

**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

**SUPPLEMENTAL 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 am a transgender woman.
3. I have been housed in the D.C. Department of Corrections (DOC) since I was arrested in August of 2020. For the entirety of my time in DOC custody, I have been housed with men. During this entire time in DOC custody, staff have never given me a Transgender Housing Committee (THC) hearing.
4. I am currently housed in a men's unit in the Correctional Treatment Facility (CTF).
5. Over the course of the last month, no staff have spoken to me about my preference to be housed with women. No staff have offered me the opportunity to be housed with women.
6. My housing situation with men is just as dangerous and harmful to my mental health as it was a month ago. I feel unsafe, like walking through a dark alley knowing there is a threat on your life and you cannot see it.

7. Frequently on my unit, men gawk at me, stare at my body, masturbate in front of me, and threaten my life. These experiences remind me that I can be attacked at any moment.
8. I do not report these issues or concerns living with the men because doing so would further compromise my safety. If I reported specific issues with the men or concerns of violence, I would either remain stuck in my unit at CTF with other men or be placed against my will in protective custody. In either situation, I would be even less safe than I am now. If I stayed in my CTF unit with the other men, I would be at further risk because I would be labeled a snitch. If I were forced into protective custody, the isolation and loneliness would ruin my mental health, making me more likely to experience psychosis and self-harm. Because of my mental health needs, protective custody is not an option.
9. I spoke with a PDS investigator on July 15, 2021, and learned during that meeting that DOC's transgender housing policy had changed in June of 2021. Until I spoke to the PDS investigator on July 15, I had no idea that the policy had changed. I have never been told by any DOC staff that the policy changed regarding my housing options and rights. I was never told that the presumption changed so that I should be housed based on my gender identity rather than my sex at birth. I was never told that I now had additional rights at a THC hearing. I still, to this day, have never had a THC hearing at any point since I arrived in August of 2020.
10. I have not seen Ms. Reid or anyone else involved in DOC transgender housing since Ms. Reid came to me to sign the housing waiver in May of 2021. That was the first and last time I have spoken with Ms. Reid.
11. After learning from the PDS investigator about the new policy, I am concerned that the new policy for trans people at intake treats us worse than cisgender inmates. I am concerned that the new policy would force trans people into involuntary protective custody for any amount

of time, but I am especially concerned that the policy would force trans people into protective custody for longer than a week. Regardless of how long someone stays in protective custody, placement in protective custody at all means carrying that label, which indicates to staff and other inmates that you are either weak or cooperating with the police. Also, I do not believe protective custody keeps us safe. I know several trans women who were sexually assaulted in the DOC while held in protective custody.

I, Rachel Cicurel, certify that I have read the foregoing to Courtney Phillips and that she affirmed the foregoing is true and correct on July 16, 2021.

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

Executed on July 16, 2021.

Handwritten signature of Rachel Cicurel in black ink.

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Rachel Cicurel