September 2, 2025

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RE: Opposition to AI replacing human interpreters

Dear Lawmaker:

On behalf of the undersigned organizations, we respectfully urge the withdrawal of four bills that propose the use of artificial intelligence (AI) tools in place of qualified professional human interpreters in Wisconsin: SB 357/AB 377 and SB 295/AB 292. If enacted, these bills could result in a host of unintended negative consequences and increased costs for public services in Wisconsin, from hospitals and schools to our courts and government offices.

By proposing that AI replace human experts despite the preponderance of evidence that AI-powered translation and interpreting platforms are inherently deficient and frequently make grave mistakes, the legislature is jeopardizing the rights and risking the fair and equal treatment of individuals with limited English proficiency (LEP) in Wisconsin. While we recognize the potential of technology to assist human interpreters in specific contexts, we are extremely concerned about the consequences of a broad

interpretation and application of these bills, as they will undermine the quality, accuracy, and accountability that interpreting services demand in the contexts named in these bills.

By proposing the use of AI or other machine-assisted translation in court proceedings, SB 295 and its companion bill AB 292 pose a serious threat to the fair and efficient administration of justice, which is fundamental to our judicial system, as well as the legal rights of LEP individuals. The National Center for State Courts (NSCS) is unequivocal in its guidance on the use of AI to replace human interpreters: "AI should not be used to replace human interpreters for real-time spoken interpretation in court proceedings due to the high risks associated with context, nuance, and potential errors. Human oversight remains critical." Furthermore, the inevitable mistrials, overturned convictions, and appeals resulting from the errors AI makes will result in higher costs and longer wait times. Trying to replace professional judicial interpreters with AI will not solve the most pressing challenges to meaningful language access in Wisconsin's courts, namely that the budget allocated is insufficient to cover current needs, making qualified interpreters difficult to find for certain languages.

By allowing any state or local governmental entity that is required by law to appoint an interpreter to an LEP individual to instead provide access to AI or another machine-assisted translation tools in lieu of an expert human interpreter, SB 357 and its companion bill AB 377 go a step further, jeopardizing the rights and risking the fair and equal treatment of LEP individuals in even more places, including hospitals, schools, and government offices, without promising the cost savings that legislatures are likely seeking. The official DPI fiscal impact for SB 357 states: "SB 357 would create operational costs for the department [...]. While the department may see modest reductions in expenditures [...], these would likely be offset by new administrative burdens. Locally, SB 357 could impose new costs [...] related to the purchase of AI translation software, integration into existing communication systems, and staff training to operate and monitor these tools—each of which may require ongoing technical support. While the bill may reduce short-term expenses by decreasing reliance on human interpreters, [...] districts could face increased legal and administrative costs if machine translation errors lead to complaints or due process violations [...]."

These issues stem from how generative AI models, including large language models (LLMs), work. They do not think, "speak," use human language, or understand cultural nuances and differences. They transcribe and generate text according to statistical patterns, and the algorithm's best estimation is based on information retrieved in large part from untrusted and unvalidated online sources. As we have seen in many instances, such models frequently generate false statements, known as "hallucinations." Numerous attorneys around the country have been sanctioned in recent years for submitting briefs written with AI that include defective citations, invented precedents, and other misstatements, and these have all only dealt with English. In interpreting, inaccurate or misleading output violates defendants' rights, distorts evidence, and endangers the integrity of judicial proceedings. Furthermore, many AI tools are programmed to produce output that aligns with users' prompts. The result is AI-generated responses that compromise informed decision-making, spread misinformation, improperly inform court users of their rights, or inadvertently advise parties to violate court orders or break the law. A comprehensive review by the World Health Organization (WHO) determined that a leading AI interpreting tool was not even fit for informational public-facing meetings where the organization's image or reputation are at stake, much less important matters of health, justice, or human welfare.

AI tools may be capable of processing and generating plausible translations under limited and controlled circumstances in a handful of languages with large training datasets, such as English. The same cannot be said for languages for which there is relatively little reliable bilingual data online. For the purposes of language access in U.S. courts, these are often called "languages of lesser diffusion" (LLDs), even though they may still represent millions of speakers worldwide and tens of thousands of speakers in Wisconsin, including Hmong, Burmese, Karen, and others. AI performance in these languages is deficient,

significantly increasing the risk of errors. The use of AI to communicate in an LLD disproportionately impacts all who rely on interpreting services for equal access to public services.

Legal, medical, and educational interpreters are highly trained professionals who adhere to <u>codes of ethics</u> and are accountable for their work. In many cases, they take an oath and place their name and credentials on the record. The story of José María Rodríguez Uriarte, a father mistakenly blamed for the accidental death of his son in Dane County due to improper interpreting, is just one example of the consequences of not using a qualified interpreter.

AI solutions, in addition to having many flaws, consist of both software and hardware that are extremely expensive to acquire, operate, maintain, and update. Machines also cannot be held accountable for the inevitable lack of performance. AI is frequently incorrect without ever notifying the user that it lacks needed information. Who would bear responsibility for such errors, not to mention the cost, as outlined in the fiscal analysis?

Wisconsin's commitment to civil rights and fiscal responsibility requires a robust standard for language services. These bills, as currently drafted, undermine the prospect of fair and equal treatment, may increase costs to state and local entities, and place the state's interests at risk. We urge you to please oppose them. Numerous standards, including ISO 18841:2018, ASTM 2089-24, and <u>ethical guidance</u> from the SAFE-AI Task Force provide useful guardrails for any future legislation. We are able to offer our assistance in drafting any proposed bills that address the use of AI tools for language access.

Thank you for your consideration. We stand ready to provide assistance to help ensure that all those who use Wisconsin's public services receive meaningful, accurate, and professional language access.

Respectfully submitted,

American Translators Association (ATA)
National Association of Judiciary Interpreters and Translators (NAJIT)
Wisconsin Association for Bilingual Education (WIABE)
Association of Language Companies (ALC)
Certification Commission for Healthcare Interpreters (CCHI)
American Association of Interpreters and Translators in Education (AAITE)
Midwest Association of Translators and Interpreters (MATI)
Wisconsin Registry of Interpreters for the Deaf (WisRID)

About ATA
Founded in 1959, ATA represents over 6,000 professional translators, interpreters, teachers, project managers, web and software developers, language company owners, hospitals, universities, and government agencies.

About NAJIT
Founded in 1978, NAJIT represents over 1,200 court interpreters, translators, judicial officers, scholars, and trainers committed to advancing professional standards and ensuring equal access to justice for those with limited English proficiency.

About WIABE
Founded in 1987, WIABE is the largest organization of bilingual educators, parents, students, researchers, and allies serving multilingual students in the state of Wisconsin.

About ALC
ALC is a U.S.-based international trade association representing businesses that provide language services.

About CCHI
Founded in 2009 by interpreters, CCHI is a national non-profit that develops and administers credible, vendor-neutral performance-based certification for interpreters serving the U.S. healthcare system in all languages. CCHI is the only certifying body for interpreters accredited by the National Commission for Certifying Agencies (NCCA).

About AAITE
AAITE is a professional association that represents interpreters and translators who work in educational settings and their allies and promotes the highest standards for interpreting and translation in educational settings.

About MATI
MATI is a distinct chapter of ATA founded by and for translators and interpreters in the states of Illinois, Indiana, and Wisconsin that promotes high standards of professional ethics, business practices, and continuing education for professionals in the translation and interpreting fields.

About WisRID
Established in 1971, WisRID is Wisconsin's leading organization for ASL interpreters. As an affiliate of RID, we uphold professional standards, defend language access rights, and advocate for Deaf, DeafBlind, and Hard of Hearing communities. Our work supports equitable access and a highly qualified interpreting workforce statewide.

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