

**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.

Civil Action No. 1:21-cv-1295-JDB

DECLARATION OF COURTNEY PHILLIPS

I, Courtney Phillips, 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. I got to the D.C. Department of Corrections (DOC) on August 2, 2020. I was placed in a men's unit in the D.C. Jail. When I initially got here in August, I saw two transgender women I knew. They were also being held in a men's unit at D.C. Jail.

3. When I first got to the jail, the DOC staff did not give me a form to fill out regarding where I wanted to be housed as a transgender person. To date, I have never been given a choice about being housed with the men versus being housed with the women.

4. I first engaged with Ms. Outlaw approximately two weeks after I got to the jail in August. Ms. Outlaw is a point of contact for transgender people at the jail. Ms. Outlaw and I have a relationship outside of the jail. I work at an organization she worked at, and I've also worked in tandem with Ms. Outlaw to help several of our clients.

5. When I first met with Ms. Outlaw at the jail, Ms. Outlaw and I spoke about my housing. I spoke with Ms. Outlaw about my housing on several occasions. Ms. Outlaw told me

that the Transgender Housing Committee (THC) was not up and running and was not meeting with anybody because of the COVID-19 pandemic. She said that since the THC was not meeting, they were not assigning any transgender girls to the female housing unit at that point in time.

6. I asked Ms. Outlaw what my other options were because I did not want to go to solitary confinement and I was not mentally prepared to stay at the jail. What we came up with was that Ms. Outlaw would try to get me over to a men's unit at the Central Treatment Facility (CTF). When I asked if they could send me to CTF, Ms. Outlaw told me that you have to be court-ordered or in some type of program to go to CTF. However, Ms. Outlaw said she would talk to the head case manager about getting me to CTF, but also said that once I got to CTF, she could not help me anymore. Three weeks later, DOC staff called my name and said I was going to CTF. The last time I met with Ms. Outlaw was a few weeks before I left the jail for CTF. I got over to a men's unit at CTF on October 29, 2020. I am still in a men's unit at CTF.

7. Since I was first sent to the DOC in August, I had never signed any paperwork regarding my housing until about two weeks ago when Ms. Reid came to see me. I had never met Ms. Reid prior to two weeks ago; I have been in DOC custody since August 2 of last year and this interaction with Ms. Reid two weeks ago was the first time I had ever seen her. Ms. Reid said she was doing a follow-up with all of the transgender women. I said "okay, but this is the first time anyone has come to check on me since I've been at CTF." I did make reference to Sunday Hinton's situation when I spoke to Ms. Reid.

8. Ms. Reid gave me a paper that said I wanted to be designated here with the males. It was kind of awkward she asked me to sign this paper; I said, "I've been here with the males the whole time, so what's the need for me to sign at this point?" Ms. Reid said signing the paperwork was a formality. Ms. Reid did not say I had the option of speaking to a lawyer. She

did not say I had an option to go to another unit or in front of the THC. Since there was not an option, I went ahead and signed where she told me to sign. I don't know on what day, specifically, Ms. Reid came to see me, but I know it was after Sunday was moved to the female block. Sunday was here for a total of two days; she came and went. I remember she was snatched out of here on a Friday, and then Ms. Reid popped up with paperwork at some point after that.

9. I learned on Friday, May 28, 2021, that Earline Budd recently made statements at Sunday's THC hearing about my housing status. I have since been read Ms. Budd's statements from Sunday's THC hearing claiming that I never wanted to be in a women's unit and that I had chosen to be in a men's unit based on my sex at birth. That is entirely false. At no point since I was sent to the DOC in August have I told Ms. Budd that I wanted to be in a men's unit. I did not choose to be housed by my sex at birth, and I do not know why Ms. Budd told the THC that I had.

10. After learning on May 28 that Ms. Budd had claimed I had chosen to be housed based on my sex at birth, I was frustrated and in a really somber place. I spoke to a mutual friend and told her what I had learned. When I spoke to the mutual friend again on May 29, 2021, the friend told me that she had reached out to Ms. Budd to relay my frustrations, and that Ms. Budd had subsequently sent the friend one hundred dollars and asked the friend to give the money to me. I told the mutual friend that I did not want Ms. Budd's money.

11. Ms. Budd does not speak for me, and I have not spoken to Ms. Budd in months. However, if her statements had been true, I would feel differently. But I am not okay with Ms. Budd making things up and then claiming I said them.

12. Prior to my arrest in August 2020, I was an operations manager at an organization called the Wanda Austin Foundation. Wanda Austin is a semi-permanent housing program for LGBTQ youth ages eighteen to twenty-four. We have two youth houses. We help the youth

with life skills, job readiness preparation, and in a number of other areas, whether that be connecting them with a mental health service agency or different housing options. We take them through the process of entering a program, or starting a job, or getting their own place. Basically, we are trying to get the youth to a point of self-sufficiency.

13. Prior to my arrest in August, I had been at the Wanda Austin Foundation since 2018 and had worked to turn my life around since 2014. But in 2014, something happened for me that changed my life: my mom died. As long as my mom was around, she enabled me; I knew that as long as she was alive, she would always provide me with shelter, food, and clothes -- so I always knew I had somewhere to go if things hit rock bottom. But when she died, that safety net disappeared. And so through her death, she did something for me that she couldn't do in life: she forced me to grow up and be responsible for myself. After years of addiction, I entered myself into a drug treatment program in 2014 and changed my life.

14. It's unfortunate that I am back here, but being here since last August has been a humbling experience. Everything I've worked for since 2014 was put at risk. But it's been almost a year now, and I still have my apartment. My family and friends are making sure I have something to come home to. I'm very lucky in that respect.

I, Rachel Cicurel, certify that I have read the foregoing to Courtney Phillips and that she affirmed the foregoing is true and correct on June 1, 2021.

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

Executed on June 1, 2021.



Rachel Cicurel