

Equal Justice Initiative

Criminal Justice Issues and Prisoners' Rights

<https://eji.org/news/new-bill-recognizes-needs-of-menstruating-and-pregnant-women-in-prison/>

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07.15.17

Julie Bennett

Senators Cory Booker and Elizabeth Warren this week introduced the Dignity for Incarcerated Women Act, which seeks to address mistreatment of women who are incarcerated.

The bill, also co-sponsored by Senators Kamala Harris and Dick Durbin, would ban federal prisons from shackling pregnant women or placing them in solitary confinement and require prisons to distribute quality pads and tampons to incarcerated women, free of charge.

Recognizing the importance for mothers and their children of maintaining close family relationships, the bill mandates that the Federal Bureau of Prisons consider where a woman's children live when deciding where to imprison her, and to provide longer and more frequent visiting hours, allow physical interactions during visits, and allow mothers to call their children for free.

It is in the societal interest to support families when members of those families are incarcerated, Senator Booker told HuffPost. We do unnecessarily harsh things that are not necessary for public safety, but really punish women and punish their families as a whole.

Women are the fastest growing segment of the American prison population, with the number of incarcerated women [growing](#) from 26,378 in 1980 to more than 215,000 in 2014. The bill would improve conditions for some 12,695 women in federal prisons but the vast majority of women are held in state prisons and local jails, where abuse and mistreatment often goes unchecked.

Menstrual supplies are used as tools of control in jails and prisons, with officers sometimes limiting access to teach women a lesson. As the authors of a [recent New York Times](#) op-ed put it:

In correction facilities across the country, from county jails to federal penitentiaries, the varied ways in which [menstruating prisoners](#) are disregarded or disrespected is staggering. When access to basic hygiene supplies is withheld, it is often the direct result of an abusive culture one that many facilities tolerate and few laws can adequately address.

Most incarcerated women are mothers, and many have histories of drug use, sexual and physical abuse, and [mental health problems](#). More than 70 percent were living in poverty prior to being incarcerated. The mass incarceration of women in America is a critical problem that requires sentencing reforms as well as changes in prison policies. Women in prison are in need of therapy, in need of healing, and in need of support, Senator Booker said, calling the criminal justice system profoundly unjust.

Advocates hope the bill will encourage state and local officials to follow suit. We need to create a prison that, yes, is holding people accountable, and yes, is allowing people to pay their debt to society for mistakes they have made, but also is about the dignity of humanity, Senator Booker said. We've got to be a better society than this.

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