation services.

Assessment of data collected about the LEP's primary language.

Assessment of the number and types of language requests during the past year.

Assessment of whether staff members understand the Language Access Plan & Protocol, how to carry them out, and whether language assistance resources and arrangements for those resources are up to date and accessible.

Assessment of complaint information.

This information will be reported annually to the OIA by the Language Access Coordinator.

The Language Access Coordinator will also keep records of any language access services provided and will make this information available during the annual review process.

District Attorney's Office staff are advised that the Office of Immigrant Affairs may request comments and feedback from visitors that have received language services.

16. Language Access Complaint Procedure

Individuals may file a formal Language Access grievance with the Office of Immigrant Affairs if they believe they have been wrongly denied the benefits of this Language Access Plan.

Individuals must file a complaint within 6 months of the alleged denial. To file a formal complaint, individuals must fill out a Language Access Grievance Form and submit the form in person, by mail or e-mail to:

Office of Immigrant Affairs
Orlando Almonte, Language Access Program Manager
Municipal Services Building
1401 JFK Blvd., Ste. 1430
Philadelphia, PA 19102
E-mail: Orlando.almonte@phila.gov

The form is available on the OIA website.

Additionally, any person, regardless of immigration status, may submit a formal legal complaint through the Philadelphia Commission on Human Relations. To do so, individuals must complete a Public Accommodations Discrimination Intake Form and submit in person or by mail to:

Philadelphia Commission on Human Relations

The Curtis Center
601 Walnut Street, Ste. 300 South
Philadelphia, PA 19106

To access the form and for more information, please visit www.phila.gov/humanrelations

FY19 Timeline

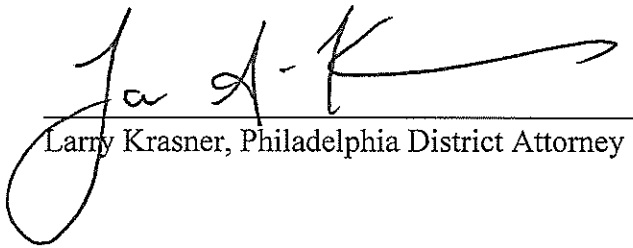
Within 60 days:

The LAC will discuss with OIA available resources for training staff of the District Attorney's Office and for publishing best practices for those serving as interpreters.

The LAC will insure availability of the plan, the bilingual directory, the Language Line services and the procedure for requesting a court interpreter consistent with this plan.

Within One Year:

The District Attorney's Office will update the office's website to further include bilingual information and will be maintained on a regular basis.



Larry Krasner, Philadelphia District Attorney