



# The Bronx District Attorney's Office

## Local Law 12 of 2023 Proposed 5-Year Accessibility Plan 2024-2028

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# General

## Communication and Outreach

Local Law 12 of 2023 (“Local Law 12”), codified as section 23-1004 of the NYC Administrative Code, requires agencies to prepare and publish 5-Year Accessibility Plans (“The Plan”) in consultation with the Mayor’s Office for People with Disabilities (“MOPD”).

Under Local Law 27 of 2016, City agencies are required to appoint a Disability Service Facilitator (“DSF”). The DSF at each agency coordinates agency efforts to comply with and carry out the agency's responsibilities under the ADA and other federal, state, and local laws and regulations concerning access to agency programs and services by persons with disabilities.

The Bronx District Attorney’s Office (“BXDA” or the “Office”) has set forth the below Five-Year Accessibility Plan (the “Plan”), which is maintained and updated by the Office’s Designated Services Facilitator (“DSF”), Kim Hernandez, Equal Employment Opportunity (“EEO”) Officer in the Office.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a BXDA program, service, or activity should contact the DSF as soon as possible before the scheduled event or activity at the following contact:

**Kim Hernandez, MPA (She/Her/Hers)**  
**Equal Employment Opportunity Officer**  
**Disability Service Facilitator**  
The Bronx District Attorney’s Office  
198 East 161<sup>st</sup> Street, 9<sup>th</sup> Floor  
Bronx, New York 10451  
Phone: (718) 838-6505  
Email: [HernandezKi@bronxda.nyc.gov](mailto:HernandezKi@bronxda.nyc.gov)

The Office’s public-facing website – [bronxda.nyc.gov](http://bronxda.nyc.gov) – will have the following upon completion:

- Identification of the Office’s DSF and contact information (see above);

- A City of New York [Web Accessibility Feedback Form](#)<sup>1</sup> and BXDA's [Web Accessibility Statement](#);<sup>2</sup>
- A Non-Discrimination policy and notice of rights upon completion;
- A grievance procedure, which will also be posted to the public-facing website upon completion;
- This five-year plan will be posted to [bronxda.nyc.gov](http://bronxda.nyc.gov) upon completion. A copy of the plan can also be obtained in an accessible alternative format by contacting the DSF at the above email or mailing address or phone number;
- As indicated in greater details below, the Office also maintains an internal website for its employees that provides resources for individuals with disabilities. The five-year plan will also be posted to the internal website upon completion.

### **Mission Statement of District Attorney Darcel D. Clark**

District Attorney Darcel D. Clark is a lifelong Bronx, New York resident who pursues justice with integrity as the first woman to be elected District Attorney for Bronx County, and the first African American woman to be elected a District Attorney in New York State.

Under her leadership, the Bronx District Attorney's Office focuses on public safety, assistance for victims, fairness to defendants, crime prevention and community outreach.

District Attorney Clark has restructured the Office to reflect 21st Century prosecution, creating a Conviction Integrity Bureau, a Public Integrity Bureau, a Rikers Island Prosecution Bureau to decrease violence and corruption in the jails; enhancing services for victims of domestic violence, sexual assault, and child abuse; and establishing a Community Justice Bureau to divert appropriate defendants. Our staff of more than 1,000 employees is dedicated to serving the 1.4 million diverse residents of Bronx County.

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<sup>1</sup> <https://www.nyc.gov/nyc-resources/website-accessibility-feedback-form.page>

<sup>2</sup> <https://www.bronxda.nyc.gov/downloads/pdf/BronxDA-Website-Accessibility-Statement2023.pdf>

## **Accessibility Statement**

The accessibility goal of District Attorney Clark and BXDA is as follows: providing persons with disabilities with access to the Office’s services; to continuing to identify, prevent, and remove barriers to accessibility; and to meeting accessibility requirements in a manner that respects the dignity and independence of persons with disabilities.

## **Agency Plan**

Pursuant to Local Law 12 of 2023, each New York City agency is required to develop and implement a five-year accessibility plan, in consultation with MOPD. In accordance with the law, the Office has constructed a plan that details (1) the steps the Office is currently taking and will be taking to ensure the agency’s workplace, services, programs, and activities are accessible to and accommodating and inclusive of persons with disabilities; and (2) ongoing and planned initiatives focused on improving physical, digital, and programmatic access by improving “physical, digital, and programmatic access, and effective communications for persons with disabilities.”<sup>3</sup> In accordance with LL12, the Office has and will continue to employ reasonable efforts to ensure that its policies, practices, and procedures are consistent with the following principles:

- Respect the dignity and independence of persons with disabilities and enable them to obtain, use, and/or benefit from BXDA resources and/or services with equal access to opportunities;
- Office communications are conducted in a manner that considers the person’s disability and preferred method of communication;
- Implementation of technologies that will provide greater accessibility, including, but not limited to, text-to speech or other software that provides better access to computer resources for the blind/low vision, and assistive listening devices for those that are deaf/hard of hearing during Office events so that persons with disabilities may use assistive devices to access Department resources and services; and

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<sup>3</sup> Local Law 12 of 2023: <https://nyc.legistar1.com/nyc/attachments/c8d9553e-2c9e-4a53-b247-686a70bc7377.pdf>

- Access for service animals unless otherwise prohibited by law.

## Areas of Focus

In order to meet the requirements of LL12 and foster an inclusive community with equal access to opportunity, the Office has identified these areas of focus and improvement: (1) Physical Access; (2) Digital Access; (3) Programmatic Access; (4) Effective Communications; and (5) Workplace Inclusion.

## Physical & Programmatic Access

Implementation Timeframe: 2024-2028

BXDA operates out of the following buildings:

<b>Court/DCAS Buildings</b>	<b>Leased/Other Space(s)</b>
<p><b>198 East 161<sup>st</sup> Street</b> Part of 2<sup>nd</sup> Floor, Part of 3<sup>rd</sup> Floor, 1<sup>st</sup> Floor and 5<sup>th</sup> through 10<sup>th</sup> Floors Bronx, New York 10451</p>	<p><b>260 East 161<sup>st</sup> Street</b> 2<sup>nd</sup> and 5<sup>th</sup> Floors Bronx, New York 10451</p>
<p><b>215 East 161<sup>st</sup> Street</b> Part of 3<sup>rd</sup> Floor, 4<sup>th</sup> Floor Bronx, New York 10451</p>	<p><b>Satellite Offices at various locations in the Bronx</b></p>
<p><b>265 East 161<sup>st</sup> Street</b> Part of 7<sup>th</sup> Floor, Part of 8<sup>th</sup> Floor, Part of 9<sup>th</sup> Floor Bronx, New York 10451</p>	

## Court and DCAS Buildings, 198, 215, and 265 East 161<sup>st</sup> Street

BXDA currently maintains space in Court and DCAS Buildings at 198 East 161<sup>st</sup> Street (1<sup>st</sup> Floor, 5<sup>th</sup> through 10<sup>th</sup> Floors, sharing 2<sup>nd</sup> and 3<sup>rd</sup> Floors), 215 East 161<sup>st</sup> Street (Bronx Criminal Court), and 265 East 161<sup>st</sup> Street (Bronx Supreme Court and Bronx Criminal Court).

## Court Buildings, 215 and 265 East 161<sup>st</sup> Street

Space in the courthouses is partially governed by the New York Office of Court Administration and they have implemented measures to increase

accessibility. Generally, New York State Courts maintain this statement regarding Accessibility.<sup>4</sup> The courthouse locations are equipped to allow access to all publicly available areas, including elevator access to all floors, braille signage, and sufficient space to allow access for individuals who need to use mobility devices such as wheelchairs. The courthouses at times are also undergoing renovations and this plan will be updated as necessary to detail how any changes further enhance accessibility if applicable.

### **DCAS Buildings, 198, 215, and 265 East 161<sup>st</sup> Street**

BXDA has offices located within the City-owned building of 198, 215, and 265 East 161<sup>st</sup> Street (see above for various floors in each building). DCAS is responsible for common areas in this building. Please see DCAS's [Accessibility Plan](#)<sup>5</sup> for information on the common areas of the City-owned buildings.

### **Leased/Other Buildings: 260 East 161<sup>st</sup> Street and Satellite Offices**

BXDA also leases space within a commercial office building at 260 East 161<sup>st</sup> Street on the second and fifth floor. BXDA is responsible for assessing common areas in the leased space at 260 East 161<sup>st</sup> Street and will work with landlord(s) to address the findings of those assessments. 260 East 161<sup>st</sup> Street is responsible for the agency demised areas (the offices themselves). BXDA also has offices at various other locations/institutions such as Rikers Island, the Child Advocacy Center(s), the Crime Victims Assistance Bureau Satellite Office, etc.

### **BXDA Buildings Overall**

For BXDA buildings, certain elements already exist to enhance accessibility for the space's users. For example, every space within the office is

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<sup>4</sup> Information regarding Bronx Criminal Court located at [https://ww2.nycourts.gov/COURTS/nyc/criminal/generalinfo.shtml#BRONX\\_COUNTY](https://ww2.nycourts.gov/COURTS/nyc/criminal/generalinfo.shtml#BRONX_COUNTY) and Supreme Court – Criminal Term located at <https://ww2.nycourts.gov/courts/12jd/Bronx/Criminal/index.shtml> includes a link regarding accessibility that redirects back to the main accessibility statement linked above with additional information provided at <https://ww2.nycourts.gov/COURTS/12jd/ada.shtml>.

<sup>5</sup> <https://www.nyc.gov/assets/dcas/downloads/pdf/about/dcas-five-year-accessibility-plan-2024-2028.pdf>

accessible via elevator and doorways are large enough to accommodate mobility devices. Employee lavatories are equipped with Americans with Disabilities Act (“ADA”) compliant sinks and stalls and there is at least one gender-neutral, single-occupancy bathroom on each floor. Each of these are also equipped with ADA compliant features such as railings and sinks with sufficient underside clearance. Moreover, most general common elements on each floor are equipped with braille signage denoting floor numbers, lavatories, stairways, and other elements.

The following area(s) were identified for potential improvement:

1. BXDA’s Operations Division should share the responsibility to ensure the physical environment supports inclusion in the day-to-day operations and track progress on intended outcomes. BXDA’s DSF together with the Operations Division should work with service providers, community partners, and the public to identify and develop inclusive opportunities for people with disabilities.
2. Accessible doors that automatically open and close: Given the nature of the duties and responsibilities of the Office and its members, accessibility will be assessed with security concerns in mind. While BXDA buildings are open to the public during business hours, after hours, the entry doors are secured and can only be accessed through coded identification cards for BXDA employees at the 215, 260, and 265 East 161<sup>st</sup> Street buildings, and/or via a security officer at various buildings; of note, the 260 and 265 buildings are secured by different coded identifications compared to that of the 198 and 215 buildings, which fail for various employees on multiple occasions. Moreover, access to most floors within the Office buildings are also secured by the various coded identifications and are not equipped with automatically opening and closing accessible doors. Accordingly, the Office may need to assess the feasibility in installing automatic doors that still can be secured via said coded identification for security purposes. In addition, the Office may need to assess updating or attempting to fix the non-functioning coded identifications and/or the readers of said identifications for overall consistent access.
3. The Office is continuing to conduct trainings and other instructive/informative programs in various spaces, mostly in the 198 East 161<sup>st</sup> Street DCAS building. The Office is also working on



potentially renovating floor(s) in various buildings. The Office via the Operations Division most recently renovated corridor(s) in the 215 East 161<sup>st</sup> Street DCAS building where walls and floors were upgraded/painted, new doors installed, among other renovations, to ensure access for all on the floor.

4. Additional braille signage: significant Braille signage already exists in the Office. However, there may be room to add it to additional locations, such as employee break areas and signage indicating what bureaus/locations/services are on any given floor. The Office will assess where such signage would be most useful and determine what and to what extent any additional signage is placed within the Office.

## **Digital & Programmatic Access**

Implementation Timeframe: 2024-2028

1. Web Content: as indicated above, the BXDA public-facing website contains the Accessibility Statement, which will conform with current standards of Web Content Accessibility Guidelines. BXDA is committed to ensuring its digital content is accessible to and usable by people with disabilities. We are continually improving the user experience for everyone and applying the relevant accessibility standards.<sup>6</sup> Additionally, BXDA also maintains an internal website that contains sections addressing diversity and inclusion, as well as equal employment opportunities.
2. BXDA recently completed an IT equipment upgrade that included providing each employee the use of a work iPhone that can better assist with work and accessibility.
3. BXDA provides to each employee the use or access of a computer with a Windows operating system and a full suite of Microsoft Office applications. Windows is equipped with an array of tools designed to aid individuals with disabilities, including a narrator (or text-to-speech) function, high contrast setting, and magnifier. These tools can be found at: Control Panel\All Control Panel Items\East of Access Center. Additionally, the Microsoft Office suite of applications include default settings regarding accessibility that alerts the user if there are any

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<sup>6</sup> <https://www.bronxda.nyc.gov/downloads/pdf/BronxDA-Website-Accessibility-Statement2023.pdf>

identified accessibility issues that may impact how an individual with disabilities may make use of said document.

4. BXDA is continuing to work diligently to ensure that our programs are held at spaces or on virtual platforms that support accessibility for people that have mobility impairments, are blind/low vision, are deaf/hard of hearing, or have cognitive impairments.

## **Workplace Inclusion & Effective Communication**

Implementation Timeframe: 2024-2028

1. BXDA recognizes that the Bronx is a diverse community with residents from a variety of racial and ethnic backgrounds and includes individuals who have Limited English Proficiency (“LEP”) or are Blind/Low Vision or Deaf/Hard of Hearing. Hence, BXDA has prepared a [Language Access Plan](#) (“LAP”)<sup>7</sup> that explains how BXDA provides services to the public for individuals with LEP or individuals who are Blind/Low Vision or Deaf/Hard of Hearing, now and in the future.
  - a. BXDA’s Language Access Coordinator (“LAC”) is Violeta Sambula, Director of Interpreting Services, who can be reached at [SambulaV@bronxda.nyc.gov](mailto:SambulaV@bronxda.nyc.gov).
2. BXDA strives to pursue justice with integrity by abiding by all EEO mandates and by supporting Diversity Equity, and Inclusion (DEI) Initiatives.
  - a. BXDA’s internal intranet has a section devoted to the “Equal Employment Opportunity (EEO) Unit,” and under the “EEO Resources” section there is additional information regarding accessibility and inclusion including “EEO NYC Policy,” “EEO Complaint Process at a Glance,” “EEO Complaint Form,” “Reasonable Accommodations at a Glance,” “Reasonable Accommodation Form,” and the “[55-a Program](#)” link.<sup>8</sup>
  - b. Additionally, on BXDA’s internal intranet, there is a section devoted to “Diversity, Equity and Inclusion,” with sections devoted to Cultural Calendar and Event Recordings, Training, Employee Resource and Affinity Group Information, etc.

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<sup>7</sup> <https://www.bronxda.nyc.gov/downloads/pdf/Language-Access-Plan-6.01.23.pdf>

<sup>8</sup> <https://www.nyc.gov/site/dcas/employment/55-a-program.page>

3. Every legal and professional staff hired by BXDA is provided with a manual, which addresses disability inclusion and discrimination, and during new employee orientation, the Office identifies the Office's 55-a Coordinator and EEO Officer as Kim Hernandez. Pertinent text from the manual is reproduced below:

The Bronx District Attorney's Office is and will continue to be an equal opportunity employer. Every actual and qualified prospective employee will be considered for recruitment, selection, hiring, work assignment, transfer, training, evaluation, promotion, wages, benefits, discipline, and separation without regard to the employee's age, race, color, religion/creed, national origin, gender (identity, expression, or transgender status), disability, pregnancy (including childbirth and related medical conditions), sexual orientation, marital or partnership status, military status, alienage or citizenship status, arrest or conviction record, status as a victim of domestic violence, sexual violence, or stalking, genetic predisposition or carrier status, unemployment status, caregiver status, or credit history.

It is the policy of this Office to liberally grant employment interviews to those seeking employment with this agency. It is also our policy to actively seek applications for employment from persons of all genders (including gender identity, expression, and transgender status), races, and sexual orientations, as well as persons with disabilities. Members of the staff are encouraged to refer individuals they believe to be qualified for employment to Human Resources and Legal Recruitment.

The Bronx District Attorney's Office will make reasonable accommodations to qualified employees and applicants with disabilities, unless providing such accommodations would create undue hardship for the Office. Whether an accommodation is reasonable generally depends upon all of the circumstances of each situation. Some examples of accommodations which have been found reasonable for certain employers, under certain circumstances, include: job restructuring; making facilities physically accessible to and usable by persons with disabilities; modifying work schedules; providing or modifying equipment or devices; and providing auxiliary aides and services. Staff with disabilities requesting reasonable accommodations to perform essential job functions must discuss their needs with their direct supervisor, who in turn should notify [Kim Hernandez], EEO Officer. Ms. [Hernandez] will provide the supervisor with reasonable accommodation forms to be completed by the person requesting such accommodation. If a staff member feels uncomfortable discussing the need for a reasonable accommodation with his or her supervisor, the request can be submitted directly to Ms. [Hernandez]. Documentation may be required to fully assess the request.

4. BXDA will make every effort to comply with the Americans with Disability Act, Rehabilitation Act, the New York State Human Rights Law, and the New York City Human Rights Law that prohibit discrimination against people with disabilities in access to services. BXDA will:
  - a. Complete all Self-Assessment Surveys (Physical Access, Digital Access, Programmatic Access, Communications, and Workplace Inclusion) and review accessibility policies and procedures and update, where necessary.
  - b. Review public comments concerning this proposed plan and review and assess feedback to address the concerns from members of the public.
  - c. Solicit suggestions from employees on enhancing physical and digital accessibility for people with mobility, vision, hearing or cognitive impairments.

## **Methodology**

BXDA is continuously reviewing the Guidance & Resource Materials posted by the Americans with Disabilities Act, along with the New York City Human Rights Law, the New York State Human Rights Law, the New York City's EEO Policy, and Title 42 of the United States Code.

The Disability Service Facilitator, who is also the Office's EEO Officer, will work with member(s) of the Office's Operations Division to identify access issues described in this plan as well as conduct walkthrough(s) of the current physical space and any additional space currently under renovation and/or construction.

BXDA's EEO Unit, through the complaint and reasonable accommodations process, interacts with individuals with disabilities, and has both a historical and a present understanding of disability-related inquiries and needs. Accordingly, the EEO Unit provides vital insight into the issues that should be addressed as part of this plan and will continue to serve as a guide for future amendments and/or additions to this plan.