

QUALIFICATIONS OF SIGN LANGUAGE INTERPRETERS IN THE CRIMINAL JUSTICE SYSTEM

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ABSTRACT

Data from a recent survey of practicing legal interpreters in the criminal justice system is provided and discussed. The sample (46) was taken primarily from interpreters with advanced level certification throughout Texas. It identifies and documents that these interpreters have substantial levels of experience, education, and certification. However, there remains a severe shortage of qualified legal interpreters, deaf interpreters, and persons of color in the field of legal interpreting. This is coupled with an equally serious lack of educational opportunities for existing legal interpreters to update and maintain their skills, or to develop the competencies required to become a legal interpreter. The need for comprehensive programs preparing interpreters for work in legal settings exists in Texas and nationwide.

SIGN LANGUAGE INTERPRETERS IN THE CRIMINAL JUSTICE SYSTEM

Currently, there are approximately 3,200 interpreters certified by the Registry of Interpreters for the Deaf (RID) across the nation. Of these, only 100 possess a legal specialist certificate (J. Patton, RID, 6/26/2000, personal communication). Clearly, this is not enough to fulfill current demands for services in the criminal justice system (Whalen, 1988; Alston, 1997; Miller, 2001). For example, in Alaska, there are three sign

language interpreters with legal training serving the entire state, only one of whom has completed the legal certification process and is fully certified (T. Pifer, Alaska RID President, 5/25/2000, personal communication). However, in areas of the United States far less remote than Alaska, minimal training opportunities are available to interpreters seeking legal certification.

In 1992, Great Britain, facing a shortage of sign language interpreters qualified to work in legal settings, declared a state of crisis and called for an emergency program to prepare more legal interpreters. It was proposed that, by 2001, registered interpreters would be required when conducting police interviews and courtroom proceedings (Simpson, 1999). America has begun to address similar concerns. In order to learn more about the qualifications of interpreters with advanced certification already working in criminal justice settings, a survey of professional sign language interpreters, based primarily in Texas, was conducted.

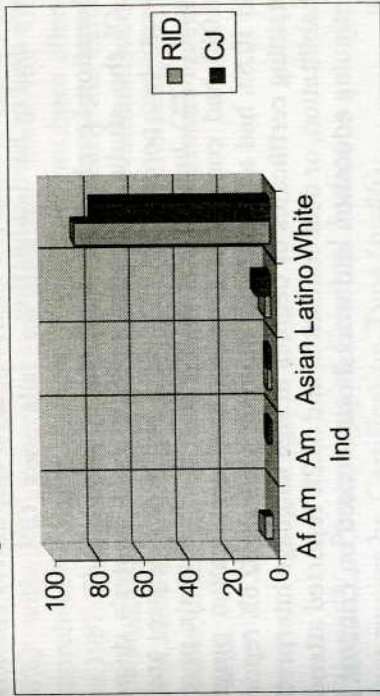
Methodology

First, a survey instrument was developed, which focused on interpreter certification, education, and criminal justice employment experience (Appendix). Also included were questions about personal ties to the deaf community, and basic demographic questions. A total of 102 interpreters were selected using two criteria: their registered level of advanced certification and/or their known employment status in the criminal justice system. Approximately 95 of the interpreters contacted were hearing and seven were deaf. Forty-five percent of all interpreters who were contacted responded to the survey. Sixty percent (60.1%) were residing in Texas, with the remaining 39.1% representing Alaska, Arkansas, California, Missouri, Oregon, Pennsylvania, and Virginia.

Results

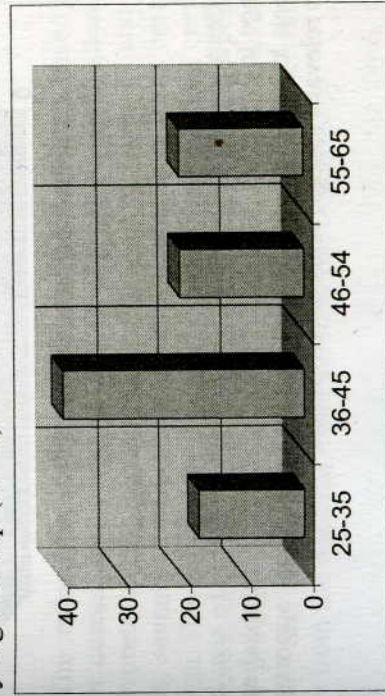
Sixty-five percent of respondents were women and 30.0% were men, with 4.3% of interpreters contacted declining to respond. Thirty-seven of the respondents (80.4%) were white. Other races represented were Hispanic (6.5%), Asian (2.1%), and American Indian (2.1%). Four persons (8.6%) did not respond to this question. A comparison to RID's interpreter database (n=1,942) reveals that 88% of its membership are Caucasian, 4% are African American, 3% are Latino, and 2% are Asian/Pacific Islanders (Burch, 2001).

Figure I. Percentages of RID (n=1,942) and Criminal Justice Interpreters (n=46) by Race



Thirty-nine percent (39.1%) of the legal interpreters surveyed were between the ages of 36 and 45. Twenty percent (19.5%) were between the ages of 46 and 54, and another 19.5% were between 55 and 65 years of age. Seventeen (17.3%) were between the ages of 25 and 35, and 4.3% declined to give their age.

Figure II. Percentages of Criminal Justice Interpreters by Age Group (n=46)

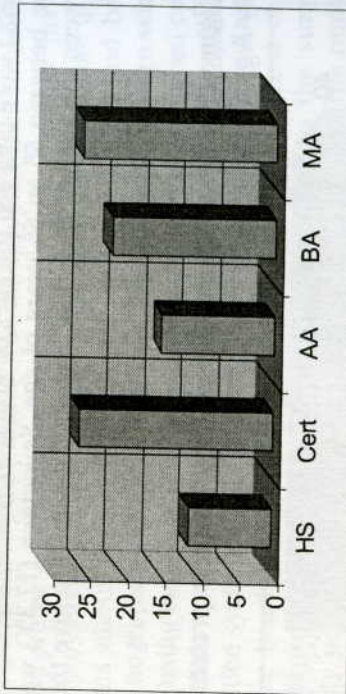


Nearly identical to an RID national job survey (n=4,692), which found that 95% of interpreters were hearing and 5% were deaf or hard-of-hearing (Burch, 2001), 93.4 % of criminal justice interpreters surveyed were hearing, and seven percent (6.5%) were deaf or hard-of-hearing.

Education Levels of Respondents

Of the study respondents, 26.0% held master's degrees. Twenty-two percent (21.7%) had a bachelor's degree, and fifteen (15.2%) had an associate's degree. Twenty-six percent (26.0%) had completed a college-level certification program and 10.8% had a high school diploma. Overall, 32.6% reported obtaining certificates or degrees in sign language interpreting, rehabilitation, or deaf education, and 65.2% reported attending continuing education and workshops focused on criminal justice.

Figure III. Percentages of Criminal Justice Interpreters By Education Levels, (n=46)

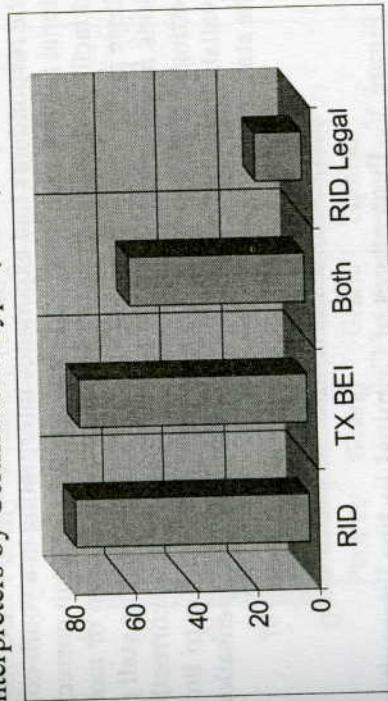


Despite the paucity of legal education available to sign language interpreters, it is evident that many have established a broad knowledge base by seeking out educational opportunities relevant to legal skills development.

Certification Levels

Approximately 76.0% of the interpreters in the study held RID generalist certification, with 15.2% of those also holding a provisional or full RID legal specialist certificate. Twenty-two (47.8%) with RID generalist certification held the CSC (Comprehensive Skills Certificate), which has not been offered since 1987. This number of interpreters with early RID certification suggests that interpreters working in the criminal justice system have amassed superior experience in the field, and at the same time points to the lack of new interpreters entering the field.

Figure IV. Percentages of Criminal Justice Interpreters by Certification Type (n=46)



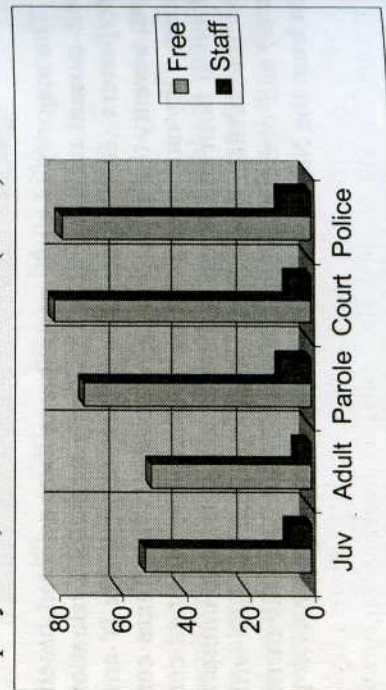
The majority of study participants were selected based on their current ratings within the Texas Board of Evaluation of Interpreters (BEI) register of certification at levels IV and V; thus, seventy-three percent of respondents had Texas certification. Fifty-nine percent of participants had obtained certification at both the Texas and national levels. One interpreter was pre-certified (successful completion of the RID written exam) and one interpreter held generalist (level III) certification from the National Association of the Deaf (NAD).

Employment Histories

Past and current employment experiences of the respondents were richly diverse, reflecting backgrounds in forensics, mental health counseling, paralegal services, mediation, development of training videos, conducting workshops, teaching American Sign Language (ASL), doing proficiency evaluations of interpreters and signers, as well as obtaining a degree or employment in the field of criminal justice. Thirty-nine percent of participants had been or were currently teaching in an interpreter training program (ITP), another 30.4% had coordinated or owned an interpreting service agency, and 19.5% had worked in some facet of deaf social services.

Relating to those providing freelance interpreting services in criminal justice settings, 80.4% had experience in the courtroom, 78.2% had experience interpreting for law enforcement, 71.7% had experience in probation and parole settings, 52.1% of the respondents had experience interpreting in a youth correctional facility, and 50.0% had experience in an adult correctional facility. Most participants had experience in two or more of these areas. The percentages of interpreters holding staff positions in law enforcement, courtroom, parole, and correctional settings is negligible by comparison, possibly due to limited availability of staff positions or insufficient compensation at the staff level.

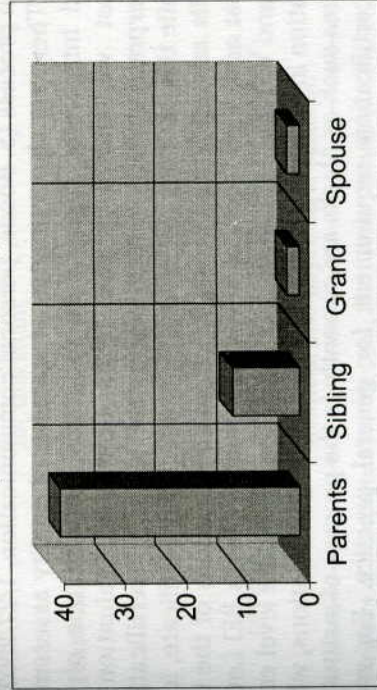
Figure V. Percentages of Criminal Justice Interpreters Employment, Freelance and Staff (n=46)



Deafness in the Family

Personal experience with deaf people has the potential to equip interpreters with a heightened sensitivity and understanding of deaf culture, as well as superior expressive and receptive fluency in ASL. The RID national job survey found 38.1% of its membership had a deaf person in their family (Burch, 2001), while 54.3% of the criminal justice survey respondents had a deaf person in their family. Thirty-nine percent (39.1%) of criminal justice interpreters had deaf parents and 10.8% had deaf siblings. About 4.3% had a deaf grandparent or spouse.

Figure VI. Percentages of Criminal Justice Interpreters With Deaf Family Members (n=46)



Although seven deaf interpreters were contacted, only three (6.5% of the total sample population) responded to the survey. This indicates that they either chose not to reply or that they do not accept work in legal settings. Regardless, there are an inadequate number of deaf interpreters certified at the level required for providing relay interpreting services in legal and courtroom settings. Of the deaf respondents, only one possessed a CDI (Certified Deaf Interpreter) certificate. One reason for this may be that deaf interpreters consistently have less opportunity to work as interpreters, and therefore may not seek certification at the same rates as hearing interpreters. Although the use of a deaf interpreter with deaf defendants

