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Michigan prison officers protest new strip-search policy for transgender inmates



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LANSING — Michigan corrections officers say they are alarmed by a new Department of Corrections policy under which female officers must perform strip searches on inmates in men's prisons who say they identify as female and don't want to be strip-searched by a man.

Kyle Kaminski, a spokesman for the department, said the policy change, which took effect Monday, results from a federal audit into compliance with the Prison Rape Elimination Act.

"This is about complying with federal law," Kaminski said. "We need to do cross-gender searches based on the gender identity of the prisoner, not their sex at birth or the facility where they're housed."

Cary Johnson, a corrections officer at Cotton Correctional Facility near Jackson and recording secretary of the Michigan Corrections Organization union, said she is shocked by both the change and by the lack of consultation before the new policy was announced.

Most female officers are accepting and supportive of LGBTQ+ people and issues, but it's different inside prison because many inmates of all gender identities and sexual orientations are manipulative and flawed decisions can put officers' lives at risk, Johnson said.

Strip searches are normally conducted by a single officer in a small room where nobody else can observe the prisoner, she said. Union officials say they are concerned not only about potential danger to female officers, but the availability of female officers to perform strip searches, since only 918 of the department's 5,100 officers are female. That, along with the cramped rooms often used for strip searches, makes adding a second female officer impractical, they say.

"I've heard prisoners saying, 'Yes, I'm going to identify as female so I can get one of these women alone,'" Johnson said Monday.

About 350 state inmates housed in male prisons are recognized by the department as "transgender female," which generally means they were assigned the male sex at birth but identify as female, Kaminski said. About 30 inmates at Women's Huron Valley Correctional Facility are "transgender male," he said. All of those prisoners have had their cases reviewed and status recognized by an MDOC gender review committee made up of medical and housing staff, he said.

But accommodation requests related to strip searches will go through a separate and more streamlined process, Kaminski said. Starting Monday, inmates in male prisons who identify as female could submit a form to the deputy warden asking that they only be strip-searched by a female officer, he said. The deputy warden will make a recommendation to the warden, without any medical review, who will make the final decision, Kaminski said. Part of the review will include the prisoner's past behavior, and evidence the prisoner could pose a threat to staff could be a factor in whether the request is approved, he said.

The federal government won't let the search requests go through the gender review committee that already exists because prisoner searches are a security issue, not a medical issue, Kaminski said.

The safety concerns being voiced by Johnson and others are premature because no prisoner has yet had a search accommodation granted, Kaminski said, adding: "We'll obviously be monitoring very closely."

The Free Press has reached out to two Michigan-based LGBTQ+ rights groups, plus two national groups that specifically work on issues related to transgender people who are incarcerated, but has received no responses to requests for comment on the policy.

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Strip searches involve no physical contact between the prisoner and the officer, Kaminski said. The prisoner disrobes and hands their clothing to the officer, who inspects it. The officer visually inspects inside the mouth and ears and around the genital area, he said. But no cavity searches are involved, he said. When those are required, they are performed by medical staff, he said.

Byron Osborn, president of the MCO, said the union filed a grievance about the policy change Monday. The union learned about the change only one hour before it was announced Nov. 1, with no consultation, and its questions to the administration about the policy have so far not been answered, he said.

Osborn said female corrections officers will be put at risk under the new policy, which he said is political correctness run amok.

With the department already short about 1,000 officers, Osborn said he's concerned the new policy will prompt many female officers to quit.

Johnson said she's heard many female officers say they won't perform the strip searches, even if it means getting cited for insubordination.

Officers of both genders already perform pat-downs and clothed body searches on male prisoners, Kaminski said. So it won't represent a significant change in the male prisons for only female officers to perform those searches on prisoners who request and receive an accommodation, he said.

The implementation of the policy for transgender male prisoners at Women's Huron Valley will be slightly different, he said. Inmates there who request the search accommodation will have strip searches performed by male officers, but only female officers will perform pat-downs and clothed body searches, regardless of accommodations requested or granted, he said.

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