JOSH GREEN, M.D.



ANNÉ E. LOPEZ ATTORNEY GENERAL

MATTHEW S. DVONCH FIRST DEPUTY ATTORNEY GENERAL

STATE OF HAWAII DEPARTMENT OF THE ATTORNEY GENERAL Ka 'Oihana O Ka Lojo Kuhina

425 QUEEN STREET HONDLULU, HAWAII 96813 (808) 586-1500

August 27, 2024

To:

Aphirak Bamrungruan, Executive Director

Office of Language Access

From:

Matthew S. Dvonch, Acting Attorney General

Department of the Attorney General

SUBJECT:

Verification of Language Access Plan

I, Matthew S. Dvonch, the Acting Attorney General of the Department of the Attorney General, hereby attest that the Language Access Plan dated July 1, 2022, for the Department of the Attorney General has been reviewed and is determined to be current and applicable as of this date.

This verification confirms the validity of the Language Access Plan and that no further revisions are required at this time. The next review of the Language Access Plan will occur no later than two years from the effective date of this verification, or sooner if deemed necessary.

Effective Date: July 1, 2024

Signed,

Meta I Down

Matthew S. Dvonch, Acting Attorney General

Department of the Attorney General

DAVID Y. IGE GOVERNOR



HOLLY T. SHIKADA

VALERIE M. KATO
FIRST DEPUTY ATTORNEY GENERAL

STATE OF HAWAII DEPARTMENT OF THE ATTORNEY GENERAL

425 QUEEN STREET HONOLULU, HAWAII 96813 (808) 586-1500

Department of the Attorney General Language Access Plan Revised July 1, 2022

I. Introduction

This plan is established pursuant to chapter 321C, Hawaii Revised Statutes.

II. Meaningful Access to Services, Programs, and Activities

Section 321C-3(a), Hawaii Revised Statutes, states:

Each state agency and all covered entities shall take reasonable steps to ensure meaningful access to services, programs, and activities by limited English proficient (LEP) persons, which will be determined by a totality of circumstances, including the following factors:

- (1) The number or proportion of limited English proficient persons served or encountered in the eligible service population;
- (2) The frequency with which limited English proficient persons come in contact with the services, programs, or activities;
- (3) The nature and importance of the services, programs, or activities; and
- (4) The resources available to the State or covered entity and the costs.

The Department uses the Language Access Reporting Tool created by the Office of Language Access to determine the number or proportion of LEP persons served or encountered in the eligible service population, and the frequency with which LEP persons encounter with any of the Department's services, programs, or activities. The Language Access Coordinator will be establishing a more centralized process for tracking and gathering information either semi-annually or annually from each program administrator by using the Language Access Reporting tool to compile the data that the Department reports to the Office of Language Access.

Each program tracks any encounter with an LEP persons requesting interpretation and/or

Department of the Attorney General Language Access Plan Revised July 1, 2022 Page 2 of 7

translation services. For the fiscal year ending in 2022, the following programs have served or encountered an LEP person for language services:

- > Legal Services [Two (2) LEP persons]
- ➤ Hawaii Criminal Justice Data Center [Three (3) LEP persons]
- ➤ Child Support Enforcement Agency [One (1) LEP person]

Since our programs have a lower frequency of encounters or services required of LEP persons, the Department has determined that the proportion of LEP persons served or encountered is less than one percent.

To inform the public regarding language access pursuant to chapter 321C, Hawaii Revised Statutes, a poster entitled *If You Need an Interpreter*, created by the Office of Language Access, is posted in the Department's public areas. (Exhibit 1). On our department's public website, the main page lists the top 14 different languages commonly requested to our Department. The LEP person can click on any language listed which will route them to an informational poster (see link below) that provides instructions by language and includes a telephone number to request an interpreter at no cost to the LEP person.

https://ag.hawaii.gov/wp-content/uploads/2021/11/202111-LEP-Notice-Top-14-Multilingual-AG.pdf

The Department foresees no limitations in its resources to acquire and/or obtain the necessary language service(s) to assist any LEP person and will assist all LEP persons in providing any oral, in-person, writing and/or telephonic language interpretation services as needed.

III. Language Services

Section 321C-3(4)(b), Hawaii Revised Statutes, states:

Subject to subsection (a), each state agency and covered entity shall provide competent, timely oral language services to limited English proficient persons who seek to access services, programs, or activities.

When a LEP person seeks to access the Department's services, programs, or activities, the employee contacted by the LEP person will attempt to identity the language spoken by the LEP person. The employee will notify the Division Supervisor and/or Language

Department of the Attorney General Language Access Plan Revised July 1, 2022 Page 3 of 7

Access Coordinator for direction in establishing translation and/or interpretation services (the employee may use the *If You Need an Interpreter* poster for this purpose) by following the procedures as detailed below.

The Department communicates with our employees that the use of family members and/or friends of the LEP person to assist in providing translation and/or interpretation services is highly discouraged.

Legal Services Divisions

The employee will contact their Division Supervisor who will then notify the Language Access Coordinator and request assistance in locating a Department employee who is able to communicate in the LEP person's language. The Language Access Coordinator will maintain a list of multilingual Department employees for this purpose. This program values the nature and importance in assisting a LEP person with translation and/or interpretation services and will follow the Department's policy in providing the necessary services to all eligible individual(s) as mentioned in this Language Access Plan.

Hawaii Criminal Justice Data Center

The Hawaii Criminal Justice Data Center (HCJDC) employee will utilize their internal multilingual list to locate another HCJDC employee who is able to communicate in the LEP person's language to provide assistance. The HCJDC Assistant Administrator will maintain a list of multilingual HCJDC employees for this purpose and will ensure that HCJDC public contact employees are aware of and have access to the list.

If no available HCJDC employee is able to communicate in the LEP person's language the HCJDC employee will notify the HCJDC Assistant Administrator. The HCJDC Assistant Administrator will contact the Language Access Coordinator for assistance in locating a Department employee who is able to communicate in the LEP person's language. This program values the nature and importance in assisting a LEP person with translation and/or interpretation services and will follow the Department's policy in providing the necessary services to all eligible individual(s) as mentioned in this Language Access Plan.

Child Support Enforcement Agency

The Child Support Enforcement Agency (CSEA) employee will utilize their internal multilingual list to locate another CSEA employee who is able to communicate in the LEP person's language to provide assistance. The CSEA Administrator will maintain a list of multilingual CSEA employees for this

Department of the Attorney General Language Access Plan Revised July 1, 2022 Page 4 of 7

purpose and will ensure that CSEA public contact employees are aware of and have access to the list.

If no available CSEA employee is able to communicate in the LEP person's language, the CSEA employee will notify the CSEA Branch/Office Administrator. The CSEA Branch/Office Administrator will notify the CSEA Administrator, and the CSEA Administrator will contact the Language Access Coordinator for assistance in locating a Department employee who is able to communicate in the LEP person's language. This program values the nature and importance in assisting a LEP person with translation and/or interpretation services and will follow the Department's policy in providing the necessary services to all eligible individual(s) as mentioned in this Language Access Plan.

If no available Department employee is able to communicate in the LEP person's language, the Language Access Coordinator will determine whether it is necessary to procure language services in order to ensure meaningful access by the LEP person to the Department's services, programs, or activities, under the totality of the circumstances, including the factors set forth in section 321C-3(a), Hawaii Revised Statutes. If necessary, the Department will act timely in procuring language services following the provisions of the Hawaii Public Procurement Code.

The Department currently does not retain a vendor for telephonic interpretation but if deemed necessary, the Language Access Coordinator will procure a vendor to provide telephonic interpretation services to fulfill this statutory requirement.

If the Language Access Coordinator needs assistance to determine the competency of a language service provider, the Language Access Coordinator will contact the Office of Language Access for additional guidance.

IV. Written Translations of Vital Documents

Section 321C-3(4)(c), Hawaii Revised Statutes, states:

Subject to subsection (a), each state agency and covered entity shall provide written translations of vital documents to limited English proficient persons who seek to access services, programs, or activities, as follows:

(1) Written translations of vital documents for each eligible limited English proficient group that constitutes five per cent or one thousand, whichever is less, of the population

Department of the Attorney General Language Access Plan Revised July 1, 2022 Page 5 of 7

> of persons eligible to be served or likely to be affected or encountered; or

(2) If there are fewer than fifty persons in a limited English proficient group that reaches the five per cent threshold in paragraph (1), written notice in the primary language to the limited English proficient language group of the right to receive competent oral interpretation of those written materials, free of cost.

By using the *Language Access Reporting Tool*, the Department has determined that LEP persons constitute less than five percent or one thousand of the population of persons eligible to be served or likely to be affected or encountered. Accordingly, the Department does not provide written translations of vital documents.

If translation services are needed for any LEP persons, the Department will immediately coordinate for an employee within the Department to provide such services or will immediately procure a language service vendor.

V. Personnel to Provide Language Access Services

Section 321C-3(d), Hawaii Revised Statutes, states:

To the extent that the State requires additional personnel to provide language services based on the determination set forth in this section, the State shall hire qualified personnel who are bilingual to fill existing, budgeted vacant public contact positions.

Accordingly, to the extent that the Department requires additional personnel to provide language services based on the determination set forth in section 321C-3, Hawaii Revised Statutes, the Department continuously attempts to hire qualified personnel who are bilingual to fill existing budgeted vacant public contact positions. The Language Access Coordinator maintains a departmental list of bilingual and multilingual employees who may be able to assist with language services. (Exhibit 2)

VI. Evaluation and Monitoring

Section 321C-4(a) and (b), Hawaii Revised Statutes, requires, in relevant part, that the Department "shall file an initial language access plan with the executive director no later than July 1, 2007, and every two years thereafter."

Department of the Attorney General Language Access Plan Revised July 1, 2022 Page 6 of 7

The Department filed its initial Language Access Plan with the Office of Language Access in July 2007. Every two years thereafter, the Language Access Coordinator will review the plan and revise it, if appropriate, based on comments from LEP persons, their representatives, interested stakeholders, and Department employees.

The Language Access Coordinator will conduct annual follow-ups with division supervisors working with any subcontractor to reinforce any applicable legal obligations to those subcontractors providing any language services to any LEP persons.

VII. Language Access Coordinator

Section 31C-4(c), Hawaii Revised Statutes, states:

Each state agency shall designate a language access coordinator who shall establish and implement the plan for language access in consultation with the executive director and the language access advisory council.

The Department has designated its Administrative Services Manager as its Language Access Coordinator.

VIII. Data Collection and Reporting System

The Department may use the *Language Access Reporting Tool* created by the Office of Language access to collect and report data regarding language services pursuant to chapter 321C, Hawaii Revised Statutes. (Exhibit 3)

If a LEP related incident is reported to the Department, the Language Access Coordinator will direct the complainant to the Office of the Language Access website at https://health80.hawaii.gov/ola/filing-a-complaint/ to file an official complaint.

IX. Training

The Language Access Plan is utilized as our Department's official Language Access Policy and is accessible to all employees on the Department's Intranet. The Language Access Coordinator will ensure that division supervisors are familiar with the Language Access Plan. Division supervisors will ensure that the employees under their supervision are familiar with the Language Access Plan.

The Language Access Coordinator will organize an annual training to ensure that division

Department of the Attorney General Language Access Plan Revised July 1, 2022 Page 7 of 7

supervisors, who have public contact positions are properly trained and understand the proper use and purpose of the *Language Access Reporting Tool*. Division supervisors will follow-up with employees in public contact positions and provide updated reference material and guidance on proper use of the *Language Access Reporting Tool*.

The Language Access Coordinator will consult with the Office of Language Access regarding training during the regularly scheduled Language Access Coordinator meetings held by the Office of Language Access, and at other times as appropriate.

X. Effective Date

This revised Language Access Plan shall take effect on July 1, 2022.

Approved:

Valerie M. Kato

First Deputy Attorney General



Please point here if you need an interpreter in this language (at no cost to you).



Hawai'ian: E kuhikuhi mai 'oe i 'ane'i ke pono ka mahele' ōlelo ('a' ohe kāki).

日本語 (Japanese): 日本語の通訳が必要な方は、ここを指差してください (通訳費用はかかりません)。

통역을 필요로 하 시면 다음 약속일 전에 반듯이 통역이 필요하다고 한국어 (Korean):

말씀하셔야합니다. 비용은 부담않하셔도됩니다.

如果您需要讲普通话的免费翻译,请指这里。(如果您需要講國語的免費翻譯,請指 普通话(华语/國語) (Mandarin):

這裡。)

如果您需要講廣東話的免費翻譯,請指這裡。 廣東話 (Cantonese):

Ilokano: No masapulmo ti paraipatarus iti Ilokano nga awan bayadna, pakitudom ditoy.

Tagalog: Kung kailangan mo ng libreng tagasalin sa Tagalog, pakituro lamang dito.

Kung kinahanglan nimo ug libre nga tighubad sa Binisaya, itudlo lang diri. Cebuano (Visayan):

Tiếng Việt (Vietnamese): Xin chỉ vào đây nếu bạn cần thông dịch viên cho ngôn ngữ này (bạn sẽ được cung cấp

thông dịch viên miễn phí).

သင်နားလည်သောစကားနှင့် ဘာသာပြန်အလိုရှိပါက ယခုနေရာသို့ညွှန်ပြပါ။ အထက်ပါစကား အတွက်နောက်တခေါက်ဆက်သွယ်ရန်လိုကောင်းလိုပါမည်။ မြန်မာ (Myanmar):

<u>ภาษาไทย (Thai):</u> กรุณาชี้มาที่ข้อความนี้ ถ้าคุณต้องการล่ามภาษาไทย (โดยที่คุณไม่ต้องเสียค่าใช้จ่ายใดๆ)

ភាសាខ្មែរ (Khmer): សូមបង្ហាញនៅត្រង់នេះមក បើសិនជាអ្នកត្រូវការអ្នកបកប្រែជាភាសានេះ

(អ្នកមិនត្រូវការចំណាយអ៊ីទាំងអស់)។

ກະຣຸນາຊີ້ໃສ່ບ່ອນນີ້ ຖ້າທ່ານຕ້ອງການລ່າມພາສາລາວ (ໂດຍທີ່ທ່ານບໍ່ຕ້ອງເສັຽຄ່າໃຊ້ຈ່າຍໃດໆ) ອັກສອນລາວ (Lao):

Marshallese: Jouj im jitõñe ijin elañe kwoj aikuji juon am ri-ukok ilo kajin in (ejjelok wonaān ñan yuk).

Itini awenewenan ikeei ika pwún kopwe néúnéú emén chón chiakú nón fóósun eei Chuukese:

fénú (kosap wisenmééni noum eei chón chiakú).

Chamorro: Matka pat apunta este yangen un nesisita intetpiti gi fino Chamorro (dibadi este na

sitbesio).

Menlau idih wasa ma ke anahne soun kawehwe (sohte isais). Pohnpeian:

Nunak munas srisrngingac acn se nge fwin kom enenu met in top nuke kahs lom an Kosraean:

sifacna (kom ac tia moli).

Fa'anra bet'uf bae' ninge ayweg nem nge abweg e thin rom (ni dabmu pii'pulwon) meere Yapese:

mog aray.

Yapese (Outer Island): Gobe sor gare go tipeli bwo semal yebe gematfa kepatal menel le yetwai yor paluwal

ngalug.

Fa'amolemole tusi lou lima i'ī pe 'ā 'e mana'omia se fa'amatala'upu i le gagana lea (e te Samoan:

lē totogiina se tupe).

Tuhu ki heni kapau 'e fiema'u ha taha ke fakatonulea 'oku ta'etotongi. Tongan:

Русский (Russian): Если вам нужен бесплатный переводчик русского языка, пожалуйста укажите

пальцем на это предложение.

Español (Spanish): Por favor señale aquí con el dedo si necesita un intérprete (sin ningún costo para usted).

For more information, please contact:

E-mail: Ola@doh.hawaii.gov Call: (808) 586-8730

Neighbor Islands: 1 (866) 365-5955



LANGUAGE/DIALECT (sorted in alpha order)	EMPLOYEE NAME	DIVISION	PHONE #	S (Y/ltd)	r (Y/ltd)	W (Y/ltd)
Arabic				ltd	Υ	-
Burmese				-	Υ	Υ
Chavacano				Υ	Υ	Υ
Cantonese (Chinese)				Y	Υ	Υ
				Υ	9	(40)
				- -	Υ	
				Y	Y	Y
				ΪΫ́	Y	Y
Farsi (Persian)				Y	-	-
French				Υ	Υ	Υ
		<u> </u>		Y	Y	Y
German				ltd	Υ	Itd
Hebrew				ltd	Υ	-
llocano (Filipino)				Υ	Υ	Υ
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Japanese				Υ	Υ	Υ
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Korean				ΙΥ	Y	Y
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Mandarin (Chinese)				<u> </u>	Υ	37
				Y	Y	Y
				Y	Y	Y
				Ϋ́	Y	Y
Russian				ltd	Υ	Υ
Spanish				Y	Υ	Υ
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U.				Υ	2	31
Tagalog (Filipino)				Υ	Υ	Υ
				Y	Y	Y
				Y	Y	Y
				Y	Y	Y

DEPARTMENT OF THE ATTORNEY GENERAL LANGUAGE ACCESS - EMPLOYEE LISTING

LANGUAGE/DIALECT (sorted in alpha order)	EMPLOYEE NAME	DIVISION	PHONE #	S (Y/ltd)	r (Y/ltd)	W (Y/ltd)
Tagalog (cont.)				Υ	Υ	Υ
				-	Υ	-
				Y	Υ	Υ
				Υ	Y	Υ
				Υ	Y	Y
				Υ	Y	Y
				Υ	Y	Y
				Υ	Y	Y
Thai				ļ -	Υ	Y
Tibetan				-	Υ	-
Ukrainian				ltd	Itd	Itd
Visayan/Visaya (Filipino)				-	Υ	-
				Υ	Y	Υ

LEP Services by Division/Office

Department/Agency: Attorney General

Period Covered (Quarter/FY) July 2021 - June 2022

Contact Person: David Moore Phone No. 586-1289

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CSEA 1 1 1 0 0 \$ -	\$ -
Legal Services 2 2 1 0 \$ -	\$ -
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Period Covered (Quarter/FY) July 2021 - June 2022

Contact Person: David Moore Phone No. 586-1289

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		Type of	Services F Custor (#)	Provided ners	to LEP			Type of C	Oral Langu (#	age Servic	e Utilized	i		# of Docu Transla		Language Services Expenditures (\$)					
Language	# of LEP Encounters	Oral Language Service	Sight Translation	Written Translation	Other (please specify):	Bilingual Staff (provides direct service in another language)	Community Volunteer	Contracted Interpreter (via an Interpreter Agency)	Contracted Interpreter (<i>Directly</i>)	Staff Interpreter	Telephone Interpreter	Volunteer Staff (speaks another language, volunteers to help)	Other (please specify):	Documents Translated Upon Request	Vital Documents	Oral Language Services (in person)	Sight Translation Services	Telephone Interpreter Services	Written Translations	Other (please specify):	Amount (Total \$)
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Chuukese																				\$	-
Hawaiian																				\$	-
llokano	2	2										2		0	0	\$ -				\$	-
Japanese																				9	-
Korean																				\$	-
Kosraean																				9	-
LEP Hearing Impaired																				\$	-
Mandarin	1	1										1		0	0	\$ -				\$	-
Marshallese																				\$	-
Portuguese																				\$	-
Samoan																				\$	-
Spanish																				\$	-
Tagalog	3	3										3		1	0	\$ -				\$	-
Thai																				\$	-
Tongan																				\$	-
Vietnamese																				\$	-
Visayan (Cebuano)																				\$	-
Micronesian																					
Other																				\$	-
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Language/ Date of Service	User's Initials	Oral Language Service	Sight Translation	Written Translation	Other (please specify):	Bilingual Staff (provides direct service in another language)	Community Volunteer	Contracted Interpreter (via an Interpreter Agency)	Contracted Interpreter (<i>Directly</i>)	Staff Interpreter	Telephone Interpreter	Volunteer Staff (speaks another language, volunteers to help)	Other (please specify):	Documents Translated Upon Request	Vital Documents
Example : Korean / 9-15-08	JS	√				√									
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