


<div>California Department of Justice DIVISION OF LAW ENFORCEMENT Stephen Woolery, Chief</div> 		<b>INFORMATION BULLETIN</b>	
<i>Subject:</i>  <b>Amended Law on Incarcerated Persons’ Access to Menstrual Products (AB 1810)</b>	<i>No.</i> 2025-DLE-09	<i>Contact for information:</i>  Karli Eisenberg Supervising Deputy Attorney General Public Rights Division 916-210-7913	
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**TO: ALL CALIFORNIA SHERIFFS AND STATE LAW ENFORCEMENT AGENCIES**

In 2024, the California Legislature passed and the Governor signed Assembly Bill 1810 (AB 1810), which requires state prisons, local detention facilities (i.e., jails), and juvenile detention facilities to make menstrual products readily accessible to incarcerated individuals (1) without having to request them and (2) free of charge.

Effective January 1, 2025, AB 1810 requires that incarcerated individuals in state prison, local detention facilities, and juvenile facilities, regardless of the amount of time the individuals have been incarcerated, have ready access to hygiene products relating to their menstrual cycle and reproductive system without having to request such products and at no cost to the incarcerated person. (Pen. Code, § 3409, subd. (a); Pen. Code, § 4023.5, subd. (a); Welf. & Inst. Code, § 221, subd. (a).) This includes, but is not limited to, ready access to sanitary pads and tampons. (Pen. Code, § 3409, subd. (a); Pen. Code, § 4023.5, subd. (a).)

In enacting AB 1810, the Legislature found that limiting access to menstrual products by requiring incarcerated people to request them from correctional officers “has led to dehumanizing and unsafe conditions where incarcerated people have been forced to fashion period products out of toilet paper or bed sheets and wear bloodstained clothes between laundry days.” (Sen. Rules Com., Off. of Sen Floor Analyses, 3d reading analysis of Assem. Bill No. 1810 (2024 Reg. Sess.) as amended June 13, 2024, p. 2.) The Legislature further found that existing law prior to AB 1810 “exacerbates the imbalance of power between incarcerated people and their jailers,” noting “numerous reports of correctional officers leveraging access to menstrual products to sexually assault, mistreat, harass, or humiliate incarcerated people.” (*Ibid.*)

This bulletin outlines these changes. More information on AB 1810, including the full text of the bill, can be accessed at: [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202320240AB1810](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB1810).

**AB 1810 AMENDS PENAL CODE SECTIONS 3409 AND 4023.5 AND WELFARE AND INSTITUTIONS CODE SECTION 221:**

Section 3409 of the Penal Code now reads:

**3409.** (a) A person incarcerated in state prison who menstruates or experiences uterine or vaginal bleeding shall, without needing to request, have ready access to, and be allowed to use, materials necessary for personal hygiene with regard to their menstrual cycle and reproductive system, including, but not limited to, sanitary pads and tampons, at no cost to the person. A person incarcerated in state prison who is capable of

becoming pregnant shall, upon request, have access to, and be allowed to obtain, contraceptive counseling and their choice of birth control methods, subject to the provisions of subdivision (b), unless medically contraindicated.

Section 4023.5 of the Penal Code now reads:

**4023.5.** (a) A person confined in a local detention facility shall be allowed to continue to use materials necessary for personal hygiene with regard to their menstrual cycle and reproductive system, including, but not limited to, sanitary pads and tampons, at no cost to the incarcerated person. A person confined in a local detention facility shall, upon request, be allowed to continue to use materials necessary for birth control measures as prescribed by a physician, nurse practitioner, certified nurse-midwife, or physician assistant.

Section 221 of the Welfare and Institutions Code now reads:

**221.** (a) A person confined in a state or local juvenile facility shall, without needing to request, be allowed to continue to use materials necessary for personal hygiene with regard to the person's menstrual cycle and reproductive system. A person confined in a state or local juvenile facility shall, upon request, be allowed to continue to use materials necessary for birth control measures as prescribed by the person's physician.

#### **CONTACT INFORMATION:**

The California Department of Justice is available to assist local law enforcement agencies in complying with the amended law. Should your agency or individual officers have compliance questions or require technical assistance, please contact Supervising Deputy Attorney General Karli Eisenberg in the Department's Healthcare Rights and Access Section at [Karli.Eisenberg@doj.ca.gov](mailto:Karli.Eisenberg@doj.ca.gov) or Division of Law Enforcement Chief Stephen Woolery at 916-210-6300.