

ANNE ARUNDEL COUNTY DEPARTMENT OF DETENTION FACILITIES ADMINISTRATIVE DIRECTIVE	AD NO: 01.13 DATE: June 2, 2025 SUBJECT: General Administration TITLE: Accommodations for Persons with Disabilities FOR PUBLIC RELEASE: Yes
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- I. References: Americans with Disabilities Act of 1990 42 U.S.C. §§ 12101 et seq.; Civil Rights of Institutionalized Persons Act 42 U.S.C. §§ 1997 et seq. MCCS .05; Language Access Plan
- II. Applicable to: Anne Arundel County Department of Detention Facilities (AACDDF)
- III. Purpose: To establish guidelines to accommodate persons with disabilities.
- IV. Definitions:
 - A. **ASL (American Sign Language)**: This type of language is considered and recognized as its own grammar. For example, if we were to use a verb such as “jumping”, ASL may use a sign that drops off the “ing”. It is completely understandable between the deaf person and the interpreter, and again, it is their own language.
 - B. **MCE (Manually Coded English)**: This type of language is English sign. It will use proper grammar, as we know it, so the sign for “jumping” will mean that, using the “ing”, whereas ASL will not sign, “grammatically correct”.
 - C. **PSE (Pidgin Signed Language)**: This type of language is a visual representation of English. It is a cross between ASL and MCE. It uses signs for objects, and signs for words as needed. For example, the verb “jumping” would be shown with a sign, rather than the same sign to describe the word in English. It may show the action as opposed to the work with the hand symbol being used.
- V. Policy:
 - A. It shall be the policy of the AACDDF to provide reasonable accommodations to persons with disabilities that enter the facilities to include inmates detained or participating in alternative programs, e.g., House Arrest, Community Service, etc., visitors and volunteers. The reference section links provide a comprehensive and current resource that can be used by staff to determine appropriate accommodations and assist inmates in accessing community-based resources upon discharge.
 - B. Staff should not assume an accommodation is needed. This should occur only upon request, asking the individual or verification from QHCP. The Disability Etiquette Handbook (Appendix 1) provides a good resource when addressing these issues.
 - C. General accommodations for inmates include, but are not limited to, the following:

1. Hearing
 - a. Sign language and oral interpreters shall be arranged for programs and activities using the contracted language service provider. Use of the contracted language service provider shall be approved by a Supervisor with notice being forwarded to the Correctional Facility Administrator (CFA) and Correctional Support Services Manager (CSSM).
 - b. Video Remote Interpreting (VRI) Services are available through the equipment located at JRDC in Records (for use by Records, Medical and Central Holding and Processing Center), Classification (for use by Classification and Medical) and the Pretrial Supervised Release Unit (PSRU) and at ORCC in Control. Instructions for use can be found in the Video Remote Interpreting Unit Quick Guide (Appendix4).
2. Mobility – housing locations shall be determined by the Qualified Health Care Provider (QHCP), Shift Supervisor or Classification.
3. Vision – housing locations shall be determined by the QHCP, Shift Supervisor or classification with assistance in completing forms and using telephones provided by Officers or counselors.
4. Cognitive – housing locations shall be determined by the QHCP, Shift Supervisor or Classification with assistance in completing forms and using telephones provided by Officers or counselors.
5. Speech Impediments – housing locations shall be determined by the QHCP, Shift Supervisor or Classification.
- D. Medical Unit Housing – An inmate with a disability shall not be housed in the Medical Unit unless s/he requires medical or psychological assessment or care, except after an individualized assessment by a QHCP indicating placement is necessary because the inmate with a disability would be vulnerable to harm or abuse from other inmates and no other placement would provide an appropriate and safe environment. The QHCP shall document the reason any inmate with a disability is housed in the Medical Unit for reasons other than routine medical and psychological assessment or care.
 1. When housed in the Medical Unit, the inmate shall not be denied access to any services or programs for which the inmate is otherwise qualified because of the placement in the Medical Unit.
 2. The CFA shall keep documentation on file for a period of three (3) years and shall produce documentation of inmate treatment in the Medical Unit within five (5) business days of the Department of Justice's request.

- E. Training – employees shall be trained in this directive through the AACDDF New Employee Reception and Pre-Service Programs and annually through the In-Service Training Program.
- F. The CFA at each facility shall maintain a file on accommodations made for any individual.
- G. The Captains shall be the American Disability Act (ADA) Coordinators at each facility and shall:
 - 1. address ADA compliance matters.
 - 2. oversee providing of auxiliary aids and services to inmates who are deaf or hard of hearing.
 - 3. coordinate outside service providers with the assistance of the CSSM.
 - 4. coordinate training sessions for staff on ADA requirements with the assistance of the Training Manager.
- H. To ensure accommodations are provided as required, the inmate's Records File and Programs File shall be color coded dark green and brown, respectively.

VI. Procedure:

- A. When a person with a disability enters the facility and requests an accommodation, the employee receiving this request shall ascertain the nature of the accommodation requested and adhere to the guidelines in Providing Quality Services to Customers (Appendix 2).
- B. Inmates with Disabilities – General
 - 1. The Booking and Receiving Officers shall provide appropriate accommodations when requested by the inmate or after talking to the inmate and asking him/her if an accommodation is needed. The Medical Unit shall generate new ADA paperwork in the Offender Management System (OMS). This action shall be reviewed to ensure the accommodation and/or action taken is in accordance with this Directive.
 - 2. When an accommodation request cannot be provided due to a lack of information or it does not appear reasonable, staff shall take the following action:

- a. The Officer shall contact the Shift Supervisor and QHCP for further assistance. This should be done discreetly and in private so that other individuals in the Booking area do not overhear the request.
 - b. The Shift Supervisor shall meet with the inmate and/or research the references listed in this directive for further information pertaining to the appropriate accommodations for the particular disability. If the Shift Supervisor or Classification is unable to determine the appropriate accommodation or is unable to provide the appropriate accommodation, then s/he shall contact the ACFA or CFA to discuss an appropriate action. This shall be documented in an Incident Report and an email and forwarded to the ACFA/CFA.
 - c. When an accommodation is not provided pending further review, the ACFA or CFA shall review the request with the Anne Arundel County ADA Office (410-222-4383) and/or the Anne Arundel County Office of Law (410-222-7888) for advice on the accommodation.
 3. Should an inmate make a request for an accommodation any time after being received, the employee who receives the request should make arrangements to provide the accommodation through his/her supervisor or document the request in an Incident Report to the Shift Supervisor. The request shall be addressed in accordance with Section VI.B.1. and 2.
 4. Pretrial Services shall arrange interpreters for closed circuit court appearances in coordination with the appropriate Court.
 5. Shift Supervisors shall make all accommodations necessary to efficiently evacuate detainees/inmates from the scenes of emergencies throughout the Facility.
- C. Inmates with Hearing Impairments
1. Assessment
 - a. The Booking Officer or QHCP shall conduct an assessment of any inmate who is failing to respond to a voiced command or statement, or who is having difficulty communicating with an employee by speaking, may be deaf or hard of hearing within four (4) hours of arrival. The Officer or QHCP may conduct this assessment using gestures (i.e., pointing to his or her own ear), by writing (i.e., writing on paper, "Can you hear me? Are you deaf?") or by using another visual means of communication.
 - b. If the Officer or QHCP concludes the inmate may be deaf or hard of hearing, s/he shall inform the inmate that appropriate auxiliary aids and services (i.e., interpreters and closed captioning) are available as necessary for effective communication in programs and services. The employee shall ask the inmate,

using gestures, writing or another visual means of communication, what type of auxiliary aids or services are necessary for the individual to communicate effectively. As part of this assessment, the QHCP shall provide a Request for Auxiliary Aids and Services (Appendix 3) form to the inmate.

- c. A record of each assessment conducted that result in the determination that the inmate may be deaf or hard of hearing shall be kept on file for no less than three (3) years in the inmate's medical file and a copy maintained by the CFA.
 - d. Upon completion of the intake process and prior to the inmate being transferred from Booking, the Lieutenant or Sergeant shall complete the Supervisor Verification – Request for Auxiliary Services. The Lieutenant or Sergeant shall distribute the Request for Auxiliary Aids and Services and the Supervisor Verification Forms as follows:
 - (1) Original of both forms to Captain (ADA Coordinator).
 - (2) Copies of Request for Auxiliary Aids and Services to Commitment File, Medical File and Pretrial Services mailbox located in Records.
2. Providing Auxiliary Aids – staff shall ensure that appropriate auxiliary aids and services are made available to all inmates who are deaf or hard of hearing, where such aids and services are necessary to ensure effective communication with these individuals, so that they may participate in, or benefit from, AACDDF programs and services on an equal basis with other individuals. Information for Inmates with Hearing Impairments/Telephone/Television Access shall be issued to each inmate.
- a. In determining what auxiliary aid(s), if any, to provide, primary consideration shall be given to the requests of the inmate who is deaf or hard of hearing and honor these unless it can be demonstrated that another effective means of communication exists, or that use of the means requested would result in a fundamental alteration of AACDDF programs and services or in undue financial and administrative burdens. The decision that a particular request for auxiliary aids and services would result in a fundamental alteration of AACDDF programs and services or in undue financial and administrative burdens must be made by the Superintendent of AACDDF after considering all the resources available for use in the funding and operation of AACDDF programs and services and must be accompanied by a written statement of the reasons for reaching that conclusion.
 - b. If an inmate initially refuses or does not request appropriate auxiliary aids and services, but staff has reason to believe, at any time during the inmate's commitment to the facility, that s/he would benefit from appropriate auxiliary aids and services, staff shall specifically remind the inmate that appropriate auxiliary aids and services are available, discuss the nature of such auxiliary

aids and services with the inmate and present the inmate with a Request for Auxiliary Aids and Services form to be completed by the employee.

- c. Inmates are free to reject or to fail to request auxiliary aids and services, although a failure to request auxiliary aids and services on the Request for Auxiliary Aids and Services form does not relieve staff of its obligation to ensure that inmates are assessed and to inform the inmates of the availability of appropriate auxiliary aids and services.
3. New Booking – If an AACDDF facility receives advance notice from an arresting officer or another source that an individual who is deaf or hard of hearing will be arriving at the facility for detention, staff shall attempt, as soon as possible, to determine what auxiliary aids and services shall be necessary for effective communication with that individual. If such a determination can be made, staff shall ensure that the appropriate auxiliary aid or service (i.e., sign language interpreter) is in place when the individual who is deaf or hard of hearing arrives at the facility.
4. Programs and Services – Appropriate auxiliary aids and services shall be made available in all programs and services offered to inmates at AACDDF facilities, including, but not limited to: orientation, medical evaluations and treatment, meetings with social workers and during any other programs including, but not limited to rehabilitative or educational programs offered to inmates at an AACDDF facility. **In the event of emergency medical evaluations or treatment, AACDDF shall obtain interpreter services no later than 90 minutes after the facility is on notice that the inmate requires emergency medical attention.**
5. Movement Outside Facilities – If an inmate will be transferred to another facility for a medical evaluation or treatment, staff shall notify the appropriate official at the subsequent location as to the inmate's need for appropriate auxiliary aids and services by placing a telephone call, in advance, to the official; it is understood that staff shall have no responsibility or obligation to ensure that any other medical facility provides appropriate auxiliary aids and services for the inmates when at such facilities. This notification shall be documented in an Incident Report that is forwarded to the CFA.
6. Sign Language and Oral Interpreters – Staff shall offer qualified sign language interpreters to inmates who are deaf or hard of hearing and who indicate a preference for a sign language interpreter or qualified oral interpreters to inmates who are deaf or hard of hearing and who indicate a preference for oral interpreters.
 - a. Qualified sign language interpreters or oral interpreters shall be offered in the following circumstances: during pretrial interviews, orientation, disciplinary hearings, reclassification hearing, classification appeal, status reviews, and

any meeting designed to develop or discuss Individual Program Agreements, medical evaluations, meetings with Correctional Program Specialists and during any other programs including, but not limited to, rehabilitative, or educational programs offered to inmates at an AACDDF facility. Whenever this service is offered and/or provided, it shall be documented in the Programs File or Medical File by the employee coordinating the service.

- b. Staff shall not require or suggest that family members, friends or other inmates who are not qualified interpreters interpret for deaf or hard of hearing inmates.
7. On-Call Interpreters – For the period of time that an inmate who is deaf or hard of hearing and whose primary means of communication is sign language or lip reading, staff shall ensure that at least one qualified sign language interpreter or one oral interpreter, whichever is appropriate, is available during those times when a qualified interpreter is not already on the premises. If a sign language or oral interpreter is not on site, staff shall employ the VRI service or immediately summon an interpreter whenever an inmate who is deaf or hard of hearing indicates that an interpreter is necessary to communicate an urgent matter to staff or in any other circumstance where it is important that the inmate or staff have the assistance of a sign language or oral interpreter to ensure effective communication.
- a. Interpreting services shall be available as listed in the contracted language service provider list. In January and July of each year, the CSSM or designee shall verify the accuracy of this list and, if necessary, update the sources included on this list.
 - b. As soon as an employee has notice that an inmate requires sign language or oral interpreting services, the employee shall contact his/her Supervisor who will arrange for VRI services for those activities included in Section VI.C.6.a. or contact an interpreting service and schedule an on-site interpreter for the required program or activity.
 - c. If a supervisor is unable to procure a sign language or oral interpreter within two (2) hours after a request by an inmate, staff will either utilize alternative auxiliary aids and services as necessary to facilitate effective communication or postpone any further communication until interpreter services are available, whichever action is more appropriate under the circumstances. Regardless, an interpreter shall be provided within 12 hours after an inmate's request.
 - d. The Superintendent shall document any inability to procure a sign language or oral interpreter, as well as all actions taken to do so and shall provide that information to the Department of Justice immediately by facsimile and

telephone, as well as, providing this information as part of its reporting requirements.

8. Movement Between Facilities

- a. If a deaf or hard of hearing inmate is transferred to a non-AACDDF facility, such as a court facility or medical facility for an outside medical appointment, staff shall notify the appropriate official at the subsequent location as to the inmate's need for appropriate auxiliary aids and services by placing a telephone call in advance to the official and document this in an Incident Report that is sent to the CFA.
- b. If a deaf or hard of hearing inmate is to be transferred from JRDC to ORCC or vice versa, staff shall ensure that appropriate auxiliary aids and services are made available at the receiving facility.

9. Television and Movies – staff shall ensure that each facility makes closed captioning decoders available to inmates who are deaf or hard of hearing, or shall ensure that the facility uses televisions with the built-in capability to display captions. **Clearly stated directions for use of the closed caption capability shall be posted adjacent to each television set. A weekly inspection shall ensure these are posted or replaced as necessary.**

- a. Whenever possible, captioned recordings or programs will be purchased or leased. Alternative auxiliary aids and services (for example, a qualified interpreter or script) will be provided when using non-captioned materials.
- b. Staff shall also ensure that any recordings or programs it produces for broadcast to inmates are captioned.

10. Training – staff shall implement an ADA training curriculum encompassing the policies and practices described in this Administrative Directive for all staff who provides programs and services to individuals who are booked in or housed at an AACDDF facility.

- a. This training will include the following objectives: to inform staff of legal obligations under the ADA and the Settlement Agreement to provide appropriate auxiliary aids and services where necessary to ensure effective communication with inmates who are deaf or hard of hearing; to promptly identify communication needs and preferences of inmates receiving programs or services who are deaf or hard of hearing; and to ensure qualified interpreter services as quickly as possible when necessary.

- b. Staff shall ensure that all new employees who will have contact with inmates participating in programs and services shall receive ADA training as a component of pre-service training and orientation.
 - c. Existing employees shall receive ADA training as a component of regular in-service training.
 - d. After completing one of the training curricula described above, employees shall sign a training form indicating that they have done so.
 - e. Staff shall incorporate the policies described in the Settlement Agreement into all relevant training manuals and programs for employees.
11. Published Materials – staff shall ensure that all advertisements for AACDDF programs and services to include program calendars, program registration sheets; intake and orientation material; handbooks for inmates; and staff training materials include the statement that AACDDF does not discriminate on the basis of disability.
12. Weekly Facility Meetings – the ADA Coordinators, Criminal Justice Program Supervisors (CJPS), and Medical Administrator (or designee) shall review each inmate with a disability at the Monday and Friday facility meetings to ensure appropriate accommodations have been scheduled and provided.
13. Monthly ADA Coordinator Meetings – the ADA Coordinators shall schedule a monthly meeting with the CFAs, ACFAs, CJPS –Support Services, Medical Administrator, CSSM, Management Assistant II (MA II) Business Management to review all issues relating to accommodations that have been provided and any concerns that need to be addressed.

D. Visitors with Disabilities

- 1. The Receptionist or Lobby Officer shall provide appropriate accommodations when s/he becomes aware of the disability either by sight or visitor notification. This should be documented in an Incident Report and forwarded to the Shift Supervisor. After review, the Shift Supervisor shall forward to the ACFA/CFA and address the issue in an email to both of these individuals. This action shall be reviewed by the ACFA/CFA to ensure the accommodation and/or action taken is in accordance with this Directive.
- 2. When an accommodation request cannot be provided due to a lack of information or it does not appear reasonable, then staff shall take the following action:

- a. The Receptionist or Lobby Officer shall contact the Shift Supervisor and QHCP for further assistance. This should be done discreetly and in private so that other individuals in the booking area do not overhear the request.
- b. The Shift Supervisor shall meet with the visitor and/or research the references listed in this directive for further information pertaining to the appropriate accommodations for the particular disability. If the Shift Supervisor is unable to determine the appropriate accommodation or is unable to provide the appropriate accommodation, then s/he shall contact the ACFA or CFA to discuss an appropriate action. This shall be documented in an Incident Report and an email and forwarded to the ACFA/CFA.
- c. When an accommodation is not provided pending further review, the ACFA or CFA shall review the request with the Anne Arundel County ADA Office and/or Anne Arundel County Office of Law for advice on the accommodation.

E. Volunteers with Disabilities

1. Whenever possible, the Volunteer Coordinator shall arrange, in advance, any accommodations necessary for the volunteer, notifying the Shift Supervisor. When a volunteer enters the facility and requires an accommodation that has not been prearranged, the Receptionist or Lobby Officer shall provide appropriate accommodations. The prearranged accommodation as well as the non-prearranged accommodation shall be documented in an Incident Report and forwarded to the Shift Supervisor. After review, the Shift Supervisor shall forward the Incident Report to the ACFA/CFA and address the issue in an email to both of these individuals. This action shall be reviewed by the ACFA/CFA to ensure the accommodation and/or action taken is in accordance with this Directive.
2. When an accommodation request cannot be provided due to a lack of information or it does not appear reasonable, then staff shall take the following action:
 - a. The Receptionist or Officer shall contact the contact the Shift Supervisor and QHCP for further assistance. This should be done discreetly and in private so that other individuals in the booking area do not overhear the request.
 - b. The Shift Supervisor shall meet with the inmate and/or research the references listed in this directive for further information pertaining to the appropriate accommodations for the particular disability. If the Shift Supervisor is unable to determine the appropriate accommodation or is unable to provide the appropriate accommodation, then s/he shall contact the ACFA or CFA to discuss an appropriate action. This shall be documented in an Incident Report and an email and forwarded to the ACFA/CFA

- c. When an accommodation is not provided pending further review, the ACFA or CFA shall review the request with the Anne Arundel County ADA Office and/or the Anne Arundel County Office of Law for advice on the accommodation.

Since a policy cannot provide specific directions for all situations, staff are expected to exercise good judgment in the performance of their duties. Should staff be unsure of how a particular situation should be handled, the staff member shall consult their Supervisor.

Should any portion of this directive become unenforceable or require change due to operational problems, staff shall be expected to document the affected section in an Incident Report and forward same to the Captain/Assistant Correctional Facility Administrator (ACFA)-Security.

This directive shall be reviewed at least annually and revised as necessary.

Appendix 1 – Disability Etiquette Handbook
Appendix 2 – Providing Quality Services to Customers
Appendix 3 – Request for Auxiliary Aids and Services
Appendix 4 – Video Remote Interpreting Unit Quick Guide
Appendix 5 – Language and Sign Interpretation Use Report
Appendix 6 – Instructions for Entering ADA Records in Offender 360
Appendix 7 – Language Service Provider Use Instructions

Rescinds: AD 01.13 dated October 11, 2024