

## FEMALE IS A FELONY

*Shebri Dillon\**

I will never forget how pitiful her voice sounded. She was begging to not have to do it—a grown woman pleading for her dignity. It broke my heart and made fire fly through my soul to have to listen, unable to help her. I stared at the closed door, muffled prayers for her on my lips. As I prayed, I could hear the guards laugh, taunting her, calling her nasty as she performed the act, obeying their orders.

We were in the visitation area, going through the dehumanizing procedures that are required both before and after a visit. She was in the strip closet, enduring a strip search, just to be able to see her family. She had done nothing wrong, but they treated her like she had. This woman in her forties was a former EMT and was apparently on her cycle. The strip closet door was shut, and I couldn't see in, but voices were audible, and I had nothing to tune them out.

These searches sound like a sexual assault, and they feel like one too, in addition to being an assault on our female anatomy. I heard them give her orders to remove her clothing, piece by piece, as they searched it. I heard the orders to open her mouth and use her fingers to expose her oral cavity. I heard them callously instruct her to lift her breasts, lift her arms, turn around, lift her hair, show behind her ears, squat, cough, spread, hold . . . hold . . . hold . . . wider . . . and then the command to stand up and remove her tampon. She began to audibly cry. She explained that her flow was heavy and she began to beg to be spared the embarrassment and the pain of removal while standing up, without a toilet or sink, just a trashcan and two sadistic human beings staring at her. I could hear the trash can scrape across the floor as the guards laughed. She began to cry harder.

There have never been toilets and sinks in the strip closets there. Tampon removal has to be done standing up, at a difficult angle, and can create a humiliating mess. But that is just the start of the cruel procedure. You are then required to hold up your removed tampon and twirl it over the trashcan for inspection until your captors instruct you to release it. It should be noted here that the tampons available are so poorly made that the prison OBGYN often has to scrape cotton from the cervixes of the women he sees. This removal and twirling is complicated further by this fact. The only relief is the sandpaper-like paper towels being shoved at you by the guards to try and smear the mess off of you. Immediately after

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\* Shebri Dillon would like to give gratitude to her mentor, Mr. Calvin Arey, for his unwavering support and encouragement. She would also like to thank her four brilliant children who are the fire for her fight.

this process, you go smile for your family like everything is okay, not even able to wash your hands.

Most of us have learned to plan visits around our menstrual cycles and to dehydrate ourselves in preparation for the visits, when bathroom access is often denied for four to five hours, but such searches can be and are conducted at any time, often for no reason at all. There is no planning around that. But the woman I heard through the closet door was clearly new, and she suffered as they mercilessly reveled in her embarrassment. I couldn't bring myself to meet her eyes when the door finally opened and she came out. I didn't want to add to her pain. Maybe she would think that I hadn't heard.

But I had . . .

I have read my sentencing order time and again, and sentencing orders of many other women inside. I have never seen a criminal conviction for being a woman, yet we are punished for it every day. This doesn't end with the strip searches. That's just the formal introduction.

Bathroom access for women is an ongoing battle. Yes, in 2026, we are still fighting for access to a toilet. Here in Virginia, there are two main women's prisons and a few work camps. Camps are open dorm, but the prisons have cells, and these cells are dry, meaning that they lack plumbing. The only exception is the segregation cells and extreme mental health cells. Outside of that, our little closets that we call cells, no bigger than parking spots, have no water or toilet. But they lock us in them. And often don't let us out. And they're allowed to; there is no policy or memo that says they have to let us out to access bathrooms, and even though a court order was issued,<sup>1</sup> we are at the mercy of whichever human has been appointed to that post. Just two weeks ago I submitted a grievance about a situation in which a guard refused bathroom access as community punishment for an argument someone had on the hall. My grievance was deemed unfounded because I was "eventually" given access.

But men have wet cells.

This is the case even though they don't have a uterus, nor do they have bladder issues from carrying and birthing children. They have half the level of bathroom needs with all the accommodation. But us, we are dry. I have watched women old enough to be my grandmother take the walk of shame across the wing with their dignities rolling down their legs because they couldn't hold it. I've watched their tears fall, cells dry but faces wet, punished without just cause.

The punishment for the crime of being female and incarcerated doesn't end with that walk of shame. There is the shimmy of shame too. This comes from trying to fit our female frames into men's clothing, including the "genderless" underwear. These boxer brief wannabes are not designed

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<sup>1</sup> Memorandum Opinion, *Scott v. Clarke*, No. 3:12-CV-00036 (W.D. Va. Nov. 20, 2014).

for the shape of a woman's body and will not even accommodate a maxi pad. They fail to cover curves and easily rip when the shimmy turns to a stretch, attempting to encourage the fabric to cooperate. Sweatpants and state issued jeans bulge out in a place that doesn't extend to the maxi pad but gives plenty of room for appendages we just do not have. All day long we are flattening the material or stretching it up towards our armpits to try and flatten the hills that should be valleys. Shoes are all men's, creating mass confusion in sizing. Socks are one size fits all, and that size has to be large enough to fit men, which is a nightmare with my size 4 feet. Clothing replacements are hard to come by, as socks and underwear are currently out of stock. We are told there is no money and what is available was sent to the men's institutions.

On top of all this, most staff working at women's prisons are men. For employees, gender discrimination is a very important issue, and men cannot be denied employment because they are men, even at a women's prison. Stark contrast in prisoner versus employee rights, to say the least.

While not every male working at a prison is a creepy weirdo, it does prove to be perfect hunting grounds for the peeping toms and the stalker types. Peeping in our windows as we dress is allowed, and we are told to turn our backs to the door, as if there are no desired features there. Toilets and showers have flappy curtains for coverage, no doors, and are strategically placed across from mirrors, allowing easy viewing of our naked bodies. There is no shortage of stories of women who have been sexually assaulted while caged, mostly by those who were supposed to be providing safety and security for the community inside and out. Some guards bribe, some just take what they want, and some watch you like you are their newfound pet, placed there for their viewing and their pleasure.

I found myself to be subject to such an encounter during my first year in prison.

I spent nine months in jail and then was transferred to the highest security prison for women, Fluvanna Correctional Center. This is where I was, pacing the wing like a caged animal, desperately trying to process my thoughts and stifle the inferno in my soul. My convictions are nonviolent, and I was a first-time offender, but I did not take a plea. The applicable sentencing guidelines for my charges were one day to six months of incarceration, but the minute I took it to trial those guidelines went out the window. Without adequate counsel, I ended up sentenced to 39 years. As a single mom of four precious children, my incarceration meant the fracture of my little family, and the scalded hearts of my children were fresh on my mind. I paced, and paced, and paced, until my name was called over the loudspeaker, instructing me to come out to the control panel. I had no choice but to comply.

Two men sat in the panel. For a brief second, I thought another human being might have compassion on my grief-stricken shell, but I was wrong.

His thick country drawl only sickened his words as he told me he had a question to ask me. Apparently he and his coworkers had been watching me for days and taking bets. They now needed to know if my breasts were real so that they knew who won.

From that moment on, I became well versed in the grievance procedures and began to reach out for outside advocacy. I was just beginning to understand the world I was in. I knew what the punishment would be for me if I didn't, the punishment for being an incarcerated woman in the grips of self-serving men. My words in ink were my saving grace and gave me a reputation of defending myself and others that has likely saved me from further violation. I was condemned for that too, frequently having my cell searched and often being mocked by guards for writing things up. Women are supposed to be compliant, not litigious. It is frowned upon, but in my opinion, well worth the cost.

It's interesting really. They dress us like men, treat us like animals, and then expect us to act like ladies, the very thing they refuse to accommodate.

The Department's goal is to correct, and they must do so. If they cannot correct their practices, perhaps they should correct our sentencing orders to accurately reflect what we are being punished for—the crime of being a woman. Prison is not supposed to be comfortable, but it is supposed to be humane. As it turns out, it is not humane for anyone at all.