



# **HAWAI‘I CIVIL RIGHTS COMMISSION** **KOMIKINA PONO KIWILA O HAWAI‘I**

830 PUNCHBOWL STREET, ROOM 411, HONOLULU, HI 96813 · PHONE: (808) 586-8636 · FAX: (808) 586-8655 · TDD: (808) 586-8692

Wednesday, March 27, 2024

2:00pm

Conference Room 308 & Videoconference  
State Capitol, 415 South Beretania Street

To: The Honorable Kyle T. Yamashita, Chair  
The Honorable Lisa Kitagawa, Vice Chair  
Members of the House Committee on Finance

From: Liann Ebesugawa, Chair  
and Commissioners of the Hawai‘i Civil Rights Commission

## **Re: S.B. 3290 SD2 HD1**

**The Hawai‘i Civil Rights Commission (HCRC) supports the intent and offers these comments on S.B. 3290 SD2 HD1**, which requires the Disability and Communication Access Board (DCAB) and Department of Human Services Division of Vocational Rehabilitation (DHHS) to convene a working group to study the state of American Sign Language in Hawai‘i.

The HCRC has enforcement jurisdiction over Hawai‘i’s laws prohibiting discrimination in employment (Chapter 378, Part I, HRS), housing (Chapter 515, HRS), public accommodations (Chapter 489, HRS), and access to state and state-funded services (section 368-1.5, HRS). The HCRC carries out the Hawai‘i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights. Art. I, Sec. 5.

The HCRC has long supported the recognition of the use of American Sign Language (ASL) for individuals in the Deaf Community or individuals who are hard of hearing as its own autonomous language, similar to spoken languages based on ancestry. This measure creates a working group to study

the state of ASL in Hawai'i, and investigate means to improve the provision of ASL in our state.

Membership in this working group would include individuals with knowledge of the needs of the Deaf Community through experience of working with this Community.

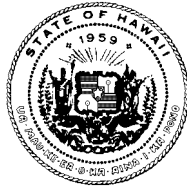
A 2017 study by the National Deaf Center on Postsecondary Outcomes found that Deaf individuals in Hawaii experienced higher levels of unemployment when compared to the national average while being similarly limited in attaining higher levels of education.<sup>1</sup> Understanding the current state of Hawai'i's ASL interpreter workforce through a working group would greatly improve services to individuals in the community who use ASL services.

Thank you for allowing us the opportunity to testify in support of S.B. 3290 SD2 HD1 and provide these comments.

---

<sup>1</sup> National Deaf Center on Postsecondary Outcomes, *Postsecondary Achievement of Deaf People in Hawaii: 2017*, <https://nationaldeafcenter.org/wp-content/uploads/2022/11/Hawaii.pdf> (last accessed March 8, 2024).

**JOSH GREEN, M.D.**  
GOVERNOR  
KE KIA'ĀINA



**CATHY BETTS**  
DIRECTOR  
KA LUNA HO'OKELE

**JOSEPH CAMPOS II**  
DEPUTY DIRECTOR  
KA HOPE LUNA HO'OKELE

**STATE OF HAWAII**  
KA MOKU'ĀINA O HAWAI'I  
**DEPARTMENT OF HUMAN SERVICES**  
KA 'OIHANA MĀLAMA LAWELAWE KANAKA  
Office of the Director  
P. O. Box 339  
Honolulu, Hawaii 96809-0339

**TRISTA SPEER**  
DEPUTY DIRECTOR  
KA HOPE LUNA HO'OKELE

March 25, 2024

**TO:** The Honorable Representative Kyle T. Yamashita, Chair  
House Committee on Finance

**FROM:** Cathy Betts, Director

**SUBJECT: SB 3290 SD2 HD1 – RELATING TO AMERICAN SIGN LANGUAGE.**

Hearing: March 27, 2024, 2:00 p.m.  
Conference Room 308, State Capitol & Video Conference

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) supports this bill and defers to the Disability and Communication Access Board.

**PURPOSE:** This bill requires the Disability and Communication Access Board to convene a working group to study the state of American Sign Language interpretation services in Hawai'i. Requires a report to the Legislature. Effective 7/1/3000. (HD1)

The Committee on Human Services (SD1) amended the measure by:

- (1) Removing the Department of Human Services Division of Vocational Rehabilitation as a co-convenor of the working group;
- (2) Removing the representative from the Department of Human Services Division of Vocational Rehabilitation as a co-chairperson of the working group;
- (3) Amending section 1 to reflect its amended purpose; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

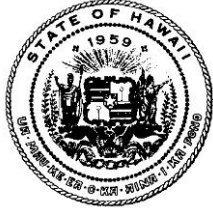
The Committee on Ways and Means (SD2) amended the measure by making technical nonsubstantive changes for purposes of clarity, consistency, and style.

The Committees on Health & Homelessness and Human Services (HD1) amended the measure by:

- (1) Clarifying that the working group is to study the state of American Sign Language interpretation in the State;
- (2) Removing as unnecessary a reference to the State Ethics Code, as the State Ethics Commission's longstanding practice is to exclude the activities of task force members from the general provisions of the Code;
- (3) Changing the effective date to July 1, 3000, to encourage future discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

DHS appreciates the amendments of the Committees on Health & Homelessness and Human Services and recognizes the critical service that American Sign Language (ASL) interpreters provide to deaf, hard of hearing, deaf-blind, and hearing individuals. A representative from DVR will serve on the working group to study the state of ASL in Hawaii.

Thank you for the opportunity to provide testimony on this measure.



## DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Room 118 • Honolulu, Hawaii 96813  
Ph. (808) 586-8121 (V) • TTY (808) 586-8162 • Fax (808) 586-8129

March 27, 2024

### TESTIMONY TO THE HOUSE COMMITTEE ON FINANCE

#### Senate Bill 3290 SD2 HD1– Relating to American Sign Language

The Disability and Communication Access Board (DCAB) supports Senate Bill 3290 SD2 HD1 – Relating to American Sign Language.

This bill requires the Disability and Communication Access Board to convene a working group to study the state of American Sign Language (ASL) in Hawaii. It also requires the Department of Health to assist the working group in the preparation of a report to submit to the Legislature.

The impetus behind this bill is concern with the low number of certified ASL interpreters in Hawaii. It is vital to have members of the deaf community appointed to the working group to have their perspective. Therefore, we suggest amending section 2 of the bill by adding that the chairperson shall invite two individuals who are deaf to be part of the working group.

Thank you for considering our position.

Respectfully submitted,

KIRBY L. SHAW  
Executive Director

**SB-3290-HD-1**

Submitted on: 3/25/2024 5:45:30 PM

Testimony for FIN on 3/27/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Louis Erteschik	Hawaii Disability Rights Center	Support	Written Testimony Only

Comments:

This would really help more people with disabilities have greater access to the community as it would give them a sanitary, dignified place to change their incontinent supplies. It would improve their life and is an excellent idea.

March 26, 2024

Submitted to the House Committee on Finance

Honorable Representative Kyle T. Yamashita, Chair  
Honorable Representative Lisa Kitagawa, Vice Chair

Re: SB 3290 SD2, RELATING TO AMERICAN SIGN LANGUAGE

Dear Chairperson Yamashita and Vice Chair Kitagawa,

My name is Kay Naquin. I was a teacher of Deaf and hard of hearing students over thirty years and sign fluently. I currently work as a job coach for Deaf individuals. I am writing in support of SB3290 SD2 Relating to American Sign Language. I have seen the importance of having access to interpreters with students, in health care, and on the job.

In school situations, interpreters are crucial. I remember one of my students trying to take Geometry without an interpreter. He was good at math but he failed. He could not understand the explanations, he could not participate with the class. He tried his best but teaching involves communication. He needed that component. He retook the class with an interpreter and went on to get a college degree in computer programming.

The challenge of finding an interpreter causes delays that can affect their health. Sometimes appointments are delayed several weeks because there is no interpreter. In some health situations, those delays are worrisome. However to go to an appointment without an interpreter or have an interpreter the Deaf individual does not understand can be worse. It is crucial to be understand one's treatment and ask questions from the doctor. An interpreter that knows local signs and culture can be more easily understood than someone from the mainland.

In employment situations, there may be a problem with the way the person is doing the job. If they cannot understand the problem, how can they make corrections? If employment requires a safety training and no interpreter is available, it could affect the employees ability to work safely.

We need to have more interpreters. The study can help plan for the future.

Sincerely,

██████████  
████████████████████  
████████████████████

**SB-3290-HD-1**

Submitted on: 3/26/2024 9:22:52 AM

Testimony for FIN on 3/27/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sherry Shimizu	Individual	Support	Written Testimony Only

Comments:

Dear Honorables Representative Yamashita (Chair), Representative Kitagawa (Vice Chair) and Members of the Finance (FIN):

I am writing to strongly support SB 3290 SD2 HD1 to set up a working group to be run by DCAB to study why Hawai'i has such a shortage of ASL interpreters on all of the islands and what can be done to increase the number of interpreters. Currently, there is no consensus as everyone is separated, so let's get people together and figure out a solution together. Recently we have had qualified Deaf people hired in specific roles as listed in Section 2 (b), so please approve this study and this will provide the way and means for the members of the working group to convene for the betterment of ASL interpreters and Deaf and DeafBlind in Hawai'i.

On Oahu, where I live, we only have 20 ASL interpreters as explained by Justin Tokioka that completed their DCAB's Hawai'i State Sign Language Interpreter Credentials and this is not enough when I have to visit the doctor, realtor, lawyer or other personal business. The neighboring islands are in even more dire straits with only 4 on Maui, 3 on the Big Island and none in Kauai, while 4 are out of state and does video remote interpreting or interpret when they visit Hawai'i.

As you can understand, just a total of 31 DCAB Hawai'i State Sign Language Interpreter Credentials for approximately 13,097 to 32,016 Severe Hearing Loss (Deaf and Hard of Hearing) from Oahu, Big Island, Maui and Kauai according to the 2011 Hearing Loss Statistics based on Gallaudet Research Institute, we badly need more ASL interpreters. Having interpreters are crucial in emergencies and have been the decisive between life and death for Deaf and DeafBlind people.

Thank you for your support and sincerely,

Sherry Shimizu

Pearl City, Oahu



March 27, 2024

Testimony of Eleanor Macdonald  
Submitted to the House Finance Committee

Honorable Representative Kyle T. Yamashita, Chair  
Honorable Representative Lisa Kitagawa, Vice Chair

Re: SB 3290, SD2, HD1, RELATING TO AMERICAN SIGN LANGUAGE

Dear Chairperson Rep. Yamashita, Vice-Chair Rep. Kitagawa and Members,

I would like to whole heartedly support SB 3290, SD2, HD1, Relating to American Sign Language.

This critical legislation will require the Disability & Communication Access Board (DCAB) to urgently set up a working group to study the reasons for a shortage of American Sign Language (ASL) interpreters throughout the State of Hawaii especially on the neighbor islands and develop recommendations to rectify this situation by the next legislative session.

People who are deaf, hard of hearing and deaf-blind very often wait 3-4 weeks to schedule medical procedures or other appointments in the community because they are unable to secure an ASL interpreter, computer assisted real time captioner (CART) or a tactile interpreter (ASL interpreter familiar with touch modalities). Some hospitals contract with on-line interpreter services with mainland signers who are not familiar local landmarks, Hawaiian names and the unique local system of signs used by island residents.

Please pass this important legislation.

Mahalo for your consideration,

Eleanor Macdonald

March 26, 2024

Written Testimony of Fanny WT Yeh, deaf individual  
Submitted to House of Representatives for the Committee on Finance

Subject: SB 3290, SD2, HD1: RELATING TO AMERICAN SIGN LANGUAGE

Aloha, dear Representative Kyle Yamashita, Representative Lisa Kitagawa and  
Members of the House Committee on Finance:

This is Fanny Yeh, I as a deaf individual, strongly support the Bill SB 3290 SD2,  
Relating to American Sign Language (ASL) with its proposal of requesting the  
Disability and Communication Access Board (DCAB) to establish a working group for  
realizing a study on why the statewide of Hawaii has a shortage of ASL interpreters.

First of all, we thank you and appreciate your effort in passing the Bill 3290 last  
month which will help many Deaf, Hard-of-Hearing, Deaf-Blind and Hearing-Impaired  
individuals in Hawaii to receive equal accesses to basic everyday communications.

And, we hope you will consider of passing this Bill 3290 SD2 for requiring the DCAB:  
Disability and Communication Access Board to start up by inviting certain leaders in  
Hawaii Deaf Community to participate in their working group to study the shortage of  
ASL interpreters in Hawaii. From this study, it will enable them to provide certain  
results of their surveys and a better solide evidence on the true needs of trainings to  
expand future ASL interpreters in Hawai.

Again, great mahalo for your full support on this Bill SB 3290 SD2.

Best regards,

Fanny WT Yeh  
Deaf dancer-director/artist/small business  


## Committee on Finance

### Testimony in Strong Support for SB3290

Dear Chair Yamashita, Vice Chair Kitagawa, and Members of the Committee:

I am writing to express my **STRONG SUPPORT** for Senate Bill 3290, which seeks to require the Disability and Communication Access Board to convene a working group to study the state of American Sign Language interpretation services in Hawai'i. In my work with young children with disabilities and their families in East Hawai'i, I recognize the urgent need to provide ASL interpreting services to ensure all individuals who need it have the opportunity to access a variety of services in their communities.

It is alarming that people need to wait so long for interpreting services, especially if urgent medical needs or other time-sensitive matters need to be addressed. According to Ms. Macdonald's letter to the House Committees on Health & Homelessness and Human Services on March 12, 2024, wait times for ASL interpreters may be three or four weeks long, possibly longer. Without the timely availability of ASL interpreting services, individuals who need it will likely have delayed access to the services or may be need to decide to proceed without ASL interpreting services or decline to receive services. When considering the health provider vacancies, especially on the neighbor islands, the need to reschedule appointments due to the shortage of ASL interpreters can be detrimental to patient health. It is evident how limited access to ASL interpreting services could contribute to health inequities for those who need reliable access to ASL interpreting services.

SB3290 addresses this crucial issue by expeditiously moving to better understand the resources and barriers related to ASL interpreting services in Hawai'i so findings and recommendations can be submitted to the Legislature by December 31, 2024.

The passage of SB3290 is an important step in improving access to ASL interpreting services, ensuring those who need it may meaningfully communicate and engage in various services, programs, and activities in their communities.

I appreciate the Committee's commitment to this critical issue and the opportunity to share my feedback and support for SB3290.

Sincerely,

Tiana Aina

**SB-3290-HD-1**

Submitted on: 3/26/2024 9:23:29 PM

Testimony for FIN on 3/27/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Andy Kagemoto	Individual	Support	Written Testimony Only

Comments:

In support. Thank you Chair Dela Cruz!

**SB-3290-HD-1**

Submitted on: 3/26/2024 10:30:53 PM

Testimony for FIN on 3/27/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Michael Honda	Individual	Support	Written Testimony Only

Comments:

In support-thank you!

**SB-3290-HD-1**

Submitted on: 3/27/2024 12:52:32 AM

Testimony for FIN on 3/27/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Angela Melody Young	CARES	Support	Remotely Via Zoom

Comments:

CARES testifies in strong support.

## JAN L. FRIED • American Sign Language/English Interpreter

• RID Certified-IC, CI, CT • Educator • Consultant •

26 March 24

The Senate  
Thirty-third Legislature, 2024, State of Hawai'i  
Committee on Finance  
Rep. Kyle T. Yamashita, Chair  
Rep. Lisa Kitagawa, Vice Chair

Hearing: 27 March 2024 at 2:00PM, Conference Room 308

### Testimony in Support of SB3290, SD2, H1 -Relating to American Sign Language

*Aloha* Representatives Yamashita and Kitagawa and Finance Committee Members,

I am an American Sign Language/English interpreter and a professor of American Sign Language/English Interpreter Education and American Sign Language—I had originally submitted testimony against this bill, but after considerable reflection and discussion with various Deaf Community members, interpreters and advocates, I had an important change of heart. I now encourage you to support this bill. There is no question we are in dire need of more qualified ASL/English interpreters in Hawai'i.

My hope is that the study's working group will delineate the relevant reasons why we have a shortage of interpreters; uncover potential solutions for the challenges we face in educating, recruiting and retaining a pool of qualified ASL/English interpreters to work in our state; and bring the stakeholders together to actively advocate for these solutions. For the record, I recommend the stakeholders on the working groups include a representative from one of the interpreter referral agencies. These agencies have firsthand knowledge of the interpreter shortage and its antecedents.

Perhaps the working group's recommendations and actions will also lead to more ASL classes offered in K-12 schools to ready keiki to become Early College students, take advanced ASL classes within the UH System and then study interpreting, thus increasing our pool; actively encourage the recruitment and education of Deaf people to become interpreters; and approach KCC and the UH System administration to recommit its support of the Deaf Community and relaunch the program at KCC or at one of the 4-year campuses so we once again have a local pipeline to educate and train interpreters who will be ready to take the credentialing exams and interpret in Hawai'i.

I appreciate this opportunity to encourage the committee to support SB3290, SD2, HD1 as a mechanism to increase the number of interpreters. Your actions will have a profound and positive impact. *Mahalo*.

Respectfully,  
Jan L. Fried  
Jan L. Fried, CI and CT, Nationally Certified ASL/English Interpreter

