

# SERVE!

Street Safety for Trans and  
Gender Non-Conforming Youth

**PUBLIC  
ACCESS  
DESIGN**

# WE ARE ENTITLED TO RESPECT WHEN WE INTERACT WITH POLICE.

In New York City, discrimination based on gender identity is illegal! Police can't make disrespectful comments about our gender identity, gender expression, or sexual orientation.

The police can ask you questions, but you don't have to answer them.



If the police approach you or ask you questions,

YOU CAN ASK

**Am I free to go?**

If they say **No.** you're being stopped or detained.



YOU CAN SAY

**I am going to remain silent.**

If you feel like you have to respond, only answer basic questions (like your name and address).



# WE HAVE THE RIGHT TO OUR NAMES AND PRONOUNS.

Police have to use the names and gender pronouns we use—it doesn't matter if this doesn't match what's on our IDs! They also have to use our preferred names when filling out police forms.



You don't have to show police your ID (unless you're in a vehicle).

Showing ID helps some people avoid unlawful arrests. Others feel less comfortable showing ID if the information doesn't match their gender expression.\*

#### \* TIP

Some people find it helpful to carry copies of name-change documents, or other kinds of ID that show gender. Do what feels safest to you!

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# WE HAVE THE RIGHT TO BE TREATED WITH RESPECT DURING SEARCHES.



It's against NYPD policy and a violation of our constitutional rights for police to search us just to assign us a gender or satisfy their curiosity about our bodies.\*

If your rights are being violated,

YOU CAN SAY

**You can't search me or remove my clothes to determine my gender.**



\* TIP

This applies to school safety officers, too.



At the precinct, we have the right to ask to be searched by officers of the gender we request.

If they say no, police are supposed to write down why in their command log. Remind them to do this—it can help you if you file a complaint or lawsuit later.



There should never be more officers present than needed to perform the search.

If you're being spoken to or touched inappropriately,

YOU CAN SAY

**I would  
like  
to see  
a  
supervisor.**



# WE DON'T HAVE TO INCRIMINATE OURSELVES.



We can exercise our rights by speaking up when police frisk or search us.



If police frisk you or tell you to empty your pockets or purse,

YOU CAN SAY

**I do not  
consent to this  
search.\***



You should never physically resist a frisk or search—you could get hurt or charged with resisting arrest.



## WHAT'S THE RISK?

Saying this might stop an illegal search, or it might not. Saying it out loud could help your case later.





## IF YOU'RE CARRYING CONDOMS

If police find condoms on you, you don't have to say why you have them.

YOU CAN SAY

**I'm going to remain silent.**



Police aren't supposed to use condoms as evidence of prostitution, but sometimes they do. If this happens to you, tell your lawyer and get in touch with Streetwise and Safe (see pg. 10 for more info).



## IF YOU'RE CARRYING SYRINGES

If police ask you if there's anything sharp in your pockets,

YOU CAN SAY

**Yes, I do have syringes, but I do not consent to this search.**



It's legal for you to carry new and used syringes, no matter where you got them from.\*

If you're 18 or over, you can legally buy up to 10 syringes from a pharmacy without a prescription and carry them with you.



### TIP

If you're in a licensed syringe exchange program, you can show police your participant card. This makes it easier for some people to advocate for themselves.



# WE HAVE THE RIGHT TO SAFETY IN POLICE CUSTODY.

New NYPD rules say it's our right to be held in cells according to our gender identities, unless it's not safe.

If you're worried about your safety, you can ask to be treated as a "special category prisoner." This means police have to take special steps to keep you safe, like holding you in a cell by yourself.

YOU CAN SAY

**I want to be treated as a special category prisoner.\***



Police aren't supposed to handcuff special category prisoners to rails, bars, or chairs for "unreasonable periods of time." (But "unreasonable period" isn't defined.)

## \* WHAT'S THE RISK?

Some people feel safer asking to be treated as a special category prisoner. Others feel less safe being left alone. Do what feels safest to you!

## IF YOU'RE UNDER 16

Police have to make a “reasonable effort” to reach your parent or guardian before asking questions.

Remember your right to remain silent and to a lawyer.

YOU CAN SAY

**I'm going to  
remain silent and  
I would like to see  
a lawyer.**



## IF YOU'RE A NON-CITIZEN

You don't have to answer questions about your immigration status or where you or anyone in your family was born.

Remember your right to remain silent and to a lawyer.

YOU CAN SAY

**I'm going to  
remain silent and  
I would like to see  
a lawyer.**



# IF YOUR RIGHTS ARE VIOLATED

## WRITE DOWN YOUR STORY

Try to notice everything you can and write down what happened right away. If you get stopped a lot, this might feel pointless, but it's the best way to make your case. Look out for:

- YOUR LOCATION
- OFFICER'S NAME, GENDER, RACE, HEIGHT, CAR NUMBER
- PARTNER'S INFORMATION
- BADGE NUMBER (YOU HAVE THE RIGHT TO ASK FOR IT!)
- PHOTOS, EVIDENCE, OR ANY OTHER RECORDS FROM THE INTERACTION

If you are physically hurt, contact a lawyer immediately.

## SHARE YOUR STORY WITH STREETWISE AND SAFE

If your rights have been violated, help keep police accountable by sharing your story with us at [info@streetwiseandsafe.org](mailto:info@streetwiseandsafe.org). For info on know-your-rights trainings, email [workshops@streetwiseandsafe.org](mailto:workshops@streetwiseandsafe.org).

## LEARN MORE ABOUT RECORDING AND REPORTING POLICE ABUSE

Recording police interactions is your right. To learn how, visit [copwatchnyc.org](http://copwatchnyc.org).

YOU HAVE THE RIGHT TO FILE A COMPLAINT WITH THE CIVILIAN COMPLAINT REVIEW BOARD, AN INDEPENDENT CITY AGENCY THAT INVESTIGATES POLICE ABUSE. CALL 1-800-341-2272.

## IF YOU NEED LEGAL HELP

Call the **Sylvia Rivera Law Project's (SLRP)** legal help line at **(212) 337-8550** (extension 308) or email [info@srp.org](mailto:info@srp.org). Other people may hear or read your message before it gets to a lawyer, so leave the details of your case out until a lawyer responds.

THIS GUIDE IS FOR INFORMATIONAL USE ONLY AND IS NOT A SOURCE OF LEGAL ADVICE. IF YOU NEED LEGAL ADVICE, TALK TO A QUALIFIED LAWYER.



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**Streetwise and Safe** is a multi-strategy initiative working to build and share leadership, skills, knowledge and community among LGBTQ youth of color who experience criminalization.  
[streetwiseandsafe.org](http://streetwiseandsafe.org)

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# WE HAVE RIGHTS! THE NYPD PATROL GUIDE—THE OFFICIAL RULEBOOK FOR HOW POLICE INTERACT WITH THE PUBLIC—SAYS SO.

- Making disrespectful remarks about a person's gender identity, gender expression, or sexual orientation is prohibited. NYPD Patrol Guide #203-10
- Police must refer to transgender and gender non-conforming New Yorkers by names and pronouns that reflect their gender identity. Police must record these names on police forms.  
NYPD Patrol Guide #203-10; 208-02; 208-03
- Police are NEVER allowed to search people to assign gender. Neither are school safety officers.  
NYPD Patrol Guide #208-05; 215-18
- During a search, there should never be more officers present than needed to perform the search.  
NYPD Patrol Guide #208-05; 215-18
- People in NYPD custody will be held in sex-segregated police facilities according to their gender identity. If there is concern for people's safety, they will be considered "special category prisoners" and placed accordingly. NYPD Patrol Guide # 210-01; 210-08; 210-17
- "Special category prisoners," including transgender people, will not be cuffed to rails, bars, or chairs for unreasonable periods of time. NYPD Patrol Guide #210-17