Improving LGBTQ+ and Law Enforcement Relationships:

A Guide for LGBTQ+ Communities

JANUARY 2020







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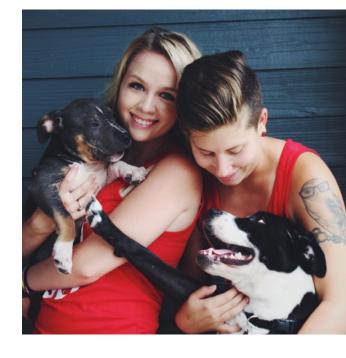
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About the National Resource Center for Reaching Victims

Funded by the federal Office for Victims of Crime, the National Resource Center for Reaching Victims (NRC) is a one-stop shop for victim service providers, culturally specific organizations, justice system professionals, and policymakers to get information and expert guidance to enhance their capacity to identify, reach, and serve all victims, especially those from communities that are

underrepresented in healing services and avenues to justice. The NRC is working to increase the number of victims who receive healing supports by understanding who is underrepresented and why some people access services while others don't, designing and implementing best practices for connecting people to the services they need, and empowering and equipping organizations to provide the most useful and effective services possible to crime victims.

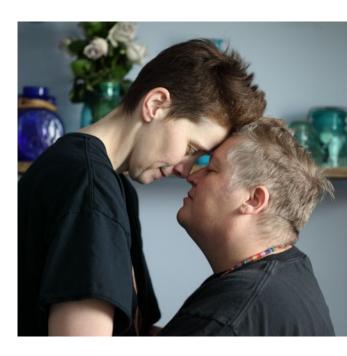


The NRC is a collaboration among Caminar Latino, Casa de Esperanza, Common Justice, FORGE, the National Children's Advocacy Center, the National Center for Victims of Crime, the National Clearinghouse on Abuse in Later Life, Women of Color Network, Inc., and the Vera Institute of Justice.

The NRC's vision is that victim services are accessible, culturally appropriate and relevant, and trauma-informed, and that the overwhelming majority of victims access and benefit from these services. To learn more about the National Resource Center for Reaching Victims, visit Reaching Victims.org.

About FORGE

FORGE is the nation's leading organization focused on violence against transgender/non-binary individuals, founded in 1994. Since 2009, FORGE has held multiple federal contracts to provide direct services nationwide to transgender/non-binary victims of crime and to provide training and technical assistance to the victim service providers who work with transgender/non-binary victims and loved ones.



FORGE provides professionals with a wide range of support, including one-to-one technical assistance, virtual trainings, presentations at conferences, customized in-person intensives, and site visits to increase cultural competency. In addition to recorded trainings, FORGE has created and hosts a large, free, online library of publications, fact sheets, and other printable resources for providers.

FORGE's mission is to create a world where *all* voices, people, and bodies are valued, respected, honored, and celebrated and where every individual feels safe, supported,

respected, and empowered. FORGE's work focuses around the following four central beliefs: (1) trans people and loved ones are resilient (but may still benefit from some reminders and skills); (2) service providers have the profession-specific skills they need to serve trans people, but simply need additional trans-specific knowledge and confidence; (3) every person is valuable and has a great deal to contribute to society; and (4) binary systems and thinking create arbitrary lines between people and communities, which damage spirits and resilience.

FORGE is the lead collaborative partner with the National Resource Center for Reaching Victims, focusing on LGBTQ+¹ populations. To learn more about FORGE, visit <u>forge-forward.org</u>.

1 This guide uses the term "LGBTQ+" to reference the broad group of people who do not conform to traditional expectations with respect to gender and/or sexual orientation, including lesbian, gay, bisexual, transgender/non-binary, and queer individuals, as well as those who are intersex, two-spirit, asexual, and many others. We acknowledge that language evolves rapidly and is influenced by culture and emerging identities, as well as geographic region, race, age, and many other factors.



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FORGE and the authors of this guide acknowledge with appreciation the contributions of the following individuals in their work on behalf of LGBTQ+ individuals and communities: Rebecca Dreke, MSSW; Sergeant Michael Crumrine, Austin Police Department; Andrea Ritchie; Jason Terry; and many others with whom we have had direct conversations and who are so deeply committed to creating better and safer lives for LGBTQ+ victims of crime.

Thank you to the Vera Institute of Justice, which carefully coordinates and lifts up the many underserved communities represented under the National Resource Center for Reaching Victims.

FORGE also acknowledges the generations of LGBTQ+ individuals who have suffered the injustice and indignity of mistreatment, abuse, neglect, and/or denial of justice in

the communities where they live; by the systems that are supposed to help; and even by law enforcement, which is mandated to protect and serve. We acknowledge the resistance, persistence, and resilience of our queer and trans siblings who have paved the way for this work to continue to evolve and improve. As we continue the work of counteracting intolerance and misunderstanding, we hold the legacy of your resilience near.

Funding Appreciation

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INTRODUCTION & PURPOSE

This guide is intended to provide practical information and tools to LGBTQ+2 individuals and allies who are interested in repairing and/or building trust and collaborative relationships between LGBTQ+ communities and law enforcement where they live. The recommendations and resources provided in this guide can serve as a roadmap for developing action plans to collaborate with law enforcement, or this guide can be simply used as a reference tool to easily locate resources or recommendations specific to an issue of interest.

Over the past several decades, much important work has been done to improve relations between law enforcement and LGBTQ+ communities. Historically fraught, these relations have often been defined by intolerance,

2 This guide uses the term "LGBTQ+" to reference the broad group of people who do not conform to traditional expectations with respect to gender and/or sexual orientation, including lesbian, gay, bisexual, transgender/non-binary, and queer individuals, as well as those who are intersex, two-spirit, asexual, and many others. We acknowledge that language evolves rapidly and is influenced by culture and emerging identities, as well as geographic region, race, age, and many other factors.

intimidation, and violence. As LGBTQ+ communities have pressed for change, mainstream attitudes have shifted, welcoming LGBTQ+ individuals with increasing regularity to participate more fully in public and civic life. Yet the legacy of discriminatory practices within law enforcement means that too many LGBTQ+ people remain deprived of the guarantees of safety and comfort that many non-LGBTQ+ people take for granted in our society.

This guide offers communities one path to creating and strengthening relationships between LGBTQ+ communities and law enforcement agencies through collaborative efforts to change the practices, perceptions, and beliefs at the core of these longstanding divisions. The guidance offered here is based on the work of LGBTQ+ community advocates. It incorporates lessons learned from real-world collaborations with law enforcement and focuses on the following topics:

- Acknowledging present-day and historical relations between LGBTQ+ communities and law enforcement in the U.S.;
- Working within LGBTQ+ communities to obtain input and develop an action plan;
- Partnering with law enforcement to create changes in policies and other dynamics to improve relations and better serve LGBTQ+ communities;
- Accessing additional resources about LGBTQ+ advocacy and law enforcement.

About This Guide

As part of the Vision 21 National Resource Center for Reaching Victims project of the Office for Victims of Crime in the U.S. Department of Justice, FORGE conducted an extensive needs assessment related to challenges and barriers faced by LGBTQ+ crime victims. For many victims, law enforcement (and the resulting response after an incident) is often the first step, or "front door," to services and resources in the aftermath of a crime. Yet FORGE's needs assessment showed that poor, negative, or oppositional relationships with police were barriers to reporting for LGBTQ+ crime victims. In FORGE's national work with service providers, victim advocates, and law enforcement, many of these stakeholders expressed interest in learning more about how to improve police response and enhance the relationship between law enforcement and LGBTQ+ individuals.

FORGE identified two consultants with experience working in this arena—a sergeant from a large city police department

with years of investigative and policing training work, and a former victim advocate and training specialist who has worked with dozens of police departments across the country to help them improve their responses to crime victims. These specialists conducted a number of site visits in various jurisdictions throughout the country,



interviewing officers, administrators, community partners, and allied professionals.

Throughout the interviews, several common themes emerged on how departments can best demonstrate their desire to improve community relations. These included:

- The importance of law enforcement being proactive and visible at LGBTQ+ community efforts and events;
- The importance of policy and procedure review and implementation;
- A commitment to restoring strained and fractured relationships throughout all ranks (with buy-in stemming from leadership);
- A willingness to **forge new relationships** and collaborations—even with entities that might have had a fractured relationship with law enforcement;
- Acknowledging the real and perceived harms of past policing of LGBTQ+ communities;
- Being vocal about specific issues of safety in LGBTQ+ communities.

The departments selected for site visits were just a few of the many that have taken proactive steps to create effective policies and procedures to improve relations with local LGBTQ+ communities. Their successes, challenges, and lessons learned are reflected in the companion to this guide, *Improving Relations with LGBTQ+ Communities: A Guide for Law Enforcement.*



"HELPING THE EAST AUSTIN COMMUNITY IS MORE THAN A JOB, IT'S MY PASSION." SENIOR POLICE OFFICER ERICA DANIELLE



As police departments across the country have begun to take steps to improve relations with LGBTQ+ communities, individuals from LGBTQ+ communities have been necessary partners. This guide reflects the experiences of LGBTQ+ community members who have engaged with their local law enforcement agencies to create real-world change in and for their communities. The recommendations and resources captured in this guide are provided as one of many tools that are being used to create lasting change for members of local LGBTQ+ communities.

WHY SHOULD LGBTQ+ COMMUNITIES FOCUS ON LAW ENFORCEMENT?

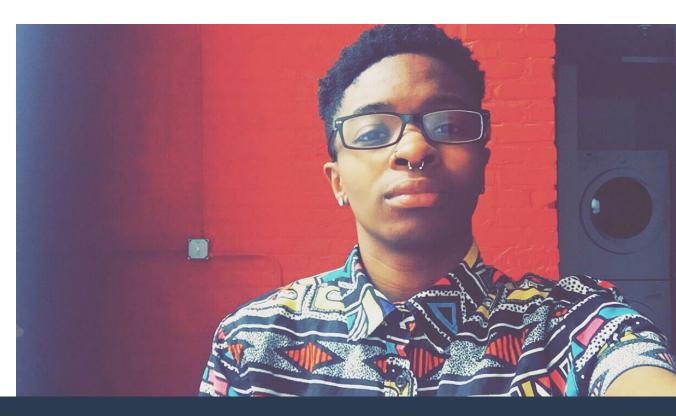
LGBTQ+ communities in the U.S. can be deeply divided in their opinions of and their support for local law enforcement. Individuals in LGBTQ+ communities continue to endure challenges every day that are attributable both to misuse of police powers and implementation of legal, but discriminatory, policies and practices. As generations have passed, these practices have instilled the belief in many LGBTQ+ individuals that law enforcement agencies and personnel are not working on behalf of our communities and are not invested in our success. Such beliefs are reinforced by each new report of law enforcement not only failing to protect our communities from harm, but also engaging directly in abuse, through harassment, physical or sexual violence, disrespectful engagement with individuals in the community, and disregard for individuals' needs in detention facilities.

Why, then, would LGBTQ+ communities consider engagement with local law enforcement agencies?

In order for any community to rely upon the service and protection that law enforcement is sworn to provide, the community must trust and believe that local officers and other personnel are committed to providing services and protection that are equitable and safe.

Despite the lengthy history of tensions between law enforcement and LGBTQ+ communities in the United States that regularly impact our quality of life, the reality is that law enforcement has a defined role in our society that inevitably brings LGBTQ+ people in contact with law enforcement personnel. Consider some of the frequent interactions that law enforcement has with community members: we may summon law enforcement to help protect property like homes, vehicles, or expensive tech devices. We may need assistance protecting ourselves from those engaging in criminal behavior. We might be stopped on the street or sidewalk if our own actions cross into territory considered illegal, be it a broken automobile light or disorderly conduct after a night out. Law enforcement encounters can of course include more serious incidents in which LGBTQ+ individuals may be perpetrators or victims—from a mutual fistfight to nonconsensual physical violence or sexual assault.

When someone enacts violence upon us, we have very few options for formal resolution other than reporting to law enforcement, who become, in part, responsible for helping us obtain closure, restitution, and/or a sense of justice



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for what transpired. For many in our communities, such interactions will be the point of entry for greatly needed victim services and healing resources. And, when crimes are enacted upon community members because of their identities, including LGBTQ+ identities, it is law enforcement that our society tasks with identifying and rooting out hateful and biased actors. For any community to rely upon the service and protection that law enforcement is sworn to provide, community members must trust and believe that officers and other personnel are committed to providing service and protection that is equitable and safe. While this is not always the case in LGBTQ+ communities, many law enforcement agencies have already begun the work of building trust or repairing broken trust with their local LGBTQ+ communities.

For many in our communities, interactions with law enforcement will be the point of entry for greatly needed victim services and healing resources.

Work with local law enforcement agencies often begins in response to an incident occurring in an LGBTQ+ community—a heinous crime, hate-motivated violence or other crimes, misconduct or troubling conduct by individual officers, or agency implementation of poor or discriminatory policies or procedures. While the effects of such incidents can permeate communities in sometimes unexpected ways, they can also serve as a call to action that prompts communities or individuals to approach law enforcement agencies to seek improved the quality of life for community members. As part of that process, it is essential for law

enforcement to provide—and community members to hear—acknowledgement of those failures and concrete commitments to change that include LGBTQ+ communities in matters affecting them.

This guide offers recommendations and resources to support LGBTQ+ communities that wish to work directly with their local law enforcement agencies with the intent of building or rebuilding trust and creating change. Partnering with local law enforcement is but one of many methods of achieving reform in local communities. It's important to recognize that collaborating with law enforcement neither justifies nor forgives past damage done in LGBTQ+ communities that reverberates, and, in some cases, continues today. It instead creates opportunities for open dialogue by positioning agencies to take responsibility for their past actions and commit to doing better.

Partnering with local law enforcement is but one of many methods of achieving reform in local communities. It's important to recognize that collaborating with law enforcement neither justifies nor forgives damage done in LGBTQ+ communities. It instead creates opportunities for open dialogue by positioning agencies to take responsibility for their past actions and commit to doing better.

UNDERSTANDING POLICING IN LGBTQ+ COMMUNITIES: CURRENT CONTEXT & HISTORIC PRACTICES

Community members' perceptions of law enforcement are often shaped by direct experience with law enforcement, observation of law enforcement interactions with others, and understandings and beliefs about law enforcement that are generated by others in the community or in mass media. Also underlying those perceptions are shared understandings and beliefs about law enforcement's historic treatment of LGBTQ+ individuals.

To create a successful collaboration between local LGBTQ+ communities and agencies, advocates and agency partners must understand and acknowledge the current and historic conflicts between our communities and law enforcement. Acknowledgment of the context for our communities' interactions with law enforcement—which have often centered on enforcement of discriminatory laws, use of poor policing practices, and failures to hold officers accountable for abuses of authority—is a necessary foundation of any collaboration.

Current Context

Many institutional inequities and individual expressions of bias that persist in law enforcement agencies today build upon a legacy of LGBTQ+ oppression and reinforce community members' fears and distrust of law enforcement. As we in the United States have dramatically increased our focus in recent years on the inequities in the criminal justice system and policing practices—particularly as these problems affect communities of color—so too have we

increased the understanding of the harm experienced. Data drawn from surveys of LGB and trans/non-binary individuals in recent years highlight continuing problems and a continuing divide between law enforcement and LGBTQ+ communities: individual police misconduct and agency failures to be responsive LGBTQ+ communities are still far too prevalent across the country.

Continuing Problems

Data gathered over recent years provide one perspective on these continuing problems. In a 2012 national survey of LGBTQ+ individuals by Lambda Legal, 73% of respondents reported having face-to-face contact with law enforcement in the preceding five years. Of those, 21% reported encountering hostile attitudes from police, 14% reported verbal assault, 3% reported sexual harassment, and 2% reported physical assault. Assessments of the adequacy of police response varied by type of crime perpetrated against the respondent. As an example, 62% of those



reporting property crimes, 41% of those reporting intimate partner violence, and 39% of those who had experienced sexual assault felt the police response was "inadequate."

In addition, 71% of respondents who filed a complaint about police misconduct believed that their complaint was not fully addressed. As is often the case, reports of misconduct, abuse, and neglect by law enforcement occurred at higher frequencies for LGBTQ+ people of color and trans/non-binary individuals, in a clear reflection of the

compounding of mistreatment of individuals with multiple marginalized identities.

A 2017 survey by the National Coalition of Anti-Violence Programs yielded similar findings. For example, of LGBTQ+ individuals who were survivors of intimate partner violence and who interacted with law enforcement in the preceding year, 54% reported experiencing police misconduct, with 80% reporting unjustified arrest and 20% reporting use of excessive force. During 2017, in which record numbers of hate-motivated homicides of LGBTQ+ people occurred, police responding to incidents committed 6% of documented hate-motivated homicides.iv When reports of crime were made, 47% reported that law enforcement were "indifferent" while 11% of respondents reported that law enforcement were "hostile" in response. In addition, failures by agencies across the country to properly recognize, classify, track, and investigate hate crimes have undermined confidence in law enforcement and made prosecution (not to mention prevention) of hate incidents nearly impossible.

The landmark and nationally representative 2016 U.S. Trans Survey results paint a similarly sobering picture of LGBTQ+/law enforcement relations. Of respondents who interacted with law enforcement officers in the past year who knew or thought they were trans/non-binary, 58% experienced verbal assault, sex harassment, and/or physical assault by police, with people of color reporting such mistreatment with even greater frequency. Of these same respondents one in three Black trans women reported that law enforcement simply assumed them to be doing sex work. Unsurprisingly, 57% of all trans/non-binary individuals reported that they would not feel comfortable asking law enforcement for help.

Acknowledging Problems

These community experiences, and the collective beliefs and perceptions that grow from them, have erected significant barriers for law enforcement to overcome in engaging LGBTQ+ communities. In many ways, a community that most requires law enforcement's support and protection has been deterred from seeking help, participating actively in investigations, or even reporting crime. LGBTQ+ communities experience high rates of victimization—strained relations with law enforcement compound the problem.

Owing to overlapping layers of societal and institutional discrimination and bias, a significant portion of the LGBTQ+ community relies or has relied upon work in underground or informal economies—such as sex work—in order to survive. When the work is considered illegal, LGBTQ+ people are brought into direct conflict with law enforcement. Police tactics like stop-and-frisk, along with laws that criminalize working or just being present on the street, offer cover for street-level police harassment of LGBTQ+ individuals. Concerns about entering the criminal justice system, particularly given LGBTQ+ individuals' unique vulnerability

to the physical and psychological effects of detention conditions, further dissuade members of our communities from willingly engaging with law enforcement.



As a result of these very real concerns, community members often disagree about what kind of engagement with law enforcement is in our best interests as LGBTQ+ people. Some believe that law enforcement personnel embody the perpetration of violence against LGBTQ+ individuals and of our communities' continued oppression, making collaboration with, or even the presence of, law enforcement in our communities unwelcome. In recent years reports have increased of LGBTQ+ communities opposing participation of uniformed law enforcement in community events like Pride celebrations, even when the officers involved identify as LGBTQ+ themselves. Some LGBTQ+ individuals favor abolition of police forces altogether.

Against this background, the benefits of working with law enforcement need to be articulated clearly to LGBTQ+ communities. But even with this work, community members will remain who, at best, will not participate in law enforcement/LGBTQ+ community partnerships, and, at worst, may actively oppose them.

History of Policing in LGBTQ+ Communities

Many in LGBTQ+ communities are aware of the history of law enforcement in this country as an instrument of oppression against LGBTQ+ people, and the ways in which this legacy can derail or prevent successful present-day relationships between LGBTQ+ communities and law enforcement. Throughout the history of the United States, governments at all levels—with the support of medical and mental health professionals—criminalized LGBTQ+ existence. As the agencies charged with enforcing this country's laws, local law enforcement were called upon to

enforce unfair and often unconstitutional policies with the purpose of oppressing and eradicating LGBTQ+ identities in the United States.

In the 1950s, the FBI engaged state and local police officers to supply arrest records of thousands of individuals picked up for "morality" charges, whether or not they were ultimately convicted. For decades LGBTQ+ individuals were regularly harassed and arrested in public, especially during the infamous bar raids of the 1950s and 1960s. Until 1961, every state in the country had an anti-sodomy law that outlawed same-sex sexual conduct. Dating back to the early- and mid-1900s, LGBTQ+ existence was outlawed by criminalizing sexual conduct and selectively enforcing laws requiring individuals to be wearing clothing deemed appropriate for the sex they were assigned at birth. As fear and distrust of law enforcement grew in LGBTQ+ communities, individuals protected themselves by avoiding law enforcement altogether. The need to hide one's identity increased LGBTQ+ individuals' vulnerability to abuses by law enforcement and others.

The 1969 Stonewall uprising was but one of several instances during the 1950s and '60s when LGBTQ+ people pushed back against unfair discrimination and abusive policing practices. As examples, in 1959, customers at Cooper's Do-nuts in Los Angeles resisted officers' demands to produce identification, which typically resulted in arrest if an individual was found not to be presenting as the sex designated on their ID, and in 1966, at Compton's Cafeteria in San Francisco—a late-night diner—transgender sex workers and other customers resisted police, who were known to harass customers and arrest transgender women

for "impersonating a female." The Stonewall uprising was similarly prompted by police using the all-too-common pretext of enforcing liquor-licensing infractions to raid known LGBTQ+ establishments. These and other incidents of resistance of oppressive policing practices are some of the most significant events in LGBTQ+ history in the United States and serve as ever-present reminders of the oppressive laws and abuses of authority that prompted protest and demands for equality and justice.

The LGBTQ+ community's relationships with law enforcement encompass more than just the policies and practices of local police. As the community's first point of contact with the criminal justice system and the only regular contact that many individuals have with government authorities, members of law enforcement agencies represent much of what is unfair, wrong, and deeply damaging in terms of how LGBTQ+ individuals have been treated in this country. The criminalization of LGBTQ+ people paved a way for citizens and police alike to openly exercise bias against our communities and engage in discrimination and harassment, victimization without legal consequence, and wholesale exclusion from certain categories of employment—including, importantly, law enforcement itself. Although major strides have been made in recent years, there is still much work to be done to ensure that law enforcement agencies fulfill their mandate to protect and serve all individuals, including LGBTQ+ people.

GETTING STARTED: GATHERING INPUT AND IDENTIFYING GOALS FOR ADVOCACY

To prepare a community to engage local law enforcement, initial work must be done within the community to inform and organize community members, solicit input and ideas, and develop an action plan for achieving the community's goals and objectives. The following steps ensure interested community members are informed and have an opportunity to help shape the work that will occur at each stage.

INITIAL WORK IN THE COMMUNITY INCLUDES:

- Understanding advocacy work and defining the roles of advocates who will represent the community
- Gathering input from across the community about working with law enforcement
- Selecting methods for soliciting community input and ideas
- Identifying advocates and others who will contribute directly to the collaboration
- Ascertaining and prioritizing the issues and needs of community members
- Considering key aspects of the agency's structure and operations
- Finding potential partners in the agency
- Creating an action plan that includes goals and objectives based on identified community needs

Defining the Role of Community Advocates

To do this work and accomplish a community's goals, representatives are needed who are willing and committed to doing the work of organizing the community and representing and negotiating with agency partners on behalf of the community. Such work is often referred to as "advocacy." Advocacy is a broad concept, but, as used in this guide, advocacy generally means taking public action in support of an issue, cause, or proposal. When communities engage local law enforcement with the purpose of making change within an agency, those communities are engaging in advocacy on behalf of their members. Individuals who do the actual work (like holding community meetings, listening to community needs, meeting and negotiating with agency partners, etc.) are therefore called advocates.

Anyone who is willing and committed to representing the interests of LGBTQ+ communities can be an advocate. Advocates don't necessarily need formal training to do this work, but some will have it. Attorneys-at-law are one example of formally trained advocates who are available for hire to represent individual or group interests for compensation. Most communities working with law enforcement do not need the assistance of attorneys, but they do need to identify the advocates who will represent community interests and define the roles of those advocates.

Advocates can come from all walks of life and from all communities. There is sometimes disagreement about whether someone from outside a community can be an effective advocate for that community. Nothing requires that an advocate be from within a community. However, each



community needs to decide who has the necessary interest, passion, and skills to contribute to the work. Communities are encouraged to think broadly about potential advocates' skill sets. Everyone who is interested can contribute to advocacy work in some way. Someone who has specialized skills that might not seem relevant to engaging a law enforcement agency may be able to contribute to the work in other ways. A community member studying graphic design, for example, may be able to contribute by creating eye-catching notices or messages to the community about meetings or important updates on the work. Think creatively about members of the community and all of the ways in which they might potentially participate in advocacy efforts.

It is likely that a community will identify a handful of advocates who will lead the community's work. Selecting a few individuals, rather than working as a whole, facilitates the ability of advocates to more easily coordinate meetings and divide leadership responsibilities. These individuals should be accessible to community members, open to members' input, and accountable to the entire community.

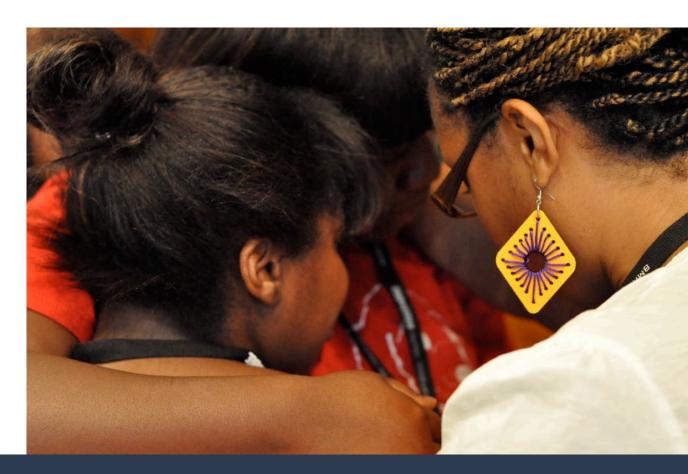
Potential advocates should also be made aware, if they are not already, that advocacy on behalf of a community can be incredibly challenging work. Advocates are sometimes placed in difficult positions as they become liaisons—or a link—to the law enforcement agency. Working collaboratively with law enforcement while also pursuing the objectives and goals of the community can be a tricky balancing act. And, at times, advocates can experience feelings of uncertainty about whether they are adequately representing a potentially diverse community or whether they've made the right strategic decisions while working with their agency partners. It is likely that advocates, at some point during the process, will also experience pushback from community members who are frustrated or disappointed about all kinds of issues, many of which advocates may not be able to resolve.

Potential advocates should understand that advocacy on behalf of a community can be incredibly challenging work. Working collaboratively with law enforcement while also pursuing the objectives and goals of the community can be a tricky balancing act.

Finally, advocates should also prepare themselves for the possibility of within-community criticism for being willing to work with law enforcement. Advocates should feel compelled neither to apologize for nor to justify past or current law enforcement policies or practices. Serving as a liaison and a link between the community and the local agency does not mean that advocates are aligned with the interests or perspectives of the law enforcement agency. It does mean, however, that advocates must consciously work to establish

and maintain their credibility both within the community and within the agencies with which they work. Deep engagement with community members—particularly at the beginning of the process—will go a long way toward helping advocates establish and maintain credibility and trust and generate continued community support for the work.

There are many sources for learning more about advocacy and serving as an advocate.* If funding is available, or if free or low-cost resources in the larger community can be tapped, consider whether the LGBTQ+ community as a whole or a smaller group of potential representatives would benefit from trainings or other methods of learning about and developing advocacy skills. Investing in advocacy training increases the likelihood that community members not only will engage in advocacy work, but will do so on behalf of the community more effectively.



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Gathering Community Input About Working With Law Enforcement

Community interest in a collaborative process to improve relationships between LGBTQ+ communities and law enforcement is predicated upon individuals' willingness and ability to move beyond the historic and present-day challenges our communities have had with law enforcement and to believe that direct engagement with agencies presents an opportunity for change that is worthy of support.

Soliciting community input early in the process has several benefits, including:

- Developing a comprehensive understanding of the collective needs of the community as well as the unique needs of particular segments of the community;
- Learning more about the experiences community members have had with law enforcement;
- Building credibility and trust between advocates and community members;
- Generating community buy-in for a partnership with law enforcement;
- Soliciting ideas about making a partnership successful;
- Identifying individuals who might be interested and able to be more involved in a partnership with law enforcement.

Advocates' first step should be to meet and engage members of our own communities to exchange information and ideas. It's essential to provide as much opportunity as possible for community members to learn about, participate in, and help guide the work. Advocates need to pay close attention to problems identified by community members. None of us as individuals can ever, alone, account for all of the differing needs of community members. These needs can be shaped by individuals' additional identities (or multiplicity of identities), education level, social or economic status, housing and food stability, ability to earn income, neighborhoods of residence, and more.

We must consider the entirety of community needs, which can be shaped by individuals' additional identities (or multiplicity of identities), education level, social or economic status, housing and food stability, ability to earn income, neighborhoods of residence, and more.

Learning directly from community members what they consider to be problems with their local law enforcement agencies will more fully inform the issues that are addressed in collaboration, and will greatly increase the likelihood of successful outcomes. Individuals must feel invested in their community's efforts, and they cannot do so unless they believe that these efforts are relevant. Ensuring that members of our communities have opportunities to be seen and heard in this process is critically important to identifying pertinent issues, providing broad representation, and obtaining community support for the end result.

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Methods of Soliciting Community Input

In discerning how best to solicit community input, advocates should consider employing multiple strategies, both formal and informal. Informal strategies include soliciting input as part of advocates' daily work or in social settings.

Formal strategies can include:

- Community forums or listening sessions that allow community members to speak freely about issues most relevant to them;
- Small group gatherings or focus groups that offer opportunities to explore issues more deeply or to narrow the focus of discussion to issues of primary concern;
- Storytelling sessions that offer community members a forum to share their experiences more fully;
- Interviews with key individuals who have particular interests or insights;
- Written surveys or other instruments that provide meaningful opportunity for input from community members who can't or don't participate in in-person events;

- Solicitation of input from community stakeholders, including marginalized segments of our communities;
- Solicitation of input from community advocates, leaders, and service providers who may have broader views of community needs;
- Social media-driven or other digitally-based opportunities for input or engagement;
- Consultation with local or regional experts who may provide qualitative or quantitative data to support the work.

Advocates should provide notice to the community about the work that is proposed and meet community members—both literally and figuratively—where they are at. Consider where local communities gather or get their information about LGBTQ+ issues and put yourself in those spaces. It's also important for advocates to consider their goals and the particulars of their communities in selecting tools that will generate the desired input, including whether community members will engage each other or work to explore or develop solutions to problems. Be sure to provide methods for people to contribute anonymously, since some may be deterred from speaking publicly about their concerns or interactions with law enforcement.

When done well, advocates' inclusion and outreach efforts signal commitment to all segments of our communities and affirm that all voices matter. Regardless of the approach, successful advocates will undertake this work armed with as comprehensive an understanding as possible of who makes up local communities, what their challenges are, and what specific needs they have.

Advocates should be sure to provide methods for LGBTQ+ community members to contribute input anonymously, since some may be deterred from speaking publicly about their concerns or interactions with law enforcement.

Identifying Advocates & Other Contributors

In addition to providing essential information about community experiences of law enforcement and local needs, gathering community input can help in identifying who might be interested and effective in working on a long-term law enforcement partnership. Everyone has the ability to contribute to a process of collective change and improvement, whether in advocacy-oriented ways (facilitating meetings, collecting information, writing sample policies, networking with communities not always heard in mainstream settings, etc.) or in service-oriented ways (editing documents, offering childcare, bringing food to meetings, etc.). It's vital to make room not only for all types of individuals and experiences, but also for all types of skills and contributions.

In considering who in the community should be involved in the work, bear in mind that the larger the group becomes, the more complex decision-making becomes. However, it is critical to be mindful and intentional about how closely the identities and interests of the participants reflect the identities and interests of local LGBTQ+ community members. Ideally, a broad range of individuals, identities, and experiences will be represented. Developing an effective group of advocates may mean that a smaller workgroup is formed. Community advocates can evaluate who has relevant skills needed for interacting, communicating, and bringing forward the needs of the community. In many cases, community advocates will work together in a larger group, while a smaller representative group—sometimes a handful of advocates—will attend and participate in meetings with the law enforcement agency.

Finally, it's critical to assess realistically the local community's capacity for advocacy work. Are there LGBTQ+ institutions or other organizations that employ community members with advocacy skills? Are there community members who have developed advocacy skills in their personal or professional lives? If not, consider what steps can be taken to develop these abilities in the community, including holding educational or training sessions for community members to become more skillful advocates.

Identifying Community Issues & Needs

After gathering community input, advocates should use the collected information to create an action plan to guide their interactions with agencies. Some strategies to consider include:

- Prioritizing the issue(s) that community members feel most passionate or upset about, to guarantee community interest;
- Choosing an initial issue that can be resolved fairly easily, to build momentum for tackling harder issues;

- Prioritizing a goal that has already been identified by law enforcement, to help ensure their investment;
- ldentifying long-term goals and short-term objectives for the work.

Ensuring that all voices are heard is essential. Transparency in the development of an action plan helps people feel involved and valued. Some advocates hold in-person planning meetings and also provide a videoconferencing connection to increase access to meetings. Some use cloud-based document sharing websites so that many people can contribute directly to developing the action plan.

Truly collaborative work is difficult. A few people must take the lead and ensure that all voices are welcomed, encouraged, and valued, and—in the case of underrepresented individuals in the LGBTQ+ community—intentionally sought. Remember, too, that people who are hesitant or silent initially may end up playing critical roles at another stage.

Considering the Agency & Identifying Partners

To create an effective action plan, advocates should understand how any particular law enforcement agency is structured, so that appropriate partners and strategies can be identified.

Law enforcement agencies' organizational structures are typically paramilitary in their organization, with a chief, sheriff, or constable in the position of ultimate authority. Such hierarchical organizations often seem rigid and inflexible to those unfamiliar with the framework. Most agencies adhere to an established chain of command that dictates strict reporting lines, defines individuals' authority and decision-making ability, and creates a structure for accountability within the organization. The chain of command is an important element of agency structure—advocates need to identify those within the organization who are properly situated to exercise sufficient decision-making authority about any given issue.

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For example, advocates might develop working relationships with operations personnel who have responsibility for patrol officers. Their work could include analyzing and adapting the agency's policies and practices for engaging with trans/non-binary and gender nonconforming individuals in the community. Aspects of that work, or the authority to approve changes, might reside in another unit or division within the agency. As a result, advocates may connect and work with a range of personnel and decision-makers in an agency. Understanding and accepting the structure of the local agencies, and the decision-making processes that go along with that structure, will make your work both more efficient and effective.

While an agency's internal structure may be paramilitary in nature, law enforcement agencies generally exist within established political structures. An agency's leader may be elected by popular vote or appointed by an elected official or body, such as a mayor or county board. Law enforcement agencies, then, are organizations with decision-making processes that include political considerations, whether obvious or not, because agency leaders are accountable to someone else in government. Recognizing this can help frame both the issues and strategies that advocates choose to pursue.

Understanding and accepting the structure of the local agencies, and the decision-making processes that go along with that structure, will make your work both more efficient and effective.

Advocates should become familiar with the following aspects of law enforcement agencies:

- The organizational structure, chain of command, and internal decision-making processes;
- The operational parameters of the agency (what it can and can't do) and who regulates or provides oversight of the actions of the agency;
- Existing policies and any gaps not addressed by those policies;
- Prior initiatives (whether internal or external to the agency) to change or reform policies or practices or create programs, and their success or failure;
- Other current initiatives and the advocates leading them;

- Policymakers within the agency;
- Agency stakeholders who have an interest or need to be involved in the collaboration, as well as their positions;
- Individual allies or partners within the agency who will support advocates and the community-at-large;
- Potential adversaries within the agency and strategies for approaching or responding to them.

Developing Goals & Strategies

With community input and a basic understanding of the structure and operations of local law enforcement, advocates can develop an action plan that clearly identifies the ultimate goal(s) of the collaboration as well as the objectives to be met along the way. There are several benefits to identifying realistic and achievable short-term objectives that contribute to long-term goals. Maintaining the interest of community members who are not directly engaged in the work is an important element to securing community support and buy-in down the road. By establishing short-term, realistic, achievable objectives, advocates set themselves up for "quick wins," which are smaller, measurable successes that demonstrate to the community the feasibility and benefits of the community/agency collaboration.

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In developing an action plan, consider and identify strategies for achieving both short- and long-term goals. As increasing numbers of law enforcement agencies across the country commit themselves and their members to improving community relationships, advocates from LGBTQ+ communities and agencies are closely observing and assessing changes. Several agencies have taken creative approaches to improving services, developing initiatives to engage our communities or creating programs that are intended to be culturally specific to LGBTQ+ individuals. Some agencies have required training about LGBTQ+ individuals and issues for all officers.xi Many agencies have updated, revised, or newly created operating procedures that dictate protocols for agency members to use when interacting with LGBTQ+ individuals and that hold members accountable for their actions.

The next aspect to consider is whether a given issue can be addressed, mitigated, or resolved through a change in the agency's systems. Policing operations are generally guided by a set of internally developed and maintained procedures, sometimes referred to as policies and procedures (P&P) or standard operating procedures (SOP). These collections of policies establish standards for agency members' conduct and protocols for policing operations. As advocates work to prioritize community issues and identify potential solutions, consideration should be given to the nature of the community challenge, its origin (e.g., is there a problem with a policy or procedure or is the problem one of individual members' conduct), and how it can best be addressed. It is easier to measure and communicate progress when issues can be resolved through system-wide policy changes that can be shared and publicized.

Policing operations are generally guided by a set of internally developed and maintained procedures, sometimes referred to as policies and procedures (P&P) or standard operating procedures (SOP).

Having clear goals and objectives is essential for any action plan. When working in collaboration with others, it's often necessary to compromise or find a solution that may not fully achieve the ultimate goal. In developing a set of goals and objectives, consider discussing with stakeholders the points that are non-negotiable and those that might allow room for modification through dialogue and negotiation.



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CREATING CHANGE: WORKING TOGETHER WITH LAW ENFORCEMENT

Having developed an action plan that incorporates the LGBTQ+ community's goals and objectives, the next stage of advocacy is to engage the local law enforcement agency. Discussed further in this section, the steps below offer guidance about how to establish appropriate connections within the agency, work together to build trust, and secure agency commitments to change.

STEPS INVOLVED IN ENGAGING A LOCAL LAW ENFORCEMENT AGENCY INCLUDE:

- Making an initial connection with the local law enforcement agency;
- Identifying appropriate individual partners and supporters within the agency;
- Developing relationships with agency partners and building trust between law enforcement and the LGBTQ+ community;
- Selecting the specific issues areas, systems, polices, procedures, or practices that the collaboration will address;
- Implementing the change developed in collaboration with and agreed to by the agency;
- Assessing whether implementation of the change yields expected outcomes;

- Reporting back to the community about updates and developments;
- Using other methods to develop and maintain improved relationships between community members and local agency partners.

Connecting With Law Enforcement

Welcoming or accepting input and collaboration from within communities can be a dramatic change for some law enforcement agencies. Law enforcement agencies have authority and responsibility that no other organization or individual in this country possesses—they have the ability and, at times, the duty, to deprive individuals of their freedoms. As a result, it is not uncommon to encounter a culture or attitude within law enforcement agencies that situates the agency and its members as experts in policing matters who may not immediately welcome partnership with community members.

On the other hand, many law enforcement agencies have already undertaken this work and have learned that effective policing in marginalized communities requires true familiarity with the community: with the concerns, challenges, and joys of the community; with the needs of the community; with the variety of perspectives and perceptions held by members of the community; and with those who are supportive and critical alike of policing efforts. Systems and services intended to support our communities work best when they incorporate the working knowledge and lived experiences of community members. This is particularly

true for individuals in communities outside of mainstream culture, including LGBTQ+ people.³

While law enforcement agencies may be expert in their own operations, they often lack expertise about individuals and communities outside of mainstream culture.

Identifying Law Enforcement Agency Partners

If potential partners or allies within the local law enforcement agency have not yet been identified, relevant considerations may include agency members' influence within the agency (particularly with respect to formal decision-making) and whether they will be perceived as a credible partner by community members. In agencies that have designated LGBTQ+ community liaisons, those individuals offer a very accessible point of connection with the agency. Before approaching a liaison, however, consider gathering information about the individual, their history in law enforcement or the agency, and their involvement (if any) in local LGBTQ+ or other communities. If an individual may not be sufficiently recognizable or respected in the LGBTQ+ community, or if the individual is not well suited to represent the community or assist advocacy efforts for any reason, consider approaching another agency member.

³ If a local law enforcement agency resists overtures to collaborate, consider opening a dialogue with agency representatives regarding one or more of the issues underlying existing tensions between the LGBTQ+ community and local enforcement. Several are discussed in this guide in Appendix B, Underlying LGBTQ+/Law Enforcement Issues.

When an agency has no LGBTQ+ community liaison, or if advocates decide to approach another agency member, the same considerations apply: does the individual have influence within their agency and will be they credible in our communities? Advocates might approach a wide range of individuals within an agency, including the agency's public information (or public relations) officer, designated liaisons to other communities, agency leaders in districts or precincts that serve LGBTQ+ neighborhoods or businesses, or agency members who have a public record of supporting LGBTQ+ communities or issues. Consider making connections through third parties as well, like community leaders, leaders of local LGBTQ+ or other advocacy organizations, LGBTQ+ business leaders, or elected or appointed officials whose constituents include LGBTQ+ communities or who have supported our communities.

When identifying potential partners within local law enforcement agencies, advocates should consider questions like whether the individual has sufficient influence within their agency and whether they will be credible to members of our communities.

Developing Relationships and Building Trust

It is crucial to remember that forging a law enforcement/ LGBTQ+ community partnership means bringing together two very different cultures, histories, and interests. Early meetings should be used to establish common understandings. A good starting point is often an agency presentation about how decisions are made within the agency, including relevant political issues. Advocates should already have some familiarity with the agency, but listening to and learning from agency partners from the beginning demonstrates that the LGBTQ+ community is ready to work in partnership, not just make demands. Similarly, sharing information gathered from LGBTQ+ community members with agency partners can help solidify agency understandings of community needs and generate earlier agency buy-in to community goals. Be mindful of sharing positive feedback as well as criticisms.

Many law enforcement agencies already understand that effective policing requires meaningful participation from affected communities. More and more agencies are welcoming that participation and more communities have begun reaping the benefits of improved relationships with their local law enforcement.

SIPUS WITH PRIDE

After the connection with a law enforcement agency is established, it becomes the job

of advocates to emphasize or create awareness about the issues underlying tensions between the LGBTQ+ community and the law enforcement agency. This can include communicating the harms experienced when the agency's relationship with the community is not functioning well and demonstrating the benefits of collaboration for both the agency and community. Increasing agencies' knowledge and understanding of community needs, as well as the consequences of particular enforcement actions, will also help reduce any existing individual and institutional bias toward LGBTQ+ individuals.

After the connection with a law enforcement agency is established, it becomes the job of advocates to emphasize or create awareness about the issues underlying tensions between the LGBTQ+ community and the law enforcement agency.

Persuading the agency that desired outcomes are realistic, feasible, affordable solutions that will effectively address the community's needs may be a lengthy process involving much interaction with various influencers and decisionmakers in the agency. When the agency determines that it will engage with advocates, consider securing a memorandum of understanding or other concrete commitments from agency leaders about the scope of the work to be done. Is the agency willing to review and modify policies and procedures? Is it able to allocate funds for new initiatives? Will it commit to working actively with the community on a long-term basis or agree to involve community leaders in rolling out, implementing, or training members about new procedures or programs? Securing tangible commitments from agency partners will help guide the work being done and will demonstrate to LGBTQ+ community members that the agency is making tangible investments in the work.

Once an agency makes the decision that it will partner with advocates for the LGBTQ+ community, consider securing a memorandum of understanding or other concrete commitments from agency leaders.

Collaborating with an agency offers advocates an opportunity increase agency partners' understanding and appreciation for unique needs and concerns that may be present in marginalized communities. This exchange of information and these learning opportunities not only enhances how law enforcement responds to incidents in the community, but also how (or whether) they implement outreach programs or crime prevention efforts in the LGBTQ+ community.

Another good early activity is acknowledging the benefits—for both sides—of a law enforcement/LGBTQ+ partnership. Adult education principles tell us that it is better for a group to generate its own conclusions than to simply have ideas spoon-fed to them. However, to help you guide the discussion, below are some initial thoughts.

Benefits of LGBTQ+ Advocates/Law Enforcement Partnerships include:

- LGBTQ+ victims may become more likely to report crime and to participate actively in law enforcement investigations and crime prevention activities.
- Prejudice and bias on both sides will be reduced as participants develop relationships with individuals rather than relying on stereotypes.
- LGBTQ+ victims and witnesses of crime will have improved interactions with law enforcement personnel.
- LGBTQ+ victims will have expanded access to both healing and justice options that are accessed through law enforcement.

- LGBTQ+ law enforcement personnel will feel increased acceptance within both law enforcement agencies and their own LGBTQ+ community.
- LGBTQ+ intracommunity conflict may be reduced as community members feel less divided over law enforcement issues.
- New working relationships can ensure that progress continues to be made on a long-term basis.
- A framework of accountability for law enforcement behavior towards LGBTQ+ community members can be established and used.
- LGBTQ+ community members can experience having an impact on shaping the institutions that impact their daily lives.
- Law enforcement better understands LGBTQ+ community needs and diversity.
- LGBTQ+ advocates can link law enforcement with best practices in other jurisdictions.
- Shifting law enforcement's attitudes about the LGBTQ+ community can begin shifting attitudes among the general public.

Selecting a Project and Establishing the Scope of the Work

Once the initial groundwork has been laid—participants understand the law enforcement agency's processes, law enforcement understands LGBTQ+ community issues



and needs, and the benefits of collaboration have been established—direct work on the issues can begin. This work can take many forms. While advocates should already have prepared a work plan incorporating community-identified goals and objectives, it is critical to the working relationship with law enforcement that they feel like true partners in the work. When making proposals or presenting potential solutions to community-identified problems, be sure to seek confirmation from agency partners that any proposals are appropriate and will be effective.

Advocates may conduct a systematic assessment of existing agency policies and procedures. Reliance on an assessment of an agency's document policies and procedures alone, however, is insufficient. Advocates must learn through discussion with agency partners what actual practices are used in the community, and how closely (or whether) they align with existing written policies and procedures. The comparative nature of the assessment may reveal significant gaps in the agency's policies regarding LGBTQ+ individuals,

or it may reveal outdated policies that have not kept pace with changes in society or recognized best practices. It may also reveal a lack of compliance with any existing written polices or procedures. Consider working together with agency partners to identify precisely where policy gaps, outdated or poor policies need to be addressed and how they will be addressed.

Advocates may conduct a systematic assessment of existing agency policies and procedures. Reliance on an assessment of an agency's document policies and procedures alone, however, is insufficient. Advocates must learn through discussion with agency partners what actual practices are used in the community, and how closely (or whether) they align with existing written policies and procedures.

Following are some examples of successful outcomes achieved through community collaborations with local law enforcement. These examples may be useful changes to consider pursuing or may prompt ideas about other changes local communities would like to achieve.

Outcomes achieved through successful law enforcement/ LGBTO+ collaborations include:

SOPs that guide officers in interactions with LGBTQ+ individuals, or with individuals who are transgender, non-binary, intersex, or gender nonconforming. SOPs may address issues such as initial engagement in the community, arrests and searches, booking procedures, protocols for recordkeeping and report writing,

transporting individuals in custody, and to ensuring appropriate, lawful, and safe treatment in detention, including housing assignments, necessary medical care, and retention of appearance-related items like prosthetics, shapewear, or wigs;

- SOPs for detention facilities that comply with the federal Prison Rape Elimination Act regulations, which require individual assessments for appropriate housing assignments for transgender, non-binary, or gender nonconforming individuals;
- SOPs that establish protocols for recording and reporting the name, pronouns, and gender of individuals who are transgender, non-binary, or gender nonconforming;
- SOPs that familiarize agency members with intimate partner violence involving LGBTQ+ individuals and mandate assessments of incidents that are appropriate for same-sex relationships or those that involve trans partners;
- Policies establishing requirements for both academybased training and ongoing training of agency members about working with LGBTQ+ individuals;
- Policies about agency diversity and inclusion practices, such as targeted recruitment, hiring, and retention of a diverse pool of personnel, and agency nondiscrimination policies or statements;
- Appointment of agency member(s) as LGBTQ+ community liaisons;

- Programs designed to increase engagement with LGBTQ+ communities and create safer means of access to law enforcement;
- Initiatives to increase awareness of and outreach to LGBTQ+ communities, like special uniform patches;
- Increased participation of LGBTQ+ individuals in agency advisory or oversight bodies; and
- Municipal ID card programs that offer a broader range of options for recording names and gender markers that reduce confrontation about apparent identity mismatches.

Implementing Change

A key element of a successful collaboration with law enforcement is creation of an implementation plan for any policy or procedural changes or new programs or initiatives.

Advocates can work with agency partners while developing changes to build into protocols for implementation. In some cases those protocols will be incorporated directly into the written policies or procedures themselves. Aspects of implementation that are critical to changing agencies' actual practices are rather straightforward. Agencies achieve change through strong leadership. Any changes that are to be implemented should be communicated from the very top of the organization. Leaders throughout the agency should demonstrate their understanding of the importance of agreed-upon changes and their commitment to supporting change within the agency. Policy or procedural changes should be communicated to agency members clearly, as should expectations for their conduct.

Agencies achieve change through strong leadership.

Any changes that are to be implemented should be communicated from the very top of the organization.

Leaders throughout the agency should demonstrate their understanding of the importance of agreed-upon changes and their commitment to supporting change within the agency. Policy or procedural changes should be communicated to agency members clearly, as should expectations for their conduct.

Ideally, implementation of changes will include comprehensive training for all agency personnel about LGBTQ+ communities and individuals, history, culture, contributions, challenges and needs. Effective training offers members practical tools for improving interactions with LGBTQ+ individuals. Advocates may find a role for themselves in the implementation process by serving as co-facilitators of agency trainings. Partnered with an agency member, community advocates bring the voice and experience of the community directly to the entirety of agency personnel, providing useful real-world context for the concepts being learned. Be aware, however, that law enforcement agencies may resist including advocates in implementation efforts. For instance, while community advocates may have ample skill and ability—and, in some cases, greater knowledge and understanding of the relevant issues than members of the agency—law enforcement may not want advocates to participate in training and implementation efforts. As discussed earlier in this guide, law enforcement agencies are unique institutions with long histories that adhere to tradition. Agency decision-makers

may believe, genuinely, that their own members are best suited to communicate and educate personnel about any changes being implemented. Advocates familiar with law enforcement agencies will recognize a preference, generally speaking, for education and training provided by individuals who are also in law enforcement and related fields. If involvement of community advocates is not possible, proactively seek opportunities to review existing training materials and recommend appropriate training resources, like short videos or brief training modules that can be shared at the beginning of officer shifts, called "roll call." (See Appendix A for resources.)

If community advocates will not be involved in training of personnel directly, they should proactively seek opportunities to review existing training materials and recommend appropriate training resources, like short videos or brief training modules that can be shared at the beginning of officer shifts, often called "roll calls."

Assessing Implementation

Advocates should urge agencies that are adopting policy reforms or other changes to develop an assessment plan for the implementation of changes. After policy or procedural changes or new programs are disseminated, communicated, and personnel have received training regarding them, periodic assessments of compliance with the changes are one method of measuring the effectiveness of the new policy or program.

Reporting Back to the Community

Finally, community advocates, with or without their agency partners, should be intentional about regularly communicating progress, developments, and outcomes back to local LGBTQ+ communities during the collaboration process. Many of the same methods used for gathering community input can provide a framework for disseminating and exchanging information between advocates and community members and within the community. Advocates should assess how often and through what means information should be shared back to the community. And once any changes are implemented, advocates should consider disseminating information about the changes broadly throughout the community at large.

Publicizing the success of collaborative work between LGBTQ+ communities and local law enforcement agencies can influence the broader community's perceptions and understandings of LGBTQ+ individuals. As changes in law enforcement practices are communicated more broadly, opportunities arise for further engagement and education of neighbors, service providers, community leaders, and policymakers. Changes made within law enforcement agencies can also serve as a model for other local institutions or service providers. As awareness of such efforts spreads, agencies in nearby locales may begin or increase their own efforts to improve relationships with local LGBTQ+ communities.

Changing the Law Enforcement/ LGBTQ+ Community Relationship

Institutional Relationships

Even when advocates have achieved successes in collaborating with law enforcement, firmly held perceptions and beliefs in our communities about law enforcement often persist. The work of advocates, then, may also include developing strategies for shifting those perceptions and beliefs when local agencies have demonstrated their commitment to changing the dynamic between their systems and their members and the LGBTQ+ communities that they serve. Advocates' roles can include offering suggestions to agency partners about how to approach local communities to begin changing that dynamic.

Advocates' roles may include developing strategies for shifting community members' perceptions and beliefs when law enforcement agencies have demonstrated their commitment to changing the dynamic with the LGBTQ+ community that they serve.

Securing long-term commitments from agencies and growing personal working relationships over time motivates agencies to remain invested in this work. And long-term working relationships will generate more opportunities for advocates to further influence policies and practices in the future. Importantly, long-term commitments can have persuasive effects for community members who may be skeptical of local law enforcement. Such commitments are likely to more readily ensure accountability. Assessing

changes, offering feedback, and actively monitoring agencies are just some of the tools advocates can use over time to hold agencies and their members directly accountable. Having committed to change, agencies must follow through on their commitments, capitalize on opportunities to respond and improve, and demonstrate to community members that the agency is engaged, responsive, and committed to a changed relationship.

RELATIONSHIP-BUILDING PRACTICES

Advocates should become familiar with practices that law enforcement agencies can use to develop and maintain long-term relationships with LGBTQ+ communities, including:

- Law enforcement agencies and leadership must demonstrate, through actions like policy reforms, a meaningful commitment to serving and responding to LGBTQ+ communities and their identified needs.
- Agencies should establish and maintain channels for regular communication with local LGBTQ+ communities about issues and developments of interest.
- Agencies can partner with community advocates to jointly facilitate sharing of information and access to agency members.
- Agencies should facilitate opportunities for community interaction with members, including agency leadership, and agencies should consider making these opportunities available separate from

- LGBTQ+ community events where many community members do not welcome their involvement.
- Agency members can engage community members in existing and informal venues that are familiar and comfortable. Beat patrols should include efforts to engage LGBTQ+ people in parks, coffee shops, bars, and their local neighborhoods.
- Law enforcement agencies can leverage social media and other digital forms of communication to directly engage individual community members.
- Agencies should evaluate and enhance the roles of community liaisons to create robust, meaningful representation inside agencies and to facilitate access to agency members and services. Liaisons roles could benefit, generally, from definition of formal responsibilities and duties and development of specific expectations for community interaction and engagement.
- Community liaisons should develop close working relationships with community advocates and partner with them to increase their visibility and credibility in-community.
- Agencies should target recruitment from LGBTQ+ communities and encourage participation in mainstream agency oversight, such as oversight bodies, regulatory commissions, and citizen review boards.

One-on-One Relationships

While this guide focuses on developing formal LGBTQ+/law enforcement partnerships, it's important to note that such partnerships are not the only way to build long-term relationships with agencies.

Programs that provide opportunities for citizens to interact with officers, like ride-alongs, citizen training academies, or initiatives like "coffee with a cop," place community members and law enforcement in direct, face-to-face interaction with each other. These types of interpersonal interactions humanize those who are different from us by increasing empathy and reducing existing stereotypes and prejudice.xii

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Advocates can also provide support directly to community members to help improve their individual experiences of and relationships with police. Accompanying survivors of violence, for example, allows advocates to be present with LGBTQ+ survivors in interview rooms and during interactions with police. In these roles, advocates can help create safer spaces in which individuals can report crime and receive support, even while the work of engaging the agency as a whole is ongoing.

Accompanying survivors of violence, for example, allows advocates to be present with LGBTQ+ survivors in interview rooms and during interactions with police. In these roles, advocates can help create safer spaces in which individuals can report crime and receive support, even while the work of engaging the agency as a whole is ongoing.



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Law enforcement, because of the unique role and substantial authority it has in our lives, can sometimes seem distant from local communities and resistant to input or influence from politically disempowered groups. Shifting from conflict to collaboration, however, creates important opportunities for community advocates to help shape the institutions that touch so many aspects of our daily lives.

Shifting from conflict to collaboration creates important opportunities for community advocates to help shape the institutions that touch so many aspects of our daily lives.

This guide encourages individual engagement with law enforcement agencies through citizen participation initiatives—in part to increase understandings of the duties and limitations of law enforcement. Learning more about the context in which law enforcement operates may help break down preconceived notions about agencies and their members and may spark community interest in additional collaboration.

When advocates engage directly with agency partners, we can create countless benefits for LGBTQ+ communities. As advocates develop relationships with agency members and demonstrate the value of their familiarity, credibility, and competency with LGBTQ+ communities and issues, agency members' understanding, interest, and empathy about the challenges our communities are confronting can increase exponentially, resulting in better-informed decision-making and meaningful reforms.

LGBTQ+ Advocacy Resources

ACLU. (2020). Three Ways to be an Informed Advocate to Transgender People. Retrieved January 22, 2020 from https://www.aclu.org/issues/lgbt-rights/transgender-rights/three-ways-be-informed-advocate-transgender-people

(Brief trans-specific tips for advocacy.)

Center for American Progress. (2017). Advancing LGBTQ Equality Through Local Executive Action. Retrieved January 22, 2020 from https://cdn.americanprogress.org/content/uploads/2017/08/25065855/2LGBTexecAction-report.pdf

(Report offering a broad range of policy recommendations that local government executives can implement, without legislation, to better protect, serve, and be inclusive of local LGBTQ+ residents.)

FORGE. (2014). Strategies for Improving Trans-Police Relations (Webinar with Jason Terry). Retrieved January 22, 2020 from https://forge-forward.org/event/law-enforcement/

(Featuring Jason Terry, who worked extensively with the Washington DC Metro Police Department to improve their relations with LGBTQ+ communities, this webinar is useful for prompting discussion between LGBTQ+ communities and law enforcement.)

Human Rights Campaign (HRC). (2020). Municipal Equality Index. Retrieved January 22, 2020 from https://www.hrc.org/mei

(Annual evaluation of municipalities based on how inclusive municipal laws, policies, and services are of LGBTQ+ people, including law enforcement agencies.)

Int'l Lesbian, Gay, Bisexual, Trans & Intersex Assn. (ILGA). (2010). Make It Work: Six steps to effective LGBT human rights advocacy. Retrieved January 22, 2020 from https://www.ilga-europe.org/sites/default/files/Attachments/ ilga-europe manual make it work six steps to effective lgbt hr advocacy.pdf

(While focused on international human rights violations, offers step-by-step guide to LGBTQ+ advocacy.)

Movement Advancement Project (MAP). (2020). *Messaging Guides: Talking About LGBTQ+ Issues*. Retrieved January 22, 2020 from http://www.lgbtmap.org/talking-about-lgbt-issues-series

(A series of research-based resources intended to shape discussion with others to increase understanding of key LGBTQ+ issues.)

National Center for Transgender Equality (NCTE). (2015). Blueprint for Equality: A Transgender Federal Agenda. Chapter 6, Reforming Police and Ending Anti-Transgender Violence. Retrieved January 22, 2020 from https://transequality.org/sites/default/files/docs/resources/NCTE_Blueprint_June2015.pdf

(Suggested policy reforms for law enforcement and transgender/non-binary communities.)

National Center for Transgender Equality (NCTE). (2019). Failing to Protect and Serve: Police Department Policies Towards Transgender People. Retrieved January 22, 2020 from https://transequality.org/issues/resources/failing-to-protect-and-serve-police-department-policies-towards-transgender-people

(Report on policies about law enforcement interactions with transgender and non-binary people, including non-discrimination statements, recognition of non-binary identities, respectful communication, recording information on department forms, search procedures, transportation, placement in temporary lock-up facilities, access to medication, removal of appearance-related items, training, and restroom access. Includes model policies and best practices.)

*Note About Individual Department Reports: The report also evaluates 25 police departments' policies and procedures about interacting with transgender/non-binary individuals. Many departments that have been proactive in improving relations with LGBTQ+ communities are not included in the report. Additionally, the system used to

generate the evaluations was highly subjective—advocates are encouraged to review departments' protocols directly.

PFLAG. (2020). *Advocacy 101*. Retrieved January 22, 2020 from https://pflag.org/advocacy-101

(Advocacy resources such as fact sheets about topics like lobbying, building coalitions, and using social media advocacy; talking points about PFLAG's legislative priorities; resources for advocates, such as sample letters and other templates.)

RESULTS and RESULTS Educational Fund. (2020).

Advocacy Basics. Retrieved January 22, 2020 from
https://results.org/volunteers/advocacy-basics/?gclid=
CjwKCAiAgqDxBRBTEiwA59eEN9WNvrgHTOLmkjZII_
N6BGGxuwX5N1RnvzlLYdvPFYnjhtNScZY1BoC0doQAvD_
BwE

(Training modules about issue advocacy.)

Law Enforcement Resources

Annapolis Police Department LGBTQ Liaison Program. (2020). *LGBTQ Liaison Program*. Retrieved January 22, 2020 from https://www.annapolis.gov/1448/LGBTQ-Liaison

(Example LGBTQ+ liaison program.)

Austin Police Department LGBTQ+ Liaison Program. (2020). Austin Police Department: Lesbian, Gay, Bisexual, Transgender, Queer/Questioning (LGBTQ). Retrieved January 22, 2020 from https://austintexas.gov/page/lesbian-gay-bisexual-transgender-queerquestioning-lgbtq

(Example LGBTQ+ liaison program.)

FORGE. (2020). Improving Relations with LGBTQ+ Communities: A Guide for Law Enforcement. Retrieved January 22, 2020 from http://reachingvictims.org/ resource/lgbtq-guideforpolice/

(Companion to this guide: resources to assist law enforcement agencies in taking concrete actions to improve relationships with LGBTQ+ communities.)

FORGE & U.S. Dep't of Justice, Office for Victims of Crime. (2014). Responding to Transgender Victims of Sexual Assault. Retrieved January 22, 2020 from https://www.ovc.gov/pubs/forge/

(Information and resources for working with transgender (or LGBQ+) sexual assault victims.)

Gainesville Police Department LGBT Liaison Unit. (2020). GPD's Liaisons to the LGBTQ Community. Retrieved January 22, 2020 from https://www.youtube.com/watch?v=tj

(Example LGBTQ+ liaison program (video).)

Hartford Police Department. (2020). Appropriate Treatment of Detained Transgender Individuals. Retrieved January 22, 2020 from http://www.hartford.gov/images/police/LBGTQ/HPD%20-%20Transgender%20Department%20Directive%20-%20PDF.pdf

(Sample law enforcement agency protocols for interacting with transgender/non-binary individuals.)

International Association of Chiefs of Police (IACP). (2017). Responding to Sexual Violence in LGBTQ+ Communities: Law Enforcement Strategies and Considerations. Retrieved January 22, 2020 from https://www.theiacp.org/resources/responding-to-sexual-violence-in-lgbtq-communities-law-enforcement-strategies-and

(Resource featuring strategies for effective departmentwide response through agency mission, policy, training, and personnel to proactively address and prevent LGBTQ+ sexual violence. Includes assessment questionnaire to assist in evaluating agencies.) Los Angeles County Sheriff's Department. (2020). Transgender & Gender Non-Conforming Employees. Retrieved January 22, 2020 from http://www.sxpolitics.org/wp-content/uploads/2014/07/lasd-transgender-employee-guide.pdf

(Sample law enforcement agency policy for employees.)

Metropolitan Nashville Police Department. (2019). Meet Officer Catie Poole. Retrieved January 22, 2020 from https://www.youtube.com/watch?reload=9&v=-g6VjAPC 7c

(Example LGBTQ+ liaison program (video).

National Center for Transgender Equality (NCTE). (2020). Police Department Model Policy on Interactions with Transgender People. Retrieved January 22, 2020 from https://transequality.org/sites/default/files/docs/resources/FTPS_MP_v6.pdf

(Model policy language about interactions with transgender/non-binary individuals.)

Out to Protect. (2020). *Out To Protect*. Retrieved January 22, 2020 from https://www.comingoutfrombehindthebadge.com/

(Raising awareness of LGBTQ+ professionals working in law enforcement by supporting those pursuing a law enforcement career and providing education and training to agencies.)

Philadelphia Police Department. (2019). *Department Interactions with Transgender Individuals*. Retrieved January 22, 2020 from http://www.phillypolice.com/assets/directives/D4.15-DepartmentInteractionsWithTransgender-Individuals.pdf

(Sample law enforcement agency protocols for interacting with transgender/non-binary individuals.)

San Diego Police Department. (2020). *Chief's Advisory Board Liaison*. Retrieved January 22, 2020 from https://www.sandiego.gov/police/contact/chiefs-advisory-board-liasons

(Example of oversight body with membership inclusive of community.)

San Francisco Bay Area Rapid Transit Police Department. (2015). Interactions With Individuals Identifying as Transgender. Retrieved January 22, 2020 from https://www.bart.gov/sites/default/files/docs/Interactions_With_Individuals_Identifying_As_Transgender.pdf

(Sample agency protocols for interacting with transgender/ non-binary individuals.)

Seattle Police Department. (2020). Seattle Police Department Safe Place. Retrieved January 22, 2020 from https://www.seattle.gov/spd-safe-place

(Safe Place is an initiative to address lack of reporting of anti-LGBTQ+ crimes and school bullying incidents. Businesses and schools display a decal indicating that they

will contact law enforcement and provide a safe place to wait for response.)

U.S. Dep't of Justice, Community Relations Service. (2016). Law Enforcement and the Transgender Community - CRS Roll Call Training Video. Retrieved January 22, 2020 from https://www.justice.gov/crs/video/law-enforcement-and-transgender-community-crs-roll-call-training-video

(13-minute training video features scenarios of the most common ways law enforcement encounters members of the transgender community and provides information, tools, and techniques for mutually respectful and professional interactions.)

Washington D.C. Metro Police. (2015). *Handling Interactions with Transgender Individuals*. Retrieved January 22, 2020 from https://go.mpdconline.com/GO/GO_501_02.pdf

(Sample law enforcement agency protocols for interacting with transgender/non-binary individuals.)

Washington D.C. Metropolitan Police Department. (2020). Washington D.C. Metro Police LGBT Liaison Unit (LGBTLU). Retrieved January 22, 2020 from https://mpdc.dc.gov/page/lesbian-gay-bisexual-and-transgender-liaison-unit-lgbtlu

(Example LGBTQ+ Liaison Unit. The dedicated team focuses on the public safety needs of LGBTQ+ communities through public education and by enhancing trust between police and the community.)

APPENDIX B: UNDERLYING LGBTQ+/LAW ENFORCEMENT ISSUES

This guide has provided practical steps that advocates can take to begin to enact positive change in the relationship between law enforcement agencies and their local communities. This appendix, however, focuses on systemic problems that are often invisible but are very real contributors to troubled relationships between law enforcement officers and agencies and underrepresented communities. Awareness of conscious and unconscious bias and system limitations can assist advocates in better understanding the current state of affairs and provide additional insight into potential community resistance to a partnership with law enforcement.

LGBTQ+ Underrepresentation in Law Enforcement

In the absence of effective targeted recruitment, the membership of law enforcement, in most agencies in the U.S., are majority white, male, and not identifying as LGBTQ+. While many agencies are making real strides in increasing access to academies for a broader range of people, LGBTQ+ individuals remain significantly underrepresented in the profession. In the mid-20th century, employment in law enforcement was incredibly difficult for LGBTQ+ people to obtain, particularly if they disclosed their identity publicly. Federal policies and many state laws explicitly barred LGBTQ+ individuals from serving in law enforcement. As a result, our communities are not yet adequately represented in the field, which deprives decision-makers and officers in the real world of first-hand knowledge and understanding about LGBTQ+ individuals.

Law Enforcement in Marginalized Communities

Law enforcement agencies may also fail to make adequate investments to improve services to populations that may have unique needs, such as LGBTQ+ communities, communities of color, religious communities, or individuals with disabilities.

Agencies, academies, and training programs have not developed sufficient capacity to offer comprehensive training to their members about engaging with individuals from these communities. For example, agency members have injured—sometimes fatally—individuals who appear to be refusing to comply with directions, but are later understood to be Deaf or on the Autism spectrum. Tragic interactions with individuals who may have symptoms of a mental health condition also occur. The Black Lives Matter movement has brought to the front of our national consciousness the issue of policing in Black communities and other communities of color. Law enforcement agencies have been slow, for many reasons, to increase members' training about these types of interactions and to change their expectations of members' conduct. The LGBTQ+ community is not an exception.

Systemic Limitations

The role of law enforcement in our society creates builtin conflict between members of agencies and members of the community—it is the job of law enforcement to identify, prevent, and enforce consequences for behavior considered criminal. Similarly, the potential for physical harm is a paramount consideration when agency policies or practices are being developed. As communities advocate for change, desired outcomes that are perceived by agencies to undermine officer safety may be unattainable.

Other limitations include systems and logistics over which the agency may not have control. One example relevant to transgender and non-binary individuals is an agency's capacity to control records of personally identifying information. Municipal agencies are likely to use databases maintained by a state or other governmental entities that compile records from throughout the region. While local agencies may desire to be responsive to communities and may be otherwise willing to change their procedures, they may be stuck with systems that do not align with community needs. As an example, many databases cannot accommodate reports that properly and respectfully acknowledge an individual's gender identity or expression, or their name or pronouns.

Limitations of LGBTQ+ Community Liaisons

A dedicated liaison to underserved communities is one strategy that law enforcement agencies are deploying to improve relations with underserved communities. Liaison positions often have the twin goals of increasing agency visibility in the community and providing a safer, more approachable point of entry for community members to engage with the agency. The resulting increased visibility of LGBTQ+ issues and individuals in agencies in recent years are commendable and significant. Liaison positions in many agencies, however, have not met the expectations of local LGBTQ+ communities, and some consider liaisons positions to be ineffective.

LGBTQ+ law enforcement liaisons may be ineffective when:

- Liaisons are not rooted in the local LGBTQ+ community;
- Liaisons experience conflicts of interest because of their dual roles as members of law enforcement and the LGBTQ+ community;
- Community members are inclined to be suspicious or distrustful of liaisons;
- The duties and expectations of liaisons have not been clearly established or communicated by the agency.

Individual Decision-making & Implicit Bias

To improve law enforcement's relationships with various communities requires acknowledgment of the discretion present in individual decision-making in our criminal justice

system, including the discretion of officers on the street. Disparities in law enforcement decision-making can occur for many reasons, including systemic discrimination as well as individual bias, whether intentional or not. Systemic discrimination generally refers to inequities that are built into criminal justice or law enforcement systems and that result in different treatment of individuals under similar circumstances. Such disparities





undermine community expectations for law enforcement and whittle away at confidence that law enforcement is fundamentally fair.

Individual biases are those beliefs that are held by individuals about a certain group or groups of people, like LGB people, or trans or non-binary people, or straight people. Individuals may act on their biases intentionally to cause harm to members of disfavored groups. Individuals—all of us—are also vulnerable to acting or thinking in ways that are based on biases that we may not know we have. Implicit bias (sometimes called unconscious bias) refers to linkages that our brains make between two or more concepts. The efficient human mind develops shortcuts that allow us to make decisions in split seconds, especially decisions that we make over and over again. When we receive repeated messages from peers, media, or society

about unfair stereotypes, for instance, our brains construct pathways to link the concepts. Familiar patterns of thought become so ingrained that we act, literally, without conscious thought.

As an example, an instructor who holds an implicit bias about the limited capacity of women to excel in math and science might fail to recommend female-identified students for advanced training while encouraging male-identified students to do so. When we exercise implicit bias, we act in a manner dictated by the automatic associations that have taken hold in our brains.

Circumstances that make room for broad discretion in decision-making can invite implicit bias. A common criticism of our criminal justice system is that individuals and officials have too much discretion. Collaborations between law enforcement and communities must both acknowledge the influence of implicit bias and make committed efforts to reduce its potential impacts. Eliminating, as much as possible, through policy reforms or other means, discretion in enforcement decisions will decrease the likelihood that implicit bias will influence policing. Comprehensive education about implicit bias—and the methods that individuals can use to develop awareness of their biases and counteract them—must be a cornerstone of any agency's commitment to change.

- i Lambda Legal. (2015). Protected and Served? The Executive Summary of Lambda Legal's National Survey that Explores Discrimination by Police, Courts, Prisons and School Security Against Lesbian, Gay, Bisexual, Transgender (LGBT) People and People Living with HIV in the United States. Retrieved January 22, 2020 from https://www.lambdalegal.org/sites/ default/files/publications/downloads/ps executive-summary.pdf
- ii Lambda Legal. (2015).
- iii National Coalition of Anti-Violence Programs (NCAVP). (2017). Lesbian, Gay, Bisexual, Transgender, Queer and HIV-Affected Hate and Intimate Partner Violence in 2017, p. 6. Retrieved January 22, 2020 from http://avp.org/wp-content/uploads/2019/01/NCAVP-HV-IPV-2017-report.pdf
- iv Ibid.
- v Ibid.
- vi National Center for Transgender Equality (NCTE). (2016). *The Report of the 2015 U.S. Transgender Survey, pp. 186–87.* Retrieved January 22, 2020 from http://www.ustranssurvey.org/report
- vii NCTE (2016), p. 187.
- viii NCTE (2016), pp. 188-89.
- ix Stack, L. (2019, June 26). Do the police belong at pride? Marches face a difficult question. *The New York Times*. Retrieved on January 22, 2020 from https://www.nytimes.com/2019/06/26/us/pride-parade-police-cops.html
- x See Appendix A for instructional advocacy resources.
- xi California Penal Code § Section 13519.41.
- xii A meta-analysis of over 500 studies that investigated the effects of intergroup contact found that attitudes toward groups that were in contact became more positive over time and affected stereotypes and prejudice for many different types of contacted groups. Pettigrew, T. F., & Tropp, L. R. (2006). A Meta-analytic Test of Intergroup Contact Theory. *Journal of Personality and Social Psychology*, 90(5), 751–783. A 2000 study found

that leading individuals to take the perspective of another group member increased empathy and reduced prejudice. Galinsky, A. D., & Moskowitz, G. B. (2000). Perspective-taking: Decreasing Stereotype Expression, Stereotype Accessibility, and In-group Favoritism. *Journal of Personality and Social Psychology*, 78(4), 708–724.