

Ohio Justice and Policy Center

Criminal Justice Issues and Prisoners' Rights

<https://ohiojpc.org/2019/06/28/this-pride-month-dont-forget-about-trans-prisoners-who-need-our-help/>

Public Facing Advocacy Writing

by [Marais Jacon-Duffy](#) | Jun 28, 2019 | [Blog](#)

I spent part of this month celebrating Pride alongside thousands of other Greater Cincinnatians. At the Pride Parade in particular, the joy of celebrating inclusivity, acceptance, and love was palpable.

I wish so badly that my clients could experience this.

As an attorney at the Ohio Justice & Policy Center, a nonprofit law firm, I work with incarcerated clients who have suffered human rights violations, women who are in prison for killing their domestic abusers, and with those who have rehabilitated themselves but are still serving excessively long sentences.

Currently, five of my twenty clients are transgender. While that may seem high (considering that less than 1 percent of the U.S. population identifies as transgender), trans people are more than twenty times more likely than the average U.S. citizen to be incarcerated in their lifetime, according to [Lambda Legal](#). This is attributed to a high number of transgender people being homeless at some point in their lives, among other reasons.

All five of my transgender clients have been diagnosed with gender dysphoria through the prison medical system. However, that doesn't translate to any type of medication or treatment as it might if they were diagnosed with depression or diabetes. If these clients were diagnosed with gender dysphoria by a doctor outside of prison, they would have been given options for treatment. One option available outside of prison is hormone therapy. In prison, unless someone enters prison with a current prescription for hormones, they will not be granted access to hormones.

All five of my transgender clients are also housed in men's prisons. Although they identify as women, they are reminded constantly by guards, rules, and the rest of the prison population that they are not seen, by them, as real women. They are called by their male names. Incarcerated trans people are further stripped of their identity by strict prison rules, and they can suffer punishment if they don't calmly accept this.

The rules of the prison specifically prohibit any form of expression that could allow slight comfort to transgender people. Makeup even tattoos that mimic makeup are prohibited. Women's underwear and bras are not allowed in the men's prison. Incarcerated people's privacy is basically nonexistent, and their rooms and belongings inspected for any prohibited items. If a prisoner comes in contact with any of this contraband, they are punished.

Despite supposed protections provided to prisoners through the Prison Rape Elimination Act (PREA), when a person in prison reports a sexual violation, they are punished. The prisoner is taken to the hole, or isolation, and told it is for their protection. While in the hole, they have no human contact, often no books and almost no time outside the cell. The use of solitary confinement as a protection mechanism is reportedly used more often for transgender prisoners than the rest of the general population. Transgender prisoners are often, and repeatedly, targets of excessive inappropriate comments, touching, and violence.

One client of mine, Robyn, will reenter society after forty-four years in prison. For the entirety of her incarceration, Robyn has been called Robert. Every correspondence with the prison must be addressed to Robert. While freedom from prison will also mean freedom to be her authentic self, it is distressing to think about the mental anguish she has endured for decades as a woman literally trapped in a man's body and in a men's prison.

Robyn has described herself as a tired and beaten transgender woman who suffers from gender dysphoria, and was suicidal.

Being denied one's true identity often results in mental anguish, depression, suicidal ideation, and genital mutilation. When a trans prisoner takes matters into their own hands, they are punished and denied help. My clients and many more are suffering even more because the prison system does not recognize their unique needs as transgender women.

So, if you're someone who also enjoyed the energy and love surrounding Pride Month and you want to help transgender people in prison, here's my request: Bring some of that hope, acceptance, and love to LGBTQIA+ individuals who are incarcerated. Our organization, the Ohio Justice & Policy Center, is always looking for volunteers, and we'd be happy to find projects directly related to helping our transgender clients. Volunteer attorneys interested in assisting transgender people in prison, would also have many opportunities to work with clients like Robyn. Specialist who work with transgender persons can help with information and services for our clients. And you don't have to stick with OJPC; you can also reach out to other great Ohio organizations, including Octopus, Trans Lifeline, the Heartland Trans Wellness Group and the ACLU of Ohio.

To help incarcerated people who are coming home, like Robyn, after a lengthy incarceration, I encourage you to reach out to the office of reentry services in your area. Offer to assist transgender people who are coming home.

While prison may not be conducive to healing for transgender people, your kindness could make all the difference in the world.

-Tiffany Smith, Attorney at the Ohio Justice & Policy Center

She, her, hers

Register for one of OJPC's virtual legal clinics [here](#).

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