

**Help prevent the spread of COVID-19 this holiday season**

For the safest holidays - EVERYONE should avoid travel and only gather with household members to prevent the further spread of COVID-19 in our region. **Discover tips for safe gatherings and ideas for alternative ways to celebrate.**

**Seattle Police Department Manual**

Adrian Diaz, Chief of Police

16.200 - Interaction with Transgender Individuals

Effective Date: 05/07/2019

This policy applies to all employees and establishes guidelines for the appropriate treatment of transgender individuals who come into contact with the Seattle Police Department. Officers shall consider a person to be transgender if the person identifies themselves as transgender or, if upon reasonable belief that a person may be transgender, the officer asks and receives an affirmative response. Officers will use their own discretion whether or not to ask a person of their gender identity.

The policy of the Seattle Police Department is to treat all individuals with dignity, respect, and professionalism. Officers shall at all times abide by the Seattle Police Department's **policy** on respectful treatment, as well as the City of Seattle's **policies** and/or guidelines that prevent gender identity discrimination when interacting with transgender individuals.

16.200-POL**1. Definitions**

For purposes of this manual section and when interacting with transgender individuals, the following definitions apply.

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, androgynous, or feminine. Gender expression is the external manifestation of one's gender identity.

Gender Identity: A person's gender-related identity, appearance, or behavior. This may be different from what is traditionally associated with the person's physiology or assigned gender at birth.

Sex: An individual's biological or anatomical identity as male, female, or intersex.

Transgender Individual: A person whose gender identity differs from their assigned sex.

Transgender Man or Female-to-Male (FTM): A person who transitions from female to male, meaning a person who was assigned female at birth, but identifies and lives as male or as a man. A female-to-male individual should be addressed using masculine pronouns (i.e. he, him, his), regardless of surgical status.

Transgender Woman or Male-to-Female (MTF): A person who transitions from male to female, meaning a person who was assigned male at birth, but identifies and lives as female or as a woman. A male-to-female individual should be addressed using feminine pronouns (i.e. she, her, hers), regardless of surgical status.

Intersex: People who possess or develop physical sex characteristics that do not fit into conventional medical definitions of male or female. This can include chromosomes, genitals, hormones and more. Intersex people have been referred to in the past as "hermaphrodites" However "Intersex" is the preferred term.

Gender non-conforming: A person's physical appearance, characteristics and/or behaviors that do not conform to those typically associated with the person's sex at birth or traditional societal gender expression. Some transgender people may not identify as male or female.

2. Employees Will Not Discriminate When Handling Calls for Service

Employees will, at all times, comply with the Department's and the **City of Seattle's non-discrimination** policies.

3. Employees Shall Address and Refer to Transgender Individuals by Their Adopted Name and Preferred Pronouns

Employees shall use the adopted name, even if that name is not legally recognized, in all conversations with the transgender individual or any other person when referring to the transgender individual.

In addition, when addressing or referring to a transgender individual, employees will use pronouns preferred by the individual.

If employees are uncertain about which pronouns are appropriate, employees will respectfully ask the individual which pronouns are preferred.

- *She, her, hers* for an individual who is a transgender woman

- *He, him, his* for an individual who is a transgender man

- *They, them, their* for an individual who is gender non-conforming and/or prefers gender-neutral pronouns.

When completing official SPD documents, the arresting officer will include a transgender individual's adopted name as the *Also Known As* (A.K.A) name.

When booking a transgender individual into jail, officers will book the individual under the legal name and enter any adopted name as the A.K.A. name.

If no identification is available, and the arresting officer cannot determine a transgender individual's legal name, officers will use the adopted name for either the primary or the A.K.A. name.

4. Transgender Status is Never by Itself a Lawful Basis for a Stop, Search, or Arrest

5. Officers Will Not Conduct Any Searches to Determine an Individual's Sex

Officers will not subject transgender individuals to more invasive pat-down and/or search procedures than non-transgender individuals.

6. Two Officers Will be Present for Searches of Transgender Individuals

Exception: Under emergency circumstances, one officer may perform a search and document the reason for doing so.

7. Officers Will Inform Transgender Individuals of Their Right to Express a Preference of Officer Gender for Searches

Absent exigent circumstances, before performing any level of search of transgender individuals, officers will inform them of the right to express a preference for the gender of the officer who will conduct the search.

Officers will record the following information on the Report / Field Contact and In-Car Video (ICV) / Body-Worn Video (BWV):

- The advisement and request for preference
- The individual's response
- Whether or not the request was granted
- Reason for not granting the request, if applicable

If the transgender individual has a preference, at least one officer of the gender requested will conduct the search, whenever possible.

Officers must take into account the reasonableness of any delay created by waiting for another officer. If an officer of the preferred gender is not available, officers will proceed with the search per ***Manual Section 6.180 – Searches General***.

If the transgender individual does not specify a preference, at least one officer of the same gender as the transgender individual's gender expression will conduct the search.

Example: A male officer would search a transgender man who indicates no preference for the search.

When in doubt regarding any searches of a transgender individual, officers will call a supervisor to the scene prior to searching.

See also Manual Section 6.210 – Strip Searches

8. Officers will not Seize or Remove Appearance-Related Items

Officers will not seize or remove appearance-related items, such as clothing and undergarments, wigs, prosthetics, or make-up if those items would not be confiscated from non-transgender individuals.

Exception: Appearance-related items may be seized if the items are evidence or a safety hazard.

9. Officers Will Transport and Secure Transgender Individuals Alone, Whenever Possible

If necessary, officers will call additional officers to the scene to assist with transporting transgender individuals.

Officers will secure transgender suspects/prisoners in SPD holding cells alone.

If there are no individual holding cells available, a supervisor will make arrangements for the transgender suspect/prisoner to have a cell, be transported, or released.

*See also Manual Sections **11.010 – Detainee Management** and **11.020 – Transportation of Detainees***

10. When Transferring Custody of Transgender Individuals, Officers Will Relay Information

When officers transport a transgender individual to the King County Jail or otherwise transfer custody to another law enforcement agency, the officers will verbally advise the receiving agency/officer that the individual is transgender.

The officer will relay any other relevant identification related information, including how the individual would like to be addressed.

Police

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