Condoms Could Soon Be Legally Distributed in U.S. Prisons

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Did you know that it’s forbidden to distribute condoms in federal correctional facilities? The rationale? Doing so would encourage illegal fraternization. Now, a bill called the Justice Act introduced by Representative Barbara Lee (D–Calif.) calls for legalizing condoms to address the spread of HIV in our prison system. About 25 percent of the HIV-positive population in the United States passes through correctional facilities, with only 1 percent of prisons and jails having legal rights to distribute condoms. Activists say that withholding condoms violates the rights of incarcerated people (especially minorities, who make up the majority of the incarcerated population) and helps spread sexually transmitted infections. While Lee’s bill can’t legalize condom distribution in state prisons (which are out of the purview of the federal government), the bill “suggests” that states review their policies. If passed, it would put the United States in line with the 81 percent of European jails and prisons (and two states, Vermont and Mississippi) that allow condoms in prison, and the law would move us away from denial—and the spread of the virus.

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