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Testimony of the Office of Protection and Advocacy for Persons with Disabilities
before the Human Services Committee

Presented by: James D. McGaughey
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March 13, 2014

Good morning, and thank you for this opportunity to comment in support of **Raised Bill 5321, An Act Concerning Interpreter Qualifications**. This bill will update State requirements for qualified sign language interpreters for deaf people, bringing Connecticut into alignment with emergent national standards. It will also create an Interpreting Standards and Monitoring Board within the Department of Rehabilitation Services, to oversee interpreter qualification and registration processes and to act on complaints.

Having worked with and represented many Deaf and Hard of Hearing people over the years, our Office is quite aware of the important role that professional interpreters play in ensuring equal access and fair treatment for people who are deaf. Many of the cases we have worked on involve situations where qualified interpreters should have been scheduled or called to ensure effective communication in critically important situations – situations where medical procedures were being performed or life-defining medical decisions were being made; where police relied on family member witnesses to interpret during investigations into allegations of domestic violence, or where the possibility of bringing a complaint of discrimination before an adjudicatory body was being discussed with lawyers who did not understand their own obligations to ensure effective communication with deaf clients.

The stakes can be quite high in those environments, and so it is important that interpreters not only be present, but that they be qualified: that they be thoroughly versed in and practiced at the art of interpreting language concepts between two quite different languages, American Sign Language and English; that they be familiar with the particular vocabulary and overall context of specialized settings such as hospitals and courtrooms; and that they can accurately convey not only the words and phrases being used, but their intended meaning as well. This implies that in those specialized settings, the interpreter must possess a sophisticated understanding of both the languages used and the systems involved; the jargon, the various roles that different actors and institutions play, and the fundamental components of the business being transacted. Equally important, they need to make sure the deaf person for whom they are interpreting is understanding the information being presented or requested. In fact, professional interpreters have an ethical responsibility not to continue interpreting in a situation where they can tell that the communication is not succeeding. Interpreting is much more than translating (although there

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are some situations where transliteration is appropriate). It is very much an interactive, inter-personal process. Yet it is one that demands high levels of skill, role-consciousness, commitment to ethical standards and personal integrity.

The business of establishing standards for interpreters has a lengthy and somewhat convoluted history. However, for over a decade, the two major national organizations that historically sponsored training and credentialing processes – the Registry of Interpreters for the Deaf (RID) and the National Association of the Deaf (NAD) – have been working together to establish a uniform examination and credentialing process – one which has recently been validated through a major independent review. The momentum behind this National Interpreter Certification process is substantial, and it is increasingly being recognized as the definitive standard for interpreter qualification. This proposal recognizes the primacy of that credentialing process, but also allows appropriate “grandfathering” for experienced interpreters who hold older credentials. The addition of references to specialized certificates for interpreting in legal and medical settings establishes clear qualification targets for interpreters seeking to work in those areas. I am especially pleased to see that the Bill includes references to the Educational Interpreter Performance Assessment system (EIPA). Interpreting in educational settings, particularly in elementary schools, has often been seen as less important or less demanding than interpreting in other settings. However, like all children, deaf children need exposure to adult role models who use language with precision and grace. In the absence of such role models, too many deaf children have failed to develop age-appropriate skills in their primary language, and to acquire information in all subject areas as they progress through the grades. Often, they also have great difficulty becoming literate in English – a language they will need to master in order to pursue higher education and productive careers. Ensuring that interpreters working in educational settings are qualified will help overcome the cycle of low expectations and low levels of achievement that traps so many young deaf people in marginal jobs and living situations.

Just as RID and NAD have worked together to establish a uniform credentialing system at the national level, representatives of the Deaf and Hard of Hearing communities here in Connecticut have worked together with the Connecticut Registry of Interpreters for the Deaf to develop consensus about the improvements embodied in this Bill. Having experienced the frustration and witnessed the sometimes very unfair consequences that result from poor interpreting by unqualified individuals, both groups see establishment of an Interpreting Standards and Monitoring Board, as called for in Section 2 of this Bill, as a critical safeguard. Indeed, the proposed Board will be composed of representatives from all affected consumer and provider constituencies, and will function much like other professional credentialing and monitoring bodies. Establishing this Board will do more than police interpreting practices; it will also help secure appropriate recognition for interpreting as a profession, and, ultimately, serve to encourage more people who have learned ASL, either at home or through college coursework, to pursue the additional training needed to become credentialed as professional interpreters.

For all of these reasons, our Office urges you to act favorably on this measure. If there are any questions, I will try to answer them.