



October 2020

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October 10, 2020, Meeting by Zoom! Zoom in and see your friends from HLAA-EBC. Our speaker will be Trevor J. Finneman, Esq., a Los Angeles lawyer, specializing in employment, civil rights, and personal injury matters, who will provide a brief overview of the federal and state law relevant to effective communication obligations; the scope of law—including a patient's "companions"; auxiliary aids and services; issues and quirks of auxiliary aids in the healthcare context; situations where accommodations are not required; observations re: effective communication in healthcare; and tips for requesting accommodations from healthcare providers.

Our October 10 meeting will be a Zoom meeting:

Everyone needs to register up front at our website: <http://www.hearinglosseb.org/>

After you register, you'll be sent information about how to join the meeting.

HLAA-EB will post to the California State Association webpage and our website.

Check out our website: <http://www.hearinglosseb.org/> Contact us: info@hearinglosseb.org

MEETING NOTES: *"Communicating with a Police Officer"*

At our Sept. 12, 2020 meeting, our guest speaker via Zoom was Sgt. Darin Tsujimoto, Police Officer in the Police Department in Alameda, CA. Initially, Sgt. Tsujimoto worked as a paramedic in South Central Los Angeles, San Diego, and San Francisco. In 1996, he was hired as a police officer by the city of Alameda, CA. During his career in the Alameda Police Department (APD), he has had a broad range of assignments, including Field Training Officer, K9 Handler, SWAT Member, and Narcotics/Special Investigations Unit Member. In 2011, he was promoted to Supervisor, working in the Patrol Division and overseeing the K9 Unit. He has also served as a Community Resource Officer for the Alameda Point Collaborative where individuals often demonstrate mental health and substance abuse problems. In addition, he is currently serving as the Watch Commander of a neighborhood watch group for the Marina/Windsor Neighborhood, addressing quality of life concerns for the residents regarding crime and homelessness.



Based upon his long career as both a paramedic and a police officer, Sgt. Tsujimoto described the training that police officers receive in communicating with the deaf/Hard-O-Hearing (HOH), some of his own personal experiences, and specific tips and tools that can be used to assist in effective communication with a police officer if you are stopped.

Police Officer Contacts with Individuals Having Hearing Loss:

Sgt. Tsujimoto acknowledged that over his many years as a police officer in APD, he has not had too many contacts with persons who were deaf or HOH. After recently conducting an informal poll of his APD colleagues, he discovered that his experience was pretty consistent with that of his colleagues in the Alameda Police Department. During a few contact situations involving traffic stops when communication was necessary, they typically have communicated with deaf/HOH persons by writing notes on paper or texts on their cell phones.

Nevertheless, Sgt. Tsujimoto said that he recognized there are many situations where communication between a police officer and those in the deaf/HOH community might result in serious problems if not handled properly by either the police officer or the community member. Sgt. Tsujimoto then proceeded to show a short video clip which demonstrated some of these possible situations and the appropriate behaviors individuals should utilize to avoid problems. He also commented about his concerns regarding some of the generalizations about police conduct made in the video, as well in the media, which may not always present the totality of facts about the immediate situation. In fact, statistics for the United States indicate that one police officer is killed every 72 hours while serving in the line of duty with the majority of these tragic incidents occurring during traffic stops.

Training of Police Officers

Police officers have millions of contacts with the public every year, but generally, less than 1% of them result in violent conflict or deadly force being used. Physical confrontations are more likely to arise during traffic stops or domestic violence incidents. Sgt. Tsujimoto explained that the police officers in Alameda participate annually in training based on Police Officer Standards Training (POST), which is the California annual training required of police officers. It is a detailed regimented training in the laws and practices that they must know and follow if they wish to continue working as a police officer in California. Among the many topics that are covered, the training includes:

- traffic stops
- domestic violence
- de-escalation of confrontational situations
- mental health
- use of force
- effective communication in many different situations
- disability legal requirements (including deaf/HOH situations).

Documents That Should Be Available When Driving A Vehicle:

According to the video and Sgt. Tsujimoto's follow-up discussion, if a person is stopped by the police when driving a vehicle, the following documents should be readily available:

- ✓ your driver's license (not suspended or expired)
- ✓ valid vehicle registration (not expired)
- ✓ proof of vehicle insurance (not expired)

However, a driver should not regularly store either their driver's license or the vehicle title in the vehicle in case someone breaks into the vehicle or steals the vehicle.

Tips & Tools for Dealing with Police Officers If Stopped:

Many practical tips for recommended behaviors and tools for dealing successfully with a police officer if stopped were presented by Sgt. Tsujimoto. Other useful suggestions were shared by audience members during the discussion.

- Pull your car off the road to a safe spot if you see police lights flashing and/or loud horn blasting behind you.
- Stay in your car as the police officer approaches your vehicle until the officer tells you what to do.
- Keep your hands on the steering wheel or in your lap so they are viewable as the officer approaches your car.
- Wait for the officer to provide instructions for you to follow before reaching for any items or documents.
- Prepare in advance so you have the above cited documents in their proper place and readily accessible.
- Plan in advance how you can communicate to a police officer that you are deaf or have a hearing loss (HL).

- Purchase or develop a communication card or window sticker that efficiently conveys your HL. The communication card developed by the state of Wisconsin can be found [here](#).
- Keep the communication card or sticker in or on your car so it is viewable by an officer approaching your car.
- Put a pre-written letter or message on your cell phone to use in communicating your HL to an officer.
- Keep pen and notepad accessible in your car in case you need them in communicating with an officer.
- Ask the officer to move their mask, if safe, so you can read their lips unless they are wearing a clear mask.
- Request an interpreter if you need one to adequately communicate with the officer.

For More Information & Questions: Email: dtsujimoto@alamedaca.gov

~ Kathy Fairbanks

Editor's note: Susan Fitzgerald is developing a sticker and a communication card that we will be able to use for these officer involved situations here in California. Stay tuned!

HAAA – EBC is looking for volunteers! Specifically, we need a Publicity Chair but other volunteers are needed as well. Please contact Dale Davis, our chapter leader, to discuss the possibilities! Contact: daledavis94605@gmail.com. Leave your number so she can call you.

WHAT'S NEW??

New tech will allow audio to transmit to your earbuds Watch for earbuds and hearing aids early next year that pick up audio signals directed their way at public places such as movie theaters, museums, or airports/train stations. Use of a low-energy form of Bluetooth transmits signals. Starkey Hearing Technologies Jeff Solum says, "It'll be interesting to see what hearing aids and earbuds will look like in the future."

Court bans health insurance bias on disabled people A Ninth Circuit Court of Appeals ruled on July 14, 2020, that insurance companies cannot discriminate against disabled people by broadly denying coverage for the types of treatment they need, including obesity, hearing loss, and vision treatment. A suit filed in 2017 by two Kaiser hard-of-hearing (H-O-H) patients had resulted in the trial court's dismissal without leave to amend, stating the plaintiffs may not be entitled to coverage because not everyone with a hearing loss is disabled. However, upon appeal, the Ninth Circuit Court said that Kaiser and other insurers that provide coverage under the 2010 Affordable Care Act (ACA) may not design their plans in ways that exclude the disabled. The ACA imposes an affirmative obligation not to discriminate in the provision of health care – in particular, to consider the needs of disabled people. Currently, Kaiser policies under the ACA provide coverage for cochlear implants, but not for other types of hearing aids or visits to medical specialists. Judge Nguyen said the ACA explicitly forbids insurers to "make coverage decisions ... or design benefits in ways that discriminate against individuals because of their ... disability." The Ninth Circuit reversed the lower court's dismissal and remanded the case so the H-O-H plaintiffs/appellants could amend their complaint and refile their suit to implicate Kaiser in disability discrimination (*Schmitt v. Kaiser*).

JOKE CORNER: Concerned Husband

A concerned husband went to a doctor to talk about his wife. He says to the doctor, "Doctor, I think my wife is deaf because she never hears me the first time and always asks me to repeat things." "Well," the doctor replied, "go home and tonight stand about 15 feet from her and say something to her. If she doesn't reply move about 5 feet closer and say it again. Keep doing this so that we'll get an idea about the severity of her deafness." Sure enough, the husband goes home and does exactly as instructed. He starts off standing about 15 feet from his wife in the kitchen as she is chopping some vegetables and says, "Honey, what's for dinner?" He hears no response. He moves about 5 feet closer and asks again. No reply. He moves 5 feet closer. Still no reply. He gets fed up and moves right behind her, about an inch away, and asks loudly, "Honey, what's for dinner?" She replies, "For the fourth time, vegetable stew!"

HEARING AID BATTERIES! Only 17 cents apiece at Costco.

HLAA members can join the hearOclub to have batteries delivered to your home! Use the coupon code **HLAAmember** online at hearclub.com or by calling 833.LISTEN-2 (833.547.8362).

DONATE USED HEARING AIDS and/or HEARING EQUIPMENT! See Dale Davis at a meeting or ddavis94605@gmail.com.

East Bay Leadership Team

The chapter is run by a Steering Committee, Leader Dale Davis, ddavis94605@gmail.com who also oversees the Membership Database.

Outreach, Walk4Hearing Chair, National Chapter Coordinator/Liaison: Susan Jeffries Fitzgerald, susanlj29@gmail.com

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JOIN THE NATIONAL HEARING LOSS ASSOCIATION – THEY ARE ADVOCATING FOR YOU!

Go to this URL to join today: <https://www.hearingloss.org/make-an-impact/become-a-memberrenew/>

BENEFITS OF BEING A MEMBER OF THE NATIONAL HEARING LOSS ASSOCIATION:

- *Hearing Life* – the bimonthly magazine about the latest technology, products and information about how to live well with hearing loss. Read stories from people who have hearing loss as well as articles from leading professionals in the field.
- **Regular Membership**
Includes *Hearing Life* in print and digital format for one year.
- **Online Membership**
Includes *Hearing Life* in **digital format only** for one year.
- Discounted rate to the annual [HLAA Convention](#) held in various cities across the country (discount also applies to all members in the Couple/Family membership)
- Discounts on certain products and services. *HLAA does not endorse the product or service discounts offered on this page, nor does exclusion suggest disapproval.*
- The support found in [our extensive network of chapters](#)
- Online activities such as [HLAA Webinars](#) (captioned), forums, groups for young adults, parents, surveys, *Hearing Life e-News*, and more
- Participation in advocacy campaigns
- **Veterans ONLY**
HLAA would like to show its support of veterans attending their first HLAA Convention by offering a complimentary registration (as well as for a caregiver). For more information about registering for HLAA's annual convention and other veteran related benefits, please go to the [Veterans page](#).