



INTERACTIONS WITH TRANSGENDER INDIVIDUALS

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I. PURPOSE

The purpose of this directive is to establish guidelines for the appropriate and dignified interactions with transgender individuals by all members of the Anne Arundel County Police Department.

II. POLICY

The policy of the Anne Arundel County Police Department is to treat all individuals with dignity, respect and professionalism. No person shall be discriminated against based on gender identity, sexual orientation, or any other basis.

III. DEFINITIONS

- A. Birth Sex – The sex classification of a person as male or female that was assigned at birth based on their physical characteristics.
- B. Gender – An individual's biological or anatomical identity as male or female.
- C. Gender Expression – How a person expresses gender identity to others, often through their behavior, clothing, hairstyle, voice, or other characteristics.
- D. Gender Identity – A person's innate, psychological identity as male or female.
- E. Preferred Name – The name an individual prefers to use in daily life to refer to themselves (this may or may not be the individuals current legal name).
- F. Transgender – Refers to people whose gender identity differs from their birth sex.
- G. Transgender Female – A person whose birth sex is male and whose gender identity is female. This is sometimes called a male-to-female (MTF) individual.
- H. Transgender Male – A person whose birth sex is female and whose gender identity is male. This is sometimes called a female-to-male (FTM) individual.

IV. PROCEDURES

- A. Addressing Individuals

1. Employees shall address a transgender individual using the person's clearly stated gender identity, including preferred first name and appropriate pronouns. Employees who are unsure which pronoun is appropriate shall respectfully ask the transgender person which they prefer. For example:

- a. Transgender Male – Should be addressed using masculine pronouns (ie. he, him, and his).
- b. Transgender Female – Should be addressed using feminine pronouns (ie. she, her, and hers).

2. If a person has not clearly stated their gender identity, but the person's intended gender presentation is reasonably clear based on attire and other cues, the person shall be treated in accordance with their expressed gender.

3. If a person's self-identified or expressed gender is unclear, the officer(s) should make a determination based on any other available information. Gender information on government-issued identification and other documents may be used as presumptive evidence of gender identity, but only in the absence of self-identification by the individual or some other obvious expression of gender identity. If an individual has a gender marker on their identification that is not consistent with their self-identity, the individual should be referred to by their self-identified first name and gender when feasible.

4. Officers shall avoid unnecessary personal questions regarding an individual's anatomy or sexual history.

B. Calls for Service

All calls for service or complaints by transgender individuals shall be addressed and investigated in accordance with applicable Departmental policies for any other call for service or complaint. Discrimination based on gender-related identity is prohibited.

C. Stop and Frisk

1. Officers shall conduct all stop and frisk encounters, field interviews, searches and seizures following established departmental policy.

2. A stop, frisk or search shall not be performed for the purpose of determining an individual's anatomical gender. Transgender individuals shall not be subject to more invasive search or frisk procedures than non-transgender individuals.

3. Officers should be aware the presence of syringes may be indicative of prescribed hormone treatment and/or therapy, not necessarily illegal drug use.

D. Reporting

Some transgender people may use a name different than their legal name. All written reports shall refer to the transgender individual's legal name. The person's preferred name shall be listed as an alias or Also-Known-As (AKA). The first paragraph of the report narrative shall note "The (complainant) (victim) (witness) (subject) is transgender." The purpose for stating this is to clarify any discrepancies that refer to/describe the victim/suspect. Thereafter, the appropriate gender pronouns shall be used in the narrative. For example: If the person is male-to-female, depict the person as "female" and use the pronouns "she" "her" and "hers" within the report narrative.

E. Prisoners

1. Pat-Down searches of transgender individual's after arrest will be conducted per Index Code 2003. In situations where an arrestee's gender is not immediately apparent or an arrestee objects to the gender of the officer conducting the search, then the search will be conducted by an officer whose gender is requested by the arrestee, if available.

2. Whenever practical, known transgender arrestee's will be transported separately from other prisoners.

3. Subsequent pat-down searches during the booking process will be conducted by an officer whose gender is requested by the arrestee.
 4. Requests to remove appearance-related items due to safety and security concerns such as the removal of prosthetics, clothes of the presenting gender, wigs, and cosmetic items shall be consistent with the requirements for the removal of similar items for non-transgender individuals.
 5. Strip and body cavity searches will be conducted per Index Code 2003.
 6. Known transgender prisoners shall be separated from non-transgender prisoners by sight and sound when feasible.
- V. PROPONENT UNIT:** Bureau of Patrol.
- VI. CANCELLATION:** *This directive cancels Index Code 2007, dated 12-27-17.*