

Written Testimony for the Board of Correction April 14, 2020 Hearing on CHS Variances Request

Dear Members of the Board of Correction,

I am submitting this commentary to address the longstanding concerns of access to healthcare expressed by transgender women currently detained in the Rose M. Singer Center, which the COVID-19 crisis in city jails has only exacerbated.

I am currently in daily contact with three women housed in the Special Considerations Unit, formerly the Transgender Housing Unit, in RMSC. In addition, over the past two and a half years, I have visited and spoke with women in the THU on a weekly basis, and have extensive knowledge of the longstanding healthcare concerns facing women detained there.

These firsthand reports are corroborated by extensive research, which shows that TGNC (trans and gender nonconforming) people who are incarcerated tend to have more pre-existing medical and mental health needs;¹ more trouble accessing medical care;² and more likely to face retaliation, violence,³ solitary confinement, and disciplinary actions while incarcerated than the general jail, prison, and immigration detention population.⁴

Although trans women in RMSC have long expressed dissatisfaction with their access to medical care while incarcerated, especially gender-affirming medical care, this has only intensified in the context of COVID-19. On Sunday, I spoke to two women in the THU, who reported calling the newly-implemented CHS healthcare hotline on a daily basis, only to be put on hold over and over again, for thirty to forty-five minutes, and eventually to have the line disconnected, without their medical needs recorded, let alone addressed. Both of the women I spoke to have longstanding serious health concerns, for which they are now unable to access medical care.

While recognizing CHS's need to prioritize care for incarcerated people ill with COVID-19, these women expressed to me serious concern about their own health, and their increasing vulnerability to COVID-19 given their inability to access routine medical care. This lack of access to care, in conjunction with the lack of PPE for incarcerated people in RMSC, is putting them at serious risk for illness and death. The women who I have been in daily contact with are experiencing increasing psychological distress, fear, and stress, reducing their sense of wellbeing, taking a toll on their health, and exacerbating their underlying medical conditions.

Individual, family, community, and population health have always been well served by decarceration, because incarceration itself is harmful to health. The COVID-19 crisis in city jails only makes this more clear. Although the time to release everybody from city jails and shut down Rikers was weeks, months, years, decades ago; although the time to radically decarcerate our city and free oppressed, marginalized, and criminalized people from state-sanctioned violence and death has long been due, perhaps COVID-19 will force the city to finally do what is right. Bring our family members, community members, and loved ones home and provide them the healthcare and supportive services they deserve in the communities and institutions of their choosing.

Sincerely,
Nadja Eisenberg-Guyot

¹Sandy E. James, et al., The Report of the 2015 U.S. Transgender Survey, NAT'L CENTER FOR TRANSGENDER EQUALITY, 94, (Dec. 2016), available at <https://transequality.org/sites/default/files/docs/usts/USTS-Full-Report-Dec17.pdf>

Joshua D. Safer et al, Barriers to Health for Transgender Individuals, 23 CURR. OPIN. ENDOCRINOL DIABETES OBES., 168-171 (Apr. 1, 2017) available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4802845/>.

Becasen, J.S., et al., Estimating the Prevalence of HIV and Sexual Behaviors Among the US Transgender Population: A Systematic Review and Meta-Analysis, 2006-2017. Am J Public Health, 2018: p. e1-e8.

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²<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5831751/>

³Sandy E. James, et al., The Report of the 2015 U.S. Transgender Survey, NAT'L CENTER FOR TRANSGENDER EQUALITY, 119, (Dec. 2016), available at <https://transequality.org/sites/default/files/docs/usts/USTS-Full-Report-Dec17.pdf>.

⁴<https://transequality.org/sites/default/files/docs/resources/TransgenderPeopleBehindBars.pdf>