

CONCURRENCE IN SENATE AMENDMENTS

AB 1646 (Bryan and Mark González)

As Amended August 13, 2026

Majority vote

SUMMARY

Establishes the right of youth confined in juvenile facilities to nonsexual and appropriate physical contact with visitors during in-person visits.

Senate Amendments

- 1) Provide that physical contact from visitors during in-person visits shall not be restricted as a disciplinary measure.
- 2) Provide that documentation of safety and security concerns and contact limitations shall be made available to the Division of the Ombudsperson of the Office of Youth and Community Restoration upon request.
- 3) Add legislative findings and declarations.

COMMENTS

As Passed by the Assembly, this bill: Established the right of youth confined in juvenile facilities to nonsexual and appropriate physical contact with visitors during in-person visits.

Major Provisions

- 1) Provided that all youth confined in a juvenile facility, before, during, or after adjudication of wardship, shall have the right to engage in physical contact with visitors during in-person visits that a reasonable person would find nonsexual and appropriate under the circumstances, including hugging at the beginning and end of the visit and holding hands.
- 2) Stated that limitations to the physical contact described above shall only be implemented when a significant safety and security concern is present, including pursuant to any court-ordered restrictions on visitations or visitors for a youth confined in a juvenile facility or a temporary and specific health concern.
- 3) Specified that when the limitations are implemented, physical contact shall only be temporarily restricted for a specific youth or visitor as necessary to address the significant safety and security concern.
- 4) Provided that all significant safety and security concerns and subsequent contact limitations shall be documented in detail, including the duration of the contact limitation and any additional accommodations or security measures implemented to facilitate a return to physical contact visits.
- 5) Required all juvenile facilities to establish regulations and procedures for in-person visitation consistent with the above.

According to the Author

"The ability to receive and give a hug to your loved ones is a critical part of the healing and transformation process for young people who are incarcerated. It's time to stop weaponizing essential pieces of our shared humanity and calling it rehabilitation."

Arguments in Support

According to *Legal Services for Prisoners with Children*, "California has made meaningful progress in advancing a rehabilitative, youth-centered approach to juvenile justice. Family engagement remains a cornerstone of that framework, and in-person visitation plays an important role in supporting youth well-being and successful reintegration. Yet across California, youth sit separated from families often by plexiglass, unable to hug hello or goodbye. A mother takes the bus for two hours to see her son and cannot hold his hand. A father watches his daughter cry and cannot embrace her. A grandchild sees his grandmother on her birthday, greets her with a hug, and has his visitation cancelled for a month. These are children, and we are denying them basic human connection at the moment they need it most."

"While current law guarantees access to visitation, policies regarding physical contact during visits vary across facilities. California's Youth Bill of Rights (AB 2417, 2022) for incarcerated youth already guarantees "visitation that reflects contact that occurs in typical family relationships." The Office of Youth and Community Restoration (OYCR) has explicitly stated this includes "physical affection consistent with typical family relationships, such as hugs and holding hands." AB 1646 provides clear, uniform guidance statewide to ensure visitation practices are consistent and aligned with trauma-informed care principles. OYCR's own guidance recognizes that maintaining family bonds through physical contact is essential to rehabilitation—yet without statutory clarity, counties implement vastly different and often restrictive policies that undermine this goal. By establishing a common standard, the bill supports facilities in maintaining safe environments while preserving healthy family connection."

"Research in child development and trauma-informed care underscores the importance of supportive relationships for young people, particularly those who have experienced adversity. Ensuring that visitation reflects typical family interaction, within appropriate boundaries, promotes emotional stability and reinforces California's commitment to rehabilitation. Touch deprivation in adolescents increases anxiety, depression, and aggression. Youth who receive parental visits show rapid declines in depressive symptoms. Youth who are never visited have significantly higher rates of behavioral incidents. Physical contact lowers stress hormones and maintains attachment bonds that protect against stress. This isn't sentimentality -- it's neuroscience. Denying physical contact serves no safety purpose-- it harms youth development."

"California closed the Division of Juvenile Justice (DJJ) to keep youth close to their communities and families. We invested millions in rehabilitation because we believe in supporting youth development, not punishment. We cannot claim to practice trauma-informed, family centered care while simultaneously denying youth the comfort of their family's embrace. AB 1646 ensures our practices match our stated values."

Arguments in Opposition

According to the *SFV Alliance*, "The mission of placing children in juvenile detention centers / facilities is to focus on rehabilitation rather than punishment. Juvenile detention centers are also mixed with those children while still needing rehabilitation, awaiting trial and or placement, and can be considered a risk to themselves, staff, and other children in the center with them."

"This bill has no stipulation to the assessment of the child being allowed to have human contact with visitors. Some children may be prone to violence. A child may have connections outside of the facility that encourages or has intimidated the child to commit violence to another. Allowing hugging or holding hands creates a pathway of transferring contra band from the visitor to the child. This could put the child, the staff and other children at risk of violence, harm and/or death."

"I appreciate the author's attempt at bringing healing to our youth through touch, yet I feel that this legislation has the potential to do more harm than good."

FISCAL COMMENTS

According to the Senate Appropriations Committee, "Likely major costs to county probation departments to provide the right to consensual physical contact in juvenile facilities. Expanded physical contact allowances and the requirement that such contact shall be permitted during in person visits may require operational adjustments to maintain institutional safety and security. These costs, possibly reimbursable by the state could be both major at the local level (Los Angeles County is estimating up to \$1 million annually) and greater in the aggregate statewide. Costs will depend on whether the duties imposed by this bill constitute a reimbursable state mandate, as determined by the Commission on State Mandates. (General Fund)."

VOTES:

ASM PUBLIC SAFETY: 7-0-2

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

ABS, ABST OR NV: Alanis, Lackey

ASM APPROPRIATIONS: 11-1-3

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

NO: Tangipa

ABS, ABST OR NV: Hoover, Dixon, Ta

ASSEMBLY FLOOR: 59-7-14

YES: Addis, Aguiar-Curry, Ahrens, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Hadwick, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO: DeMaio, Flora, Gallagher, Johnson, Macedo, Sanchez, Tangipa

ABS, ABST OR NV: Alanis, Castillo, Chen, Davies, Dixon, Ellis, Jeff Gonzalez, Hoover, Lackey, Muratsuchi, Patterson, Celeste Rodriguez, Ta, Valencia

SENATE FLOOR: 32-2-6

YES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Cortese, Dahle, Durazo, Gonzalez, Grayson, Hurtado, Laird, Limón, McGuire, McNerney,

Menjivar, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Smallwood-Cuevas, Stern, Umberg, Wahab, Weber Pierson, Wiener

NO: Seyarto, Strickland

ABS, ABST OR NV: Alvarado-Gil, Choi, Grove, Jones, Niello, Valladares

UPDATED

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