

Transgender Community Demands for NYPD Accountability And Proposed Changes to NYPD Patrol Guide

The NYPD needs to change:

- Every day, transgender people, especially transgender people of color, get arrested just for being who they are.
- NYPD officers have stripped people naked and touched the genitals of trans community members in order to “check their gender.”
- Many trans and gender non-conforming people endure police officers calling them “faggots” and “freaks” or using pronouns that don’t match their gender identity.
- NYPD officers place detained transgender women in cells with men in dangerous situations against their will no matter the circumstances. Transgender men have been cuffed to rails outside of cells for hours on end.
- Police officers across the US target transgender people for false arrest; sexual, physical, and verbal abuse; and cruel and inhuman search and detention practices, according to a 2005 Amnesty International report.
- 70% of surveyed LGBTQ youth of color report police profiling and targeting on the basis of their race, sexual orientation, transgender identity, gender expression, or age, according to a survey conducted by FIERCE – a youth leadership development organization for LGBTQ youth of color in NYC.

The NYPD Patrol Guide needs to change:

In April 2009, trans community advocates call for these revisions to the Patrol Guide:

***No profiling:** NYPD officers will not stop, request ID, or order people to move on just because of their race, sex, sexual orientation, gender, gender identity, gender expression, age, dress, unusual or disheveled or impoverished appearance. NYPD officers will not treat gender identity or expression as evidence that an individual has engaged in prostitution or any other crime.

***Appropriate name and pronouns:** NYPD officers must use the chosen name and pronouns of transgender people, even if they differ from what is on their ID or in official databases. NYPD will not construe it as a crime for trans people to use a name or present themselves as a gender that is different from what is on their ID or in NYPD records.

***No verbal harassment:** NYPD officers must not use slurs or make lewd, derogatory, or harassing remarks based on gender, gender identity or expression, sex, or sexual orientation.

***No excessive or inappropriate searches:** Transgender people will not be searched more often or more invasively than non-transgender people. NYPD will never frisk or search someone because they want to assign someone a gender, or look at or touch the person’s genitals. All strip searches of a transgender person will be performed by only two officers of the gender requested by the person being searched.

***Less dangerous placement in police lock-ups:** Transgender people who are arrested will not be left cuffed to rails or benches. Transgender people will be placed where it will be safest. Anyone who has a female gender identity or who is likely to be perceived as female and who says they would be in danger if placed with men will be placed with women, unless that person requests an isolation cell and one is available.

* **Confidentiality:** Information that an arrestee is or may be transgender or information about an arrestee's body or medical history may not be shared with others, including arrestees or other officers, without written consent from the arrestee.

* **Medical treatment:** NYPD will not stop, arrest, or charge anyone just because they have hormones. NYPD will treat hormones the same way they treat other necessary prescription medications when making arrests. NYPD will make sure that transgender arrestees get access to medical treatment without discrimination.

History of these demands:

The long history of NYPD profiling and violence against trans and gender nonconforming people of color has given rise to a long history of community resistance through community organizing, law suits, direct action, and public education. Many individuals and organizations have been involved in this work from Stonewall through the present day.

Other police departments and jail systems—in places like D.C., San Francisco, Seattle, Portland, and Toronto—have adopted policies to improve the way they treat transgender people. Other NYC and NYS agencies have made policies to protect the rights of trans people as well, including the NYC Department of Homeless Services and the NYS Office of Children and Family Services.

In 2004, a transgender woman filed a law suit against the NYPD alleging a pattern and practice of engaging in unconstitutional and overly invasive searches of transgender people. Since then, at least four other transgender women have sued the NYPD about violations of their civil rights, while community organizing projects such as FIERCE and the Audre Lorde Project have led campaigns against police profiling and brutality. In the face of this pressure, the NYPD's LGBT liaison reached out to LGBT people and groups for feedback, many of whom responded.

In 2008, many of us involved in this work in different ways joined together to create united demands for justice for trans communities. We consulted with currently incarcerated transgender people and with community members from other cities who have already made change in their police departments' or jail systems' policies. We then developed detailed proposals for changes to the NYPD Patrol Guide and sent them to the NYPD in April 2009. Still, the NYPD has yet to act.

Demand that the NYPD Make Changes to their Patrol Guide

For more information, contact: Andrea Ritchie at andrea.jritchie@aol.com or (646) 831-1243
You can sign the petition on-line at: <http://www.ipetitions.com/petition/NYPDTransPolicy/>