

Date of Hearing: March 24, 2026

Chief Counsel: Andrew Ironside

ASSEMBLY COMMITTEE ON PUBLIC SAFETY

Nick Schultz, Chair

AB 2499 (Gipson) – As Introduced February 20, 2026

**SUMMARY:** Requires the California Department of Corrections and Rehabilitation (CDCR) to submit to the Legislature and the Department of Finance a phased plan to implement climate resilience measures in correctional facilities; to develop and implement annual training for all staff on preventing, identifying, and managing heat-related illnesses; and, with the use of existing resources, to establish a Temperature Monitoring and Data Transparency Pilot Program in no fewer than three prisons that represent distinct climate zones. Specifically, **this bill:**

- 1) Requires the Department of Corrections and Rehabilitation (CDCR) to do all of the following:
  - a) Consider issuing appropriate clothing during summer months, including issuing shorts as part of a standard uniform.
  - b) Identify the need for additional shade structures in yards and exercise areas as part of the plan, as specified, and, subject to appropriation by the Legislature, prioritize the installation of additional shade structures at facilities with the greatest exposure to excessive heat.
  - c) During excessive heat or wildfire smoke events, to the greatest extent practicable within existing resources, allow incarcerated individuals increased access to showers and personal fans. Fans shall not count towards an incarcerated person's appliance limit and multiple fans are allowed for each individual during excessive heat or wildfire smoke events.
  - d) Use data to activate interim relief measures that are, when available, derived from temperature and air quality sensors, as specified, with manual observations used as only a supplemental source.
  - e) Require medical staff to conduct regular health assessments to identify individuals at greater risk for heat-related illnesses, including, but not limited to, the elderly or those with preexisting health conditions, and those on medications that increase the risk of heat-related illness.
  - f) Require medical staff to monitor symptoms of heat-related illnesses among incarcerated individuals and provide prompt medical attention as necessary.
  - g) Require medical staff to establish a protocol for documenting any heat-related illness, including the affected individual's symptoms and the treatment received.

- h) By April 1, 2027, establish and implement minimum interim relief measures during excessive weather events, including, but not limited to, all of the following:
  - i) Standards for access to potable water and ice that ensure incarcerated individuals can frequently drink cool water, as specified.
  - ii) To the greatest extent practicable within existing resources, use of designated cooled indoor areas as respite spaces during excessive heat events.
  - iii) Work and program modifications, including rest, recovery cycles to reduce heat strain that prioritize modifications for incarcerated workers and individuals with specified medical risk factors, and a stop work order.
  - iv) Coordination of interim measures with medical screening and monitoring.
- 2) Requires CDCR to establish a working group, by May 1, 2027, consisting of at least two representatives of community-based organizations who work with currently or formerly incarcerated individuals, a representative from the Division of Occupational Safety and Health, a representative from the Office of the Inspector General (OIG), a representative of an incarcerated person advisory council, and the Secretary of CDCR to ensure regular maintenance, upkeep, accessibility of use, and implementation of this chapter.
- 3) Requires CDCR, by July 1, 2027, to develop and implement annual training for all staff on preventing, identifying, and managing heat-related illnesses, that meets all of the following requirements:
  - a) Recognizes the signs and symptoms of heat-related illness.
  - b) Includes protocols for responding to heat-related emergencies.
  - c) Includes best practices for maintaining safe conditions during extreme heat.
  - d) Includes reporting procedures.
- 4) Requires CDCR, by July 1, 2027, to implement protocols to monitor air quality during wildfire events and other air quality emergencies.
- 5) Requires CDCR to identify and prioritize air filtration improvements needed to provide clean air to incarcerated individuals during poor air quality events.
- 6) Requires interim protocols for monitoring air quality during wildfire events and other air quality emergencies to include thresholds based on the Air Quality Index when measures are taken, including opening additional indoor smoke respite spaces, modifying or suspending outdoor activities, and deploying or upgrading available filtration equipment, to the greatest extent practicable within existing resources.
- 7) Requires CDCR, with the use of existing resources, by July 1, 2027, to establish a Temperature Monitoring and Data Transparency Pilot Program in no fewer than three prisons

that represent distinct climate zones, that does all of the following:

- a) Deploy continuous temperature, and where feasible, humidity and fine particulate matter monitoring equipment in representative and priority living, working, and recreational areas, including units that house individuals at elevated medical risk.
  - b) Collect and retain data sufficient to identify days and hours if indoor temperatures exceed 85 degrees Fahrenheit, or another threshold established by regulation, as specified.
  - c) Provide weekly and quarterly summary data from digital sensors to the OIG, the Division of Occupational Safety and Health, and the appropriate policy and budget committees of the Legislature, as specified.
  - d) Publish, on at least a weekly basis, and quarterly, facility level data of temperature, and, if measured, fine particulate matter conditions derived from the monitoring equipment in a format accessible to incarcerated individuals, their families, and the public.
  - e) Establish quality assurance protocols for calibration, maintenance, and data validation of monitoring equipment and records, including periodic review by the OIG. The periodic review shall occur at intervals determined by that office, but not less frequently than once every two years for the duration of the pilot program.
- 8) Provides that the pilot program shall not include the design or installation of new mechanical air-cooling systems that are addressed through separate programs funded in the annual Budget Act.
- 9) Provides that CDCR may enter into memoranda of agreement with public universities, research institutions, or community-based organizations with relevant expertise to assist in the design, implementation, and evaluation of the pilot program.
- 10) Provides that the pilot program shall end after one year of data collection at three prisons.
- 11) Requires CDCR, beginning on January 1 of the calendar year following the calendar year that the department submits the phased plan, as specified, and each year thereafter, to submit a report to the Governor, the Legislature, and the Office of Emergency Services (OES), detailing the progress in implementing climate resilience measures, the effectiveness of those measures and evacuation plans in response to extreme weather events, the number of climate hazards experienced at each facility under the jurisdiction of the department, and any additional resources required to protect incarcerated individuals from excessive weather.
- a) Requires the annual report to include, for each facility, all of the following data:
    - i) The number of days in the preceding calendar year where indoor temperatures in housing units exceeded temperature thresholds, as specified.
    - ii) The number of days that the indoor temperatures fell below a specified cold threshold, as specified.

- b) Requires CDCR to make this data available to the public on its internet website.
- 12) Requires CDCR, by January 1, 2028, to develop temperature monitoring protocols that include the use of temperature monitoring systems, that may include sensors that continuously measure and transmit data in representative living quarters, work areas, and recreational spaces; and requires deployment of these systems to be prioritized in the pilot program, as specified above.
- 13) Requires CDCR, by January 1, 2028, to submit to the Legislature and the Department of Finance, a phased plan to implement climate resilience measures in correctional facilities, including, but not limited to, improvements to heating, ventilation, air-conditioning systems, shade structures, and air filtration systems, that contains all of the following:
- a) A facility-by-facility assessment of existing systems, including the age and condition of major heating, ventilation, and air-conditioning equipment.
  - b) The estimated one-time and ongoing costs for implementing each of the following climate resilience measures:
    - i) At least one scenario that assumes no additional prison closures and at least one scenario that assumes the closure or partial closure of facilities with the highest per capita capital needs, consistent with this chapter.
    - ii) Scenarios reflecting different implementation timelines, including an accelerated implementation period and a longer phased implementation period.
    - iii) Scenarios that distinguish between minimum compliance focused on interim relief and targeted upgrades, and more extensive construction of heating, ventilation, air conditioning, filtration, and backup power.
  - c) A prioritization schedule and proposed timelines for implementation that give priority to facilities and housing units at greatest risk of excessive weather events.
  - d) An explanation of how the plan aligns with any 2025 or later statewide fiscal analysis of climate resilience or air-cooling needs in correctional facilities prepared by the Legislative Analyst's Office, a public university, or both.
  - e) An assessment of the status and needs related to shade structures in yards and exercise areas, air filtration systems necessary to protect incarcerated individuals during poor air quality events, and infrastructure that supports flood and storm preparedness, together with cost estimates and prioritization for any proposed improvements.
  - f) An assessment of the extent that existing and proposed heating, ventilation, and air-conditioning systems can feasibly comply with the California Building Standards Code, as specified, related to energy efficiency and indoor environmental quality.
  - g) An assessment of current and proposed air filtration systems, including the feasibility of achieving a minimum efficiency reporting value of 13 or higher, where compatible with

existing equipment and infrastructure, to reduce exposure to wildfire smoke and other airborne pollutants.

- h) An assessment of backup power systems necessary to maintain safe indoor temperatures and support critical medical care during grid outages or power disruptions associated with excessive weather events.
- 14) Provides that implementation of capital improvements identified in the above plan shall be subject to an appropriation by the Legislature.
  - 15) Requires CDCR, by July 1, 2028, to implement protocols for colder climates, including, but not limited to, climate-appropriate clothing and bedding.
  - 16) Requires CDCR, as part of the plan to ensure specified areas are equipped with cooling systems, as specified, to identify and prioritize necessary updates to heating, ventilation, and air-conditioning systems at correctional facilities.
  - 17) Provides that implementation of heating, ventilation, and air-conditioning upgrades shall be subject to an appropriation by the Legislature.
  - 18) Requires CDCR, by July 1, 2028, to develop and implement a comprehensive flood and storm preparedness plan for all facilities, including those facilities in flood-prone areas, that includes provisions for evacuation, emergency shelter, and access to clean water; and identification of mutual aid triggers and coordination procedures with local governments and the OES to secure additional shelter, transportation, and filtration resources during excessive weather events.
  - 19) Requires CDCR, by July 1, 2028, to develop and implement, as specified and subject to an appropriation by the Legislature, a plan to ensure that living quarters, work areas, and recreational spaces at correctional facilities are equipped over time with cooling systems, including, but not limited to, air conditioning and proper ventilation. Priority shall be given to facilities and housing units at greatest risk of excessive temperatures.
  - 20) Requires CDCR, by July 1, 2028, to establish and implement an emergency response and evacuation plan for each correctional facility to protect the safety of incarcerated individuals during extreme weather events.
  - 21) Requires CDCR to review and update the above plan for each facility at least once every five years, and requires the plan to include all of the following:
    - a) Procedures for the safe and timely evacuation of incarcerated individuals in the event of natural disaster.
      - i) Provides that a natural disaster includes, but is not limited to, a wildfire, flood, or severe storm.
      - ii) Provides that, if guidance specific to correctional facilities is not available, CDCR shall base its plan on generally accepted emergency management standards, including

- any relevant federal guidance.
- iii) Requires CDCR to update its plans when the OES updates its guidance.
  - b) Procedures that are informed by, and to the extent practicable, consistent with guidance issued by OES, without limiting CDCR's authority to adopt procedures that provide greater if necessary, to protect incarcerated individuals.
  - c) Identification of, where feasible, prearranged transportation resources, including mutual-aid agreements or contracts for buses or other conveyances.
  - d) Designation of smoke-resilient shelter locations that meet the access and functional needs of incarcerated individuals who are older adults or who have disabilities, chronic conditions, or other vulnerabilities.
  - e) An assessment of at least one annual tabletop or functional exercise at each facility, conducted in coordination with OES and local emergency management partners.
- 22) Provides that, if the OIG issues an audit, review, or set of recommendations related to temperature conditions, climate resilience, or emergency response to excessive weather in correctional facilities, CDCR shall, within 60 days of receipt, submit to the OIG and the appropriate policy and budget committees of the Legislature a corrective action plan describing how it will address the findings, and within six months from the date of the audit, a progress update on the implementation of that plan. CDCR shall send a copy of the plan and progress update to OES to inform statewide emergency planning.
- 23) Provides that a communication from an incarcerated person or their legal representative, constituting a bona fide complaint or grievance relating to extreme temperature, extreme weather events, or noncompliance with evacuation plan requirements, shall not be dismissed, rejected, or ignored by reason of being deemed a singular occurrence or routine grievance.
- 24) Requires CDCR, to the extent consistent with the annual Budget Act, to contract with an independent third-party evaluator, including a public university or other research institution, to conduct a transparent monitoring and evaluation of any air-cooling pilot projects funded in the Budget Act for correctional facilities.
- 25) Requires the evaluation to include, but not be limited to, all of the following:
- a) A comparison of temperature and humidity differentials between cells, common areas, and outdoor spaces in pilot and nonpilot housing units.
  - b) An assessment of the variability in compliance with any temperature thresholds or operational protocols adopted for the pilot program.
  - c) An identification of lessons learned and recommendations for prioritizing future investments in cooling, filtration, and other climate resilience measures.

- 26) Requires the evaluator's final report to be submitted to the Governor, the Legislature, and the OES and be made available CDCR's internet website.
- 27) Requires CDCR to establish a monitoring system that includes data collection and reporting mechanisms.
- 28) Provides that the above shall not be construed to require or encourage the construction or opening of new state prisons or reactivate a state prison facility that has been closed or placed in inactive status.
- 29) Requires CDCR to meet the requirements of the above through improvements to existing facilities.
- 30) Provides that CDCR shall treat the closure or partial closure of existing prisons and housing units as a primary strategy for achieving compliance the above in a fiscally responsible manner, before recommending major new capital investments in additional prison capacity.
- 31) Provides that the above shall be construed to prohibit CDCR from deactivating housing units or entire facilities as a means of complying with the above requirements.
- 32) Requires CDCR, in developing the disaster response and emergency plans, as specified, to consider planning and implementing the release of incarcerated persons, including through temporary furlough, as a harm mitigation strategy if necessary to avert extreme risk of death or grave bodily harm.
- 33) Provides that, in determining the necessity of a release or furloughs, the security classification of the incarcerated person affected shall be a factor taken into consideration, but that factor is not dispositive.
- 34) Provides that, by July 1, 2027, the Division of Occupational Safety and Health ("division") shall submit a rulemaking proposal to the standards board, for the board's review and adoption, specifically applicable to workers in any prison or institution under the jurisdiction of CDCR.
- 35) Requires the division, in preparing the proposed regulations, to do all of the following:
  - a) Ensure the standards proposed and adopted pursuant to the above are consistent with the specified requirements and, as appropriate, may draw from, or build upon, the heat illness prevention standards, as specified.
  - b) Provide regulatory protections for both of the following:
    - i) Workers when the temperature or heat index in a work area equals or exceeds 85 degrees Fahrenheit.
    - ii) Workers when the indoor temperature or heat index equals or exceeds 80 degrees Fahrenheit if workers wear restrictive clothing or are exposed to high radiant heat, consistent with, and no less protective than, the framework for indoor heat illness prevention set for in Section 3396 of Title 8 of the California Code of Regulations,

while tailored to the unique conditions of correctional facilities.

- c) Ensure CDCR establishes and implements effective policies for all of the following:
- i) Protocols for the division to monitor indoor temperatures, inspect facilities, investigate heat-related incidents, and assess compliance with required standards.
  - ii) Emergency response protocols for immediate action during extreme weather events, including hazard assessments, stop work orders, evacuation, and strategies to protect workers from exposure to harsh conditions.
  - iii) Protocols to investigate and document heat-related illness incidents among workers.
  - iv) Staff training and resources.
  - v) Appropriate and necessary worker hydration requirements.
  - vi) Protocols for medical intervention.
  - vii) Protocols for the Department of Corrections and Rehabilitation to monitor indoor temperatures, inspect facilities, investigate heat-related incidents, and assess compliance with required standards.
  - viii) Annual reporting of heat-related illness incidents to the division in compliance with any reporting order, rule, or regulation adopted by the standards board.
  - ix) Maintaining heat incident log records for all work-related serious heat-related incidents or fatalities, consistent with Section 342 of Title 8 of the California Code of Regulations.
  - x) Submitting an annual report to the division summarizing incidents of heat-related illnesses, cold exposure incidents, hydration efforts, and health monitoring practices for evaluation and compliance verification.

36) Requires the division to consider requiring CDCR to do all of the following:

- a) Maintain comprehensive records of indoor climate condition monitoring, hydration provisions, and health assessments for incarcerated workers, making these records available for review during inspections by the division.
- b) Maintain temperature and related climate condition records in a durable digital format, including weekly supervisory review and sign off, and retain those records for a minimum period sufficient to support inspections, enforcement, and public reporting.
- c) Monitor maximum and minimum indoor temperatures.
- d) Identify feasible improvements, including installing or upgrading infrastructure related to heating, ventilation, and air conditioning to protect workers.

- 37) Requires CDCR to comply with this section and any order, rule, or regulation adopted by the standards board pursuant to this section.
- 38) Requires the division to carry out the duties described in this section within existing resources of CDCR and the Department of Industrial Relations unless additional resources are appropriated to comply with the requirements of this section.
- 39) Defines the following terms have the following meanings:
- a) “Access and functional needs” means the needs of individuals who are part of the access and functional needs population, as defined.
  - b) “Climate resilience measures” means policies, procedures, and infrastructure upgrades that aim to reduce the adverse effects of climate change-related extreme weather on incarcerated individuals.
  - c) “Excessive weather” means weather conditions, including, but not limited to, extreme heat, extreme cold, wildfire smoke, flooding, or other weather-related events exacerbated by climate change.
  - d) “Heat illness” means a serious medical condition resulting from the body’s inability to cope with a particular heat load. It includes heat cramps, heat exhaustion, heat syncope, and heat stroke.
  - e) “Incarcerated individual” means any person confined in a state prison or other facility under the jurisdiction of the CDCR.
  - f) “Indoor” means a space under a ceiling or overhead covering that restricts airflow and is enclosed along its entire perimeter by walls, doors, windows, dividers, or other barriers that restrict airflow, whether open or closed. All work areas that are not indoor are considered outdoor.
- 40) Includes findings and declarations.

**EXISTING LAW:**

- 1) Prohibits cruel and unusual punishment. (Cal. Const., art. I, § 17.)
- 2) States that a person sentenced to imprisonment in a state prison may be deprived of such rights, and only such rights, as is reasonably related to legitimate penological interests. (Pen. Code, § 2600, subd. (a).)
- 3) Provides that it shall be unlawful to use in the prisons, any cruel, corporal or unusual punishment or to inflict any treatment or allow any lack of care whatever which would injure or impair the health of the prisoner, inmate or person confined. (Pen. Code, § 2652.)
- 4) Requires CDCR to provide each prisoner with a bed, sufficient covering of blankets, and with garments of substantial material and of distinctive manufacture, and with sufficient plain and wholesome food of such variety as may be most conducive to good health and that

shall include the availability of plant-based meals. (Pen. Code, § 2084, subd. (a).)

- 5) Allows CDCR wardens to make temporary rules and regulations, in case of emergency, to remain in force until CDCR otherwise provides. (Pen. Code, § 2086.)
- 6) Requires CDCR to develop a voluntary work program and prescribe the rules and regulations regarding work and programming assignments for individuals incarcerated in facilities operated by CDCR. (Pen. Code, § 2700.)

**FISCAL EFFECT:** Unknown

**COMMENTS:**

- 1) **Author's Statement:** According to the author, “California has a responsibility to ensure that every individual in its care is housed in safe and humane conditions. As climate impacts intensify, dangerously high temperatures and poor air quality in our state prisons are putting lives at risk and exposing individuals to preventable harm. This measure establishes clear, enforceable standards to protect health, uphold basic dignity, and ensure accountability within our correctional system.”
- 2) **Need for this Bill:** CDCR’s current infrastructure is inadequate to protect the persons in its custody from extreme weather. “Incarcerated people are distinctly vulnerable to climate hazards because they are entirely reliant upon CDCR for preparedness, response, and recovery.”<sup>1</sup> Last year, an incarcerated person at Central California Women’s Facility in Chowchilla died during a heat wave.<sup>2</sup> According to CDCR:

Most of CDCR’s institutions were built at a time in which the comfort level of the incarcerated population was not a consideration or priority. As such, many housing units and support buildings throughout the state were originally equipped with only air handling units or evaporative cooling systems; neither of which are sufficient to provide adequate relief from excessive heat during summer months. Although there have been efforts to retrofit several housing units and various buildings used for rehabilitative program at multiple institutions over the years, a significant number remain that require air-cooling upgrades or other alternatives to address rising indoor temperatures.<sup>3</sup>

Many CDCR facilities are located in locations where extreme weather and natural disasters are not uncommon.<sup>4</sup> Indeed, a number of factors make California prisons “uniquely unprepared for climate change.”<sup>5</sup> According to CDCR’s most recent annual report:

The 2025 Governor’s Budget includes a request for \$23.6 million General Fund in 2025-26 and \$45.4 million General Fund in 2026-27 for a pilot program to install and evaluate air cooling alternatives to improve indoor environments at CCWF, CMF, KVSP, and LAC. A subsequent analysis of the alternative used at the identified institutions will assist

---

<sup>1</sup> <https://ellabakercenter.org/wp-content/uploads/2023/06/Hidden-Hazards-Report-FINAL.pdf>

<sup>2</sup> <https://www.sacbee.com/news/california/article289867299.html>

<sup>3</sup> CDCR, Master Plan: Annual Report For Calendar Year 2024 (Jan. 2025) at pp. 9-10.

<sup>4</sup> <https://www.cdcr.ca.gov/green/cdcr-green/climate-change-adaptation/>

<sup>5</sup> [California prisons remain unprepared for extreme heat - Los Angeles Times](#)

CDCR in developing a statewide effort to address the indoor temperatures at buildings that severely impact incarcerated individuals and staff.<sup>6</sup>

But CDCR's actions may be insufficient. A recent report by the UCLA Luskin School of Public Affairs identified eight facilities that were prone to excessive heat.<sup>7</sup> In a survey of 600 people, "Eighty-seven percent of respondents said the yard they use most frequently has no shade covering, while 60% said they have never had access to air-conditioned rooms during extremely hot days. About half, 47%, said they never had increased access to showers during heat events."<sup>8</sup>

Among other things, this bill would require CDCR to submit to the Legislature and the Department of Finance a phased plan to implement climate resilience measures in correctional facilities, which must include a facility-by-facility assessment of existing systems, including the age and condition of major heating, ventilation, and air-conditioning equipment; the estimated one-time and ongoing costs for implementing specified climate resilience measures; a prioritization schedule and proposed timelines for implementation that give priority to facilities and housing units at greatest risk of excessive weather events; an explanation of how the plan aligns with any 2025 or later statewide fiscal analysis of climate resilience or air-cooling needs in correctional facilities prepared by the Legislative Analyst's Office, a public university, or both; an assessment of the status and needs related to shade structures in yards and exercise areas, air filtration systems necessary to protect incarcerated individuals during poor air quality events, and infrastructure that supports flood and storm preparedness, together with cost estimates and prioritization for any proposed improvements; an assessment of the extent that existing and proposed heating, ventilation, and air-conditioning systems can feasibly comply with the California Building Standards Code, as specified, related to energy efficiency and indoor environmental quality; an assessment of current and proposed air filtration systems, including the feasibility of achieving a minimum efficiency reporting value of 13 or higher, where compatible with existing equipment and infrastructure, to reduce exposure to wildfire smoke and other airborne pollutants; and an assessment of backup power systems necessary to maintain safe indoor temperatures and support critical medical care during grid outages or power disruptions associated with excessive weather events.

- 3) **Constitutional Prohibition Against Cruel and Unusual Punishment:** The Eighth Amendment's prohibition against cruel and unusual punishment protects prisoners from inhumane conditions of confinement. (*Farmer v. Brennan* (1994) 511 U.S. 825, 832.) Prison officials therefore have a "duty to ensure that prisoners are provided with adequate shelter, food, clothing, sanitation, medical care, and personal safety." (*Johnson v. Lewis* (9th Cir. 2000) 217 F.3d 726, 731.)

Although routine discomforts in prison are inadequate to show a violation of the Eighth Amendment, "those deprivations denying the minimal civilized measure of life's necessities are sufficiently grave to form the basis of an Eighth Amendment violation." (*Hudson v. McMillian* (1992) 503 U.S. 1, 9.) "The circumstances, nature, and duration of a deprivation

---

<sup>6</sup> CDCR, Master Plan: Annual Report For Calendar Year 2024 (Jan. 2025) at pp. 9-10.

<sup>7</sup> [California prisons remain unprepared for extreme heat - Los Angeles Times](#)

<sup>8</sup> [California prisons remain unprepared for extreme heat - Los Angeles Times](#)

of these necessities must be considered in determining whether a constitutional violation has occurred.” (*Johnson v. Lewis, supra*, 217 F.3d at p. 731.)

As temperatures become more extreme, it is possible that the failure to upgrade CDCR facilities in the near future with, among other things, adequate heating and cooling systems will result in a court ruling that conditions in CDCR facilities violate the Eighth Amendment.<sup>9</sup>

- 4) **Argument in Support:** According to *LA Defensa*, “Workers in California prisons do not receive adequate protection and are routinely subject to extreme weather. Recorded temperatures in CDCR facilities routinely reach 95 degrees Fahrenheit, sometimes for up to fifty days in a year. Many California prisons, some of which predate the Civil War, lack air conditioning, fans, and other basic climate mitigation technology. Subjecting incarcerated Californians to these climate conditions is cruel and unusual punishment, in clear violation of their Eighth Amendment rights under the United States Constitution. Worse, these worsening climate conditions are already leading to tragedy, such as the unnecessary death of Adrienne Boulware, who in 2024 passed away due to heat-related causes while incarcerated at the Central California Women’s Facility.

“As temperatures continue to rise across the state, and extreme climate events become more frequent, incarceration in California prison will become a death sentence for any incarcerated people at risk of heat-related illness, especially the elderly, the disabled, and incarcerated workers. AB 2499 is urgently needed to strengthen protections for incarcerated people, and ensure that no more people incarcerated in California state prison pass away from preventable heat-related illnesses. Additionally, many CDCR facilities lack sufficient evacuation and disaster plans despite climate disasters such as wildfires, earthquakes, and heatwaves becoming more frequent and severe in recent years. This bill will require CDCR to develop life-saving disaster and evacuation protocols- instead of leaving incarcerated workers stranded inside facilities facing serious injury or death.

“Critically, this bill does not mandate costly infrastructure upgrades to prisons. Instead, it prioritizes low-cost remedies, compliance standards, and enhanced safety measures that can provide incarcerated Californians with the increased protections they need now, as extreme weather events continue to become more and more frequent with each passing day. These measures will provide crucial work site protections for *everyone* working in state prisons- including the tens of thousands of correctional officers, nurses, janitors, physicians, and incarcerated workers under CDCR’s jurisdiction.”

5) **Related Legislation:**

- a) AB 2259 (Ransom) would establish a pilot program at two CDCR facilities for the provision of mental health therapy either through virtual therapy or contracted license mental health providers. AB 2259 is pending hearing in this committee.

---

<sup>9</sup> Note, *Violations of the Eighth Amendment: How Climate Change Is Creating Cruel and Unusual Punishment*, 22 Hastings Environment L.J. 213 (Summer 2022).

- b) AB 2593 (Elhawary) would prohibit a supervisor, administrator, or employee of CDCR from knowingly interfering with or refusing to implement health care prescribed or determined to be medically necessary by a licensed health care provider acting within the scope of their licensure that results in substantial emotional distress or serious bodily injury.

**6) Prior Legislation:**

- a) AB 1424 (C. Rodriguez), of the 2025-2026 Legislative Session, would have required CDCR to make infrastructure upgrades to CDCR facilities to mitigate the effects of excessive weather and natural disasters. AB 1424 was held in suspense in the Assembly Appropriations Committee.
- b) AB 701 (Ortega), of the 2025-2026 Legislative Session, would have required the Department of Justice (DOJ) to study the use of solitary confinement in all jails, prisons, and private detention facilities operating within the State of California. AB 701 was held in suspense in the Assembly Appropriations Committee.
- c) AB 280 (Holden), of the 2023-2024 Legislative Session, would have required all detention facilities to impose no limitation on services, treatment, or basic needs such as bedding, clothing and food for individuals in segregated confinement. AB 280 died on the inactive file in the Assembly.
- d) AB 353 (Jones-Sawyer), Chapter 429, Statutes of 2023, would require incarcerated persons to be permitted to shower at least every other day, unless access to a shower is prohibited as specified.
- e) AB 2321 (Jones-Sawyer), Chapter 781, Statutes of 2022, limits the use of juvenile room confinement and ensures that minors and wards confined at juvenile facilities are provided reasonable access to toilets at all hours.
- f) AB 2632 (Holden), of the 2021-2022 Legislative Session, would have required all detention facilities to impose no limitation on services, treatment, or basic needs such as bedding, clothing and food for individuals in segregated confinement. AB 2632 was vetoed.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

A New Way of Life Reentry Project

Aaaj- Asian Law Caucus

ACLU California Action

All of US or None (HQ)

American Federation of State, County and Municipal Employees, Afl-cio

Bridges of Hope CA

California Attorneys for Criminal Justice

California Civil Liberties Advocacy  
California Public Defenders Association  
Californians for Safety and Justice (CSJ)  
Communities United for Restorative Youth Justice (CURYJ)  
Community Legal Services in East Palo Alto  
Community Works West  
Courage California  
Ella Baker Center for Human Rights  
Empowering Women Impacted by Incarceration  
Felony Murder Elimination Project  
Glide  
Initiate Justice  
Justice2jobs Coalition  
LA Defensa  
Legal Aid At Work  
Legal Services for Prisoners With Children  
Oakland Privacy  
Riverside All of US or None  
Santa Clara County Wage Theft Coalition  
Sister Warriors Freedom Coalition  
Smart Justice California, a Project of Beyond Impact  
The W. Haywood Burns Institute  
Worksafe  
1 Private Individual

**Opposition**

None submitted.

**Analysis Prepared by:** Andrew Ironside / PUB. S. / (916) 319-3744