



SENATOR  
**MARIA ELENA DURAZO**  
LEGISLATIVE FACTSHEET

**Senate Bill 1132 (Durazo)**  
**Public Health Inspections of Detention Facilities**

**Summary**

SB 1132 clarifies that county health officers have authority to inspect private detention facilities as deemed necessary.

**Background**

There are six private, for-profit detention facilities operating in California operating under federal contracts that require them to abide by state and local public health orders. Yet these facilities exist in a legal grey area with respect to public health inspections. 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.<sup>1</sup>

While immigration is a federal issue, the conduct of private for-profit companies remains within the purview of state regulation, particularly on public health matters.

**Problem**

The lack of clarity on oversight of private detention facilities poses a unique and critical public health challenge. Conditions in these facilities not only affect the lives of those detained, but also impacts the surrounding communities. During the COVID-19 pandemic, an outbreak at Otay Mesa Detention Facility resulted in more than 300 staff and detained individuals becoming infected.<sup>2</sup>

Recent changes in the contracts to these facilities requires legislative clarification to ensure public health oversight. 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.<sup>3</sup> In a response, the county’s director of public health services said their department does not have jurisdiction over the center.<sup>4</sup>

**Solution**

In order to ensure public health regulations and standards are upheld in private detention facilities for the health and safety of people detained and working in these facilities, SB 1132 clarifies that county health officers have authority to inspect private detention facilities as deemed necessary.

**Support**

Immigrant Defense Advocates (Co-Sponsor)  
California Immigrant Policy Center (Co-Sponsor)  
Next Gen California (Co-Sponsor)  
California Collaborative for Immigrant Justice (Co-Sponsor)

**Contact**

[Fernando.Ramirez@sen.ca.gov](mailto:Fernando.Ramirez@sen.ca.gov)  
916-651-4026

<sup>1</sup> California Code, Health and Safety Code - HSC § 101045

<sup>2</sup> <https://www.aclusocal.org/en/immigrant-detention-california-during-covid-19-pandemic>

<sup>3</sup> <https://imadvocates.org/wp-content/uploads/2020/10/Ltr-to-Kern-Public-Health-Department-re-COVID-19-in-Mesa-Verde.pdf>

<sup>4</sup> Ibid.