

## SENATE THIRD READING

SB 553 (Cortese)

As Amended September 02, 2025

Majority vote

**SUMMARY**

Expands the requirement that the California Department of Corrections and Rehabilitation (CDCR) accept applications for statewide clearance to CDCR facilities from program providers to include "legal professionals," Exempts specified persons from the requirement to apply for a CDCR clearance.

**Major Provisions**

- 1) Provides that the following persons shall be granted short-term clearance without the requirement to apply for a clearance for all CDCR facilities upon request:
  - a) The Governor and all cabinet members;
  - b) Members of the Legislature and legislative staff; and,
  - c) Current judges of the State of California.
- 2) Expands the requirement that the CDCR accept applications for statewide clearance to CDCR facilities from program providers to include "legal professionals."
- 3) Defines "legal professional" as an attorney or attorney representative.
- 4) Provides that an attorney representative is any of the following:
  - a) A private investigator licensed by any state and sponsored by the attorney or appointed by the court; or,
  - b) An investigator who is employed by a government agency, public agency, or public institution.
- 5) Provides that "attorney support personnel" is any of the following:
  - a) A law student sponsored by the attorney;
  - b) A legal paraprofessional sponsored by the attorney or appointed by the court; or,
  - c) An employee of an attorney, legitimate legal service organization, or licensed private investigator who is sponsored by the attorney or licensed private investigator.
- 6) Clarifies that, for purposes of this statute, "institution" refers to any CDCR facility including community reentry programs and fire camps under CDCR jurisdiction.
- 7) Makes technical and conforming changes.

## COMMENTS

*Effect of the Bill:* The provisions in this bill were modeled after AB 581 (Carrillo), Chapter 335, Statutes of 2023, which established uniform standards for program providers to apply for and obtain annual and short-term clearances in order to visit the state's prisons. AB 581 was introduced, in part, due to the variation between different prisons with respect to the requirements for program providers seeking to obtain clearances.

The proponents of this bill contend that there is a lack of uniformity regarding clearances for attorneys and attorney representatives which has created an unnecessary burden for obtaining approval for prison visits. To address that issue, this bill expands the requirement that the CDCD accept applications for statewide clearance to CDCR facilities from program providers to include "legal professionals." This bill defines legal professional as an attorney or attorney representative and adopts the department's definition of attorney representative as provided in its regulations.

Finally, this bill requires the following individuals to be granted short-term clearance without the requirement to apply for a clearance for all CDCR facilities upon request: the Governor and all cabinet members, members of the Legislature and legislative staff, and sitting state judges. It is unclear that this provision of the bill is necessary given that some of the listed individuals do not currently need to obtain clearance at all (e.g., the Governor) and others face a fairly minimal burden in order to obtain clearance (e.g., legislative staff).

### According to the Author

"An effective and accountable corrections system depends on ensuring efficient access for those responsible for shaping its policies and making informed decisions related to the criminal justice system. Currently, the California Department of Corrections and Rehabilitation (CDCR) requires state officials and legal professionals seeking prison entrance to undergo an extensive clearance process for each facility. This repetitive procedure creates administrative burdens and delays that hinder oversight. This bill will eliminate these barriers by granting seamless entry to trusted public officials and legal professionals upon request, removing redundant application requirements while maintaining essential security protocols. By streamlining this process, SB 553 will strengthen oversight, improve accountability, and support California's efforts to create more humane prison environments."

### Arguments in Support

According to *Smart Justice*, "The California Department of Corrections and Rehabilitation (CDCR) currently has three existing clearance levels: short-term clearance, annual program provider clearance, and statewide program provider clearance. These longer-approval levels are exclusively available to community-based organization program providers upon a formal application procedure.

"If a legal professional would like to access a prison, they must follow the same extensive process for each facility. This system creates administrative burdens, logistical barriers, and delays as the cumulative workload overburdens prison staff.

"SB 553 provides seamless access upon request to legal professionals without the use of a formal application process each time, while upholding security protocols."

### Arguments in Opposition

None submitted.

**FISCAL COMMENTS**

According to the Assembly Appropriations Committee, "Costs (General Fund) to CDCR of an unknown but potentially significant amount to integrate legal professionals into its existing annual clearance process and process additional annual clearance applications on an ongoing basis."

**VOTES****SENATE FLOOR: 38-0-2**

**YES:** Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

**ABS, ABST OR NV:** Limón, Reyes

**ASM PUBLIC SAFETY: 9-0-0**

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

**ASM APPROPRIATIONS: 11-0-4**

**YES:** Wicks, Arambula, Calderon, Caloza, Elhawary, Fong, Mark González, Ahrens, Pacheco, Pellerin, Solache

**ABS, ABST OR NV:** Sanchez, Dixon, Ta, Tangipa

**UPDATED**

VERSION: September 02, 2025

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FN: 0001460