



August 23, 2019

The Honorable Michelle L. Peterson
United States Courthouse
700 Stewart Street, Suite 12232
Seattle, WA 98101-9906

Sent to: petersonorders@wawd.uscourts.gov

Re: Paige Thompson Hearing Friday August 23, 2019

Dear Honorable Judge Peterson,

I am writing on behalf of the Women's Liberation Front ("WoLF"), an all-volunteer organization of radical feminists dedicated to the liberation of women by ending male violence, protecting reproductive sovereignty, preserving woman-only spaces, and abolishing gender and sex discrimination. WoLF has over 500 members who live, work, and attend school across the United States, including in the state of Washington and the Seattle metropolitan area.

We are writing in support of the United States Attorney's Office's opposition to the release of Paige Thompson from custody and, in particular, in opposition to the pretrial detention of Paige Thompson in a women's facility.

We would like to bring your attention to the case of Karen White. Karen is a male prisoner in the United Kingdom who "identifies as transgender." Karen persuaded the U.K. prison system to place him in a women's facility, where he went on to sexually assault female inmates. Additional information on the dangers male prisoners present to incarcerated women can be found at Fair Play for Women (<https://fairplayforwomen.com/campaigns/prisons/>) and the White story can be found at the Guardian (<https://www.theguardian.com/society/2018/oct/11/karen-white-how-manipulative-and-controlling-offender-attacked-again-transgender-prison>).

Sex and gender are not the same thing. Sex is grounded in material reality (i.e., the distinction between male and female,). Gender, on the other hand, is a set of sex-based stereotypes that society imposes on the basis of sex, e.g., that girls like pink and boys like blue, or that women are nurturing and men are aggressive, and that women are emotional and men are rational. Feminists have been fighting against these stereotypes for hundreds of years.

Identifying with feelings, grooming habits, or other sex stereotypes that are associated with the opposite sex doesn't change physical sex. Wearing lipstick, or any other item considered feminine, can no more change a man into a woman than refusing to wear it changes a woman into a man. Treating any reductive caricatures or social symbols as a necessary component of recognizing sex is nothing more than sex stereotype discrimination, as it creates conflicts between rights based on objective facts and those based on subjective, unverifiable claims. If a man wearing lipstick is still a man unless he claims a gender identity, in which case he will be

allowed to be treated as a woman, all law regarding sex-based rights is left unmoored from material fact.

In the case of allowing male prisoners to identify into women's prisons, this violates the rights and needs of women to be protected from male prisoners while in custody. Everyone is well aware that the average man has sufficient upper body strength to overpower the average woman and do her serious harm. Incarcerated women are vulnerable to rape and sexual assault, and they are susceptible to involuntary impregnation. A gender identity standard on establishing sex would allow men's subjective feelings to override all the objective, common sense reasons why Massachusetts corrections officials have refused to house Michelle Kosilek, formerly Robert Kosilek — incarcerated for the strangling murder of his wife, Cheryl — to be transferred to a women's facility, despite his claims to be really a woman.

Housing male prisoners, including pretrial detainees, in women's facilities presents a danger to female inmates. Paige Thompson is not female and therefore does not belong in a women's facility.

We urge you to rule in favor of the government in this instance.

Sincerely,

/s/ Natasha Chart
Natasha Chart
WoLF Board Chair