

THIRD READING

Bill No: SB 995
Author: Pérez (D), et al.
Amended: 5/14/26
Vote: 21

SENATE HEALTH COMMITTEE: 11-0, 4/15/26
AYES: Weber Pierson, Valladares, Caballero, Durazo, Gonzalez, Grove,
Menjivar, Padilla, Pérez, Rubio, Smallwood-Cuevas

SENATE JUDICIARY COMMITTEE: 12-0, 4/21/26
AYES: Umberg, Niello, Allen, Ashby, Caballero, Durazo, Laird, Reyes,
Valladares, Wahab, Weber Pierson, Wiener
NO VOTE RECORDED: Stern

SENATE APPROPRIATIONS COMMITTEE: 7-0, 5/14/26
AYES: Cervantes, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

SUBJECT: Involuntary residential facilities: health and safety inspections

SOURCE: Coalition for Humane Immigrant Rights
Mexican-American Legal Defense and Education Fund
Public Counsel
South Asian Network

DIGEST: This bill enacts the Masuma Khan Justice Act to permit the California Department of Public Health (CDPH) to inspect an “involuntary residential facility,” which is defined to include a civil commitment facility, for the limited purpose of ensuring sanitary, hygienic, and safe conditions, and establishes an administrative penalty structure for enforcement purposes. Requires CDPH to establish standards for all involuntary residential facilities to ensure the health and safety of residents. Specifies that the provisions of this bill permitting inspection and enforcement do not require licensure or otherwise subject an involuntary residential facility to the regulatory scheme applicable to licensed facilities.

ANALYSIS:

Existing law:

- 1) Defines a “detention facility” as a facility in which persons are incarcerated or otherwise involuntarily confined for purposes of execution of a punitive sentence imposed by a court or detention pending a trial hearing or other judicial or administrative proceeding. Defines a “private detention facility” as a detention facility that is operated by a private, nongovernmental, for-profit entity pursuant to a contract or agreement with a governmental entity. Excludes various types of facilities from the definition of detention facility, including a facility providing specified health services, residential care facilities, and facilities used for quarantine. [Government Code (GOV) §7320]
- 2) Requires, until July 1, 2027, the Attorney General to engage in reviews of county, local, or private locked detention facilities in which noncitizens are being housed or detained for purposes of civil immigration proceedings in California. Requires the review to include conditions of confinement, and requires the Department of Justice to provide a written summary of findings regarding the progress of these reviews and any relevant findings. [GOV §12532]
- 3) Establishes provisions for investigations of detention facilities by local health officers (LHOs) for health and sanitary conditions in every publicly operated detention facility in the county or city (including county and city jails), and permits LHOs to make additional investigations of a county jail, private detention facility, or other detention facility of the county as determined necessary. Defines “private detention facility,” for purposes of these provisions, as having same definition in 1) above. [Health and Safety Code (HSC) §101045]
- 4) Establishes the Lanterman-Petris-Short Act to end the inappropriate, indefinite, and involuntary commitment of persons with mental health disorders, developmental disabilities, and chronic alcoholism, as well as to safeguard a person’s rights, provide prompt evaluation and treatment, and provide services in the least restrictive setting appropriate to the needs of each person. Permits involuntary detention of a person deemed to be a danger to self or others, or “gravely disabled” for periods of up to 72 hours for evaluation and treatment, or for up-to 14 days and up-to 30 days for additional intensive treatment in “county-designated facilities.” [Welfare and Institutions Code (WIC) §5000, et seq.]

- 5) Licenses and regulates various types of health facilities by CDPH, including general acute care hospitals, acute psychiatric hospitals, and skilled nursing facilities, and licenses and regulates psychiatric health facilities and mental health rehabilitation centers by the Department of Health Care Services. [HSC §1250, et seq., WIC §4080 and §5675]
- 6) Establishes a civil penalty structure for long term care (LTC) facilities, which include skilled nursing facilities and intermediate care facilities, among others, categorized into Class “AA,” “A,” and “B” violations: “A” violations are where CDPH determines that the violation presents either imminent danger of death or serious harm, or a substantial probability that death or serious harm to residents would result; “AA” violations (the most severe) are those that meet the criteria for a class “A” violation that CDPH determines was a substantial factor in the death of a resident of an LTC facility; and, “B” violations are those that CDPH determines have a direct or immediate relationship to the health, safety, or security of LTC facility residents, but do not meet the criteria for A or AA. [HSC §1424]

This bill:

- 1) Defines “involuntary residential facility,” for purposes of this bill, as a facility that meets all of the following criteria: houses 50 or more individuals overnight; restricts residents’ ability to enter or leave the facility at will, regardless of the legal authority under which the individual is housed; and, provides onsite food service, medical care, mental health services, or residential supervision.
- 2) Specifies that the definition of “involuntary residential facility” includes a secure state hospital, civil commitment facility, or a secure residential treatment program, to the extent the facility meets the criteria in 1) above, but does not include a facility that is a state prison, a local detention facility, or a juvenile facility operated by a local government with the exception of secure youth treatment facilities, as these are defined in existing law.
- 3) Permits CDPH, notwithstanding any other law, to inspect an involuntary residential facility, without prior notice, for the limited purpose of ensuring sanitary, hygienic, and safe conditions, using standards and inspection protocols consistent with those applied to residential health facilities that are licensed by CDPH, and to enforce penalties for any violations. Specifies that this provision does not require licensure or to otherwise subject an involuntary residential facility to the regulatory scheme applicable to facilities licensed by CDPH.

- 4) Requires inspections to be carried out in a manner that does not unreasonably interfere with facility operations or any federal, state, or local law enforcement or security functions.
- 5) Prohibits internal security protocols from being used to deny inspectors access to any area where residents are housed, fed, or receive medical care. However, requires CDPH to comply with reasonable security procedures necessary to ensure safety and facility operations.
- 6) Specifies that this bill does not prohibit the review of deidentified or aggregate health, safety, or incident records reasonably necessary to assess compliance with this bill, if the review is conducted in a manner that protects resident privacy. Permits these records to include, but are not limited to, aggregate or deidentified data relating to injury rates, the number of incidents involving the use of force or restraints, infectious disease, hospitalizations, and mortality.
- 7) Permits CDPH, if it identifies conditions that may fall within the jurisdiction of another agency, to refer those conditions to the appropriate state or local agency with jurisdiction for further review or action.
- 8) Requires CDPH, within 30 days of completing an inspection, to prepare a written report of its findings and transmit the report to the Legislature.
- 9) Requires an operator to maintain all records necessary to demonstrate compliance with applicable health and safety standards, and to make those records available to CDPH upon request.
- 10) Requires an operator to correct any violation identified by CDPH within the timeframes established by CDPH.
- 11) Requires CDPH, in exercising its authority under this bill, to utilize the inspection and citation protocols described in existing law for licensed health facilities, including the issuance of class AA, class A, and class B citations as specified in provisions of law governing long-term care facilities.
- 12) Requires an operator that violates the provisions of this bill, after appropriate notice and an opportunity for a hearing, to be subject to an administrative penalty in an amount not to exceed the following:
 - a) \$25,000 for a class AA violation;

- b) \$10,000 for a class A violation; and,
 - c) \$1,000 for a class B violation.
- 13) Specifies that for purposes of the administrative penalty, each day a violation remains uncorrected may constitute a separate violation.
- 14) Permits CDPH, if an operator fails to correct a violation within the time specified in a citation issued under this bill, to issue a safety warning that identifies the uncorrected condition and requires prompt corrective action by the operator. Specifies that a safety warning is an administrative notice issued as part of, and subordinate to, the citation and enforcement framework specified in provisions of existing law governing licensed health facilities. Specifies that a safety warning does not constitute a separate violation, but may be considered in determining compliance status and the need for further enforcement action.
- 15) Permits CDPH to refer violations to the Attorney General, and permits the Attorney General to bring a civil action for declaratory or injunctive relief to compel abatement of a hazard described in this bill.
- 16) Requires CDPH to adopt rules and regulations necessary to implement this bill. Requires these regulations to ensure that all involuntary residential facilities comply with measurable standards for sanitary, hygienic, and safe conditions.
- 17) Requires the regulations adopted by CDPH to establish objective, measurable standards for all involuntary residential facilities to ensure the health and safety of residents, including, but not limited to, all of the following:
- a) Standards for personal hygiene, laundry services, and the frequency of cleaning; and measurable metrics for vector and pest control, plumbing integrity, and the maintenance of sanitary common areas;
 - b) Minimum requirements for indoor air quality, ventilation, and ambient temperature control to prevent heat-related illness or respiratory distress;
 - c) Requirements for potable water access and dietary caloric intake, including the provision of medically necessary diets for individuals with conditions requiring dietary modification, such as diabetes, cardiovascular disease, or other clinically indicated conditions, and reasonable accommodations for religious dietary requirements;
 - d) Protocols for the screening, isolation, and treatment of communicable diseases;
 - e) Standards to prevent and respond to physical harm to residents and staff, including, but not limited to:

- i) Requirements governing the safe application of physical restraints to minimize the risk of injury;
 - ii) Requirements for mandatory medical evaluation and appropriate care following any incident involving the use of physical force or restraint;
 - iii) Documentation and reporting of incidents involving physical force or restraint;
 - iv) Staff training in de-escalation and safe intervention techniques; and,
 - v) Workplace violence prevention measures consistent with occupational safety and health standards.
- 18) Requires the provisions of this bill to be implemented by CDPH in a manner that avoids unnecessary duplication of existing state or local health and safety oversight. Permits CDPH, in carrying out inspections pursuant to this bill, to consider prior inspections, certifications, and compliance findings, and to consider whether a facility has already been inspected as part of its regulatory oversight of licensed facilities.
- 19) Contains a severability clause so that if any provision or application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision.

Comments

According to the author of this bill:

Large involuntary residential facilities, including secure treatment facilities, state hospitals, and privately operated detention facilities, house thousands of people who depend on the facility for shelter, food, medical care, and basic safety. Because individuals in these settings cannot freely leave, the state has a responsibility to ensure that conditions are safe, humane, and consistent with basic health and safety standards. Private immigration detention facilities are one example where this responsibility has often fallen short. People held in these facilities are suffering and, in some cases, are being treated inhumanely. Masuma Khan, 64, has lived in the U.S. for nearly 30 years with her husband and their daughter, who are both U.S. citizens. She is a resident of Altadena, and survived the Eaton Fire in January 2025. In October 2025, Khan was detained by federal immigration officials during one of her regular check-in appointments. Khan was held in a cold private detention facility without warm clothes, appropriate food, or access to vital medicine. In November 2025, a federal judge ordered Khan's release. An

unprecedented number of people died in detention in 2025, and that number could be surpassed in 2026, with eight deaths already recorded in January. Despite this troubling trend, there are plans to expand detention capacity nationwide, including converting large facilities and warehouses into new detention sites, making the need for stronger oversight more urgent. Currently, California's inspection authority applies only to counties, yet three of the four counties with this authority have not conducted any reviews. This bill would ensure California can meaningfully inspect private detention facilities, impose fines when violations occur, and, when necessary, shut down facilities that fail to comply with California's health, safety, and labor laws.

Background

Immigration detention facilities in California, and history of deaths. The federal government contracts with private detention facilities across the country to house federal inmates and immigration detainees. There are currently seven private detention facilities operating in California:

- a) Adelanto ICE Processing Center in San Bernardino County (capacity 1,940);
- b) Desert View Annex in San Bernardino County (capacity 750);
- c) California City in Kern County (capacity 2,560);
- d) Golden State Annex in Kern County (700 capacity);
- e) Mesa Verde ICE Processing Center in Kern County (capacity 400);
- f) Otay Mesa Detention Center in San Diego County (1,994 capacity); and,
- g) Imperial Regional Detention Facility in Imperial County (704 capacity).

CoreCivic operates the Otay Mesa and California City facilities, Management & Training Corporation operates the Imperial Regional Detention Facility, while the remainder are operated by the GEO Group. According to a February 6, 2026 article in the *Sacramento Bee*, at that time roughly 6,400 people were being held on a given day in these private facilities, which was more than double the figure from the prior year. Part of this growth was the opening of the California City Immigration Processing Center in 2025, which is now the largest immigration detention center in the state.

According to a report by KFF, as of March 18, 2026, U.S. Immigration and Customs Enforcement (ICE) reported that 46 people died while in their custody or detention facilities since the start of the second Trump administration in January 2025. The number of deaths of people in detention during 2025 exceeded the highest seen in over two decades, and deaths in 2026 are on track to meet or

exceed that number. On March 30, 2026, the *Los Angeles Times* reported that a detainee at Adelanto ICE Processing Center died on March 25, which was the fourth fatality at Adelanto since September of last year. Nationwide, the death toll in ICE custody in just the last three months was 14 people.

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

According to the Senate Appropriations Committee there are unknown ongoing General Fund costs for CDPH for state administration and enforcement activities. The Department of Justice indicates no significant fiscal impact. Unknown, potential cost pressures to the courts related to additional enforcement mechanisms provided in this measure (Trial Court Trust Fund, General Fund). While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to fund additional staff and resources.

SUPPORT: (Verified 5/14/26)

Coalition for Humane Immigrant Rights (co-source)
Mexican-American Legal Defense and Education Fund (co-source)
Public Counsel (co-source)
South Asian Network (co-source)
Alliance of Californians for Community Empowerment
American Civil Liberties Union California Action
Asian Americans Advancing Justice -- Southern California
California Academy of Family Physicians
California Community Foundation
California Federation of Labor Unions
California for Safety and Justice
California Low-Income Consumer Coalition
California National Organization for Women
California Work & Family Coalition
Californians for Safety and Justice
Central American Resource Center of California
City of Santa Ana
Community Legal Services in East Palo Alto
Consumer Attorneys of California
Courage California
Ella Baker Center for Human Rights
Equality California
Friends Committee on Legislation of California

Harbor Institute for Immigrant and Economic Justice
Immigrant Defenders Law Center
Inclusive Action for the City
Indivisible CA: StateStrong
Inland Coalition for Immigrant Justice
Latino Coalition for a Healthy California
Lawyers' Committee for Civil Rights of the San Francisco Bay Area
Legal Aid at Work
Long Beach Residents Empowered
Los Angeles Forward Institute
Nikkei Progressives
Oakland Privacy
Organizing Rooted in Abolition, Liberation, and Empowerment
Rise Economy
Riverside Sheriffs' Association
Smart Justice California
Thai Community Development Center
The Sikh Coalition
Vision Y Compromiso

OPPOSITION: (Verified 5/14/26)

Chief Probation Officers of California

ARGUMENTS IN SUPPORT: This bill is co-sponsored by the Mexican-American Legal Defense and Education Fund (MALDEF), Public Counsel, the South Asian Network, and the Coalition for Human Immigrant Rights. MALDEF states that large facilities where individuals are not free to leave, regardless of the reason for their placement, must comply with basic standards that protect human health and safety. Facilities of this size and nature present heightened risk simply because of scale and confinement. California already regulates hospitals, skilled nursing facilities, apartment buildings, and employee housing under well-established health and safety frameworks. This bill applies the same logic to large involuntary residential facilities, including immigration detention centers. It does not create new categories of rights or new regulatory theories; it ensures that facilities operation in California meet the same baseline standards that apply to comparable congregate settings. Importantly, this bill does not create a new enforcement bureaucracy, but relies on existing state agencies and existing authority. Public Counsel and the South Asian Network make similar arguments, and state that in 2025, the number of people in ICE custody nearly doubled from the start of the year to about 66,000, a system record. California alone holds 6,400

people daily across all seven centers, a figure expected to increase as operators expand space at two facilities in Kern County. This bill establishes a uniform inspection and compliance framework for large involuntary residential facilities by requiring routine health and safety inspections, access to records, legislative reporting, and enforceable penalties to ensure timely correction of violations. Numerous organizations support this bill, making similar arguments.

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ARGUMENTS IN OPPOSITION: *Oppose unless amended.* The Chief Probation Officers of California (CPOC) oppose this bill unless amended to clarify that the bill is not applicable to county juvenile detention facilities, similar to the exclusion in the bill for state prisons and local detention facilities. CPOC notes that county juvenile facilities are already subject to inspection by the Board of State and Community Corrections as well as oversight from public health, fire marshal, and others. Applying the provisions of this bill would layer a new process and requirements on top of longstanding existing inspection processes for these facilities, thereby creating duplication as well as confusion and delays in existing inspection processes. Recent amendments in Senate Appropriations Committee did exempt juvenile facilities operated by a local government, but excluded from this exemption secure youth treatment facilities, as defined, including those located within or operated in conjunction with juvenile facilities. CPOC argues that all county juvenile facilities, including secure youth treatment facilities, need to be exempted from this bill, and therefore continues to oppose this bill unless amended.

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5/18/26 15:16:28

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