

Enhanced Collaborative Model Task Force to Combat Human Trafficking

Trauma-Informed Accessibility and Inclusion of Services for Deaf and/or Hard of Hearing Victims Protocol Checklist

The purpose of this checklist is to provide a list of items Enhanced Collaborative Model anti-human trafficking task forces should consider when developing a trauma-informed protocol to ensure the accessibility, inclusion, and effectiveness of services for Deaf and/or hard of hearing (HOH) victims. This checklist can be used as a guide for the development of a strong protocol. While it is not mandatory to include all items, it is important that task force members discuss and agree what should be included specific to their local task force.

Ensuring a protocol for effective, meaningful, and inclusive communication access for Deaf and/or HOH victims is a critical step to minimize harm and provide trauma-informed services.

Developing a detailed protocol for accessibility and inclusion for Deaf and/or HOH human trafficking victims will:

- 1 **Clarify** the legal and ethical mandates for providing communication access;
- 2 **Establish** expectations to provide meaningful communication access based upon a shared understanding of victim equity;
- 3 **Ensure** communication access planning occurs, is revisited, and is revised;
- 4 **Reduce** the likelihood of responding reactively, and with ad-hoc communication methods, which may harm and compromise safety for Deaf/HOH victims; and
- 5 **Encourage** compliance and follow through with health and safety protocols from Deaf/HOH individuals.

Instructions: Review and discuss the below list of considerations to include when developing a trauma-informed protocol for accessibility and inclusion of services for Deaf and/or HOH victims with task force members.

Trauma-Informed Protocol Checklist for Accessibility and Inclusion of Services for Deaf and/or HOH Human Trafficking Victims

Action Steps to Prepare for Protocol Development		
Section	Item	✓
Know the Law: What are the Legal and Ethical Mandates to Provide Meaningful Communication Access	Review the following: <ul style="list-style-type: none"> ■ Title VI of the Civil Rights Act of 1964 ■ Americans with Disabilities Act of 1990 ■ Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency ■ Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons 	
	Determine differences in how law enforcement, victim service professionals, and prosecutors should provide language access to Deaf/HOH victims	
	Identify law enforcement requirements during exigent versus non-exigent circumstances	
Survey Available Resources for Language Access Planning	LEP.gov <ul style="list-style-type: none"> ■ Language Access Planning Tools ■ Commonly Asked Questions ■ “Mediating through Interpreters,” resource including specific Deaf/HOH information ■ Links to additional resources, for example: <ul style="list-style-type: none"> ➤ ABA Standards for Language Access in Courts ➤ State-specific Resources ➤ Considerations for Providing Language Access in a Prosecutorial Agency ➤ Example of a Policy and Procedure for Providing Meaningful Communication with Persons with Limited English Proficiency ➤ IACP/U.S. Department of Justice Anti-human Trafficking Task Force Language Access Protocol Checklist ➤ Vera Institute Center on Victimization and Safety—Deaf access liaison and repository of qualified national hearing ASL and Deaf interpreters 	
Understanding Task Force Partners Starting Point: What Language Access Plans are in Place?	Review general communication access protocols and practices for law enforcement, victim service providers, and prosecutors	
	Identify gaps, overlap, and differences in policies	
	Consider where policies can be more aligned and where they need to diverge based on legal, ethical, and practical needs	

Action Steps to Prepare for Protocol Development		
Section	Item	✓
Assess Task Force Partner Resources	Engage Deaf/HOH-led organizations and organizations that have expertise working with Deaf/HOH victims to build capacity of task force members to understand the unique cultural and linguistic needs of the community and to ensure protocol is trauma-informed	
	Develop shared values and expectations	
	Assess the number of Deaf/HOH victims that task force partners encounter and could encounter on a yearly basis	
	Assess how much funding has been allotted by the task force, and within each task force partner's budget, for the provision of communication access for Deaf/HOH victims	
	Assess the capacity of community service providers to accommodate both general and specialized communication access needs as those encountered when a Deaf individual's native sign language is not American Sign language or may have non-standard communication abilities	
	Assess resources available within the community (e.g., availability of certified Deaf interpreters or experience working with multi-cultural Deaf/HOH individuals)	
	Obtain access to video remote interpreting (useful when immediate access to interpreters is needed while waiting for an in-person interpreter)	
	Develop a budget for the provision of communication access (ensure the inclusion of in-person interpreting services, Video Remote Interpreting etc.) (review yearly, increasing by 10% per year)	
	Consider how task force members may be able to share or pool resources and contracted services through the use of memorandums of understanding	
	Identify task force member roles and responsibilities for protocol development	

Items to Include in a Written Protocol		
Section	Item	✓
Introduction to Protocol	Rationale for task force protocol	
	Overview of federal, state, local and tribal laws regarding relevant language/communication access mandates, such as ADA and Title VI guidelines	
	Individuals who assisted in development of protocol (includes representatives from law enforcement, victim services, and prosecution)	
	Written commitment to never turn a Deaf/HOH victim away because they cannot communicate effectively in spoken or written English	
	Written commitment to engage the victim to identify their preferred language and communication method and secure that preference in a timely manner; or, when preference may not be possible, work with the victim to ensure a suitable alternative in a timely manner	
	Schedule for periodic review/evaluation and update of protocol based on feedback from victims and task force members	
Protocol Core Content	When communication access will be provided, by whom, and when: <ul style="list-style-type: none"> ■ Guidelines for all possible points of contact and services ■ Specific tools and resources available to task force members ■ Process for emergency situations, what constitutes an emergency, and when emergency lifts 	
	Procedure for first encounter with a Deaf/HOH victim (e.g., what happens while waiting for communication access/interpreters and how the victim will be informed of their rights in the moment)	
	Expectations for providing trauma-informed communication access in a timely manner (e.g., provide specific timelines to ensure victims are not waiting for days for support)	
	How task force members will identify the preferred language and communication method	
	Direction, including who, on how to assess an interpreter's skills and mechanisms for tracking and holding interpreters accountable	
	Required certification for Deaf/HOH interpreters (i.e., minimum requirements should be national certification by the Registry of Interpreters of the Deaf or state licensure for American Sign Language Interpreters)	
	Protocol onboarding process for new task force members, including trauma-informed training	
	Information on ongoing trauma-informed protocol training for task force members	
	Guidelines on the use of bilingual staff as interpreters versus bilingual staff conducting their jobs in a second language, including ASL or other forms of sign language*	

*Bilingual staff to interpret regardless of level of bilingual competency is prohibited except where there is immediate danger of serious physical harm or life-threatening situations to any person (exigent circumstances). Once the emergency lifts, the exception lifts.

Items to Include in a Written Protocol		
Section	Item	✓
Protocol Core Content (continued)	Guidelines prohibiting the use of family members, children, and other program participants as interpreters	
	Instruction on how to speak to those who are Deaf/HOH (e.g., avoiding shouting, raising one's voice, or turning away from the victim when talking to them)	
	Guidelines for protecting the confidentiality of any written communication with or disclosures from victims	
	Options to record or document communication to assure quality of interpretation and preserve the record for prosecution	
Implementation and Monitoring	<p>Assessment process to gauge and document:</p> <ul style="list-style-type: none"> ■ how well task force members know and implement the protocol; ■ the protocol's results and impact; ■ capacity, victim input, and sustainability; ■ community feedback; and ■ strategies and progress 	
Additional Resources	<ul style="list-style-type: none"> ■ LEP.gov <ul style="list-style-type: none"> ➤ Videos ➤ "I Speak" Cards and Posters ➤ National Language Service Corps ➤ National Virtual Translation Services ■ Asian Pacific Institute on Gender Based Violence (API-GPV) ■ National Immigrant Women's Advocacy Project (NIWAP), library of resources including model policies ■ Abused Deaf Women's Advocacy Services (ADWAS) ■ DeafHope <ul style="list-style-type: none"> ➤ Local DV/SV Resource for Deaf/HOH ➤ Deaf Power & Control Wheel, including American Sign Language videos ➤ The National Resource Center for Reaching Victims, library of resources including language access tools 	