



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

Charlotte-Mecklenburg Police Department

Availability of Policy on Transgender Interactions ■

Department policies are available online, but fail to address interactions with transgender individuals.

Nondiscrimination Based on Gender Identity ■

Department policies fail to explicitly prohibit the use of gender identity or expression as a basis to stop, question, search, or arrest any individual, as a sole basis for initiating contact, or as evidence of a crime. Policy also fails to prohibit use of language that is demeaning or derogatory; or asking invasive questions of transgender and gender-nonconforming people that are not relevant to the police interaction.

Nondiscrimination Based on Sexual Orientation ■

Policy clearly prohibits profiling, harassment, and discrimination against any individual based on the person's actual or perceived sexual orientation.

Non-Binary Recognition ■

Policies fail to mention people with non-binary gender identities or how policies apply to interactions with them.

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 recording an arrestee's name, gender or pronoun.

Search Procedures ■

Policies only specify that strip searches should be performed by officers of the "same sex" as the arrestee but fails to provide guidance for searching transgender individuals.

Transportation ■

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

Officer Sexual Misconduct ■

Department policies fail to prohibit sexual misconduct by members of the Department, establish prevention or accountability mechanisms for officer sexual misconduct, or fully incorporate the PREA Lockup Standards.

Placement in Temporary Lockup ■

Department does not have temporary holding facilities.

Access to Medical Care in Lockup ■

Department does not have temporary holding facilities.

Removal of Appearance-Related Items ■

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

Bathroom Use ■

Department policy fails to prohibit police from monitoring public restroom use or address bathroom use in stations.

Use of Condoms as Evidence for Sex Work ■

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



Trainings ■

Department policies do not require training on interactions with transgender people as part of any officer training. However, the department does “provide training regarding arbitrary profiling to all officers during recruit training and on an annual basis through in-service training.”

Cooperation with Immigration ■

Department policy explicitly prohibits members from taking police action based on an individual’s citizenship status. However, policies fail to address cooperation with ICE detainer request, and provide police services to all regardless of citizenship status.

Civilian Oversight ■



The Citizen Review Board (CRB) of the City of Charlotte is independent from the Department’s Internal Affairs Bureau and may hear appeals of complaints regarding alleged violations of the following rules: use of force, unbecoming conduct, arrest, search and seizure, and arbitrary profiling. While CRB has the authority to initiate investigations, they do not have the ability to impose discipline. The CRB produces annual reports, but it is unclear if they process anonymous complaints.

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.



1133 19th Street, NW, Suite 302
Washington, DC 20036
202-642-4542
ncte@transequality.org
www.transequality.org

 TransEqualityNow
 @TransEquality

For assistance in policy development and/or review, please contact Racial and Economic Justice Policy Advocate, Mateo De La Torre, at mdelatorre@transequality.org or 202-804-6045, or NCTE@transequality.org or 202-642-4542.

Recommended Citation:
National Center for Transgender Equality. (2019). Failing to Protect and Serve: Police Department Policies Towards Transgender People. Available at: transequality.org/police

Published May 2019.

© 2019 The National Center for Transgender Equality. We encourage and grant permission for the reproduction and distribution of this publication in whole or in part, provided that it is done with attribution to the National Center for Transgender Equality. Further written permission is not required.