

STATEMENT OF CECILIA CHUNG

CHAIRMAN WALTON: Ms. Chung.

CECILIA CHUNG: Good morning.

Hello, my name is Cecilia Chung, and I had unprotected sex against my will at San Francisco County Jail. I was taken to jail on the charges of soliciting prostitution in 1993. An undercover police officer in the Tenderloin asked me to have sex for money. I refused, but he persisted and kept upping the price. At the time, I was 28 years old. I was at a very early stage of my gender transition. There was a time when I was rejected by my own family, I was homeless, and I was suffering from drug addiction. I was so economically marginalized that when he offered me \$200, I finally agreed to his solicitation, and I was arrested.

When I was taken to jail, I was placed in the so-called gay pod. San Francisco had no protocols in place at that time for housing transgender inmates. We were being housed with other gay men or perceived-to-be gay men in the same jail cell. Unfortunately, the gay pod contained all kinds of inmates, and that includes sexual predators.

The jail environment was very frightening and unfamiliar to me. One of the inmates sexually propositioned me, and it caught me off guard. I was too intimidated to deny him. I did not know what would happen to me if I said no. I was afraid that

he would try to force me against my will. I was afraid I would get hurt. I had sex out of fear.

The inmate draped towels from an upper bunk to block the view of the other prisoners and guards. He had sex with me without a condom or lubrications. It was physically painful, but the emotional pain was even worse. The degrading experience caused damage to my self-esteem for many years to come. I definitely felt that I did not own my own body. It was enough to convince me that my life did not belong to me and I was robbed of every single drop of dignity of a human being.

Afterward, the inmate gave me a Snickers bar as payment for the sex. It made a cheap encounter even cheaper.

If you are asking yourself why I didn't just refuse the inmate's sexual advances or fight him off, I know from my experience that refusing sex can be dangerous and even deadly.

A few years after this encounter I did say no to someone, and I was stabbed as a result. Later that year I got some devastating news. I learned I was HIV positive. Although I'm not sure I contracted the virus during that encounter in the jail, having unprotected sex put me at high risk for contracting not only HIV, but also Hepatitis B and C.

Although I have been told that the San Francisco Jail has since adopted policies and

protocols to protect transgender inmates, my experience as deputy director of the Transgender Law Center shows me that we must make more changes and we need an enforcement of these protocols.

Transgender inmates still experience sexual harassment from staff and inmates. They are still being housed with the vulnerable populations which also contains men who are perceived to be effeminate or gay.

Transgender inmates are among the most vulnerable individuals in our jails and prisons, but there are ways to make their incarceration safer. Transgender inmates need to be housed in a way where they can be safe from sexual harassment and intimidation. At the same time, they need to have access to the same services offered to inmates of the gender with which they identify. Each facility must train its corrections officers and staff to understand the needs of transgender inmates and the unique dangers they face in custody.

Most importantly, there should be an independent monitoring group, a neutral group that's free from the power dynamics of staffing inmates separate from the corrections systems with the ability to investigate abuse reports in each facility.

Electing these reforms at every facility will help ensure that transgender inmates are incarcerated in an environment free from sexual abuse

and violence.

Although you may think that I'm not like you, we are not so different. I want to have control over my own body and my life, just as you do. I want to choose the people with whom I get intimate with, just as you do.

I absolutely did not want to have sex with that man in the San Francisco Jail, but I felt powerless to refuse him. As a transgender woman, I've experienced the worst kind of treatment our society has to offer. I've experienced unbelievable discriminations. The incident in the jail cell wasn't the only time I've been subjected to degrading sexual abuse, but it was one of the worst because the authorities have an obligation to protect us when we are incarcerated, but they failed to do so.

We as transgender individuals already are being treated as outcasts of society. Please ensure that transgender inmates are safe from sexual violence behind bars.

Thank you.

CHAIRMAN WALTON: Thank you very much for your testimony.