

EXHIBIT 3



Federal Bureau of Prisons

Washington, DC 20534

August 21, 2018

Dr. Gabriel Twose
Senior Legislative and Federal Affairs Officer
American Psychological Association
750 First Street NE
Washington, DC 20002-4242

Dear Dr. Twose:

In response to your recent correspondence, I am writing to assure you that the Bureau of Prisons (BOP) is committed to complying with the Prison Rape Elimination Act (PREA), and the associated Department of Justice regulations, concerning transgender offenders. The PREA regulations were incorporated into BOP policies including Program Statement 5324.12, Sexually Abusive Behavior Prevention and Intervention Program, and Program Statement 5200.04, Transgender Offender Manual, and remain in effect.

The language recently added to the Transgender Offender Manual clarifies the factors used by staff members in making individualized designation determinations, and is consistent with the PREA requirements. Recent litigation highlighted the need to clarify that impact on the safety and security on all inmates would be considered, as it had been since the PREA regulations were first implemented by the BOP. The new language does not preclude individualized determinations from being made, as required by the regulations.

The BOP continues to take the safety and security of transgender offenders, and all inmates, very seriously. The agency will use all available options, as outlined in the above referenced policies, to safeguard transgender offenders and all inmates from sexual abuse and other harm.

Sincerely,


A handwritten signature in black ink, appearing to read "Alix M. McLearn".

Alix M. McLearn
Acting Assistant Director
Reentry Services Division