

Paul Carlos Southwick (ISB No. 12439)
Emily Myrei Croston (ISB No. 12389)
ACLU of Idaho Foundation
P.O. Box 1897
Boise, ID 83701
Tel: (208) 344-9750
psouthwick@acluidaho.org
ecroston@acluidaho.org

Chase B. Strangio*
Malita Picasso*
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
125 Broad St.
New York, NY 10004
Tel: (212) 549-2584
cstrangio@aclu.org
mpicasso@aclu.org

*To be admitted *pro hac vice*

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO**

JANE ROE, JANE POE, JANE DOE,
Plaintiffs,

v.

RAÚL LABRADOR, et al.,
Defendants.

Case No.

**JANE POE DECLARATION
ISO PLAINTIFFS' MOTION
FOR A TEMPORARY
RESTRAINING ORDER
AND PRELIMINARY
INJUNCTION**

I, Jane Poe,¹ hereby declare as follows:

1. I offer this Declaration in support of Plaintiffs' Motion for a Temporary Restraining Order and Preliminary Injunction.
2. I have personal knowledge of the facts set forth herein, and could and would testify competently to these facts if called as a witness.
3. My name is Jane Poe. I am proceeding under a pseudonym because I fear for my safety.
4. I was assigned male at birth, but I am a transgender woman.
5. I am currently incarcerated at Idaho State Correctional Institution ("ISCI") in Boise, Idaho. I have been incarcerated since 2023 and anticipate being incarcerated until 2025.
6. I grew up with six older brothers. Watching them, I knew how men tend to think and act. I was always different. My brothers would say I was gay, but that didn't feel right. I even identified as asexual for a long time.
7. One day in 2015, I was driving when I heard the word "transgender" on the radio. It was the first time I had heard the term. I googled it upon returning home and immediately knew that it described me. I was so excited, I learned more about transgender people.
8. By 2017, I had started dressing femininely and using my feminine name. My family wasn't supportive. My brothers don't respect my identity and my mom disowned me for three years. Still, I felt more comfortable in my skin living my life as the person I knew myself to be. I became so much more than I ever expected was possible for me.

¹ Plaintiff Jane Poe will file a motion for a protective order and for leave to proceed using these pseudonyms because she fears for her safety.

9. When I was arrested in 2019, I was sent to North Idaho Correctional Institution (“NICI”) at first. While there, I asked to be evaluated for gender dysphoria. I was diagnosed by a physician at the facility.

10. I began hormone therapy that year. For the past five years and to this day, I take Estradiol and Spironolactone. I receive blood work every six months and meet with Dr. Marvin Alviso yearly to monitor the hormone therapy.

11. I felt liberated to finally be starting hormone therapy. It felt like the start of being the person I always knew I was. Before the therapy I was depressed and weighed 380lbs. Becoming myself, I had joy like I had never experienced before. I lost weight and felt beautiful in my skin.

12. I present as a woman in the facility. I feel immense relief when I wear makeup, but, because it is expensive, I only wear it once a week for church. I like styling my long hair up into a bun or down and pulled back from my face. I also wear feminine undergarments.

13. Although I had six older brothers, my mom was never able to have girls. They all died at birth. I feel like the daughter she was meant to have. Although she disowned me for three years after I came out, she later reached out to me. She said she missed me and wanted to take baby steps towards reconnecting. We slowly began talking again. When I visited her in the hospital last year, she told me I looked so beautiful, just like my grandmother. She died last October and I’m so glad we reconciled, and she was able to know me as the woman I am before she passed away.

14. On May 28, 2024, I learned about HB 668 and its potential impact on my medication. It is my understanding that because of this new law, I may be cut off from my medical treatment on or near July 1st of this year.

15. I filed a grievance and exhausted my administrative remedies over the imminent termination of my medical treatment.

16. On June 13, I was told by members of the medical staff that I would be tapered off my hormone therapy medications beginning July 1st, 2024. The same day 15 transgender people who use hormone replacement therapy in the facility, including me, receiving a memo asking us to gather for a meeting the following week to discuss the changes in ISCI's ability to provide gender affirming medical care.

17. At the June 20th meeting, the Warden, Head of Security, and Head of Medical told the transgender individuals there that, due to HB 668, we would be either cut off or tapered off our hormone therapy.

18. I am very concerned about losing my medical treatment. Before I was incarcerated, I suffered a lapse in my hormone therapy due to not having a means of transportation. During that time, I was mentally unstable. I suffered increased anxiety and depression. My body went through male puberty again and my dysphoria increased. I found it hard to sleep. While the changes in my body upon starting hormone therapy were gradual, after stopping the changes came much more quickly and I felt mentally and physically exhausted.

19. In 2015, I experienced the agonizing symptoms of withdrawal after stopping my use of diazepam. Being cut off from my hormone therapy felt similar. I felt alternately cold, clammy, and hot and suffered pain and depression.

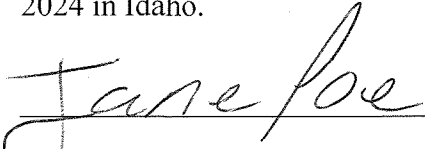
20. I take my hormone therapy orally twice a day (morning and evening).

21. I do not want to suffer this again. If I am cut off on July 1st, I would be scared for myself. I fear I would suffer the same suicidality and severe mental health issues as I did before.

\\\\\\

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 27,

2024 in Idaho.



Jane Poe