DEPARTMENT OF CORRECTIONS

Sign Language Protocol

Sign language services must be provided by qualified interpreters to all incarcerated people/residents in need of these services.

A qualified interpreter is someone who, as defined by the Americans with Disabilities Act (ADA), is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary via American Sign Language (ASL). The DOC's sign language specialist makes qualified interpreter determinations.

Staff may not request or allow incarcerated peers to provide sign language interpreter services for legal or formal activities.

Intake/Initial Health Screening

During initial health screening, health services staff must communicate any perceived hearing impairment to the facility ADA coordinator and consult with the sign language specialist, audiologist, or other medical specialist for assistance with the screening.

Health services staff must note the perceived hearing impairment in the COMS medical intake disability section by checking "hearing loss," leaving that checked until the ADA modification process can be completed.

If, at any time during the intake process, staff determine that there is a need for a sign language interpreter, staff must contact the department's sign language interpreter specialist for assistance.

Impairment Review

At the request of the incarcerated person/resident/guardian or when identified by staff in a health screening, the facility ADA coordinator must ensure that each hearing-impaired individual has reasonable modifications for appropriate housing, services, programs, life/safety, and evacuation information.

The facility ADA coordinator must convene a committee consisting of the sign language specialist and appropriate program and health services staff. The committee must determine reasonable modifications and appropriate facility placement. A request for further assessment of the individual's sign language needs may also be initiated.

Following the meeting, the facility ADA coordinator describes the specific long-range modifications and distributes that description to the individual, facility ADA committee, incarcerated person's/resident's electronic file, caseworker, affected program staff, and warden.

The facility ADA coordinator enters the following notation onto the COMS ADA access screen: "Reviewed on (date)" and either checks the "no" box if no modification is needed, or checks the "yes" box if a modification is needed and lists the details regarding the modification in the comments field.

The ADA coordinator must ensure the modification is implemented and monitor compliance, indicating an annual review date in COMS.

Incarcerated Person's/Resident's Request for Modification Inclusive of Sign Language Interpreter

A hearing-impaired incarcerated person/resident/guardian may initiate a review with the ADA committee at any time by submitting a Request for Modification form to the facility ADA coordinator. The form must detail the nature of the hearing impairment and the type of modification requested.

Individuals who develop hearing impairments during their incarceration may request modification as per Policy 203.250, "Modifications for Incarcerated Persons/Residents with Disabilities."

When to Use Sign Language Interpretation

Specific occasions in which interpreter services from a qualified sign language interpreter or other appropriate modifications must be provided for hearing-impaired individuals, include the following:

1. Reception/orientation/transfer and classification processes,
2. Medical/dental/mental health visits,
3. Discipline hearings/proceedings,
4. Educational programming,
5. Transitional programming,
6. Religious services,
7. Facility-sanctioned event,
8. Supervised release revocation proceedings,
9. Case management,
10. Therapeutic programming,
11. Assignment interviews, and
12. Security interviews.

Services from a qualified sign language interpreter may be offered in other informal or impromptu situations if deemed necessary.

If questions arise regarding the necessity of providing interpreter services from a qualified sign language interpreter, the facility ADA coordinator and/or a designated sign language interpreter must be consulted for assistance.

Staff Procedure for Accessing Sign Language Interpretation Services

As soon as possible after the need for sign language services is determined, staff (e.g., unit staff, health services, discipline, treatment staff, and/or caseworker) must consult COMS to confirm that the individual's approved modification includes sign language interpreter services. The department sign language interpreter specialist determines scheduling and priority assignments. If the COMS modification plan does not detail how to obtain sign language services, the facility ADA coordinator must provide that information and add it to COMS.

If the department sign language interpreter specialist is available per the original request, the specialist schedules the appointment and confirms it to the requesting staff.

If the department sign language interpreter specialist is not available per the original request, the specialist must work with requesting staff to find an alternative time. If an alternative time cannot be arranged, the department sign language interpreter specialist must work with the available resources to obtain services from a contracted outside provider.

If the need is considered an emergency, staff must contact the department sign language interpreter specialist directly via e-mail (lois.tucke@state.mn.us), cell phone (612-875-5071), or office phone (651-717-6173), or the sign language interpreter specialist's supervisor if the specialist cannot be contacted. If

the sign language interpreter specialist's supervisor is also unavailable, staff must contact the MCF-LL watch commander and request services. The MCF-LL watch commander contacts the sign language interpreter specialist.

Requests from Incarcerated People/Residents

Incarcerated people/residents must request sign language interpretation services at least one week in advance of need, except in cases of emergency. Those requesting sign language interpreting services must send a request by kite to the sign language interpreter specialist or to the staff overseeing the area or program for which they are seeking interpreter services.

Incident Report

If a qualified sign language interpreter is available, and the incarcerated person/resident chooses to proceed without the services of an interpreter or refuses to use these services, staff must document this on an incident report.