

June 22, 2021

To The Standing Committee on Public Safety and National Security  
Sixth Floor, 131 Queen Street  
House of Commons, Parliament of Canada

**Re: Brief submitted by Heather Mason on the Current situation in federal prisons in relation to reports of sexual coercion and violence in federal prisons**

Dear Parliamentarians,

I, Heather Mason, have prepared the following briefing document to be submitted to the Standing Committee on Public Safety and National Security as you investigate matters relating to the federal incarceration of women. What follows is an overview of the fallout of the Bill C-16 gender identity legislation and the standard of self-identification in the context of women's prisons. I have included examples of specific incidents. My brief pertains to the grave and harmful violence and ongoing threats of violence currently taking place in the federal prisons for women. I submit this brief as an individual and ask that you consider the information contained herewith fully and independent of any politically motivated assumptions that would dismiss these reports without review, debate or scrutiny.

***My Vested Interest & Expertise***

In 2019 a formerly federally imprisoned woman spoke at an annual meeting of a national prison advocacy organization. This woman spoke about repeated sexual harassment by a transgender individual, Madilyn Harks,<sup>1</sup> who had been transferred to a women's prison. She explained that the harassment took place while she was being monitored for severe mental health concerns. She explained that it deeply aggravated her condition, that she was triggered with Post Traumatic Stress Disorder symptoms arising from her childhood trauma and that she became suicidal. Her disclosure of sexual harassment was urgently met with accusations of transphobia, and just as disclosures of violence against women are often met with disbelief, her experience was dismissed.

As a formerly federally imprisoned woman, I witnessed how my sister was silenced. Having struggled with addiction driven by abusive childhood experiences myself, I both understood the ways that my sister was triggered by her experience and knew of other similar stories of sexual harassment in prison, including my own. For two years, I have been dedicated to reaching out to criminalized women in order to discover if these incidences were happening in isolation or if other women were suffering alone. Since that time, I have also been assisting criminalized women as a feminist advocate with the organization Strength In SiSterhood (SIS). Through SIS, I have worked on a variety of other systemic issues affecting women in prison, including segregation, strip-searching and conditions of confinement during the pandemic. As a formerly imprisoned woman, I have a sincere vested interest in the policy frameworks and systems that affected me and now affect my sisters inside.

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<sup>1</sup> Formerly Matthew Harks, convicted of the child sexual abuse of at least 60 children, listed at page 11, Schedule A,

Throughout the last two years, I have spoken to a number of women who have reported to me the experiences they had in prison or the events they witnessed. Below I have included some of these accounts. As an individual, I do not have established or free access to the women in prison<sup>2</sup> and have reached out to women through my personal circle, through friends, or otherwise. The majority of the reports I have described below are local. These accounts are by no means comprehensive as I am only one woman. In addition, there is a lack of data and a lack of disclosure by the Correctional Service of Canada from which a more adequate investigation could take place. In this way, the reports below should not be weighted according to their frequency but should be taken as indicators that these events are happening to women inside.

### ***Distinguishing Between Transgenderism and Exploitation***

The issue of transgender transfers from male prisons to women's prisons became particularly significant and severe in recent years, with CSC's approval of transfer requests absent any evaluation standard. Women have reported to me that since the implementation of Bill C-16 and the broad standard of self-identification, issues of assault and harassment<sup>3</sup> that previously existed with some transgender individuals became notably more severe and more frequent. In addition, women have reported to me that since the higher frequency of transfers (both pre-and post-operative individuals), women have experienced frequent issues of sexual assault, sexual harassment, stalking, sexually transmitted diseases, negative impacts to programming, negative emotional impacts, increased issues with drugs, and increased issues of fear of retaliation.

That women have reported such an extreme increase in the abuses they have suffered by transferred transgender individuals suggests that the issue of transfers to women's prisons is not an issue of transgender rights and is instead an issue around the entitlement criteria for transgender transfer to women's prisons.

An entitlement standard of self-identification removes any scrutiny from the transfer process. Without any scrutiny, verification, question or safeguards, this policy operates as an honour system and blindly accepts that any transgender entitlement claim by a male prisoner must be a truthful one. A transfer request in the context of self-identification by male prisoners then accepts the following as truth in all cases:

1. The individual is transgender until a time when the individual states that the individual is not;
2. As a transgender individual, the individual definitively faces a situation of discrimination and/or harm; and
3. Approval of a transfer request to a women's prison will provide adequate protection from the (assumed) situation of discrimination or harm (entitlement).
4. No alternative motive exists around the individual's self-identification and transfer request.

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<sup>2</sup> The Canadian Association of Elizabeth Fry Societies (CAEFS) has unique access to the women's prisons. They are the only organization with this access.

<sup>3</sup> Specific incidences are reported below at pages 3-5, paragraphs I-XII.

In fact, a male prisoner exploiting this policy would be at no cost for declaring transgenderism, would undergo no credibility assessment for the truth of his declaration or the extent of the discrimination he faces, and would automatically stand to gain access to the entitlements.

The issue then is not that transgender identifying individuals should or should not be entitled to transfer. The issue is the potential for this policy to be easily exploited by dishonesty which goes unchecked indefinitely. As I will demonstrate in the subsequent sections, it has been the case that even when males have committed grievous violent and sexually violent harms to women and girls, they have been granted transfers to women's prisons and halfway houses.

In addition, there are no mechanisms to prevent ongoing harm against the women imprisoned with the transferred transgender individuals. For incarcerated transgender individuals who have gone on to commit deplorable abuses against women inside, no formal reprimand exists to remove them from their victim pool. The reprimand *is* incarceration with their victim pool. Their self-identified transgender status will ensure their entitlement to placement in a women's prison regardless of their charges or convictions and without any mechanisms to challenge their self-identification. For example, one woman's abuser, a transgender individual (formerly Steve Mehlenbacher)<sup>4</sup> imprisoned with her throughout 2019, will be tried for rape in the fall of 2021. Even if he is convicted, there is no way to both isolate this individual from his victim pool and honour his transgender entitlement to placement in the women's prison.<sup>5</sup>

### ***Immediate Threats to Women In Prison***

Since approximately 2019, women in and from the federal prisons have, either directly to me or publicly, reported the following incidences pertaining to transgender individuals<sup>6</sup> who have been transferred from a men's prison to a women's prison:

- I. **Rape:** At least three women have reported that while imprisoned in a women's prison or in a halfway house, they were raped by a transgender individual.
  - a. One of these women has reported that she was raped on a regular basis for an extended period of time. A criminal proceeding against the accused, Samantha (formerly Steve Mehlenbacher), will commence in the fall of 2021. In addition, this woman has reported that she has faced significant pressure to recant so that the charges may be withdrawn. One of the people applying this pressure has been a lawyer from the Public Prosecution Service of Canada.
- II. **Sexual assault other than rape:** At least three women have reported that they experienced unwanted sexual touching by a transgender individual while imprisoned.

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<sup>4</sup> The specific incident is reported below at page 3, paragraphs I & Ia).

<sup>5</sup> It should be noted that prior to self-identifying as transgender, Steve Mehlenbacher's convictions did not include abuses against women or girls.

<sup>6</sup> All references to "transgender individuals" that follow in this section are references to transgender individuals transferred from a men's prison to a women's prison or women's halfway house with the exception of 1 transgender man referenced on page 5.

- III. **Sexual harassment:** Several women have reported that while imprisoned, they were the subject of sexual harassment by a transgender individual. These reports described any one or multiple of the following behaviours, occurring repeatedly over time:
- stalking, including following women to the bathroom and showers.
  - stalking, including following women to the bathroom and showers, remaining directly outside of private stalls and making inappropriate or aggressive sexually suggestive comments.
  - grooming behaviours and/or sexist or sexual comments about women's physical appearance or behaviours.
    - a. One of these women reported that while in the mother-child program, two transgender individuals with convictions for pedophilia, Madilyn Harks and Tara Desousa, would loiter near her and her child, making sexist and inappropriate antagonizing comments.
- IV. **Harassment:** Several women have reported that while imprisoned, they were the subject of harassment by a transgender individual. These reports described any one or multiple of the following behaviours, repeatedly occurring over time: verbal threats, yelling, ridicule, name-calling, and defamation.
- V. **Assault:** Several women have reported that while imprisoned, they were the subject of one or multiple physical assaults by a transgender individual.
- a. One of these women reported that the force with which the transgender individual hit her overpowered her far beyond what women are typically capable of. This woman additionally reported that she could not report the assault for fear of reprisal as well as for fear of receiving an institutional charge and being reprimanded for actions that were not her own.
- VI. **Drugs:** Several women have reported that while imprisoned, they witnessed issues around transgender individuals bringing drugs into the institution, gaining access to drugs within the institution, and distributing drugs to multiple vulnerable women. Each of these accounts noted that these issues around the supply, access and distribution of drugs happened to much greater extents than is normal or may happen in the women's prisons. Each of these accounts noted that transgender individuals were seldom caught or reprimanded for these issues.
- a. One of these women witnessed a transgender individual supply a very young woman with fentanyl. Although this woman had no previous history of hard drug use, the transgender individual assisted her in taking fentanyl with a syringe for the first time.
- VII. **Reneging on former declarations of transgenderism:** Several women have reported that, while imprisoned, they witnessed a transgender individual declare to one or multiple others that he was, in fact, a man, and he was not transgender.
- VIII. **Exhibitionism:** Several women have reported that while imprisoned, transgender individuals exposed their genitalia to them, and in many instances, to other women around them as well.

- IX. **Impunity:** Several women have reported that, while imprisoned, they witnessed transgender individuals break the rules without any response or reprimand from correctional staff, including the known distributing of drugs, the known ingestion of drugs, the known threatening of women with assault or murder, and failing to stand for count among other things.
- a. One of these women recounted witnessing a transgender individual publicly having heterosexual sex with a woman in the gym, a common area, without interference from staff.
  - b. Two of these women expressed that because these transgender individuals received these "benefits" and were (perceived to be) untouchable by correctional staff, women perceived them to hold even more power over them and were additionally afraid of reporting abuses or grieving to correctional staff for fear of being dismissed and for fear of retaliation.
- X. **Sexually transmitted diseases:** Several women expressed that while imprisoned, the prison began newly providing the morning-after pill and treatments for sexually transmitted diseases, including HIV.
- XI. **Impacts to programming:** At least one woman reported that while imprisoned, she either had difficulty with or discontinued programming due to the triggering impacts of participating in group programs aimed at the healing of childhood sexual trauma while a transgender pedophile was also participating.
- XII. **Negative emotional impacts:** Several women have reported that while imprisoned, they suffered negative emotional impacts related to being imprisoned with transgender individuals, particularly those with violent and sexual crimes against women and children. Negative impacts included chronic and acute incitement of symptoms of Post-Traumatic Stress Disorder, flashbacks, anxiety, anger, depression, hopelessness, and suicidality, among others. For some of these women, these impacts have been ongoing.

In addition, in 2020, a federally incarcerated man reported to me that, prior to 2019, he witnessed another man incarcerated with him, (then) Michal Williams (now Michelle<sup>7</sup>), assemble a group of men in order to "teach" them how to self-identify as female, utilize the correctional grievance system to obtain transgender rights entitlements, and request and successfully obtain a transfer to a women's prison. It was reported to me that these "lessons" took place just prior to Michelle's own transfer to a woman's prison. It is also worth noting that after being transferred to maximum security in the women's prison, this individual elected to transfer back to the men's prison despite former claims of violence there.

In addition, in approximately 2020, a formerly incarcerated woman who was then working with criminalized women and girls reported receiving a verbal rape threat while assisting a criminalized transgender male. Although she reported the threat to her organization's management personnel, she was discredited, received a great deal of scrutiny and shaming comments alleging that she was transphobic, and could not remain at her employment due to the

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<sup>7</sup> Formerly Michael Williams, convicted of child rape and murder, listed at page 11, Schedule A, 10).

harassment she faced from colleagues and her employer. She reported feeling ostracized and harassed by members of the organization.

In addition, in or around 2018, one transgender man in a women's prison had repeatedly requested to be transferred to a men's prison. CSC denied these requests due to the inevitable safety concerns of placing a biological female in a men's prison. The acknowledgement that a biologically female individual would be at severe and certain risk of harm (very likely rape and sexual violence) in a men's prison is inherently at odds with the placement of men, many with proven histories of violence against women and girls, in women's prisons.

In addition, in or around 2017, it was reported to the Deputy Commissioner for Women that many of the transgender individuals interviewed in men's prisons had **no** desire to transfer to women's prisons as they did not have significant concerns for their safety or equal treatment. Gay men, however, have long been the targets of harassment, ridicule and violence in prison, and CSC has failed to provide them with a transfer policy or alternative accommodations, nor have they addressed the issues of violence in the men's prisons. The exploitability of the standard of self-identification does a disservice to genuine transgender women in men's prisons who should have their unique needs, needs that are different from women's needs, met by CSC in a responsive way.

### ***Males with Misogynistic Violence Incarcerated in Women's Prisons***

A number of women have reported to me that there have been issues with transgender individuals who do not have convictions for violence or sexual violence against women and children.<sup>8</sup> What is even more shocking is the high frequency of approved transfers from transgender individuals *with* convictions against women and children since the implementation of the transgender self-identification standard. Women have reported repeated abuses from transgender individuals with convictions for femicide, sexual assault, pedophilia and severe assaults that targeted women or children. In many cases, a transferred transgender individual has had convictions related to more than 1 murder or sexual assault of a woman or child in a way that reveals a pattern of targeted abuse against these groups.

In some cases, a transgender individual was known to have had between 2 and 10 or hundreds of victims from these groups. For example, Madilyn Harks (formerly Matthew Harks), a convicted pedophile, was known to have had at least 60 child victims<sup>9</sup>. One woman reported to me that he sexually harassed her while she was imprisoned with him in the Structured Intervention Unit meant to address her acute mental health needs.<sup>10</sup> She reported that this severely aggravated her mental health deterioration, and she continues to endure detrimentally negative impacts today. Another woman reported to me that this same individual sexually assaulted her while she was imprisoned with him.<sup>11</sup>

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<sup>8</sup> In this case I am specifically referencing men with convictions against any children and not only female children as many women have reported negative emotional impacts from having been imprisoned with pedophiles. Women report being triggered by pedophiles regardless of their specific victim pools.

<sup>9</sup> Formerly Matthew Harks, convicted of the child sexual abuse of at least 60 children, listed at page 11, Schedule A, 2).

<sup>10</sup> The specific incident is included in reports above at page 4, paragraphs III & III.a.

<sup>11</sup> The specific incident is included in reports above at page 3, paragraph II.

Since approximately 2016, news and various other sources have reported on at least 58 individuals in men's prisons who have self-identified as transgender. Many of these individuals have appalling crimes of assault, sexual violence, and murder against women and children. Although CSC does not readily provide data to oversee trends related to the individuals transferred to the women's prisons, you will see on page 11 (Schedule A) that I have compiled information regarding the convictions of transgender identifying individuals from reports from women inside, from news sources, and from various other sources. Those with violence against women or children are highlighted. Without transparency or data disclosure from CSC, the information in Schedule A is most certainly a considerable underestimate of the number of transferred individuals with convictions against women and children.

### ***Other Repercussions***

When compared with men, women in prison have unique histories and unique pathways to criminalization. At least 68% of federally imprisoned women have a history of sexual assault, and at least 86% of them have been physically abused.<sup>12</sup> The majority of women are federally incarcerated for survival and trauma-related crimes such as property and drug-related issues.<sup>13</sup> Where violent crime is reported, statistics often fail to capture a large portion of women who act in self-defence in ways that are not recognized by archaic self-defence legislation, legislation that has never accounted for women's differences. This context is particularly important when we consider that Indigenous women represent less than 4% of the general population<sup>14</sup> but represent 49% of women accused of homicide; nearly twice the proportion of indigenous men accused of homicide respective to the female and male populations.<sup>15</sup> For these reasons, among many others, women's "risk" is less than that of federally incarcerated men.<sup>16</sup>

Women's unique pathways and histories provide a critical context for the establishment of real solutions to women's criminalization. Although there is overall very little data and a reluctance to collect data about transferred transgender individuals in prison, transgender individuals coming from the men's side have vastly different pathways to criminalization than women. The transfer of transgender individuals to women's prisons obscures these differences in a number of ways.

Although security in the women's prisons arguably does not operate differently enough from the men's prisons,<sup>17</sup> the transfer of males with higher risk is accommodated by CSC with male-specific security interventions which are more restrictive, more brutal, and more equipped than they have typically been in the women's prisons. Women have long rejected this kind of militant "management." In particular, Indigenous women have long been characterized as having problematic "institutional adjustment" in these kinds of conditions<sup>18</sup> as they reject colonial structures that have historically restricted and "managed" Indigenous people in horrifically brutal

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<sup>12</sup> Annual Report of the Office of the Correctional Investigator 2014-2015, <https://www.oci-bec.gc.ca/cnt/rpt/annrpt/annrpt20142015-eng.aspx>

<sup>13</sup> Statistics Canada, <https://www150.statcan.gc.ca/n1/pub/85-002-x/2019001/article/00001-eng.htm>

<sup>14</sup> Statistics Canada, <https://www150.statcan.gc.ca/n1/pub/89-503-x/2010001/article/11442-eng.htm>

<sup>15</sup> Statistics Canada, <https://www150.statcan.gc.ca/n1/pub/85-002-x/2019001/article/00001-eng.htm>

<sup>16</sup> Struthers-Montford & Hannah-Moffat, 2020; & CSC, A Comprehensive Study of Recidivism Rates among Canadian Federal Prisoners, <https://www.csc-scc.gc.ca/research/err-19-02-en.shtml>

<sup>17</sup> The Task Force on Federally Sentenced Women, <https://www.csc-scc.gc.ca/women/092/002002-0001-en.pdf>

<sup>18</sup> Blanchette et al., 2002, [https://publications.gc.ca/collections/collection\\_2010/scc-csc/PS83-3-127-eng.pdf](https://publications.gc.ca/collections/collection_2010/scc-csc/PS83-3-127-eng.pdf)

ways. As security measures in the multi-level prisons for women increase, women's health, mental health and trauma reactions will also increase.

Women's unique pathways and histories are equally obscured with the absorption of transferred transgender individuals' statistics. Transgender individuals' convictions for violence, extreme violence, and sexual violence against women and girls do not exist and do not exist the same way among criminalized women. For example, women are almost never found to be Dangerous Offenders (DO) and the one woman who has been designated a DO has a dramatically different life and conviction history from a typical male DO. In fact, this Indigenous woman was designated a DO due to CSC's assessment of her institutional adjustment.

This aggregation of data is particularly problematic when we consider how small the female prison population is relative to the male population. For example, incorporating the extreme violence and sexual violence committed by Madilyn Harks,<sup>19</sup> Samantha Mehlenbacher,<sup>20</sup> Michelle Williams-LaVey,<sup>21</sup> and Tara Desousa<sup>22</sup> into women's statistical profiles creates a false narrative of women's pathways to crime. Given that data such as this is so integrally incorporated into risk measures at sentencing, at federal prison intake, into security classification, into reclassification, into programming and at parole, the repercussions of skewing women's data in this way will be severe. This is more alarming when we consider that the standard of self-identification for transfer requests is relatively new and that transgender transfer requests are likely to increase as time goes on.

As I have enumerated, the consequences of transferring transgender individuals to women's prisons are many. Be that the data regarding transfers have not been publicly disclosed, nor has it been properly analyzed, there are undoubtedly many more consequences than we now realize. Consequences like those I have described, such as sexual harassment, negative emotional and mental health reactions, and barriers to programming, will inevitably continue to interact and accumulate, causing severe harm to female prisoners.

### ***Political Blindness, CAEFS & Resources for Women***

In 2019 a formerly federally imprisoned woman spoke at an annual meeting for the Canadian Association of Elizabeth Fry Societies (CAEFS). CAEFS is an organization mandated to represent the interests of criminalized women and girls, and yet when this woman disclosed abuses by a transgender transfer, Madilyn Harks,<sup>23</sup> to a room of over 60 women, her abuse was dismissed with accusations of transphobia. Having witnessed this and the aftermath for my sister, I began my own investigation into the issue of transgender transfers to women's prisons.

In my investigations, I have found that not only was my sister's experience with transgender transfers only a drop in the bucket, but her experience of being silenced and dismissed as transphobic was equally common. On June 2, 2021 a group of more than 20 criminalized women

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<sup>19</sup> Formerly Matthew Harks, convicted of the child sexual abuse of at least 60 children, listed at page 11, Schedule A, 2).

<sup>20</sup> Formerly Steve Mehlenbacher, charged with the rape of a female prisoner, listed at page 11, Schedule A 15).

<sup>21</sup> Formerly Michael Williams, convicted of child rape and murder, listed at page 11, Schedule A, 10).

<sup>22</sup> Formerly Adam Laboucan, convicted of the rape of a child under 1yr old, listed at page 11, Schedule A, 3).

<sup>23</sup> Formerly Matthew Harks, convicted of the child sexual abuse of at least 60 children, listed at page 11, Schedule A, 2).



came together to address how CAEFS has been silencing their reports of victimization, their requests for help, and their insights from inside.<sup>24</sup> CAEFS, in their response,<sup>25</sup> did not accept that our letter constituted reports of abuses. They cited no knowledge of any complaints from women inside (and no knowledge of the upcoming rape trial) despite my sister's disclosure in 2019, despite a letter from myself on April 7, 2021, and despite concerns raised by the Office of the Correctional Investigator in 2019.<sup>26</sup>

Because the Charter recognizes women as a disadvantaged sex class, the human rights legislation is not the foremost authority on a competing rights situation such as this. Despite this, CAEFS equally cited their adoption of the *Canadian Human Rights Act (CHRA)* standard of protected grounds, as well as complaints of violence "in prison" from "gender-diverse", and yet they have not received any complaint from women regarding their experiences with transferred transgender individuals. In fact, CAEFS has repeatedly neglected or denied allegations against transgender individuals, dismissing them as transphobic.

Women from prison have had their accounts of violence dismissed<sup>27</sup> by prison staff, organizations, and politicians alike who seek to uphold an image of absolute support for the transgender community. Because of this, it is taken for granted either that transferred transgender individuals *cannot* be the culprits of violence against women *because* of their self-identification and transgender status (in spite of the fact that many have histories of unimaginable violence to women and children), or that the violence they commit against women is constituted isolated incidences which are unimportant relative to upholding the commitment to transgender rights. In either case, women's accounts of violence are not being believed. As a historically oppressed group, violence against women such as this is part of a larger systemic problem of misogyny.

The Office of the Correctional Investigator (OCI) has labelled the issues of sexual coercion and violence in prison, "the most underreported types of crimes",<sup>28</sup> as "a culture of silence."<sup>29</sup> The culture of silence, or rape culture, that prevents women from speaking out against guards and staff, and male violence generally, now equally encompasses women's experiences around transferred transgender individuals. If even one woman has reported an experience of sexual violence, it can be assumed that there are nine others who have not.<sup>30</sup> Women who have experienced violence from transferred transgender individuals are now largely without supports, without recourse and without *any* surety of security from targeted sexism and sexual violence because any disclosure of violence is treated as transphobia. This silencing has, in many cases,

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<sup>24</sup> Letter to CAEFS from We the Criminalized Women, dated June 2, 2021, <https://rapereliefshelter.bc.ca/open-letter-to-caefs-from-criminalized-women/>

<sup>25</sup> Letter to We the Criminalized Women from CAEFS, dated June 4, 2021, [https://ac935091-bf76-4969-8249-ae3a107fca23.filesusr.com/ugd/d2d30e\\_a5eeb2ec0c744ad397887e54d89e1c8a.pdf](https://ac935091-bf76-4969-8249-ae3a107fca23.filesusr.com/ugd/d2d30e_a5eeb2ec0c744ad397887e54d89e1c8a.pdf)

<sup>26</sup> Office of the Correctional Investigator Annual Report 2018-2019, <https://www.oci-bec.gc.ca/cnt/rpt/annrpt/annrpt20182019-eng.aspx#s7>

<sup>27</sup> Women's accounts of violence should be considered in the historical context of women's subjugation and silencing, a context that is still very much prominent today and that equally affects this issue (as I have detailed throughout).

<sup>28</sup> Office of the Correctional Investigator, <https://www.oci-bec.gc.ca/cnt/rpt/annrpt/annrpt20192020-eng.aspx#s11>

<sup>29</sup> Ibid.

<sup>30</sup> I have personally received reports of 3 incidences of rape in a women's prison by a transferred transgender individual. The specific incidences are detailed on page 3, at paragraph I.

stopped women from ever reporting their experiences as they are already reluctant to do so due to the shame around sexual assault, sexual harassment and reporting in prison generally.

As corrections, other governing bodies and advocacy organizations have taken direction from the CHRA and Parliament's intention, any direction to take women's concerns, complaints, and reports of violence seriously must be top-down, starting with Parliament. The next section provides recommendations for Parliament that will begin to address the issues of violence against women in prison.

### ***Recommendations***

1. CSC should immediately halt the transfer of any transgender individuals from men's prisons to women's prisons.
2. Transgender individuals with histories of violence toward women or children who have already been transferred from a men's prison to a women's prison should be immediately moved to an accommodation other than a women's prison.
3. Transfer criteria for transgender individuals should be developed in consultation with transgender groups and organizations. These transfer criteria should ensure that transgender individuals who meet the criteria be provided with a transfer to an accommodation other than a women's prison and one that is specifically designed to meet the unique needs of transgender people.
4. Independent feminist supports of women's choosing should be provided to all women inside in order to foster the trust and support required to allow women to disclose any experiences of violence. Women should be allowed access to these supports either in person or by telephone, or both on a regular basis.
5. Prison population statistics should be registered according to prisoners' sex at birth, or two new categories of statistics should be established for transgender women and transgender men respectively.

I am happy to address any questions.

Sincerely,

Heather Mason

## Schedule A. Table of Incarcerated Transgender Individuals

Individuals with histories of violence against women or children are highlighted.

Formerly named	New name	Convictions	Source	Status
1) John Boulachanis	Jamie	First Degree Murder	<a href="#">Montreal Gazette</a>	Federal Prisoner - Won transfer CSC is appealing it. CSC won and transfer denied. Had surgery and is at Joliette.
2)Matthew Harks	Madilyn Harks	Serial Pedophile	<a href="#">National Post</a>	<b>Federal is on a Long Term Supervision Order Halfway House in B.C.</b>
3)Adam Laboucan	Tara Desousa	Child killer and baby rapist Dangerous Offender	<a href="#">The Star</a>	<b>Federal prisoner- Fraser Valley for women. Prostituted himself to other male prisoners, developed a drug addiction in prison. Threatened to kill a female guard, found with a homemade knife. Mutilated his own genitalia. Meets criteria for psychopathy and severe borderline personality disorder</b>
4)Patrick Pearsall	Tara	Sex offender	<a href="#">The Star - 27/05/2018</a>	<b>Federal prisoner-Transfer denied for federal. Was in Vanier for women for provincial</b>
5)Kevin David Patterson	Hayden	Murder	<a href="#">BC Local News</a>	In Provincial Alouette Correctional Centre for Women fighting extradition.
6)Jean-Paul Aube	Fallon Aube	First Degree Murder	<a href="#">The Star</a>	Federal Prisoner -Fraser Valley for women.
7)Donald Brown	Dawna	Manslaughter x2	<a href="#">Barrie Today</a>	Federal prisoner - Grand Valley for women.
8)Michael Allen Wiens	Michelle	Robbery	<a href="#">Cloverdale Reporter</a>	Incarcerated at Surrey Pre-trial and then started identifying as a woman.
9)Jaris Lovado	Bianca Lovado (Sawyer)	Fraud, Robbery, stolen prop, uttering death threats 10 bank robberies	<a href="#">Globe &amp; Mail</a> <a href="#">CanLii</a>	Provincial - Alouette Correctional Centre for Women Deceased
10)Michael Williams	Michelle Colasimone Michelle Williams-LaVey	First Degree Murder/Rape on a child	<a href="#">CBC Women's Prison Network</a>	<b>Federal Prisoner - Kent to Fraser Valley – elected to return to Kent. Fought another trans women at Kent and got shipped to Sask pen. Reported to have been giving groups of men lessons on how to self-identify as transgender and request transfer to a women's prison.</b>
11)Frank Colasimone	Frank	14.5 years for bank robbery 2nd or 3rd time federal offender		Federal Prisoner- Fraser Valley Engaged (broken up) to Michael Williams. Rumored to have impregnated a female prisoner. Is dating a woman in FVI. She is not pregnant
12)Christopher Bellmore	Kate Ellison	Second Degree Murder x2	<a href="#">National Post</a>	Federal Prisoner - Grand Valley to Toronto halfway house - back in GVI. Harassment of multiple women there.
13)Randy West	Cara-Ann Lindley	Beat his ex with a tire iron	<a href="#">CBC</a>	<b>Federal prisoner was at Fraser Valley for women and is out.</b>
14)Dale Thompson	Judy	Second Degree Murder Armed Robbery	<a href="#">CBC</a>	Federal prisoner - Grand Valley for women (died last year). 45 years behind bars. Sexually harassed many women.
15)Steve Mehlenbacher	Samantha	Armed Robbery Bank robber 3th time federal offender	<a href="#">globe and mail</a>	<b>Federal prisoner - Grand Valley and Edmonton. Spent 2 decades in male prisons. Sells hormones, has heterosexual sex with the women, was put in segregation over a HIV scare on compound, sexual assault</b>

				charge. Told my friend not to call him a woman on the street. Currently on release at a halfway house. Warrant expires Feb 2021. Will be tried for rape in fall 2021.
16) Christopher Webster	Chris	Sex crimes	<a href="#">London Free Press</a>	South West Detention Windsor, Ontario (provincial) <b>I don't know where he is now</b>
17) Richard Caperone	Synthia Kavanagh	Second Degree Murder	<a href="#">A Gender Variance</a>	Federal prisoner - Fraser Valley for women Rumours they died but cant confirm that
18) Unknown	Nastasia Laura Bilyk	Second Degree Murder	<a href="#">The Star</a>	Federal prisoner - Was at Stony Mountain I don't know if they transferred to a women's prison or not Killed a female in a home robbery
19) Jatin Patel	Unknown	Murder/ Sexual assault Dangerous Offender	<a href="#">Vancouver Sun</a>	<b>Federal prisoner.</b>
20) Thomas Straub	Unknown	Robbery, Assault w weapon, Forcible confinement, Dangerous Offender Sexual predator	<a href="#">The Peterborough Exam</a>	<b>Federal prisoner.</b>
21) Michael Brown	Michelle	Murder?		Federal prisoner - Stoney Mountain – Rumoured he doesn't want to transfer.
22) Ira Badger	Norah	First Degree Murder/Rape	<a href="#">The Globe and Mail</a>	<b>Federal prisoner - Saskatchewan pen - Rumoured he doesn't want to transfer.</b>
23) Laverne Travis Waskahat	Lauren Waskahat	Sexual predator	<a href="#">MSN News</a>	<b>Federal prisoner - Edmonton - he is out and a high risk to reoffend. Was in with men not women.</b>
24) Unknown	Unknown	Sexual Assault	<a href="#">The Star</a>	<b>Provincial - Quebec</b>
25) Josiah Jerome Blackplume	Lucy Blackplume	Rape, Sexual Assaults, Robbery, Uttering threats	<a href="#">Calgary Sun</a>	<b>Federal prisoner - Alberta -psych Dangerous offender.</b>
26) Peter Hopperton	Cedar	Hamilton Locke Street Vandalism	<a href="#">CBC</a>	Vanier for women (provincial) is out
27) Khaled Farhan	Zahra Farhan	Second Degree Murder	<a href="#">Ottawa Citizen</a>	<b>Federal - Quebec - is out and living as a woman - Butcher of Gatineau</b>
28) Christopher Hambrook	Jessica Hambrook	Pedophila & rape Dangerous offender	<a href="#">Child Molester Database</a>	<b>Federal.</b>
29) Sean O'Toole	Jacquelyn Laronde	Sexual assault & sexual interference	<a href="#">Global News</a>	<b>From London, On. Held at Vanier for women. I believe he got off charges</b>
30) Curtis Dawkins	Moka Dawkins	Manslaughter	<a href="#">Toronto Sun</a>	Is out and living in Toronto I think on bail for appeal possibly - wants to transfer.
31) Unknown	Sherri Dawn Barrett	Sexual Assault	<a href="#">The Chronicle Herald</a>	<b>5 month conditional sentence and 18 months probation. Nova Scotia</b>
32) Joseph Alan Goddard	Jessica or Brandy Leanne	Child Sex Offender	<a href="#">Women Are Human</a>	<b>Surrey British Columbia</b>
33) Jonathan Yaniv	Jessica Yaniv	Weapons Assault Predator	<a href="#">Washington Examiner</a>	<b>Langley British Columbia</b>
34) Jeffrey Allan Dawson	Angela Dawson	Manslaughter Beat an old woman to death	<a href="#">CBC</a> <a href="#">Winnipeg</a>	<b>Federal - Spent 10 years in male prisons.</b>
35) Byron Bushie	Arianna	Second Degree Murder	<a href="#">CBC</a>	Federal prisoner - Is a lifer and did 9 years in Drumheller and was transferred to Edmonton

			<a href="#">CBC</a>	for women. Then went to the healing lodge where he sexually assaulted a prisoner and is now transferred back to Edmonton for women.
36)Possibly David Smith?	Coco Tallulah	Second Degree Murder		Federal prisoner - Fraser Valley - is in his 40's - Sask or Manitoba. Long sentence he was out and now back.
37) Unknown	Brie Armstrong	Second Degree Murder		Federal prisoner - Fraser Valley - in late 60's. Either Brian or Brandon possibly last name White if not Armstrong.
<b>38)Manfred Sperling</b>	<b>Amanda</b>	<b>Repeat Sex Offender Dangerous Offender</b>	<a href="#">tvanouvelles</a>	<b>Federal prisoner - The SHU for a long time, then Stony Mountain and got beat up then transferred to Sask pen. Just got transferred from Sask pen to Millhaven on September 23, 2020. Wants to transfer to women's prison</b>
39)Wayne Bruce Stovka	Angela Valentino	Robbery, weapons, kidnapping	<a href="#">Global News</a>	Federal prisoner - In Grand Valley was transferred from Joliette. He says he is a "hermaphrodite." Has been in and out for decades. 4th time federal prisoner. Women report issues with drugs & harassment.
40)Andy Laverty	Andrea	Unknown		Federal prisoner - At RTC (Pacific Institution) dating Mark Luke in RTC.
41)Chris Robinson	Unknown	Unknown		Federal prisoner - At RTC Pacific
42) Unknown	Chantal Crowell?	Unknown	<a href="#">Cape Breton</a>	Federal - Nova Institute for women on hormones wants to have sex change. Rumoured to have impregnated a female prisoner who had twins.
43)Jared Fedorchuk	Jazz aka Caleigh Elizabeth aka Jihad aka Jay aka Allah Akbar aka Saief	Aggravated Assault		Federal prisoner - 25 year old at Grand Valley.
<b>44)Michael Arthur Weil</b>	<b>Unknown</b>	<b>Pedophile Child pornography</b>	<a href="#">Guelph Mercury Tribune</a>	<b>Federal prisoner - Was 45 in 2019 and is from Guelph, Ontario. Found guilty in 2019 and started identifying as a woman just before sentencing. Was on probation for similar charges at the time of the offence. 9 years. Is not at GVI</b>
<b>45)Douglas Edward Gerbrandt</b>	<b>Zoey Gerbrandt</b>	<b>Possession &amp; making child pornography available</b>	<a href="#">CanLii</a>	<b>3 years house arrest Alberta</b>
<b>46)BR</b>	<b>Unknown</b>	<b>Assaults, indecent act, breaches, molesting a person</b>	<a href="#">CanLii</a>	<b>Secure Treatment Unit 34 years old.</b>
47) Timothy James Whaley	Unknown	Break and Enter Possession of Stolen Property Theft of a Motor Vehicle Trafficking in Stolen Property Breach	<a href="#">CanLii</a>	Located in Alberta.
48) HF	Unknown	Drug related	<a href="#">CanLii</a>	Located in Alberta.
49) Peter Chumbley	Unknown	Unknown	<a href="#">CanLii</a>	Ontario - Provincial

50) Marcus McDonald	Sarah	Arson with disregard for human life	<a href="#">CanLii</a>	Grew up in Toronto. Repeatedly found to be unfit.
51) Unknown	Rachel Carrie Anne Lake	Robbery, assault w weapon, failure to comply		Is wanted by Victoria B.C., Crime Stoppers on March 16, 2021, and is identified as a female and 38 years old.
52) Unknown	Makayla Sandve	Assault with a weapon, assault, break and enter, possession of stolen goods, and the possession of drugs for trafficking, along with uttering threats, multiple breaches of probation and minor thefts.	<a href="#">Canlii Infotel</a>	Provincial Surrey Pretrial
<b>53) Vance Egglestone</b>	<b>Shauna Taylor</b>	<b>Rape, assault, malicious damage, trespassing, theft, possession of narcotics and marijuana, breaking and entering, and assault causing bodily harm</b>	<a href="#">CanLii</a>	<b>On January 26, 1976, was committed to Oak Ridge after perpetrating a violent rape when he was a 20-year old male. He was discharged on February 23, 1979, and then returned from January 1981 until July 1984. Diagnosed with psychopathy in combination with gender identity issues and paraphilias. Changed his name around 2002.</b>
54) Edwin	Jess Duroza	Unknown		At EIFW
55) Thomas Roy Forster		Second Degree Murder	<a href="#">CanLii</a>	BC In 2012 sentenced to life imprisonment without eligibility for parole for 12 years
<b>56) Unknown</b>	<b>J K E D, formerly known as R E D</b>	<b>Sexually assaulted daughter over a period of time</b>	<a href="#">CanLii</a>	<b>Time of the offences, identified as male. The appellant now self-identifies as female and will be referred to as she/her where the context requires. Alberta.</b>
57) ANDREW MOORE	Alexandra	assault causing bodily harm	<a href="#">CanLii</a>	Unknown.
<b>58) Ryan Glen Ziegler</b>	<b>Elizabeth</b>	<b>Dangerous Offender several sex offensives</b>	<a href="#">News 1130</a>	<b>In Edmonton men's prison in max trying to get a transfer to a women's prison. Human rights claim &amp; CAEFS and Efry are reportedly helping him.</b>