

PROVIDENCE POLICE DEPARTMENT
 COLONEL
 HEADQUARTERS
 COLONEL OSCAR L. PEREZ
 CHIEF OF POLICE
 PROVIDENCE POLICE

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| SUBJECT TITLE | | PREVIOUSLY ISSUED DATES | |
| Effective Communication with the Hearing-Impaired | | 6/23/2023; 3/6/2020; 2/13/2017; 2/13/2015; 1/28/2013 | |
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| Support Operations | | All Personnel | |

PURPOSE

The purpose of this policy is to outline the provisions that have been adopted by this Department in order to ensure that its members communicate effectively with people who have identified themselves as deaf or hard of hearing.

POLICY

People who identify themselves as deaf or hard of hearing are entitled to a level of service equivalent to that provided to others, and it is the policy of the Providence Police Department to ensure that a consistently high level of service is provided to all community members, including those who are deaf or hard of hearing. In order to carry out specific legal obligations established under the Americans with Disabilities Act and the Rehabilitation Act, the Department hereby instructs its members to act in accordance with this directive.

DISCUSSION

Effective communication with a person who is deaf or hard of hearing and who has been involved in an incident -- whether as a victim, witness, suspect, arrestee, or as someone who is otherwise connected to the situation -- is essential in ascertaining what actually occurred, the urgency of the matter, and the specifics of the situation.

Various types of communication aids, known as "auxiliary aids and services", are used to communicate with people who are deaf or hard of hearing. These include the use of gestures or visual aids to supplement oral communication; an exchange of written notes; use of a computer or typewriter; use of assistive listening devices (to amplify sound for persons who are hard of hearing); or use of qualified oral or sign language interpreters. The more lengthy, complex, and important the communication, the more

likely it is that a qualified interpreter will be required for effective communication with a person whose primary means of communication is sign language or speech reading. It must be stressed that, in all cases, auxiliary aids or services are to be provided free of charge.

The type of aid that will be required for effective communication will depend upon the individual's usual method of communication, and the nature, importance, and duration of the communication at issue. For example, if a member is conducting witness interviews, a qualified sign language interpreter may be required to communicate effectively with someone whose primary means of communication is sign language. If a person is asking a member for directions to a location, gestures and an exchange of written notes will likely be sufficient to communicate effectively and a sign language interpreter is often not required.

To serve each individual effectively, primary consideration should be given to the communication aid or service that works best for that person. Members must ask persons who are deaf or hard of hearing what type of auxiliary aid or service they need. Furthermore, members must defer to those expressed choices, unless there is another equally effective way of communicating, given the circumstances, length, complexity, and importance of the communication, as well as the communication skills of the person who is deaf or hard of hearing.

Unless otherwise stipulated within this directive, the Department is not required to provide a particular auxiliary aid or service if doing so would fundamentally alter the nature of the law enforcement activity in question, or if it would cause an undue administrative or financial burden. Only the Commissioner of Public Safety or the Chief of Police, or their designees, respectively, may make this determination.

The input of people who are deaf or hard of hearing and who are involved in incidents is just as important to the law enforcement process as the input of others. Members must not draw conclusions about incidents unless they fully understand -- and are fully understood by -- all persons involved, including those who are deaf or hard of hearing.

PROCEDURE

I. TYPES OF AUXILIARY AIDS AND SERVICES

- A. Members must utilize the following auxiliary aids as appropriate, whenever available and/or required, to facilitate effective communication for hearing impaired persons:
 - 1. Use of gestures.
 - 2. Use of visual aids.
 - 3. Exchange of written notes.
 - 4. Use of computers.

5. Use of assistive listening devices.
6. Use of teletypewriters (TTY's).
7. Use of qualified, on-call, oral or sign language interpreters.
8. Use of the Sorenson nTouch VP2 Video Relay Service (VRS) terminal.

II. TTY AND RELAY SERVICES

- A. In situations when a non-disabled person would have access to a telephone, members must provide persons who are deaf or hard of hearing the opportunity to place calls using a text telephone (TTY, also known as a telecommunications device for deaf people, or TDD). Members must also accept telephone calls placed by persons who are deaf or hard of hearing through the Telecommunications Relay Service (TRS).
- B. The Public Safety Communications Center (PPSC) maintains the TRS line through which these types of communications may be sent and received. This service is available on a 24/7 basis.
- C. TTY/TDD devices that either have or shall be installed in Central Station and district substations shall be made available to persons who are deaf or hard of hearing either upon request whenever necessary.

III. ON-CALL INTERPRETER SERVICES

- A. The Department shall maintain a list of sign language and oral interpreting services that are available and on-call 24 hours per day in order to provide qualified interpreters as needed. Each of these services will be chosen after having been screened for the quality and skill of its interpreters, its reliability, and other factors. The Department shall update this list annually.
- B. A qualified sign language or oral interpreter is one who is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.
 1. Although a "qualified" interpreter may be certified, a certified interpreter is not necessarily "qualified," if he or she is not a good communications match for the deaf person (e.g., where the deaf person uses Signed English and the interpreter uses American Sign Language) or the situation (e.g., where the interpreter is unfamiliar with law enforcement vocabulary).
 2. Certification is not required in order for an interpreter to be "qualified."

- C. An interpreter must be able to sign to the deaf individual (or interpret orally to the person who does not use sign language) what is being said by the hearing person and to voice to the hearing person what is being signed or said by the deaf individual.
- D. The interpreter must be able to interpret in the language the deaf person uses (e.g., American Sign Language or Signed English) and must be familiar with law enforcement terms and phrases.
- E. 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.

IV. SORENSON nTOUCH VP2 VIDEO RELAY SERVICE (VRS) TERMINAL

- A. The Department has a Sorenson nTouch VP2 Video Relay Service (VRS) terminal located in the Patrol Bureau office. The VRS is designed so as to afford hearing-impaired persons with a means of communicating with people who are located outside of the Providence Public Safety Complex (PPSC).
 - 1. Note that this service is not designed to provide video remote interpreting services between a hearing-impaired person and a member of the Department (i.e. victim interviews, suspect interrogations, etc.).
 - 2. Allowable uses of the VRS include facilitating hearing-impaired persons with obtaining transportation services; arranging health and human services; securing bail or attorney representation; communicating with employers or family members; etc.

V. TECHNIQUES FOR OFFICERS TO COMMUNICATE EFFECTIVELY

- A. Members must review and have a working knowledge of the "*Guide for Law Enforcement Officers When in Contact with People Who Are Deaf or Hard of Hearing*". This document reviews how members should communicate effectively in the various types of situations that they will encounter. These situations include:
 - 1. Issuing a noncriminal or motor vehicle citation.
 - 2. Communicating with a person who initiates contact with a member.
 - 3. Interviewing a victim or critical witness to an incident.
 - 4. Questioning a person who is a suspect in a crime.

5. Making an arrest or taking a person into custody.
6. Issuing Miranda Warnings to a person under arrest or in custody.
7. Interrogating a person under arrest or in custody.

VI. PROVISIONS

- A. Please see the *nTouch VP2 User Guide* in PowerDMS, and the *Telecommunications Services Tip Sheet* attached to this directive, for further information pertaining to the various types of communications services available and their uses (note that the Department currently does not employ video remote interpreting services).

APPROVED:



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(See Attachment)

Telecommunications: VRS, VRI, and TRS

TS
Tip Sheet

Overview

With technology seemingly always one step ahead of us, it's easy to confuse the various telecommunication services used to visually connect hearing and deaf individuals wishing to communicate with each other. There are three primary telecommunication services in use today: (a) video relay service (VRS), (b) telecommunications relay service (TRS), and (c) video remote interpreting (VRI). VRS and TRS are free programs regulated by the FCC and VRI is a fee-based service that satisfies the communication-related mandates of the ADA. VRS and VRI, as their names suggest, are video-based services; TRS is text-driven.

How do the various telecommunication services differ?

Video Relay Service (VRS): VRS is a free subscriber-based service. Available 24 hours a day, it is described by the National Association of the Deaf (NAD) as a service that enables deaf individuals "to make and receive telephone calls through a communications assistant (CA) who is a qualified American Sign Language (ASL) interpreter." ¹ Using videophones, smart phones, or computers with video communication capabilities, the subscriber (deaf individual) calls the VRS provider who, through an interpreter, calls the hearing person on a standard phone and then relays the conversation between the two parties. Conversely, a hearing person wishing to call a subscriber simply dials the subscriber's phone number, which is automatically routed to the VRS provider.

A VRS provider, by FCC regulation, cannot provide free interpreting services when all parties wishing to communicate are in the same room.

VRS in Action



Icons by Icon Works, Scott de Jonge, Freepik, and Zurb from www.flaticon.com

1. Deaf user signs to interpreter
2. Interpreter speaks simultaneously to the hearing user
3. Hearing user speaks to interpreter
4. Interpreter signs the message simultaneously to the deaf user

Video Remote Interpreting (VRI): VRI is a fee-based service. Unlike VRS, VRI is not a telephone service but rather a means for two or more individuals in the same room to access an interpreter



remotely. VRI is an alternative to on-site interpreting (whereby the interpreter is physically in the room). It is not effective in all circumstances, and in some cases it can be counterproductive. The Department of Justice notes that VRI "...will not be effective if the person who is deaf or hard of hearing has difficulty seeing the screen (either because of vision loss or because he or she cannot be properly positioned to see the screen, because of an injury or other condition). In these circumstances, an on-site interpreter may be required."²

Telecommunications Relay Service (TRS): TRS is a free text-based service. It is reached by calling 7-1-1. Relay operators serve as intermediaries between people who rely on a text telephone (TTY) or text messaging and people who use standard voice telephones. Relay operators convey to the telephone user what the other party is typing and then type to the TTY user what the telephone user is saying.

Telecommunication Services at a Glance

VRS: Interpreter, deaf person, and hearing person are all in different locations. The hearing person uses a standard telephone while the deaf individual uses a visual screen. Cost of the service: free.

VRI: Deaf and hearing person are in the same location while the interpreter is in another location. The interpreter is accessed via a visual screen. Cost of Service: fee-based.

TRS: Deaf person, hearing person, and CA are all in different locations. Primary equipment is text-based. Cost of the service: free.

Related Resources

- National Consortium of Interpreter Education Centers (NCIEC):
www.interpretereducation.org/specialization/vrs-vri
- Video Relay Service and Video Remote interpreting: What's the Difference?:
www.tinyurl.com/June2008VIEWS

Additional resources on this subject may be available at www.nationaldeafcenter.org/resources.

References

¹ National Association of the Deaf. (n.d.). *Video relay services*. Retrieved from www.tinyurl.com/NADvrs

² U.S. Department of Justice. (2014). *ADA requirements: Effective communication*. Retrieved from www.ada.gov/effective-comm.htm



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