

I, Sonia Doe, being of full age, hereby declare the following to be true and correct to the best of my knowledge:

My Background and Medical Diagnosis

1. I am a woman.
2. I was assigned the sex of male at birth but have identified as female since I was a child.
3. Since approximately 2003, I have publicly lived as a woman in all aspects of my life.
4. I have been diagnosed with gender dysphoria. In approximately 2005, I received a diagnosis of what was then referred to as gender identity disorder (GID). My medical files since that time have included either a gender dysphoria or GID diagnosis.
5. Since approximately 2005 and until my incarceration, I consistently received treatment for GID or gender dysphoria, including hormone therapy prescribed by a medical provider, which included estrogen and testosterone-blocking medications. Hormone therapy changed my body and appearance: I developed typically feminine breasts, the shape of my body became more feminine, and my skin softened.
6. I have used my current, typically feminine name since approximately 2003. In 2006, while living in Pennsylvania, I legally changed my name in Center County court. My drivers license issued by the State of Pennsylvania recognizes my typically feminine legal name.
7. I moved to Atlantic County, New Jersey in or around 2007. I obtained a New Jersey drivers license, which reflects my female gender and legal name.

NJDOC's Knowledge That I Am a Woman and Failure to Treat Me Like One

8. In March 2018, I entered New Jersey Department of Corrections (NJDOC) custody for offenses stemming from my addiction to prescription pain pills following extensive surgeries related to car accidents and injuries.

9. Since my entry into NJDOC custody, I have been confined exclusively in men's prisons, with male cellmates or in isolation. I have been at the following prisons, in this order: Central Reception and Assignment Facility (CRAF) in Trenton, South Woods State Prison (SWSP) in Bridgeton, New Jersey State Prison (NJSP) in Trenton, Northern State Prison (NSP) in Newark, and since July 29, 2019, SWSP again.

10. NJDOC and its staff know or should know that I am a woman. My NJDOC medical records reflect that I am transgender and include a diagnosis of gender dysphoria and hormone therapy as part of my medical care in prison. I consistently inform NJDOC staff that I am a woman.

11. I know that women who are not transgender who enter NJDOC custody are processed for intake at Edna Mahan Correctional Facility for Women (EMCFW) in Clinton, New Jersey. From the beginning, I have been treated by NJDOC as a man and therefore was processed for intake at CRAF along with men. I also know that other transgender women are in NJDOC's men's prisons because, among other ways, I have been in the same men's prison with them.

12. It is my understanding that when I entered CRAF in March 2018, my records from the Atlantic County jail indicated that I am transgender and/or have a gender dysphoria diagnosis, and that I was receiving twice daily doses of estrogen and testosterone-blocking medications. I informed medical and other NJDOC staff about this during my intake process.

13. At all times in NJDOC custody, corrections officers and other prison staff have consistently referred to me using male pronouns, despite the fact that such officers and staff know

or should know that I am transgender and despite the fact that I have frequently corrected them. On numerous occasions, when I have attempted to explain that my pronouns are female, corrections officers and/or other prison staff have responded, “this is a male prison.”

14. When I entered NJDOC custody, the doctor at CRAF cut my testosterone-blocking medication dosage in half, and my prescription was consistently renewed at that level for over a year, until June 2019. Additionally, I have experienced difficulty at various NJDOC facilities receiving my medications regularly and on time, and have been told the medication was back-ordered or out of stock. I have filed informal and formal grievances related to my hormone therapy.

15. I have been denied female commissary items, including tweezers which I believe to be available to women at EMCFW. I have had difficulty obtaining or retaining appropriate female undergarments, which are available to women at EMCFW. For example, in January 2019, the medical department at NSP provided me temporary permission to wear a bra that might trigger the metal detector (the underwire had already been removed). But in February, the bra was confiscated as contraband. During a less than three month period at NSP in early 2019, I filed over a dozen formal or informal grievances about my issues related to female undergarments.

16. In addition to issues related to hormone therapy and female undergarments, I have filed numerous other grievances related to my identity as a woman who is transgender. In them, I have reported being misgendered, subject to sexual harassment, and made to fear violence due to my identity. I have also asked to be referred to using female pronouns.

17. As a result of the gaps in my hormone therapy and inadequate grooming supplies, I developed facial hair growth that required me to shave. That, in combination with my inability to obtain or retain appropriate female undergarments, exacerbated my gender dysphoria and caused

me emotional distress, anguish, and humiliation. It made me uncomfortable in my body and feel and look unlike myself.

My Experience of Harassment in Men's Prisons

18. In each of the four men's prisons I have been confined at, I have consistently been misgendered, otherwise harassed, and made to feel at risk of physical and sexual assault. I describe just some of those incidents below.

19. When I first arrived at CRAF, I was strip searched and given only a small towel to wrap around my waist afterward. When I tried to place another small towel around my neck to cover my breasts, corrections officers forced me to remove it, saying that was prohibited. It was humiliating and fear-inducing for me to be forced to go topless in front of male prisoners and male officers who watched.

20. After approximately three weeks at CRAF, I was transferred to SWSP, where corrections officers verbally harassed me because I am transgender and gave me pretextual disciplinary charges. They jeered at me and shouted that they could not wait to strip search me and "see some titties." I filed a Prison Rape Elimination Act (PREA) complaint through a counselor, who I believe was a mental health counselor.

21. In addition to my fear of the corrections officers, I was scared of my assigned cellmate at SWSP, a physically enormous man. I am five foot six inches and weighed approximately 135 pounds when I entered SWSP.

22. When I was brought to the cell, on March 24, 2018, this other prisoner would not let me in the door. Referring to me, he said he would "f*ck him up, that f*ggot is not coming in here." The officers around me merely laughed. They eventually called a sergeant who said he could

not move me because it would amount to discrimination and PREA does not allow that, so he hoped “you guys enjoy each other’s company. Lock in.” I felt as though he was mocking me.

23. The other prisoner still blocked the cell door, and I was too afraid to enter anyway. The officers handcuffed me and charged me with a disciplinary offense for refusing a housing assignment.

24. Immediately after, I was placed in prehearing detention, in a psychiatric unit because I was crying and so upset that I had been charged. I was in conditions of isolation for nearly 24 hours a day. Around me, I could hear officers making fun of how I had filed a PREA complaint. They laughed and said it was pathetic.

25. Five days later, I was being transported by officers to another location. In what I believe was retaliation for my PREA complaint, I was given another disciplinary charge for allegedly attempting to throw bodily fluids. According to a NJDOC Special Custody Report by one of them: “I/m [Doe] made a sound like he was clearing his throat and he looked back at me to spit and before he could hit me with his spit he was pushed up into the wall with his face away from me. I asked i/m [Doe] if he was going to spit again. I/m [Doe] said ‘no’ and we finished the escort with no problems.” In fact, the officer had ordered me to turn and open my mouth, and when I complied, he shoved me up against the wall. I never cleared my throat. I had no intention of spitting.

26. Among other sanctions, I was sentenced to 90 days of administrative segregation for the charge of refusing a housing assignment and to another 181 days of administrative segregation for the attempt to throw bodily fluids charge. The entire adjudication process occurred so informally and quickly that I did not realize I had been adjudicated guilty until I received the paperwork saying I would be sent to administrative segregation.

27. I served my combined nine months of administrative segregation at NJSP, which is known as the most secure NJDOC facility. During all or some of that period, I understand I was also classified as being in protective custody because I am transgender. My experience of administrative segregation and/or protective custody at NJSP involved isolation in a cell by myself for nearly 24 hours a day.

28. At NJSP, I was strip searched whenever I left the unit. After searching me, the officers made me finish dressing on the tier, topless with my breasts exposed, where every male prisoner on the tier and male corrections officers could see me.

29. Throughout my time at NJSP, male prisoners often made lewd remarks to me as I walked by, wrote me notes that were sexually harassing, and/or visibly masturbated while staring at me. It made me fear for my safety.

30. After my nine months of administrative segregation, I was transferred to NSP. There too, male prisoners made lewd remarks to me as I walked by, wrote me notes that were sexually harassing, and/or visibly masturbated while staring at me.

31. I continued to receive explicit notes even in administrative segregation at NSP (the circumstances of which I explain later below). The notes described sexual acts with me and referred to my “pussy” and their “dick.” These notes were slid under my door by another prisoner, sometimes with a knock to get my attention. During my time in NJDOC custody, I have received countless notes like these; I would estimate at least one hundred. I received a couple at CRAF, many at NJSP, and many more at NSP.

32. For example, I received three notes from a single prisoner while in administrative segregation at NSP. In one note, he traced an outline of his penis and wrote in letters around the

outline: “This is my Dick well about 1/2 of it The paper is to small My Dick is 9” [illegible] But this is How fat It is.”

33. In another three-page note, he wrote, “As soon as I seen you I was turned on asap. . . . I wish I can see that pussy. See you walking around with nothing on. . . . I like you, you look good As fuck. I wish I can eat that pussy and have you ride this Dick.”

34. In a third three-page note, he said: “Baby you got it all, full package for reel, Pretty face and a good as[s] Body. . . . I told you I want to eat that pussy. We don’t even have to fuck Just let me lick that pussy and Im good. My dick m[a]y be to big for you to take anyway. I have a 9 Inc. Dick. Can you take all of that Dick?”

35. I have not reported these notes to the prison administration because I am afraid of what the men might do in retaliation. Until my attorney asked, I did not keep the notes because they made me feel sick. As with everything else about my placement in a men’s prison, these notes from male prisoners around me have made me fear for my safety.

36. I was transferred from NSP to SWSP on July 29, 2019, where I am currently bunked with a male cellmate. Every day, I am subject to verbal and sexual harassment by male prisoners and/or male corrections officers. Usually, they make comments related to my breasts, but they also call me names such as “f*ggot.”

37. At SWSP, I overheard a group of officers talking about me as I walked by. A female officer said, “That’s the one they call [Sonia],” to which a male officer replied, “Yeah, did you see her titties?” Another male officer said, “No, *his* titties.”

38. Male prisoners have made comments about my “titties” and my “booty.” One male prisoner pointed to me and said, “What the fuck is that?” Another called me “fried green tomatoes,” which I understood to mean he considered me fresh meat and that he was saying I was at risk of

attack, maybe even threatening me with it. A third male prisoner approached me and said, “Mmm, mmm. I’d fuck the shit out of that.”

39. On August 1, I spoke with a psychologist at SWSP, identified myself as transgender and asked to be referred to using female pronouns. I also asked if the social worker was aware of the NJDOC policy on transgender prisoners. The psychologist said she knew such a policy existed but said the unofficial policy at SWSP, as she understood it, was that if you are anatomically male, male pronouns will be used. She said other prisoners had asked for female pronouns in the past and those requests had been denied. She said the SWSP administration’s position at this facility was this is a male prison so you’ll be referred to that way.

40. The same day, the male prisoner across the hall from my cell pushed himself up against the small window of his cell and waved to get my attention. When he saw me watching, he pulled his penis out of his pants and began stroking it while staring at me. My male cellmate and other male prisoners on the tier saw him masturbating at me and/or heard about this incident from other prisoners and knew it was directed at me. On August 8, he again pulled out his penis and publicly masturbated while staring at me.

41. These incidents, at all four men’s prisons I have been confined at, make me fear for my safety and make me feel at risk of physical and sexual assault. I believe these incidents will continue, and escalate, if I remain confined in men’s prisons.

My Request for Transfer to the Women’s Prison

42. In mid-April 2019, my attorney at the ACLU-NJ provided me a copy of NJDOC’s Policy on Transgender/Intersex Inmates. I had never seen this policy nor knew that it existed, despite having been in NJDOC custody as a transgender prisoner for over a year. Pursuant to that policy and through my attorney, on April 29, I filed a formal request with the NJDOC to be moved

to EMCFW, in line with my gender identity and expression. The request mentioned the urgent, ongoing and irreparable harm I was experiencing in men's prisons. I made the request because I live in constant fear for my safety in men's prisons and believe I should serve my prison term in the women's prison, because I am a woman.

43. After I filed my request through the ACLU-NJ, NSP Administration and/or other staff met with me about my housing placement and verbally acknowledged receipt of the letter. However, all conversations were limited to my placement within units at NSP. At no time did they indicate openness by the NJDOC to moving me to EMCFW. While I attempted to cooperate and have expressed my appreciation for these efforts, I maintained my request to be transferred to the women's prison. At no time did I indicate that placement in a men's prison was acceptable or appropriate: I am a woman and feel unsafe in a men's prison.

My Experience of Assault by Officers

44. Just under a month after I filed my transfer request, on May 24, 2019, I was called down from my unit in C3W to the "ED" complex at NSP and directed to a door that said "Sergeant's Office." I did not know why I was being called down and had never been to this area before. Indeed, when I walked from my cell, I assumed that it was to take a phone call with my attorney from the ACLU-NJ.

45. Lt. N.R. was seated at a desk in the office. I did not see any security or surveillance cameras in the office, which are typically visible in other locations in the prison.

46. Lt. N.R. told me to have a seat. Then she said, "wait." She ordered Ofc. S.R.: "Pat him down first." I responded to Lt. N.R.'s incorrect use of pronouns by saying "*her*."

47. I took the proper position for Ofc. S.R. to conduct a pat down search. Ofc. S.R. stepped behind me and began groping my breasts in what I experienced to be a sexual manner. He

was squeezing and caressing my breasts and not actually performing what I know and have experienced to be a frisk or pat down search.

48. I took a two inch step backward and leaned back in order to see the lieutenant behind another officer who was there, Ofc. J.L.. I said, “Whoa, he’s groping me.”

49. Lt. N.R. leapt from her chair and yelled, “No. We don’t do that here! You don’t move one inch when being searched. Do you understand?”

50. I replied, “Yes, but I wasn’t being searched. He was fondling my breasts.”

51. She replied with what I remember to be the following: “Put your hands on the door, search him again. *Him*. Notice I said him? You’re a man. You don’t have breasts. This is a male prison. You’re a he. That’s how we do searches. This is Northern State Prison and that’s how we do it here.”

52. Ofc. S.R. searched me, patting me down normally this time, the way men get patted down.

53. Lt. N.R. then told me to have a seat and I sat down in the empty chair beside her desk. I crossed my right leg over my left and folded my hands in my lap. Calmly, I said “I will be reporting this incident on the kiosk,” meaning that I planned to file a grievance. I made no aggression whatsoever.

54. As soon as I said I’d be reporting it, Lt. N.R. responded, “You know what else we do at Northern State Prison?” Then, addressing the two officers, “Go ahead and show him.”

55. The officers started beating me.

56. Ofc. S.R., the larger of the two officers and the one who had groped my breasts, punched me first, in the right eye. All three people, the lieutenant and two officers, became involved in beating me.

57. I don't remember whether I fell off the chair or I was dragged off, but I remembered being in a fetal position on the floor, with my knees raised and my hands together blocking my face, being beaten by all three of them.

58. One of them bent over and approached my face – I could not see who it was – and then sprayed me heavily in the face with “OC” chemical agent, or what civilians often know as mace.

59. I am not certain who deployed their asp baton, only that I was struck with it several times: once on the right elbow, once on the right knee, once on the back, and once more on the outside of both hands, all while I was on the ground in the fetal position.

60. During the whole time of this attack, I did nothing but lie in the fetal position crying and begging them to stop. At no point did I punch back or otherwise take any affirmative action other than to attempt to protect my face and curl myself up into as small a ball as possible. I remember Lt. N.R. calling a “Code 33” on the radio, after what seemed like forever.

61. At the end, I was bleeding profusely from my nose as well as from an open wound on my right elbow where I had been hit with the asp baton. I was on my side at that point. There was a patch of blood on the floor about eight inches in diameter, and my clothes had spots of blood on them.

62. Eventually, more officers came, placed me in handcuffs, and took me to the primary entrance of the “ED” area. I was still bleeding profusely. I was pushed up against the wall and held over a trashcan and ordered to bleed into the trash.

63. As my face was leaking blood into the trash, an officer went to grab a handheld video camera. They began recording me.

64. Approximately eight officers came to transport me, including two sergeants. The majority of them were in what looked like SWAT gear: helmets and vests. One was holding the handheld camera and recording my movements.

65. We made a quick stop at the medical department, where medical staff tried to clean me up, and where I said I wanted my attorney and my emergency contact to be notified. The medical staff wiped the blood off my face and let me try to wash the mace out of my eyes. My hair was stuck to my face as I turned to put my head under the water, to try to wash my face while handcuffed. A nurse tried to put a rubber band in my hair, which is a little below shoulder length, to make a ponytail. One of the officers said something like, “No, he can’t have that. Get that out of here.”

66. The medical staff stitched up my lacerations. My elbow required seven to eight butterfly stiches. A nurse palpated my head and said she felt multiple bruises. She said, “Here’s a hematoma. Here’s hematoma.” I know from my training and experience as an EMT that that means a large bump on my head. Other than that, I received no diagnosis and was not told about any follow up treatment plan.

67. From the medical department, I was brought to the “SU.” I was strip searched in front of the approximately eight male officers who were escorting me. They leaned me up against the wall, with my forehead pressed against it. One of them shouted commands at me. To the best of my recollection, the following are quotes of what he commanded.

68. He said, “Are you listening? It is very important that you comply. If you do anything besides what we tell you to do, it’s considered an act of aggression. Do you understand?” I said, “yes.”

69. The sergeant stepped onto the heels of my shoes and said “step forward.” I stepped forward, out of my shoes.

70. He said, “Take off your shirt.” I took off my shirt. “Take off your bra.” I took off my bra. “Take off your pants.” I took off my pants. “Take off your shorts.” I took off my gym shorts, which I wore as underwear.

71. I was standing naked facing the wall.

72. He said, “Turn around.” I turned around to face the eight male officers.

73. He continued to shout commands at me, and I continued to comply one by one: “Open your hands. Show your hands. Run your fingers over your mouth. Move your tongue. Shake your hair out. Show behind your ears. Lift your arms up. Lift your junk. Lift your right breast. Lift your left breast. Turn around. Put your hands against the wall. Lift your right foot. Wiggle your toes. Lift your left foot. Wiggle your toes. Bend at the waist. Cough.”

74. The officers then instructed me to go lie down on the bed facing the wall, flat. I was still entirely naked in front of them. They exited with my clothes, which were bloodied, and gave me what prisoners call a “turtle suit,” a green suicide prevention suit. Later, someone brought me clean clothing.

75. Around 7 pm on the evening of my assault, Lt. N.R. came by my cell. She looked in and said, “Hm. He’ll live.” Then she kept walking. I felt as though she had come to admire her handiwork.

76. At no time were photographs taken of my injuries or any other camera or visual recording device used, as far as I could tell, for the purpose of documenting the extent of them. At that point, to my knowledge, the lieutenant and officers had no injuries. I later learned that Ofc.

S.R. had suffered a “right hand contusion,” which I assumed was the result of him punching my face.

77. From that day, I remained in conditions of isolation for the next 67 days – in a cell on average for more than 20 hours a day, and closer to 23 or 24 hours most days.

78. I was not provided a shower during my entire time in the SU unit and was not finally allowed one until almost a full week after the attack. The chemical from the mace therefore stayed in my hair and all over my body and face. As a result, whenever I cried, my hair would get in my face and it felt like I was being maced all over again.

79. Since May 24 and through the present, I have had nightmares in which I relive the assault. The nightmares often wake me up in the middle of the night. I still have them a couple nights a week. They were much more frequent at the beginning.

My Disciplinary Adjudication and Sanctions in Conditions of Solitary Confinement

80. On May 25, a sergeant delivered two pieces of paper that informed me I was being charged with disciplinary offenses. I was charged with Prohibited Acts *.002, assault, and .306, conduct which disrupts the orderly running of the facility.

81. On May 26, another sergeant came to my cell with an “inmate worker” to fix my clogged toilet. I talked to the sergeant through the door and asked him if I could speak to my attorney and if I could have an attorney for Courtline, the NJDOC’s internal disciplinary hearing process. He told me, “You have to wait til you go to ad seg to talk to your lawyer.” “Ad seg” would be punishment I got after being found guilty.

82. From that day forward, almost every person I saw, I asked to see a doctor and my attorney – or, when I was later told I had to contact my attorney through social services, I asked to speak to social services.

83. On May 28, a sergeant and two officers opened my door and handcuffed me in the front. It was the first physical contact I had had with another person since May 24. After I was cuffed, a doctor and nurse came in. They told me to sit on the bed and the doctor examined me in my cell.

84. The doctor told me her diagnosis as follows: probable broken nose, fractured jaw, and possible damage to my spine and the nerves in my hand. I understood she was ordering X-rays of my face, elbow, knee and back, CT scans of my face, and an MRI of my lumbar spine. The entire exam took approximately five minutes. No photographs were taken of my injuries.

85. That afternoon, I left my cell for the first time in four days to meet with my attorney. My right knee was still so swollen I could not cross my legs to show her how I had been sitting before the assault. I had a bruise the size of a silver dollar on my upper forearm. Around my elbow laceration, a bruise had developed that was dark black and purple and about a foot long. I knew from the mirror in my cell that my entire right eye socket, up to my eyebrow and down to my upper cheekbone, was also dark black and purple and the bridge of my nose was raised and greenish in color.

86. After my attorney visit, I was transported to the Delta Unit. Two cameras were positioned inside my cell, one facing the bed and one facing the door, such that I had the impression all my movements were being watched and/or recorded.

87. On May 30, I was allowed my first shower since significant bleeding and being sprayed with the chemical irritant, which had soaked my hair and had been burning my skin all week long. The top half of the shower curtain was clear or translucent and the officers tried to have me shower in there, topless. When I said that was a PREA violation, they allowed me to put a sheet up for privacy.

88. On the afternoon of May 30, a sergeant brought me to the medical department. I had X-rays performed of my knee, lumbar spine, face and elbow. The results were not read to me.

89. On June 4, I was transported for a couple of hours to St. Francis Hospital in Trenton. Later, back at NSP, the doctor delivered the results to me, which said the X-rays looked normal. A CT scan was also performed. The discharge report noted that my nose and jaw appeared intact and that there was no evidence of facial bone fracture.

90. During the first week of June, the Disciplinary Hearing Officer came to my cell a number of times requesting a statement from me. I told her that I wished to and was attempting to speak with my attorney. Finally, on June 6 or 7, she told me that if I did not submit a statement, she would have to decide my case only looking at the evidence against me. Through my counsel substitute, I therefore submitted a four-page handwritten statement describing what happened on May 24.

91. On June 11, my attorney attempted to meet with me to discuss my case, but we were not afforded a private area to speak. After the visit, the sergeant and camera team escorted me back to my unit and forced me to strip search and remove all my clothing behind a curtain that only covered me from the waist down, revealing my fully developed female breasts to the entire tier and a large window to my right, for all the passersby to observe. They asked me to remove my clothing in the same manner I described in paragraphs 70 to 73, with my shirt first, so that I was forced to remain topless for as long as possible. This occurred despite the fact that I said this manner of strip searching me was in violation of the NJDOC policy and PREA. Instead, they laughed about the situation and mocked my pleas for them to stop.

92. On June 13, I handwrote a statement of mitigation, for my counsel substitute to submit to the Disciplinary Hearing Officer, in which I restated my identity as a transgender woman,

asked not to be sentenced to administrative segregation because of my vulnerability as a transgender woman to the harms of isolation, and asked again that my attorney be able to assist me.

93. On June 14, I was afforded very limited confrontation of the lieutenant and two officers who had assaulted me, without my attorney present. I was placed in a cage approximately four feet by four feet on each side and six feet high. All four sides and the top of the cage were a white latticework. There was a slot in the front to put my hands through but I could not even lift my hands to that height. They were handcuffed and attached to a belly chain so tightly that they were plastered to my stomach. I was not allowed to take notes, although I wouldn't have been able to hold a pen like that anyway. I felt like an animal, or worse.

94. After speaking with my attorney on June 11, I had asked my counsel substitute to submit a number of questions related to my identity as a transgender woman, including the officers' misgendering and groping me, which had led to my complaint and the assault in question. However, counsel substitute had submitted just two questions related to my identity for each of the three people being confronted: First, was the person aware that I identified as female and was transgender? Second, prior to the assault, was the person aware of an NJDOC policy on searching transgender prisoners?

95. For each set of questions, the Hearing Officer asked all questions submitted by counsel substitute except for the two related to my being transgender. She denied those as "irrelevant" to the questioning of the lieutenant and officers who had assaulted me when I asserted my rights and status as a transgender woman.

96. During the confrontation, Ofc. S.R. stated that the injuries he had sustained were a "right hand contusion." According to the disciplinary charge, I had punched Ofc. S.R. in the face

with a closed fist. He did not state that he received any injuries to his face. In fact, he had punched me in the right eye.

97. The confrontation took approximately 30 or 35 minutes and was recorded by video. I was rushed back to my cell afterward. It was the only time I left my cell that day. I did not appear before the Hearing Officer again in any type of hearing or proceeding.

98. On June 20, the Hearing Officer came to my cell and informed me of her decision. She had adjudicated me guilty of both charges and had sentenced me to nine months of administrative segregation.

99. On the afternoon of June 20, I was moved to a different wing. In that wing, just like in the Delta Unit and SU, I was in conditions of isolation.

100. Previously, I had been given a month's supply of hormone therapy to keep in my cell, so I could administer it in the twice daily dosages myself. In isolation, a nurse or other NJDOC staff had to bring me my medications twice a day. They often missed one or both deliveries, or else brought me incomplete dosages of my testosterone-blocking and estrogen medications. As a result, during my time in isolation, I did not receive the proper prescribed levels of my hormone therapy, which exacerbated my gender dysphoria and caused me physiological reactions including anxiety and nervousness.

101. On June 24, through counsel substitute, I appealed my disciplinary adjudication and sanction. On June 28, I received the NSP Administrator's denial of my appeal. At no point before then did the Administrator or other prison staff come to talk to me about my appeal or seek to further investigate my charges or the circumstances of my adjudication or the underlying assault.

102. For the next month, I continued to be confined in my cell for 23 to 24 hours a day, leaving only occasionally for showers, phone, or kiosk access, and, only in the last week or so,

occasionally for programming. The only time I was out of my cell for more than that, but still less than four hours, was when my attorney came to see me. Based on my experience of administrative segregation at NJSP and my experience at NSP in May, June and July, I expected to be isolated in my cell for 20 hours or more per day – in other words, to be in solitary confinement for the next nine months.

My Transfer to General Population

103. On July 25, through the ACLU-NJ, I filed an appeal of my disciplinary adjudication to the New Jersey Superior Court, Appellate Division. Following a court order in that case, I was released from administrative segregation at NSP on July 29 and, late that night, was transported to SWSP, where I remain in general population. I had been in conditions of isolation for 67 days.

104. Whereas NSP generally houses prisoners with higher security statuses and lengthy sentences, my understanding is that most prisoners at SWSP have lower security statuses and/or are serving shorter sentences. For example, the man I was assigned to as a cellmate is serving a sentence of 14 months and will be released in October.


105. When I was told to pack up my things on the night of July 29, I thought my housing transfer request had been granted and I was being moved to EMCFW.

106. Instead, as I described above, my experience at SWSP over the past two weeks has been marked by verbal and sexual harassment and persistent discrimination because of my identity as a woman who is transgender.

107. Like each of the more than 500 days I have now spent in men's prisons, today I feel vulnerable to attack, uncomfortable, and unsafe. The daily reminders that the NJDOC considers and treats me like a man exacerbate my gender dysphoria and cause me fear, anxiety, depression, humiliation, self-loathing and, at times, even feelings of self-harm.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

Dated: 14, Aug 2019



Sonia Doe, a pseudonym*

*If the motion to proceed under pseudonym is denied, I will promptly refile and sign a declaration containing my true name.