



**National Association of Judiciary Interpreters
& Translators**

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Thursday, May 29, 2008

Hon. Members of the House and Senate

RE: HB 477 (English-only) and SB 260 (Local immigration enforcement)

Dear Senators and Representatives:

On behalf of the National Association of Judiciary Interpreters and Translators (NAJIT), I write to urge you to vote against the combined H.B. 477/SB 260 bill.

NAJIT is an organization, founded in 1979, of nearly 1,300 members who work daily to bridge the language gap in state and federal courthouses, between attorney and client, prosecutors and witnesses or victims, law enforcement and in a variety of other legal and quasi-legal settings across the country. NAJIT is the largest judiciary interpreting and translation association in the world. NAJIT's chief purpose is to promote professional standards of performance and integrity and to assist all entities in the administration of justice.

We strongly oppose H.B. 477 because it is bad legislation. These types of bills can and have created misunderstanding by government officials that have created confusion and risks, resulting in denial of equal access, equal protection and basic human rights.

Although its House sponsor, Rep. Mecklenborg, has suggested that the bill is not an English-only bill, an examination of the bill shows otherwise.

The bill provides that "the English language shall be used for each meeting of a public body and for each official action of any state agency or political subdivision, including each record prepared, meeting held, policy issued, or other action taken under color of law". This statement, I would point out, is merely an affirmation of the current state of affairs; Legal bodies are doing business in English all over the State, without having to be ordered to do so by an intrusive legislature. No agency which does business in another language has come to our attention.

H.B. 477 then provides a list of nine exceptions under which bodies may use other-than-English languages: compliance with federal law; compliance with state law; protection of the public health, safety, or welfare; protection of the rights of parties and witnesses in civil or criminal court or administrative proceedings; providing foreign-language instruction; providing English instruction for non-English speakers; promotion of international commerce, trade, or tourism; employ foreign-language terms of art; and engage in informal, nonbinding translations or communications. Also excepted, in a

separate paragraph, is certain correspondence of the Commission on Hispanic-Latino Affairs, provided that English translations of the correspondence are maintained as the official record. It is hard to imagine a more thoroughgoing set of exceptions.

The bill's real mischief is in its requirement that use of interpreters and translators or any other foreign language services be budgeted as a separate line item, and in its authorizing citizen enforcement by writ of mandamus. What might otherwise be a "feel-good" piece of legislation for the insecure among us is proposed to become a guaranteed center of frivolous litigation and wasteful, unnecessary record-keeping.

We in NAJIT work daily with speakers of other languages, and we know that most of them want very badly to be able to speak and understand English. They do not willfully avoid speaking English in order to spite us; they know the value of being able to communicate with the broader society in its own language. They need better facilities and opportunities for learning English, not pointless legislation such as H.B. 477.

Please vote against the combined H.B. 477/S.B. 260 bill

Sincerely,

Isabel Framer, Chair
National Association of Judiciary Interpreters and Translators