

**REPORT OF THE  
DEPARTMENT FOR DEAF AND  
HARD OF HEARING**

**A Study on Barriers  
Faced by Persons with  
Sensory Disabilities in  
Emergency and Law  
Enforcement Situations**

**TO THE GOVERNOR AND  
THE GENERAL ASSEMBLY OF VIRGINIA**



**HOUSE DOCUMENT NO. 46**

**COMMONWEALTH OF VIRGINIA  
RICHMOND  
1993**



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January 14, 1993

TO: The Honorable L. Douglas Wilder  
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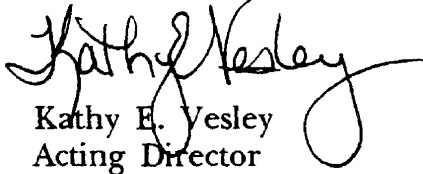
and

The General Assembly of Virginia

The report contained herein is pursuant to House Joint Resolution No. 2 of the 1992 General Assembly.

This report constitutes the response by the Virginia Department for the Deaf and Hard of Hearing to the directive to study the barriers faced by persons with sensory disabilities in emergency and law enforcement situations and to make recommendations to address those barriers.

Respectfully submitted,

  
Kathy E. Vesley  
Acting Director

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## PREFACE

House Joint Resolution 2 was authorized by the 1990 Virginia General Assembly. The resolution called for the Department for the Deaf and Hard of Hearing (VDDHH) to work in conjunction with other agencies and organizations in the preparation of a report on barriers faced by persons with sensory disabilities in emergency and law enforcement situations.

The Department wishes to express appreciation to the following Task Force participants whose expertise and insight resulted in this report:

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## EXECUTIVE SUMMARY

House Joint Resolution 2 (1990) (Appendix A) was offered as the direct result of the work of the Commission on the Coordination of the Delivery of Services to Facilitate the Self-Sufficiency and Support of Persons with Physical and Sensory Disabilities (the Beyer Commission). The ensuing study, which focused on barriers faced by persons with sensory disabilities in emergency and law enforcement situations, was led by the Virginia Department for the Deaf and Hard of Hearing (VDDHH) with significant support from a task force comprised of state agencies, service providers and consumer organizations named in the authorizing resolution.

The Task Force identified a general lack of communication and limited access to technological devices as an overriding theme. Specific issues are:

- \* The need for up-to-date technological devices (ie., pocket talkers, visual alarms, computers) at 911 Centers, law enforcement agencies, hospitals, and residences.
- \* Training for service providers at all levels is needed in various aspects of communication and technology.
- \* Consumers need to be aware of their responsibilities in emergency and law enforcement situations.
- \* Public awareness of the availability of existing services is needed.
- \* Existing laws and policies may conflict and/or impose constraints on volunteers, emergency personnel, confidentiality of consumers, etc.; changes to address the varying aspects may be necessary.
- \* Financial resources needed to improve technology and communications may be limited.

In considering ways to alleviate the barriers created by these issues, the Task Force arrived at a series of recommendations which build upon existing resources of the agencies and organizations involved. Many of the costs associated with the following recommendations are being absorbed by the affected agencies:

- \* Public safety answering points such as 911 centers should continue to upgrade services. Strategies for implementing this include a formal survey of all PSAPs, development of a best practices handbook, and standard means to identify sensory impaired callers.
- \* Consumer and provider access to technology should be increased through research, development and distribution. This could be

accomplished through expansion of the existing Technology Assistance Program at VDDHH, incentive grants for new technology and monitoring of developing technology.

- \* Pre-service and inservice training for emergency and law enforcement personnel should be expanded through a review of curricula, the development of training modules and other means.
- \* Consumer education related to rights and responsibilities in emergency and law enforcement situations should become an organizational priority for agencies and organizations. This could be accomplished through direct contact with organizations, a mass media plan, and town hall meetings focused on the issues.
- \* Qualified sign language interpreter services should be available 24 hours a day through the VDDHH interpreter services program. Emergency response and law enforcement agencies should maintain policies regarding the accessing of such services.
- \* Formal policies on the maintenance and utilization of confidential information related to the sensory disability status of individuals in a community need to be developed. This recommendation would require more in-depth legal analysis through the Office of the Attorney General.
- \* Agencies with specific mandates related to persons with sensory disabilities should develop action plans to assist state and local emergency and law enforcement agencies to improve services to this population. Plans should include the provision of technical assistance, grant identification and the establishment of educational goals.

Finally, the Task Force, recognizing the serious nature of the issues and the legal ramifications of several of the recommendations, is requesting a continuation of the study for an additional year to allow for thorough follow-up. Specific activities anticipated for the second year of the study include: conducting the survey of PSAPs, conducting an in-depth review of the Code (with assistance from the Office of the Attorney General) as relates to identification of consumers as sensory impaired, and contacting consumer advocacy groups and professional organizations requesting organizational priorities related to the identified issues.

## Introduction

The 1992 General Assembly received the report of the Beyer Commission and honored that report's request for a specific study on the barriers faced by persons with sensory disabilities in emergency and law enforcement situations. The need for such a study became apparent when testimony before the Beyer Commission reflected the frustrations faced by persons with sensory disabilities when calling 911, when encountering a police officer during a routine traffic stop or when being evacuated during a fire.

Further impetus for this study may be found in the "disability press" reports on recent natural disasters such as Hurricane Hugo and the San Francisco earthquake. In these emergencies, persons with sensory disabilities were among the last to receive information and the sense of isolation which often accompanies these disabilities was exacerbated, resulting in increased fear and confusion. Perusal of daily presses across the country also reveals the not-uncommon occurrence of callers who are deaf or hard of hearing being unable to establish effective communication with public safety answering points (PSAPs) such as 911 centers, which may be equipped with the necessary text telephone devices but whose staffs often may be unable to identify calls which require the use of such equipment.

Legislation is in place which could and should prevent many of the problems faced by persons with sensory disabilities and emergency and law enforcement personnel in critical situations. The Virginia Code and various federal mandates have been reviewed as part of this study. Problems arise around the issues of enforcement and education related to these mandates.

This report represents the work of a task force which included consumers with sensory disabilities, representatives of emergency and law enforcement service providers, and state agencies with responsibilities related to the study's focal issue.

## Study Design

The design of this study acknowledges the expertise of the agencies and organizations named in the authorizing resolution (House Joint Resolution 2 - 1992). The Virginia Department for the Deaf and Hard of Hearing (VDDHH) determined that a task force charged with issue identification and recommendation development would be the most effective means of achieving the goals of the study.

Initially, baseline data requests were sent to agencies named in HJR2 as a means of identifying the primary issues from various perspectives. The agencies were also asked to identify potential task force members representing the consumer and professional organizations with which they were affiliated. Invitations to participate were sent to individuals and organizations and an initial meeting was scheduled.

The work of the task force was planned to maximize input without placing time-intensive demands upon members. Generally, the early phases of task force activity were approached through a modified nominal group technique which recognized the value of each member's expertise and experience. In this way, the task force arrived at a series of issue statements and, subsequently, a number of recommendations to address the identified issues. Concurrently, a review of the literature was conducted which revealed not only reports of incidents involving persons with sensory disabilities but also examples of successful approaches for eliminating many of the problems.

### **Background**

The needs of persons with sensory disabilities vary greatly from the needs of the general population, particularly in emergency and law enforcement situations. Even within the population being studied, the needs and accommodations vary broadly. Persons who are deaf may require alternate modes of communication, including written notes or sign language presented through an interpreter. On the other hand, persons who are blind need information (such as directions) which is typically presented visually to be delivered verbally. The needs of persons who are hard of hearing may include face-to-face communication in a quiet environment. In all cases, it is important that the response personnel are familiar with the various needs and prepared to accommodate.

The agencies and organizations involved in the task force have a variety of interests and responsibilities. While some of these agencies and organizations have specific mandates or charters related to emergency and law enforcement situations, others generally address the concerns of persons with sensory disabilities in all aspects of daily life.

### **Issue Statements**

Each member of the task force presented the concerns of the constituency represented by that member. A summary of the concerns is presented in Appendix B. In addition, the task force was provided with an overview of the literature prior to the development of issue statements. Based on this information, a series of issue statements was developed and later refined. The task force unanimously agreed to the following overriding theme and issue statements.

**Overriding Theme:** Emergency and law enforcement situations involving persons with sensory disabilities are significantly impacted by a general lack of communication and limited access to technological devices designed to improve communication. Effective policies, procedures, public awareness and professional training are critical factors.



**Issue Statement 1: The Task Force identified the need for up-to-date technological devices (ie., pocket talkers, visual alarms, computers) at 911 Centers, law enforcement agencies, hospitals, and residences.**

Rationale: A variety of technological devices have been developed to assist persons with sensory disabilities in overcoming barriers to communication. Some, such as text telephones and computers, provide a means for written communication via telephone. Others enhance the auditory signal received by persons who are hard of hearing, providing improved one-to-one communication. It was noted that many Volunteer Rescue Squads do not have 911 access nor are they members of the Association of Public Safety Communication Officers (APCO). However, each local jurisdiction has an Emergency Services Coordinator, and the Virginia Department of Emergency Services can reach the coordinator. Rural areas have their own emergency services communications systems and may have a problem funding and/or obtaining 911 enhancements.

**Issue Statement 2: The Task Force recognized that training in the communication modalities, the use of equipment and/or devices for persons who are sensory impaired and/or limited in physical mobility, and the culture of the Deaf community may need to be built into existing curricula through a review of priorities with possible revisions to the curricula and/or addressed through continuing educational opportunities.**

Rationale: Emergency and law enforcement situations involving persons with sensory disabilities often go awry when the service personnel involved are unfamiliar with the implications of sensory disability. The Task Force received information on the current training requirements for law enforcement, fire and emergency medical personnel. While the training requirements for each vary, there are basic core curricula that are provided for each profession in a pre-service format. During on-going discussion on this issue, the Task Force identified an imbedded issue of the comparative values of and potential for in-service training as opposed to pre-service training. Task Force members representing agencies with training responsibility impressed upon the full membership the limitations of pre-service training, including the limited number of required hours of training and the technical and legal requirement which currently fill those hours.

The Police Executive Research Forum (PERF), working on a grant from the U.S. Department of Justice, has carefully considered the issues surrounding training of police officers in dealing with a variety of individuals with "invisible" disabilities. While the findings of PERF, based on a survey of 293 of the largest law enforcement agencies in the nation, indicate that approximately 80% of the responding agencies make training available on responding to persons with disabilities, 76% of all respondents indicated they needed more training on

police identifying and responding to people with disabilities.

**Issue Statement 3: The Task Force identified a need for efforts to ensure awareness of the consumer's responsibility and provide consumer training to persons who are sensory impaired.**

Rationale: In its deliberations, the Task Force agreed that the consumer's responsibilities in emergency and law enforcement situations could not be overlooked. These responsibilities include an awareness of legal rights, the need to maintain composure, the responsibility to inform police officers, fire fighters or emergency medical personnel of the consumer's sensory disability in a non-threatening way, and the responsibility to request appropriate accommodations. Further, consumers with sensory disabilities have a responsibility to be prepared in the event of an emergency or law enforcement situation by familiarizing themselves with services available in their area and by making themselves known to emergency and law enforcement personnel. The consumer representatives on the Task Force acknowledged that in many instances, consumer advocacy organizations are the best avenue for providing information on the rights and responsibilities of individuals in these situations because of the access those organizations have to the disability communities.

**Issue Statement 4: The Task Force identified the need for public awareness of the availability of existing services.**

Rationale: Sensory disabilities are often classified as low-incidence conditions because they affect a relatively small percentage of the population. As a result, emergency situations involving persons with sensory disabilities are not common. When an emergency situation involving a consumer with a sensory disability arises, the lack of general public awareness may negatively impact the situation, resulting in added confusion and/or concern. This is particularly true of disaster situations where community members turn to each other for information and assistance. If the community includes a person or persons with sensory disabilities, those individuals may be out of the loop as a result of the lack of awareness of the community at large. The result is increased anxiety and frustration for persons with sensory disabilities. Public awareness activities are necessary to ensure that during times of emergency, community members who have sensory disabilities are not overlooked by the community at-large in terms of communication, evacuation and other critical components of disaster response.

**Issue Statement 5: The Task Force concluded that existing laws and policies may conflict and/or impose constraints on volunteers, emergency personnel, confidentiality of consumers, etc.; and changes in law or regulations to address the varying aspects may be necessary.**

**Rationale:** A recurring discussion at Task Force meetings centered on the identification of individuals with sensory disabilities by PSAPs and response personnel. Among the questions central to this issue were whether a dispatcher should notify response personnel of the involvement of a person with a sensory disability in a call and, if so, how such notification could be provided while maintaining the privacy of the individual. For example, consumers expressed concern that information shared via police radio from the PSAP to the responding unit could be picked up by others listening in at the same frequency. Consumers with sensory disabilities may be considered "easy targets" for some criminals and the identification of such consumers over the airwaves may result in increased vulnerability.

Response personnel also face issues of entering premises believed to be occupied by persons with sensory disabilities, especially persons who are deaf. Representatives of response personnel were particularly concerned about issues of liability in these situations. An initial review of the Code did not provide the Task Force with sufficient information. It was determined that the assistance of the Office of the Attorney General would be required to address the multiple concerns associated with this issue.

**Issue Statement 6: The Task Force determined that financial resources needed to ensure appropriate handling of situations involving persons with sensory disabilities are more limited in rural areas of the state than in urban areas of the state.**

**Rationale:** Many communities in the Commonwealth rely upon volunteer fire and rescue squads to provide services. While no data was available at the time of this report, the Task Force is aware that in many of the communities, emergency calls are handled on a volunteer basis as well. The technology needed to meet the needs of persons with sensory disabilities could be considered cost-prohibitive by these low-cost, no-cost operations. The Task Force agreed that any recommendations developed to address the various issues must include consideration of the fiscal impact on these communities.

### Recommendations

In deliberating options for addressing the identified issues, the task force agreed that no limitations would be placed on the scope of potential recommendations. While some of the agreed upon recommendations may be more palpable or more easily implemented than others, it was decided to deliver all options which carried a significant potential for reducing the problems outlined by the issues. The task force generated numerous suggestions which, upon closer scrutiny, revealed several basic recommendations supported by strategies, as follows:

**Recommendation 1: The Task Force recommends that Public Safety Answering Points (PSAPs) continue to improve and upgrade services to ensure effective communication with emergency and law enforcement services for persons with sensory disabilities.**

**Strategies:**

- A. A formal survey of all PSAPs, including 911 Centers in the Commonwealth, to determine current policies, practices and technology available; including current means, if any, of identifying callers with sensory disabilities. The survey would be conducted by the Department of Emergency Services in cooperation with Association of Public Safety Communication Officers (APCO), VDDHH, and Department for the Visually Handicapped (DVH), utilizing the Department of Health, Office of Emergency Medical Services as a resource and/or consultant. It was emphasized that the survey identify what emergency services exist, and in addition, determine the current policies, practices and available technology related to sensory disabilities.
- B. Based on survey results and other available information, develop a "best practices" guide for PSAPs, including 911 services to identify sensory impaired callers with measures to ensure privacy. Guidelines for maintenance and expansion of the availability of technological devices, ensuring that appropriate agencies and organizations are informed, will be included. Implementation of such "best practices" should be monitored by Department of Health, Office of Emergency Medical Services and Department of Criminal Justice Services.
- C. Technology upgrades at PSAPs, including 911 Centers, should include voice amplification and voice carryover capabilities for all 911 operators and dispatchers.
- D. Identification of persons who are deaf or hard of hearing based on drivers licence codes should be explored, expanded and enforced.

**Recommendation 2: The Task Force recommends that consumer and provider access to technology which would assist in emergency situations should be increased through research, development and distribution.**

**Strategies:**

- A. VDDHH should expand the Technology Assistance Program to include alerting devices for person who are deaf, hard of hearing or deaf-blind. Existing laws relating to alerting devices, alarms, etc. should be enforced and strengthened enforcement provisions may be necessary.

- B. The DVH or Virginia's Assistive Technology System (VATS) should offer incentive grants for the development of improved technology for notifying the blind of visually delivered information in emergency situations.
- C. VATS should monitor technological developments which may benefit persons with sensory disabilities in emergency situations and ensure public and provider awareness of such developments. This may be handled by a separate workgroup established to monitor and follow-up on all recommendations.
- D. State contracts for technological devices should include provisions for local government agencies to purchase devices for situations involving persons with sensory disabilities. (The VDDHH Technology Assistance Program contracts may serve as a model).

**Recommendation 3: The Task Force recommends that pre-service training and/or continuing education programs for emergency service and law enforcement personnel be expanded to include specific training on situations involving persons with sensory disabilities.**

Strategies:

- A. The Department of Health, Office of Emergency Medical Services, Department of Fire Programs, and the Department of Criminal Justice Services, agencies responsible for training curricula for emergency and law enforcement personnel, should review current curricula and incorporate training in communication modalities, the use of equipment and/or devices for sensory impaired persons, and Deaf culture into pre-service or continuing education training offered to all personnel.
- B. VDDHH and DVH should develop training modules and otherwise assist with training and/or technical assistance as requested by law enforcement and emergency response agencies.
- C. "Roll Call" training for emergency and law enforcement personnel should be expanded to include information on handling situations involving persons with sensory disabilities.
- D. Training for Communications Assistants at the Virginia Relay Center on handling emergency calls should be expanded and continued.
- E. Agencies providing training should involve consumers with sensory disabilities as presenters/speakers to provide first-hand accounts of issues and concerns. (It was noted that VDDHH's Outreach Specialists provide

such training.)

- F. Key agencies, including VDDHH, DVH, Department of Health, Division of Emergency Medical Services, Department of Criminal Justice Services, and the Department of Fire Programs, should jointly produce a pocket handbook for response personnel, to include policies and procedures, contact information for interpreters and related agencies and other information critical in situations involving persons with sensory disabilities. The pocket handbook could be carried by emergency service and law enforcement personnel to use when needed in emergency situations.

The Task Force determined that the pursuit of required pre-service training for law-enforcement and emergency response personnel would not be the most effective means of addressing the identified issues. Mandatory pre-service training would only impact those entering these professions and would be cost-prohibitive. After lengthy discussion, the Task Force agreed that in-service, continuing education efforts would provide the greatest benefit.

**Recommendation 4: The Task Force recommends that consumer education in the rights and responsibilities of individuals with sensory disabilities in emergency and law enforcement situations should become an organizational priority of agencies, professional associations and consumer groups.**

**Strategies:**

- A. The Task Force should contact the Virginia Association of the Deaf, Self Help for Hard of Hearing People, Inc., the American Council of the Blind, the National Federation of the Blind, and other consumer organizations to report on the study and to encourage the establishment of an organizational priority as noted above. The Task Force will formally contact these organizations.
- B. The VDDHH, DVH, Department of Health - Office of Emergency Medical Services, Department of Criminal Justice Services, Department of Fire Programs, and other agencies involved in the study should develop a joint mass media plan, including newspaper and newsletter articles and airtime on community services programs, to publicize the issue of emergency services.

NOTE: The development of a workgroup was suggested to accomplish the above strategies.

- C. VDDHH, DVH, and other agencies involved in this study should conduct town hall meetings which incorporate training sessions on emergency and

law enforcement services and include consumers' responsibility in preparing for and responding to emergency situations.

- D. The Task Force should contact professional law enforcement and emergency response organizations to report on the study and to encourage the development of brochures and other informational materials targeted at persons with sensory disabilities. Agencies involved in the study should be available to assist in the development. The Task Force, in its continuance mode, would follow-up and encourage production of informational materials.

**Recommendation 5: The Task Force recommends that communication issues in situations involving persons with sensory disabilities be improved through the establishment of 24-hour interpreter services and agency policies and procedures which ensure appropriate communications.**

**Strategies:**

- A. The Department for the Deaf and Hard of Hearing should expand the Interpreter Services Program to include 24-hour interpreter availability for emergency and law enforcement situations. The 24-hour Interpreter Services would be a pilot program for the Central Virginia area only. The pilot will be implemented for one year, and the Task Force can evaluate the feasibility of a 24-hour Interpreter Services Program.
- B. The Department of Criminal Justice Services in consultation with the VDDHH and Department of Health, Division of Emergency Medical Services should develop model policies for handling situations involving persons with sensory disabilities.

**Recommendation 6: The Task Force recommends law enforcement and emergency services agencies establish and maintain written policies and standards for storing, accessing, sharing and conveying confidential information on persons with sensory disabilities for purposes of identifying situations involving such individuals. The written policies and standards will include notifying those individuals of impending disaster and emergency situations and the consequences and implications related to providing confidential information.**

**Strategies:**

- A. The **Code of Virginia (Code)** may need to be amended, after careful review of the contents of the **Code** relating to confidentiality, liability, and varying aspects. Amendment of the **Code** would provide specific protection to consumers whose sensory impairment is noted in the above referenced information system.

- B. Specific **Code** language to protect law enforcement and emergency service personnel and volunteers from personal liability when forcefully entering the residence of an individual identified as sensory impaired, in response to an emergency call or when attempting to notified persons who are sensory impaired during a disaster, should be reviewed.
- C. Specific logistical plans for the notification of consumers with sensory disabilities in emergency and disaster situations should be developed, recognizing the responsibility of the consumer to notify the local agency with emergency/disaster preparedness responsibility and the responsibility of agencies to respond to such notification.
- D. The Office of Attorney General should be requested to review the **Code** related to confidentiality, identification of sensory impaired persons, liability of law enforcement and emergency services personnel in emergency situations, ADA, federal requirements, building codes, and immunity laws.

**Recommendation 7:** The Task Force recommends that agencies of the Commonwealth, with specific mandates related to persons with sensory disabilities, develop action plans for working with state and local emergency and law enforcement agencies to improve services to this population.

**Strategies:**

- A. The Department for the Deaf and Hard of Hearing and the Department for the Visually Handicapped should provide technical assistance to emergency service and law enforcement agencies seeking additional funding for improved services. Such technical assistance may include testimony at budget hearing, identification of alternative funding sources, assistance in proposal development, and letters of support for funding applications.
- B. VDDHH and DVH should proffer expertise to all localities and municipalities through VACO and VML in assessing needs and developing strategies to respond to emergency services for persons with sensory disabilities.
- C. Cooperative agreements, training consortiums, continuing education training via satellite broadcast, local networks of organizations of sensory impaired persons and the outreach staffs of VDDHH, DVH and other state agencies should be utilized for increased sensitivity, communication, mobility and evacuation training with sensory impaired person to minimize the cost to rural and volunteer units.



- D. Grant sources should be identified that could fund production of training videotapes and related training materials for consistent and on-going training at minimal cost.

Generally, the success of the recommendations and strategies identified by the Task Force will depend upon administrative action within the agencies and organizations noted. Those which have fiscal impact have been submitted as Budget Amendment Briefs. (Appendix C)

The scope of the recommendations and strategies identified by the Task Force suggests the need for a one-year continuation of the study. A legislative proposal to this effect has been developed. (Appendix D) It is anticipated that during the second year, the Task Force would contact all consumer and professional organizations requesting the establishment of an organizational priority, monitor the pilot projects for 24-hour interpreter services and alerting device distribution, pursue clarification of legal issues related to identification of individuals with sensory disabilities by PSAPs, and conduct the survey of PSAPs to determine any further development needed.

## Appendix A

**Deaf and Hard of Hearing Consumers**

- o Lack of interpreters in emergency services responses from law enforcement and emergency personnel;
- o Difficulty in contacting 911 centers by telephone;
- o Lack of communication from hospital staff when a deaf person is hospitalized;
- o Inability to communicate with law enforcement officials when handcuffed;
- o Being physically restrained when a deaf person is trying to communicate with his hands, and often the deaf person becomes violent;
- o Law enforcement confusing a person who is intoxicated with a person deafened by spinal meningitis (spinal meningitis causes the deaf person to have balance problems and stagger when walking);
- o Lack of visual smoke alarms in residences.

**Blind Consumers:**

- o Blind consumers should not be charged for ambulance transportation because of their inability to drive;
- o Lack of training program for police and firefighters relative to problems that can occur when responding to emergency situations of the blind;
- o Communication problems with emergency announcements on the television, only printed/captioned announcements are currently provided.

**Deaf/Blind Consumers:**

- o Training on the use of audible/tactile smoke detectors;
- o Access to TTP for Deaf/Blind consumers;
- o Communication barrier when evacuation is needed in case of a fire;
- o Placement of detectors in the homes of Deaf/Blind consumers;
- o Identify the best method for Deaf/Blind consumers to determine that law enforcement is coming to door (trust plays a role);

Department of Health Emergency Services:

- o Training must be provided to improve awareness through continuing education;
- o Identification of a person's disability as early as possible in an emergency situation;
- o Currently working with a National Task Force on developing a curriculum which will give more attention to the special needs of the sensory impaired;
- o No indication of the magnitude of the problems associated with providing emergency services to the sensory impaired;

Department of Emergency Services Administrators:

- o Basic level of training materials is inadequate;
- o Lack of knowledge regarding equipment and devices available for deaf and hard of hearing population.
- o Lack of centralized automated list of deaf/hard of hearing person in the event of a disaster/emergency:
- o Lack of trained staff to provide support to a deaf/hard of hearing person.
- o Lack of effective emergency communications and warnings of impending emergency for deaf and hard of hearing population;
- o Limitations in technology at 911 Dispatch Centers in some areas of the state, (only one TTP for 12 Operators at most Dispatch Centers);
- o Lack of a formal training program and education regarding the use of TTP and/or providing assistance to persons who are deaf or hard of hearing;

Richmond City Fire Department:

- o Lack of a formal training program for firefighters in an emergency situation involving a sensory impaired person;
- o Need an operational procedures guide for quick reference in emergency situations;
- o Identify an Resource Center to contact in an emergency situation (i.e., Interpreter);

Department of Criminal Justice Services:

- o Lack of training for law enforcement;
- o Training and education provided to consumers when interacting with law enforcement;
- o Lack of financial resources available to local law enforcement agencies which are located in rural areas of the state to provide services to sensory impaired persons;

Chief of Police-George Madison University:

- o Cross-cultural awareness is needed to create some sensitivity toward sensory impairment;

1993 Amendments to Chapter 893 (1992 Acts of Assembly)  
 Amendment Brief

**HJR 2: STUDY ON BARRIERS FACED BY PERSONS WITH SENSORY  
 DISABILITIES IN EMERGENCY AND LAW ENFORCEMENT SITUATIONS**

Priority #1: Emergency Service Personnel Training (as recommended by the HJR 2 Task Force)

Criteria: #1 - Responds to critical training needs of Emergency Service Personnel to ensure public safety through effective communication between emergency and law enforcement agencies and persons with sensory disabilities.

Cause: Based on the findings of the Beyer Commission, there is a current lack of awareness and preparedness of emergency response personnel in critical situations which involve persons who are deaf, hard of hearing, speech impaired, deaf-blind, and visually handicapped. At the request of the Beyer Commission, the 1992 General Assembly established the HJR 2 Task Force to lead a study on this issue and develop an appropriate plan to address awareness and training of emergency response personnel.

Effect: The possible litigation resulting from the violations of civil rights or deaths of sensory impaired individuals caused by inappropriate or no response from emergency services personnel.

Affected Program: Social Services Research, Planning and Coordination (4500100)

Impact:	<u>General Fund</u>	<u>Nongeneral Fund</u>	<u>Total</u>
FY93	\$ -0-	-0-	\$ -0-
FY94	\$ 20,000	-0-	\$ 20,000
TOTAL	\$ 20,000	-0-	\$ 20,000

Results: As a collaborative effort between the Department for the Visually Handicapped, the Department of Fire Programs, the Department of Emergency Services, the Department of Health and the Department for the Deaf and Hard of Hearing, develop regional symposiums for training of area emergency response personnel and develop orientation and informational materials for dissemination to individual squads, units, and public safety organizations for the training of new recruits.

**1993 Amendments to Chapter 893 (1992 Acts of Assembly)  
Amendment Brief**

**HJR 2: STUDY ON BARRIERS FACED BY PERSONS WITH SENSORY  
DISABILITIES IN EMERGENCY AND LAW ENFORCEMENT SITUATIONS**

Priority #2: Expansion of the VDDHH Technology Assistance Program (TAP) to include alerting devices (as recommended by the HJR 2 Task Force)

Criteria: #1 - Responds to critical safety needs of citizens who are deaf, hard of hearing, speech impaired, deaf-blind, and visually handicapped.

Cause: Based on the findings of the Beyer Commission, the HJR 2 Task Force has recommended that consumer and provider access to technology which would assist in emergency situations be researched, developed and distributed to reduce preventable injury and death of persons who are sensory impaired. Existing laws relating to the responsibilities of a landlord or proprietor to provide alerting devices may be inadequate and often may not be enforced. An alternative means of acquiring alerting devices is indicated for persons who are sensory impaired who are unable to obtain such equipment for their residence or traveling accommodations.

Effect: The possible threat to life or property resulting from the absence of alerting devices in the residences of persons who are sensory impaired.

Affected Program: Social Services Research, Planning and Coordination (4500100)

Impact:	<u>General Fund</u>	<u>Nongeneral Fund</u>	<u>Total</u>
FY93	\$ -0-	-0-	\$ -0-
FY94	\$ 37,500	-0-	\$ 37,500
<b>TOTAL</b>	<b>\$ 37,500</b>	<b>-0-</b>	<b>\$ 37,500</b>

Results: A pilot program will be developed by VDDHH to expand the Technology Assistant Program to include alerting devices for persons who are deaf, hard of hearing or deaf-blind. Approximately 500 of such devices will be disseminated using the agency's existing TAP Regulations/procedures including a sliding fee schedule for possible recipient contribution to equipment purchased.

**1993 Amendments to Chapter 893 (1992 Acts of Assembly)  
Amendment Brief**

**HJR 2: STUDY ON BARRIERS FACED BY PERSONS WITH SENSORY  
DISABILITIES IN EMERGENCY AND LAW ENFORCEMENT SITUATIONS**

Priority #3: Establish the availability of 24-hour Interpreting Services for emergency situations (as recommended by the HJR 2 Task Force)

Criteria: #1 - Responds to critical safety needs of citizens who are deaf, hard of hearing, speech impaired, or deaf-blind.

Cause: Based on the findings of the Beyer Commission, the HJR 2 Task Force has recommended that communication issues involving persons with sensory disabilities be improved through establishing the availability of 24-hour interpreting services. Current communication aids used by emergency response personnel, public safety organizations, and hospital emergency room and trauma units are often ineffective at providing life or death information to individuals who are sensory impaired. No agency or organization in the Commonwealth provides an around the clock service for emergency situations.

Effect: The possible threat to life or property resulting from the absence of effective communication between emergency or public safety personnel and citizens who are sensory impaired.

Affected Program: Social Services Research, Planning and Coordination (4500100)

Impact:	<u>General Fund</u>	<u>Nongeneral Fund</u>	<u>Total</u>
FY93	\$ -0-	-0-	\$ -0-
FY94	\$ 10,000	-0-	\$ 10,000
<b>TOTAL</b>	<b>\$ 10,000</b>	<b>-0-</b>	<b>\$ 10,000</b>

Results: A pilot 24-hour program will be established in the Richmond or other metropolitan area for a period of one year to evaluate the success and responsiveness of the program as well as the feasibility of implementing such services on a statewide basis. VDDHH will establish a contract with a private sector answering service to relay requests to pre-arranged qualified interpreters to provide services in a given area.



**1993 Amendments to Chapter 893 (1992 Acts of Assembly)  
Amendment Brief**

**HJR 2: STUDY ON BARRIERS FACED BY PERSONS WITH SENSORY  
DISABILITIES IN EMERGENCY AND LAW ENFORCEMENT SITUATIONS**

Priority #4: Department of Criminal Justice Services Model Policy (as recommended by the HJR 2 Task Force)

Criteria: #1 - Responds to critical training needs of Emergency Service Personnel to ensure public safety through effective communication between emergency and law enforcement agencies and persons with sensory disabilities.

Cause: Based on the findings of the Beyer Commission, there is a current lack of awareness and preparedness of emergency response personnel in critical situations which involve persons who are deaf, hard of hearing, speech impaired, deaf-blind, and visually handicapped. At the request of the Beyer Commission, the 1992 General Assembly established the HJR 2 Task Force to lead a study on this issue and develop an appropriate plan to address awareness and training of emergency response personnel.

Effect: The possible litigation resulting from the violations of civil rights or deaths of sensory impaired individuals caused by inappropriate or no response from emergency services personnel.

Affected Program: Social Services Research, Planning and Coordination (4500100)

Impact:	<u>General Fund</u>	<u>Nongeneral Fund</u>	<u>Total</u>
FY93	\$ -0-	-0-	\$ -0-
FY94	\$ 2,500	-0-	\$ 2,500
<b>TOTAL</b>	<b>\$ 2,500</b>	<b>\$ 2,500</b>	

Results: The Department of Criminal Justice Services (DCJS) produces a model manual used by approximately 95% of all Virginia law enforcement agencies. Proposed funding would be used for the printing and dissemination of an update to the manual regarding the appropriate responses by law enforcement personnel when interacting with citizens who are sensory impaired. The update would be jointly developed by the DCJS, the Department for the Visually Handicapped, and the Department for the Deaf and Hard of Hearing.

LEGISLATIVE PROPOSAL FOR STUDY CONTINUATION

WHEREAS, the Commission on the Coordination of the Delivery of Services to Facilitate the Self-Sufficiency and Support of Persons with Physical and Sensory Disabilities previously identified the need for a study of the barriers faced by persons with sensory disabilities in emergency and law enforcement services; and

WHEREAS, the 1992 General Assembly approved House Joint Resolution 2, requesting the Department for the Deaf and Hard of Hearing, in cooperation with several other agencies and organizations, to conduct such a study; and

WHEREAS, a Task Force has been established and has commenced the study; and

WHEREAS, the Task Force has submitted a report which identifies significant issues which impact persons with sensory disabilities in emergency and law enforcement situations; and

WHEREAS, several of the identified issues are impacted by agencies and service providers coming into compliance with the requirements of the Americans with Disabilities Act; and

WHEREAS, full information on the identified issues was not readily attainable and additional information is needed; and

WHEREAS, the recommendations of the Task Force include pilot projects, a survey of public safety answering points, an in-depth analysis of the Virginia Code related to identification and confidentiality, and other activities which require follow-up; and

WHEREAS, the Task Force has demonstrated a commitment to providing real and viable solutions to aid in the removal of barriers faced by persons with sensory disabilities in emergency and law enforcement situations; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Department for the Deaf and Hard of Hearing continue to study the specific barriers to effective emergency response and law-enforcement services faced by persons who are sensory impaired. During the course of the study, the Department for the Deaf and Hard of Hearing shall seek the participation of the Department for the Visually Handicapped, the Division of Emergency Medical Services within the Department of Health, the Department of Emergency Services, the Virginia Association for the Deaf, Self Help for Hard of Hearing, Inc., emergency service providers, law-enforcement personnel and other organizations and state agencies as appropriate.

The Department shall complete its work in time to submit its findings to the Governor and the 1994 session of the General Assembly as provided for in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

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