



Written by [James Murphy](#) on June 14, 2022

Transgender Inmate Sues Minnesota for Refusing Sex-change Therapy

A 56-year-old Minnesota man who identifies as female is suing the state's Department of Corrections (DOC) over its refusal to grant him "sex-reassignment" surgery. Christina Lusk has been serving a sentence for First Degree Possession of a Controlled Substance since 2019 and is scheduled to be released in 2024.

Through his attorneys at St. Paul-based Gender Justice — a group claiming to be "advancing gender equity through the law," Lusk accuses the DOC, Commissioner Paul Schnell, Deputy Commissioner Michelle Smith, and Medical Director James Amsterdam of denying him medical services and housing him at a male correctional facility even though he claims to be "socially, medically, and legally" female.



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According to the [suit](#), Lusk began transitioning to female in 2009 when he began taking feminizing hormones. Lusk reportedly had breast-augmentation surgery in 2017 and changed his name to Christina Suzanne Lusk in 2018.

The suit claims that the DOC is running afoul of the law in denying treatment, claiming that they make "gender-based placement [based] on genitalia, in violation of the Minnesota Human Rights Act, the Minnesota Constitution and the [federal] Prison Rape Elimination Act."

Lusk further claims that he has been denied "gender affirming care that had been approved by her healthcare providers before her arrest."

Lusk seeks at least \$50,000 in compensation and for the state to pay for his vaginoplasty, often referred to as "bottom surgery" for men "transitioning" to female.

The suit alleges that Lusk was seeking to arrange the vaginoplasty when he was arrested for the drug offense. At the time of that arrest, Lusk was already on a conditional release stemming from a 2012 DWI arrest.

Lusk also seeks a transfer to a female correctional facility, alleging discrimination against his transgender status. According to the suit, that discrimination includes "denying her request for a transfer to the women's facility, housing her in a room with seven men, and requiring her to change her clothes and use the bathroom with men; referring to her by her former name rather than her legal name."

He also claims to have been sexually abused in prison, although he never reported it to prison officials. "Ms. Lusk had been repeatedly sexually abused in her group cell. She did not report the abuse to staff



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because, in light of her experience with the DOC, she did not believe they had any interest in protecting her or that they were capable of keeping her safe from reprisal,” the lawsuit alleges.

Lusk previously filed a grievance in 2019 seeking vaginoplasty from the state. In that grievance he wrote, “I have been diagnosed with severe Gender Dysphoria. I have attempted suicide four times due to my severe distress caused by my GD as well as self mutilation. My mental capacity is under control, and I am able to make good decisions as far as surgery. I have letters of support from my primary physician, my gender specialist, my therapist, as well as my psychiatrist, only two letters are required for surgery but I go up and beyond what is required.”

Commissioner Schnell, Deputy Commissioner Smith, and Medical Director Amsterdam were all part of the DOC’s Transgender Committee and denied Lusk’s requests.

“Transgender people disproportionately face abuse and harassment in state institutions including jails and prisons, schools, healthcare facilities, and more,” said Jess Braverman, legal director at Gender Justice, said.

“Every person in custody deserves to be protected from violence and harassment,” Braverman continued. “We need our systems, such as the [Minnesota] Department of Corrections (DOC), to do better now to protect all vulnerable groups, including transgender people.”

But the Minnesota DOC decided that Lusk’s requests were unreasonable and that he could seek his “sex reassignment” upon release.

“In making these determinations, the Transgender Committee must consider on a case-by-case basis whether a particular placement would ensure the person’s health and safety, and whether the placement would present a management or security issue.... Factors such as a person’s security level, current gender expression, medical and mental health needs, and vulnerability to sexual victimization are also considered,” said DOC spokesman Nick Kimball.

These determinations as to whether men (so-called transgender women) should be housed in female prisons are extremely important. An April [story](#) from New Jersey at a women’s-only correctional facility reported the pregnancy of an inmate after reportedly having sex with one of the 27 transgender inmates at the facility.

A U.K. [study](#) shows that transgender prisoners are five times more likely to carry out sex attacks at women’s prisons than other inmates.

The entire transgender movement seeks to normalize delusion. Christina Lusk has a history of making bad decisions. Hopefully, the Minnesota DOC’s stance on his situation will keep him from making yet another one.



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