5-09/005.00 - Speech or Hearing-Impaired Communications

Effective communication is a prerequisite to the effective delivery of many services that the Department provides. U.S. Justice Department regulations for Title II of the Americans with Disabilities Act (ADA) specifically require that the Department take the necessary steps to ensure that communication with individuals with speech and hearing impairments is as effective as communication with individuals without such disabilities. Effective communications can be accomplished through auxiliary aids and services such as qualified interpreters, written materials, and note pads. Department members should give primary consideration in providing the choice expressed by the individual with the hearing impairment. Primary consideration means that the member should honor the choice, unless he can show that another equally effective means of communication is available, or that the use of the means chosen would result in a fundamental alteration in the service, program or activity, or in undue financial or administrative burdens.

There are times when immediate communication is essential and any method that is available and works, including gestures and hand signals, will have to be attempted. Nevertheless, in some situations ineffective methods can result in tragedy. It is important that all Department members are mindful of the Department's obligation to ensure effective communication, that they are aware of various ways that effective communication might be facilitated, and that they are prepared to communicate effectively in various contexts.