

EXHIBIT D

EXPERT REPORT AND DECLARATION OF JOSHUA C. COCHRAN

1. Counsel for the Plaintiffs in this case, which challenges a family visitation ban at a California jail, have asked me to provide my expert opinion on these matters. I am providing this report on behalf of the Plaintiffs and the classes of similarly situated individuals they seek to represent. My expert opinion is as follows:

BACKGROUND

2. I am a professor in the School of Criminal Justice at the University of Cincinnati. I received my Ph.D. from Florida State University's Department of Criminology and Criminal Justice in 2013. My research focuses on theoretically informed evaluations of corrections and court policies. I am a national expert on criminal justice and correctional policy evaluation, and specifically on the ways that visitation in jails and prisons advances penological goals, such as reducing recidivism and promoting safety in facilities and the outside community.

3. I was awarded the 2013 Michael C. Braswell/Anderson Publishing Outstanding Student Paper award from the Academy of Criminal Justice Sciences for my paper titled "The Ties that Bind or the Ties that Break: Examining the Relationship between Visitation and Misconduct," an assessment of the relationship between prison visitation and prison misconduct. I was awarded the 2012 Dissertation Scholarship Award from the American Society of Criminology's Division on Corrections and Sentencing. The dissertation, titled "Prison Experiences, Social Ties, and Behavior: Visitation and Its Effects on Incarceration and Reentry," was a statewide evaluation of the experiences and trends of prison visitation in Florida and the impacts of it on prison misconduct and post-release recidivism. In the years following my dissertation, I continued this line of investigation to evaluate barriers to visitation in Florida and inequalities in access to it. For this and my other scholarship focused on prison and sentencing practices, I was awarded the Distinguished New Scholar Award in 2017 from the American Society of Criminology's Division on Corrections and Sentencing and the 2018 New Scholar Award from the Academy of Criminal Justice Sciences. My 2017 paper on Florida prison restrictive housing policies received the William L. Simon Outstanding Paper Award from the Academy of Criminal Justice Sciences. My research on incarceration policies and practices has also been funded by the National Institute of Justice and the Bureau of Justice Assistance. I am currently serving as co-editor-in-chief of the academic research journal *Justice Quarterly*, which is the flagship journal of the Academy of Criminal Justice Sciences and its focus is on publishing significant research papers that advance criminal justice and criminological theory and policy.

4. I have published two books with my colleague Dan Mears relevant to this report: *Prisoner Reentry in the Era of Mass Incarceration* (Sage Publications) and *Fundamentals of Criminological*

and *Criminal Justice Inquiry: The Science and Art of Conducting, Evaluating, and Using Research* (Cambridge University Press). The former is an analysis of incarceration policies and the challenges of prisoner reentry—for individuals, criminal justice systems, and society—and recommendations for how to improve related policies. Prison visitation, as we discuss in the book, is an important part of a package of policies and policy changes that can mitigate collateral harms of incarceration and improve the fairness and effectiveness of corrections systems. The latter is a guidebook for researchers and policymakers for how to think about research and evidence in criminology and criminal justice.

5. I am currently serving as an expert witness in three ongoing cases: *E.L. et al. v. Adams County Sheriff et al.*, CASE 2025CV031717 (Adams County District Court, Colorado), *M.M. et al. v. Sheriff Mat King et al.*, CASE 24-000546-CZ (31ST Circuit Court St Clair County, Michigan), and *S.L. et al. v. Sheriff Christopher Swanson et al.*, CASE 24-120601-CZ (7TH Circuit Court Genesee County, Michigan), regarding children with incarcerated parents and their families

6. I am being compensated at \$200/hour for my work and \$100/hour for any travel.

OVERVIEW

7. In forming my opinions, I rely on findings from multiple studies authored by various researchers and scholars of criminal justice policies and over 12 years of experience studying this issue. These studies use acceptable research methodology. The body of research evidence on visitation is uniquely robust. Study sites range widely with coverage from many states and local jurisdictions as well as international contexts. The research methodologies employed across this evidence base are, importantly, diverse. They span from detailed qualitative analyses based on interviews with incarcerated people, families, and correctional staff, to large-scale quantitative evaluations, using sophisticated and cutting-edge analytical models of statewide administrative records. It is also a multidisciplinary endeavor. We see perspectives not just from criminology and criminal justice, but also the fields of social work, sociology, economics, public administration, and public health. This is a powerful combination. It provides both the top-down aggregate assessment of what visitation does for people and systems and the fine-grained experiential information to help us understand what might be behind the statistical relationships.

8. This diversity in research approaches and jurisdictions, and the relative consistency of results informing us about the impacts of and experiences with visitation, suggest that the relationships are robust—that is, we would expect the findings to be generalizable to other jurisdictions, unless new research emerges to suggest otherwise.

9. Counsel for the Plaintiffs have asked me for my professional opinion on the following questions:

- a. What role do visits play in promoting the emotional well-being of people detained in jail?
- b. What role do visits play in reducing misconduct inside jails and otherwise improving safety of the jail facility?
- c. What role do visits play in reducing recidivism and improving community safety outside the jail?
- d. What does the research say about how policymakers should evaluate the costs and benefits of a policy authorizing in-person contact visits?

10. My opinions below lean heavily on my own work on visitation, which has primarily focused on statewide samples of Florida state prisoners and national-level samples from prison and jail inmate census data produced by the U.S. Department of Justice’s Bureau of Justice Statistics (“BJS”). I also rely on rigorous research completed by other scholars. My own studies and the bulk of those referenced in this report measure visitation as in-person visits, which do not include telephone or video calls. Some recent studies have examined video calls and some studies measure concepts broader than visitation, such as “social support.” I clarify the different concepts used when summarizing a study. When I read research studies, I am assessing them on a range of criteria, including the theory and background knowledge that informs their analysis as well as the methodological and sampling strategies they employ.

11. Although most of my work has focused on incarcerated populations in states like Florida and Ohio, some of it also leverages nationally representative data collected by the U.S. Department of Justice’s Bureau of Justice Statistics. In addition, the larger body of research on visitation in the field, which I include in my assessments below, comes from a diverse set of scholars and research contexts including many different states and jurisdictions and even other countries. This diversity is a strength. As findings replicate across many different jails and prisons, it increases the generalizability of that finding; or the confidence we have that the result is real and applies to similar study sites. Given that jails and prisons share many structural and organizational characteristics, we should expect conclusions from high quality research studies to be applicable to most jails and prisons, even if those sites have not yet been studied directly.

12. My opinions are always developing as new knowledge is produced. Thus, the opinions set forth below are subject to updates, as all good policy analysis should be, as new evidence comes to light.

OPINIONS

A. Visitation of incarcerated people improves their well-being.

13. Visitation improves the well-being of incarcerated people in a range of ways. Research finds that incarcerated people who are visited report improved mental health. De Claire and Dixon

(2017) conducted a systematic review of research on visitation and prisoner mental health and well-being. After rating and filtering studies based on scientific quality, they concluded that the most rigorous studies found that visits during incarceration improved mental health of women and juveniles.

14. A recent study is consistent with the findings of the meta-analysis. Fahmy and colleagues (2026) found that, in a sample of 475 men who were studied during incarceration and after release, those who were visited by family members in person within the last six months of a prison term reported significantly better self-assessments of physical health and also mental health during the first four weeks post-release compared to those who did not receive in-person visitation. They found no such benefits for mental and physical health stemming from sending/receiving mail or making/receiving phone calls.

15. Empirical studies tell us that visitation plays an important role in developing optimism and decreasing concerns about reentry. For example, Baker et al. (2022) found, using survey data from five different state correctional facilities, that more frequent visitation is associated with reduced concerns about various practical aspects (e.g., employment, housing, debt, and recidivism) of individual's upcoming reentry. Mancini et al. (2016) surveyed more than 800 incarcerated women in a single state prison facility and found a similar inverse relationship between visitation and reentry concerns. Our analysis (Anderson et al. 2022) of the BJS Inmate Survey data (mentioned above) similarly found that individuals with higher levels of social capital were more likely to be optimistic about their ability to reconnect with social ties after release. Social capital includes the resources that a person's social network can provide to them. Visitation is the primary tool or access point a person has during incarceration to access their social network and, by doing so, access the various resources that network can provide to them. Research on this visitation-social capital linkage is outlined in more detail further below.

16. Improving optimism of incarcerated people could be easily overlooked as a policy target, but it is likely important—for safety and order, for treatment effectiveness, and for reentry—that jails and prisons promote conditions for optimism. For example, principles of effective correctional intervention tell us that, for correctional treatments to promote successful rehabilitation, participants must buy into them (Serin and Kennedy, 1997; McMurren and Ward, 2010). We should expect that incarcerated people with more optimism about life after incarceration are likely to be proactive as they prepare for that life. This should have cascading effects for institutions, including better treatment participation, increased treatment completion (Bosma et al., 2016), better rule compliance, improved working conditions for correctional personnel, and, in turn, better public safety outcomes.

17. Moreover, and perhaps as a product of these and other effects, outside social contact during incarceration is linked to reduced likelihoods of self-harm and suicide. Two recent meta-analyses¹ find significant associations between visitation and reduced odds of self-harm and suicide attempts. First, Zhong et al. (2021) identified 77 rigorous studies on suicide and incarceration. Three of the eligible studies measured visits during incarceration. Each of these studies found a statistically significant relationship between a lack of visits and the likelihood of suicide attempts. Similarly, Favril et al.'s (2020) meta-analysis of studies focused on incarceration and self-harm found that prisoners with “no social contact or visits” were significantly more likely to engage in self-harm.

B. Visitation helps to reduce misconduct during incarceration and, in turn, improves overall safety and order in facilities.

18. Research finds a consistent, statistically significant relationship between visitation and reduced disciplinary infractions during incarceration. Perhaps the most compelling evidence to support this comes from a meta-analysis by Goncalves et al. (2014). They reviewed and analyzed 90 studies that included 75 independent samples, six of which measured “social support” via visitation during prison stays. The researchers estimated a significant inverse relationship between social support and institutional infractions such that those with more social support were significantly less likely to have disciplinary infractions during incarceration.

19. Research conducted since this review continues to support these results. But this literature also tells us that the consistency of visitation matters for predicting misconduct and estimating the risk of offending. Specifically, several studies find that consistent visitation, especially when it starts early during incarceration, is the most beneficial for and impactful on prisoner behavior. We see this finding in studies of incarcerated adults in Florida (Cochran, 2012), incarcerated adults in Pennsylvania (Nur and Krushas, 2025), and adults in a “northeast state” (Cihan et al., 2020). A study of detained juveniles in Florida (Young, 2021) found that more consistent family visitation was significantly correlated with a lower risk of offending. Each of these papers studied in person visits to adult or youth facilities. These results are consistent with our general knowledge about incarceration experiences, specifically that the earliest days, weeks, and months of incarceration are the most painful and chaotic, and therefore the period of time when contact with one's community outside the jail or prison is likely to have the largest mitigating effect on the initial trauma of incarceration. And then continuing those visits steadily over the course of a jail or prison stay is akin to a steady dosage of a beneficial medication—regular access to someone's social network should provide regular access to the support and resources of that network.

¹ Meta-analyses are viewed by scientists as an important way to assess research evidence. Simply put, a meta-analysis is a systematic synthesis of empirical research findings from the existing body of individual studies that exist. They provide a type of average effect from across study sites to assess the robustness and consistency of effect estimates.

20. The potential benefits of “early” visiting on a reduction in misconduct is particularly relevant to the formulation of jails’ visitation policies. In most jails, nearly everyone who is incarcerated is experiencing the early pains of adjusting to incarceration. It follows then that visitation in jails specifically may pose particular benefits for improving behavior and other outcomes among people detained.

21. There is also preliminary evidence that visitation itself incentivizes good behavior. Siennick et al. (2013) studied the visitation experiences and behavior of Florida state prisoners in the time leading up to and following a visitation event. The researchers found that the likelihood of misconduct goes down in the days leading up to a visit. They interpret this reduction as an indication that visitation incentivizes good behavior, especially so during the period leading up to a visit with someone to whom the individual does not want to lose access. More visits for more people then may lead to broader positive changes in the behavior of a jail or prison’s population.²

² There are three main pathways through which contraband enters a correctional facility: mail, the visit room, and officers or staff. I am not aware of any rigorous analysis that measures the relative rate at which contraband enters correctional facilities via these three main pathways. However, a recent study of 301 prisons from six different states on the correlates of contraband found no significant differences in the amount of contraband between prisons that offer contact visits and those that restricted contact visits (Peterson et al., 2024), but they did find that prisons with a higher percentage of female staff had less contraband, which suggests some preliminary evidence that correctional workforces play a role in contraband entering facilities. While true that the risk of contraband entering the facility through the visit room is a known one, its existence does not in and of itself justify restricting contact visitation. Nor would the known risk of contraband entering a facility through officers and staff justify eliminating the Sheriff’s Office. More research is needed on this issue, and good policy cannot be made based on mere speculation about the likelihood and magnitude of risks associated with contraband, especially in light of the well-known and significant harms of eliminating or curbing visitation.

It is worth noting the only two studies I am aware of that find a modest uptick in contraband infractions in the days following a prison visit and the important limits on their findings. The first, by Siennick et al. (2013), reported a baseline prevalence of a contraband infraction as a probability of .002. In the days following a visit, they estimated the probability as .005, or a 0.5% change in the probability of an infraction (0.3 percentage points increase). Berghuis et al. (2024) found a similar relationship in their study of Dutch prisoners. Berghuis and colleagues, however, suggest we interpret the results with caution because they measure infraction records, which is only an indirect measure of behavior, and because infraction records are a product of both what incarcerated people do and what correctional officers do. They write: the uptick in contraband infraction writeups in the days immediately following a visit “could be a reflection of staff reactions to visits” (p. 68). That is, it could be that some contraband is coming in through the visit room or it could be that correctional staff are more closely monitoring and searching prisoners they know have recently received a visit. Put simply, it is impossible to know whether the modest uptick in infraction reports is a result of more contraband, or more searches for contraband.

C. Visitation reduces recidivism, improves reentry outcomes, and improves community safety outside the facility.

Visitation and recidivism

22. There is strong evidence that incarcerated people who are visited are less likely to recidivate. There is a large number of empirical studies on this topic, and, thus, meta-analyses are particularly helpful in understanding the research findings.

23. The most recent, thorough meta-analysis comes from Mitchell et al. (2016). They find that, across 16 studies, visitation is linked to an average 26% reduction in recidivism.

24. More recent studies also tell us that, as with misconduct, visitation early and often is the most effective intervention. For example, in my analysis of Florida state prisoners (Cochran, 2014), the visitation pattern with the strongest reduction in recidivism was early and consistent visitation over the course of incarceration. Florida prisoners who were visited early in their incarceration, but had limited visits near the end, were nearly 14 percent less likely to be reconvicted than their non-visited counterparts. And those who received consistent visits for the duration of their incarceration term were close to 17 percent less likely to be reconvicted than non-visited prisoners. A recent study of Pennsylvania prisoners found something similar in that prisoners visited more frequently and more consistently were less likely to violate parole (Nur and Krushas, 2025). These studies tell us that visitation in general is beneficial for reducing recidivism and that the accumulation of visits and continuity of them over an incarceration stay is especially beneficial.

25. A recent study of incarcerated fathers in the Netherlands provides similarly compelling evidence of the impact specifically of maintaining a relationship with children via contact visits during incarceration (Venema et al., 2026). That study found that fathers who were in contact with their children before incarceration and were visited during incarceration were significantly less likely to recidivate within 12 months of release compared to fathers who had no contact with their children before and during incarceration.

26. Even more recently, though, researchers have employed a novel design—instrumental variable analysis—to more accurately discern whether and how visitation reduces recidivism. Instrumental variable analysis seeks to identify a type of natural experiment—i.e., a naturally occurring division of subjects into treatment and non-treatment groups that is most likely random. This analysis is useful for studying the causal effects of visitation on recidivism given that researchers are challenged to ethically design experiments where the treatment (i.e., visitation) is randomly assigned (for example, researchers could not ethically deny visits to a non-treatment group). In the visitation context, researchers using instrumental variable analysis have exploited

the randomness of the distance between a prisoner's place of incarceration and their home (from where, presumably, the largest pool of potential visitors may be traveling). The working theory is that because this distance is essentially assigned randomly in most state prison systems (i.e., the conventional understanding is that most prisons place individuals in prison facilities based on bed space availability in the appropriate security level at the time of incarceration), there is a random element to who has access to visitation. I know of four studies that have employed such designs, one of which is my own (Andersen et al., 2024; Cochran et al. 2020; Otsu 2024; Lee 2019). Each study identifies negative associations between visitation and recidivism (i.e., more visitation = less recidivism), one of which is statistically significant (Otsu 2024). That study concludes that receiving visits has a significant causal effect on reducing recidivism; visited persons are 18 to 19 percent less likely to return to prison than non-visited persons.

27. As more studies of the link between visitation and recidivism emerge, we will learn more about whether that link is a causal one. However, even if in the future a causal relationship were ruled out, the consistent relationship between being visited and lower odds of recidivism that appears across numerous population samples and locations tells us, at the very least, that there is something about people who are visited that sets them apart. It suggests that social networks and social capital are relevant for successful social integration after prison—whether prisoners bring social capital with them into the facility or attempt to build it while detained. As Lee (2019: 434) suggests, in trying to understand why visitation and recidivism might be consistently correlated but not always causally related, if visitation can be used to “facilitate new relationship development during incarceration, it may serve as a key recidivism reduction tool.” That is to say that when someone is visited, especially consistently so, it tells us that they have some social connectedness; they either brought it with them behind bars or they are building it now. Such connectedness can change a life course for the better and thus should logically lead corrections officials to seek opportunities to build or expand this connectedness. For example, a 2016 study that focused on incarcerated adult men convicted of serious or violent crimes found that family support after incarceration improved mental health after release (Wallace et al., 2016). Mental health and family support are critical for successful reentry after incarceration—visitation is likely critical for promoting both (see more below). Facilitating broader access to visitation is a logical and efficient policy choice.

28. In addition to a growing body of literature supporting a link between visitation and reduced recidivism, research suggests multiple ways that visitation indirectly leads to reduced recidivism by improving other reentry outcomes.

Visitation and employment

29. First, incarcerated people who are visited are more likely to be employed after release, and research shows that employment reduces the likelihood of recidivism. The largest scale study comes from Minnesota—Duwe and Clark (2017) found, in a study of more than 15,000 formerly

incarcerated state prisoners, that visitation significantly predicted employment in the short- and long-term following release. In fact, as the study authors themselves note, visitation's beneficial effect on employment was comparable to that of more targeted and resource-intense interventions offered in state prisons, such as vocational rehabilitation or work release. Fahmy et al., (2022) also found in a smaller sample but from a range of different jurisdictions that, among individuals incarcerated for serious offenses with 1 or 0 prior incarcerations, those who were visited were more likely to be employed after release. Similarly, Otsu (2024) found, in a study of Missouri state prisoners, that visitation operates through its beneficial impact on employment to reduce recidivism (see further discussion below).

30. Theory and the research discussed above tell us why this might be the case. If visitation maintains someone's access to their social networks, and/or if it fends off criminogenic effects of jail or prison life, and/or it improves programming buy-in during incarceration, we expect it to also improve employment prospects (among other tangible benefits). Brunton-Smith and McCarthy (2017), in a study of prisoners in England and Wales, outline the potential pathways through which visitation may operate on employment. They find that visitation helps to improve relationships with family and that individuals who report improved relationships with family—measured by comparing self-reported family attachment upon entry to prison and post-release—reoffend less, have lower levels of reported drug use, and are more likely to be employed.

Visitation and its impact on social role maintenance

31. Second, research finds that visitation can help incarcerated people reestablish normative social and familial roles (e.g., partner, parent, child, sibling). These roles have many benefits. They can, for example, offset stigma or harmful labels/deviant subcultures that individuals are exposed to in jails and prisons and, thus, reduce the likelihood of recidivism. In criminology, we also talk about these roles as providing a source of informal social control—that is, the more a person is integrated and has stakes in a social position (i.e., they see themselves as a parent to children, or a husband to a wife), the more they have something to lose and, in turn, will be less likely to commit crime. Tasca et al. (2016) provide a rich illustration of how the visit room provides a space for establishing or reestablishing social roles in their qualitative analysis of the family visitation experiences of 52 incarcerated caregivers. A central theme they identified was that incarcerated people who were able to use the visitation room to interact with loved ones as a family member and parent were able to reestablish their roles as such.

32. A more recent study of 1,720 incarcerated fathers across multiple states found that contact visits, but not phone calls or letter writing, significantly increased incarcerated fathers' perceptions of their "parental self-efficacy," which measures the extent to which a person perceives themselves as a capable parent. This suggests that the maintained, face-to-face contact with children during

incarceration serves to help sustain or build an important prosocial identity (i.e., a quality parent; (McLeod et al., 2024)) that we should expect to have enduring effects after release.

33. A study conducted in Minnesota prisons is consistent with this finding. Researchers found that incarcerated parents who have contact with their children during incarceration had a 56 – 58% higher probability of interest in in-prison parenting programs than incarcerated parents who did not have contact with their children (Muentner et al., 2024). This suggests something like the McCleod et al. paper, in that maintaining relationships with children during incarceration encourages proactivity towards being good parents for their child.

34. These processes—that of establishing or better establishing one’s role in a family or broader social network—are not always easy, according to Tasca et al. (2016), but correctional and criminological theory tell us they should be powerful at reducing recidivism. For example, a common critique of incarceration is that it exposes individuals to a network of other offenders and that this exposure might lead to more crime, especially if the incarceration experience affects how a person perceives themselves and/or results in more deviance and crime as individuals work to navigate and protect themselves during life in an institution. Thus, by reconnecting or maintaining a person’s connection to their outside social network, visitation can remind them of their more normative social roles and familial connectedness and help them see themselves as situated in those communities and roles: not as an “inmate” or “criminal” but as a parent, child, or sibling.

Visitation, social capital, and social integration

35. Third, visitation helps incarcerated people maintain access to social capital. A survey of more than 400 prisoners in a private prison facility in Florida found that visitation decreases the likelihood that prisoners perceive that their social relationships are weakening during incarceration (i.e., a potential protective effect from the adverse consequences of incarceration on social connectedness) and increase the likelihood that they arrange employment after release (employment is an oft-used indicator of someone’s level of social capital; Liu et al., 2016). They also found that visitation has a cumulative effect—higher frequencies of visitation lead to greater improvements in perceptions and expectations. One logical argument to explain this association is that visitation, especially by family and children, encourages prosocial norms and integration. Rather than becoming entrenched in criminogenic norms of the prison or jail, an incarcerated person is motivated by their life and responsibilities outside of the prison by way of sharing intimate moments with their family during visits. In my own work, I have found, using the nationally representative BJS Survey of Inmates in State and Federal Correctional Facilities, that incarcerated people use visitation to access social capital that individuals had prior to incarceration, leading to lower levels of social isolation (Anderson et al., 2022). This suggests that the primary method for someone to draw on the outside resources available to them while they are incarcerated

is through visitation, and that social capital via visitation is important both during and after incarceration.

36. Social capital can be critical for successful reentry as it can help someone cope with the strains and struggles of life during incarceration and provides practical resources upon release. Visitation can preserve or expand social capital during incarceration and this in turn improves key outcomes central to correctional effectiveness, including accessing employment, navigating financial barriers to successful reentry, obtaining housing, and more. A job, housing, and subsistence are all critical to someone's ability to socially integrate after a spell of incarceration. Visitation can provide access to social capital and to social ties, such as that between a parent and their child, that can remind individuals of their familial roles and motivate prosocial behavior while counteracting deviant subcultures they are exposed to inside facilities. As such, we can expect visitation to augment rehabilitative programs institutions offer. As it goes, vocational rehabilitation or recovery services for addiction require a level of continuity of care and support post release to be effective, and social capital leads to support. Empirical research findings are consistent with these ideas.

Barriers to visitation and the importance of reducing them

37. To ensure that incarcerated people and their families, the correctional facility itself, and the community outside the facility reap the public safety, mental health, and other benefits of visitation, jails and prisons must reduce barriers to visitation and other forms of communication (e.g. phone and video calls), including financial barriers, and expand opportunities for it. By contrast, if institutions further restrict access to visitation, or shut it down altogether, the available evidence suggests we would see worse outcomes in recidivism, mental health, optimism, buy-in, and so on.

38. It is because of the obvious promise of visitation to improve lives and public safety that researchers have turned their focus to identifying and understanding what barriers make visitation more challenging. This research should inform next steps jails and prisons can take to expand access so that more people can be visited.

39. For example, we know that financial obligations for visitation severely restrict the likelihood that someone is visited, especially if they are already economically disadvantaged (e.g., Cochran et al. 2016; Rubenstein et al. 2021). Requiring prisoners and their families to expend limited financial resources or accumulate further debt to facilitate visitation comes at a potentially harmful tradeoff—poor, or poorer financial well-being following a jail or prison stay will only amplify the challenges people face when they return to society (see, generally, Mears and Cochran, 2015).

40. Families should also have access to a range of communication modalities. When would-be visitors cannot come to the prison or jail because of financial or other barriers, phone and video calls—especially because they can be conducted remotely and if they can be conducted without financial cost—can be a beneficial supplement. A recent study supports this. A study of more than 20,000 people released from Minnesota state prisons found that when the state provided access to unlimited video calls, those who utilized the option were less likely to recidivate than those who did not (Duwe and McNeeley 2021). In the study context, video calls did not replace in-person contact visits; they were simply another mode through which incarcerated people could connect with their families and communities back home.³

41. Evidence also suggests that expanding access to visitation, for example, by reducing fees and other costs associated with visits, would help reduce inequalities in who has access to visitation. My research finds that racial and ethnic minorities are less likely to be visited and that the barrier distance from home creates to visitation is amplified for black prisoners coming from high levels of community disadvantage (Cochran et al., 2016). This means that there is a disparity across incarcerated people and their families in who has access to the benefits that flow from visitation. We should expect that any policies that increase financial costs, travel burdens, or other barriers to visitation will deepen these inequalities. That is, we should expect people who are poor, minority, or otherwise disadvantaged to struggle the most to overcome cost barriers to visitation and to suffer the most from policies that impose costs. More simply, if visitation becomes harder for a correctional population it will disproportionately affect these already disadvantaged groups the most. If video or phone calls cost money, poor and minority families will be disproportionately less likely to participate. Conversely, if such barriers are minimized, we might see disadvantaged groups have the largest gains in access to visitation and, in turn, the benefits of visitation.

42. Jails, more so than prisons, are better situated to leverage the individual and public safety benefits of visitation. The practical challenges of in-person visiting will be, on average, far less than what state prisoners and their families typically experience. Families are relatively close by, travel time will be less, transportation will be more accessible, and all the attendant costs of visiting will be, on average, cheaper. Not only that but recall research finds visitation during the early period of incarceration and sustained up until release yields the strong benefits for recidivism reduction. Jail terms are relatively shorter than prison terms so visiting early and often is more

³ Even then, only four percent of incarcerated people in the study participated in a video call, a figure that pales in comparison to the prevalence of in-person visitation amongst MN prisoners of 61 percent (Duwe and Clark 2017). And of this sample, residents “who received in-person visits were nearly six times more likely to receive a video visit” (Duwe and McNeeley 2021; 482). This suggests that, given the option, incarcerated people and their families prioritize in-person visits over video calls, and that the option of video calls does little to expand social contact to people not already being visited in the first place.

feasible. Altogether this means that jails are well situated to foster in-person visitation and leverage the benefits of it for the institution, the person, the family, and the community.

43. Given the volume of people jails incarcerate each year and the fact that those individuals disproportionately come from the most disadvantaged communities, barriers to visiting and to video calls, monetary or otherwise, will have an outsized negative impact on the people inside. This means that policies that reduce barriers and resource constraints of families who want to visit not only expands access to something with penological *and* social benefits, but it also reduces a largely hidden and collateral economic pain of familial incarceration. Put more simply, making in-person visitation as accessible as possible should substantially improve both the fairness and the effectiveness of criminal justice systems.

D. In assessing visitation policies, jails and prisons must consider the extreme costs of creating barriers to visitation and the well-documented benefits to public safety of protecting social ties of incarcerated people.

44. If incarceration is to have a net benefit on public safety, and specifically if prisons and jails seek to reduce current levels of recidivism, the incarceration experience needs to be one that reduces or mitigates criminogenic influences rather than introduces new ones. That means that to evaluate incarceration as a correctional practice, researchers, policymakers, a warden or sheriff, or any other stakeholder needs to systematically weigh the (1) criminogenic risks that prison and jail practices address or reduce (i.e., the benefits) against (2) the collateral and long term consequences they impose on incarcerated people and their families that, among other things, increase recidivism risk (i.e., the costs). This is what it means for correctional policies to be “evidence based.” Scholars have dubbed correctional policies that are not evidence based and, in turn, do more harm than good, “correctional quackery” (Latessa 2002). In my expert opinion, completely prohibiting in-person contact visits and adding an additional monetary burden to contacting social ties for an entire jail or prison population is such a policy—that is, the voluminous body of research on visitation, well-tested criminological and correctional theory, and plain logic all suggest that doing so will do more harm than good for public safety, not to mention incarcerated people and their families.

45. The studies reviewed above inform my opinion on the matter. As does taking a broader view of incarceration and prisoner reentry and viewing restraints on jail and prison visitation through these two lenses: serving correctional goals and tallying collateral harms. Research over the last 40 years has documented the tremendous challenges people and families face returning to their communities after short and long stints of incarceration. Reducing these challenges is an important focus of correctional policy because successful social integration upon leaving correctional institutions will reduce recidivism and improve public safety.

46. These decades of research tells us that reentry is difficult due in part to (1) the pains experienced in correctional institutions, (2) a failure of institutions to address the criminogenic influences that may have led to a person's entry into the criminal justice system in the first place, and (3) a lack of preparation of residents for the practical challenges of navigating life after incarceration (see, generally, Mears and Cochran, 2015).

47. Indeed, social isolation is a central pain inherent to incarceration. In other words, incarceration has a social *disintegrating* effect—in that it breaks down or severs social connections—that can lead to a higher likelihood of recidivism, thus undermining specific deterrence or rehabilitative goals incarceration was meant to achieve. Visitation counteracts some of that social disintegration, and in doing so improves well-being and, by extension, safety and order in correctional facilities and public safety in surrounding communities. The logical conclusion then is that institutions that work to maximize and expand access to visitation, not restrict it and especially not impose financial barriers, will perform much better across core correctional goals, including mitigating the unintended pains of incarceration, treating root causes of criminal behavior, and better preparation for navigating life after release.

I declare under penalty of perjury that the foregoing is true and correct to the best of my ability.



Joshua C. Cochran

July 16, 2026

DATE