



Series 100 Administration	Effective Date 12/05/2019	Review Date <i>Three Years</i>	Directive Number 102.9
Chapter 102 - Standard of Conduct			
Reviewing Office <i>Chief's Neighborhood Liaison</i>			<input type="checkbox"/> New Directive <input checked="" type="checkbox"/> Revised <small>Revisions in <i>italics</i></small>
References			

THE LESBIAN, GAY, BISEXUAL, TRANSGENDER, AND QUEER (LGBTQ) COMMUNITY

102.9 - 1 PURPOSE

The purpose of this directive is to establish guidelines and procedures for the Detroit Police Department (DPD) and Department members' interaction with lesbian, gay, bisexual, transgender, *intersex*, *gender nonconforming* and *queer* individuals, commonly referred to as the LGBTQ Community, and *members* of the DPD. The Department will also *regularly monitor and review legislation, ordinances, and case law to ensure that training material and implementation is accurate and up to date.*

102.9 - 2 POLICY

1. The DPD is committed to establishing, providing, and maintaining a direct channel of communication to address and resolve matters pertaining to the LGBTQ Community and to LGBTQ *members*. The Employee Assistance Program (EAP) Coordinator shall provide an internal source of support to employees on LGBTQ matters.
2. The Office of the Chief of Police shall promote cooperation between the DPD and the community, while taking a leading role in building a vital link between the police and the LGBTQ Community. To make this possible, the Office of the Chief of Police shall collaborate with community leaders, residents, and businesses within the city of Detroit to design and implement public safety projects and programs.
3. *Department members* shall not exercise differential treatment of individuals in rendering police services based on a person's appearance, manner of dress, sexual orientation, gender identity, or gender expression. *Department members* shall not base reasonable suspicion for an investigative detention, probable cause for an arrest, or any other police action *based* on a person's appearance, manner of dress, sexual orientation, gender identity, or gender expression. *Department members* may take into account the reported appearance, manner of dress, sexual orientation, gender identity, or gender expression for the purpose of identifying a described individual.

102.9 The Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) Community**102.9 - 3 Definitions****102.9 - 3.1 Bias and Hate Crime**

Criminal offenses motivated in part or singularly by a personal prejudice against another because of appearance, ethnicity, immigration status, manner of dress, national origin, physical characteristics, race, religious beliefs, sexual orientation, gender identity, expression, *economic status, political affiliation, or disability.*

102.9 - 3.2 Bisexual

An individual who is attracted to more than one gender.

102.9 - 3.3 Gay

Reference to people, practices, and culture associated with homosexuality, most commonly referring to homosexual men.

102.9 - 3.4 Gender Identity or Expression

A gender-related identity, appearance, expression, or behavior of an individual, regardless of the designation of gender on one's birth certificate.

102.9 - 3.5 Lesbian

A term to describe sexual behavior or physical attraction between females.

102.9 - 3.6 LGBTQ

A term used to refer collectively to those who identify as Lesbian, Gay, Bisexual, Transgender, and Queer.

102.9 - 3.7 Sexual Orientation

The type of sexual, romantic, and/or physical attraction someone feels toward others. Common labels are straight, lesbian, gay, bisexual, queer, etc.

102.9 - 3.8 Transgender

An umbrella term for people whose gender identity differs from their sex assigned at birth. The term includes transsexuals, cross-dressers and many gender nonconforming individuals (not everyone whose appearance or behavior is gender nonconforming will identify as transgender).

102.9 - 3.9 Queer

The process of exploring one's own gender identity, gender expression, and/or sexual orientation. Some people may also use this term to name their identity within the LGBTQ Community.

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102.9 - 3.10 Gender Nonconforming

A term meaning that an individual's gender expression is different from the stereotyped expectations of how the individual should look or act based upon the individual's sex assigned at birth.

102.9 - 3.11 Intersex

A general term used to describe a variety of conditions in which a person is born with a variation in sex characteristics, including chromosomes, reproductive anatomy, and/or genitals, and therefore, cannot be distinctly identified as male or female. Being intersex is different from being transgender. The term "intersex" is not synonymous with the term "transgender."

102.9 - 4 Responsibilities

102.9 - 4.1 Office of the Chief of Police

The Office of the Chief of Police is responsible for the following actions in relation to the LGBTQ Community:

- a. Monitor the implementation of this directive;
- b. Monitor significant incidents and events pertaining to the LGBTQ Community;
- c. Ensure that the DPD is responsive to the LGBTQ Community;
- d. Keep commanding officers informed of LGBTQ significant events and incidents occurring in the executive's area of responsibility;
- e. Request crime data from Crime *Intelligence* regarding incidents identified as bias and hate crimes against any person of the LGBTQ Community; and
- f. Ensure a productive working relationship between *Department* members and the LGBTQ Community within the scope of their law enforcement duties.

102.9 - 4.2 Records

It shall be the responsibility of Records to provide the Office of the Chief of Police with copies of all bias and hate crime reports and incidents against any person of the LGBTQ Community.

102.9 - 4.3 Commanding Officers and Members of Precincts

1. It shall be the responsibility of commanding officers to actively ensure that all incidents of bias and hate crime against any person of the LGBTQ Community are reported to the *Department's LGBTQ Liaison of the Chief's Neighborhood Liaison Office* within twenty-four (24) hours of the incident.
2. All members are responsible for ensuring that members of the LGBTQ Community (*including Department members of the LGBTQ Community*) are treated with professionalism and respect, while actively working to identify crimes affecting the LGBTQ Community's quality of life.

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102.9 - 4.4 Search Procedures

Before conducting a search of the individual in the field or at the Detroit Detention Center, officers conducting the search will ask the individual to be searched their preference with respect to the gender of the officer conducting the search (i.e. a transgender woman may prefer to be searched by female members of the Department). This request shall be honored absent exigent circumstances. However, this provision does not apply to frisks conducted to ensure officer safety.

102.9 - 4.5 Gender Classification of LGBTQ Individuals

An arrestee's gender shall be classified as it appears on the individual's government issued identification card. Arrestees who are post-operative gender re-assigned and have not received their government issued identification card displaying their new identity may present other proper documentation (application for new identification card, medical documentation, etc.) along with a valid photo identification. Post-operative gender reassigned arrestee's with proper identification shall be processed as follows:

- a. Male to female shall be processed as a female; and
- b. Female to male shall be processed as a male.

102.9 - 4.6 Courtesy

1. Members will respectfully treat LGBTQ individuals in a manner appropriate to the individual's gender expression. If members are uncertain by which gender the individual wishes to be addressed, members will respectfully ask the individual for clarification.
2. Members will not use language that a reasonable person would consider demeaning or derogatory, in particular, language aimed at a person's actual or perceived gender identity, expression, or attractional orientation. Additionally, members will not disclose an individual's gender identity or attractional orientation to other arrestees, members of the public, or non-Department members, absent a proper law enforcement purpose.

102.9 - 4.7 Members Responding to Bias or Hate Crimes *against the LGBTQ Community*

1. Sworn members responding to a suspected bias or hate crime scene against any person of the LGBTQ Community shall notify the *Department's LGBTQ Liaison of the Chief's Neighborhood Liaison Officer* during business hours, Monday through Friday, 8:00 a.m. – 4:00 p.m. After hours, on holidays, or weekends, members shall make notification of the incident to Communications Operations. In these instances, the *Department's LGBTQ Liaison* shall follow-up with the responding member on the scene, by telephone or in person.

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2. The responding *member* shall prepare *and submit* an *incident* report detailing the incident, *which shall include* any arrests.

102.9 - 4.8 Special Events and Significant Incidents

The Office of the Chief of Police shall make arrangements to attend LGBTQ-related events. The *Department's Detective Bureau* shall monitor statistical and reporting data regarding bias, *as well as* hate crimes against the LGBTQ Community.

102.9 - 4.9 Community Seminars and Employee Training

1. The *Detective Bureau* shall identify, through crime data and patrol efforts, areas where bias and hate crimes against the LGBTQ Community have occurred and inform the LGBTQ Community through awareness seminars.
2. The *Chief's Neighborhood Liaison* shall conduct crime prevention and business safety seminars in the city of Detroit, particularly in neighborhoods where LGBTQ businesses and residents are concentrated. An agenda of these seminars shall be submitted to the Chief of Police for approval prior to the event.
3. The Office of the Chief of Police shall host meetings to allow business owners, residents, and community activists to meet with executives from their neighborhood precincts.
4. The *Chief's Neighborhood Liaison* shall provide training and educational material to all sworn members to educate them about working with the LGBTQ Community. This training shall be provided on an annual basis. The training material shall emphasize identifying elements of bias and hate crimes, and the prevention of these crimes through information attained during field contacts, traffic stops, *interviews*, search and seizures.

102.9 - 4.10 Interaction with the Media

The Office of the Chief of Police shall participate in requested media-sponsored forums. These forums may include, but are not limited to, radio talk shows, television interviews, print media interviews, town meetings, press conferences and briefings. The Office of the Chief of Police shall notify *Media Relations* of any information that needs to be disseminated regarding crime prevention initiatives and proactive police activities related to the LGBTQ Community.

102.9 - 5 Documentation and Report Requirements

102.9 - 5.1 Bias and Hate Crimes against the LGBTQ Community

The *Chief's Neighborhood Liaison* shall keep a record of all bias and hate crimes *against the LGBTQ Community* brought to its attention. Upon completion, the affected commands will receive a copy of the report.

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Related Policies

- *Bias-Based Policing Manual Directive 102.2*
- *Citizen Complaints Manual Directive 102.3*
- *Nondiscrimination Manual Directive 102.1*
- *Search and Seizure Manual Directive 202.2 (Stop and Frisk; Search Incident to an Arrest; and Strip Searches)*