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The Senate

Twenty-sixth Legislature, 2011, State of Hawai'i

House Committee on Finance

Representative Marcus Oshiro, Chair

LATE TESTIMONY

Testimony in Support of H.B. 300, H.D. 1, Relating to the Judiciary

Aloha Representative Oshiro and Committee Members:

I am writing in support of HB 300, HD 1. As an American Sign Language/English interpreter in private practice, an interpreter trainer for the Judiciary and Tier 4 Hawai'i State Judiciary interpreter, I urge the Legislature to preserve the Judiciary's budget, which includes funding for the Office on Equality and Access to the Courts (OEAC) and the Court Interpreter Certification Program.

The OEAC and the Court Interpreter Certification Program have had a tremendous impact on the ability of people with limited English proficiency to receive due process. Chief Justice Recktenwald mentioned in his recent State of the Judiciary address the absolute importance of maintaining the Judiciary's budget at current levels so as not to jeopardize critically needed programs such as the OEAC's Interpreter Certification Program.

All one needs to do is to look back as recently as six years ago to see how incredibly underserved people with limited English proficiency were in Hawai'i's court system. At the time, there were no standards for spoken language interpreters working in court and often people with bilingual abilities with little or no understanding of the courts, let alone knowledge about the interpreting process, were hired to "interpret". How successful they were at this task and how well they served people who already are compromised regarding their understanding of the judicial system was often in question.

The OEAC's program under its highly qualified and capable staff, established qualifications, standards, a certification program, trainings and manage the services to ensure that all non-native users of English, including those who are Deaf or hard of hearing, could be linguistically present in court and participate in their own defense. This federal and state legal right will be in serious jeopardy if the OEAC's budget is cut. 230 Interpreters representing thirty-one different languages served the courts last year in 7,909 cases. Imagine if you used one of these languages, were called into court and denied a certified interpreter. Imagine the challenge and legal ramifications you could face without having access to the court's proceedings. Are these the types of scenarios you are willing to present to the thousands of people with limited English proficiency in court who have the right to qualified interpreters? Are you willing to allow the State to incur more costs when cases are dismissed and need to be retried due to the lack of qualified interpreters? Please take these questions into serious consideration as you make your decision.

Mahalo for this opportunity to submit comments in support of this bill, and in particular, the retention of the current budget for the Judiciary and its programs.

Sincerely,

Jan L. Fried, CI and CT

Nationally Certified ASL/English Interpreter