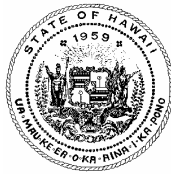


NEIL ABERCROMBIE  
GOVERNOR



BARBARA A. KRIEG  
DIRECTOR

LEILA A. KAGAWA  
DEPUTY DIRECTOR

**STATE OF HAWAII**  
**DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT**  
235 S. BERETANIA STREET  
HONOLULU, HAWAII 96813-2437

February 19, 2013

**TESTIMONY TO THE  
SENATE COMMITTEE ON WAYS AND MEANS**

For Hearing on Friday, February 22, 2013  
9:00 a.m., Conference Room 211

BY

BARBARA A. KRIEG  
DIRECTOR

**Senate Bill No. 58 S.D. 1**  
**Relating to Language Access**

**WRITTEN TESTIMONY ONLY**

TO CHAIRPERSON DAVID IGE AND MEMBERS OF THE COMMITTEE:

Thank you for the opportunity to provide testimony on S.B. 58 S.D. 1.

The purpose of S.B. 58 S.D. 1 is to increase the accessibility to State of Hawaii Government services and information for those that have limited English proficiency by establishing a statewide Language Access Resource Center and multilingual website pilot project to be administered by the Office of Language Access.

The Department of Human Resources Development (DHRD) supports this bill.



CATHOLIC CHARITIES HAWAII

TO: Senator David Y. Ige, Chair  
Senator Michelle N. Kidani, Vice Chair  
Committee on Ways and Means

FROM: Melba Bantay, Program Director  
General Immigration Services

DATE: Friday, February 22, 2013 (Conference Rm. 211)

RE: **IN SUPPORT of SB 58, SD1, RELATING TO LANGUAGE ACCESS**

My name is Melba Bantay, Program Director of Catholic Charities Hawai'i's General Immigration Services. **Catholic Charities Hawai'i strongly supports Senate Bill 58, SD1.**

Catholic Charities Hawai'i has been providing services to immigrants and refugees for more than 30 years and has witnessed the struggles that our newly arrived neighbors go through to understand and navigate our system of government so that they can access the resources that they need. Language – the ability to speak, read and comprehend English is a major hurdle that many immigrants and refugees must overcome in order to successfully transition to life in Hawai'i.

Having a pool of qualified interpreters and translators would enable both public and private organizations to provide the necessary language access for available resources and services. In addition, having information available via website in multiple languages will support newly arrived immigrants and refugees to adjust successfully in our community.

Immigrants and refugees have been important contributing members of Hawai'i communities for more than 100 years. We cannot forget their sacrifices as workers in our plantations, when agriculture was our state's main industry. Today, immigrants and refugees continue to be a reliable workforce in Hawai'i hotels, restaurants, and other businesses that support our tourism industry. It is only right and just that these hard-working brothers and sisters of ours be provided the support they need to realize their dreams - to find new beginnings and provide better futures for themselves and their families. Senate Bill 58, SD1 will provide them that opportunity.

I ask for your support of Senate Bill 58, SD1. If you have any questions, please feel free to contact me at 527-4711 or via email at [mbantay@catholiccharitieshawaii.org](mailto:mbantay@catholiccharitieshawaii.org). Thank you for this opportunity to testify.





# CONGRESS OF VISAYAN ORGANIZATIONS

99-1325 Aiea Heights Drive, Aiea, Hawaii 96701

To: Sen. David Y. Ige, Chair  
Sen. Michelle N. Kidani, Vice Chair  
Senate Committee on Ways and Means

From: Jane Clement, President

Date: February 22, 2013, 9:00 a.m.  
State Capitol, Room 211

Re: Testimony on S.B. No. 58 SD1  
Relating to Language Access

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Thank you for the opportunity to submit testimony in support of S.B. No. 58 SD1, Relating to Language Access.

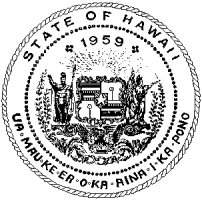
My name is Jane Clement and I am the president of the Congress of Visayan Organizations (COVO), the umbrella of Visayan organizations in the state of Hawaii. COVO strongly supports this bill, which would establish a language access resource center and a multilingual website in the Office of Language Access.

COVO has been very supportive of any opportunity that would promote and enhance language access in the State of Hawaii. We believe that establishing a language access resource center will not only lead to the growth and development of a badly-needed pool of qualified interpreters in the State but will also address the interpreter needs of State and state-funded agencies and the limited English proficient (LEP) population in general.

The establishment of a multilingual website will also enable LEP individuals to access information about government services and programs electronically and in their own language.

These twin proposals will lead to better customer service, promote equal access, and bring about greater participation by the LEP population in government services and programs.

We strongly urge the members of the committee to pass this bill.



# HAWAI‘I CIVIL RIGHTS COMMISSION

830 PUNCHBOWL STREET, ROOM 411 HONOLULU, HI 96813 · PHONE: 586-8636 FAX: 586-8655 TDD: 568-8692

February 22, 2013  
Rm. 211, 9:00 a.m.

To: The Honorable David Ige, Chair  
Members of the Senate Committee on Ways and Means

From: Linda Hamilton Krieger, Chair  
and Commissioners of the Hawai‘i Civil Rights Commission

## Comments on S.B. No. 58, S.D. 1

The Hawai‘i Civil Rights Commission (HCRC) has enforcement jurisdiction over Hawai‘i’s laws prohibiting discrimination in employment, housing, public accommodations, and access to state and state funded services. The HCRC carries out the Hawai‘i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights. Art. I, Sec. 5. The HCRC is also an ex-officio member of the Language Access Advisory Council for the Office of Language Access (OLA).

The HCRC supports S.B. No. 58, S.D.1, which establishes a statewide language access resource center for state agencies and state-funded entities in OLA, and explores the feasibility of creating a multilingual website to provide online information about government services to limited English proficient (LEP) individuals. The HCRC supports this measure, provided that its passage does not replace or adversely impact priorities in the Executive Budget.

Language is a characteristic of national origin and ancestry. Denial of access to federal and state funded services for LEP individuals is unlawful national origin / ancestry discrimination, under Title VI of the Civil Rights Act of 1964 and H.R.S. Chapter 321C.

OLA is responsible for oversight, central coordination, and technical assistance to state agencies in implementation of language access requirements. To date, OLA’s primary work has been in lending technical assistance to covered entities in developing language access plans required by law, and planning

and organizing annual conferences on language access. OLA has not been able to offer state agencies the resources needed to effectively provide interpreters and written translations required to implement their language access plans.

S.B. No. 58, S.D. 1 provides an appropriation to provide OLA the resources needed to effectively establish a statewide language access resource center, so state agencies will not be left with just their own limited resources to address the challenges of providing required language access. The HCRC supports this measure, provided that its passage does not replace or adversely impact priorities in the Executive Budget.



STATE OF HAWAII  
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS  
**OFFICE OF LANGUAGE ACCESS**

830 PUNCHBOWL STREET, ROOM 322  
HONOLULU, HAWAII 96813  
www.hawaii.gov/labor/ola  
Phone: (808) 586-8730 / Fax: (808) 586-8733  
Email: ddir.ola@hawaii.gov

To: Sen. David Y. Ige, Chair  
Sen. Michelle N. Kidani, Vice Chair  
Senate Committee on Ways and Means

From: Serafin Colmenares Jr.  
Executive Director, Office of Language Access

Date: February 22, 2013, 9:00 a.m.  
State Capitol, Room 016

Re: Comments on S.B. No.58 S.D.1  
Relating to Language Access

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The Office of Language Access (“OLA”) appreciates the opportunity to offer comments to S.B. 58 S.D.1 Relating to Language Access. My name is Serafin Colmenares, Jr. and I am the Executive Director of OLA. **OLA strongly supports S.B. 58 S.D.1 with a few amendments** to ensure adequate funding to our office to execute these new duties.

S.B. 58 S.D.1 would create and provide appropriations for a Language Access Resource Center and a pilot multi-lingual website project within OLA to better serve the LEP population and assist state and state-funded agencies in complying with applicable federal and state language access laws.

#### **SUGGESTED AMENDMENTS**

Page 10, lines 10-12: "Section 5. There is appropriated out of the general revenues of the State of Hawaii the sum of \$400,000 or so much thereof as may be necessary **annually** for fiscal ~~[year]~~ **years 2013-2014 and** 2014-2015 to . . ."

Page 10, lines 20-22: "Section 6. There is appropriated out of the general revenues of the State of Hawaii the sum of \$190,000 or so much thereof as may be necessary **annually** for fiscal ~~[year]~~ **years 2013-2014 and** 2014-2015 to . . ."

## **BACKGROUND**

According to the United Census Bureau, American Community Survey Public Use Microdata Sample (PUMS) in 2009-2011 almost 24% of Hawaii's population speaks a language other than English at home; and approximately 151,187 residents of Hawaii are limited English proficient (LEP). According to the Immigration Policy Center of the American Immigration Council, approximately 18% of Hawaii's residents are foreign born, while 14% of Hawaii's children with immigrant parents are LEP.

Language barriers have prevented our LEP population from fully benefiting from essential government and government-funded services. These barriers have also prevented them from fully participating in and contributing to our community and living up to their potential.

To address this, the federal government, through Title VI of the 1964 Civil Rights Act, and President Clinton's Executive Order 13166, all federal agencies are directed to ensure that all programs receiving federal funds provide meaningful access to LEP persons. In 2006, the Hawaii State Legislature passed Act 290, (later re-codified by Act 201 Session Laws Hawaii 2012 into Hawaii Revised Statutes (H.R.S.) § 321C) which mirrored federal law, requiring that all state agencies and state-funded programs also provide meaningful access to services for LEP persons.

Over the years, since the inception of Hawaii's Language Access law and our office, OLA has identified three major challenges to agency compliance: (1) there is no comprehensive and centralized system or structure in Hawaii to identify qualified language interpreters and translators; (2) Hawaii has a dearth of competent language interpreters and translators available to assist LEP individuals – especially in certain languages; and (3) state agencies do not have multilingual websites that can help LEP persons access needed information in their own language.

As a point of fact, our office regularly receives calls from agencies and the public for information and referrals for available and qualified interpreters and translators – a function which we consistently serve but is not in our current legislative charge.

S.B. 58 S.D.1, with technical amendments and adequate funding, would create a Language Access Resource Center that would (1) maintain a publicly available roster of interpreters and translators with their qualifications and credentials; (2) train agencies on how to obtain and utilize their services; (3) support interpreter and translator recruitment and retention; (4) assist in their training; and (5) work toward identifying, creating, and promoting a testing and certifying process for them. This bill would also enable OLA to administer a pilot project to test the utility and feasibility of establishing a multilingual website.

This bill would benefit agencies, interpreters, translators, and the LEP population alike since it addresses the problem of supply and demand of interpreters; increases and improves the number and quality of language service providers; and provides Hawaii's LEP population a better means to access state and state-funded services.

A language access resource center and multilingual website will also enable the state to provide better customer service and promote equity and citizen participation in government services and programs.

Moreover, since many of our state and state-funded agencies also receive federal funding, this bill would assist them in complying with *both* federal and state language access law.

When our office was established in 2007, we had a staff of six, including myself as Executive Director. In 2009, budget cuts eliminated all of OLA's support staff and the office was left to function with my position alone. In 2012, two staff positions were restored; however, our ability to fully execute the current statutory duties of the office is still severely compromised. While OLA wholly supports S.B. 58 S.D.1, with amendments, we ask the legislature to ensure that adequate funding be provided so that this office can not only fulfill its current statutory obligations, but also those presented by this bill.

Thank you for the opportunity to provide these comments.



**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [WAM Testimony](#)  
**Cc:** [cjuarez@hpu.edu](mailto:cjuarez@hpu.edu)  
**Subject:** Submitted testimony for SB58 on Feb 22, 2013 09:00AM  
**Date:** Tuesday, February 19, 2013 3:11:11 PM

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**SB58**

Submitted on: 2/19/2013

Testimony for WAM on Feb 22, 2013 09:00AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Carlos Juarez	Individual	Support	No

Comments: I write to support the establishment of a Statewide Language Access Resource Center and Multilingual Website Pilot Project, as outlined in SB58 SD 1. Prof Carlos Juarez Hawaii Pacific University

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**To:** [WAM Testimony](#)  
**Cc:** [cpaul@hawaii.edu](mailto:cpaul@hawaii.edu)  
**Subject:** Submitted testimony for SB58 on Feb 22, 2013 09:00AM  
**Date:** Tuesday, February 19, 2013 5:00:31 PM  
**Attachments:** [LANGUAGE ACCESS Testimony.doc](#)

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SB58

Submitted on: 2/19/2013

Testimony for WAM on Feb 22, 2013 09:00AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. Paul M. Chandler	Individual	Support	No

Comments: In support of SB 58 SD1

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Dear Honorable Senators,

I am writing in support of the establishment of an Office of Language Access for the state of Hawaii. We have long needed such an institution to help our wonderfully diverse state population. At this time we are revamping our Center for Translation and Interpretation at the University of Hawaii at Manoa and we are truly excited about the opportunity to work together with state officials and our local population on their language needs. Thank you for all of the hard work you are doing during this important legislative session.

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [WAM Testimony](#)  
**Cc:** [ginobennetti@gmail.com](mailto:ginobennetti@gmail.com)  
**Subject:** Submitted testimony for SB58 on Feb 22, 2013 09:00AM  
**Date:** Tuesday, February 19, 2013 9:48:50 PM

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**SB58**

Submitted on: 2/19/2013

Testimony for WAM on Feb 22, 2013 09:00AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Gene Bennett	Individual	Support	No

Comments: I'd like to support SB58. Mahalo, Gene Bennett

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**To:** [WAM Testimony](#)  
**Cc:** [hermanhstern@msn.com](mailto:hermanhstern@msn.com)  
**Subject:** Submitted testimony for SB58 on Feb 22, 2013 09:00AM  
**Date:** Tuesday, February 19, 2013 6:14:06 PM

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**SB58**

Submitted on: 2/19/2013

Testimony for WAM on Feb 22, 2013 09:00AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Herman H. Stern	Individual	Support	No

Comments: I support(s) bill SB58 SD1 - the establishment of a Language Access Resource Center!" We've got the numbers Let's make it happen!

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**To:** [WAM Testimony](#)  
**Cc:** [hschap@yahoo.com](mailto:hschap@yahoo.com)  
**Subject:** Submitted testimony for SB58 on Feb 22, 2013 09:00AM  
**Date:** Tuesday, February 19, 2013 3:50:35 PM

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**SB58**

Submitted on: 2/19/2013

Testimony for WAM on Feb 22, 2013 09:00AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Hildie Schap-Gil	Individual	Support	No

Comments: I support bill SB58 SD1 - the establishment of a Language Access Resource Center!

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**To:** [WAM Testimony](#)  
**Cc:** [viana@hawaii.edu](mailto:viana@hawaii.edu)  
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**Date:** Tuesday, February 19, 2013 3:45:07 PM

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**SB58**

Submitted on: 2/19/2013

Testimony for WAM on Feb 22, 2013 09:00AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Laura Viana	Individual	Support	No

Comments: I support bill SB58 SD1 - the establishment of a Language Access Resource Center.

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**To:** [WAM Testimony](#)  
**Cc:** [mestralynne@aol.com](mailto:mestralynne@aol.com)  
**Subject:** \*Submitted testimony for SB58 on Feb 22, 2013 09:00AM\*  
**Date:** Tuesday, February 19, 2013 10:50:51 PM

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**SB58**

Submitted on: 2/19/2013

Testimony for WAM on Feb 22, 2013 09:00AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Lynne Gutierrez	Individual	Support	No

**Comments:**

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**To:** [WAM Testimony](#)  
**Cc:** [mjcuevas@yahoo.com](mailto:mjcuevas@yahoo.com)  
**Subject:** Submitted testimony for SB58 on Feb 22, 2013 09:00AM  
**Date:** Tuesday, February 19, 2013 8:29:05 PM

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**SB58**

Submitted on: 2/19/2013

Testimony for WAM on Feb 22, 2013 09:00AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Millie Joan Cuevas	Individual	Support	No

Comments: I support bill SB58 SD1 - the establishment of a Language Access Resource Center!" I work for the DOD as a Licensed Clinical Social Worker providing therapeutic services for military families--some from Puerto Rico and other places where their primary language is Spanish and there are minimal resources to provide them access to resources in their language such as translators and forms in their language of origin. Please help support our military and local families with this center. Thank you!

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**To:** [WAM Testimony](#)  
**Cc:** [nancylamiranda@gmail.com](mailto:nancylamiranda@gmail.com)  
**Subject:** Submitted testimony for SB58 on Feb 22, 2013 09:00AM  
**Date:** Thursday, February 21, 2013 7:27:17 AM

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**SB58**

Submitted on: 2/21/2013

Testimony for WAM on Feb 22, 2013 09:00AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Nancy Miranda	Individual	Support	No

Comments: I am in support of this bill. It is important for all of Hawaii residents to feel comfortable and secure in understanding instances that will effect their lives from healthcare to law enforcement. The 14th amendment of the US Constitution is used as the basis for protection for citizens to due process and equal rights under the law. It reads no state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." PLEASE APPROVE THIS BILL

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**To:** [WAM Testimony](#)  
**Cc:** [rcruz@hawaiipublicradio.org](mailto:rcruz@hawaiipublicradio.org)  
**Subject:** Submitted testimony for SB58 on Feb 22, 2013 09:00AM  
**Date:** Tuesday, February 19, 2013 3:38:16 PM

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**SB58**

Submitted on: 2/19/2013

Testimony for WAM on Feb 22, 2013 09:00AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Ray Cruz	Individual	Comments Only	No

Comments: "I support bill SB58 SD1 - the establishment of a Language Access Resource Center!"

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**To:** [WAM Testimony](#)  
**Cc:** [sahou@hawaii.edu](mailto:sahou@hawaii.edu)  
**Subject:** Submitted testimony for SB58 on Feb 22, 2013 09:00AM  
**Date:** Tuesday, February 19, 2013 2:08:16 PM

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**SB58**

Submitted on: 2/19/2013

Testimony for WAM on Feb 22, 2013 09:00AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Saho Uemura	Individual	Support	No

Comments: My name is Saho Uemura, a graduate student at University of Hawaii at Manoa, Myron B. Thompson school of social work. I'm currently working on practicum at Susannah Wesley Community Center in Kalihi. Through this internship, I have been learning bilingual care coordination for immigrants in the community, and I have seen that those limited English proficient (LEP) persons tend to be with less access to various social and/or medical services. Since English is second language for me, I may find myself as one of those LEP persons, and I can imagine how hard it would be if I could not find any appropriate language support that I need. Thus I strongly support SB 58 so that LEP citizens can be efficiently supported with equal access and rights in community.

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**From:** [Wayne Tanaka](#)  
**To:** [WAM Testimony](#)  
**Subject:** TESTIMONY for SB58 SD1  
**Date:** Wednesday, February 20, 2013 6:17:18 PM

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Aloha e Chair David Ige, Vice Chair Michelle Kidani, and members of the Senate Committee on Ways and Means,

Thank you very much for hearing this measure, and for providing me with the opportunity to testify in **STRONG SUPPORT** of SB58 SD1.

Language access laws are nothing new; however, their substantive implementation has been long delayed. It should be noted that under both federal and state law, recipients of state and federal funds are required to take steps ensuring language access for members of the population they serve. Unfortunately, as a former employee under the Department of Land and Natural Resources for 3 years, I witnessed first-hand how the failure to follow through on developing and implementing a language access plan, as required by state law, has:

1. Harmed our environment, by the failure to disseminate environmental protection laws in any language other than English;
2. Led to injustice, by the imposition of criminal records on individuals who had no notice of natural resource laws that they were caught violating; and
3. Resulted in the ongoing exclusion of many members of our community, residents like you and I, who simply were not able to participate in important planning processes for our natural and cultural resources.

I believe that this ongoing failure to address language access issues continues to further jeopardize the receipt of federal funds by not just the DLNR, but many other state agencies. Based on the nonresponsiveness of the DLNR civil rights compliance officer to my repeated concerns throughout the past 3 years, I believe that these problems are prevalent throughout the executive branch of our state government. I speak in support of this measure which will provide one step forward in meaningfully providing the substantive access to justice and civic participation that our laws purportedly assured many years ago that they would provide.

Promoting language access in general will:

1. Enrich our community, by allowing our multicultural communities to more fully contribute to our values, cultural awareness, and shared experiences;
2. Strengthen our economy, by providing jobs for interpreters as well as enabling their clients to contribute to our community with their full potential; and
3. Make Hawai'i a safer and more wholesome place to live, by ensuring that linguistically isolated and otherwise easily exploitable community members can know about and access the legal protections and services that our laws and policies seek to provide.

Accordingly I would like to voice my **STRONG SUPPORT** for this measure. Mahalo nui for the opportunity to testify.