



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-18

Effective: 12/16/19 Review: 12/16/20 Replaces: 01/17/16

## 2-18 CONTACT WITH DEAF, HARD OF HEARING, OR SPEECH IMPAIRED PERSONS

### Related SOP(s):

[2-82 Restraint and Transportation of Prisoners](#)

[4-26 Destruction/Capture of Animals](#)

### 2-18-1 Purpose

The purpose of this policy is to establish procedures in regards to Department personnel having contact with individuals with disabilities.

### 2-18-2 Policy

It is the policy of the Department that personnel shall adhere to the Americans with Disabilities Act (ADA) regarding interaction with persons with disabilities.

### 2-18-3 Definitions

#### A. American Sign Language

1. A form of sign language developed in the US and used also in English-speaking parts of Canada.

#### B. Auxiliary Aids or Services

1. Any written materials to aid in communication such as pencils, pens, note pads
2. An interpreter
3. Any other means for effective communication

#### C. Blind / Visually Impaired

1. An individual with vision loss to such a degree as to qualify for an additional support need.
2. An individual with significant limitation of vision resulting from either disease, trauma, or congenital or degenerative conditions that cannot be corrected.



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D. Deaf / Hard of Hearing

1. A partial or total lack of hearing that may be present at birth (congenital) or may be acquired at any age thereafter.

E. Deaf-Blind

1. An individual with the combination of hearing and visual losses.
2. Many deaf-blind have enough vision to be able to move about in their environments, recognize familiar people, see sign language at close distances, and perhaps read large print. Others have sufficient hearing to recognize familiar sounds, understand some speech, or develop speech themselves. The range of sensory impairments included in the term "deaf-blindness" is great.

F. ECC

1. Emergency Communications Center

G. Primary Consideration

1. Occurs when the officer must honor choice of Auxiliary Aids or Services of the individual unless:
  - a. The officer can show through mutual agreement that another equally effective means of communication is available; or
  - b. The use of the service would result in fundamental alteration in the service, program, or activity, or incur undue financial and administrative burdens.

H. Service Animal

1. Any animal that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.

I. Sign Language Interpreter

1. A licensed and certified interpreter for sign language



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A. Contact with Individuals with Blindness

1. Officers shall verbally identify themselves as a law enforcement officer immediately.
2. Personnel should refrain from speaking loudly because most people who are visually impaired hear well.
3. Personnel should verbally identify the individual(s) when conversing in a group format.
4. Personnel should avoid lapses in conversation without informing the victims.
5. Personnel shall inform individuals when they are being recorded.
6. Personnel shall never pet service/guide animals without permission.
7. Personnel should verbally assist individual in orienting to surroundings.
8. Personnel should obtain explicit permission to physically assist the individual.

B. Contact with Deaf, Hard of Hearing, or Speech Impaired Individuals

1. Consensual Encounters and Reasonable Suspicion Encounters

- a. Officers will ensure that known impaired individuals can see them before trying to contact them.
- b. Officers may utilize Auxiliary Aids when contacting impaired individuals.

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2. Utilization of Interpreter

- a. Officers will request a Sign Language Interpreter through ECC in order to interview victims and interrogate suspects that are Deaf or if requested by an individual that is hard of hearing.
  - i. Officers will note the Sign Language Interpreter call-out in the report.
  - ii. If a Sign Language Interpreter is unable to respond within a reasonable amount of time, the officer must note this in the police report.
  - iii. Officers will not utilize family or friends to interpret for these investigations.
- b. Officers may use other Auxiliary Aids for the initial investigation prior to an interpreter's arrival.



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- i. This is to be used to assist the officer in determining the extent of the investigation.
- ii. All written correspondence with the interviewee will be tagged into evidence. A copy may be sent to report review to be included with the report.

3. Arrest Investigations

- a. In addition to using a Sign Language Interpreter for reading the Miranda Warnings, the suspect(s) will be provided a written Miranda Warning for the suspect to sign.
- b. Officers will, at a minimum, use an On Body Recording Device (OBRD) to visually/audibly record interviews and interrogations
- c. Officers may handcuff deaf, hard of hearing or speech impaired individuals in the front so that they may communicate with their hands, when it is safe to do so.

7 C. Contact with Individuals with Deaf-blindness

1. Officers will use due regard with individuals with Deaf-blindness.
2. Officers may utilize a Sign Language Interpreter during investigations if the individual knows American Sign Language.

D. Contact with Individuals with Physical Disability

1. Consensual Encounters
  - a. Personnel will give due regard to individuals with a physical disability.
2. Criminal Investigations and Arrests
  - a. See SOP - Restraint and Transportation of Prisoners.
  - b. If requested and necessary, officers will provide needed resources while on calls.

E. Handling of Service Animals

1. Officers will not interfere with service animals.
2. In the instance when the owner of a service animal is placed under arrest or is deceased the officer shall:



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- a. Attempt to find a family member or other party approved by the owner to take custody of the service animal.
- b. If no one is available to take custody of the service animal, officers will request animal control to come take custody of the animal.
  - i. Officer will advise responding animal control officer that the animal is a service animal.
  - ii. Animal control will then be responsible for holding or returning the animal to the owner or designated party according to their standard procedures.