



Bill Would Make Feminine Products Readily Available to Incarcerated Persons

by **CBM Newswire**
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Assemblymembers Mia Bonta (D-Alameda) and Issac Bryan (D-Ladera Heights) introduced a bill in January that requires lock-up facilities to provide menstrual products to incarcerated persons without requiring a request.

The bill will be reviewed by the Senate Appropriations Committee after the Legislative recommences in August.



Assembly Bill (AB 1810), "Incarcerated Persons: Menstrual Products," passed with a 5-0 vote in the Senate Public Safety Committee in June after advancing from the Assembly on May 21 with a 71-0 floor vote.

Bryan told California Black Media (CBM) that he was "comfortable" with the bill's progress.

"AB 1810 will bring our state closer to the menstrual health equity that other states are seeing that require that menstrual care products are free and readily available for all incarcerated people," Bryan said. "It will also bring our state into parity with several other states such as Louisiana, Tennessee, and Florida – all of which do not require their incarcerated people to request these basic necessities from their correctional officers."

Bryan and Bonta are members of the California Legislative Black Caucus (CLBC). Fellow CLBC members, Assemblymembers Akilah Weber (D-La Mesa), Tina McKinnor (D-Inglewood), and Sen. Lola Smallwood-Cuevas (D-Los Angeles) signed on as the bill's co-authors. Assemblymembers Eloise Reyes (D-Colton) and Rick Zbur (D-West Hollywood) have also joined as co-authors.

Under existing law, individuals incarcerated in state prison or confined in a local detention facility, or a state or local juvenile facility, and "who menstruates or experiences uterine or vaginal bleeding" entitled to request and receive personal hygiene products for their menstrual cycle and reproductive system, according to the bill language.

The materials include but are not limited to, sanitary pads and tampons.

By imposing additional duties on local detention facilities, this bill would impose a state-mandated local program.



“There are currently incarcerated women and formerly incarcerated women who brought this bill before us,” Bryan said. “Anyone, any person who menstruates deserves that care. It’s not a luxury, it’s not a privilege. It’s a right.”

The California Constitution mandates that the state compensate local agencies and school districts for certain costs mandated by the state. AB 1810 would provide that, if the Commission on State Mandates determines that the bill “contains costs required by the state, reimbursement for those costs shall be made pursuant to the statutory provisions,” the bill language states.

Tatiana Lewis, a member of All of Us or None (AOUON), testified in support of AB 1810 in front of the Senate Public Safety Committee on June 11. Lewis says she spent time in a juvenile facility and said that some correctional officers delay providing menstrual materials as a punishment or intimidation.

Lewis said she has heard from countless former and current incarcerated women about how they had to create makeshift tampons or how their prison-issued uniforms would be covered with blood. AOUON is a statewide, grassroots civil and human rights organization that fights for the rights of formerly- and currently incarcerated people and their families.

“That power is in their hands,” Lewis said of requesting menstrual products from correctional officers. “This bill needs to pass. It’s essential for incarcerated individuals who need these products as soon as possible instead of going through someone who intimidates them. We’re already humiliated by strip searches and searches of your (cell). It would also give us some type of liberty should this bill pass.”

According to a Feb. 16, 2023, report, “**The 2023-24 Budget: The California Department of Corrections and Rehabilitation**,” by the Legislative Analyst’s Office (LAO), the state is currently operating 32 state prisons and one leased prison.

As of Jan. 18, 2023, the **California Department of Corrections and Rehabilitation (CDCR)** was responsible for incarcerating a total of about 95,600 people – 91,300 men, 3,900 women, and 400 nonbinary people. CDCR provided that transgender, nonbinary, or intersex are mandated to be housed in a men’s or women’s facility based on their preference.

Not everyone is on board with the specifics of AB 1810. Some family-oriented organizations and members of religious institutions across California say they have an issue with the word “person” in the bill. They want it to be amended to refer to only biological females.

California Family Council’s (CFC) Outreach Director Sophia Lorey testified in front of the Assembly Public Safety Committee on Feb. 27. **CFC’s vision and mission statement** says the religious organization Advances “God’s Design for Life, Family, and Liberty through California’s Church, Capitol, and Culture.”

Lorey said AB 1810 replaces all mentions of “females and women” in the current statute. The bill attempts to “to obscure obvious biological distinctions between males and females,” Lorey stated.

“I urge you all to vote no on AB 1810 unless this bill is amended to only provide birth control and menstrual products to actual women,” Lorey told the committee. “To vote yes or abstain on this bill further advances the erasure of women and ignores basic biology. Oh, and if men menstruate...I am intrigued. Where does the tampon go?”



The bill passed out of the Assembly Public Safety Committee with an 8-0 vote. Committee members Reyes, Zbur, Lori Wilson (D-Suisun City), Kevin McCarty (D-Sacramento), Stephanie Nguyen (D-Elk Grove), Juan Alanis (R-Palmdale), and Tom Lackey (R-Modesto) all voted in favor of AB 1810.

“I appreciated the wording (in AB 1810),” said Wilson, the chairperson of CLBC. “It says ‘a person who menstruates or experiences uterine or vaginal bleeding’ will have access to what they need and be able to take care of that. That is a beautiful thing. It’s empowering to those who have that issue.”

<https://sacobserver.com/2024/08/bill-would-make-feminine-products-readily-available-to-incarcerated-persons/>