

May 24, 2021

To whom it may concern:

I am writing to you today as a former federal prisoner from Ontario, Canada. I was incarcerated when the Correctional Service of Canada (CSC) passed their Interim Bulletin Policy 584, which allowed transfers based on gender identity instead of sex.

This policy was supposed to help all gender-diverse people, but in fact, this policy only applies to males who identify as women as CSC does not transfer females who identify as men due to overriding health and safety concerns. Trans women who have had surgery have been incarcerated with women since at least 1982. This policy allows fully intact males into the women's prisons where they are putting women, trans men and trans women at risk of male violence from the men's prison.

Approximately 63% of trans women want to stay in a men's prison, and nothing has been done to make it safer for them. Gay and bisexual men are at just as much risk as trans women in men's prisons, yet we do not transfer them to women's prisons. Male violence is the problem, but we have done nothing to solve the problem, and we have now downloaded 100% of the risk of male violence from men's prisons onto women in prison.

CSC is currently collecting information from the women about how they can do better to keep them safe because there have been sexual assaults, physical assaults, sexual harassment, pregnancies and STI's because of intact males in the women's prisons. They are handing out the morning after pill at health care. There is a Public Safety Committee meeting coming up next month, and I have been asked to testify by the Shadow Minister of Public Safety because I have been advocating for the women and collecting information on the issue for the past two years, and our media and government do not want to report on it.

I am currently helping a woman with her upcoming court case because Steve Mehlenbacher a 3rd-time federal offender who served close to 2 decades in and out of men's prisons, decided he would identify as a woman and transfer to the women's prison. Steve is on sexual assault and criminal harassment charges, and he is out of prison and brags about how he played the system. A government organization that specializes in public safety and does a risk assessment before transferring to a women's prison was fooled and was not able to identify that Steve was a predator playing the system. Instead of transferring Steve back to a men's prison after the first assault, they transferred him from one women's prison to another to another where he left victims in every province. Steve is not the only one who has sexually assaulted the women prisoners.

As you know, women in prison are a particularly vulnerable group. An overwhelming majority of women in prison have suffered physical and/or sexual abuse at some time or throughout their lives. In addition, Canada has been telling women that reports of abuse by trans prisoners is discriminatory, which creates an even more dangerous prison environment with the potential for physical and sexual abuse of an already marginalized group – one in which women will not even be able to report abuses committed against them and where abusers will act with impunity.

I have put out a survey to criminalized women who have been incarcerated with male biological prisoners because no one else bothered to ask them about their experiences. The results so far are heartbreaking, and no one is listening to or helping these women. Organizations funded for women have abandoned us and will not help us even though they know that 50% of the transfer requests are from sex offenders and have heard firsthand testimony from women who have been victimized.

The UK tried this and had to make a transgender wing because of the rape of female prisoners. Ireland is trying the same thing right now, they have three male rapists in the women's prison, and two guards have to watch them at all times to prevent them from raping the women prisoners. This policy has not been successful in any countries that have tried it, including Washington State in your very own country.

This will not end well for incarcerated women. Predators take advantage of every possible opportunity to get near their victim pool, and you are playing right into their hands.

You should be investing in LGBTQ wings in the men's prisons to keep all males safe. The wings can be tailored to meet their unique needs with appropriate programming and resources. Thus not downloading the male violence onto women.

Sincerely,

Heather Mason

[Link to the article](#) I wrote about women's prisons in Canada.