



**BRIDGEWATER STATE UNIVERSITY
POLICE DEPARTMENT**

Subject: Preferred Name and Gender Policy	Number: PG-2
Category: Patrol Guide	Type: Policy
Effective Date: April 13, 2017	Next Review Date: April 13, 2019
Issuing Authority: Chief David Tillinghast	<i>David A. Tillinghast</i>
Amends or rescinds: This order supplements G.O. 6-14 (Interactions with Transgender Individuals, adopted July 2013).	
Compliance Standard(s):	

POLICY

Some members of the BSU community use a name and gender other than their legal name and assigned sex to identify themselves. As long as the use of this different name and gender is in accord with the guidelines established in this general order (appearing below), and not for the purposes of misrepresentation (including misleading a police officer in the course of an investigation), the Bridgewater State University Police Department acknowledges that a declared name and gender may be used while on the BSU campus.

GUIDELINES

The following guidelines are established to ensure that police contacts with community members who use a declared name or gender different from their sex assigned at birth are professional, respectful and courteous:

- (a) Do not use language that a reasonable person would consider demeaning to another person. This includes derogatory references to a person's gender identity, gender expression, or sexual orientation.
- (b) Treat transgender persons in a manner that demonstrates respect for the individual's gender identity and gender expression. This includes addressing them by their declared name and using gender pronouns appropriate to their gender identity and/or expression.
- (c) Recognize that declared names and diverse gender identities and expressions do not constitute reasonable suspicion or prima facie evidence that an individual is or has engaged in any criminal activity.
- (d) These guidelines do not restrict an officer's ability to request a legal name or official identification when necessary.

Addressing A Transgender Member of the Community

When a person identifies themselves as transgender, respect their gender identity and/or expression and do not question it. If an individual does not state that they are transgender, the following guidelines apply:

- (a) Do not make assumptions about anyone's sex assigned at birth or gender

identity based on appearance.

(b) Upon engaging with community members, it is appropriate for officers to inquire how the individual wishes to be addressed (he, she, they or something else) and the name by which the individual wishes to be addressed. This name shall be noted as an alias or AKA if it differs from the individual's legal name.

1. Under no circumstances shall Department employees disclose to non-involved persons that an individual is transgender. As with other policies, a "need to know" basis should guide decisions about disclosure.

(c) There will be occasions when an individual's legal name is required (see examples in items 4 and 5, below). This legal name can be obtained in the following manner:

1. An officer may ask the individual directly for their legal name if in a one on one situation.
2. If the contact is in a group environment, and if circumstances allow, the officer should ask the individual to step outside the group to obtain the legal name and avoid "outing" the individual.
3. If required under the circumstances, the officer may request the legal identification of a community member.
4. If an individual is in control of or associated with a vehicle, the law mandates the provision of a driver's license to the police upon request. Be aware that the sex designation on driver's licenses may not match the individual's gender identity or expression.
5. If an individual is arrested, the law requires that the individual provide legal identity post-arrest (i.e., in conjunction with police booking procedures).

Commented [FL1]: Can you list the situations when legal name would be required? This would help trans students know when to expect to be asked.

Commented [FL2]: I'm unclear on how this is different from (C)

Commented [FL3]: Does this include listing their legal name in publications or other campus-wide reports?

DEFINITIONS

Definitions used in this policy include:

Gender Neutral Pronouns – Pronouns are used in lieu of name and can be masculine (he/him/his), feminine (she/her/hers), or gender neutral (they/them/theirs). Gender neutral pronouns of they/them/their will be used throughout this document even when referring to single individuals in an effort to be inclusive to non-binary people.

Legal name – The designation of a person recognized by the government for legal purposes, usually consisting of one's given name, middle name, and family name.

Non-Binary: A gender identity or expression that is frequently fluid meaning that the individual's gender identity or expression may change. Such individuals may at different times have varying degrees of identification with and/or expression of masculinity or femininity, including a combination of both masculine and feminine identities/expressions or neither masculine nor feminine identities/expressions. Also known as *genderqueer* and *genderfluid*.

Outing - The term *outing* is used to refer to the disclosure of information that might be considered private, such as a person's gender identity, sexual orientation or legal name.

Preferred name (or "declared name") - Name adopted by a community member and by which they should be addressed. The term "declared name" will be used for the purposes of this general order.