

PRISON POLICY INITIATIVE

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March 28, 2019

Assembly Member Reginald Jones-Sawyer
Chair, Assembly Public Safety Committee
1020 N St. Room 111
Sacramento, CA 95814

Re: Assembly Bill 964 (Medina) – SUPPORT

Dear Assembly Member Jones-Sawyer:

On behalf of the Prison Policy Initiative, I wish to express our support for AB 964 (Medina). AB 964 would build on previous legislation¹ that requires jails to provide in-person visits but currently permits some jails to ban in-person visits. AB 964 would require that all California jails provide in-person visits. Specifically, the bill would require jails that have replaced in-person visits with video calls to restore in-person visits by 2025. AB 964 is an opportunity for policymakers to stand up for incarcerated people and their loved ones as well as adhere to correctional best practices.

The Prison Policy Initiative is a national criminal justice research and advocacy organization that has long been working to shine light on and stop the practice of sheriffs and private companies working together to replace in-person visits with video calls. In January 2015, I co-authored the first national report on video calls, *Screening Out Family Time: The for-profit video visitation industry in prisons and jails*.² Our research uncovered that 74% of local jails across the country that adopt video chats eliminate in-person visits. We have also supported successful efforts to protect in-person jail visits in states such as Massachusetts and Texas.³ In California, I testified about this harmful trend at the joint hearing on video calls,

¹ In 2016, the California legislature attempted to protect in-person visits in all jails by approving SB 1157 (Mitchell), but Governor Brown vetoed the legislation. The next year, Governor Brown signed the budget, including AB 103, which prohibited local jails that offered in-person visitation as of January 1, 2017 from adopting a video call-only policy. However, jails that had already begun the process of eliminating in-person visitation are permitted to continue with the cruel practice.

² Bernadette Rabuy and Peter Wagner, *Screening Out Family Time: The for-profit video visitation industry in prisons and jails* (Easthampton, MA: Prison Policy Initiative, January 2015). Accessed on January 13, 2017 from: <https://www.prisonpolicy.org/visitation/report.html>.

³ Texas's HB 549 requires jails to provide at least two in-person visits per week, but includes a grandfathering clause for counties that incurred "significant expense" replacing in-person visits with video calls. For HB 549, see: <https://capitol.texas.gov/tlodocs/84R/billtext/pdf/HB00549F.pdf#navpanes=0>. Massachusetts' S.2371 requires Massachusetts jails to provide at least two in-person visits per week and prohibits jails from replacing in-person visits with video calls. For more information on S.2371, see: https://www.prisonpolicy.org/blog/2018/03/26/ma_cj_reform18/.

which the Senate Public Safety Committee, Senate Budget Subcommittee #5, and Assembly Budget Subcommittee #5 held on February 21, 2017.

Prison and jail visitation provides many benefits to incarcerated people and their loved ones, correctional facilities, and our communities in general. Research shows that even a single in-person visit can reduce recidivism by 13%.⁴ When incarcerated people are able to maintain ties with their family members on the outside, they are able to turn to their relatives upon release for critical support with finding a job, housing, etc. Lower recidivism rates could prevent overcrowding, which make correctional officials' job particularly challenging, and would allow the state to divert resources from the correctional system to other social services like education, mental health treatment, or homelessness. Further, there is no way to understate the extent to which incarcerated people and their loved ones value visitation. As one man who has visited his father in various California jails told legislators, "Human beings need in person visits. Our minds need it and our hearts need it."⁵

Sheriffs' decision to replace in-person visits with video calls is a key example of how our nation's criminal justice policies fail to recognize and support the positive role families play in rehabilitation. Video "visitation" is a form of videoconferencing in which incarcerated people and their "visitors" view each other on a screen, rather than face-to-face or through a glass barrier. Although providing video calls can be a powerful supplement to in-person visits, forcing families to either travel to jails to use computers in the jail lobby or pay to video chat from home trivializes the importance of visitation and exploits captive consumers.

In the past few years, California policymakers have worked to protect in-person jail visits. However, AB 103 fell short by unnecessarily permitting certain jails to deprive incarcerated people and their loved ones of in-person visitation, even jails that still have the physical space to provide in-person visits.

Now is the perfect time for policymakers to finish the work you all have started by supporting AB 964. For example, Riverside's East County Detention Center is still being constructed. AB 964 could encourage Riverside County to promptly change its planned video call-only policy before completion, when it would be less costly to change course.⁶ Further, prioritizing in-person jail visits is even

⁴ Minnesota Department of Corrections, *The Effects of Prison Visitation on Offender Recidivism* (St. Paul, MN: Minnesota Department of Corrections, November 2011), p 27. Accessed on December 3, 2014 from: https://mn.gov/doc/assets/11-11MNPisonVisitationStudy_tcm1089-272781.pdf.

⁵ David Szeles submitted this testimony to the joint hearing on video calls, which the Senate Public Safety Committee, Senate Budget Subcommittee #5, and Assembly Budget Subcommittee #5 held on February 21, 2017.

⁶ According to your own experience and expertise, this change would be feasible. You stated at the joint hearing on video calls, "I worked several years in the city of Los Angeles. I left as the director of real estate. I've actually built a jail in the city of L.A.... All of them can have [in-person] visitation in them...and you can require that...It can be done, and it can be done quickly, even on the end of construction." See: <https://www.prisonpolicy.org/blog/2017/09/06/california-hearing-visits/>.

more crucial in California where, due to Realignment, some people spend years in local jails.

For these reasons, the Prison Policy Initiative urges support for AB 964.

Sincerely,

A handwritten signature in black ink that reads "Bernadette Rabuy". The signature is written in a cursive, flowing style.

Bernadette Rabuy
Senior Policy Analyst

C. Assembly Member Jose Medina