



Written by [Michael Tennant](#) on April 3, 2024

Feds Sue Utah for Failing to Give Transgender Inmate Hormones and Special Accommodations

The Department of Justice (DOJ) is suing the Utah Department of Corrections (UDOC) for allegedly violating a transgender prisoner's civil rights under the Americans with Disabilities Act (ADA).

The male inmate — not named in the DOJ's [lawsuit](#), which consistently and sometimes ludicrously refers to him with feminine pronouns — began asking for hormone therapy and special accommodations for his gender dysphoria shortly after entering prison in 2021.

UDOC's gender-dysphoria policy, however, appears designed to prevent inmates who do not genuinely suffer from that condition from gaming the system. Thus, an inmate who claims to be gender dysphoric (i.e., born into a body of the wrong sex) must request an evaluation by UDOC mental-health staff, who then must present their findings to a gender-dysphoria committee, which in turn decides whether to refer the inmate to a contract psychologist for further evaluation. UDOC medical staff consider the psychologist's recommendations and may order hormone treatment but not sex-change surgery.

In a Tuesday [press release](#), the DOJ made much of the allegation that "UDOC imposes unnecessary barriers to treatment for incarcerated individuals with gender dysphoria that are not required for other health conditions, and unnecessarily delayed the complainant's treatment." Nine months elapsed from the time the inmate on whose behalf the Biden administration is suing first requested hormone therapy to the time of his psychological evaluation. Although the psychologist recommended hormone therapy, it took another six months and further requests from the inmate for UDOC to begin giving him hormones. Even then — horror of horrors — the prisoner's doctor "tried to talk her out of" it, the DOJ alleged in a March [letter](#) to UDOC. And, in what might truly be cause for concern, the doctor allegedly "initiated therapy but failed to take basic steps to ensure that it was provided safely and effectively," such as by verifying that the hormones did not conflict with the prisoner's other prescription medications.

In its complaint, the DOJ griped that "the gender dysphoria committee includes both medical and non-medical staff — even though its only function is to handle requests for medical evaluation and treatment



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of gender dysphoria.” It further contended in its letter that some committee members “demonstrated overt bias against the individuals seeking care and expressed reluctance to prescribe medically appropriate treatment, including hormone therapy, for gender dysphoria.” But with so much of the medical establishment acting as the trans cult’s pill- and surgery-pushers, outsiders’ serving as a check on such tendencies would seem to be just what the doctor ordered.

The DOJ’s complaint also faulted UDOC for failing to provide “reasonable accommodations” for the inmate’s gender confusion, “including to be permitted to purchase female clothing and personal items in the commissary, to modify pat search policies, and to individually assess her housing requests to avoid discrimination on the basis of gender dysphoria.”

As a result of UDOC’s refusal to bend over backward for the prisoner, DOJ alleged in its press release that the inmate’s condition deteriorated to the point that “she performed dangerous self-surgery and removed her own testicles” — an oxymoron only a fanatically devoted trans cult member could compose.

Some compassion for this psychologically tormented prisoner is clearly in order — but compassion is not the Biden administration’s motive for taking up his case. The DOJ is on a crusade to advance transgenderism, as it more or less admits in its press release, saying the “lawsuit is part of its broader efforts to combat discrimination against individuals with gender dysphoria,” including [suing to overturn Tennessee’s law](#) banning trans treatments for minors.

The DOJ’s case against UDOC largely hinges on its novel interpretation of the ADA. That unconstitutional 1990 law explicitly states that the term “disability” does not include “transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, *gender identity disorders not resulting from physical impairments*, or other sexual behavior disorders.” (Emphasis added.)

The Biden administration, trying to rewrite the law for the supposedly more enlightened times in which we now live, claims that the ADA doesn’t mean what it so clearly says. The ADA “excludes merely being transgender from the statute’s coverage, but does not exclude impairments related to being transgender, such as the clinically significant impairments associated with gender dysphoria, which otherwise satisfy the ADA’s definition of disability,” the DOJ wrote in a January [Statement of Interest](#) related to the case of a Georgia prisoner with gender dysphoria.

The DOJ relies heavily on a case in which the Fourth Circuit Court of Appeals [ruled](#) that gender dysphoria was distinct from gender-identity disorder and therefore covered by the ADA, basing its decision in part on the fact that the American Psychiatric Association had changed its diagnoses of the two conditions since 1990. The Supreme Court, with Justices Samuel Alito and Clarence Thomas dissenting, declined to hear an appeal of the decision.

“Until and unless another federal circuit finds correctly that a plain reading of the ADA excludes gender identity disorders and gender dysphoria, states — and their affiliated department of corrections — will find themselves at the losing end of demands for ‘gender-affirming care’ on the taxpayer dime,” Heritage Foundation senior legal fellow Sarah Parshall Perry told [Fox News](#).

Prisoners with genuine gender-related psychological problems deserve treatment, albeit not necessarily hormones and surgery. But in a world in which claiming to be transgender is considered the apex of self-actualization, telling fact from fiction in such matters is increasingly difficult. For that, the trans cult and its political allies have only themselves to blame.



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