The Allegheny County Chiefs of Police Association

MODEL POLICY

Interactions with Transgender
and
Gender Non-Conforming Individuals

An Allegheny County Criminal Justice Advisory Board Project

Initial issue 2018

In Partnership With

The Allegheny County District Attorney's Office

Reviewed March 2024

Please understand that this model should serve only as a "**Starting Point**" for those departments who may wish to update their Rules & Regulations Manual in this area. To best serve your department, it should be reviewed and revised by you and your Municipality and Insurance Carrier.

ACCPA-DA MODEL POLICY

Interactions with Transgender and Gender Non-Conforming Individuals

01. Purpose

The purpose of this procedure is to establish general guidelines and expectations for response for services with the transgender community and gender non-conforming individuals. Consistent with department core values, we strive to deliver the highest service possible. Changes in law and procedure, as well as training provided on this procedure, will give rise to modifications and updates.

02. Definitions

Cisgender: A term used to describe people who identify with the sex they were assigned at birth.

Gender Non-Conforming: A term for individuals whose gender expression does not fall within traditional expectations of masculine or feminine gender.

Gender Expression: One's external expression of self, not necessarily related to one's gender identity.

Gender Identity: One's internal sense of their gender. Sex Assigned at Birth: The assignment of biological sex at birth. The assigned sex may or may not reflect one's gender identity, gender expression, or body presentation.

Sexual Orientation: The type of sexual, romantic, emotional/spiritual attraction one feels for others.

Transgender: An umbrella term for persons whose gender identity or gender expression does not conform to that typically associated with the sex which they were assigned at birth.

03. Procedure

a. Employees should address transgender and gender non-conforming individuals by the individual's expressed preference, even if the individual has not received legal recognition of the chosen name.

b. In addressing or discussing a transgender or gender non-conforming individual, officers should use the preferred personal pronouns for that individual (e.g. she/her/hers, he/him/his, they/them/theirs, etc.). If an officer is uncertain about which personal pronouns to use, the officer should politely ask the individual which pronouns would be preferred.

c. Employees shall not use language that a reasonable person would consider demeaning or derogatory; language aimed at a person's actual or perceived gender identity, gender expression or sexual orientation.

d. Employees shall not make assumptions regarding an individual's sexual orientation based on the individual's gender identity or expression.

e. Employees shall not disclose an individual's transgender or gender non-conforming identity to any other person or group absent a proper law enforcement purpose.

f. Officers should be cognizant of the fact that transgender and gender non-conforming individuals may have unique medical needs and good faith efforts should be taken to facilitate those known/expressed conditions requiring a timely medical response.

g. All searches shall be done in compliance with the Department Search and Seizure Policy.

04. Records: Name and Gender Classification for Law Enforcement Response and Investigations

a. For an offender/arrestee, officers shall report the biological sex of the person as it appears on an official government identification. Other names used should be entered as, also known as (a.k.a.). Officers should include the name given as, also known as (a.k.a.) in the report and note the expressed gender in their report. If no government identification is available, the officer may respectfully ask the individual for their legal name and gender to use in the officer's report. If the individual identifies as non-conforming or is uncooperative about their gender, officers should document the individual as "not identified" in their report.

b. For a victim who identifies as transgender, officers shall use the gender with which the victim identifies. If the victim holds identification with another name and gender, this should be recorded as, also known as (a.k.a.).

c. When completing narratives that include transgender or gender non-conforming individuals, officers will note the individual's legal information in the report; **however**, the individual's chosen name and personal pronouns will be used during the body/narrative of the report.

d. For the purpose of completing UCR's or NIBRS reports, officers shall report the biological sex of the person as it appears on an official government identification. If no government identification is available, the officer may respectfully ask the individual for their gender to use in the UCR or NIBRS report. If the individual identifies as non-conforming or is uncooperative about their gender, officers should use their best, good-faith judgment in selecting which gender to report to UCR's or NIBRS.