

---

# SENATE COMMITTEE ON PUBLIC SAFETY

Senator Aisha Wahab, Chair

2023 - 2024 Regular

---

**Bill No:** AB 1875                      **Hearing Date:** May 28, 2024  
**Author:** McKinnor  
**Version:** January 22, 2024  
**Urgency:** No                                      **Fiscal:** Yes  
**Consultant:** SJ

**Subject:** *Prisons: canteens*

## HISTORY

**Source:** Beauty Beyond Bars

**Prior Legislation:** AB 353 (Jones-Sawyer), Ch. 429, Stats. 2023  
SB 474 (Becker), Ch. 609, Stats. 2023  
AB 732 (Bonta), Ch. 321, Stats. 2020  
SB 188 (Mitchell), Ch. 58, Stats. 2019  
SB 1433 (Mitchell), Ch. 311, Stats. 2016

**Support:** California Immigrant Policy Center; California Public Defenders Association;  
Initiate Justice

**Opposition:** None known

**Assembly Floor Vote:** 70 - 0

## PURPOSE

***The purpose of this bill is to require each county jail canteen and each state prison canteen to sell sulfate-free shampoos, conditions, curl creams, and gel beginning January 1, 2028.***

*Existing law* authorizes the sheriff of each county to establish, maintain and operate a store in connection with the county jail and for this purpose may purchase confectionery, tobacco and tobacco users' supplies, postage and writing materials, and toilet articles and supplies and sell these goods, articles, and supplies for cash to the incarcerated individuals in the jail. (Pen. Code, § 4025, subd. (a).)

*Existing law* requires the sale prices of the articles offered for sale at the store to be fixed by the sheriff. Requires any profit to be deposited in an inmate welfare fund to be kept in the treasury of the county. (Pen. Code, § 4025, subd. (b).)

*Existing law* requires CDCR to maintain a canteen at an active prison or institution under its jurisdiction for the sale to incarcerated persons of toilet articles, candy, notions, and other sundries, and to provide the necessary facilities, equipment, personnel, and merchandise for the canteen. (Pen. Code, § 5005, subd. (a).)

*Existing law* requires the secretary to specify what commodities are sold in the canteen. Requires, until January 1, 2028, the prices of the articles offered for sale in the canteen not to exceed a 35-percent markup above the amount paid to the vendors. Requires, commencing January 1, 2028, the sale prices of the articles offered for sale to be fixed by the secretary at the amounts that will, as far as possible, render each canteen self-supporting. (Pen. Code, § 5005, subd. (a).)

*Existing law* requires CDCR to undertake to insure against damage or loss of canteen and handicraft materials, supplies, and equipment owned by the Inmate Welfare Fund, as provided. (Pen. Code, § 5005, subd. (b).)

*Existing law* requires the canteen operations at any prison or institution to be audited biennially by the Department of Finance, and at the end of each intervening fiscal year, each prison or institution to prepare a statement of operations. Requires at least one copy of any audit report or statement of operations to be posted at the canteen and at least one copy to be available to incarcerated persons at the library of each prison or institution. (Pen. Code, § 5005, subd. (c).)

*This bill* requires each county jail canteen and each state prison canteen to sell sulfate-free shampoos, conditioners, curl creams, and gel beginning January 1, 2028.

*This bill* includes uncodified findings and declarations.

## COMMENTS

### 1. Need For This Bill

According to the author:

An incarcerated person under the custody of CDCR or a county jail should have reasonable access to safe and affordable personal care products to address the unique needs of ethnic hair. AB 1875 will provide this reasonable access and further help an incarcerated person focus on their rehabilitation and future integration back into society.

### 2. Canteens

Existing law requires CDCR to maintain and operate a canteen at the state's active prisons where the incarcerated population can purchase toiletries, stationery, snacks, and other personal items. (Pen. Code, § 5005.) According to CDCR, the canteens operating in the department's institutions have increasingly become a resource for the delivery of programs which benefit incarcerated individuals. (Department of Corrections and Rehabilitation, *Budget Change Proposal - Increased Canteen Resources* (Jan. 10, 2021) available at <[https://esd.dof.ca.gov/Documents/bcp/2122/FY2122\\_ORG5225\\_BCP4089.pdf](https://esd.dof.ca.gov/Documents/bcp/2122/FY2122_ORG5225_BCP4089.pdf)>.) For example, in collaboration with the California Correctional Health Care System, the canteens are now the distribution point for over-the-counter medications, reading glasses, and healthier food items, such as yogurt, fish, and vegetables (*Ibid.*) In addition, department regulations require staff at each CDCR facility to consult with representatives of the incarcerated population when determining items to be stocked in the canteen. (Cal. Code Regs., tit. 15, § 3090, subd. (a).)

Existing law authorizes county jails to operate canteens. (Pen. Code, § 4025.) The sheriff at each

jail is permitted to purchase and sell confectionery, tobacco and tobacco users' supplies, postage and writing materials, and toilet articles and supplies to people incarcerated in the jail. (*Ibid.*)

### 3. Sulfate-Free Hair Products

Sulfates are detergents commonly found in personal care products, such as shampoo, body wash, and face cleanser. Sulfates act to remove dirt, oil, and other product residues from the surface that they are applied to. In addition, they have properties that enable the product in which the sulfates are contained to lather. However, sulfates can be damaging to hair by stripping it of its natural oils, and can cause dryness and irritation on the scalp and skin. Sulfates can be particularly damaging to hair that is more fragile and prone to dryness due to the nature of the curl pattern and differences in the hair shaft. (St. George's University Hospitals, *Afro-textured hair* (Feb. 2022), p. 1 available at <[https://www.stgeorges.nhs.uk/wp-content/uploads/2022/02/DER\\_ATH.pdf](https://www.stgeorges.nhs.uk/wp-content/uploads/2022/02/DER_ATH.pdf)>.)

This bill would require, beginning on January 1, 2028, canteens at both CDCR and county jails to sell sulfate-free shampoos and conditioners, curl creams and gel. For canteens at CDCR facilities, the Secretary would fix the sale price of these products, in an amount that will render the canteen self-supporting, and for canteens at county jails, the sheriff would fix the sale price of these products. (Pen. Code, §§ 5005, subd. (a), 4025, subd. (b).)

### 4. Argument in Support

Initiate Justice writes:

The selection of personal care products in prison commissaries is often limited and tailored for non-ethnic individuals. Incarcerated individuals are inevitably forced to create their products or barter for products that are in limited supply.

AB 1875 would require CDCR to offer culturally appropriate hair care products for purchase by incarcerated persons at state prison commissaries, including items such as sulfate-free shampoos and conditioners, along with other culturally appropriate hair products by 2028. These products are available at prices comparable to personal care products currently offered in person commissaries.

An incarcerated person under the custody of CDCR should have reasonable access to safe and affordable personal care products to address the unique needs of ethnic hair. AB 1875 will provide this reasonably access and further help an incarcerated person focus on their rehabilitation and future integration back into society.

-- END --