

Chippewa County Correctional Facility <u>Policy & Procedure</u>	Effective Date: 1/31/2023	Policy Number: 5 . 1 . 3
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Section: Security & Control	Reference: 115.42(b) 1 – 7, 115.42(c) - 1	
Subject: Transgender & Intersex Inmate/Detainees	Authority: Michael D. Bitnar , Sheriff	
Rescinds: All Previously Issued Policies, Procedures, Directives, or Memoranda Relative to this Topic		

I. PROCEDURAL GUIDELINES

A. Definitions:

1. *Gender Identity Expression* – An individual's sense of his/her own gender, as communicated to others through expression, appearance, identity or behavior, regardless of the person's sex at birth.
2. *Transgender Inmate/Detainee* – Refers to any inmate/detainee whose identity or behavior differs from a traditional gender expression. This term includes transgender individuals, cross-dressers, androgynous individuals and others whose appearance or characteristics are perceived to be gender-atypical. An umbrella term describing individuals who live and/or express themselves as a gender other than that assigned them at birth.
3. *Inter-sex* – Refers to a person/inmate who's sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male and female. Inter-sex medical conditions are sometimes referred to as disorders of sex development.

B. Procedure:

1. When an inmate/detainee is being admitted into CCCF and there is a question as to their sexual identity and/or their behavior differs from traditional gender expression, these following steps will be followed by the Shift Supervisor.
2. When an inmate/detainee is received who has a gender identity expression, which differs from their sex, the Shift Supervisor

shall be notified. The Assessment Sergeant shall question the inmate regarding their physical sex. The questioning will be done privately and in a professional manner to preserve confidentiality and to avoid subjecting the inmate/detainee to ridicule. The transgender/inter-sex inmate will be searched by a deputy believed to be of the same sex. As with any strip search or pat down, searches of subjects falling under this type of classification will be conducted in a professional and respectful manner and in the least intrusive manner that is consistent with security needs.

3. If the physical sex of the inmate/detainee cannot be identified, the transgender/Inter-sex inmate will be interviewed by the on duty medical staff. They will then determine the physical sex of the inmate. **Inmates will not be strip-searched solely to identify gender.**
4. If the on duty medical staff is unable to identify the transgender/Inter-sex inmate's physical sex or they refuse to answer medical questions, they will be escorted to the medical office for a physical examination.
 - a. The inmate/detainee will be placed on Protective Custody Lockdown if they refuse the physical examination by the on duty medical staff.
5. The transgender/Inter-sex inmate will be secured in an individual cell while in assessments and will typically be housed in an individual cell in population as well, however, that decision will be made on a case-by-case basis. However, if they are housed into an individual cell, they will be given the same privileges afforded to other inmates; while at the same time, being monitored for their safety and for the better running of the institution.
6. If the decision to place the transgender/inter-sex inmate into general housing location is made; their housing assignment and programing assignments, will be reassessed at least twice a year so that staff can review if there were any threats to safety experienced by the inmate.

7. A transgender/inter-sex inmate's own views with respect to his or her own safety shall be given serious consideration when determining their housing location as noted in (5) and (6) above.
8. All cross-gender pat-down searches, strip searches and visual body cavity searches shall be documented via the Jail Management system.
9. If feasible, transgender and inter-sex inmates shall be given the opportunity to shower separately from other inmates.