

CONCURRENCE IN SENATE AMENDMENTS

AB 1195 (Quirk-Silva)

As Amended September 5, 2025

Majority vote

SUMMARY

Requires, if the court has ordered reunification services, an incarcerated parent to be entitled to in-person visitation in county jail, except as provided.

Senate Amendments

- 1) Add a provision requiring each county jail to comply with an order placing a child in foster care and ordering reunification services that includes the provisions required by this bill.
- 2) Specify that a child welfare agency is not responsible for visitation failures that occur due to county jail noncompliance if the agency has made reasonable efforts to coordinate with the county jail.
- 3) Specify how the child welfare agency is to comply with the documentation requirement in this bill.
- 4) Remove the requirement that the in-person visit be regularly scheduled.
- 5) Require the court to consider any safety concerns at the county jail when determining whether in-person visitation would be detrimental on the child's well-being.
- 6) State that if the court finds that in-person visitation between the dependent child and the incarcerated parent is detrimental to the child but that visitation is otherwise in the child's best interest, the county jail shall facilitate the incarcerated parent's participation in visitation using videoconferencing technology or telephonic communication.
- 7) Require the county jail to make reasonable efforts, rather than good faith efforts, to document all scheduled visits.
- 8) Add professional providers, as defined, or an individual who is a resource family, as defined, as those who may facilitate scheduled visits, as needed, unless the juvenile court orders otherwise.

COMMENTS

As passed by the Assembly: This bill required, if the court has ordered reunification services, an incarcerated parent to be entitled to regularly scheduled, in-person visitation in county jail, except as provided.

Major Provisions

- 1) Stated that if the parent of the child is incarcerated in a county jail and the court has ordered reasonable services to the parent, the incarcerated parent is entitled to regularly scheduled, in-person visitation and that the county jail shall ensure that the incarcerated parent is made

available to attend those regularly scheduled, in-person visits with their dependent child, unless:

- a) It is not feasible for regularly scheduled, in-person visitation to take place due to logistical or safety concerns at the county jail, that the county jail shall facilitate the incarcerated parents participation in regularly scheduled visitation using videoconferencing technology or telephonic communication.
 - b) The court finds by clear and convincing evidence that in-person visitation between the dependent child and the incarcerated parent would be detrimental to the child's well-being, based on factors that are currently required to be considered when determining whether reasonable reunification services should be ordered
- 2) Stated that if it is not feasible for regularly scheduled, in-person visitation to place due to logistical or safety concerns at the county jail or pursuant to the paragraph below, the county jail shall facilitate the incarcerated parent's participation in regularly scheduled visitation using videoconferencing technology or telephonic communication.
 - 3) Specified that dependent children 12 years of age or older may opt to use videoconferencing technology or telephonic communication in lieu of in-person visits. Dependent children under 12 years of age may also opt to use videoconferencing technology or telephonic communication in lieu of in-person visits with the consent of their caregiver.
 - 4) Required the child welfare agency to coordinate with the county jail to ensure that the visitation schedule between the incarcerated parent and the dependent child is maintained and that, to the extent possible, there are no logistical barriers preventing incarcerated parents from participating in regularly scheduled visitation.
 - 5) Required the child welfare agency and county jail to document all scheduled visits, including, but not limited to, any cancellations of, or delays in, regularly scheduled visitation, and include a written explanation for any missed visits. This documentation shall be submitted to the court at each hearing in the dependency action.
 - 6) Required the child welfare agency to ensure the incarcerated parent is notified of their visitation rights, including instructions on how to request visitation, and how to participate in dependency proceedings, in writing, at the commencement of the dependency proceeding, or at the time of their detention, whichever occurs first.
 - 7) Authorized community-based organizations with licensed visitation monitors to facilitate scheduled visits between an incarcerated parent and the dependent child.
 - 8) Included Legislative findings and declarations that:
 - a) Maintaining the parent-child relationship while a parent is incarcerated reduces emotional trauma for children, improves family reunification outcomes, and decreases recidivism rates;
 - b) Maintaining family bonds is a critical component of the reunification process and the overall well-being of children in the foster care system;

- c) It is, therefore, the intent of the Legislature in enacting this act, to remove barriers that prevent incarcerated parents from participating in their dependent children's lives and ensures that county jails and child welfare agencies prioritize family connections.

According to the Author

"When a parent is incarcerated, a child should not be punished with separation. California law recognizes the importance of the parent-child bond, but too often bureaucratic obstacles and a lack of coordination prevent meaningful visitation. AB 1195 ensures that county jails and child welfare agencies uphold the rights of incarcerated parents by requiring regular, in-person visits, unless a court finds, with clear and convincing evidence, that it would harm the child. This bill is about stability, reunification, and breaking the cycles of trauma so that children are not left to bear the weight of a system that was never designed with them in mind."

Arguments in Support

According to *Families Inspiring Reentry & Reunification 4 Everyone*, the sponsor of this bill, "When children are denied meaningful contact with their parents, they often experience emotional distress, behavioral challenges, and long-term instability. Research has consistently shown that children who have regular face-to-face interactions with their incarcerated parents experience less emotional trauma, improved mental health outcomes, and a stronger sense of security despite the challenges of separation.

"Additionally, parents who maintain consistent contact with their children during incarceration are more likely to successfully reintegrate into society, less likely to reoffend, and better prepared to resume their parental responsibilities upon release. Family visitation is not just a compassionate policy—it is a proven public safety strategy that supports successful reentry and reduces recidivism.

"Despite the well-documented benefits of parent-child visitation, many county jails lack clear policies or sufficient infrastructure to facilitate in-person, contact visitation. As a result, incarcerated parents and their children face inconsistent and often inadequate opportunities to connect.

"In some cases, visits are limited to video calls or conducted behind a glass partition, which prevents the physical interaction that is essential for bonding. These barriers further strain already fragile relationships, making reunification more difficult and increasing the likelihood of negative social and emotional outcomes for children.

"AB 1195 directly addresses these challenges by:

- 1) Guaranteeing regularly scheduled, in-person visitation between incarcerated parents and their children, unless a court determines such visits would be detrimental to the child's well-being.
- 2) Requiring county jails to facilitate visits and, when in-person visitation is not feasible due to logistical or safety concerns, provide alternative methods such as videoconferencing to ensure continued contact.
- 3) Mandating child welfare agencies and county jails to document and report all visitations, including any cancellations or delays, ensuring accountability and transparency in the visitation process."

Arguments in Opposition

None submitted.

FISCAL COMMENTS

According to the Senate Appropriations Committee:

- 1) Costs of an unknown but potentially significant amount to the counties to facilitate in-person and remote visitation for parents incarcerated in county jail. It is unclear whether county costs for these duties may be subject to General Fund reimbursement as a state mandate or whether they may be subject to Proposition 30 (2012). Proposition 30 provides that legislation enacted after September 30, 2012, that has an overall effect of increasing the costs already borne by a local agency for levels of service mandated by realignment apply to local agencies only to the extent that the state provides annual funding for the cost increase.
- 2) The California Department of Social Services (CDSS) reports that this bill will not result in state operations costs and will not result in local assistance costs.

VOTES:**ASM PUBLIC SAFETY: 9-0-0**

YES: Schultz, Alanis, Mark González, Haney, Harabedian, Lackey, Nguyen, Ramos, Sharp-Collins

ASM HUMAN SERVICES: 7-0-0

YES: Lee, Castillo, Calderon, Elhawary, Jackson, Celeste Rodriguez, Tangipa

ASM APPROPRIATIONS: 14-0-1

YES: Wicks, Arambula, Calderon, Caloza, Dixon, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Solache, Ta, Tangipa

ABS, ABST OR NV: Sanchez

ASSEMBLY FLOOR: 79-0-0

YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

UPDATED

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