CONCURRENCE IN SENATE AMENDMENTS
AB 2434 (Bonta)
As Amended August 20, 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.

Senate Amendments

1) Provides that, if a CDCR facility will not be open for visitation, the facility shall provide notice to the impacted population as soon as possible.

2) Eliminate the provision prohibiting a CDCR facility from denying, revoking, limiting, or interfering with visitation based on specified characteristics.

3) Provide that incarcerated persons may only have contact visits restricted or denied based on the following:

   a) Possession of contraband while entering, inside, or exiting the visiting area.

   b) Sustained or pending rules violations for distribution of drugs within the last 24 months.

   c) Other pending or sustained serious rules violations that result in a restrictive housing unit term.

   d) Escaping or aiding an escape or attempting to commit these acts.

   e) Engaging in inappropriate sexual conduct during a visit, not including lawful sexual conduct during a family visit.

   f) Documented and individualized circumstances that contact visits would present a substantial risk to institutional or visiting room safety or security, or would be medically or clinically inappropriate due to the incarcerated person’s current condition.

   g) As required under existing law.

4) Provide that any limitation on visitation shall be reasonable under the identifiable circumstances and shall be reevaluated once those circumstances no longer exist.

5) Provides that, if space is available, the department shall offer individuals subject to visitation restrictions or denials noncontact visits to the greatest extent possible.

6) Provide that a "correctable issue" also includes issues relating to allowable items, as specified that can reasonably be corrected before entry or possession of an item that in not permitted, as specified, but that does not constitute a violation of law or department rules and can be removed, secured, or otherwise corrected before entry.

7) Eliminate the prohibition on denying a visit for correctable issues if a person has traveled more than 170 miles to attend a visit and has not visited within 30 days.

8) State that a CDCR facility shall conduct all searches of visitors in a manner and to an extent that is reasonable under the totality of the identified circumstances and the legitimate safety and security concerns involved.

9) Provide that staff shall limit the scope, duration, and intrusiveness of the search to that which is reasonably capable of addressing the identified concern.

10) Provide that limitations on unclothed body searches do not apply if the facility has a court-issued warrant or placed the visitor under arrest.

11) Clarify that a "credible security threat" may be based on a past rule violation if the circumstances of that violation create a safety or security risk to other visitors or incarcerated individuals or institutional security.

12) Eliminate the prohibition on requiring visitors who use wheelchairs or assistive devices to transfer to a facility wheelchair, instead providing that such visitors may do so while the device is inspected. If transfer is not feasible, and the visitor provides a doctor's note, the facility may permit visitors to remain in their own wheelchair or device while it is inspected by the least intrusive means available.

13) Makes technical and conforming changes.

COMMENTS

As Passed by the Assembly:

This bill required 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 established limitations on a CDCR facility's ability to search visitors without their voluntary, informed, and written consent.

1) Required each CDCR facility to be open for visitation at least three days per week.

2) Prohibited 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) Provided 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) Authorized a facility to limit an incarcerated person housed in a restricted housing unit to noncontact visits only for the duration of that placement.

5) Required a facility to restore contact visits immediately upon the incarcerated person's return to a nonrestricted housing unit.

6) Prohibited a facility from denying, revoking, suspending, limiting, or interfering with visiting privileges for a disciplinary matter or rule violation unrelated to visitation.

7) Required 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) Prohibited 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 should do all of the following:

   a) Provided clear and specific guidance on how to remedy the issue in writing;

   b) Allowed 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) Permitted the visit to proceed once the issue is resolved; and,

   d) Offered reasonable alternatives, including a noncontact visit, if space is available, when correction is not possible that day.

9) Required 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) Provided 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) Authorized 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) Prohibited 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) Required 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) Prohibited a facility from forcibly searching any visitor who does not consent to a search. If a person refused a voluntary search, as specified, the facility may only deny contact visiting for that day. The facility should offer a noncontact visit on the same day, if space is available, unless there is an immediate and credible security threat.

15) Prohibited 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) Required 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) Required 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) Provided that clothed body searches conducted by the facility should consist of a visual inspection and use of a hand-held wand, and the facility should prohibit physical contact by staff.

19) Required 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) Required the facility to require written supervisory approval for unclothed searches documenting the specific facts supporting reasonable suspicion. They should 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) Prohibited 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) Authorized 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) Required 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 required CDCR to receive written consent from the visitor and their parent or guardian prior to conducting the search.

25) Authorized 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) Required 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) Required the facility to log all searches beyond routine screening in a manner accessible for review through the visitation appeals process.

28) Required 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) Stated 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) Prohibited the facility from requiring renewal of that verification for permanent devices unless there is a material change in the device.

31) Prohibited the facility from requiring visitors who use wheelchairs or assistive devices to transfer to a facility wheelchair, and required the facility to permit visitors to remain in their own wheelchair while the device is inspected using the least intrusive means available.

32) Prohibited the facility from punishing failure to present documentation under this provision with permanent suspension of visitation, but authorized the facility to require alternative screening measures or a noncontact visit for that day.

33) Required the facility to require that all searches be conducted professionally, respectfully, and without harassment, intimidation, or retaliatory intent.

34) Required the facility to prohibit retaliatory searches, searches based on personal characteristics unrelated to safety, and degrading or sexualized comments.

35) Required the facility to inform visitors of their right to file a complaint and shall prohibit retaliation for filing complaints.

36) Provided 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) Provided legislative findings and declarations.

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 Senate Appropriations Committee, "Costs, possibly in the millions of dollars annually, for staffing for expanded visiting hours, processing visitation re-applications, and managing the revised search process, as required by this bill. The California Department of Corrections and Rehabilitation (CDCR) also anticipates possible one-time costs for infrastructure improvements for some family visiting facilities. Additional significant, ongoing costs to CDCR to handle legal challenges arising from denial of visitation (General Fund)."

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

ASSEMBLY FLOOR: 58-16-6
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, 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, Valencia, Ward, Wicks, Wilson, Zbur, Rivas
NO: Castillo, Davies, DeMaio, Dixon, Ellis, Gallagher, Jeff Gonzalez, Hadwick, Hoover, Johnson, Lackey, Macedo, Patterson, Sanchez, Ta, Tangipa
ABS, ABST OR NV: Alanis, Chen, Flora, Muratsuchi, Celeste Rodriguez, Wallis

UPDATED

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