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Dear Judiciary Committee Members:

The Colorado Cross-Disability Coalition, CCDC, supports HB 09-1090 –This bill will make it a deceptive trade practice under the Colorado Consumer Protection Act to hold oneself out as being a sign language interpreter without the proper credentials.

This is a bill important to the Deaf and Hard of Hearing communities, as well as to the business community. Accurate information is central to all that we do in life. Whether in a job, a business transaction, a court, or when accessing medical care or other services, one needs accurate information. American Sign Language is not a gestural form of English, but a completely separate and distinct language. The grammar, sentence structure and visual representation is as different from English as written Mandarin Chinese is from written English. As with other languages, there is a difference between knowing the language and being able to accurately interpret from that language into English and from English into that language.

Moreover, a certified interpreter must abide by a code of ethics that includes among other requirements strict confidentiality provisions. If someone says they are an interpreter and does a job for a Deaf person the person who is Deaf is forced with the consequences. They must have a way to be able to rely on information from the interpreter –the same goes for those companies that hire interpreters. If someone misrepresents themselves and then there are problems as a result the individuals or companies need to be able to have some recourse. The Colorado Consumer Protection Act allows for such recourse by allowing triple damages.

Business and individuals who are Deaf or Hard of Hearing are regularly victimized by foreign language agencies and uncertified interpreters who hold themselves out to be qualified interpreters. In 2007 the City of Arvada provided uncertified interpreters for a criminal trial. Just this past August, I was provided with an uncertified interpreter by the City of Aurora Municipal Court for a juvenile delinquency trial. Last March, a client was provided with an uncertified interpreter for a child abuse investigation interview in Arapahoe County. One CCDC member was provided with a student interpreter for a medical appointment where she was having cancer treatments outlined. When

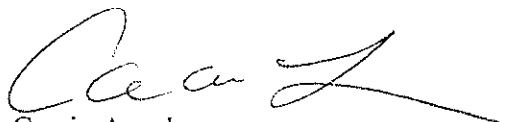
unqualified interpreters are provided, the appointment or hearing is cancelled or postponed. This costs the Deaf person time, money and inconvenience, but it costs the business as well. The business or agency is usually forced to pay for the unqualified interpreter, and then pay for a qualified interpreter for the replacement appointment. Businesses have been sued for providing unqualified interpreters because the Americans with Disabilities Act requires public entities and places of public accommodation to provide qualified sign language interpreters.

Regulation is desperately needed for sign language interpreters. In April a Deaf client's hearing wife was approached by a foreign language agency recruiter after the recruiter observed my client and his wife communicating in sign language while waiting for a medical appointment. My client's wife was told that she did not need any formal training or experience to start interpreting immediately for medical appointments. The agency told my client's wife that she could have near full time work because businesses wanted to use her agency because they are cheaper than sign language interpreter agencies. My client uses an English based sign system with his family, rather than ASL, and his wife is not at all fluent in American Sign Language. The agency simply saw them using some sign language, and was so desperate for sign interpreters, that they were willing to hire anyone to pass themselves off as an interpreter.

Just a little more than two weeks ago I attended my local Democrat party reorganization, and was provided with an uncertified interpreter who claimed to be an interpreter, and claimed to be qualified, but who was unable to effectively interpret most of the proceedings. Not only are deaf and hard of hearing consumers victimized, but businesses and organizations are as well.

Please pass HB-1090. It allows businesses and consumers to have recourse when an unqualified individual passes him or herself off as a certified interpreter. Feel free to contact me if you have further questions. My telephone number is 303.839.1775 and my e-mail address is [clucas@ccdconline.org](mailto:clucas@ccdconline.org).

Respectfully submitted,



Carrie Ann Lucas