

**SUBJECT: INTERACTIONS WITH TRANSGENDER INDIVIDUALS**

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**DISCUSSION:**

This order establishes procedures for the appropriate, safe and dignified interactions with transgender individuals by members of the Palm Beach County Sheriff's Office.

**DEFINITIONS:**

**CISGENDER:** Refers to a person whose gender identity is the same as their sex assigned at birth. A cisgender person is not transgender.

**GENDER EXPRESSION:** An individual's characteristics and behaviors; frequently expressed through one's name, pronouns, clothing, haircut, behavior, voice, or body characteristics.

**GENDER IDENTITY:** An individual's internal, deeply held sense of gender. This internal knowledge or sense of being male, female, another gender, or no gender which may or may not correspond to the individual's physical characteristics or sex assigned at birth. Gender identity may or may not be visible to others or expressed outwardly through a person's chosen pronouns, haircut, dress, behavior or voice.

**GENDER NON-CONFORMING:** A broad term referring to people who do not behave in a way that conforms to the traditional expectations of their sex assigned at birth or gender identity, or whose gender expression does not fit neatly into a category.

**GENDER TRANSITION:** Refers to a process by which a person takes steps to change their physical characteristics and/or gender expression to be consistent with their gender identity. Gender transition can include a person changing their name, undergoing hormone replacement therapy, undergoing surgical intervention, and/or updating legal documents such as a driver's license or passport.

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**INTERSEX:** Intersex people are individuals born with any of several variations in sex characteristics including chromosomes, gonads, sex hormones or genitals that, according to the UN Office of the High Commissioner for Human Rights “do not fit the typical definitions for male or female bodies”.

**NONBINARY/GENDER FLUID:** An adjective that describes a person who does not identify as either a man or a woman, but identify their gender as encompassing multiple genders or as outside the man/woman system of gender classification.

**TRANSGENDER:** A term describing an individual whose gender identity is different than those typically associated with their sex assigned at birth. The term “transgender” is an adjective. It is appropriate to say “transgender people,” but saying “some transgenders” would be viewed as disrespectful. A transgender woman is someone whose gender identity is female and was assigned male at birth, and a transgender man is someone whose gender identity is male and was assigned female at birth. Not all who consider themselves transgender individuals undergo medical treatment or surgical intervention in order to make it “match” their gender identity.

**PROCEDURE:****I. ADDRESSING INDIVIDUALS**

- A. Employees shall address a transgender individual using the person’s clearly stated gender identity, including preferred name and appropriate pronouns. Employees who are unsure which pronoun is appropriate shall respectfully ask the transgender person which they prefer.
- B. If a person has not clearly stated their gender identity, but the person’s intended gender presentation is reasonably clear based on attire and other cues, the individual shall be treated in accordance with their expressed gender.
- C. Deputies shall avoid unnecessary personal questions regarding an individual’s anatomy or sexual history.

**II. CALLS FOR SERVICE**

- A. All calls for service or complaints by transgender individuals shall be addressed and investigated in accordance with Sheriff’s Office policies.

**III. STOP AND FRISKS**

- A. Under no circumstances shall members of PBSO frisk any person for the purpose of viewing or assigning gender based on the person’s anatomy or genitalia or for any demeaning or harassing purpose.

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- B. Transgender, intersex, and gender-nonconforming individuals shall not be subject to more invasive frisk procedures than other individuals in the field.

**IV. SEARCHES**

- A. Under no circumstances shall members of PBSO conduct a search of any person for the purpose of touching, viewing, or evaluating the person's anatomy or for the purpose of assigning a gender.
- B. Before conducting any search of an individual who identifies as gender nonconforming, deputies conducting the search will ask the individual to be searched their preference with respect to the gender of the deputy conducting the search. This request will be honored absent exigent circumstances.
- C. Certain items (such as prosthetics, clothing, wigs, chest binders, and cosmetic items) may be central to a person's gender identity and gender expression. Requests to remove identity-related items shall be consistent with requirements for the removal of similar items for cisgender individuals and shall not be removed unless required for law enforcement purposes. When practical, removal of these items shall be conducted in private.
- D. At no time shall a deputy refuse to search someone based on actual or perceived gender identity or gender expression.
- E. A deputy should be aware that the presence of needles may be indicative of a prescribed hormone treatment and/or therapy, not necessarily illegal drug use.

**V. TRANSPORT**

- A. Deputies shall transport transgender, intersex and/or gender-nonconforming individuals with other arrestees of the same gender identity and expression unless the individual has expressed a safety concern and wish to be transported alone.
- B. The transporting deputy shall state their starting and ending mileage, departure location and destination over the radio when transporting any transgender prisoner.

**VI. JUVENILES IN CUSTODY**

- A. Transgender juveniles shall be treated pursuant to this policy and afforded the same privileges and protections as other juveniles under local, state or federal law. Deputies shall interact with and process transgender juveniles in accordance with those laws and PBSO policy.
- B. Deputies shall not disclose to parents or guardians sensitive information they discover about an individual's gender identity, gender expression or sexual

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orientation. This information shall be kept private to avoid placing the juvenile at increased risk for violence or rejection in the home and to allow the juvenile to choose whether to provide the information.

If the deputy determines through their training and experience the juvenile is in danger of possible harm, a parent/guardian or responsible adult may be informed.