Chicago Police De	partment			Special Order	S02-07
INTERACTION	S WITH PERSONS WITH	H DISABILITIES			
			88	*****	
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INDEX CATEGORY:	02 - Human Rights and Community Partnerships				
CALEA:					

I. PURPOSE

This directive:

- A. <u>outlines Department policy for interacting and providing services to persons who have physical and non-visible disabilities and persons who are deaf, deafblind, or hard of hearing.</u>
- B. defines the Americans with Disabilities Act of 1990 along with terminology related to persons with disabilities.
- C. lists guidelines for interactions with and providing accommodations for persons with disabilities.
- D. provides de-escalation technique examples for interacting with persons with disabilites.
- E. <u>describes Department procedures for processing persons with disabilities under Department control</u> during investigatory stops and custodial arrests.
- F. identifies disability parking placards, privileges, and exemptions authorized by the Illinois Secretary of State's office, including one-meter exempt placards and three-meter paying placards for disability parking.
- G. <u>describes the duties of the Chicago Police Department's Americans with Disabilities Act compliance officer.</u>
- H. <u>outlines relevant statutes that pertain to victims with disabilities.</u>
- identifies resources available to persons with disabilities.
- J. continues the use of:
 - 1. A Communication Guide for Police Officers (CPD-51.100); and
 - 2. Traffic Communications Guide (CPD-11.980).

II. POLICY

- A. <u>It is the policy of the Chicago Police Department to afford all persons, including those with disabilities, equal access to of police service, services, and programs provided by the Department.</u>
- 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. <u>treating all persons with courtesy, dignity, respect, and the foremost regard for the preservation of human life and the safety of all persons involved.</u>
 - 3. <u>ensuring that a consistently high level of police service is provided to all members of the community, including persons with disabilities.</u>

- 4. <u>making reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability.</u>
- 5. providing persons with disabilities reasonable accommodations and meaningful access to its facilities and Department programs and services.
- 6. 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."
- 7. <u>complying with Title II and all applicable provisions of the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, and the Illinois Human Rights Act.</u>
- 8. training Department members in recognizing and identifying signs of persons with physical and non-visible disabilities and persons who are deaf, deafblind, or hard of hearing.
- 9. treating information regarding an individual's disability as confidential and treated with the utmost privacy. Disclosure of such information will only occur as needed to assist Department members carry out their official law enforcement duties or with the explicit consent of the individual.
- C. <u>It is not the intent of this policy to provide Department members with detailed medical information regarding every disability nor can this policy address Department member's response to a person with disability in every situation.</u>

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. Autism Spectrum Disorder (ASD) a developmental disability that affects social interaction, communication, and decision-making skills. It is a genetic neurological condition that affects functioning of the brain and is considered a developmental disability because symptoms generally appear in early childhood. Autism is often referred to as a "spectrum" because there is wide variation in the severity of symptoms people experience and their level of functioning.
- C. <u>DeafBlind</u> <u>limited to no functional hearing ability and uncorrectable low vision or the complete lack</u> of light perception and may rely on a tactile form of communication.
- D. <u>Deaf or Hard of Hearing</u> <u>limited to no functional hearing ability who relies on a visual system for communication instead</u> of <u>processing linguistic information through hearing, with or without amplification, and includes individuals who may have a hearing loss because of age, illness, or trauma.</u>
- E. <u>Dementia</u> <u>a general term for loss of memory, language, problem-solving, and other thinking abilities that are severe enough to interfere with daily life. Alzheimers disease is the most common form of dementia.</u>
- F. <u>Developmental Disabilities (DD)</u> <u>are long-term disabilities attributable to a physical, mental, or a combination of impairments that result in functional limitations in major life activities, such as understanding and expressing language, learning, moving, self-direction, self-care, independent living, and economic self-sufficiency.</u>

- G. <u>Disability</u> <u>defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment.</u>
- H. <u>Intellectual Disabilities (ID)</u> are a subset of developmental disabilities characterized by limited or diminished intellectual functioning and difficulty with adaptive behaviors such as managing money, schedules and routines, or social interactions.
- 1. <u>Non-visible Disability</u> <u>a physical, mental, or neurological condition that is not visible from the outside, yet can limit or challenge, a person's movements, senses, or activities. Includes developmental and intellectual disabilities.</u>
- J. Qualified Individual With a Disability an individual who, with or without reasonable modifications to rules, policies, or practices; the removal of architectural, communication, or transportation barriers; or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a public entity.
- K. <u>Physical Disability</u> the long-term loss or impairment of part of a person's body function, resulting in a limitation of physical functioning, mobility, dexterity, or stamina.
- L. <u>Reasonable Accommodation</u> <u>includes the modification of existing facilities to facilities that are readily accessible to and usable by individuals with disabilities, the acquisition or modification of equipment, and the appropriate alteration of policies.</u>
- M. <u>Service Animal</u> A dog or minature horse that has been individually trained to do work or perform tasks for the benefit of an individual with a disability, including physical and sensory disabilities as well as psychiatric, intellectual, or other mental disability.

IV. INTERACTIONS WITH PERSONS WITH DISABILITIES

- A. <u>Department members should expect to come into contact with members of the public, including juveniles, who have a disability. In all contacts and interactions with the public, including interactions with persons with disabilities, Department members will:</u>
 - 1. interact with all members of the public in an unbiased, fair, and respectful manner.
 - 2. <u>treat all persons with the courtesy and dignity that is inherently due every person as a human being.</u>
 - 3. <u>act, speak, and conduct themselves in a courteous, respectful, and professional manner, recognizing their obligation to safeguard life and property and maintain a courteous, professional attitude.</u>
 - 4. <u>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.</u>
 - 5. <u>when requested, correctly identify themselves by providing their rank, name, and star number</u> (or employee number for civilian members) to any member of the public.
 - 6. <u>provide police services to all members of the public without bias and treating all persons with courtesy, dignity, and respect regardless of race, color, ethnicity, religion, homeless status, national origin, immigration status, gender identity or expression, sexual orientation, socioeconomic class, age, disability, incarceration status, or criminal history.</u>
 - 7. <u>utilize their training and experience to assist in recognizing behaviors that are potentially indicative of a disability. Department members will also refer to the following Department directives:</u>
 - a. "Interactions With Persons Who Are Deaf, DeafBlind, or Hard of Hearing";
 - b. "Interactions With Persons With Nonvisible Disabilities"; and

- c. <u>"Interactions With Persons With Physical Disabilities."</u>
- 8. <u>take reasonable steps necessary to assist persons with disabilities in assessing the full range of services provided by the Department while maintaining the safety of all Department members and the public.</u>
- B. Title II of the ADA prohibits discrimination against people with disabilities in State and local governments services, programs, and employment. Law enforcement agencies are covered because they are programs of State or local governments, regardless of whether they receive federal grants or other federal funds. The ADA affects virtually everything Department members do, such as the following:
 - 1. receiving citizen complaints;
 - interviewing witnesses;
 - 3. arresting, booking, and holding suspects;
 - 4. operating telephone (911) emergency centers;
 - 5. providing emergency medical services;
 - 6. enforcing laws;
 - 7. community policing efforts; and
 - 8. <u>other duties</u>.
- C. When interacting with a person that may have a disability, Department members will not make assumptions about the perceived disability. Persons with disabilities make up a diverse community and experience their disabilities in different ways. The level of assistance provided to a person with a disability must be based on facts about that person and not on a generalization about what persons with that type of disability can or cannot do.
- D. Department members are reminded that persons with disabilities may:
 - 1. <u>have multiple disabilities and such disabilities may not be readily apparent in a range of situations, including interviews of persons with disabilities as victims and witnesses of crimes.</u>
 - 2. <u>not recognize or be able to appropriately respond to verbal direction. The failure to respond to verbal direction may be erroneously perceived as uncooperative.</u>
 - 3. <u>have a staggering gait or slurred speech related to their disability or the medications they take. These characteristics, which can be associated with neurological disabilities and mental/emotional disturbances, may be misperceived as intoxication or being uncooperative persons.</u>
 - 4. <u>require the use of an ambulatory device for transportation, such as a wheelchair, cane, scooter, crutches, walker, or braces.</u>
 - 5. <u>have special communication needs, such as limited reading and comprehension skills or limited verbal skills.</u>
 - 6. be blind or have low vision.
 - 7. require the assistance of a service animal.
 - 8. <u>have medical identification tag information on wrists, necks, shoes, key rings, belts, or cellphones.</u>

- E. Department members are reminded that various law enforcement encounters may be potentially volatile and emotionally charged. Department members will remain alert to the possibility of communication problems when interacting with people with disabilities. Department members should consider all information reasonably available to them when determining how to interact with a person with disabilities. Such factors include:
 - 1. <u>the extent to which the disability is obvious or otherwise made known to the involved</u>

 Department member;
 - 2. the nature of the disability; and
 - 3. the nature of the law enforcement contact.
- F. <u>Department members responding to an incident involving persons with limited English proficiency will follow the procedures outlined in the Department directive titled "Interactions With Persons With Limited English Proficiency."</u>
- G. <u>Department members will promote</u> the safe and dignified treatment of persons experiencing a mental health crisis by employing crisis de-escalation techniques and safely and effectively responding to individuals in crisis as outlined in the Department directive titled "Recognizing and Responding to Individuals In Crisis."
- H. <u>Department members will refer to the Department directives titled</u> "<u>Interactions with Youth and Children</u>" <u>and</u> "<u>Minors in Need of Medical Care</u>" <u>for guidance when interacting with youth.</u>

V. ACCESS TO FACILITIES

- A. <u>The facilities of the Chicago Police Department are to be accessible to all persons with disabilities as required by the Americans with Disabilities Act (ADA).</u>
- B. <u>The Chicago Police Department will ensure that any external location used by the Department to conduct any departmental program, activity, or service is also accessaible to persons with disabilities.</u>
- C. <u>Department members who plan, schedule, conduct, or promote programs or activities on behalf of the Department, that are open to the public, are required to ensure that locations of the activity is accessible to persons with disabilities.</u>

VI. ACCOMMODATING PEOPLE WITH DISABILITIES

- A. <u>No qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of services, programs, or activities of a public entity.</u>
- B. Access to Department Facilities and Services by the General Public
 - 1. Department members will:
 - a. make reasonable modifications in procedures to accommodate people with disabilities when a Department facility is not accessible due to physical barriers (e.g., steps, doorways, etc).
 - b. utilize an alternative method to provide the requested service (e.g., speaking with/interviewing the person outside the Department facility).
 - c. permit entrance through an alternate area of the facility and provide the requested service.
 - 2. <u>District station supervisors will conduct daily informal inspections of station facilities ensuring the station facility (e.g., handicap doors), are kept in good order, as outlined in the Department directive titled "District Station Supervisor."</u>
 - 3. When there is no designated "Handicapped Parking" provided, a person with disabilities will be permitted to park:
 - a. in close proximity to the Department facility, or

- b. in parking areas designated "Department Vehicles Only."
- 4. Sign language 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. <u>To request sign language interpreters for Department-sponsored events, Department members will:</u>
 - a. <u>contact the ADA Compliance Officer, between 0800 to 1700 hours, Monday through</u>

 Friday, if the request is for an advance engagement.
 - b. <u>contact CPIC if the request is urgent, after 1700 hours on weekdays, or on weekends.</u>

NOTE:

Requests for sign language interpreters for Departmentsponsored events must be made at least 48 hours prior to the engagement.

- C. Department members will utilize department publications such as:
 - 1. A Communication Guide for Police Officers (CPD-51.100); and
 - 2. <u>Traffic Communications Guide (CPD-11.980</u>).
- D. Department publications be available in taped text, braille, and large-print formats, and contain a statement affirming the Department's policy to observe the laws that guarantee the rights of people with disabilities to equal access.

VII. DE-ESCALATION TECHNIQUES

- A. 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."
- B. When interacting with persons with disabilities, some examples of de-escalation techniques include:
 - 1. <u>using time as a tactic;</u>
 - speaking calmly;
 - 3. <u>repeating short, direct phrases in a calm voice;</u>
 - 4. using soft gestures and avoid abrupt movements or actions;
 - 5. <u>maintaining a safe distance, providing the person and Department member with a zone of safety; and</u>
 - 6. <u>limiting, when feasible, external stimuli that may agitate the person with disabilities (e.g., turning off sirens and flashing lights).</u>

VIII. INVESTIGATORY STOPS AND CUSTODIAL ARRESTS

- A. <u>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 directive titled "Investigatory Stop System."</u>
- B. <u>Department members will issue a Field Pretrial Release Conditions form (CPD-21.255)</u> in lieu of custodial arrest for those qualifying arrestees accused of Class B and 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."

- C. <u>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."</u>
- D. Persons in custody will be provided access to a phone and be able to make three phone 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."
- E. <u>To ensure that the rights of persons with disabilities are protected, Department members will, when safe and feasible, provide reasonable accommodations during Investigatory Stops and custodial arrests. Such accommodations may include:</u>
 - 1. reading relevant information to persons who are visually impaired;
 - 2. utilizing writing or other effective means to provide relevant information; and
 - 3. assisting people with disabilities with mobility needs.
- F. Department members will exercise care and facilitate safe transportation when transporting an arrestee who requires the assistance of an ambulatory device (e.g., crutch, cane, walker, wheelchair).
- G. Department members requiring the transportation of a person in a wheelchair will follow the procedures outlined in the Department directive titled "Transportation of Arrestees Requiring Wheelchairs."

IX. DISABILITY PARKING ENFORCEMENT

- A. The Illinois Secretary of State's Office issues disability parking placards to people with disabilities or to not-for-profit organizations' vehicles that transport people with disabilities. The Secretary of State's office issues four types of parking placards:
 - 1. Meter-Exempt Permanent Placards (yellow and gray striped):
 - a. are issued to persons with permanent disabilities who have significant impairments that cause difficulty in accessing a parking meter.
 - b. allows the authorized holder to park in spaces reserved for persons with disabilities, such as at a mall, grocery, retail store, etc.
 - c. **exempts** the authorized holder from the payment of parking meter fees and time limitations, except at meters or signs with time limitations of 30 minutes or less.

NOTE: All vehicles, including those with persons with disabilities or disabled veteran license plates, must <u>also</u> display the meter-exempt placard to qualify.

- 2. **Non-Meter-Exempt Permanent Placards** (blue and white):
 - a. are issued to persons with permanent disabilities and allow authorized holders to park in spaces for persons with disabilities, such as a mall, grocery, retail store, etc.
 - b. **do not exempt** authorized holders from payment of parking meter fees and time limitations at parking meters.
- 3. **Temporary Placards** (red):
 - a. are issued to persons with a temporary disability and are valid for the length of time indicated by the certifying physician, not to exceed six months if issued by the Secretary of State or up to 90 days if issued by a local municipality.
 - b. **DO NOT exempt** authorized holders from the payment of parking meter fees and time limitations at parking meters.

- 4. **Organization Placards** (green):
 - a. are issued to organizations that transport persons with disabilities free of charge and allow the authorized agent to park in spaces reserved for persons with disabilities when transporting such persons.
 - b. **DO NOT exempt** authorized agents from the payment of parking meter fees and time limitations at parking meters but do allow the authorized agent for the organization to park in spaces reserved for persons with disabilities when transporting persons with disabilities.
- B. <u>Disability parking placards are issued to persons with disabilities and not to vehicles. The authorized holder must be present and must enter and exit the vehicle at the time the parking privileges are being used.</u>
- C. Disability parking placards must be properly displayed in clear view, hanging from a rear-view mirror or on the dashboard so it is visible through the front windshield.
- D. <u>Disability parking placards do not allow vehicles to park in restriced areas, such as "No Stopping" or "No Standing" zones, or in front of fire hydrants, bus stops, and loading zones.</u>
- E. Disability parking placards are NOT transferable and it is illegal to copy or duplicate a placard.
- F. The State of Illinois no longer exempts meter payment for disability placards issued by another state. However, disability placards issued by other states will be valid to allow parking in designated disability parking spaces in public or private parking areas.
- G. Examples



- H. Key Disability Parking Ordinances
 - 1. MCC Chapter 9-64-050(j), Park in a Disabled Parking Zone on street, public lot or private lot.
 - 2. MCC Chapter 9-64-190(a), Unlawful to park in a metered zone, non-central business district, without paying the designated amount.
 - 3. MCC Chapter 9-64-190(b), Unlawful to park in a metered zone, central business district, without paying the designated amount.
 - 4. 625 ILCS 5/11-1301.1, disabled parking privileges/exemptions.

EXCEPTION:

Such vehicle will be subject to the laws that prohibit parking in "no stopping" and "no standing" zones in front of or near fire hydrants, driveways, public building entrances and exits, bus stops and loading areas, and is prohibited from parking where the motor vehicle constitutes a traffic hazard, whereby such motor vehicle will be moved at the instruction and request of a law enforcement officer to a location designated by the officer.

X. AMERICANS WITH DISABILITIES ACT COMPLIANCE OFFICER

<u>The Chicago Police Department has designated an ADA Compliance Officer who will coordinate Department efforts to comply with the ADA and:</u>

- A. <u>in conjunction with the Intergovernmental Affairs Section, Legal Affairs Division, and Risk Management Section will review, at a minimum, every two years the effectiveness and efficiency of Department polices and training as they relate to individuals with disabilities and report to the Superintendent, or his or her designee, any recommended revisions, if necessary;</u>
- B. <u>serve as a resource to assist Department members in providing meaningful access to police services</u> for individuals with disabilities;
- C. <u>provide technical assistance and support to ensure appropriate disability accommodations are provided within Department facilities and through Department programs and services;</u>
- D. <u>attend quarterly meetings of the Department Crisis Intervention Team advisory committee and respond to inquiries and concerns from members of the public concerning accessibility;</u>
- E. <u>act as a liaison between the Department and individuals with disabilities including holding regular community meetings to gain community input and help assess Department need and progress with ADA Title II compliance; and</u>
- F. <u>is assigned to the Special Activities Section (Unit 441) and can be reached at (312) 745 5841, PAX (0304) or via email at ADACoordinator@chicagopolice.org.</u>

XI. TRAINING OF DEPARTMENT MEMBERS

The Deputy Chief, Training and Support Group, will ensure that a training bulletin is developed that provides Department members guidance on interactions with persons with disabilities, including:

- A. <u>recognizing and responding to conduct or behavior that is related to an individual's disability, including but not limited to, qualifying medical conditions such as Alzheimer's disease;</u>
- B. <u>providing effective communication and minimizing barriers to communication, including by incorporating sign language and other modes of communication used by people who are deaf, hard of hearing, or who have a speech impairment during police-community interactions;</u>
- C. <u>attending to the specific needs of individuals with disabilities, such as mobility devices, prosthetics, and service animals; and</u>
- D. <u>recognizing and responding to identified abuse, neglect, or exploitation of individuals with disabilities, including making any notifications required by Department policy or the law.</u>

XII. RELEVANT STATUTES

The corresponding Bureau of Detectives Area based on the district of arrest will retain the responsibility for the follow-up investigation and charging for anyone arrested for violating the following sections of the Illinois Complied Statutes. These statutes have provisions applicable to the victim of an offense who is a person with a disability.

- A. Aggravated Assault, 720 ILCS 5/12-2(b)(1)
- B. Aggravated Battery, 720 ILCS 5/12-3.05
- C. Aggravated Criminal Sexual Assault, 720 ILCS 5/11-1.30

- D. Criminal Sexual Abuse, 720 ILCS 5/11-1.50
- E. Aggravated Criminal Sexual Abuse, 720 ILCS 5/11-1.60
- F. Financial exploitation of an Elderly or Disabled Person, 720 ILCS 5/17-56
- G. Criminal Neglect of an Elderly or Disabled Person, 720 ILCS 5/12-21.

XIII. RESOURCES

- A. 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. The MOPD services and programs include:
 - 1. Accessibility Compliance ensures that the City of Chicago is accessible to people with all types of disabilities to ensure compliance with federal, state, and local disability rights, laws, and regulations.
 - 2. Career Center <u>strives to prepare individuals with disabilities for successful and meaningful career opportunities.</u>
 - 3. Disability Resources <u>provides assistance with identifying and accessing community</u> resources that may help increase the independence of people with disabilities.
 - 4. <u>Emergency Preparedness</u> <u>provides information on emergency preparedness resources for people with disabilities and their caregivers.</u>
 - 5. <u>HomeMod Program</u> <u>provides home accessibility modifications that will allow people with disabilities to make their living environment accessible.</u>
 - 6. <u>Substance Use Prevention Program for the Deaf and Hard of Hearing</u> <u>provides youth with the ability to make well-informed and positive choices in their lives that support a healthy lifestyle.</u>
 - 7. <u>Transportation and Parking</u> <u>promotes an understanding of the issues of concern to people</u> with disabilities, including accessible public transportation.
 - 8. <u>Training Services</u> <u>provides training on approaches and strategies for interacting with individuals with all types of disabilities in professional, social, and recreational settings.</u>
- B. <u>Illinois Disability Rights Bureau</u> enforces state and federal laws that protects the rights of people with disabilities to equal access to buildings, housing, and services. They can be reached at 312-814-5684 or 800-964-3013 (TTY), twenty-four hours a day, seven days a week.
- C. <u>Easy Access Chicago</u> provides a listing of local resources (e.g., National Center for Latinos with Disabilities, Family Resource Center on Disabilities) available for people with disabilities and their families. They can be reached at 773-388-8839.
- D. Department members who encounter a complainant alleging a violation of the ADA or state law as it applies to persons with disabilities will be directed to the Department of Human Rights and the U.S. Department of Justice, or be directed to the Disability Rights Bureau at the Office of the Attorney General. Complainants alleging a violation of the White Cane Law or the Service Animal Access Act will be directed to the Cook County State's Attorney.

(Items indicated by italics/double underline were revised or added.)

Larry Snelling Superintendent of Police



Chicago Police De	partment		Special Order S02-07-01	
INTERACTION	S WITH PERSONS WITI	H PHYSICAL DISABILITIES		
	*****		*****	
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I. PURPOSE

This directive:

- A. sets forth Department policy for interacting and communicating with persons with physical disabilities.
- B. outlines:
 - 1. commonly encountered physical disabilities;
 - 2. general guidelines for identifying and interacting with persons with physical disabilities;
 - de-escalation techniques;
 - 4. investigatory stops and custodial arrests; and
 - 5. the confidentiality of an individual's disability.

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 have physical disabilities.
- 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. to ensuring that all police services are made available to individuals with disabilities.
 - 3. 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."
 - 4. 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 have physical disabilities.
- C. In addition, in respect for those human rights prescribed by law and in all contacts and interactions with the public, Department members, both sworn and civilian, 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 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.

III. DEFINITIONS

- A. Physical Disability a condition that substantially limits one or more basic physical activities in life (e.g., walking, climbing stairs, reaching, carrying, or lifting). People can develop physical disabilities from genetics, injury, illness, accident, or as a medical condition's side effect. Physical disabilities include, but not limited to, cerebral palsy, stroke, spina bifida, arthritis, spinal cord injury, epilepsy, and muscular dystrophy. Physical disabilities also include physiological disorder, condition, cosmetic disfigurement, or anatomical loss affecting one of more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin and endocrine.
- B. Prosthesis a prosthesis is a device used to replace a defective or missing part of the body.

IV. INTERACTIONS WITH PERSONS WHO HAVE PHYSICAL DISABILITIES

- A. The Chicago Police Department is committed to providing successful communication and meaningful access to Department programs, services, and activities for persons who have physical disabilities, in accordance with the Americans with Disabilities Act.
- B. Persons with physical disabilities may come into contact with an officer in a variety of ways. The person may be a witness communicating with an officer during an investigation, stopped for a routine police traffic stop, a suspect who experiences an emergency during the course of an arrest or later during detention, or the police may respond to a 911 call involving a medical emergency not corresponding to any criminal activity.
- C. Interactions with persons who have physical disabilities will be conducted in a manner that is professional, respectful, and courteous. Persons who have physical disabilities are entitled to a level of service equivalent to that provided to other persons.
- D. Successful communication with a person who has a physical disability whether a victim, witness, suspect, or arrestee is essential to ascertain what actually occurred, the urgency of the matter, and the type of situation.
- E. Department members should exercise special care in the use of all gestures and verbal and written communication to minimize initial confusion or misunderstanding when dealing with any person with a physical disability (e.g., if safe, maintaining an open and relaxed stance, using respectful and non-threatening language, offering alternative ways to communicate phone, text, email, etc.).
- F. Department members are reminded that persons who have physical disabilities may feel stigmatized and have a fear of discrimination. Use "people-first language": refer to "a person with a disability" rather than referring to "the disabled person" or "the disabled."
- G. 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 have physical disabilities. Persons who have physical disabilities 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.
- H. 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 with a physical disability. These factors include:

- 1. the extent to which a physical disability is obvious or otherwise made known to the member;
- 2. the nature of the disability;
- 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 additional resources, including persons accompanying the individual, family members, caretakers, etc.
- I. To serve each person effectively, the primary consideration should be providing the type of communication aid or service requested by the person with disabilities. To ensure compassionate treatment of persons with disabilities, techniques Department members may employ to achieve effective communication include:
 - facing an individual and speaking slowly and clearly;
 - b. using hand gestures or written communication;
 - c. using visual aids, such as printed information and large-print-formatted information;
 - d. reading aloud any documents for persons who are blind or have low vision; and
 - e. utilizing Department resources such as "A Communication Guide for Police Officers" (CPD-51.100) and the "Traffic Communications Guide" (CPD-11.980.pdf).
- J. Department members should be aware of the potential for miscommunication with persons who have physical disabilities and exercise care to minimize misunderstandings or confusion.
- K. Individuals who have physical disabilities may be reluctant to acknowledge a communication barrier and may even feign a complete understanding of a communication despite actual confusion.
- L. Barriers to effective communication may also be due to limited English proficiency or other language barriers. To achieve effective communication in such situtaions, Department members will provide the proper services consistent with the Department directive titled "Interactions with Persons with Limited English Proficiency."

V. IDENTIFYING PERSONS WITH PHYSICAL DISABILITIES

- A. Signs that may suggest a physical disability include, but is not limited to:
 - amputations and loss of limbs;
 - 2. inability to walk or use arms, hands, and fingers;
 - 3. use of wheelchairs, crutches, or canes;
 - requires assistance with personal care activities;
 - 5. fine motor function impairment; and
 - 6. reliance on specialized transportation.

B. Service Animals

1. The Americans with Disabilities Act prohibits discrimination against people with disabilities by places of public accommodation, such as retail stores, restaurants, and hotels. These businesses must allow people with disabilities to bring their service animals onto the premises and into all areas where the public is generally allowed.

- 2. In Illinois, service animals are governed by the Service Animal Access Act (720 ILCS 5/48-8) and White Cane Law (775 ILCS 30/4). A person with a disability is guaranteed the right to be accompanied by a service animal in public, places of public accommodation, and public facilities.
- 3. Under the ADA, a service animal is defined as a dog or minature horse that has been individually trained to do work or perform tasks for an individual with a disability. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder during an anxiety attack, or performing other duties. The task(s) performed by the dog must be directly related to the person's disability. The ADA does not restrict the type of dog breeds that can be service animals.

NOTE:

Service animals are working animals, not pets. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.

- 4. A service animal must be under the control of its handler. Under the ADA, service animals must be harnessed, leashed, or tethered, unless the individual's disability prevents using these devices or these devices interfere with the service animal's safe, effective performance of tasks. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.
- The ADA does not require service animals to wear a vest, ID tag, or specific harness.
 Department members should rely on the word of the individual unless exceptional circumstances exist.
- 6. People with disabilities who utilize a service animal are not required to prove or show documentation that the animal is a credentialed service animal. Businesses may not demand identification cards or make unnecessary inquiries about an individual's disability under any circumstances, including when a person is accompanied by a service animal.
- 7. When it is not obvious what service an animal provides, only limited inquiries are allowed. Department members may ask two questions of persons utilizing a service animal:
 - a. is the dog a service animal required because of a disability; and
 - b. what work or task has the animal been trained to perform?
- 8. Department members cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog or minature horse, or ask that the service animal demonstrate its ability to perform the work or task. Department members should rely on the word of the individual utilizing a service animal unless exceptional circumstances exist.

C. Mobility Impairments

- 1. Mobility impairments are the most visible physical disabilities. People with mobility-related impairments include those who have difficulty walking, who use a wheelchair or other mobility aid, and those who are immobile.
- 2. Department members are reminded that transportation of individuals who require a wheelchair for mobility purposes will follow procedures outlined in the Department directive titled, "Transportation of Arrestees Requiring Wheelchairs."
- 3. Department members will exercise care when transporting an arrestee who requires the assistance of an ambulatory device (crutch, cane, walker, wheelchair, etc.). Members will not lift or remove a person from a wheelchair unless that person has requested assistance. Members will not lift a wheelchair off the ground by hand while it is occupied, except in incidents where life-threatening circumstances exist.

4. Rapidly In an emergency situation, Department members should use discretionary caution when moving a mobility-impaired person.

D. Prosthetics

- 1. Persons who utilize prosthetics due to a disability do not only include someone with a missing limb, but may include a wide variety of prosthetics such as hearing aids, communication devices, canes, or braces.
- Department members should be cognizant that persons who have a prosthetic may see them
 as extensions of themselves or their personal space. Department members will treat touching
 a prosthetic with the same care and manner they would take when touching a person's body.

E. People Who Are Blind or Who Have Low Vision

- 1. One of the most difficult issues facing people who are blind or who have low vision in times of need is that of identifying police offcers.
- 2. When interacting with people who are blind or who have low vision, Department members may offer detailed information to identify themselves as members of the Chicago Police Department.
- 3. Persons who are blind or have low vision may request information in large print. When it is reasonable under the circumstances, such as when the request is made in a district station or police facility, members will use a copier to enlarge a document or print the document using a larger font. If using a computer, members may use an increased font.
- 4. Individuals who are blind or have low vision may request that documents be read aloud. Upon request, members will read aloud the information written on a Department form, notice, or other document provided to the person. Before asking such individuals to sign a completed form, officers will read aloud the transcribed statements to ensure accuracy.
- 5. Department members may also assist to orient persons who are blind or have low vision to their surroundings.
- 6. Department publications are available in taped text, Braille, and large-print formats.

VI. DE-ESCALATION TECHNIQUES

- A. 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."
- B. When interacting with persons with disabilities, some examples of de-escalation techniques include:
 - 1. using time as a tactic;
 - speaking calmly;
 - 3. repeating short, direct phrases in a calm voice;
 - using soft gestures and avoid abrupt movements or actions;
 - 5. maintaining a safe distance, providing the person and Department member with a zone of safety; and
 - 6. limiting, when feasible, external stimuli that may agitate the person with disabilities (e.g., turning off sirens and flashing lights).

VII. INVESTIGATORY STOPS AND CUSTODIAL ARRESTS

- A. To ensure that the rights of all persons who have physical disabilities are protected, Department members will provide necessary communication assistance during investigatory stops and custodial arrests.
- 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 <u>Field Pretrial Release Conditions form (CPD-21.255)</u> and <u>District Pretrial Release Conditions form (CPD-21-256)</u> 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 "<u>Pretrial Fairness Act Arrest Processing Procedures</u>."
- F. When a person with a physical disability is arrested, the arresting officer(s) will take steps to communicate Miranda rights afforded by the United States Supreme Court and as outlined in the Department directive titled "Custodial Interrogations."
- G. Department members are reminded that transportation of arrestees who require a wheelchair for mobility purposes will follow procedures outlined in the Department directive titled "<u>Transportation of Arrestees Requiring Wheelchairs.</u>"
- H. Persons in custody will be provided access to a telephone and be able to make three telephone 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."
- I. When an arrestee with a physical disability is accompanied by a guide dog/service animal (a dog or minature horse trained to perform a task directly related to the person's disability), the service animal will not be separated from the arrestee and will be allowed to remain with the arrestee throughout the arrest process.

VIII. CONFIDENTIALITY

Information regarding an individual's disability is considered confidential and will 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.

Authenticated by MWK

Larry Snelling
Superintendent of Police

19-086 EW

(Caralla Caralla Caral	Chicago Police Dep	partment		Special Order S02-07-02	
	INTERACTIONS WITH PERSONS WITH NON-VISIBLE DISABILITIES				

ISSUE DA	TE:	12 August 2024	EFFECTIVE DATE:		
RESCINDS	S :				
INDEX CA	TEGORY:	02 - Human Rights and Community Partnerships			
CALEA:					

I. PURPOSE

This directive:

- A. establishes Department policy for interacting and providing service to persons who have non-visible disabilities which are physical, mental, or neurological conditions that are not physically visible from the outside, yet can limit or challenge a person's movements, senses, or activities.
- B. outlines:
 - commonly encountered non-visible disabilities;
 - general guidelines when interacting with persons with non-visible disabilities;
 - 3. accomodations for persons who have non-visible disabilities;
 - 4. de-escalation techniques; and
 - 5. investigatory stops and custodial arrests; and
 - 6. the confidentiality of an individual's disability.

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 have non-visible disabilities.
- B. No single policy or procedure can address the Chicago Police Department's response to all people with non-visible disabilities. It is the intent of this special order to guide Department members in responding to and assisting those people with non-visible disabilities with whom they will have the most contact within the performance of their duties and responsibilities, including those who are complianants, victims, witnesses, arrestees, and members of the community.
- C. 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. to providing successful communication and meaningful access to Department programs, services, and activities for persons who have non-visible disabilities, in accordance with the Americans with Disabilities Act.

- 4. 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 have non-visible disabilities.
- 5. treating persons with non-visible disabilities with dignity and respect.
- 6. utilizing de-escalation protocols when appropriate, and seek alternatives to physical custody whenever possible.
- D. In addition, to respect for those human rights prescribed by law, in all contacts and interactions with the public, Department members, both sworn and civilian, 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.
- E. Department members responding to an incident involving an individual in crisis will follow procedures consistent with the Department directive titled "Recognizing and Responding to Individuals In Crisis."
- F. Department members will not unreasonably endanger themselves or another to conform to the procedures in this directive.

III. DEFINITIONS

A. **Non-Visible Disabilities** — are physical, mental, or neurological conditions that are not physically visible from the outside, yet can limit or challenge a person's movements, senses, or activities. Non-visible disabilities include developmental and intellectual disabilities.

IV. GENERAL GUIDELINES WHEN INTERACTING WITH PERSONS WITH NON-VISIBLE DISABILITIES

- A. Department members may encounter situations where they respond to incidents and interact with persons with non-visible disabilities. While Department members are not in a position to diagnose persons with disabilities, they will utilize the general guidelines provided in this directive to assist when interacting with persons with non-visible disabilities.
- B. Department members are reminded that involuntary behaviors associated with some invisible disabilities may resemble behavior characteristically exhibited by intoxicated, or less frequently, combative individuals.
- C. Some persons with non-visible disabilities may medical identification tags on their wrists, neck, shoes, belts, or elsewhere on their person to assist Department members.
- D. 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 have non-visible disabilities. Persons who have non-visible disabilities 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.

- E. When available, consultation with a family member or other support person familar with the individual's disability may be helpful in order to provide suggestions in order to effectively communicate with the individual with non-visible disabilities.
- F. Failure to recognize characteristics associated with certain non-visible disabilities may hinder optimal outcomes during interactions with persons with non-visibles disabilities. Department member's patience and understanding of the characteristics commonly associated with non-visible disabilities will help lead to successful outcomes.
- G. Department members should exercise special care in the use of all gestures and verbal and written communication to minimize initial confusion or misunderstanding when dealing with any person with an non-visible disability (e.g., maintaining an open and relaxed stance, using respectful and non-threatening language, offering alternative ways to communicate may help people who are uncomfortable with oral speech).
- H. Department members should be sensitive to the fact that some people with disabilities may be targeted as crime victims as a direct result of their disability.

V. COMMONLY ENCOUNTERED NON-VISIBLE DISABILITIES

Non-visible disabilities is an umbrella term that encompasses intellectual disability; however, they are not the same and should NOT be confused with mental illness, such as autism spectrum disorder, diabetes, schizophrenia, bipolar disorder, and depression. A common type of non-visible disability Department members will encounter includes autism spectrum disorder.

- A. Autism Spectrum Disorder (ASD)
 - 1. Autism is a developmental disability that affects communication, social interaction, and decision-making skills. Autism is a spectrum disorder, which means that there is a wide variety in levels of functioning among individuals with this disability. In recent years, the incidence of autism has risen at a staggering rate from 1 in 2,500 births in the late 1990s to 1 in 166 births today.
 - 2. Identifying Autism

While a Department cannot be expected to diagnose autism, understanding the common characteristics of autism may help when responding to an incident involving someone with autism. While each person with autism is different, common characteristics include, but not limited to the following:

- a. limited or no ability to speak;
- b. lack of eye contact;
- c. insistence on sameness;
- d. obsessive attachment to objects;
- e. self-stimulating behavior including hand flapping, body rocking, or attachment to objects;
- f. inappropriate behavior, such as laughing during a serious situation;
- g. no fear of danger;
- h. over- or under-sensitivity to pain;
- i. tantrums or escalated behavior for no apparent reason; and
- j. preference to be alone.

B. Diabetes

1. Diabetes is a chronic disease that occurs either when the pancreas does not produce enough insulin or when the body cannot effectively use the insulin it produces.

2. Identifying diabetes

Some of the following symptoms of diabetes include, but are not limited to:

- a. frequent urination;
- b. increased thirst;
- c. blurry vision;
- d. feeling tired; and
- e. have numb or tingling hands or feet.

C. Dementia

- 1. Dementia is the loss of cognitive functioning thinking, remembering, and reasoning to such an extent that it interferes with a person's daily life and activities. Alzheimer's Disease is a type of dementia that affects memory, thinking, and behavior.
- 2. Identifying dementia

Common symptons of dementia include:

- a. memory problems, particularly remembering recent events;
- b. increasing confusion;
- personality or behaviour changes; and
- loss of ability to do everyday tasks.

D. Schizophrenia

- Schizophrenia is a mental disorder characterized by disruptions in thought processes, perceptions, emotional responsiveness, and social interactions. Although the course of schizophrenia varies among individuals, schizophrenia is typically persistent and can be both severe and disabling.
- 2. Identfying schizophrenia

Symptoms of schizophrenia include, but not limited to:

- a. psychotic symptoms, such as hallucinations;
- b. delusions;
- c. thought disorder (unusual ways of thinking);
- d. reduced expression of emotions;
- e. reduced motivation to accomplish goals;
- f. difficulty in social relationships;
- g. motor impairment; and
- cognitive impairment.

E. Depression

 Depression (also known as major depression, major depressive disorder, or clinical depression) is a common but serious mood disorder. Depression causes severe symptoms that affect how a person feels, thinks, and handles daily activities, such as sleeping, eating, or working.

2. Identfying depression

Although depression may occur only once during your life, people typically have multiple episodes. During these episodes, symptoms occur most of the day, nearly every day and may include:

- feelings of sadness, tearfulness, emptiness or hopelessness;
- loss of interest or pleasure in most or all normal activities;
- c. angry outbursts, irritability or frustration, even over small matters;
- d. anxiety, agitation or restlessness; and
- e. frequent or recurrent thoughts of death, suicidal thoughts, suicide attempts or suicide.

VI. ACCOMMODATING PERSONS WHO HAVE NON-VISIBLE DISABILITIES

A. General guidelines

- 1. Department members should expect to come into contact with people who have non-visible disabilities. When encountering a person with an non-visible disability, Department members should be aware of potential behaviors they may exhibit (this list is not all inclusive):
- 2. 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 with a non-visible disability. These factors include:
 - a. the extent to which an non-visible disability is obvious or otherwise made known to the member;
 - b. the nature of the disability;
 - the person's usual method of communication;
 - d. the nature of the contact (emergency vs. non-emergency, custodial vs. consensual);
 - e. the nature, importance, and duration of the communication required; and
 - f. the availability of additional resources, including crisis intervention trained officers and social services.

B. Effective Communication

- Department members should be aware of the potential for miscommunication with persons who have non-visible disabilities and exercise care to minimize misunderstandings or confusion.
- To serve each person effectively, the primary consideration should be providing the type of communication aid or service requested by the person with disabilities. Determine the person's primary mode of communication and provide necessary accommodations, interpreter services, etc.
- 3. Effective communication with a person with a non-visible disability whether a victim, witness, suspect, or arrestee is essential to ascertain what actually occurred, the urgency of the matter, and the type of situation.
- 4. Department members should not interpret lack of eye contact or seemingly strange actions or responses as indications of lack of cooperation or evasiness.
- Individuals who have non-visible disabilities may be reluctant to acknowledge a communication barrier and may even feign a complete understanding of a communication despite actual confusion.

- 6. To ensure compassionate treatment of persons with disabilities, techniques Department members may employ to achieve effective communication include:
 - facing an individual and speaking slowly and clearly;
 - b. asking simple, straightforward questions and be patient when waiting for answers;
 - c. not suggesing answers, attempting to complete thoughts of persons slow to respond, or pose hypothetical conclusions;
 - d. using visual aids, such as printed information and large-print-formatted information;
 - e. reading aloud any documents for persons who are blind or have low vision; and
 - f. utilizing Department resources such as "A Communication Guide for Police Officers" (CPD-51.100) and the "Traffic Communications Guide" (CPD-11.980).
- 7. Barriers to effective communication may also be due to limited English proficiency or other language barriers. To ensure effective communication, Department members will provide the proper services consistent with the Department directive titled "Interactions with Persons with Limited English Proficiency".

C. Service Animals

- 1. The Americans with Disabilities Act prohibits discrimination against people with disabilities by places of public accomodation, such as retail stores, restaurants, and hotels. These businesses must allow people with disabilities to bring their service animals onto the premises and into all areas where the public is generally allowed.
- 2. In Illinois, service animals are governed by the Service Animal Access Act (720 ILCS 5/48-8) and White Cane Law (775 ILCS 30/4). A person with a disability is guaranteed the right to be accompanied by a service animal in public, places of public accommodation, and public facilities.
- 3. Under the ADA, a service animal is defined as a dog or minature horse that has been individually trained to do work or perform tasks for an individual with a disability. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. The task(s) performed by the dog must be directly related to the person's disability. The ADA does not restrict the type of dog breeds that can be service animals.

NOTE: Service animals are working animals, not pets. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.

- 4. A service animal must be under the control of its handler. Under the ADA, service animals must be harnessed, leashed, or tethered, unless the individual's disability prevents using these devices or these devices interfere with the service animal's safe, effective performance of tasks. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.
- 5. The ADA does not require service animals to wear a vest, ID tag, or specific harness. Department members should rely on the word of the individual unless exceptional circumstances exist.
- 6. People with disabilities who utilize a service animal are not required to prove or show documentation that the animal is a credentialed service animal. Businesses may not demand identification cards or make unnecessary inquiries about an individual's disability under any circumstances, including when a person is accompanied by a service animal.

- 7. When it is not obvious what service an animal provides, only limited inquiries are allowed. Department members may ask two questions of persons utilizing a service animal:
 - a. is the dog a service animal required because of a disability; and
 - b. what work or task has the animal been trained to perform?
- 8. Department members cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog or minature hourse, or ask that the service animal demonstrate its ability to perform the work or task. Department members should rely on the word of the individual utilizing a service animal unless exceptional circumstances exist.

VII. DE-ESCALATION TECHNIQUES

- A. Some people with non-visible disabilities might become easily upset and can engage in self-harming behaviors or act in aggressive ways. Fear, including fear of law enforcement, frustration, and changes in their daily routines and surroundings can trigger such behavior. The mere presence of an officer can also be a source of stress. People with non-visible disabilities often have impairments that make it difficult for them to process incoming sensory information.
- 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. When interacting with persons with non-visible disabilities, some examples of de-escalation techniques include:
 - 1. using time as a tactic;
 - 2. employing calming and reassuring language;
 - 3. repeating short, direct phrases in a calm voice;
 - 4. using soft gestures and avoid abrupt movements or actions;
 - 5. maintaining a safe distance, providing the person and Department member with a zone of safety; and
 - 6. limiting, when feasible, external stimuli that may agitate the person with disabilities (e.g., turning off sirens and flashing lights).
- D. A family member of friend is of great value in calming an individual exhibiting unusual behavior as a result of an invisiable disability.

VIII. INVESTIGATORY STOPS AND CUSTODIAL ARRESTS

- A. Consideration should be given to the special needs of some people with disabilities in an arrest situation. Response in these situations requires discretion and will be based, in great part, on the Department member's knowledge of the caracteristics and severity of the disability, the level of resistance exhibited by the suspect, and the immediacy of the situation.
- B. To ensure that the rights of all persons who have non-visible disabilities are protected, Department members will provide necessary communication assistance during Investigatory Stops and custodial arrests.
- C. Some persons with non-visibile disabilities may require physical aids (i.e., canes, wheelchairs, leg braces) to mantain their mobility.
- Prescribed medication may required at regular intervals for persons with non-visible disabilities who
 are under arrest.

- E. 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."
- F. 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 directive titled "Investigatory Stop System."
- G. 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."
- H. Department members will issue a <u>Field Pretrial Release Conditions form (CPD-21.255)</u> and <u>District Pretrial Release Conditions form (CPD-21-256)</u> 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 "<u>Pretrial Fairness Act Arrest Processing Procedures</u>."
- I. When a person with a non-visible disability is arrested, the arresting officer(s) will take steps to communicate Miranda rights afforded by the United States Supreme Court and as outlined in the Department directive titled "Custodial Interrogations."
- J. Persons in custody will be provided access to a telephone and be able to make three telephone 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."
- K. When an arrestee with a non-visable disability is accompanied by a service animal (a dog or minature horse trained to perform a task directly related to the person's disability), the service animal will not be separated from the arrestee and will be allowed to remain with the arrestee throughout the arrest process.

IX. CONFIDENTIALITY

Information regarding an individual's disability is considered confidential and will be treated with the utmost privacy. Disclosure of such information will only occur as needed to assist Department members carry out their official law enforcement duties or with the explicit consent of the individual.

Authenticated b	v MWK
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T19-086 EW

Larry Snelling Superintendent of Police

Chicago Police De	Chicago Police Department		Special Order S02-07-00XX		
INTERACTION HEARING	INTERACTIONS WITH PERSONS WHO ARE DEAF, DEAFBLIND, OR HARD OF HEARING				
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ISSUE DATE:	12 August 2024	EFFECTIVE DATE:			
RESCINDS:					
INDEX CATEGORY:	02 - Human Rights and Commu	nity 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:
 - 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 accomodations for persons who are deaf, deafblind, and hard of hearing.
 - 4. conditions for the provision of auxiliary communication aids.

C. describes:

- readily available communication methods;
- 2. Department-approved 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:

- 1. A Communication Guide for Police Officers (CPD-51.100); and
- 2. 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:
 - 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-visable 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 accommodations 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 invovling 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. <u>Auxiliary Aids</u> 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-approved interpreter services.
- C. <u>Deaf Person</u> Person who is unable to hear or process linguistic information through hearing, with or without amplification.
- D. <u>DeafBlind Individual</u> an individual who has combined hearing and vision loss, thus limiting access to both auditory and visual information.
- E. <u>Hard of Hearing Person</u> Person who cannot readily understand oral communications and may require amplification to be able to hear and communicate effectively
- F. <u>Department-Approved Interpreter</u> Any individual contracted through the Department, Mayor's Office for People with Disabilities, or approved vendor to provide services that may include certified deaf interpreters, tactile interpreters, pro-tactile interpreters, and co-navigator services.
- G. <u>LanguageLine InSight</u> 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.
- H. <u>American Sign Language (ASL)</u> <u>Language, completely distinct from English, and is the native language of most 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.</u>

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-approved 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-approved 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-approved 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 sign language, hand gestures, writing, tactile language, cued speech, and lip-reading.
- C. 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.
- D. 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.
- E. 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.
- 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 "A Communication Guide for Police Officers" (CPD-51.100) and the "Traffic Communications Guide" (CPD-11.980).

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

- G. Department-approved 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:
 - 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 or via phone: (312) 745-5841.
 - b. Requests for Department-approved 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 1700 hours on weekdays, or on weekends.
- H. Ensuring equal access to police services and facilities, including requests for Department-approved 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.
 - 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-approved interpreter is likely necessary, while responses showing that the person is able to communicate and comprehend without a Department-approved interpreter may make the presence of one optional:
 - report taking;
 - b. beat meetings; and
 - c. witness statements.
 - 2. Situations in which a Department-approved interpreter is required include:
 - a. when requested by an individual;
 - b. Miranda warnings;
 - c. interviews/interrogations; and
 - booking procedures.
- B. If a Department-approved 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-approved 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 specalized 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-approved, 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-approved 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. Family members and friends will **NOT** be permitted to interpret for deaf, deafblind, or hard of hearing individuals during a criminal investigation.
- F. 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;
 - 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:
 - Filling out case incident reports;
 - 2. Conducting short, less-complex witness interviews;
 - 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;
 - 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.
- 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, if required, procure a Department-approved 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-approved 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 consider, safety permitting, placing the handcuffs in front of the body to allow the individual 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-approved interpreter and his or her identification number, if applicable, in the narrative section of each relevant case incident report.

RESOURCES X.

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 Superintendent of Police

23-037 EW