



**Division of State Patrol
Policy and Procedure**

Number
5-10

Subject COMMUNICATION WITH PERSONS WHO ARE DEAF OR HARD OF HEARING	
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I. POLICY

It is the policy of the Division of State Patrol (DSP) to use effective methods in communicating with persons who are deaf or hard of hearing.

II. BACKGROUND

In 1990 the Americans with Disabilities Act (ADA) was established to ensure that "...no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity."

III. OBJECTIVE

This policy will establish guidelines for Division personnel when communicating with members of the public who are deaf or hard of hearing in State Patrol programs, activities and services.

IV. GENERAL PROVISION

A. Successful contacts with citizens are characterized by effective communication between the parties, whether it is with the public, a suspect, victim, or complainant. When a Division employee encounters an individual who is deaf or hard of hearing, the employee must use appropriate procedures, auxiliary aids and services to ensure effective communication with the individual.

- B. Appropriate auxiliary aids and services include qualified interpreters, written materials, notepads and other methods of making materials usually delivered aurally available to individuals who are deaf or hard of hearing.
- C. State Patrol contacts with the public occur principally during traffic stops. Traffic stops and incidents that involve persons who are deaf or hard of hearing require the employee to initiate communication through the use of basic sign language, note writing or auxiliary aids and services. These communication techniques will be used with the driver to explain the reason for the stop and to obtain the driver's license, registration, proof of vehicle insurance, and any other relevant documents. The officer will then advise whether a citation or warning is to be issued for the traffic violation and explain any further action that may be taken. The officer will obtain a qualified interpreter if at any time during the contact the individual who is deaf or hard of hearing makes the request or the officer determines that interpreter skills are necessary to ensure effective communication.
- D. The officer must include the notes and other written forms of communication used during the traffic stop as part of the police report.
- E. Division employees having contact with individuals who are deaf or hard of hearing during the performance of their duties at region/post offices, Central Headquarters, Safety and Weight Enforcement Facilities (SWEFs), the Wisconsin State Patrol Academy, etc., must use appropriate procedures, auxiliary aids and services to ensure effective communication.

V. USE OF CERTIFIED INTERPRETERS OR RELATED SERVICES

- A. Interpreters should be used whenever practical.
- B. An interpreter must be used, if possible, in any of the following circumstances:
 - 1. If requested by the person stopped or other member of the public making official contact with Division personnel.
 - 2. During a traffic stop of extended duration where effective communication has not been established.
 - 3. If it appears incarceration is likely.
 - 4. Extenuating circumstances including drug or criminal interdiction of the vehicle or its occupants.
 - 5. At any point the employee determines the service of a qualified interpreter is necessary to ensure effective communication.

- C. The Wisconsin Telecommunications Relay System (WTRS) 7-1-1 is available at www.wisconsinrelay.com to provide Telecommunications Relay Service (TRS) and Captioned Telephone Service (CTS) as a free public service.
- D. The Division will pay for an interpreter if one is requested or required. The deaf/hard of hearing subject must be made aware of this.
- E. Attempts to obtain the services of a listed certified interpreter should be made by a Law Enforcement Dispatcher (LED). A record of this process will be kept and should include:
 - 1. Date, time, location and circumstances related to the request for an interpreter.
 - 2. Name of person requesting the interpreter.
 - 3. Name and telephone number of the interpreter.
 - 4. Indicate whether or not the interpreter declines and the reason for declining.
 - 5. Estimated arrival time of interpreter to the location of the deaf person.
 - 6. Indication of whether or not an interpreter was contacted at the listed number.
 - 7. Documentation of any message left on an answering machine or service.

VI. TRAINING

- A. A four-hour basic course covering instruction on the deaf culture, the deaf motorist and the law enforcement approach to the deaf community shall be presented to all Division employees.
- B. Refresher training will be provided to all Division employees every two years consisting of a review of current Division policy and related matters. This training will normally be conducted during employee work unit meetings