



General Assembly

February Session, 2008

**Amendment**

LCO No. 5673

**\*HB0579705673HDO\***

Offered by:  
REP. VILLANO, 91<sup>st</sup> Dist.

To: Subst. House Bill No. 5797      File No. 347      Cal. No. 213

**"AN ACT CONCERNING THE AVAILABILITY OF QUALIFIED INTERPRETER SERVICES."**

- 
- 1      In line 12, strike "primary" and insert in lieu thereof "only effective"
- 2      Strike lines 15 to 45, inclusive, in their entirety and insert the
- 3      following in lieu thereof:
- 4      "(b) (1) In any criminal or civil action involving a person who is deaf
- 5      or hearing impaired, whether as a party or as a witness, such person
- 6      shall be provided the services of a qualified interpreter throughout
- 7      such proceeding. The court, acting on behalf of such person, may
- 8      request that the commission assign qualified interpreters to interpret
- 9      for such person throughout the course of the proceeding.
- 10     (2) In any criminal investigation conducted by a law enforcement
- 11     agency involving a person who is deaf or hearing impaired, whether as
- 12     a victim or witness, the law enforcement agency shall make reasonable
- 13     efforts to provide such person with the services of a qualified
- 14     interpreter throughout the course of such investigation.

15 (3) In any criminal investigation conducted by a law enforcement  
16 agency involving a person who is deaf or hearing impaired and a  
17 suspect, the law enforcement agency shall provide such person with  
18 the services of a qualified interpreter throughout the course of such  
19 investigation. No custodial interrogation of any deaf or hearing  
20 impaired suspect shall be conducted without a qualified interpreter,  
21 unless such suspect, after being apprised of his or her constitutional  
22 rights, knowingly and voluntarily waives his or her right to an  
23 interpreter.

24 (4) In any criminal investigation conducted by a law enforcement  
25 agency involving a child under the age of sixteen whose parent is a  
26 person who is deaf or hearing impaired, whether the child is a victim  
27 or witness, the law enforcement agency shall make reasonable efforts  
28 to provide such parent with the services of a qualified interpreter  
29 throughout the course of such investigation.

30 (5) In any criminal investigation conducted by a law enforcement  
31 agency involving a child under the age of sixteen who is a suspect and  
32 whose parent is a person who is deaf or hearing impaired, the law  
33 enforcement agency shall provide such parent with the services of a  
34 qualified interpreter throughout the course of such investigation.

35 (6) For purposes of subdivisions (2) to (5), inclusive, of this  
36 subsection, the law enforcement agency may (A) request that the  
37 commission assign qualified interpreters to interpret for such person  
38 or parent, or (B) provide qualified interpreters who are not employees  
39 of such law enforcement agency, to interpret for such person or parent  
40 throughout the course of the investigation."