

# Lost in Translation: Language Interpreting in the Justice System

Presented by: Madison Drees Faculty Mentor: Dr. Stephen Owen



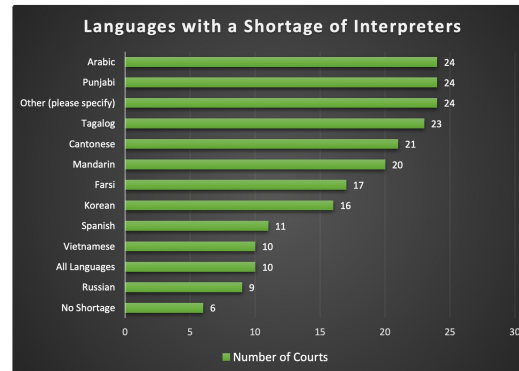
Acknowledgements: thank you to the OURS Office for printing this poster.

## Background

- According to the US Census Bureau 8% of people have limited English proficiency.
- Language gaps cause barriers and result in distrust.
- 2007 study found that 60% of respondents believed that language was the main aspect of “being English”.
- The inability to speak a language is a contributor to inequalities and social hierarchies.
- *Negron v. State of New York* 1970: Right to an interpreter is a Constitutional right.
- Executive Order 13166
- Being bilingual does NOT make you an interpreter

## Policing

- A 2001 study found that when officers interacted with Spanish speakers that did not speak English, 73.3% of the time officers experienced frustration
- 75% of officers expressed concern about language barriers affecting their ability to do their job
- Children should not be relied upon for translation but often are
- Studies have found that training staff on an agency's language assistant services reduces delays and makes department members' jobs safer and easier



Court Language Access Survey May 2020

## Courts

- Not being able to understand the proceedings can make you virtually absent
- The odds of defendants that were released on recognizance with an interpreter were 73% **lower** than those without one.
- Translators often engage in boundary maintaining strategies that push them farther away from their client and closer to judges and attorneys
- Audits have revealed that untested and untrained interpreters have provided inaccurate and incomplete information
- Many courts and jurisdictions have identified a shortage of interpreters
- There is no federal certification requirement or guidelines for interpreters

## Gaps in Literature

- Little national data on LEP people involved in court proceedings.
- There needs to be research into the effect on community trust in policing as well as outcomes in the court
- National Center for State Courts released in July of 2013 a national call and in 2017 a report on results but have no updated research beyond that

## Solutions

### Policing:

- Cultural awareness and sensitivity training
- Training in the academy on translation tools
- Creation of a translation dictionary
- Hiring on staff interpreters that are available at the station or sharing resources with a nearby station

### Courts:

- Federal requirements for certification
- Creating pools of interpreters
- Encouraging better interpreter-client relationships
- Training for all courtroom staff
- Creation of a National Agency