

Winston Wins Landmark Victories for Transgender Individuals in Federal Custody

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Following a three-year battle with the U.S. Bureau of Prisons (BOP), a transgender woman will soon be the first person in federal custody to receive gender-affirming surgery. Additionally, in May 2021, she became one of the first federal prisoners to be transferred to a facility matching their gender identity; and BOP revised its Transgender Offender Manual to recommend that housing decisions be made based on a person's gender identity rather than their anatomy.

"We are thrilled that our client will finally receive the gender-affirming care she desperately needs and deserves," said **Shannon Lemajeur**, Chicago Associate.

Winston & Strawn, with co-counsel the American Civil Liberties Union, represented Cristina Iglesias against BOP, which diagnosed her with gender dysphoria in 1994 but refused to provide her with gender-affirming medical care. Additionally, she remained housed in a male facility until May 2021 despite suffering physical and sexual violence.

In December 2021, a federal court ordered BOP to evaluate Cristina for gender-affirming treatment, stating that she "suffers daily and is at risk of self-mutilation and suicide" due to her gender dysphoria and is "running out of time."

In April 2021, the federal court accused the BOP of delay tactics akin to playing a game of "whack-a-mole" and ordered the BOP to immediately find a qualified surgeon to provide Cristina with male-to-female sex reassignment surgery.

The June 2022 settlement agreement with BOP contains several commitments to improve the experience of transgender people in federal custody. These commitments include establishing target timelines for considering requests for gender-affirming treatments and recognizing permanent hair removal and gender-affirming surgery as medically necessary treatments for gender dysphoria. BOP will also update its training and resources for BOP employees.

"These are significant and very meaningful victories for the 1,200+ transgender individuals currently in federal custody who have been denied gender-affirming care," said Chicago Associate **Frank Battaglia**.

The Winston team working on this matter includes Partner **Kurt Mathas** and Associates **Frank Battaglia**, **Courtney Block**, **Henry Blattner**, **Shannon Lemajeur**, and **Gianna Santoro**.

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