

DEAF OR HARD OF HEARING

Introduction

The term **deaf or hard of hearing** means a substantial or complete loss of hearing. Deaf or hard of hearing affects all levels of society regardless of age, race, education level, or occupation. The ability to rapidly identify and properly treat people who are deaf or hard of hearing will enhance officers' abilities to accomplish their duties in a professional manner.

People who are deaf or hard of hearing often are concerned or even fearful about contacts with peace officers. They may be concerned that they will be misunderstood by officers and perhaps be:

- Arrested or shot for not responding to an officer's commands
- Mistaken for being under the influence of alcohol or drugs
- Perceived as uncooperative or disrespectful
- Appear to be anxious or confused because of an inability to communicate

Indicators

Many indicators can alert an officer that an individual may be deaf or hard of hearing. These indicators include, but are not limited to the following:

- Use of signing
- Wearing hearing aid(s)
- Use of a signal dog
- Speaking with difficulty or in an unconventional method
- Pointing to an ear and shaking the head negatively
- Pointing to an ear and then the lips
- Reaching for a pad and pencil
- Failing to respond to an officer's questions or statements
- Failing to follow an officer's instructions or commands
- Attempting to gain attention through body movement or touching (e.g., foot stomping, hand waving, clapping hands, etc.)

Field Contact

Peace officers come into contact with people who are deaf or hard of hearing during the course of their duties.

Officers must be aware of the fact that if a person does not answer a question or obey a command or instruction, he or she may not be refusing to cooperate. If the person is deaf or hard of hearing, he or she may not hear the officer or even been aware of the officer's presence.

The success of an officer's contact with a person who is deaf or hard of hearing is often determined by the officer's conduct during the first moments of an encounter.

People who are deaf or hard of hearing may attempt to reach into a glove compartment for a pad and pencil, or place their hands into pockets or purses for identification cards, medic-alert tags, or artificial speech devices. Officers may mistake the person's motion to reach for something that may pose a threat to the officer.

Although officers must always be conscious of their own safety, they should also be aware of the possibility that such movements can be innocent and indicate that the person is deaf or hard of hearing.

Communication

People who are deaf or hard of hearing may use a number of different means of communicating. Some may use speech while others use a combination of speech and sign language.

Some deaf or hard of hearing people may have learned to speak through unconventional methods. Their speech may sound unclear or unintelligible at first. Officers should not confuse their speech as a symptom of intoxication.

One's age at the onset of becoming deaf or hard of hearing may affect language skills, writing, reading, speech abilities and will vary with each individual. This should have no bearing on their intelligence or everyday functions.

Communication Methods

Assessing the best way to communicate should be the officers' first task upon recognizing that an individual is deaf or hard of hearing. When coming in contact at a traffic stop or any other location, officers should take their cue from the individual regarding that individual's preferred method of communication.

Written Communication

The most commonly used form of communicating with a person who is deaf or hard of hearing is through writing. The following list suggests a number of ways officers can use this method to their advantage:

- Offer the person paper and pencil rather than waiting for person to retrieve his or her own. This shows that the officer understands, and also precludes the person from reaching into unseen areas.
- Use simple and concise language and brief sentences to inform the person of the reason for being stopped, questioned, detained, or arrested.
- Make every effort to explain violations when issuing traffic citations. Also explain the person's obligation for resolving the citation.
- Be patient and allow for adequate time for the person to respond and ask questions in writing.
- Recognize that the individual's statements may not be written in a standard grammatical format.
- Officers should refer to agency policy regarding the retention of notes exchanged during field contact.

Lip Reading

Officers should not automatically assume that a person who is deaf or hard of hearing can read lips. Even a skilled lip reader may understand a minimal amount of spoken language.

When communicating with a person who is skilled in reading lips, officers should:

- Look directly at the person when speaking
- Speak slowly and clearly
- Speak in a normal tone and volume
- Be aware that bright spotlights or insufficient lighting can hinder the person's ability to see an officer's lips

NOTE: Shouting, exaggerating or over emphasizing words will distort a person's lips and make lip reading more difficult.

Hearing Aids

Officers may be able to recognize that a person is deaf or hard of hearing by noticing that the person is wearing one or more hearing aids. Even if the person is wearing a hearing aid, that person may still have difficulty understanding an officer. Officers should speak slowly and distinctly and face the person when speaking.

Hearing aids can also amplify background sounds (such as traffic noise) in addition to normal speech. It may be necessary to move the person to another location, if possible, where it is less noisy.

Partial Hearing

Some individuals may be deaf in only one ear or hear better in one ear than the other. People with partial hearing will often turn their heads so their "good ear" faces the speaker. Following the person's head movements can indicate to an officer where to stand so that the person will hear the officer better. Officers should also ask if the person would like them to speak louder.

NOTE: In such circumstances, officers should always talk to the person rather than to the person's ear.

Sign Translators

Another means of communicating with a person who is deaf or hard of hearing may be through a qualified and agency-certified sign language translator. Sign language translators are similar to foreign language translators.

When communicating through a translator, officers must remember to *speak directly to the person being addressed*, not to the translator. Qualified translators will translate everything that is said by officers and the individual. Officers should make no remarks that they would not want to have communicated.

NOTE: Use of an unqualified translator may result in the information being inaccurately translated or conveyed.

TTY/TDD

The majority of people who are deaf or hard of hearing have access to TTY/TDD systems. These systems enable the person to transmit typewritten messages over the telephone which can be received at other locations with similar equipment.

California Relay Service

The California Relay Service can also be used. This service relays calls placed by a person using a TDD system to any other phone user within the United States. The system also allows a person without a TDD to call another person who uses a TDD.

Some TDD systems may also have a special feature that allows TDD equipment to communicate with computers equipped with a compatible modem and communications software.

Additional Communication Recommendations

The following table identifies a number of additional recommendations that officers can use when communicating with a person who is deaf or hard of hearing.

Recommendations	Additional Information
Get the Person's Attention	<ul style="list-style-type: none">• Gain the person's attention before speaking• Since a deaf or hard of hearing person may not hear calls for attention, tap the person lightly on the shoulder or use other signals to gain the person's attention
Maintain Eye Contact	<ul style="list-style-type: none">• Maintaining eye contact conveys that the officer's attention is on the person and enhances the feeling of direct communication
Use Nonverbal Methods	<ul style="list-style-type: none">• All conventional means of face-to-face communication involve nonverbal cues and messages• Additional use of body language, facial expressions, and gestures can aid other means of communicating
Use Clear and Concise Words	<ul style="list-style-type: none">• Keep sentences short• If the individual does not understand, rephrase the thought rather than repeating the same words
Use Standard Hand Signals	<ul style="list-style-type: none">• To request a drivers license, place both thumbs together and extend index fingers upward• When not in uniform, identify oneself as an officer by making a "C" with the right hand over the heart

Officer Safety

People who are deaf or hard of hearing may be no less dangerous than other individuals to the safety of officers or others. Officers should not jeopardize their safety or the safety of others by adopting an overly sympathetic attitude.

Just as with other interactions with the public, officers must remain constantly aware of potential danger signal (e.g., any unusual behaviors, location of the individual's hands, etc.). If a situation warrants, they should not be reluctant to place any person in handcuffs or use other means to ensure officer safety.

Agency Policy

It is the responsibility of all officers to become familiar with, and comply with, their agency policies and guidelines regarding officer interactions and procedures involving people who are deaf or hard of hearing.

Examples

Two officers arrived at a hospital emergency room to interview a man involved in a traffic collision. They find the man sitting on a gurney in the examination room. As the officers introduce themselves the man points to the side of his head without speaking. The officers attempt to obtain information from him but he responds by making unintelligible sounds and waving his hands. When the officers continue to ask questions the man becomes increasingly agitated. One of the officers takes a pen and pad of paper from his pocket and writes a note, asking if the man is deaf. The man calms down and nods his head indicating "yes." The officers apologize to the man for not recognizing the hearing difficulty sooner then ask in writing if he would like them to call a translator. The man declines and the interview continues by writing notes to each other.

NOTE: It is important to be aware that you may make some erroneous assumptions when first coming in contact with a person who is deaf. Some of these assumptions are:

- The person is versed in your native language
- The person can read
- The person can write
- The person has normal eyesight

Examples (Continued)

When a 10-year-old boy did not come home from school at the designated time, his mother became worried. The woman, who was deaf, was concerned that she would not be understood over the phone, so she flagged down a law enforcement vehicle that was on patrol in her neighborhood. She attempted to speak with the officers, but became more upset when she felt that the officers could not understand her. One of the officers pointed to his own ear and used hand motions to ask the woman if she could hear. When she shook her head no, the officer produced a pad and a pencil and wrote her a message asking her if she would like to go with them to the station where they could arrange to have a translator help them communicate. With the aid of the certified translator, the officers were able to determine the names and address of a number of her son's friends. After making some phone calls they learned that the boy had gone to a friend's house and forgotten to let his mother know.