

OLA QUARTERLY

Official Newsletter of the
Office of Language Access, State of Hawai'i
O ka 'ōlelo ke ola - Language is Life



Volume 11, Fall 2010

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3rd Annual Hawai'i Conference on Language Access A Success

The 3rd Annual Hawaii Conference on Language Access was held on Thursday, August 26, 2010 at the Imin International Conference Center, East-West Center in Honolulu. Sponsored by the Office of Language Access (OLA) of the Department of Labor and Industrial Relations, in collaboration with the Hawaii State Civil Defense (SCD), the conference was attended by almost 200 participants representing state and county agencies, non-profits, the private sector, students, community members, and interpreters/translators. The theme of the conference was "Ho'omakaukau: Emergency Preparedness and Hawaii's LEP Communities." DHHS OCR's regional manager Mike Kruley and Hawaii SCD vice director Ed Teixeira were the keynote speakers.

Based on evaluation results, the conference was a huge success. More than 98% agreed/strongly agreed that the content of the conference was appropriate and informative; more than 90% agreed/strongly agreed that the conference provided new contacts and opportunities for future collaboration; and almost 94% agreed/strongly agreed that the conference was a valuable professional development experience. In addition, almost 97% rated the speakers as good/very good/excellent; almost 91% considered the food as good/very good/excellent; and more than 95% rated the facilities good/very good/excellent. Overall, the conference was rated excellent by 32.3%, very good by 41.5%, and good by 26.2%.



SCD's Ed Teixeira giving his keynote speech.

Among the written comments given by attendees were the following:

- Thank you all for organizing an excellent conference. You should all be commended for this excellent well-around (sic) conference!
- I think this was an excellent conference, with information that is so important for those who deal with LEP/disabled community. Thank you! Fact that it was free made it even better! Good job of agencies working together to create an excellent conference.
- Topics and presentations for this conference... were so relevant and well done.
- Very good materials (PowerPoint) and well-prepared presentations. Speakers did a good job!
- The panel presentations provided real-life experiences, lessons in communicating...and an organized approach in dealing with the many phases and challenges disasters and emergencies bring about.
- The conference content was viable and pertinent and I was amazed at how well interconnected each topic and speaker was.
- Definitely will attend the next conference...

PowerPoint materials presented at the conference will be posted at www.hawaii.gov/labor/ola.

Message from the Executive Director

Aloha!

After months of planning, the 3rd Annual Hawaii Conference on Language Access was held Last August 26, 2010 at the East-West Center. It was hailed as a big success by participants, not only in terms of the number of attendees but also in terms of the quality of speakers and panel discussions, and the information and knowledge that participants took with them. I would like to thank Councilmember Jennifer Dotson, conference chair, as well as all the members of the Advisory Council and our other volunteers, for their dedication and hard work. My gratitude also goes to our partners for their assistance, monetary and support. Ideas are now being considered for the 4th annual conference in 2011.

In addition, the Second OLA Retreat was equally a success. Building on the discussions and recommendations made during the retreat, the OLA and its supporters are now busy preparing legislative proposals for the upcoming legislative session. I would like to thank Pamela Martin, administrator of DLIR's Wage Standards Division, for serving as facilitator and expertly guiding the discussions of the group.

OLA is resuscitating its delayed training events on the neighbor islands and, thanks to support from DLIR Director Pearl Iboshi, we are scheduled to conduct them in November and December of this year. The training will focus on working with interpreters and the role of bilingual staff and will be for state, county and nonprofit agencies.

Lastly, my appointment as Executive Director of the OLA ends on December 6, 2010. It has been a challenging but rewarding three and a half years. While challenges remain, I think we have laid down the basic foundations of the office, promoted public awareness about language access, established language access plans for all state agencies, and developed relationships and resources that OLA can utilize and build on in the future. I would like to take this opportunity to express my gratitude to the Language Access Advisory Council and the DLIR Director's office for their support, to our partners and collaborators for their assistance, and to everyone who has worked hard to ensure that OLA and language access in Hawaii remain a reality. Mahalo nui loa! Imua OLA!

U.S. Census Reports Striking Increase in Languages Spoken

One in five U.S. residents speaks a language other than English at home.

A Census Bureau report released on April 27, 2010, showed that of 281 million people, the number of U.S. residents 5 years and older who speak a language other than English at home has more than doubled in three decades. This increase reflects a pace of growth four times faster than the nation's

population growth. The Census Bureau codes 381 languages and gives details for 303 languages spoken at home. Of people surveyed in this report, 62% spoke Spanish, 19% spoke other Indo-European languages, 15% spoke an Asian or Pacific Island language, and 4% spoke some other language.

The biggest increase in numbers was for Spanish speakers. However, the largest percentage increase was for Vietnamese speakers, which increased in numbers by 511%.

The Bureau's new report, *Language Use in the United States: 2007*, identifies states with the highest percentage of speakers of these languages. The list includes: Spanish (Texas, California and New Mexico), French (Louisiana and Maine), German (North Dakota and South Dakota), Slavic languages (Illinois, New York, New Jersey and Connecticut), Chinese (California, New York, Hawaii and Massachusetts) and Korean (Hawaii, California and New Jersey).



Second OLA Retreat Held

The Second Office of Language Access Retreat was held on September 15, 2010 at the DLIR Conference Room 320 from 9:00 a.m. to 3:00 p.m.. The purpose of the retreat was to revisit the language access law and the administrative structure and functions of OLA, and to look at ways by which the language access law can be improved and how the OLA can be made more effective. The retreat was attended by members of the Language Access Advisory Council and some community members. Pamela Martin, administrator of DLIR's Wage Standards Division, facilitated the retreat.

After a presentation by OLA Executive Director Jun Colmenares on the accomplishments and challenges of OLA during the past three years, and a briefing on the purposes of the retreat, attendees split into two groups: one to discuss how to strengthen the language access law, and the other to find ways to make OLA more effective. Reports and recommendations from the two groups were given after the lunch break.

Among the recommendations made were the following:

- Make OLA an autonomous and independent body.
- Strengthen OLA's technical assistance function; establish a centralized language access resource and information clearinghouse.
- Strengthen OLA's oversight function by expanding its jurisdiction to include the county agencies.
- Strengthen compliance by giving OLA and its Executive Director more enforcement authority and by instituting penalties/consequences for non-compliance.
- Ensure OLA staffing by making staff positions statutory.
- Convert the Language Access Advisory Council into a commission with appointment and removal authority over OLA's Executive Director.
- Establish a Language Access Special Fund.

These recommendations will be further discussed with community stakeholders before they are finalized and developed into legislative proposals.

OLA TO HOLD TRAINING IN NEIGHBOR ISLANDS

As part of its continuing effort to provide technical assistance to State and covered entities, the Office of Language Access will be holding training workshops for State, county and nonprofit agencies in the neighbor islands in November-December 2010. The training will be on the following topics: (1) working with interpreters, and (2) the role of bilingual staff. Both trainings will be conducted by Dr. Suzanne Zeng and Dew Kane-shiro.

The schedule of the trainings is as follows:

- November 12, 2010—Kahului, Maui. (Contact person: Mary Santa Maria)
- November 22, 2010—Lihue, Kauai. (Contact person: Azi Turturici)
- December 1, 2010—Hilo, Hawaii. (Contact persons: Lito Asuncion and Namaka Rawlins)
- December 2, 2010—Kona, Hawaii. (Contact person: Lito Asuncion)

Similar workshops were held for State and county agencies last May 2009 on Oahu. Additional workshops for nonprofit agencies will be held on Oahu early next year.

For more information, please contact the Office of Language Access at 808-586-8730 or visit www.hawaii.gov/labor/ola.

10 Key Components to a Successful Language Access Program In the Courts

(From: Consortium for Language Access in the Courts)

1. Clear Purpose: Promote access to justice in courts and tribunals by eliminating language barriers for persons with limited English proficiency.
2. Leadership: Receive active support from top judicial and court administration leaders for the mission and goals of the language access program.
3. Consortium membership: Actively participate in the governance and committees of the Consortium for Language Access in the Courts (Consortium) and strictly adhere to the security, confidentiality, and test administration and rating standards articulated in the membership agreements.
4. Credentialing of language service providers: Adopt clear standards and procedures for credentialing language service providers through the use of exams and accompanying policies and protocols developed or approved by the Consortium.
5. Appointment of credentialed language service providers: Adopt appropriate, legally binding rules, policies, and procedures to require the use of credentialed language service providers for all court proceedings, the translation of court documents, and the translation/transcription of audio and video recordings.
6. Standards of professional conduct for court-related language service providers: Adopt and enforce a Code of Professional Conduct for court-related language service providers.
7. Program administration: Employ highly competent professional individuals who efficiently and effectively oversee the delivery of language services in accordance with established rules, policies and procedures. Effective administration includes, but is not limited to: (1) managing program budget and staff; (2) recruiting, hiring, and monitoring the performance of qualified language service providers; (3) collecting, analyzing and disseminating program data and information to court leaders and stakeholders; and (4) actively seeking alternative funding, including grants, to enhance program operations and services.
8. Communication: Maintain effective ongoing communication with: (1) judicial and court administration leaders regarding the needs and performance of the language access program; (2) stakeholders regarding the nature and performance of the program; and (3) Consortium members through participation in its annual meeting, listserv discussions, and requests for information.
9. Education of language services users: Educate judicial partners such as judges, mediators, arbitrators, court staff, attorneys and others about: (1) the need for and role of language service providers in court proceedings; (2) the knowledge, skills, and abilities of a competent language service provider; (3) the policies, procedures, and rules for the appointment and use of credentialed language service providers in the courts; and (4) the techniques for effectively delivering services to persons facing language barriers in the courts. Educate persons with limited English proficiency about the availability, role, and use of language service providers in the courts.
10. Professional development for language service providers: Encourage professional development and support training programs for language service providers including but not limited to, the development and maintenance of formal programs at institutions of higher education and collaboration with professional associations.

News From Other States

Language Access Problems Among DOJ's Law Enforcement Grantees

The Department of Justice (DOJ) has made it clear that LEP individuals who dial 911 should have access to communication in their primary language, and officers who are dispatched in response should be aware of language needs and able to respond effectively. The use of bilingual officers in these situations is strongly encouraged, and the use of bystanders, friends, and family to interpret strongly discouraged. Furthermore, intake procedures should be conducted in an LEP person's primary language, and LEP persons should be able to effectively convey health and safety issues important for police and corrections officers to know.

Some law enforcement agencies are making great strides toward fulfilling their language access obligations under Title VI. However, many others still fail to provide language access to victims of and witnesses to domestic violence and other crimes.

- *Search for toddler was hampered by inability to interview witnesses*

In winter 2008, the Detroit Police Department's search for a two-year-old girl was stymied by difficulty communicating with the Bangladeshi immigrants in the girl's community. One officer reported that often the only people the police are able to interview are children, because they are the only ones who speak English.

- *Murder investigation frustrated by shortage of Spanish interpreters*

In 2009, the Cleveland Police Department had difficulty conducting a murder investigation in a mostly Spanish-speaking community. Apparently, the department has only two bilingual police officers and a professional interpreter whom they bring in "for bigger cases" - a category not including that particular murder case.

- *Korean man spent four days in jail because police could not communicate with him*

The Washington D.C. Office of Human Rights found the Metropolitan Police Department in violation of the D.C. Language Access Act when a Korean man was arrested and detained for four days before an interpreter was provided for him. When he was finally able to communicate with the police, they discovered that he was not the person they had sought.

Frequently, victims of domestic violence are charged with domestic violence, and abusers go free, because of the victim's inability to communicate with law enforcement.

- *A California woman had difficulty obtaining a special visa for crime victims, and her abuser went free*

In California, a local sheriff's office had difficulty communicating with an LEP victim of domestic violence who reported the crime. Although the sheriff's office receives federal funding, it did not use an interpreter to communicate with the victim and did not follow up or investigate the incident she reported. Later, when the victim requested that the sheriff's office verify that she reported the crime to law enforcement for a special visa for crime victims, the sheriff's office refused because they did not find the victim helpful because she was LEP. Without this verification, she cannot prove her eligibility for the visa.

What DOJ Should Do

The DOJ should require that all law enforcement applications for DOJ funding, and all reports on the use of DOJ funding, detail steps they are taking to provide language access. The information that should be provided to the DOJ should include, at a minimum, whether the applicant or recipient has a language access plan or policy, any steps taken to implement that plan or policy, and any complaints about language access that the applicant or recipient has received in the past twelve months.

(Taken from the National Language Access Advocates Network Fact Sheet, Brennan Center for Justice at New York University School of Law, February 2, 2010)

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STATE OF HAWAII

"O KA OLELO KE OLA" - LANGUAGE IS LIFE



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Where Are Oahu's LEP Population?

The U.S. Census has divided Hawaii into Public Use Microdata Areas (PUMAs). Kauai, Maui and the Big Island are each considered a PUMA. Oahu, where 80% of Hawaii's LEP population is found, is divided into seven PUMAs. The following shows the seven Oahu PUMAs, their geographic limits, and the top 10 LEP language groups in each PUMA based on the 2006-2008 American Community Survey.

PUMA 301 Rural Oahu (Waianae, North Shore and Koolauloa)

Tagalog, Ilokano, Japanese, Samoan, Korean, Spanish, Hawaiian, Chinese, Tongan and Mandarin.

PUMA 302 Koolaupoko (Kahaluu, Kaneohe, Kailua, Waimanalo and Mokapu)

Japanese, Tagalog, Other Pacific Island languages, Spanish, Chinese, Bisayan, Afrikaans, Cantonese, French and Ilokano.

PUMA 303 Makapuu-Manoa Stream (Hawaii Kai, Kuliououu-Kalani Iki, Waialae-Kaimuki, Diamond Head/Kapahulu/St. Louis Heights and Palolo)

Japanese, Chinese, Korean, Cantonese, Vietnamese, Other Pacific Island languages, Spanish, Tongan, Ilokano and French.

PUMA 304 Manoa-Waikiki-Kakaako-Tantalus (Manoa, McCully/Moilili, Waikiki, Makiki/Lower Punchbowl/Tantalus, Ala Moana and Kakaako)

Japanese, Korean, Chinese, Vietnamese, Spanish, Other Pacific Island languages, Tagalog, Cantonese, Mandarin, Ilokano.

PUMA 305 Pauoa-Downtown-Kalihi (Nuuanu/Punchbowl, Downtown, Liliha/Kapalama, Kalihi-Palama, Kalihi Valley)

Tagalog, Ilokano, Chinese, Japanese, Cantonese, Vietnamese, Bisayan, Korean, Other Pacific Island languages, Samoan.

PUMA 306 Moanalua-Airport-Pearl City (Moanalua, Aliamanu/Salt Lake/Foster Village, Airport, Aiea, Waimalu-Pacific Palisades)

Japanese, Ilokano, Tagalog, Korean, Spanish, Chinese, Other Pacific Island languages, Cantonese, Vietnamese, Samoan.

PUMA 307 Mililani-Waipahu-Ewa (Wahiawa, Waipahu, Ewa, Mililani/Waipio/Helemanu, Makakilo/Kapolei/Honokai Hale, Mililani Mauka-Launani Valley)

Tagalog, Ilokano, Japanese, Samoan, Other Pacific Island languages, Korean, Spanish, Chinese, Hawaiian, Vietnamese.

Dates to Remember

October 13, 2010—Language Access Advisory Council Meeting, 9:30 to 11:00 a.m., DLIR Conference Room 320, 830 Punchbowl Street, Honolulu.

November 10, 2010—Language Access Advisory Council Meeting, 9:30 to 11:00 a.m., DLIR Conference Room 320, 830 Punchbowl Street, Honolulu.

November 12, 2010—Training on Working with Interpreters and the Role of Bilingual Staff, 8:30 a.m. to 4:30 p.m., Conference Rooms A&B, 3rd Floor, State Office Building, corner High & Main Sts., Wailuku, Maui (for state, county and nonprofit agencies).

November 22, 2010—Training on working with Interpreters and the Role of Bilingual Staff, 8:30 a.m. to 4:30 p.m., Kauai War Memorial Convention Hall, 4191 Hardy St., Lihue, Kauai (for state, county and nonprofit agencies).

December 1, 2010—Training on Working with Interpreters and the Role of Bilingual Staff, 8:30 a.m. to 4:30 p.m., ADRC Training Room, 1055 Kinoole St. (former SunSun Lau Building, Hilo, Hawaii. (for state, county and nonprofit agencies).

December 2, 2010—Training on Working with Interpreters and the Role of Bilingual Staff, 8:30 a.m. to 4:30 p.m., Mayor's Office Conference Room, 75-5722 Hanama Place #102, Kailua-Kona, Hawaii (for state, county and nonprofit agencies)..