

Videos start replacing interpreters at immigration court hearings

[Tal Kopan](#) July 17, 2019 Updated: July 17, 2019 7:45 p.m.

Local // News



1of2An Immigration and Customs Enforcement official assists people waiting to enter the building that houses ICE and the Atlanta Immigration Court, Wednesday, June 12, 2019, in Atlanta. (AP Photo/Andrea Smith)Photo: Andrea Smith / Associated Press



2of2A Department of Homeland Security police vehicle is seen as people wait with their paperwork outside of San Francisco Immigration Court on Jan. 31. Photo: Michael Short / Special to The Chronicle

WASHINGTON — The Trump administration began the process of eliminating in-person interpreters at immigrants' initial court hearings Wednesday, replacing them with a video advising people of their rights.

Advocates who observed court proceedings said the video was confusing and difficult to understand, and said they feared the new system would not give immigrants a fair shot in cases that decide whether they will be deported.

The new system went into place at immigration courts in New York and Miami, according to multiple sources. Details were sketchy, as the policy was applied only to immigrants who were not represented by lawyers, meaning that in some instances there were no observers in the courtroom.

The immigration court in San Francisco is not among those where the videos are being used in a pilot program, but eventually interpreters are expected to be replaced there as well.

The Chronicle was the [first to report](#) the new policy, shortly after immigration judges were told about it in June. Some judges have since raised concerns, and their union hopes to negotiate changes with the Justice Department, which runs the courts.

The department says replacing interpreters with videos at initial court appearances will save money. The main purpose of such initial hearings is to inform immigrants of their rights and schedule further proceedings.

After the video is shown, immigrants who want to ask questions of a judge will have no way of doing so unless they have a bilingual attorney on hand. If they don't, judges will have to try to track down an interpreter who happens to be free or use a telephone interpreting service.

Advocates say the new system is likely to lead to confusion among some immigrants, who might miss their next hearing as a result. Missing a hearing can be grounds for deportation.

Witnesses who were in court in New York on Wednesday said the video was roughly 20 minutes long and featured Christopher Santoro, the principal deputy chief immigration judge of the immigration courts. As he spoke in English, the video was dubbed in Spanish with Spanish subtitles. After the video, immigrants received an 11-page FAQ handout in Spanish.

Joan Racho-Jansen, an organizer with New Sanctuary Coalition, which provides non-attorney volunteers to immigrants, said the video was slickly produced but difficult to understand, even for Spanish speakers with whom she watched. She also said it spent considerable time on the immigrants'

right to accept “voluntary departure” from the U.S.

Immigrants in the courtroom “were either asleep or very, very frightened because they were saying things (in the video) that were scary,” Racho-Jansen said. “We had (experienced) volunteers who spoke Spanish, and they just kept shaking their heads and felt disturbed by language that was far too confusing for them to understand.”

She said the video was full of “legalese” that would go over the heads of even fluent Spanish speakers — and many Central American immigrants speak indigenous languages and little or no Spanish.

The handout, viewed by The Chronicle, was clear but technical, with a volume of information that could challenge people from rural foreign countries who have no familiarity with courts.

“I asked the interpreters what they thought (of the video), and they said it was very confusing, that the person who was dubbing occasionally couldn’t pronounce or didn’t understand the word they were saying, so they said it incorrectly,” Racho-Jansen said.

She said interpreters were present in the New York courtrooms and that judges used them after the video.

The department declined to comment and refused The Chronicle’s request to view the video.

Chronicle staff writer Alexei Koseff contributed to this report.

Tal Kopan is The San Francisco Chronicle’s Washington correspondent.

Email: tal.kopan@sfchronicle.com Twitter: [@talkopan](https://twitter.com/talkopan)