

LANGUAGE ACCESS FOR ERIE COUNTY IS ESSENTIAL AND OVERDUE

Erie County should demonstrate its commitment to inclusion and diversity for individuals with Limited English Proficiency (LEP) by passing a county-wide, comprehensive language access law, mandating the development of department-specific LEP plans, practices, and training. This will ensure that all residents of Erie County have equal access to medical care, government services, civic participation, education and training, jobs, and public safety services.

What is "Language Access?"

Language Access means providing spoken interpretation or written translation, free of charge, to people who have Limited English Proficiency (LEP), so that language is not a barrier to receiving public services or participating fully in civic life.

Why is language access important?

Sometimes being able to communicate means life or death – as we still see during the COVID-19 pandemic, the cooperation of all community members is required in order to keep everyone safe. The only way for LEP residents to have the correct information is for it to be in their primary language. In situations where natural disasters or crimes have taken place, or in legal or medical settings, the necessity of language access is clear. But non-emergency county services are important too: all Erie County residents deserve equal access to services that provide economic stability and opportunities to thrive, like accessing information at the library, obtaining a driver's license, conducting a real estate transaction, or receiving daycare benefits so that parents can work. These are just a few examples of services provided by the County considered essential for many residents, yet due to language barriers, many in our community go without.

What happens now if an LEP resident tries to access county services?

Language access services are piecemeal across county departments. Some departments have complete language access plans that set clear guidance on how to provide language services, while others provide some form of language access but no plan, and still others provide no language access at all and require customers to manage on their own. This results in unsuccessful attempts by residents to access needed services, making the resident pay for an interpreter, come back for multiple visits, rely on a friend for interpretation, or attempt to communicate with limited English, resulting in miscommunication and errors. The current system is inefficient, frustrating and wasteful of residents and county workers time. Westchester, Nassau and Suffolk counties have all passed county-level laws or executive orders mandating comprehensive language access in order to rectify these issues.

How can the county better serve its LEP residents?

By passing a local law requiring that all Erie County departments and services adopt a language access plan, the county will ensure that all residents regardless of their language will have equal access to services. The language access plans will allow each department to decide how best to meet the language needs of residents and are flexible to accommodate the unique needs of that department or agency. The law will ensure that consistent and productive service is provided across all departments.

What are best practices in interpretation and translation?

There are many ways to provide language services but not all are advisable. Interpretation is the spoken communication of a message from one language into another, keeping in mind cultural context, without adding, omitting, or changing the message's original meaning. Translation is conveying meaning from a written source language into a written target language. Many people speak more than one language, but that does not make them qualified interpreters and translators. Qualified, trained interpreters: 1) thoroughly understand both languages, including technical legal and medical terms that are difficult to communicate, 2) are trained to convey meaning in the most effective ways possible without contributing their own "spin" 3) are trained to be objective, confidential, and neutral. Hiring a qualified interpreter to provide language services is essential for those reasons, whereas relying on a client's friend or family member does not ensure that meaning is being conveyed accurately, professionally, and objectively. In fact, relying on a child, stranger, or a family member to interpret can be harmful, and overburdens bilingual community members who are providing services for free.

How would a department create a language access plan?

Each plan would have the same basic components: a description of how employees are to access an interpreter for LEP clients, a description of what documents will be translated into multiple languages, a plan for tracking and reporting language data, a description of bilingual positions within the department and how they are filled, a description of how employees are trained on this policy, a description of how the department notifies the public of the availability of language services, and a designated person within the department to ensure the requirements of the law and the plan are met and carried out. Some departments may be exempt if they do not provide essential services directly to the public.

How would this policy affect Erie County at large?

Language access will mean more efficient services, with fewer errors and missed appointments, saving county time and resources. Ensuring that more residents have access to services will result in greater economic stability and well-being for LEP families, which will in turn uplift the county as a whole as these residents are more able to participate fully in civic life. Finally, hiring local interpreters creates jobs and keeps county dollars within Erie County, further contributing to the wellbeing of all residents.

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