

Is there a provision within the standards that requires that transgender individual's identities are to be kept secret from staff or others in the facility?

- No - To clarify the term "secret" or confidential, §115.41 (i) requires: The agency shall implement appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information **is not exploited** to the inmate's detriment by staff or other inmates.

How many individuals do you have assigned to a facility other than that of their natal gender?

- Based on self-reported information and consideration through the APAC process, there are currently, three transgender women housed in a female facility.

Does PREA require all facilities to have a PCM?

- Yes. §115.11(c) requires that when an agency operates more than one facility, each facility shall designate a PREA compliance manager with sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards. CCPMs are designated PCMs.

Who were the subject matter experts and where were they from?

- This information can be obtained through a RTK request unless the SMEs agree to be identified.

Regarding the commissary, has there been consideration for how to monitor for potential misuse by individuals who have sex offenses and are accessing female undergarments as an element of fetishism?

- Available items are not excluded based upon an inmate's criminal history.

Does PA allow for transgender inmates to be strip searched by a staff member of the same gender (i.e., female staff member searching a transgender female in a male facility)? How is this addressed in policy?

- Yes, transgender inmates can be searched by a staff member of the same gender depending on their housing placement. However, individualized accommodations are authorized for approval by the facility's PREA Accommodations Committee (PAC) in the agency's PREA policy DC-ADM 008, which can be found on the Department's webpage.

Are the self-identified transgender allowed the transgender commissary items or is that limited to individuals with a gender dysphoria diagnosis?

- All inmates, including transgender inmates, have the same rights to commissary items. Access to commissary items traditionally found in opposite gender facilities are not restricted based upon an individual's diagnosis.

Is it possible to obtain copies/examples of checklist utilized by PREA site manager?

- Access to checklists must be approved through a case-by-case request and authorization process. Please email david directly: Radziewicz, David G dradziewicz@pa.gov

Can we have a Part 2 to this webinar?

- Absolutely and there will be others – Planning for 2nd week of June at this point.

David spoke about items that are allowed in. I work in a female facility with quite a few transgender persons. One question I receive regards allowing trimmers in. He reports security not allowing him to have his trimmers for shaving. They are not normally allowed in female facility. Please comment.

- Access to electric hair trimmers must be approved as a medically necessary alternative to traditional shaving razors by the Bureau of Health Care Services.

How do your facilities address transgender staff members in terms of searching of inmates and cross-gender announcements in housing units?

- Please contact our presenter directly - Radziewicz, David G dradziewicz@pa.gov

Who are transgender staff members permitted to search and what announcements are they required (or not) to make when it comes to female/male on duty announcements?

- Transitioning staff are required by policy to engage in an interactive process with facility Human Resource staff to coordinate a gender presentation date. Once the presentation date occurs; cross-gender announcements and limitations must be consistent with the individual's gender identity and to meet the PREA standards. Staff gender transition is covered by the Department's Equal Employment Opportunity policy, which is available on the Department's public website.

Where do you then house transgender individuals? Do you house them in special management, or do you house them in housing appropriate to their identity?

- In accordance with the PREA standards and PREA policy, housing decisions are made on a case-by-case basis, according to the individual's needs. Transgender inmates are not housed any differently than other inmates unless they have been designated to a special management unit based on assessment criteria.

Can you share your risk assessment tool?

- Access to the risk assessment tool must be approved through a case-by-case request and authorization process. Please contact our presenter directly - Radziewicz, David G dradzewic@pa.gov

Where do we find the updated PAC checklist?

- Access to checklist must be approved through a case-by-case request and authorization process. Please contact our presenter directly - Radziewicz, David G dradzewic@pa.gov

I know that the DOC recognizes inmates who identify as "transgender". However, what about inmates who identify as "gender queer" or "gender fluid"?

- Individuals may self-identify their sexual orientation, gender expression, and gender identity during the risk screening process.

Do you treat all offenders who identify as transgender and/or intersex the same or only those that have been diagnosed with Gender Dysphoria?

- Department procedures for the management of transgender individuals are equally applicable to those who are self-identified and those who are diagnosed with Gender Dysphoria.

Are they going to make a jail for transgender individuals? Maybe that will help with PREA?

- Segregating transgender individuals is prohibited by §115.42(g), absent a consent decree, legal settlement, or legal judgment:

(g) The agency shall not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such inmates.

What safety and security concerns have arisen to date?

- Safety and security concerns are evaluated on a case-by-case basis and there have been limited generalized concerns. In each inmate's review, an individual's health, safety, and risk of victimization in their current environment must be evaluated.

A male inmate comes in and identifies as a woman. During the interview the inmate indicates they want to be housed in the male dorm. However, they insist on female underwear and the ability to have their prosthetic breasts. What would the State do?

- Access to gender affirming undergarments are permitted, regardless of the individual's housing status. Within the Department, any access to prosthetic devices must be approved as medically necessary by the Bureau of Health Care Services.

Have you transferred a female transgender to a female facility?

- Yes.

What do you recommend I say (if anything) when I hear other staff refer to transgender inmates as "it" or incorrect pronouns? For example, a transgender female inmate addressed as "he" versus "she".

- By policy, the intentional misuse of gender pronouns and titles is prohibited. Transgender and intersex inmates shall be referred to by their preferred pronoun or a gender neutral form of address.

Unprofessional and derogatory references toward inmates are not acceptable under any circumstances. Under §115.6's definition of staff-on-inmate sexual harassment; intentional demeaning references to an inmate's gender may be considered sexual harassment and should be reported through the facility's PREA reporting procedures.

Have you developed any special training initiatives to meet the needs of this population?

- Training is an ongoing effort and has been deployed in multiple settings, tailored to the classification of staff and the types of interactions they may have with transgender individuals. Examples are, PREA Compliance Manager training, Risk Screening Training, PREA Accommodation Committee training, and Pat Search training.

How do leaders adjust their culture and the corresponding training to de-stigmatize these issues with staff and inmates?

- As in the case with the Department, leadership formed alliances with other government, state and private agencies that provided fundamental knowledge of social and medical transition, culture diversity, and sensitivity awareness trainings. Trainings must be individualized to each classification of staff and the types of interactions they may have with transgender individuals.

What have been the most important lessons you've learned along the way?

- The most important lesson learned along the way is to understand that the tenants of PREA are to ensure staff safety and keep all incarcerated individuals sexually safe, regardless of sexual identity or preference.