

# Senate Bill 740

Sponsored by Senator SHIELDS (at the request of Disability Rights Oregon)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Removes requirement that arrested person with disability provide proof of inability to obtain qualified interpreter in order for public employer of arresting officer to pay for interpreter.

## A BILL FOR AN ACT

Relating to interpreters for persons with disabilities; amending ORS 133.515.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** ORS 133.515 is amended to read:

133.515. (1) As used in this section:

(a) "Person with a disability" means a person who cannot readily understand or communicate the English language, or cannot understand the proceedings or a charge made against the person, or is incapable of presenting or assisting in the presentation of a defense, because of deafness, or because of a physical hearing impairment or physical speaking impairment.

(b) "Qualified interpreter" means a person who is readily able to communicate with the person with a disability, translate the proceedings, and accurately repeat and translate the statements of the person with a disability to the officer or other person.

(2) Upon the arrest of a person with a disability and before interrogating or taking the statement of the person with a disability, the arresting peace officer, or when the arrest is by a private person, the officer to whom the person with a disability is delivered, shall make available to the person with a disability, at the earliest possible time, a qualified interpreter to assist the person with a disability throughout the interrogation or taking of a statement.

(3) The public employer of the arresting peace officer or officer to whom the person with a disability is delivered shall pay the fees and expenses of the qualified interpreter *[if:]*

*[(a) The person with a disability, subsequent to the arrest, makes a verified statement and provides other information in writing under oath showing inability to obtain a qualified interpreter, and provides any other information required by the court having jurisdiction over the offense for which the person with a disability was arrested concerning the inability to obtain such an interpreter; and]*

*[(b) It appears to the court that the person with a disability was without means and was unable to obtain a qualified interpreter].*

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.