



**POLICE DEPARTMENT**

**INTERACTIONS WITH  
LGBTQ+  
INDIVIDUALS**

**CONDUCT &  
RESPONSIBILITY #107**

Responsible Executive:  
Chief of Police  
Responsible Office:  
Vice President for Public Safety  
Approved by:  
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**Policy Statement**

The Johns Hopkins Police Department (JHPD) understands the importance of acknowledging and respecting a person’s sexual orientation, gender identity, and gender expression. Discrimination on the basis of gender identity, gender expression, or sexual orientation is illegal.

**Who Is Governed by This Policy**

All personnel, including sworn, nonsworn, and contractual or voluntary persons in service with the JHPD, are governed by this Directive.

**Purpose**

The purpose of this Directive is to provide JHPD personnel with procedures to appropriately and respectfully interact with members of the lesbian, gay, bisexual, transgender, and queer (LGBTQ+) community.

## Definitions<sup>1</sup>

<b>Affirmed or Chosen Name:</b>	A name that is different from a person’s legal name and is used consistently in place of the legal name. Also known as a preferred, affirmed, or lived name. See <a href="#">Chosen Name (OPS012)</a> .
<b>Cisgender:</b>	A term used to refer to an individual whose gender identity aligns with the one associated with the sex assigned to them at birth. The prefix “cis-” comes from the Latin word for “on the same side as.” People who are both cisgender and heterosexual are sometimes referred to as cishet (pronounced “cis-het”) individuals. The term “cisgender” is not a slur. People who are not trans should avoid calling themselves “normal” and instead refer to themselves as cisgender or cis.
<b>Cisnormativity:</b>	The assumption that everyone is cisgender and that being cisgender is superior to all other genders. This includes the often implicitly held idea that being cisgender is the norm and that other genders are “different” or “abnormal.”
<b>Deadnaming:</b>	Occurs when an individual, intentionally or not, refers to the name that a transgender or gender-expansive individual used at a different time in their life. This practice should be avoided, as it can cause trauma, stress, embarrassment, and even danger. Some may prefer the term “birth name,” “given name,” or “old name.”
<b>Gender:</b>	Broadly, gender is a set of socially constructed roles, behaviors, activities, and attributes that a given society considers appropriate.
<b>Gender Expansive:</b>	An umbrella term sometimes used to describe people who expand notions of gender expression and identity beyond perceived or expected societal gender norms. Some gender-expansive individuals identify as a mix of genders, some identify more binarily as a man or a woman, and some identify as no gender. Gender-expansive people might feel that they exist among genders, as on a spectrum, or beyond the notion of the man-woman binary paradigm. Sometimes gender-expansive people use gender-neutral pronouns, but people can exist as any gender while using any pronouns. They may or may not be comfortable with their bodies as they are, regardless of how they express their gender.
<b>Gender Expression:</b>	The manner in which a person communicates about gender to others through external means such as clothing, appearance, or mannerisms. This communication may be conscious or subconscious and may or may not reflect their gender identity or sexual orientation. While most people’s understandings of gender expressions relate to masculinity and femininity, there are countless combinations that may incorporate both masculine and feminine expressions—or neither—through androgynous

<sup>1</sup> Terms and definitions in this Directive are adopted from the National Institute of Health’s Office of Equity, Diversity and Inclusion, Sexual & Gender Minority Employment Portfolio, Terms and Definitions, <https://www.edi.nih.gov/people/sep/lgbt/safezone/terminology> (with internal cross references omitted), with the exception of “Affirmed or Chosen Name” and “Legal Name,” which are adopted from the Chosen Name Policy of Johns Hopkins University (JHU).

	expressions. An individual’s gender expression does not automatically imply one’s gender identity. All people have gender expressions.
<b>Gender Identity:</b>	A person’s deeply held core sense of self in relation to gender. Gender identity does not always correspond to biological sex. People become aware of their gender identity at many different stages of life, from as early as 18 months and into adulthood. According to Gender Spectrum, one study showed that “the average age of self-realization for the child that they were transgender or non-binary was 7.9 years old, but the average age when they disclosed their understanding of their gender was 15.5 years old.” Gender identity is a separate concept from sexuality and gender expression.
<b>Gender Nonconforming:</b>	A term for those who do not follow gender stereotypes. Often an umbrella for nonbinary genders. Though fairly uncommon, some people view the term as derogatory, so they may use other terms including “gender expansive,” “differently gendered,” “gender creative,” “gender variant,” “genderqueer,” “nonbinary,” “agender,” “gender fluid,” “gender neutral,” “bigender,” “androgynous,” or “gender diverse.” It is important to respect and use the terms people use for themselves, regardless of any prior associations or ideas about those terms.
<b>Intersex:</b>	The current term used to refer to people who are biologically between the medically expected definitions of male and female. This can be through variations in hormones, chromosomes, internal or external genitalia, or any combination of any or all primary or secondary sex characteristics. While many intersex people are noticed as intersex at birth, many are not. As intersex is about biological sex, it is distinct from gender identity and sexual orientation. An intersex person can be of any gender identity and can also be of any sexual orientation and any romantic orientation. The Intersex Society of North America opposes the practice of genital mutilation on infants and children who are intersex. Formerly, the medical terms “hermaphrodite” and “pseudohermaphrodite” were used; these terms are now considered neither acceptable nor scientifically accurate.
<b>Legal Name:</b>	A U.S.-born person’s legal name is the name shown on their U.S. birth certificate, government identification, or other legal documents, unless the person’s name has changed based on certain events, such as a marriage or a valid court order. For foreign nationals who are not U.S. citizens, the legal name is the name that is entered in the machine-readable zone of a passport. See <a href="#">Chosen Name (OPS012)</a> .
<b>LGBTQ+:</b>	An acronym that collectively refers to individuals who are lesbian, gay, bisexual, transgender, or queer, sometimes stated as LGBT (lesbian, gay, bisexual, and transgender) or, historically, GLBT (gay, lesbian, bisexual, and transgender). The addition of the <i>Q</i> for “queer” is a more recently preferred version of the acronym, as cultural opinions of the term “queer” focus increasingly on its positive, reclaimed definition. The <i>Q</i> can also stand for “questioning,” referring to those who are still exploring their own sexuality or gender. The “+” represents those who

	are part of the community but for whom LGBTQ does not accurately capture or reflect their identity.
<b>Misgender:</b>	To refer to someone using a word, especially a pronoun or form of address, that does not correctly reflect their gender. This may be unintentional and without ill intent or can be a maliciously employed expression of bias. Regardless of intent, misgendering has a harmful impact.
<b>Nonbinary or Gender Fluid:</b>	Refers to people who do not subscribe to the gender binary. They might exist between or beyond the man-woman binary. Some use the term exclusively, while others may use it interchangeably with terms like “genderqueer,” “gender fluid,” “gender nonconforming,” “gender diverse,” or “gender expansive.” It can also be combined with other descriptors—e.g., “nonbinary woman” or “transmasc nonbinary.” Language is imperfect, so it’s important to trust and respect the words that nonbinary people use to describe their genders and experiences. Nonbinary people may understand their identity as falling under the transgender umbrella and may thus be transgender as well. Though “nonbinary” is sometimes abbreviated as NB or Enby, the abbreviation NB has historically been used to mean “non-Black,” so those referring to nonbinary people should avoid using it.
<b>Pronouns:</b>	The words used to refer to a person other than their name. Common pronouns are “they/them,” “he/him,” and “she/her.” Neopronouns are pronouns created to be specifically gender neutral, including “xe/xem,” “ze/zir,” and “fae/faer.” Pronouns are sometimes called personal gender pronouns. For those who use pronouns—and not all people do—they are not preferred; they are essential. For more information, see “Pronouns at JHU,” <a href="https://diversity.jhu.edu/gender-identity-resources/pronouns-at-jhu/">https://diversity.jhu.edu/gender-identity-resources/pronouns-at-jhu/</a> .
<b>Sex Assigned at Birth or Assigned Sex:</b>	The sex assigned to an infant at birth based on the child’s visible sex organs, including genitalia and other physical characteristics. <b>Assigned female at birth (AFAB):</b> AFAB people may or may not identify as female some or all of the time. AFAB is a useful term for educating about issues that may happen to these bodies without connecting to womanhood or femaleness. <b>Assigned male at birth (AMAB):</b> AMAB people may or may not identify as male some or all of the time. AMAB is a useful term for educating about issues that may happen to these bodies without connecting to manhood or maleness.
<b>Sexual Orientation:</b>	Emotional, romantic, or sexual feelings toward other people or no people. While sexual activity involves the choices one makes regarding behavior, one’s sexual activity does not define one’s sexual orientation. Sexual orientation is part of the human condition, and all people have one. Typically, it is attraction that helps determine orientation. It also may refer to a person’s choice of whether to engage in sexual relationships and practices.
<b>Transgender:</b>	Often shortened to “trans,” from the Latin prefix for “on a different side

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as.” A term describing a person’s gender identity that does not necessarily match their assigned sex at birth. Transgender people may or may not decide to alter their bodies hormonally or surgically to match their gender identity. This word is also used as an umbrella term to describe groups of people who transcend conventional expectations of gender identity or expression—such groups include but are not limited to people who identify as transsexual, genderqueer, gender variant, gender diverse, and androgynous. “Trans” is often considered more inclusive than “transgender” because it includes transgender, transsexual, transmasculine, transfeminine, and those who simply use the word “trans.”

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**Transition:** A term used to refer to the process—social, legal, or medical—one goes through to affirm one’s gender identity. This may, but does not always, include taking hormones, having surgeries, and changing names, pronouns, identification documents, and more. Many individuals choose not to or are unable to transition for a wide range of reasons both within and beyond their control. The validity of an individual’s gender identity does not depend on any social, legal, or medical transition; the self-identification itself is what validates the gender identity.

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**Transsexual:** A term that refers to people who consider or use medical interventions such as hormone therapy or gender-affirming surgeries, also called sex reassignment surgery, or pursue medical interventions as part of the process of expressing their gender. It is a less frequently used—and sometimes misunderstood—term (considered by some to be outdated or possibly offensive, and others to be uniquely applicable to them). Some transsexual people do not identify as transgender and vice versa. As with the term “queer,” due to its varying meanings, use this term only when self-identifying or quoting someone who self-identifies as transsexual.

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## Policy

It is the policy of the JHPD not to discriminate against anyone based on actual or perceived gender identity, gender expression, or sexual orientation in the performance of law enforcement duties or the delivery of police services. All members of the JHPD will interact with all members of the public, including LGBTQ+ individuals, in an affirming, respectful, and professional manner and shall treat all individuals equally regardless of gender identity, gender expression, or sexual orientation. Members of the JHPD shall dedicate themselves to preserving life, maintaining human rights, and treating all people with compassion and respect. This Directive should be read in conjunction with JHPD Directive #106, Fair & Impartial Policing. (Commission on Accreditation for Law Enforcement Agencies (CALEA) 1.2.9)

## Procedures

The JHPD, recognizing the essential need to earn trust in the LGBTQ+ community, has established the following procedures to help our members with advancing community trust, confidence, and public safety.

## **I. Culturally Aware Language**

- A. The language used in reference to, and by, members of the LGBTQ+ community is ever evolving. However, some terms that may have been used in the past are now outdated, and often considered to be offensive, and thus should be avoided. An appropriate approach is for a member to ask the person if it is acceptable to mirror the language used by the individual to describe themselves.
- B. The term “transgender” is an adjective; it is not a noun or a verb. It is appropriate to say “transgender people,” but saying “some transgenders or transgendered” would be viewed as disrespectful. Further, no one is “transgendering”; an appropriate term would be “transitioning.” Likewise, a person is cisgender rather than “cisgendered.”
- C. Terms like “sexual preference” or “gay/transgender/alternate/alternative lifestyle” should not be used. This language is a reflection of cisnormativity and is designed to reinforce the notion that having a sexual orientation that differs from being straight or a gender identity different from being cisgender is a “choice.”

## **II. Equal Treatment**

- A. Members of the JHPD shall interact with LGBTQ+ people in an unbiased, fair, and respectful manner.
- B. All requests for service or complaints generated by or involving LGBTQ+ individuals shall be investigated with diligence and vigor in accordance with departmental policies.

## **III. Discrimination Prohibited**

- A. The JHPD prohibits harassment or discrimination based on gender identity, gender expression, or sexual orientation.
- B. Members shall not use gender identity, gender expression, or sexual orientation in exercising discretion to stop, detain, search, seize, or make contact with any person, except as part of an actual and apparently credible physical description of a specific suspect, victim, or witness in any criminal investigation.
  - Members shall recognize that gender identity, gender expression, and sexual orientation do not constitute reasonable suspicion, probable cause, or evidence that a person has engaged in any crime; and
  - Members shall recognize that a person’s gender identity or sexual orientation is not a physically observable trait, like facial hair or

eye color, and cannot be part of a reliable and trustworthy physical description of a specific suspect. A person's gender expression may relate to their physical description. In this case, gender expression is similar to an observation someone might make about race. The observation made by an onlooker may not be accurate regarding the person's identity, but members should be aware that it may be part of a physical description someone might use to identify another person.

- C. No member of the JHPD shall fail to respond to a call for service or a complaint based on the actual or perceived gender identity, gender expression, or sexual orientation of the caller or complainant.
- D. Members shall not ask any person questions about their anatomy, gender expression, medical history, or sexual practices unless directly relevant to a criminal investigation.
- E. Members should not make assumptions about a person's sexual orientation or gender identity.
- F. Except when legally necessary (e.g., processing an arrest), members shall not either require proof of a person's gender or question an individual's gender identity or gender expression and shall not disclose a person's actual or perceived gender identity, gender expression, or sexual orientation without their consent.
- G. Members shall comply with JHPD Directive #103, Rules of Conduct, and JHPD Directive #106, Fair & Impartial Policing.

#### **IV. Name Usage, Forms of Address & Gender Identity**

- A. Acknowledging a Person's Gender Identity
  - Members may need to ask a person what their gender identity is in order to complete a police report, evaluate a bias crime, or fulfill another official purpose. This should be rare.
  - When a member needs to determine a person's gender identity, they shall respectfully ask the person how they identify in terms of gender. For example, "How do you describe your gender identity?" (If the person uses an unfamiliar term, it is reasonable to ask, "I am not familiar with that term. What does it mean to you?") If a member needs to ask about pronouns, they should simply ask, "What are your pronouns?" (Do not phrase the question as, "What are your preferred pronouns?" or "What pronouns do you prefer?")

- B. Names & Pronouns:** Members shall not intentionally deadname, use the legal name of, or misgender any person after that person has made their chosen name or pronouns known to the member.
- Members shall introduce themselves first with their names and their pronouns to model acceptance and safety, such as, “I’m Officer Tyrone Smith, and I use they/them pronouns. What name and pronouns do you use?” Then members shall address people using names and pronouns expressed or requested by the person.
  - Where possible, members should avoid gendered pronouns, should omit using “Sir”/“Mr.” or “Ma’am”/“Ms.,” and should use gender-neutral pronouns such as “they” or “them.”
    - Examples of gender-neutral language members may use include “folks,” “people,” “you,” or the name expressed by the person. For example, “You need to step back, please.” Or, “Folks, please step back.” Or, “Hello, I am Officer Lisa Smith. You can call me Lisa. What is your name? [Person responds with a first and last name.] Do you mind if I call you by your first name?”
  - Members shall not use slurs or derogatory or dehumanizing language.
  - Members should be aware that people’s names may change over time, whether due to marriage, changes to reflect gender identity, or other factors, and should address people by the name they currently use. Members should also be aware that changing one’s identification documents to match one’s gender identity may be very difficult, and that those documents must not be used to determine one’s gender identity.
  - If a member mistakenly misgenders a person, they should apologize and use correct pronouns going forward.

## **V. Department Forms & Records**

- A.** Members shall complete paperwork using a person’s legal name and sex as stated on any legal or government-issued identification. The person’s chosen name shall be identified and highlighted as the name to use in all communications with the person. Johns Hopkins affiliates may have chosen names reflected on their Johns Hopkins–issued identification cards, and those names may appear in Johns Hopkins systems such as email and directories.
- If a member has a need to determine an individual’s legal name, it can be found on their government-issued identification. Members should ask for their government-issued identification in lieu of asking the person to state their deadname. For example, a member



should ask, “Can you please provide me with your government-issued identification?” instead of, “What is the name on your government-issued identification?”

- If there is no alternative (i.e., the person does not have a government-issued identification with their legal name), the member shall ask the person for this information in a trauma-informed manner one-on-one, rather than in the presence of bystanders or witnesses.
- B.** If a person’s provided name or gender identity varies from their legal name or sex as stated on government-issued identification, members shall record the person’s provided name, their gender identity, and pronouns in the report narrative.
- For example, “Provided name Sally, transgender woman, uses she/her pronouns” or “Provided name August, uses they/them.”
- C.** Some government-issued identification cards (including Maryland’s) have sex identifier options such as X for nonbinary, in addition to female and male options.
- X is not a recognized sex identifier under federal reporting requirements. Accordingly, for some forms the only options are female, male, and unknown. For federal reporting, the X sex identifier will be reported as “unknown.”

## **VI. Search, Seizure, Arrest & Transport**

In addition to those procedures identified in JHPD Directive #412, Custody, Transport & Processing, members of the JHPD shall adhere to the following guidance:

### **A. Search & Seizure**

- Absent exigent circumstances, members shall ask the person who must be searched to identify their preference regarding the gender identity of the member to conduct the search, and the member should accommodate the request. The person’s request shall be documented.
  - If the officer intends not to accommodate the person’s request or the officer has concerns about conducting the search or pat-down, they should contact their supervisor for instructions as to how to proceed. If the request was not accommodated, the member shall record the reason that the preference was not honored on their body-worn camera.
- Members shall not conduct a weapons pat-down or search any person to determine that person’s gender identity or sex, or to view

or touch the person's genitals, or for any demeaning or harassing purpose.

- Members shall adhere to JHPD Directive #409, Field Interviews, Investigative Stops & Pat-Downs, and JHPD Directive #411, Search & Seizure, when interacting with members of the LGBTQ+ community.
- Members shall not perform a more or less invasive search or weapons pat-down of a person based on that person's gender identity.
- Certain items—such as prosthetics, clothing, wigs, chest binders, and cosmetic items—may be central to a person's gender identity and gender expression. Thus, requests to remove identity-related items (for searches or arrests) shall be consistent with requirements for similar items for cisgender individuals, and such items shall not be removed unless required for law enforcement purposes. Whenever practicable, removal of these items shall be conducted in private.
  - Example: If an officer would not request the removal of a wig or a bra by a cisgender woman, then the member shall not request the removal of a wig or a bra by a transgender woman.
- Members shall not immediately suspect that a person's possession of needles is indicative of illegal drug use or illegal drug paraphernalia, as they may be indicative of a prescribed hormone replacement therapy.

## **B. Arrest & Transport**

- Members shall adhere to JHPD Directive #412, Custody, Transport & Processing.
- When making decisions about transport and custody of a person, and transporting multiple persons, members shall deem an individual's gender to be male or female based on the individual's gender identity. As such, transgender and intersex persons shall be transported with other persons in custody of the same gender identity, unless the individual expresses a safety concern or a member identifies a safety concern, in which case the person shall be transported alone. For a person who states that they are nonbinary, gender fluid, or gender nonconforming, the member shall ask the person if they would be more comfortable being transported with males or females.
- If a member is aware that a person is transgender, and only if absolutely necessary, the member shall verbally inform, in a discreet manner, the next person who will be taking custody of the

person, whether that is a Baltimore Police Department (BPD) member or an intake specialist at the Baltimore Central Booking and Intake Center.

## **VII. Medical Treatment**

- A. Members shall treat prescription hormones like any other medication necessary for a person's health and well-being.
- B. Members shall handle requests for medical attention by LGBTQ+ persons with the same urgency and respect as requests by all other persons.

## **VIII. Restroom Use**

- A. Members shall not stop, question, or arrest a person for using any restroom based to any extent or degree on the person's actual or perceived gender identity, gender expression, or sexual orientation. Pursuant to MD Code, State Government, § 20-304, refusing access to public accommodations such as restrooms constitutes discrimination.
  - If a member perceives that a person is using a single-sex restroom that is not consistent with the person's gender expression, the member shall not consider that factor, to any extent or degree, in deciding to take law enforcement action against the person. A member may, however, take law enforcement action against the person based on personal knowledge or reliable and trustworthy information that establishes reasonable suspicion or probable cause that the person is or has engaged in criminal activity.
- B. While in JHPD custody, transgender, intersex, and gender-nonconforming individuals shall be allowed to use the restroom in accordance with their gender identity. If, however, an individual has safety concerns with using the restroom, that individual may use the restroom they feel will be safest for them.

## **IX. Youth**

- A. Members shall adhere to JHPD Directive #426, Interactions With Youth.
- B. Members shall not disclose a youth's actual or perceived gender identity, gender expression, or sexual orientation to the youth's parents or guardians without the youth's consent unless it directly pertains to the case. To avoid doing so when referring to the youth in any way, members shall use gender-neutral language, such as "youth." Members should be aware that disclosing this information to parents or guardians may put the youth at increased risk for violence or rejection in the home.

## **X. Release of Information to the Media**

- A. JHPD media releases shall refer to transgender persons using their provided name and pronouns that reflect their gender identity.
- B. If gender identity is unknown or cannot be confirmed, the department will use gender-neutral pronouns such as “they” or “them.”
- C. The JHPD will not intentionally deadname or misgender people in media releases, but it sometimes may list multiple names for clarity, public interest, or investigatory purposes.

## **XI. Training**

The Johns Hopkins Public Safety Training Division, in collaboration with the JHU Office of Diversity, Equity and Inclusion and the Johns Hopkins Medicine Office of Diversity, Inclusion and Health Equity, shall provide introductory and ongoing training to all members on this Directive, LGBTQ+ competency, and related material that covers the dimensions of gender identity, gender expression, and sexual orientation that are relevant to law enforcement practices. This training shall include scenarios and practical application of the guidance identified in this Directive.

## **Policy Enforcement**

<b>Enforcement</b>	Police Department managers and supervisors are responsible for enforcing this Directive.
<b>Reporting Violations</b>	Suspected violations of this Directive should be reported to the Public Safety Accountability Unit.

## **Related Resources**

<b>University Policies and Documents</b>
Conduct & Responsibility #103, Rules of Conduct Conduct & Responsibility #106, Fair & Impartial Policing Operational Procedure #409, Field Interviews, Investigative Stops & Pat-Downs Operational Procedure #411, Search & Seizure Operational Procedure #412, Custody, Transport & Processing Operational Procedure #426, Interactions With Youth
<b>External Documentation</b>
<b>Police Department Forms and Systems</b>

## Contacts

<b>Subject Matter</b>	<b>Office Name</b>	<b>Telephone Number</b>	<b>Email/Web Address</b>
Policy Clarification and Interpretation	Policy Management	(667)306-8618	<a href="mailto:jhpdpolicyinquiry@jh.edu">jhpdpolicyinquiry@jh.edu</a>