

April 1, 2026

Commissioner Daniel F. Martuscello III
The Harriman State Campus
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Albany, NY 12226
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Dear Commissioner Martuscello:

We are legal organizations, advocacy groups, and individuals with transgender, gender non-conforming, non-binary, and intersex (TGNCNBI) clients, members, and loved ones incarcerated at Bedford Hills Correctional Facility.

We write to draw your urgent attention to several harmful conditions and practices, primarily implemented since the installation of Deputy Superintendent of Security (DSS) Michael Blot last summer, and their impact on TGNCNBI people at the facility. These include increases in unjustified uses of force that are tolerated, if not condoned, by DSS Blot, lock-ins, restrictions on recreation, and lack of access to safe, private showers, as well as barriers to accessing gender-affirming clothing and care.

For months, advocates have raised the alarm about the policies implemented by DSS Blot, supporting the pleas of those at Bedford for humane treatment. In November, F2L, an organization that serves queer and trans incarcerated people of color, spotlighted the particular harms suffered by TGNCNBI people at Bedford while calling for these policies to be reversed and Blot to be removed.¹ State lawmakers have advocated for a reversal of these policies and an investigation of these harmful conditions.² The conditions at Bedford have been widely reported in the media.³ And, tragically, three individuals died at the facility – two by suicide –

¹ See, e.g., “Governor Hochul & Attorney James: Act Now for Our Loved Ones at Bedford Correctional Facility” (Petition), <https://www.change.org/p/gov-hochul-ag-james-act-now-for-our-loved-ones-at-bedford-correctional-facility>.

² For example, New York State Senator Pete Harckham and Assemblymember Chris Burdick sent a joint letter to DOCCS calling for an investigation of the conditions at Bedford. See New York State Senate, Harckham and Burdick Urge DOCCS to Investigate Recent Suicides at the Bedford Hills Correctional Facility [Press Release] (Mar. 6, 2025), <https://www.nysenate.gov/newsroom/press-releases/2026/pete-harckham/harckham-and-burdick-urge-doccs-investigate-recent>.

³ See, e.g., Rebecca McCray, Law Makers Call For Investigation Into Women’s Prison, Citing New York Focus Article, *New York Focus* (Mar. 10, 2026); Rebecca McCray, Third Death in Four Weeks Rocks Bedford Hills Women’s Prison, *New York Focus* (Mar. 5, 2026), <https://nysfocus.com/2026/03/05/bedford-hills-womens-prison-deaths-suicide>; Adam Rhodes, A New York women’s prison with a history of violence hired a high-ranking official known for abuse, *Prism* (Feb. 25, 2026), <https://prismreports.org/2026/02/25/bedford-hills-michael-blot-transgender/>; Jessca Washington, New York Women’s Prison Forces People to Go Without Showers or Recreation, *The Intercept* (Jan. 23, 2026), <https://theintercept.com/2026/01/23/new-york-prison-solitary-halt/>; Sam Rabiya, Trans Prisoners

over a period of just four weeks in February and March.⁴ Despite this obvious crisis and public outcry, the conditions at Bedford persist, threatening the safety, health, and well-being of TGNCNBI people in its custody.

We demand that DOCCS take immediate steps to address these issues. This includes:

- **An immediate, independent investigation into reports that DSS Blot is ordering staff to engage in unjustified uses of force against incarcerated people**
- **A reversal of any official or discretionary policies that have led to extended lock-ins and lack of sufficient and safe access to showers, including but not limited to rescinding Facility Operations Manual 311**
- **Restore indoor recreation in all housing units**
- **End the practice of requiring trans masculine and nonbinary individuals to wear bras upon intake**
- **Ensure timely and regular access to medical and mental health treatment, including gender-affirming care**
- **Ensure staff, including National Guard staff, are trained on and compliant with policies to ensure the respectful treatment of TGNCNBI people in custody, and discipline staff for any misconduct**
- **Remove DSS Blot from any role requiring direct interaction with incarcerated individuals or oversight of security staff**

To find solutions to these ongoing harms, we request that you meet with a group of representatives from among the undersigned organizations and individuals – and particularly those with lived experiences – to discuss these and other concerns, as well as proposed solutions. It is critical that individuals with lived experience and particularized experience relevant to this vulnerable population be heard as DOCCS shapes and implements policies that impact their safety and well-being.

Culture of violence and intimidation

TGNCNBI individuals inside Bedford have reported an increase in hostile and derogatory treatment from staff, including an increase in uses of force. One Legal Aid client reported numerous offensive comments about her body and other derogatory verbal assaults by staff, as well as by members of the National Guard – including being told that she was “still a man” and

Allege Targeted Harassment by Supervisor at Nation’s Worst-Ranked Facility, *Them* (December 22, 2025), <https://www.them.us/story/investigation-trans-prisoners-allege-targeted-harassment-bedford-hills>.

⁴ Rebecca McCray, Third Death in Four Weeks Rocks Bedford Hills Women’s Prison, *New York Focus* (Mar. 5, 2026), <https://nysfocus.com/2026/03/05/bedford-hills-womens-prison-deaths-suicide>.

that she was disgusting. Other individuals have reported to members of the undersigned that unnecessary violence is becoming an increasingly reflexive response from staff. Individuals inside have reported that DSS Blot has directed staff to use force or “take downs” in response to instances of perceived noncompliance even where there is no real safety justification; there have also been reports of tolerated, if not encouraged, violence from a specific cadre of correctional staff, several of whom have been the subject of repeated complaints. We urge you to refer these reports to the New York State Office of the Inspector General for an independent and urgent investigation to ensure incarcerated people are safe from physical abuse.

These current issues exacerbate the already hostile environment TGNCNBI individuals face in DOCCS custody. A recent survey found that there is pervasive verbal, physical, and sexual violence perpetrated by corrections officials and DOCCS staff against TGNCNBI individuals, with an overwhelming majority of trans people in DOCCS custody reporting physical assault by staff and describing the use of derogatory names and slurs by officers and staff as “a nearly universal experience.”⁵

Lock-ins and restrictions on recreation

For the past several months, the administration at Bedford Hills has implemented new, severely restrictive policies across several housing units that have led to extended lock-ins and limited access to recreation. These policies require incarcerated individuals in various housing units to be locked in cells if they are not actively engaged in programming, meals, showers, or phone calls. We also understand that indoor recreation on certain housing units has been eliminated and furniture removed from day rooms.

While we understand that the public outcry in response to these policies may have led to some limited changes, our clients, members, and loved ones continue to report extended lock-ins, with accounts of inability to access programming; ongoing restrictions in access to recreation and congregation; inability to access outdoor recreation due to cold and lack of seating; and difficulties accessing the phone. Individuals also report barriers in accessing medical and mental health care, including gender-affirming care, due to movement restrictions and lack of staffing.

These conditions are seriously harmful to the well-being of TGNCNBI people.⁶ Extended isolation is well-known to cause intense psychological distress and to trigger and worsen

⁵ The Sylvia Rivera Law Project & Take Root Justice, *It’s Still War in Here: A Statewide Report on the Trans, Gender Non-Conforming, Intersex (TGNCI) Experience in New York Prisons and the Fight for Trans Liberation, Self-Determination, and Freedom* (2021), at 24.

⁶ See generally Ethan Rogers et al., *The Disproportionate Mental Health Burden Among Incarcerated Transgender and Gender Diverse People*, 29 JOURNAL OF CORRECTIONAL HEALTH CARE 39 (2023).

anxiety, depression, post-traumatic stress disorder, as well as gender dysphoria.⁷ TGNCNBI people in custody are particularly vulnerable to these risks, with dire consequences: a recent report on the treatment of TGNCNBI people in the New York State prison system – where they are disproportionately placed in isolated confinement – found that 51% of the 44 respondents attempted to harm themselves while incarcerated and 34% had tried to actively take their own life. Respondents connected their actions to treatment they received while in the New York State prison system.⁸

TGNCNBI individuals also must deal with the additional trauma of being torn from their support systems and resources that affirm their identities. Solitary confinement is known to cause intense psychological distress, as TGNCNBI people face the harm of being cut off from transition-related medical resources, such as access to hormones. Correctional policies that compromise access to gender-affirming medical care are associated with higher rates of suicidal behavior for those TGNCNBI individuals living under those policies.⁹

Finally, research has shown that extended placement in isolated confinement makes trans individuals more vulnerable to harassment and assault.¹⁰

Shower access

TGNCNBI individuals at Bedford report being unable to consistently and safely access private showers, in violation of PREA requirements and DOCCS's policy.¹¹ This problem started in November, when multiple units within Bedford implemented restrictive policies around shower access; specifically, each day there are three 30-minute windows allocated for showering with only two people allowed in the shower at a time, meaning only a fraction of individuals in a unit are able to shower each day.

In addition to reports of individuals flatly being denied the opportunity to shower privately, we have heard that the overall restrictions on shower access make it difficult to safely access private showers in practice. Individuals at Bedford have reported that they have been denied

⁷ Craig Haney, *Restricting the Use of Solitary Confinement*, 1 ANNUAL REVIEW OF CRIMINOLOGY 285-310 (2018); Solitary Watch, "LGBTQ+ People in Solitary Confinement" (December 2025), www.solitarywatch.org/fact-sheets.

⁸ The Sylvia Rivera Law Project & Take Root Justice, note 5, at 41-42.

⁹ Leah Drakeford, *Correctional Policy and Attempted Suicide Among Transgender Individuals*, 24 JOURNAL OF CORRECTIONAL HEALTH CARE 171 (2018).

¹⁰ See Gabriel Arkes, *Safety and Solidarity Across Gender Lines: Rethinking Segregation of Transgender People in Detention*, 18 TEMPLE POLITICAL & CIVIL RIGHTS LAW REVIEW 515, 536-47 (2009) (making the case that the two premises that justify the disproportionate placement of trans people in solitary confinement — i.e., that isolation and control are efficient ways to reduce violence, and that it increases the protection of trans people from the risk of assaults — are simply false).

¹¹ DOCCS Directive 4009, "Minimum Provisions for Health and Morale" (Sept. 23, 2025), VII.A.

the opportunity to shower separately, or are only being offered separate showers sporadically. Others report abuse or harassment from staff or incarcerated individuals when attempting to avail themselves of private shower access.

These infringements upon the ability to shower privately violate federal law. As you know, regulations promulgated pursuant to PREA require that TGNCNBI incarcerated individuals are given the opportunity to shower separately from other incarcerated individuals.¹² This requirement was adopted “to provide additional protections for [TGNCNBI incarcerated individuals], given the unique risks these populations face while incarcerated.”¹³ The conditions at Bedford Hills have undermined the ability to access these private showers – which is alarming, given that even without these recent restrictions incarcerated individuals have long reported issues with DOCCS’s compliance with this critical protection: a recent report based on a survey of transgender people in DOCCS custody found that the majority of respondents believed that access to private showers had stayed the same or gotten worse since the promulgation of the PREA regulations in 2012.¹⁴

Another collateral consequence of this restrictive shower policy is the target it unfairly places on TGNCNBI people. We understand that because of the overall scarcity of shower access, those instances where TGNCNBI individuals are actually afforded private showers has in some cases engendered resentment and hostility from their cisgender peers. This places TGNCNBI individuals in an unfair position, creating unnecessary tension that impacts everyone; such resentments also render TGNCNBI individuals even more vulnerable to false complaints made against them by their cisgender peers.

Gender-affirming clothing

We have heard recent reports that all individuals – including, as a result, trans masculine men, non-binary individuals, and individuals who have undergone chest masculinization surgery – are required to wear bras upon intake at Bedford, and face infractions if they do not comply.

Forcing TGNCNBI individuals to wear clothing that does not align with their identity is known to cause psychological disturbance and exacerbate gender dysphoria. Where individuals are allowed to express their gender, they experience reduced gender dysphoria, depression, anxiety, self-harm ideation and behavior, suicidal ideation and attempts and instead experience

¹² 28 C.F.R. §§ 115.42(f).

¹³ National PREA Resource Center, FAQ on Standard 115.42 (Screening Information), accessed March 9, 2026.

¹⁴ The Sylvia Rivera Law Project & Take Root Justice, note 5.

enhanced well-being.¹⁵ Indeed, lack of access to gender-affirming clothing specifically has been found to result in increased rates of suicide.¹⁶

There is no justification for DOCCS's unnecessary and blatant denial of these individuals' gender identity and infliction of trauma, particularly since, as we understand DOCCS's policy, people are not required to wear bras once placed in a housing unit.

On behalf of our clients, members, and loved ones in your custody, we urge you to take the steps outlined in this letter to better protect the rights and wellbeing of the TGNCNBI people at Bedford Hills.

We also look forward to speaking with you further about the issues facing this vulnerable population. Please reach out to Erin Harrist (she/they), Director of The Legal Aid Society's LGBTQ+ Unit, at eharrist@legal-aid.org or 917-716-8277 to facilitate that conversation.

Sincerely,

Appellate Advocates

Black Trans Nation

Center for Community Alternatives (CCA)

Decrim NY

Decriminalize Sex Work

F2L

Free to be Youth Project – Urban Justice Center

Freedom Agenda

Gender Equality New York, Inc.

¹⁵ Coleman, E., et al., *Standards of Care for the Health of Transgender and Gender Diverse People, Version 8*, 23 INTERNATIONAL JOURNAL OF TRANSGENDER HEALTH S1–S259 (2022).

¹⁶ For example, adolescents who had access to gender-affirming undergarments and clothing had lower rates of suicide attempts (14%) than those who did not (26%). The Trevor Project, "The Trevor Project National Survey on LGBTQ Youth Mental Health" (2020), <https://www.thetrevorproject.org/wp-content/uploads/2020/07/The-Trevor-Project-National-Survey-Results-2020.pdf>.

Golden Psychology
HALT Solitary Campaign
Impact Clint
Long Island Social Justice Action Network (LISJAN)
National Harm Reduction Coalition
New Hour
NEW Pride Agenda
New York Civil Liberties Union
Next Generation Men of Transition
Parole Preparation Project
Planned Parenthood Empire State Acts
QUILTS – Queers United in Liberation Tri-State
Rockland County Pride Center
Stonewall Democratic Club of NY
Sylvia Rivera Law Project
The Ali Forney Center
The Bronx Defenders
The Legal Aid Society
Trans Equity Consulting
WAVE Women Inc.
Youth Represent

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