

**INTERACTIONS WITH PERSONS WHO ARE DEAF, DEAFBLIND, OR HARD OF HEARING**

ISSUE DATE:	10 March 2025	EFFECTIVE DATE:	
RESCINDS:			
INDEX CATEGORY:	02 - Human Rights and Community Partnerships		
CALEA:			

**I. PURPOSE**

This directive:

- A. sets forth Department policy governing interactions and communications with persons who are deaf, deafblind, or hard of hearing.
- B. establishes:
  - 1. procedures for effective communication for **all** persons including those who are deaf, deafblind, or hard of hearing.
  - 2. meaningful access to Department services and an understanding of rights.
  - 3. Department procedures for accommodations for persons who are deaf, deafblind, and hard of hearing.
  - 4. conditions for the provision of auxiliary communication aids.
- C. describes:
  - 1. readily available communication methods;
  - 2. Department-authorized sign language interpreters; and
  - 3. LanguageLine InSight Application.
- D. outlines:
  - 1. the provisions and procedures for communication assistance and processing persons with disabilities under Department control during Investigatory Stops and custodial arrests.
  - 2. the documentation of use of Department-provided communication services.
- E. continues the use of the Traffic Communications Guide ([CPD-11.980](#)).

**II. POLICY**

- A. It is the policy of the Chicago Police Department to ensure that a consistently high level of service is provided to all community members, including those who are deaf, deafblind, or hard of hearing.
- B. The Chicago Police Department is committed to:
  - 1. observing, upholding, and enforcing all laws relating to individual rights. Department members will respect and protect each person's human rights and comply with all laws relating to human rights consistent with the Department directive titled "[Protection of Human Rights](#)."

2. working with the communities of the City to serve and protect; to safeguard lives and property; to guarantee all persons fair and equal treatment under the law; and to ensure that all persons may enjoy their fundamental rights as human beings consistent with the Department directive titled "[Vision, Mission Statement, and Core Values](#)."
  3. the concepts of Procedural Justice and Legitimacy. Department members will, by being aware of their training in trauma-informed techniques, continue the practice of employing the four central principles of Procedural Justice and Legitimacy in all interactions with members of the community including persons who are deaf, deafblind, or hard of hearing.
- C. In addition to respect for those human rights prescribed by law, in all contacts and interactions with the public, Department members will:
1. interact with all members of the public in an unbiased, fair, and respectful manner.
  2. treat all persons with the courtesy and dignity that is inherently due every person as a human being.
  3. act, communicate, and conduct themselves in a courteous, respectful, and professional manner, recognizing their obligation to safeguard life and property and maintain a courteous, professional attitude.
  4. **not** exhibit a condescending attitude or direct any derogatory terms toward any person in any manner and will not use language or take action intended to taunt or denigrate an individual, including using racist or derogatory language.
  5. when requested, correctly identify themselves by providing their rank, name, and star number (or employee number for civilian members) to any member of the public.
  6. treat information regarding an individual's disability as confidential and be treated with the utmost privacy. Disclosure of such information will only occur as needed to assist Department members to carry out their official law enforcement duties or with the explicit consent of the individual.
  7. make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability.
- D. Department members will refer to the Department directives titled "Interactions with Persons with Disabilities," "Interactions with Persons with Physical Disabilities," and "Interactions with Persons with Non-Visible Disabilities," when interacting, providing services, and satisfying legal requirements for persons who have physical, non-visible disabilities and persons who are deaf, deafblind, or hard of hearing, including:
1. providing reasonable modifications to policies and procedures to receive Department services;
  2. providing reasonable modifications and meaningful access to Department facilities, programs, and services;
  3. access to Department publications; and
  4. resources available to the public through the Mayor's Office for People with Disabilities (MOPD), the Illinois Disability Rights Bureau, and Easy Access Chicago.
- E. Department members will refer to the Department directive titled "[Recognizing and Responding to Individuals In Crisis](#)" when responding to incidents involving individuals in crisis.

### III. DEFINITIONS

- A. Americans with Disabilities Act (ADA) of 1990 — a federal civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public. The purpose of the law is to make sure that people with disabilities have the same rights and opportunities as everyone else. The ADA gives civil rights protections to individuals with disabilities similar to those provided to individuals on the basis of race, color, sex, national origin, age, and religion. It guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, state and local government services, and telecommunications.
- B. American Sign Language (ASL) — Language, completely distinct from English, and is the native language of most, but not all, deaf Americans. Signed English is a rendering of ASL signs into English word order and grammar. A deaf person who uses ASL will most likely be unable to communicate fully or successfully in written or Signed English. Many interpreters are competent only in Signed English.
- C. Auxiliary Aids — Tools, equipment, items, and services used to effectively communicate with an individual who is deaf, deafblind, or hard of hearing. These include, but are not limited to, Department-issued resources, written communications and materials, braille, large print documents, pads, pens, app-based interpreting services, and Department-authorized interpreter services.
- D. Deaf Person — Person who is unable to hear or process linguistic information through hearing, with or without amplification.
- E. Department-Authorized Interpreter — Any individual contracted through the Department, Mayor's Office for People with Disabilities, or authorized vendor to provide services that may include certified deaf interpreters, tactile interpreters, pro-tactile interpreters, and co-navigator services.
- F. DeafBlind Individual — an individual who has combined hearing and vision loss, thus limiting access to both auditory and visual information.
- G. Hard of Hearing Person — a person who cannot readily understand oral communications and may require amplification to be able to hear and communicate effectively
- H. Interpretation — conveying meaning orally from one language (source language) into another language (target language) while retaining the same meaning.
- I. LanguageLine InSight — an application installed in a Department-issued electronic communication device or tablet that enables its user to provide 24-hour access to interpretation on demand in 240 languages, including American Sign Language.

#### **IV. INTERACTIONS WITH PERSONS WHO ARE DEAF, DEAFBLIND, OR HARD OF HEARING**

- A. The Chicago Police Department is committed to providing effective communication and meaningful access to Department programs, services, and activities for persons who are deaf, deafblind, or hard of hearing, in accordance with the Americans with Disabilities Act.
- B. Interactions with persons who are deaf, deafblind, or hard of hearing will be conducted in a manner that is professional, respectful, and courteous. Persons who are deaf, deafblind, or hard of hearing are entitled to a level of service equivalent to that provided to other persons.
- C. Effective communication with a person who is deaf, deafblind, or hard of hearing whether a victim, witness, suspect, arrestee, person seeking assistance, or attendee of a community program is essential to ascertain what actually occurred, the urgency of the matter, and the type of situation.
- D. Department members should exercise special care in the use of all gestures and verbal and written communication to minimize initial confusion or misunderstanding when interacting with any person who may be deaf, deafblind, or hard of hearing.
- E. Department members are reminded that persons who are deaf, deafblind, or hard of hearing may use gestures using their whole body to communicate. These gestures are not to be confused with aggressive behavior.

- F. The Department will ensure that appropriate auxiliary aids, including Department-authorized interpreters, are made available to all members of the public who are deaf, deafblind, or hard of hearing at no charge so that they may participate in or benefit from the Chicago Police Department's services, programs, or activities on an equal basis with others.
- G. Auxiliary aids and services are available to ensure effective communication as required by the Americans with Disabilities Act and Illinois state law. Examples of accommodations for the deaf, deafblind, or hard of hearing include, but are not limited to, the LanguageLine application and Department-authorized interpreters. These accommodations **will** be provided at no cost.
- H. The type of auxiliary aid or service required for effective communication will depend on the length, complexity, and context of the communication and preference of the deaf, deafblind, or hard of hearing individual, if feasible.
- I. Recognizing that law enforcement encounters may be potentially volatile or emotionally charged, Department members should be alert to the potential for miscommunication with persons who are deaf, deafblind, or hard of hearing. Persons who are deaf, deafblind, or hard of hearing may not recognize or be able to appropriately respond to verbal direction. The failure to respond to verbal direction may be erroneously perceived as uncooperative.
- J. Because the nature of any law enforcement contact may vary substantially from one situation to the next, Department members will consider all information reasonably available to them when determining how to communicate with a person who is deaf, deafblind, or hard of hearing. These factors include:
  - 1. the extent to which a person being deaf, deafblind, or hard of hearing is obvious or otherwise made known to the Department member;
  - 2. the nature of the hearing ability;
  - 3. the person's usual method of communication;
  - 4. the nature of the contact (emergency vs. non-emergency, custodial vs. consensual);
  - 5. the nature, importance, and duration of the communication required, and
  - 6. the availability of auxiliary aids, including Department-authorized interpreters.
- K. Non-emergency police service requests for persons who are deaf, deafblind, or hard of hearing may be submitted via police non-emergency telephone device for the deaf (TDD), as outlined in the Department directive titled "[Alternate Response Section Case Reporting Policy](#)."

**V. DEPARTMENT PROCEDURES IN ACCOMMODATING PERSONS WHO ARE DEAF, DEAFBLIND, OR HARD OF HEARING**

- A. Department members should expect to come into contact with persons who are deaf, deafblind, or hard of hearing.
- B. When encountering a person who is deaf, deafblind, or hard of hearing, Department members will inquire which communication method is preferred. Persons who are deaf, deafblind, or hard of hearing may communicate using various methods that include, but not limited to, sign language, hand gestures, writing, tactile language, cued speech, and lip-reading.
- C. When interacting with individuals who are deaf, deafblind, or hard of hearing, Department members will give primary consideration to the individual's expressed choice of communication.
- D. Department members should be aware of the potential for miscommunication with persons who are deaf, deafblind, or hard of hearing and exercise care to minimize misunderstandings or confusion.
- E. Persons who are deaf, deafblind, or hard of hearing may be reluctant to acknowledge a communication barrier and may even feign a complete understanding of a communication despite actual confusion.

- F. Department members are encouraged to utilize communication methods and resources immediately available when in contact with a person who is deaf, deafblind, or hard of hearing. Examples of such communication methods include:
1. facing an individual and speaking slowly and clearly;
  2. using slow and deliberate hand gestures or written communication exchanged between the Department member and a person who is deaf, deafblind, or hard of hearing;
  3. using a notepad and pen or pencil to exchange written notes;
  4. using visual aids, such as pointing to printed information; and
  5. utilizing Department issued resources such as the "Traffic Communications Guide" ([CPD-11.980](#)).

**REMINDER:** Use of these communication methods may not achieve effective communication with a person who is deaf, deafblind, or hard of hearing.

- G. Department-authorized interpreters are available for all Department-sponsored events that are open to the public (e.g., workshops, seminars, community meetings) and must be provided when such services are required. To request sign language interpreters for Department-sponsored events, Department members will:
1. contact the ADA Compliance Officer if the request is for an advance engagement.
    - a. The ADA Compliance Officer can be reached Monday through Friday between 0800-1600 hours via email: [ADACoordinator@Chicagopolice.org](mailto:ADACoordinator@Chicagopolice.org) or via phone: (312) 745-5841.
    - b. Requests for Department-authorized interpreters for Department-sponsored events must be made at least 48 hours prior to the engagement.
  2. contact CPIC if the request is urgent, after 1600 hours on weekdays, or on weekends.
- H. Ensuring equal access to police services and facilities, including requests for Department-authorized interpreters for the deaf, deafblind, or hard-of-hearing community are outlined on the Department's [website](#).

## VI. INTERPRETER SERVICES

- A. The duration, complexity, and importance of the communication are factors to consider in requesting when a Department member is deciding whether it is necessary to request a Department-authorized interpreter to facilitate effective communication.
1. In the following situations, if the person being interviewed normally relies on sign language or speech reading to understand what others are saying, then the presence of a Department-authorized interpreter is likely necessary, while responses showing that the person is able to communicate and comprehend without a Department-authorized interpreter may make the presence of one optional:
    - a. report taking;
    - b. beat meetings; and
    - c. witness statements.
  2. Situations in which a Department-authorized interpreter is required include:
    - a. when requested by an individual;
    - b. Miranda warnings;
    - c. interviews/interrogations; and

- d. booking procedures.
- B. If a Department-authorized interpreter is needed to effectively communicate with a person who is deaf, deafblind, or hard of hearing, the Department member will:
  - 1. contact the Crime Prevention and Information Center (CPIC) to request a Department-authorized interpreter;
  - 2. meet with the interpreter before the interview/interrogation process begins to familiarize them with the questions that may be asked;
  - 3. inform the interpreter that all interpreted and assignment-related information will be kept confidential, and that they will not be permitted to counsel, advise, or include their personal opinion while interpreting for a person who is deaf, deafblind, or hard of hearing;  
**NOTE:** Additional or specialized interpreter services may be requested by the interpreter if necessary.
  - 4. request that the interpreter's translation will follow closely after the words of the Department member; and
  - 5. document the use of an interpreter in the narrative portion of the incident report and record the interpreter's name and, if the interpreter is not Department-authorized, the reason they were used.
- C. Sign language interpreters for persons who are deaf or hard of hearing will be positioned within sight of the person, while sign language or tactile interpreters for persons who are deafblind will be positioned next to or in front of the person.
- D. Department members are permitted to use non-Department-authorized interpreters for incidents involving a person who is deaf, deafblind, or hard of hearing when:
  - 1. exigent circumstances exist that are not reasonably foreseeable and immediate interpretation is required.
  - 2. a Department service is requested by a person who is deaf, deafblind, or hard of hearing that is informational in nature.
- E. Department members will **NOT** rely on minor children for interpretation assistance, except when exigent circumstances exist and immediate interpretation is required.
- F. Family members and friends will **NOT** be permitted to interpret for deaf, deafblind, or hard of hearing individuals during a criminal investigation.
- G. Known or suspected offenders will **NOT** be permitted to interpret for a victim during criminal investigation, including domestic disturbance incidents.
- H. Department members will not unreasonably endanger themselves or another person to conform to this policy if circumstances exist that might pose a safety concern or immediate threat.

## VII. LANGUAGE LINE APPLICATION

Department-issued electronic communication devices (e.g., cellular telephones) are issued to Department members and feature the application titled "LanguageLine InSight," which connects Department members with interpreters to facilitate effective communication in American Sign Language for persons who are deaf or hard of hearing.

- A. To access the LanguageLine InSight application on a Department-issued mobile device, Department members will:
  - 1. select the orange, white, and blue "LanguageLine InSight" icon;
  - 2. select the "Interpreters" icon;



3. select "Language";
  4. select "American Sign Language"; and
  5. select "Video" option to connect with a video interpreter.
- B. After connecting with a video interpreter on the LanguageLine InSight application, Department members will:
1. introduce themselves and the person needing interpreter services to the interpreter and state the general reason for the call;
  2. provide relevant information in short, concise sentences;
  3. speak slowly and clearly;
  4. avoid speaking at the same time as the interpreter; and
  5. allow the interpreter to interpret everything before ending the session.
- C. When practical, the use of the LanguageLine InSight application is best utilized when:
1. using full screen mode for video interactions;
  2. ensuring the interpreter can see the hands of the individual at all times;
  3. used in a quiet, well-lit area;
  4. there is adequate reception of internet services; and
  5. the device is positioned on one person at a time if working with multiple persons who are deaf or hard of hearing.
- D. Department members are permitted to use the LanguageLine InSight application in the following situations:
1. Filling out case incident reports;
  2. Conducting short, less-complex witness interviews;
  3. Conducting traffic stops; and
  4. General communication (e.g., providing directions, responding to general requests).
- E. Department members **will not** use the LanguageLine InSight application for communicating when the person:
1. is a child under the age of 18 who is a victim of a crime or a respondent;
  2. appears heavily medicated or intoxicated;
  3. has a secondary disability or injury (e.g., low vision; injuries to arm/hand, mental health condition) that impedes the use of the technology;
  4. is deafblind;
  5. is the subject of a criminal interrogation/debriefing;
  6. is a victim of a violent felony offense (including sexual assault); and
  7. appears unable or unwilling to use such service as an effective means of communication or the use of such services might pose a risk to safety.

**NOTE:** Department members will refer to Item V and Item VI of this directive for procedures to achieve effective communication for persons who are deaf, deafblind or hard of hearing.

- F. Department members utilizing a Department-issued electronic device will comply with the procedures outlined in the Department directive titled "[Department-Issued Electronic Communication Devices](#)."

## **VIII. INVESTIGATORY STOPS AND CUSTODIAL ARRESTS**

- A. To ensure that the rights of all persons who are deaf, deafblind, or hard of hearing are protected, Department members will provide necessary communication assistance during Investigatory Stops and custodial arrests. As such, Department members providing communication assistance in these situations will use auxiliary aids to accurately and effectively communicate with persons who are deaf, deafblind, or hard of hearing.
- B. Department members are required to use de-escalation techniques to prevent or reduce the need for force, unless doing so would place a person or a Department member in immediate risk of harm or de-escalation techniques would be clearly ineffective under the circumstances at the time, as outlined in the Department directive titled "[De-escalation, Response to Resistance, and Use of Force](#)."
- C. Department members who conduct an Investigatory Stop must be able to clearly articulate and document the specific police or public safety purpose of any traffic or Investigatory Stop, consistent with the Department directives titled "[Investigatory Stop System](#)."
- D. Department members will process persons taken into custody based on probable cause and document arrests on an Arrest Report, consistent with the Department directive titled "[Processing Persons Under Department Control](#)."
- E. Department members will issue a [Field Pretrial Release Conditions form \(CPD-21.255\)](#) or [District Pretrial Release Conditions form \(CPD-21-256\)](#) in lieu of custodial arrest for those qualifying arrestees accused of Class B or C criminal misdemeanor offenses and petty offenses if proper identification, qualifying criteria, and lack of disqualifying factors are present, consistent with the Department directive titled "[Pretrial Fairness Act Arrest Processing Procedures](#)."
- F. When a person who is deaf, deafblind, or hard of hearing, is arrested, the arresting officer will, prior to conducting a custodial interrogation, procure a Department-authorized interpreter to effectively communicate to the deaf, deafblind, or hard of hearing person their Miranda rights afforded by the United States Supreme Court as outlined in the Department directive titled "[Custodial Interrogations](#)."
- G. Persons in custody will be provided access to a phone or videophone and be able to make three calls, at minimum, free of charge to communicate with their attorney, family, or friends as soon as possible but no later than three hours after arrival at their first **and** any subsequent place of custody, as outlined in the Department directive titled "[Arrestee and In-Custody Communications](#)."
- H. Department members will not unreasonably prolong any detention of a deaf, deafblind, or hard of hearing person when a Department-authorized interpreter is not available to respond in a reasonable amount of time.
- I. Persons in custody who require communication aids (e.g., hearing aids) will be permitted to retain such devices while in custody, including while being interviewed or interrogated by Department members.
- J. When an arrestee who is deaf, deafblind, or hard of hearing is accompanied by a service animal, the service animal will not be separated from the arrestee and will be allowed to remain with the arrestee throughout the arrest process as outlined in the Department directive titled "[Interactions With Persons With Disabilities](#)."
- K. Whenever a person who is deaf, deafblind, or hard of hearing is detained or arrested and placed in handcuffs, officers may accommodate their disability, safety permitting, and handcuff the person in front of the body to allow the person to sign or write notes.

## **IX. REPORTING PROCEDURES**

Department members who request auxiliary services such as the LanguageLine Insight application, interpreter services, or other services will document the name of the Department-authorized interpreter and his or her identification number, if applicable, in the narrative section of each relevant case incident report.



## **X. RESOURCES**

[The Mayor's Office for People with Disabilities](#) (MOPD) promotes total access, full participation, and equal opportunity for people with disabilities of all ages in all aspects of life. The office promotes an understanding of the issues of concern to people with disabilities and assists both individuals and organizations in working to comply with a variety of laws and regulations relating to disability, including the Americans with Disabilities Act of 1990. [The Mayor's Office for People with Disabilities](#) staff are available Monday through Friday from 0830 until 1630 hours at 312-744-7050 or 312-744-4964 (TTY) ,or evenings and weekends through non-emergency 311, twenty-four hours, seven days a week.

Authenticated by MWK

Larry Snelling  
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