

**SUBJECT: Interactions with Transgender,  
Intersex, and Gender Nonconforming (TIGN)  
Individuals**

**Number: 2135**



# GENERAL ORDER

- .01 POLICY
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2135.01 POLICY

It is Force policy to treat all individuals with dignity, respect, and professionalism. No person shall be discriminated against based on gender, gender identity/expression, sexual orientation, or any other basis prohibited by local, state, or federal laws. This directive establishes policies for interactions with transgender, intersex, and gender nonconforming (TIGN) individuals to ensure their safety and fair treatment.

2135.02 DEFINITIONS

- A. Birth Sex – The sex classification of a person as male or female that was assigned at birth based on their physical characteristics.
- B. Gender – The social construct used to classify a person as a man, woman, both, or neither. Gender encompasses all relational aspects of social identity, psychological identity, and human behavior.
- C. Gender Identity – A person’s innate, deeply felt psychological identification as male, female, a blend of both, or neither, which may or may not correspond to the person’s body or designated sex at birth.
- D. Gender Expression – External appearance of one's gender identity, usually expressed through behavior, clothing, haircut, or voice, and which may or may not conform to socially defined behaviors and characteristics typically associated with being either masculine or feminine.
- E. Intersex – A set of medical conditions that features a congenital anomaly of the reproductive and sexual system. A person with an intersex condition is born with sex chromosomes, external genitalia, or

an internal reproductive system that is not considered “standard” for either male or female.

- F. Gender Nonconforming – A term used to describe some people whose gender expression is different from conventional expectations of masculinity and femininity or who display gender traits that are not normatively associated with their biological sex.
- G. Transgender – Refers to any individual who has a gender identity that is different from the physical gender assigned to them at birth. A transgender individual may or may not represent him/herself as a gender different than the gender assigned to him/her at birth. NOTE: The term transgender is correctly used as an adjective, not as a noun or verb. Therefore, refer to people as “transgender men,” “transgender women,” “transgender individuals,” “transgender people” — never “transgenders” or “transgendered.”
- H. Transgender Female – A person whose birth sex is male and whose gender identity is female. This is sometimes called a male-to-female (MTF) individual.
- I. Transgender Male – A person whose birth sex is female and whose gender identity is male. This is sometimes called a female-to-male (FTM) individual.
- J. Transition – A person’s process of developing and assuming a gender expression to match their gender identity. Transition includes some or all of the following: making personal, legal, and medical adjustments; telling one’s family, friends and/or co-workers; changing one’s name and/or sex on legal documents; undergoing hormone therapy; and possibly undergoing one or more forms of surgery.
- K. Preferred Name – The name an individual prefers to use in daily life to refer to themselves (this may or may not be the individual’s legal name.)

2135.03

GENERAL PROVISIONS

- A. Under no circumstances shall Force personnel search any person solely for the purpose of determining that person’s gender.
- B. TIGN individuals shall not be subject to more invasive search or frisk procedures than non-TIGN individuals based solely on the fact that they are a TIGN individual. All frisks and searches shall be conducted in accordance with General Order 2103 “Arrest Procedures.”

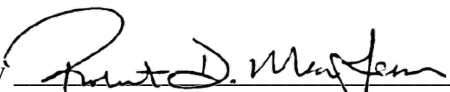
- C. Officers shall not use language that a reasonable person would consider demeaning to another person, in particular, language aimed at a person's actual or perceived gender identity or expression or sexual orientation.
- D. Officers shall treat TIGN individuals in a manner appropriate to the individual's gender expression, which includes addressing them by their preferred name and using the personal pronouns they request (e.g., "she, her, hers" for an individual who self-identifies as a female; "he, him, his" for an individual who self-identifies as a male). The preferred name shall be noted as an (AKA) if it differs from the individual's legal name.
- E. Officers shall not require proof of an individual's gender or inquire about intimate details of an individual's anatomy to determine an individual's gender without articulable reasons.
- F. Officers shall not solely construe gender expression or presentation as reasonable suspicion that an individual is or has engaged in any crime.
- G. When an individual self-identifies as TIGN, Force personnel shall not question this identity except for articulable compelling reasons.

2135.04

ARREST AND DETENTION

- A. All arrests involving TIGN individuals shall be in accordance with General Order 2103 "Arrest Procedures."
- B. When an officer has reason to believe an arrestee is a TIGN individual, prior to searching the individual, the officer shall:
  - 1. Specifically inform the arrestee that they must be searched before being placed in a transport vehicle.
  - 2. Ask the arrestee if they have any objections to being searched by a male or female officer. If the prisoner does object, inquire as to the nature of the objection.
    - a. If the arrestee states an objection to either the male or female officer search, then, absent exigent circumstances, the arresting officer shall:
      - i. Ask an officer who is of the gender requested by the arrestee to conduct the search.
      - ii. Document the arrestee's objections in the Incident Record narrative indicating the requested preference of search.

- C. If a TIGN arrestee is uncooperative and refuses to allow a search and no exigent circumstances exist:
  - a. The arresting officer shall notify their supervisor prior to searching the arrestee.
  - b. The supervisor shall assess the situation and decide who the appropriate officer is to conduct the search.
- D. All information obtained by the arresting officer concerning the arrestee (e.g., gender identity, preferred name, personal pronouns) shall be passed on to assisting officers so they may correctly address the individual.
- E. During processing, requests to remove appearance related items such as prosthetics, clothes of the presenting gender, wigs and cosmetic items, shall be consistent with the requirements for the removal of similar items for non-TIGN individuals.
- F. TIGN arrestees shall be housed in a cell by themselves unless space is unavailable (i.e., occupied or contaminated). If space is not permitting, an officer shall ask the arrestee their cell preference (male or female occupied). Absent any safety issues, the officer shall comply with the request of the TIGN prisoner. The safety of all prisoners shall be the deciding factor in cell placement.
- G. When an officer comes into contact with a TIGN individual who is a juvenile, the individual shall be accorded all relevant considerations pertaining to their gender identity or expression. Officers shall be further guided by General Order 2110 “Juveniles.”
- H. A TIGN arrestee who is injured, ill, or claims a need for medical attention shall receive the same standard of care as other individuals based on medical need, including needs related to hormone medications. Officers shall be further guided by General Order 2103.05 “Arrest Procedures” – Injury/Illness of an Arrestee.

Approved by   
Robert D. MacLean, Chief of Police