

Civil Rights Lawsuit.

APR 11 2025

CIV-25-419-R

JOAN KANE, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY UR, DEPUTY

MS. NASH has been raped over 200 times in BOP custody - including being violently and repeatedly raped by prison guards (see Exhibit A). Nonetheless, the BOP has demonstrated deliberate indifference to the RISK OF continued sexual violence.

A.) THE BOP KNEW THAT MS. NASH WAS BEING SEXUALLY ABUSED BUT DID NOTHING.

ON 3-9-2025 MS. NASH reported that "multiple inmates made "unwelcomed sexual advances, directed graphic sexual comments, jokes, and obscene and offensive gestures" towards her. Nonetheless, and despite its obligation to do so, the BOP not only failed to follow-up on the sexual assault report but failed to identify or separate MS. NASH from the inmates who were abusing her - including the 3 inmates who raped her - and denied her request for a bra (see Exhibit B). 1 day later MS. NASH was raped.

B.) MS. NASH was subject to a series of back-to-back rapes.

1.) 3-11-2025 Inmate "JJ" pulled out a homemade knife grabbed and twisted MS. NASH's arm and forced her face down on the bunk. She was unable to defend herself and he raped her. MS. NASH reported the rape to the unit officer and she said "get-the-fuck-out my face", "shut the fuck up", and "you can't rape the willing".

3-12-2025 Inmate "DC" punched and beat MS. NASH and demanded oral sex. He shoved his penis in MS. NASH's mouth and engaged in penetration for 30 minutes. MS. NASH approached her unit officer to file a PREA complaint. The officer refused to accept her complaint.

3-12-2025 An hour or so after the inmate DC assault MS. NASH's cellmate raped her. The unit officer witnessed the attack and therefore was forced to intervene in the incident.

C) THE BOP FAILED TO PROTECT MS NASH FROM HIV INFECTION.

3-12-2025 MS. NASH was transported to the outside hospital for a sexual assault forensic medical examination. Both the SANE NURSE and Emergency Room doctor ordered the BOP to provide post exposure medications to reduce the risk of HIV infection. Nevertheless, the BOP failed to provide the required medications within the 72 hour window. That's absurd - the BOP won't protect MS. NASH from rape or HIV infection.

D) THE BOP DENIED MS. NASH A BRA AND BY DOING SO INCREASED THE LIKELIHOOD OF SEXUAL ASSAULT ON HER BY OTHER INMATES AND STAFF.

#1.) Forcing Ms. Nash to go braless in an all male high security prison is inconsistent with the BOP's affirmative duty to protect prisoners from sexual violence. Indeed, forcing Ms. Nash to go braless is precisely the reason why 3 inmates initially approached and ultimately raped Ms. Nash.

#2.) The Warden not only forced Ms. Nash to go braless but provided her with a white T-shirt which allowed her areola to be seen through the shirt.

First, forcing Ms. Nash to go virtually topless - a see through T-shirt with no bra - in an all male high security prison is insane - the Warden failed to consider the elevated risk of sexual and physical assault faced by transgender women housed in men's prisons. Second, the graphic sexual comments made by the male inmates - including the inmate who raped Ms. Nash at knife point - alerted the Warden to the fact that such a policy posed a risk of rape to Ms. Nash.

#3.) The Warden not only required Ms. Nash to wear a see through T-shirt and no bra but denied her request for "a bra, or two shirts, or a color shirt instead of a white t-shirt which allows my areola to be seen through

the shirt" (see Exhibit B). 1 day later Ms. Nash was raped.

The Warden is correct: The president's Executive order significantly limited protections for Transgender prisoners.

Nonetheless, the Executive order does not supersede or change the BOP's obligation to comply with federal laws and regulations, including the Prison Rape Elimination Act.

E.) THE BOP REFUSED TO PROVIDE AN EMERGENCY GRIEVANCE

The BOP has a special procedure for the filing of an emergency grievance where an inmate is subjected to a substantial risk of imminent sexual abuse. Here, after days of unwelcomed advances and touching of Ms. Nash's breast by multiple inmates she sought help from her unit team requesting to file an emergency grievance but the requested forms were not provided and Ms. Nash was raped. This did not have to happen. Indeed, the expedited processing of an emergency grievance would have prevented every instance of rape Ms. Nash suffered at FTC Oklahoma. "After receiving an emergency grievance, the agency shall immediately forward the grievance to the level of review at which immediate

Corrective Action may be taken, shall provide an initial response within 48 hours, and a final Agency decision within 5 calendar days" see BOP Program statement Sexually Abusive Behavior Prevention and Intervention Program.

F.) INVOLUNTARY SEGREGATION

OFFICER Ray was clear in the body of her written report that she observed MS. NASH being raped. She also documented MS. NASH's sexual assault report writing "As I was escorting inmate NASH to the T.V. room he stated that he was raped" see Report # 4083070. Still, MS. NASH is being held in involuntary segregation. This action appears to be taken in retaliation for filing her PREA complaint - Indeed, the 3 men who raped MS. NASH is being held at other institutions.

G.) THE DENIAL OF A VICTIM ADVOCATE

Both PREA and BOP policy states that a victim advocate "shall accompany and support the victim through the forensic medical examination process and investigatory interviews". Despite staff's own eyewitness accounts and the SANE Nurse report - which documented trauma and injuries consistent with the officers written description - the BOP refused to provide a victim advocate.

This Act Allowed the BOP officer to threaten, intimidate, and assaulted Ms. NASH - he allowed the elevator door to hit Ms. NASH while she was handcuffed stating "People can lose their jobs" And "we protect our own".

H.) MS. NASH has been raped over 200 times in BOP custody. In consideration of And adherence to PREA the BOP's central office authorized A single cell assignment for Ms. NASH. Nevertheless, And without good reason, the FTC refused to honor Ms. NASH's house Alone status. Less than 24 hours later Ms. NASH's cellmate raped her.

X Shelley Kats
Pro-Se.