

FACT SHEET



New York Initiative for
Children of Incarcerated Parents
A special project of Osborne's Policy Center

PROTECT IN-PERSON VISITING IN NEW YORK'S JAILS & PRISONS

The Protect In-Person Visiting bill (\$3318) sponsored by Assemblymember Weprin and Senator Sepulveda would amend New York State Correction Law to *proactively* ensure that New York's jails and prisons cannot reduce or eliminate in-person visits in favor of video conferencing. This bill protects existing in-person visiting practices in New York State prisons and strengthens visiting practices in jails by requiring weekend and/or evening visiting hours so that children and families do not have to miss school or work to visit.

New York Must Protect In-Person Visiting Now

Families are justifiably fearful that correctional facilities in New York will eliminate or reduce visiting hours in favor of charging for video conferencing, an alarming trend occurring in jails across the country and encouraged by video conferencing companies and jails that profit from it.¹ This trend began before the pandemic, and will likely be accelerated now that more jails are implementing video conferencing and facing budget shortfalls as a result of Covid-19. California and Massachusetts passed laws to protect in-person visiting, and it is prudent for New York to do so: it is easier to prevent this alarming practice than to reverse it.

Video Conferencing is Not Accessible for All Families

Jails typically charge between \$5 to \$15 for a 30 minute video conference.² Currently, only the Osborne Association and the Child Center of New York offer free, family-friendly video "visits" at their offices to 10 of NY's 52 prisons.³ Some jails are temporarily offering free video conferencing, but only Rikers Island offered free video conferencing before the pandemic. Video conferencing may be free if visitors travel to the jail; a particularly cruel practice. Some families do not have access to or struggle with using the required technology. Families report the video and sound is often poor or ends prematurely.⁴ Refunds are rare.

Video conferencing is a good *supplement* to in-person visits and it should be available for free in every prison and jail, allowing families to connect from their homes to maintain relationships in between in-person visits.

¹ In the end, correctional facilities profits are largely nominal.

² Securus Technologies, [Facilities and Pricing in NY](#); [Can You Hear Me Now](#) (2019), The Marshall Project.

³ Community-based offices are in New York City, Buffalo and Newburgh.

⁴ [Screening Out Family Time: The for-profit video visitation industry in prisons and jails](#) (2015), Prison Policy Initiative.

In-Person Visiting Supports Children's Well-Being

Visiting is critically important for families, and especially for children. The [*Children of Incarcerated Parents' Bill of Rights*](#) states "I have the right to speak with, see, and touch my parent."⁵ Families rely on in-person visits for important parent-child conversations, to build and maintain bonds, and reassure children that their parent is safe and healthy. Visiting can decrease children's emotional distress; provide a forum to process trauma surrounding the separation; and can lead to a smoother reentry process.

Children tell us: "When I was younger I thought my mom didn't want to see me because I was only able to video visit with her. I didn't understand that I wasn't visiting in-person because of limited visiting hours and distance." And, "As long as I can visit my mom, feel her touch, and can eat with her, that's all that matters."

In-Person Visiting Promotes Public Safety

Research demonstrates that maintaining and strengthening family and community ties is critical to preventing recidivism and promoting lasting reentry. Visiting also supports institutional adjustment, program participation, and rehabilitation for those incarcerated. It is unknown, whether video conferencing alone will lead to these benefits. Reports of behavior incidents and contraband increased within the year after the jail in Travis County, Texas completely replaced in-person visiting with video conferencing.⁶

There is Nothing Like Seeing a Loved One In-Person

More than 105,000 children whose parents are incarcerated in New York and hundreds of thousands of family members are counting on the immediate passage of this bill to protect the critical lifeline to their loved ones. As a result of systemic racism and criminalizing poverty, families of color and low income families are disproportionately affected by both incarceration and Covid-19, making restoring, strengthening and protecting visiting a matter of racial and economic justice. And to put it simply, protecting in-person visiting is the right thing to do.

⁵ The *Bill of Rights* was created in 2005 by the San Francisco Children of Incarcerated Parents Partnership.

⁶ [Video Visitation. How Private Companies Push for Visits by Video and Families Pay the Price](#), October 2014. Grassroots Leadership and Texas Criminal Justice Coalition.

