

30A.400 Interpreters -- Appointment -- Hearing to determine need.

- (1) If a person has been detained in police custody or has been arrested, an interpreter shall be provided prior to any interrogation or taking of a statement from the person if the court determines he meets the criteria set forth in KRS 30A.410.
- (2) Any statement made by a person who is entitled to the services of an interpreter under subsection (1) of this section to a law enforcement officer may be used as evidence against that person only if the statement was made, offered, or elicited in the presence of a qualified interpreter. This subsection shall not deny a person the right to make a voluntary confession.
- (3) If the eligibility of the individual for an interpreter is challenged, the judge may, on good cause shown, hold a hearing to determine the bona fide need for interpreter services.
- (4) If it is determined that the person is not entitled to these services, no portion of KRS 30A.425 to 30A.435 shall apply to him.

Effective: July 15, 1994.

History: Amended 1994 Ky. Acts ch. 405, sec. 7, effective July 15, 1994; and ch. 452, sec. 1, effective July 15, 1994. – Amended 1992 Ky. Acts ch. 144, sec. 5, effective July 14, 1992. -- Created 1976 (1st Extra. Sess.) Ky. Acts ch. 22, sec. 64, effective January 2, 1978.

Legislative Research Commission Note (7/15/94). This section was amended by 1994 Ky. Acts chs. 405 and 452 which do not appear to be in conflict and have been codified together.