

AB 2632: Myth v. Fact

Myth AB 2632 will cost a billion dollars and require construction in all prisons

Fact: AB 2632 will not cost a billion dollars in construction. In fact California has historically saved money when it has reduced the use of solitary confinement in prior budgets. In 2016 and 2017, Governor Brown's budget reflected more than 50 million dollars in savings when California reduced its use of solitary confinement in facilities like Pelican Bay. We thoroughly debunk this bad faith cost estimate in our cost report [available here](#), noting potential savings estimated between **60 and 300 million dollars** by passing the Mandela Act

Myth AB 2632 **requires** facilities to return people to the general population after 15 days. This prevents individuals from accessing protective custody, and would force people to be in the general population against their will.

Fact: AB 2632 **does not** mandate facilities to return people to the general population. AB 2632 requires that facilities limit the use of solitary confinement (17 hours or more of lock down) to 15 consecutive days.

Individuals held in a single cell are not necessarily in solitary confinement unless they are locked down for more than 17 hours in a day.

Individuals may be held in an individual unit or cell based on the needs of that individual, or security related concerns. Nothing in the bill prevents individuals from having access to individual cells or protective housing, but instead ensures that individuals in those units are afforded consistent hours of out of cell time each day.

See: **2697.2.(d)** A facility shall not send a detained person to segregated confinement as a means of protection from the rest of the detained population or alternative means of separation from a likely abuser. If an individual fears for their safety, the facility shall transfer them to a more appropriate custody unit that

is not segregated confinement, **including, but not limited to, a single cell with sufficient programming** and out-of-cell time such that it is not segregated confinement, a different section of the facility, or a sensitive needs yard. Placement in these alternative forms of custody shall give full access to out-of-cell time, programming, and other services available to the rest of the detained population.

Myth

Individuals that engage in violent behavior, including killing another individual or cellmate, would be returned to the general population after 15 days.

Fact: Individuals that engage in violent or criminal behavior will face consequences from the criminal justice system, independent of AB 2632. Nothing in AB 2632 prevents individuals from being held in single units, if they pose a threat to other individuals.

AB 2632 requires facilities to limit the use of prolonged solitary confinement, and instead requires individuals to receive access to programming and treatment, designed to reduce violence and aid deescalation. The bill does not mandate a return to general population in any way, but requires access to resources centered on rehabilitation and support, with the goal of ending cycles of violence.

See: **2697.2.(d)** (e) A facility shall not hold an individual in segregated confinement for more than 15 consecutive days and no more than 45 days total in a 180-day period. On or before the 15th consecutive day in segregated confinement, **a facility shall transfer the individual out of segregated confinement to an appropriate congregate or individual setting.**