



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

Washington, DC Metropolitan Police Department

Availability of Policy on Transgender Interactions ■

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

Nondiscrimination Based on Gender Identity ■

Department policy explicitly prohibits the use of gender "presentation" or "expression" as a basis for reasonable suspicion of a crime. Policy prohibits use of language that is demeaning or derogatory, and prohibits invasive questions that are not relevant to the police interaction.

Nondiscrimination Based on Sexual Orientation ■

Policies prohibit profiling, harassment and discrimination by members of the Department based on sexual orientation or perceived sexual orientation.

Non-Binary Recognition

Policy mentions individuals with non-binary gender identities, but does not explain how pronoun, search, or placement policies apply to them.

Use of Respectful Communication

Department policy requires that members address the public with their “preferred” names and pronouns, and defines terms appropriately.

Department Forms

Department policy requires members to record a transgender person’s name as an “AKA” if different from their legal name. Policy fails to address recording gender or pronouns.

Search Procedures

Department policy prohibits the use of searches to determine gender, anatomy, or transgender status, and subjecting transgender individuals to more invasive searches. The policy instructs members to ask transgender individuals for their search preference, and to document and generally honor those requests.

Transportation

Policy requires members transporting transgender individuals to record mileage from start to end of transport, but fails to require members contact dispatch. Policy requires transgender individuals be transported separately from other individuals or be seated separately in cases with multiple 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

Policy requires transgender arrestees be housed in a separate cell in the cell block area designated for arrestees of the same gender identity. In cases of extrigent circumstances, transgender arrestees will be held with other transgender arrestees of the same gender identity, or with other persons of the same gender identity. (501-02)

Access to Medical Care in Lockup

Department policy explicitly requires that transgender individuals receive the same standards of care as other individuals, including as related to hormone medication and other transition related medical needs. (501-02)

Removal of Appearance-Related Items

Policy allows for transgender arrestees to maintain appearance related items to the same extent as non-transgender individuals.

Bathroom Use ■■■

Members are required to allow individuals to use gender-specific facilities consistent with the individual's gender identity or expression.

Use of Condoms as Evidence for Sex Work ■■■

Department policies fail to explicitly prohibit the use of condoms as evidence. However, in previous years, the Department distributed "know your rights" information in the form of palm cards stating that carrying condoms shall not be considered as evidence of a crime.

Trainings ■■■

Department policies fail to require training on interactions with transgender individuals. However, in previous years, local advocates have been involved in LGBT cultural competency trainings for the entire department.

Cooperation with Immigration ■■■

Department does not have a clear policy on honoring detainer requests. A local ordinance limits honoring detainer requests, but permits a 24 hold for individuals previously convicted of certain criminal offenses.

Civilian Oversight ■■■■■

The Office of Police Complaints (OPC) is an independent body under the Police Complaint Board (PCB) that has jurisdiction to investigate and mediate complaints. OPC releases annual reports, issues subpoenas, and makes discipline recommendations to MPD, but cannot accept 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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