



CITY OF NEW YORK

MARJORIE LANDA

OFFICE OF THE COMPTROLLER

DEPUTY COMPTROLLER FOR

SCOTT M. STRINGER

AUDIT

BUREAU OF AUDIT

June 13, 2018

By Electronic Mail

Commissioner Joseph Esposito
New York City Emergency Management
165 Camden Plaza East
Brooklyn, New York 11201

Re: Letter Report on the New York City Emergency Management's Compliance with Local Law 25 Regarding Translation of Agency Website (Audit Number SZ18-128AL)

Dear Commissioner Esposito:

This Letter Report concerns the New York City Comptroller's audit of the New York City Emergency Management's (NYCEM) compliance with Local Law 25, which governs the translation of websites of New York City agencies. The objective of this audit was to determine whether NYCEM is complying with Local Law 25, which is intended to make City agencies, and ultimately the City as a whole, more accessible to foreign-born residents whose primary language is not English. Our audit of NYCEM is one in a series of audits we are conducting on the City's compliance with Local Law 25.

Background

New York City, with a population of more than 8.6 million people, is home to one of the most diverse populations in the world, with more than 3.2 million foreign-born residents from more than 200 countries.¹ According to the New York City Department of City Planning, nearly one-half of all New Yorkers speak a language other than English at home, and almost 25 percent of City residents age five and over, or 1.8 million persons, are not

¹ NYC Department of City Planning (DCP), *New York City Population*, <http://www1.nyc.gov/site/planning/data-maps/nyc-population/current-future-populations.page> downloaded May 29, 2018; DCP, *NYC's Foreign-born, 2000 to 2015*, March 2017, <https://www1.nyc.gov/assets/planning/download/pdf/about/dcp-priorities/data-expertise/nyc-foreign-born-info-brief.pdf?r=2>, downloaded April 12, 2017; DCP, *Limited English Proficient Population*, <https://www1.nyc.gov/site/planning/about/language-access.page>, downloaded April 12, 2017.

proficient in English.² For residents with limited English proficiency, interacting with City government and receiving access to City services can be a challenge.

Most City agencies have a significant presence on the internet and rely on agency websites to both provide information to and interact with the public. Accordingly, in 2016, Mayor de Blasio signed Local Law 25, amending the City's Administrative Code in relation to residents' ability to translate City Website to their desired language. Local Law 25 requires that every website maintained by or on behalf of a City agency include a translation service enabling users to view the text of that website, wherever practicable, in languages other than English. It also requires that the translation service be identifiable in a manner that is comprehensible to speakers of the seven most commonly spoken languages in the city. As determined by the Department of City Planning, the seven most commonly spoken languages in New York City amongst residents with limited English proficiency are:

- 1) Spanish
- 2) Chinese (includes Cantonese, Mandarin, and Formosan)
- 3) Russian
- 4) Bengali
- 5) French Créole (also called Haitian Créole)
- 6) Korean
- 7) Arabic³

Findings and Recommendations

Our audit found that NYCEM generally complies with Local Law 25. NYCEM's website, found at <http://www1.nyc.gov/site/em/index.page>, includes a translation feature for viewing text and essential information in various languages, including the above-noted top seven languages. NYCEM's website also provides important information regarding its functions and services, which includes but are not limited to information pertaining to NYCEM's various divisions, office locations, contact information, evacuation procedures, how to volunteer during a disaster, how to become a certified emergency responder, news updates and guides related to emergency preparedness and awareness. All information can be translated and viewed in each of the top seven noted languages.

² DCP, *Limited English Proficient Population*, *op. cit.*; see also DCP, *Top Languages Spoken at Home by Limited English Proficiency (LEP) Universe: Population 5 Years and Over*, February 2017, citing the U.S. Census Bureau, *2015 American Community Survey Public Use Microdata 1-Year Sample*. The U.S. Census Bureau also reported that more than 75 percent of New York State's foreign-born population aged five and older spoke a language other than English at home and that more than 46 percent spoke English "less than very well." See: *English-Speaking Ability of the Foreign-Born Population in the United States: 2012*, American Community Survey Reports, June 2014, page 4.

³ According to the DCP report, issued in March 2016, entitled *Top Languages Spoken at Home by Limited English Proficiency (LEP) Universe: Population 5 Years and Over*.

According to NYCEM's Language Access Plan August 2015 and Draft Language Access Plan 2018, NYCEM's most frequently requested documents can be translated and downloaded in 13 languages that have been identified as the most requested (Spanish, Chinese, Russian, Bengali, Haitian Créole, Korean, Arabic, French, Italian, Polish, Urdu and Yiddish).⁴ We reviewed and successfully translated the following documents into NYCEM's 13 most requested languages:

- Emergency Preparedness
- Ready New York Guide
- Preparedness Tips
- My Emergency Plan
- My Pet's Emergency Plan
- Kids Guide
- Choice Your Own Path to Preparedness
- Hurricanes and New York City
- Reduce Your Risk

NYCEM's Language Access Plans address the need for language assistance by supporting other City agencies during an emergency. In particular, during an emergency NYCEM works to make sure that the City agencies involved in the emergency response provide unified, accurate and timely messages to the public. This is done throughout the City via different media outlets (e.g., television, radio and). In addition, NYCEM provides information to various City agencies through the agencies' service centers, community centers, the Ad Council and emergency preparedness material guides that are distributed in various locations.

Our findings are outlined in the following table entitled Compliance Summary.

⁴ City agencies determine which documents are key, essential, frequently used and translated on City websites in the top languages for its business purposes.

COMPLIANCE SUMMARY		
Criteria	Compliance	Notes
Website translates into the top seven most commonly spoken languages. (As required by Local Law 25)	Yes	We reviewed and successfully translated the website text in all seven noted languages. NYCEM’s website also has a “Translate This Page” feature, which enables translation of NYCEM’s website text into more than 90 languages.
Website translates essential documents into the top seven most commonly spoken languages. Key documents translate into NYCEM’s top 13 most requested languages of residents with limited English proficiency. (As prescribed by NYCEM standards)	Yes	We reviewed and successfully translated NYCEM’s essential information into the top seven noted languages and translated key documents into NYCEM’s 13 most requested languages of residents with limited English proficiency.

We recommend that NYCEM continue to maintain its compliance with Local Law 25 to ensure it effectively meets the needs of residents with limited English proficiency when accessing city services online.

Scope and Methodology

We conducted this performance audit in accordance with generally accepted government auditing standards (GAGAS). Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. This audit was conducted in accordance with the audit responsibilities of the City Comptroller as set forth in Chapter 5, §93, of the New York City Charter.

The scope period for this audit was March 6, 2018 to May 22, 2018 the last day of our fieldwork. Our methodology for this audit consisted of the following steps:

- We reviewed applicable laws, rules, policies and procedures to determine our criteria in accordance with Local Law 25.
- We researched and determined the seven most commonly spoken languages in the City among residents with limited English proficiency, as determined by the Department of City Planning.

- We reviewed and analyzed NYCEM’s website and tested its ability to translate documents into the top seven most commonly spoken languages for residents with limited English proficiency.
- We reviewed and analyzed NYCEM’s Draft May 2018 Language Access Plan and August 2015 Language Access Plan to determine what steps NYCEM took to comply with Local Law 25.⁵
- We reviewed the Language Access Plan to determine which documents NYCEM deemed essential for the agency to provide direct public services (NYCEM is not a direct services agency) and that needed to be translated.
- We reviewed and analyzed whether NYCEM’s essential documents and forms could be downloaded on the website, and tested whether they translate to the thirteen most commonly spoken languages for residents with limited English proficiency.

Based on our understanding of the Local Law 25 requirements, we outlined all the criteria necessary for agencies to be in compliance. The table below outlines agencies’ core criteria required to achieve compliance under Local Law 25. A summary of these core criteria forms the basis for the compliance summary reported for each audited agency.

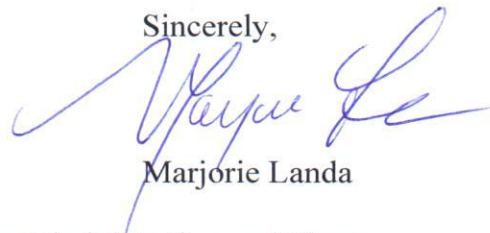
CORE CRITERIA	
Compliance	Detailed Criteria
Spanish	Agency’s website includes a translation feature for viewing text, essential information and key documents in Spanish
Chinese	Agency’s website includes a translation feature for viewing text, essential information and key documents in Chinese
Russian	Agency’s website includes a translation feature for viewing text, essential information and key documents in Russian
Bengali	Agency’s website includes a translation feature for viewing text, essential information and key documents in Bengali
French Créole (Haitian Créole)	Agency’s website includes a translation feature for viewing text, essential information and key documents in French Créole/Haitian Créole
Korean	Agency’s website includes a translation feature for viewing text, essential information and key documents in Korean
Arabic	Agency’s website includes a translation feature for viewing text, essential information and key documents in Arabic

⁵ NYCEM’s Draft May 2018 Language Access Plan is expected to be finalized by June 30, 2018 as required by Local Law 30. NYCEM’s August 2015 Language Access Plan was the most current plan available from on the website.

The issues covered in this report were discussed with NYCEM officials during and at the conclusion of this audit and NYCEM agreed that no exit conference was necessary. On June 1, 2018, we submitted a draft report and provided NYCEM with the opportunity to formally respond in writing. NYCEM's written response was received on June 6, 2018. In it, NYCEM agreed with the report's findings and recommendation and stated that "We agree with your findings and recommendation to continue to maintain compliance with Local Law 25. NYC Emergency Management strives to provide emergency preparedness information online, and through its written guides, in the 12 most commonly spoken languages in New York City in addition to English, and to make its information accessible to people with limited English proficiency."

The full text of NYCEM's comments is included as an addendum to this report.

Sincerely,



Marjorie Landa

- c: Stacy Rosenfeld, Deputy Commissioner for Administration and Finance
- Jalessa Murrell, Deputy Director Finance
- Michael Yee, Grants and Budget Analyst
- Iskra Genecheva, Director Community Engagement and Language Access
- Emily Newman, Acting Director, Mayor's Office of Operations
- George Davis III, Deputy Director, Mayor's Office of Operations



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JOSEPH J. ESPOSITO
COMMISSIONER

June 4, 2018

Marjorie Landa
Deputy Comptroller for Audit
1 Centre Street
New York, NY 10007

Re: Draft Letter Report on the New York City Emergency Management Compliance with Local Law 25 Regarding Translation of Agency Website (Audit Number SZ18-128AL)

Dear Deputy Commissioner Landa:

We have received and reviewed the Draft Letter Report on our compliance with Local Law 25. We agree with your findings and recommendation to continue to maintain compliance with Local Law 25. NYC Emergency Management strives to provide emergency preparedness information online, and through its written guides, in the 12 most commonly spoken languages in New York City in addition to English, and to make its information accessible to people with limited English proficiency.

Our department went through a rebranding process in 2015 and our name has changed from New York City Office of Emergency Management (OEM) to New York City Emergency Management since then. We ask that you reflect that change in the Report.

Thank you for your review.

Sincerely,

A handwritten signature in blue ink that reads "Joseph Esposito".

Commissioner Joseph Esposito