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| Seal2  **CHARLES D. BAKER**  Governor  **KARYN E. POLITO**  Lt. Governor | The Commonwealth of Massachusetts  Executive Office of Public Safety and Security  One Ashburton Place, Room 2133  Boston, Massachusetts 02108  Tel: (617) 727-7775  TTY Tel: (617) 727-6618  Fax: (617) 727-4764  www.mass.gov/eopss | **TERRENCE M. REIDY**  Secretary |

**Special Commission to Study LGBTQI Inmate Health and Safety**

**Date:** December 8, 2021

**Time:** 11:00am- 1:00pm

**Where:** Microsoft Teams (Virtual Meeting)

**Call to Order and Attendance**

The meeting was called to order by Co-Chair Pamela Klein at 11:03 once a quorum of members has been established. Roll call was taken.

*Members Present*

Co-Chair Pamela Klein

Co-Chair Mitzi Peterson

David Mills

Attorney Elizbeth Matos

Attorney Jennifer Levi

Sheriff Patrick Cahillane

Michael Cox

*Members Absent*

Casey Lepisto

**October 27th, 2021 Meeting Minutes Review/Vote**

The Commission unanimously agreed to postpone the approval of October 27th, 2021 meeting minutes in order to allow Michael Cox adequate time to review them. The October meeting minutes will be reviewed January 12, 2022.

**Attorney Anya A. Marino, Clinical Instructor, LGBTQ+ Advocacy Clinic at Harvard Law School (Follow-Up)**

Attorney Suleyken Walker informed the Commission that the LGBTQ+ surveys that are being collected do not have to be Public Record if shared with Harvard University Law School. There can be a Confidentiality Agreement to ensure the privacy of each inmate that responded. Both Sheriff Cahillane and Co-Chair Peterson raised concerns regarding sharing the responses. Attorney Walker responded that as long as the documents are non-downloadable and non-savable the Commission can utilize a Confidentiality Agreement. Co-Chair Pamela Klein will follow- up with Attorney Walker regarding a Memorandum of Understanding with Harvard.

**Security Review Transfer Data**

Co-Chair Mitzi Peterson began the Security Review Transfer Data.

**Review of data regarding DOC Policy 652 and DOC Policy 653**

The Commission came to a consensus that a PowerPoint will be created by Attorney Levi, Mitzi Peterson, and Pamela Klein to ensure the group has a clear understanding of DOC policies 652 and 653.

**LGBTQIA Media June 2021**

Mitzi Peterson conducted a survey to facilities regarding site activities during LGBTQIA Pride month. She created a grid to highlight what each site did and will be submitting for the minutes. Mitzi Peterson also noted that the activities varied from site to site and she was particularly impressed with the MCI Framingham library’s initiative, Read with Pride, which highlighted books and authors from the community. She added that this initiative will be adopted system wide for the coming year. Mitzi Peterson will also share the list of books and other media as well as the Grace Moreno, Executive Director of Massachusetts LGBT Chamber of Commerce, interview with the Sheriff to be shared with sheriff’s offices across the commonwealth.

**Hampden County HOC Visit**

Michael Cox informed the Commission of the Hampden County House of Correction that Co-Chair Pamela Klein, Co-Chair Mitzi Peterson, Sheriff Cahillane, Michael Cox, and Attorney Levi attended. Michael led the discussion and informed the Commission that the group visited two sites: Main Facility of Hampden County and Chicopee Women’s Center in Western Mass. The group was able to watch the intake process and hear how the intake process is conducted. The intake process should provide the inmate the time to disclose if they are transgender. Michael stated that this is not believed to be true based on what the group witnessed. It is believed to be true that an inmate has the opportunity to disclose if they are transgender in a clinical setting. Michael also relayed that the group was able to interview an incarcerated LGBTQI member who informed the group that they felt okay with the treatment that is received at the facility. Michael also informed the group that they interviewed a non-LGBTQI member who also felt treatment of LGBTQI members was fair.

Attorney Levi stated that it seems to depend on the sensibility of the judge that determines if a person is placed in the right facility. Sheriff Cahillane stated that the court does have some responsibility, the court system is the first contact outside of the police system and ultimately the Judge decides which facility the individual will be housed. Sheriff Cahillane suggested that instead of asking what an individual’s gender is at birth the question should be shifted to what gender the individual identifies as. It was noted that the Sheriffs statement could be a recommendation to the legislature.

Attorney Levi discussed their visit to the Protective Custody Unit (PCU) noting that it is restrictive in terms of programing opportunities and physical space. It was mentioned that if there are security concerns because of transgender status there is the option to place the individual in the PCU. Elizabeth Matos does not see the PCU as an option as it is problematic and marginalizes individuals as well as it speaks to a larger systemic issue. Sheriff Cahillane clarified that PCU is a short-term solution immediate solution and there should be a discussion within 24 hours of PCU placement to plan next steps and reviewed with the review board to discuss the circumstances that led to PCU placement.

There was also discussion with the medical Staff at Hampden County regarding the recognition that people are having sex it was an important conversation as it recognized the public health concerns regarding the lack of condoms and the ongoing active conversation around PREP. Levi stated that incorporating LGBTQ issues in behavioral health and other internal programming resonated well with the interviewees. Many interviewees mentioned accessing or wanting to access GRIT, a recovery program. Attorney Levi stated that she would like more information regarding GRIT.

**Member Comment**

David Mills commended the Commission and stated that he is concerned about gay and lesbian inmates that are scared to come out due to the stigma and fear of what would be done to them. David Mills stated that he doesn’t want the group to overlook individuals who are gay and lesbian while the group focuses on transgender matters. Sheriff Cahillane thanked David for bringing back the Commission’s statutory charge which concerns the entire LGBTQI population.

The group will try to set up a visit of Barnstable County for the following week.. Attorney Levi stated that physically being at the facilities made an extraordinary difference in terms of the information that was obtained and is preferable. The group agreed that December 20th works best for a Barnstable County visit.

Mitzi Peterson asked the group if there were any DOC sites that the group would like to visit. The group will follow up with Michaela for a list of sites that have not been visited and will set up visits for January.

**Public Comment**

There were no public comments made.

**Adjournment**

Pamela Klein motioned for adjournment; Attorney Levi seconded the motion; meeting adjourned at 12:53pm.