



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

## Honolulu 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's Standards of Conduct prohibit members from discrimination based on "gender identification," but does not explicitly prohibit using 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. Department policies prohibit members from "engaging in bias based profiling in traffic contacts, field contacts, asset seizures, and forfeiture efforts or any other law enforcement contact with the public based solely on a trait common to a group," and "using harsh, violent, degrading, or insolent language" towards members of the public.

### Nondiscrimination Based on Sexual Orientation ■

Department's Bias Based Profiling policy prohibits discrimination based on sexual orientation but does not explicitly include profiling or harassment within this prohibition.

### **Non-Binary Recognition** ■■

Policy fails to mention individuals with non-binary gender identities or how search, lockup or other policies apply to address situations faced by 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 fail to address appropriate procedure for recording an arrestee's currently used name, gender or pronoun.

### **Search Procedures** ■■

Department policy states that searches shall be performed by "authorized employees of the same sex," but fails to prohibit searches for gender determination or provide guidelines for searching transgender individuals.

### **Transportation** ■■

Policy fails to require members of the Department to contact dispatch and document mileage when transporting arrestees and to provide guidelines for transporting transgender arrestees.

### **Officer Sexual Misconduct** ■■

Policy prohibits "sexual contact, sexual abuse, and sexual harassment between arrested persons and between departmental personnel and arrested persons." Additionally, policy requires member to report "acts or attempted acts of sexual misconduct." However, policy fails to explicitly define sexual misconduct in this or other settings, establish meaningful prevention or oversight mechanisms, or fully incorporate the PREA lockup standards.

### **Placement in Temporary Lockup** ■■

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

### **Access to Medical Care in Lockup** ■■

Department's policy addresses medical care and detainee access to prescribed medications, but fails to make clear that transgender individuals must be treated equally including with respect to hormone therapy.

### **Removal of Appearance-Related Items** ■■

Policies only allow for arrestees to "retain items that are worn or attached for medical reasons," and fails to address the removal of appearance related items.  
Policy Number 7.01



## **Bathroom Use** ■

Policies 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 officer training.

## **Cooperation with Immigration** ■

Department policy does not address immigration enforcement

## **Civilian Oversight** ■



The Honolulu Police Commission is an independent commission that has the authority to initiate investigations and impose discipline. While the Commission produced annual reports, it requires all complaints to be notarized and does not 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.



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