

# SB 1132 – Public Health Inspections in Private Detention

Home » Portfolio » Policy » SB 1132 – Public...

[Leg Info](#)

[Fact Sheet](#)

Detention facilities pose a unique challenge with respect to public health and sanitary conditions, and as such, are typically inspected by public health officials. Detention facilities can pose a public health risk to individuals held inside, as well as those who work, visit, or live near these sites.

In the past, the majority of private detention facilities in California operated pursuant to joint contracts with counties, but have since shifted to direct contracts with the federal government. Despite this change, according to their federal contracts these private facilities remain subject to California state and local public health oversight.

While public health oversight laws empower inspections of “publicly operated detention facilities and all private work furlough facilities” they do not explicitly cover private detention facilities. [See California Code, Health and Safety Code – HSC § 101045].

Notwithstanding these requirements, [advocates have documented](#) a lack of clarity with respect to how these facilities are viewed by public health officials. On Aug. 24 2020, immigrant rights organizations sent a letter to public health officials in Kern County, home to the Mesa Verde Detention Center, seeking information related to COVID-19 testing. [In a response](#), the county’s director of public health services said their department did not have jurisdiction over the center.

In the spring of 2020, when Otay Mesa, operated by the company CoreCivic, was experiencing a massive COVID-19 outbreak, San Diego health officials emailed the detention facility recommending mass testing of staff to help mitigate virus spread, according to a copy of the email exchange. A warden at Otay Mesa responded with: “Doc – Just so we’re clear – at this point we have no intention to mass test our staff,” [according to the email](#). Subsequently one individual died in the facility and more than 300 detainees and staff were infected. This led to several workers quitting and filing suit against the private prison operator.

All public detention facilities have mechanisms to review poor health and safety outcomes. However, oversight of health conditions in private detention facilities is limited. The federal government contracts with the Nakamoto Group Inc. to conduct annual inspections of private civil facilities in California, while the Office of Detention Oversight inspects facilities every 3 years. A recent report by the Department of Homeland Security (DHS) Office of Inspector General stated that Nakamoto’s inspections “do not fully examine actual conditions or identify all compliance deficiencies,” while



Office of Detention Oversight inspections are “too infrequent to ensure the facilities implement all corrections.”

Poor health conditions in these facilities have been widely documented, with reports by Disability Rights noting that the Adelanto Detention facility, “... has an inadequate mental health care and medical care system, made worse by the facility’s harsh and counter-therapeutic practices.”

Private detention facilities **continue to pose challenges** with respect to health, safety and sanitary conditions. Detained individuals in these facilities continue to file numerous grievances in private facilities. These grievances primarily revolve around detainees facing challenges in accessing timely medical attention, enduring prolonged waits for treatment of persistent conditions—stretching to months—and encountering difficulties in obtaining essential medications. One specific detainee recounted losing multiple teeth due to a two-year delay in receiving dental cavity fillings. During inspections, a prison dentist reportedly proposed that detainees could improve their dental hygiene by using strings from their shoes for flossing their teeth.

The goal of SB 1132 is to ensure that county health officials have the ability to enter these facilities when necessary. The bill does not impose an annual inspection requirement to county health officials, but empowers them to ensure that these private facilities adhere to public health orders and guidelines that are necessary to keep our state safe.

Support

Immigrant Defense Advocates(co-sponsor)  
California Collaborative for Immigrant Justice (co-sponsor)  
California Immigrant Policy Center (co-sponsor)  
Next Gen California(co-sponsor)  
Alliance for Boys and Men of Color  
American Civil Liberties Union California Action  
Amnesty International USA  
APLA Health  
Asian Americans Advancing Justice Southern California  
Buen Vecino  
California Coalition for Women Prisoners  
California Public Defenders Association  
Center for Gender & Refugee Studies  
Communities United for Restorative Youth Justice  
Courage California  
Disability Rights California  
Ella Baker Center for Human Rights  
Friends Committee on Legislation of California  
Health Officers Association of California  
Indivisible California: Statestrong



Initiate Justice

Inland Coalition for Immigrant Justice

Justice & Diversity Center of the Bar Association of San Francisco

Lawyers' Committee for Civil Rights of the San Francisco Bay Area

NorCal Resist

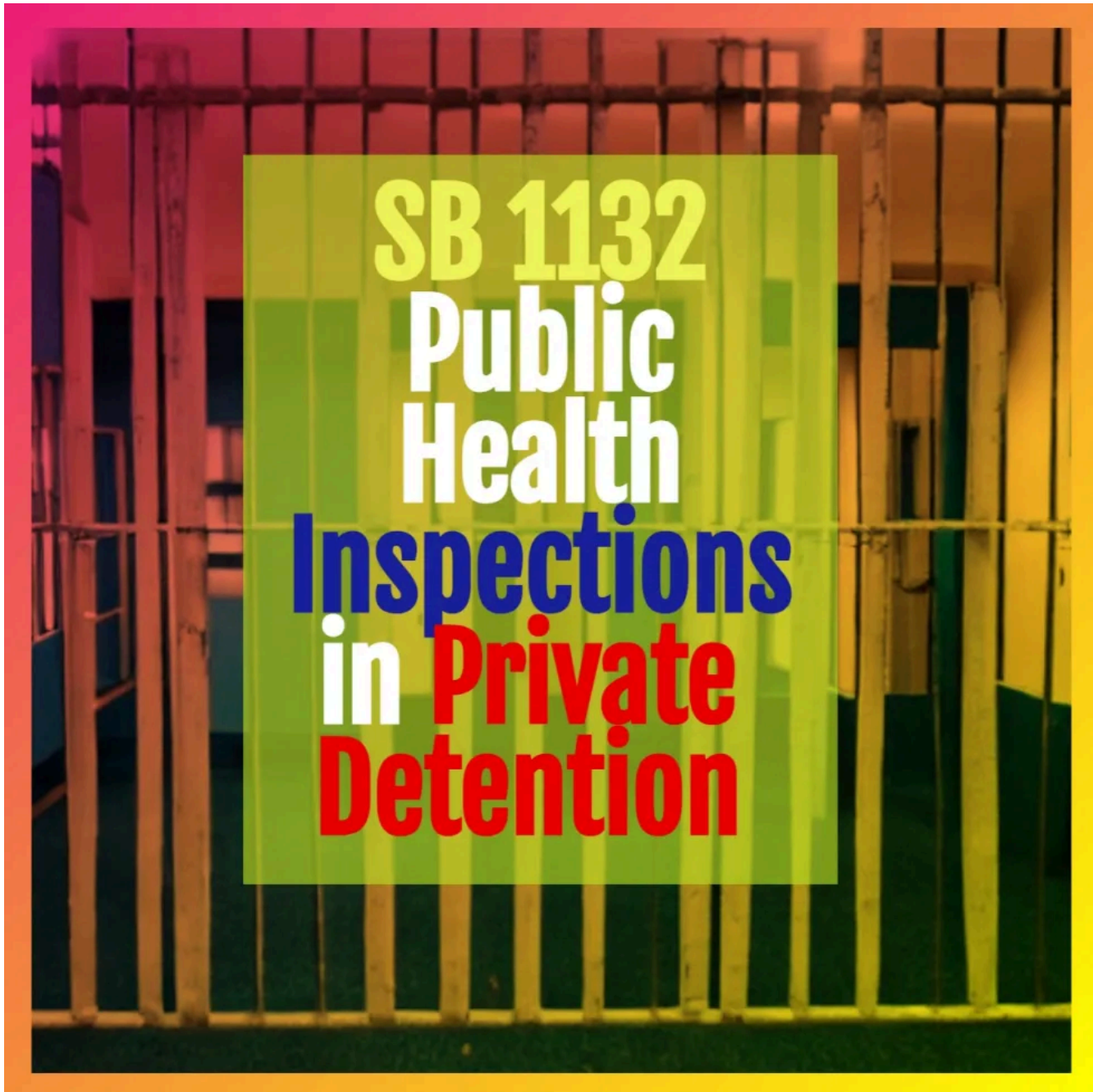
Oakland Privacy

ORALE: Organizing Rooted in Abolition, Liberation, and Empowerment

Public Counsel

San Francisco Marin Medical Society

Secure Justice



## Related Projects



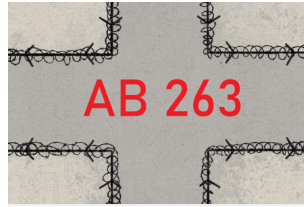
### The California Mandela Act on Solitary Confinement

Sign up to receive updates on the bill AB 280 [Bill Text](#) - [LegInfo](#) [Press Release](#): The California Mandela Campaign...



### AB 1140 - Unaccompanied Immigrant Children Protections Act

Immigrant Defense Advocates is co-sponsoring AB 1140 by Assemblymember Robert Rivas (D-Hollister), a bill that would ensure children who come...



### AB 263 – The HOLD Act: Health Oversight and Leadership in Detention Act

Immigrant Defense Advocates is working with Assemblymember Rob Bonta to sponsor the AB 263 – The HOLD Act: The Health...



### AB 3228

Immigrant Defense Advocates is sponsoring AB 3228 - The Accountability in Detention Act GOVERNOR NEWSOM SIGNS AB 3228 AB 3228...

« [The California Mandela Act on Solitary Confinement](#)

