



Seattle Police Department Policy Manual



16.200 – Interaction with Gender-Diverse Individuals

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This policy applies to all employees and establishes guidelines for the appropriate treatment of gender-diverse individuals who come in contact with the Seattle Police Department. Employees will consider a person to be gender-diverse if the person identifies themselves as such, or, if upon reasonable belief that a person may be gender-diverse, the employee asks and receives an affirmative response. Employees will use their own discretion on whether to ask a person of their gender identity.

The policy of the Seattle Police Department is to treat all individuals with dignity, respect, and professionalism.

16.200-POL-1 Definitions

For purposes of this manual section, and when interacting with gender-diverse individuals, the following definitions apply:

Adopted Name: non-birth name that a gender-diverse individual uses in self-reference (this may or may not be in the individual's legal name). May also be called 'Chosen Name'.

Dead Name: a gendered name that transgender individuals no longer identify as, typically when referring to their birth name, which might still be their legal name.

Gender Diverse: a person whose gender identity, gender expression, or sexuality does not conform to socially defined male or female gender norms.

Gender Expression: the external manifestation of one's gender identity and expression of one's gender identity to others.

Gender Identity: the internal perception of one's gender, and how they label themselves, based on how much they align or do not align with what they understand their options for gender to be.

Intersex: people who possess or develop physical sex characteristics that do not fit into conventional medical definitions of male or female; a general term

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used to refer to individuals born with, or who develop naturally in puberty, biological sex characteristics which are not typically male or female.

- This can include chromosomes, genitals, hormones and more. Intersex people have been referred to in the past as “hermaphrodites;” however, “Intersex” is the appropriate term.

Sexual Orientation: a term describing a person’s physical and/or emotional attraction to members of the same sex or gender and/or a different birth sex or gender; includes homosexual, bisexual, and pansexual.

Transgender Individual: a gender description for someone who has transitioned from living as one gender to another; anyone whose sex assigned at birth and gender identity do not correspond in the expected way.

- **Transgender Man or Female-to-Male (FTM):** a person who transitions from female to male, meaning a person who was assigned female at birth, but identifies and lives as male or as a man.
- **Transgender Woman or Male-to Female (MTF):** a person who transitions from male to female, meaning a person who was assigned male at birth, but identifies and lives as female or as a woman.

16.200-POL-2 Interaction with Gender-Diverse Individuals

1. Employees Will Not Discriminate When Handling Calls for Service

Employees will comply with the Seattle Police Department’s and the [City of Seattle’s non-discrimination](#) policies.

2. Gender-Diverse Status is Never by Itself a Lawful Basis for a Stop, Search, or Arrest

3. Employees Will Address and Refer to Gender-Diverse Individuals by Their Preferred Names, Gender Identity, and Preferred Pronouns

Employees will not assume a person’s transgender status or being gender-diverse based solely on appearance.

Employees will use the adopted name (even if that name is not legally recognized) and preferred pronouns in all conversations with the gender-diverse individual or with any other person when referring to the gender-diverse individual.

If employees are uncertain about which pronouns are appropriate, employees will respectfully ask the individual which pronouns are preferred.

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Examples: *She, her, hers* for an individual who is a transgender woman; *He, him, his* for an individual who is a transgender man; *They, them, theirs, zie, zir* for an individual who is gender non-conforming and/or prefers gender-neutral pronouns.

Exception: If a subject requests an employee to call them by a preferred name that could be considered a derogatory name or racial slur, the employee will use their discretion.

4. Officers Will Not Conduct Any Searches to Determine an Individual's Sex

Officers will not subject gender-diverse individuals to more invasive pat-downs and/or search procedures than non- gender-diverse individuals.

5. Two Officers Will be Present for Searches of Gender-Diverse Individuals

Exception: Under emergency circumstances, one officer may perform a search but will document the reason for doing so.

6. Officers Will Inform Gender-Diverse Individuals of Their Right to Express a Preference of Officer Gender for Searches

Absent exigent circumstances, and before performing any level of search of gender-diverse individuals, officers will inform the individual of the right to express a preference for the gender of the officer who will conduct the search.

Officers will record the following information on the report or Field Contact and on the In-Car Video (ICV)/Body-Worn Video (BWV):

- The advisement and request for preference,
- The individual's response,
- Whether or not the request was granted, and
- Reason for not granting the request, if applicable.

If the gender-diverse individual has a preference, at least one officer of the gender requested will conduct the search, whenever possible.

Officers must consider the reasonableness of any delay created by waiting for another officer. If an officer of the preferred gender is not available, officers will proceed with the search per manual section [6.180 – Searches-General](#).

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If the gender-diverse individual does not specify a preference, at least one officer of the same gender as the gender-diverse individual's gender expression will conduct the search.

Example: A male officer would search a transgender male who indicates no preference for the search.

When in doubt regarding any searches of a gender-diverse individual, officers will call a supervisor to the scene prior to searching.

(See also manual section [6.210 – Strip Searches](#))

7. Officers will not Seize or Remove Appearance-Related Items

Officers will not seize or remove appearance-related items, such as clothing and undergarments, wigs, prosthetics, or make-up, if those items would not be confiscated from non- gender-diverse individuals.

Exception: Appearance-related items may be seized if the items are evidence or a safety hazard.

8. Officers Will Make a Reasonable Attempt to Recover Transition-Related Medication

Officers will ask an arrestee who identifies as transgender if they have any transition-related medication on their person or in their immediate vicinity that they would like to go with them to the detention facility or facility they are being transported to. Officers will deliver any medications collected at the request of the arrestee to the screening nurse or advise booking personnel it is with their property.

9. Officers Will Transport and House Gender-Diverse Individuals Alone, Whenever Possible

If necessary, officers will call additional resources to the scene to assist with transporting gender-diverse individuals.

Officers will house gender-diverse suspects/prisoners in SPD holding cells alone, whenever possible.

If there are no individual holding cells available, a supervisor will arrange for the gender-diverse suspect/prisoner to have a cell, be transported, or released, when practical.

(See also manual sections [11.010 – Detainee Management](#) and [11.020 – Transportation of Detainees](#))

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10. When Transferring Custody of Gender-Diverse Individuals, Officers Will Relay Information

When officers transport a gender-diverse individual to the King County Jail, or otherwise transfers custody to another law enforcement agency, or other facility, the officer will verbally advise the receiving agency/officer that the individual is gender-diverse.

The officer will relay any relevant identification related information, including how the individual would like to be addressed.

16.200-POL-3 Documentation for Gender-Diverse Individuals

1. Employees Will Document the Gender-Diverse Individual's Legal or Adopted Name

When completing official handwritten or electronic SPD documents, the employee will include the individual's adopted name as the "Also Known As (A.K.A)" name.

- Any information obtained about an individual's gender-diverse status or gender non-binary status (ex. preferred name or pronoun) will be documented and provided to relevant employees for the purpose of ensuring continuity of appropriate treatment.
- The employee may initially use the individual's legal name or legal gender once in the narrative of the report but will use the preferred name and gender for the remainder of the report.

If no identification is available, and the employee cannot determine the gender-diverse individual's legal name, employees will use the adopted name for either the primary or the A.K.A. name.

2. Officer Documentation for Booking Gender-Diverse Individuals

When booking a gender-diverse individual into jail, officers will book the individual under the legal name on the jail booking form and enter any adopted name as the A.K.A. name.