



## JOINT STATEMENT

# The National Association of Judiciary Interpreters & Translators and The American Translators Association

### TABLE OF CONTENTS

#### FEATURE

Joint NAJIT/ATA Statement  
Front Page

#### LAW ENFORCEMENT SECTION

Language Access for the  
Philadelphia Police Page 3

Interpreters at Hostage  
Barricades Page 5

Preparing Interpreters for  
Crisis Negotiations Page 6

Strategies for Law  
Enforcement Agencies  
Page 6

Police Outreach Page 7

The Lingo of Police Forms  
and Procedures Page 8

Bail Determinations In  
Federal Court Page 8

#### PORTLAND CONFERENCE

Conference Impressions of  
a NAJIT Veteran Page 11

NAJIT Scholars  
Pages 11-12

#### NAJIT NEWS

Message from the Chair  
Page 2

Treasurer's Report Page 14

Resolution Condemning  
and Deploing Torture  
Page 16

Executive Director's Corner  
Page 19

#### BOOK REVIEW

INTERPRETATION:  
Techniques and Exercises  
Page 20

In re: Washington Post Story by Ernesto Londoño  
Saturday, July 21, 2007

“Md. Judge Dismisses Abuse Charges:  
Clerk Was Unable To Find Interpreter”

**A** criminal case in Maryland that was dismissed for lack of an interpreter has been widely covered in the news media. In our organizations' view, this case is an unfortunate symbol of a systemic problem that affects our entire country, a problem for which we all share responsibility: the need for language professionals to be identified and readily available to serve our courts and justice partners.

We represent two national organizations, the National Association of Judiciary Interpreters and Translators (NAJIT) and the American Translators Association (ATA), which have made great efforts to network with community and government entities to make them aware of our extensive networks of language professionals. On occasion our advocacy efforts have been successful but our overtures have also sometimes been dismissed.

When a language barrier exists and a person's liberty or a victim's life is at stake, it is always best to err on the side of caution by appointing a competent interpreter. When state or federal authorities are unprepared, uninformed or unwilling to find a way to resolve a language barrier, the courts are poorly served, defendants' rights are unprotected, victims are doubly victimized, and our justice system suffers.

Information on how to tap into available language resources is vital to the effective functions of our court systems. Any court or justice-related department that lacks policies for dealing with the limited English proficient persons is poorly equipped to deal with the demographic realities of the 21st century.

ATA and NAJIT may not always be able to identify certified or qualified interpreters and translators in every language through our membership directories, but we have the means to quickly survey our members, network with local sister organizations and other government entities, or exchange knowledge with community and private sector agencies to assist in locating needed interpreters or translators.

Courts and other justice partners often say that they do not have the funding to extend searches or to contract with service providers beyond their jurisdiction. They say that they are unable to assess an individual's language proficiency. They say that they cannot train bilinguals to function as language links in cases where experienced court interpreters are difficult to find. This is exactly why policies need to be established outlining the various options in cases of urgent need.

Our organizations consist not only of certified and qualified interpreters and translators but also Ph.D. linguists, expert consultants, trainers and expert witnesses. These interpreter experts are available to help the justice entities develop policies and procedures for training bilinguals of less common languages in a relatively short period of time to adequately interpret court proceedings. The ability to comprehend a court proceeding is not an immigration issue or an English-only issue; it is a matter of fundamental fairness and due process.

September 11th alerted us to our pressing language needs and the need to have organized lists of qualified interpreters and translators. Katrina reminded us once more, and although efforts have been made to correct some of our deficiencies, as a nation we are not there yet.

We need to begin to develop the connective tissue between professional organizations of language pro-

> continued on page 4

**STANDARDS IN INTERPRETING** *continued from page 1*

viders and governmental agencies. We need to promote the flow of best practices and information so that the language communication barriers can be resolved quickly and effectively. We need national standards. We need to support funding for court interpreter programs such as Senator Kohl's bill, S. 702, to authorize the Attorney General to award grants to state courts to develop and implement state court interpreter programs.

We need to support the recruitment and training of interpreters and to certify interpreters in many languages other than Spanish. We need to create and fund certification exams in languages for which certification does not currently exist. Lastly, we need to offer incentives to recruit and retain already certified and qualified interpreters and translators.

The courts, the defense, the prosecutors' offices, and law enforcement agencies all need to establish language assistance processes that work accurately and effectively. Only when the justice system taps into existing networks of language professionals to seek out potential interpreters, will shocking situations such as the Mahamu Kanneth case be avoided.

*"There is nothing easy about any trial where liberty is at stake and a victim is at loss. It is even less so when there are multiple languages involved. However, fundamental due process requires a level playing field, and that all persons answering to the law of the land be given a similar opportunity to answer. A Movant is entitled to such fairness regardless of his ability to speak and comprehend English. Perfect understanding is not required to mete fairness, but a reasonable understanding is."<sup>1</sup>*

NAJIT has prepared a position paper entitled "Preparing Interpreters in Rare Languages" which bears upon the current situation: <http://najit.org/Documents/RareLanguages200609.pdf>.

For more information, contact NAJIT at <http://najit.org/>; contact ATA at <http://atanet.org/>

**Isabel Frammer**, Chair of the National Association of Judiciary Interpreters and Translators

**Marian S. Greenfield**, President of the American Translators Association

<sup>1</sup> COMMONWEALTH OF KENTUCKY FAYETTE CIRCUIT COURT DIVISION FIVE (Opinion)

## NAJIT Needs You!

Join a Committee and Contribute your  
Energy and Expertise

*see page 18*

**MESSAGE FROM THE CHAIR** *continued from page 2*

understands first-hand the importance of the judiciary interpreter in ensuring due process, equal access and equal protection to all. We were honored that he agreed to be our keynote speaker. Thank you, Chief Justice!

NAJIT's outstanding scholars represented great language variety and were a personable and interesting group of young people. Thanks to Vanesa Ieraci and Amy Free who helped with the selection of the scholars and to Laura Garcia-Hein for guiding them at the annual conference. The scholars chairmanship has been passed on to Carlos Cerededos.

In our honors category, lifetime membership in NAJIT was awarded to Dagoberto Orrantia and the Mirta Vidal-Orrantia Award was presented to David Mintz. These two gentlemen have been active members of NAJIT for countless years, have been instrumental in the organization and never tire in their efforts to promote professionalism and assist the association in its effort, growth and mission. They deserve our deepest gratitude, which we express with these awards.

NAJIT is also grateful for the continued support and excellent relations we have with the American Red Cross, Juliet Choi, Esq., emergency preparedness and response; Everette Jordan, Director, National Virtual Translation Center, national and natural emergency response; Purvi Shah, Executive Director of Sakhi for South Asian Women; Dr. Caroline Kinney, Administrative Office of the U.S. Courts; Wanda Romberger and Carola Green of the National Center for State Courts Certification Consortium; U.S. DOJ Civil Rights Division; and our recent partner, the National Asian Pacific American Bar Association.

Lastly, we'd like to acknowledge everyone who presented at or attended the conference. It's impossible to include every individual who has contributed to the growth and success of NAJIT but we are very grateful to all of you. To view individual contributions, please visit our website to view the final conference program and list of attendees.

This coming year we will focus on increasing membership through our enthusiastic committee chair, Claudia Samulowitz and the membership committee. Remember that there is power in numbers and it is critical that our voices be heard. Please encourage your friends and colleagues to join NAJIT and become actively involved in NAJIT's committees. We will continue to work on developing relationships and establishing new partnerships with various entities. The advocacy committee will continue to monitor legislation and to speak up for the interpreting community. We will advocate for the use of certified and qualified interpreters where life, liberty, equal access and equal protection are at stake.

As always, thank you for your support and trust in NAJIT's leadership. We look forward to a very healthy and productive year and hope to see you all next year in Pittsburg... please, don't forget to submit your proposals soon! ▲

Isabel Frammer, Chair  
NAJIT Board of Directors