

Communications with Persons with Disabilities

315.1 COMMUNICATIONS WITH PERSONS WITH DISABILITIES

Agency Content

PERSONS WITH VISUAL DISABILITIES:

- (a) Proper identification of a member of the Syracuse Police Department is imperative to a person who is blind or visually impaired. When a member responds to a call for service from a individual who is visually impaired and that disability is known or recognized:
 - 1. The responding officer may call the Onondaga County Department of Emergency Communications (E911) and instruct the dispatcher to contact the complainant to advise them that the responding officer is on scene and may also identify the responding officer by name.
 - 2. Once identified members should continue to identify themselves and any other person who enters/exits the room, home, office etc.
 - 3. Members need not raise their voices to communicate with the individual.
 - 4. Members should not grab the individual's arm to lead him or her in a particular direction. The individual may need to take the member's arm for guidance.
 - 5. Members should describe locations of any obstacles (eg. chairs, tables) when guiding someone.

PERSONS WITH DEVELOPMENTAL DISABILITIES:

- (a) Members should recognize that people who have developmental disabilities have varied degrees of limited intellectual functioning. In all situations, members should:
 - 1. Ask short questions.
 - 2. Be patient when waiting for a response.
 - 3. Repeat questions and answers if necessary.
 - 4. Have individuals repeat questions in their own words.
 - 5. Provide reassurance.
- (b) When interacting with an individual with a developmental disability who is lost or has run away, the members may gain improved response by accompanying the individual through a building or neighborhood to seek visual clues.
- (c) In responding to the needs of individuals with severe or profound developmental disabilities, the member should seek the aid of the individual's friends or family or refer to other community agencies whose services are specifically directed at the needs of the individual with the developmental disability.

INDIVIDUALS WITH MOBILITY IMPAIRMENTS:

- (a) Most visibly identifiable are those individuals with mobility impairments. These disabilities include individuals who have difficulty walking, use wheelchairs or other mobility aids, and those individuals who have no mobility.

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1. In critical situations including the arrest of individuals with mobility impairments, where the individual needs to be moved, officers should be aware of the individual's limitations and take measures to assure that the individual is moved in the safest manner, without causing additional and unnecessary strain or injury.

INDIVIDUALS WITH INVISIBLE DISABILITIES:

- (a) Many disabilities, unless identified to the members by the individual, are difficult to recognize. These disabilities include, but are not limited to AIDS/HIV, ADHD, heart disease, diabetes, epilepsy, and autism. Consideration must be given to an individual who indicates to a member that he or she is experiencing distress related to an invisible disability. An individual prevented or detained from obtaining immediate treatment may experience a seizure or other reaction, at which time he may have reached a critical physical state.
- (b) Involuntary behavior associated with some invisible disabilities may resemble behavior characteristically exhibited by intoxicated, or less frequently, combative individuals. An inaccurate assessment may lead to unnecessary confrontation, injury, and denial of needed medication and/or medical treatment.

INDIVIDUALS WITH SPEECH DISABILITIES AND INDIVIDUALS WHO ARE DEAF OR HARD OF HEARING:

- (a) The City of Syracuse has a portion of its population who are Deaf, hard of hearing, or who have speech disabilities. Occasionally, a member will interview or interrogate an individual who is Deaf, hard of hearing, or who has a speech disability.
 1. Police officers encountering an individual who is Deaf, hard of hearing, or has a speech disability should use appropriate auxiliary aids and services whenever necessary to ensure effective communication with the individual. If there is an incident in which a Deaf, hard of hearing or individual with a speech disability may be a suspect, witness, or victim of a crime, a qualified interpreter may likely be required for responding or investigating officers to gain even the minimal information necessary to accurately assess the facts and the appropriate law enforcement response.
 - (a) If an individual has indicated a preference for a mode of communication that would require an interpreter, the responding officer should immediately contact their supervisor to advise them of the need for a qualified interpreter. It is important for the officer to also communicate to their supervisor whether such an interpreter is sought for communication using ASL, signed English, or another variant of these methods, and whether more than one interpreter may be needed. If the request by the officer is approved by the supervisor, the officer will follow the procedures for obtaining a qualified interpreter detailed in this policy.
 - (b) Officers responding to situations involving individuals who are Deaf, hard of hearing, or who have a speech disabilities must keep in mind that when communicating through ASL or signed English, such individuals may use broad or emphatic motions to express and emphasize what they are trying to communicate.

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- (c) If a suspect or arrestee is identified as being Deaf, hard of hearing, or has a speech disability officers should bear in mind that if that individual is handcuffed, thereby restricting movement of the arms and hands, that individual's primary vehicle for communication may be limited or eliminated.
 - (d) When detaining a Deaf, or hard of hearing person, or a person with a speech disability officers should ensure that the detainee has an opportunity to communicate about their condition or distress. Officers should also take measures to ensure that the detainee has adequate information about the reason for and likely length of detention.
2. Police contact with citizens occurs most frequently during traffic stops. In situations involving drivers who are Deaf, hard of hearing, or who have a speech disability, and those individuals use sign language for communication, the officer should use common gestures or written notes to initiate the exchange with the driver and should explain in writing the necessity for a stop and citation if the driver is to be charged with a traffic violation.
- (b) Primary consideration means that the Syracuse Police Department must honor the choice, unless it can show that another equally effective means of communication is available, or that the use of the means chosen would result in a fundamental alteration in the nature of its service program, or law enforcement activity, or incur undue financial and administrative burdens.
 - (c) Individuals who are Deaf, hard of hearing, or who have speech disabilities will not be charged for the cost of an auxiliary aid or service needed for effective communication. The responsibility of paying for an auxiliary aid or service rests on the Department. The member has an obligation to communicate to the individual that an interpreter or the other appropriate auxiliary aid and/or service will be provided at no cost.
 - (d) Upon arrival of the interpreter(s), the responding officer should provide the interpreter with a brief overview of the situation and the information that needs to be relayed, retrieved, or exchanged with the individual(s) present who are Deaf, hard of hearing, or who have a speech disability. In situations in which more than one individual who is Deaf, hard of hearing, or who has a speech disability is involved in an incident, and officers need to interview opposing parties with conflicting interests, separate interpreters will be sought for each party.
 - (e) Because a qualified interpreter must be able to interpret impartially, a family member, child, or friend of the individual who is Deaf, hard of hearing, or who has a speech disability is not likely to be qualified to render the necessary interpretation because of factors such as professional, emotional, or personal involvement, or in considerations of confidentiality. Absent a clear emergency or the need to assess for medical/safety family members should not be utilized to interpret, particularly in a situation involving domestic violence or abuse.
 - (f) Members should remain aware that interpreters are professionally responsible to interpret everything that they hear within the range of the person for whom they are interpreting. Accordingly, officers standing nearby should refrain from assuming that

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comments or statements not intended for a deaf or hard of hearing person will not be communicated.