

Ashley Diamond GDC # 1000290565



Fighting Hate
Teaching Tolerance
Seeking Justice

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May 1, 2020

Commissioner Timothy Ward
Georgia Department of Corrections
7 MLK Jr Drive, Suite 543
Atlanta, GA 30334

MAY 04 2020
INMATE FILE

**Re: Notice of Constitutional Violations on Behalf of Ashley Diamond
(GDC ID: 1000290565)**

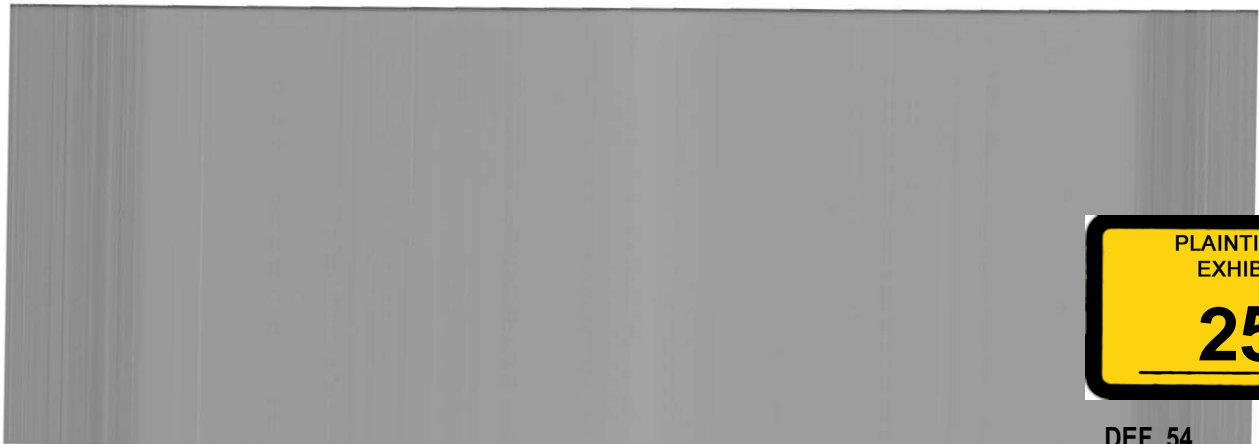
Dear Commissioner Ward:

The Southern Poverty Law Center (SPLC) represents Ashley Diamond, a transgender woman who is at substantial risk for serious harm based on her conditions of confinement. Since entering the custody of Georgia Department of Corrections (GDC), Ms. Diamond has been repeatedly sexually assaulted by staff and other incarcerated people; is at an increased risk of sexual assault in her current housing; is at an increased risk of serious illness if exposed to COVID-19; and is not receiving constitutionally adequate treatment for gender dysphoria and other mental health conditions. SPLC writes to ensure that GDC immediately fulfills its obligation to protect Ms. Diamond from sexual violence and to provide her constitutionally mandated medical and mental health care.

As you will recall, SPLC represented Ms. Diamond in a lawsuit against GDC officials in 2015 because of similar failures.¹ Unfortunately, Ms. Diamond is once again facing repeated sexual assaults in GDC custody. Ms. Diamond is also experiencing an unconstitutional denial of gender dysphoria treatment and medical and mental health care.

To avert further litigation, GDC must take immediate steps to ensure Ms. Diamond's healthcare and safety. Specifically, GDC must (1) immediately release Ms. Diamond or transfer her to a facility that can ensure her safety, (2) provide Ms. Diamond consistent medical and mental health treatment until her release, and (3) preserve evidence related to Ms. Diamond's conditions of confinement, including evidence of her sexual assault by a GDC staff member.

¹ See, e.g., Deborah Sontag, *Georgia: State to Pay Transgender Inmate*, N.Y. Times (Feb. 12, 2016), <https://www.nytimes.com/2016/02/13/us/georgia-state-to-pay-transgender-inmate.html>; Deborah Sontag, *Transgender Woman Cites Attacks and Abuse in Men's Prison*, N.Y. Times (Apr. 5, 2015), <https://www.nytimes.com/2015/04/06/us/ashley-diamond-transgender-inmate-cites-attacks-and-abuse-in-mens-prison.html>; Matt Apuzzo, *Transgender Inmate's Hormone Treatment Lawsuit Gets Justice Dept. Backing*, N.Y. Times (Apr. 3, 2015), <https://www.nytimes.com/2015/04/04/us/ashley-diamond-transgender-hormone-lawsuit.html>.



PLAINTIFF'S
EXHIBIT
25

I. GDC Continues to Deny Ms. Diamond Adequate Medical and Mental Health Care Treatment and Protection from Sexual Assault Despite Her Prior Lawsuit.

Ms. Diamond is a forty-two-year-old transgender woman. As established in earlier litigation against GDC for similar mistreatment, Ms. Diamond was diagnosed with gender dysphoria at the age of fifteen,² has received medically necessary hormone therapy since the age of seventeen—with the exception of forced interruptions by GDC—and has lived in accordance with her female gender identity for more than twenty years. *Diamond v. Owens* (*Diamond I*), 131 F. Supp. 3d 1346, 1355 (M.D. Ga. 2015). *Id.* She has female secondary sex characteristics, including “full breasts, a feminine shape, soft skin, and ... a reduction in male attributes.” *Id.* She also suffers from post-traumatic stress disorder, depression, bipolar disorder, and chronic asthma.

In 2012, Ms. Diamond entered GDC custody for a nonviolent offense. GDC’s subsequent failure to properly evaluate, treat, and protect her are well documented. *See id.* at 1354–70. Ms. Diamond’s 2015 lawsuit to address these systemic failures prompted GDC to change its policies with respect to how it evaluates and treats people that enter GDC custody who are, or might be, transgender or suffer with gender dysphoria.³ The policy changes instituted after the initiation of Ms. Diamond’s lawsuit, along with her release and award of financial compensation, led to the voluntary dismissal of the case pursuant to a settlement agreement.

Ms. Diamond re-entered GDC custody on October 29, 2019 for a parole violation and nonviolent offense. She was fast-tracked through GDC’s intake process, during which she had an initial psychiatric evaluation. She later met with several GDC officials and discussed her placement in a GDC facility, including her preference to be placed in a female facility for safety reasons. She also expressed a need to be housed in a smaller GDC facility better equipped to manage her medical and mental health needs and to mitigate her risk of sexual assault. Unfortunately, Ms. Diamond’s requests went unheeded, and her worst fears were quickly realized.

Ms. Diamond was placed at the Georgia Diagnostic and Classification Prison (“GDCP”), a close-security facility housing “some of the most aggressive and dangerous prisoners in the correctional system,”⁴ where she was promptly subjected to repeated sexual assaults. Due to the credible and constant fear of additional sexual assault and brutalization, Ms. Diamond is unable to regularly access medications and food and is experiencing elevated

² It is beyond dispute that Ms. Diamond suffers from gender dysphoria. GDC has admitted that Ms. Diamond’s gender dysphoria is a serious medical need requiring care. *See Diamond v. Owens*, 131 F. Supp. 3d 1346, 1372 (M.D. Ga. 2015).

³ *See* Deborah Sontag, *Georgia Says It Will Allow Hormones for Transgender Inmates*, N.Y. Times (Apr. 9, 2015), <http://www.nytimes.com/2015/04/10/us/georgia-says-it-will-allow-hormones-for-transgender-inmate.html>.

⁴ *GDC - Georgia Diagnostic & Classification State Prison*, InmateAID, <https://www.inmateaid.com/prisons/gdc-georgia-diagnostic-classification-state-prison> (last updated Apr. 4, 2020).

levels of anxiety and depression. Ms. Diamond has also been denied constitutionally adequate care for her gender dysphoria and mental health disorders—breaches made all the more egregious by *Diamond I*, which put GDC on notice of Ms. Diamond’s medical needs and heightened vulnerability to sexual assault.

II. GDC Has Failed to Protect Ms. Diamond from Sexual Assault.

A. GDC Has a Constitutional Obligation to Protect Ms. Diamond from Sexual Assault.

Under the Eighth Amendment, GDC has a duty to “take reasonable measures to guarantee the safety of” Ms. Diamond. *Diamond I*, 131 F. Supp. 3d at 1376 (quoting *Caldwell v. Warden, FCI Talladega*, 748 F.3d 1090, 1099 (11th Cir. 2014)). This duty includes protection from violence at the hands of others. *Id.* When examining whether prison officials possess actual knowledge of substantial risk of harm, courts have considered “the obviousness of the risk to [the incarcerated person’s] safety, the defendant’s knowledge about the vulnerability of certain types of [incarcerated people] to risk of harm, prison policies pertaining to such [incarcerated people], and their housing placements.” *Id.* at 1377–78.

B. GDC Has Turned a Blind Eye to Ms. Diamond’s Safety Needs and Even Perpetuated Sexual Assault Against Her.

As established in *Diamond I*, and as recognized by GDC officials, Ms. Diamond’s “transgender status ma[k]e[s] her more vulnerable to sexual assaults at a close[]-security facility.” *Diamond I*, 131 F. Supp. 3d at 1356. Yet, GDC has placed Ms. Diamond at GDCP, a close-security facility, where she has remained for six months. This placement has created an intolerably dangerous exposure to sexual assault. From the beginning of her re-entry into GDC custody, Ms. Diamond has repeatedly shared with GDC officials that she reasonably fears for her safety as a transgender woman in a male facility. During the intake process, Ms. Diamond indicated her fears and history of sexual assault while in GDC custody and requested to be housed at a female facility.

GDC ignored her placement requests in circumstances that mirror *Diamond I*, wherein Ms. Diamond was placed in “close[]-security facilities which housed violent offenders and had a history of frequent assaults.” 131 F. Supp. 3d at 1376. Unfortunately, but unsurprisingly, the consequences have been the same: Since her reentry, Ms. Diamond has repeatedly been sexually assaulted—including by GDC staff—causing severe anguish and distress. She also lives in constant fear of brutalization and retaliation.

Since October 2019, Ms. Diamond has endured preventable sexual assault in GDC custody at the hands of other incarcerated people on multiple occasions. GDC staff have also subjected Ms. Diamond to sexual misconduct. On March 10, 2020, in an incident caught on GDC video surveillance, a GDC staff member grabbed Ms. Diamond’s breasts and asked, “Are they real?” These actions were a direct contravention of GDC’s PREA guidelines, which define sexual abuse to include “[a]ny ... intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties.” GDC Standard Operating Procedure (GDC SOP) 208.06.III.L.5 (defining “Sexual Abuse by A Staff Member, Contractor, or Volunteer”).

Even though a PREA complaint was filed on March 13 and multiple people witnessed the incident, to date no disciplinary action has been taken against the officer who engaged in this sexual misconduct.

Ms. Diamond has repeatedly asked when she will be transferred out of GDCP into a facility better equipped to keep her safe. She has specifically requested an assessment to determine whether she could be transferred to a female facility.

GDC is clearly on notice of the substantial risk of sexual assault that Ms. Diamond faces as a transgender woman housed in male facilities—especially close-security facilities. *See Diamond I*, 131 F. Supp. 3d at 1357–58 (outlining the series of sexual assaults against Ms. Diamond while in GDC custody). Given this awareness, GDC’s decision to give Ms. Diamond—a non-violent offender and transgender woman with a history of sexual assault—a long-term placement at a close-security facility like GDCP reflects deliberate indifference to her substantial risk of serious harm, as in *Diamond I*.

III. GDC Has Denied Ms. Diamond Constitutionally Mandated Medical and Mental Health Treatment.

A. GDC Has a Constitutional Obligation to Provide Ms. Diamond Adequate Medical and Mental Health Care.

It is now well-established that gender dysphoria⁵ is a serious medical need that GDC has a constitutional obligation to treat pursuant to the Eighth Amendment. *See id.* at 1374–75. Courts have consistently held that gender dysphoria is a serious medical need for which the Eighth Amendment requires constitutionally adequate care. *See, e.g., Kothmann v. Rosario*, 558 F. App’x 907, 910 & n.4 (11th Cir. 2014); *accord Edmo v. Corizon, Inc.*, 935 F.3d 757, 785 (9th Cir. 2019); *White v. Farrier*, 849 F.2d 322, 325 (8th Cir. 1988); *Meriwether v. Faulkner*, 821 F.2d 408, 413 (7th Cir. 1987). Bipolar disorder, depression, and PTSD are also serious medical needs. *See, e.g., Braggs v. Dunn*, 257 F. Supp. 3d 1171, 1190 (M.D. Ala. 2017).

The Eighth Amendment requires that GDC provide Ms. Diamond necessary medical and mental health care, including but not limited to access to medical personnel capable of evaluating Ms. Diamond’s needs and to consistent treatment without delay or interruption. *See McElligott v. Foley*, 182 F.3d 1248, 1255 (11th Cir. 1999); *Rogers v. Evans*, 792 F.2d 1052, 1058 (11th Cir. 1986); *Ancata v. Prison Health Servs., Inc.*, 769 F.2d 700, 704 (11th Cir. 1985). The relevant inquiry under the Eighth Amendment is not whether GDC has provided Ms. Diamond *any* care, but whether it has provided her “constitutionally adequate” care. *Estelle v. Gamble*, 429 U.S. 97, 103–06 (1976). GDC violates Ms. Diamond’s constitutional rights when it delays treatment for a serious medical need, even for a period of hours. *See McElligott*, 182 F.3d at 1255.

⁵ Gender dysphoria is “broadly defined as discomfort or distress that is caused by a discrepancy between a person’s gender identity and that person’s sex assigned at birth (and the associated gender role and/or primary and secondary sex characteristics.” World Prof’l Ass’n for Transgender Health, *Standards of Care for the Health of Transsexual, Transgender, and Gender Nonconforming People 2* (7th ed. 2011).

B. GDC Has Denied Ms. Diamond Adequate Medical and Mental Healthcare.

Although GDC policies commit to providing constitutionally appropriate medical and mental health treatment, consistent with “[c]urrent, accepted standards of care” to incarcerated people with gender dysphoria, GDC SOP 507.04.68, to date GDC has not provided Ms. Diamond with constitutionally appropriate treatment. Contrary to GDC’s Standard Operating Procedure, GDC has not provided Ms. Diamond “thorough medical and mental health evaluations from appropriately licensed and qualified medical and mental health professionals.” *Id.* Indeed, other than continuing to prescribe the hormone regimen she was taking upon entry, GDC has not developed any treatment plan to alleviate Ms. Diamond’s gender dysphoria, let alone one that “that promotes the physical and mental health of the patient,” “is regularly reviewed and updated” or that is based on “current, accepted standards of care.” *Id.*

GDC is well aware of the seriousness of Ms. Diamond’s need for adequate mental health services and of the severe consequences of not providing her those services. *See Diamond I*, 131 F. Supp. 3d at 1354–58 (describing Ms. Diamond’s previous suicide and self-harm attempts while in GDC custody); Dr. Randi Ettner Decl. ¶ 9, *Diamond v. Owens*, No. 5:15-cv-50 (M.D. Ga. 2015), ECF No. 49-2 (“When Ms. Diamond goes without medically necessary gender dysphoria care, she experiences suicide ideation, emotional dysregulation, and a propensity to self-harm.”).

Despite this knowledge, GDC has not provided Ms. Diamond consistent hormone therapy or treatment for her mental health needs during the six months she has been housed at GDCP. For instance, Ms. Diamond’s hormone treatment has been discontinued for weeks at a time. This has caused physical changes, like reduction of her breast size and changes to the color and texture of her skin, as well as mental anguish from these changes to her physique. Despite Ms. Diamond’s depression, bipolar disorder, PTSD, and gender dysphoria, GDC’s psychologists and psychiatrists have seen Ms. Diamond only twice since intake, once in January and one other time after filing a grievance. Mental health counseling has also been limited, sporadic and unhelpful.

Although GDCP has proven itself ill-equipped to treat Ms. Diamond’s gender dysphoria, GDC has repeatedly ignored Ms. Diamond’s requests to be transferred from GDCP to another facility. GDC is once again demonstrating deliberate indifference to Ms. Diamond’s “serious medical needs by their repeated refusal to provide, authorize, or refer her for treatment” that GDC knows is “medically necessary, thus causing and perpetuating psychological and physical harm.” *Diamond I*, 131 F. Supp. 3d at 1373–74.

IV. GDC Has a Duty to Allow Private Legal Communications and Not to Retaliate Against Ms. Diamond for Her Advocacy.

The SPLC expects that GDC will honor Ms. Diamond’s right of access to the courts, which includes private communications with her attorneys at the SPLC. *See Taylor v. Sterrett*, 532 F.2d 462, 473 (5th Cir. 1976) (“Restrictions may not be placed upon the attorney-client

relationship which effectively diminish a prisoner's access to the courts.”⁶ The attorney-client privilege is the “oldest of the privileges for confidential communications” and is critical to the effective assistance of counsel. *Gennusa v. Canova*, 748 F.3d 1103, 1110–11 (11th Cir. 2014) (citing *Upjohn Co. v. United States*, 449 U.S. 383, 389 (1981)). Such confidential communications require, at a minimum, private legal visits, unmonitored legal calls, and no interference with legal mail. *See, e.g.* GDC SOP 227.05.IV.Z; GDC SOP 227.06.IV.E.2.

Furthermore, GDC may not retaliate, threaten to retaliate, or place Ms. Diamond in fear of retaliation for her advocacy. *See Nyberg v. Davidson*, 776 F. App'x 578, 582 (11th Cir. 2019) (holding that incarcerated person plausibly alleged First Amendment retaliation claim where adverse action “would deter an [incarcerated person] of ordinary firmness from engaging in First Amendment protected conduct,” such as filing a lawsuit).

V. GDC Must Take the Following Actions to Avert Litigation.

In the six-month period since Ms. Diamond reentered GDC, she has been (1) repeatedly sexually assaulted by other incarcerated people after her safety-based housing requests were ignored; (2) sexually abused and harassed by a GDC staff member openly on video; (3) denied continuous access to the gender dysphoria treatment that formed the basis of her prior lawsuit; and (4) refused routine mental health treatment, despite her medical need.

GDC's actions and omissions violate Ms. Diamond's clearly established constitutional rights. *See Diamond I*, 131 F. Supp. 3d at 1374–75, 1379–80 (rejecting qualified immunity arguments for GDC officials after finding constitutional claims to be clearly established). Therefore, absent prompt remedial measures, GDC will be facing another significant damages action.

A. GDC Must Immediately Release Ms. Diamond from Custody or Transfer Her to a Female Facility to Ensure Her Safety.

GDC must either immediately release or transfer Ms. Diamond in order to ensure her safety. Release is the most appropriate action. GDC should immediately release Ms. Diamond given the ongoing threats to her health and safety and given the non-violent nature of her offense. In addition to her increased and demonstrated vulnerability to sexual assault and GDC's inadequate treatment of her mental health conditions, Ms. Diamond's chronic asthma is an underlying medical condition that puts her at a higher risk for severe illness from COVID-19.⁷ Ms. Diamond also is a nonviolent offender who is parole eligible.. The combination of these environmental, medical, and mental health conditions support Ms. Diamond's immediate release.

Alternately, GDC should immediately transfer Ms. Diamond to a female facility that can meet her medical, mental health, and safety needs. GDC procedures prohibit transgender

⁶ The Eleventh Circuit has adopted the case law of the former Fifth Circuit as its governing body of precedent. *See Bonner v. City of Prichard*, 661 F.2d 1206 (11th Cir. 1981) (en banc).

⁷ *See People Who Are at Higher Risk for Severe Illness*, Ctrs. Disease Control & Prevention, <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-at-higher-risk.html> (last visited Apr. 15, 2020).

people in custody from being housed in “[a] gender-specific facilit[y] based solely on [her] external genital anatomy.” GDC SOP 220.09.IV.C.2. Instead, *serious consideration* must be given to Ms. Diamond’s “documented choice of whether a male or female facility is safest.” GDC SOP 220.09.IV.C.3.b.; *accord* Prison Rape Elimination Act National Standards (PREA Standards), 28 C.F.R. § 115.42. GDC must also consider whether a particular placement would ensure Ms. Diamond’s health and safety. GDC SOP 220.06.IV.D.6. Given Ms. Diamond’s history of brutal sexual assault at male GDC facilities—particularly close-security facilities—and her repeated requests to be housed in a female facility for safety reasons, all factors counsel in favor of placing Ms. Diamond in a female facility without delay.

Ms. Diamond’s transfer also qualifies as an “essential movement” under GDC’s newly instituted COVID-19 protocol because her existing placement at GDCP presents ongoing violations of her constitutional rights and should be considered necessary for her medical care and as an extenuating security concern.⁸

At a minimum, GDC must immediately transfer Ms. Diamond to a facility with a lower security level that is equipped to provide consistent and adequate medical and mental health care, while evaluating whether Ms. Diamond should be released or placed in a female facility. GDC should consider Central State Prison or Rutledge State Prison, which are smaller facilities where Ms. Diamond has not had to file a PREA complaint in the past.

Under no circumstances should Ms. Diamond be placed in segregation, which would violate PREA, increase her risk of mental health problems, and constitute deliberate indifference to known risks of serious harm. The use of involuntary segregated housing is not an appropriate response to Ms. Diamond’s increased risk of sexual assault. *See* GDC SOP 220.06.IV.D.9; Prison Rape Elimination Act National Standards (PREA Standards), 28 C.F.R. § 15.43. GDC procedures specifically prohibit the placement of someone in “involuntary segregation based solely on [the] determination” that she is “at high risk for sexual victimization,” if there are available alternatives. GDC SOP 220.06.IV.D.9.

Placing people with serious mental illnesses in segregation absent extraordinary circumstances places them at a substantial risk of harm. *Braggs*, 257 F. Supp. 3d at 1247. Numerous professional and healthcare organizations have warned of the detrimental effects of isolation, particularly for those with mental illnesses.⁹ As set out above, multiple alternative

⁸ *See generally* Press Release, Georgia Department of Corrections, Coronavirus (COVID-19) Response (Mar. 16, 2020), <http://www.dcor.state.ga.us/NewsRoom/PressReleases/georgia-department-corrections-coronavirus-covid-19-response> (announcing suspension of “non-essential offender movement across GDC facilities, effective March 3, 2020, until further notice”); *Interim Guidance on Management of Coronavirus Disease 2019 (COVID-19) in Correctional and Detention Facilities*, Ctrs. Disease Control & Prevention, <https://www.cdc.gov/coronavirus/2019-ncov/community/correction-detention/guidance-correctional-detention.html> (last updated Apr. 18, 2020) (exceptions to suspending transfers include where “necessary for medical evaluation, medical isolation/quarantine, care, extenuating security concerns, or to prevent overcrowding”).

⁹ *See, e.g.*, Am. Psychiatric Ass’n, Position Statement on Segregation of Prisoners with Mental Illness (Dec. 2017), <https://www.psychiatry.org/file%20library/about-apa/organization-documents-policies/policies/position-2012-prisoners-segregation.pdf>; Nat’l Comm’n on Corr. Health Care, Solitary Confinement (Isolation) (Apr. 2016), <https://www.ncchc.org/solitary-confinement/>; Am. Pub. Health Ass’n, Solitary Confinement as a Public Health Issue (Nov. 2013),

avenues exist to ensure Ms. Diamond's safety including release and transfer to another facility. Given GDC's knowledge of Ms. Diamond's serious medical needs, mental health diagnoses, and history of suicide attempts, self-harm, and mental decompensation in self-confinement, as documented in *Diamond I* and this letter, to forgo those alternatives and place Ms. Diamond in segregation would demonstrate deliberate indifference in violation of the Eighth Amendment. See, e.g., *Conner v. Rubin-Asch*, 793 F. App'x 427, 430 (7th Cir. 2019) (“[A] defendant acts knowingly and unreasonably if that defendant ‘(1) subjectively knew the prisoner was at substantial risk of committing suicide and (2) intentionally disregarded the risk.’”); see also *G.H. by & through Henry v. Marsteller*, 424 F. Supp. 3d 1109, 1118 (N.D. Fla. 2019) (holding notification to Department of Juvenile Justice from counsel on behalf of youth about the suicide risk to children subject to solitary confinement was sufficient to put defendants on “actual notice of the substantial risk of serious harm”).”

B. GDC Must Provide Ms. Diamond Uninterrupted Medical and Mental Health Treatment Until Her Release from Custody.

In addition, GDC must take immediate steps to provide Ms. Diamond continuous medical and mental health treatment. This includes, but is not limited to, (1) regular appointments with the necessary medical and mental health professionals, (2) administration of hormone therapy and other medication without delay or interruption, (3) counseling sessions with a mental health provider qualified to address Ms. Diamond's gender dysphoria, depression, PTSD, and bipolar disorder at an effective frequency, and (4) appropriate programming.

C. GDC Must Fulfill Its Legal Duty to Preserve Evidence.

Finally, GDC must preserve all evidence related to Ms. Diamond's conditions of confinement, in anticipation of further litigation. See Fed. R. Civ. P. 37(e). This includes, but is not limited to, Ms. Diamond's medical and mental health records; copies of grievances; and evidence related to Ms. Diamond's past sexual assaults, including her March 10, 2020 sexual assault by a GDC staff member, including but not limited to, PREA complaints, physical and DNA evidence, witness statements, surveillance video, and files or documents concerning any subsequent investigations.

* * *

GDC must ensure that Ms. Diamond receives the healthcare and protection from sexual assault to which she is constitutionally entitled. SPLC will continue to monitor our client's conditions of confinement and expect a response to this letter in writing within 30 days setting forth the steps GDC has taken, or intends to take, to ensure that Ms. Diamond's constitutional rights are respected. Please contact me if you would like to discuss these matters.

<https://apha.org/policies-and-advocacy/public-health-policy-statements/policy-database/2014/07/14/13/30/solitary-confinement-as-a-public-health-issue>.

Respectfully,
/s/ Beth Littrell

Senior Supervising Attorney
Southern Poverty Law Center
beth.littrell@splcenter.org
404-221-5876

cc: Ahmed Holt, Assistant Commissioner Facilities Division
Jack "Randy" Sauls, Assistant Commissioner Health Services Division
✓ Jennifer Ammons, General Counsel
Elizabeth McCrary Crowder, Office of the Attorney General

Statewide Classification Committee (SCC) Referral Form

FACILITY CLASSIFICATION COMMITTEE:

Offender Name: Diamond, Ashley GDC# 1000290515 Date of Birth: 4/9/1978
Height 5'10 Weight: 135

Intersex: Yes No If, yes what gender does the offender identify as? Male Female

Gender: Transgender Female: Biologically male; identifies as female
 Transgender Male: Biologically female; identifies as male

What pronoun does the offender prefer to be called? Female Pronouns Male Pronouns

What facility-type does the offender prefer? (Explain) Female Facility Male Facility
Offender Diamond states that there is no preference, however the concern is being housed according to his/her current security level. If there's a preference a female facility is requested
Medical Profiles: none - with the exception of taking hormones

Does the offender receive hormone treatments? Yes No

PREA Risk Screening Result: Victim Aggressor BOTH, Victim AND Aggressor

Has the offender ever been convicted of a sex offense? Yes (explain) No

Does the offender have a disciplinary history of a sexual nature? Yes (explain) No

Has the offender ever been convicted of a violent offense? YES (explain) No

Does the offender have a disciplinary history of assaultive behavior? Yes (explain) No

Would you recommend this offender to be placed/remain in the offender's preferred facility type? (Explain) Yes No

Due to the offender lower body parts / testicles are still in place, recommendations are made for the offender to be placed in a male facility
Classification Chairperson (Print Name) Theresa Thornton Chairperson's Signature Theresa Thornton Date 10/29/19

Warden's Recommendation/Comments: Based on my review, this offender should be placed/housed in a male facility

Warden's Signature [Signature] Date 11-5-19



SCC INTERVIEW WITH OFFENDER:

a. Are you transgender (is your gender identity, how you feel inside, different from your assigned sex at birth)?

- Yes No Declined to answer

b. Are you intersex? (have you been told by a doctor that you have an intersex medical condition?)

- Yes No Declined to answer

[NOTE: If the inmate in custody answers "YES" to Question a. or b., ask the following:]

1. What is your gender pronoun? He/him/his She/her/hers

2. What is your sexual orientation (Who are you sexually attracted to)?
 Males Females Both Declined to answer

3. Would you feel safer being housed in a male or female facility? (Say: we cannot guarantee your choice will be available to you, but we use your choice as a factor in determining where you will be housed.)
 Male facility Female facility No preference

4. Do you prefer underwear and hygiene products for women or men? Do you need a bra?
 Male underwear/hygiene items Female underwear/hygiene items Needs bra

5. Do you have any concerns for your safety we should know before we decide where to house you?
 Yes: (explain)

- No

Interviewer's Comments:

Staff Signature

Date

Inmate Signature

Date

SCC HOUSING RECOMMENDATIONS:

PREA Coordinator: Remain in Current Facility Type Transfer to facility based on gender identity

Justification: _____

PREA Designee Signature _____ Date _____

Medical Director: Remain in Current Facility Type Transfer to facility based on gender identity

Justification: _____

Medical Designee Signature _____ Date _____

Mental Health Director: Remain in Current Facility Type Transfer to facility based on gender identity

Justification: _____

Mental Health Designee Signature _____ Date _____

Facilities Director: Remain in Current Facility Type Transfer to facility based on gender identity

Justification: _____

Facilities Designee Signature _____ Date _____

Assistant Commissioner: Remain in Current Facility Type Transfer to facility based on gender identity

Justification: _____

Assistant Commissioner, Facilities Signature _____ Date _____

Statewide Classification Committee (SCC) Referral Form
FACILITY CLASSIFICATION COMMITTEE:

Offender Name: Diamond Ashley GDC# 1000290365 Date of Birth: 4/9/1978

Height 5'10 Weight: 135

Intersex: Yes No If, yes what gender does the offender identify as? Male Female

Gender: Transgender Female: Biologically male; identifies as female
 Transgender Male: Biologically female; identifies as male

What pronoun does the offender prefer to be called? Female Pronouns Male Pronouns

What facility-type does the offender prefer? (Explain) Female Facility Male Facility Offender Diamond states that she prefers a female facility due to being able to outwardly show gender expression and for female accommodations.

Medical Profiles: None

Does the offender receive hormone treatments? Yes No

PREA Risk Screening Result: Victim Aggressor BOTH, Victim AND Aggressor

Has the offender ever been convicted of a sex offense? Yes (explain) No

Does the offender have a disciplinary history of a sexual nature? Yes (explain) No

Has the offender ever been convicted of a violent offense? YES (explain) No

Does the offender have a disciplinary history of assaultive behavior? Yes (explain) No

Would you recommend this offender to be placed/remain in the offender's preferred facility type? (Explain) Yes No

Due to this offenders need for female accommodations and need for gender expression we concur with her recommendation.

Lacheshia Smith
Classification Chairperson (Print Name)

[Signature]
Chairperson's Signature

10/29/19
Date 45 11-25-19

Warden's Recommendation/Comments: Concur with recommendations

[Signature]
Warden's Signature

11/25/19
Date



Robert Shapiro

From: Atchison, Grace
Sent: Monday, November 25, 2019 1:08 PM
To: Thornton, Theresa; Smith, Lachesha
Cc: Hofer, Chester
Subject: Diamond, Ashley

Hi Theresa,

Please re-do Diamond's SCC classification form. We cannot make housing decision based on genital status.

When complete, please forward to Chester.

Chester....Please save the new form on G:/



Offender GRIEVANCE FORM (Facsimile)

INSTITUTIONAL STAFF USE ONLY	
OFFENDER NAME <u>Ashley Diamond</u>	OFFENDER NUMBER <u>1000290565</u>
INSTITUTION <u>Coastal State Prison</u>	GRIEVANCE NUMBER <u>309723</u>
DATE COMPLETED FORM RECEIVED FROM OFFENDER <u>6 / 15 2020</u> BY <u>Meow</u>	
DATE APPEAL RECEIVED ____ / ____ / ____ BY _____	

YOU MUST INCLUDE SPECIFIC INFORMATION CONCERNING YOUR GRIEVANCE TO INCLUDE DATES, NAMES OF PERSONS INVOLVED, AND WITNESSES.

DESCRIPTION OF INCIDENT:

I am a transgender woman who has faced repeated sexual & physical assaults in GDC custody as well as a lack of constitutionally required medical care I have filed PREA's; vocally requested to be transferd to a female facility Under GDC SOP 220.09.IV.C.3.b. and have had no response. It is well documented that transwomen in male facilities face substatal risks of harm. Serious weight hasnt been given to th

RESOLUTION REQUESTED:

Transfer to a female facility that can accommodate health and safety needs

Offender Signature

Date

Is this grievance being filed within the 10-day time limit? Please answer Yes or No. If the answer is No, please explain why.



DECLARATION OF AHMED HOLT

I, Ahmed Holt, declare as follows:

1. My name is Ahmed Holt and I am competent in all respects to testify to the matters set forth herein. I have personal knowledge of the facts stated herein and know them to be true, and I give this declaration freely and for use as evidence in the case styled *Ashley Diamond v. Timothy Ward*, Case No. 5:20-cv-453 in the U.S. District Court for the Middle District of Georgia.

2. I am employed by the Georgia Department of Corrections (GDC) as Assistant Commissioner, Facilities Division. Among other responsibilities, I am involved in the review of recommendations regarding the classification and placement of transgender offenders, as that process is carried out under GDC Standard Operating Procedure 220.09, entitled Classification and Management of Transgender and Intersex Offenders, a policy with an effective date of July 26, 2019.

3. I am aware that offender Ashley Diamond claims that there is a “De Facto Placement Ban” by which a GDC transgender offender will never be considered for placement, or placed, in a facility housing persons of the gender with which the transgender offender identifies. That claim is not true.

4. Offender Diamond has been placed and housed at Coastal State Prison (CSP) for several reasons, which I considered and discussed with GDC’s Director of Facility Operations, Robert Toole.

These reasons include the following:

- CSP is not a close security facility, instead it is a medium security facility;
- CSP is designated and equipped to provide care for mental health level II offenders;
- CSP had an experienced and excellent medical team;
- CSP is near a metropolitan area, so if Diamond had an urgent need for hospitalization there are local and nearby options;



- CSP had a housing unit (N building) that could meet all of these specifications – it could be fitted with proper camera equipment; it was close to the facility medical unit; and it had 2-man cells that could be locked as opposed to an open living environment;
- By comparison to other medium security prisons, CSP is the safest facility in which to house Diamond because of its small percentage of close security offenders;
- Mental health level III facilities have a higher percentage of close security offenders: Augusta State Medical Prison has 36% close security offenders; Baldwin State Prison has 31% close security offenders; Central State Prison has 13% close security offenders; and Rutledge State Prison has 15.3% close security offenders, compared to CSP which is 8%;
- Other medium security facilities either did not have mental health level II services, for example Wilcox State Prison, Washington State Prison, Dooly State Prison, and Calhoun State Prison; or they have a higher percentage of close security offenders, for example Autry State Prison which has 14% close security offenders. Additionally, they are typically located in a more rural area without convenient access to hospital care as CSP, for example Rogers State Prison in Reidsville.

5. Our goal was to house offender Diamond at a facility that would provide good medical care and good access to specialized or hospital care if needed, the requisite level of mental health care (mental health level II), and limited exposure to close security offenders, all in an environment that allowed living securely in a general population dormitory.

6. CSP had other features that made it suitable for offender Diamond's placement, including the fact that the N building where Diamond has been housed has functioned as a Faith and Character dormitory, an Honor dormitory, and an Evidence Based Program dormitory. That sort of living

environment is a safe prison environment because the offenders who are placed there generally are selected for the placement based on a demonstrated interest in improving themselves and leaving the correctional setting, rather than committing infractions such as harming other offenders.

7. Based on all of these considerations and the fact that in the classification process there was not a recommendation to place offender Diamond in a women's prison, in consultation with Mr. Toole I made the decision that offender Diamond would be placed at CSP. I instructed Mr. Toole to get in touch with Warden Benton at CSP to make arrangements for that placement. Cameras were upgraded in the N building at CSP where Diamond was to be housed.

8. I am aware that there also is an assertion in this case that offender Diamond has been classified as a gang member. That assertion also is not true. **Attachment 1** hereto is a true and correct copy of the Security Threat Groups Validation for offender Diamond. As noted, the designation is STI or Security Threat Individual, and as this document shows this is based on a disciplinary record and report concerning exposure, exhibition, and sexual behavior.

9. I am aware that there is also an assertion in this case that offender Diamond has been retaliated against and Diamond's release date has changed based on court filings, and further that officials at CSP have improperly communicated with the Georgia Board of Pardons and Paroles to alter Diamond's release date. I am aware of no such retaliation. The Parole Board has access to SCRIBE and to disciplinary records in GDC's systems, and so it has access to offender Diamond's disciplinary record. Additionally, the Parole Board assigns hearing examiners who commonly contact prison officials, including counselors and Wardens, for information related to an offender. The Parole Board, not GDC, makes all changes to release dates including changes to an offender's tentative parole month.

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

Dated: 5/3/21


AHMED HOLT

ATTACHMENT 1



Brian P. Kemp
Governor

GEORGIA DEPARTMENT OF CORRECTIONS
STATE OF GEORGIA



Timothy C. Ward
Commissioner

SECURITY THREAT GROUPS VALIDATION

11/04/2020

SUSPECTED-REVIEWED-VALIDATED

Offender Name:	DIAMOND, ASHLEY ALTON	Institution:	COASTAL STATE PRISON
GDC ID:	1000290565	STG Personnel:	MITCHELL, MICHAEL BYRON
Change Date:	11/04/2020		
Suspected Class-Nation:	PRISON-HYBRID	Suspected Group Affiliation:	STI - SECURITY THREAT INDIVIDUAL
Date of Affiliation:	11/03/2020	Place of Affiliation:	GDC Institution
Rank:	Unknown	Place Description:	

When did you join this group/organization? How old were you when you joined this group?

N/A

How did you become involved?

N/A

Why did you become involved?

N/A

What did you expect to gain by joining?

N/A

Have you gained anything (money, drugs, sex, etc.) through membership?

N/A

What role/rank do you have in this group?

N/A

Who recruited or sponsored you into this group?

N/A

Have you recruited anyone to this group, and if so, who?

N/A

How do you prove your loyalty to be accepted into this group?

N/A

Have you ever been told by the group to assault or "hit" anyone, and if so, by whom and why?

N/A

How have you communicated with other members on your group's activities?

N/A

How do members of your group communicate with each other (codes, hand signs, signals, rules, etc.)?

N/A

Are any of your family members involved with this group or any other group/gang, and if so, who?

N/A

Other than assault, have you been ordered to do anything else illegal, and if so, what and by whom?

N/A

Are you in contact with any other group/gang members either in or out of prison, and if so, who?

N/A

How does this group/gang financially support itself?

N/A

How and by whom is the money kept and distributed?

N/A

Who is the person in charge of your group/gang in this facility/area?

N/A

How is the governing body of this group/gang set up (Steering committee, Military Style, hierarchy, etc.)?

N/A

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Brian P. Kemp
Governor

GEORGIA DEPARTMENT OF CORRECTIONS
STATE OF GEORGIA

SECURITY THREAT GROUPS VALIDATION



Timothy C. Ward
Commissioner

Who are the leaders of the governing body?

N/A

Does this group/gang hide its true intentions by claiming to be religious in nature, and if so, what religion or beliefs are claimed?

N/A

What type of illegal or other activities is this group involved in?

N/A

Once in the group, how do you get out?

N/A

What signals, colors, or tattoos are used to signify group members?

N/A

If inmate has tattoos, specify date and name of person who took the photos of the inmate's tattoos.

STG Sgt. Mitchell took a picture of Offender Diamond, Ashley face on November 3, 2020.

INSTRUCTIONS: Place a check mark in the box in front of each criteria item that applies to this inmate, or which causes you to suspect that he/she may be affiliated with a security threat group. 5-9 total points will place offender in Suspected status, 10 or more total points will generate a request for Central Office to review validation package and place offender in Validated status. DOCUMENTATION OR PHYSICAL EVIDENCE ITEM MUST SUPPORT EACH CRITERION.

Self Admission - Inmate verbally admits to gang membership.	Score: 0
Tattoos - Inmate has tattoos that are consistent with membership in a gang.	Score: 0
Use/Possession of gang symbols, logos, gang colors, drawings, hand signs, manner in which uniform is worn. (Example: pant leg rolled up on one side, etc.).	Score: 0
Possession of gang related documents, charters, by-laws, procedures, rosters, hit lists, etc.	Score: 0
Possession of gang publications.	Score: 0
Participation in gang publications-writing articles or placement of advertisements.	Score: 0
Court documents -Any documents received with commitment papers or otherwise obtained that indicate gang involvement.	Score: 0
Group Photo-Inmate appears in a photo with known gang members.	Score: 0
Observed association-Inmate observed routinely walking, eating, recreating or otherwise associating with known gang members (must be documented).	Score: 0
Contact with gang members - visiting, correspondence, financial transactions, phone calls with other known gang members (Must be documented).	Score: 0
Reliable informant information.	Score: 0
Membership documents - possession of membership cards, certificates of rank or title, letters of introduction etc.	Score: 0
Law Enforcement Intelligence (Note the source of information, contact numbers and copies of all documents).	Score: 8
Published/broadcast news accounts.	Score: 0

Involvement or attempted involvement in gang-like activities such as: (CHECK ALL THAT APPLY) (2 PTS total for this criterion). Score: 2

Assaultive towards other inmates.	No
Assaultive towards staff.	No
Compromise of staff.	No
Contraband Introduction - Alcohol (commercial)	No

Contraband Introduction - Alcohol (homemade)

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GEORGIA DEPARTMENT OF CORRECTIONS
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SECURITY THREAT GROUPS VALIDATION



Timothy C. Ward
Commissioner

	No
Contraband Introduction -Crack/cocaine	No
Contraband Introduction - Marijuana	No
Contraband Introduction - Other drugs/narcotics	No
Contraband Introduction - Firearms/ammo/materials	No
Contraband Introduction - Other weapons/materials	No
Contraband Introduction - Other contraband	No
Criminal Enterprise - Robbery	No
Criminal Enterprise - Burglary	No
Criminal Enterprise - Larceny	No
Criminal Enterprise - Drug sales/trafficking	No
Criminal Enterprise - Prostitution	No
Criminal Enterprise - Fraud/Scams	No
Criminal Enterprise - Alcohol sale/trafficking	No
Criminal Enterprise - Protection/Extortion	No
Possession of Contraband - Alcohol (commercial)	No
Possession of Contraband - Alcohol (homemade)	No
Possession of Contraband - Crack/cocaine	No
Possession of Contraband - Marijuana	No
Possession of Contraband - Other drugs/narcotics	No
Possession of Contraband - Firearms/ammo/materials	No
Possession of Contraband - Other weapons/materials	No
Possession of Contraband - Other contraband	No
Escape/Escape plots	No
Coercion/extortion	No
Inciting/threatening behavior	No
Intimidation/threatening behavior - Other inmates	No
Intimidation/threatening behavior - Staff	No
Intimidation/threatening behavior - Witnesses	No
Intimidation/threatening behavior - Others	No
Other gang-like behavior	No
Preys upon other inmates	Yes
Scams/con games/gambling	No
Violence, promoting/participating	No
Weapons, possession/use/manufacture	No

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Brian P. Kemp
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GEORGIA DEPARTMENT OF CORRECTIONS
STATE OF GEORGIA

SECURITY THREAT GROUPS VALIDATION



Timothy C. Ward
Commissioner

Organizing/promoting gang activity

No

TOTAL POINTS ACCURED 10

Other/Comments:

Offender Diamond, Ashely was served charges on November 01, 2020 at 0825 hours at Coastal State Prison for B-11 - HIGH -EXPOSURE/EXHIBITION, B-8 -HIGH -SEXUAL BEHAVIOR/ACTIVITY, B-10 -GREAT -SOLICIT SEXUAL ACTIVITY.

CENTRAL OFFICE ACTION

Security Threat Group **STI - SECURITY THREAT INDIVIDUAL**

Status: **Validated**

Date: **11/04/2020**

Comments:

PREA Investigative Summary

Facility: Coastal State Prison Date of Incident: 9/25/2020
 Location: Unknown Time of Incident: unknown
 Incident Report #: 311506

Type of Allegation (Select one): Alleged Victim(s) Alleged Aggressor(s)

		Name	ID#	Name	ID#
<u>S/I Abuse</u>		Ashely, Diamond	1000290565	unknown	unknown
<u>S/I Harassment</u>					
<u>x I/I Abuse</u>					

On 9.30.2020 at 1408 Coastal State Prison received notification that offender Ashley Diamond was involved in three separate PREA incidents that occurred on September 18th, 19th, and 20th. Offender Diamond stated that the incident occurred with an offender and not a GDC staff member. When asked to provide more information surrounding the incident offender Diamond stated that he did not want to talk about the incident. Due to alleged victim's refusal to conduct interviews or provide any information about the incident, the SART team determined that this allegation was unfounded.

Disposition (Select one):	Evidence gathered:	Location:		
<u>Substantiated</u>	<u>witness</u>			
<u>Unsubstantiated</u>	<u>Statement</u>	<u>Prea file</u>		
<u>x Unfounded</u>				

Actions taken:

none

Disciplinary action taken (toward staff or inmates):

none

Tamara S. Cantera LAPC, NCC
 Name/ Title of person submitting report

Tamara S. Cantera
 Signature/ Title



Upon completion this form is to be placed in the PREA case file as well as emailed to the PREA Unit.

AMS - 05/10/2021
 Cantera02

Offender PREA Classification Details

Date of Referral: **09/08/2020** Location: **COASTAL STATE PRISON**

Sexual Victim Factors

- Is the offender a former victim of institutional(prison or jail) rape or sexual assault? Yes
- Is the offender 25 years old or younger or 60 years or older? No
- Is the offender small in physical stature?(BMI<18.5)? No
- Does the offender have a developmental disability/mental illness/physical disability? Yes
- Is this the offenders first incarceration ever(prison or jail)? No
- Is or is perceived to be gay/lesbian/bi-sexual/transgender/intersex or gender non-conforming? Yes
- Does the offender have a history of prior sexual victimization (sex abuse)? Yes
- Is the offenders own perception that of being vulnerable? Yes
- Does the offender have a criminal history (convictions) that is exclusively non-violent? Yes
- Does the offender have a conviction(s) for sex offenses against adult and/or child? No

Sexual Aggressor Factors

- Does the offender have a past history of institutional(prison or jail) sexually aggressive behavior? No
- Does the offender have a history of sexual abuse/sexual assault towards others (adult and/or child)? No
- Is the offenders current offense sexual abuse/sexual assault toward others(adult and/or child)? No
- Does the offender have a prior conviction(s) for violent offenses? No

Findings:
Sexual Victim

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[Send your system questions and recommendations to us](#)

AMS - 05/10/2021

Cantera03

Georgia Department of Corrections **SCRIPE** User: Tamara Cantera Location: Coastal State Prison ▶ My To Do List

Name: **DIAMOND, ASHLEY ALTON**
 Race: **BLACK**
 Sex: **MALE**
 DOB: **04/09/1978**

GDC ID: **1000290565**
 Status: **INMATE / PIC Eligible**
 Supervision Level/Type: **MEDIUM /**
 Type Population: **GENERAL POPULATION**

Last Scribe Move: **COASTAL STATE PRISON N-B-136-B**
 Classification Score: **.27197**

AGREEMENTS ASSIGNMENTS ASSESSMENT CASE MGMT. CASE NOTES CARE AND CUSTODY CLASSIFICATION COMM. SERVICE COURT CASES DIAGNOSTICS
 DISCIPLINARIES FINANCIALS GRIEVANCES IRTS MEDICAL MENTAL HEALTH MOVEMENTS NOTIFICATIONS OFFENDER DOC'S OTIS INFO
 OMBUDSMAN PAROLE INFO PERSONAL INFO PROFILES PROGRAMS RAP RE-ENTRY PLAN RELEASES SCHEDULES STG

PREA VICT

****D/N DESTROY N**

- ▶ Main Menu
- ▶ Find Offender
- ▶ Caseload Search

MAXIMUM RELEASE DATE	PROJECTED PIC DATE	TARGET RSAT REFERRAL DATE	TARGET TC REFERRAL DATE	CURRENT TOTAL PIC CREDITS	CURRENT PROGRAM CREDITS	CURRENT WORK CREDITS	CURRENT EDUC-VOC IMPROVEMENT CREDITS
02/05/2024	05/31/2021	12/31/2019		5	1	0	4

PIC View Summary

PIC information is valid as of Oct 08, 2020

Programs Program History

PAROLE PIC SUMMARY

PAROLE ELIGIBILITY DATE	TENTATIVE PAROLE MONTH	PIC CREDITS AWARDED	PIC CREDIT FREEZE DATE	TOTAL FROZEN PIC CREDITS
05/20/2020	10/31/2021			

Georgia Department of Corrections

User: Anthony Orr Location: Coastal State Prison

Name: DIAMOND, ASHLEY ALTON

GDC ID: 1000290565



Race: BLACK

Status: INMATE / PIC Eligible



Sex: MALE

Supervision Level/Type: MEDIUM /

Last Scribe Move: COA N-B-

DOB: 04/09/1978

Type Population: GENERAL POPULATION

Classification Score: .561

AGREEMENTS ASSIGNMENTS ASSESSMENT CASE MGMT. CARE AND CUSTODY CASE NOTES CLASSIFICATION CI

D/N DESTROY NOTICE

- ▶ Main Menu
- ▶ Find Offender
- ▶ Caseload Search

PIC SUMMARY

PIC information is valid as of Feb 07, 2021

OVERVIEW

MAXIMUM RELEASE DATE	PROJECTED PIC DATE	TARGET RSAT REFERRAL DATE	TARGET TC REFERRAL DATE	CURRENT TOTAL PIC CREDITS	CURRENT PROGRAM CREDITS	CURRE WOR CREDI
02/05/2024	03/01/2021	10/31/2019		7	1	0

PIC

View Summary

Programs

- Add Program
- Program History

PIC information is valid as of Feb 07, 2021

PAROLE PIC SUMMARY

PAROLE ELIGIBILITY DATE	TENTATIVE PAROLE MONTH	PIC CREDITS AWARDED	PIC CREDIT FREEZE DATE	TOTAL FROZEN PIC CREDITS
05/20/2020	10/31/2021		12/01/2020	7

PROGRAM CATEGORY SUMMARY

AMS - 05/10/2021

Cantera05

Re: Weekly Report on Offender Diamond, Ashley GDC#1000290565

Preyer, Yolanda <yolanda.preyer@gdc.ga.gov>

Thu 10/29/2020 6:06 PM

To: Wilkerson, Tarsha <tarsha.wilkerson@gdc.ga.gov>; Moody, Porshe <porshe.moody@gdc.ga.gov>; Nettles, Constance <constance.nettles@gdc.ga.gov>; Fletcher, Tia <tfletcher1@TeamCenturion.com>; Grant, Katina <katina.grant@gdc.ga.gov>; sgregory@augusta.edu <sgregory@augusta.edu>; demurphy@augusta.edu <demurphy@augusta.edu>;

Cc: Anderson, Michael <Michael.Anderson@gdc.ga.gov>; Betterson, Carl <carl.betterson@gdc.ga.gov>; Benton, Brooks <Brooks.Benton@gdc.ga.gov>;

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good Afternoon.

If I have not received your report, Please have it in to me, CC Regina Carter, as I am in MH training tomorrow & she will need to compile the report. Thank you

Yolanda Z. Preyer, Warden's Secretary
Coastal State Prison
P.O. Box 7150
Garden City, GA 31418-7150
(912) 965-6252
(912)965-6241 - Office
(912)965-6238 - Fax

"The Georgia Department of Corrections protects the public by operating safe and secure facilities through the development of professional staff and effective offender management."

CORE VALUES:

- Courage.
- Determination.
- Teamwork.

From: Preyer, Yolanda

Sent: Friday, October 23, 2020 8:29 AM

To: Wilkerson, Tarsha <tarsha.wilkerson@gdc.ga.gov>; Moody, Porshe <porshe.moody@gdc.ga.gov>; Nettles, Constance <constance.nettles@gdc.ga.gov>; tfletcher1@teamcenturion.com <tfletcher1@teamcenturion.com>; Grant, Katina <katina.grant@gdc.ga.gov>; Cantera, Tamara <tamara.cantera@gets.onmicrosoft.com>; sgregory@augusta.edu <sgregory@augusta.edu>; demurphy@augusta.edu <demurphy@augusta.edu>

Cc: 'Anderson, Michael' <Michael.Anderson@gdc.ga.gov>; Betterson, Carl <carl.betterson@gdc.ga.gov>; Benton, Brooks <Brooks.Benton@gdc.ga.gov>

Subject: RE: Weekly Report on Offender Diamond, Ashley GDC#1000290565

Good Morning.

This report is due by 2 pm. If I have yours, Thanks.

AMS - 05/10/2021

Cantera06

DEF_1167

**YOLANDA Z. PREYER,
WARDEN, BROOKS L. BENTON'S SECRETARY
COASTAL STATE PRISON
200 GULFSTREAM ROAD
P.O. BOX 7150
GARDEN CITY, GA 31418-7150
(912) 965-6252- OFFICE
(912)965-6241 - OFFICE
(912)965-6238 - FAX**

"THE GEORGIA DEPARTMENT OF CORRECTIONS PROTECTS THE PUBLIC BY OPERATING SAFE AND SECURE FACILITIES THROUGH THE DEVELOPMENT OF PROFESSIONAL STAFF AND EFFECTIVE OFFENDER MANAGEMENT."

CORE VALUES:

- COURAGE.**
- DETERMINATION.**
- TEAMWORK.**

From: Preyer, Yolanda

Sent: Thursday, October 15, 2020 4:53 PM

To: Wilkerson, Tarsha <tarsha.wilkerson@gdc.ga.gov>; Moody, Porshe <porshe.moody@gdc.ga.gov>; Nettles, Constance <constance.nettles@gdc.ga.gov>; tfletcher1@teamcenturion.com; Grant, Katina <katina.grant@gdc.ga.gov>; Cantera, Tamara <tamara.cantera@gets.onmicrosoft.com>; sgregory@augusta.edu; demurphy@augusta.edu

Cc: 'Anderson, Michael' <Michael.Anderson@gdc.ga.gov>; Betterson, Carl <carl.betterson@gdc.ga.gov>; Benton, Brooks <Brooks.Benton@gdc.ga.gov>

Subject: RE: Weekly Report on Offender Diamond, Ashley GDC#1000290565

This report is due by 2 pm, Tomorrow.

**YOLANDA Z. PREYER,
WARDEN, BROOKS L. BENTON'S SECRETARY
COASTAL STATE PRISON
200 GULFSTREAM ROAD
P.O. BOX 7150
GARDEN CITY, GA 31418-7150
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"THE GEORGIA DEPARTMENT OF CORRECTIONS PROTECTS THE PUBLIC BY OPERATING SAFE AND SECURE FACILITIES THROUGH THE DEVELOPMENT OF PROFESSIONAL STAFF AND EFFECTIVE OFFENDER MANAGEMENT."

CORE VALUES:

- COURAGE.**

-DETERMINATION.
-TEAMWORK.

From: Preyer, Yolanda
Sent: Friday, October 09, 2020 7:50 AM
To: Wilkerson, Tarsha <tarsha.wilkerson@gdc.ga.gov>; Moody, Porshe <porshe.moody@gdc.ga.gov>; Nettles, Constance <constance.nettles@gdc.ga.gov>; tfletcher1@teamcenturion.com; Grant, Katina <katina.grant@gdc.ga.gov>; Cantera, Tamara <tamara.cantera@gets.onmicrosoft.com>; sgregory@augusta.edu; demurphy@augusta.edu
Cc: Anderson, Michael <Michael.Anderson@gdc.ga.gov>; Betterson, Carl <carl.betterson@gdc.ga.gov>
Subject: RE: Weekly Report on Offender Diamond, Ashley GDC#1000290565

This report is due by 2 pm. If I have yours, Thank you

**YOLANDA Z. PREYER,
WARDEN, BROOKS L. BENTON'S SECRETARY
COASTAL STATE PRISON
200 GULFSTREAM ROAD
P.O. BOX 7150
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"THE GEORGIA DEPARTMENT OF CORRECTIONS PROTECTS THE PUBLIC BY OPERATING SAFE AND SECURE FACILITIES THROUGH THE DEVELOPMENT OF PROFESSIONAL STAFF AND EFFECTIVE OFFENDER MANAGEMENT."

**CORE VALUES:
-COURAGE.
-DETERMINATION.
-TEAMWORK.**

From: Preyer, Yolanda
Sent: Thursday, October 01, 2020 4:08 PM
To: Wilkerson, Tarsha <tarsha.wilkerson@gdc.ga.gov>; Moody, Porshe <porshe.moody@gdc.ga.gov>; Nettles, Constance <constance.nettles@gdc.ga.gov>; tfletcher1@teamcenturion.com; Grant, Katina <katina.grant@gdc.ga.gov>; Cantera, Tamara <tamara.cantera@gets.onmicrosoft.com>; sgregory@augusta.edu; demurphy@augusta.edu
Cc: Anderson, Michael <Michael.Anderson@gdc.ga.gov>; Betterson, Carl <carl.betterson@gdc.ga.gov>
Subject: Weekly Report on Offender Diamond, Ashley GDC#1000290565

This report is due 10/2/2020 by 2 pm. Thank you

**Yolanda Z. Preyer, Warden's Secretary
Coastal State Prison
P.O. Box 7150
Garden City, GA 31418-7150
(912) 965-6252
(912)965-6241 - Office**

EXHIBIT 20

GEORGIA DEPARTMENT OF CORRECTIONS Standard Operating Procedures		
Policy Name: Management and Treatment of Offenders Diagnosed with Gender Dysphoria		
Policy Number: 507.04.68	Effective Date: 04/07/15	Page Number 1 of 2
Authority: Bryson / Smith	Originating Division: Operations, Planning and Training Division	Access Listing: Level I: All Access

I. Introduction and Summary:

The Department will provide constitutionally appropriate medical and mental health treatment to offenders diagnosed with Gender Dysphoria and similar conditions.

II. Authority:

Estelle v. Gamble, 429 U.S. 97 (1976).

Formerly SOP #VH47-0006.

III. Definitions:

Gender Dysphoria refers to the range of diagnostic criteria referenced in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM-V), particularly, personal identification with a gender other than the assigned gender. Gender Dysphoria includes conditions previously referred to as Gender Identity Disorder, Transsexual, Transgender, or other similar conditions.

IV. Statement of Policy and Applicable Procedures:

Offenders with a possible diagnosis of Gender Dysphoria, including offenders who assert they have Gender Dysphoria, will receive thorough medical and mental health evaluations from appropriately licensed and qualified medical and mental health professionals. The evaluation will include an assessment of the offender's treatment and life experiences prior to incarceration as well as experiences during incarceration (including hormone therapy, completed or in-process surgical interventions, real life experience consistent with the offender's gender identity, private expressions that conform to the preferred gender and counseling).

If a diagnosis of Gender Dysphoria is reached, a treatment plan will be developed that promotes the physical and mental health of the patient. The development of the treatment plan is not solely dependent on services provided or the offender's life experiences prior to incarceration. Treatment plans will be reviewed regularly and updated as necessary. Current, accepted standards of care will be used as a reference for developing the treatment plan.

GEORGIA DEPARTMENT OF CORRECTIONS Standard Operating Procedures		
Policy Name: Management and Treatment of Offenders Diagnosed with Gender Dysphoria		
Policy Number: 507.04.68	Effective Date: 04/07/15	Page Number 2 of 2
Authority: Bryson / Smith	Originating Division: Operations, Planning and Training Division	Access Listing: Level I: All Access

Each treatment plan or denial of treatment must be approved by the Statewide Medical Director and Statewide Mental Health Director. Any hormone therapy must be requested through the non-formulary review process.

In summary, offenders in the custody of the Department with a possible diagnosis of Gender Dysphoria will receive a current individualized assessment and evaluation. Treatment options will not be precluded solely due to level of services received, or lack of services, prior to incarceration.

V. Attachments:

None.

offender diamond

Fass, Daniel

Mon 10/26/2020 10:43 AM

To: Fletcher, Tia <tfletcher1@TeamCenturion.com>;

Good Morning Ms. Fletcher,

Could you please forward this to the warden or maintenance.

Offender Diamond has continued to express to me that her door doesn't lock/work. This I believe has been ongoing since a couple weeks ago and appears related to her last PREA report.

I would like to suggest that if the door is not fixed or fixable, we should let her have a roommate who is classified as a PREA victim for extra safety precautions.

Thank you,

Daniel Fass Ph.D.
Clinical Director

AMS - 05/11/2021

Fass02

exhibitstick.com

DEF_1164

EXHIBIT 19

AMS - 05/11/2021

Fass03

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I. Introduction and Summary:

The purpose of this policy is to provide guidance and direction for the classification and management of offenders identified as transgender and intersex. Furthermore, this policy was established to ensure compliance with requirements of the Prison Rape Elimination Act (PREA).

II. Authority:

- A. O.C.G.A. § 16-6-5.1;
- B. 28 CFR Part 115, Prison Rape Elimination Act (PREA) Prisons and Jails Standards;
- C. Georgia Department of Corrections (GDC) Standard Operating Procedures (SOPs): 107.04 Risk and Needs Assessment, 206.01 Offender Personal Property, 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, 209.01 Offender Discipline, 220.02 Security Classification, 220.03 Classification Committee, 220.05 Diagnostic Reception, Orientation, and Processing, 222.10 Security Procedures During Transport of Offenders, 226.01 Searches, Security Inspections, and Use of Permanent Logs, 226.02 Entry Security Procedures, 507.02.02 Confidentiality of Health Record and Release of Information 507.04.21 Health Assessment and Medical Diagnostics, 507.04.25 Health Screening Offender Transfers 507.04.58 Special Needs Treatment Planning, 507.04.68 Management and Treatment of Offenders Diagnosed with Gender Dysphoria, and 508.04.19 Receiving Screening, 508.14 Mental Health Reception Screen; and
- D. ACA Standards: 4-4181, 4-4278, 4-4403, and 4-4281.

III. Definitions:

- A. **Classification Committee** - A multi-disciplinary facility-based committee responsible for making bed, program, education, and work assignments considering the known information about each offender as described in SOPs 220.02 and 220.03.
- B. **Gender Dysphoria** - A mental health disorder characterized by clinically significant distress and impairment in social, occupational, or other important areas

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of functioning secondary to a marked incongruence between an individual's experienced/expressed gender and assigned gender. Not all transgender offenders have a diagnosis of gender dysphoria and a diagnosis of gender dysphoria is not required for an individual to be provided services.

- C. **Gender Identity** - Distinct from sexual orientation and refers to a person's internal sense of being male, female, or neither.
- D. **Intersex** - A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development.
- E. **Medical or Mental Health Practitioner** - A health professional who, by virtue of education, credentials, and experience, is permitted by law to evaluate and care for patients within the scope of his or her professional practice.
- F. **Prison Rape Elimination Act (PREA)** - A federal law to address sexual violence in prisons, jails, and other correctional facilities. Under PREA, the National Prison Rape Elimination Commission was created with the responsibility for establishing standards for the prevention, detection, response, and monitoring of sexual abuse and sexual harassment within correctional systems.
- G. **PREA Coordinator** - A GDC employee responsible for the statewide oversight of PREA standards, compliance with standards, training, data collection, and inspection.
- H. **PREA Compliance Manager** - A GDC employee designated at each GDC facility who is responsible to coordinate the facility's efforts to comply with the PREA policy and the federal PREA standards.
- I. **Sex** - One's anatomical make-up, including external genitalia, chromosomes, and reproductive system.
- J. **Statewide Classification Committee (SCC)** - A committee responsible for making case-by-case decisions about whether a transgender or intersex offender will be housed in a male or female facility. This committee is composed of

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statewide directors from Medical, Mental Health, Facilities Operations, PREA Coordinator's Office, Legal, and any other GDC staff designated by the Commissioner and deemed necessary to decide on offender placement.

- K. **Transgender/Intersex Offender List (TIOL):** A SCRIBE-based list that tracks all transgender and intersex offenders.
- L. **Transgender** - A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth.
- M. **Transgender Female** - A person born biologically male who identifies as, and sees herself as, a female.
- N. **Transgender Male** - A person born biologically female who identifies as, and sees himself as, a male.

IV. **Policy and Applicable Procedures:**

A. Diagnostics:

1. An offender will initially be assigned to a diagnostics and classification facility by Offender Administration, appropriate to the assigned gender indicated in the Georgia Crime Information Center (GCIC);
2. When any offender arrives to a diagnostic facility staff must do the following prior to strip searches and showering:
 - a. Staff shall make the following notification statement to all offenders in a group, or to an individual offender if only one is present, "You are about to be strip searched. Before we do this, let us know if you have anything on you or about you we need to know before the search. This can be possession of items you should not have or are not sure you should have, or it could be a physical disability or other physical issue. If you need to declare anything to us before you are strip searched, raise your hand;"
 - b. If an offender raises his or her hand, the staff shall pull that offender aside and privately ask the offender what the facility should know;

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- c. The intent of this practice is to give the offender the opportunity to privately talk to a staff member if they choose to disclose they are transgender or intersex;
 - d. If the offender indicates he or she is transgender or intersex, staff must ensure he or she is allowed to shower separately; and
 - e. Strip searches and pat searches must be completed in accordance with section J of this policy.
3. GDC will screen all offenders within twenty-four (24) hours by using the PREA Sexual Victim/Sexual Aggressor Classification Screening Instrument in SCRIBE;
 4. A Mental Health Reception Screen form will be completed by a mental health counselor or behavior specialist in accordance with SOP 508.14 Mental Health Reception Screen;
 5. This screen will assess for potential mental health problems and gender identity, including transgender or intersex;
 6. If the mental health counselor or behavior specialist notes gender identity issues, the offender will be referred for further evaluation in accordance with SOP 508.14;
 7. Transgender offenders shall be notified that if they want hygiene or undergarment items that are not stored in diagnostics that they will receive what all other offenders receive and may receive those gender-specific property needs upon being housed in their permanent facility;
 8. Diagnostics staff will assist in gaining information about safe housing for transgender and intersex offenders by doing the following:
 - a. Staff will conduct a classification interview for each offender to explore:
 - i. Medical and mental health issues;

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- ii. Public and institutional risk factors;
 - iii. Educational;
 - iv. Vocational;
 - v. Drug or alcohol involvement;
 - vi. Work history;
 - vi. The PREA Sexual Victim/Sexual Aggressor Classification Screening;
 - vii. Any other areas pertinent to the needs and facility placement of the offender; and
 - viii. This information shall be used to complete the Personal Data Sheet on all offenders.
- b. Each area will be discussed in depth to develop the Classification Profile;
 - c. Specific recommendations will be made by the interviewer, relating to:
 - i. The offender’s needs;
 - ii. Possible program assignments; and
 - iii. Housing placement.
 - d. If it is known that the offender is transgender or intersex on the sexual safety risk screening, then the diagnostics staff will complete the facility section of Attachment 1, Statewide Classification Committee (SCC) Referral Form and submit it to their Classification Committee for approval;
9. Once the Classification Committee is notified of the offender’s status, the Chairperson must ensure the following is completed:

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- a. The Classification Chairperson will review and forward the approved Statewide Classification Committee Referral Form to the PREA Unit via prea.report@gdc.ga.gov;
- b. The Chairperson must enter the appropriate profile on the Transgender and Intersex Offender List (TIOL) in SCRIBE, which will include all intersex and transgender offenders in GDC custody;
- c. The Classification Committee will determine, on a case-by-case basis, the most appropriate classification assignments for each transgender offender;
- d. Transgender offenders must never be placed in dedicated units or housed only with other transgender offenders; and
- e. The offenders' own views with respect to their safety should be given serious consideration.

10. The GDC PREA Unit will:

- a. Ensure that the facility has entered the correct profile on the TIOL;
- b. Arrange a private meeting with the offender in person, via video or telephone call within ten 10 business days of receiving the Statewide Classification Committee Referral Form; and
- c. During the private meeting, the PREA Unit designee will complete the Transgender Questionnaire portion of the SCC Referral Form and make a recommendation to the remaining SCC Committee Members for review.

B. Non-Diagnostic Offender Procedure:

1. When any offender arrives to a facility, intake staff must do the following prior to strip searches and showering:
 - a. Staff shall make the following notification statement to all offenders in a group, or to an individual offender if only one is present, "You are about to be strip searched. Before we do this, let us know if you have anything

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on you or about you we need to know before the search. This can be possession of items you should not have or are not sure you should have, or it could be a physical disability or other physical issue. If you need to declare anything to us before you are strip searched, raise your hand;”

- b. If an offender raises his or her hand, the staff shall pull that offender aside and privately ask the offender what information they need to declare;
 - c. The intent of this practice is to give the offender the opportunity to privately talk to a staff member if they choose to disclose they are transgender or intersex;
 - d. If an offender indicates he or she is transgender or intersex, staff must ensure he or she is allowed to shower separately; and
 - e. Strip searches and pat searches must be completed in accordance with section J of this policy.
2. If at any time the offender discloses that he or she is transgender or intersex, the Warden must be notified immediately;
 3. The Warden shall immediately advise the Regional Director or female services director;
 4. The Regional Director or Female Services Director shall notify:
 - a. The Director of Facilities;
 - b. The Statewide Medical Director;
 - c. Statewide Mental Health Director; and
 - d. The Statewide PREA Coordinator.
 5. GDC will screen all offenders within twenty-four (24) hours of arrival, by using the PREA Sexual Victim/Sexual Aggressor Classification Screening Instrument in SCRIBE;

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6. If it is known that the offender is transgender or intersex on the PREA Sexual Victim/Sexual Aggressor Classification Screening Instrument, then staff will check the TIOL to ensure that the offender is on the list in SCRIBE;
7. If the offender is not on the TIOL, staff must complete the facility section of Attachment 1, Statewide Classification Committee (SCC) Referral Form and submit it to their Classification Committee for approval;
8. Once the Classification Committee is notified of the offender's status, the Chairperson must ensure the following is completed:
 - a. The Classification Chairperson will review and forward the approved Statewide Classification Committee Referral Form, to the PREA Unit, via prea.report@gdc.ga.gov;
 - b. The Chairperson must enter the appropriate profile on the Transgender and Intersex Offender List (TIOL) profile in SCRIBE, which will include all intersex and transgender offenders in GDC custody;
 - c. The TIOL will assist the facility with ensuring that all necessary services, to include twice yearly safety reassessments, are conducted in accordance with Attachment 2, PREA Sexual Victim/Sexual Aggressor Screening Tool, from SOP 208.06;
 - d. Once placed on the TIOL, no offender may be removed without approval of the SCC Committee designee;
 - e. The Classification Committee will determine, on a case-by-case basis, the most appropriate classification assignments for each transgender offender;
 - f. Transgender offenders must never be placed in dedicated units or housed only with other transgender offenders; and
 - g. The offenders' own views with respect to their safety should be given serious consideration.

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9. Transgender offenders shall be notified that if they want gender-specific hygiene or undergarment items that they must either request the standard-issued items or receive approval to order from the offender commissary.

10. The GDC PREA Unit will:

- a. Ensure that the facility has entered the correct profile on the TIOL;
- b. Check to determine whether a previous SCC referral was completed;
- c. If a previous SCC referral was not completed, the PREA Unit will arrange a private meeting with the offender in person, via video or telephone call within 10 business days of receiving the Statewide Classification Committee Referral Form; and
- d. During the private meeting, the PREA Unit designee will complete the Interview portion of the SCC Referral Form and make a recommendation to the remaining SCC Committee Members for review.

C. SCC Committee:

- 1. In deciding whether to assign a transgender or intersex offender to a male or female facility, GDC shall consider on a case-by-case basis whether:
 - a. Placement would ensure the offender’s health and safety; and
 - b. Whether the placement would present management or security problems.
- 2. Transgender offenders may not be assigned to gender-specific facilities based solely on their external genital anatomy.
- 3. The SCC will evaluate each referral to discuss the facility type and the safe placement of each transgender offender. They will consider the following:
 - a. Classification’s housing decision;

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- b. The offender’s documented choice of whether a male or female facility is safest for him or her (based on the SCC Referral Form);
 - c. The offender’s prior institutional history (to include incidents and grievances);
 - d. The offender’s prior violent or sexual crime history;
 - e. The offender’s designation on the PREA Sexual Victim/Sexual Aggressor Classification Screening;
 - f. The offender’s physical appearance, age, and physical build;
 - g. Any relevant information obtained about the offender from security staff or medical and mental health staff since arrival;
 - h. The ability of security staff to house and supervise the offender to ensure his or her safety in each environment;
 - i. Any management problems, including but not limited to disciplinary reports; and
 - j. Any other relevant information about the offender’s ability to positively or negatively manage him or herself in each type of environment.
4. The decision about the type of facility (male or female) made by the committee will be documented on Attachment 1, SCC Referral Form and reviewed and approved by the Facilities Division Assistant Commissioner or designee;
 5. Transgender offenders shall be given a one-page informational sheet by the SCC at the SCC meeting that:
 - a. Advises them of their rights;
 - b. The opportunity to shower separately;
 - c. That they will be assessed at their assigned facility for safe housing;

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- d. Property information;
 - e. Other safety-related information; and
 - f. This information should be available in both English and Spanish, at minimum.
6. If the offender is recommended by the SCC to be housed according to his or her sex (and not gender identity), he or she will stay at their current facility and complete the normal classification process;
 7. If the offender is recommended by the SCC to be housed according to his or her gender identity, and this is approved by the Facilities Division Assistant Commissioner or designee, he or she will be scheduled for transfer to the recommended facility;
 8. The signed approval will be forwarded to and maintained by the Agency PREA Coordinator;
 9. If the SCC recommendation is denied by the Facilities Division Assistant Commissioner or designee, for any reason, that denial shall be documented in writing, forwarded to, and maintained by the Agency PREA Coordinator;
 10. The offender will be transferred to his or her assigned permanent facility after Diagnostics according to the decision of the SCC and will be housed via the standard classification and housing selection process of the facility's Classification Committee, with consideration given to the PREA Sexual Victim/Sexual Aggressor Classification information; and
 11. The facility-based Classification Committee will also consider:
 - a. Bed;
 - b. Program;
 - c. Education, and

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d. Work assignments of the offender.

D. Confidentiality:

1. Because transgender offenders are at particularly high risk for physical or sexual abuse or harassment, information learned about an offender shall be used only for the safety and security of the offender and facility;
2. No person shall share this information with others unless there is a legitimate and documented reason to do so;
3. Sexual safety risk screening information is required to be locked and secured with limited access; and
4. Staff are expected to keep an offender’s sensitive personal information confidential.

E. Bed, Program, Work, and Education Assignments:

1. Once the offender is transferred to their assigned facility, the classification information from Diagnostics, combined with the sexual safety risk screening information, will be used by the classification committee to house the offender at that facility, to include a unit and bed assignment;
2. Placing an offender in involuntary segregated housing to protect him or her from victimization is not permitted unless an assessment of all available alternatives has been made and it is determined that there is no available alternative means of separation from likely abusers;
3. This can only be done subject to the requirements in SOP 209.06 Administrative Segregation and the requirements in PREA standard 115.43;
4. In addition to the initial PREA Sexual Victim/Sexual Aggressor Classification Screening, transgender offenders’ risk levels for sexual victimization and abusiveness must also be re-assessed:
 - a. Within thirty (30) days of their intake date;

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- b. After any new information is learned that bears upon their sexual safety; and
 - c. At least twice each year of their incarceration.
5. At each point, the offenders’ own views as to their safety must be given serious consideration.
 6. Transgender offenders shall be given the same treatment in determining access to programming and services as other offenders within the correctional facility;
 7. Work, education, and programming assignments can vary for transgender offenders if there is a documented reason to keep separate those offenders at high risk of being sexually victimized from those at high risk of being sexually abusive; and
 8. The facility-based Classification Committee will make individualized determinations about these offenders’ assignments without discrimination.

F. Showers:

1. Transgender offenders shall be given the opportunity to shower separately from other offenders;
2. This does not mean they are required to shower separately, but that the opportunity is afforded to them if they wish to do so. Separate means the following:
 - a. Alone in a community shower at a separate time from other offenders; or
 - b. Alone in a shower with separate and private walls or curtains if in a group.

G. Personal Property:

1. Transgender offenders will be issued the same property as other offenders in their assigned facility are issued.

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2. If an offender on the TIOL requests hygiene or undergarments items that are different from those typically supplied for their assigned gender, he or she shall be instructed to make a request with the designated staff member, and he or she will be issued the approved requested items if there is no documented, articulable, and verified security concern for not approving the request.
3. The designated staff shall assist the facility with determining sizes of garments needed;
4. Staff will order and make arrangements for the garments to be shipped to the facility;
5. If the offender is transferred to another facility, the history follows him or her, and the new facility can request replacement items;
6. Approved undergarments or hygiene items will be a substitute for, not in addition to, what is provided to the general population. These items include:
7. Providing women’s hygiene or undergarments to a transgender female, or the opposite for transgender males, is in accordance with SOP 206.01 Offender Personal Property.

H. Transports:

1. Whenever possible, both a male and female staff should be on a transport that includes a transgender offender so search options are available to the offender depending on the circumstance, gender identity, and PREA requirements that prohibit cross-gender pat searches.

I. Respectful Communication:

1. Transgender and intersex offenders shall be treated with the same rules and respect as other offenders.
2. All GDC employees shall be required to attend training annually on PREA, which includes how to communicate effectively and professionally with offenders, including:

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- a. Lesbian;
 - b. Gay;
 - c. Bisexual;
 - d. Transgender;
 - e. Intersex; or
 - f. Gender non-conforming offenders.
3. In-service training shall include gender-specific reference and training to staff as it relates to the specific population supervise;
 4. Staff members transferring to a facility of different gender from a prior institution shall receive gender-appropriate training;
 5. Respectful communication with transgender offenders is vital to facility safety and security;
 6. All staff are responsible for behaving professionally and responsibly around all offenders, to include transgender offenders, to maintain order and composure on their shift;
 7. To address transgender and intersex offenders respectfully, staff may not engage in unwelcomed verbal comments, gestures, or actions of a derogatory or offensive nature;
 8. Staff shall not make demeaning references to the offender's gender or gender identity, or sexually suggestive or derogatory comments about the body or clothing of an offender;
 9. Staff are encouraged, but not mandated, to use the pronoun the offender prefers;

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10. If staff chooses to not use the preferred pronoun, they may refer to transgender offenders by their legal last name;
11. Staff will not attempt to change any offender's understanding of his or her gender identity or sexual orientation; and
12. Staff shall not permit, condone, or otherwise allow any offender to sexually harass other offenders, including transgender offenders.

J. Searches:

1. Department shall train security staff members on how to conduct searches of transgender and intersex offenders in a professional and respectful manner and in the least intrusive manner possible, consistent with security needs and consistent with the population gender of their assigned institution;
2. No security staff will conduct a body cavity search;
3. No same-gender or cross-gender body cavity searches are permitted except by medical staff;
4. Staff may not search or physically examine a transgender or intersex offender for the sole purpose of determining genital status;
5. If the offender's genital status is unknown, it may be determined through conversations with the offender, by reviewing medical records or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner;
6. If a transgender offender is placed in a facility, he or she will be strip searched by the same gender staff as all other offenders;
7. Pat or frisk searches in male facilities may be conducted by either male or female staff;
8. Pat or frisk searches in female facilities may only be conducted by female staff absent exigent circumstances;

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9. Staff must search offenders' property in their cell or dorm area respectfully and professionally and may not discard or damage opposite gender hygiene items or undergarments that have been approved.

K. Physical and Mental Health Treatment:

1. All offenders, to include those who self-identify or screen on the PREA Sexual Victim/Sexual Aggressor Classification Screening form as transgender, will be referred to medical for a review of needs within five (5) days of arrival at Diagnostics and within five (5) days of arrival at their assigned facility;
2. Medical or mental health practitioners will document whether an offender has identified as transgender after an evaluation using the Mental Health Reception Screen;
3. Classification will update the TIOL list in SCRIBE to ensure the facility PREA compliance manager and agency PREA coordinator are aware and can ensure all necessary services are provided to them;
4. GDC will provide transgender offenders with individualized assessments and care, to include:
 - a. Necessary and appropriate mental health services; and
 - b. When warranted, hormone treatment throughout their incarceration;
5. GDC will ensure that all gender-related hormone treatment that may be provided while the offender is in custody occurs after an individualized assessment of the offender by a medical practitioner;
6. GDC medical practitioners will monitor each offender's care and treatment and adjust hormone levels and dosages as medically warranted;
7. Only medical practitioners will make decisions regarding gender-related hormone treatment needs; and

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8. GDC's Statewide Medical Director will make the final determination on whether gender-related hormone treatment for a transgender offender should be initiated or continued based on documented medical need.

L. Staff and Offender Discipline:

1. Staff or offenders who are found to have participated in the abuse or harassment of a transgender offender shall be subject to the rules of the offender disciplinary handbook and staff disciplinary guidelines;
2. GDC does not tolerate physical, emotional, or sexual abuse or harassment of any offender;
3. An offender who abuses another offender, or one who coerces such an offender into involuntary sexual activity, will be disciplined and referred for criminal prosecution if warranted;
4. Offenders who engage in consensual sexual contact with another offender, attempt to engage in or solicit such contact, or help another engage in sexual contact with an offender will be disciplined with each occurrence;
5. Offenders shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following a substantiated finding;
6. These sanctions shall be imposed in accordance with SOP 209.01, Offender Discipline;
7. Staff members who are alleged to have engaged in the abuse of an offender will be investigated by the Office of Professional Standards (OPS) and if substantiated, will be subject to disciplinary action, up to and including termination;
8. Additionally, staff members who engage in sexual abuse of an offender will be subject to criminal prosecution;
9. Pursuant to O.C.G.A. § 16-6-5.1, it is a felony for correctional staff to have sexual contact with an offender;

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10. These rules apply regardless of the consent of the offender;
11. GDC shall ensure that all volunteers and contractors who have contact with offenders have been trained on this prohibition against abuse and harassment;
12. Any contractor or volunteer who engages in abuse or harassment shall be prohibited from contact with offenders and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies; and
13. The facility shall take appropriate remedial measures and shall consider whether to prohibit further contact with offenders, in the case of any other violation of GDC policies by a contractor or volunteer.

M. Tracking and Quality Improvement:

1. To ensure compliance with this policy and to help ensure compliance with PREA audit requirements, GDC will ensure that the Transgender and Intersex Offender List is managed through the SCRIBE module;
2. The goal is to ensure reliable and accurate tracking of the following:
 - a. The number of transgender and intersex offenders;
 - b. Their intake date at both Diagnostics and their permanently assigned facility;
 - c. Their facility locations, bed assignment, and unit assignment;
 - d. Bed, unit, and facility change history and documented reasons for changes;
 - e. Restrictions, if any, in programming or work assignments;
 - f. Whether they are on the mental health caseload;
 - g. Whether they are receiving hormone treatment from medical;

GEORGIA DEPARTMENT OF CORRECTIONS Standard Operating Procedures		
Policy Name: Classification and Management of Transgender and Intersex Offenders		
Policy Number: 220.09	Effective Date: 07/26/2019	Page Number: 20 of 20
Authority: Commissioner	Originating Division: Facilities Division	Access Listing: Level I: All Access

- h. Their twice-yearly required reassessment date and any other reassessment dates, to include subsequent changes because of the reassessment;
 - i. Incident history;
 - j. Grievance history; and
 - k. Property (undergarment and hygiene) requests and provisions.
- 3. The SCC shall have access to the information to assist with decision-making at subsequent gender committee meetings.

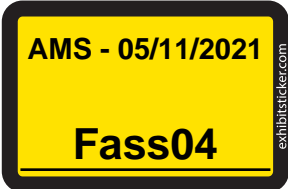
V. Attachments:

Attachment 1: SCC Referral Form
 Attachment 2: Transgender Brochure

VI. Record Retention of Forms Relevant to this Policy:

Upon completion, Attachment 1 shall become a permanent part of the offenders institutional file. The brochure shall be utilized according to the SOP until revised or obsolete.

EXHIBIT 6



Offender GRIEVANCE FORM (Facsimile)

CONFIDENTIAL
INSTITUTIONAL STAFF USE ONLY

OFFENDER NAME Ashley Diamond OFFENDER NUMBER 1000290565
 INSTITUTION Coastal State Prison GRIEVANCE NUMBER 309723
 DATE COMPLETED FORM RECEIVED FROM OFFENDER 6 / 15 2020 BY Meow
 DATE APPEAL RECEIVED ___ / ___ / ___ BY _____

YOU MUST INCLUDE SPECIFIC INFORMATION CONCERNING YOUR GRIEVANCE TO INCLUDE DATES, NAMES OF PERSONS INVOLVED, AND WITNESSES.

DESCRIPTION OF INCIDENT:

I am a transgender woman who has faced repeated sexual & physical assaults in GDC custody as well as a lack of constitutionally required medical care I have filed PREA's; vocally requested to be transferd to a female facility under GDC SOP 220.09.IV.C.3.b. and have had no response. It is well documented that transwomen in male facilities face substatal risks of harm. Serious weight hasnt been given to th

RESOLUTION REQUESTED:

Transfer to a female facility that can accommodate health and safety needs

Offender Signature

Date

Is this grievance being filed within the 10-day time limit? Please answer Yes or No. If the answer is No, please explain why.

STAFF LOCAL INVESTIGATIVE REPORT AND RECOMMENDATION FORM

INSTITUTION: COASTAL STATE PRISON

DATE: 6/16/2020

TO: GRIEVANCE COORDINATOR/ALTERNATE GRIEVANCE COORDINATOR

FROM: Willesha Warren, BHC 3

OFFENDER: NAME: Diamond, Ashley

GDC # 1000290565 Grievance #309723

Offender's Basic Allegation or Complaints:

I am a transgender woman who has faced repeated sexual and physical assaults in GDC custody as well as a lack of constitutional required medical care. I have filed PREA's and vocally requested to be transferred to a female facility under GDC SOP IV.C.3.b and have had no response. It is well documented that transwomen in male facilities face substantial risk of harm. Serious weight has not been given to this.

Summary of Investigation:

Requesting that this grievance be rejected. Per SOP 227.02 transfers of offenders between Institutions is non-grievable.

W. Warren

STAFF SIGNATURE:

6/16/2020

DATE:

Concur with Staff Findings: Yes: No:

Grievance Coordinator:

[Signature]



Retention Schedule: Upon completion of this form, it will be placed in a file in the Grievance Coordinator's office.

(Reproduced locally)

WARDEN'S/SUPERINTENDENT'S
REJECTED GRIEVANCE RESPONSE

Offender's Name: Diamond, Ashley
GDC#: 1000290565

Grievance Number:309723
Facility: Coastal State Prison

This grievance revealed that you failed to follow the proper procedure for filing the formal grievance; therefore, this grievance is rejected for the following reason(s):

- Does not personally affect the offender.
- Matters over which the Department has no control, including parole decisions, sentences, probation revocations, court decisions, and any matters established by the laws of the state.
- Disciplinary actions, including any warnings, sanctions, fees, or assessments. The disciplinary appeal procedure is located in SOP 209.01, Offender Discipline.
- Involuntary assignments to Administrative Segregation. The procedure to appeal such assignment is located in SOP 209.06, Administrative Segregation.
- Co-pay charges assessed for health care. The procedure to appeal such charges is located in SOP 507.04.03, Offender/Probationer Health Concerns or Complaints.

X Transfers of offenders between institutions.

- Housing assignments, program assignments, security classifications or work assignments, unless there is an alleged threat to the offender's health or safety. The procedure to appeal such assignments is located in SOP 220.03, Classification Committee.
- Special Religious Requests that request a special religious accommodation outside the accommodations allowed for by policy. The procedure to file a Special Religious Request is located in SOP 106.11, Religious Accommodations.
- Allegations of Sexual Abuse and/or Sexual Harassment shall be forwarded to the Sexual Abuse Response Team (SART) and processed in accordance with SOP 208.06, Prison Rape Elimination Act – PREA Sexually Abusive Behavior Prevention and Intervention Program.
- Grievance was filed out of time frames as outlined in policy.
- Grievance included threats, profanity, insults, or racial slurs that are not part of the offender's allegation.
- Grievance contained more than one issue/incident.
- Grievance contained extra pages other than those allotted and had writing on the backside of a page.
- Goal Devices including issuance, usage, access, loss or termination of privileges, repair or replacement of the tablets, etc.

Arthur Holman 6-29-20
 Warden Signature (Date)

I ACKNOWLEDGE RECEIPT OF THE ABOVE RESPONSE ON THIS DATE:
Ashley Diamond 6-29-20
 Offender's signature (Date)

You have seven (7) calendar days within which to appeal this Response to your Grievance Coordinator. If the last day is not a business day at your institution, you may file it on the next day that is a business day.

Retention Schedule: Upon Completion, this form shall be maintained with the grievance packet for four (4) years and then destroyed.

offender diamond

Fass, Daniel

Mon 10/26/2020 10:43 AM

To: Fletcher, Tia <tfletcher1@TeamCenturion.com>;

Good Morning Ms. Fletcher,

Could you please forward this to the warden or maintenance.

Offender Diamond has continued to express to me that her door doesn't lock/work. This I believe has been ongoing since a couple weeks ago and appears related to her last PREA report.

I would like to suggest that if the door is not fixed or fixable, we should let her have a roommate who is classified as a PREA victim for extra safety precautions.

Thank you,

Daniel Fass Ph.D.
Clinical Director

AMS - 05/10/2021

Fletcher04

exhibitstickers.com

DEF_1164

Re: Weekly Report on Offender Diamond, Ashley GDC#1000290565

Preyer, Yolanda <yolanda.preyer@gdc.ga.gov>

Thu 10/29/2020 6:06 PM

To: Wilkerson, Tarsha <tarsha.wilkerson@gdc.ga.gov>; Moody, Porshe <porshe.moody@gdc.ga.gov>; Nettles, Constance <constance.nettles@gdc.ga.gov>; Fletcher, Tia <tfletcher1@TeamCenturion.com>; Grant, Katina <katina.grant@gdc.ga.gov>; sgregory@augusta.edu <sgregory@augusta.edu>; demurphy@augusta.edu <demurphy@augusta.edu>;

Cc: Anderson, Michael <Michael.Anderson@gdc.ga.gov>; Betterson, Carl <carl.betterson@gdc.ga.gov>; Benton, Brooks <Brooks.Benton@gdc.ga.gov>;

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good Afternoon.

If I have not received your report, Please have it in to me, CC Regina Carter, as I am in MH training tomorrow & she will need to compile the report. Thank you

Yolanda Z. Preyer, Warden's Secretary
Coastal State Prison
P.O. Box 7150
Garden City, GA 31418-7150
(912) 965-6252
(912)965-6241 - Office
(912)965-6238 - Fax

"The Georgia Department of Corrections protects the public by operating safe and secure facilities through the development of professional staff and effective offender management."

CORE VALUES:

- Courage.
- Determination.
- Teamwork.

From: Preyer, Yolanda

Sent: Friday, October 23, 2020 8:29 AM

To: Wilkerson, Tarsha <tarsha.wilkerson@gdc.ga.gov>; Moody, Porshe <porshe.moody@gdc.ga.gov>; Nettles, Constance <constance.nettles@gdc.ga.gov>; tfletcher1@teamcenturion.com <tfletcher1@teamcenturion.com>; Grant, Katina <katina.grant@gdc.ga.gov>; Cantera, Tamara <tamara.cantera@gets.onmicrosoft.com>; sgregory@augusta.edu <sgregory@augusta.edu>; demurphy@augusta.edu <demurphy@augusta.edu>

Cc: 'Anderson, Michael' <Michael.Anderson@gdc.ga.gov>; Betterson, Carl <carl.betterson@gdc.ga.gov>; Benton, Brooks <Brooks.Benton@gdc.ga.gov>

Subject: RE: Weekly Report on Offender Diamond, Ashley GDC#1000290565

Good Morning.

This report is due by 2 pm. If I have yours, Thanks.

AMS - 05/10/2021

Fletcher05

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DEF_1167

**YOLANDA Z. PREYER,
WARDEN, BROOKS L. BENTON'S SECRETARY
COASTAL STATE PRISON
200 GULFSTREAM ROAD
P.O. BOX 7150
GARDEN CITY, GA 31418-7150
(912) 965-6252- OFFICE
(912)965-6241 - OFFICE
(912)965-6238 - FAX**

"THE GEORGIA DEPARTMENT OF CORRECTIONS PROTECTS THE PUBLIC BY OPERATING SAFE AND SECURE FACILITIES THROUGH THE DEVELOPMENT OF PROFESSIONAL STAFF AND EFFECTIVE OFFENDER MANAGEMENT."

CORE VALUES:

- COURAGE.**
- DETERMINATION.**
- TEAMWORK.**

From: Preyer, Yolanda

Sent: Thursday, October 15, 2020 4:53 PM

To: Wilkerson, Tarsha <tarsha.wilkerson@gdc.ga.gov>; Moody, Porshe <porshe.moody@gdc.ga.gov>; Nettles, Constance <constance.nettles@gdc.ga.gov>; tfletcher1@teamcenturion.com; Grant, Katina <katina.grant@gdc.ga.gov>; Cantera, Tamara <tamara.cantera@gets.onmicrosoft.com>; sgregory@augusta.edu; demurphy@augusta.edu

Cc: 'Anderson, Michael' <Michael.Anderson@gdc.ga.gov>; Betterson, Carl <carl.betterson@gdc.ga.gov>; Benton, Brooks <Brooks.Benton@gdc.ga.gov>

Subject: RE: Weekly Report on Offender Diamond, Ashley GDC#1000290565

This report is due by 2 pm, Tomorrow.

**YOLANDA Z. PREYER,
WARDEN, BROOKS L. BENTON'S SECRETARY
COASTAL STATE PRISON
200 GULFSTREAM ROAD
P.O. BOX 7150
GARDEN CITY, GA 31418-7150
(912) 965-6252- OFFICE
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(912)965-6238 - FAX**

"THE GEORGIA DEPARTMENT OF CORRECTIONS PROTECTS THE PUBLIC BY OPERATING SAFE AND SECURE FACILITIES THROUGH THE DEVELOPMENT OF PROFESSIONAL STAFF AND EFFECTIVE OFFENDER MANAGEMENT."

CORE VALUES:

- COURAGE.**

-DETERMINATION.
-TEAMWORK.

From: Preyer, Yolanda
Sent: Friday, October 09, 2020 7:50 AM
To: Wilkerson, Tarsha <tarsha.wilkerson@gdc.ga.gov>; Moody, Porshe <porshe.moody@gdc.ga.gov>; Nettles, Constance <constance.nettles@gdc.ga.gov>; tfletcher1@teamcenturion.com; Grant, Katina <katina.grant@gdc.ga.gov>; Cantera, Tamara <tamara.cantera@gets.onmicrosoft.com>; sgregory@augusta.edu; demurphy@augusta.edu
Cc: Anderson, Michael <Michael.Anderson@gdc.ga.gov>; Betterson, Carl <carl.betterson@gdc.ga.gov>
Subject: RE: Weekly Report on Offender Diamond, Ashley GDC#1000290565

This report is due by 2 pm. If I have yours, Thank you

YOLANDA Z. PREYER,
WARDEN, BROOKS L. BENTON'S SECRETARY
COASTAL STATE PRISON
200 GULFSTREAM ROAD
P.O. BOX 7150
GARDEN CITY, GA 31418-7150
(912) 965-6252- OFFICE
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(912)965-6238 - FAX

"THE GEORGIA DEPARTMENT OF CORRECTIONS PROTECTS THE PUBLIC BY OPERATING SAFE AND SECURE FACILITIES THROUGH THE DEVELOPMENT OF PROFESSIONAL STAFF AND EFFECTIVE OFFENDER MANAGEMENT."

CORE VALUES:
-COURAGE.
-DETERMINATION.
-TEAMWORK.

From: Preyer, Yolanda
Sent: Thursday, October 01, 2020 4:08 PM
To: Wilkerson, Tarsha <tarsha.wilkerson@gdc.ga.gov>; Moody, Porshe <porshe.moody@gdc.ga.gov>; Nettles, Constance <constance.nettles@gdc.ga.gov>; tfletcher1@teamcenturion.com; Grant, Katina <katina.grant@gdc.ga.gov>; Cantera, Tamara <tamara.cantera@gets.onmicrosoft.com>; sgregory@augusta.edu; demurphy@augusta.edu
Cc: Anderson, Michael <Michael.Anderson@gdc.ga.gov>; Betterson, Carl <carl.betterson@gdc.ga.gov>
Subject: Weekly Report on Offender Diamond, Ashley GDC#1000290565

This report is due 10/2/2020 by 2 pm. Thank you

Yolanda Z. Preyer, Warden's Secretary
Coastal State Prison
P.O. Box 7150
Garden City, GA 31418-7150
(912) 965-6252
(912)965-6241 - Office

Georgia Department of Corrections **SCRIPE** User: Tamara Cantera Location: Coastal State Prison ▶ My To Do List

Name: **DIAMOND, ASHLEY ALTON** GDC ID: **1000290565**

Race: **BLACK** Status: **INMATE / PIC Eligible**

Sex: **MALE** Supervision Level/Type: **MEDIUM /**

DOB: **04/09/1978** Type Population: **GENERAL POPULATION**

Last Scribe Move: **COASTAL STATE PRISON N-B-136-B**

Classification Score: **.27197**

AGREEMENTS ASSIGNMENTS ASSESSMENT CASE MGMT. CASE NOTES CARE AND CUSTODY CLASSIFICATION COMM. SERVICE COURT CASES DIAGNOSTICS

DISCIPLINARIES FINANCIALS GRIEVANCES IRTS MEDICAL MENTAL HEALTH MOVEMENTS NOTIFICATIONS OFFENDER DOC'S OTIS INFO

OMBUDSMAN PAROLE INFO PERSONAL INFO PROFILES PROGRAMS RAP RE-ENTRY PLAN RELEASES SCHEDULES STG

PREA VICT

**D/N DESTROY N

- ▶ Main Menu
- ▶ Find Offender
- ▶ Caseload Search

MAXIMUM RELEASE DATE	PROJECTED PIC DATE	TARGET RSAT REFERRAL DATE	TARGET TC REFERRAL DATE	CURRENT TOTAL PIC CREDITS	CURRENT PROGRAM CREDITS	CURRENT WORK CREDITS	CURRENT EDUC-VOC IMPROVEMENT CREDITS
02/05/2024	05/31/2021	12/31/2019		5	1	0	4

PIC View Summary

PIC information is valid as of Oct 08, 2020

Programs Program History

PAROLE PIC SUMMARY

PAROLE ELIGIBILITY DATE	TENTATIVE PAROLE MONTH	PIC CREDITS AWARDED	PIC CREDIT FREEZE DATE	TOTAL FROZEN PIC CREDITS
05/20/2020	10/31/2021			

Name: **DIAMOND, ASHLEY ALTON**

GDC ID: **1000290565**



Race: **BLACK**

Status: **INMATE / PIC Eligible**



Sex: **MALE**

Supervision Level/Type: **MEDIUM /**

Last Scribe Move: **COA N-B-**

DOB: **04/09/1978**

Type Population: **GENERAL POPULATION**

Classification Score: **.561**

AGREEMENTS ASSIGNMENTS ASSESSMENT CASE MGMT. CASE NOTES CARE AND CUSTODY CLASSIFICATION CI

D/N DESTROY NOTICE

- ▶ Main Menu
- ▶ Find Offender
- ▶ Caseload Search

PIC SUMMARY

PIC information is valid as of Feb 07, 2021

OVERVIEW

PIC

View Summary

Programs

Add Program

Program History

MAXIMUM RELEASE DATE	PROJECTED PIC DATE	TARGET RSAT REFERRAL DATE	TARGET TC REFERRAL DATE	CURRENT TOTAL PIC CREDITS	CURRENT PROGRAM CREDITS	CURRE WOR CREDI
02/05/2024	03/01/2021	10/31/2019		7	1	0

PIC information is valid as of Feb 07, 2021

PAROLE PIC SUMMARY

PAROLE ELIGIBILITY DATE	TENTATIVE PAROLE MONTH	PIC CREDITS AWARDED	PIC CREDIT FREEZE DATE	TOTAL FROZEN PIC CREDITS
05/20/2020	10/31/2021		12/01/2020	7

PROGRAM CATEGORY SUMMARY

AMS - 05/10/2021

Fletcher07

WITNESS STATEMENT			
PLACE	COASTAL STATE PRISON MED.	DATE	4/26/2021
LAST NAME, FIRST NAME, MIDDLE NAME	Fletcher, Jia R	TIME	
INSTITUTION OR ADDRESS	200 Gulfstream Rd		
EMPLOYEE ID NUMBER		STATE ID NO.	
SWORN STATEMENT			
I, <u>Jia R Fletcher</u> , WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:			
<p>I spoke w/ offender Diamond while she was in the ER; after being contacted by a member of the CERT team. Upon arrival, offender Diamond was seated in the chair and was speaking w/ Nurse Shethfield. I proceeded to Lt. Holland to inquire of the situation for which she was being sent to lock-down. I expressed concern for placement and suggested placement in a one-person cell; on the observation cell range in G1 building. Upon completion of being assessed; she was escorted to G1 building, A range.</p>			
<p>TRF</p> <p>TRF</p> <p>TRF</p>			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 1 PAGES	
<p>ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (TAKEN AT ___ DATED ___ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE ___ OF ___ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.</p>			

AMS - 05/10/2021
Fletcher08
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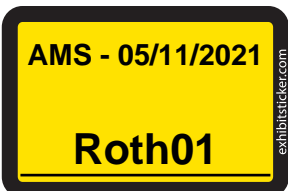
Retention Schedule: Upon completion, this form shall be maintained locally for three (3) years, with the Incident Report, and then destroyed.

AO 88A (Rev. 12/20) Subpoena to Testify at a Deposition in a Civil Action

UNITED STATES DISTRICT COURT

for the

Middle District of Georgia



Ashley Diamond

Plaintiff

v.

Timothy Ward et. al.

Defendant

Civil Action No. 5:20-CV-00453-MTT

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To: David Roth

(Name of person to whom this subpoena is directed)

Testimony: YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must promptly confer in good faith with the party serving this subpoena about the following matters, or those set forth in an attachment, and you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about these matters:

Place: Remote Video Conference	Date and Time: 05/11/2021 1:00 pm
--------------------------------	--------------------------------------

The deposition will be recorded by this method: Audiovisual and stenographic means

Production: You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material: Any documents concerning Ashley Diamond and any communications sent or received by you or sent on your behalf concerning Ashley Diamond, including but not limited to communications sent via email from any "teamcenturion.com" domain addresses (e.g., username@teamcenturion.com) that are in your possession, custody or control

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 05/04/2021

CLERK OF COURT

OR

s/ Elizabeth Littrell

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) Ashley Diamond, who issues or requests this subpoena, are: Beth Littrell, Southern Poverty Law Center, P.O. Box 1287, Decatur, GA 30031, beth.littrell@splcenter.org, (404) 221-5876

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 5:20-CV-00453-MTT

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)* _____
on *(date)* _____ .

I served the subpoena by delivering a copy to the named individual as follows: _____

_____ on *(date)* _____ ; or

I returned the subpoena unexecuted because: _____
_____ .

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____ .

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 _____ .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)**(c) Place of Compliance.**

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
 - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.