



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

## Miami-Dade Police Department

### Availability of Policy on Transgender Interactions ■

Department policies were not available online and policies gathered through FOIA request by state advocates fail to address how they apply to transgender people.

### Nondiscrimination Based on Gender Identity ■

Policy fails to explicitly prohibit the use of gender identity or expression as basis to detain an individual or as evidence of a crime, or prohibit invasive questioning regarding gender identity. Policy also fails to prohibit the use of use of language that is demeaning or derogatory to transgender people.

### Nondiscrimination Based on Sexual Orientation ■

Department's bias-free policing policy prohibits members from using sexual orientation as the sole consideration in initiating contact, but does not explicitly prohibit profiling or harassment.

### **Non-Binary Recognition** ■

Policy does not explicitly recognize non-binary gender identities, or state how policies on pronouns, searches, or placement apply to 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 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 "officers of the same sex," but does not state how this applies to transgender people.

### **Transportation** ■

Policy requires members to contact dispatch and record mileage from start to end of transport, but fails to require transportation of transgender arrestees with members of their gender identity/expression.

### **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. Additionally, policy mandates reporting of misconduct, but fails to establish clear prevention or accountability mechanisms for officer sexual misconduct.

### **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** ■

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 Bias-Free Policing requires personnel receive training on “fair and impartial policing, including the legal aspects of it,” but policy does not explicitly require training on interactions with transgender individuals.

## **Cooperation with Immigration** ■

Department does not have a clear policy on honoring detainer requests. However, the Department’s Fingerprinting policy implies that members can hold individuals for U.S. Immigration and Naturalization Service and other agencies, and Miami-Dade County has an explicit policy—subject to ongoing litigation—to “cooperat[e] with the federal government to the extent permissible by law.”

## **Civilian Oversight** ■

Jurisdiction lacks an independent civilian oversight body.

# 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](mailto:mdelatorre@transequality.org) or 202-804-6045, or [NCTE@transequality.org](mailto: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](http://transequality.org/police)

Published May 2019.

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