

The Supreme Court, federal courts of appeals, and federal district courts throughout the country have recognized that transgender women face a high risk of sexual assault and abuse in men's prisons. *See, e.g., Farmer v. Brennan*, 511 U.S. 825, 848–49 (1994); *Williams v. Kincaid*, 45 F.4th 759, 778–79 & n.11 (4th Cir. 2022); *Powell v. Schriver*, 175 F.3d 107, 115 (2d Cir. 1999); *Tay v. Dennison*, 457 F. Supp. 3d 657, 684 (S.D. Ill. 2020); *Doe v. District of Columbia*, 215 F. Supp. 3d 62, 77 (D.D.C. 2016); *Zollicoffer v. Livingston*, 169 F. Supp. 3d 687, 691, 696 (S.D. Tex. 2016); *Gilliam v. Dep't of Pub. Safety & Corr. Servs.*, No. MJM-23-1047, 2024 WL 5186706, at *12–13 (D. Md. Dec. 20, 2024); *Finnegan v. Kink*, No. 3:20-cv-00218-GCS, 2024 WL 1345632, at *11 (S.D. Ill. Mar. 29, 2024); *Doe v. Wash. State Dep't of Corr.*, No. 4:21-CV-5059-TOR, 2021 WL 2453099, at *5 (E.D. Wash. May 17, 2021); *Lojan v. Crumbsie*, No. 12-CV-0320 (LAP), 2013 WL 411356, at *4 (S.D.N.Y. Feb. 1, 2013).

Federal courts have also granted injunctive relief or otherwise ruled in favor of transgender women bringing claims under the Eighth Amendment or the Equal Protection Clause when those women were housed in male facilities without individualized assessment and/or not protected from sexual violence in male facilities. *See Tay v. Dennison*, 457 F. Supp. 3d 657 (S.D. Ill. 2020) (granting preliminary injunction); *Iglesias v. Fed. Bureau of Prisons*, No. 19-CV-415-NJR, 2021 U.S. Dist. LEXIS 245517 (S.D. Ill. Dec. 27, 2021) (same); *Hampton v. Baldwin*, No. 18-cv-550-NJRRJD, 2018 U.S. Dist. LEXIS 190682 (S.D. Ill. Nov. 7, 2018) (same); *Doe v. District of Columbia*, 215 F. Supp. 3d 62 (D.D.C. 2016) (granting partial summary judgment against corrections officials); *Finnegan v. Kink*, No. 3:20-cv-00218-GCS, 2024 U.S. Dist. LEXIS 58763 (S.D. Ill. Mar. 29, 2024) (denying qualified immunity to corrections officials); *Stover v. Corrs. Corp. of Am.*, No. 12-cv-393, 2015 U.S. Dist. LEXIS 24373 (D. Idaho Feb. 27, 2015) (denying summary judgment on failure-to-protect claim); *Lojan v. Crumbsie*, No. 12-CV-0320 (LAP), 2013 U.S. Dist. LEXIS 15590 (S.D.N.Y. Jan. 25, 2013) (denying motion to dismiss on failure-to-protect claim).