



PRESS RELEASE

Justice Department Notifies California and Maine of Investigations into Whether Housing Biological Men in Women's Prisons Violates Constitution

Thursday, March 26, 2026

For Immediate Release

Office of Public Affairs

Today, the United States Department of Justice notified California Gov. Gavin Newsom and Maine Gov. Janet Mills of the initiation of federal investigations into California's and Maine's practice of housing men in women's prisons.

The Justice Department will investigate whether California engages in a pattern or practice of violating the constitutional rights of female prisoners incarcerated at the California Institution for Women (CIW) in San Bernardino County and the Central California Women's Facility (CCWF) in Madera County. The Justice Department also will investigate whether Maine similarly engages in a pattern or practice of violating constitutional rights of women incarcerated at Maine Correctional Center in Windham (MCC Windham).

"Keeping men out of women's prisons is not only common sense—it's a matter of safety and constitutional rights," said Attorney General Pamela Bondi. "The Trump Administration will not stand by if governors are facilitating the abuse of biological women under the guise of inclusion."

“Under my leadership, the Civil Rights Division will not allow women incarcerated in jails or prisons to be subject to unconstitutional risks of harm from male inmates,” said Assistant Attorney General Harmeet K. Dhillon. “These investigations will uncover whether the dangerous national trend of housing men in women’s prisons has resulted in violations of women’s constitutional rights.”

“California’s Transgender Respect, Agency, and Dignity Act has provided none of these qualities to the female inmates of state prisons who have been forced to share space with biological men who are violent felons,” said First Assistant United States Attorney Bill Essayli of the Central District of California. “Our Constitution protects women from having their civil rights violated by harmful state legislation wrapped in the language of ‘equity’ and ‘progress.’”

“Incarcerated individuals can be particularly susceptible to having their rights violated,” said Andrew B. Benson, U.S. Attorney for the District of Maine. “The U.S. Attorney’s Office is committed to protecting the civil rights of all Maine citizens, no matter where they live, and will work with our colleagues in the Civil Rights Division to ensure that this vulnerable population is protected from harm while housed in state custody.”

In California, the Justice Department will investigate widely reported allegations of deprivation of female prisoners’ rights, including the First Amendment’s guarantees of freedom of speech and free exercise of religion, the Eighth Amendment’s protection from cruel and unusual punishment, and the Fourteenth Amendment’s Equal Protection Clause. There have been allegations of sexual assaults, rape, voyeurism and a pervasive climate of sexual intimidation due to the presence of males in the women’s prison.

Under California law, men in state prisons, including violent felons charged with sex crimes and who have intact genitals, can request transfer to women’s prisons based on self-identification as transgender.

In Maine, the Justice Department will investigate allegations that Maine has allowed a biological male inmate to remain housed with women despite complaints that the male inmate has assaulted or harassed several female inmates.

The Department has not reached any conclusions regarding allegations in these matters. The Department will investigate CIW, CCWF, and MCC Windham pursuant to its authority to enforce the Civil Rights of Institutionalized Persons Act (CRIPA). Under CRIPA, the Department has the authority to investigate violations of prisoners’ constitutional rights that result from a “pattern or practice of resistance to the full enjoyment of such rights.” The Department has conducted CRIPA investigations of many correctional systems, and where violations have been found, the resulting settlement agreements have led to important reforms. The Department will also investigate CIW and CCWF under the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA), 42 U.S.C. § 2000cc.

Individuals with relevant information are encouraged to contact the Department via civilrights.justice.gov/report/. The Department is also collecting information on men housed in women's jails and prisons anywhere in the country. Individuals can reach the National Initiative Examining the Housing of Biological Men in Women's Prisons at (202) 616-5939 or SingleSexPrison.Initiative@usdoj.gov. Additional information about the Civil Rights Division of the Justice Department is available on its website at www.justice.gov/crt.

Today's notice to California is separate and unrelated to an existing CRIPA investigation into alleged abuse of female inmates by prison staff at CCWF and CIW.

Updated April 28, 2026

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Press Release Number: 26-289

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