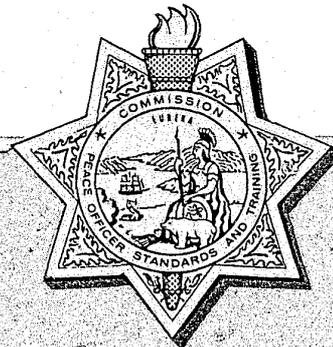


139672

# SEXUAL ORIENTATION TRAINING COURSE FOR LAW ENFORCEMENT



THE COMMISSION  
ON PEACE OFFICER STANDARDS AND TRAINING  
STATE OF CALIFORNIA

139672

COMMISSION ON PEACE OFFICER STANDARDS  
AND TRAINING

SEXUAL ORIENTATION TRAINING COURSE  
FOR LAW ENFORCEMENT

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U.S. Department of Justice  
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October 1992

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## INTRODUCTION

In 1990 the Commission was directed by SB 2680 (Boatwright) to develop cultural awareness training for law enforcement. During the development of the Guidelines for Law Enforcement's Design of Cultural Awareness Training Programs, the Commission received requests from private citizens, community groups, legislators, and law enforcement agencies requesting that specific training be developed about lesbian, gay, and bi-sexual issues. Sexual Orientation Training Course for Law Enforcement has been developed in response to those requests.

Two committees were established to assist in this project. The first made recommendations for the overall design of the course. This committee consisted of law enforcement executives and their designees. The second committee, a subject matter expert committee, was comprised of law enforcement executives, law enforcement trainers, and community members representing gay, lesbian, and bi-sexual citizens. This committee recommended content for the course.

The course is designed to be used as "stand alone" training, or within the framework of the Guidelines for Law Enforcement's Design of Cultural Awareness Training Programs for those agencies who have undergone that training program. The course is consistent with the framework of those cultural awareness guidelines.

The Sexual Orientation Training Course for Law Enforcement consists of seven learning goals for all personnel: Cultural Awareness Training Guidelines; Background of Sexual Orientation Issue; Legal Issues; Stereotypes; Demographics and Diversity; Police Points of Contact; and, Community Resources. Three additional learning goals are designed for supervisors and managers. These are: Cultural Awareness Training Guidelines for Supervisors; Terms for Supervisors; and, Managing Organizational Diversity.

Information regarding this project can be obtained by contacting Dave Spisak, Senior Consultant of the Training Program Services Bureau, at (916) 739-5305.

# SEXUAL ORIENTATION TRAINING COURSE FOR LAW ENFORCEMENT

## BACKGROUND

This course is directed to all local law enforcement personnel. The topic was selected for development following requests for the training from law enforcement agencies and community alike. The "Cultural Awareness Training guidelines" (see attachment) should be considered while making a decision to go forward with Sexual Orientation Training. In fact, the choice to provide this training to agency personnel should be based on the chief executive officer's assessment of the department's cultural awareness condition as well as an understanding of the composition of the community (see Guideline #1).

In addition to learning goals designed for all personnel, two additional learning goals have been provided for supervisory personnel.

## CERTIFICATION INFORMATION

This course is certified as a Technical Course under POST Reimbursement Plan III (travel, per diem, and tuition). Presenters are encouraged to utilize concepts of adult experiential learning and role-play exercises. The use of members from the gay, lesbian, and bi-sexual community as participants in the training process is also encouraged. If the law enforcement agency has completed the POST Cultural Awareness Training Program, Guideline #4 should be followed in the selection and utilization of a Community Training Mentor (CTM) from the gay, lesbian, and bi-sexual community to assist in this training.

## TOPICAL OUTLINE

### All Personnel

#### Introduction and Registration

- 1.0 "Cultural Awareness Training Guidelines"
- 2.0 Background of Sexual Orientation Issues
- 3.0 Legal Issues
- 4.0 Stereotypes
- 5.0 Demographics and Diversity
- 6.0 Contacts with the Police
- 7.0 Community Resources

#### Examination

Hours 8

Supervisors and Managers

- 8.0 "Cultural Awareness Training Guidelines" for Supervisors
- 9.0 Terms for Supervisors
- 10.0 Managing Organizational Diversity

Examination

Hours 4

Total Hours 12

LEARNING GOALS AND EXPANDED OUTLINE

All Personnel

1.0 "CULTURAL AWARENESS TRAINING GUIDELINES"

Learning Goal: The student will understand the applicable "Cultural Awareness Training Guidelines" as they relate to sexual orientation training.

A. Guideline #1, "The Law Enforcement Executive Should Assess The Department's Cultural Awareness Condition."

- 1. The student should review their agency value statement/policy as it relates to diversity.
- 2. The student should understand that this training is part of broader issues of human relations, race relations, and cross cultural communications.
- 3. The student should understand their agency managements commitment to diversity training.

B. Guideline #3, "The Law Enforcement Executive Should Appoint An Agency Cultural Awareness Facilitator (CAF)."

- 1. The student should identify the agency CAF if the law enforcement agency has participated in POST Cultural Awareness Training Program.
- 2. The student should identify the other elements of the agencies Cultural Awareness Training Program.

C. Guideline #5, "The Law Enforcement Executive Should Evaluate The Need For Additional Cultural Awareness Training For The Law Enforcement Agency."

- 1. This training is being provided as part of a response to an analyzed training need

## 2.0 BACKGROUND OF SEXUAL ORIENTATION ISSUES

Learning Goal: The student will understand the background issues relevant to gays, lesbians and bi-sexuals.

### A. Key words and terms.

1. Stereotype
2. Gay
3. Homophobia
4. Transvestite
5. Transsexual
6. Sexual orientation
7. Homosexual
8. Bi-sexual
9. Lesbian

### B. Three historical points of reference for the gay, lesbian, and bi-sexual community are:

1. Stonewall Riots, Greenwich Village, New York City, 1969
2. Pink triangles, WW II holocaust symbol
3. White Night Riots, San Francisco, 1979

## 3.0 LEGAL ISSUES

Learning Goal: The student will understand the legal background of "gay rights."

### A. Legal background of gay rights.

1. First Amendment Rights
2. California Constitution - right to privacy
  - a. Background of changes in California
  - b. Status of similar rights in other states
3. California laws
  - a. Hate crimes
  - b. Domestic violence
  - c. Recent legislative efforts
4. Local policies/ordinances

Learning Goal: The student will understand the consequences of civil rights violations under both criminal and civil statutes.

### A. The civil liability potential for civil rights violations will be explained.

1. Department may not provide representation for officers charged with civil rights violations.
  2. Punitive damages may be assessed out of personal funds.
- B. The criminal liability under "color of law" potential for violations under criminal statute will be explained.
- C. Local agency policy protecting the rights and explaining police procedures relating to gays, lesbians, and bi-sexuals will be discussed.

#### 4.0 STEREOTYPES

Learning Goal: The student will understand common stereotypes relevant to the gay, lesbian and bi-sexual community.

- A. Stereotypes frequently held concerning:
1. Lesbians
  2. Gays
  3. Bi-sexuals

#### 5.0 DEMOGRAPHICS AND DIVERSITY

Learning Goal: The student will understand the demographics and diversity of the gay, lesbian, and bi-sexual community.

- A. Data concerning the gay, lesbian, and bi-sexual community will be presented.
1. Kinsey Report <sup>1</sup>
  2. California data
  3. Local data
- B. Comparison of the gay, lesbian, and bi-sexual community to the general population will include:
1. Income
  2. Education
  3. Racial and ethnic background
- C. Describe the family relationships of gays, lesbians, and bi-sexuals.
1. Relationships - significant others

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<sup>1</sup> Kinsey, Alfred Charles, Sexual Behavior in the Human Male, 1948.

2. Alternative/extended families
3. Gay, lesbian, and bi-sexual youth issues
  - a. Runaways
  - b. Suicide risk
  - c. Throwaway youth
  - d. Gay parenting

#### 6.0 CONTACTS WITH THE POLICE

Learning Goal: The student will understand common police contacts with the gay, lesbian, and bi-sexual community.

- A. Patrol Contacts
  1. Domestic violence
  2. Hate crimes
  3. Public sex
  4. Free speech and assembly activities
  5. Medical situations
  6. Gay bar situations
- B. Detective Procedures

#### 7.0 COMMUNITY RESOURCES

Learning Goal: The student will understand referral procedures to appropriate community organizations.

- A. Organizations designed to work with the gays, lesbians, and bi-sexuals in the students community will be identified and discussed.
  1. AIDS/HIV resources
  2. Youth organizations
  3. Local centers
  4. State-wide referral organizations
  5. Federal clearinghouses

#### Supervisors and Managers

#### 8.0 "CULTURAL AWARENESS TRAINING GUIDELINE" FOR SUPERVISORS

Learning Goal: The supervisor will understand the purpose of Guideline #2, "The law enforcement executive should consider the need for training supervisors in techniques of managing and supervising a diverse workforce."

- A. Supervisors will understand that managing and supervising diversity in the workplace includes employees with different sexual orientation.

- B. Supervisors will recognize that employees may chose to identify their sexual orientation to coworkers, thereby requiring sensitivity and understanding by their supervisor.

## 9.0 TERMS FOR SUPERVISORS

Learning Goal: The supervisor will understand the definition of key terms and the legal basis for sexual orientation training.

- A. Discussion of key sexual orientation terms as related to law enforcement shall include:
  - 1. Values
  - 2. Ethics
  - 3. Principles
  - 4. Culture
- B. Discussion of the need for law enforcement agency policies concerning the guarantee of civil rights of gay, lesbian, and bi-sexual individuals both in the agency and the community shall include:
  - 1. 1st Amendment rights
  - 2. California Constitution
  - 3. California laws
    - a. Hate crimes
    - b. Domestic violence

## 10.0 MANAGING ORGANIZATIONAL DIVERSITY

Learning Goal: The supervisor will understand the inclusion of gays, lesbians, and bi-sexuals within the cultural diversity policy of their agency.

- A. Monitoring subordinate's professional behavior as it relates to gay, lesbian, and bi-sexual issues relative to providing police services to the community is a responsibility of the supervisor.
  - 1. Ensuring appropriate police services are provided during common police contacts with the gay, lesbian, and bisexual community.
  - 2. Ensuring that hate crime statutes are correctly applied.
  - 3. Providing documentation for these activities for appropriate follow-up with employees.
- B. Monitoring subordinate's professional behavior as it relates to gay, lesbian, and bi-sexual agency employees is a responsibility of the supervisor.

1. Identifying sexually offensive language and behavior in the workplace.
2. Providing documentation of incidents contrary to agency policy for appropriate follow-up with employees.
3. Providing support/referrals to gay/lesbian/bi-sexual officers as needed.
4. Understanding the potential difficulties and concerns of gay, lesbian, and bi-sexual employees in revealing their personal sexual orientation.

GUIDELINES FOR REVIEWING AND USING  
AUDIO-VISUAL TRAINING MATERIALS

GUIDELINE I

AUDIO-VISUAL TRAINING MATERIALS SHOULD BE RELEVANT TO THE SUBJECT MATTER BEING TAUGHT.

1. Instructors should only use audio-visual training materials related to the subject matter. Audio-visual materials involving other issues may be interesting but can tend to dilute the intended training and use up valuable class time.

**Note:** The use of brief audio-visuals unrelated to the subject matter which provide a needed break in instruction may be used, so long as they meet the criteria within these guidelines.

GUIDELINE II

THE CONTENT OF AUDIO-VISUAL TRAINING MATERIALS SHOULD BE AT THE APPROPRIATE LEVEL FOR THE INTENDED AUDIENCE.

1. Audio-visual training materials should be at an appropriate level for the intended audience. The presenter or instructor should consider if the training is for:
  - a. entry-level or advanced personnel
  - b. sworn or non-sworn
2. Presenters/instructors need to consider their audience when using audio-visual training materials that contain sensitive or confidential information.

GUIDELINE III

AUDIO-VISUAL MATERIALS SHOULD BE COMPATIBLE WITH EXISTING CALIFORNIA LAW, LAW ENFORCEMENT ETHICS, PROFESSIONAL TRAINING PHILOSOPHIES, AND/OR INDIVIDUAL AGENCY PROCEDURES.

#### GUIDELINE IV

AUDIO-VISUAL TRAINING MATERIALS SHOULD BE FREE OF BIAS OR STEREOTYPING ON THE BASIS OF RACE, GENDER, NATIONAL ORIGIN, RELIGIOUS BELIEF, OR POLITICAL AFFILIATION.

1. Audio-visuals should not promote or discredit any particular race, gender, national origin, religious belief, or political affiliation. However, it may be necessary to depict stereotypes in order to add realism, such as in courses dealing with:
  - a. sexual harassment
  - b. hate crimes
  - c. gangs, or
  - d. other "group-specific" training

#### GUIDELINE V

AUDIO-VISUAL TRAINING MATERIALS SHOULD BE FREE OF UNNECESSARY OFFENSIVE LANGUAGE OR INAPPROPRIATE HUMOR.

1. Offensive language may be necessary in some cases to illustrate a point or create a realistic training experience.
2. Humor that is demeaning to any group or individual should be avoided.

#### GUIDELINE VI

AUDIO-VISUAL MATERIALS SHOULD GUIDE THE STUDENT TO RESPOND APPROPRIATELY TO SITUATIONS ON THE JOB.

1. Audio-visual training materials should eliminate controversy and confusion on any subject so that students do not under or overreact. To this end the instructor should identify, clarify, and discuss any controversial part within the training materials and any appropriate civil liability issues.
2. The information in audio-visual training materials should not conflict with the POST Safety Guidelines.

#### GUIDELINE VII

THE INSTRUCTOR SHOULD PREVIEW THE AUDIO-VISUAL TRAINING MATERIALS PRIOR TO ANY PRESENTATION TO ENSURE COMPLIANCE WITH COPYRIGHT LAWS OR ANY LOCAL POLICY REQUIRING REVIEW PRIOR TO USING THE MATERIALS.