

A. **PURPOSE.** To provide police department employees and emergency communications operators (ECO) with guidance for effective communication during police department contacts with the hearing impaired.

B. **GOAL.**

1. To familiarize employees and ECO's with identifying and dealing with the hearing impaired.
2. To provide specific keys to properly identifying citizens with disabilities and resources to facilitate communication with those who are disabled.
3. To aid the employees and dispatcher in maintaining their professionalism, along with providing those citizens with a hearing disability the highest quality of service.

C. **DEFINITIONS.**

1. *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.
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:* As defined in the Americans with Disabilities Act (ADA), these are 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, 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 from persons who are deaf or have hearing loss or speech impairments must be accepted through this department's emergency communication center by whatever means which are provided to other members of the public. They may not be relayed through third-party emergency service providers unless the caller asks the department to do so.

D. POTENTIAL SIGNS OF HEARING IMPAIRMENT.

1. Common problems with persons who are hearing impaired in employee-public encounters provide the basis for potential frustration. Failure of employees to recognize that a person has a hearing impairment, or that person's failure to make his or her impairment known to employees, can also lead to critical misunderstandings.
 - a. Be alert to indications that a person may have a hearing impairment. 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 in an attempt to communicate.
 - (4) Display of cards by the person noting his or her hearing disability.
 - (5) Inability or difficulty of a person to follow verbal instruction or requests for information.
 - (6) A need to see the employees face directly suggesting that the person is attempting to lip-read.
 - (7) Evidence of assistive devices such as hearing aids, cochlear implants, or picture symbols.
 - (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.
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 (See D.2.c).
3. A sign language interpreter need not be available in order for an employee to make an arrest of a subject where probable cause is established independent of interrogating the deaf or hearing-impaired suspect. A sign language interpreter may be called for to be available later at booking.
4. If probable cause to make an arrest must be established through questioning or interrogation of a deaf or severely hearing-impaired person, a sign language interpreter shall be requested.
5. This department will maintain a list of available speech language interpreters that meet the criteria set out within this policy and ensure their familiarity with common and essential forms of police communication for interrogation and related purposes.

F. GENERAL PROCEDURES.

1. Emergency Communications Operators
 - a. ECO's shall be equipped to receive calls from TDD and computer modem users and all call takers will be trained to communicate with callers using TTY and TDD equipment.
 - b. The deaf and hearing impaired shall be provided with direct, equal access to all emergency services provided by this department by communication through TTYs, TDDs, or alternative devices that are equally effective.
 - c. All ECO's shall receive initial and periodic refresher training on the use of TDDs, TTYs, 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 or having a hearing impairment, employees should not assume that 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 or hearing-impaired person, employees should determine by written or other forms of communication the person's preferred means of communication—sign language, lip-reading, 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, for the sake of convenience, 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 lip-read by attempting to face them directly, when reasonable, and speaking at a moderate pace.

Note: Shouting or using exaggerated mouth movements interfere with the ability to lip-read. Understanding can be further degraded by the presence of facial hair, chewing gum, cigarettes, and so on.

- e. Employees should be aware that about one-third of words can be accurately interpreted by lip-reading. Therefore, communication of a critical nature (e.g., *Miranda* warnings) shall be reinforced by other means of communications.
- f. Employees should not assume that persons 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 or hard-of-hearing persons may require additional time to understand and respond to commands, instructions, and questions.

3. Arrest Situation

- a. Employees shall explain to the hearing impaired 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 impaired arrestee so that his 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 hearing impaired 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 impairment.