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19 **UNITED STATES DISTRICT COURT**
20 **EASTERN DISTRICT OF CALIFORNIA (FRESNO DIVISION)**
21

22 JANINE CHANDLER, et al.,
23 Plaintiffs,
24 v.
25 CALIFORNIA DEP'T OF CORRECTIONS
26 AND REHABILITATION, et al.,
27 Defendants.

Case No. 1:21-cv-01657-JLT-HBK
DECLARATION OF TREMAYNE
CARROLL

1 I, Tremayne Carroll, hereby declare:

2 1. I make this declaration based on my own personal knowledge, and if
3 called to testify, I could and would do so as follows:

4 2. I am 49 years old and a Black transgender woman. My pronouns are
5 “she,” “her,” and “hers.” I have physical disabilities and use a wheelchair to get
6 around.

7 3. I am submitting this declaration in support of a motion to intervene in
8 this lawsuit, to explain my interest in the lawsuit and my reasons for wanting to
9 help defeat the lawsuit.

10 4. I have been in the custody of the California Department of Corrections
11 & Rehabilitation (“CDCR”) since 1999.

12 5. I was sentenced to 25-years-to-life for a non-violent offense under
13 California’s “three-strikes” law. My co-defendant in that case was sentenced to
14 probation.

15 6. I spent just under 22 years incarcerated in CDCR facilities designated
16 for men. I have been housed at Central California Women’s Facility (“CCWF”)
17 since August 2021.

18 7. I am a survivor of repeated sexual violence, both prior to and during
19 my incarceration. I have reported at least 30 such incidents while incarcerated.

20 8. Unfortunately, it has been my experience that reporting such incidents
21 can lead to more violence and suffering.

22 9. Previously, I was sexually assaulted by a CDCR staff person at Kern
23 Valley State Prison. Then in 2019, I made Prison Rape Elimination Act (“PREA”)
24 reports against CDCR staff at Richard J. Donovan Correctional Facility (“RJD”).

25 10. At RJD, I was moved to solitary confinement in the Administrative
26 Segregation Unit (“Ad Seg”) because I had safety concerns about being housed
27 anywhere else within that prison.

28

1 11. While housed in that unit, CDCR staff intentionally left me
2 unattended, in my wheelchair, with my hands handcuffed behind my back, in my
3 cell for more than 48 hours in retaliation for the PREA reports I made against staff.

4 12. Staff in Ad Seg were supposed to conduct wellness checks every 30
5 minutes. I called out again and again for help. While most staff ignored me, one
6 responded “I don’t want to get involved.” Two separate staff responded by telling
7 me that I should not file PREA reports. I was forced to soil myself throughout those
8 two days until finally a sergeant found me there.

9 13. In February 2020, a friend of mine was killed by his cellmate at RJD.
10 A few days before his death, my friend told me that he was having problems with
11 his cellmate and that staff were not helping him. About four days before my friend
12 was killed, I overheard a correctional officer (“CO”) tell my friend, “Fuck or fight.
13 Get the fuck out of my face. Leave me alone, and don’t ask me about that.”

14 14. This was not the first time I had heard a CO use the phrase “fuck or
15 fight,” in response to incarcerated people’s safety concerns. I understand the phrase
16 to mean that the CO will not assist an incarcerated person with their safety
17 concerns, and that the incarcerated person should either submit to sexual abuse
18 (“fuck”) or attack their cellmate (“fight”) in order to get moved.

19 15. Afterwards, I faced staff retaliation for speaking with lawyers
20 investigating my friend’s death. On April 8, 2020, I had a seizure in my cell and
21 lost consciousness. When I regained consciousness, I had severe pain in my wrists
22 and ankles. I was later informed by other incarcerated people that they had seen two
23 COs stomp on my wrists and ankles while I was unconscious.

24 16. One of those COs, CO Doyle, later explained to me that staff were all
25 aware of which incarcerated people were speaking to the lawyers who were
26 investigating conditions at RJD. Around this same time, a CDCR CO opened my
27 cell door to allow four incarcerated men in to intimidate me. They told me, “Doyle
28

1 don't want no problems with you, we work with her, so we need you to not make
2 any more complaints about her.”

3 17. During this time, the summer of 2020, staff would call for me over the
4 loudspeaker so that everyone could hear when it was time for me to meet with my
5 lawyers or with internal affairs regarding complaints I had filed against staff. I was
6 being labeled a “snitch,” and I was terrified for my safety. Around this same time,
7 staff repeatedly tried to send me back to Ad Seg “for my own protection.” Though I
8 was living in great fear, I denied having safety concerns because I was even more
9 afraid to go back to Ad Seg because of what happened to me the last time I was
10 there.

11 18. These events at RJD eventually led a court to order that I be moved to
12 Mule Creek State Prison (“MCSP”) for my safety in July 2020. Unfortunately, by
13 the time I arrived at MCSP, staff and incarcerated people there had already heard
14 that I was being moved there because I was “a snitch,” and I faced continued threats
15 and harassment.

16 19. I have seen and heard a lot of misinformation and fearmongering
17 related to SB 132—predominantly spread by CDCR employees.

18 20. I am a woman, and I do not belong in a men's prison. I transferred to
19 CCWF in August 2021. I fear that if the Plaintiffs in this case succeed, I will be
20 sent back to a men's prison and face more violence and more retaliation for
21 speaking out.

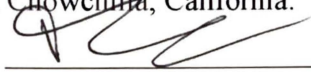
22 21. I know what it feels like to live in fear and to carry the weight of past
23 abuse by men. Because I've lived it, I can sympathize with the Plaintiffs in that
24 regard. But I am not a threat to them. I strongly believe that everyone here at
25 CCWF would benefit from more structured interaction—opportunities to sit and
26 talk with each other and realize that we're all in the same boat.

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1 I declare under penalty of perjury of the laws of the State of California and
2 the United States that the foregoing is true and correct.

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Executed this 14 day of April, 2022 at Chowchilla, California.



Tremayne Carroll