

# Assessment of the Transgender Housing Unit

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MARCH 2018 – BOARD OF CORRECTION



# Report Overview

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## **Data used for analysis:**

- 118 Applications to the THU (Sept 2015 – Jul 2017)
- 167 Placements into the THU from Apr 2015 – Jul 2017
- 166 Complaints received by the Board (Apr 2015 – Jul 2017)
- 9 observations of the THU by BOC staff (Jun - Aug 2017)
- 2 observations of community meetings in the THU (Oct & Dec 2017)

# Key Findings

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- The THU is an important option for the safe placement of transgender and gender non-conforming individuals in DOC custody
  - 95% of applicants reported would feel more comfortable living in the THU rather than general population or protective custody.
  - 70% of applications reviewed cited safety concerns related to harm from other people in custody.
  - 35% of applicants reported they had experienced prior harassment, threats, attacks or abuse in custody.
  - 8% stated they were currently experiencing harassment, threats, attacks or abuse.

# Key Findings

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- The Department of Correction does not have an effective system for managing applications and placements into the THU.
  - 84% of applications had no decision recorded.
  - 73% of placements had no application associated with the placement
- Policies related to the application process have not been consistently practiced
  - People reported that that they were not informed of the THU's existence at intake.
  - Applicants spent an average of 86 days in custody prior to completing an application.
  - Over 40% of applications came from people in just one housing facility.

# Key Findings Cont.

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- There is no meaningful, independent appeals process
  - There is no mechanism in place explaining the appeal process to people who have been denied placement.
  - The Department of Correction has received no appeals of THU placement decisions.
  - Currently, the committee which makes the initial THU placement decision is also tasked with making a final determination upon appeal.

# Key Findings Cont.

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- Individuals housed in the THU and staff working in the THU both report that there is no effective mechanism to address conflict between people in the unit.
  - People housed in the THU report concerns regarding the lack of alternative THU housing units when conflicts arise.
  - During BOC visits to the THU, most housing area staff were not steady though some expressed a desire to be steady. Staff also cited frustration about excessive overtime and consecutive shifts.
  - Staff in the THU at the time of BOC observations reported to the BOC staff that they had not received any specialized training for their work in the THU

# Recommendations

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## - Improve THU Operation and Processes by:

- Ensuring that all people in custody are provided information about THU at intake.
- Ensuring that the PREA Intake Questionnaire triggers appropriate follow-up if an individual self-identifies or appears to be transgender
- Creating a mechanism to systematically manage applications for and placements into the THU.
- Developing criteria and a transparent and timely process for placement in the THU that does not automatically place transgender individuals into facilities inconsistent with their gender identity.
- Revising and improving the process for appealing denial of placement in the THU.

# Recommendations

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## - **Provide Additional Education and Training –this should include:**

- Engaging with local trans-led and -focused organizations for ongoing transgender-competent training and programming that aligns with the needs of those people in the THU
- Educating DOC staff and people in custody about the THU including how to apply for placement in the unit.
- Clarifying for people in custody the CHS policy regarding access to hormone therapy.



# Recommendations

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**- Establish task force to develop a plan for short and long-term improvements to the management and operation of the THU, improvements should include:**

- Regularly convening and utilizing the evaluation and advisory committees to support management improvements.
- Adding additional and consistent gender-responsive programming to the unit based on feedback from individuals in custody and individualized assessments.
- Increasing steady staffing in the THU
- Assigning a full-time social worker to facilitate individualized programming and services, mediate conflict between people housed in THU, contribute to exit decisions and plans, and serve as liaison between transgender individuals, uniformed staff, and DOC administration.