


Chapter:	Facility Case Management	Classification:	Public Document
Subject:	Trans and Gender Variant Offenders		
For:	Correctional Facilities	 Authorized by Executive Director	


## 6. Orientation and Assessment Program

- 6.1 The O&A Officer/youth worker or program worker will complete the Orientation and Assessment as follows
  - 6.1.1 in accordance with Policy & Procedure,
    - 6.1.1.1 Subject No. 34.00.00, Sub-section 3.2, [Orientation and Assessment – Adult Custody](#)
    - 6.1.1.2 Subject No. 34.02.00, Sub-section 4, [Case Management – Youth in Custody](#)
  - 6.1.2 complete any relevant sections of the Self-Identified Admission Questionnaire, form [38.00.00-B \(adult\)](#) or [38.00.00-C \(youth\)](#)
  - 6.1.3 forward the completed form to the case management officer/program worker

## 7. Unit Placement

- 7.1 Trans and gender variant offenders will be assigned a unit placement according to their gender identity, unless
  - 7.1.1 otherwise requested by the offender to be housed in a facility that does not correspond to their self-identified gender
  - 7.1.2 privacy concerns and/or health and safety risks are identified
  - 7.1.3 security concerns are identified that may impact the placement decision (e.g. information from other sources)
- 7.2 Any information regarding a placement decision that is not consistent with the offender’s gender identity will be documented in Section I of the Self-Identified Admission Questionnaire, form [38.00.00-B \(adult\)](#) or [38.00.00-C \(youth\)](#).
- 7.3 The superintendent or designate will be advised of the trans or gender variant offender’s placement in the facility.
- 7.4 When it is requested that a trans or gender variant offender be held in administrative close confinement placement for their own protection, the superintendent or designate in consultation with case management team/ NSYC unit review board will

Page 6 of 9	Dated Issued: January 16, 2017 Date of Last Revision: Current Revision Date: May 19, 2017	Subject No. 34.05.00
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Chapter:	Facility Case Management	Classification:	Public Document
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- 7.4.1 review the request
- 7.4.2 assess the request for access to programming and socialization with other offenders
- 7.4.3 authorize the request
- 7.4.4 clearly document the situation
- 7.4.5 explain the decision to the offender

7.5 In the event that an offender disagrees with their placement, they will be provided with information about the complaint/appeal process in accordance with Policy & Procedure,

- 7.5.1 Subject No. 5.04.00, [Offender Complaint Process](#)
- 7.5.2 Subject No. 5.05.00, [Offender Appeal Process](#)

## 8. Unit Placement Review

- 8.1 When a trans or gender variant offender is assigned a unit placement other than general population, the social worker will review the placement within 72-hours.
- 8.2 The case management team lead or social worker or youth worker will review the placement as needed at the weekly case management team meeting/NSYC unit review board.
- 8.3 In accordance with Section 2.3 above, an offender's gender may be fluid and may change during an incarceration. In such cases requests by the offender to be relocated within a correctional facility will be referred to the case management team lead or youth worker to be further assessed and presented at the unit placement board. Decisions to relocate an offender based on fluidity will be determined in accordance with Section 2.5 above.
- 8.4 Any change to unit placement or cell assignment requires approval by the superintendent or deputy superintendent with the exception of placement as a result of a disciplinary requirement.

Page 7 of 9	Dated Issued: January 16, 2017 Date of Last Revision: Current Revision Date: May 19, 2017	Subject No. 34.05.00
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Chapter:	<b>Facility Case Management</b>	Classification:	<b>Public Document</b>
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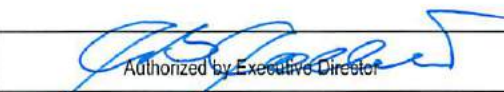
**9. Documentation on JEIN**

- 9.1 In cases where the offender’s identified name or gender designation varies from what appears on legal or identity documentation, facility staff are to ensure this information is reflected in JEIN as follows
  - 9.1.1 the offender’s identified name will be recorded as a new alias
  - 9.1.2 the offender’s gender identity will be selected in the sex (M, F) field of the new alias
  - 9.1.3 an alert will be recorded in JEIN, as follows
    - 9.1.3.1 under the “Trans Person” alert type,
    - 9.1.3.2 the offender’s gender identity, male, female, trans, trans male, trans female, etc., will be typed into the alert comment field
- 9.2 The completed Self-Identified Admission Questionnaire, form [38.00.00-B \(adult\)](#) or [38.00.00-C \(youth\)](#) will be uploaded to JEIN.

**10. Transfer**

- 10.1 If the current facility cannot accommodate the offender’s identified gender or unit placement preference the superintendent or designate will
  - 10.1.1 ensure that a trans or gender variant offender is transferred as soon as reasonably possible
  - 10.1.2 where legitimate extenuating circumstance prevent transfer from occurring, e.g., court appearance, ensure the offender is transferred as soon as reasonably possible after those circumstances have been resolved
  - 10.1.3 implement, in consultation with the offender, interim or next-best solutions regarding placement until the offender can be transferred
  - 10.1.4 clearly document the situation in JEIN
- 10.2 Where a trans or gender variant offender will be transported by any escorting justice agency, correctional staff will, when possible, advise the agency in advance of any accommodations granted to the offender and any other necessary information to assist them in making appropriate transport arrangements. In identifying which information to communicate to a transporting agency, offender confidentiality, safety and consistent fair treatment will be primary considerations.

Page 8 of 9	Dated Issued: January 16, 2017 Date of Last Revision: Current Revision Date: May 19, 2017	Subject No. 34.05.00
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**11. Standard Operating Procedures (SOP)**

- 11.1 The superintendent is responsible to establish Standard Operating Procedures (SOPs) with respect to this policy as follows
  - 11.1.1 advising the superintendent or designate that a trans or gender variant offender has been placed in orientation and is awaiting unit assignment
  - 11.1.2 placement of a trans or gender variant offender awaiting search
  - 11.1.3 steps to resolve concerns regarding the offender's search preference
  - 11.1.4 communication regarding approval of prosthetic devices and other devices/items deemed necessary to affirm an offender's gender identity that have been approved to be retained by the offender
  - 11.1.5 communication and resolution process regarding correctional staff's inability to issue preferred underwear
  - 11.1.6 communication process regarding requests for change to unit placement or cell assignment
  - 11.1.7 superintendent's designate regarding placement decisions
  - 11.1.8 staff responsible to document JEIN information
  - 11.1.9 staff responsible to communicate with agencies regarding transfers