



Issue Summary

National Association of Judiciary Interpreters & Translators

DATE: JUNE 24, 2010

THE ISSUE: IMMIGRATION ENFORCEMENT (Arizona bills SB 1070)

IMPORTANCE: Efforts to step up immigration enforcement raise several important issues for professional judiciary interpreters and translators: 1) backlogs in the courts and in law enforcement can result in the use of unqualified interpreters, 2) to the extent that qualified interpreters are not provided to LEP individuals, their access to justice and basic human rights can be abridged.

BACKGROUND & STATUS

In the absence of significant federal immigration reform, states are beginning to enact legislation stepping up enforcement against unauthorized immigrants. The law enacted in Arizona, known as the "Support our Law Enforcement and Safe Neighborhoods Act" (SB 1070) has received much of the attention.

SB 1070 compels law enforcement officers to make immigration status determinations and to detain individuals based on a "reasonable suspicion" standard that has generated a great deal of controversy.

For professional judiciary interpreters, laws like the one enacted in Arizona pose some significant issues. First, these kinds of enforcement efforts usually result in a significant increase in law enforcement situations and court cases that involve individuals with limited English proficiency. Second, if the state does not plan sufficiently to have qualified interpreters available there can be negative unintended consequences: 1) Courts can become so backlogged that serious criminals are released because the courts are unable to provide speedy trials, 2) courts and law enforcement can fail to provide language services with sometimes tragic results, and 3) LEP individuals do not get adequate access to justice as is guaranteed by various federal statutes and the constitution.

NAJIT ACTIONS TO DATE:

NAJIT has taken no position on this issue as of this writing. The Advocacy Committee is drafting a statement on immigration enforcement.

NAJIT

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