


**GAINESVILLE POLICE DEPARTMENT**

	<b>TITLE</b> Americans with Disabilities Act (ADA)	<b>ACCREDITATION:</b>  <b>PRIOR REVISIONS:</b> 01/03/18	
	<b>PROPONENT UNIT</b> Personnel Division	<b>ATTACHMENT:</b> None	
<b>NUMBER</b> 40.19	<b>ISSUE DATE</b> 01/03/18	<b>REVISION DATE</b> 01/15/2022	<b>TOTAL PAGES</b> 5

**I. PURPOSE:** To establish guidelines and procedures for providing unbiased services to people with disabilities and other special needs.

**II. POLICY:** Persons with disabilities should be treated with dignity and respect, but safety concerns must be given priority consideration. The Gainesville Police Department is committed to complying with the Americans with Disabilities Act (ADA) and reasonably accommodating people with disabilities.

The Gainesville Police Department will attempt to reasonably accommodate appropriate auxiliary aids and services, including qualified interpreters, to afford an individual with disabilities effective participation in any service, program or activity of the Department.

Primary consideration will be given to the request of the individual with disabilities in determining what type of auxiliary aid or service is necessary.

**III. DEFINITIONS:**

**AMERICAN WITH DISABILITIES ACT (ADA):** A Federal civil rights law. It gives civil rights protections to individuals with disabilities similar to those provided to individuals on the basis of race, color, sex, national origin, age and religion. It guarantees equal opportunity for individuals with disabilities in State and local government services, public accommodations, employment, transportation and telecommunications.

**FLORIDA RELAY:** Florida Relay is a service provided to residents in the State of Florida who are Deaf, Hard of Hearing, Deaf/Blind, or Speech Disabled that connects them to standard (voice) telephone users. Through the use of highly trained Operators, calls can be made 24/7, 365 days a year allowing our Florida residents who are in need of Relay services to connect and communicate with anyone at any time.

**QUALIFIED INTERPRETER:** F.S. 90.6063 “Qualified interpreter” means an interpreter certified by the National Registry of Interpreters for the Deaf or the Florida Registry of Interpreters for the Deaf or an interpreter whose qualifications are otherwise determined by the appointing authority.

**SERVICE ANIMAL:** “Service animal” means an animal that is trained to perform tasks for an individual with a disability. The tasks may include, but are not limited to, guiding a person who is visually impaired or is blind, alerting a person who is deaf or hard of hearing, pulling a wheelchair, assisting with mobility or balance, alerting and protecting a person who is having a seizure, retrieving objects, or performing other special tasks. A service animal is not a pet. For purposes of presence in public accommodations, the term “service animal” is limited to a dog or miniature horse. The crime-deterrent effect of an animal’s presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for purposes of this definition.

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TEXT TO 9-1-1: A wireless caller service in which Short Message Service (SMS) text messages are used to communicate with the Alachua County Combined Communication Center (CCC). Calls received via SMS messaging will be presented at the communications center utilizing the Telecommunications Systems (TCS) web portal application referred to as Geospatial Emergency Messaging (GEM911).

TTY - Text Telephone, also referred to as a TDD (Telecommunications Device for the Deaf)

### IV. PROCEDURE:

#### A. EFFECTIVE COMMUNICAITON:

Techniques for Effective Communication: Department Members may utilize the following auxiliary aids as appropriate and when available to communicate effectively:

1. Use of gestures;
2. Use of visual aids;
3. Use of a notepad and pen or pencil;
4. Use of a computer or typewriter;
5. Use of qualified oral or sign language interpreters;
  - i. On-duty personnel;
  - ii. Neighboring Law Enforcement agencies;
  - iii. Qualified interpreter
6. Use of Teletypewriter (TTY) or Telecommunications Devices for Deaf (TDD)
  - i. TTY and Relay Services
    - a. The Gainesville Police Department telephone system is not equipped with TDD/TTY equipment. Should a member at the Gainesville Police Department receive a phone call that they suspect to be from TDD/TTY equipment, they shall transfer the call to Alachua County Combined Communication Center.
    - b. The Alachua County Combined Communication Center (CCC) accepts telephone calls placed by persons who are deaf or hard of hearing through the TDD/TTY equipment.

Alachua County Combined Communication Center has the capability to and will receive calls through the Vesta Telephone System. This system allows for communications by typed messages between the caller and Call Taker.
  - ii. Florida Relay:
    - a. Department members (standard voice) user, who are trying connect with a Relay user they may dial 800-955-8770.

b. If Face-to-Face with an individual direct them to call 7-1-1. A person who is deaf, hard of hearing, deaf-blind, or speech-disabled uses a TTY to type his/her conversation to the relay operator who then reads the typed conversation to a hearing person. The Relay Operator relays the hearing person's spoken words by typing them back to the TTY user.

iii. "Text to 9-1-1"-The Alachua County Combined Communication Center has the capability to communicate via SMS text messages. Call-takers will record when communicating with a SMS caller by recording "SMS" in the CAD narrative.

**B. LAW ENFORCEMENT OFFICER CONTACT WITH INDIVIDUALS WITH DISABILITIES:**

Department members must make reasonable accommodations for disabled individuals during a criminal investigation. However the safety of the public or officers shall not be sacrificed. Department members must make reasonable accommodations for disabled individuals as allowed under the exigencies of the situation (Legal Bulletin 2012-04, Applicability of the Americans with Disability Act to Law Enforcement Contact with Citizens).

1. Arrests: A Department member making an arrest of a person with a disability should make every effort to accommodate the special needs of that person, to the extent that time and safety permit.

Personal aids such as wheelchairs, glasses, hearing aids etc. should be transported with the prisoner.

2. Non-Arrest Encounters: Accommodating Special Needs at the Scene:

In non-arrest enforcement situations, i.e., issuance of traffic summons, trespass warnings, or notices to appear, the employee should make every effort to accommodate the special needs of persons with disabilities, to the extent that time and safety permit.

i. Relevant information should be read to persons who are visually impaired.

ii. For persons who are hearing impaired, relevant information should be communicated in writing or by other effective means, utilizing such resources as may be available at the scene.

3. Non-Enforcement Encounters: Non-enforcement encounters with persons with disabilities include interactions with witnesses, victims, and persons requesting information or other assistance. Please refer to Section "A-Effective Communication".

4. Resources: Members should make every effort to accommodate the special needs of persons with disabilities, to the extent that time and safety permit. The Gainesville Police Department will provide the communication aids and services needed to communicate effectively with people with disabilities, except when a particular aid or service would result in an undue burden or fundamental change in the nature of law enforcement services being provided.

The type of aid required for effective communication will depend on the individual's usual method of communication, and the nature, importance, and duration of the communication. In many circumstances, oral communication supplemented by gestures and visual aids or an exchange of written notes will be an effective means of communicating

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The Gainesville Police Department will not charge the person for the communication aids or services provided.

5. Service Animals: Department members shall refer to Legal Bulletin 2014-09 “Dealing with Service Animals for the Disabled.

6. For the Hearing Impaired: To serve each individual effectively, consideration should be given to providing the type of communication aid or service requested by the individual. Employees should defer to those expressed choices if possible, taking into account the circumstances, length, complexity, and importance of the communication.

The more lengthy, complex, and important the communication, the more likely it is that a qualified interpreter will be required for effective communication. If the necessary communication cannot be accomplished by means of writing, and/or the hearing impaired person requests an interpreter, the member shall to inform the hearing-impaired person that a reasonable attempt is being made to locate a qualified interpreter. Because a qualified interpreter must be able to interpret impartially, a family member, child, or friend of the individual who is deaf may not be qualified to render the necessary interpretation because of factors such as professional, emotional, or personal involvement, or considerations of confidentiality. The following procedures apply.

i. After determining what type of sign language is used by the hearing-impaired person; i.e., American Sign Language or Signed English, the supervisor will direct the Alachua County Combined Communication Center to contact and request that a qualified interpreter be sent.

ii. The Center for Independent Living of North Central Florida operates a sign language coordination program to ensure the availability of interpreters for individuals who are deaf. For sign language interpreting services contact 877-629-8840.

C. TRAINING: Department members shall receive training regarding ADA law, department policy and resources.

All department members should review and have a working knowledge of the publication “Communicating with People Who Are Deaf or Hard of Hearing: ADA Guide for Law Enforcement Officers”. This document reviews how law enforcement officers should communicate effectively and the types of situations they may encounter and is available for review on the following link <https://www.ada.gov/lawenfcomm.pdf>.

All Department members should also review and have a working knowledge of the ADA publication “Service Animals.” The document provides guidance on the term “service animal” and the service animal provisions. The document is available on the following link: [https://www.ada.gov/service\\_animals\\_2010.htm](https://www.ada.gov/service_animals_2010.htm)

D. GRIEVANCES: The ADA coordinator is responsible for receiving and investigating complaints. The purpose of the grievance procedure is to provide a mechanism for the resolution of discrimination at the State or local level. The ADA coordinator information is as follows:

ADA Coordinator  
Office of Equal Opportunity  
222 E. University Ave.  
P.O. Box 490, Station 52  
Gainesville, Florida 32627

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Phone: (352)334-2088  
Fax: (352) 334-2088  
Florida Relay Service: 7-1-1  
TDD Line: (352) 334-2069/

The City of Gainesville has a formal grievance procedure in place to provide citizens with a means to file complaints. Please refer to the City of Gainesville's Equal Opportunity Complaint Policy, ADA Administrative Guidelines 2016-04. The policy can be found on the following link:

<http://www.cityofgainesville.org/OfficeofEqualOpportunity/ADACompliance/AdministrativeGuidelines.aspx>

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**By Order of**

***Signed Original on file in the  
Accreditation Section***

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**Tony R. Jones  
Chief of Police**