

**92% of incarcerated women have been beaten or battered.**

**A trans identified individual who was housed in CCWF is charged with 2 counts of rape.**

**Male inmates are statistically more violent than female inmates.**

## RIGHTS FOR TRANS-IDENTIFIED INCARCERATED PEOPLE VIA SB132

**These rights are EXCLUSIVELY for trans-identified prisoners. No other segment of the population are granted these rights.**

- Have their perception of health and safety given serious consideration in any bed assignment, placement, or programming decision within the facility in which they are housed.
- A trans-identified person has the right to have every single woman moved out of their room if they so choose. CCWF has 8 person cells. This is unfair, disruptive, and is promoting a privilege group that is above the law. Providing exclusive rights no other incarcerated person has is giving that group control over the placement, movement, and housing of females.
- Granting single-cell status, housing the individual with another incarcerated person of their choice, or removing the individual or individuals who pose a threat from any location where they may have access to the individual who has expressed a safety concern.
- The Department of Corrections and Rehabilitation shall not deny a search preference pursuant to paragraph (2) of subdivision (a) or a housing placement pursuant to paragraph (3) of subdivision (a) based on any discriminatory reason, including, but not limited to, any of the following:
  1. The anatomy, including, but not limited to, the genitalia or other physical characteristics, of the incarcerated person.
  2. The sexual orientation of the incarcerated person.
  3. For a denial of a housing preference pursuant to paragraph of subdivision (a), a factor present among other people incarcerated at the preferred type of facility.
- By default, female employees are responsible for searching trans identified prisoners. This include strip searches.
- If a trans identified individual raises concerns for their health or safety at any time, their housing and placement shall be reassessed.
- Any denial of any request made by a SB132 transfer must be followed by a written explanation from staff and can be grieved in 30 days.

**33.8% of transfers from men's to women's prisons are REGISTERED SEX OFFENDERS.**

Number of Offenders Who Identify as Transgender, Intersex, or Non-Binary Seeking Transfer to Female Facilities	Percentage Who Are Registered Sex Offenders	Percentage Who Were Convicted of a Sex Offense
287	33.8%	25.8%

- ✗ **Hormone replacement therapy is NOT required to transfer from a men's to a women's prison.**
- ✗ **Gender affirming surgery is NOT required to transfer from a men's to a women's prison.**
- ✗ **NON-BINARY incarcerated people, those who do not identify as male or female, have the exact same rights as those who are trans-identified.**

- ✓ Women need equal protection of the law. Reproductively compatible prisoners cannot be safely housed together.
- ✓ Incarcerated women, of whom 92% are survivors of abuse, are in a constant state of hyper-vigilance and are unable to rehabilitate.
- ✓ Incarcerated sex offenders cannot focus on healing from their own traumas and the traumas they have caused when the state is facilitating and permitting their re-offending.
- ✓ Safeguards like the requirement of sexual reassignment surgery and hormone replacement therapy must be added to this law.
- ✓ Prisoners who are going through the process of medical transitioning need to be housed in a medical facility with adequately educated care providers for the duration of their healing process before being permitted to transfer to a prison of their preferred gender.

**Per 15 CCR § 3022, Equality of Inmates, "No inmate or group of inmates will be given or be permitted to assume control over other inmates. This does not preclude the use of inmates as aides or lead persons on work and training assignments when the activity is directed and supervised by responsible employees." SB132, The Transgender Respect, Agency, & Dignity Act, is in direct violation of 15 CCR § 3022 by adding PEN § 2606.**