

OLA QUARTERLY

Official Newsletter of the
Office of Language Access, State of Hawai'i

"O ka 'ōlelo ke ola - Language is Life

August is Language Access Month—Special Edition



Volume 18, Summer 2012

Inside this Issue

Governor signs Act 201	1, 3
5th Annual Language Access Conference—	1, 4—5
Message from the Executive Director	2
Message from OLA's Newest Staff Member	2
August is Language Access Month—How to support	4
New and Reappointed LAAC Members	6
Aloha and Best Wishes to Departing LAAC Members	7
News from OLA - Community Interpreter Training and Certificates	8
News from Hawaii Judiciary	8
News from All Over	8-12
Dates to Remember	12

**Governor Abercrombie Signs HB2374 SD1 into Law.
Act 201 Transfers the Office of Language Access from
DLIR to DOH.**



[Left to right]: Becky Gardner; Keith Yamamoto; Jun Colmenares; Rep. Ty Cullen; Gerald Ohta; Governor Neil Abercrombie; Dominic Inocelda; Rep. Joey Manahan; Melba Bantay; Barbara Yamashita; Amy Agbayani; Mila Kaahanui; and Allan Burdick

~ACT 201~

"Section 1. The purpose of this Act is to improve access to government services and programs for limited English proficient individuals by transferring the office of language access, along with all of the functions and duties of this office, from the department of labor and industrial relations to the department of health."

Speech by Governor Neil Abercrombie at the signing of HB2374 into Act 201 on July 3, 2012.

Not every bill that you have come in front of you necessarily has support across the board – or has particularly strong advocates across the board. But this is one that does, and it is particularly timely because I think, if anything, the Office of Language Access is going to increase in importance. (cont. on p. 3)



DON'T FORGET: REGISTER FOR OLA'S 5TH ANNUAL CONFERENCE

by **August 7, 2012**. Registration form on page 5



MESSAGE FROM THE EXECUTIVE DIRECTOR

Jun Colmenares

Aloha. I am happy to report to all our readers that HB2374 SD1, transferring the Office of Language Access from the Department of Labor and Industrial Relations to the Department of Health, was signed into law by Governor Neil Abercrombie at a special ceremony on Tuesday, July 3, 2012. This marks a new chapter in the life of the office, having been attached to the Department of Labor and Industrial Relations since 2007. Although effective July 1, 2012, the law provides for a one-year transition period and it will take several months before we will know which physical location the office will be moving into. I would like to thank all those who, in one way or another, helped in shepherding this bill into law.

I would also like to take this opportunity to welcome our new Senior Legal Analyst, Rebecca "Becky" Gardner, who started last May 16, 2012. Becky was formerly staff attorney at the office of Representative Robert Herkes at the Hawaii State Legislature. She hails from New York and is a graduate of the UH School of Law.

There are a couple of changes in the language access advisory council. Lito Asuncion, representing the Big Island, moved to Kauai and has been replaced by Margarita "Dayday" Hopkins, recently retired economic development officer of the county of Hawaii. Betty Brow, representing Oahu, decided not to finish the remaining one year of her term due to increasing job responsibilities. A new at-large position was also established by the new law. Both vacancies will be filled soon. Our heartfelt thanks and gratitude go to the outgoing members for their hard work and contributions, and our warmest welcome to the council's newest member. Congratulations too to the reappointed members: Dominic Inocelda, Gerald Ohta, Mary Santa Maria, Jennifer Dotson and Melba Bantay.

Meanwhile, preparations for the forthcoming 5th Hawaii Conference on Language Access on August 22-23, 2012 are in full swing. Planning is also underway for a language access forum in the fall in collaboration with the UH School of Law and the Hawaii Immigrant Justice Center.

Hope you will enjoy this issue of our newsletter.

MESSAGE FROM OLA'S NEWEST STAFF MEMBER:

Becky Gardner



I couldn't be more delighted to join the Office of Language Access as its new Senior Legal Analyst. I invite you to contact me to discuss your state or state-funded agency's compliance with Hawaii's language access laws; your language access plan; suggestions on how we may improve our educational and outreach efforts; and beyond.

Here's a little about me. I have a bachelor's degree in Social Work from Cornell University and a law degree from the University of Hawaii-William S. Richardson School of Law with a certificate in Pacific-Asian Legal Studies. I am currently licensed to practice law in Hawaii and New York.

Just prior to joining OLA, I served the State of Hawaii as the Staff Attorney for the House of Representatives - Committee on Consumer Protection and Commerce; and have done so for the last four legislative sessions. Immediately after law school, I clerked with the Hawaii State Judiciary in the First Circuit and at the Intermediate Court of Appeals. I have also worked as a contract attorney in civil litigation and as an Adjunct Lecturer in Law at the William S. Richardson School of Law. I currently serve as the 2nd Vice-President of the Hawaii Filipino Lawyers Association (HFLA) and had been a member of HFLA's board for the three prior terms. I was also a Fellow with the Hawaii State Bar Association's 2010 Leadership Institute.

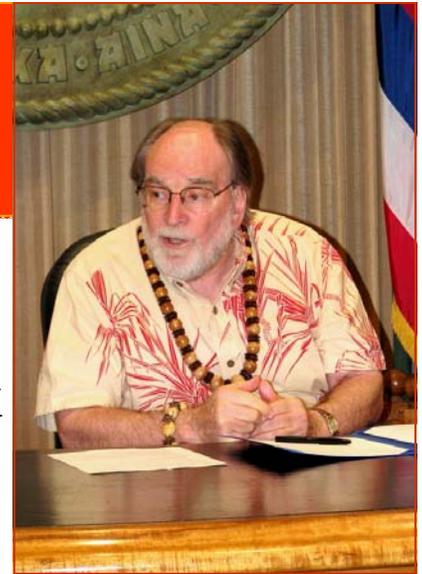
Having lived for two years as an expatriate in Japan, and barely speaking the language, I struggled to navigate through a foreign society and culture. I therefore personally understand the great need for OLA's services. Moreover, my mother came to the United States from Cebu, Philippines and my husband from Nagoya, Japan. As both a daughter and wife to immigrants, I've closely witnessed the many challenges faced by those with limited English proficiency. For these reasons, I strongly believe in OLA's mission.

My husband and I are trying our best to raise a bilingual daughter, so you might say we have our own "mini" Office of Language Access at home. So useful!

I am inspired by the commitment and enthusiasm demonstrated by OLA's Executive Director, "Jun" Colmenares; its Secretary, Gail McGarvey; the members of the Language Access Advisory Council; and our administration. Hawaii is clearly a leader in ensuring equity and civil rights for all of its residents, regardless of language abilities. I'm very excited to be part of the growing national momentum in improving language access for all. I'm looking forward to helping Hawaii continue as a model for other states as it breaks new ground in ensuring everyone has legal rights that are vital to their successful acceptance, integration, achievement and contribution to our communities.

~ACT 201~

Governor's speech . . . Continued.



By definition of that increase, the Office of Language Access likewise broadens – literally - the base population that it serves, which is growing considerably.

At first glance it might seem, particularly for the supporters that are out there, that this bill has particular reference to the Filipino community. Well it does, in a way, because the numbers that I'm speaking about – the actual physical numbers—are huge. And by huge, I'm talking about proportionate to the population. For example, the Islands of Hawaii, and more particularly the immigrant population from within these islands, have got an average of 3,000 Filipino immigrants – 3,000 people from the Philippines a year— arriving to Hawaii with the likelihood that they'll be staying or staying for some length of time, if not permanently. The relationship of those 3,000 to the existing population that can trace its ancestry – at least in part – back to the Philippines is enormous. As a result, language access for that community is crucial.

However, that's not the only element. The last time I counted the chambers - every chamber other than the big chamber of commerce; but the multiple ethnic-national-background chambers of commerce getting together – was something close to twenty-three.

I also recall at one point, at one of the elementary schools – the Ala Wai Elementary School, I believe - there were 22 different languages and dialects in that one little elementary school.

The whole point is that everybody came across the sea to Hawaii, **everybody** - starting with the original Polynesians. Some people just arrived a little later than everybody else, though sooner than somebody else. And while I'm speaking to you right now, there are people probably arriving at the airport who are in the very category that I'm speaking of. So they may be minutes away from a new life in Hawaii and chances are many of those people will need the Office of Language Access.

So I think this transfer right now is a recognition that the office is becoming more crucial in the lives of more and more people in the state. This will help align state functions and improve our ability as a state to deliver vital language services.

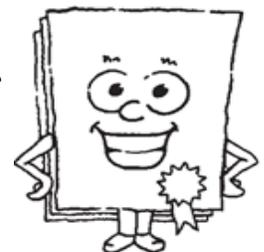
Somebody asked, 'why is it in the Department of Health?' Well, that is a jumping off place . . . kind of a trampoline, more often than not, to a lot of other services, groups, organizations and other individuals. It is because so much of our social and our economic life is necessarily involved with ready access to health services, and the capacity to stay healthy - with kids and infants who need vaccinations; and basic health examinations in order to be able to work, etc. It's a natural access point to enable people to better understand their rights . . . and understand their obligations. ~You don't have one without the other.



So I think this bill gives me a means now - a foundation - to be able to go to the legislature and keep guard of and support the office to make sure that it's offering programs and services for people with limited proficiencies in the English language; and enable those people to not only meet their responsibilities, but to give people the opportunity to participate in Hawaii and Hawaii's society – socially, economically and in ways they might not otherwise have the opportunity to do.

So – it's a pleasure for me today, especially in the presence of those who worked so hard to see that this comes about. . . . to sign it into law.

.....
Done."



August is Language Access Month

Here's how you can show your support:

(1) Register for our Annual Conference by August 7, 2012; (registration form on page 5);

and for state agencies:

(2) Fill out and submit our survey on Translation of Vital Documents (even if overdue);

(3) Turn in your agency's updated language access plan (even if overdue);

(4) Turn in your July-December 2011 LEP Report (even if overdue); and

(5) Designate your Language Access Coordinator, if you haven't already done so, and have them attend the Language Access Coordinator meetings.

Coming up:

AUGUST 22-23, 2012
5th Annual OLA Conference
on Language Access
Registration Deadline:
August 7, 2012

Attendees will:

- Learn about federal and state requirements and guidelines on the translation of vital documents.
- Share and exchange ideas, expertise and experiences on the basics of translation, training and certification, and the management of the translation process.
- Learn about recent developments and challenges in translation.
- Get information on translation resources, products and services.

The conference is free but registration is required.

See page 5 for the registration form..

REGISTER NOW!

5TH ANNUAL HAWAII CONFERENCE ON LANGUAGE ACCESS

August 22-23, 2012
 East-West Center, Honolulu, Hawaii

Translation: Maximizing Quality and Minimizing Costs

Speakers include:

- Deeana Jang, Chief, Coordination and Compliance Section, Office of Civil Rights, U.S. Department of Justice, Washington D.C.
- Michael Leoz, Regional Director, Office of Civil Rights, U.S. Department of Health and Human Services, Region IX, San Francisco
- Kleber Palma, Director, Translation and Interpretation Unit, New York City Department of Education, Long Island City
- Jason Reed, LEP Program Manager, Department of Social and Human Services, State of Washington

Seats are limited, so register now. Visit our website at www.hawaii.gov/labor/ola to register. Sponsorships and vendor exhibit spaces are also available.

SPONSORED BY THE OFFICE OF LANGUAGE ACCESS
 808-586-8730



5th Annual Hawai'i Conference on Language Access
Translation: Maximizing Quality and Minimizing Costs
Wednesday and Thursday, August 22-23, 2012, 8:00 a.m. to 4:30 p.m.
Imin International Conference Center (East-West Center, Honolulu)

REGISTRATION FORM: Registration is free and limited to 300 attendees. This form must be completed and returned to the Office of Language Access by August 7, 2012. **Please print clearly or type.**

CONTACT INFORMATION

First Name:		Last Name:	
Organization:			
Mailing Address:	Street Address:		
	City:	State:	Zip:
Business Phone:		Fax:	
Email Address :			

CATEGORY (Check the appropriate boxes below)

<input type="checkbox"/>	State/County Agency	<input type="checkbox"/>	Private Sector/Business
<input type="checkbox"/>	Non-Profit/Community Organization	<input type="checkbox"/>	Interpreter/Translator
<input type="checkbox"/>	Student/Academic	<input type="checkbox"/>	Other (please specify) _____

ADDITIONAL INFORMATION (Check the appropriate boxes below)

<input type="checkbox"/>	I would like to be an exhibitor	<input type="checkbox"/>	I would like to be a sponsor
<input type="checkbox"/>	Non-profit: free	<input type="checkbox"/>	General \$100 & up
<input type="checkbox"/>	Private sector: \$100	<input type="checkbox"/>	Snacks \$500
		<input type="checkbox"/>	Breakfast \$1000
		<input type="checkbox"/>	Lunch \$2000

ACCESSIBILITY ASSISTANCE: If you would like assistance due to a disability (i.e., wheelchair access, accessible parking, sign language interpreter, large print, etc.) or limited English proficiency, please contact the Office of Language Access (OLA) no later than July 30, 2012.

- Please reserve parking at East-West Center for one day - \$6.00
 - Please reserve parking at East-West Center for two days - \$12.00
- There are 40 spaces available on a first-come, first serve basis at \$6.00 per/day. Please make your check payable to OLA. Note: Parking is also available at the UH Parking Structure at \$5.00 per/day.

Once completed, please return this form (and East-West Center parking fee check) to:

The Office of Language Access, 830 Punchbowl Street, Suite 322, Honolulu, HI 96813
Phone: (808)586-8730, Fax: (808)586-8733, Email: dlir.ola@hawaii.gov

REGISTRATION DEADLINE: August 7, 2012

Spotlight on New Language Access Advisory Council Member: Margarita Hopkins (Big Island Representative)



Margarita L. Hopkins has lived in Hilo for over 23 years. She was born into a multi-cultural family (Spanish, Chinese and Malay) in Southern Leyte, Philippines. As in many Filipino families, hearing multiple languages and dialects was ordinary (in her case: Cebuano, Boholano, Tagalog, Waray, English, and Spanish). She developed some degree of fluency in each of those languages.

After graduating with a degree in accounting on her home island, Margarita moved to the island of Mindanao to live with her sister. There, she not only encountered another language (Maranao) but also the Philippine Muslim culture. While in Mindanao, Margarita met her future husband, a U.S. Peace Corps volunteer who was working with her sister. Peace Corps volunteers, in addition to their technical skills, are also trained in language and cross-cultural skills. She subsequently worked part-time as a language instructor for Peace Corps and became skilled in teaching both a foreign language and cross-cultural awareness.

Margarita's work in the Peace Corps was the start of a long career in international and community development including a graduate degree in agricultural economics, long-term jobs in the northern Philippines, Kuwait, Alabama, Oregon and finally Hawaii. Language accessibility has frequently been an issue in her working environment (e.g., although English is widely used in Kuwait,

Arabic is the official language but the workforce came from many nations and spoke multiple languages).

On the Big Island, Margarita has been the County's economic development specialist responsible for agriculture and natural resources for many years. Agriculture is one of our industries in which many of the participants have limited English language proficiency. Margarita is acutely aware that for the agriculture industry to grow and provide high quality and safe products, it is essential that the workers (and owners) have access to necessary information and instruction in a form that they can readily understand. For example, she has coordinated the translation of teaching materials for a pesticide applicators course in cooperation with HDOA.

Margarita has experience in serving on state boards (Real Estate Appraisers Advisory Committee, 1997- 2000 and Board of Examiners in Optometry, 1992 – 1997) and is all too aware of the constraints facing state and county governments. She is very well qualified to serve on the Language Access Advisory Council.

CONGRATULATIONS

The following members of the Language Access Advisory Council were reappointed for another term:

- **Melba Bantay, of Catholic Charities of Hawaii**
- **Jennifer Dotson, of the Junior League of Honolulu**
- **Dominic Inocelda, of the Inter-Agency Council on Immigrant Services /Susannah Wesley Community Center**
- **Gerald Ohta, of the Hawaii State Department of Health**
- **Mary Santa Maria, of the Maui District Health Office**



Melba Bantay



Jennifer Dotson



Dominic Inocelda



Gerald Ohta



Mary Santa Maria

Aloha and Best Wishes

Farewell to Language Access Advisory Council Members



Betty Brow

of Bank of Hawaii—International Banking Division

I would like to express my sincere thanks to Jun and his staff at the Office of Language Access (OLA) for giving me the opportunity to serve as a Council Member on the Language Access Advisory Council (LAAC) for the past three years. It is with regrets that I had to resign my appointment one year earlier than the termination of my term, due to increasing demands from my job as Manager of the International Banking Division at the Bank of Hawaii and also my responsibilities on other community boards.

I believe that OLA and the LAAC provide a critical service to the Hawaiian community and fill a large gap in the government services to the State's taxpayers. During my three years on the Council, I learned that up to twenty five percent of the Hawaiian population has limited English proficiency. This large group of tax payers does not fully benefit from the services provided by the State and City government agencies due to their inability to communicate effectively. The lack of English proficiency also makes it difficult for the early responders and other emergency service personnel to communicate with patients or victims they are trying to help. For all these reasons, I would like to applaud the Hawai'i legislators and the successive government administration for enacting and implementing the law requiring State government agencies to provide language access to the Hawaii population that has limited English knowledge.

I wish OLA and the LAAC the best of success in your programs and hope that you will be able to accomplish all your objectives, as was set out in the original legislation.

MAHALO TO LITO ASUNCION & BETTY BROW

Lito Asuncion

of the Kauai Agency on Elderly Affairs

Five productive years as a member of the Language Access Advisory Council went like a blur.

But the imprints of sincere, committed and honest-to-goodness collaborations among fellow council members and the unwavering dedication of the OLA staff will surely become permanent pages in everybody's chapter of their lives. Meaningful language access to many of the populations we serve is now more pronounced and evident in our courts, schools, health programs and social service agencies. Many government agencies and covered entities have complied with the requirements of the law. These are remarkable accomplishments. Kudos to our legislators and to the persistent community groups who were instrumental in the passage of Hawaii's Language Act in 2006.

While the Office of Language Access had gone through trying economic and political challenges – from staff reductions, funding cuts, possible extinction and impermanence of agency location, the mandates of the law live on. With renewed commitment by the state administration, I am sure more positive and enlightening outcomes are soon to be realized.

I commend and salute the new members and current members of the Advisory Council. Your individual and collective expertise will undoubtedly be an immense asset to the staff of the Office of Language as you jointly chart a solid foundation and direction for the agency.

Mahalo for everything!



NEWS FROM OLA

Community Interpreter Oral Proficiency Interviews

Participants of the "Community Interpreter" Training, sponsored by OLA last March, are now undergoing Oral Proficiency Interviews until October 31.

After the participants complete their oral exams, they will receive a certificate of completion of this 34-hour course. These hours will satisfy 34 of the 40 hours required for national medical interpreter credentialing or certification.

Congratulations to the following participants who've already received their certificates of completion:

- Marcella Alohalani Boido
- Edmund Calaycay, Jr.
 - Mindy Emmons
 - Bernadine Lim
 - Mary Santa Maria

NEWS FROM ALL OVER

Excerpted from "Intersect" - the newsletter of Cross-Cultural Communications (Vendor that provided OLA's Community Interpreter Training):

"Video Interpreting Lands in Australia

As some of you know, community interpreting - i.e., public service interpreting - really began in Australia, which has a high level of professionalization in general interpreting. Australia also has a long-established national certification program. The largest telephone service there is the Translating and Interpreting Service, or TIS, run by the federal Department of Immigration. Last week TIS announced:

'While many appointments require an onsite interpreter to be present, some TIS National clients express interest in using video interpreter services. As a result, TIS National recently commenced a pilot to trial the use and effectiveness of using VOIP video conference technology to provide interpreting services. The technology is not designed to replace the use of onsite interpreters, but rather to allow TIS National to better facilitate onsite requests.

Video interpreting is also the upswing in Canada and the U.S. in medical interpreting. It will be interesting to watch how it develops for spoken interpreting."

NEWS FROM THE HAWAII STATE JUDICIARY

On June 27, 2012, the Hawaii State Supreme Court filed an Order amending Rule 14.1 of the Hawai'i Rules for Certification of Spoken and Sign Language Interpreters, effective July 1, 2012, as follows (deleted material is bracketed and stricken; new material is underscored):

Rule 14. APPOINTMENT OF COURT INTERPRETER

Court interpreters shall be appointed in accordance with the rules of court. When making an appointment, a court [may] should give preference to court interpreters within that circuit who have been qualified under these Rules for Certification of Spoken and Sign Language Interpreters in Hawai'i State Courts. A court interpreter who has been qualified under these rules shall be paid in accordance with the interpreter's designation. See Appendix A [of Hawaii Rules for Certification of Spoken and Sign Language Interpreters].

NEWS FROM ALL OVER (continued)



For Pacific Islanders, Hopes and Troubles in Arkansas

Excerpt from New York Times—July 4, 2012

http://www.nytimes.com/2012/07/05/us/for-marshall-islanders-hopes-and-troubles-in-arkansas.html?_r=2&nl=todaysheadlines&emc=edit_th_20120705

By BRET SCHULTE SPRINGDALE, Ark. —

“. . . [T]he number of Marshallese is likely to grow. The islands and the United States have been intertwined since [World War II](#). The United States has detonated at least 67 nuclear bombs in its 750,000-square-mile territory. The radioactive fallout rendered some islands uninhabitable. And United States military operations there are powered by American processed food, beloved by locals but blamed for the explosion in diabetes.

A 1986 compact gave the United States continued military access, while the Marshallese got the right to work and live in the United States indefinitely without visas. More than a third of the Marshallese — about 20,000 — have seized the opportunity. Marshallese politicians routinely fly the 6,000 miles to campaign here, and in 2008 the Marshall Islands opened a consulate on Spring Street, above a barbershop.

The Marshallese trace their roots in Springdale to one person, John Moody, who arrived in the 1980s to work in a Tyson plant. He sent back word of plentiful jobs. Word spread through the islanders' family-centered culture. 'This place got a population' because 'everybody is related,' said Jacob Masha, 34, who left Majuro in 1990 and is a distant cousin to Mr. Moody.

The increasing numbers add urgency to Ms. Laelan's cause. **Health care is a top concern.** Her mother, who was uninsured, died in Arkansas the same day that she learned that she had a [brain tumor](#). 'To this day, we are still losing people because of a **lack of services**,' Ms. Laelan said.

Still, a clinic that caters to the Marshallese opened in November. Ms. Laelan enlisted some friends to form an advocacy group, the Arkansas Coalition of Marshallese. She has also teamed up with a Marshallese congregation of Seventh-day Adventists to plant community gardens. A nutritious weekly supper is held at the pastor's home.

At a supper in June, about 40 people — many of the women in traditional flower print dresses — crammed into a small duplex. Kevin Harkey, a member of Ms. Laelan's coalition, was disappointed by the turnout. "We usually have more than this," he said. But he was pleased with the punctuality. "We're trying to get people to practice being on time."

The dinner was part worship service and part gospel of good eating. There was vegetable soup, but a bowl of doughnut holes, too. Mr. Harkey stopped a teenager from drinking a soda. "He knows that can lead to diabetes," he said. The teenager put the can down and grabbed a doughnut hole.

A few days later, Ms. Laelan was out working on another cause: persuading state officials to offer a Marshallese-language driver's test. **Few can pass the English test, but many must drive to work or to the doctor's office. As a court translator, she sees Marshallese incur fines and jail time. Some lose their jobs.**

Ms. Laelan and lawyers from Legal Aid of Arkansas have petitioned the State Police, which administers the test, and are considering filing complaints with the federal Transportation Department. "We tried asking nicely, and that didn't work," Casey Bryant, a Legal Aid lawyer, said. **The lack of language access can be seen as a violation of the Civil Rights Act.**

The Marshallese around the table in the Legal Aid office were silent and seemed worried about the idea of taking on the United States government.

The princess made a plea to her people. 'Please hang in there,' she said. 'If we don't do it, who is going to?'"

For recent stories on Pacific Islanders in Hawaii, see:

Honolulu Magazine, June & August 2011: <http://www.honolulu.com/Honolulu-Magazine/August-2011/Micronesians-in-Hawaii/Micronesians-in-Culture/>; and <http://www.honolulu.com/Honolulu-Magazine/August-2011/Micronesians-in-Hawaii/>

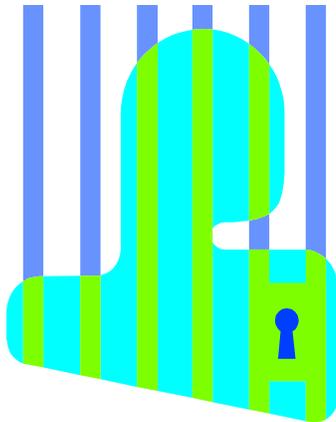
The Hawaii Bar Journal also recently printed an article on [Access to Justice for Pacific Islanders in April 2012](#).



NEWS FROM ALL OVER

U.S. Department of Justice - Civil Rights Division Sues Maricopa County Sheriff's Office, Arizona—

Excerpted from remarks by Assistant Attorney General on May 10, 2012, available here: <http://www.justice.gov/crt/opa/pr/speeches/2012/crt-speech-120510.html>



“...The second category of claim in the complaint is that MCSO’s correctional practices violate the constitutional and statutory rights of Latino prisoners in MCSO jails who have limited English skills. It is essential as a safety matter and as a civil rights matter for officials who administer

a jail to ensure that employees can effectively communicate with prisoners who have limited English skills. MCSO recognizes this obligation. In a position statement of June 14, 2010, MCSO noted the importance of providing language assistance to LEP prisoners, stating that such assistance is “essential to the overall operation of the jails and the safety of the prisoners and officers.”

The complaint outlines how MCSO failed to put this into practice in its jails. MCSO and Sheriff Arpaio routinely failed to provide necessary Spanish language assistance to Latino prisoners with limited English skills. As the complaint outlines, MCSO detention officers routinely issue commands only in English. In some instances, when Latino prisoners with limited English skills failed to follow a command given in English because they could not understand, the detention officers placed an entire area of a jail in lockdown. This incites obvious and unwarranted hostility toward the inmates, potentially placing prisoners and officers alike in harm’s way.

In other circumstances, MCSO detention officers have forced Latino prisoners with limited English skills to sign key legal documents printed in English, in which they forfeited key rights.

MCSO’s failure to provide effective language assistance services is a violation of the civil rights of Latino prisoners with limited English skills, and is a substantial departure from generally accepted correctional standards.”

U.S. Department of Justice (DOJ) Civil Rights Division Works with State Courts to Remove Language Barriers to Justice—

Excerpt from DOJ press release dated June 15, 2012, available at: <http://blogs.justice.gov/main/archives/2294>

“This week, the Rhode Island Supreme Court took an important step toward full and equal access in its state courts by issuing an Executive Order that ensures limited English proficient (LEP) individuals seeking services throughout the state court system will have access to timely and competent language assistance services. This critical step was taken in response to the Justice Department’s investigation of the Rhode Island Judiciary’s language access practices, in response to complaints of alleged national origin discrimination prohibited by Title VI of the Civil Rights Act of 1964.

The department intends to continue working with the Rhode Island Judiciary to develop a language access plan to manage implementation of the Executive Order. To ensure public participation and transparency, the order involves court staff and external stakeholders in the planning and implementation process, requires detailed monitoring reports to be posted on the Rhode Island Judiciary website, and creates a language access complaint procedure.

The Rhode Island Executive Order is only the most recent development in the Civil Rights Division’s ongoing, nationwide effort to ensure that LEP individuals are provided meaningful access to state court proceedings and operations. **DOJ recently sent a letter of findings to the North Carolina Administrative Office of the Courts, concluding that its court policies and practices discriminate on the basis of national origin.** And in June 2011, the department reached an agreement with the Colorado Judicial Department to ensure that LEP individuals will have access to timely and competent language assistance services. As a result of negotiations in that case, the Colorado Chief Justice issued an Executive Directive and the Judicial Department issued a Language Access Plan.

In August 2010, Assistant Attorney General Perez issued a letter to all chief justices and administrators of state courts clarifying the obligation of courts that receive federal financial assistance to provide oral interpretation, written translation and other language assistance services to people who are LEP in all proceedings and court operations. The Civil Rights Division’s Federal Coordination and Compliance Section investigated this matter as part of its Courts Language Access Initiative.”



NEWS FROM ALL OVER (continued)

Interpreters in the ER Improve Patient and Health Provider Satisfaction



Excerpted from press release of The American College of Emergency Physicians, available here: <http://www.acep.org/News-/Publications/Annals-of-Emergency-Medicine/Interpreters-in-the-Emergency-Department-Improve-Patient-and-Health-Provider-Satisfaction/>

“Patients who are not proficient in English and provided with professionally trained, in-person interpreters in the emergency department report

higher satisfaction with their communication in the ER, as do the physicians treating them, according to the results of a randomized controlled trial released this week online in *Annals of Emergency Medicine* (‘Examining Effectiveness of Medical Interpreters in Emergency Departments for Spanish-Speaking Patients with Limited English Proficiency: Results of a Randomized Controlled Trial’).

‘The magnitude of the difference was striking: **Patients who had professional in-person interpreters were four times more likely to be satisfied than patients who didn’t,**’ said lead study author Ann Bagchi, Ph.D. of Mathematica Policy Research in Princeton, NJ. ‘The results were the same for physicians and nurses, which could be important for reducing staff burnout and errors. The improved quality of care can also reduce the likelihood that a patient will return to the ER for the same health problem.’”

... The increase in patients whose ability to speak English is limited has led to hospitals using a variety of interpretation methods for these patients. They include using a family member as an interpreter, using a member of the hospital staff as an ad hoc interpreter or using simultaneous interpretation via headphones (also known as the UN model). This study used interpreters who had received training in medical interpreting and were dedicated to the emergency department for purposes of the study.

‘**Professional interpreters can improve efficiency and throughput in the ER and can shorten overall length of stay,** an important consideration in view of Press Ganey’s recent report showing a new high in the average amount of time people are spending in the ER,’ said study co-author Robert Eisenstein, M.D., FACEP, vice chair of the department of emergency medicine at Robert Wood Johnson University Hospital in New Brunswick, NJ. ‘Using the same interpreter from triage to discharge creates continuity of care and also ensures that we are not missing anything important when talking to the patient. It has the potential to help us get a more accurate patient assessment on arrival in the emergency department as well as better patient compliance with discharge instructions because the patient actually understands what we’re telling them to do!’”

Professional Interpreters in ER Need Training More than Experience

Excerpted from press release of The American College of Emergency Physicians, available here: <http://www.acep.org/News-/Publications/Annals-of-Emergency-Medicine/Professional-Interpreters-in-ER-Need-Training-More-than-Experience/>

Professional interpreters who received more than 100 hours of training in medical interpreting had nearly two-thirds fewer errors than those with fewer than 100 hours of training, and significantly fewer errors with medical consequences than ad hoc interpreters, according to a study published online yesterday in *Annals of Emergency Medicine* (‘Errors of Medical Interpretation and Their Potential Clinical Consequences: A Comparison of Professional vs. Ad Hoc vs. No Interpreters’).

‘One hundred hours of training seemed to be the tipping point for professional medical interpreters,’ said lead study author Glenn Flores, MD, FAAP, of the University of Texas Southwestern Medical Center in Dallas, Texas. ‘Professional interpreters who received that much training on average had 12 errors while those with less training had 33. Patient encounters that relied on ad hoc interpreters or no interpreters had significantly more errors, including some with potential clinical significance, such as mistaking tablespoons for teaspoons of medicine.’

... The proportion of errors with potential clinical consequences for professional interpreters with 100 or more hours of training was 2 percent, while the proportion of errors with potential clinical consequences for those interpreters with less than 100 hours of training was 12 percent. Years of experience were not significantly associated with the overall number of errors.

The proportion of errors with potential clinical consequences was 22 percent in encounters with ad hoc interpreters and 20 percent of encounters for no interpreters. ‘More than 25 million Americans have limited English proficiency and federal policy

requires that hospitals provide adequate language assistance to these patients,’ said Dr. Flores. ‘**Our findings add to the growing body of evidence that paid, professional interpreters are essential for delivering high-quality health care to our patients.**”



OLA QUARTERLY

**OFFICIAL NEWSLETTER OF THE
OFFICE OF LANGUAGE ACCESS
STATE OF HAWAII**



Office of Language Access
830 Punchbowl Street, #322
Honolulu, Hawai'i 96813
Phone: (808) 586-8730
Fax: (808) 586-8733
Email: dlir.ola@hawaii.gov

'O KA 'OLELO KE OLA - LANGUAGE IS LIFE

Clearing up the Top 10 Myths About Translation

By Nataly Kelly

Excerpted from the Huffington Post: 06/13/2012 11:06 am, available here: http://www.huffingtonpost.com/nataly-kelly/clearing-up-the-top-10-my_b_1590360.html

"Translation has an impact on virtually every aspect of society, politics, and economics, but how much of what you know about translation is really true? You might be surprised to learn that translation is a highly diverse and complex market – and one that's bigger than you might think. Here are ten of the most widely held myths about translation [discussion omitted]:"

1. Translation is a small, niche market.
2. The need for translation is fading away.
3. Most translators translate books; most interpreters work at the United Nations.
4. Any bilingual can be a translator or an interpreter.
5. Interpreters and translators do the same thing.
6. Translators and interpreters work in more than two languages.
7. Translation only matters to "language people."
8. Crowd-sourcing puts professional translators out of work.
9. Machine translation is crushing the demand for human translation.
10. All translation will someday be free."

These are all untrue statements. Come to OLA's 5th Annual Conference on August 22-23 to get the real story.

DATES TO REMEMBER

- July 1..... Deadline for state agencies NOT receiving federal funds to submit revised language access plans to OLA
~~PLEASE SUBMIT, EVEN IF OVERDUE~~
- July 16Deadline for state agencies to submit Translation Surveys to OLA
- August Language Access Month - see page 4 for how you can support
- August 8 Language Access Advisory Council Meeting, 9:30-11:00 p.m., DLIR Director's Conference Rm 320, 830 Punchbowl St. Honolulu, HI 96813
- August 22-23..... 5th Hawaii Annual Conference on Language Access, "Translation: Maximizing Quality and Minimizing Costs" at the Hawaii Imin International Conference Center 1777 East-West Rd., University of Hawaii at Manoa, sponsored by the Office of Language Access
- August 29 State Language Access Coordinators Meeting, 10:00-12:00 noon, DLIR Director's Conference Rm 320, 830 Punchbowl St. Honolulu, HI 96813
- September 12.....Language Access Advisory Council Meeting, 9:30-11:00 a.m., DLIR Director's Conference Rm 320, 830 Punchbowl St. Honolulu, HI 96813
- OctoberLaw Forum. Date and location TBA.