

Gender Inclusion Policy

Purpose

The San Francisco Police Department (SFPD) recognizes the right of transgender, gender-nonconforming, gender-nonbinary, and gender-transitioning individuals to live and work in a manner consistent with their gender identity and/or gender expression, including through appearance, name and/or gender pronouns, use of facilities, and gender-specific job assignments. This policy promotes a safe, professional, inclusive, and productive workplace for everyone, regardless of gender identity or gender expression. This Bulletin conforms to and supplements the City's Gender Inclusion Policy with requirements specific for SFPD.

Policy

All members must treat all other members and job applicants with dignity and respect, regardless of gender, gender identity, or gender expression. Members may not harass, discriminate, or retaliate against anyone based on their actual or perceived gender identity, gender expression, or transgender or transitioning status.

Definitions and Core Concepts

These definitions help explain this policy and de-mystify gender differences. Individuals may or may not use these terms to describe themselves. These terms may change as our understanding of and communication about gender identity, gender expression, and related issues evolve:

- **Cisgender:** Describes someone whose gender identity matches what is typically associated with the sex assigned at birth.
- **Gender expression:** The way people show their gender. Appearance, dress, hairstyle, voice, speech patterns, social interactions, names, gender pronouns (I, me, she, he, they, etc.), and mannerisms can all express gender. The gender a person expresses may not be male or female. It may be masculine, feminine, neither, or both.
- **Gender identity:** A person's sense of being male, female, or something other or in-between. This identity is regardless of the sex assigned at birth. Gender identity is not the same as gender expression or sexual orientation.
- **Gender-nonbinary:** Describes someone whose gender identity is something other than male or female. Nonbinary people may identify as genderfluid, genderqueer, off the binary, agender (without gender), or something else.
- **Gender-nonconforming:** Describes those whose gender traits and/or conduct do not fit into society's traditional standards. These individuals may or may not be transgender.
- **Sexual orientation:** An individual's attraction to people. Straight, gay, and bisexual are some ways to describe sexual orientation. Sexual orientation is distinct from gender identity and expression. Transgender people can be gay, lesbian, bisexual, or straight.
- **Transgender:** Broadly describes those people whose gender identity or gender expression is different from the sex assigned at birth:
 - A transgender man is someone who identifies as a man, and whose sex assigned at birth was female.
 - A transgender woman is someone who identifies as a woman, and whose sex assigned at birth was male.
 - Those who identify as androgynous, genderqueer, nonbinary, or other identities may also consider themselves transgender.

- Some people described by this definition do not consider themselves transgender, and may use other words. They may simply identify as a man or a woman, gender nonbinary, or something else.
- **Transitioning:** The process of changing to the gender with which someone identifies, rather than the sex assigned at birth. Transitioning can be a complex process that takes a long time. It could also simply require one or two steps. Transitioning may include telling family, friends, co-workers, and others (coming out); changing names and/or gender on legal documents; and accessing medical treatment, such as hormones and surgery. However, an individual does not need to take any of these steps to transition. Not all transgender individuals follow the same transition process.

Confidentiality and Privacy

Members and applicants have the right to discuss their gender identity or gender expression openly, or keep that information private. The medical, personal, or intimate details about someone's gender identity, transgender status, or transition ("Protected Information") are personal business. Those individuals get to decide when, with whom, and how much of their private information to share, or not share.

Protected Information is confidential under state privacy laws. Individuals must consent before anyone besides themselves shares any of their Protected Information.

Managers and supervisors must be sensitive to transgender or gender-nonconforming members' special concerns, such as safety, privacy, transitioning, and misgendering.

Spreading rumors or gossiping about anyone's gender identity, gender expression, or Protected Information is inappropriate and violates this policy. This type of behavior also violates SFPD's policy prohibiting discrimination, harassment, and retaliation. See Department General Order 11.07.

Transitioning

Members may continue to work while they transition. Some members seek medical treatment as part of their gender transition, while others may not. Supervisors (sergeants and above) and human resources staff must foster a respectful work environment for transitioning individuals, by ensuring compliance with this policy. Supervisors (lieutenants and above) and human resources staff will use the City's Gender Transition Guidelines, which demonstrate the way the Department should handle a member's transition in the workplace.

The Department will only disclose a transitioning member's new name and pronoun(s). All other Protected Information about the member remains confidential and members must not discuss or release that information without the transitioning member's prior consent, as noted in the confidentiality section of this policy.

Names and Pronouns

Members must address all members and applicants by the names and pronouns they choose. A member may request a chosen name on the identification badge issued by the Department. Members may also request that their email addresses reflect their chosen names.

Using a transgender or gender non-conforming person's correct name and pronouns is critical to maintaining a respectful workplace. Failure to use appropriate names or pronouns, known as "misnaming" and "misgendering," can cause significant emotional and mental harm to transgender and gender non-conforming people and damage work and community relationships. Even a single incident of misnaming or misgendering can cause harm. Managers and supervisors shall make reasonable efforts to ensure all members use correct names and pronouns. All members shall make reasonable efforts to ensure that they personally use correct names and pronouns.

If a co-worker is unsure of the appropriate pronoun to use with a transitioning individual, it is acceptable to respectfully ask which pronouns the individual has chosen. It is a violation of this policy to intentionally refer to someone by the wrong name or pronoun. Supervisors must promptly correct anyone they hear using the wrong name or gender pronoun.

Repeated or intentional misnaming or misgendering is inappropriate and in violation of this policy. This type of behavior also violates SFPD's policy prohibiting discrimination, harassment, and retaliation. See Department General Order 11.07. Intentional or repeated misgendering or misnaming can lead to discipline, up to and including termination.

Members must use their legal names for certain purposes, such as payroll, retirement accounts, the Human Resources Management System (HRMS), and some departmental badges.

Only members who have signed a confidentiality pledge can see official records in HRMS. In other words, although an individual's legal name is in the system, it is confidential. Any member with access to HRMS shall continue to use a member's chosen name except for communications that require use of the legal name.

Appearance and Attire

Transgender and gender non-conforming member have the right to dress in a way that corresponds with their gender identity and/or gender expression. Attire must satisfy SFPD dress codes.

Access to Gender-Specific Facilities

Members are entitled to use facilities such as restrooms and locker rooms, and other shared spaces that correspond to their gender identity and/or gender expression. Supervisors (sergeants and above) must make reasonable efforts to provide access to facilities in a way that allows members to keep their transgender or gender-nonconforming status confidential. Members cannot harass or question individuals about their choice or use of gender-specific facilities. Members who identify as gender-nonbinary or gender-nonconforming are entitled to use the facility in which they feel most comfortable.

Gender-Specific Workplace Assignments and Duties

Transgender and gender-nonconforming members will be assigned in a manner consistent with their gender identity and/or gender expression for gender-specific job assignments (including searches pursuant to Department General Order 5.22).

Reporting Violations

Discrimination or harassment based on actual or perceived sex, gender, gender identity, or gender expression is a violation of this and other SFPD policies, including DGO 11.07, as well as City policies, and could result in discipline, up to and including termination.

SFPD encourages all members to report harassing, retaliatory, or discriminatory behavior. It does not matter if the behavior is directed at the member or at co-workers or others in the workplace. DGO 11.07 has more information about reporting violations. SFPD policy prohibits retaliation against anyone who reports or files a complaint, or helps in the investigation of a complaint.

If a supervisor receives a complaint, or if a supervisor observes or learns about potential discriminatory, harassing, or retaliatory behavior in violation of this policy, the supervisor shall report the matter, in writing, to the Risk Management Director, through the EEO Liaison, by the end of the supervisor's tour of duty. Any supervisor who fails to report such a complaint or behavior may be subject to discipline, up to and including termination.

Members or applicants who believe they have experienced discrimination, harassment, or retaliation in violation of this policy should report the incident and the individuals involved right away. Complaints must be filed within 180 calendar days (six months) of the date of the incident, or the date the individual should have first become aware of it.

For more information, to request training for your station, or to file a complaint, a member may contact any of the following, either verbally or in writing:

- The member's supervisory officer.
- Any supervisory officer or manager outside the member's chain of command.
- The Department's EEO Liaison.
- The EEO Division in the City's Department of Human Resources (DHR), located at 1 South Van Ness Avenue, 4th Floor, San Francisco, CA 94103, or online at <https://sfdhr.org/>.
- The City's EEO Helpline at (415) 557-4900 or (415) 557-4810 (TTY).

SFPD's policy prohibiting discrimination, harassment, and retaliation (DGO 11.07) applies to any complaint made about a violation of this policy.

WILLIAM SCOTT
Chief of Police

Per DB 19-156, all SFPD members are required to electronically acknowledge receipt and review of the Department Bulletin in HRMS.