

**STATEMENT OF THE PUERTO RICAN LEGAL DEFENSE & EDUCATION FUND  
IN OPPOSITION TO THE PROPOSED AMENDMENTS TO THE MINIMUM STANDARDS**

**April 17, 2007**

Puerto Rican Legal Defense & Education Fund  
99 Hudson Street  
New York, NY 10013  
(212) 219-3360  
[www.prldef.org](http://www.prldef.org)

**STATEMENT OF THE PUERTO RICAN LEGAL DEFENSE & EDUCATION FUND**  
**IN OPPOSITION TO THE PROPOSED AMENDMENTS TO THE MINIMUM STANDARDS**

**April 17, 2007**

Good morning. My name is Ghita Schwarz and I am Associate Counsel at the Puerto Rican Legal Defense and Education Fund (PRLDEF). Since 1972, PRLDEF has been a leading force in the fight for civil rights of Latinos. Using the power of the law as well as education and advocacy, PRLDEF protects the opportunities of Latinos to succeed in work and school and to sustain their families and communities.

PRLDEF strongly opposes the Proposed Amendments to the Minimum Standards for New York City Correctional Facilities. While we object to any reduction in the Minimum Standards, we will confine our remarks today to the amendments that affect language access for prisoners who do not speak English.

Since 1978, Section 1-01 of the Minimum Standards, titled "Nondiscriminatory Treatment," has required that every facility have a "sufficient number" of employees and volunteers who are fluent in Spanish. Bilingual staff facilitate access to confidential health care, help inmates understand crucial rules and procedures, and provide numerous forms of assistance to Spanish-speaking prisoners. For almost thirty years, New York City has recognized that without regular and stable access to Spanish-speaking staff, prisoners who are not fluent in English face enormous barriers to equal treatment.

The proposed amendment to Section 1-01 would eliminate the requirement for “a sufficient number” of Spanish-speaking staff. Instead, a new provision states that “procedures will be employed to ensure that non-English speaking prisoners understand all written and oral communications from facility staff members.” While this provision articulates a laudable goal, it is not a substitute for adequate bilingual staffing. Further, the amendments do not specify what procedures will be implemented or how they will guarantee that prisoners’ needs are met.

Adequate language access means that an ill prisoner can have privacy in communications with a medical care provider or that a new inmate can properly understand the disciplinary rules of the facility. Reducing Spanish-speaking staff increases the chances that patient confidentiality will be violated when an inmate facing a medical emergency is forced to use another inmate as an interpreter, thus causing the facility to run afoul of health privacy laws. Reducing Spanish-speaking staff increases the risk of disruption when an inmate does not understand an order from monolingual English-speaking staff.

In proposing these amendments, The Board of Corrections has made no suggestion that Spanish-speaking staff are less necessary than they were in 1978, nor have they provided any other justification for the reduction of bilingual services to prisoners. In fact relaxing the Spanish-speaking requirements makes no sense. A sufficient number of competent Spanish-speaking staff is crucial to prisoner well-being as well as to the orderly operation of a correctional facility. If implemented, these proposed amendments will harm both inmates and the corrections system as whole. We urge you to withdraw them.

Thank you.