
THIRD READING

Bill No: AB 1645
Author: Mark González (D) and Bryan (D), et al.
Amended: 8/13/26 in Senate
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 6-0, 6/16/26
AYES: Arreguín, Seyarto, Caballero, Cortese, Pérez, Wiener

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/13/26
AYES: Cervantes, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 73-2, 5/22/26 - See last page for vote

SUBJECT: Corrections: Humanizing and Uniting Generations Safely Act of 2026

SOURCE: Essie Justice Group; Bridges of Hope; Empowering Women Impacted by Incarceration

DIGEST: This bill requires that any future regulations adopted by the California Department of Corrections and Rehabilitation (CDCR) that may impact the visitation of incarcerated persons recognize and consider the importance of nonsexual physical contact in incarcerated person visitation; ensures that regulations related to nonsexual physical contact in incarcerated person visitations are not excessive or unnecessarily punitive; and prohibits the regulations from unreasonably restricting the ability of incarcerated persons or their visitors to have nonsexual physical contact throughout the visit.

ANALYSIS:

Existing Law

- 1) Requires that any amendments to existing regulations and any future regulations adopted by CDCR that may impact visitation of incarcerated persons do all of the following:

- a) Recognize and consider the value of visiting as a means to improve the safety of prisons for both staff and incarcerated persons;
 - b) Recognize and consider the important role of incarcerated person visitation in establishing and maintaining a meaningful connection with family and community;
 - c) Recognize and consider the important role of incarcerated person visitation in preparing an incarcerated person for successful release and rehabilitation. (Penal (Pen.) Code, § 6400, subds. (a)-(c).)
- 2) States that, except for the following, no bodily contact is permitted during visitation:
- a) Accompanying adults shall ensure that minors remain under their constant control and supervision;
 - b) Nursing mothers shall be discreet and covered when breast-feeding their children in the visiting area, and failure to do so shall result in termination of visiting for that day;
 - c) Incarcerated persons and their visitors may hold hands;
 - d) At the beginning and end of each visit, incarcerated persons and their visitors may briefly embrace and/or kiss; and
 - e) An incarcerated person may hold their minor children, and may hold minor children accompanied by an adult. (California Code of Regulations (Cal. Code Regs.), tit. 15, § 3175, subds. (b)-(g).)
- 3) Requires, at intake, every incarcerated person to be asked whom they want on their approved visitor list. (Pen. Code, § 6400.)
- 4) Provides that incarcerated persons shall not be prohibited from family visits based solely on the fact the incarcerated person was sentenced to life without the possibility of parole or was sentenced to life and is without a parole date established by the Board of Parole Hearings. (Pen. Code, § 6404.)
- 5) Requires CDCR, for an in-person visit, to allow a visitor with an infant or toddler to bring items related to the care of the child. (Pen. Code, § 6405, subd. (b).)
- 6) States that any person seeking entry into an institution/facility for the purpose of visiting an incarcerated person shall be subject to all applicable laws, rules and regulations. Any person violating a law, rule, or regulation while visiting shall be subject to warning, termination, suspension, and/or revocation, as specified. (Cal. Code Regs., tit. 15, § 3176.1.)

This Bill:

- 1) Makes findings and declarations.
- 2) Requires that any amendments to existing regulations and any future regulations adopted by CDCR that may impact the visitation of incarcerated persons recognize and consider the importance of nonsexual physical contact in incarcerated person visitation.
- 3) 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.
- 4) Provides that these regulations shall not unreasonably restrict the ability of incarcerated persons or their visitors to have nonsexual physical contact during the visit.
- 5) Defines “nonsexual physical contact” to include, but not be limited to, all of the following:
 - a) Holding of the incarcerated person’s minor children and holding of their minor children while accompanied by an adult.
 - b) Feeding of the incarcerated person’s minor children.
 - c) Feeding of the incarcerated person by minor children.
 - d) Hand holding.
 - e) Linking arms.
 - f) In-movement or transitory touching that any reasonable person would define as nonsexual and appropriate.
 - g) Brief touching of the face or hair.
 - h) An embrace at the beginning and end of the visit and lateral holding or side-to-side contact during the duration of the visit.
 - i) Kissing at the beginning and end of the visit and brief kisses on the cheek or forehead during the visit.
- 6) States that physical contact authorized by this bill shall be limited to conduct that is nonsexual and appropriate for visitation.
- 7) Requires that before terminating a visit, issuing a rules violation, or taking other disciplinary action based on alleged minor violations of inappropriate physical

contact, department staff shall provide a clear verbal warning and a reasonable opportunity to immediately correct the conduct.

- 8) Specifies that if the contact continues after a warning, or there are excessive or unlawful activities occurring, the department may take action appropriate to the situation.
- 9) Clarifies that this bill does not prohibit or discourage other forms of nonsexual physical contact that department staff determine is reasonable, appropriate, and consistent with this section.
- 10) Clarifies that this bill does not limit the department's authority to conduct searches, supervise visits, or impose restrictions necessary to prevent the introduction or exchange of contraband.

Background

Under existing law, there generally are three types of visitation—in-person visits, in-person non-contact visits, and family visits. According to CDCR: “Most incarcerated people in the general population may participate in an in-person visit. These visits allow the incarcerated person to sit together with their visitor(s) in a designated shared space, usually furnished with tables and chairs. In-person visits are limited to five visitors at a time and are not limited in duration except for normal visiting hours or terminations caused by overcrowding.” (Cal. Dept. of Corrections & Rehabilitation, *CDCR Visitation Updates and Information* <<https://www.cdcr.ca.gov/visitors/> [as of Jun. 3, 2026].) In-person non-contact visits are for incarcerated people in reception or in segregation. “Non-contact visits occur with a glass partition between the incarcerated person and his/her visitors. The incarcerated person is escorted in handcuffs by staff to the visit. The handcuffs are removed only after the incarcerated person is secured in his/her side of the visiting booth... Non-contact visits are restricted to three visitors and are limited in time.” (*Ibid.*) Finally, family visits (or overnight visitation) are visits where the incarcerated person and members of their immediate family are permitted to spend time in private, apartment-like facilities on prison grounds, for a duration that lasts approximately 30 to 40 hours. Incarcerated persons sentenced to death, convicted for sex offenses, still in reception, or under disciplinary restrictions are not permitted to have family visits. (*Ibid.*)

During visits, CDCR limits the amount of physical interaction between incarcerated people and their visitors. CDCR regulations provide that no bodily contact is permitted during visitation, except:

- Hand holding between an incarcerated person and their visitors,
- A brief embrace and/or kiss between an incarcerated person and their visitors at the beginning and end of each visit, and
- Incarcerated persons may hold their minor children and may hold children accompanied by an adult. (Cal. Code Regs., tit. 15, § 3175, subds. (b)-(g).)

CDCR's website states:

Physical contact between a prisoner and visitor beyond that described previously, is considered “excessive” and can be cause for staff to terminate the visit and, in some cases, to either suspend the visiting privileges of the visitor for some period and/or to discipline the incarcerated person. Although most staff will use common sense and not overreact to transitory non-sexual touching (an incarcerated person physically guiding his/her wife/husband away from an obstacle as they walk, a mother brushing dirt off an incarcerated person's shirt), behaviors such as feeding each other, touching each other's faces, adjusting each other's clothing, and the like should be avoided. (Cal. Dept. of Corrections & Rehabilitation, *In the Visiting Room* <<https://www.cdcr.ca.gov/visitors/in-the-visiting-room/> [as of Jun. 3, 2026].)

CDCR regulations state that any person violating a law, rule or regulation while visiting shall be subject to warning, termination, suspension, and/or revocation of visitation privileges. (Cal. Code Regs., tit. 15, § 3176.1.) CDCR may also suspend visitation privileges of an incarcerated person for up to six months for rule violations. (Cal. Code Regs., tit. 15, § 3176.4.)

The author and sponsors argue that current policies leave too much discretion and inconsistency regarding how existing contact policies are applied. According to the author and sponsors, although hugging at the end of visits is allowed in CDCR guidance, visitors hugging their loved ones has resulted in 6-month visitation suspensions. Visitors have had their visitation privileges terminated or suspended for several months for such “excessive contact.” Additionally, incarcerated persons' parole hearings have been delayed at least 3 months for such conduct, and parole itself has been denied because of excessive contact write-ups. Furthermore,

incarcerated people have had their canteen, yard time, and other privileges suspended due to “excessive contact.”

This bill prohibits CDCR regulations from unreasonably restricting the ability of incarcerated persons or their visitors to have nonsexual physical contact throughout the visit. This bill requires CDCR 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. The bill also requires that any amendments to existing regulations and any future regulations adopted by CDCR that may impact the visitation of incarcerated persons recognize and consider the importance of nonsexual physical contact in incarcerated person visitation.

The bill defines “nonsexual physical contact” to include, but not be limited to: holding of the incarcerated person’s minor children and holding of their minor children while accompanied by an adult; feeding of the incarcerated person’s minor children; feeding of the incarcerated person by minor children; hand holding; linking arms; in-movement or transitory touching that any reasonable person would define as nonsexual and appropriate; brief touching of the face or hair; an embrace at the beginning and end of the visit and lateral holding or side-to-side contact during the duration of the visit; and kissing at the beginning and end of the visit and brief kisses on the cheek or forehead during the visit.

This bill further states that physical contact authorized by this bill shall be limited to conduct that is nonsexual and appropriate for visitation. The bill also requires that before terminating a visit, issuing a rules violation, or taking other disciplinary action based on alleged minor violations of inappropriate physical contact, department staff shall provide a clear verbal warning and a reasonable opportunity to immediately correct the conduct. If the contact continues after a warning, or there are excessive or unlawful activities occurring, the department may take action appropriate to the situation. This bill clarifies that this bill’s provisions do not prohibit or discourage other forms of nonsexual physical contact that department staff determine is reasonable, appropriate, and consistent with this section. Finally, the bill also clarifies that its provisions do not limit the department’s authority to conduct searches, supervise visits, or impose restrictions necessary to prevent the introduction or exchange of contraband.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

Unknown, potentially major costs to CDCR to enhance visitation monitoring, screening and contraband interdiction activities if visitation related physical

contact is expanded. Expanded physical contact allowances and the requirement that such contact shall be permitted during the visit may require operational adjustments to maintain institutional safety and security (General Fund).

SUPPORT: (Verified 8/13/26)

Bridges of Hope (co-source)
Empowering Women Impacted by Incarceration (co-source)
Essie Justice Group (co-source)
A New Way of Life Re-entry Project
ACLU California Action
All of US or None (HQ)
Anti Recidivism Coalition
California Attorneys for Criminal Justice
California Coalition for Women Prisoners
California Community Foundation
California Public Defenders Association
Californians United for a Responsible Budget
Center for Employment Opportunities
Center for Employment Opportunities, INC.
Communities United for Restorative Youth Justice
Congregations Organized for Prophetic Engagement
Courage California
Defy Ventures
Ella Baker Center for Human Rights
Felony Murder Elimination Project
Fresh Lifelines for Youth
Friends Committee on Legislation of California
Glide
Grip Training Institute
Honoring Resilience
Humane Prison Hospice Project
Initiate Justice
Inland Equity Partnership
Jesse's Place Non Profit Organization
Justice2jobs Coalition
LA Defensa
Legal Services for Prisoners With Children
Local 148 Los Angeles County Public Defender's Union
Milpa Collective

Peace and Justice Law Center
Peacemakers' Alliance
Poetic Justice
Project Rebound, San Francisco State University
Restoring Hope California
Rubicon Programs
San Francisco Public Defender
Smart Justice California, a Project of Beyond Impact
Starting Over INC.
The Collective for Liberatory Lawyering
Transformative Programming Works
We Got US Now
Youth Leadership Institute

OPPOSITION: (Verified 8/13/26)

None received

ASSEMBLY FLOOR: 73-2, 5/22/26

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

NOES: DeMaio, Tangipa

NO VOTE RECORDED: Arambula, Chen, Gabriel, Patterson, Celeste Rodriguez

Prepared by: Marshal Lawler / PUB. S. /
8/17/26 10:38:04

**** **END** ****