



## BRIDGEWATER STATE UNIVERSITY POLICE DEPARTMENT

Subject: <b>Interactions with Transgender Individuals</b> Number: <b>PG-1</b>	
Category: <b>Patrol Guide</b>	Type: <b>Policy</b>
Effective Date: April 13, 2017	Next Review Date: April 13, 2019
Issuing Authority: Chief David Tillinghast <i>David H. Tillinghast</i>	
Amends or rescinds: General Order, 6-14, Interactions with Transgender Individuals	
Compliance Standard(s):	

### I. Purpose of Order

The purpose of this general order is to establish guidelines for the appropriate treatment of transgender individuals who come into contact with the Bridgewater State University Police Department. This order is based in substantial part on the Boston Police Department's Transgender Policy, issued June 4, 2013.

### II. Policy

The policy of the Bridgewater State University Police Department is to treat all individuals with dignity, respect, and professionalism. All department employees shall at all times abide by Bridgewater State University Police Department General Order 2-1(Courtesy), as well as the University's nondiscrimination policy, when interacting with transgender individuals.

### III. Special Terms

- **Adopted Name** – Non-birth name that a transgender individual uses in self-reference (this may or may not be in the individual's legal name).
- **Gender Expression** – External characteristics and behaviors that are socially viewed as masculine or feminine. Gender expression is the external manifestation of one's gender identity.
- **Gender Identity** – A person's self-conception of their own gender, whether or not that self-conception is different from that traditionally associated with the person's physiology or assigned sex at birth. For the purposes of this order, gender identity may be shown by an individual's publicly and exclusively expressed statement of their gender identity, and no other evidence or proof of a person's gender identity shall be required.
- **Sex** – An individual's biological or anatomical classification as male or female.
- **Transgender Individual** – A person whose gender identity differs from his/her assigned sex.
- **Female-to-Male ("FTM")** – A person who transitions from "female-to-male," meaning a person who was assigned as female at birth, but identifies and lives as a male.

- **Male-to-Female (“MTF”)** – A person who transitions from “male-to-female,” meaning a person who was assigned as male at birth, but identifies and lives as a female.

#### **IV. Forms of Address**

Police Department employees shall address transgender individuals by the individual’s adopted name. This is true even if the individual has not received legal recognition of the adopted name. In addressing or discussing a transgender person, employees will use pronouns appropriate for that person’s gender identity (e.g., she, her, hers for a person who is male-to-female; he, him, his for a person who is female-to-male; ze, hir, hirs are gender-neutral pronouns that replace he/him/hers and she/her/hers; the singular “they” can also be used as a gender-neutral pronoun). If an employee is uncertain about which pronouns are appropriate, then the employee will respectfully ask the individual.

#### **V. Calls for Service**

Calls for service or complaints made by transgender individuals shall be addressed and investigated in a manner that is consistent with all Police Department policies. No police officer or other department employee shall fail to respond to a call for service based on the gender identity or expression of the caller or any other person.

#### **VI. Stop and Frisk; Searches**

Officers shall continue to use standard practices and procedures when conducting *Terry* stops, pat-frisks, and searches. A search or frisk shall not be performed for the purpose of determining an individual’s anatomical gender, and transgender individuals shall not be subject to more invasive search or frisk procedures than non-transgender individuals.

#### **VII. Prisoner Handling**

The following procedures modify Chapter 4 of the General Orders Manual (Prisoner Handling Procedures) to the extent that they are applicable.

##### **1. Transportation**

Whenever possible, a transgender prisoner shall be transported alone. When necessary, arresting officers shall ensure that additional units are called in order to assist with transporting transgender individuals.

##### **2. Booking**

The booking officer will process transgender prisoners, including persons held in protective custody and juveniles held in custody for any purpose, according to regular booking procedures.

When booking a transgender prisoner, the booking officer will include the prisoner’s adopted name (i.e., the name that the individual uses in self-reference) in the booking system, either as the primary name or as the “also known as” (a.k.a.) name. The transgender prisoner will be booked under the name appearing on the prisoner’s government-issued identification, as well as under an a.k.a. name where applicable.

If no identification is available, then the booking officer will use the adopted name for booking purposes, either as the primary or the a.k.a. name. The prisoner's birth name will be used only if it is the prisoner's legal name or it is required by a legitimate law enforcement purpose, including but not limited to, a prior arrest record.

### 3. Searches

All searches of the transgender prisoner's person will be conducted by two officers of the gender requested by the transgender prisoner, whenever possible. If two officers of the preferred gender are not available, the search shall nonetheless be conducted by two available officers, regardless of the officers' gender.

If the prisoner does not specify a preference, then the search will be conducted by officers of the same gender as the transgender prisoner's gender identity (e.g., a female-to-male prisoner's expressing no preference should be searched by a male officer).

### 4. Conditions During Holding

A transgender prisoner shall have the choice of whether or not to be held in a cell alone (without other prisoners) or together with other men or women (as corresponding with their own gender identity).

Transgender prisoners requiring medical attention shall be handled as any other prisoner requiring medical attention.

## **VIII. Access to University Restrooms and Locker Rooms by Transgender Individuals**

In keeping with the University's policy of nondiscrimination on the basis of gender identity, officers may not take enforcement action against transgender individuals based solely on their use of campus restrooms, baths, showers, dressing rooms, locker rooms, or other private accommodations that correspond to their gender identity.