

A. PURPOSE. To provide police department employees with guidance for effective communication during police department contacts with the Deaf, Deaf-Blind, and Hard of Hearing (D/DB/HH).

B. GOAL.

1. To familiarize employees with identifying and dealing with the Deaf, Deaf-Blind, and Hard of Hearing (D/DB/HH) persons.
2. To provide specific keys to properly identify citizens with disabilities and resources to facilitate communication with those who are disabled.
3. To aid department employees in maintaining their professionalism, along with providing those citizens with a hearing disability the highest quality of service.

C. DEFINITIONS.

1. *Speechreading*: The ability to use information gained from movement of the lips, face, and body to increase understanding.
2. *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 supplement sign language. Just as there are regional variations (dialects) in spoken English, there are regional differences in sign language.
3. *Auxiliary aids and services*: Communication aids that assist people who are deaf or who have hearing loss. They include, for example, hearing aids, cochlear implants, the exchange of written notes, the use of visual aids and gestures along with speech reading in some cases, typing back and forth into a phone, onsite ASL interpreting services, Video Remote Interpreting (VRI) on a device, telecommunications devices for the deaf (TDDs) also called text telephones (TTs) or teletypewriters (TTYs), telephone handset amplifiers, assistive listening systems, videotext displays, and hearing assistance dogs.
4. *Direct Access*: In the context of ADA requirements, direct access means that all calls and texts from persons who are deaf or have hearing loss or speech impairments must be accepted through this department's emergency communication center through the same methods which are provided to other members of the public.

D. POTENTIAL SIGNS OF HEARING LOSS.

1. Common problems with persons who are Deaf, Deaf-Blind, or Hard of Hearing (D/DB/HH) in employee-public encounters provide the basis for potential frustration. Failure of employees to recognize that a person has a hearing loss, or that person's failure to make his or her hearing loss known to employees, can also lead to critical misunderstandings.
 - a. Be alert to indications that a person may have a hearing loss. Such indications include, but are not limited to, the following:
 - (1) The appearance of bumper stickers, rear window decals, or visor notices/symbols indicating the disability.
 - (2) Failure of the person to respond to spoken commands or signals.
 - (3) Use of signs, hand signals, or gestures to communicate.
 - (4) Display of cards by the person noting his or her hearing ability.
 - (5) Inability or difficulty of a person to follow verbal instruction or requests for information.
 - (6) A need to see the employee's face directly suggesting that the person is attempting to speechread.
 - (7) Evidence of assistive devices such as hearing aids, cochlear implants, or picture symbols. If a person is wearing a hearing aid, do not assume the individual can hear you. Minimize background noise and other distractions whenever possible.
 - (8) Evidence of behavior such as increased agitation or irritability, low frustration levels, withdrawal, poor attention, or impaired equilibrium.

E. SIGN LANGUAGE INTERPRETATION REQUIREMENTS.

1. The need for the use of a sign language interpreter is governed generally by the length, importance, and complexity of the communication. When using an interpreter, look at and speak directly to the deaf person, not to the interpreter. Only one person should speak at a time.

2. In enforcement situations such as traffic stops, driver's license checks, or consensual police-public encounters, a notepad and pencil may provide for effective communication.
3. A sign language interpreter need not be available for an employee to make an arrest of a subject where probable cause is established independent of interrogating the Deaf, Deaf-Blind, or Hard of Hearing (D/DB/HH) person. A sign language interpreter may be called to be available later at booking.
4. If probable cause to make an arrest must be established through questioning or interrogation of a Deaf, Deaf-Blind, or Hard of Hearing (D/DB/HH) person, a sign language interpreter shall be requested per [MCL 393.505](#).
5. This department will maintain a list of available ASL interpreters that meet the criteria set out within this policy and in compliance with state law and ensure their familiarity with common and essential forms of police communication for interrogation and related purposes.

F. GENERAL PROCEDURES.

1. Emergency Communications Center
 - a. The Emergency Communication Center shall be equipped to receive calls from TTY, Real Time Text (RTT), relay services, and Text to 9-1-1.
 - b. The Deaf, Deaf-Blind, or Hard of Hearing (D/DB/HH) person using TTY, RTT, relay services, or Text to 9-1-1, shall be provided with direct, equal access to all emergency services.
 - c. All ECO's shall receive initial and periodic refresher training on the use of TTY, RTT, relay services, and related devices as well as training in procedures and techniques for handling callers who have communication difficulties.
2. Field Investigations
 - a. When dealing with persons who are, or who are suspected of being, Deaf, Deaf-Blind, or Hard of Hearing (D/DB/HH), employees should not assume the person understands directions until it can be confirmed by appropriate responses to questions or directives.

- b. Once someone is identified as being a Deaf, Deaf-Blind, or Hard of Hearing (D/DB/HH) person, employees should confirm by written or other forms of communication the person's preferred means of communication - sign language, speechreading, reading and note writing, or speech.
- c. For persons who use sign language, a family member or friend may interpret under emergency conditions or in minor situations when an interpreter is not available or required by law. Employees should try not to rely on family members or friends for sign language interpretation if there is a potential for emotional involvement or conflict of interest that could affect the accuracy of the interpretation.
- d. Employees should address all questions and directives to persons who speechread by attempting to face them directly, when reasonable, not turn away while speaking, and speaking at a moderate pace.

Note: Shouting or using exaggerated mouth movements interfere with the ability to speech read. Understanding can be further degraded by covering the mouth, the presence of facial hair, chewing gum, cigarettes, and so on. Use visual aids when possible, such as pointing to printed information on a citation or other document. Try to converse in a well-lit area. Use gestures and facial expressions to reinforce what you are saying.

- e. Employees should be aware that about one-third of words can be accurately interpreted by speechreading. Therefore, communication of a critical nature (e.g., *Miranda* warnings) shall be reinforced by other means of communications.
- f. Employees should not assume that people who wear hearing aids can hear and fully understand what is being said. Hearing aids are commonly used to provide sound awareness rather than to increase speech understanding.
- g. Highly stressful situations, background noise, multiple speakers, and complex information and instructions can compromise the limited effectiveness of hearing aids. Employees should test comprehension by seeking appropriate responses to simple questions or directives.
- h. Deaf, Deaf-Blind, and Hard of Hearing (D/DB/HH) persons may require additional time to understand and respond to commands, instructions, and questions.

3. Arrest Situation

- a. Employees shall explain to the Deaf, Deaf-Blind, or Hard of Hearing (D/DB/HH) person why they are being detained or arrested. The employee should confirm that any communication concerning detention, arrest, bond, PPO, and/or court appearances are understood.
- b. Employees should make all reasonable efforts to facilitate the needs of the disabled arrestee so that his or her rights are not violated, and all procedures outlined within the MOP are followed. The facilitation should be avoided if it would pose a risk to the safety of the employee or others.
- c. Employees shall allow the Deaf, Deaf-Blind, or Hard of Hearing (D/DB/HH) person to keep any device which would assist them in communication when reasonably possible. The device should be removed from the person if its possession would result in a possible threat to the safety of employees.
- d. It is the responsibility of the employee to inform the Kent County Correctional Facility, or any other detention facility used, of the person's hearing loss and accommodation needs, to ensure follow up accommodations are put in place.

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