


<p>RABUN COUNTY SHERIFF'S OFFICE</p>  <p>General Order Number: 4.25</p>	<p>Date of Issue</p> <p>2/23/2016</p>	<p>Effective Date</p> <p>2/23/2016</p>	<p>Revision Date</p>
<p>Subject: HEARING IMPAIRED & LANGUAGE TRANSLATION SERVICES</p>	<p>Amends:</p>		<p>Rescinds:</p>
<p>Index as: Hearing Impaired, Language Translation Services, Limited English Proficiency</p>	<p>State Certification Standards: 7.5</p>		

PURPOSE

The purpose of this General Order is to protect the rights of the hearing impaired and, when appropriate, provide language interpreters for the Hearing Impaired and non-English speaking persons.

STATEMENT OF POLICY

It shall be the policy of the Rabun County Sheriff's Office to make reasonable accommodations for individuals requiring Hearing Impaired and Language Translation Services.

DISCUSSION

Rabun County Sheriff's Office personnel will display sensitivity to the nature of the contact or call and be aware that the victim/complainant may be hesitant to disclose sensitive information if the translator is a friend or family member. This may be especially true in cases of assault and/or sexual assault. In that instance, the officer should seek translation from another employee, an employee of another jurisdiction within Rabun County or a professional translator with the Supervisor's permission.

DEFINITIONS

HEARING IMPAIRED PERSON — An individual whose hearing is totally impaired or whose hearing is so seriously impaired as to prohibit the person from understanding oral communications when spoken in normal conversational tone.

QUALIFIED INTERPRETER — A person certified as an interpreter by the National Registry of Interpreters for the Deaf or approved as an interpreter by the Georgia Registry of Interpreters for the Deaf.

NON-ENGLISH SPEAKING OR LIMITED ENGLISH PROFICIENCY — A person who indicates that he or she does not understand the English language.

I. HEARING IMPAIRED CONTACTS

A. Assistance Procedures

1. Arresting deputies may be required to provide a qualified interpreter to any hearing impaired person whenever he/she is taken into custody for allegedly violating any criminal law or ordinance of the state or any political subdivision thereof before the arrestee is questioned by the officer(s).
2. The Rabun County Communications Center provides the services of the "TDD Text Telephone" and the "Language Line" which allows people who are deaf, hard of hearing, speech impaired, or who speak another language to convey information of an emergency nature.
3. All contacts with a hearing or speech-impaired individual must be handled carefully and with respect for the person's situation. When encountering a victim, witness, or other individual with a hearing or speech impairment, employees will first attempt to communicate with the person in writing before other interpretation options are pursued.
4. No interrogation, warning, informing of rights, taking of statements, or other investigatory procedures should be performed until a qualified interpreter has been provided.
5. No answer to a question, statement, admission, or the taking of evidence shall be admissible in any criminal or quasi-criminal proceedings unless such was knowingly and voluntarily given through and in the presence of a qualified interpreter.
6. A hearing impaired person may waive the right to the use of an interpreter. Any such waiver shall be in writing on the department's Waiver of Interpretive Service form. This form will be placed in the case file for retention. The failure of a hearing impaired person to request an interpreter is not to be deemed a waiver of that right.
7. An interpreter will be provided as soon as possible after the warrantless arrest of a deaf or hearing impaired person unless the individual interpreter.
8. The hearing impaired individual may be moved to a secure location away from the incident scene pending arrival of an interpreter.
9. Written communication may be used to explain deputy's actions, but no questioning or investigatory communications will take place until the interpreter arrives. Book-in procedures will not be delayed pending the arrival of a qualified interpreter.
10. In any situation where a deputy is to execute an arrest warrant for an individual known to be hearing impaired and the officer intends to initiate questioning, reading of rights, interrogation, etc., the officer will first arrange for an interpreter to be provided at the time of arrest. If a deputy is simply executing an arrest warrant and will not be questioning the individual, an interpreter will be provided as soon as possible after the arrest.

B. Prior To Requesting An Interpreter

1. The deputy will ensure that the hearing impaired individual desires an interpreter and does not want to sign a Waiver of Interpretive Services form.
2. The deputy will notify his/her supervisor and obtain permission to contact the interpreting service and request an interpreter.
3. The deputy will try to determine what type of sign language the hearing impaired individual uses to ensure a capable interpreter is provided. This may be accomplished by asking the individual in writing what type of sign language they use.

C. Requesting An Interpreter

1. Once permission is obtained, the deputy will contact Sign Language Interpreting Specialists, Inc. (SLIS) by calling 770-531-0700.
2. Before calling, deputies should be ready to provide the following information:
 - a. Name and phone number of contact person at assignment site;
 - b. Date and time the interpreter is needed and directions to the site;
 - c. Type of incident and background; and
 - d. Communication method used by the hearing impaired person.
3. If a qualified interpreter is not available within a reasonable amount of time after the hearing impaired person has been taken into custody and a request has been made, deputies may interrogate or take a statement from such person, and/or proceed with book-in processing provided that such interrogation and answers thereto shall be in writing and will be preserved and turned over to the court in the event such a person is tried for the alleged offense.

D. Documentation Of Request For Or Use Of Interpreter

In their incident reports, deputies will document the time the request for an interpreter was made, if an interpreter was used, or if the individual signed a waiver of interpretive services. A copy of the approved incident report and department's Interpretation Services Usage Form will be forwarded to the appropriate Division Commander for review and for appropriate payment of service.

II. NON-ENGLISH SPEAKING OR LIMITED ENGLISH PROFICIENCY CONTACTS

- A. Should Language interpretation be required, employees should initially seek assistance from another departmental employee who speaks the required language or from a member of another department within Rabun County, or from a known citizen who is willing to provide such assistance on a voluntary, "no fee" basis.
- B. The Victim / Complainant may seek to have a translator of their choosing (friend or relative) if one is available or they may secure one at their own expense or one can be obtained by the Sheriff's Office.
- C. In the event that a language interpreter cannot be located the department has a list of interpreters posted at the front desk of the Rabun County Jail.

- D. Should Uniform Patrol Division personnel encounter a non-English speaking individual at a traffic crash, crime scene, or other serious situation, a request will be made with the Rabun County Central Communications Center for use of the AT&T Language Line. This service provides access to over-the-phone interpretation for up to 140 languages, 24 hours a day.



By Order of the Sheriff: **Chad K. Nichols**
Sheriff, Rabun County