

**FORENSIC HYPNOSIS WITH THE DEAF
AND HEARING IMPAIRED**

By: Inspector Marx Howell, BS (ret.)

Unfortunately, I had not given much thought to the use of hypnosis with a deaf or hearing impaired individual until a request for assistance was received from a police agency investigating the kidnapping and possible sexual assault of a female victim who was hearing impaired and communicated through sign language.

Hypnosis may be used through written communications and a non-verbal induction technique with a deaf person; however, the use of an interpreter may be necessary when extensive memory search techniques are employed in an effort to by-pass amnesia of a traumatic event.

In the above-mentioned case, we were able to successfully assist the hearing impaired witness/victim to enter hypnosis by using my nonverbal hypnotic inductor technique. The subject was shown a video version of the nonverbal technique to provide her with a visual representation of what to expect. On a prearranged tactile cue, which was very carefully explained, she was to open her eyes and remain in hypnosis while communicating by sign language through the interpreter.

It should be noted that in Texas, a level 3 interpreter is required if such information, is to be used in a court of law. The following information has been accumulated from various sources and is widely disseminated among individuals who routinely use interpreters.

There is a need to educate deaf and hearing persons about how to use interpreters properly.

An interpreter is a person who signs what the hearing person says to the deaf person and/or reads the deaf person's signing and says what the deaf person has said to the hearing person. The interpreter works to make communication between hearing and deaf person easier. Remember that both deaf and hearing persons are at equal disadvantage and both can be helped by using an interpreter. Interpreters are usually paid for their services. Sometimes they are paid by state agencies, such as Vocational Rehabilitation (VR) or Commission for the Deaf. Sometimes they are paid by the courts or by a company. Rarely does the deaf person himself pay for an interpreter in Texas. In any of these situations, you as the consumer should be sure that you know who is paying the interpreter.

Interpreters also volunteer their time at churches for worship service, weddings and funerals, at organization meetings, social gatherings and various public and private functions. However, sometimes an interpreter with special skills is needed (for instance, at a church service, a banquet or for court proceedings). To be sure an interpreter with the right skills will be used, you should still contact a community service program for the

deaf, a local interpreter organization chapter, or an agency that would know of interpreters skills, qualification, etc.

Interpreters are usually members of interpreter organizations, local, state, national, such as the National Registry of Interpreters for the Deaf, the State Society of Interpreters for the deaf. They try to improve their skills as much as possible, but it would be helpful if consumers (both deaf and hearing) knew more about how to use interpreter services. Here is a list of Do's and Don'ts for consumers of interpreter services.

DO'S FOR THE DEAF PERSON

1. *Talk to the Hearing Person, Not the Interpreter.* (Hearing person means the person with whom you have the appointment with, not the interpreter). You should say things like 'I want to know..' Don't say "Tell him I want to know.." The interpreter should be sitting next to the hearing person so that you can watch the interpreter and the hearing person at the same time.
2. *If you Don't Understand The Hearing Person, Say So!* It is very important that you let people know that you do not understand them so that they can say things in a different way so you can understand what they are saying. You are only hurting yourself when you don't tell them you don't understand.
3. *If You Don't Understand The Interpreter's Signing, Say So!* All interpreters sign differently. You may understand some interpreters better than you can understand others. Some interpreters use the new signs and you may not know those signs. Tell the interpreter you do not understand his/her signs so that he/she can change them. If you still cannot understand the interpreter, ask for a different interpreter.
4. *Talk With The Interpreter Before Your Appointment So You Can Be Sure You Can Understand Each Other.* If you have never met the interpreter before, you should talk a little with him/her before you go to your appointment. Make sure that the interpreter understands you and about your problem before your appointment. Save your problem for the Hearing Person.
5. *Make Sure You Know Who Is Paying the Interpreter.* This will help you to be able to contact the interpreter's agency if you need to change your appointment or make a later appointment with the same interpreter. If you are paying the interpreter, you should know that interpreters charge depending on their certification. Again, be sure that you are hiring an interpreter with the right skills for what you need by going through an interpreter organization or community service program. But in most cases, you should not pay an interpreter yourself.
6. *Let The Interpreter Know If Your Appointment is Cancelled.* There are not very many skilled interpreters, and other deaf people need them. If you cannot keep your appointment, be sure and let the right agency (the people who found your interpreter for you) know so that they can notify the interpreter. Try to give plenty of time so that the changes can be made properly.
7. *Tell The Hearing Person to Speak Up When the Interpreter Says He/She Cannot Hear* If you feel that what the hearing person is saying is important, it is your responsibility to tell the hearing person to speak louder. Many times the hearing person to talk louder, but if the interpreter does not, then you should.

8. *Tell the Hearing Person to Talk Faster or Slower if You Think They are Talking too Slow or Fast.* If you see that the interpreter is signing very slowly or very fast, it is because the hearing person is talking too slowly or too fast. You should ask the hearing person to speak at a normal rate speed.

DON'TS FOR THE DEAF PERSON

1. *Don't Expect the Interpreter to Remember Your Information.* (Such as next appointment date, payment due date, etc.). Interpreters are too busy interpreting the information between you and the hearing person to remember what was said. Interpreters work with "short-term" memory while they interpret and can easily forget what was talked about during your appointment. Also, interpreters may have ten different jobs during a week and they might confuse your information with someone else's. So it is your responsibility to write down your next appointment date, payment due date etc.
2. *Don't Blame the Interpreter.* If you do not get what you wanted from the hearing person, don't blame the interpreter for it. The interpreter does not make decisions for the hearing person and should not be blamed for what the hearing person says or does.
3. *Don't Ask the Interpreters for Advice.* You should make your Own decisions about what is best for you. If you need advice, ask a family member, or go to a counselor at the proper agency but don't ask the interpreter for advice. They are interpreters, not counselors.
4. *Don't Tell the Interpreter Your Problem if It's Legal.* If you have a problem that you need to see a lawyer about, or if you must go to court, don't tell the interpreter what happened, the interpreter might have to testify (tell) about what you said. If you have a legal problem, wait until you are with your lawyer and the interpreter because lawyers do not have to tell anyone what you say to them. (When the interpreter is with you and a lawyer, the interpreter does not have to tell what you said).
5. *Don't Tell the Interpreter Something that you Don't Want them to Tell the Hearing Person.* If the hearing person sees you signing to the interpreter, he will want to know what you are talking about. If that happens, the interpreter will have to say what you said. If you do not want the hearing person to know something, you should not say it. Remember: The interpreter is there to interpret everything that is said.
6. *Don't Expect the Interpreter to Think (Or Say Things) for You.* You talk and think for yourself. An interpreter is there to tell the hearing person what you are signing. Interpreters are not mind readers-they are sign readers. It is your duty to say what you want to say.
7. *Students: Don't Talk to the Interpreter During a Lecture.* The interpreter is busy signing what the teacher or speaker is saying. If you talk to the interpreter, you make the interpreter stop doing what they are paid to do. Also you should not ask questions when no one else is asking questions. If you are bored, don't talk to the interpreter during the lecture. The interpreter has one job to do and that is to interpret what is being said, not to keep you company.

8. *If the Hearing Person Talks on the Phone, Don't Think They are Talking About You.* Many times the hearing person may have to answer their phone. You should not think that they are talking about you hearing persons are advised not to accept phone calls, but there may be time when they must answer an important call. Be patient.
9. *Don't Ask the Interpreter's Opinion About the Hearing Person.*

DO'S FOR THE HEARING PERSON

1. *Do Speak Directly to the Deaf Person.* He/She is your client. Say "My name is.." not "Tell him my name is..." It helps the interpreter if you speak in the first person.
2. *Do Look at the Deaf Person can see You and the Interpreter at the same time.* This way, the deaf person can see you while watching the interpreter signing. Also, the deaf person can watch your expressions, an important form of communication.
3. *Do Look at the Deaf Person, not the Interpreter.* When you are talking you should look directly at the deaf person. The interpreter will sign what you are saying. It is important that you watch the deaf person's expressions in response to your statements and questions. This will ease communication between you and the deaf person.
4. *Do Speak at a Normal Rate of Speed.* It helps the interpreter and the deaf person if you speak at a normal rate of speed. Do not speak too slowly as it makes it difficult for the interpreter to provide a smooth interpretation of what you are saying.
5. *Do Make your Statements Clear.* The average deaf person reads at or below the fifth-grade level. Many deaf people have a linguistic handicap when it comes to the English language. Make your ideas understood by making them as basic as possible.
6. *Do Avoid using English Idioms such as "That's a Horse of a Different Color."* Deaf persons, many having linguistic problems with English are generally unfamiliar with English idioms. In fact, deaf persons have their own sign language idioms.

DON'TS FOR THE HEARING PERSON

1. *Don't say Things to the Interpreter that you Don't Want Repeated to the Deaf Person.* The interpreter is there to relay messages back and forth, not to be your "sounding block." If you become frustrated and vent your feelings to the interpreter, the interpreter is obligated to interpret what you have said.
2. *Don't Ask the Interpreter for His/her Opinions about the Deaf Person.* The interpreter is not in a position to make judgements about the deaf person. The interpreter is there simply to communicate the information between you and the deaf person.

3. *Don't take Phone Calls.* Deaf people may think you are talking about them when you talk on the phone in their presence. If it is at all possible, you should refrain from accepting phone calls while working with deaf clients.
4. *Don't Expect the Interpreter to do Anything Except Relay Information between You and the Deaf Person.* The interpreter should not be expected to remind the deaf person about upcoming appointments, take notes, act as a chauffeur or work in any other capacity other than transmitting messages between you and the deaf person.
5. *Don't Hold Personal Conversation with the Interpreter.* The interpreter is there only to interpret the conversation. Please direct all conversation toward the deaf person who is your client.

NOTE:

Should you use hypnosis with a deaf person for investigative purpose, it is imperative that a record of all contacts be documented on a video recording capturing all audio and sign language of all parties. Also worth consideration would be the use of a second video camera as a back up in the event one fails for some reason.

We used two separate video cameras in the above mentioned criminal investigation. It was subsequently determined that one of the cameras failed to record or tape the event.

Hopefully this information will serve as a useful resource for guidance in the event you are requested to employ hypnosis under similar circumstances.