

# Vera Institute of Justice

## Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/blog/covid-19-adds-to-challenges-for-trans-people-in-californias-prisons>

### Public Facing Advocacy Writing

As the novel coronavirus has swept through U.S. jails and prisons, little attention has been focused on the needs and experiences of incarcerated transgender and gender-nonconforming (GNC) people. [Fewer than 1 percent](#) of adults in this country identify as transgender, but a 2015 survey found that trans people are incarcerated [at about twice the rate](#) of cisgender people.

In prisons, trans and GNC people are subjected to harassment and violence by both staff and other incarcerated people. Because they are targeted in these ways, trans and GNC people are often considered troublemakers when problems arise. This means they're disproportionately [placed in solitary confinement](#), where their transition-related medical needs may go unmet. These needs often include [access to hormones](#), which control growth, metabolism, mood, fertility, the immune system, and the body's [regulatory systems](#). Without the necessary hormones, [trans people may experience major health problems](#). Once released, they're often [harassed in homeless shelters](#) and when receiving other services and frequently [struggle with reintegration](#) if they lack family support.

Media reports have described the COVID-19 pandemic's effects on jails and prisons broadly, typically focusing on how correctional facilities make social distancing impossible, a reality exacerbated by a lack of basic hygiene products and insufficient health care. But there has been no mainstream media coverage on how trans people are doing on the inside. I spoke with Alex Binsfeld (they/them pronouns) of the [Transgender Gender-Variant and Intersex Justice Project](#) (TGIJP) in San Francisco about what people are facing right now. The group works directly with incarcerated and recently released trans, gender-variant, and intersex (TGI) people in California.

One of TGIJP's current projects is helping to pass legislation in support of system-affected trans and gender-nonconforming people. TGIJP's focus on trans people includes a reentry program for those recently released, as well as responding to the pandemic by working on decarceration, securing safe housing in the community, sending money for hygiene products to incarcerated trans people, and creating a guide to help people advocate for their own release.

Binsfeld says trans people in prison have a pressing need for credible information about COVID-19 and that many don't know how to keep themselves safe or what their rights are. There are still people sharing bunk beds, sinks, and toilets in San Francisco, Binsfeld says. Many people with COVID-19 have been quarantined in solitary confinement, and advocates are concerned that this practice may be ongoing. TGIJP, along with the [TransLatin@ Coalition](#), is advocating for infected people to receive proper medical care; just one of the urgent demands the group has sent to California Governor Gavin Newsom. In many parts of the state, incarcerated people don't have access to hand sanitizer (because of its alcohol content) or sometimes even soap.

Although research on transgender health issues is glaringly insufficient, it's widely understood that trans people often lack health insurance and access to care; use alcohol, tobacco, and other substances at disproportionately high rates; and have high rates of HIV and some other [serious medical conditions](#). Binsfeld warns that COVID-19 will be particularly devastating to the trans community and its most vulnerable members, especially those who are [age 65 and older or have certain underlying medical conditions](#).

Trans folks getting out of prison now are facing even greater difficulties accessing services. Binsfeld recounted the story of one trans woman in California who recently left prison. Because she had no identification, she couldn't secure work and given coronavirus shutdowns, she was unable to obtain new identification. She sought help in a shelter, one of the few housing options for people who leave prison and lack family support, which couldn't accommodate her dietary restrictions. Trans folks are being released with no way to survive, Binsfeld says.

TGIJP's reentry program has helped dozens of trans people meet their needs temporarily post-release. The organization is trying to secure a building for permanent housing for TGI people once the pandemic eases. Binsfeld says advocates for incarcerated trans people are totally over capacity now. Their group and others are following up with funds for incarcerated trans people, and California's Prisoner Advocacy Network has published [COVID-19 guides](#) that provide legal information.

Binsfeld says TGIJP urgently needs volunteers to assist with mass mailings and volunteer lawyers to help with [PREA complaints](#), arbitrary medical denials, and harassment complaints. TGIJP provides information but cannot provide direct legal representation. The group is part of Transgender Advocacy Group (TAG), a coalition of organizations working on behalf of marginalized trans people. Binsfeld and other advocates from TAG stress the importance of directly supporting incarcerated trans people. For more information, visit Trans Lifeline [on Twitter](#).

Alex Binsfeld is the legal director at TGIJP. They ask prospective volunteers to reach out to anyone who has trans, GNC, or intersex loved ones in the California prison system can email Binsfeld at [alex@tgijp.org](mailto:alex@tgijp.org).

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