

*Note: Obviously, the example given here is for a written letter. You can email the BOP Director at [BOP-IPP/PublicAffairs@bop.gov](mailto:BOP-IPP/PublicAffairs@bop.gov)*

[Your name and address]

January 22<sup>nd</sup>, 2021

Michael Carvajal  
Director, Bureau of Prisons  
320 First St., NW  
Washington, DC 20534

RE: Executive Order on Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation

Dear Director Carvajal:

As you conduct your review ordered by President Biden, I urge you to ensure that women employees' and women prisoners' sex-based rights are not overridden by gender identity. A person's subjective sense of who they are, in this case, "gender identity," should not be prioritized over biological sex.

Research indicates that better than 85% of men claiming female identity retain their male genitalia and the 2015 US Transgender survey reports that a majority claim lesbian identity; i.e. retain their sexual interest in women.

Men claiming female identity are already being housed in women's prisons, with predictable results. In Texas, women prisoners at FMC Carswell filed multiple complaints in 2017 reporting that men claiming female identity had sexually harassed them in communal areas such as showers and bathrooms, intentionally exposing themselves, expressing sexual desire for the women, and subjecting them to lewd comments. The women successfully filed for a temporary injunction blocking President Obama's prison guidance.

Women prisoners in Illinois have also reported sexual harassment and rape by at least one male prisoner claiming female identity and one woman is suing prison officials at Logan Correctional Center.

Housing males who claim female identity with women prisoners puts women at unnecessary risk of sexual harassment and assault. It also undermines the goal of the Prison Rape Elimination Act (PREA) and contravenes the United Nations Statement on the Treatment of Prisoners. That Statement recognizes that people have a right to privacy on the basis of sex, which includes separating male and female prisoners. Sex is defined by the United Nations as the "physical and biological characteristics that distinguish males from females."

I applaud President Biden's commitment to combating discrimination and to science-based public policy. I urge you to include biological considerations in your policy review and thereby protect the safety, dignity and privacy of women prisoners.

Best regards,

[your name typed out; signature above]