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6 UNITED STATES DISTRICT COURT
7 EASTERN DISTRICT OF WASHINGTON AT RICHLAND

8 JOHN DOE 1; JOHN DOE 2; JANE
9 DOE 1; JANE DOE 2; JANE DOE 3;
10 and all persons similarly situated,

No. 4:21-cv-05059-TOR

DECLARATION OF JANE DOE 3

11 Plaintiffs,

12 v.

13 WASHINGTON STATE
14 DEPARTMENT OF CORRECTIONS;
15 STEPHEN SINCLAIR, Secretary of The
16 Department of Corrections, in his official
17 capacity,

18 Defendants,

19 and

20 BONNEVILLE INTERNATIONAL,
21 INC. a Utah Corporation, d.b.a KIRO
22 Radio 97.3 FM; THE MCCLATCHY
23 COMPANY, LLC, a California Limited
Liability Company, d.b.a. The Tacoma
News Tribune; and ANDREA KELLY,
an individual,

Interested Parties.

I, [REDACTED], declare and state as follows:

1 1. I am over the age of 18 and competent to make this declaration. I live
2 in Snohomish County, Washington.

3 2. I am a woman who lives in the Monroe Correctional Complex – a
4 men’s prison. My legal name is [REDACTED]. I am also identified in this case
5 by my used name in the Department of Corrections, [REDACTED], which is my
6 dead name (the male name that I was assigned at birth). I was born on [REDACTED]
7 [REDACTED].

8 3. I was assigned the male sex at birth. I came out as a woman in 2015,
9 and I have changed my legal name to a feminine name. I have changed my legal
10 gender in the community, too. But when I was arrested and prosecuted, the
11 government used my dead name – the male name that I was assigned at birth – and
12 the male gender marker.

13 4. When I entered prison, I was terrified. I have been diagnosed with
14 depression, anxiety, and gender dysphoria. I was extremely afraid that, as a
15 woman, I would be a target for attacks and victimization in a men’s prison.
16 Although I still strongly identify as a woman, because I had been booked under my
17 former name, I decided to try and live in the men’s prison as a man and simply
18 blend in. I did this to avoid transphobia and violence. A lot of people in prison
19 think I’m gay, not a woman.

20 5. However, when I came to the Department of Corrections (DOC), staff
21 asked me questions to figure out where to house me and what they thought they
22 needed to do to keep me safe. These questions were about my most private
23 personal information, like my gender history, who I’m sexually attracted to, and

1 medical information. As part of that process to protect me, DOC asked me
2 questions about my sexual assault and abuse. I told them that as a child I was
3 sexually abused by a cousin and by my older sister. I also told them that I was
4 groomed for sexual assault as a child online. In custody, I have been catcalled,
5 harassed, and received unwanted affection from other people in custody. I have not
6 told anyone besides my therapist and certain DOC staff this information. I did not
7 think this information would be made public. I told DOC because I trusted them to
8 protect me from people like officers and other inmates who might want to harm me
9 because I'm transgender and vulnerable. If this information is disclosed, I will be
10 at serious risk of harm and violent retaliation from incarcerated people, as well as
11 family.

12 6. On at least one occasion, DOC asked me to fill out a "Preferences
13 Request" form, where I wrote that I identify as "Transgender." In response to the
14 prompt "Individual wants to keep this information confidential from other
15 individuals," I checked the box "Yes."

16 7. In order to maintain some connection to my womanhood, I have also
17 told DOC that I am transgender so that I can get the basic things I need in order to
18 live as a woman – basic stuff like undergarments, clothing, and other personal
19 items, which I do my best to use privately.

20 8. Thankfully a lot of people don't know that I am a woman. I am afraid
21 that if people were to know that I am transgender, that I could be humiliated,
22 sexually harassed, or assaulted. In addition, my depression and anxiety would get
23 much worse and I would live in a constant state of stress and fear. A lot of what

1 helps with my anxiety is that no one is paying attention to me and I am blending in
2 and passing as a man. If people knew I am a woman in a man's prison, my anxiety
3 would be near crippling. It's possible that I would experience thoughts of self-harm
4 if my information were disclosed.

5 9. I hope to be released next year, at which time I will have paid my debt
6 to society and get to return to my friends, family, and loving husband. When I
7 return to the community, I am looking forward to living in the community as a
8 woman again. When I re-enter society, I'll have a criminal conviction, but I don't
9 want my name connected to all the information that DOC has about me, which is
10 in no way connected to my crime or court. It is just crushing to think that my most
11 private secrets that I entrusted to DOC to keep me safe could be used to shame and
12 harm me for the rest of my life.

13 10. The purpose of this lawsuit is to save me from the embarrassment and
14 harm that will result if my personal information is disclosed. As discussed here, I
15 have significant concerns about my privacy and safety if my identity and
16 information were released to the public. I am concerned that my name being used
17 in connection with this lawsuit will have the actual result of disclosing the personal
18 information that I am seeking to keep private. I also have concerns that DOC and
19 its staff, the requestors, and the public would subject me to retaliation or ridicule if
20 my name were used in this action. For these reasons, and those stated above, I
21 desire to proceed anonymously.
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I declare under penalty of perjury under the laws of the United States of America the foregoing statements are true and correct.

Dated this 5th day of April 2021 at [REDACTED], Washington.

[REDACTED]

[REDACTED]

Name