

CRUEL AND UNUSUAL PUNISHMENT

Stopping the Dangerous Policies Putting Men in Women's Prisons

TOP TAKEAWAYS

Risks and Harms

The Risks Are Obvious

- Among the many biological differences between men and women is the propensity and physical ability to commit crimes.
- Men have higher testosterone levels than women, and testosterone is the chemical that activates parts of the brain that produce aggression.
- Males commit the **overwhelming majority** of crimes, particularly violent crimes, in the United States.
- **For example**, men make up 88% of arrests for murder and manslaughter, and 97% of those arrested for rape.

Male Inmates Threaten the Safety of Women

- As of October 6, 2024, there are currently **1,487 incarcerated men** who identify as female in federal prisons.
- Because women make up a small percentage of federal inmates overall, if all of these trans-identifying inmates were transferred to women's prisons, they would represent around 15% of the population, practically ensuring that most female prisoners would have some contact, whether in housing or shared facilities such as showers, with a male.

Transferring Trans-Identifying Men to Women's Prisons Harms Women

- Most of the laws and policies allowing male transfers to female prisons do not require that those males take cross-gender hormones or receive sex-trait modification surgeries, which means that men with male testosterone levels and fully intact male genitalia can share women's prison spaces.
- Nationwide, the Bureau of Federal Prisons acknowledges that nearly half of the trans-identifying male prisoners have sex convictions, compared to just under 12% of the general male prison population.
- On the other side of the sex equation, the incarcerated female population has an extremely high rate of past sex victimization. Up to **86%** of female inmates have been victims of either violence or sexual abuse, most often at the hands of men.
- When a man is introduced into a women's prison, the situation often **requires management** closer to that in male prisons, which means all female prisoners are subject to restrictions on movement, more invasive bodily searches, and other previously unnecessary indignities.

Click [HERE](#) to read the full report.