

LOCAL NOVEMBER 14, 2015

Unlikely pair team up to revamp Olympia jail's transgender policy

HIGHLIGHTS

New policy to be implemented in January

Much of the old policy was insensitive

New policy aims to treat transgender arrestees like any other arrestee



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On the surface, Olympia Jail Manager Chandra Brady and Erika Laurentz seem like an unlikely partnership.

Brady has spent 22 years working in law enforcement — specifically, corrections — and has been with the Olympia Police Department since 2012.

Laurentz, an Olympia resident who is working on a master's degree in psychology, is a transgender woman. And most people, she said, wouldn't expect a transgender woman to work so closely with a police officer.

“A lot of people have a stereotype of what it means to be a trans woman, and most of the time that stereotype is wrong,” Laurentz said. “I don't think I fit into that stereotype at all.”

In fact, Laurentz herself is a former police officer — which gives her an edge in assisting the Olympia City Jail staff in completely overhauling their policy to better serve transgender people. The policy change has been in the works for about a year, and Brady said she hopes it will be officially implemented in January.

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Erika Laurentz, transgender advocate

“I think that it might have been easier for the Olympia Police Department because of my background,” Laurentz said. “I know what it's like to be a street officer, I know the challenges.”

“It was nice that Erika spoke both languages,” Brady said.

POLICY CHANGES

The jail's old policy is riddled with problems when it comes to serving Olympia's transgender population. Brady said some of the language is offensive and legally questionable — especially when it comes to searching transgender arrestees.

Part of the problem with the former policy, Brady said, is that it uses words that are no longer culturally acceptable — such as “transsexual.” It's also vague in many parts. For example, it advises staff to use “non-intrusive efforts” to determine a person's gender.

In some departments across the country, Laurentz said, “non-intrusive efforts” have included pat-downs, in which officers touch a person's genitals to determine an arrestee's gender. This kind of treatment, she said, has led many in the transgender community to distrust law enforcement.

To her knowledge, and to Brady's knowledge, “non-intrusive efforts” haven't been defined that way in Olympia.

“It certainly had been defined that way in other places,” Brady said. “And there are lawsuits that have helped them fix that interpretation.”

Under the new policy, they won't ask whether a transgender arrestee's has had genital surgery.

“That's just not information that we're entitled to,” Chandra said. “We'll directly ask if there are any medical situations that we should be aware of. But that's no different from what we do with any other inmate. I don't get permission to ask a question that I wouldn't otherwise ask anyone else.”

Also under the new policy: Brady and the jail staff ask the arrestees whether they would prefer to be searched by a man or a woman.

“We used to select the gender of the officer that does a pat search or a strip search based on the sex assigned at birth, versus what their gender actually is,” Brady said.

Now, jail staff considers four factors when deciding where to house an inmate: the inmate's health and safety; jail security; available evidence, such as criminal history and legal identification; and the inmate's own views of his or her safety.

If gender identity can't be immediately determined, a jail supervisor will evaluate the evidence and, if necessary, speak to the arrestee to decide where they should be housed.

“THE CHALLENGE FOR ME WAS MY OWN LACK OF EDUCATION AND INFORMATION. ... BUT I DID A LOT OF LEARNING, AND CERTAINLY ERIKA IS RESPONSIBLE FOR THAT. AND A LOT OF MEMBERS OF OUR LOCAL TRANSGENDER COMMUNITY ARE RESPONSIBLE FOR THAT, TOO.”

Chandra Brady, Olympia jail manager

Since beginning to work on the new policy, the jail staff has had a few chances to test it. In one case, a transgender woman was arrested for assault, Brady said.

“When looking at her criminal history, she had a lot of assault convictions,” Brady said. “When officers started doing the booking, they noticed that there were several identities used in the past, with different names. And some of those names were associated with different genders, in different states. ... She was very clear at booking that she wanted to be housed with female inmates.”

The arrestee was interviewed by two jail sergeants, who determined that because of her criminal history and recent violent behavior, the arrestee should be housed in isolation, Brady said.

“We didn’t make that decision because she’s transgender,” Brady said. “We made that decision because she was someone who was likely to assault someone else if she was housed with the general population.”

“I think that important thing is that this woman was treated like a cis woman, because a cis woman with her criminal history who made the statements that she made would also have been housed in isolation,” Laurentz said.

The word “cis” or “cisgender” is often used to describe people who are not transgender.

ABOUT ERIKA

Laurentz said she never intended to be a police officer. She’s a Vietnam combat veteran and studied education in college. Like many other returning veterans, she had a hard time finding a job and was eventually hired by a police department in Maine, where she used to live.

“I had no intention of doing that work, but I fell in love with it,” Laurentz said. “Police officers make differences in lives that I think a lot of people don’t realize. When people are devastated, often we’re the first people there. There’s so much more to being a police officer than being a crime fighter.”

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“AS A PROSECUTOR, I KNEW I’D BE FIRED IF I CAME OUT. AS A COP, I WOULD HAVE BEEN FIRED IF I CAME OUT. THAT WAS IN THE ’80S WHEN BEING TRANSGENDER WAS CONSIDERED A DIAGNOSABLE MENTAL ILLNESS. THE CULTURE WASN’T READY FOR TRANS PEOPLE, IT WASN’T THE RIGHT TIME.”

Erika Laurentz, transgender advocate

She was a patrol officer for six years, then a detective for three years before suffering a serious back injury. After accepting a medical retirement, she went to law school.

“I figured I could be a lawyer from a wheelchair if I had to,” Laurentz said.

After graduating, Laurentz worked as a defense attorney for two years, and as a prosecutor for another two years. But she quickly realized the job wasn’t for her.

“I didn’t really like practicing law,” Laurentz said. “It didn’t really feed my soul in the way that being a police officer did.”

So she left the law and moved to Washington state, where she was hired to teach criminal justice. Over the past 20 years, Laurentz has taught at the University of Washington, at a Central Washington University satellite campus, and at Tacoma Community College.

She eventually ran the criminal justice program at TCC, but was laid off about five years ago during a round of budget cuts.

She’s now working on a psychology degree through Brandman University.

Throughout her career, Laurentz said she felt as if she would have been fired from any one of her jobs if she came out as transgender. So she didn’t begin transitioning until after she was laid off from her TCC position.

“As a prosecutor, I knew I’d be fired if I came out,” Laurentz said. “As a cop, I would have been fired if I came out. That was in the ’80s when being transgender was considered a diagnosable mental illness. The culture wasn’t ready for trans people. It wasn’t the right

time.”

But now things have changed.

“What’s important to me is, the thing that would have gotten me fired for my whole life is now the door that opens to this relationship with the Olympia police,” Laurentz said. “For me, it’s about creating a bubble of safety for all the trans people in Olympia.”

THE PROCESS

It took a lot of work for the jail staff and Laurentz to arrive at the new policy. Laurentz reached out to retired Lt. Bill Wilson, the department’s first LGBTQ (lesbian, gay, bisexual, transgender and queer) liaison in December of 2014 to discuss the need for training in the Police Department. She then began working with Sgt. Ren Emerson when she took over the liaison post in early 2015.

After a few months of research and meetings, Brady and Laurentz went over Brady’s first draft of a policy change in May.

“The first time I met with Erika, I had what I thought, frankly, was a pretty good start,” Brady said. “But it wasn’t at all. She didn’t laugh at me, which was very kind.”

Brady said it’s always good practice to look at what other departments are doing, and at the industry standard. But the problem in this case, she said, is that there really isn’t an industry standard. Both she and Emerson said they were unable to find a department with a completely updated, inclusive policy for fairly treating the transgender community.

“One of the challenges for me, in the beginning, was that I couldn’t find any information,” Emerson said. “There’s just not a lot out there.”

“We were finding a lot of what we already had,” Brady said. “And frankly, it involved looking at some agencies that have had to do some work because they had gotten in trouble from the Department of Justice for doing it incorrectly. So we looked at the policies they had come up with after that, when they were figuring out the right way to do business.”

It’s taken Brady, Laurentz and Emerson about five months to come up with a policy that they believe works — a policy with language that is both legally and culturally acceptable, and respects all the people who pass through the jail’s doors.

“THIS HAS BEEN A REALLY GOOD PROCESS. ... THERE WERE TIMES WHERE WE DIDN'T FULLY AGREE, AND WE HAD LONG DISCUSSIONS. SOME OF THOSE DISCUSSIONS LASTED A MONTH. BUT THERE WAS NEVER A SENSE THAT I WASN'T BEING RESPECTED. IT WAS POSITIVE ALL THE WAY THROUGH.”

Erika Laurentz, transgender advocate

And although Brady, Laurentz and Emerson are happy with the policy, there are still a few hurdles to clear before it's implemented. The draft will be sent to the police guild for approval, to the City Attorney's Office for a legal review, then to department management. After clearing all those steps, the policy will be officially implemented.

TRAINING FOR OLYMPIA OFFICERS

During the process of creating a new transgender policy for the jail, three members of the local transgender community — Lucas Miller, Laurentz and another woman — worked with the jail staff and other city employees to teach them to interact more respectfully with the transgender community. Brady said the trainings focused on language, word use and word definition — what gender means, and how to use the correct pronouns.

“The intent was to offer education around some areas we need some more information on,” Brady said.

At those trainings, Brady said she learned a lot — including the basics of how to respectfully learn about their gender.

“I learned to say, ‘Hi, my name's Chandra, and I prefer she/her pronouns,’ as an invitation for you to give me the same information,” Brady said.

“That's a lot more respectful than saying, ‘What gender are you?’ or ‘Which do you prefer?’ ” Laurentz said. “The word ‘prefer’ implies that this is a choice, and it's not. Trans people are born trans. The way Chandra did it is just right.”

Laurentz also led a long meeting with the Olympia Police Department's command staff to tell them about the new policy, and said she was surprised by how interested they were in hearing what she had to say.

“We slotted 15 or 20 minutes for that, but I think it ended up being an hour and 20 minutes,” Laurentz said. “And I think it's important to note that, because that's due to the level of receptivity and the level of interest the command staff had. It was amazing. It was

way more than I expected.”

It was a relief, she said, because historically law enforcement hasn't been friendly to transgender people.

She's had a similar reception in her meetings with other city employees — firefighters, EMTs, people from the clerk's office. People have asked a variety of questions.

“One woman wanted to comment on my skirt and wanted to know where I got it,” Laurentz said.

Other people had legal questions, questions about Laurentz's personal experiences, and questions about what it was like to work with Brady and Emerson.

She said her goal in the meetings was to demystify transgender people, and to make the community more comfortable with transgender people.

The entire process of putting together the new transgender policy — not just the meetings — has been a learning experience, Brady said.

“The challenge for me was my own lack of education and information,” Brady said.

“Trying to write a policy without personal, much less professional, understanding of how my words impact people, individuals, was a challenge. But I did a lot of learning, and certainly Erika is responsible for that. And a lot of members of our local transgender community are responsible for that, too.”

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