



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

## Houston Police Department

### Availability of Policy on Transgender Interactions ■

Department policies obtained through open records request are available through external search engines, and 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. Policies do not mention sexual harassment or use of language that is demeaning or derogatory, and does not state that transgender people are not to be asked invasive questions that are not relevant to the police interaction.

### Nondiscrimination Based on Sexual Orientation ■

Policies fail to provide explicit language prohibiting profiling, harassment, or other discrimination by members of the Department based on 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 fail to address appropriate procedure for recording an arrestee's currently used name, gender or pronoun.

### **Search Procedures** ■

Search policy requires that searches of arrestees "shall be performed by employees of the same sex as the prisoner," but does not state how this applies to transgender people.

### **Transportation** ■

Policy requires officers transporting arrestees to document "origin and destination of the transport" and "sex of the person being transported," but fails to state guidelines for transporting transgender people.

### **Officer Sexual Misconduct** ■

Policy states that "there shall be a zero-tolerance regarding sexual abuse and sexual harassment as mandated by the PREA," but does not clearly define officer sexual misconduct, establish prevention or oversight mechanisms, or fully incorporate PREA Lockup Standards

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

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

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

Policy provides for access to prescription medications in lockup generally, but does not address transgender people or hormone therapy. Policy specifies that a physician can only administer prescription medications provided the legitimacy of the prescription. (Gen. Order 500-02,500-02)

### **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 officer trainings.

## **Cooperation with Immigration** ■■

Department policy explicitly prohibits members from detaining or arresting someone based on their immigration status. However, the policy requires members comply with ICE detainers and grants ICE full access to HPD facilities.

## **Civilian Oversight** ■■



The Independent Police Oversight Board reviews all internal affairs investigations alleging excessive force and discharge of firearms, but cannot initiate an investigation or impose disciplinary action. The board does not produce an annual report or address the filing of 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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Recommended Citation:  
National Center for Transgender Equality. (2019). *Failing to Protect and Serve: Police Department Policies Towards Transgender People*. Available at: [transequality.org/police](http://transequality.org/police)

Published May 2019.

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