

# 2025 Executive Orders Harm Trans Women and Transgender People

Updated on 3/13/2025

**From 2012 to 2025 The Prison Rape Elimination Act (PREA) Guidelines included specific guidance on the safety of incarcerated transgender people. An Executive Order issued on January 20, 2025 seeks to repeal these policies by:**

- mandating that trans women be housed in men's prisons,
- instructing the federal government to remove protections for transgender people from Prison Rape Elimination Act (PREA) guidelines, and
- barring the federal government from funding gender-affirming care.

**Reminder: Executive orders are not laws and cannot override federal laws and statutes.**

Multiple lawsuits have been filed against this Executive Order. Preliminary injunctions are in place which are supposed to maintain access to healthcare and keep women from being moved to men's prisons. However, despite the injunctions, trans women are being moved into men's facilities and incarcerated transgender people are being denied access to trans-affirming healthcare.

**These changes will cause immeasurable harm to transgender people who are incarcerated, many of whom experienced violence prior to incarceration.**

**Justice for survivors means justice for trans incarcerated people.**

In a 2024 survey, over half of transgender people report being sexually assaulted while incarcerated.

Transgender people experience high rates of discrimination and violence, including being more surveilled and criminalized than non-transgender people. Nearly one in six transgender people (16%) (including 21% of transgender women) have been incarcerated at some point in their lives—far higher than the rate for the general population.

Racism further exacerbates this inequity. Among Black transgender people, nearly half (47%) have been incarcerated at some point.

## What can service providers do?

- Recognize the impact of trauma, and the trauma of incarceration.
- Learn from incarcerated people.
- Provide services to the whole person. Listen to survivors about their needs around health, relationships, emotions, food, trauma, safety, and past/present experiences of violence.
- Invest in alternatives to incarceration and criminalization.
- Provide services to currently and formerly incarcerated people.
- Advocate for safety and respect for all transgender people.
- Change policies to increase the safety of incarcerated people.
- Connect with mutual aid efforts to support incarcerated survivors.
- Learn more about the experiences and history of incarcerated transgender people.

## Learn more:

Resources for Survivors:

Survived and Punished

Black and Pink

Just Detention International List of

Local Services

Resources on Incarceration

The Vera Institute

Just Detention International

Fight 4 Justice

Articles on Current Events:

The Guardian: Trans Women

Transferred to Men's Prisons

'People Will Die'

Trans Women in Florida Not Receiving

Proper Healthcare

## Contact FORGE:

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