

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA**

ASHLEY DIAMOND,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civ. Action No. 5:15-cv-00050 (MTT)
	)	
BRIAN OWENS, et al.,	)	
	)	
Defendants.	)	

**DECLARATION OF ASHLEY DIAMOND**

I, Ashley Diamond, hereby declare and state as follows:

1. I am a transgender woman with gender dysphoria, and the plaintiff in this case.
2. Prior to entering the Georgia Department of Corrections (“GDC”) on March 27, 2012, I lived as a woman and received hormone therapy for 17 years as part of the medically necessary treatment for my gender dysphoria.
3. For the seventeen years I received hormone therapy prior to my incarceration, I received a regimen of 0.2 mg of Estridol per week and 100 mg of spironolactone per day in accordance with medical guidelines. Through hormone therapy I developed breasts, soft skin, and other female secondary sex characteristics. Once I entered GDC custody, however, all of my gender dysphoria treatment stopped.
4. After I initiated this lawsuit and filed a motion for preliminary injunction, GDC officials told me I would receive hormone treatment. However, to date I have only received a token amount of hormone therapy—0.1 mg of Estridol and 25 mg of spironolactone—a fraction of the treatment I’ve received my entire adult life. As a result of these low dosages I have not experienced any relief from my gender dysphoria. I have not had breast development, my skin remains coarse, and I continue to experience erections and grow facial hair.

5. I have asked GDC personnel to provide me with medically appropriate hormone treatment but they have refused. As a result, I continue to feel trapped in the wrong body and look more “male” than I have in my entire life.

6. In addition, GDC officials continue to prohibit me from outwardly expressing my gender, despite GDC healthcare providers’ confirmation that female gender expression is crucial to my care and psychological well-being as a transgender person.

7. On almost a daily basis I am reprimanded by GDC staff for being feminine. I have been scolded for my walk, my mannerisms, my use of female pronouns, and for describing myself as female.

8. Although I have explained to GDC personnel that I am a transgender woman and asked them to please refer to me as Inmate Diamond rather than “he,” “he-she,” “it,” “Mr. Diamond,” or “young man,” they have refused. Instead, I have been told “you’re not a woman, you’re a man in a man’s facility” and to “stop that gay shit.” And just this week, on May 16, 2015, GDC officer Sergeant Siter confronted me and said, “I am not going to refer to you as Inmate Diamond, you ain’t no miss, you’re an *it*.”

9. I have also been reprimanded for attempting to grow or part my hair, and was recently made to shave my head because of continued harassment by staff who threatened to forcibly shave me.

10. I do not have access to gender-affirming clothing, grooming, or commissary items to ease the mental anguish I feel on a daily basis about my forced transition from female back to male. To date, GDC has denied my requests for female underwear and provided me only male garments that are oversized and shapeless, making me feel increased shame about my body and genitalia.

11. Although GDC officials gave me an ill-fitting bra, I no longer have breasts to put in it, and worry I never will.

12. The continued denial of medically necessary care impacts me daily. I feel like my identity as a woman has been completely taken from me, and I continue to battle feelings of suicidality and urges to engage in self-castration and self-harm on a daily basis.

13. I am not aware of any security concerns that would be raised if I was allowed to identify as a woman, because when I am housed in medium-security prisons consistent with my security classification, inmates know that I am transgender and still treat me with respect.

14. Moreover, although GDC announced that they are changing their policies towards transgender inmates, I fear these changes are in name only.

15. In recent weeks I have been contacted by many transgender inmates who continue to be denied gender dysphoria care by GDC. This includes five transgender inmates housed at Rutledge State Prison under the care of Defendants Shay Hatcher, Donna Silver, and John Thompson, who continued to deny gender dysphoria treatment to inmates in need.

16. For example, Gabriel “Dee” Buckner, GDC No. 1001203853, is a transgender woman who lived as a woman for many years prior to her incarceration and received hormone therapy until it was discontinued by GDC. Although she has repeatedly requested that treatment be resumed, her requests for medical care have been denied—including as recently as April 2015 by Defendant Silver, who told Dee that without documentation of her past treatment, obtaining care under GDC’s new policy would be “difficult” and “unlikely.” Dee has also been repeatedly harassed and reprimanded for expressing her female gender by GDC staff—including Defendant Marty Allen, who once forcibly removed Dee’s eyebrows for appearing too feminine.

17. James “Candi” Moore, GDC No. 1001090349, is also a transgender woman who lived as a woman and received hormone therapy for many years until her treatment was terminated by GDC. Although Candi has requested hormone therapy and female gender expression as continued gender dysphoria care, her requests have been denied by GDC officials—including Defendant Silver, who recently told Candi that she would not be receiving treatment for her gender dysphoria but should learn “coping mechanisms” instead. Candi has also been harassed and reprimanded by GDC staff for expressing her female gender.

18. Robert “Robin” Bayse, GDC No. 954691, is a transgender woman who lived as a woman for decades prior to entering GDC. Although Robin has been formally diagnosed with gender dysphoria, GDC officials have denied her requests for treatment and confiscated her bras. GDC officials have also continually harassed and reprimanded Robin for expressing her female gender, and addressed her by names like “he-she” and “it.”

19. Ronald “Olivia” Cox, GDC No. 1000447278, is also a transgender woman being denied gender dysphoria treatment by GDC, despite living as a woman for many years prior to her incarceration. Although Olivia has repeatedly requested gender dysphoria care from GDC officials, her requests have been ignored, and she has repeatedly been harassed, reprimanded, and called derogatory names for expressing her female gender.

20. Joseph “Joey” Stapleton, GDC No. 1001245547, is a female-identified inmate who has always known that she is a woman and is seeking an initial evaluation for gender dysphoria care. Since her arrival at GDC, however, Joey’s requests for evaluation and treatment have been denied, and she has been repeatedly harassed and reprimanded by GDC staff for her femininity—including by Defendant Hatcher, who threw Joey into solitary confinement in April 2015 for expressing her female gender.

21. The problems facing these and other transgender inmates at Rutledge State Prison are not isolated. I know this because I have been housed at six different GDC facilities and transferred eight times since March 2012, bringing me into contact with many other transgender inmates and many GDC staff.

22. In addition to the abuses I have suffered and continue to suffer, I have witnessed transgender inmates endure staff mistreatment at every GDC facility where I have been housed. On a routine basis transgender inmates are reprimanded for being feminine, blamed when we are sexually assaulted, and called demeaning names such as “faggots,” “sissies,” “punks,” “he-shes,” and “its.”

23. Across facilities, I have also encountered GDC personnel from wardens on down, who lack even basic training on transgender inmate health and safety needs, and who make a point to ridicule inmates with a gender expression not stereotypically male.

24. GDC officials will continue to deny medical care to transgender inmates unless court-ordered to do so because they have already demonstrated that they will not stick by their word: after testifying in court that GDC officials had implemented a number of changes to ensure my safety at Georgia State Prison, these changes vanished after my April 20, 2015 court hearing. For example, there was no longer a guard stationed in my dormitory, GDC officials stopped providing me escorts to church or activities, and GDC officers—including SART Team Leader Javaka Johnson and Mental Health Counselor Stephanie Spencer—once again began telling me that they were unable to accept grievances I wrote concerning my health and safety.

25. While my transfer to Rutledge State Prison, a medium security facility, has restored my feelings of safety, I fear my placement here is only temporary. Defendant Hatcher, the Warden of Rutledge, told me that he did not approve my transfer on the day that I arrived

Since then I have been told on a daily basis that my placement at Rutledge is not permanent and I will not be here for long.

Pursuant to 28 U.S.C. § 1746, I hereby declare and state under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated: May 18, 2015

Respectfully Submitted,

/s/ Ashley Diamond  
Ashley Diamond