

## **Senator Mitchell Bill to Prohibit California Jails from Eliminating In-Person Visitation Rights Successfully Approved by Senate Public Safety Committee**

**April 12, 2016** - Today, a bill sponsored by Senator Holly J. Mitchell (D- South Los Angeles), SB 1157, was successfully approved by the Senate Public Safety Committee. The bill would prohibit California jails from eliminating in-person visitation rights. The bill would preserve visitation rights for people in California county jails, juvenile facilities, and private facilities by clarifying that video technology cannot be used to replace in-person visits.

At least eleven counties in California have eliminated, plan to eliminate, or severely restrict in-person visitation in at least one of their jails. Since the implementation of public safety realignment in California, more people are serving time in county jails and for longer periods of time than ever before.

Eliminating in-person visitation has a drastic and negative impact on families, particularly for children. As Mike Cortez whose brother is incarcerated in Solano County shares, "I used to get to feel the connection to my brother. I'm pretty sure anyone who has done a video visit can relate to what I am saying as to the connection that is lost. It's bad enough my brother is inside, I at least need to be able to see him."

A 2014 Department of Justice report found that when a person is incarcerated, even for a short period of time, family contact and in-person visits are crucial to maintaining family stability, reducing disciplinary infractions and violence, reducing recidivism, increasing the chances of obtaining employment post-release, and facilitating successful reentry.

Senator Holly Mitchell describes why she has introduced this bill, "The Legislature has spent a great deal of time grappling with this issue of humane treatment of people in CA jails. We have approved funding to reduce overcrowding, improve educational and rehabilitative services, and reduce recidivism. We would be going backwards to now eliminate a basic human right - in-person visitation. Maintaining familial relationships is key to their success once released."

The increased use of video visitation as a replacement for in-person visitation in California is part of a nationwide trend. A 2015 Prison Policy Initiative report showed that 74% of county jails across the country that implemented video visitation ended up eliminating in-person visitation. The recent trend to replace traditional in-person visits with video technology comes on the heels of regulations passed by the Federal Communications Commission (FCC) that will cap the \$1/min phone call rates for incarcerated people and their families nationwide.

The leading prison phone corporations have recently moved into the business of video visitation and, as of now, it is a completely unregulated industry.

SB 1157 does not prevent sheriffs' departments from adopting video visitation. Video visitation can be an extremely positive supplement to in-person visitation, particularly when people are imprisoned far from their families and networks of support. However, remote video visits are cost-prohibitive for many families, and many low-income families do not have access to computers or high-speed internet. In facilities that have replaced in-person visitation with video visitation, families who cannot afford to pay for the service are left with one option: travel to the correctional facility and "visit" with their loved one at no cost from video kiosks in the lobby.

Lisa Currier in Butte County describes the importance of in-person visitation, stating the following, "As a mother of a son with mental illness, we had an experience that landed my boy in jail instead of the hospital. During his stay on suicide watch for 14 months, in Butte County Jail, they began to implement video visitation. This choice might be good for families who live a long distance away and can afford the service, but it wasn't good for us. My son's sense of reality was impaired by his illness and video visitation would have aggravated that."

SB 1157 will prevent California county jails, juvenile facilities, and private facilities from completely replacing in-person visitation with video visitation. The bill is supported by a broad coalition of co-sponsors who support video visitation as a supplement — but not replacement — for in-person visitation.

SB 1157 is co-sponsored by the Friends Committee on Legislation of California, the Women's Policy Institute, Community Initiatives for Visiting Immigrants in Confinement (CIVIC), Ella Baker Center for Human Rights, Legal Services for Prisoners with Children, Project WHAT!, Prison Law Office, and a New Way of Life. The bill also has received strong support from the Prison Policy Initiative, the Returning Home Foundation, and the California Immigrant Policy Center