
CHAMPAIGN POLICE DEPARTMENT

POLICY and PROCEDURE

POLICY NUMBER: 41.16

SUBJECT: INTERACTING WITH THE HEARING IMPAIRED

EFFECTIVE DATE: 7/01/13

REVISED DATE:

REFERENCE ILEAP:

INDEX AS:

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PURPOSE:

The Champaign Police Department is committed to serving all segments of the public in the highest possible capacity, including those that are deaf or hearing impaired. All reasonable steps shall be taken to accommodate the communication needs of people who are deaf or hearing impaired and who come into contact with any member of this Department.

DEFINITIONS:

Auxiliary Aids and Services: As defined in the Americans with Disabilities Act (ADA), these are communication aids that assist people who are deaf or hearing impaired, including hearing aids, cochlear implants, the exchange of written notes, telecommunications devices for the deaf (TDDs), teletypewriters (TTs), telephone handset amplifiers, assistive listening systems, videotext displays, and hearing assistance dogs.

Deaf Person: A person whose hearing is totally impaired or whose hearing, with or without amplification, is so seriously impaired that their primary means of receiving or providing verbal communications is through visual input such as lip-reading, sign language, or writing.

Hard of hearing Person: A person whose hearing is impaired to the extent that, with or without amplification, hearing is difficult, but the understanding or verbal communications is not automatically eliminated.

Lip Reading: Also referred to as speech reading; the ability to use information gained from movement of the lips, face, and body to increase understanding.

Qualified Interpreter: A qualified sign language or oral interpreter is a person who is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. The qualified interpreter must be able to interpret in the language that the deaf person uses (i.e. American Sign Language or Signed English) and must be familiar with law enforcement terms and phrases. A qualified interpreter must be able to both sign to the individual who is deaf and interpret what is being signed by the person who is deaf. Because a qualified interpreter must be able to interpret impartially, a family member or friend may not be qualified to render the necessary interpretation

because of factors such as professional, emotional, or personal involvement, or considerations of confidentiality. Additionally, although a "qualified" interpreter may be certified, a certified interpreter is not necessarily qualified if he/she is not a good communications match for the deaf person or if the interpreter is unfamiliar with law enforcement vocabulary.

Sign Language: American Sign Language (ASL) is the form of sign language most often used in the United States. Signs convey concepts or ideas even though a sign may stand for a separate English word. Signing individual letters by finger spelling can be used to supplement sign language. Just as there are regional variations (dialects) spoken in English, there are also regional variations in sign language.

POLICY:

41.16.1 GENERAL PROCEDURES

- A. Upon encountering a person who is deaf or hearing impaired with a need or desire for police services, employees of the Department should attempt to identify the type of auxiliary aids and services needed to establish effective and efficient communication.
- B. The type of auxiliary aids and services needed to establish effective and efficient communication will be based upon the individual's usual method of communication. The nature, importance, and duration of the contact with members of the Department will also be a determining factor.
- C. The more lengthy, complex, and important the communication, the more likely it is that a qualified interpreter will be required to ensure effective and efficient communication.
- D. In many circumstances hand gestures, visual aids, written messages, or sign language interpretation by a friend or family member will be sufficient types of auxiliary aids.
- E. There may be circumstances in which the person who is deaf or hearing impaired will request a more sophisticated auxiliary aid or service. In order to serve the needs of each individual, primary consideration should be given to the type of auxiliary aid or service requested. Members of the Department should defer to those expressed preferences unless:
 - 1. There is another equally effective method of communication.
 - 2. Doing so would fundamentally alter the nature of the law enforcement activity in question or cause the Department an undue administrative or financial burden. In most cases a supervisor should make this decision.

3. If such a decision is made, the Department must take other action to ensure that, to the maximum extent possible, the individual receives appropriate services.
 4. The person requesting a more sophisticated auxiliary aid or service shall not be charged any costs associated with procuring the aid or service.
- F. The input of persons who are deaf or hearing impaired and who are involved in an incident is just as important to members of the Department as the input provided by anyone else involved in the incident.
1. Officers must not draw conclusions about incidents involving someone who is deaf or hearing impaired unless they fully understand, and are understood by, the individual.

41.16.2 ARREST AND INTERVIEW PROCEDURES

- A. In the event that a person who is deaf or hearing impaired is arrested or being interviewed about involvement in a serious offense, an interpreter will be required prior to any interrogation that would require a Miranda warning.
- B. In the event that an interview of a person who is deaf or hearing impaired is needed to establish probable cause for an arrest or a warrant, an interpreter will be required.
- C. The interpreter should be listed as a witness in the report. A business address and phone number may be used in lieu of the interpreter's home address and phone number.
- D. Employees of the Department are required to provide telephone access to a person who is deaf or hearing impaired in any situation where such access would be provided to a person with normal hearing. This includes, but is not limited to, criminal suspects. To the maximum reasonable extent, the individual should be afforded the same level of privacy and confidentiality that would be granted to a person with normal hearing making the same call.

43.16.3 COMPLAINT PROCEDURES FOR DEAF OR HEARING IMPAIRED PERSONS

- A. Any deaf or hearing impaired person who wishes to file a complaint with the Department regarding either language access or the duties of the Department shall be referred to a sworn supervisor in accordance with Policy 52.2.
- B. A supervisor who interviews a deaf or hearing impaired person during the investigation of a citizen complaint shall use a qualified interpreter during the interview.

43.16.4 DEPARTMENT SPONSORED CLASSES OR EVENTS

- A. Upon request, the Department will provide a qualified sign language interpreter to any person who is deaf or hearing impaired and who desires to participate in

or attend any program or activity sponsored or presented by the Department.

43.16.5 LIST OF AUXILIARY AIDS AND SERVICES

- A. The Front Desk will maintain a list of sign language and interpreting services which will be made available at all times.
- B. Front Desk staff shall review the list of sign language and interpreting services on an annual basis and update it as necessary.

ISSUING AUTHORITY



Anthony Cobb
Chief of Police
Champaign Police Department