

CAPTIONS

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Second Quarter 2004

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JOINT CAPI & CTA PARTY

by Bill Gippe, CTA

The joint CTA-CAPI Holiday party was a fantastic hit. On December 5th, 2003 at the Marriott City Center in Denver, members of the CTA, CAPI and even a couple translation agencies made a showing. We all united to partake in what proved an extremely entertaining evening.

Dishes started at the gathering with a delicious fresh green salad topped with feta cheese. The entrée offered a choice of either a succulent Sonoma Valley chicken or extravagant Eggplant Napoleon. Throughout the dinner, guests were drawn at random to win one of several door prizes. Amongst the prizes given out were subscriptions to *Multilingual Computing*, fabulous tableware, bottles of wine, a variety of CAPI gear and much more. Dinner concluded with a delectable desert of fresh strawberry shortcake, after which a majority of the guests stepped onto the dance floor to enjoy some traditional Spanish music and dance.

During the dinner there were two major awards presented. The CTA award, given by its members for the greatest contributions to the translation industry and profession in Colorado went to Mylène Vialard, French translator and former CTA President. The CAPI award was given in recognition for contributions to the field of court interpreting in Colorado. This award went to Isabelle Houlbrequé, Interpreter Coordinator for the Denver City and County Courts. For almost 10 years Isabelle has worked to create a fair and organized system for the Colorado courts and their interpreters.



Thanks to everyone for your participation. We truly hope that the CTA and CAPI continue their collaborations for the holiday party again next year.

DRUG COURT TERMINOLOGY

by Vicki Santamaria

Recently I had the unique opportunity of interpreting for a witness in a federal jury trial in which the main charge was Distribution of a Controlled Substance Resulting in Death. The opportunity was unique for me because most of the time I work in county court, where the majority of cases deal with traffic infractions or domestic violence incidents. This trial also was unique because I was interpreting for a witness rather than the defendant, so I was able to sit and listen to the rest of the witness testimony and also write down all the terminology that I found challenging.

The following are words from the testimonies of a forensic pathologist and of a pharmacist that I found to be difficult or at least out of the ordinary when one customarily interprets for drunk drivers and wife beaters.

ephedrine/pseudoephedrine	therapeutic concentration	average range	Augmentin (antibiotic) methoraphan—cough medicine
hydrocodone	central nervous system	chronic pain	anatomical & clinical pathology
methadone	suppression of ability to breath	codeine	deaths unattended by physician
nicotine	protective effect	Dilaudid	negative autopsy (no physical cause of death)
nordiazepam	average range	forensic toxicologist	lethal methadone concentration in blood
pill "stamped with numbers"	methadone-related death	state crime lab	defendant's act of proximate causation
DEA index	toxicity	chemistry major	"play a substantial part" in someone's death
spectrograph	"to wean people off" heroin	board-certified (toxicologist)	formulary—list of medications stocked by pharmacy; only what is commonly needed
forensic medicine	heavy users	state medical examiner	a drug is "swallowed, digested, absorbed by stomach lining," passed into "bloodstream, filtered by the kidneys, excreted into the urine"
sudden, unexpected death	chronic use	assistant coroner	quantitative in blood only; detected in urine
cause and manner of death	non-habitual user	chain of custody	
self-evident	foreseeability	biological specimens	
exclusion (of a cause of death)	proximate cause	morgue cooler	
lethal dose	unequivocally	cephalexin, penicillin	
maintenance dose	oral ingestion	acetaminophen	
injection mark (tracks)	0.01 mg/l	ansiolytic (Valium)	
oral injection	analgesic	chemical compounds	
therapeutic dose	schedule I, schedule II drugs		

REPORT ON ANNUAL MEETING

A CAPI general meeting was held on the Auraria Campus in Denver on March 13.

A presentation was given on the reasons that CAPI was created three years ago. The following is an overview of CAPI activities: Ron Olson will be in charge of the newsletter; CAPI will hold business and general meetings, as well as social events for members to interact; a continuing education workshop on professional strategies is a current goal; a workshop will be presented by Maia Leon Meis in March; interpreter advocacy; presentations have been given to attorneys and public defenders in Jefferson and Adams Counties on Interpreter Ethics; as well as to Court Administrators. Last fall CAPI held a general meeting in Colorado Springs – meetings can be held at other locations upon request. CAPI helped keep the Court interpreter certification process afloat. It stepped in and took it over from the state, when they were going to close it down due to a budget crisis. Last year we had a non-language specific orientation for court.

❖ *Activities in 2004...*

Maia's Workshop; certification; NAJIT conference – May 21- 23; medical interpretation field be added to outreach and promotions activities. We have been talking with hospitals, medical facilities about CAPI; repeating fall meeting in a place other than Denver; additional social events.

❖ *CAPI works thorough its committees:*

Publications: Facilitated by Ron Olson and Cathy Bahr – Newsletters, website, continuing education materials.

Membership Support Services: Organize all of the social activities; cooperate with the board for Christmas Party; forum for interpreters to talk about subjects other than interpreting; CAPI T-shirts; hosting for NAJIT conference.

Promotions and Outreach: Committee that is charged with outreach. We have facilitated presentations to PDs and Attorneys. Next goal to contact facilities that use medical interpreters. We want people to know that CAPI exists and the next step is to convince them that something needs to be done about medical interpreting standards.

Continuing Education: Goals for 2004. Last year overwhelmed by State Certification. If you have ideas about what you would like to see; talking about support for NAJIT. We feel very strongly that we need to offer continuing education.

Nominations Committee: This committee, led by Lee Ana Trujillo and Mari Welch, will be working today.

Medical Certification Task Force: The first meeting was held just last week, and the support was encouraging. Process may take a long time, and we may make mistakes; members of this committee are not required to be a member of CAPI because we want everyone's input. The objective is to bring training standards and certification, (and hopefully better pay) to medical interpreters in the state of Colorado.

Court Interpreter Certification Task Force: In charge of Court Interpreter Certification, but they are not meeting today. Meets according to exam schedule.

❖ *Report from the Board...*

Board felt it was important to give a report to members. Melinda and Cathy will do PD presentation in Brighton in March. The last annual meeting was in January. Since that meeting, the board has met five times. During this year Isabelle was named to fill a mid-term vacancy. Melinda took over co-chair position. One new committee and two new task forces have been formed. Board does make some decisions via email. Changed number of general meetings to 2 business meetings spring and fall and two fun events, summer and winter. Arranged to have meeting in Colorado Springs. Recognized accomplishments of one of our peers. Represented CAPI to various organizations - Colorado Registry of Interpreters for the Deaf, Spring Institute, California Health Care Interpreters Association (CHIA), Source Language Solutions, Cybercom, NATI – interested in sharing conferences with us, NAJIT, ICNA – International Cross-Cultural Network of Aurora, CAPI has a seat on the Colorado Interpreter Oversight Committee.

❖ *Board Opening...*

Steven Stewart has resigned as director. Since this is a med-term vacancy, the board will vote on this position. Requirements: have and use email; attend meetings on Saturdays which usually last three hours. If you are interested contact: Lee Lopez at 303 617 9048, lopez746@earthlink.net.

❖ *Other announcements...*

Ron: There are lists on the Website where people can go to find interpreters. Ron is one of the list-keepers. Let him know if there are changes to your information or if you do not want to be on the list. The website is a good place to refer people to; has a good list of resources. These lists are offered as a service to CAPI members.

REPORT ON ANNUAL MEETING (CONT.)

Ruth: Overlap between task forces and committees Medical Interpreter Task Force and Promotions. Melinda: Promotions can contact people, but they may not be the people interested in working on the task force, one is more educational and the other is policy and strategy oriented. Same is true for court certification.

❖ *Maya León Meis Presentation...*

“How to Tame English Pronunciation Monsters”, for example Beach, Sheet, Fog, type of monsters – bring these to the session. We as interpreters usually talk about something that happened in the past, so we are focusing on endings. International Phonetic Alphabet, can be used to pronounce anything. March 20 – Take a bilingual dictionary, which has the International Phonetic Alphabet. Also take your own tape recorder. Registration begins promptly at 8:30 on March 20. Do not need to be a CAPI member or even an interpreter to attend.

❖ *Thanks to outgoing board members...*

Julia Davis and David Fletcher. Julia: “You have a great board there is no one on the board who doesn’t believe in improving interpreting. They are all dedicated and hardworking.” David: “I have worked on a lot of boards and this is one of the most collegial boards with a very positive spirit. It has been a pleasure.”

❖ *Voting...*

Co-Chair: Total votes 31 Yes 31; *Director:* Total Votes 31 Yes 30; *Treasurer:* Total Votes 31 Yes 31.

Spanish Court Interpreter Certification

CAPI Meeting in Fort Collins

The CAPI Court Interpreter Certification Task Force reminds you of the following dates:

- ***Spanish Court Interpreter Orientation*** will be offered September 11-12, 2004 at the University of Colorado at Denver
- ***Spanish Interpreter Skills Building Course*** will be offered October 9 through November 6, 2004 (class meets every Saturday) at the University of Colorado at Denver
- ***Spanish Court Interpreter Certification Exam*** given again January 22-23, 2005

To register for these events, go to

www.coloradointerpreters.org.

If you have any news or reviews to share with the readers of CAPTIONS, please send them to Ron Olson at olsonr@ci.denver.co.us so it can be included in the next issue.

CAPI has made it a practice to try to have one general meeting a year in a city outside of the Denver Metro Area. Last fall we were invited to Colorado Springs for a very successful meeting with interpreters from both Denver and the Springs. We are excited to announce that we are tentatively scheduled for a meeting in September in Fort Collins, pending confirmation of a venue. As soon as the date, time and location are confirmed, we will announce it by email and on our website. If there is strong interest from interpreters in other areas of the state, CAPI would be happy to hold a meeting in your town. We hope to see you in Fort Collins in September!

Visit CAPI’s website!

You can find more information about upcoming events of interest to interpreters and translators, as well as resources for interpreters and those who are looking for an interpreter at

www.coloradointerpreters.org.

Why Won't You Tell Me?

by Julia Davis

Not long ago I received a call from a national interpreting agency that had hired my company to cover some medical appointments related to workers' compensation in the Denver Metro Area. The caller asked me for details of the appointments: was the injured worker feeling better, was he prescribed any medication or ordered any tests, did the doctor say if he could work or not, what did they talk about, and what exactly happened. My response was honest and simple: "I don't know."

A little later I received a call from the owner of the company requesting the same information. I'll call her "Sue." Here's the gist of our conversation.

Me: *I don't know what happened, but I'd be happy to conference-call the patient with you so you can ask him directly.*

Sue: *Oh, they don't ever know anything that I want to know. Can I talk to the interpreter who was at the appointment?*

Me: *Actually, we are not authorized to provide information regarding the appointments due to issues of confidentiality.*

Sue: *Are you talking about HIPAA? Because HIPAA doesn't apply to workers' comp.*

Me: *No, I'm talking about the Medical Interpreters' Code of Ethics.*

Sue: *Well, I don't understand. ALL THE OTHER INTERPRETERS I WORK WITH DO THIS FOR ME, except for the interpreters for the deaf, because they have some kind of rules against it, so I always have trouble with them.*

Me: *Medical interpreters have the same type of rules, the code of ethics, which dictates that the information disclosed while interpreting is to remain confidential.*

Sue: *But you don't understand. I used to be a case manager, and I know what adjusters and case managers need to know about a case; and so when I started my company, I marketed it by telling them that I was going*

to give them that information. It's what they expect from me and part of what they're paying for.

Me: *How do they get this information for the English-speaking patients?*

Sue: *They have to get it from the providers, but it takes them so long to send in their reports. This way is much faster. They're paying us a lot of money and we have to give them what they want.*

I was stunned when I hung up the phone. Stunned that the founder and owner of a *national* interpreting company would have *no knowledge* of medical interpreting ethics, and no less stunned that - allegedly - not one other spoken-language interpreter has refused to cooperate with her policy. I'd had similar conversations before this and I've had them since, but it never ceases to amaze me.

Reviewing the above conversation, I see that Sue believes injured workers generally have a poor understanding of their medical care, but that this is not a problem as long as an interpreter understands and agrees to tell her. It is, apparently, inconsequential that such a lack of understanding will almost certainly impede or delay their recovery, which is why our ethics oblige us to seek a remedy in such situations.

Sue also appears convinced that the provisions of the HIPAA/Privacy of Health Information don't apply to her company. I looked into it. The HHS Office of Civil Rights FAQs page includes the following question and answer: "May I disclose the information that is needed to adjudicate a workers' compensation claim? ... Covered entities are permitted to disclose protected health information for such purposes as authorized by, and to the extent necessary to comply with, workers' compensation law."

To me, that doesn't sound like HIPAA doesn't apply, but let's say for argument's sake that we agree with Sue's paraphrase. Even then, should the interpreter disclose this information?

Absolutely not. Doing so creates a double standard: if you speak English, information regarding your medical care

Why Won't You Tell Me? (cont.)

flows through certain standardized channels which are presumably established in the statutes. If you don't speak English, such information is handled differently and can essentially be purchased.

Do you think that the injured workers are advised that interpreters are disclosing this type of information? Do you think it would matter to them? Would it matter to the medical providers? To the worker's attorney?

I hope someone responds to this article and tells me that I'm wrong, that there's no reason for me to upset clients and lose business over this point. To that end, I contacted a board member of the National Council on Interpreting Healthcare (NCIHC), Cindy Roat, and Cyacom, a national medical interpreting training group, as well as other entities. All who responded indicated that the code of ethics should apply to workers' compensation just as it does to all other sectors of medical interpreting.

Therefore, I urge my colleagues to remember that our code of ethics exists to protect both the clients and the interpreters. It guides us in safeguarding the foundation of our professional relationship with clients and other professionals: trust. In addition, the elements of any ethical code are integrated with one another. Where does confidentiality end and impartiality begin? If we compromise one ethic, we weaken the others, and thereby diminish the protection they provide.

We need to resist this trend that seems to be descending from the national to the local level. We need to be familiar with our ethical codes and educate others about them. Most of all, we need to adhere to them.

Julia Davis is a former co-chair of CAPI and her company, SITC, Inc., is a CAPI organization member.

Additional websites dealing with medical interpreter ethics: www.ncihc.org, www.diversityrs.org, www.xculture.org, www.interpreterschia.org, www.mmia.org.

For more information on HIPAA and privacy regulations, go to www.hhs.gov and look under "Features" listed on the home page.

Interpreting in the American Legal System

The following courses within the *Interpreting in the American Legal System Program* offered by the DO IT Center have limited space availability for single course registration. Individuals registration for courses will not be eligible for the vocational certificate associated with the *Interpreting in the American Legal System Program* until such time as all four courses have been successfully completed.

This program is designed to be delivered through distance technology as a cohort model — meaning a group of practitioners begin and complete the program together, taking the same courses simultaneously and building a learning community that completes the integrated curriculum in the prescribed sequence of courses. However, in recognition of the varying needs of the intended audience, the two introductory courses related to criminal and civil law can be taken independent of the other two courses for practitioners who possess an introductory understanding of the role and responsibilities of a legal interpreter and desire a formal study of the law.

Please note: Registration for the PAR 287 Skills Development coursework requires special permission based on documented evidence of prior coursework related to Court Interpreting and completion of some independent study materials. Contact LaNae Phillips at lanae.phillips@frontrange.edu or 303-365-7685 for more information.

PAR 205: Introduction to Criminal Law

August 23, 2004 to December 10, 2004

12 additional slots available

Deadline for registration: August 2, 2004

PAR 287: Skills Development for Interpreting in the American Legal System

January 18, 2005 to May 9, 2005

Denver onsite: June 6 – 11, 2005

Requires special permission to register

Deadline for registration: December 10, 2004

12 additional slots available

For more detailed course descriptions, tuition, application, etc. please visit our website at <http://frcc.ccoes.edu/~doit>. Click on the icon that says: New! 2004 programs and follow the links for the *Interpreting in the American Legal System Program*.

The Spanish Interpreter Corner

by Elia Simón Martín

*This article is geared toward Spanish interpreters, but it will be of some interest to any interpreter.
We hope that soon we will be able to read contributions
by interpreters of other languages and from all fields of interpreting.*

The following is written with the following goals: to encourage discussion about terminology, style, and grammar, and to challenge professionals in translation and interpretation to improve in this arena. People like me who work in court interpreting know from experience that it is hard to challenge oneself when those interpreted for on a daily basis do not seem to have a basic understanding of what our profession entails. It is difficult to work continuously on one's skills when no one monitors the interpretation. It is hard to challenge yourself when you strive to correctly interpret into Spanish/English and it does not seem to make a difference to the defendant. But if you truly want to move forward, even to stay afloat in this profession in the future, you will need to challenge and commit yourself to the profession. Each year in Colorado there are more certified interpreters, more trained and experienced professionals in the field. We may have sight-translated a restraining order a thousand times. But that does not mean that we are rendering the best interpretation or even that we are interpreting it correctly. Even though my native language is Spanish, I have studied journalism and interpretation. It is not easy to interpret the convoluted archaic legalese register into correct Spanish! Some of the explanations I have included below come from things that I have read over the years (translation handbooks, grammar books, style books, etc.), and others are my own contributions. I have not limited myself to include terminology explanations because I believe that we do not interpret isolated words, but entire sentences. And, it is when interpreting those structures that grammatical difficulties or stylistic issues arise.

Raptar, Secuestrar

The verbs ***raptar*** and ***secuestrar*** are not synonyms. According to *El Diccionario de la Real Academia Española*, ***raptar*** means: *sacar a una mujer, violentamente o con engaño, de la casa y potestad de sus padres y parientes*. The third meaning of ***secuestrar*** is *aprehender indebidamente a una persona para exigir dinero por su rescate, o para otros fines*.

The nouns ***raptor*** and ***secuestrador*** are not synonyms either. The term ***captores*** is an anglicism that is used instead of ***secuestradores***.

Incautar

The correct form of ***incautar*** is ***incautarse de*** (intransitive), not ***incautar*** something.

La policía incautó un arsenal de armas (correct: "... ***se incautó de un arsenal...***")

Incautar is a pronominal verb. Therefore, it is incorrect to say: "the police ***incauta*** two kilograms of cocaine" (correct: "*la policía se incauta de dos kilos de cocaína*"). Grammatically, the verb ***incautar*** is used as the verb ***apropiarse***. And we cannot say "*la policía ***apropia*** dos kilos de cocaína.*"

Aprender, requisar, decomisar or ***confiscar*** can be used if a sentence requires a transitive verb.

Posponer

To postpone cannot be translated as ***posponer***. In Spanish, ***posponer*** means:

1. tr. *Poner o colocar a una persona o cosa después de otra.*
2. fig. *Apreciar a una persona o cosa menos que a otra; darle inferior lugar en el juicio y la estimación.*

Escuchar, oír

The verb ***escuchar*** (to listen) is incorrectly used in the spoken language as well as in the media. Let's see what the *Diccionario de la Lengua Española* says regarding these two verbs.

Escuchar. 1. **Intransitive**. *Aplicar el oído para oír.* // 2. **Transitive**. *Prestar atención a lo que se oye.* // 3. *Dar oídos, atender a un aviso, consejo o sugestión.* // 4. **Pronominal**. *Hablar o recitar con pausas afectadas.*

The Spanish Interpreter Corner (cont.)

Oír. Transitive. Percibir con el oído los sonidos.//2. Atender los ruegos, súplicas o avisos de uno.//3. Hacerse uno cargo, o darse por enterado de aquello de que le hablan.//4. Asistir a la explicación que el maestro hace de una facultad para aprenderla.//5. Admitir la autoridad peticiones, razonamientos o pruebas de las partes antes de resolver.

These are a couple of examples where escuchar is incorrectly used: "...después de que durante toda la noche se **escucharan** disparos y explosiones.", "los primeros disparos de armas automáticas comenzaron a **escucharse** alrededor de las 23'00..."

De + Que (Dequeísmo).

Dequeísmo is a frequent grammatical error among uneducated speakers. It occurs when the preposition **de** is placed before the conjunction **que**.

- A subject of a sentence is never preceded by the preposition **de**. Therefore, the following sentences are incorrect: **La cosa es de que...no vino* (correct: *La cosa es que...no vino*) **Es seguro de que nos quiere* (correct: *Es seguro que nos quiere*); **Me preocupa de que aún no hayan llegado* (correct: *Me preocupa que aún no hayan llegado*).
- A direct object is never preceded by the preposition **de**: **Pienso de que conseguiremos ganar el campeonato* (correct: *Pienso que conseguiremos ganar el campeonato*); **Le comunicaron de que tenía que dejar el cargo* (correct: *Le comunicaron que tenía que dejar el cargo*); **Temo de que no llegues a tiempo* (correct: *Temo que no llegues a tiempo*).
- Certain prepositional phrases are never preceded by the preposition **de**: **a no ser de que* (correct: *a no ser que*), **a medida de que* (correct: *a medida que*) Sometimes the preposition **de** is used instead of the correct preposition that the verb requires: **Insistieron de que fuéramos con ellos* (correct: *Insistieron en que fuéramos con ellos*); **Me fijé de que llevaba corbata* (correct: *Me fijé en que llevaba corbata*); **Hizo hincapié de que había que evitar el estrés* (correct: *Hizo hincapié en que había que evitar el estrés*).

The Spanish Continuous and the English Progressive

Spanish continuous forms, e.g. *estoy leyendo*, *estaban hablando*, etc., misleadingly resemble the much-used English progressive verb form, e.g. "I'm reading", "they were talking". The Spanish continuous differs from its English counterpart in several important respects:

- The present and imperfect tenses of the Spanish continuous can only refer to actions that are or were actually in progress or are or were in the process of being repeated. On the other hand, the English progressive doubles as a future tenses and also, sometimes, as a habitual form:

<i>Estoy comiendo.</i>	<i>I'm (actually) eating.</i>
<i>Estabas hablando.</i>	<i>You were (in the process of) talking.</i>

But

<i>Te envío ésta para decirte que...</i>	<i>I'm sending you this to tell you that...</i>
<i>Hoy los Broncos juegan en casa.</i>	<i>Today, the Broncos are playing at home.</i>
- The Spanish continuous is very rarely used with the common verbs of motion *ir*, *venir*, *volver*:

<i>¿Adónde vas?</i>	<i>Where are you going?</i>
<i>Viene la policía.</i>	<i>The police are coming.</i>
<i>Yo volvía cuando te vi.</i>	<i>I was coming back when I saw you.</i>
- The continuous is not used to describe states rather than actions (English often allows the progressive form for states):

<i>Tres arenas de luces colgaban del techo.</i>	<i>Three chandeliers were hanging from the roof.</i>
<i>La luna brillaba sobre las olas.</i>	<i>The moon was shining on the waves.</i>

A special thanks to those CAPI members who gave presentations about interpreting during the past year. Groups of Public Defenders, District Attorneys, and Court Administrators in different parts of the state heard about using interpreters, the certification process, and CAPI. This training will bring long-term results. In fact, the administration of El Paso County decided to open a Managing Court Interpreter position as a result of one of these meetings.