Building Relationships with Transgender Individuals

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IT’S 4:00 A.M. You are jarred awake by the familiar ringing of your cellphone, which can only mean that something has happened that requires your immediate attention. You roll over, grab the phone, and answer. The voice is one that has woken you on countless other occasions, the midnight shift commander. It is never good news—a shooting, an injured officer, or perhaps a fatal car collision. “Boss,” she says, “Sorry to wake you, but thought you would want to know before the morning news hits. We are on the scene of a homicide. We got a call for a woman who was found dead behind the hotel on Main. We’ve also got a witness who’s been transported to the station. She’s reluctant to speak with investigators.” You thank her for the notification and tell her that you are on your way. As you are driving to the scene, you receive another phone call from the commander who reports that the media have arrived. You ask her to wait to speak to the media; you will be there momentarily. As soon as you arrive, you are confronted by the reporters who ask you about the crime before you have had the opportunity to be thoroughly briefed. You assure them that you will have a statement for them as soon as possible and then make your way to where your homicide lieutenant is standing. Two of your senior homicide investigators are examining the deceased victim who is lying facedown. As your officers prepare to lift her body, they realize that the victim is a transgender person, and, despite their ability to identify most community members by sight, none of the officers recognize her.

This fictional scenario is one faced in reality by many police agencies, and police chiefs need to ensure that their organizations are prepared to investigate this type of case and deal with the community concerns and media issues that follow the murder of, or any crime against, a transgender person. Leaders need to be prepared to handle the challenges of how to identify a transgender victim in briefings to the media and how to interview witnesses who may also be transgender.

Does the agency have policies in place that provide guidance on how to interact with transgender individuals? Is the agency capable of providing professional service and assistance or resources to a transgender person who has been victimized? Do the agency leaders and officers know the local, state, and federal laws that protect transgender people in their community? These are all questions that law enforcement organizations need to consider.

After decades of work by transgender rights activists, laws and policies at the U.S. federal, state, and local levels, as well as those in the private sector, are starting to clarify and defend the rights of transgender and gender nonconforming people in the United States. According to the Williams Institute of the University of California, there
are nearly 700,000 transgender individuals living in the United States. Transgender people live in every community and are of every age, race, religion, profession, and background. Law enforcement has an obligation to provide service that reflects the oath to serve without prejudice. It is possible that there may not be a visible transgender community or individuals in the area in which an officer serves; however, the odds exist that members of every agency will interact with someone in the transgender community. If it is under the unfortunate circumstance that this interaction is the result of a transgender person being the victim of a crime, an active relationship with the transgender community can be valuable for the department and victim. Agencies will have an immediate resource to tap into to provide referrals, support, and information to the victim, as well as support for the investigation of the crime and the agency members. Because of this established relationship, leaders will have the confidence that the agency can handle the case without error, embarrassment, or negative media attention that has the potential to go viral. Without a doubt, the time to build a relationship with the transgender community is before the victimization of a transgender individual.

According to research, transgender individuals are disproportionately victimized by hate crimes and assaults. A transgender Latina immigrant survey, reported that 69 percent of respondents knew of a transgender individual who was murdered for their gender identity; 61 percent were victims of sexual abuse; 78 percent experienced random acts of violence such as being attacked on the street or insulted; and 34 percent reported being robbed because they were transgender. Likewise, respondents of the 2011 National Transgender Discrimination Survey (NTDS), conducted by the National Center for Transgender Equality in partnership with the National Gay and Lesbian Task Force, reported pervasive discrimination. Nineteen percent of the NTDS survey respondents reported past experiences of domestic violence at the hands of a family member because of the respondent’s transgender identity or gender nonconformity. Transgender individuals are often targeted by perpetrators of violence because the social bias that perpetuates stereotypes and myths about this community means that transgender victims are less likely to be believed. According to a 2012 report by the National Coalition of Anti-Violence Programs, transgender women (those who have transitioned from male to female) represented more than half of the homicide victims in anti-GLBT crimes.

Over the past year, there have been numerous incidents across the United States involving victimized transgender people that garnered significant media attention. These incidents have left some law enforcement agencies scrambling for support and assistance from the transgender community. In addition to the below events, there were many more cases that involved physical and verbal assaults and homicides of transgender individuals.

- September 2013—In Savannah, Texas, a transgender woman was found dead in her living room. Police ruled it a homicide; she suffered a gunshot wound to her neck.
- November 2013—The body of a transgender woman was found burned inside a trash can in Detroit, Michigan. Authorities said it took 11 days to identify the victim.
- November 2013—In Richmond, Virginia, a transgender woman was found shot to death in an alley. During the months leading up to her death, she had started transitioning to a female identity.
- June 2014—A transgender woman was found dead in a field in Baltimore, Maryland.
- June 2014—In Ajax, Louisiana, three individuals were arrested in connection with trafficking of a transgender individual. The suspects kept the woman as a slave and sexually assaulted her repeatedly.
- June 2014—At the Trans Pride L.A. festival (California), a theater was evacuated because of a bomb threat, the second threat against the festival that same day.
- June 2014—A transgender woman in Cincinnati, Ohio, was shot to death and left on a street; she was the fourth transgender woman killed in Ohio in an 18-month period.
- August 2014—Two transgender women were shot and wounded in the span of four days in Detroit, Michigan.
Unfortunately, relationships between transgender individuals and law enforcement have historically been riddled with discrimination, prejudice, and harassment. As a result, these relationships continue to be strained or even non-existent. Close to half of the respondents (46 percent) of the NTDS survey reported being uncomfortable seeking police assistance. The transgender Latina immigrant survey found that 80 percent of transgender individuals who suffered sexual violence and 77 percent of those who suffered other forms of violence never reported the incidents to the police.

Further causing tensions, some transgender individuals are reluctant to report hate crimes or crimes in general to law enforcement because of general mistrust and perceived indifference by the police, as well as previous negative experiences with the police. According to the 2011 NTDS survey, 22 percent of transgender individuals reported police harassment, 6 percent reported being physically assaulted by the police, and 2 percent reported being sexually abused by the police. Additionally, the 2012 report by the National Coalition of Anti-Violence Programs found that transgender individuals across the United States experienced police violence three times as much as non-transgender people. Those numbers are higher for transgender people of color and transgender women.

Difficulties with identification can also cause misunderstandings and anxiety between law enforcement and transgender individuals. U.S. federal and state policies vary widely on requirements to update name and gender on identification documents, so many transgender people live with identification that does not match their gender identity or appearance. Individuals who have not yet been able to update their identification are more vulnerable to harassment.

Many law enforcement agencies cover gay, lesbian, bisexual, and transgender (GLBT) individuals and communities during academy training to educate recruit officers about the proper terminology and the importance of providing professional police services. But, despite efforts to cover this information, training often covers only a basic understanding of these communities and fails to provide in-depth instruction on how to investigate crimes by or against members of the GLBT community, especially transgender and gender nonconforming individuals.

Building a Relationship between an Agency and Transgender Individuals

Step 1: Identify Leaders
The first step in building a healthy relationship is identifying local individuals who or organizations that are leaders and allies in the transgender community. These may include nonprofits that focus on GLBT communities, transgender-led organizations, faith groups, civil rights groups, local politicians and other stakeholders, and family and friends who speak out in solidarity with transgender individuals. These individuals or groups can assist police departments with delivering competency training, building and strengthening communication, and ensuring the realities of transgender individuals are reflected in agency policies and practices.

National U.S. organizations such as the Human Rights Campaign (HRC), the National Gay and Lesbian Task Force, the Transgender Rights Project, the American Civil Liberties Union (ACLU), the National Center for Transgender Equality, and the Transgender Law Center are invaluable resources that can help locate local community members or organizations to work with departments to build a strong and active relationship with transgender individuals. If there is no person or organization that exists in the local area, there are statewide organizations that will work with law enforcement leaders to establish and sustain relationships. The Transgender Community of Police and Sheriffs (TCOPS) is another resource that can assist agency leaders. Additionally, there are numerous departments across the United States that have established strong relationships with the transgender communities in their regions; connecting with these departments and discussing challenges and successes are invaluable. Many agencies can offer suggestions and guidance and will share what has worked and what has not. In addition, the Department of Justice Community Relations Service (CRS) is also available as a resource. The CRS has joined with transgender advocacy and law enforcement leaders from around the United States to provide and develop important information about interacting with and protecting
transgender persons.

**Step 2: Develop Active Partnerships**

Once local leaders of the transgender community are identified, law enforcement leaders should reach out to them to develop a trusting, sustainable partnership. Care must be taken in building relationships, and it must be done with the intention of earning the trust of community leaders. It is crucial that law enforcement understand that transgender people live in various communities and each person brings their own experience. It is also important for law enforcement to acknowledge that transgender individuals of color not only face anti-transgender oppression, but may also face racism and potential economic inequalities. Law enforcement must reach out to leaders who represent these various communities. These leaders will, ultimately, be the agency’s ambassadors and direct connections to the transgender communities and individuals.

Law enforcement must be aware of its own values, prejudices, and attitudes and be conscious of how these may be relayed in all interactions. Keep in mind that how sincerity is perceived will dictate the strength of the relationship and directly correlate to the level of trust and respect for agencies. Initially, a telephone call or an email can start the dialogue between department members and the transgender community; however, this is not sufficient to establish a successful, active relationship. An initial in-person meeting should take place as soon as practical with the identified community leaders or support organizations. When meeting, allow transgender community leaders to share experiences in a safe and affirming atmosphere. Provide a platform for guests to share input on how the agency can better serve individuals in their community. In return, evaluate pertinent agency policies to ensure they are in line with providing promising practices and effective service to the transgender community. Law enforcement leaders should be prepared to learn of experiences that may not reflect favorably on the agency; leaders should respond to those experiences with the intention of working towards better training and implementing policies that strive to eliminate any future negative experiences. Willingness and openness also afford the opportunity to ask questions and learn from each other. The purpose of building this relationship is to foster trust, as well as develop mutual cooperation; this will take continuous meetings and supportive dialogue.

Once community leaders and support organizations are identified and a foundation for an active relationship has been established, law enforcement leaders should continue to build upon it. There are several ways to strengthen and sustain this relationship while showing a genuine effort. Departments can host an open house at the agency, or in community space, and invite members of the transgender community to meet department officers; this is also a good opportunity to invite other communities served. Departments can collaborate and seek input on roll-call training content or participate in co-training sessions for agency members. If the agency already incorporates training that addresses how officers should interact with transgender individuals, solicit additional input on methods to improve upon the training content and delivery. Invite transgender individuals or representatives of transgender organizations to join your advisory council or similar group, or encourage them to attend community stakeholder meetings so that they may have a voice.

Social media has become an invaluable tool for law enforcement; create and sustain a conversation on how these outlets can be used in positive ways not only to support transgender individuals, but also to open up dialogue to assist the department with locating suspects of crime or solicit additional information for investigations. This conversation should also include a discussion of ways social media can be harmful to and have a negative impact on specific communities.

Social media can also be used to acknowledge the annual Transgender Day of Remembrance (November 20), International Day Against Homophobia and Transphobia (May 17), and any local agency or community activities and events. A tweet or post on a department’s Facebook page can go a long way in showing the willingness to have an open and active relationship. Consider visiting transgender community events or festivals like annual transgender pride events as a visible way of showing support and encouraging mutual cooperation between the community and the department. Additionally, agency members should be encouraged to attend meetings or events of the local GLBT or human rights commissions to provide support and approachability.
Step 3: Maintain Open Communication

When local leaders in the transgender community have been identified and the foundation for an active relationship has been built, it is important to maintain an open and frequent line of communication. Depending on the size and needs of the agency and jurisdiction, it may be beneficial to designate a law enforcement liaison to the transgender community. This liaison position can either be an additional duty or a full-time position as dictated by necessity. Ideally, the liaison will be someone within the agency who already has a connection or an established relationship with the transgender community because of personal experience or interest. At a minimum, the identified individual should be someone who genuinely wants to be the liaison to the transgender community. This liaison should be tasked with developing a strategic long-term plan for the agency that supports education, cooperation, and understanding. The liaison should represent the agency leadership and all agency members confidently, as well as support the department mission of building and maintaining a strong, active relationship with the transgender community. It is also important for the liaison to have the authority to present concrete policy and procedural changes for the agency that support the agency’s commitment to the transgender community and develop an active relationship.

Developing a genuine active relationship with the transgender community before an incident occurs is paramount to building confidence in law enforcement agencies that transcend the historical relationships that were riddled with discrimination, prejudice, and harassment. In this age of community policing, law enforcement agencies cannot properly or professionally serve without the help and support of the various communities in their jurisdictions. Agencies will benefit from the mutual support offered by the transgender community, and departments will develop confidence in their ability to properly handle situations that involve transgender individuals.

Additional Considerations for Building a Positive Relationship with Transgender Individuals

Terminology—Ensure agency members use respectful language in all interactions with transgender individuals and avoid derogatory terms. Refer to individuals according to their preferred names and self-identified genders, not what may be listed on identification. A transgender woman (male to female) should be called “she,” “her,” and “ma’am,” while a transgender man (female to male) should be called “he,” “him,” and “sir.” Consult with a partner from the transgender community or a national transgender organization for correct and sensitive terminology that should be used by department members. Similar considerations should also be taken into account for press releases, training, and policy.

Training—Conduct a review of basic academy lesson plans, retraining, or in-service lesson plans to ensure they are in line with and sensitive to the needs of the transgender community. Bring in outside partners to support update efforts and to assist with the identification of available resources.

Policy—Develop policies that do not tolerate discrimination; bias; or inappropriate comments, language, or actions by officers toward transgender individuals. Develop policies that outline acceptable practices for officers when interacting with transgender people, including addressing transgender people by the correct names and pronouns, avoiding inappropriate profiling, and ensuring that pat-downs are conducted by officers of the appropriate gender. Resources on custodial policies are available from the National Institute of Corrections.

Legislation—Legislation providing protections for the transgender community can vary greatly from city to city, county to county, and state to state. Be familiar with what legislation is enforceable by the agency. Departments receiving U.S. federal grants must prohibit gender-based discrimination, including bias against transgender people. Be familiar with local school policies that also protect against discrimination and bullying related to gender identity or expression. ♦

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blends well with her passion for activism and equal rights. Major Burks volunteers with several civil rights organizations, particularly those focused on equality, LGBTQ youth, and transgender rights. She received her masters of science in management from Johns Hopkins University. Having served in the United States Air Force, she is a veteran of Operation Desert Shield and Operation Desert Storm.

Notes:
6. Jaime M. Grant et al., Injustice at Every Turn.
7. Salcedo and Padrón, TransVisible.
8. Jaime M. Grant et al., Injustice at Every Turn.
10. This restriction applies to grants under the Violence Against Women Act, Safe Streets Act, STOP, COPS, and other U.S. federal programs that prohibit sex/gender identity discrimination. See e.g., http://ojp.gov/about/ocr/faq_ocr.htm#omnibus and http://ojp.gov/about/ocr/pdfs/vawafaqs.pdf.

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