

New York, NY, August 11, 2009—**Legal Services NYC** today filed a lawsuit in State Supreme Court on behalf of low-income New Yorkers who have been denied access to vital benefits, such as Food Stamps and Medicaid, solely because they cannot communicate in English, despite a city law requiring the **Human Resources Administration (HRA)** to provide translation and interpretation services to these individuals. The lawsuit alleges widespread civil rights violations at HRA centers across the five boroughs.

Press coverage: [New York Times](#)

Five years ago, the New York City Council passed The Equal Access to Human Services Act of 2003 (Local Law 73), which mandates the provision of translation and interpretation services at HRA centers. Legal Services NYC has actively monitored HRA's compliance with this law over the past five years, documenting the way in which limited English proficient (LEP) clients are routinely denied services at their HRA centers while applying for benefits or while simply attempting to maintain them.

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In 2007, Legal Services NYC, after continuing to see non-English speaking clients routinely denied access to HRA services, surveyed all 69 centers to monitor compliance with the law. Survey results demonstrated that legally mandated translated applications were not available at 66% of HRA centers and that fewer than two-thirds of the centers had interpreter services available in the most commonly spoken languages of the community, as legally required, for LEP individuals. Since the survey results were released in 2007, Legal Services NYC has continued to monitor and report access problems to HRA. HRA has failed to adequately resolve these reported problems. The lawsuit filed today seeks to compel HRA to immediately comply with the law and to end its discriminatory treatment of non-English speaking New Yorkers.

Mercedes Cruz is an LEP mother of three who is one of six plaintiffs in the lawsuit. Ms. Cruz's native language is Spanish, the second most commonly spoken language in the city and a language spoken by over 2 million New York City residents, and she and her family subsist entirely on Public Assistance Benefits. However, since 2007, when she opened her Public Assistance case, HRA's Income Maintenance Center #63 "Coney Island" has failed to provide her with a Spanish interpreter at any of her appointments despite her repeated requests. The majority of the documents Ms. Cruz receives from Center #63, including notices that her benefits are being discontinued and notifications of upcoming appointments, are entirely in English.

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In March 2009, Ms. Cruz went to Center #63 with a letter from her attorney explaining that she was limited English proficient and that the Center was legally required to provide a Spanish interpreter. The Center refused to provide her with an interpreter. Despite Ms. Cruz's attorney's request that the Center's Language Liaison pair Ms. Cruz with a Spanish-speaking caseworker, she is currently assigned to a caseworker who speaks only English. Because she does not understand all of the documents she receives from the Center and all communications she has with Center staff, Ms. Cruz's Public Assistance case has repeatedly been sanctioned and erroneously discontinued.

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"Five years ago Mayor Bloomberg proudly signed a landmark civil rights law ensuring equal access to all HRA services. Today, despite a significant investment of taxpayer dollars, HRA is still routinely denying vital services to the most vulnerable New Yorkers in flagrant violation of law. Enough is enough. We call on HRA to immediately remedy its widespread discriminatory treatment of limited English proficient New Yorkers," said **Amy Taylor, Language Access Project Coordinator at Legal Services NYC**.

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"Local Law 73 is the result of modern-day civil rights legislation, and New York's language access laws are a model to localities across the nation. The City's failure to provide the most basic services to all New Yorkers is not only discriminatory and illegal but a stain on our reputation as an international destination and capital of the world. We must treat all New Yorkers with the dignity and respect they deserve," said **New York City Council Member John C. Liu**, primary sponsor of The Equal Access to Human Services Act of 2003.

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"New York City is the most multicultural and multilingual city in the country and must serve as an example of equal access. With HRA programs like food stamps and Medicaid, New Yorkers depend on language assistance in government for the basic necessities of life. HRA must act now to provide essential translations and interpreters in compliance with the law to meet the needs of all New Yorkers," said **Manhattan Borough President Scott M. Stringer**.

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"In order to best serve the richly diverse population of New York City, it is vital that appropriate translation services are offered to all people when accessing public benefits. This lawsuit serves as an important reminder to the challenges many New Yorkers face when trying to access assistance," said **New York City Council Member Annabel Palma**.

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"Every week we see families and individuals facing emergencies such as evictions due to unpaid rent, utility shut-offs or hunger because they either did not understand a request that was written only in English or because they cannot communicate with City workers due to their limited English proficiency. These families cannot get help because the City's failure to provide them with translation and interpretation services prevents them from applying for or fully

understanding the benefits available to them.Â Increasing barriers to service because of a lack of translation leaves an already vulnerable population even more burdened," said **Jennifer Vallone, the Director of Project Home at University Settlement**, which referred LEP clients to Legal Services NYC as plaintiffs in the lawsuit.

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