

Members Present:

Chairman Hayes  
Vice Chairman Stewart  
Mr. Banner  
Mr. Brady  
Mr. Coulter  
Mr. Fielding  
Mr. Horn  
Mr. Malone  
Mr. Polish  
Mr. Prengaman  
Mr. Sena

Members Absent:

None

Guests Present:

Mae R. Chandler	Pres. of Mt. Rose Club for Deaf
Toni Hensley	BUR
Mike Medema	Department Of Prisons
Ursula Swansick	Deaf Community Interpreters
Clayton Valli	Assistant Teacher of Deaf
Georgie M. Weathers	Deaf Community Interpreters

SENATE BILL 143

Requires interpreters for certain handicapped persons in judicial and administrative proceedings.

Senator Jean Ford testified for this bill. She stated that she did not request the bill but she had become very interested in it and was present today to encourage it. The law states that a deaf person is entitled to an interpreter. This law is not being applied with a current practice throughout the states and there is no provisions in the areas of administrative proceedings for a person to have an interpreter. This would be an addition to the bill. Since this bill has been addressed, providing an interpreter for a victim of a crime has been left out. At present, if you are arrested for a crime you are provided an interpreter. Senator Ford stated that she would like to see this resolved.

Tony Hensley, Special Programs Coordinator of Vocational Rehabilitation, testified for S.B. 143. For her testimony, please see EX. A.

Ursula Swansick, interpreter for the deaf, testified for S.B. 143. She stated that she too had seen cases where a deaf person was denied the right to an interpreter such a rape case. Ms. Swansick stated that if foreign speaking people are provided an interpreter then deaf people should be provided with one. She felt that this

bill should not be put off any longer because it is urgently needed. Ms. Swansick stated that deaf people should be provided an interpreter that is not a member of the family because otherwise emotions could be involved.

Mae Chandler, deaf, testified for this bill. For her written testimony, please see EX. B.

Mae Chandler, President of the Mt. Rose Club for the Deaf, testified for this bill. She stated that an interpreter is an important necessity. Most deaf people do not have a good education and things have to be proven in court; they have to have an interpreter.

Paul McComb, deaf teacher for the elementary school, testified for this bill. For his testimony, please see EX. C.

Betty Sylvia, deaf, could not be present today so please see her written testimony - EX. D.

Richard VillaLobos, deaf, could not be present today so please see his written testimony - EX. E.

Lois Hoover, deaf, could not be present today so please see her written testimony - EX. F.

#### SENATE BILL 438

Limits duration of and expands permitted reasons for temporary furloughs of prison inmates.

Mike Medema, Department of Prisons, testified for this bill. He stated that this bill is limited to persons who will be paroled in six months. This would allow persons who need medical attention at a hospital to go without having to have custody officers. At present, if they are incarcerated, custody officers must be provided which costs the state a lot of money. This bill would require the family to bear all costs of the inmate while he is on furlough including his trip to the residence and back. This could save up to six months of a custody officer having to guard a prisoner in a medical case. He feels that this program will be successful because if a prisoner escapes on a furlough, he would be sentenced 10 more years. The bill would only apply to someone who had been in about four years. He stated that Senator Ford was the sponsor of the bill.

#### SENATE BILL 437

Requires counties to provide counseling and medical treatment to victims of sexual assault.

Mr. Bob Sullivan who is employed by Churchill, Douglas, and Lyon County, testified against S.B. 437. He feels that at this point

they are in an unreal position.

Senator Melvin Close testified on this bill. He stated that the bill would require that counties provide more than immediate medical care to include psychological care to not only the wife, but the husband. The divorce rate among families with a sexual assault is very high. At present, there is only one county who is opposed to the bill; there have not been any rapes in that county for three years either. This is an area of great emotional trauma.

Mr. Stewart questioned as to whether we provide this for any other offense such as robberies?

Senator Close stated that no, it was not felt to be as traumatic as a sexual assault.

Sam Mamet stated that he does not foresee any problems with this bill and they recognize a necessity for it.

Bill Brady questioned as to whether the bill should be pursuant to the person filing charges then they could seek help from the county and get money.

Chairman Hayes stated that in order to get any type of help or money they would have to file charges.

ASSEMBLY BILL 798

Directs commissioner of insurance to require all insurers in Nevada to participate in plan to provide malpractice insurance to physicians.

Chuck Kanas, Insurance Commission, testified on A.B. 798. He stated that there are a number of companies that sell medical malpractice in other states but they do not sell it in Nevada. He feels that this bill could make the insurance companies think twice about coming to Nevada to sell insurance. This bill was drafted by Commerce.

S.B. 438

Mr. Malone moved to Do Pass S.B. 438; Mr. Prengaman seconded the motion. The motion failed under Committee Rule 3 by the following vote:

Aye - Hayes, Malone, Horn, Prengaman, Coulter - 5

Nay - Stewart, Polish, Banner, Fielding, Brady, Sena - 6

Absent - None

ASSEMBLY BILL 798

Mr. Stewart moved to Indefinitely Postpone A.B. 798; Mr. Polish seconded the motion. The committee approved the motion on the following vote:

Aye - Hayes, Stewart, Malone, Horn, Polish, Banner, Prengaman,  
Fielding, Coulter, Sena - 10

Nay - None

Absent - None

Not Voting - Brady - 1

Assemblyman Fielding moved to adjourn the meeting at 10:14 a.m.

Respectfully submitted,

*Judy E. Williams*  
Judy E. Williams  
Secretary

## SB 143 Testimony

The deaf person is frequently unable to express his needs and is at a disadvantage to become fully cognizant of available services. Seeking employment, counsel, assistance and/or advancement often require greater communication abilities than a deaf person possesses. Thus, the communication barrier is greatly minimized or eliminated through the assistance of a competent deaf interpreter who can function to expand the deaf person's access to services and safeguard the civil rights of the deaf person.

Currently the Nevada Revised Statutes 50.050 is the only law dealing with interpreting services for deaf people. This law has been interpreted to cover only judicial proceedings in a court and compensation for interpreting services is to be paid out of monies in the county treasury not otherwise appropriated. It defines a handicapped person and an interpreter. This current legislation needs expansion.

Senate Bill 143's purpose is to explicitly expand interpreter services to all levels of courts, from municipal to state courts. It was the intent of the suggested legislation to cover criminal proceedings in which a handicapped person is a party or a witness.

Senate Bill 143 also expands interpreter services to cover not only the legal situations, i.e., arrests, hearings before parole and probation, and court proceedings, but also hearings (whether the subject of or witness to) covered under the Administrative Procedure Act, Chapter 233 B of NRS. The amendments to that chapter are also covered which would include dismissal hearings before the Department of Education, University of Nevada disciplinary actions, Welfare hearings, and Gaming Board hearings.

The final intent of the bill was to attach a fiscal note. Since the interpreters involved in the procedures under Section 6 and Section 7 are to be paid out of the city or county treasury, the fiscal impact has been reduced from \$7,642 to \$137. This figure was devised by estimating the number of individuals processed through the target agencies for the year 1977. This figure was multiplied by .8% (the percent of deaf persons 12 and above in relation to the total population as was determined by Gallup's 1975 survey of Nevada's Rehabilitation needs and Dr. Chu's UNR population estimates). The final figure was multiplied by the low and high hourly fee for interpreter services for the deaf; the low figure being \$4.00 per hour to the high of \$7.00 per hour. These figures taken from the hearings covered by this law made the maximum impact figure of \$137.

It should be noted that the Senate Judiciary has amended this bill to exclude the certification requirements of interpreters by the National Registry of Interpreters for the Deaf. This is the thrust of AB 551. Although this is felt to be an important part of the legislation, insuring competent interpreters in the legal situations will be dealt with by other means

REVISED FACT SHEET SB 143

1. Appeals to the Nevada Supreme Court range  
low \$20.54  
high \$49.95
2. Paroles range  
low \$36.00  
high \$63.00
3. Clemency figures range  
low \$1.28  
high \$2.24
4. No estimate for contested cases pertaining to administrative procedures.
5. a. Department of Education range  
low \$0.16  
high \$0.28  
b. As to University Affairs;
  1. Instructors range  
low \$0.0064  
high \$0.0112
  2. Students range  
low \$0.61  
high \$1.06
6. Welfare range  
low \$10.91  
high \$19.096
7. Gaming range  
low \$0.768  
high \$1.344

TOTAL: Based upon available figures for 1977; minimum impact figure: \$70.16,  
Maximum impact figure \$136.97

FACT SHEET SB 143

In order to provide you with the basis for preparing a fiscal note for the Interpreters for the Deaf Legislation, I have identified each target agency/group indicated in the prepared bill draft (BVR 1-152) and I have devised a formula for estimating the fiscal impact of such provision.

The formula is as follows:

1. Estimate the number of individuals processed through a target agency for the year 1977.
2. Multiply this figure by .8% (percent of deaf persons, 12 and above, in relation to the total population as determined by Gallop's 1975 survey of Nevada's rehabilitation needs and Dr. Chu's (UNR) population estimates).
3. Multiply this figure by the 1 hour (low and high wage figures) fee for an interpreter for the deaf. This provides us with a relativistic final fiscal estimate for the aforementioned legislation.

Only the "Contested Case" estimate, as they pertain to NRS Administrative Procedures, have been omitted since Mark Stevens (Budget Analyst) stated these figures are not available to compute the desired impact estimate.

The following represents the impact range, i.e., from \$4.00 an hour to \$7.00 an hour, for each target area identified in the bill draft prepared by the Legislative Council Bureau for only a 1 hour basis of such services provided:

1. Judicial Proceedings
  - a. Clark County range  
low \$1,354.69  
high \$2,370.70
  - b. Washoe County range  
low \$711.04  
high \$1,244.32
  - c. Appeals to the Nevada Supreme Court range  
low \$20.54  
high \$49.95
2. Arrest figures range  
low \$2,120.13  
high \$3,710.22
3. Clemency figures range  
low \$1.28  
high \$2.24

4. Paroles range  
low \$36.00  
high \$63.00

5. No estimate for contested cases pertaining to administrative procedures.

6. Dismissals

a. Department of Education range  
low \$0.16  
high \$0.28

b. As to University Affairs:

1. Instructors range  
low \$0.0064  
high \$0.0112

2. Students range  
low \$0.61  
high \$1.06

7. Welfare range  
low \$10.91  
high \$19.096

8. Gaming range  
low \$0.768  
high \$1.344

TOTAL: Based upon available figures for 1977; Minimum impact figure: \$4,264.13,  
Maximum impact figure \$7,462.22.

You will also find attached the computation sheets indicating the method by which these figures were arrived at and the fiscal note for the said legislation.



COMPUTATION SHEET

1. JUDICIAL PROCEEDINGS

a. Clark County

Justice Court level: 3,923 Felony  
4,675 Misd.

Las Vegas Municipal Court: 9,794 non-traffic misd.

North Las Vegas Municipal Court: 1,711 non-traffic misd.

Las Vegas Judicial District: 17,020 Civil  
1,734 Juvenile  
3,477 Gross misd. and felony

Total; 42,334 x .008 = 338.672 x \$4 = \$1,354.69  
x \$7 = \$2,370.70

b. Washoe County

District Court figures: 1,448 Criminal cases  
6,204 Civil cases  
535 Juvenile

Lower Court; Reno and Sparks (Justice Court) (JP): 724 Gross misd. and felony  
956 Misd.  
12,353 Non-traffic violations

Total; 22,220 x .008 = 177.76 x \$4 = \$ 711.04  
x \$7 = \$1,244.32

c. Appeals to the Supreme Court

Civil 243  
Criminal 649  
892

892 x .008 = 7.136 x \$4 = \$28.54  
x \$7 = \$49.95

2. ARREST FIGURES

11,903 Juvenile  
54,351 Adult  
66,254 x .008 = 530.032 x \$4 = \$2,120.13  
x \$7 = \$3,710.22

3. CLEMENCY FIGURES - Fiscal year July, 1977 - June, 1978

40 x .008 = .32 x \$4 = \$1.28  
x \$7 = \$2.24

4. PAROLES - Fiscal year July, 1977 - June, 1978

$$1,125 \times .008 = 9 \times \$4 = \$36$$

$$\qquad \qquad \qquad \times \$7 = \$63$$

5. NO ESTIMATE FOR "CONTESTED CASES" PERTAINING TO ADMINISTRATIVE PROCEDURES.

6. DISMISSALS

a. Dept. of Education

$$5 \times .008 = .04 \times \$4 = \$.16$$

$$\qquad \qquad \qquad \times \$7 = \$.28$$

b. University Affairs

1. Instructors (only two hearings in the last 10 years)  
Therefore: .2 per yr. x .008 = .0016 x \$4 = \$.0064  
 $\qquad \qquad \qquad \times \$7 = \$.0112$

2. Students (# of hearings = 19; # of students = 38)

$$19 \times .008 = .152 \times \$4 = \$.61$$

$$\qquad \qquad \qquad \times \$7 = \$1.06$$

7. WELFARE

$$341 \text{ hearings} \times .008 = 2.728 \times \$4 = \$10.91$$

$$\qquad \qquad \qquad \times \$7 = \$19.096$$

8. GAMING

An average of 24 hearings per year.

$$24 \times .008 = .192 \times \$4 = \$.768$$

$$\qquad \qquad \qquad \times \$7 = \$1.344$$

Totals:

<u>Minimum</u>	<u>Maximum</u>
\$1,354.69	\$2,370.70
711.04	1,244.32
28.54	49.95
2,120.13	3,710.22
1.28	2.24
36.00	63.00
.16	.28
.0064	.0112
10.91	19.096
.768	1.344
<u>.6100</u>	<u>1.06</u>
\$4,264.1344	\$7,462.2212

REFERENCES

1. Judicial Proceedings: \* Tom Gardner (Dept. of Courts)  
Bill Furlong (LEA)
2. Arrest Figures: John Sapira (Crime Date Technician)
  - \* Uniform Crime Reports supplied by the Dept. of Law Enforcement Division of Identification and Communication.
  - \* Gardner estimates that figures for Washoe and Clark constitute 85% of all proceedings.
3. Clemency and Parole Figures: Lois Nelson at Parole Board.
4. Dismissals: a. Dept. of Education - Jim Menath, Director of Field Services.  
b. University Affairs - Dean Kinney and President of UNR.
5. Welfare: Herb Wash, Hearings Officer.
6. Gaming: Gaming Commission combines Commission and Control Board hearings.

Mae Chandler (deaf)  
Employee of Lynch Inc.

Translated and typed as signed  
Ursula Swansick (csc Interpreter)

I.

A deaf lady was having a problem with her mobile home to prove that both her and her husbands name were on the papers. The sheriff came over to make an arrest. The sheriff said they could use the lady's daughter to interpret.

I don't think that is right. The deaf people's children should not have to interpret for their parents. I think they should call an interpreter in.

Mae Chandler (deaf)  
Employee of Lynch Inc.

Translated and typed as signed  
Ursula Swansick (csc interpreter)

II.

A deaf man was brought to Washoe Hospital Emergency by another deaf man. They would not admit him because they did not understand what was wrong. The man was from the indian reservation. They needed an interpreter. The hospital should have looked up his records because the man was in there before, and they could see he had this problem before. If the hospital does not have an interpreter there they should look up the records to see how they can help the deaf person.

Mae Chandler (deaf)  
Employee of Lynch Inc.

Translated and typed as signed  
Ursula Swansick (csc interpreter)

III.

A deaf man in Reno had a car accident. He was going the right way and the other man did not stop at the stop sign and they had a collision. The deaf man went into shock. The man was brought to the hospital. The police made him write on the statement how it happend, but the man was still in a state of shock. He didn't really know what was going on. He had a hard time writing down the report. There was no interpreter.

The next morning his niece came down to the hospital. She tried to explain. She signs fair. He still didn't understand. He felt that the hospital should have interpreters names there so in case something happens to a deaf person, the hospital would have all the interpreters names there. They could call and the interpreter could come there, and could help the deaf person in the hospital. They really should require that.

Translated and typed as signed  
Ursula Swansick (csc interpreter)

IV.

A deaf man was using a girl's car to take her to the doctor. It was icy and he got in a car accident. A week later the man went to a lawyer to talk about the accident. The lawyer said he would help him to write when it happened. The man requested to have an interpreter for himself and the girl in court.

The lawyer asked the District Attorney's office if he should have an interpreter, they said "No its not necessary." So when they went to court they were surprised that there was no interpreter. They didn't know what anyone was talking about because there was no interpreter. There will be another trial. I hope they do something about that.

Paul McComb (deaf)  
Teacher of deaf elementary children

Richard VillaLovos (deaf)  
Carpenter

Translated and typed as signed  
Ursula Swansick (csc interpreter)

I would like to propose that the courts use two interpreters during a trial, as I found it much more clear to me to have two interpreters.

The court system speaks so fast and is hard to watch the one interpreter interpret so many different conversations in the court room. It is hard for the interpreter to follow them all. A lot of deaf people feel lost in the court room system; I think the deaf citizen should have two interpreters in the court room. One interpreter will interpret for the speakers representing the plaintiff and the other for the defense.

It was very clear, I knew who was talking (when having two interpreters). Because I knew one interpreter signed for the plaintiff, and the other interpreter was for the D.A.

Another reason for two interpreters is that when the interpreters listens to the communication in the court room and the deaf person asks to voice, a lot of the interpreters miss the deaf client trying to speak, because it is very difficult for the interpreter to focus on two separate communications at the same time. I feel that the deaf person should have his own interpreter at his side, in case he wants to speak out and he can call on his interpreter immediately to interrupt the flow of conversation.



Translated and typed as signed  
Ursula Swansick (csc interpreter)

Before the old bill became a law, I had communication with another deaf man who had been arrested. He was charged for illegal things.

At this time the police officer had got a radio call telling him to look out for a young man who caused some kind of problem and who had run into the alley. Well, they grabbed the wrong suspect, this deaf man here.

He didn't know what was going on because he was in the dark alley. He was really frightened. He had some residual hearing left and he could hear loud voices from the police. I guess the police spoke rough to him. He saw the policeman get a piece of paper to speak from, and I could figure out what he meant by that, the policeman was reading the rights to that suspect.

I asked that deaf man if he could ever understand what the police was saying. He said no he could not understand, because he couldn't read lips in the dark alley. His case was dismissed later, though, due to the fact that this had occurred.

I think the law enforcement agencies across the state need some kind of program to educate them about the deaf in order to provide better service to the deaf citizens. Otherwise they would make a big mess for both the police and the deaf citizens.

Betty Sylvia (deaf)  
Employee of UNR Chimp Project and Student  
at UNR

Translated and typed as signed  
Ursula Swansick (csc interpreter)

Last, I think, October I had a car accident with the owners car (the employers). I dropped the owner off at the airport and was on my way home. Before going home, a car in front of me stopped at the last minute without warning and I hit behind him. The car was hit and run, because he took off. The other car behind me hit me from behind. I got upset and I got out of the car and I felt like communication. The people were mad and said, "You hit this!" I said no he was hit and run, he hit me first. They understood, so we called the police.

The police came, he was talking to me first. I told him I can't hear and I can't talk, I can't understand. He got mad and wanted to give me a ticket. Then he asked for the registration, I said this is not my car, I don't know where it is. He kept wanting the registration. I felt bad, the policeman was so mad at me, he was nice to the other people, they were the ones who were guilty. He seemed nice to them but he was mad at me.

He looked at my liscense. He asked "When did you move here?" I use a Virginia liscense. I did not know there was a 45 day limit here. That I had to get a new liscense. I did not know. The policeman threatend to fine me but he did not. Then I told him this is the owner's car, I felt bad because there was really a lot of confusion in communication.

Then the policeman told me to go home. I said O.K. I

Richard VillaLovos (deaf)  
Carpenter

Translated and typed as signed  
Ursula Swansick (csc interpreter)

Recent time ago I was arrested. I asked for them to provide an interpreter, but they did not provide an interpreter. There was a lot of misunderstanding in communication between the police and I. They arrested me for disturbing the peace because of a misunderstanding of body sign language.

It would of saved me a lot of time and a lot of money if they would have provided me an interpreter in the first place.

Translated and typed as signed  
Ursula Swansick (csc interpreter)

The interpreters bill was passed in July four years ago relating to interpreting services. In October, I was in a car accident. The policeman showed up and realized I was deaf. The policeman radioed and called an interpreter. The interpreter met me at the police station. Everything was fine, she interpreted and there was no problem.

Then I got a notice of a court date. I showed up and the interpreter showed up. Everything was fine, everything was o.k.

Unfortunately, the court did not pay the interpreter. She did not get paid for her services. I was the first person to get this interpreting service under this bill.