

ASSEMBLY THIRD READING
AB 1645 (Mark González and Bryan)
As Introduced January 27, 2026
Majority vote

SUMMARY

Prohibits the Department of Corrections and Rehabilitation (CDCR) regulations from unreasonably restricting nonsexual physical contact between incarcerated persons and their visitors during contact visits.

Major Provisions

- 1) Requires CDCR, in amending existing regulations and adopting future regulations, as specified, to ensure that regulations related to nonsexual physical contact in incarcerated person visitation, for individuals entering department facilities and for incarcerated persons receiving visitors, are not excessive or unnecessarily punitive.
- 2) Provides that these regulations shall not unreasonably restrict the ability of incarcerated persons or their visitors to have nonsexual physical contact throughout the visit.
- 3) Defines "nonsexual physical contact" to include, but not be limited to, all of the following:
 - a) Hand holding;
 - b) Kissing;
 - c) Hugging and lateral holding or side-to-side contact;
 - d) Linking arms;
 - e) In-movement or transitory touching;
 - f) Touching of the face or hair;
 - g) Adjusting each other's clothing without removing articles of clothing;
 - h) Holding of the incarcerated person's minor children and holding of their minor children while accompanied by an adult;
 - i) Feeding of the incarcerated person's minor children;
 - j) Feeding of the incarcerated person by minor children; and,
 - k) Any other physical touch that a reasonable person would define as nonsexual and appropriate.
- 4) Requires CDCR, in amending existing regulations or adopting future regulations impacting visitation, to recognize and consider the importance of nonsexual physical contact in incarcerated person visitation.

COMMENTS

According to the Author

"Across state prisons, there is no standard definition or enforcement for 'excessive contact,' which has led to widespread confusion for both visitors and incarcerated people. In practice, 'excessive contact' can include a mother holding their child or kissing their cheek for just a second too long. A hug can result in the immediate suspension of visiting privileges and harsh disciplinary action, including the denial of parole. After weeks, months or even years apart, incarcerated people and families simply want to reunite normally – hugging, holding hands, running into their mom or dad's arms. Physical touch is more than a kind gesture; it's human-to-human connection with your loved ones. That moment can remind an incarcerated person about the world outside and the life they can work towards. It can incentivize good behavior in prison to keep their visitation privileges and motivate their road to recovery.

Arguments in Support

According to *Empowering Women Impacted by Incarceration*, a co-sponsor of this bill, "Families often arrive at visits unsure of what is allowed and fearful that normal expressions of care could result in a warning, a terminated visit, or the loss of future visiting privileges. Actions such as holding a child, adjusting clothing, or offering comfort through physical touch have been cited as violations under the vague standard of "excessive contact." This lack of clarity places families, especially children, in an impossible position."

"AB 1645 offers a reasonable and necessary solution. By clearly defining what nonviolent and nonsexual physical contact is permitted during visits, the bill creates consistency, fairness, and predictability for families and staff alike. Allowing appropriate physical contact, including holding hands, hugging, and caring for children, recognizes the reality of family relationships and the developmental needs of children."

"Research shows that maintaining meaningful family connections supports better emotional outcomes for children, reduces misconduct within facilities, and lowers recidivism. For the families we serve, visitation is not a casual activity. It is one of the few ways they can preserve family bonds and support successful rehabilitation and reentry."

"AB 1645 affirms that dignity, humanity, and clarity belong in the visitation process."

Arguments in Opposition

None submitted.

FISCAL COMMENTS

According to the Assembly Appropriations Committee, "CDCR anticipates cost pressures (General Fund) of an unknown, but potentially significant amount, to enhance visitation monitoring, screening, and contraband interdiction activities if visitation-related physical contact is expanded. According to CDCR, expanded physical contact allowances and the requirement that such contact be permitted throughout the visit may require operational adjustments to maintain institutional safety and security."

"These cost pressures may be overstated because CDCR already operates a comprehensive visitor screening and monitoring system, and existing regulations already contemplate contact visitation in many circumstances. Because the existing operational model already accommodates in-person contact visitation—with supervision and screening procedures designed for that setting—this measure appears to clarify the type of permissible contact rather than creating an entirely new visitation system."

"The Legislative Analyst's Office recently warned of General Fund structural deficits of around \$35 billion per year in the 2027-28 fiscal year and ongoing."

VOTES

ASM PUBLIC SAFETY: 9-0-0

YES: Schultz, Alanis, Mark González, Haney, Harabedian, Lackey, Nguyen, Ramos, Wilson

ASM APPROPRIATIONS: 14-1-0

YES: Wicks, Hoover, Aguiar-Curry, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta

NO: Tangipa

UPDATED

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