

UNFINISHED BUSINESS

Bill No: SB 941
Author: Padilla (D), et al.
Amended: 8/12/26
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 6-0, 3/17/26
AYES: Arreguín, Seyarto, Caballero, Pérez, Reyes, Wiener

SENATE JUDICIARY COMMITTEE: 12-0, 4/14/26
AYES: Umberg, Niello, Allen, Ashby, Caballero, Durazo, McNerney, Reyes,
Stern, Wahab, Weber Pierson, Wiener
NO VOTE RECORDED: Valladares

SENATE FLOOR: 38-0, 5/4/26
AYES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon,
Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove,
Hurtado, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh,
Padilla, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern,
Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener
NO VOTE RECORDED: Alvarado-Gil, Jones

ASSEMBLY FLOOR: 70-1, 8/17/26 - See last page for vote

SUBJECT: Private detention facilities: canteens

SOURCE: Immigrant Defense Advocates

DIGEST: This bill prohibits the sale price of canteen items at a private detention facility from exceeding a 35% markup above the amount paid to a vendor for the item.

Assembly Amendments of 8/12/26 make technical changes.

ANALYSIS:

Existing law:

- 1) Requires the California Department of Corrections and Rehabilitation (CDCR) to maintain a canteen at an active prison or institution under its jurisdiction for the sale to persons confined therein of toilet articles, candy, notions, and other sundries, and may provide the necessary facilities, equipment, personnel, and merchandise for the canteen. (Penal (Pen.) Code, § 5005, subd. (a).)
- 2) Limits the sale prices of items offered in the state’s prison canteens from exceeding a 35-percent markup above the amount paid to the vendors until January 1, 2028. (Pen. Code, § 5005, subd. (a).)
- 3) Defines “private detention facility” as “a detention facility that is operated by a private, nongovernmental, for-profit entity, and operating pursuant to a contract or agreement with a governmental entity.” (Government (Gov.) Code, § 9500, subd. (b).)

This bill:

- 1) Defines “commissary” as “any onsite or online store, canteen, vendor-operated program, or retail service that sells goods, food, hygiene supplies, phone cards, or other items to people confined in a private detention facility, whether operated directly by the facility or through a third-party contractor.”
- 2) Uses the definition of “private detention facility” that exists in current law.
- 3) Prohibits the sale price of an item offered for sale in a commissary at a private detention facility from exceeding a 35-percent markup above the amount paid to a vendor for that item.

Background

The federal government contracts with private detention facilities across the country to house immigration detainees. There are currently seven private detention facilities operating in California in four counties—San Bernardino County, Kern County, San Diego County, and Imperial County. These facilities have been rife with issues, including poor medical care, substandard living

conditions, sexual abuse and harassment, detainee deaths, and disproportionate use of force against individuals with mental health diagnoses. (Disability Rights California, *Newly Opened California City ICE Detention Facility: Dangerous for Disabled People* (Nov. 3, 2025)

<<https://www.disabilityrightsca.org/reports/california-city-ice-processing-center-a-dangerous-expansion-of-immigration-detention-in> [hereafter Disability Rights California Report]; Department of Justice, *Immigration Detention in California: A Comprehensive Review with a Focus on Mental Health 2025*

<<https://oag.ca.gov/system/files/media/immigration-detention-2025.pdf> ; Andrea Castillo, *Immigrant detainees say they were harassed, sexually assaulted by guard who got promoted* (Nov. 12, 2025) <<https://www.latimes.com/politics/story/2025-11-12/calif-immigrant-detainees-say-they-were-harassed-sexually-assaulted-by-guard-who-got-promoted> .)

As a result, several lawsuits have been filed against the operators of these private detention facilities. (See Rachel Uranga, *Why California's newest detention facility faces federal lawsuit over medical neglect and 'punitive' unsanitary conditions* (Nov. 13, 2025)

<<https://www.latimes.com/california/story/2025-11-13/immigrants-held-in-inhumane-conditions-at-california-detention-facility-sue-ice-dhs> ; Salvador

Hernandez & Ruben Vives, *Adelanto ICE facility isn't meant to hold immigrants, it's meant to break them, lawsuit alleges* (Jan. 26, 2026)

<<https://www.latimes.com/california/story/2026-01-26/lawsuit-alleges-inhumane-conditions-at-adelanto-ice-facility> .)

The Legislature has enacted several laws in recent years related to the conditions of private detention facilities. AB 3228 (Bonta), Chapter 190, Statutes of 2020, required any private detention facility operator to comply with, and adhere to, the detention standards of care and confinement agreed upon in the facility's contract for operations, and created a private right of action for individuals to sue if a private detention facility violated the requirement to comply with detention standards of care and confinement. AB 263 (Arambula), Chapter 294, Statutes of 2021, required a private detention facility operator to comply with, and adhere to, all local and state public health orders and occupational safety and health regulations. Finally, SB 1132 (Durazo), Chapter 183, Statutes of 2024, authorized a county or city health officer to investigate a private detention facility. SB 1132 was challenged by GEO Group, an operator of private detention facilities, which argued that the law was unconstitutional because it interfered with the federal government's authority to manage detention centers and GEO Group claimed it had intergovernmental immunity by extension as a contractor of the federal government. The lawsuit was dismissed in May of 2025. (Wendy Fry & Jeanne Kuang, California gave counties power to inspect ICE detention centers. They're

not using it, Cal Matters (Oct. 2, 2025) <<https://calmatters.org/justice/2025/10/ice-detention-center-inspections/> .)

Canteens. A canteen is a store located in a detention facility where the incarcerated population can purchase toiletries, stationery, snacks, and other personal items. In 2023, the Legislature enacted SB 474 (Chapter 609, Statutes of 2023) to temporarily cap the markup of canteen items in the state's prisons to no more than 35% of the price CDCR paid to the vendor. At the time, advocates argued that canteen items had unreasonably high prices compared to the prices of the same or similar items available to the general public and cited a report that found that 60% of the formerly incarcerated individuals surveyed could not afford canteen purchases while incarcerated, which sometimes led individuals to resort to extreme measures to gain access to canteen items such as engaging in gang activity and sexual relationships. (Leslie Soble, Kathryn Stroud, and Marika Weinstein, *Eating Behind Bars: Ending the Hidden Punishment of Food in Prison* (2020), p. 11 available at <<https://impactjustice.org/wp-content/uploads/IJ-Eating-Behind-Bars.pdf> .)

The proponents of this bill contend that items sold in the canteens in private detention facilities have similarly inflated and unreasonable prices. They argue that the high prices are especially problematic when considering that some canteen items are necessary for survival. For example, an inspection last year of the California City Detention Facility revealed that the facility's water was arguably unsafe to drink—it was brown with an unpleasant taste. (Disability Rights California Report, *supra*.) As a result, detainees had to rely on bottled water sold at the canteen but due to its high price, detainees could not afford to purchase sufficient water and suffered from dehydration. (*Ibid.*) This bill prohibits the price of an item offered for sale in a commissary at a private detention facility from exceeding a 35-percent markup above the amount paid to a vendor for that item.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 8/17/26)

Immigrant Defense Advocates (source)
ACLU California Action
Anti-Recidivism Coalition
California Collaborative for Immigrant Justice
California Community Foundation
California Department of Justice
California Public Defenders Association

Centro Binacional Para El Desarrollo Indigena Oaxaqueño
 Courage California
 Ella Baker Center for Human Rights
 GLIDE
 Immigrant Defenders Law Center
 Imperial Valley Equity & Justice Coalition
 Jesse's Place
 Justice2Jobs Coalition
 La Defensa
 Legal Services for Prisoners With Children
 MILPA
 Oasis Legal Services
 Riverside Sheriffs' Association
 Rubicon Programs
 San Francisco Public Defender's Office
 Secure Justice
 Smart Justice California
 Southeast Asia Resource Action Center
 The Place4Grace
 Uprise Theatre

OPPOSITION: (Verified 8/17/26)

None received

ASSEMBLY FLOOR: 70-1, 8/17/26

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías,
 Bains, Bauer-Kahan, Bennett, Berman, Boerner, Calderon, Caloza, Carrillo,
 Castillo, Chen, Connolly, Davies, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel,
 Garcia, Gipson, Jeff Gonzalez, Mark González, Haney, Harabedian, Hoover,
 Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, McKinnor,
 Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-
 Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez,
 Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani,
 Ta, Valencia, Wallis, Ward, Wilson, Zbur, Rivas

NOES: DeMaio

NO VOTE RECORDED: Bonta, Bryan, Hadwick, Hart, Macedo, Sanchez,
 Tangipa, Wicks

Prepared by: Stephanie Jordan / PUB. S. /
8/17/26 15:32:26

****** END ******