

As a side note, the case was interpreted by a QA 2 which is Michigan's Quality Assurance "system."

**QA Level II *Limited Skill Level*:** demonstrated ability to interpret/transliterate communication between hearing and deaf or hard of hearing persons with a minimum of 74% accuracy.

Recommended for one-to-one or small group situations where the interpreter *may or may not* the opportunity to stop communication for clarification.

*Examples:* Education/tutorial situations, informal meetings and daily living skills training.

Michigan has some phenomenal people put in place fairly recently and they have suspended the QA testing to re-write everything.

Good things on the horizon... and a long way to go.

## Deaf woman pleads to murder

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By Jameson Cook, Macomb Daily Staff Writer

A deaf woman who stabbed to death her deaf boyfriend pleaded no contest to second-degree murder, finally putting to end the case's legal wranglings after nearly four years.

Mary Anne McBride, 45, made the plea Friday in Macomb County Circuit Court for the slaying of her boyfriend, Robert Adelsburg, 45, in their Roseville home in April 2005.

McBride, who has been held in the Macomb County Jail since her arrest, faces a likely sentence between about 12 years and 23 years in prison when she is sentenced Jan. 14 by Judge Peter J. Maceroni. The expected sentence is based on a preliminary review of sentencing guidelines, according to attorneys.

The plea resolves the case after its progress was stunted for years because of arguments over the legality of McBride's statement to police, which was initially ruled invalid by Maceroni, then ruled proper by the state Supreme Court, but finally tossed out again by Maceroni. The issue revolved around the Miranda rights read to McBride.

Macomb Assistant Prosecutor

William Cataldo said outside the courtroom that he is satisfied with the outcome, noting it is not a

"plea bargain." Prosecutors had charged her with open murder, meaning it was leaving open the option of first-degree and second-degree murder.

"Once her confession was tossed, we had no evidence of premeditation," a requirement of first-degree murder, Cataldo said.

Prosecutors said McBride confessed in the statement, which was taken in the early morning hours of April 23, 2005, several hours after the stabbing was discovered by police.

Her statement was reinstated last February by the state high court, saying that Roseville police properly recited the Miranda rights to McBride.

But Maceroni last month invalidated it again for a slightly different reason. He ruled an interpreter failed to adequately communicate the Miranda rights to her, based on testimony by four experts.

Macomb prosecutors didn't appeal that decision "because even our own expert" agreed McBride failed to grasp her Miranda rights due to miscommunication.

The prosecution expert "had doubts, problems with the manner in which they (her rights) were interpreted to Miss McBride," Cataldo said.

The interpreter used by Roseville police was not certified in translating Miranda verbiage, attorneys said.

Unlike language translators, sign-language interpreters transmit concepts rather than words, attorneys said.

"Deaf interpreters deal more in symbolism," Cataldo said. "There is no word (in sign language) for 'Miranda' ... for 'Constitution.'"

The resolution of the case is expected to lead to an upgrade in law enforcement's dealings with deaf defendants, attorneys said. Cataldo said his office will contact national and state officials involved in the deaf community to help ensure police departments in Michigan utilize sufficiently trained interpreters for the deaf.

Cataldo plans to meet with Sheryl Emery, director of the state division for the deaf and hard of hearing, part of the Department of Labor. Emery attended Friday's plea hearing "to make sure she (McBride) had complete access to an interpreter who was qualified."

McBride, who appeared in court in jail garb, was assisted in court by an interpreter.

Cataldo said prosecutors had strong evidence for second-degree murder because McBride left a note telling police she wanted to kill Adelsburg, who was trying to end their relationship.

"I'm guilty for hurt (sic) Robert Adelsburg in insanity," her suicide note says. "He drove me to this."

McBride made a feeble attempt at suicide, Cataldo said. She had superficial cuts on her wrists.

The slaying was discovered about 11 p.m. by Adelsburg's ex-wife, Kelly, and Adelsburg's mother, who went to his home when he failed to pick up his two children, now teenagers, for weekend visitation earlier in the day.

McBride's no contest plea is treated as a guilty plea in criminal court but provides her with some legal protection in civil court.

Maceroni took McBride's plea under advisement and said he will accept it if police reports and other evidence warrant a second-degree murder conviction.

McBride's defense attorney, Daniel Garon, said outside the courtroom McBride was pleased with the outcome.

"A plea to murder-2 avoids a mandatory life-in-prison sentence without a chance for parole," Garon said. "This sentence means she will be eligible for parole" after she serves the minimum term.

McBride has two children from a prior marriage and a grandchild, all of whom attended the hearing.

Adelsburg's three sisters attended the hearing. His mother is too distraught about the incident to attend court proceedings, said one of his sisters, Martha Adelsburg. She also said she is satisfied with the plea and hopes McBride receives a 20-year sentence.

"I'm glad that we'll have some closure," she said. "I'm looking forward to the sentencing hearing. It's been a long three years not knowing which way it would go."

She said her brother "was a respected member of the deaf community" and was friends with many deaf people.

"The deaf people are very intertwined, like a family group," she said. "He had a lot of friends."

Robert Adelsburg and McBride worked for the U.S. Postal Service. Adelsburg was the first deaf mechanic and lead diesel mechanic at the Detroit post office, Martha Adelsburg said.

"He was really good at what he did," she said.

Robert Adelsburg and McBride had been living together about one year, she said.

"He was trying to break it off with her," she said.