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371.1 PURPOSE AND SCOPE
This policy will provide guidance for the Pasadena Police Department to ensure that a consistently high level of police service is provided to all members of the community including people with disabilities. This Department will adhere to the definitions and requirements set forth in the Americans with Disabilities Act (ADA).

371.2 POLICY
It is the policy of the Pasadena Police Department to afford people with disabilities, the same access to programs and services, provided to all citizens. In addition, first responders will recognize the nature and characteristics of various disabilities and appropriate physical and emotional support to people with disabilities who seek to access police services or who come into contact with the police. The term "disability" means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such impairment; or being regarded as having such an impairment.

(a) Some examples of these additional services are:

1. Recognizing seizure symptoms and providing appropriate medical and emotional support;
2. Sensitivity to and appropriate physical support in aiding people who are mobility impaired;
3. Prompt access to communication aids and services for people with vision, hearing and/or speech disabilities who have a need to communicate with police personnel;
4. 24-hour access to professional support systems for people with mental disabilities;
5. Access to police information, programs, and publications for people who have impaired vision or hearing;
6. Recognizing differences between characteristics associated with antisocial behavior, criminal behavior, and reactions to alcohol and drug abuse and similar characteristics common to certain disabilities, such as epilepsy, diabetes, and deafness;
7. Provision of reasonable accommodations to ensure service and access to all people with visual, mental, emotional and medical disabilities including "invisible" disabilities such as diabetes, epilepsy, multiple sclerosis, loss of hearing and others.

371.3 DEVELOPMENTAL DISABILITY
The term Developmental Disability refers to anyone or a combination of three types of impairment that affect people at birth or in their early years.
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(a) Mental Retardation

1. Individuals with this disability have an impaired ability to perform daily life functioning due to significantly below average intelligence. Nevertheless, a low intelligence score alone does not necessarily indicate mental retardation. There is no uniform description of this disability to alert police officers that a person is mentally retarded; individuals with this disability display different characteristics in varying degrees of intensity; they may not appear mentally challenged; and they will not all act in the same manner when confronted by police.

2. Officers should be aware of the following about people with this disability:
   (a) They may have limited speech or no speech at all.
   (b) They may be frightened and unable to respond from fear.
   (c) They may respond to questions, improperly, with no intention of attempting to deceive.
   (d) A response may be inappropriately given out of fear of disapproval or in an attempt to please.
   (e) Normal use of medication may be responsible for suspiciously slow speech, reactions, or manner of walking.
   (f) An officer’s calm, patient attitude will prove to be the most effective tool.
   (g) Some individuals know the identity of parents and social workers and the address of where they reside. Those who don’t know this information will sometimes have it printed on a card in their personal property and/or located on an I.D. bracelet.

371.4 CEREBRAL PALSY
Cerebral Palsy (often referred to as CP) results from damage to the central nervous system before birth or early in life. Cerebral refers to the brain, and Palsy to a disorder of movement or posture. There is little relation to level of intelligence.

CP is characterized by an inability to fully control motor functions of the body that suggests that the person may be ill or drugged. Furthermore, a person who has CP may have spasms, involuntary movements, and unusual walking gait, seizures, problems with coordination, and impaired sight, hearing, or speech.

371.5 EPILEPSY
Epilepsy is a symptom of a disorder of the central nervous system occurring either as a result of head trauma or as a condition from birth.
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(a) Usually, an employee will encounter an epileptic person as a result of a medical assist or "person down" call. In those situations, one of the following three seizure patterns will be visible:

1. The Grand Mal convulsion consists of a loss of consciousness, stiffening, muscle rigidity, and spasms.
2. The Petit Mal seizure may not be readily recognized, as it usually consists of a lapse of attention lasting from 5-25 seconds and gives the appearance of daydreaming or staring.
3. The Psychomotor seizure may be seen only as staring confusion, dizziness or fear, or other behavior such as lip smacking or erratic arm movement.
4. On the scene of a seizure, employees should keep the person from getting injured by removing objects from the area which might cause injury (chairs, tables, etc.). His/her movements should not be restrained, nothing should be placed between the teeth and nothing should be given to drink.
5. If the person is still unconscious after the seizure, he/she should be turned on his/her side, with the face turned downward, then call for medical assistance.

371.6 AUTISM

(a) Autism is a severely incapacitating lifelong developmental disability, not a psychological disorder.

1. Common characteristics of people who have autism include:
   
   (a) Lack of physical, social, and learning skills.
   (b) Irregular rhythm of speech and limited understanding or use of words.
   (c) Irregular responses to sensations: sight, hearing, touch, pain, balance, smell, taste, etc.
   (d) Relating to objects, events, and other people in ways that seem irregular or lacking in responsiveness.

2. Autism is perhaps the most challenging disability with which to cope as an employee. The actions of autistic persons may seem to be hostile, antagonistic, bizarre, or drug induced. They may sometimes feel pain when others would not, and other times feel no pain. Employees may be drawn to them by their "odd" behavior. Autistics' individuals may show a fascination with an inanimate object, walk into traffic without looking, or be engaged in other aggressive or self-injurious behavior.

3. Employees should resist the natural tendency to counter aggression or non-compliance with physical control since merely touching a person with autism might
cause them to flee. Attempting to confine them in the back seat of a patrol car might cause them great fear and resistance.

4. Quite often, when employees come into contact with an individual that has autism, they will be in their neighborhood or where family or friends are near. There are no hard and fast rules for dealing with an autistic person. An employee should take a calm, persistent approach when dealing with an autistic person.

371.7 MOBILITY DEVICES

(a) Many types of mobility devices are used by people with disabilities that impair the use of legs and lower back muscles, and sometimes arms and hands: manual wheelchairs, power wheelchairs, 3-wheel electric scooters, 4-wheel electric scooters, and even Segways. Often, but not always, people who use electric scooters and Segways are able to stand up and walk on their own for very short distances. Conditions that effect only the lower limbs are called paraplegia, and conditions that affect three or four limbs are called quadriplegia.

(b) Wheelchairs and scooters can be used to conceal a weapon or contraband. In addition, these mobility devices have sufficient battery power and weight to potentially cause injury if propelled into an officer.

(c) Some of the disabilities that most often lead a person to use a mobility device include:

1. Spinal Cord Injury-Damage to the spinal cord from an accident or from violence; the higher up the spine, the greater is the loss of muscle function and the operation of internal organs involved with bladder control, excretion, and breathing. Also, regulation of body heat may be poor and very sensitive to changes in the environment. People with severe spinal cord injury may require mechanical aid during the day and when asleep at night.

2. Post-Polio- Muscle paralysis due to a viral infection that often occurs during childhood, but can infect adults also. The effects of polio very greatly among individuals with this disability, ranging from slight irregularity in gait, to lifetime use of crutches, wheelchairs, scooters, and mechanical breathing aids.

3. Multiple Sclerosis-a deterioration of the insulation around nerve cells causes various limitations in daily functioning, walking, and adjusting to warm environments. At first the condition is mild and intermittent, but it progresses over time to require the use of crutches, wheelchairs, and sometimes mechanical breathing aids.

4. Amputation-removal of part of one or both lower extremities typically requires a person to use a mobility device if leg prostheses are not used.

5. Other conditions that may lead a person to use a mobility device include arthritis, diabetes, and cerebral palsy.
(d) Before pushing either a manual wheelchair or a battery powered wheelchair or scooter, the officer should check that any hand brake is in the off position and that any motors are disengaged from their drive shafts.

(e) If a need arises to transport a wheelchair or scooter and the individual who uses the device, follow the procedures given the department policy for arresting individuals with disabilities.

371.8 IMPAIRED HEARING AND IMPAIRED SPEECH

Deaf or hearing impaired people often feel extremely isolated from society because of their inability to participate in much of the environment around them. There is a high risk to police officers because deafness is not an apparent disability and lack of response to verbal commands may be interpreted as disrespectful or aggressive behavior.

(a) Sign language, not English, is usually a deaf person's first language. Sign language is a visual mode of communication, not a written one. Officers should be patient and considerate when they attempt to communicate.

(b) After correctly assessing that the arrested person is deaf or non-speaking, the arresting officer shall:
   1. Get the person's attention. A wave, or other visual sign will usually accomplish this.
   2. Speak slowly and clearly. The officer should not yell, or over pronounce words. Short sentences should be spoken, remembering that roughly 30% of deaf persons read lips.
   3. Officers should avoid standing in front of a light source such as the sun or a bright light as the deaf person cannot see the officer clearly.
   4. Repeat or rephrase a thought before abandoning the question. Often, the person may have missed only a word or two.
   5. Use paper and pen if necessary. Getting the message across is more important than the medium used.
   6. If possible, get a qualified interpreter for any extended questioning. Contact the Communications Section for interpreter notification.

(c) When it becomes necessary to arrest and book deaf and non-speaking persons, officers will obtain a supervisor's approval and explain fully the nature of the arrest. In addition, officers will verbally advise jail personnel of the deaf and non-speaking status of the arrestee. (See policy 370)

371.9 IMPAIRED VISION

The sense most used to identify the environment is not available to a blind person. An employee should keep that in mind when encountering a legally blind person (a person who has some limited sight) or blind person (who has no vision). An employee should immediately identify himself/
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herself. Employees should offer assistance if it appears to be needed. If help is declined, a Police Department employee should respect the desire to be self-sufficient.

(a) Blind persons should be spoken to in a normal tone of voice. The employee should insure he/she knows they are being spoken to, possibly by a touch on the shoulder or arm. (Note: Prior to any physical contact, the employee should advise the party of the intended contact)

(b) Allow a blind person to grasp the employee arm just below the elbow to be led. A blind person should not be taken by the arm. The employee should walk slightly in front of the blind person and stop completely before going up or down stairs or curbs. The person should be told about elevation changes.

(c) When entering a doorway, the blind person should be told the direction in which the door opens and allow them to grasp the door behind the employee as they enter.

(d) If the individual is accompanied by a guide dog, it is appropriate to give the command, "follow," or the blind person may drop the harness and hold the employee's arm in the prescribed manner.

(e) An officer should be certain to read aloud to the blind person, in its entirety, any document or report that the blind person is to sign. Whenever practical the conversation with regards to signing any document should be audio record for the sake of future reference.

371.10 ARRESTING DISABLED PERSONS

(a) This order establishes the department's approach on dealing with the processing of disabled arrestees.

1. Developmentally Disabled Persons- arrested by the Pasadena Police Department who require incarceration, shall be transported and booked at the appropriate Los Angeles County Jail Facility. If an arrestee already booked into the facility is discovered to be developmentally disabled, the following procedure shall apply:

   (a) All Developmentally Disabled arrestees' shall be segregated in accordance with Article 5, Section 1057, Title 15, of the California Code of Regulations (C.C.R.). For the purpose of complying with Section 1057 of the Minimum Jail Standards, inmates shall be considered developmentally disabled if they are disabled due to mental retardation, cerebral palsy, epilepsy, autism, or a combination of these handicaps.

   (b) Upon identification that an inmate is developmentally disabled, the duty jailer will notify the Los Angeles County Jail Watch Commander at Twin Towers and receive an approval for booking. The duty jailer shall notify the Watch Commander and immediately take steps to ensure the safety of the developmentally disabled prisoner during processing through the jail. The arrestee should be immediately transported to the appropriate County Jail Facility as directed by the on-duty LASD Jail Watch Commander.
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(c) Notification of a Regional Center for the Developmentally Disabled will be the responsibility of the County Jail Facility booking and housing the arrestee. The Police Department processing employee should check the arrestee for a medical alert identification bracelet.

371.11 TRANSPORTATION OF PERSONS WITH DISABILITIES IN MOBILITY DEVICES

(a) Special consideration is required when transporting a person with a disability who is in a wheelchair or other mobility device. When disabled persons in mobility devices are arrested or require placement of a WIC evaluation hold, such persons will be transported by patrol car whenever possible. However, prior to transport, officers shall ask the disabled person if there is any medical reason they cannot be removed from their mobility device for transport by patrol car.

(b) If the person says they cannot be removed from their mobility device, then special transportation by the jail transport truck or lift-van shall be made. One officer is required to accompany the person in the truck or lift-van. Officers are not required to accompany the transport of just the mobility device.

1. If the person says he or she can be removed from their mobility device:
   (a) Officers will assist the disabled person into the squad car, using care and caution.
   (b) A collapsible mobility device shall be transported in the trunk of the squad car.
   (c) A non-collapsible mobility device will be transported separately by the jail transport truck or a lift-van to the location where the disabled individual is taken by squad car. Officers are not required to accompany the transport of just the mobility device.

2. If the person says he or she cannot be removed from their mobility device:
   (a) Transportation by the jail transport truck or lift-van shall be made for both the person and the mobility device.
   (b) One officer is required to accompany the person in the truck or lift-van.
   (c) If the person says they can be removed from their mobility device, Officers will assist the disabled person into the squad, using care and caution.
   (d) All mobility devices shall be taken to the transport location of the disabled person, with collapsible mobility devices transported in the trunk of the squad. When a person with a motorized mobility device is transported by squad, the Jail transportation truck or lift-van shall be used to transport the mobility device to the disabled person's location.
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(e) Officers should contact the jail to determine suitability of the PPD jail or make arrangements for the arrival of the disabled person at the appropriate facility.

(f) Officers shall follow department searching guidelines and use appropriate restraining procedures when dealing with disabled persons in mobility devices. Extra care shall be exercised during these procedures due to the arrestee’s physical and/or medical conditions.

371.12 MIRANDA WARNINGS

It is the policy of the Pasadena Police Department to afford every individual their Constitutional Rights as defined in the Miranda Decision regardless of any impairment they may experience.

(a) When conducting an interview requiring the reading of the Miranda Warning to a person who is profoundly hearing impaired, deaf, or non-speaking, officers shall utilize the "Warning and Consent to Speak for the Hearing Impaired" form, provided wherein the individual may READ his/her Miranda Warnings.

1. If an interpreter is requested, the officer will: a. Discontinue any interview. b. The Jail Supervisor shall contact a qualified interpreter and maintain a current file of qualified interpreters.

2. Upon arrival of such interpreter and verification that Miranda has been read and understood, the officer may continue the interview.

3. If an interpreter is not requested, the officer shall direct the subject to the part of the form, which advises of the Miranda Warnings.

(b) When conducting an interview requiring the reading of the Miranda Warning to people with cognitive disabilities, every effort should be made to ensure that they understand the Miranda Admonition. This may entail utilizing simplified language and tape recording the interview, for example: "You don't have to talk to me." "If you do, anything you say can be used against you in court." ** "You can talk to a lawyer first." ** "If you can't pay for a lawyer, we/I will get one for you, free." ** Explain further and check for understanding.

(c) WARNING AND CONSENT TO SPEAK FOR THE HEARING IMPAIRED

1. At this time we are notifying you that under Federal Law 94.142, Section 504, you have the right to an interpreter at no cost to you. We will delay the interview, pending the appearance of a qualified interpreter.

   (a) Do you request a qualified interpreter? YES ___NO___ Signature ______________________

   1. YOU HAVE THE RIGHT TO REMAIN SILENT.

   2. IF YOU GIVE UP THE RIGHT TO REMAIN SILENT, ANYTHING YOU SAY CAN AND WILL BE USED AGAINST YOU IN A COURT OF LAW.
3. **YOU HAVE THE RIGHT TO SPEAK WITH AN ATTORNEY AND HAVE THE ATTORNEY PRESENT DURING QUESTIONING.**

4. **IF YOU SO DESIRE AND CANNOT AFFORD ONE, AN ATTORNEY WILL BE APPOINTED FOR YOU WITHOUT CHARGE BEFORE QUESTIONING.**

5. **DO YOU UNDERSTAND EACH OF THESE RIGHTS I HAVE EXPLAINED TO YOU?** (answer)________ (initial)

6. **DO YOU WISH TO GIVE UP YOUR RIGHTS AS STATED ABOVE?** (answer)________ (initial) Signature___________________ Date/ Time:

7. **CERTIFICATION** I hereby certify that the foregoing Warning and Consent to Speak form was read to the above signatory, and that he/she has affixed his/her signature hereto in my presence.

8. **Witness:** Signature - Officer I hereby certify that I am a qualified interpreter for the profoundly hearing impaired and that I have translated the foregoing Warning and Consent to Speak to (Name) Explained: (interpreter) Witness:

### 371.13 TRAINING

In an effort to ensure that all employees having contact with those in custody are properly trained, this department will provide periodic training in the following areas:

(a) Employee awareness of related policies, procedures, and available resources

(b) Employees having contact with those in our custody are trained to properly evaluate and transport mobility disabled persons

(c) Training for FOD and jail staff, even if they may not interact regularly with disabled individuals, in order that they remain fully aware of, and understand this policy, so they can reinforce its importance and ensure its implementation by staff.