
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Jesse Arreguín, Chair
2025 - 2026 Regular

Bill No: AB 2434 **Hearing Date:** June 23, 2026
Author: Bonta
Version: May 18, 2026
Urgency: No **Fiscal:** Yes
Consultant: ML

Subject: *Inmates: visitation*

HISTORY

Source: Essie Justice Group

Prior Legislation: AB 2709 (Bonta), held in Senate Appropriations, 2024
AB 2740 (Waldron), Chap. 738, Stats. of 2024
AB 958 (Santiago), held in Senate Appropriations, 2023
AB 990 (Santiago), vetoed, 2021
SB 1008 (Becker), Ch. 827, Stats. of 2022
SB 1139 (Kamlager) Ch. 837, Stats. of 2022
AB 964 (Medina), held in Assembly Appropriations, 2019
SB 843 (Committee on Budget), Ch. 33, Stats. of 2016
SB 1157 (Mitchell), vetoed, 2016
SCR 20, Ch. 88, Stats. of 2009
AB 2133 (Goldberg), Ch. 238, Stats. of 2002,

Support: Access Reproductive Justice; ACLU California Action; All of Us or None; All of US or None Orange County; Alliance for Boys and Men of Color; Anti Police-terror Project; CA Legislative Women's Caucus; California Coalition for Women Prisoners; California Public Defenders Association; Californians for Safety and Justice; Californians United for a Responsible Budget; Center on Juvenile and Criminal Justice; Communities United for Restorative Youth Justice; Community Coalition; Courage California; Crop Organization; Defy Ventures; Ella Baker Center for Human Rights; Empowering Women Impacted by Incarceration; Essie Justice Group; F.I.A.T.M. Group; Fair Chance Project; Families Inspiring Reentry & Reunification 4 Everyone; Felony Murder Elimination Project; Friends Committee on Legislation of California; GLIDE; Grace Institute-End Child Poverty in CA; Justice2Jobs Coalition; La Defensa; Legal Services for Prisoners With Children; MILPA Collective; Parenting for Liberation; Peace and Justice Law Center; Pillars of the Community; Prison Policy Initiative; Restore Oakland; Restoring Hope California; Rubicon Programs; San Francisco Public Defender; San Quentin Skunkworks; Silicon Valley De-bug; Sister Warriors Freedom Coalition; Smart Justice California; Starting Over; The Change Parallel Project; The Collective for Liberatory Lawyering; The Place4Grace; The W. Haywood Burns Institute; Transgender, Gendervariant, Intersex Justice Project; UnCommon Law; Vera Institute of Justice; We Got Us Now

Opposition: None known

Assembly Floor Vote:

58 - 16

PURPOSE

The purposes of this bill are to require California Department of Corrections and Rehabilitation (CDCR) facilities to provide an incarcerated person with contact visits unless the person is housed in restricted housing; to prohibit CDCR from denying visiting privileges for a disciplinary matter or rule violation unrelated to visitation; and to establish limitations on a CDCR facility's ability to search visitors without their voluntary, informed, and written consent.

Existing law provides that any amendments to existing regulations and any future regulations adopted by CDCR that may impact visitation of incarcerated persons shall do all of the following:

- Recognize and consider the value of visiting as a means to improve the safety of prisons for both staff and incarcerated persons;
- Recognize and consider the important role of incarcerated person visitation in establishing and maintaining a meaningful connection with family and community;
- Recognize and consider the important role of incarcerated person visitation in preparing an incarcerated person for successful release and rehabilitation. (Pen. Code, § 6400, subds. (a)-(c).)

Existing law requires, at intake, every incarcerated person to be asked whom they want on their approved visitor list. (Pen. Code, § 6400.)

Existing law requires CDCR to develop policies related to the department's contraband interdiction efforts for individuals entering CDCR detention facilities, including among others:

- Application to all individuals, including visitors;
- Use of methods to ensure that profiling is not practiced during random searches or searches of all individuals entering the prison at that time;
- Establishment of unpredictable, random search efforts and methods;
- All visitors attempting to enter a CDCR detention facility shall be informed that they may refuse to be searched by a passive alert dog; and
- All visitors attempting to enter a CDCR detention facility, who have a positive alert for contraband by an electronic drug detection device, a passive alert dog, or other technology, shall be informed of further potential search or visitation options. (Pen. Code, § 6404, subds. (a)-(e).)

Existing law 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.)

Existing law requires CDCR to expedite a family visitation application process for incarcerated pregnant persons in order to prevent delays for visitation for the incarcerated mother and newborn child following delivery. (Pen. Code, § 6404.5, subd. (a).)

Existing law 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).)

Existing law provides that whenever a person is sentenced to the state prison for violating a specified sex offense and the victim of the offense is a child under the age of 18 years, the court shall prohibit all visitation between the defendant and the child victim. (Pen. Code, § 1202.05.)

Existing law states that every person who, without the permission of the warden or other officer in charge of any state prison, or any jail, communicates with any prisoner or person detained therein, is guilty of a misdemeanor. (Pen. Code, § 4570.5.)

Existing law requires emergency in-person contact visits and video calls to be made available whenever an incarcerated person is hospitalized due to a serious or critical medical condition, including imminent danger of dying. Requires that when the incarcerated person is in imminent danger of dying, CDCR must allow up to four visitors at one time to visit the incarcerated person. (Pen. Code, § 6401, subd. (c).)

Existing law defines “strip search,” “physical body cavity search,” and “visual body cavity search” as follows:

- “Body cavity” means the stomach or rectal cavity of a person, and vagina of a female person;
- “Physical body cavity search” means physical intrusion into a body cavity for the purpose of discovering any object concealed in the body cavity;
- “Strip search” means a search which requires a person to remove or arrange some or all of his or her clothing so as to permit a visual inspection of the underclothing, breasts, buttocks, or genitalia of such person; and
- “Visual body cavity search” means visual inspection of a body cavity. (Pen. Code, § 4030, subd. (c).)

This bill requires each CDCR facility to be open for visitation at least three days per week.

This bill 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.

This bill 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.

This bill authorizes a facility to limit an incarcerated person housed in a restricted housing unit to noncontact visits only for the duration of that placement.

This bill requires a facility to restore contact visits immediately upon the incarcerated person's return to a nonrestricted housing unit.

This bill prohibits a facility from denying, revoking, suspending, limiting, or interfering with visiting privileges for a disciplinary matter or rule violation unrelated to visitation.

This bill 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.

This bill 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:

- Provide clear and specific guidance on how to remedy the issue in writing;
- 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;
- Permit the visit to proceed once the issue is resolved; and
- Offer reasonable alternatives, including a noncontact visit, when correction is not possible that day.

This bill 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:

- The specific reason for denial;
- The length of the denial and explaining how to appeal; and
- Information regarding the right to appeal and how to appeal.

This bill 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.

This bill 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.

This bill 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.

This bill 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.

This bill prohibits a facility from forcibly searching any visitor who does not consent to a search. States that if a person refuses a voluntary search, as specified, the facility may only deny contact visiting for that day. Requires the facility to offer a noncontact visit on the same day, if space is available, unless there is an immediate and credible security threat.

This bill 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.

This bill 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.

This bill 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.

This bill 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.

This bill 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.

This bill 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.

This bill prohibits the facility from conducting strip searches, body cavity searches, and any search involving physical intrusion without a court-issued warrant for the search.

This bill 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.

This bill 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.

This bill 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.

This bill 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 feasible, or deny the visit.

This bill 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.

This bill requires the facility to log all searches beyond routine screening in a manner accessible for review through the visitation appeals process.

This bill 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.

This bill 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.

This bill prohibits the facility from requiring renewal of that verification for permanent devices unless there is a material change in the device.

This bill 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.

This bill 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.

This bill requires the facility to require that all searches be conducted professionally, respectfully, and without harassment, intimidation, or retaliatory intent.

This bill requires the facility to prohibit retaliatory searches, searches based on personal characteristics unrelated to safety, and degrading or sexualized comments.

This bill requires the facility to inform visitors of their right to file a complaint and shall prohibit retaliation for filing complaints.

This bill provides the following definitions:

- “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.
- “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.
- “Facility” means any institution operated by the Department of Corrections and Rehabilitation for the purposes of detention.
- “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.

- “Strip search,” “visual body cavity search,” and “physical body cavity search” have the same meaning as defined in Section 4030.
- “Visit” and “visitation” means an in-person visit conducted at a facility during established visiting hours.

This bill provides legislative findings and declarations.

COMMENTS

1. Need for This Bill

The author writes:

Women, particularly Black women, are the primary visitors of incarcerated people. 1 in 4 women in this country has a loved one who is incarcerated. For Black women, that number nearly doubles to 1 in 2. 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 percent, and revocations for technical violations of parole decreased by 25 percent compared to those who did not receive visits. Every prison visit actively improves our public safety. AB 2434 protects families, incarcerated people, visitors, and our communities.

2. Benefits of Prison Visitation

The importance of visitation for incarcerated people and their families is well recognized. On its website, CDCR affirmatively states that visitation helps incarcerated people maintain family connection and community ties.¹ Existing law requires CDCR regulations to recognize and consider the value of visiting as a means to improve the safety of prisons for both staff and incarcerated persons, and the important role of incarcerated person visitation in establishing and

¹ Cal. Dept. of Corrections & Rehabilitation, *CDCR Visitation Updates and Information* <<https://www.cdcr.ca.gov/visitors/>> [as of Jun. 3, 2026].

maintaining a meaningful connection with family and community. (Pen. Code, § 6400, subds. (a), (b).) Existing law also recognizes the important role of incarcerated person visitation in preparing an incarcerated person for successful release and rehabilitation. (Pen. Code, § 6400, subds. (a), (b).)

Other provisions of law similarly suggest the state's commitment to the above principles. For example, existing law 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.) It also requires CDCR to expedite a family visitation application process for incarcerated pregnant persons in order to prevent delays for visitation for the incarcerated mother and newborn child following delivery. (Pen. Code, § 6404.5, subd. (a).)

Decades of research have shown that in-person visitation is beneficial and reduces recidivism.² One study found that any visit reduced the risk of recidivism by 13 percent for felony reconvictions and 25 percent for technical violation revocations, which reflects the fact that visitation generally had a greater impact on revocations. The findings further showed that more frequent and recent visits were associated with a decreased risk of recidivism. A 1972 study on visitation that followed 843 people on parole from California prisons found that those who had no visitors during their incarceration were six times more likely to be reincarcerated than people with three or more visitors. Visitation is also correlated with adherence to prison rules. A 2019 study found that one additional visit per month would reduce misconduct by 14 percent. According to another study, misconduct tended to decrease in the three weeks before a visit. This may explain why more frequent visits lead to more consistent good behavior, better overall outcomes, and post-release success. Research has also found that visitation is linked to better mental health, including reduced depressive symptoms for incarcerated persons.³

3. Visitation at CDCR Facilities

General Visitation Policies

CDCR facilities must provide at least 12 hours of visiting per week. Regular visiting days must be consecutive and include Saturday and Sunday. CDCR facilities must make public the visiting schedules, including for regular visiting days, holiday visiting days, and visiting appointments. Existing regulations also require that, when a specified holiday occurs on a day not regularly scheduled for visiting, each facility must nevertheless provide the same number of hours of visiting on that day as for any regularly scheduled visiting day. (Cal. Code Regs., tit. 15, § 3172.2, subds. (a)-(c).)

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 or visitors in a designated shared space, usually furnished with tables and chairs. In-

² Prison Policy Initiative, *Research Roundup: The Positive Impacts of Family Contact for Incarcerated People and Their Families* (Dec. 21, 2021) <https://www.prisonpolicy.org/blog/2021/12/21/family_contact/> (as of June 16, 2026).

³ *Ibid.*

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.⁴

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.⁵

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.⁶

CDCR must approve visitors before visitation can be scheduled. Existing law requires, at intake, every incarcerated person to be asked whom they want on their approved visitor list. (Pen. Code, § 6400, subd. (a)(1).) CDCR approval requires a potential visitor to fill out a visitor questionnaire, which asks applicants for a list of all criminal convictions and arrests, even if the applicant was never charged or convicted following arrest. CDCR conducts background checks for arrests and convictions of all visitors and will deny anybody who fails to disclose a prior arrest or conviction.⁷ Once approved, an in-person visit at a CDCR facility can be scheduled. CDCR imposes restrictions on the day of visiting as well. Among other things, all adults must present identification when being processed to visit; children under 18 years old must be accompanied by an adult; visitors must comply with attire restrictions; and visitors may only bring a “strictly limited” set of items to the visit without prior approval.⁸

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, subd. (b)-(g).)

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 the visitation privileges of an incarcerated person for up to six months for a rule violations. (Cal. Code Regs., tit. 15, § 3176.4.)

Search Policies

⁴ CDCR, *CDCR Visitation Updates and Information* <<https://www.cdcr.ca.gov/visitors/>> [as of Jun. 3, 2026].

⁵ *CDCR Visitation Updates and Information*, *supra*.

⁶ *CDCR Visitation Updates and Information*, *supra*.

⁷ Cal. Dept. of Corrections & Rehabilitation, *How to Get Approved to Visit an Incarcerated Person* <<https://www.cdcr.ca.gov/visitors/how-to-get-approved-to-visit-an-incarcerated-person/>> [as of Jun. 3, 2026].

⁸ Cal. Dept. of Corrections & Rehabilitation, *Prepare to Visit* <<https://www.cdcr.ca.gov/visitors/prepare-to-visit/>> [as of Jun. 3, 2026]

People visiting a CDCR facility are searched for contraband and to maintain facility security. Inspection may include a search of the visitor's person, personal property, and vehicle(s) when there is reasonable suspicion to believe the visitor may be attempting to introduce contraband or unauthorized items or substances into, or out of, the institution or facility. (Cal. Code Regs., tit. 15, § 3173.2, subd. (a); see Pen. Code, § 6404, subds. (a)-(e).) All visitors must submit to metal detection device(s) and/or electronic drug detectors, and may have to submit to passive alert canine search. (Cal. Code Regs., tit. 15, § 3173.2, subd. (c).) Other searches include a hand-held wand inspection, a clothed body search, and unclothed body searches when there is a reasonable suspicion that the visitor may be carrying contraband. (Cal. Code Regs., tit. 15, § 3173.2, subd. (d)(5)-(7).) Additional screening will occur when an individual sets off the alarm of the metal detector, an individual is selected for additional screening, or an individual has provided documentation to substantiate a condition that precludes successful screening by metal detector. (Cal. Code Regs., tit. 15, § 3173.2, subd. (d)(2).) All requests for unclothed or clothed body searches must be documented in writing, and the person being searched must consent by signing a form. (Cal. Code Regs., tit. 15, § 3173.2, subd. (c)(3)(G).) A clothed body search may include touching sensitive areas of the body. (Cal. Code Regs., tit. 15, § 3173.2, subd. (d)(6).) An unclothed body search involves visual inspection of a person's body and body cavities with all of their clothing removed and a thorough inspection of the person's clothing for the purpose of detecting contraband. (Cal. Code Regs., tit. 15, § 3173.2, subd. (d)(7).) The visitor's body will not be touched by staff during the unclothed body search. (*Ibid.*) In a visual body-cavity search, an individual must strip naked and expose their anal or genital areas for visual examination. Regulations require this procedure to be conducted only when there is a reasonable suspicion that the visitor may be carrying contraband and when no less intrusive means are available to conduct the search. (*Ibid.*)

Studies indicate that strip and body-cavity searches are highly invasive and can cause significant trauma. Strip searches and body cavity searches inflict severe psychological harm that constitutes “a cognizable physical and psychological injury,” rather than a merely abstract harm, sometimes forcing survivors “into treatment for suicidal depression” and triggering “memories of past sexual and physical abuse.”⁹ The profound “trauma inflicted by prison strip-searches” can leave incarcerated women “so traumatized . . . that they refuse all visits, even from attorneys and their own children.”¹⁰ The impact on youth is similar, as general observations and personal testaments highlight the profound trauma young people experience during these procedures.¹¹ Although “intended to locate hidden contraband, the practice is invasive, degrading, and can traumatize youth,” leading to “anxiety, depression, loss of concentration, sleep disturbances . . . shame, guilt, depression, and other lasting emotional scars.”¹² A CalMatters article documented the experience of one visitor, Renee Espinosa, who was required to undergo strip searches on three separate occasions to visit someone in prison. She described her experience:

⁹ Babbar, *The Fourth Amendment Stripped Bare: Substantiating Prisoners' Reasonable Right to Bodily Privacy* (2021) 115 Nw.U. L.Rev. 1737, 1740
<<https://scholarlycommons.law.northwestern.edu/nulr/vol115/iss6/4/>>.

¹⁰ VanNatta, *Conceptualizing and Stopping State Sexual Violence Against Incarcerated Women* (2010) 37 Soc. Just. 27, 34 <<https://www.jstor.org/stable/41336934>>.

¹¹ Bath, *Police Searches of People: A Review of PACE Powers* (2022) Nat. Appropriate Adult Network, pp. 46–47
<https://www.appropriateadult.org.uk/phocadownload/Research/2022_Police_Searches.pdf>.

¹² Juvenile Law Center, *Addressing Trauma: Eliminating Strip Searches* (2017) p. 2.
<<https://jlc.org/sites/default/files/attachments/2020-04/AddressingTrauma-EliminatingStripSearch%20March%202020.pdf>>.

She was asking me to spread my genitals wider. And I'm just like, 'there's nothing in there!' How much wider do you need me to open? How much lower do you need me to bend? What else do you need me to do?¹³

Visitors who refuse to submit to an unclothed body search, where reasonable suspicion exists, will have their visiting privileges denied for that day. (Cal. Code Regs., tit. 15, § 3176, subd. (a)(3)(A).) Future visits may be conditioned upon the visitor's willingness to submit to an unclothed body search prior to being allowed to visit. (*Ibid.*) Regulations provide that such searches may be repeated on subsequent visits for as long as institution or facility officials have reasonable suspicion to believe the visitor may be attempting to introduce contraband or unauthorized items into the institution or facility. (*Ibid.*)

4. Contraband and CDCR's Drug Crisis

There is an ongoing drug crisis inside CDCR facilities, which is made possible by drug contraband being smuggled into CDCR facilities. According to CDCR, there were 89 drug overdose deaths in CDCR facilities in 2023.¹⁴ The drug overdose death rate (93 overdose deaths per 100,000) was significantly higher in 2023 compared to the two previous highest years on record, 2019 and 2022. The rate of death from fentanyl overdose increased nearly 5-fold between 2019 and 2023. In 2023, the Inspector General performed an audit of CDCR's drug interdiction efforts, and concluded that despite recognizing that electronic drug detection devices and canines are among the most effective resources to both deter and detect drugs, the department underuses both resources.¹⁵ These resources, when employed, can likely reduce the need for invasive strip search practices to prevent drugs. Additionally, many documented instances of drugs being smuggled inside CDCR facilities are perpetrated by CDCR staff, not visitors, which suggests search policies should also focus on staff.¹⁶

5. Effect of This Bill

This bill substantially overhauls the rules governing prison visitation.

¹³ Sosa, *California Prisons Have a Drug Problem. A Strip Search Policy Takes Aim at Visitors* (Aug. 8, 2023) CalMatters <<https://calmatters.org/justice/2023/08/california-prison-strip-search/>> [as of June 16, 2026].

¹⁴ California Correctional Health Care Services, *ISUDT Annual Outcomes Report 2025* (2025) <<https://cchcs.ca.gov/wp-content/uploads/sites/60/ISUDT-Annual-Outcomes-Report-2025.pdf>> [as of June 16, 2026].

¹⁵ Office of the Inspector General, *Audit of the Department of Corrections and Rehabilitation's Controlled Substances Contraband Interdiction Efforts* (Jan. 2023) <<https://www.oig.ca.gov/wp-content/uploads/2023/01/CDCR-Controlled-Substances-Contraband-Interdiction-Efforts-Audit.pdf>> [as of June 16, 2026].

¹⁶ See United States Department of Justice, *Former California State Correctional Lieutenant Arrested On Charges Of Smuggling Contraband Into Prison* (Feb. 9, 2026) <<https://www.justice.gov/usao-ndca/pr/former-california-state-correctional-lieutenant-arrested-charges-smuggling-contraband>> [as of June 16, 2026]; California Department of Corrections and Rehabilitation, *CDCR Arrests Correctional Sergeant Found with Contraband Inside Prison* (May 1, 2024) <<https://www.cdcr.ca.gov/news/2024/05/01/cdcr-arrests-correctional-sergeant-found-with-contraband-inside-prison/>> [as of June 16, 2026]; Los Angeles County District Attorney's Office, *Correctional Officer, Suspected Drug Trafficker Charged With Smuggling Cocaine Into Los Angeles County* (Apr. 17, 2026) <<https://da.lacounty.gov/media/news/correctional-officer-suspected-drug-trafficker-charged-smuggling-cocaine-los-angeles>> [as of June 16, 2026].

This bill requires each CDCR facility to be open for visitation at least three days per week. It also requires CDCR facilities to allow all visits with an incarcerated person to be contact visits unless the incarcerated person is housed in a restricted housing unit. This bill authorizes a facility to limit an incarcerated person housed in a restricted housing unit to noncontact visits only for the duration of that placement. A facility must restore contact visiting immediately upon the incarcerated person's return to a nonrestricted housing unit.

This bill additionally 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. This provision may raise some concern because it would prohibit interfering with visitation based on the criminal record or pending criminal case of an incarcerated person or visitor. There is existing law that prohibits a person convicted of a sex offense against a minor from visitation with their minor victim, and this provision could conflict with that law. The author and Committee may consider clarifying amendments that would allow CDCR to deny visitation to a person convicted of a sex offense against a minor from visiting with their minor victim.

Additionally, this bill prohibits a facility from denying, revoking, suspending, limiting, or interfering with visiting privileges for a disciplinary matter or rule violation unrelated to visitation. It 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, CDCR staff must provide clear and specific guidance on how to remedy the issue in writing; 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; permit the visit to proceed once the issue is resolved; and offer reasonable alternatives, including a noncontact visit, when correction is not possible that day. This bill requires the facility, if a visit is denied on the day of visiting for a non-correctable issue, to provide written documentation to the visitor on the same day stating the specific reason for denial; the length of the denial and explaining how to appeal; and information regarding the right to appeal and how to appeal. 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.

The bill further provides that a facility may subject any person coming onto the property to routine screening—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—or a voluntary search, to ensure facility security and prevent the introduction or removal of contraband. However, the bill 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. Under the bill, a facility must conduct all searches in the least intrusive manner reasonably available and limit searches to what is strictly necessary to address the specific security concern. The facility must, if a visitor is subjected to a search exceeding the standard screening applied to all visitors, provide written notice on the same day stating the specific reason for the search and the

name and title of the approving official. All searches must be conducted professionally, respectfully, and without harassment, intimidation, or retaliatory intent. Each facility must prohibit retaliatory searches, searches based on personal characteristics unrelated to safety, and degrading or sexualized comments. Further, each facility must inform visitors of their right to file a complaint and shall prohibit retaliation for filing complaints. The facility must log all searches beyond routine screening in a manner accessible for review through the visitation appeals process.

The bill states that clothed body searches conducted by the facility consist of a visual inspection and use of a hand-held wand, and the facility shall prohibit physical contact by staff. This provision may be construed to prohibit any contact search of a person's pockets or physical manipulation of a person's clothes to investigate for contraband. Given that such searches offer a less intrusive method than strip searches, there are likely circumstances where such searches may be desired. The author and Committee may, therefore, consider amendments that allow for contact clothed body searches, by a person of the same gender as the visitor, provided there is probable cause for the search and the person consents to the search.

The bill further prohibits strip searches, body cavity searches, and any search involving physical intrusion without a court-issued warrant for the search. This provision may not be practically feasible, as an institution likely cannot obtain a court-issued warrant within a reasonable time and still allow someone to conduct their visit that same day. The author and Committee may consider amending this provision to permit contact clothed body searches (but not strip searches or body cavity searches), by a person of the same gender as the visitor, provided there is probable cause for the search, documented in writing, and the facility obtains consent for the search. Similarly, dog detection may be considered a search "involving physical intrusion," and it may not be practical to obtain a warrant to use dog detection methods. The author and Committee may consider similarly permitting such search methods, provided there is probable cause documented in writing and the facility obtains consent. The amendments may also state that if probable cause exists, but the visitor does not consent to the visitor being searched, CDCR may offer a noncontact visit, if feasible, or deny the visit.

The bill also prohibits strip searches, visual body cavity searches, and physical body cavity searches of visitors who are under 18 years of age unless the department has probable cause and obtains a warrant to search. It adds that, if there is probable cause that the minor visitor is attempting to introduce contraband, unauthorized substances, or other unauthorized items into the institution, CDCR must notify the visitor and their parent or guardian in writing, and the department shall receive written consent from the visitor and their parent or guardian prior to conducting the search. If probable cause exists but the visitor and their parent or guardian do not consent to the visitor being searched, CDCR may offer a noncontact visit, if feasible, or deny the visit.

The bill states that the facility must 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. The facility may not require renewal of that verification for permanent devices unless there is a material change in the device. The facility may not require visitors who use wheelchairs or assistive devices to transfer to a facility wheelchair, and the facility must permit visitors to remain in their own wheelchair while the device is inspected using the least intrusive means available. The facility is prohibited from punishing failure to present documentation under this provision with permanent suspension of

visitation, but the facility may require alternative screening measures or a noncontact visit for that day.

This bill provides several definitions for terms used in the bill, including assistive device, credible security threat, routine screening, and physical body cavity search, among others.

6. Argument in Support

Essie Justice Group, the bill's sponsor, writes:

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.

...

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.

-- END --