

# Lesbian, Gay, Bisexual and Transgender Policy

## 435.1 PURPOSE AND SCOPE

- (a) To safeguard the rights of all people, without consideration to a person's actual or perceived sexual orientation or gender identity/expression.
- (b) To provide a direct channel of communication to resolve issues concerning the LGBT community through the Department's LGBT Liaison.
- (c) To provide guidelines for the responsibilities of the Department's LGBT Liaison and establish when members of the Department should contact the LGBT Liaison.

### 435.1.1 DEFINITIONS

**Bisexual** – An individual who is attracted to more than one gender.

**Gay** – A sexual orientation used to describe an individual primarily attracted to people of the same gender. This term primarily applies to men.

**Gender Expression** – The way an individual represents or expresses their gender identity to others through characteristics or behaviors generally classified as masculine or feminine, such as dress, appearance and mannerisms.

**Gender Identity** – An individual's deeply held internal knowledge or sense of being male, female or another gender which may or may not correspond to the individual's person's body or assigned sex at birth.

**Gender Transition** – Refers to the period during which an individual takes steps to change their physical characteristics and/or gender expression to be consistent with their gender identity. It can include changing their name, taking hormones, having surgery or changing legal documents such as a driver's license.

**Lesbian** – Refers to women who are sexually attracted to other women.

**LGBT Liaison** – The Department's official point of contact to the LGBT community and LGBT members of the Department.

**Sexual Orientation** – A term to describe an individual's attraction to people of the same and/or different sex.

**Transgender** – An individual whose gender identity or expression is different than those typically associated with the gender they were assigned at birth. Not all individuals who consider themselves transgender take steps to alter their body in order to make it match their gender identity. A transgender woman is someone whose gender identity is woman and was assigned male at birth, and a transgender man is someone whose gender identity is man and was assigned female at birth.

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#### **435.2 POLICY**

It is the policy of the University of Maryland, Baltimore Police Department to conduct any interaction with individuals, including members of the lesbian, gay, bisexual, and transgender (LGBT) community, in a respectful and professional manner within the confines of the law, while maintaining public and officer safety.

#### **435.3 PROCEDURE**

- (a) Use pronouns as requested by the individual (e.g., “she, her, hers” for an individual who self-identifies as female; “he, him, his” for an individual who self-identifies as male). If uncertain of the individual’s gender identity, respectfully ask for clarification.
- (b) When completing incident reports, the individual’s sex will be classified as it appears on the individual’s government issued identification card. If the individual identifies himself or herself using a different name, that name will be listed as an alias. In the event that there is uncertainty regarding the appropriate sex classification, contact a supervisor and the Department’s LGBT Liaison.
- (c) If a weapons pat-down or search is necessary, it shall be conducted in accordance with departmental policy (see Contacts and Temporary Detentions Policy 419) and under no circumstances shall it be used to determine the individual’s sex.
- (d) Requests to remove identity-related items such as prosthetics, clothing, wigs and cosmetic items will be consistent with requirements for the removal of similar items for non-LGBT individuals.
- (e) If it is necessary to transport a passenger of the opposite sex or an individual whose gender identity is the opposite of the officer’s, it shall be done in accordance with departmental policy (see Temporary Custody of Adults 900).
- (f) An individual’s sexual orientation or gender identity/expression cannot be the only factor used to determine reasonable suspicion that the individual is or has engaged in a crime, including prostitution.

#### **435.4 MEMBER RESPONSIBILITIES**

- (a) Requests for service or complaints generated by LGBT individuals shall be investigated in accordance with departmental policies.
- (b) If an incident occurred in or near an establishment frequented or owned by a member(s) of the LGBT community, send a copy of all reports related to the incident to the Department’s LGBT Liaison.
- (c) If an incident could be a hate-bias incident:
  - 1. Follow the required actions in the Bias-Based Policy 401.
  - 2. Contact the Department’s LGBT Liaison and send a copy of the incident report to him/her accordingly.
  - 3. In determining whether or not an incident is to be investigated as a hate-bias act, consider:

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4. The totality of the circumstances.
5. The motivation behind the incident.
6. The victim's perception of the incident.
7. Evidence at the scene, such as the display of symbols or words which are known to the victim to represent a hate group or bias against the victim.
8. Statements, comments or gestures made by any suspects.
9. Prior history of incidents with similar circumstances.
10. Area demographics, such as an above average number of LGBT members residing and/or working in the community.
11. The officer's knowledge of the community where the incident occurred.

**435.5 SUPERVISOR RESPONSIBILITIES**

- (a) Ensure LGBT individuals are treated in a respectful and professional manner. If allegations arise that an officer has treated an LGBT individual with bias, prejudice or in a discriminatory manner, shall contact the Internal Affairs Section (IAS).
- (b) Confirm the Department's LGBT Liaison receives all reports when the incident:
  1. Involves individuals of the LGBT community or places associated with or owned by members of the LGBT community.

**435.6 LGBT LIAISON**

The Technical Services & COAST Lieutenant will serve as the LGBT Liaison. The responsibilities of the LGBT Liaison shall include, but not limited to the following:

- (a) Serve as point of contact with the LGBT community, associations, businesses, civic meetings, and local and national LGBT organizations to include attending LGBT events.
- (b) Provide assistance to include, but not limited to, criminal and internal/administrative investigations relating to LGBT matters, support for LGBT members of the Department, diversity and in-service training curriculum and recruitment.
- (c) When notified by the Communications Section of an incident relating to the LGBT community, respond to the scene if necessary and notify the Chief of Police through the chain of command regarding the incident.
- (d) Monitor and track crime statistics and internal complaints affecting the LGBT community.

**435.7 TRAINING**

The Education and Training Lieutenant will ensure all members of the UMBPD receive annual training (i.e., in-service, roll call, or web-based) or updates on the principles involving LGBT.