

ASSEMBLY THIRD READING

AB 2434 (Bonta)

As Amended May 18, 2026

Majority vote

SUMMARY

Requires California Department of Corrections and Rehabilitation (CDCR) facilities to provide an incarcerated person with contact visits unless the person is housed in restricted housing, and establishes limitations on a CDCR facility's ability to search visitors without their voluntary, informed, and written consent.

Major Provisions

- 1) Requires each CDCR facility to be open for visitation at least three days per week.
- 2) Prohibits a CDCR facility from denying, revoking, limiting, or interfering with visitation based on any of the following characteristics, whether actual or perceived, of a person in custody or a prospective visitor: sex; sexual orientation; race; age; nationality; political beliefs; religious beliefs and expression; criminal record; pending criminal or civil case; lack of family relationship; gender, including gender identity, self-image, appearance, behavior or expression; disability; hair color, texture, or protective hairstyles, including, but not limited to, tightly coiled, curly, wavy, or Afro-textured hair, braids, locs, twists, Bantu knots, cornrows, Afros, and other natural hair styling methods; or, body type, body size, weight, height, or other physical characteristics.
- 3) Provides that a facility shall allow all visits with an incarcerated person to be contact visits unless the incarcerated person is housed in a restricted housing unit.
- 4) Authorizes a facility to limit an incarcerated person housed in a restricted housing unit to noncontact visits only for the duration of that placement.
- 5) Requires a facility to restore contact visits immediately upon the incarcerated person's return to a nonrestricted housing unit.
- 6) Prohibits a facility from denying, revoking, suspending, limiting, or interfering with visiting privileges for a disciplinary matter or rule violation unrelated to visitation.
- 7) Requires a facility to review any limitation, denial, or suspension of visitation imposed prior to January 1, 2027, at the incarcerated person's next annual classification review and modify it as necessary to conform to the provisions of this bill.
- 8) Prohibits a facility from denying visitors entry based on correctable issues, including, but not limited to, dress code violations, excess number of accompanying minors, or missing documentation. For correctable issues, staff shall do all of the following:
 - a) Provide clear and specific guidance on how to remedy the issue in writing;
 - b) Allow the visitor a reasonable opportunity to correct the issue and return to visiting up to one hour before the end of the visiting period;

- c) Permit the visit to proceed once the issue is resolved; and,
 - d) Offer reasonable alternatives, including a noncontact visit, if space is available, when correction is not possible that day.
- 9) Requires the facility, if a visit is denied on the day of visiting for a noncorrectable issue, to provide written documentation to the visitor on the same day stating:
- a) The specific reason for denial;
 - b) The length of the denial and explaining how to appeal; and,
 - c) Information regarding the right to appeal and how to appeal.
- 10) Provides that a visit may not be denied if a person has traveled more than 100 miles to attend a visit or has not visited within 30 days, unless there has been a finding of a credible and documented security threat. The facility may not deny a visit under this provision for correctable issues, as described.
- 11) Authorizes a facility to subject any person coming onto the property to routine screening or a voluntary search to ensure facility security and prevent the introduction or removal of contraband.
- 12) Prohibits a facility from searching visitors without their voluntary, informed, and written consent unless facility officials possess a court-issued warrant or the individual is lawfully detained pursuant to other law.
- 13) Requires a facility to give visitors information regarding their right to refuse a voluntary search that is translated into the top five most commonly spoken languages in California according to the most recently completed census before providing their written consent to the search.
- 14) Prohibits a facility from forcibly searching any visitor who does not consent to a search. If a person refuses a voluntary search, as specified, the facility may only deny contact visiting for that day. The facility shall offer a noncontact visit on the same day, if space is available, unless there is an immediate and credible security threat.
- 15) Prohibits a facility from punishing refusal to consent to a search with suspension, termination, or future restriction of visitation privileges, nor shall the refusal to consent to a search be recorded as misconduct in any permanent record.
- 16) Requires a facility, for any visitor who is denied visitation or has visitation restricted due to failing a search or refusing to consent to a search, at the time of that denial, to issue a written notice detailing what occurred, the date, time, who was present, and the underlying rationale given to the visitor for the denial or restriction.
- 17) Requires a facility to conduct all searches in the least intrusive manner reasonably available and to limit searches to what is strictly necessary to address the specific security concern.

- 18) Provides that clothed body searches conducted by the facility shall consist of a visual inspection and use of a hand-held wand, and the facility shall prohibit physical contact by staff.
- 19) Requires a facility to conduct unclothed body searches only after providing notice that the search is voluntary, obtaining the visitor's written consent, and with reasonable suspicion that contraband is concealed on the body and no less intrusive means are available.
- 20) Requires the facility to require written supervisory approval for unclothed searches documenting the specific facts supporting reasonable suspicion. They shall be conducted in a private setting by staff of the same gender as the visitor, with no physical contact.
- 21) Prohibits the facility from conducting strip searches, body cavity searches, and any search involving physical intrusion without a court-issued warrant for the search.
- 22) Prohibits CDCR, except as specified, from conducting strip searches, visual body cavity searches, and physical body cavity searches of visitors who are under 18 years of age.
- 23) Authorizes CDCR, if it has probable cause and obtains a warrant to search, to conduct strip searches of visitors who are under 18 years of age.
- 24) Requires CDCR, if there is probable cause that the visitor is attempting to introduce contraband, unauthorized substances, or other unauthorized items into the institution, to notify the visitor and their parent or guardian in writing, and requires CDCR to receive written consent from the visitor and their parent or guardian prior to conducting the search.
- 25) Authorizes CDCR, if probable cause exists but the visitor and their parent or guardian do not consent to the visitor being searched, to offer a noncontact visit, if space is available, or deny the visit.
- 26) Requires the facility, if a visitor is subjected to a search exceeding the standard screening applied to all visitors, to provide written notice on the same day stating the specific reason for the search and the name and title of the approving official.
- 27) Requires the facility to log all searches beyond routine screening in a manner accessible for review through the visitation appeals process.
- 28) Requires the facility to make all written notices and documentation related to searches of visitors available in the five most common languages spoken in California according to the most recent census.
- 29) States that the facility shall permit all visitors who cannot clear a metal detector due to a medically implanted or prosthetic device to present written verification from a licensed health care provider describing the device and its location.
- 30) Prohibits the facility from requiring renewal of that verification for permanent devices unless there is a material change in the device.
- 31) Prohibits the facility from requiring visitors who use wheelchairs or assistive devices to transfer to a facility wheelchair, and requires the facility to permit visitors to remain in their own wheelchair while the device is inspected using the least intrusive means available.

- 32) Prohibits the facility from punishing failure to present documentation under this provision with permanent suspension of visitation, but authorizes the facility to require alternative screening measures or a noncontact visit for that day.
- 33) Requires the facility to require that all searches be conducted professionally, respectfully, and without harassment, intimidation, or retaliatory intent.
- 34) Requires the facility to prohibit retaliatory searches, searches based on personal characteristics unrelated to safety, and degrading or sexualized comments.
- 35) Requires the facility to inform visitors of their right to file a complaint and shall prohibit retaliation for filing complaints.
- 36) Provides the following definitions:
- a) "Assistive device" means mobility aids designed to assist mobility and safety for individuals with disabilities, including, but not limited to, manual and electric wheelchairs, walkers, rollators, mobility scooters, canes, and crutches.
 - b) "Credible security threat" means a specific, articulable, and documented facts that establish a reasonable belief that a visitor or incarcerated person presents an immediate and identifiable risk of introducing contraband, facilitating escape, or causing physical harm within the facility. A credible security threat shall be based on objective information, including reliable intelligence, direct observation, or verified evidence, and shall not be based solely on generalized safety concerns, institutional convenience, anonymous or uncorroborated allegations, personal characteristics, protected traits, prior criminal history unrelated to institutional safety, refusal to consent to a voluntary search, or the mere existence of a past rule violation.
 - c) "Facility" means any institution operated by the Department of Corrections and Rehabilitation for the purposes of detention.
 - d) "Routine screening" means a standardized, minimally intrusive inspection process applied uniformly to all visitors as a condition of entry, for the limited purpose of detecting weapons or contraband. Routine screening shall consist only of passage through a walk-through metal detector or hand-held metal detection wand, visual inspection of personal property, or screening by electronic detection equipment applied in the same manner to all visitors.
 - e) "Strip search," "visual body cavity search," and "physical body cavity search" have the same meaning as defined in Section 4030.
 - f) "Visit" and "visitation" means an in-person visit conducted at a facility during established visiting hours.
- 37) Provides legislative findings and declarations.

COMMENTS

According to the Author

"Women, particularly Black women, are the primary visitors of incarcerated people. One in four women in this country has a loved one who is incarcerated. For Black women, that number nearly doubles to one in two. Decades of research, including 18 studies, show unequivocally that visitation reduces recidivism, improves behavior while incarcerated, and helps people successfully return to their communities. Yet, 55% of women are only able to see their incarcerated loved one monthly or a few times a year. More than a quarter of these women never see their loved one at all. When women visit their loved one, they routinely experience last-minute cancellations after traveling hundreds of miles, humiliating searches, sexual harassment by staff, retaliation for requesting basic dignity, and facilities turning away their children without explanation. Visitors deserve to be treated with basic dignity; and when a visit is denied, they deserve to know why. By making visitation unnecessarily burdensome, California prevents family unification and rehabilitation, which undermines the state's goal of reduced incarceration and harms our public safety. A 2011 study found that among people who received visits while incarcerated, felony re-convictions decreased by 13%, and revocations for technical violations of parole decreased by 25% compared to those who did not receive visits. Every prison visit actively improves our public safety. [This bill] protects families, incarcerated people, visitors, and our communities."

Arguments in Support

According to the *Essie Justice Group*, a co-sponsor of this bill, "Across California prisons, visitation policies are inconsistently applied, poorly defined, and often enforced in ways that are unpredictable and punitive. Families frequently travel long distances, take time off work, and incur significant costs only to have visits shortened, denied, or disrupted based on vague rules or discretionary decisions by staff. There is little transparency or accountability when visits are limited or revoked, leaving families without meaningful recourse."

"These harms fall disproportionately on women and children. Women, particularly Black women, are the primary visitors of incarcerated people and often carry the financial and emotional burden of maintaining family connections. Many are caregivers, navigating work, childcare, and travel logistics in order to sustain relationships with their incarcerated loved ones. Children are especially impacted. Research shows that hundreds of thousands of children in California have an incarcerated parent, and visitation is one of the only ways to maintain critical parent-child bonds. When visits are denied, cut short, or made stressful and unpredictable, children experience confusion, anxiety, and harm. Our members—women with incarcerated loved ones—report facing sexual harassment, degrading searches, intimidation, and retaliation for asserting basic dignity during visits. Women go to great lengths to visit their incarcerated loved one only to be met with a harsh and demeaning process that punishes them for showing up for their incarcerated family members. The grave impacts of these actions are reflected in multiple member accounts."

"Women visiting incarcerated loved ones are routinely required to remove religious headwear, protective hairstyles, wigs, and hair extensions — often in full view of other visitors — just to gain entry. These invasive searches fall disproportionately on Black and brown women in our membership."

"Essie member K (pseudonym) describes waiting up to an hour on multiple occasions for a same-gender officer to inspect her hijab, time that comes directly out of her scheduled visit. On one occasion, she was left with only ten minutes to see her incarcerated loved one. Essie member

M (pseudonym) was denied a visit due to the metal underwire in her bra: "being told [by facility staff], 'you have to do something with that bra, but we don't want those things on the floor,' after driving 600 miles and then not being allowed in—it makes me not want to visit."

"Visitation is an issue that underscores the ways women with incarcerated loved ones are directly harmed by mass incarceration. National research shows that 1 in 4 women, and 1 in 2 Black women, have a family member in prison.¹ In listening to countless stories from our members on their experiences inside California prison visiting rooms, we requested Public Records Act data from CDCR State Prisons and found that between January 2014 and October 2025, five state facilities cancelled over 5,000 visits—*women accounted for nearly 78% of all denied visits*. Three Los Angeles County facilities recorded over 2 million visit cancellations during the same time frame.

"Instead of supporting stability and connection, the current system often creates additional trauma. Families are forced to navigate constantly shifting expectations, and even minor or unclear rule violations can result in terminated visits or future restrictions. This undermines the very purpose of visitation, which is to preserve family ties and support successful rehabilitation and reentry.

"AB 2434 addresses these issues by creating clearer statewide standards for visitation, limiting arbitrary denial or interference, and improving transparency and accountability in how visitation policies are implemented. By establishing consistent expectations and reducing discretionary enforcement, the bill ensures that families can engage in visits without fear of sudden disruption or punishment for unclear rules.

"Strengthening visitation is not just about dignity, it is about outcomes. Research consistently shows that maintaining family connections during incarceration reduces disciplinary issues and lowers recidivism, while improving long-term stability for both incarcerated individuals and their families. Ensuring meaningful access to visitation supports children, strengthens families, and promotes safer communities."

Arguments in Opposition

None submitted.

FISCAL COMMENTS

According to the Assembly Appropriations Committee:

- 1) Ongoing costs of an unknown, but potentially significant amount, to CDCR (General Fund), potentially in the range of several million dollars, to implement the bill's visitation and search-related requirements. CDCR identifies the following cost drivers:
 - a) Operational and staffing costs to support expanded contact visitation, narrower denial authority, and additional procedural steps prior to restricting visitation or conducting certain searches.
 - b) Workload at headquarters and institution levels to implement expanded visitation access, same-day written notice and appeal processes, translation of specified notices, and annual data collection, reporting, and review of existing visitation limitations.

- c) Translation costs for the three languages beyond English and Spanish that CDCR currently provides.
- d) Data collection and reporting infrastructure to track and publish data regarding searches, alerts, and resulting denials, which CDCR indicates may require additional staffing and systems to support data collection, validation, and publication.

As noted below, many of these requirements exist in CDCR's current regulations.

- 2) Unknown and potentially substantial costs to CDCR (General Fund) associated with increased appeals process workload, including processing same-day written notices, appeal-rights documentation, and additional layers of administrative review of denials and non-routine searches.

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

VOTES

ASM PUBLIC SAFETY: 8-1-0

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

NO: Lackey

ASM APPROPRIATIONS: 11-3-1

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

NO: Hoover, Dixon, Ta

ABS, ABST OR NV: Tangipa

UPDATED

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