CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

          Of the

COMMITTEE ON TECHNOLOGY

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                    April 20, 2015
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HELD AT: 250 Broadway- Committee Rm, 14th Fl.

B E F O R E:

                    JAMES VACCA
                    Chairperson

  COUNCIL MEMBERS:
                    ANNABEL PALMA
                    DAVID G. GREENFIELD
                    MARK S. WEPRIN
                    STEVEN MATTEO

A P P E A R A N C E S (CONTINUED)

Christopher Long
Asst. Commissioner, Web Strategies & Operations
Department of Information and Technology

Azadeh Khalili
Mayor's Office of Immigrant Affairs

Christian Valley
Mayor's Office for People with Disabilities

Karen Gourgey
Director, Computer Center for Visually Impaired
Baruch College

Chancey Fleet
National Federation of the Blind

Lester Marks
Director, Government Affairs
Lighthouse Guild

[gavel]

CHAIRPERSON VACCA: Good morning everyone. It's now around 10 after 10:00 and I'd like to welcome you all here April 20th. My name is James Vacca, V A C C A, and I am the chair of the Technology Committee of the New York City Council. Today we're here to discuss two pieces of legislation in relation to the accessibility of our city's websites to persons with disabilities and to those that are limited English proficient. Intro 683 2015 sponsored by Council Member Dan Garodnick to my right as well as myself would require all New York City websites to meet the technical standards for accessibility for persons with disabilities that are used for federal websites. Intro 673 2015 sponsored by Council Member Jumaane Williams would require every city agency website to provide a translation feature. I would like to thank both Council Member Garodnick and Williams for introducing these important bills in order to effectively and equally provide city services to all New Yorkers. It's absolutely crucial for the gateway to those services, our numerous government websites, to be accessible to all. The sponsors and

the committee hope to hear the administration's

plans to improve existing website features. Federal

disability rights law requires state and local

governments to provide persons with disabilities

equal access to programs and services.

Accessibility features include the ability to

modify text size closed captioning or textual

descriptions of pictures for reader software. While

some websites such as the mayor's office for people

with disabilities have those features prominently

shown there is an uneven application of features

across the city's websites to ease use for the

visually impaired, hearing impaired, and those with

physical or neurological impairments. Council

Member Garodnick's intro would require all New York

City websites to meet the technical standards for

accessibility for persons with disabilities as

required under the federal website mandates. This

proposed law would not just catch up New York

City's efforts and have them meet existing

standards, it would make the city's websites ahead

of the curve. The Department of Justice is

currently considering proposed revisions to the

Americans with Disability Act that would require

that all websites of public accommodation including

municipal agency websites follow specific federal

accessibility technical standards but these

revisions have not yet been passed. Translation

access is another area that can be improved. And

Councilman Jumaane Williams' bill goes to that

issue. I hope to work with the sponsors of these

bills and the administration. And I want to thank

the representatives from the administration who've

joined us today. I'm joined so far by Council

Member Garodnick and I would now like to introduce

the Councilman as prime sponsor of Intro 683 for an

introductory statement.

COUNCIL MEMBER GARODNICK: Well thank

you Mr. Chairman. And I look forward to working

with you as always and the administration to, to

pass Intro 683 and I thank you for holding the

hearing today. As you noted in your opening

government website survey critical function by

communicating important information to our

residents and visitors however not all viewers have

the same ability to understand what is transcribed

on a page. And by making websites accessible people

with disabilities can perceive, understand,

navigate, and interact with websites of New York

City. Disabilities such as visual or auditory

impairments would no longer be a hindrance to

access. So what does accessibility mean.

Accessibility means websites are built utilizing a

certain programming techniques that would allow

people with disabilities to read and understand the

information on the page. Accessibility devices such

as screen readers which reads text as synthesized

speech, brail terminals, screen magnification

software, speech recognition software, and others

would be able to understand the function and flow

of every New York City website and transcribe it

correctly to a person who needs it. The federal

government requires that all federal websites be

designed to comply with accessibility standards and

fortunately there is no requirement that all local

governmental agency websites comply with general

accessibility standards for those who can't access

online information easily. Intro 683 Mr. Chairman

as you noted will correct that gap. It will ensure

that what we communicate is actually communicated

to everyone. And with that I thank you again for

1

2   the hearing and I look forward to working with you

3   on this.

4   CHAIRPERSON VACCA: Thank you Council

5   Member Garodnick. I'd like to introduce

6   representatives here from the administration. We

7   have Ms. Azadeh Khalili who is from the Mayor's

8   Office and we have Chris Long from DoITT. And I, I

9   have to swear you in. Do you swear or affirm to

10   tell the truth, the whole truth, and nothing but

11   the truth in your testimony before this committee

12   and to respond honestly to council members'

13   questions? Okay thank you. Who would like to lead

14   off? Would you like… Mr. Long state your name for

15   the record.

16   CHRISTOPHER LONG: I'll start again.

17   Good morning Chair Vacca and members of the

18   Committee on Technology. My name is Christopher

19   Long. I'm the Assistant Commissioner for Web

20   Strategy and Operations at the Department of

21   Information Technology and Telecommunications also

22   known as DoITT. I'm joined by Azadeh Khalili from

23   the Mayor's Office of Immigrant Affairs and two

24   other colleagues hopefully will be here soon from

25   the Mayor's Office for people with disabilities.

1

2   Thank you for the opportunity today to discuss

3   Intro 673 which will require city agency websites

4   to include options for translating their text into

5   languages other than English and Intro 683 which

6   will require city agency websites to be accessible

7   for persons with disabilities and for the City

8   Commission on Human Rights to report annually an

9   analysis of the city's progress toward this aim.

10   Equitable access to all city services is a

11   cornerstone of the de Blasio administration's

12   approach to governance. And so I'll begin by saying

13   that the goal of these two bills speaks directly to

14   that ideal. We have been and remain fully committed

15   to making New York City a fairer, more just, and

16   more equitable city for every resident across every

17   borough and that extends to the city's digital

18   presence as much it does to any tangible service

19   that the city delivers. The city's digital strategy

20   is shaped around the goal of connecting with New

21   Yorkers where they are online across a number of

22   platforms. Ensure full and equitable access to city

23   services and allow New Yorkers to interact directly

24   with government resources it is essential that

25   digital resources are accessible regardless of

language or disability. To that end we are

constantly working on accessibility in pushing,

pursuing improvements where they are required. And

we have made a lot of progress on a digital space.

As it applies to websites in particular NYC dot gov

the official website of the city of New York is the

city's digital face of the world. Home to the

website's more than 125 city agencies, authorities,

offices, initiatives, and organizations NYC dot gov

hosts roughly 45 million unique visitors each year

and nearly 800 million page views. Additionally

many government agencies provide information across

various different platforms including mobile

applications, social media, and targeted alerts.

Along with NYC digital DoITT is now working with

agencies across the city to redesign their websites

to match the recently re-launched NYC dot gov

homepage which at click, which at a click provides

language translations in approximately 90 different

languages. Language translations achieved on NYC

dot gov today using the widely available free

google translate solution which is helpful for the

vast majority of day to day materials. We have also

taken measures to ensure that popular city sites

2   not on the NYC dot gov domains such as NYC open

3   data which serves as essential repository for

4   official machine readable city data sets are

5   accessible to people with disabilities and can

6   support languages other than English as required.

7   The current standard can translate into over 90

8   languages. As many, as many of us have experienced

9   these technologies are far from perfect but have

10   improved at a rapid rate over the last few years

11   and continue to get better. We see this as a short

12   term solution and in the long run our vision for

13   every agency is to translate essential parts of

14   their web pages into the top languages spoken by

15   their constituencies. In January 2015 the Mayor's

16   Office of Immigrant Affairs launched a

17   comprehensive program to strengthen the city's

18   approach to language access. The programs are seen

19   by new executive director for language access

20   initiatives, my colleague here who is with me here

21   today. Under Ms. Khalili's direction the program

22   includes five important elements. Each agency has a

23   designated senior staff person who is responsible

24   for ensuring that all material produced by that

25   agency including digital materials are available in

a wide array of languages. The creation of a

language access cabinet within city agencies

working with the senior staff serving in the role

of language access coordinator to implement the,

the… language access plan. Across language, cross

agency language access network that meets monthly

for trainings, technical assistance, and sharing

with best practices each meant, meeting is attended

by a senior staff, general councils, directors of

communication, director of personnel etcetera.

Every public facing agency now is a contract with a

vendor for translation and interpretation services.

A new protocol for language access quality

assurance and customer complaints has been

established… and New Yorkers who may receive

inadequate language access at city agencies can now

register complaint using 3-1-1. Agencies are

required to follow up each complaint and report the

resolution to the mayor's office under strict new

guidelines. In terms of translation of written

materials vial documents are translated by

certified bilingual agency staff or outside

vendors. The Mayor's Office of Immigrant Affairs

maintains a team of 12 hundred volunteers to review

2   documents that have already been translated by

3   agency staff or vendors and to write as needed

4   translation services for short documents. This team

5   has translated well over 500 documents since the

6   beginning of the administration and provides an

7   essential element of quality control and timeliness

8   of translation services. For each, for emergency

9   written communications the NYC Office of Emergency

10   Management relies on manual translation services by

11   staff or vendors to ensure that messages in

12   languages other than English disseminated in a

13   manner that is accurate, accurate, timely, and

14   culturally appropriate. For example… translated

15   many documents and written messages into Spanish

16   immediately…

17   CHAIRPERSON VACCA: Whoa, whoa… Where do

18   you stand on the bill? I'm sorry but that's how I

19   am. I'm very much… I'm, I'm cut to the chase,

20   blunt. Where do, where does the, where do you stand

21   on these bills?

22   CHRISTOPHER LONG: The administration

23   supports fully the spirit of both bills.

24   CHAIRPERSON VACCA: The spirit, no. Do

25   you support the bills the way they are written?

That's what you're here for today. You got to give

me a yes or a no or else how do we negotiate a bill

if I don't have a yes or a no. If you have, if you

have concerns you tell me your concerns. I'm not

saying that I'm not open to that, I am. But we are

here to hear testimony from the administration.

Much of what you said is very very laudatory but I

need to know where you stand, you, you as per the

administration.

CHRISTOPHER LONG: Yes. So we, we stand

in support of the bills. There may be refinements

in our opinion that need to happen to, to implement

them successfully across the board.

CHAIRPERSON VACCA: Okay.

CHRISTOPHER LONG: But we, we…

CHAIRPERSON VACCA: Do you, do you, do

you know then, so then you support the bills but

you are acknowledging that there are refinements

you may have. What would those refinements be? Do

you have that information today or do you need to

get back to the committee?

CHRISTOPHER LONG: We, we would need to

get back to on some points. The, so… If, I'm not

sure… so with regard, with regard to language

access is the intent for manual translation of all

NYC dot gov pages or can alternative means be

achieved to meet the, what would be the letter of

the law?

CHAIRPERSON VACCA: I'm, the bill does

not discuss alternative means. I don't know what,

what do you mean by alternative means? How, what,

what alternative is something you would be

contemplating?

CHRISTOPHER LONG: The, the alternative

to manual translation would be automated

translations for some, at some points.

CHAIRPERSON VACCA: Automated, automated

translations of a summary? Is that what you said?

I'm sorry I didn't hear that?

CHRISTOPHER LONG: No no, auto,

automated translation of some content.

CHAIRPERSON VACCA: Of some content.

Alright so one of your questions for the sponsors

of the bills would be is that a consideration that

they would be open to?

CHRISTOPHER LONG: Correct. Correct.

CHAIRPERSON VACCA: Okay. Okay that's

fine. But basically beyond the spirit which we

2   appreciate your, your statement you are supporting

3   the bills and would like to work with us toward

4   refining them?

5   CHRISTOPHER LONG: Absolutely.

6   CHAIRPERSON VACCA: Okay. That's it.

7   Thank you. How do you feel… you're with the same,

8   you with the administration too so is that your

9   feeling?

10   AZADEH KHALILI: [off mic] I am with the

11   Mayor's…

12   CHAIRPERSON VACCA: State your name.

13   AZADEH KHALILI: Good morning. My name

14   is Azadeh Khalili and I'm with the Mayor's Office

15   of Immigrant Affairs. And the language access

16   development and initiatives are through the Mayor's

17   Office of Immigrant Affairs. And we already have an

18   executive order, executive order 120 that requires

19   all our city agencies to translate vital documents

20   for the public into the top languages that are,

21   that their agency is serving. So we want to make

22   sure that there is no redundancy here. And we would

23   love to work with, with the council members and to

24   make sure that this bill really is a bill that

25   works for the people of the city of New York. And

also our office is responsible for reviewing any

complaints and/or the developments within city

agencies. So I know that in the bill it says that

the Human Rights Commission should then be

responsible for reviewing of the progress of the

city agencies. And I would like to propose that if

we do move in that direction to make sure that the

office of immigrant affairs is the one because we

are already reviewing the implementation of

language access at every agency and we're already

working with those agencies.

CHAIRPERSON VACCA: That sounds

reasonable. The sponsor of the bill by the Council

Member Williams is stuck in traffic due to the rain

and he's on his way but I certainly would bring

that to his attention.

AZADEH KHALILI: Thank you.

CHAIRPERSON VACCA: Thank you. I'd like

there to be a time table for these discussions so

in the next 30 days lets have those discussions

because I intend to move the bills soon. So I need

you to have those discussions with the committee

staff at the earliest possible time. Okay? Thank

you very much. I want to introduce Council Member

Matteo who has joined us and welcome him. I will

now have any questions from committee members… Oh

Council Member Weprin has joined us, Council Member

Garodnick.

COUNCIL MEMBER GARODNICK: Thank you.

And Chair Vacca I appreciate your, your directness

and the questions to the administration. I was, I

was wondering the same. And it seems that there's a

general agreement about the, the, the goals of the

bill and that perhaps if there are specific changes

that you all are advocating for we can discuss some

of them now and some of them perhaps as a follow-up

basis. So I, I wanted to focus your attention for

the moment on Intro 683. So that is the, the

accessibility for people with disabilities

legislation. And in your testimony, and I think the

Chair stopped you before you got all the way

through it but essentially what you, what you do in

your formal testimony is you site the various tools

that are available on city websites for… and that

city websites follow guidelines provided by the

Mayor's Office of People with Disabilities and then

there's a whole bunch of steps that are sited

between pages three and four on your testimony

1

2 which we of course you know we don't necessarily

3 need to go through those chapter and verse but my

4 question for you is how, how does New York City

5 standard diverge from the federal standard? The

6 federal standards on websites has very specific

7 rules and components. New York City we have

8 guidelines. Give us a sense as to how those diverge

9 from one another.

10   CHRISTOPHER LONG: The, the guidelines

11 wouldn't diverge from the federal requirements. We

12 may not fully, we may not have fully achieved all

13 of the federal guidelines as of yet. There are some

14 instances where some multimedia may not have

15 captured or transcribed. There can be an instance

16 where an image, a page has not form, properly

17 formatted but when pointed out those things are

18 addressed, images tagged, and things of that

19 nature. But otherwise the, the idea and the goal is

20 to adhere to the guidelines of the…

21   COUNCIL MEMBER GARODNICK: I see. Well

22 okay so I think that we're, we, when I'm asking

23 about diverging I'm not saying that there's

24 something which the city believes that the federal

25 government is doing wrong but I'm talking about the

2   city not doing what the federal government is doing

3   and you're saying there are some examples of where

4   we are not fully adhering to what federal websites

5   do. Does DoITT or anybody else have a comprehensive

6   breakdown as to what the, the flaws are for each

7   agency's website so as to make them compliant with

8   those federal standards?

9   CHRISTOPHER LONG: We do not have a

10   tally of them per say. But we do know that there

11   are some issues. Again part of the issue can be

12   retraining of city staff that create web pages and

13   to make sure that the language that they used when

14   implementing links or incorporating images into

15   pages are adhered to. For instance being, putting

16   in a descriptive, a descriptive explanation of what

17   an image is rather than just saying picture. Or

18   creating a, a form making sure that the, the, the

19   form information follows in a, in a way that can be

20   easily read by an assistive device but again when

21   those issues are discovered they are rectified by

22   city staff.

23   COUNCIL MEMBER GARODNICK: Okay well let

24   me, let me identify one issue for you them. Just a

25   simple one which took no more than 30 seconds of

our own research. The Mayor's Office of People with

Disabilities does have a very clear spot on the top

left hand portion of the page where you click for a

more readable website if you are a disabled person.

The city's Department of Transportation does not

have that button in the same spot. It may be the…

the rest of them don't. I don't know whether they

do or they don't but there clearly is a uniformity

issue that is present here too. So I'll just spot

that for you and maybe you can you know start with

DOT since we're spotting it here in a public

hearing. Okay. So are there any issues with this

bill that you, that you actually see?

CHRISTOPHER LONG: I… Not, not

specifically.

COUNCIL MEMBER GARODNICK: Okay is there

any general?

CHRISTOPHER LONG: We…

COUNCIL MEMBER GARDONICK: Is there

anything general that you, that the administration

has a problem with on this bill? I just want to,

if, if there is we want to deal with it so just let

us know now.

CHRISTOPHER LONG: So I'm specifically

sure where the administration rests with Local Law

covering federal regulations. I, we would have to

get back to you on that.

COUNCIL MEMBER GARODNICK: Just to be

clear this is not a local law covering federal

regulations. This is a local law to establish some

local rules.

CHRISTOPHER LONG: Okay.

COUNCIL MEMBER GARODNICK: Do you have a

sense as to where the administration stands on

that?

CHRISTOPHER LONG: I don't think the

administration would be opposed to it. As stated at

the beginning of our testimony we totally support

the spirit of both bills and we look forward to

working with you on ways that we can establish…

[cross-talk]

COUNCIL MEMBER GARODNICK: And is there

anybody here who could actually testify as to the

administration's view on the bill itself, as to

whether or not they would support the bill as it is

currently drafted?

CHRISTOPHER LONG: May I introduce my

colleague Christian Valley from… [cross-talk]

COUNCIL MEMBER GARODNICK: Sure.

CHRISTOPHER LONG: …the Mayor's Office…

COUNCIL MEMBER GARODNICK: Sure.

CHRISTOPHER LONG: …People with

Disabilities?

CHRISTIAN VALLEY: My name's Christian

Valley. I'm from the Mayor's Office of People with

Disabilities. Our goal is basically that it's to

make sure that all the websites are fully

accessible in the long run of course. Websites take

a long time for us to be able to make it

accessible. But we do provide to do it is how to

make it accessible and you guys have the listing of

some of the things that we want to be in there and

some of the things that are already within the

city's websites. The city's websites are generally

accessible but there are elements that need to be

addressed.

COUNCIL MEMBER GARODNICK: Okay so

you're… I don't want to, to beat a dead horse here

but does that mean that you're in, in, in favor of

the bill to require that we create uniformity and

make it a local requirement that our governmental

websites be accessible to people with disabilities?

CHRISTIAN VALLEY: Absolutely.

COUNCIL MEMBER GARODNICK: Terrific.

CHRISTIAN VALLEY: That's what we're

trying to do.

COUNCIL MEMBER GARODNICK: Good. Thank

you. I think that's all I… We should just pass the

bill I think Mr. Chairman.

CHAIRPERSON VACCA: I mean these are,

these are two progressive bills you know that so we

want your help. Council Member Williams since

you're the sponsor of one of them do you have

anything to say Council Member?

COUNCIL MEMBER WILLIAMS: I do. Can I

give my opening although it's in the middle? Yes?

CHAIRPERSON VACCA: [off mic] I want you

to start in the middle. [on mic] I, I would say

maybe but go ahead.

COUNCIL MEMBER WILLIAMS: Well thank you

very much. Sorry for the lateness but thank you for

hearing the bill. As mentioned my name is Jumaane

Williams. Again thank you Council Member and Chair

Vacca. It's an important hearing to discuss Intro

673 and Intro 683. The bill I'm sponsoring will

require all city websites to include a feature to

translate the text of that website into language

other than English whenever it is practical for

such a feature to be included. The bill also

requires the text of that translation feature to be

displayed in several of the most commonly spoken

languages. According to 2013 census nearly a

quarter of New York City residents identify as

being able to speak English less then very well

quote unquote. A major majority of city websites

offer translation options. But as implementation is

not uniform more than 25 percent of city agency

websites do not have permanently featured

translation capabilities such as a translate this

page button or a link on their website including

CUNY, NYPD, and FDNY potentially impeding a large

segment of New Yorkers from finding and

understanding the delivery of crucial city

services. Local Law 73 of 2003 executive order 120

of 2008 both require city government agencies to

provide communication assistance services to these

limited English proficient, LEP residents.

Similarly Governor Cuomo signed an executive order

implementing statewide language access policies for state agencies servicing LEP residents. To respond to the needs of the city's significant non-English speaking population the city agencies have committed to various language access plans. This bill further localizes the executive order and takes it one step further by requiring a translation button, link, or other features used to access a translation option to be displayed in no less than the seven of the most commonly spoken languages within the city as determined by the Department of City Planning the display may be achieved by dynamic rotation between languages. Lastly this New York City Council has been a champion for immigration rights and the… legislation would further our goal to help some of the most vulnerable, vulnerable or new New Yorkers. Again thank you Chair for handling this bill into the… legislation and I hope we can move fast to get it past. I do know that there was, been some sounds like support of the spirit of the bills but I wasn't sure that I heard any specific changes that need to be done to the bill so…

CHAIRPERSON VACCA: The Mayor's Office

of Immigrant Affairs wants to be the agency that,

that deals with compliance relative to your bill.

COUNCIL MEMBER WILLIAMS: I see.

CHAIRPERSON VACCA: Rather than you had

indicated you would prefer the New York City

Commission on Human Rights.

COUNCIL MEMBER WILLIAMS: Sure.

CHAIRPERSON VACCA: I thought that I did

hear that request. But beyond that I've not heard

from the administration anything of a negative

nature towards your bill.

COUNCIL MEMBER WILLIAMS: Thank you very

much Mr. Chair.

CHAIRPERSON VACCA: Okay. Thank you

Council Member Williams. Who is responsible for

making sure that these websites all conform to ADA

compliance? Is that DoITT?

CHRISTOPHER LONG: Yes. For the covered

agencies for the mayoralty that's correct.

CHAIRPERSON VACCA: …for the mayoralty.

So that would certainly involve the police

department as Council Member Williams is

indicating. But when Council Member Garodnick

indicates that when he goes online and I've done

the same thing one agency is complying and one

agency is not. He gave the names of those agencies

before. So why, why has that been the case? Why

have we not had compliance uniform, uniformly met?

CHRISTOPHER LONG: The city agency

websites are accessible. The Mayor's Office for

People with Disabilities has an extra feature on it

of a text only link. That's, that may not be

uniform across other agencies. We'll look to

rectify that issue. But navigating city websites

with assistive devices is generally achievable

today as confirmed by my colleagues from the

Mayor's Office for People with Disabilities. In

addition the, the police department does have the

translate tool on their website now. We're working

with the fire department to do so as well. And CUNY

we are not involved with at all.

CHAIRPERSON VACCA: How about the

translation button? Why is the translation button

on some agencies and not on others when you go on

the website?

CHRISTOPHER LONG: So the, the agency

websites that wouldn't have it today are probably

very very old and haven't been redesigned in a very

long time, one of which is the Department of, I'm

sorry the Fire Department. And we're working with

them on both redesign and also to incorporate the

translation feature on its present day website.

Again CUNY, it's outside of our authority. We don't

manage the CUNY website. And I believe all other

mayoral agency websites would have the translate

link on them now.

CHAIRPERSON VACCA: The police

department?

CHRISTOPHER LONG: Yes. Yes.

CHAIRPERSON VACCA: They, they are up to

date?

CHRISTOPHER LONG: Yes.

CHAIRPERSON VACCA: Okay. Any other

questions? Okay there being no further questions

from committee members I thank you so much for your

testimony. And do we have a panel? I'd like to call

up our panel who would like to be heard; Chancey

Fleet National Federation of the Blind, Karen

Gourgey Computer Center for Visually Impaired

People at Baruch College, and Lester Marks

Lighthouse Guild. So we'll have a panel of three.

2   Ms. Gourgey do you wish to go first and introduce

3   yourself for the record? Please.

4   KAREN GOURGEY: I'm Karen Gourgey and

5   I'm the Director of the Computer Center for

6   Visually Impaired People at Baruch College. And I

7   first of all want to thank Council Member Vacca and

8   Council Member Garodnick and the Committee for

9   hearing bill 683, Intro 683. It is pretty thrilling

10   for me to think that finally, that in this city we

11   might finally have as a matter of law, not as a

12   matter of chance that websites, all of the city

13   websites would be accessible. Now I'd just like to

14   make a couple of points with regard to the

15   importance of this. One it has to do with we heard

16   a comment before about the availability of, of a

17   text only version of one of the sites, I think it

18   was MOPD. In the community and, and in, in the

19   country generally there's concern about that

20   because the experience of most of us is that if we,

21   if you're dealing with an alternative site it's a

22   little bit like is separate really equal. And in

23   the, in the, in the case of the web environment

24   what tends to happen is that the text only sites

25   tend not to be updates along with the rest because

they're something other, they're something else.

They're not the primary event. They're not the main

event. So they often times tend to get left out in

the cold so to speak. They don't get updates as

often as they really need to do. So we certainly

are very much in favor of this being an actual law

and it applies to all sites, all pages so that we

don't have to, we don't have to change again you

know to looking for that other version, the text

only version or whatever it might be. The other

thing I wanted to just emphasize is the important,

in terms of the importance of this law is what you

find, or at least what I have found and many of my

colleagues have found when you go to particular

sites. And I have certainly experienced this on the

state level and to some degree on city sites as

well you can start, you can, you can read a lot of

the initial information but perhaps you go to fill

out a form and all of a sudden there's an edit box

that you can't read because someone hasn't labeled

it. Maybe it was too far down in the hierarchy of

what's available on that site and so it's not, if I

can't, if my screen reader can't tell me that it's

there I can't take advantage of it. Yesterday

having decided that I would be able to come here

today and talk with you for a moment just for the

heck of it I want, I went onto the Department of

Health's site, the City Department of Health. And

there was a link that said find a service or find a

service near you. And I decided to just experiment

and see if I could do that so I picked influenza,

seasonal influenza. Why don't I go and try to find

a service that can give me some help with that. And

there was an instruction as I went in to look at

this that said click the plus sign and you know

that's associated with the service you want and

you'll, you'll be able to find it. Well I went in

and looked for that but the fact is I never found

it because that little plus sign was done as a

graphic and the screen reader didn't see it. So in

my experience there was no such link. So what's the

answer, I was unable to actually find the service

that the web when you first looked at that front

page promised to me. So I think making this a

matter of law and a matter that city agencies need

to proactive, be proactive in, in implementing will

really raise our accessibility to a newer level.

Thank you very much.

2   CHAIRPERSON VACCA: Thank you Ms.

3   Gourgey. Thank you for all your work by the way in

4   representing those who are visually impaired in the

5   city for many years. I thank you. Would you want

6   to… Who's next? Lester you want to go next? No?

7   Okay.

8   CHANCEY FLEET: Oh and I have a mic,

9   okay.

10   CHAIRPERSON VACCA: Yes. Chancey Fleet.

11   CHANCEY FLEET: Thank you. I'm Chancey

12   Fleet. I'm representing the National Federation of

13   the Blind. As an assistive technology trainer I

14   help New Yorkers with print reading disabilities

15   develop information literacy skills and achieve

16   their goals using technology. And this modern

17   technology provides an unprecedented, unprecedented

18   opportunity for people with print reading

19   disabilities to have truly equal access to

20   information because we can access the same content

21   in a variety of ways like using text to speech,

22   brail displays, speech recognition, alternate

23   keyboards and, and pointing and keyboard,

24   keyboarding devices, custom sizing, and contrast

25   schemes, and more. At the same time though modern

technology when developed without well-known

accessibility standards in mind has the potential

to confound and frustrate disabled users. And

foreclose our opportunity to participate in

services and conversations online. As standards and

practices emerge to shape a maturing web we live

the consequences of this dichotomy of outcome every

day. Novice internet users in particular who

incidentally are probably among the users that the

city most wants to reach are easily discouraged by

a flawed inaccessible web and mobile design. They

often will believe that getting lost on a poorly

structured page or failing to read a PDF that is

not properly tagged is a symptom of their own

mistake. They often disengage and give up on the

resource they are trying to use. Technical

accessibility standards are like architectural

accessibility standards. They are clear and well

understood within the field. There's lots of help

available to understand them and when implemented

from the beginning of a project they are not

costly. They promote inclusion and integration and

they benefit not only with people who with

disabilities but everyone. Well-structured

1

2   documents are easier for everyone to use. Contrast

3   adjustments help members of an aging population who

4   may not identify as disabled but whose vision is

5   changing. And proper use of tables and description

6   of images and machine readable documents that

7   screen readers need to use also make web comment

8   much easier to find by search engines such as

9   google. So accessibility really is for everyone and

10   will pay in the, in, in everyone's internet use. So

11   I hope Intro 683 succeeds so that New Yorkers will

12   all benefit from better access to government

13   information and services. Thank you.

14   CHAIRPERSON VACCA: Mr. Marks introduce

15   yourself please.

16   LESTER MARKS: Good morning. My name is

17   Lester Marks. I'm the Director of Government

18   Affairs at Lighthouse Guild. I'm not going to echo

19   what my colleagues said here. I would like to kind

20   of move the, the conversation forward since the

21   administration seemed like they were in support of

22   the legislation and the council here is also in

23   support. How do we actually achieve accessibility.

24   You know what is the structure in place for the

25   city to move beyond where they are right now? And

I, and I think an important lesson that we've be

involved with, Karen and I and many of the folks in

the, in the vision, visually impaired agencies and

organizations who are run by people who are blind

or visually impaired. We've worked with DOT on a,

on a very collaborative effort. And it's been

successful in pointing out to technical,

technically trained engineers. And you could make

the analogy that engineering is a similar, it's a

different type of engineering, physical engineering

versus computer engineering. We, we have created

the, an important dialogue where we have pointed

out to the engineers at DOT when while something

might be ADA compliant functionally it's not

accessible. It's not usable for somebody who's

visually impaired. And, and I think that it, it, it

has been successful in pointing out to seasoned

engineers that there are issues even though

something might meet compliance that there are

issues in, in the way it, it actually is

functioning. So I think that, how can DoITT, how

can the city, how can each agency actually achieve

accessibility is what I hope the, the council can

continue to, to look at. You know we can set up

2   task forces. We can have you know people review

3   websites after they are designed or as they are

4   being designed. Because as, as was pointed out once

5   it's done it's, it's a little harder to go back and

6   actually change that. And, and I, I think that

7   websites shouldn't be looked at any differently

8   than the over, let's say a sidewalk or a

9   streetscape that's about to be remodeled. There is

10   significant, I mean mandated significant public

11   input. You know think about the, the public

12   infrastructure projects that community boards

13   notify, there are public hearings, people come and

14   testify. Those comments are incorporated. Things

15   are changed. And then the final result is you have

16   an infrastructure that's being rebuilt that has the

17   buy in from the community. That's not being done

18   with… website accessibility. We need to look at

19   each website and it's a massive undertaking. But

20   Karen went on one website and found you know after

21   two clicks that she was lost. And, and this

22   shouldn't be something that we have to notify the

23   city about. This should be a proactive agency by

24   agency approach with the members of, of the

25   disability community at the table threw out the

design so that the end result is in fact a website

that is fully accessible. And the other thing I

just would like to end on is the fact that we, we

use the word compliant. And compliance is, is

merely probably the, the lowest standard. We need

to, New York City should be set in the, the gold

standard and far exceeding you know whatever the

minimal standards are by, by law. And, and the only

way to really really do that is to have the

disability community, people who are visually

impaired and blind at the table throughout the

design process. So I thank this committee. I hope

that the conversation now that you know the

administration seems to have supported this can we

shift to how do we actually achieve this. Because

we could pass this legislation and it will perhaps

never be looked at again other than a report. But

how do we get Karen and, and the colleagues at

Lighthouse Guild and, and throughout the, the city

at the table for this redesign of the websites

which will ultimately have to, to happen if this

bill is fully implemented. So I thank you, and

thank… [cross-talk]

2   CHAIRPERSON VACCA: I, I thank you and

3   your, your testimony hit a, hit a nerve and I did

4   mention to Council Member Garodnick that perhaps he

5   and I can look at the legislation to see if there

6   could be a component built in where there would be

7   a steering committee or an advisory board of

8   advocates from the visually impaired community that

9   can make sure that we do have compliance and an

10   effective use component. And the councilman was,

11   was responsive to that. So let me see what we can

12   do. You're raising a very good point that I think

13   is prevalent all too often today. So certainly in

14   this field so… We will take that under advisement.

15   That was a good idea. Thank you. Council Member

16   Weprin.

17   COUNCIL MEMBER WEPRIN: Well thank you

18   Mr. Vacca. Is it Chancey, I'm sorry?

19   CHANCEY FLEET: I'm Chancey yes.

20   COUNCIL MEMBER WEPRIN: Chancey yes. If

21   you don't mind me asking I was just curious about

22   the advice, the device you were using to read. Is

23   that a brail reader and how does it work and how do

24   you enter the information?

25

1

2   CHANCEY FLEET: Yes sir it's a Bluetooth

3 brail display and it's currently connected to my

4 iPhone but it can be connected to an android device

5 or a mac or PC as well.

6   COUNCIL MEMBER WEPRIN: And you entered

7 your remarks in there before. When you entered you

8 enter it in brail or you use…

9   CHANCEY FLEET: Yes sir.

10   COUNCIL MEMBER WEPRIN: …you use regular

11 alphabet. Okay. It's amazing. Okay. It just amazing

12 how quickly you could read it. I've had friends who

13 read, read brail who can't read it nearly as

14 quickly. That's very impressive. Okay. I was just

15 curious thank you.

16   CHANCEY FLEET: Thank you.

17   CHAIRPERSON VACCA: Council Member

18 Williams.

19   COUNCIL MEMBER WILLIAMS: Thank you Mr.

20 Chair and thank you Council Member Weprin for

21 asking that question because I had a similar one.

22 It's definitely interesting. My comment, thank you

23 for your testimony, my comment actually referred

24 more for, for my bill. I just wanted to just make

25 sure, put on the record, I just checked some of the

websites and NYPD does indeed have a translate

button. However it's in English and so if you can't

read English you may not be able to know to go

translate it. And FDNY doesn't have one at all. I

just wanted to make sure that was on the record. I

know there were some comments back and forth with

administration. Thank you.

CHAIRPERSON VACCA: Thank you Council

Member Williams. There are no other questions. I

want to thank our panel. This is a very very

interesting hearing. I think we're on the road to

effectuating significant change. And I thank the

administration. And I thank everyone for their

attendance today. It is now five to 11:00. There

being no further testimony this hearing is

adjourned.

[gavel]

<u>C E R T I F I C A T E</u>

World Wide Dictation certifies that the

foregoing transcript is a true and accurate

record of the proceedings. We further certify that

there is no relation to any of the parties to

this action by blood or marriage, and that there

is interest in the outcome of this matter.

Date ____<u>April 28, 2015</u>_____