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For Immediate Release

Organizations Unite to Address Inadequate Communication Access for Deaf and Hard of Hearing Inmates

September 8, 2014 – Washington, D.C.— Today, The National Association of the Deaf (NAD), Helping Educate to Advance the Rights of the Deaf (HEARD), and the Registry of Interpreters for the Deaf, Inc. (RID) filed a letter with the Director of the Oregon Department of Corrections (ODOC), Colette S. Peters, demanding that ODOC immediately suspend its recruitment and use of inmates to serve as American Sign Language (ASL) interpreters within its Inmate Work Programs.

NAD, HEARD and RID became aware of the recruitment efforts at the correctional facility via a newsletter dated April 15, 2014, from Superintendent R. Angelozzi, through members of the deaf community, interpreters and advocates.

According to Talila A. Lewis, Executive Director of HEARD, “At a minimum, use of prisoners as ‘interpreters’ places deaf prisoners at risk of abuse and exploitation. This practice raises serious concerns about conflicts of interest, confidentiality and impartiality that necessarily arise in the course of ‘interpreting’ for activities, events, staff-inmate interactions, and educational programs, as outlined in the April 15 newsletter.”

For instance, Lewis shared that one inmate acting as an “interpreter” recently expressed grave concerns about his ability to effectively interpret for a deaf prisoner, but shared that his fear of reprisal from corrections officials at his prison prevented him from disclosing this which resulted in the deaf prisoner not receiving full access to important information. In other situations, deaf prisoners have been assaulted by prisoners for reporting that inmate interpreters are not qualified. Yet, other deaf prisoners report being afraid to report unqualified inmate interpreters for fear of the withholding of any interpreter or of retaliation.

“We strongly believe using hearing inmates to interpret for deaf inmates would be devastating to the health, safety, and welfare of deaf inmates in Oregon. Using hearing inmates as ASL interpreters for deaf inmates raises two grave concerns: non-compliance with federal laws and regulations; and placing deaf and hard of hearing inmates at great risk through state-sanctioned, forced reliance on other inmates,” states Howard A. Rosenblum, Chief Executive Officer of the NAD. “None of these concerns or others would arise if a neutral, qualified interpreter is provided pursuant to federal disability rights laws and ODOC’s policy on Effective Communication.”

Inmate interpreters can never be “qualified interpreters” for at least two reasons: acquisition of American Sign Language is a labor-intensive process requiring extensive education, practice, and exposure to the larger deaf community; and the very nature of inmates negates the important element of being able to “impartially” interpret pursuant to federal regulation and ODOC policy. The April 15 newsletter advertisement states, “Inmates will be tested on their knowledge of American Sign Language.” RID has over 40 years of experience in evaluating and certifying interpreters. Additionally, both the NAD and HEARD are intimately familiar with the need for comprehensive training and testing of interpreters. Collectively, we are deeply concerned about the effectiveness of the assessment advertised in this newsletter.

Shane H. Feldman, Executive Director of RID, adds, “Unfortunately, this is not a situation unique to Oregon. There is widespread and systemic denial and underuse of qualified and certified interpreters in correctional facilities across the country. The RID vision - that interpreted interactions between and among individuals who use signed and spoken languages are as rich as direct communication - should not be compromised when an individual is in custody of a correctional facility. All deaf and hard of hearing individuals have a right to qualified and certified interpreters.”

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A copy of the letter to Director Peters was sent to the Department of Justice (DOJ), the Federal Bureau of Prisons (BOP), and the Oregon Governor to ask that these government entities also become involved to ensure that communication access is provided to all inmates through the utilization of qualified AND certified interpreters.

Established in 1880, the NAD is the oldest civil rights organization in the United States, and its mission is to preserve, protect and promote the civil, human and linguistic rights of 48 million deaf and hard of hearing people in this country. HEARD is an all-volunteer nonprofit organization that works to ensure that deaf people have equal access to the justice system. HEARD created and maintains the only national database of deaf prisoners, and has volunteers nationwide who conduct deaf prisoner/defendant research, assist deaf prisoners with access concerns, investigate possible wrongful conviction cases, and educate the deaf community about the law and current legal issues, among other things. RID is a national membership organization that plays a leading role in advocating for excellence in the delivery of interpretation and transliteration services between people who use sign language and people who use spoken language.

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