

CONFERENCE REPORTS

NAJIT Regional Conference on Forensics, February 6-8, 2004. Miami, FL

Sleuthing at the Beach

Luz Beatriz Montes and Gil Grasselly

Sparkling like a diamond swept ashore by the blue-green waters of the Atlantic ocean is the city of Miami Beach, where NAJIT held a regional conference dedicated to forensics. Several language specialists from the FBI's Miami Division attended this highly worthwhile and enlightening conference, which addressed topics such as autopsies, DNA, ballistics, wiretap law, crime scene investigation, and included a presentation by our very own Héctor Pesquera, Jr. on his work as a language specialist for the Evidence Response Team.

Forensics has been defined as "science applied to the law" or in the larger sense, "science used in legal proceedings or public discussion." The field may cover ballistics, chemistry, medicine or dentistry and their application in the courtroom. Dr. José R. Almirall of Florida International University gave an introduction on the history of forensic science, harkening back to the days of Sherlock Holmes and arsenic poisonings. Clifford S. Fishman covered the subject of wiretap law—legalized snooping and eavesdropping—including today's ever-common phone taps, room bugs and body wires, as well as computer snooping and fax retrieval, as anyone who has been watching "Law and Order" is well aware. Contrary to Hollywood storylines, however, the FBI is only allowed to eavesdrop through a court order and without violating the Fourth Amendment rights of its citizens. Mr. Fishman also addressed other issues of interest, among them the use of dual-language transcripts, the preferred method in court, whose use will probably continue to spread.

For those who didn't catch the Court TV episode featuring the Miami ERT and an interview with Héctor Pesquera, Jr., the FBI's Evidence Response Team collects evidence from crime scenes in an attempt to piece together the crime that was committed. The ERT may be deployed at any time anywhere in the world where bureau assistance is requested. Hector's adventures and misadventures included interpreting for two medical examiners during an autopsy and interpreting for foreign officials in a smoke-filled room at an altitude of over 14,000 feet while suffering a full-blown case of altitude sickness. The FBI has utilized his expertise in computers, microbiology and Spanish to meet its needs in different investigative areas. That explains why the rest of us rarely see him. It was fun to finally find out what he does!

Some of the more gruesome presentations covered crime scene investigations, autopsies and blood stain patterns. For fans of "CSI: Miami" or Jack Klugman and Quincy, it was a

peek into the real world of blood and guts. It also provided plenty of new terminology to add to our own vocabularies. For the squeamish there were other scientific presentations on DNA, ballistics and forensic chemistry. Those who speak English as a foreign language were reminded just how foreign a language English can be when spoken by our associate from Kentucky, who drew us into the seedy world of methamphetamines. The only drawback to so many interesting seminars was that it was impossible to attend them all!

The panel on Federal Title VI LEP (Limited English Proficiency) addressed the need for the courts and the judicial system to protect the rights and interests of people with limited English proficiency. The panelists themselves had very impressive careers related to the defense of the LEP population. They shared anecdotes about illegal immigrants who found themselves in situations where there was either miscommunication or total misunderstanding due to the language barrier and a lack of interpretation services. In many cases it has gone very badly for such immigrants. Title VI is designed to address this problem so that such cases do not occur either in the courts or in common public services.

"Interpreter Issues on Appeal" was a session devoted to matters such as defense counsel acting as interpreter; challenges to the qualifications or competence of interpreter; uncertified interpreters; interpreter voice and the hearsay rule. NAJIT and other similar organizations are working to ensure that adequate interpretation services are available and mandated throughout the judicial system so that no non-English-speaking defendant is left without a qualified interpreter. Transcripts were shared showing instances where this was not the case, demonstrating how ridiculous and even sad this matter can become, especially when justice is not served due to improper or inadequate interpreting. The obvious answer is to assure that only certified interpreters work in the courts throughout the country. We are still a long way from that.

The single most important piece of information gleaned: stay away from flying bullets. The second most important: stay out of court unless you're a trained professional. Because if forced to choose between bullets and lawyers, we'd probably take our chances with a bullet.

[Luz Beatriz Montes, language specialist at the FBI for 19 years, holds a B.A. in Spanish and an M.Ed. Gil Grasselly, a Fulbright scholar who lived in Argentina, Paraguay and Uruguay for many years and worked briefly for the U.S. State Department as an interpreter, also worked as a freelance translator before joining the FBI as a language specialist in 1991.]

Judges: It Takes One to Know One

Daniel Sherr

I am here to try to explain judges, not to justify them," declared Ronald B. Adrine, a municipal court judge from Cleveland, Ohio speaking at NAJIT's Miami Regional Conference, which took place at the dilapidated Deauville Hotel. Adrine participated in a panel with Isabel Framer and Virginia Benmanan to discuss interpreter issues on appeal. Knowing that interpreters seek closer collaboration with the bench, he used humor to explain the judicial mindset.

"Three guys went duck hunting. The first one, a law professor, got busy calculating the dynamics of flight and travel velocity of the ducks. The second, an appellate judge, said, 'Gotta get my law clerk to calculate the trajectory.' The third, a trial judge, picked up his rifle and shot the target. Then he turned to his companions and said, 'Damn! I sure hope that was a duck.'"

Judges, who "have a tremendous amount of power," said Adrine, "believe we're anointed rather than elected or appointed." I may not always be right, he quipped, but I'm never wrong, unless the Court of Appeals tells me I am—but then again, what do they know?

Ohio still has no state certification procedure for interpreters, and, as Adrine freely acknowledged, not enough money is earmarked for interpreting services. "Budgets do not grow," he said, but urged interpreters to use constant, gentle pressure to educate judges, through bar associations and professional organizations that provide continuing education for lawyers, and by forging alliances with all court personnel, not just the judge. "Be proactive," he advised. "Don't wait for the case to be called before you mention the need for an interpreter."

Judges, he warned, like to keep things rolling. Interpreters who break the rhythm may initially not be well received. "Ethics! I have ethics."—"Ethics be damned," he said, parodying the attitude of some judicial colleagues. "I've got to move this docket."

Interpreters and judges, he concluded, can work together because they have a commonality of interests: "We both have an opportunity to do good and uphold the constitution."

When Reality Trumps Fiction

David Gilbert, former crime scene investigation for the Miami-Dade Police Department, pointed to a slide of a bruised woman splayed on the floor in a pool of blood.

"Here is Mrs. Johnson," he said. "It was not," he remarked, "her finest hour."

Gilbert's detailed description at NAJIT's Regional Conference on Forensics in Miami Beach illustrated the truism that "at a crime scene, anything can serve as evidence, even an

air sample." In his hour-long talk, Gilbert showed how successful crime scene investigators meticulously analyze every bit of evidence, keeping an eye out for any anomaly, using common sense and deductive logic to identify suspects.

But to return to Mrs. Johnson. That morning Mr. Johnson had left the house with a female neighbor to buy a dress. He returned home to find his wife dead. Items from Mrs. Johnson's purse were strewn on the blood-stained floor between her corpse and the front door. Surprisingly, though, investigators noted that blood was not sticking to the items, indicating that they had been placed there after the fact.

Investigators asked Mr. Johnson if he had touched the corpse. He denied doing so, then changed his story. When he came in, he found his wife sprawled on the floor in an indecent position, he said, so he moved her legs back together. That, the inspectors knew, was an outright lie. After death, rigor mortis sets in and it would have been impossible to budge her legs even if he had been a weight lifter.

Mr. Johnson, who told the police that his wife had been assaulted and beaten to death in the course of a robbery, said the burglars must have entered the house through the second floor by climbing the tree outside. The tree, an umbrella tree, common to south Florida, had large leaves and fragile branches. Investigators questioned whether an intruder could support himself on the branches, but Mr. Johnson insisted by climbing on the tree to demonstrate. As he maneuvered, leaves started dropping off the tree en masse. Crime scene investigators had taken photographs of the scene upon arrival. At the time, no leaves were on the ground.

The police found the drawers in Mrs. Johnson's bedroom neatly open from top to bottom. Towards the door they found the burglars' supposed booty. "That's no burglar," said Gilbert. "Who's going to steal a black-and-white TV? Who's going to steal a coffee maker? Even the poorest criminal in Dade County would pass that up."

Mrs. Johnson's head, displayed to the audience in lurid detail, showed numerous hammer blows. "A burglar is going to stab her once, put her down, and haul ass," said Gilbert. Evidence of repeated blows to the head, he underscored, indicated a level of viciousness not associated with a simple burglary gone awry.

When the police asked to search Johnson's car, he requested permission to remove one thing before they searched. Denying his request, the police went ahead and found a blood-soaked diaper on which the bloodstains bore the transfer pattern of a hammer head. The hammer was never found, but the one item missing from Mr. Johnson's tool box was... a hammer.

Mr. Johnson went to trial and lost. The judge, Gilbert recalled with a tinge of pride, remarked that it was the best case of circumstantial evidence he had ever seen. ▲

[The author, a federally certified court interpreter and conference interpreter in Spanish, French and Catalan, provides the forensic chemistry list that follows from his conference notes.]

TOOLS OF THE TRADE**FORENSIC CHEMISTRY
VOCABULARY** SPANISH-ENGLISH

Here are some of the terms that came up in the Spanish-specific seminars on forensic chemistry, delivered with enthusiasm and humor by Rubén Darío Cortez, a forensic chemist from Barquisimeto, Venezuela.

cromatografía de gases	gas chromatography	caudal de flujo	flow rate
cromatografía de capa fina	TLC - Thin Layer Chromatography	punto de ebullición	boiling point
cromatografía líquida	HPLC - High Performance Liquid Chromatography	gas de arranque, gas de transporte	carrier gas
de alta eficiencia		tensión superficial	surface tension
fase enlazada	bonded phase	linealidad	linearity
intercambio iónico	ion exchange	patrones, sustancias de referencia, sustancias para calibrar	reference standards
cromatoplaça	TLC plate	cromatografía de gases	GCMS (gas chromatography - mass spectrometry)
fase móvil	mobile phase	con espectrometría de masas	
fase estacionaria	stationary phase	dispersión	scattering
factor de retardo, factor de retención	retention factor (Rf)	tiempo muerto	void time
resonancia magnética nuclear	NMR - Nuclear Magnetic Resonance	valor crítico	cutoff
densitómetro	TLC scanner	prueba fina	screening
entrada/salida	inlet/outlet	reacción en cadena de la polimerasa	PCR (polymerase chain reaction)
		técnicas acopladas	hyphenated techniques

N.B.: The web site www.scirus.com includes thousands of English-language articles on forensic chemistry. Their search engine quickly allows the browser to see whether a given chemical term exists or is being used correctly. ▲

WEBSITES OF INTEREST

A compendium of websites recommended by members

BOOK REVIEWS ON LINE

"Introducing Interpreting Studies" by Pöchhacker, Franz. Routledge, 2004. <http://www.aiic.net>

COPS & ROBBERS

U.S. Police slang & codes: <http://sinai.critter.net/mutant/dawn/slang.htm>

<http://www.9thcircle.net/slang.htm>

U.S. crime slang: <http://www.slangsearch.com/crime.html>

Crime Reference: www.glossarist.com/glossaries/government-politics-military/police.asp

GENERAL REFERENCE

AIIC's Legal and Court Interpreting page <http://www.aiic.net>
Click on "AIIC Groups and Committees"

Interview [in Spanish] of Dr. Jesús Baigorri Jalón, UN interpreter and historian, author of book on history of conference interpreting www.el-castellano.com/jalon.html

INTERPRETER TRAINING RESOURCES

<http://interpreters.free.fr/index.htm>

LAW

Guide to European legal databases by NYU law school reference librarian

<http://www.llrx.com/features/euopenew.htm>

Supreme Court decisions of Puerto Rico
<http://www.tribunalpr.org/opiniones/index.html>

Full text of Spain's constitution
<http://www.la-moncloa.es/web/pdf/constitucion.pdf>

Citizens guide to the law of New York courts, containing 400 documents outlining NY state and federal courts and services. Prepared by NY Law Journal and NYS Unified Court System.
<http://www6.law.com/ny/guide/>

PERIODICALS OF INTEREST

Reference site for conference proceedings and professional journals. DOIS is a volunteer effort to create a free bibliographic resource of scientific texts. Many interpreting articles listed.
<http://dois.mimas.ac.uk/DoIS/data/PaperSeries.html>

WELCOME NEW MEMBERS

January 1 – March 31, 2004

Abdelaziz, Ayman. Chicago, IL
 Afanador, Angela. Lake Worth, FL
 Alin, Erick. Tampa, FL
 Alvarez, Soledad. Coconut Grove, FL
 Arias, Alma. Wilkes-Barre, PA
 Belen, Ryan. Severn, MD
 Bellande, Cuckita. Homestead, FL
 Birch, Jr., Ernie. Manchester, MO
 Bonet, Jaime. Omaha, NE
 Borgenheimer, Karen. Miami Beach, FL
 Braga, Tereza. Dallas, TX
 Buckstein, Craig. New York, NY
 Cahill, Susana. Littleton, CO
 Castaneda Wagenknecht, Vanessa.
 Orlando, FL
 Cohen, Fanny. Weatogue, CT
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 Davenport, Adria. Atlanta, GA
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 de Castellvi, Jaime. Manassas, VA
 De Castro, Clemencia. Boynton Beach, FL
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 Dutra, Claudia. Newburyport, MA
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 Estrada, Abraham. Chandler, AZ
 Evans, Gary. Big Sandy, TN

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 Finlayson, Jeannette. Grand Junction, CO
 Flanagan, Anahit. Waltham, MA
 Furtado, Maria. Fall River, MA
 Garcia, Arturo. Glendale, AZ
 Garcia, Gladys. Tampa, FL
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 Greensboro, NC
 Gonzalez, Jaclyn. Gastonia, NC
 Gonzalez, Patricia. Villa Park, IL.
 Guelman, Monica. Ft. Lauderdale, FL
 Gutierrez, Louis. Lake Wales, FL
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 Martinez-Villasenor, Yolanda. Glendora, CA
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 McMillan, Karina. San Francisco, CA
 Mendoza, Elizabeth. San Diego, CA
 Moreno, Janie. Dallas, TX
 Murillo-Brueck, Katherine. Buford, GA
 Myers, Silvia. Arcata, CA
 Nezh Oz, Bedii. Suffern, NY

Olson, Cheryl. Grand Junction, CO
 Osier, John. Fayetteville, TN.
 Palacios-Earl, Nora. Edgewater, MD
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 Pena, Fermin. Cincinnati, OH
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 Prenger, Suzanne. Palmyra, NE
 Rodriguez, Ramonita. Locust Grove, GA
 Sadikoska, Marina. Garfield, NJ
 Saenz, Carmen. Miami, FL
 Salcedo Ruiz, Ali. Mesa, AZ
 Schenkerberg, Ella. Orlando, FL
 Shore, Ana. Plantation, FL
 Sosa-Crable, Sarah. Mitchell, NE
 Soto, Ines. Orlando, FL
 Stapleton, Ed. Argyle, TX
 Stevens, Marie. Royal Palm Beach, FL
 Tan, Keto. Lowell, MA
 Tang, Dang. Marietta, GA
 Thomas, Anamaria. Miami, FL
 Trujillo-Lopez, Lee. Centennial, CO
 Ungo, Jorge. Houston, TX
 Vernier, Carmen. Lansing, MI
 Villagomez, Gonzalo. Mexico City, Mexico
 Weir, Maria. Gladwyne, PA
 Welch, Mari. Broomfield, CO

> **WEBSITES OF INTEREST** *continued from previous page*

Univ of Salamanca data base of 250 periodicals in the information sciences. <http://milano.usal.es/dtt.htm>

On-line archive of Meta, journal des traducteurs [articles in Eng and French] <http://www.erudit.org/revue/meta/>

SPANISH

<http://www.andymiles.com>

Comprehensive English-Spanish business glossary

List of English-Spanish glossaries

<http://www.spanishtranslator.org>

Dominican Glossary

<http://usuarios.lycos.es/jallite/diccionario.htm>

SPANISH MAGAZINES

For magazine subscriptions, see:

<http://www.esmas.com/get/suscripciones/311290.html>

Click on the subject area icon that interests you at:

www.esmas.com/get/nuestrasrevistas/

You can subscribe to receive news from Spain in your email every day for free. www.elalmanaque.com

Check out the Spanish online version of The Wall Street Journal at www.online.wsj.com

TERMINOLOGY

On-line terminology collection, Univ of Vaasa, Finland, includes general language and special language dictionaries, acronyms, slang and terminology forum.

<http://www.uwasa.fi/comm/termino/collect/>

International collection of insults and swear words.

<http://www.insultmonger.com/swearing/>

TRANSLATION BLUNDERS FROM LITERATURE

by Henry Wheatley <http://www.worldwideschool.org/library/books/lit/literarystudies/LiteraryBlunders/chap3.html>