

Position Statement on Accessible Emergency Management for Deaf and Hard of Hearing People

<https://www.nad.org/about-us/position-statements/position-statement-on-accessible-emergency-management-for-deaf-and-hard-of-hearing-people/#N-1-1>

Overview

Emergencies and disasters profoundly affect thousands of Americans each year. With over 48 million Americans who are deaf or hard of hearing^[1], it has been well documented that this population often experiences the most difficulty when it comes to preparing for and recovering from emergencies and disasters.

In 2014, the National Council on Disability confirmed the findings of earlier research in their report, *Effective Communications for People with Disabilities: Before, During and After Emergencies*.^[2] The findings indicated that there is a need to improve access to emergency services for deaf and hard of hearing individuals, as well as all people with disabilities.

The guidance provided in this position statement of the National Association of the Deaf (NAD) is intended to provide local emergency managers with tools and resources they can reference to provide access to emergency services for their deaf and hard of hearing residents.

This is not without its challenges. Although the Federal Emergency Management Agency (FEMA) has resources and expertise, the main responsibility for disasters is generally borne by local jurisdictions. The phrase, “all disasters are local” is a mantra for the profession. State and Federal resources are used to support local disaster response and recovery efforts, and are not intended to replace the local jurisdiction’s management of the disaster. This often creates confusion as to the responsible entity for dissemination of accessible information and services before, during, and after disasters.

Notwithstanding any confusion, all entities responsible for emergency management and response are bound by several federal laws mandating emergency services to be accessible to all individuals, including for deaf or hard of hearing individuals.

Best Practices

Optimal practices for including deaf and hard of hearing individuals in all emergency preparedness efforts and trainings are provided here in an “Emergency Planner Checklist” format. This checklist is intended to provide guidance to federal, state, and local government agencies charged with providing access to disaster preparation and relief for individuals who are deaf or hard of hearing. This guideline promotes minimum standards and is not meant to be exhaustive.

- **Set aside disability accommodation funds within the emergency budget**, including funds for sign language interpreters and captioning in preparation for all emergency management activities. The NAD recommends that at least 15% of total program budget be allocated to address all accessibility and accommodation needs.
- **Include representatives from the deaf and hard of hearing community** in all community planning meetings as well as internal agency preparation meetings and in the development of any policies and procedures affecting this community. It is imperative to gather feedback from the community to incorporate into your planning and training efforts.

It will also make them part of your emergency planning process as assets, rather than liabilities.

- **Establish protocol for immediate securing of qualified American Sign Language (ASL) interpreters during all emergency situation press conferences** through a collaborative effort involving the Public Information Officer, a representative of the deaf and hard of hearing community in your area, and broadcasters. The protocol should entail the process by which a qualified and certified ASL interpreter would be secured quickly in times of emergency. In advance of all emergencies, preparation should include assessing which interpreters in the area are appropriately licensed in the relevant state, as well as qualified and trained to handle emergency management situations and terminology.
- **Ensure that the ASL interpreter secured for the emergency press conference is visible on television at all times during the broadcast.** The Public Information Officer should monitor all broadcasts to ensure that on all stations broadcasting the press conference, the ASL interpreter's face, body, arms, and hands are visible on the television screen at all times. If a broadcaster needs to show any other graphics or video feed, the video with the interpreter must remain visible on the screen at all times.
- **Ensure that Broadcasters are able to provide quality live captioning for all broadcasts of emergency information**
- **Ensure that all emergency information provided online are fully accessible** including with captioning and ASL interpreting.
- **Provide ongoing inclusive and accessible training** to the deaf and hard of hearing community and to emergency management planners. Federal and local emergency management planners need to engage with representatives from the community to develop accessible training programs and to schedule such training at times and places likely to be attended by members of the community. It is vital for emergency management planners to ensure the deaf and hard of hearing community has hands-on training as well as opportunities to have honest and open conversations with emergency responders.
- **Structure all Disaster Recovery Centers to be fully accessible** to deaf and hard of hearing individuals. Disaster Recovery Center staff must be fully prepared and trained on how to obtain, provide, and operate accessibility technology for deaf and hard of hearing people. This would include all disaster relief emergency equipment that is made available in the event of a disaster. Furthermore, the centers must also have trained staff who know when and how to contact on-call service providers such as interpreters and captioning service providers.
- **Incorporate texting capability with all N-1-1 services.** All emergency management teams need to implement texting capability within their local N-1-1 systems, which are more accessible to deaf and hard of hearing individuals as well as comply with new WEA standards for notifications.

Effective Communication at Emergency Press Briefings

ISSUE

Emergency press briefings must be accessible to all deaf and hard of hearing individuals. Consequently, closed or open captioning during emergency broadcasts are mandated by federal law to meet the needs of many deaf and hard of hearing people, but must be done so with high quality captioning service providers to ensure the live captioning comports with federal standards. Moreover, captioning alone is not enough for many deaf or hard of hearing people to understand important emergency information. Providing American Sign Language interpreters help this underserved segment of the population to receive the necessary information to make educated decisions about their own role in emergencies and disasters.

However, too often, there are issues with the quality or display of captioning or ASL interpreting during press briefings and public service announcements for emergency planning. These issues include: 1. the use of unqualified sign language interpreters and/or unqualified captioning service providers; 2. the captioning may be unduly delayed; 3. The captioning is improperly placed and blocks the full view of the ASL interpreter; and 4. interpreters are sometimes forced out of view of the camera “shot”, obstructed, or viewed in an angle that is counterproductive for effective communication.

The CVAA has expanded the requirements for accessible media to the Internet and mobile devices. Consequently, captioning and interpreting services are required to be visible on all emergency broadcasts regardless of the medium – television or the Internet. Failure to provide accessible media during emergency broadcasts is a violation of federal law and broadcasting entities need to make every effort to ensure that all media shared with the public is fully accessible.

BEST PRACTICES

All of the following recommended practices should be implemented in all video emergency broadcasts and public service announcements (PSAs):

1. All communications provided through sign language interpreters and closed captioning must meet community and national standards. In advance of all emergency broadcasts and public service announcements, all interpreting and captioning service providers should be screened and approved in advance by members of the deaf and hard of hearing members. Care must be taken to ensure the interpreters and captioning service providers are trained for emergency situations and familiar with emergency management terminology. Further, all interpreters should be certified and also possess any necessary interpreter license in compliance with state law.

2. Make sure a highly qualified sign language interpreter is visible at all times in the broadcast next to the emergency official.

- At all times during the video broadcast, a Medium 2 Shot should be used of both the public official and the sign language interpreter standing next to each other in the video frame.
- At all times during the video broadcast, the speaking official should not block the interpreter and the interpreter should not block the speaking official.
- At all times during the video broadcast, the interpreter should stand slightly in front of the podium and to the side of the speaker
- The interpreter should possess any and all licensure and/or certification required by the state law in the state where the broadcast is occurring.

3. At all times during the video broadcast, provide high quality captioning and ensure that it does not conflict or cover the interpreter or other text such as a scrolling marquee, crawl, or lower-third (or vice versa). One example is found [here](#).

4. In advance of all emergency broadcasts and during such broadcasts, broadcast media, emergency management, interpreters, and advocates from the deaf and hard of hearing community should be working together to ensure the diverse needs of all deaf and hard of hearing individuals are met during such broadcasts.

5. Whenever possible to ensure the emergency broadcast is understandable to every segment of the population, use images and maps to illustrate what people should be doing or where people should be going during emergencies.

6. Ensure that all captioning and interpreting services are clearly visible and not distorted on all re-broadcasts and Internet broadcasts of the same production. For any media displayed on the Internet:

- Embed subtitles and sign language interpreter into a single video so captions or interpreter cannot be cut-out in re-broadcasts or Internet streaming.
- In the alternative, provide XML files (Flash videos) or VTT (HTML5 videos) with the caption file copied.

Improving Access to Emergency Information Online **ISSUE**

More people are using smart phones and tablets to receive emergency information or broadcasts through livestreams through the Internet. However, captioning for Internet livestreams have not always been reliable or accurate. When emergency information is broadcast both on television and through the Internet, captions are often not provided on the Internet streaming even though it is clearly captioned on the television broadcast.

BEST PRACTICES

Internet video streaming are required by the Twenty-First Century Communications and Video Accessibility Act to include the captioning provided on the television broadcast no later than July 1, 2017. However, failure to include captioning on such Internet video streaming constitutes failure to provide effective communication to the information to deaf and hard of hearing people, and ensuring the captioning is provided immediately is recommended to avoid a failure to warn the population of emergency information. Given that all emergency information is critical to be shared with everyone, all partners in the emergency management and broadcast community should voluntarily speed up adoption of captioning for this platform.

Improving Emergency Preparedness Training for Deaf and Hard of Hearing Consumers

ISSUE

Results from recent disasters clearly indicate that many members of the deaf and hard of hearing community remain unprepared to participate in their own emergency preparedness, response, and recovery efforts. Furthermore, there is often confusion as to which agency has jurisdiction over specific services, particularly accessible services and information.

BEST PRACTICES

Training by both federal and state agencies must be accessible and available on a regular basis for deaf and hard of hearing individuals in the community to become familiar with emergency preparedness, response and recovery. These trainings cannot be “one-off” programs or “special” programs, as such one-time trainings will not significantly improve outcomes for the community in an emergency or disaster. Such trainings already exist and have been offered in various locations.^[9]

- Emergency preparedness training for the deaf and hard of hearing community must include the following critical components:
 - o All trainings to deaf and hard of hearing individuals should be provided in the language and mode accessible and understandable to them.
 - o The training should include information from each city, county and state on their respective systems for responding to emergencies or disasters, including the role of FEMA and when FEMA is called in to assist.
 - o The training should include a full explanation of Incident Command Systems and the National Incident Management System.
 - o The training should include provision of resources including but not limited to local and regional options to receive alerts, announcements, and information.
 - o The training should include provision of communication tools including but not limited to communication cards and resources for contacts within the relevant city, municipality, county, state, and federal.
 - o The training should include an explanation of which important documents should be collected prior to any emergency or disaster and how to keep them safe.
 - o The training should include first-hand sharing of how emergency preparedness is important from deaf and hard of hearing survivors of disasters and other events. Such sharing can be done either in-person or by video.
 - o The training should include interactive panels with emergency responders so they can describe their roles, responsibilities and priorities in responding to emergency/disaster.
 - o The training should include skill-building events where deaf and hard of hearing people can interact with emergency responders with hands-on activities such as basic CPR, receive information about essential activities (e.g., turning on/off water/electricity/gas), fire suppression, and communication resources.

Improving Access to Disaster Recovery Centers

ISSUE

In recent disasters, there have been situations where state and federal agencies were unprepared to provide services that were accessible to deaf and hard of hearing individuals, including at Disaster Recovery Centers (DRC) established by FEMA. As a result of services lacking accessible communications, many deaf and hard of hearing people have been left without information as to: where to go for assistance; how to reach services out of the area; how to obtain DRC information; where to get necessities such as food, clothing and personal items; and how to get support. This is especially problematic for those who were displaced or were not permitted to return to their homes, such as what happened during Hurricane Sandy.

Disability Recovery Centers have experienced some challenges including: a lack of on-call service providers, such as qualified, certified sign language interpreters; a lack of appropriate signage about the availability of free communication and information access; and a lack of appropriate assistive technology available in working condition for deaf and hard of hearing people.

BEST PRACTICES

The NAD recommends that the responsible state and local emergency agencies provide communication and other access as required by the Americans with Disabilities Act (ADA), as follows:

1. Establish local/state emergency preparedness for people with disabilities committees that include representatives from the deaf and hard of hearing community. The committees should contain discussion and preparations for communication and information access. This committee's goals should also focus on the availability of equipment and devices including an appropriate number of videophones, TTYs, iPads, captioned telephones, and amplified telephones in all DRCs. All DRC staff should be trained to use Video Remote Interpreting technology in the DRCs when in-person interpreters are not available.
2. Create a directory of contracted on-call local certified and qualified interpreters.
3. Procure for DRCs the appropriate number of needed communication access and technology such as videophones, TTYs, iPads, captioned telephones, and amplified telephones.
4. Provide emergency management training to qualified certified interpreters in preparation, and maintaining a list of such interpreters who have completed such training to full satisfaction.
5. Implement all recommendations contained in the National Council on Disability's *Effective Communications for People with Disabilities: Before, During and After Emergencies*^[10] in trainings to be provided in all emergency preparedness trainings.

Improving Access to Notification Systems and N-1-1 Services

ISSUE

Access to emergency warnings and other related information is important for the general population, and is especially important for people with disabilities. People who are deaf and hard of hearing are often the last to receive such important emergency information. It is critical that everyone, including people with disabilities, receive emergency warnings and messages at the same time without delay. This means that mass notifications before, during and after a disaster must include a variety of warning systems to be truly effective and reach everyone, rather than limited to radio and televised broadcasts.

Many emergency responder services and government agencies are offering specialized notification services to individuals who register to receive emergency warnings from them. Typically, such registration tends to include the registrant's phone number, email address, and text number. Many deaf and hard of hearing people who use video relay services tend to provide their videophone number on such notification registration systems. However, mass notification systems are often incompatible with relay services.

When a voice call is made to a number registered to a videophone, the notification system may not recognize the relay service provider automated voice message and end up hanging up rather than relaying the message. Consequently, deaf and hard of hearing individuals who leave a videophone number are left out of such mass notification system calls.

Any incompatibility of mass notification systems with videophone systems runs afoul of federal law. Section 35.160 of the Department of Justice's Title II regulations requires the public entity to take such steps as may be necessary to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others.^[11] The ADA was amended in 2010, which expanded the definition of "auxiliary aides and services."^[12]

The public entity is required to ensure effective telecommunication systems, including emergency and non-emergency telecommunications services for individuals with disabilities using various telecommunication technologies, including videophones and TTYs. Moreover, with today's expanding technologies such as text messaging, instant messaging via computer, smartphones, tablets, and other wireless devices, it is imperative that local and state agencies are prepared to communicate with all individuals using such technologies.

Title IV of the ADA addresses telephone access for people with disabilities through the provision of the Telecommunication Relay Services (TRS).^[13] TRS is the means by which anyone can call a deaf or hard of hearing person who does not use a conventional telephone but may use a videophone, TTY, or captioned telephone.

However, many automated systems that require quick interactive responses by pushing buttons on a telephone are inherently inaccessible for users of TRS. It is important that local and state agencies ensure alternative means to access telephone services other than solely through automated systems, as users of relay systems may not be able to effectively use emergency telephone services such as crisis lines pertaining to rape, domestic violence, child abuse, and drugs.

In the United States, the FCC administers three-digit abbreviated dialing telephone numbers, generally known as N-1-1 codes, to Community Service Directories within the North American Numbering Plan. N-1-1 codes are an expedited way to provide access to

specific local services. The FCC recognizes 2-1-1, 3-1-1, 5-1-1, 7-1-1, 8-1-1 and 9-1-1 as specific codes that are assigned to local services.

The NAD is aware of many areas where there are difficulties in accessing N-1-1 through a third party telecommunications relay service. The problem is related to the fact that third party TRS providers are not necessarily located where the TRS user is making the call, and consequently, the TRS provider cannot dial N-1-1 to get the appropriate local service provider for the area in which the TRS caller is. The NAD asks that the FCC ensures the provision of appropriate and comprehensive directories allowing instant referrals of TRS callers to their local N-1-1 service providers, so that the TRS providers are able to route all TRS calls immediately to such N-1-1 service providers.

Many deaf and hard of hearing individuals who travel are unable to effectively contact their local N-1-1 service providers as TRS currently works best from a stationary videophone, TTY, or captioned telephone. While nearly everyone is able to call N-1-1 services from a smartphone from anywhere, deaf and hard of hearing people currently have difficulty using TRS on smartphones which are compounded by the above described challenges for TRS to route calls to the proper N-1-1 service providers. The optimal means of contacting N-1-1 for such deaf and hard of hearing individuals is to use text messaging. However, most N-1-1 service providers are unprepared at this time to accept text messaging, and this must change to ensure equal access to critically necessary N-1-1 services.

BEST PRACTICES

The NAD recommends that all local and state service provide access to its mass notification services and N-1-1 services as follows:

- Implement capability immediately in all PSAPs and N-1-1 service providers to receive and send text messages.
- Ensure that all mass notification systems are able to leave messages on all forms of telecommunications including videophones and TTYs, as well as any others that use telecommunication relay services to connect with conventional telephone systems.
- Implement Next Generation 9-1-1 services as soon as possible.^[14]
- Implement accessible wireless emergency alerts and equally effective mass notification systems.^[15]

[1] The use of “deaf and hard of hearing” is intended to represent the entirety of the community including those who are deaf, hard of hearing, DeafBlind, late-deafened, have other types of hearing losses, or have additional disabilities.

[2] NCD Report (2014) – *Effective Communications for People with Disabilities: Before, During, and After Emergencies*, found [here](#).

[3] Section 504 of the Rehabilitation Act of 1973, 29 U.S. Code § 794.

[4] Title II of the Americans with Disabilities Act, 42 U.S. Code § 12131 et seq.

[5] Section 255 of the Telecommunications Act of 1996, 47 U.S.C. §§ 153, 255.

[6] Twenty-First Century Communications and Video Accessibility Act of 2010, 47 U.S. Code § 613.

[7] Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S. Code § 5121 et seq.

[8] 42 U.S. Code § 5196f.

[9] Model programs include but are not limited to the following:

a) Community Emergency Response Teams (CERT) [see [here](#)];

b) State Commission trainings or videos [see [for example](#)];

c) online ASL videos from various entities [see, for example [DEAF Inc.'s video](#); and [Disability Resistance Community](#)];

d) TDI's Community Emergency Preparedness Information Network (CEPIN) [see [here](#)]; and

e) Partners in Emergency Preparedness Conference (PIEPC), which has a slideshow compiled by several agencies in the Seattle area serving the deaf and hard of hearing community [see [here](#)].

[10] Available [here](#).

[11] 28 C.F.R. Sec. 35.160.

[12] 28 C.F.R. § 39.160(a)(1); see [here](#).

[13] [Telecommunications services for hearing-impaired and speech-impaired individuals](#) codified at 47 U.S.C. § 225.

[14] [NG9-1-1 Project](#).

[15] [Wireless Emergency Alerts \(WEA\)](#).