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# Federal judge orders sweeping reforms of treatment of transgender inmates in all Illinois prisons

By **ANGIE LEVENTIS LOURGOS**  
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Leas Correctional Center in Lincoln, Illinois, on July 17, 2013. (Gregory Wozniak/Chicago Tribune)

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A federal judge has mandated major reforms of the treatment of transgender inmates in all Illinois prisons, including an end to “mechanically assigning housing based on genitalia,” physical size or appearance, according to court documents.

The court order issued Thursday by U.S. District Court Judge Nancy Rosenstengel comes in response to a 2018 class-action lawsuit filed against Illinois Department of Corrections officials on behalf of five incarcerated transgender women claiming inappropriate treatment of gender dysphoria, an intense distress due to a mismatch of biological sex and gender identity.

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“This is a sweeping victory for our clients, who have been subject to unspeakable harm by a department of corrections that has truly been deliberately indifferent to our clients suffering,” said Ghirlandi Guidetti, American Civil Liberties Union of Illinois staff attorney, in a written statement.

Corrections officials have until Jan. 22 to notify the court of steps taken to follow the judge’s directives, according to the order. A spokeswoman said the agency said she could not comment on pending litigation.

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The order also requires the department to craft policies allowing transgender prisoners “medically necessary social transition,” which includes individualized housing decisions, avoidance of cross-gender strip searches and providing access to “gender-affirming clothing and grooming items.”

A “transgender committee” within the corrections department is no longer permitted to make decisions about medical treatment of gender dysphoria; instead, corrections officials have to ensure those determinations are made by qualified

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In the lawsuit, five transgender women claimed inappropriate treatment while housed in multiple Illinois prisons, often describing severe mental health issues stemming from untreated gender dysphoria. Plaintiff Janiah Monroe, who identified as female since she was a child growing up on Chicago's South Side, waited roughly three years for hormone treatment during incarceration, and it was only provided after several self-castration and suicide attempts, according to the lawsuit.

The plaintiffs were also represented by attorneys from Kirkland & Ellis LLP, King & Spalding LLP and Kennedy Hunt, PC.

The court-ordered reforms in Illinois come as the nation struggles with transgender rights in prisons, jails and other detention facilities.

The Trump administration in 2018 [rolled back](#) various protections for transgender inmates in federal prisons that had been established during the Obama administration. New guidelines use biological sex as the initial determination for housing, and gender identity would only be used in rare cases, the Federal Bureau of Prisons' Transgender Offender Manual states. The change followed a 2016 federal lawsuit in Texas, where several female inmates compared sharing housing with prisoners who are transgender to "cruel and unusual punishment."

The Chicago-based [American Medical Association](#) in 2018 urged prison and jail systems to adopt policies allowing transgender inmates to be housed in facilities based on their gender identity. The organization noted that transgender populations report higher rates of violence during incarceration, citing a study of California prisons where 59% of transgender inmates experienced sexual assault compared with a little over 4% of the overall prison population.

"Support the ability of transgender prisoners to be placed in facilities, if they so choose, that are reflective of their affirmed gender status, regardless of the prisoner's genitalia, chromosomal make-up, hormonal treatment, or non-, pre-, or post-operative status," the organization said in a written statement.

The Illinois Department of Corrections came under fire for its treatment of transgender inmates in 2018, when Rosenstengel had [mandated agency officials develop training on transgender issues](#) for all staff statewide.

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That directive was in response to a lawsuit by Strawberry Hampton, a transgender inmate from Chicago's South Side who described being treated like a "sex slave" while housed in men's prisons across the state, claiming abuse by both corrections staff and fellow inmates.

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In late 2018, the department granted Hampton's request for a rarely issued transfer to a women's prison in alignment with her gender identity.

Hampton, who was [released from prison](#) in July, had described drastic improvements in her physical safety and mental health once she was housed at a facility for women.

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"At the end of the day, I'm safe here, I feel good," she had [told the Tribune](#) in January, shortly after her arrival at Logan Correctional Center, a women's prison in central Illinois. "I don't have to worry about someone trying to attack me for being a woman."

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