



**LEGISLATION &
COMMUNICATIONS UNIT**
1831 K Street
Sacramento, CA 95811-4114
Tel: (916) 504-5800
TTY: (800) 719-5798
Intake Line: (800) 776-5746
Fax: (916) 504-5807
www.disabilityrightsca.org

September 23, 2021

Honorable Gavin Newsom
Governor of California
Capitol Building, 1st Floor
Sacramento, CA 95814

RE: SB 334 (Durazo) – REQUEST FOR SIGNATURE

Dear Governor Newsom:

Disability Rights California (DRC), a non-profit advocacy organization that advances and protects the rights of Californians with disabilities, **supports SB 334 and request your signature.**

The Private Detention Accountability Act would require any insurance company providing insurance coverage to private for-profit prisons and detention facilities to be an admitted insurance carrier authorized to do business in California and that the private for-profit prisons and detention facilities meet and maintain specific insurance requirements in order to continue to operate in the state. This bill additionally would mandate insurance companies to terminate coverage if private for-profit prisons and detention centers do not comply with specified local, state, and federal standards.

There are three reasons private prisons and detention facilities will likely continue to operate in California for the time being: 1) President Biden's recent executive order to end the use of private prisons does not end the use of private detention centers; 2) the Federal Government signed 15-year contracts with private detention facilities in California prior to the implementation of AB 32 (Bonta, Chapter 739, Statutes of 2019); and 3)

recent court decisions concluded that AB 32 (Bonta) is preempted with respect to facilities contracted with the U.S. Marshals Service (USMS).

DRC has the broad authority to protect and advocate for the rights and interests of people with disabilities, including authority to investigate incidents of abuse, or neglect, to monitor facilities and programs serving individuals with disabilities; to pursue administrative, legal, and other appropriate remedies to ensure the protection of the rights of people with disabilities; and to provide information and training on and referral to, programs and services addressing the needs of people with disabilities. That authority includes access to public and private entities providing services and supports to individuals with disabilities, and to information and records prepared or maintained by these entities pertaining to such individuals carrying out their responsibilities. The authority also extends to facilities used to house or detain noncitizens for the purposes of civil immigration custody.

DRC released a report in March of 2019: “There is no Safety Here: The Dangers of People with Mental Illness and other Disabilities in Immigration Detention at GEO Group Adelanto ICE Processing Center.”

(<https://www.disabilityrightsca.org/reports/adelanto>)

That report detailed our key findings:

1. People held at Adelanto are subjected to punitive, prison-like conditions that harm people with disabilities.
2. Adelanto has an inadequate mental health care and medical care system, made worse by the facility’s counter-therapeutic conditions and practices.
3. GEO Group significantly underreports data on the number of suicide attempts that occur at Adelanto.
4. Adelanto’s system fails to comply with disability antidiscrimination laws as well as ICE’s detention standards regarding the treatment of people with disabilities.

SB 334 (Durazo) provides a powerful financial motivation for private for-profit prisons and detention facilities to adhere to local, state, and federal standards while additionally ensuring that these facilities maintain comprehensive insurance coverage. Most importantly, this bill will ensure that basic health, safety, and human rights are afforded to our most vulnerable populations.

For these reasons, DRC supports this bill and requests your signature.
Please contact me if you have any questions about our position or if I can
provide any further information.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Harris", with a horizontal flourish extending to the right.

Eric Harris
Director of Public Policy
Disability Rights California

cc: Honorable Maria Elena Durazo, California State Senate
Fernando Ramirez, Legislative Aide, Office of Senator Durazo
Melissa Immel, Deputy Legislative Secretary, Office of Governor
Newsom