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The Need for Certified Deaf Interpreters and Deaf Advocates in the Criminal Justice System

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ABSTRACT:

This qualitative study was a narrative inquiry of the communication experiences of 7 deaf individuals incarcerated throughout 7 states. The researcher, deaf herself, interviewed 2 deaf inmates and 5 deaf ex-inmates about issues experienced with communication at home, school, and before, during, and after incarceration. The interviews were video recorded and transcribed. A Certified Deaf Interpreter (CDI) checked the transcripts for accuracy, providing inter-rater reliability. The communication experiences of each participant were narrated. Data were analyzed using the constant comparative method to find common themes related to the research questions. The results of this study suggested 3 interventions:1) assigning deaf inmates to specially equipped facilities; 2) utilize a CDI, with legal knowledge and training, to work with deaf inmates, along with a skilled sign language interpreter; 3) utilize deaf legal advocates to clarify each step through the criminal justice system, which will help the deaf inmate more fully understand.

Keywords: Deaf inmate, incarceration, interpreter, certified deaf interpreter, deaf advocate, criminal justice, ADA

1. The Need for Certified Deaf Interpreters and Deaf Advocates in the Criminal Justice System:

Communication is a critical part of our daily lives, in a form as simple as making a request or a comment, as dialogue between two people, or as complex as legal proceedings in a courtroom. The foundation for communication begins at home between parents and their children. The majority of hearing children learn how to listen and speak at a young age with parents providing the linguistic model for their children. However, when a child has a hearing loss or was not properly diagnosed as infant, gaps in communication between the child and parents may occur. If the child attends school in a signing environment, but parents do not sign at home, these gaps can widen further (Andrews, Leigh, & Weiner, 2004). Communication continues to suffer as the child matures. Gaps in communication can lead to cultural misunderstandings (Moores, 2001), academic failure (Andrews & Lomas, 2011), unresolved emotional issues (Karchmer & Allen, 1999), and even behavioral outbursts (Twersky-Glasner & Miller, 2010). Gaps in communication as well as other biological, environmental and school factors can ultimately lead to antisocial and criminal behavior as well as incarceration (Miller & Vernon, 2002; Twersky-Glasner & Miller, 2010; Twersky-Glasner & Sheridan, 2005; Vernon & Miller, 2005). The purpose of this qualitative study was to give a face to the deaf individuals who have been described in research about deaf inmates, as a narrative inquiry

intended to provide insight into the perceptions of deaf inmates and ex-inmates regarding communication access. This research focused on deaf individuals who both rely on sign language to communicate and have been incarcerated within the criminal justice system in the United States. This study examined whether or not these deaf offenders had been provided with communication accommodations at the time they were arrested and while serving time. Further focus was on how communication, or the lack thereof, was still impacting their lives (Twersky-Glasner & Miller, 2010).

The problem is, even with communication services provided; deaf inmates often do not fully comprehend what is happening as they move through the criminal justice system. Moving through the system includes the steps of the arrest, booking, and trial proceedings, being transported to an assigned incarceration facility, understanding the rule handbook of that facility, participating in rehabilitative programs, and preparing for re-entry into society upon release. The major concern is communication access that enhances the inmate understands of what is happening, which may be hindered by the inmate's educational background, communication background, knowledge of the law, minority status among other inmates who are hearing, as well as inconsistencies in service providers throughout the criminal justice system.

2. Review of Literature:

Inmates who began their incarceration prior to the implementation of the Americans with Disabilities Act (ADA) in 1990 had no opportunity for equal communication access. The ADA requires that deaf people be given access to sign language interpreters to meet their communication needs, even within the legal system (Andrews, Vernon, & LaVigne, 2007; Digiterp, 2004; Lucas, 2003; Miller, 2003; Vernon, 2009, 2010; Vernon, Raifman, & Greenberg, 1996). Unfortunately, even with having the services of a sign language interpreter, deaf inmates still may not understand how to best utilize those services within the legal system.

The study of deaf offenders is a highly specialized area, evidenced by the gap in research related to deaf offenders' communication issues or barriers with their service providers within the penal system (Andrews, Vernon, & LaVigne, 2007; Miller, 2003; O'Rourke & Grewer, 2005; Schneider & Sales, 2004; Twersky-Glasner & Miller, 2010; Vernon, 2009, 2010). Miller (2003) found that in some penal institutions services were provided according to the ADA. However, even with some services, communication barriers were still prevalent among deaf offenders and were often attributed to weaknesses in their educational experiences (LaVigne & Vernon, 2005), social abilities (Andrews et al., 2007; Moores, 2001; Tajfel, 1981; Twersky-Glasner & Miller, 2010; Twersky-Glasner & Sheridan, 2005) and family background (Seaborn, 2004). Miller (2001) determined that some service providers did not have sufficient knowledge or linguistic skill to work with this population, especially in penal institutions housing deaf offenders who may not fully understand American Sign Language (ASL) or any other manual sign system.

As required by federal law under the Bills of Rights and the ADA Title II 1990 (42 U.S.C.A. §§ 12101 et. seq.), all deaf persons are entitled to obtain the following accommodations: effective communication, sign language interpreters, electronic devices such as vibrating alarms, TDD/VP, amplification, captioned TV, and special light alert systems. Furthermore, in addition to having communication and alerting needs, many deaf inmates have psychological issues (Miller, 2004; Miller, Vernon & Capella, 2005; Twersky-Glasner & Sheridan, 2005). Yet, there is a lack of mental health facilities and facilitators who are trained to work with deaf inmates (Miller, 2004; Miller et al., 2005; Twersky-Glasner & Miller, 2010; Twersky-Glasner & Sheridan, 2005).

Deaf inmates have limited access to resources inside the penitentiary system (Vernon, 2009). Several deaf inmates' stories revealed limited educational background, family support and knowledge of how to survive and avoid injury in defending themselves (Miller et al., 2005; Vernon, 2010; Vernon, Steinberg, & Montoya, 1999). Vernon and Greenberg (1999) attributed the prevalence of violence in deaf inmates to educational, communicative, and vocational limitations related to hearing loss. Isolation and a lack of vocational training

has contributed to problems inmates encounter when trying to be reintroduced to the outside world (Camden, 2010; O'Rourke & Grewer, 2005; Twersky-Glasner & Sheridan, 2005; Vernon et al., 1999; Vernon & Miller, 2001). Greater accessibility to communication is necessary for adequate safety both within and when leaving the prison system.

In 2004, Miller conducted research on the entire deaf prison population in the state of Texas. One aspect of her study was to investigate the educational level of these inmates. Miller discovered that deaf inmates with reading scores at or below grade level 2.9, the federal standard for literacy, were the group most likely to demonstrate linguistic struggles. The focus of her study was determining which of these deaf inmates had linguistic skills and competence to stand trial. Miller determined that those inmates below the federal standard for literacy probably would be unable to participate in their own defense. She noted that their apparent incompetence to stand trial was based in their lack of ability to understand the charges against them. Miller raised concern that if this was the case, many of these deaf inmates were charged in a process that violated the ADA.

Therefore, the body of literature supported the need for this study, a deaf researcher interviewing deaf inmates and ex-inmates through direct communication to learn their own narratives of their experiences in the criminal justice system, particularly regarding communication access. The following research questions guided this study. First, what is the perception of communication access prior to, during, and after incarceration as described by deaf individuals who were previously incarcerated? Second, what is the perception of communication access prior to and during incarceration as described by deaf individuals who were currently serving time? Finally, what themes about their communication barriers are common among these individuals?

3. Methodology:

3.1 Design of the Study:

This study used a narrative inquiry design, focusing on first-person accounts of the participants' experiences, particularly on the communication experiences of deaf inmates and ex-inmates (Ary, Jacobs, Razavieh, & Sorensen, 2006). Narratives were written in story format. Grant, Biley, Leigh-Phippard, and Walker (2012) stated that narratives "play an important role in self and social-understanding" (p. 846). The researcher interviewed each participant using sign language. The interviews were video recorded, transcribed, and then compared to identify commonalities and patterns.

3.2 Selection of Participants:

To find potential participants, the researcher utilized referrals from two professional organizations that work with deaf inmates and from former colleagues. These contacts led to successful identification of the seven male participants, using a convenience sample for this study, including two deaf current inmates and five deaf ex-inmates. The participants' incarcerations were in seven different states: Florida, Illinois, Maryland, Oregon, Pennsylvania, Texas, and Washington. The age range of when they were first incarcerated was between 16 and 47 years of age. The range of time for which they were incarcerated was from three to 30 years. At the time of the interviews the participants ranged in age from 33 to 55. All participants were given pseudonyms to protect their identities (see Table 1).

Table 1

Participants (identified by pseudonyms)

Participants	State	Age at Interview	Age at Incarceration	Age at Release
Fred	Florida	52	20	n/a
Mark	Maryland	41	19	n/a
Ted	Texas	53	47	50
Warren	Washington	38	21	32
Ivan	Illinois	39	29	35
Owen	Oregon	33	16	18
Peter	Pennsylvania	55	32	45

3.3 Selection of Site:

This study was not site specific, although it did focus on incarceration facilities. With the large distance involved among the participants, the researcher met face to face with the two incarcerated participants and one ex-inmate, and interviewed the remaining four participants using the technology of videophones (VPs) with recording capabilities. This technology allowed the researcher to communicate visually using sign language directly with each participant.

3.4 Data Gathering Methods:

The researcher conducted personal, unstructured interviews (Ary et al., 2006). Whyte (1979) preferred the term *flexibly structured* interviews, explaining that the researcher often has a structure in mind, but is flexible about the order of questions. Most interviews lasted approximately 30 to 45 minutes. For the interviews, the researcher utilized a survey of 15 questions soliciting general background information of the participants, their parents and their communication experiences. She also utilized a questionnaire containing 12 questions related to participants' communication experiences during their arrests, trials and incarceration. The researcher conducted a pilot study to test for dependability and external transferability of the instruments, procedures, and results.

3.5 Data Analysis:

Data were analyzed by using the constant comparative method, which involved collecting, transcribing and analyzing data in an ongoing cyclical manner, and also watching for emerging patterns, which were categorized and coded (Bogdan & Biklen, 2007). This study required a unique transcription process. There is no formal written system for ASL. However, methods of glossing have been developed for transcribing ASL into a written form (Valli, Lucas, Mulrooney, & Villanueva, 2011). The researcher first transcribed the signed interviews into ASL gloss. The researcher then translated the ASL gloss into written English. Next a CDI, skilled in both ASL and English, viewed each video and checked the accuracy of the transcription. This step provided inter-rater reliability for the data of this study.

The researcher then developed from these transcripts narratives of the participants' stories to reflect their communication experiences and perspectives. The researcher next analyzed these narratives based on the original research questions. Going back through each collection of statements related to the research questions, the researcher looked for patterns and themes, developing codes from these emerging patterns. The researcher noticed at least 10 recurring themes and narrowed those to three more specific themes, with several key points, for discussion. These themes, sign language interpreters, loneliness and comprehending material will be discussed in depth in the summary of findings.

4. Limitations:

There were several limitations to this study. This is a convenience sample (N=7). The findings, therefore, cannot be generalized to all deaf inmates or deaf ex-inmates. Due to time constraints and the narrative nature of this study, the researcher was required to keep the numbers manageable. Furthermore, all participants were male. The researcher originally established contact with two female potential participants, but they eventually chose to withdraw from the study.

5. Summary of Findings:

The first two research questions sought to investigate the communication experiences of deaf inmates still incarcerated and deaf ex-inmates throughout all phases of the criminal justice system: before and during incarceration, and in some cases, after release from incarceration. The third research question sought to identify common themes among the participants' narratives.

5.1 Sign language interpreters:

5.1.1 Arrest:

The first theme was about the sign language interpreters that were provided for the participants, related to the study's focus on communication and understanding the experiences of the participants' interactions with service providers within the criminal justice system. Five of the seven participants stated that they did not have a sign language interpreter present during the time of the arrest.They shared their feelings of confusion, and fear due to not understanding what was happening to them. They expressed frustration about being handcuffed, because they needed to use their hands to communicate. Once the participants arrived at the police station, it took between a few hours and a few weeks before they were able to get a sign language interpreter to help them be able to communicate with the police officers. Some participants never had an interpreter during the arrest phase.

When Warren was arrested, he explained to the police officers that he was a deaf man and needed a sign language interpreter. The officers did not provide an interpreter. Warren described his experience when he was escorted to the police station and he requested a sign language interpreter, because he did not know what was being said or what was happening. Warren finally got interpreting services a few weeks later when his father visited him and realized that Warren was not getting any interpreting services.

Ivan started to scream and fight with the police officers, because he was not only high on narcotics, but the police officers were yelling at him to do something and Ivan was unable to understand what they were saying. Ivan was able to use speech, so the police officers did not realize he truly was deaf and denied him a sign language interpreter. The officers finally realized that Ivan was deaf and apologized to him for not providing the services that he requested in the first place. When the officers finally summoned a sign language interpreter, they read him the Miranda Rights; however, Ivan still did not understand what it meant because no one explained the legal terminology to him.

Although both Mark and Owen had a sign language interpreter at the police station, they did not have one when they were arrested prior to going to the station. Mark and Owen both stated that the police officers were talking too fast. Both Mark and Owen asked the officers to slow down so they could understand them, but the officers did not slow down. Both participants had their arms and hands secured behind their backs, which prevented them from communicating with anyone for hours, even though the police officers were asking questions and writing notes to them.

Fred described on the day he was arrested, the police officers threw him on the floor and started to talk to

him but he did not understand them. Fred's face was on the ground and the police officers were grabbing his arms and hands to be cuffed, but unable to hear, Fred was moving around trying to see and understand what was going on. The officers kneed Fred in the back of his neck to control his movements. Fred started to scream and cry because he felt confused and scared.

5.1.2 Miranda Rights:

All of the participants had their Miranda Rights read to them; however, due to not having a sign language interpreter present, they were given a card to read their rights in front of the police officers and later had them read to them again if and when they had a sign language interpreter present. This is a critical point for all people, hearing or deaf, who have been arrested, because it gives them legal rights. For deaf people who have been arrested, a majority knows very little about their legal rights, which is what the researcher found throughout her research in regards to the importance of having a guide or advocate for deaf and hard of hearing people. DuBow and the National Association of the Deaf (NAD) (2000) created guidelines for deaf and hard of hearing people and for service providers to help with navigating legal settings. The participants in this study shared that even with an interpreter present for the reading of the Miranda Rights, they still did not understand because of the legal terms, which were confusing for them. The only participant who understood the Miranda Rights was Ted, who had prior experience working in the criminal justice field.

For Owen, the police officer gave him a piece of paper. The officer read it and indicated Owen had to sign it. Owen thought to himself, "Oh, okay," and signed it. He recounted, "They didn't explain anything… I knew nothing about my right to an attorney, my right to remain silent, and so forth… It wasn't until I watched the OJ Simpson trial. That was how I learned I had rights." Peter stated that even though he had an interpreter, he did not understand the meaning of the Miranda Rights until later in prison when another deaf inmate explained to him what the Miranda Rights meant.

5.1.3 Trial:

During the trial proceedings, the majority of the participants had a sign language interpreter present throughout their court hearings and meetings with their attorneys. The participants described that their attorneys did not know how to work with sign language interpreters, which created awkward situations. Normally attorneys and clients look at each other when discussing the case. With an interpreter present, the deaf person must look at the interpreter which reduces direct eye contact with the attorney. Ted, on the other hand, with his previous experience of working within the court system, was always asking questions and assessing if the sign language interpreters were qualified to translate all of his questions with no issues. The key point from this portion was how the attorneys acted or talked around a sign language interpreter, due to not understanding how to use an interpreter properly.

Fred did not have a sign language interpreter during the first 20 years of his trials, because the judge did not believe he needed one. Fred had to write notes to discuss his case, which was an additional struggle because many deaf people struggle with written English. In 2006, Fred finally had three sign language interpreters in the courtroom. Fred just sat there watching them move their hands. Fred asked the lawyer and the judge if the interpreters were for him or for them. The judge told him that the interpreters were there for him. Fred was so amazed that he cried. The lawyers and the judge asked Fred why he was crying, and Fred explained this was his first time having a sign language interpreter for any court hearing. The previous judges felt Fred was able to understand well enough and read lips, so the court was to proceed without using a sign language interpreter. Furthermore, in 2006 when Fred learned that he could have an interpreter in his court hearings, he was able to tell his story and share important information that he had not been able to share in his earlier court hearings.

Fred shared with the researcher that he cried because he finally was able to understand some of what was being discussed throughout the trial. One major comment was that Fred still did not understand 100% of

what was being signed to him because he had not learned how to sign until a few years after he entered the system. The other participants expressed similar experiences about not being able to understand everything that was going on during the trial, because the sign language interpreters had to keep objectively interpreting. The participants were not allowed to talk with the sign language interpreters while the court was in session, nor were they allowed to ask for clarification if they did not understand what was being signed to them. They attributed this lack of understanding either to their own levels of education, to lack of experience utilizing the services of an interpreter, or in some cases to the fact that the interpreter was not qualified to interpret in a legal setting. The key point that emerged indicated that the presence of an interpreter still does not guarantee full access to or understanding of the proceedings.

5.1.4 Transfer to penal institution:

The final key point regarding the theme of sign language interpreters emerged when the researcher asked the participants if they had access to interpreters when they arrived at their penal institutions. Six of the seven participants did not have access to a sign language interpreter when they arrived to their assigned facility. Consequently, they were unable to understand the rules and procedures in the facility. Owen was the only one who had a sign language interpreter at the time, because he was a juvenile and his social worker, cognizant of deaf communication needs, arranged an interpreter for him. Being in a less formal setting than a courtroom, the interpreter for Owen had more latitude and was able to explain to Owen about what was happening when he first arrived, including helping him understand the rulebook and the policies in the facility, and what to expect when he was serving his time. The key point is that interpreters play a critical role during the transition to incarceration facilities.

5.1.5 Incarceration:

While attending required program services, such as counseling, group sessions, and classes, one on one meeting with the case manager, or daily activities, the participants reported they did not have a sign language interpreter the majority of the time. The participants had to rely on other inmates in the facility or on watching the routines and guessing what might happen next. Fred began to use a sign language interpreter much later in his incarceration years, after he began to learn sign language while in prison. Mark knew about sign language interpreters but he did not have access to one throughout the first part of his sentence. Mark was frustrated because he could not communicate with anyone else.

Fred and Mark mentioned they would often have to write notes for communicating with others, and that they would not understand clearly what the inmates, officers, and other service providers were trying to say. Fred and Mark said they would always end up angry or confused because of the lack of communication. Fred and Mark both expressed to the researcher that they wanted to attend meetings or group sessions to be able to be part of the discussion, but they could not due to not having a sign language interpreter all the time. Interpreters were only available occasionally, limiting the in activities in which they could be involved. However, non involvement was not an option, punishable by having time added to their sentence, so Fred and Mark quickly learned to just show up at an activity, and sit, knowing they would get almost nothing out of the experience.

5.2 Loneliness:

Both Fred and Mark shared the same perspective on how they felt: lonely, scared, frustrated, angry, confused, and always on the alert around other inmates and the service providers. This introduces the second theme of the study, loneliness during incarceration. Each participant shared his feelings about being the only deaf person in his block or in the entire facility. They all shared that they could not go up to just anyone and chat or interact because no one knew enough sign language to communicate with them. Mark, Ted, Owen, and Peter had access to the deaf community prior to being incarcerated. These four participants reported

immediately feeling alone and scared because they could not communicate with people they were around. None of the teachers, correctional officers, counselors, guards, or nurses knew sign language, which made the deaf inmates feel isolated each day, especially with the inability to share their fears or thoughts with anyone.

5.3 Comprehension:

A third theme of the study focused on the inmates' comprehension during the overall process, from arrest and Miranda Rights, to the facilities' rulebooks and policies, as well as the during the rehabilitation programs. At the time of arrest, six of the seven participants did not know what the Miranda Rights was and did not understand what it meant. By the time of their interviews, they all indicated knowing more about it, because someone had explained it to them in ASL. When six of the seven participants entered incarceration for the first time, they were handed a rulebook or policies about what was expected from each inmate while serving time. These participants did not understand these rulebooks and policies because their educational background resulted in limited reading skills, and the lack of someone to explain the documents clearly. All of the participants had to follow the behavior of other inmates to make sure they were not breaking any rules. They learned quickly to try to avoid breaking rules, because if someone broke a rule, he was sent to an isolation cell for 24 hours. Not having exposure to sign language prior to incarceration, Fred actually learned how to sign while in the facility and learned about sign language interpreters and other aspects of the criminal justice system from a legal advocate, who was hearing but could sign and came to visit him. It took all participants some time to understand the system and to work toward good behavior to earn the right to be released, according the five participants who already were released. The two who were still serving time were hoping to be released someday. The key point of the theme of comprehension was that participants' comprehension increased both when they had access to sign language interpreters and when they had contact with other deaf inmates or with hearing visitors who could sign.

6. Implications for Practice:

6.1 Obtaining Communication Access:

While inquiring about the services provided for deaf offenders by the penal institution, Miller (2001) determined that some service providers did not have sufficient knowledge or linguistic skill to work with this population. Greater accessibility to communication is necessary for adequate safety within the prison system. Yet, improving awareness levels involves monetary resources.

This researcher sees a trifold need. Monetary resources should be invested in education programs across the system. Sign language interpreters need more training in the scope of legal situations, and how to more clearly communicate deeper meanings, not just vocabulary. They also need training with how to expand on communication during legal proceedings to ensure deaf clients' comprehension of what is being asked or discussed. Further training should be provided to help sign language interpreters discern when to request the additional services of a CDI. The Registry of Interpreters for the Deaf (RID) (2013) suggests CDIs be utilized when deaf clients use a language other than English, have additional complicating issues such as with a deaf/blind client, or when a deaf client has minimal language skills, like in Fred's, Mark's, Ivan's, and Peter's cases in this study. This researcher also advocates specific legal training for CDIs.

Furthermore, prison staff needs training in awareness of needs inherent with deafness and how to advocate for communication needs of deaf inmates. Also, the deaf inmates themselves need consumer training in how to utilize interpreting services,how to respectfully ask for clarification, and how to respectfully communicate their communication needs.

6.2 Combatting Loneliness:

This study found that many service providers are not familiar with working with the deaf inmates nor know

what to do with them. All of the participants expressed frustration related to meeting with counselors or their case managers to discuss different things about their life or about being deaf. The service providers were not able to understand or give adequate support, contributing to the sense of loneliness(Miller,2003). Loneliness is a scary thing for someone who is deaf in a secured facility where he cannot communicate freely with others by sharing his thoughts and feelings, and cannot participate in interactive activities. Access to communication would reduce loneliness for deaf inmates in the criminal justice system. Therefore, training for staff regarding both deaf culture and sign language is recommended.

6.3 Comprehending Material:

When six of the seven participants entered incarceration for the first time, they were handed a rulebook or policies about what was expected from each inmate while serving time.These participants did not understand the rulebooks and policies because of limitations in their educational backgrounds and because there was no interpreter, CDI, or deaf legal advocate present to explain the materials clearly (LaVigne & Vernon, 2005; Miller, 2004). Owen was the only one who had a sign language interpreter, because the social worker had planned the meeting in advance. All of the materials are printed in English. When deaf people are required to read in English, which differs linguistically from sign language, they have to process it and understand what they are reading. A sign language interpreter would bring light to the deaf inmates by signing the reading materials for them to understand so they can know what to expect throughout the criminal justice system. Yet, a sign language interpreter working as a team with a legal trained CDI, would provide maximum clarification of the materials.

7. Recommendations from the Results of this Study:

7.1 Assigning deaf inmates to specially equipped facilities:

The ADA under Title II requires public programs to provide reasonable accommodations to persons who have a disability. As required by federal law under the Bills of Rights and the ADA Title II 1990 (42 U.S.C.A. §§ 12101 et. seq.), all persons who are deaf are entitled to obtain the following accommodations: effective communication, sign language interpreters, electronic devices such as vibrating alarms, TDD/VP, amplification, captioned TV, and special light alert systems. These services can be expensive when each facility must provide them. Perhaps, the judicial system should consider assigning deaf inmates to centralized institutions that are equipped and have trained staff. The researcher entered this study expecting to find less access to services than actually reported. In that the researcher was pleasantly surprised. One big surprise, again pleasant, was when the researcher learned about the amazing services provided to deaf inmates within the Maryland system. Interpreters were kept on staff at one particular penal institution. That was beyond the researcher's expectations! Yet the researcher also experienced a sense of sadness for deaf inmates who lived outside the jurisdiction of that particular prison and would miss that amazing availability of services. One result of the interviews that truly left a big impression on the researcher was the recurring theme in the inmates' testimonies of lack of full comprehension even when sign language interpreters were provided.

7.2 Providing Qualified Teams of Both Sign Language Interpreters and CDIs:

As a means of achieving the effective communication stipulated in the ADA, the researcher recommends having a CDI, who has legal knowledge, and training, work with the deaf inmates in the criminal justice system, along with a skilled sign language interpreter. It is critical to have both interpreters work with deaf inmates to ensure clear understanding throughout the system. Fred and Ted both shared about their experiences with having access to interpreters, as well as the qualifications of those interpreters. For Fred, finally gaining access to interpreters was an amazing experience. Prior to 2006 Fred did not know that he had the constitutional right to request a sign language interpreter. On the other hand, Ted shared about his

experience in the courtroom when he had three sign language interpreters. Ted made sure they all had proper certifications and had legal background to be able to interpret for him according to Department of Texas of Assistive and Rehabilitation Services (Texas DARS, 2006).

The researcher noticed that regardless of the deaf inmates' comprehension when having an ASL interpreter, most could not fully connect with what was happening because of the legal terminology. Often during the interviews, the researcher would expand concepts to the deaf inmates and clarify, and their faces would light up like a light bulb. That is when the researcher realized the importance of having a CDI at every meeting. It is an important message to expand interpreting training programs to add CDI training.

7.3 Providing Deaf Legal Advocates:

Another recommendation is having a deaf legal advocate who can be present with the deaf inmate to explain materials and proceedings and help him understand the legal system. The increase of availability of this type of service would aid in all of the issues brought forward in the data: communication accessibility, comprehension of materials, and even inmates' better understanding of their own legal rights and how to navigate the legal system. Not all deaf inmates have adequate education to understand the materials that are presented to them when they are being booked, in the courtroom, and being incarcerated (Braden, 1994; Martin, 1991). The services of deaf legal advocates can help deaf inmates better understand how to navigate intense situations which are a threat to their safety. Protecting deaf suspects' rights to understand criminal proceedings is critical to all deaf individuals who enter the criminal justice system (Digiterp, 2004; Wood, 1984).

During the research process, the researcher noticed that one of the participants, Owen, mentioned about having a deaf legal advocate present to explain his rights as a deaf person. Furthermore, that advocate explained to Owen that he had the right to get a CDI, who could help expand for clarification with terminology and information that was being translated by the sign language interpreter. Even though Owen benefitted from interaction with a deaf professional, who helped him understand the legal system, Fred had no contact with deaf professionals. When entering the room for his interview for this research, Fred took out his pad and pencil, expecting to be confronted with an individual who could not sign. Seeing what Fred was doing, the researcher immediately signed to him, saying hello and introducing herself using ASL. Fred, seeing the movements, responded by asking if the researcher knew sign language. The researcher replied in the affirmative and identified herself as a deaf person who uses ASL to communicate. Fred was in awe when he found out that the researcher was deaf and could communicate in ASL. It was an inspiring moment. To the amazement of the researcher, Fred mentioned that he had never interacted with nor been interviewed by a deaf person from outside the prison system in his more than 30 years of incarceration.

As stated at the beginning of this article, the problem is, even with communication services provided; deaf inmates often do not fully comprehend what is happening as they move through the criminal justice system. Moving through the system includes navigating the arrest, booking, trial proceedings, checking into to the assigned incarceration facility, understanding the rule handbook of that facility, participating in rehabilitative programs, and finally, preparing for re-entry into society. The major concern is communication access which enhances the inmate's understanding of what is happening. In all of these inmates' experiences, having access to qualified sign language interpreters, CDIs, and trained deaf legal advocates would have increased their understanding of the legal process each step of the way.

8. Recommendations for Future Research:

The researcher sees the need for further research involving services for deaf inmates. The researcher recommends the following:

- Conduct quantitative research to measure the impact of increased education of sign language interpreters and CDIs, regarding legal issues and clarifying for deaf inmates, on improvement of communication services for deaf inmates.

- Conduct quantitative research to measure the impact of education programs for service providers and their awareness in working with deaf inmates.

- Investigate the impact of levels of communication access on improved behavior and participation in rehabilitation programs preparing for successful release and re entry to society.

- Conduct interviews with the interpreters who provide legal interpreting services.

- Conduct interviews with CDIs who provide legal interpreting services.

- Document each state's penal system service accessibility.

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