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Under Section 504 of the Rehabilitation Act of 1973[1] and other relevant laws, government agencies, including U.S. Immigration and Customs Enforcement (ICE), are required to provide the necessary auxiliary aids and services to ensure effective communication with Deaf and Hard of Hearing individuals.[2] This includes the provision of qualified sign language interpreters or other communication access services when necessary.

If a person requests an interpreter or other communication assistance, it is the ICE officer's duty to provide it without delay or discrimination. Failure to provide these accommodations may violate federal law.

The ICE officer should consult with the Deaf or Hard of Hearing individual to identify the most effective auxiliary aids or services, ensuring that communication is both accessible and tailored to their unique needs in each situation. Examples of commonly used services include:

- **Qualified interpreters** (in-person or remote via Video Remote Interpreting (VRI)[3]) of various kinds such as:
    - **Sign Language Interpreters**. Sign language is not universal. It may be necessary to provide an interpreter fluent in the individual's specific signed language. Examples include:
        - Mexican Sign Language (Lengua de Señas Mexicana or LSM)
        - Salvadoran Sign Language (Lengua de Señas Salvadoreña or LESSA)
        - Chinese Sign Language (CSL)
        - Indo-Pakistani Sign Language (IPSL)
        - Brazilian Sign Language (Língua Brasileira de Sinais or LIBRAS)
        - Quebec Sign Language (Langue des Signes Québécoise or LSQ)
        - British Sign Language (BSL)
        - Other regional or national sign languages specific to the individual's country or community.
    - **Deaf Interpreter or Certified Deaf Interpreter (DI/CDI)**. A Deaf Interpreter or Certified Deaf Interpreter is a professional interpreter who possesses extensive knowledge of Deaf culture, the Deaf community, and sign languages. They work alongside hearing interpreters to ensure accurate and culturally appropriate communication. Deaf Interpreters are needed in situations requiring a deep understanding of cultural nuances, regional sign language variations, or when working with individuals who have limited language proficiency, use non-standard or home signs, or have additional disabilities affecting communication. Additionally, if an interpreter fluent in the

[1] The Rehabilitation Act of 1973, 29 U.S.C. § 794 *et seq.*, prohibits discrimination against individuals with disabilities in federally conducted programs or programs that receive federal financial assistance. Modifications to policies, practices, and procedures must be made and auxiliary aids and services must be provided as necessary to ensure effective communication and equal access to ICE's programs and activities for individuals with disabilities.

[2] For the remainder of this document, "Deaf and Hard of Hearing" is used as shorthand to represent the entirety of the communities of Deaf, Deafblind, DeafDisabled, Late Deafened, and Hard of Hearing individuals.

[3] Video Remote Interpreting (VRI) is a telecommunication service that connects a remote interpreter to parties in real-time via a secure internet connection. For VRI to be effective, it must have reliable technology, high-speed internet, and clear video/audio quality. It is best suited for brief or simple interactions with the prior consent of the Deaf or Hard of Hearing individual. In urgent situations, VRI can provide immediate support until an on-site interpreter is available, but only with the Deaf or Hard of Hearing individual's consent.

individual's specific signed language is unavailable, a Deaf Interpreter may serve as an intermediary, helping to facilitate communication more effectively.
    - **Oral Interpreters**. For individuals who rely on lip-reading, oral interpreters silently repeat spoken words to facilitate understanding.
    - **Tactile or ProTactile interpreters**. These interpreters specialize in communication for DeafBlind individuals, often using tactile sign language or touch-based communication strategies.
- **Other Auxiliary Aids and Services:**
    - **Videophones or captioned telephones**. Permit deaf detainees to make and receive telephone calls with family, advocates, and lawyers.
    - **Cued Speech Transliterators**. For individuals who rely on lip-reading, Cued Speech Transliterators facilitate lip-reading by using hand shapes and placements to visually represent spoken language sounds.
    - **Assistive Listening Devices (ALDs)**. Enhance sound amplification by reducing background noise and improving clarity. Used by individuals who can rely on residual hearing.
    - **Real-Time Captioning (CART)**. A professional CART provider types spoken words in real time and the text is displayed on a screen for the individual to read.
    - **Written Notes or Typed Communication**. Should only be used with the individual's consent and limited to short and simple interactions until an interpreter or other service can be provided.
    - **Communication Boards**. Contain pictorial, textual, or symbolic options to facilitate communication.
    - **Speech-to-Text Apps or Devices**. Convert spoken words into text using automated speech recognition technology. These should only be used with the individual's consent, for short and simple interactions, if the individual understands written English, and if the automated transcription is sufficiently accurate.
- **Other Examples of Accommodations:**
    - Providing sign language interpretation of written materials.
    - Modified hand-cuffing or restraints to allow Deaf detainees to use their hands to communicate.
    - Ensuring emergency and non-emergency announcements are conveyed to Deaf and Hard of Hearing detainees.
    - Ensuring that restrooms, showers, cells, and common areas are accessible and include visual alerts (e.g. fire alarm strobe lights).

Deaf and Hard of Hearing individuals have the right to request accommodations at any point during their interaction with ICE. Such requests must be honored without penalty, retaliation, or discrimination.

Failure to provide meaningful access for Deaf and Hard of Hearing individuals may result in a legal complaint.

For more information about ICE's obligations to ensure equal access for Deaf and Hard of Hearing individuals, please visit ICE's Office of Civil Rights Compliance (OCRC) at https://www.ice.gov/leadership/ocrc.

At Deaf Equality, we are committed to ensuring equal access for all Deaf and Hard of Hearing individuals, regardless of their communication needs. For more information on the rights of Deaf and Hard of Hearing individuals, please visit our website at www.deafequality.org.