

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

SUNDAY HINTON, on behalf of herself and
others similarly situated,

Plaintiff,

v.

DISTRICT OF COLUMBIA,

Defendant.

No. 1:21-cv-1295-JDB

SECOND SUPPLEMENTAL DECLARATION OF SUNDAY HINTON

I, Sunday Hinton, declare as follows:

1. I am over 18 years of age and a resident of the District of Columbia. I make this declaration based on my personal knowledge of the matters described.

2. My lawyers read me Ms. Reid's description of our meeting on April 30, 2021, in her declaration filed in this case on May 12, 2021. Between April 27, 2021, and April 29, 2021, I met with Traci Outlaw and told her that I wanted to be housed in a women's unit, and she told me that (a) my only option was to be housed in a men's unit, and (b) the Transgender Housing Committee (THC) had stopped meeting during the pandemic. I knew that Ms. Outlaw was on the THC, but I did not know that Ms. Reid was on the THC. This is why I did not speak to Ms. Reid about being transferred to a woman's unit at the time I saw her on April 30.

3. My lawyers read me Ms. Reid's description of our meeting on May 7, 2021. Ms. Reid left out very important context to our conversation. On May 6, 2021, I told Ms. Outlaw that I wanted to fill out a grievance to be housed on a women's unit. Ms. Outlaw suggested I hold off on filing the grievance and instead speak to Ms. Reid about my request to be housed with the women. That is why I met with Ms. Reid on May 7. I went to see Ms. Reid specifically to tell

her that I wanted to be housed in a women's unit. Ms. Reid said she did not know if being housed in a woman's unit was an option for me. I told Ms. Reid that if I couldn't be in a women's unit, I would like to be housed with my friend, another transgender woman, because I would feel safer being with another girl than in a unit with all men. After talking with Ms. Reid, I filed an emergency grievance later that same day, again requesting to be housed in a general population women's unit.

4. On May 10, 2021, I again told Ms. Reid I wanted to be housed with the women. Ms. Reid assured me she would make a note of my request.

5. My lawyers read me Ms. Reid's description of our meeting on May 12. Ms. Reid left out the most important parts of what happened and made it seem like being housed with the men was my choice. It was not my choice. On May 12, I told Ms. Reid and the others right away in the meeting that I wanted to be housed in a women's unit. I only suggested being housed with another transgender person after I was told that a women's unit was not an option. Ms. Reid left out the fact that I asked for my lawyer to be there and told her I didn't understand what was happening. Ms. Reid also left out the fact that I only signed the waiver because they told me I would have to stay in the Jail (CDF) with all men—and no other transgender women—if I didn't sign it.

6. I was transferred to CTF to a men's unit on May 12. My friend, another transgender woman, is on the same men's unit. I learned from my friend that she wants to go to the women's unit, too. When my friend got to the DOC, she was not given a form to request or waive her right to a hearing with the Transgender Housing Committee (THC). Ms. Outlaw told my friend that the THC was not meeting. Ms. Outlaw also told my friend that she couldn't go to the women's unit.

I, Rachel Cicurel, certify that I have read the foregoing to Sunday Hinton and that she affirmed the foregoing is true and correct on May 13, 2021, between 3:30 and 4:00 pm.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 13, 2021.

Handwritten signature of Rachel Cicurel in cursive script.

Rachel Cicurel
Counsel for Sunday Hinton
Public Defender Service for the District of Columbia