

**LANGUAGE ACCESS PLAN FOR
INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY**

State Agency: New York State Police

Effective Date of Plan: October 1, 2024

Language Access Coordinator (LAC): Mr. Peter J. Komarnicki

LAC Phone / E-mail: 518-457-9466 / peter.komarnicki@troopers.ny.gov



This document is our agency’s **Language Access Plan**.

A **Language Access Plan** explains how we provide services to people who have limited English proficiency.

This **Language Access Plan** includes information about:






	<p>The population with Limited English Proficiency (“LEP”) in our service area.</p>
	<p>How we notify the public about language access services.</p>
	<p>Our resources and methods for providing language access services.</p>
	<p>How we train our staff to provide language access services to the public.</p>
	<p>How we monitor language access services and respond to complaints.</p>



Table of Contents

PART 1 – Our Agency’s Services	3
PART 2 – The Population with Limited English Proficiency in Our Service Area	4
PART 3 – Public Outreach About the Availability of Language Access Services	5
PART 4 – Provision of Language Access Services	6
PART 5 – Staff Training.....	13
PART 6 – Monitoring the Plan and Responding to Complaints.....	14
PART 7 – Signatures	15



PART 1 – Our Agency’s Services



We prepared this Language Access Plan (“Plan”) to comply with New York State Executive Law Section 202-a, which establishes New York’s Statewide Language Access Policy. This Plan explains how we make sure that people with Limited English Proficiency (“LEP”) have meaningful access to agency services, programs and activities.

In this Plan, individuals with LEP are understood as people who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English.

Our agency’s services to the public include:

The Division of State Police (NYSP) is New York's full-service police agency, ready to provide essential police services statewide. State Troopers and Investigators provide highway and traffic safety, respond to all types of emergencies, prevent and investigate crimes, and provide support and technical services for other police agencies.

PART 2 – The Population with Limited English Proficiency in Our Service Area



The Statewide Language Access Policy requires state agencies to translate vital agency documents into the top 12 most commonly spoken non-English language among New Yorkers with limited English proficiency. Our agency uses U.S. Census data (including data from the American Community Survey) to determine the top 12 languages most commonly spoken by individuals with LEP in New York State.

The top 12 languages spoken by individuals with LEP in New York State are:

#	Language	Estimated Number of Speakers with LEP (ACS 2018-2022)
1	Spanish	1,198,032
2	Chinese	377,524
3	Russian	124,422
4	Yiddish	90,199
5	Bangla	74,342
6	Haitian Creole	51,947
7	Korean	48,581
8	Arabic	42,907
9	Italian	41,155
10	French	34,304
11	Polish	33,122
12	Urdu	29,983

New York’s language access law also provides agencies, in consultation with the Office of Language Access, the option to add up to four more languages of translation beyond the top 12. The assessment about whether to include additional languages must be based on factors that are identified in the language access law. Our agency, in consultation with the Office of Language Access, has made the following determination with regard to the addition of languages beyond the top 12:

NYSP has not identified a need for the transition of documents into additional languages beyond those top 12 most commonly spoken. However, NYSP will continue to monitor service requests and other relevant metrics, and will consider such needs on an ongoing basis.

Our agency tracks encounters of individuals with LEP in the following ways:

When a contact with an individual is otherwise required to be reported by law, NYSP rule, county policy, or other policy, any Language Assistance used as part of such report should be



noted in such report. In systems such as Record Management System (RMS), Spectrum Justice Services (SJS) and Computer Aided Dispatch (CAD) where no separate field for Language Assistance is provided, such information may be included in the narrative or comments portion of the record. When electronic record keeping or record management systems are updated, consideration will be made to the addition of means of tracking Language Assistance information.



PART 3 – Public Outreach About the Availability of Language Access Services

Our agency informs individuals with LEP about their right to free language assistance services in the following ways, using at least the top 12 languages shown in Part 2 of this Plan:

Individuals with LEP are directly informed by our staff

In which ways? Field personnel and dispatchers receive training in how to communicate with individuals with LEP and the procedures for doing so. Language identification posters are available at each station that provide information about the availability of free language assistance services. The Division also has a number of bilingual members to assist with interpretation if available.

Signs posted about language assistance services

In areas operated by the agency and open to the public

Other (describe)

Information is published on our agency’s website in at least the top 12 languages spoken by individuals with LEP in New York State

Outreach and presentations at schools, faith-based groups, and other community organizations

What are the populations with LEP targeted?

Local, non-English language media directed at individuals with LEP in their languages

What are the populations with LEP targeted?

Social media posts directed at individuals with LEP in their languages

What are the populations with LEP targeted?

Telephonic voice menu providing information in non-English languages

In which languages?



Other (describe)

Our website has information about the availability of free language assistance services including both a “Call Us” message and Language Access complaint form in the top twelve languages.



PART 4 – Provision of Language Access Services

A. Determining the Need for Services

During *in person* encounters, our agency uses the following tools to determine whether an individual has LEP, and what their primary language is:

- “I Speak” posters or visual aids that provide information about free interpreting services in multiple languages
- Reception staff make those determinations based on training and experience
- Bilingual staff members, where available, assist in identifying the language of individuals with LEP
- Other (describe)

On *telephone calls*, our agency uses the following tools to find out if an individual has LEP, and what their primary language is:

- Reception staff make those determinations based on training and experience
- Bilingual staff members, where available, assist in identifying the language of individuals with LEP
- Telephonic interpreting service
- Other (describe)

Our agency’s protocols for assessing whether an individual needs *oral interpreting* services in different service situations is as follows:



During office in-person encounters: NYSP maintains a commitment “To Serve, Protect and Defend the People While Preserving the Rights and Dignity of All.” Effectively communicating with individuals is critical to NYSP fulfilling every part of its vital public safety mission. Division personnel receive training in identifying and aiding individuals who communicate in languages other than English and are instructed to make use of all available resources, including but not limited to telephonic interpretation, bilingual members and employees, as well as community volunteers. “I Speak” tools are maintained at NYSP facilities. Articles 12 and 30 of the State Police Member’s Manual provide specific guidance on Language Assistance.

At initial contact in the field: Effectively communicating with individuals is critical to NYSP fulfilling every part of its vital public safety mission. Division personnel receive training in identifying and aiding individuals who communicate in languages other than English and are instructed to make use of all available resources, including but not limited to telephonic interpretation, bilingual members and employees, as well as community volunteers. “I Speak” tools are maintained at NYSP facilities. Articles 12 and 30 of the State Police Member’s Manual provide specific guidance on Language Assistance.

When speaking on the telephone: NYSP makes use of telephonic interpretation services via applicable Office of General Services (OGS) Contracts. All personnel receive periodic training on Language Assistance. Sworn members and civilian communications specialists answering public facing telephone numbers receive additional training and instruction on the use of telephone interpretation services for both non-emergency calls and emergency calls for assistance.

For pre-planned appointments of individuals with LEP:

Other (describe):

Our agency records and maintains documentation of language assistance needs of individuals with LEP as follows:

NYSP does not maintain such individual records. Criminal justice information is protected by various State and federal laws. Records are maintained in accordance with such standards.

B. Oral Interpreting Services

Our agency has made the following resources available for oral interpreting requests:

Bilingual staff members who work directly with individuals with LEP

Number of staff and languages spoken:

Bilingual staff members who provide oral interpreting services on a volunteer basis



Number of staff and languages spoken: Self-reported language skills rated “Non-Technical Translation” or higher.

Language	# of Staff
AKAN	1
ALBANIAN	9
ARABIC	9
ARMENIAN	1
BELARUSIAN	1
BENGALI	4
BOSNIAN	7
CANTONESE	2
CREOLE	5
FRENCH CREOLE	1
CROATIAN	4
FRENCH	13
GERMAN	4
GREEK	9
HAITIAN CREOLE	4
HEBREW	1
HINDUSTANI (HINDI)	6
HUNGARIAN	1
ITALIAN	10
JAMAICAN ENGLISH CREOLE	2
JAPANESE	1
KOREAN	5
LAOTIAN	1
MANDARIN	3
NORWEGIAN	1
PAKISTANI	1
POLISH	11
PORTUGUESE	3
ROHINGYA	1
ROMANIAN	2
RUSSIAN	21
SERBIAN	4
SPANISH	224
TAGALOG	2
TURKISH	6
UKRAINIAN	6
URDU	3
VIETNAMESE	2
Grand Total	391



Telephonic interpreting service

Number of contractors and languages spoken: One telephonic interpreter contractor, under the New York State OGS Statewide Administrative Services Contract, that covers approximately 300 languages and dialects.

Contracts or other arrangements with school and community organizations

Number of contracts or other arrangements and languages spoken:

Other (Describe)

Our agency protocols for informing individuals with LEP that free interpreting services will be provided and that they do not need to provide their own interpreters is as follows:

During office in-person encounters: Field personnel and dispatchers receive training on how to communicate with individuals with LEP and the procedures for doing so. Language identification posters are available at each station that provide information about the availability of free language assistance services. The Division also has a number of bilingual members to assist with interpretation if available.

At initial contact in the field: NYSP field personnel are trained to assist individuals with LEP and should secure the appropriate resource to interpret based on the nature of the contact. Individuals with LEP are assured that interpreting services will be free of charge.

When speaking on the telephone: NYSP personnel are to engage the telephonic interpretation services contractor in accordance with Division guidelines. Individuals with LEP may be notified through the contract interpreter that the services are at no cost.

For pre-planned appointments of individuals with LEP: When appropriate or required, individuals with LEP should be informed that any interpreting services provided by or through NYSP are at no cost to them.

Other (describe):

Our agency’s protocols for obtaining interpreting services in a timely manner is as follows:

The Division of State Police is a police and emergency service agency. Our members are required by Division policy to render necessary public safety services to everyone and to

effectively resolve emergency situations regardless of a person's language proficiency. Each encounter is different. However, our members are trained in how to communicate with individual with LEP to accomplish our mission of serving, protecting and defending the people while preserving the rights and dignity of all. In emergency situations and situations involving imminent criminal apprehension where time is of the essence, members are trained to utilize whatever means necessary to communicate with individuals with LEP to accomplish the arrest and provide for their safety and the safety of everyone at the scene. For criminal arrest situations or interviews where time is less critical, and arrangements can be pre-planned, members will ensure that the appropriate steps are taken to provide for legally accurate interpretation services.

If an individual with LEP insists on having a family member, friend, or other person interpret, our protocols for deciding whether to accept or decline such an arrangement is as follows:

Individuals with LEP who come into contact with our agency will be informed of the availability of free interpreting services. Telephonic interpretation services are made available to all personnel in the field. Due to the nature of the NYSP's mission, which frequently involves intervention in life-threatening emergencies, criminal investigations, and other dynamic and serious matters, an individual with LEP generally will not be permitted to have a family member, friend, or a minor interpret. However, all State Troopers receive training in the use of third-party intermediaries during crisis interventions, and based on the totality of the circumstances, **during an emergency**, an individual with LEP may be permitted to have a minor, a family member or friend interpret, when doing so is deemed to be necessary. Where an individual with LEP is engaged in official business with the agency, the agency will provide an independent interpreter at all times.

Our agency provides information to all staff members who have contact with the public about how to obtain oral interpreting services. Our protocol in this regard is as follows:

Annual Language Access training is mandated for all NYSP employees and provided through the Office of Employee Relations. Sworn members receive additional training in communicating with individuals during emergency events and crises, which includes communicating with individuals with LEP. Dispatch Locations and Troop Control Points maintain information about how to contact language assistance resources. All personnel have access to Language Assistance resources, including contact information for commercial resources available to NYSP personnel.

The agency's Language Access Coordinator ("LAC") maintains a list of oral interpreting resources that are available to staff. This resource list includes:

- Names and contact information for all resources
- Names and locations of staff members who are available to act as interpreters or provide services directly in the primary language of an individual with LEP
- Languages in which each interpreter or service is qualified

- Procedures for accessing each interpreter or service

Our agency records and maintains documentation of oral interpreting services provided to individuals with LEP at each encounter. Our protocol in this regard is as follows:

Where applicable, documentation is maintained in incident-based reporting

Cultural Competence and Confidentiality

Our agency makes sure interpreters are culturally competent¹ in the following ways:

For emergency and investigative purposes, members utilize the most expeditious and effective means of communicating with individuals with LEP. For criminal matters involving sworn depositions or statements with significant impact on case outcomes members strive to use the most qualified interpreters as possible to ensure legally accurate interpretation. This is usually done in conjunction with District Attorneys, Division Counsel, and other legal counsel. Commercial interpretation services are provided via contracts awarded by OGS. All State Troopers receive cultural diversity training, which enables them to ensure services are provided in a culturally competent manner.

Our agency makes sure interpreters follow state and federal confidentiality protocols in the following ways:

Commercial interpretation services are provided via Contracts awarded by OGS, which include confidentiality requirements. State Troopers are bound by strict confidentiality requirements set by law, by NYSP Policy and federal guidelines.

C. Translations of Documents

At least every two years after the effective date of this Plan, our agency determines and reassesses vital documents² that must be translated. This process is accomplished in the following ways:

Vital document reviews are coordinated with various program areas, as well as Counsel, Public Information Office and the Planning Research and Development Section.

¹ Cultural Competence is defined as *a set of congruent behaviors, attitudes, and policies that come together in a system or agency or among professionals that enables effective interactions in a cross-cultural framework*. U.S. Department of Health and Human Services, Office of Minority Health. 2000. Assuring Cultural Competence in Health Care: Recommendations for National Standards and an Outcomes-Focused Research Agenda. Extracted from:

https://minorityhealth.hhs.gov/Assets/pdf/checked/Assuring_Cultural_Competence_in_Health_Care-1999.pdf

² Vital Documents is defined as any paper or digital document that contains information that is critical for obtaining agency services or benefits or is otherwise required to be completed by law.



Our agency’s process for making sure documents are written in plain language³ before they are translated into other languages is as follows:

The Planning ,Research and Development Section is responsible for the creation of documents for the New York State Police. Planning and Research staff work in close consultation with Executive Staff to ensure that all documents are written in plain language and can be easily understood. The primary objective of document creation is to accurately capture required information while mitigating errors due to unnecessary document complexity.

Our agency has the following resources available for translation of documents:

- Contractors for translation services
Number of contractors: One contractor
- Contracts or other arrangements with schools and community organizations
Names of schools/organizations:
- Translation of documents by bilingual staff members
- Other (describe)

The agency’s Language Access Coordinator (“LAC”) maintains a list of translation resources that are available to staff. This resource list includes:

- Names and contact information for all resources
- Names and locations of staff members who are available to provide translations of documents
- Languages in which each translation service is qualified
- Procedures for accessing each translation service

Our agency translates documents that individuals with LEP submit in their primary languages in a timely manner. Our protocol in this regard is as follows:

Review of documents or correspondence should not be delayed due to their being submitted in a language other than English. Written translation services are available through commercial contractors listed on the Division Intranet. Internet-based translation tools and applications are available, but cannot be guaranteed to provide accurate translations, and should not be relied upon as the sole-means of translating a document. Troop Communications, COMSEC (Troop G HQ), and New York State Intelligence Center (NYSIC) may be able to provide additional assistance in

³ The [Plain Writing Act of 2010](https://www.govinfo.gov/app/details/PLAW-111publ274) defines plain language as writing that is clear, concise, well-organized, and follows other best practices appropriate to the subject or field and intended audience. Extracted from: <https://www.govinfo.gov/app/details/PLAW-111publ274>



case of emergencies. In the event routine correspondence is received, Division Communications and Technology Support can provide additional assistance where required.

The following non-exhaustive list of documents are currently translated or in the process of translation by our agency in the languages indicated. Documents with an asterisk (*) are determined by the agency to be vital documents.

- *AR: Arabic*
- *BA: Bangla*
- *CH: Chinese*
- *FR: French*
- *HA: Haitian-Creole*
- *IT: Italian*
- *KO: Korean*
- *PO: Polish*
- *RU: Russian*
- *SP: Spanish*
- *UR: Urdu*
- *YI: Yiddish*

Form #	Name	Top 12 Languages												Additional Languages
		AR	BA	CH	FR	HA	IT	KO	PO	RU	SP	UR	YI	
GEN L-59	NYSP Crime Victim's and Witness Assistance Program	X	X	X	X	X	X	X	X	X	X	X	X	

New documents identified for translation after the signing of this Plan and before the 2-year reassessment will be translated in a timely manner

The process for ensuring that translations are accurate and incorporate commonly used words is as follows:

New York State Police, through its language service contractors, will ensure that proofing/editing for correctness and cultural sensitivity are a component of the translation services.



PART 5 – Staff Training

The person in the agency who is responsible for training staff in language access services is:
Director of Training, State Police Academy



The staff training includes the following components:

- ☒ The agency’s legal obligations to provide language access services
- ☒ The agency’s resources for providing language access services
- ☒ How to access and work with interpreters
- ☒ Cultural competence and cultural sensitivity
- ☒ How to obtain translation services
- ☒ Maintaining records of language access services provided to individuals with LEP

The methods and frequency of training are as follows:

Annual language access training is required for all personnel using the training program provided by the Office of Employee Relations. In addition, State Troopers and Civilian Communications Specialists who answer public facing telephone lines at State Police dispatch locations are provided additional training, as part of their specialized training programs.



PART 6 – Monitoring the Plan and Responding to Complaints

A. Monitoring

Our agency’s Language Access Coordinator (“LAC”) will monitor implementation of the Plan to make sure we are in compliance. Our protocols in this regard are as follows:

Contractor deficiencies are reported to the LAC, Division Communications and Technology Support. The LAC will monitor compliance prior to the submission of periodic monitoring reports. Verification of the posting of required notices and availability of required translation tools will be confirmed during routine station inspections.

B. Complaints

We provide information to the public in at least the top 12 most commonly spoken non-English languages in the state, advising members of the public of their right to file a complaint if they feel that they have not been provided adequate language access services or have been denied access to services because of their limited English proficiency. We do not retaliate or take other adverse action because an individual has filed a language access complaint.

We display information on the right to file a complaint, and the procedures for filing a complaint, in the following manner:





Complaint forms, along with the procedures for filing a complaint, are available in all 12 languages at our Stations, upon request. The complaint forms are also available for download or online submission through our website. Information on the right to file a complaint is posted in the top 12 languages on our website and at Stations accessible to the public.

We handle complaints made to the agency regarding the provision of language assistance services in the following manner:

Any complaint regarding the conduct of State Police personnel is referred to the Professional Standards Bureau. Complaints regarding Division’s Language Access services are forwarded to Communications and Technology Support, Attn: Language Access Coordinator. Complaints regarding the Language Access services are forwarded to the Office of Language Access promptly.

PART 7 – Signatures



	Superintendent	10/16/2024
Head of Agency	Title	Date
<i>Peter J. Komarnicki</i>	Asst. Director, Communications Systems	9/27/2024
Agency LAC	Title	Date
	Margarita Larios	10/17/2024
Executive Director, NYS Office of Language Access		Date