

# SPRINGFIELD POLICE DEPARTMENT

## Standard Operating Guideline

<b>Effective Date:</b> 02/20/2020	<b>Supersedes Policy Dated:</b> N/A	<b>Rescinds:</b>	<b>SOG Number:</b>  <b>103.15</b>
<b>Accreditation Index:</b>			
<b>Part Title:</b> Administration	<b>Chapter Title:</b> Standards of Conduct		
<b>Chief of Police:</b>			

## Interaction with LGBTQ+ Individuals

### I Policy

It is the policy of the Springfield Police Department to treat all persons in a fair, professional, and dignified manner within the confines of the law, while performing our duty and maintaining public safety. The Springfield Police Department is committed to working with all the diverse communities it serves including the LGBTQ+ community.

### II Definitions

The following definitions go beyond what is described in procedure but are listed in order to provide relevant, educational information that may be helpful when interacting with LGBTQ+ individuals.

**Biological Sex** – Anatomical, physiological, genetic, or physical attributes that determine if a person is male, female, or intersex. These attributes include both primary and secondary sex characteristics. Also referred to as sex, physical sex, anatomical sex, or sex assigned at birth based on physical anatomy.

**Cisgender** – An individual whose gender identity aligns with their biological sex.

**Gender** – A set of social, psychological, and/or emotional traits that classify an individual as a male or female.

**Gender Identity** – A person's self-concept of being male, female, a blend of both, or neither. An individual's gender identity may or may not correspond to their biological sex.

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**Gender Expression** – The manner in which a person communicates gender to others through external means such as behavior, clothing, physical appearance, etc. A person’s gender expression does not necessarily indicate gender identity or sexual orientation.

**Intersex** – A set of medical conditions that features an irregularity of the reproductive and sexual system. A person with an intersex condition may have sex chromosomes, external genitalia, or an internal reproductive system that is not considered “standard” for either male or female.

**LGBTQ+** – An initialism used as an umbrella term to collectively refer to topics or groups emphasizing diverse sexuality and gender identity. LGBTQ+ is based on the terms lesbian, gay, bisexual, transgender, queer or questioning, and the plus (+) represents the inclusion of other non-heterosexual or non-cisgender identities which are not specifically signified by an initial.

**Nonbinary** – Individuals who identify as neither a male nor female, both male and female, or somewhere in between. Similar terms include genderqueer, gender expansive, gender diverse, and gender nonconforming.

**Sexual Orientation** – Emotional, romantic, and/or sexual attraction toward other people.

**Transgender** – A broad term for people whose gender identity is different from cultural or societal expectations for their biological sex.

**Transition** – The social, medical, and/or legal process some transgender individuals go through to more closely align themselves with their gender identity. Transition may or may not involve medical procedures such as hormone therapy and/or surgery.

## **III Procedure**

### **1 GENERAL GUIDELINES**

- 1.1 Employees shall provide police service and apply laws in a fair and consistent manner. Unlawful discrimination of any kind based on an individual’s actual or perceived sex, sexual orientation, gender identity, and/or gender expression is prohibited.
- 1.2 Employees shall treat members of the LGBTQ+ community with dignity and interact with them in a professional, non-judgmental manner.

### **2 INTERACTION WITH TRANSGENDER INDIVIDUALS**

- 2.1 Upon initial contact, employees will normally address a person according to their apparent gender identity.
- 2.2 If a person states they are transgender, employees shall honor any request to call them by their chosen/preferred name (rather than legal name) during interaction with them.

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Employees shall also use gender appropriate forms of address (sir, ma'am, miss, etc.) and pronouns according to the subject's gender identity.

- 2.2.1 Employees should be aware a person may be nonbinary and not identify as male or female. In such cases, employees shall refer to the individual by their name and/or using gender neutral pronouns and forms of address.
- 2.3 When a subject has not indicated they are transgender but there is uncertainty about their gender identity (based on perceived gender expression or other factors), employees may politely ask the individual how they wish to be addressed.
- 2.4 When interacting with transgender subjects, employees shall not:
  - 2.4.1 Make assumptions about an individual's sexual orientation based on their gender identity;
  - 2.4.2 Ask questions about a person's anatomy, surgical history, or sexual orientation unless there is a legitimate and compelling need for such information.

## **3 SEARCHES**

- 3.1 Unless exigent circumstances exist, frisks and searches shall be conducted by an officer of the same sex as the subject being searched.
- 3.2 For the purpose of searches, when uncertainty exists, an individual's sex shall be determined by what is indicated on their official government identification.
- 3.3 When government identification is unavailable, the following criteria will be used:
  - 3.3.1 If a person states they have male genitalia, they will be classified as a male;
  - 3.3.2 If a person states they do not have male genitalia, they will be classified as a female.
- 3.4 When there is uncertainty about the appropriate classification and the person to be searched cannot or will not provide necessary anatomical information, the involved officer may, in good faith, make a determination as to the individual's sex based upon the totality of circumstances to include physical characteristics and any other relevant information.
- 3.5 Searches shall not be conducted for the purpose of determining an individual's anatomical features.
- 3.6 The removal of gender expression items such as clothing, wigs, cosmetics, and/or prosthetics shall be consistent with the removal of similar items from non-transgender persons. Gender expression items should not be removed unless there is a valid reason such as safety, medical treatment, or confiscation for evidentiary purposes.

## **4 IN-CUSTODY ISSUES**

- 4.1 Classification of sex for the purpose of transportation and processing once a subject is in custody shall be the same as the procedures outlined for searches.

## **5 DOCUMENTATION**

- 5.1 A person's legal name and sex designation as listed on an official government identification shall be used in police reports and all official documents including citations, booking paperwork, probable cause statements, affidavits, etc.

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- 5.1.1 If an individual uses another name, the chosen name shall be listed as an alias.
- 5.1.2 When completing the narrative portion of a report, employees should use a person's chosen name and appropriate pronouns based upon their gender identity.
  - 5.1.2(a) In such cases, the narrative should include a statement of explanation similar to the following: ***John Doe, who is transgender and identifies as female, will be referred to as "Jane" throughout the narrative portion of this report.***

## **IV Attachments**