

Dignity for Incarcerated Women Act

The Dignity for Incarcerated Women Act would make a series of common-sense reforms to how the prison system treats incarcerated women in order to reduce the negative impact incarceration has on their health and well being. The proposed legislation would provide healthcare products, including feminine hygiene products, and prevent male guards from conducting pat down and strip searches, as well as entering areas of the prison that women are likely to be in partial or full undress.

There are 2,067 women incarcerated in state and local facilities in Louisiana - 1,858 are of reproductive age and in need of hygiene products.ⁱ Nearly three-quarters of incarcerated women are in local jails.

Though most incarcerated persons are men, the population of incarcerated women has been growing for decades.ⁱⁱ

For women incarcerated in Louisiana's jails and prisons, practicing proper menstrual hygiene is almost impossible.

Incarcerated women in Louisiana report receiving as few as 10 pads per month.

The challenges women face in obtaining additional sanitary napkins on their own only add to the problem. Prices for pads and tampons in prison commissaries vary widely and are prohibitive for women with few financial resources and outside support. A small pack of pads can cost around \$8 at the commissary in state prisons.

An incarcerated woman's family can put money into their account so that they can afford to buy these items, but many do not have a family to support them in this way. So incarcerated women often are left with asking the guards to provide them with extra pads which increases the guard's power over the women in prison. Failure to provide adequate menstrual products causes both health risks and humiliation for incarcerated women.

The Public Supports This Policy

Polling research out by the Justice Action Networkⁱⁱⁱ, a criminal justice reform advocacy organization, shows that a whopping 90 percent of voters agree that providing menstrual products in prisons is a necessary reform, crossing partisan lines (85 percent of Republicans, 91 percent of independents, and 94 percent of Democrats).



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Federal and State Policy

This is policy that has already been adopted by the Federal Bureau of Prisons.^{iv} However, fewer than 10 percent of incarcerated females are housed in federal facilities nationwide. Most females are held in state and local facilities.

June 2016 New York City^v unanimously passed a law mandating free tampons and pads for schools, homeless shelters, and prisons. Virginia^{vi} passed legislation last month. Alabama, Kentucky, Maryland, Georgia, Connecticut, and California are all considering similar legislation.

The Benefits Out-weigh the Costs

The cost of providing sufficient sanitary supplies is minimal while the benefit – protecting women’s health and personal integrity – is great. Arizona estimated it would cost the state \$80,000, Virginia \$33,769 and in Colorado \$40,000.

Incarceration Traumatizes Women

Spending time in jail and prison can be a deeply traumatizing experience for women. They are far more likely than men to experience sexual victimization in these facilities and a majority have experienced sexual violence in their lifetimes. For that reason, undergoing correctional procedures, such as bodily searches for contraband, or being supervised by male staff while showering, dressing, or using the bathroom, can trigger distress and retraumatize women.ⁱⁱ

According to Vera Institute of Justiceⁱⁱ

86% of women in prison are survivors of sexual abuse.

39% report experiencing at least one incident of sexual misconduct perpetrated by an officer while being incarcerated.

ⁱ Briefing Book (July 2017). Louisiana Department of Public Safety and Corrections. Available at: <http://www.doc.la.gov/media/1/Briefing%20Book/July%202017/july.17.full.bb.pdf>

ⁱⁱ E. Swavola, K. Riley, and R. Subramanian (Aug 17, 2016) *Overlooked: Women and Jails in an Era of Reform*. Vera Institute of Justice. Available at: <https://www.vera.org/publications/overlooked-women-and-jails-report>

ⁱⁱⁱ Justice Action Network. Public Opinion Polling. Available at: <https://www.politico.com/f/?id=00000161-2ccc-da2c-a963-efff82be0001>

^{iv} United States Department of Justice, Federal Bureau of Prisons (August 2017). *Operations Memorandum: Provision of Feminine Hygiene Products*. Available at: https://www.bop.gov/policy/om/001_2017.pdf

^v Unanimous Vote Brings Free Tampons To NYC’s Schools, Prisons, Shelters (Jun 21, 2016). Huffington Post. Available at: https://www.huffingtonpost.com/entry/free-tampons-law-new-york-schools-prisons-shelters_us_57697b43e4b0a75709b7ea1a

^{vi} HOUSE BILL NO. 83, General Assembly of Virginia. January 10, 2018