



## **What You Need to Know about the ADA**

ADA Resource Center for Equity and Accessibility





# Office

- ADA Resource Center for Equity and Accessibility
  - Room 103 Carruth O'Leary Hall
  - (785) 864-7416  
hrdept@Ku.edu
- Director: Catherine Johnson



# What's in it for me?

1. Be able to communicate better with people with disabilities in personal and professional life
2. Know how the ADA interacts with law enforcement decisions
3. Create a more accessible, inclusive campus for people with disabilities
4. Prevent lawsuits



# What is the ADA?

The Americans with Disabilities Act (ADA) is a Federal civil rights law. It gives Federal civil rights protections to individuals with disabilities similar to those provided to individuals on the basis of race, color, sex, national origin, age, and religion. It guarantees equal opportunity for individuals with disabilities in State and local government services, public accommodations, employment, transportation, and telecommunications.

# KU's Commitment to Inclusion

- KU's charge is to endorse a campus climate that will sustain attention to the Americans with Disabilities Act (ADA) in the spirit in which it was designed and to provide a campus community of inclusiveness.





# A few more disability etiquette tips

1. Speak directly rather than through a companion or sign language interpreter who may be present.
2. Offer to shake hands when introduced. People with limited hand use or an artificial limb can usually shake hands and offering the left hand is an acceptable greeting.
3. If you offer assistance, wait until the offer is accepted. Then listen or ask for instructions.
4. Listen attentively when talking with people who have difficulty speaking and wait for them to finish. If necessary, ask short questions that require short answers, or a nod of the head. Never pretend to understand; instead repeat what you have understood and allow the person to respond.
5. Place yourself at eye level when speaking with someone in a wheelchair or on crutches.



# How does the ADA affect law enforcement duties?

Title II of the ADA prohibits discrimination against people with disabilities in State and local governments services, programs, and employment. Law enforcement agencies are covered because they are programs of State or local governments, regardless of whether they receive Federal grants or other Federal funds. The ADA affects virtually everything that officers and deputies do, for example:

- receiving citizen complaints;
- interrogating witnesses;
- arresting, booking, and holding suspects;
- operating telephone (911) emergency centers;
- providing emergency medical services;
- enforcing laws;
- and other duties.



# Who does the ADA protect?

- ADA definition of disability: anyone who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment.
- The 2008 ADA Amendments Act emphasizes that the definition of “disability” should be interpreted broadly.

# Questions:

**1. Does the ADA cover someone who uses illegal drugs?**

**2. How could disabilities appear to be suspicious behavior?**

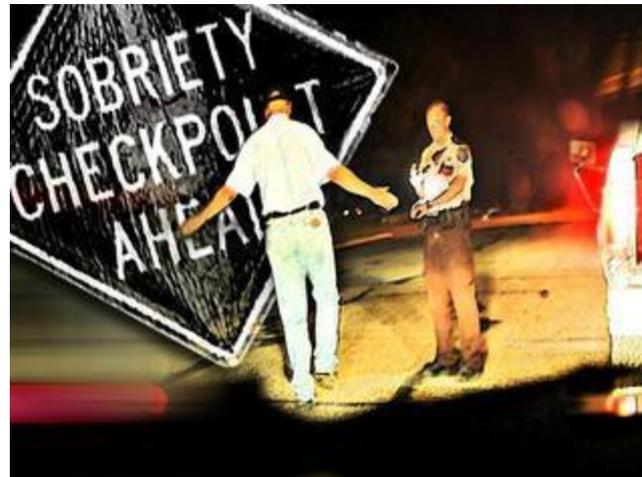
- Deaf?
- Mental illness?
- Speech impairment?
- Unique gait?
- Seizures?



(C) DWI Lawyer

# What can be done when interacting with people with disabilities?

- When approaching a car with visible signs that a person with a disability may be driving (such as a designated license plate or a hand control) , the officer should be aware that the driver may reach for a mobility device.
- Using hand signals, or calling to people in a crowd to signal for a person to stop, may be effective ways for an officer to get the attention of a deaf individual.
- Some tests for intoxication, such as walking a straight line, will be ineffective for individuals whose disabilities cause unsteady gait. What about Breathalyzers?





# What procedures should law enforcement officers follow to arrest and transport a person who uses a wheelchair?

The best approach is to ask the person what type of transportation he or she can use, and how to lift or assist him or her in transferring into and out of the vehicle.

Some individuals who use assistive devices like crutches, braces, or even manual wheelchairs might be safely transported in patrol cars.

KU Transit has a paratransit vehicle, if you need support for a motorized wheelchair or large manual wheelchair. Call- 4-4644.



# What steps should officers follow to communicate effectively with an individual who is blind or visually impaired?

- identify yourself;
- state clearly and completely any directions or instructions -- including any information that is posted visually;
- read out loud in full any documents that a person who is blind or visually impaired needs to sign;
- before taking photos or fingerprints, describe the procedures in advance so that the individual will know what to expect.



# Do police departments have to arrange for a sign language interpreter every time an officer interacts with a person who is deaf?

- No.
- Examples of other communication aids, called "auxiliary aids and services" in the ADA, that assist people who are deaf or hard of hearing include the exchange of written notes, telecommunications devices for the deaf (TDD's) (also called text telephones (TT's) or teletypewriters (TTY's)), telephone handset amplifiers, assistive listening systems, and videotext displays.
- The department should honor the individuals choice unless it can demonstrate that another effective method of communication exists.
- Recommended to not rely on family members, who are frequently emotionally involved, to provide sign language interpreting.



# If the person uses sign language, what kinds of communication will require an interpreter?

The length, importance, or complexity of the communication will help determine whether an interpreter is necessary for effective communication.

During interrogations and arrests, a sign language interpreter will often be necessary to effectively communicate with an individual who uses sign language.

If the legality of a conversation will be questioned in court, such as where Miranda warnings are issued, a sign language interpreter may be necessary.

# Examples for not needing interpreters





# When a sign language interpreter is needed, where do I find one?

- Call Kim Bates, Academic Achievement and Access Center 785-864-4064

**Thank you for your time!**  
**Questions?**

email [hrdept@ku.edu](mailto:hrdept@ku.edu)

