



FAILING TO PROTECT AND SERVE: POLICE DEPARTMENT POLICIES TOWARDS TRANSGENDER PEOPLE

Baltimore County Police Department

Availability of Policy on Transgender Interactions ■

Department does not have a transgender specific policy, but addresses transgender interactions throughout policies that are available online and through the department's website.

Nondiscrimination Based on Gender Identity ■

Policy fails to explicitly prohibit the use of gender identity or expression as a basis for stopping, questioning, searching, or arresting any individual, as a sole basis for initiating contact, or as evidence of a crime. The policy also fails to prohibit invasive questioning regarding gender identity or the the use of derogatory language based on gender identity or expression.

Nondiscrimination Based on Sexual Orientation ■

Policy clearly prohibits profiling, harassment, and discrimination based on sexual orientation or perceived sexual orientation.

Non-Binary Recognition ■■■

Policy acknowledges the existence of individuals with gender nonconforming identities, but fails to address non-binary identities or how pronoun, search, or lockup policies apply to non-binary people.

Use of Respectful Communication ■■■

Policies fail to require the use of correct names and pronouns in interactions with members of the public.

Department Forms ■■■

Policies do not address whether or how to record an arrestee's currently used name, gender or pronoun.

Search Procedures ■■■

Search policy requires that detainees shall be searched by "members of the same gender," but does not state how this applies to transgender people. Policy states that arrestees will not be searched or examined for the sole purpose of determining their "genital status," but does not address field searches of transgender people.

Transportation ■■■

Policy only requires contacting dispatch and documenting mileage when transporting an individuals of "the opposite sex or juveniles." Policy fails to provide guidelines for transporting transgender individuals.

Officer Sexual Misconduct ■■■

This department has a zero tolerance policy with respect to sexual harassment and assault of any member of the public by any member of the department, but fail to explicitly list prohibited actions. Additionally, policy mandates reporting of misconduct and incorporates PREA lockup standards.

Placement in Temporary Lockup ■■■

Department policies fail to address lock-up placement for transgender people.

Access to Medical Care in Lockup ■■■

Policy fails to address medical care or access to medications generally.

Removal of Appearance-Related Items ■■■

Department policies do not address the removal of appearance related items.

Bathroom Use ■■■

Policy fails to prohibit officers from policing public restroom use of transgender people or to explicitly permit individuals to use the restroom consistent with their gender identity in Department buildings.

Use of Condoms as Evidence for Sex Work ■■■

Policies fail to prohibit the confiscation or use of condoms as evidence.

Trainings ■■■

Policy requires regular, LGBT-specific training for all new and current personnel, but does not require multiple hours or community participation.

Cooperation with Immigration ■■■

Department does not have an explicit policy on honoring detainer requests. Additionally, policy fails to prohibit determining immigration status as a matter of police action, or require members to provide services to all individuals regardless of immigration status.

Civilian Oversight ■■■

The Civilian Review Board of Baltimore City is an independent agency that has the authority to conduct investigations involving abusive language, excessive force, false arrest, false imprisonment, and harassment, but does not have the authority to impose discipline. The CRB does not publicly release annual reports or provide an anonymous complaint system. In 2017, the City Office of Civil Rights issued a report with 15 recommendations to strengthen the Board.

About the National Center for Transgender Equality

The National Center for Transgender Equality advocates to change policies and society to increase understanding and acceptance of transgender people. In the nation's capital and throughout the country, NCTE works to replace disrespect, discrimination, and violence with empathy, opportunity, and justice.



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