

## **TRANSCRIPT**

### Effective Communications with Law Enforcement Officers (Police)

Question 9: Exigent Circumstances- Using a Minor as an Interpreter

#### **Michael Baer, Emergency and Public Communication Access Program Coordinator**

Good, okay. I got it. So, both custody and interrogation together is when the police read me the Miranda Rights. Okay, good. Now, if you are a Deaf person and you are going to be read the Miranda Rights, it's highly advisable to ask for an interpreter first. Go ahead and request an interpreter and do nothing else. Really, you have two options- wait for an interpreter to arrive or stay silent and call for a lawyer. Those are some options. It can be confusing, right? But I get it. Good. Now, I'm thinking about interpreters and Deaf adults. Suppose there is a car accident that happens involving a father who is Deaf and his Hearing children and the father is in a life or death situation. How can the police communicate with the father? Can the police force the Hearing children to interpret in that situation? You've heard the term "exigent circumstances". Can you explain when the police can and cannot require children to interpret and in what situations?

#### **Chief Ted Baran, Director of Campus Security at Gallaudet University**

Good question. First, exigent circumstances can mean many things in law enforcement. It could relate to a search or an emergency situation. But what you described, that to me is an emergency situation. You have Hearing children there. It's considered an emergency. Is the father hurt? Does he have Diabetes, for example? The responding officers need to collect information. If the person is still conscious and can still communicate using sign language, that would be helpful. But police cannot require or force a child to interpret. But in that situation, yes, it's worth it to gather necessary information, like "Can you breathe?". Just quick information that will help police and medical responders on scene to evaluate and assess the situation as best as possible. But in other situations, my advice is, and we're all in agreement about this, that putting children in situations where they have to interpret is not appropriate, unless it is an emergency. Perhaps someone has fallen or passed out in their house and the child needs to call 911 for a medical emergency. Of course, a child in that situation will try to interpret as best as possible, but anything more than that, I don't advise it. I know from your perspective, you don't advise it either. But really, whatever is best at that time to save a life or protect a life, we could get past that in an emergency situation.

