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			<b>OPI:</b>	DIRECTOR	
			<b>REVIEW DATE:</b>	April 1, 2015	
			<b>Approving Authority</b>	Thomas Faust Director	
<b>SUBJECT:</b>	<b>ADA: COMMUNICATIONS FOR DEAF AND HARD OF HEARING</b>				
<b>NUMBER:</b>	<b>3800.3B</b>				
<b>Attachments:</b>	Attachment 1- Inmate Request Slip Attachment 2 – District of Columbia Effective Communication Policy Attachment 3 – Telecommunication Service and TTY Guide				

**SUMMARY OF CHANGES:**

<b>Section</b>	<b>Change</b>
Revisions	<i>Major Revisions contained throughout policy</i>
Add Attachments	<i>Attachment 1 – Inmate Request Slip Attachment 2 – District of Columbia Effective Communication Policy Attachment 3 – Telecommunication Service and TTY Guide</i>

**APPROVED:**



**Thomas Faust, Director**

4/1/2014

**Date Signed**

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1. **PURPOSE AND SCOPE.** To establish and implement a program within the DC Department of Corrections (DOC) that provides auxiliary aids and services, whenever necessary, to ensure that individuals who are deaf or hard of hearing have an equal opportunity to participate in, and enjoy the benefits of DOC's services, programs and activities.
2. **POLICY.** It is the policy of DOC to ensure that individuals who are deaf and hard of hearing are able to communicate effectively while in the custody of the DOC or engaged in services, programs and activities provided by the DOC.
3. **APPLICABILITY.** This policy applies to services, programs, and activities provided or operated by the DOC, its contractors and volunteers.
4. **NOTICE OF NON-DISCRIMINATION.** In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code § 2-1401.01 et seq., (hereinafter, "the Act") the District of Columbia does not discriminate on the basis of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intrafamily offense, or place of residence or business. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action
5. **PROGRAM OBJECTIVES**
  - a. DOC will furnish appropriate auxiliary aids and services where necessary to afford an individual who is deaf or hard of hearing with an equal opportunity to participate in and enjoy the benefits of services, programs and activities conducted by DOC.
  - b. DOC shall ensure by contract or other arrangements that all services, programs, or activities provided or operated by contractors are in compliance with all local and federal regulatory and statutory requirements. Contracts with those entities that fail or refuse to comply with these standards shall be subjected to immediate correction up to formal termination proceedings.

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## 6. DIRECTIVES AFFECTED

### a. Rescinded

- 1) PS 3800.3A      ADA: Communications for Deaf and Hearing Impaired (07/16/13)

### b. Referenced

- 1) PS 1220.1      Customer Service
- 2) PP 2920.1      Fire Safety Inspections and Abatement
- 3) PP 3800.2      Accommodating Persons with Disabilities
- 4) PS 4030.1      Inmate Grievance Procedures (IGP)
- 5) PP 4070.1      Inmate Telephone Access
- 6) OM-13-007      Elimination of Sexual Abuse, Sexual Assault, and Sexual Misconduct

## 7. AUTHORITY

- a. Title 2 of the Americans with Disabilities Act (ADA) of 1990, 42 U.S.C. § 12101 et seq., 28 C.F.R. Part 35
- b. ADA Amendments Act of 2008, PL 110-325 (Sept. 25, 2008)
- c. D.C. Code § 2-1431.01 et seq., Disability Rights Protection
- d. D.C. Code § 2-1411.01, Office of Human Rights.
- e. D.C. Code Title 2, Chapter 19, Subtitles I, General Provisions and Subtitle II, Language Access
- f. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §701 et seq.
- g. D.C. Code § 24-211.02. Powers; promulgation of rules

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- h. Settlement Agreement and Release between the Equal Rights Center, et al. and the District of Columbia dated May 30, 2011
- i. Mayor’s Memorandum 2008-2, District of Columbia Policy for Provision of Auxiliary Aids and Services for Communication with People with Disabilities, dated September 26, 2008
- j. 28 C.F.R. Part 35, Nondiscrimination in the Basis of Disability in State and Local Government Services

## 8. STANDARDS

- a. American Correctional Association 4<sup>th</sup> Edition, Standards for Adult Local Detention Facilities: 4-ALDF-5B-11 and 4-ALDF-6B-07.
- b. Prison Rape Elimination Act of 2003 (PREA), 115.16.

## 9. DEFINITIONS

- a. **Americans with Disabilities Act Coordinator (ADA Coordinator).** The DC DOC employee responsible for overseeing and coordinating ADA compliance within DC DOC.
- b. **Auxiliary Aids and Services.** Includes qualified sign language interpreters (either in person or via video interpretation), handwritten and typed notes, real-time captioning, open or closed captioning of video materials, assistive listening devices, written transcripts, and/or other methods of making aurally delivered materials accessible to people who are deaf or hard of hearing.
- c. **Auxiliary Aids and Services Coordinator (AAS Coordinator).** The DC DOC employee responsible for maintaining all necessary information about the operation of the AAS program to include knowing how to obtain appropriate services, where appropriate auxiliary aids are stored, and how to operate auxiliary aids within DC DOC.
- d. **Person Who is Deaf.** A person with hearing loss so severe that they cannot process any type of aural information even if they have some sort of hearing-enhancing device.

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- e. **Person Who is Hard of Hearing.** A person with mild to moderate hearing loss who cannot readily understand aural communication.
- f. **Qualified Interpreter.** Defined by the ADA as an individual able to interpret effectively, accurately and impartially both receptively and expressively, using any necessary specialized vocabulary. A qualified interpreter may provide interpretation services in person or via a remote interpreting (VRI) service.
- g. **Intermediary Interpreter.** Any person, including any deaf or hard of hearing person, who is able to assist in providing an accurate interpretation between spoken English and sign language or between variants of sign language (e.g., American Sign Language vs. Signed English) by acting as an intermediary between a deaf or hard of hearing- person and a qualified interpreter.
- h. **Telecommunications Relay Services (TRS).** TRS allows an individual who is deaf, hard of hearing, or speech disabled to communicate with a hearing person who does not have a TTY system. A Communications Assistant (CA) will place the call from the inmate who is typing the message using the DOC TTY phone, and speak the words to the individual receiving the call. The CA will then type the spoken words from that individual so the inmate can read the returned message.
- i. **Teletypewriter (TTY).** A device used with a telephone to communicate with persons who are deaf or hard of hearing by typing and reading communications. TTY Relay refers to the use of 711 to connect to a relay operator.
- j. **Videoconferencing.** Videoconferencing allows two or more people at different locations to see and hear each other at the same time. This is the service that will primarily be used for DOC contracted interpreting services.
- k. **Video Remote Interpreting (VRI).** A video telecommunication service that uses devices such as web cameras or videophones to provide sign language or spoken language interpreting services. This is done through a remote or off-site interpreter, in order to communicate with persons with whom there is a communication barrier.

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## 10. REQUIREMENTS

### a. **Contracts for the Provision of Interpreting Services**

- 1) DOC has contracted with an interpreter service to provide an effective means to ensure that qualified interpreters are available, when required, without delay.
- 2) DOC may, but shall have no obligation to, hire or otherwise contract with qualified interpreters in a staff position.
- 3) Staff interpreters must be qualified as set forth in Section 12(e) of this directive.

### b. **Policies and Security Concerns.** Nothing in this policy shall require that an electronic device or piece of equipment used as an appropriate auxiliary aid be used when or where its use may be inconsistent with DOC policies or pose security concerns.

For instance, closed-captioned televisions are provided consistently for inmates who are deaf or hard of hearing with the same duration and frequency as televisions are provided to inmates classified in the same status within DOC. No inmate is provided a television if his/her status would not otherwise permit him/her access to one.

### c. **Equal Service Provisions.** Inmates and visitors who are provided with staff interpreters must have the same level of coverage (for both duration and frequency) as DOC is otherwise obligated to provide under this policy and procedure. DOC may assign other duties as appropriate to staff interpreters.

## 11. RESPONSIBILITIES

### a. **Director.** The Director shall ensure the following:

- 1) The Auxiliary Aids and Services (AAS) Program is conducted in accordance with requirements and procedures contained in this directive.
- 2) The Director designates operational compliance of the AAS Program to the Deputy Director for Management Support. This responsibility may be further delegated.

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- b. **Deputy Director for Management Support.** The Deputy Director shall ensure that:
- 1) The DOC AAS Coordinator(s) provide program oversight. The Coordinator(s) shall work with the Central Detention Facility (CDF) Warden, the Correctional Treatment Facility (CTF) Warden and the DOC Acquisitions Management Division to determine the appropriate auxiliary aids and services that are necessary, and the timing, duration and frequency with which they will be provided. Auxiliary aids and services include qualified interpreters, note takers, transcription services, written materials, assistive listening devices, assistive listening systems, or other effective methods of making aurally delivered materials available to individuals who are deaf or hard of hearing.
  - 2) The Office of Acquisitions Management ensures contract facility compliance with the AAS program outlined in this directive, and ensures that all contractors develop and issue similar operational procedures.
  - 3) The annual ADA self-evaluation and annual ADA implementation plan prepared by the ADA Coordinator(s) is submitted for approval to the Office of Disability Rights annually in accordance with D.C. Code § 2-1431.02(a)(5).
- c. **CDF Warden and CTF Warden.** The Wardens shall ensure compliance as outlined in this directive is accomplished.
- d. **ADA Coordinator.** The ADA Coordinator shall:
- 1) Fulfill the roles and responsibilities as outlined in 28 C.F.R. Part 35 and D.C. Code § 2-1431.02.
  - 2) Complete an annual ADA evaluation to determine the status of DOC's ADA compliance in accordance with D.C. Code § 2-1431.02(a)(2). Annual evaluations shall be submitted to the Deputy Director for Management Support.
  - 3) Prepare an annual ADA implementation plan stating action to be taken to provide qualified persons with disabilities with full and complete

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access to services, activities, and facilities of the DOC in accordance with D.C. Code § 2-1431.02(a)(3). Annual implementation plans shall be submitted to the Deputy Director for Management Support.

e. **AAS Coordinator(s).** AAS Coordinator(s) shall:

- 1) Maintain and distribute copies of the District of Columbia Effective Communication Policy (Attachment 2) and Telecommunication Service and TTY Guide (Attachment 3) to personnel that may come into contact with inmates or visitors who are deaf or hard of hearing.
- 2) Maintain all necessary information about access to the AAS program to include a system of documentation for inquiries regarding the provision of auxiliary aids and services and responses.
- 3) Maintain all necessary information about the operation of the AAS program to include knowing how to obtain appropriate services, where appropriate auxiliary aids are stored, and how to operate auxiliary aids.
- 4) Be responsible for the maintenance, repair, replacement, and distribution of auxiliary aids and services, with the exception of hearing aids, which will be provided by the health services provider.
- 5) Publicize its purpose and telephone number broadly within DOC and to the public.
- 6) Provide appropriate assistance regarding immediate access to and proper use of the appropriate auxiliary aids and services available.

f. **Health Services Contractor.** The health services contractor shall:

- 1) Purchase and keep appropriate types of hearing aid batteries in stock in the medical supply room during the length of time an inmate who wears a hearing aid is in the custody of DOC. The health services contractor shall provide replacement hearing aid batteries for standard devices within twenty-four (24) hours after a request is made. The health services contractor shall provide replacement batteries for

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nonstandard devices within five (5) business days after a request is made.

- 2) Send inmate hearing aids to a hearing aid repair company as soon as possible but no later than forty-eight (48) hours (excluding weekends and holidays) following a request by an inmate for repair of his or her hearing aid. The health services contractor shall inform the inmate as soon as possible when the hearing aid was sent for repair and when it is expected to be returned by the repair company.

**g. Employees.** Employees shall:

- 1) If an employee is made aware that an inmate or visitor is deaf or hard of hearing, or the employee has reason to believe that the person is deaf or hard of hearing, the employee shall advise the individual that appropriate auxiliary aids and services will be provided to them in order to access services, programs and activities at the DOC.
- 2) Direct individuals who are deaf or hard of hearing to the appropriate AAS Coordinator(s).
- 3) Be forthcoming in response to any overt request for appropriate auxiliary aids or services.

## 12. PROCEDURES

**a. Initial Communication Assessment.**

- 1) When an employee has reason to believe or is informed that a newly admitted inmate or a visitor with whom the employee is communicating or attempting to communicate with is deaf or hard of hearing, the employee shall immediately take the following steps:
  - a) Ascertain, through the exchange of written notes or by other appropriate means, whether the individual is deaf or hard of hearing.
  - b) Notify the individual through the exchange of a written note or standardized notice that a DOC shall provide free, qualified sign language interpreter services via NexTalk VRI if the inmate desires.

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- c) If the individual expresses a preference for the use of written communication, the employee shall provide a pad and pen or pencil and shall communicate with the individual in writing and permit the individual to communicate back to the employee in writing.
  - d) If the individual expresses, through the exchange of written notes or other means, that a qualified sign language interpreter is necessary for effective communication, the employee shall ascertain whether the individual uses American Sign Language or Signed English to communicate.
  - e) If the individual requests an in-person sign language interpreter, the AAS Coordinator or designee shall contact DOC's approved sign language interpreting vendor to provide assistance.
- 2) To the extent practicable consistent with the safety, security and order of the facility, written communication should not be used as a substitute where the individual has expressed a preference for a sign language interpreter.
  - 3) If the individual appears to be unable to express a preference or to otherwise communicate without a qualified sign language interpreter, a qualified sign language interpreter shall be contacted by means of videoconferencing.

**b. Reasonable Accommodations**

- 1) DOC shall provide inmates and visitors who are deaf or hard of hearing with appropriate auxiliary aids and services necessary for effective communication as soon as practicable upon determination that the aid or service is necessary.
- 2) DOC shall provide inmates who are deaf or hard of hearing an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. Such steps shall include, when necessary to ensure effective communication with inmates who are deaf or hard of hearing, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary

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specialized vocabulary. In addition, the agency shall ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities, including inmates who have intellectual disabilities, limited reading skills, or who are blind or have low vision

- 3) DOC shall allow, at any time during incarceration, an individual who is deaf or hard of hearing the opportunity to request the auxiliary aid or service of his or her choice by filing an Inmate Request Slip (IRS) (Attachment 1). DOC shall give primary consideration to the choice expressed by the individual. DOC shall honor the expressed choice, unless it can show that another equally effective means of communication is available, that use of the means chosen would result in a fundamental alteration in the nature of the service, program, or activity, or that use of the means chosen would result in undue financial and administrative burdens, or that the means chosen is a threat to the safety, security or order of the facility.
- 2) If DOC personnel have reason to believe a need exists for the services contained within this policy and procedure, DOC shall inform the individual of the options available to meet the person's needs.
- c. **Communication with Inmates and Visitors.** DOC shall take appropriate actions to ensure that all employees having contact with an inmate or visitor who is deaf or hard of hearing are made aware that the person is deaf or hard of hearing so that effective communication with the person will be achieved. These actions include but are not limited to the following:
- 1) Medical notification
  - 2) Case managers logging an alert in JACCS, thereby flagging an inmate's condition
- d. **Provision of Qualified Interpreters**
- 1) DOC shall provide or ensure provision of qualified interpreters when necessary for effective communication with, or effective participation in, DOC programs and activities by inmates and visitors who are deaf or hard of hearing.

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- 2) The following list of circumstances where interpreters may be required is neither exhaustive nor mandatory; there are other circumstances when it may be appropriate to provide interpreters for effective communication. Except in the case of the initial intake and the initial medical encounter, emergency medical encounters, sick call, or other spontaneous encounters, the requesting DOC employees shall request interpreter videoconferencing service via the AAS Coordinator three (3) business days in advance when practicable.
  - a) Initial intake;
  - b) Classification processing;
  - c) Regularly scheduled health care appointments and programs (medical, dental, visual, mental health, and drug and alcohol recovery services);
  - d) Treatment and other formal programming;
  - e) Educational classes and activities;
  - f) Disciplinary board hearings;
  - g) Criminal investigations (to the extent controlled by DOC);
  - h) Classification review interviews;
  - i) Grievance interviews, and
  - j) Formal investigations conducted by DOC staff.
  
- 3) The following information shall be maintained in the offices of the AAS Coordinator(s), Command Center, Receiving and Discharge, Visitor's Control, Staff Entrance, Housing Unit Control Bubbles, Unit Managers, Case Manager, Chaplain and the Health Services Contractor:
  - a) A list of employees who are qualified interpreters as verified by the AAS Coordinator, along with their shifts, work locations and phone numbers.

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- b) The phone number and information for the contract interpreting service that provides videoconferencing or in-person assistance:

Graham Staffing Services, Inc.  
12300 Twinbrook Parkway, Suite 210,  
Rockville, MD 20852  
(301) 770-4180 (phone)  
(888) 587-1420 (fax)  
Contact: Adina Imes

- c) Telecommunications Relay Services (TRS) provider telephone number or the national TRS number of 711.

- 4) The AAS Coordinator(s) may request the interpreter provide in-person services at DOC facilities when appropriate.

**e. Provision of Video Remote Interpretation (VRI) Services.**

- 1) DOC shall provide NexTalk video remote interpretation (VRI) services when necessary for effective communication with, or effective participation in, DOC programs and activities by, inmates and visitors who are deaf or hard of hearing.
- 2) DOC shall make laptops with NexTalk VRI services available in strategic locations, as determined by the Warden, throughout the CDF and CTF. DOC shall maintain laptops with NexTalk VRI services in the following locations:
  - a) Inmate Processing Center (IPC)
  - b) CDF Medical
  - c) CTF Medical
  - d) Central Cell Block (CCB)
  - e) CDF Command Center

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- f) CTF Command Center
- g) AAS Program Coordinator's Office
- h) Chief Case Manager's Office

Any other laptops with NexTalk VRI services shall be made available for use throughout the CDF and CTF as necessary according to this policy and procedure.

- f. **Other Means of Communication for Unscheduled Circumstances.**  
Between the time an interpreter is requested and the interpreter is contacted by means of videoconferencing service, DOC personnel, including contractors, shall continue to try to communicate with the inmate or visitor who is deaf or hard of hearing for such purposes and to the same extent as they would have communicated with the person if the person were not deaf or hard of hearing, using all available methods of communication.
  - 1) For instance, seeking the services of an interpreter shall not mean that medical treatment will be delayed until an appropriate interpreter service is available.
  - 2) In addition, upon connection of the videoconference or arrival of the interpreter, personnel shall review and confirm with the inmate all information that was communicated prior to the interpreter's intervention.
- g. **Complaint Resolution**
  - 1) Inmates shall be informed in writing at initial classification that they can file complaints regarding the provision of auxiliary aids and services through the Inmate Grievance Program.
  - 2) DOC shall provide notice to other individuals who access DOC facilities of complaint and resolution procedures, upon request.

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### 13. TELEPHONES

- a. **Telecommunications Typewriters (TTYs) aka Telecommunications Device for the Deaf (TDD).** The Warden shall ensure that written procedures are developed and implemented to provide telecommunication devices (“TTYs”) for inmates who are deaf or hard of hearing in a manner that ensures effective access to telephone services. These procedures shall also ensure inmates have access to TTYs to communicate with family members or friends who are deaf or hard of hearing.
- b. **TTY Accessibility**
  - 1) DOC shall make at least one TTY device available in each visiting area. These can be permanently installed or consist of portable TTYs.
  - 2) Upon request, DOC shall provide TTY units to all inmates who are deaf and hard of hearing residing in housing units during the time periods and to the extent that pay phones are available to other inmates, including those in segregated housing.
  - 3) Upon request, DOC shall make a TTY unit(s) available at the same time and to the same extent that a pay telephone is made available to inmates in areas other than housing units.
- c. **Telecommunications Relay Services (TRS).** TRS calls from payphones available by dialing 711 from a TTY unit. Notice shall be posted near all pay telephones.
- d. **Time limits on TTY calls.** In light of the fact that telephone calls placed via a TTY unit take three to five times longer than telephone calls placed using standard voice telephone equipment, DOC personnel shall not impose on TTY calls a time limit of less than four times the time allowed for voice telephone calls.
- e. **Volume Control and Hearing Aid Compatible Telephones.** DOC shall ensure that no less than twenty-five (25) percent of all of its pay telephones are equipped with volume control mechanisms. DOC shall ensure that volume control phones are dispersed among all pay telephones throughout DOC.

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DOC shall ensure that appropriate universal signs are displayed at each volume control telephone.

#### 14. VISUAL AND TACTILE ALARMS

- a. DOC shall ensure that visual alarms are provided in areas where there are audible emergency alarms and it is anticipated that individuals who are deaf or hard of hearing have access. To the degree these alarms are not in place in areas where inmates who are deaf or hard of hearing may reside alone or work alone, DOC shall install the appropriate mechanism.
- b. DOC shall ensure that housing units that have audible alarms shall also have visual signal devices to alert inmates who are deaf or hard of hearing to announcements (e.g., security checks). Note: To be effective, visual alarms more than seven times brighter (110 candela v. 15 candela, at the same distance) are required to awaken sleepers in a normal daytime illuminated room.

#### 15. TELEVISIONS

DOC shall provide and maintain closed captioned television decoders (or built-in decoder televisions) in television rooms to enable inmates who are deaf or hard of hearing to enjoy the same opportunity for television viewing as other inmates.

16. **NOTICE/SIGNS.** DOC shall post and maintain signs of conspicuous size and print at all facilities, and wherever other posters or flyers are required by law to be posted. Such signs shall advise individuals that sign language and oral interpreters, TTYs, and other auxiliary aids and services are available free of charge to people who are deaf or hard of hearing. These signs will include the international symbols for “interpreters” and “TTYs”.
17. **INMATE HANDBOOK.** DOC will include in all future printings of its Inmate Handbook (or equivalent) and all similar publications a statement to the following effect:
  - a. To ensure effective communication with inmates and their visitors who are deaf or hard of hearing, we provide appropriate auxiliary aids and services free of charge. These aids and services include, but are not limited to, sign language and oral interpreters, TTY's, note takers, computer-assisted real

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time transcription services, written materials, assistive listening devices and systems, telephones compatible with hearing aids, closed caption decoders, and open and closed captioning. Requests for different types of aids and services can be submitted, but their availability cannot be guaranteed.

## 18. TRAINING

DOC shall provide training sessions – from sensitivity training to health care needs – for all DOC personnel that may come into contact with inmates or visitors who are deaf or hard of hearing. All management or administration staff shall also be trained regarding policies and procedures relating to compliance with the ADA.

### a. Content.

- 1) Such training shall be sufficient in duration and content to train a reasonable number of DOC personnel on how to access the Program, use of the Program, and sensitivity to the needs of inmates who are deaf and hard of hearing.
- 2) Such training shall include topics relevant to the health care needs of inmates who are deaf and hard of hearing, such as:
  - a) The various degrees of deafness and diversity in the deaf community,
  - b) Identification of communication requirements of persons who are deaf or hard of hearing,
  - c) Types of auxiliary aids and services provided under this Policy,
  - d) The proper use and role of qualified sign language interpreters,
  - e) Procedures and methods for accessing the AAS Program for providing interpreters, making and receiving calls through TTY's and other relay service providers,
  - f) Third party resources that can provide additional information about people who are deaf or hard of hearing, and
  - g) The existence of DOC's complaint resolution process.

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## 19. TERMINATION OF CONTRACT WITH NONCOMPLYING ENTITIES

DOC shall ensure by contract or other arrangements that all services, programs, or activities provided or operated by contractors are in compliance with the Americans with Disabilities Act and other relevant laws, rules and regulations. Contracts with those entities that fail or refuse to comply with District and federal laws, rules or regulations may be terminated.

Attachment:

Attachment 1 – Inmate Request Slip

Attachment 2 – District of Columbia Effective Communication Policy

Attachment 3 – Telecommunication Service and TTY Guide

**DOC/PP3800.3B/4/3/14**



**GOVERNMENT OF THE DISTRICT OF COLUMBIA**

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**ADMINISTRATIVE ISSUANCE SYSTEM**

**Mayor's Memorandum 2008-2**  
September 26, 2008

**TO:** All Department and Agency Heads

**ORIGINATOR:** Eve Hill, Director of the Office of Disability Rights



**SUBJECT:** DISTRICT OF COLUMBIA POLICY FOR PROVISION OF AUXILIARY AIDS AND SERVICES FOR COMMUNICATION WITH PEOPLE WITH DISABILITIES

The District of Columbia is committed to making District programs, services, and activities available to everyone, regardless of disability. People with disabilities are entitled to fair and equal access to service. In addition, the District is committed to compliance with the Americans with Disabilities Act (ADA).

District government agencies will provide auxiliary aids and services when necessary to ensure that communication with individuals with vision, hearing, and speech disabilities is as effective as communication with nondisabled individuals. No surcharge or fee will be assessed for the provision of auxiliary aids and services. In determining which auxiliary aid to provide, District agencies will give primary consideration to the request of the individual with a disability.

Auxiliary aids and services include:

Access for people with vision impairments to written/visual materials:

- Large print text (Arial font, 18 point or larger)
- Audio description
- Provision of qualified staff or a reader to read written material aloud
- Provision of a qualified staff person or notetaker to write material for the person with a disability
- Audiotaped text
- Braille text
- Screen-readable (e.g., Word) electronic formats
- Other methods of making visually delivered materials accessible to individuals with vision impairments

Access for people who are deaf or hard of hearing to aural materials:

- Handwritten or typed notes if the communication is short and simple

- Qualified sign language interpreters if the communication is not short and simple (either in person or video interpretation) and for large meetings or events
- Real-time captioning for large meetings or events
- Open or closed captioning of video materials
- Assistive listening devices
- Written transcripts
- Other methods of making aurally delivered materials accessible to people with hearing impairments

### **Requests for Auxiliary Aids or Services**

Requests for auxiliary aids or services should be made to the agency in advance of the meeting, hearing, or other activity provided by the District. However, when advance notice is not provided, District agencies will make efforts to provide auxiliary aids or services. District agencies must inform the public about how to request auxiliary aids or services (whom to call, how far in advance). District agencies will not set unreasonable requirements for advance notice needed for auxiliary aids or services.

### **District Agency Response to Requests for Auxiliary Aids or Services**

When an auxiliary aid is requested, the District agency will give primary consideration to the choice of the individual with a disability. It is important to consult with the individual to assess what auxiliary aid(s) will be effective.

The District will honor the individual's choice unless:

- Another equally effective means of communication is available, or
- Provision of the auxiliary aid would fundamentally alter the service, program, or activity, or
- Provision of the auxiliary aid would result in undue financial or administrative burdens to the District.

Agencies should consult with the Office of Disability Rights (202-724-5055) when considering provision or denial of auxiliary aids or services. Agencies should respond to requests for auxiliary aids within a reasonable time by notifying the individual of the proposed auxiliary aid to be provided.

### **Grievance Procedure**

If an individual with a disability is dissatisfied with a District agency's proposed or provided auxiliary aid or service, he or she may contact the DC Office of Disability Rights (202-724-5055) or the agency's ADA Coordinator.

### **Captioning of Videos**

Videos for distribution, display or internet posting should be closed or open captioned or otherwise made accessible to people with hearing disabilities.

## **Sign Language Interpreters**

There are several common types of sign language, including American Sign Language (ASL) and Signed English. In addition, each spoken language generally has its own sign language. It is important to consult with the person with a disability to find the kind of interpreter they need.

Sign language interpreters must be qualified – able to sign what is being said by the hearing person and able to voice what is being signed by the person who is deaf. This communication must be conveyed accurately, objectively, and impartially, through the proper use of any necessary specialized vocabulary.

Friends and relatives, including minor children, generally should not be used as interpreters unless the person with a disability specifically requests it, having been informed that an outside interpreter can be provided, and

- The friend or relative is able to interpret effectively and accurately,
- The friend or relative has no apparent or potential conflict of interest, and
- The friend or relative is of sufficient age and maturity

While sign language interpreters are not required to be certified, there are several certifying bodies, including the Registry of Interpreters for the Deaf and the National Association of the Deaf.

In situations where an interpreter is not available, video relay interpreting may be used. Video relay interpreting requires a high-speed internet connection, a computer, a USB video camera, and videoconferencing software. In order to be effective, video relay interpreting requires strict adherence to technical standards for equipment and connection. Video relay interpreting may not be effective in all situations or for all individuals who are deaf.

**EFFECTIVE DATE:** This Memorandum shall be effective September 2, 2008.



Government of the District of Columbia  
Office of Disability Rights



**Telecommunications Relay Service & TTY Guide**

**What is a TTY (text telephone/TDD)?**

Looking much like a typewriter keypad with a text screen, a TTY allows an individual who is deaf, hard-of-hearing or has a speech difficulty to make and receive telephone calls. The conversation is read on a lighted display screen and/or a paper printout on the TTY. Persons using a TTY may call any standard phone user by placing the call through Telecommunications Relay Service, or they may call another TTY user directly.

There are two general types of TTYs. Acoustic TTYs have cups where a standard telephone handset is placed to receive or place the TTY call. Direct connect TTYs are directly connected to a telephone line.

**Using a TTY**

To communicate by TTY, you type the message you want to send on the TTY's keyboard. As you type, the message is sent over the phone line, just like your voice would be sent over the phone line if you talked. You can read the other person's response on the TTY's text display.

**What is a Videophone (VP)?**

Recently, more and more deaf people have switched from using TTYs to using videophones. A videophone is a telephone with a video screen, and is capable of full duplex (bi-directional) video and audio transmissions for communication between people in real-time. People who are deaf use videophones to communicate with each other in sign language, and also with video relay services to communicate with hearing persons.

**Using the Telecommunications Relay Service - 711**

If you do not have a TTY or a videophone, you can still call or receive calls from a person who is deaf, hard of hearing, or has a speech difficulty by using the Relay Service. There are two types of Relay Service – one to communicate with TTY users (TRS), and one to communicate with videophone users (VRS). With TRS, an operator types what you say so that the person you are calling can read your words on his or her TTY display. His or her typed response will be read aloud for you by the TRS operator. With VRS, an operator/interpreter signs what you say in sign language for the person you are calling, whose response in sign language is then voiced for your benefit. Calls can be placed or received through the Relay Services. Relay services are toll free, and

For information and assistance, please contact the Office of Disability Rights at 202-724-5055;  
Website: <http://odr.dc.gov/>  
(Issued 4/2008 and Updated 4/2011)

## Attachment B

are available 24 hours a day, 365 days a year. You can dial 711 to connect to either TRS or VRS anywhere in the United States.

## Guidance for Making Traditional TTY Calls

1. Place the telephone handset in the acoustic coupler (modem) of the TTY and turn on the power. Two small lights will come on. Only the power light will stay on: the phone light waits to respond to any sounds picked up by the acoustic coupler.
2. Dial the telephone number and watch the TTY light, which shows the dial tone, busy signal, or ringing by corresponding light patterns. The light remains on for the length of the sound and goes off when there is no sound. For example, the light flashes rapidly and rhythmically with a busy signal.
3. The person answering the TTY will respond with his or her name and a short message followed by "GA" which means "go ahead."
4. You start typing at this point and identify yourself.
5. To end a turn in the conversation, type "GA", and the other person will begin typing again. Each person is expected to take a turn only after receiving a "GA" from the other party.
6. When you are done with your conversation, type "GA to SK", meaning "go ahead to stop keying" or "good-bye", to let the person know you are finished with talking on the TTY.
7. A TTY message in process cannot be interrupted, even if one knows what the other person is going to type.
8. TTY and TTY Relay calls may take a little longer than voice calls. Please be patient.

## TTY Etiquette

1. When calling TTY users, let the phone ring at least 7 or more times before hanging up. Many TTY users rely on flashing lights to alert them to ringing phones. Flashers can take longer than sound to attract attention.
2. Callers should identify themselves at the beginning of calls. Any other people watching the conversation also should be identified.
3. Always tell TTY users when calls are going to be put on "hold" or transferred.
4. When TTY users type "Can you read me?" they want to know if the message is clear and without garbled letters and numbers. If the message is garbled, hit the space bar a few times. If this does not clear up the message, both parties should hang up and try the call again.

## Time-saving Quick Tips

To save time, common English abbreviations frequently are used. In addition, some punctuation, articles, or prepositions are omitted when it does not interfere with meaning.

## Common TTY Abbreviations

GA	"go ahead"
U	"you"
XXX	"mistake"
HD	"hold"
Q	"question mark" or "?"
MSG	"message"
THX	"thanks"
TMW	"Tomorrow"
BEC or CUZ	"because"

For information and assistance, please contact the Office of Disability Rights at 202-724-5058;  
 Website: <http://odr.dc.gov/>  
 (Issued 4/2008 and Updated 4/2011)

Attachment B

SK	"Stop Keying or good-bye"
GA to SK	"completing all messages and getting ready to hang up"