

Civil Rights Action Filed on Behalf of Limited English Proficient New Yorkers

March 21, 2013, New York, NY—Legal Services NYC announced today that it has initiated a civil rights action against the NYPD regarding their routine discrimination against immigrant New Yorkers who seek police assistance in times of crisis. This lawsuit is brought in Federal court on behalf of five limited English proficient (LEP) survivors of domestic violence and crime victims who have been denied interpretation by the NYPD, and thus denied access to vital police services, all in violation of federal and City laws. (Photo: LSNYC Client Arlet Macareno speaks at a press conference announcing the suit)



Press coverage: English [NY Daily News](#), [New York Magazine](#) Spanish Univision's [Primer Impacto](#), [El Diario](#), Chinese [Sinovision](#), [World Journal](#), [The China Press](#)

While it is the official policy of New York City and of the NYPD to provide interpreter assistance to individuals with limited English proficiency, the reality is that immigrant New Yorkers with language barriers are routinely denied access to police services and routinely face unlawful discrimination.

Not only does the NYPD fail to provide language assistance, it also degrades, ridicules, and otherwise mistreats LEP individuals who request interpreter services, actively demeaning them for their lack of English proficiency. In some instances, LEP victims of domestic violence are arrested because the NYPD relies solely on the reports of their English-proficient abusers.

“When immigrant New Yorkers are unable to communicate with the police in order to report a crime or speak out as a witness, our whole city is less safe,” said **Amy Taylor, Language Access Coordinator at Legal Services NYC**. “Furthermore, this discriminatory treatment of our City’s immigrant communities creates a chilling effect—as a result of their treatment, many of our plaintiffs are so fearful of the police that they would not contact them again should they need protection.”

“When I needed police protection I was told that I had to speak English,” said **Wendy Garcia**, a domestic violence survivor who is a plaintiff in the lawsuit, through an interpreter. “Since I could not communicate in English, the police only spoke to my abuser, and then they threatened to arrest me if I called 911 again.”

In addition to the five individual plaintiffs, this action is brought on behalf of Violence Intervention Program (VIP), a nationally recognized Latina organization dedicated to ending violence in the lives of women.

“When the police fail to provide interpreter services to women in need, organizations like ours are forced to fill in the gaps and do the City’s job,” said **Cecilia Gaston, VIP’s Executive Director**. “Not only are we serving women who have been traumatized by their experiences with the police, but we are spending limited resources on interpreting for clients at precincts and otherwise when they are denied this vital service.”

Asian immigrant women in New York City face distinct linguistic and cultural barriers in reporting incidents of domestic violence to law enforcement, said **Larry Lee, Executive Director of the New York Asian Women's Center (NYAWC)**. “80% of the women NYAWC serves speak a primary language other than English. Culturally, many Asian immigrants have learned to fear law enforcement, preventing them from reporting abuse to the police. If survivors do seek help it is often cultural sensitivity issues and lack of language services that hinder them from receiving the critical assistance they need.”

“Domestic violence is a scourge in our communities and a crime that persists when victims are denied services and safety by those who are sworn to protect, simply because the language they find their voice in is not English,” said **NYC Council Member Gale A. Brewer**. “I proudly stand with these plaintiffs and Legal Services NYC, who are blazing a path for not only survivors and victims who seek to emerge from the shadows cast by their abusers, but also in their demand that all New Yorkers—regardless of their English proficiency—be treated with respect and equal consideration in the eyes of the law, in policy and practice.”

“The NYPD’s treatment of our immigrant community is of great concern to me,” said **Council Member Daniel Dromm**, who chairs the Council’s Committee on Immigration. “Denying immigrant New Yorkers language access is not only discriminatory but counterproductive to our goal of keeping our neighborhoods safe. This kind of treatment is unacceptable in our city and will only serve to further alienate a community that already has a deep mistrust of the NYPD.”

“I am very concerned to learn that New Yorkers are being denied their right to language access, particularly in an agency as important as the NYPD,” said **Council Member Melissa Mark-Viverito**. “Our city government needs to respond to the needs of all of our diverse communities. This is especially of concern in cases of domestic violence or other incidents where limited English proficient New Yorkers are unable to report crimes or effectively communicate with police.”

Said **Council Member Debi Rose**, “As Chair of the Council’s Committee on Civil Rights, it is important to me that all New Yorkers—not just those who speak English as their first language—have access to police protection when they suffer from the brutality of domestic violence. Limited English proficient persons are over a third of our city’s population, and deserve to receive the same police protections as all other New Yorkers, and I am hopeful that this lawsuit will begin the process of ensuring that this is the case going forward.”

“The limited English proficient community deserves the same services as everyone else from the NYPD,” said **Council Member Julissa Ferreras**. “As chair of the Women’s Issues Committee, domestic violence is an issue which I have been working very diligently to address. We must make sure the safety of all New Yorkers and their access to the police is equally protected under the law.”

“This action by the NYPD represents a serious violation of individuals rights. Not only are the police breaching their mission of enforcing the law, reducing fear, and providing for a safe environment, but they are also making people victims of the system that failed them. The NYPD has the resources to interpret—no one should be denied their right to report crimes. We have to do everything we can to change certain patterns in the agency and hopefully the action that is being taken today would lead to better practices within the police department,” said **Council Member Fernando Cabrera**.

“Particularly in cases of domestic violence, it is imperative that victims have the ability to communicate with the NYPD,” said **Council Member Ydanis Rodriguez**. “Our immigrant and non-English speaking communities are effectively disenfranchised from the justice system by the lack of translation services—putting our entire city in danger of criminals allowed to stay free.”

In addition to damages for the plaintiffs, this lawsuit seeks systemic relief, reforming how the NYPD treats and serves immigrant New Yorkers who have difficulty communicating in English through training, supervision, monitoring and other procedures to ensure compliance with the law.

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