

1.422 AMERICANS WITH DISABILITIES ACT (ADA)

1.422.05 Agency Responsibilities

- A. The agency complies with the requirements established by the ADA and related USM and university policies.
- B. The agency will provide training and information to all employees on recognition of various disabilities and the provision of appropriate police services to persons with disabilities.
- C. The agency maintains a roster of organizations, support agencies, services, and individuals who may be contacted to provide guidance, support, and direct assistance in situations involving persons with disabilities.
- D. The agency will afford people with disabilities the same access to programs, services, and employment provided all citizens. This includes, but is not limited to:
 1. Recognition of symptoms and appropriate medical and emotional support for people experiencing seizures;
 2. Sensitivity to and appropriate physical support in aiding people who are mobility challenged;
 3. Rapid access to interpreters for people with hearing and/or speech disabilities needing to communicate with police personnel;
 4. Twenty-four-hour access to professional support systems for people with mental disabilities;
 5. Access to police information, programs, and publications for people who have impaired vision or hearing; and
 6. Recognition of differences between characteristics common to certain disabilities, e.g., epilepsy, diabetes, and deafness, and those associated with antisocial or criminal behavior or reaction to alcohol and drug abuse.
- E. The agency will make information available to employees, through training and other sources, on various disabilities.
 1. The agency is responsible for informing employees of the characteristics of various disabilities and the needs of people who have them.
 2. Consideration in dealing with disabled persons will be given to those steps that will lead to a positive outcome while, at all times, maintaining employee safety.
- F. Comprehensive directives cannot be written that address agency responses to all people with disabilities. Agency directives and training will guide employees in responding to and assisting those people with disabilities most commonly contacted.

1.422.10 Employee Responsibilities

- A. Employees will take all steps reasonably necessary to assist people with disabilities in accessing the full range of services provided by the agency. This includes, but is not limited to:
 1. Communications accessibility for both emergency and routine situations;
 2. Access to agency programs;
 3. Response to routine calls for service;
 4. Response to emergency calls for service; and
 5. Response to criminal and disruptive behavior.
- B. Officers will access appropriate support systems necessary to secure the rights of disabled individuals arrested by the agency.
- C. Employees will not jeopardize their own safety or the safety of others in attempting to accommodate disabled persons.
 1. Officers will follow all applicable directives and standard techniques for arresting or detaining persons with disabilities.
 2. Persons whose disabilities affect muscular or skeletal systems may not be able to be restrained using handcuffs or other standard techniques.
 3. Some persons with disabilities require physical aids, e.g., canes, wheel chairs, leg braces, to maintain their mobility. Once immediate presence of danger has diminished and suspects are safely detained, every effort should be made to re-

turn the devices. If mobility aids must be withheld, prisoners must be closely monitored to ensure that their needs are met.

4. Prescribed medication may be required at regular intervals by persons with disabilities. Custodial officers will ensure health care practitioners are contacted immediately to determine the importance of administering medications, potential for overdose, safety and security implications, etc.
5. Some people with disabilities may not have achieved communications comprehension levels sufficient to understand their individual rights in arrest situations. Officers must take necessary steps to ensure that the rights of accused persons are protected.

1.422.15 Employment Issues

- A. Qualified persons with disabilities will not be discriminated against because of their disabilities in regard to job application procedures, hiring, advancement, compensation, training, and other terms of employment.
- B. The agency will not:
 1. Limit, segregate, or classify job applicants in such ways that adversely affects their opportunities because of disabilities;
 2. Use standards, criteria, or methods of administration that discriminate; or that perpetuated discrimination of others who are subject to common administrative control;
 3. Exclude or otherwise deny equal jobs or benefits to qualified individuals because of known disabilities of individuals with whom applicants are known to have relationships or associations;
 4. Fail to provide reasonable accommodation to known disabilities of otherwise qualified applicants or employees, unless accommodations impose undue hardships;
 5. Use qualification standards, employment tests, or other selection criteria that tend to screen out individuals with disabilities unless such tests have been shown to be job-related and consistent with business necessary for the position in question; and
 6. Select and administer tests that measure person's impaired sensory, manual, or speaking skills resulting from disabilities rather than skills, knowledge, and abilities required by specific positions.
- C. The agency may make inquiries about abilities of applicants or employees to perform job-related functions during pre-employment inquiries prior to offers of employment or promotion.
- D. The agency will not conduct medical examinations prior to making offers of employment or make any specific inquiries regarding disabilities applicants may have.
- E. Applicants may be required to undergo medical examinations and related inquiries, if such examinations and inquiries are required for all employees entering same job categories, after conditional offers of employment have been made. These examinations and inquiries may include questions about applicants or employees' abilities to perform job-related functions.