



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

Chicago Police Department

Availability of Policy on Transgender Interactions ■

Department's policies on transgender interactions are readily available through the department's website.

Nondiscrimination Based on Gender Identity ■

Department policy explicitly prohibits 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 prohibits use of language that is demeaning or derogatory. However, policy does not clearly prohibit asking invasive questions of transgender and gender-nonconforming people that are not relevant to the police interaction.

Nondiscrimination Based on Sexual Orientation ■

Policies explicitly prohibit profiling, harassment, or discrimination against any individual based on the person's actual or perceived sexual orientation.

Non-Binary Recognition ■

Policy refers to gender nonconforming people, but does not explicitly recognize non-binary gender identities, or state how policies on pronouns, searches, or placement apply to them.

Use of Respectful Communication ■

Policy requires addressing members of the public with names and pronouns they currently use.

Department Forms ■

Policy requires members to record current name, but list it as an alias and does not require documenting pronoun. Additionally, policy requires members to classify gender as it appears on government ID with an exception based on surgical status.

Search Procedures ■

Policy prohibits members from conducting searches to determine gender, or to subject transgender individuals to more frequent or more invasive searches. However, policy states that all searches shall be “performed by persons of the same gender” “as it appears on the individual’s government-issued identification card,” with an exemption for individuals who are “post operative” (undefined).

Transportation ■

Policy fails to require members to contact dispatch at the beginning and end of transport and to document mileage from start to finish of each trip to transport transgender arrestees. Department policy does allow for transgender arrestees to request an officer of their gender identity be present for their transport, but requires transgender individuals be transported separately from other arrestees.

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 ■

“Whenever practical, TIGN arrestees will be maintained in single cell occupancy.” However, space not permitting, policy requires housing contingent on surgical status or identification documents.

Access to Medical Care in Lockup ■

Policy explicitly states that all medications, including hormone treatment for transgender arrestees, will be treated equally under Department supervision. Additionally, members are instructed to not interpret the possession of needles as evidence of a crime.

Removal of Appearance-Related Items ■

Policy states that the removal of appearance related items will be consistent across genders.

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 ■

Policy does not require training on interactions with transgender individuals.

Cooperation with Immigration ■

Department policy clearly states that immigration status is not a matter of police action, and that police services will be readily available to all regardless of their immigration status. Additionally, the Department explicitly states that members will not detain, or continue to detain, a person based upon an immigration detainer, pursuant to local law.

Civilian Oversight ■

The Civilian Office of Police Accountability (COPA) is an independent agency has the power and authority to conduct investigations independently, produces annual reports, and provides trainings to Department members. The office accepts anonymous complaints, but this is not made clear through information on the website. COPA may recommend discipline of Department members, and if the Department does not concur the Police Board--a separate, independent civilian body-- may decide the case.

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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