SB 423 (Gonzalez) Detention Facility Transparency

SUMMARY

SB 423 would expand the California Public Records Act to require local agencies to disclose, upon request, audio recordings and related records concerning calls for emergency services at private detention facilities, including reports of rape, assault and medical emergencies.

EXISTING LAW

The California Public Records Act (CPRA) provides that public records are open to inspection by the public during an agency's regular office hours, except where disclosure is exempt under law. (Gov. Code § 7922.525.) A public record is defined as any writing containing information relating to the conduct of the public agency business that is prepared, owned, used, or retained regardless of physical form or characteristics. (Gov. Code § 7920.530.)

The CPRA exempts certain records from mandatory disclosure. Existing law does not require state or local police agencies to disclose records of complaints to, or investigations conducted by, local police agencies, or investigatory and security files compiled for correctional, law enforcement or licensing purposes. (Gov. Code 7923.600)

BACKGROUND/PROBLEM

Private detention facilities in California perform one of the most serious functions of government: hold people in government custody. Yet these facilities are operated by private, for-profit corporations and are not subject to the same transparency and accountability rules that govern public custodial institutions.

The number of people — approximately 6,400 — being held in privately run civil detention centers in California every day has nearly doubled since early 2025.[1] Those detained include long-term California residents, asylum seekers and, at times, U.S. citizens mistakenly placed in immigration detention. Many are held for lengthy periods; the average length of detention in some California facilities exceeded 100 days in 2025.[2]

Conditions at detention facilities are raising concerns in California and across the nation. Between September 2025 and March 2026, there were six deaths at two of California's private detention facilities.[3] ICE recently announced that they will no longer report the deaths of detainees who have recently been released from custody – even if the cause of death could have been an illness or incident that occurred at the facility.[4] Numerous reports of inhumane conditions, medical neglect, mistreatment, and sexual violence underscore the need for greater transparency and oversight.

A 2026 CalMatters investigation found a rise in reports of rape and other sexual violence at the Otay Mesa detention facility in San Diego County. Public records

[1] Nearly 70% of California detainees have no criminal conviction | Sacramento Bee
[2] https://oag.ca.gov/system/files/media/immigration-detention-2026.pdf
[3] https://oag.ca.gov/system/files/media/immigration-detention-2026.pdf
[4] https://www.washingtonpost.com/immigration/2026/06/04/ice-stop-reporting-deaths-newly-released-detainees-internal-memo-says

showed that of the 159 calls for service in 2025, 21 of them were related to the federal Prison Rape Elimination Act and 7 alleged rape. The Sheriff's department refused to release audio recordings of the 911 calls or a full dispatch log, stating that the records were exempt as they were records of a law enforcement investigation.[5]

This lack of publicly available information frustrates the ability of local and state officials and members of the public to ensure that detention facilities are following applicable state and federal laws – and hold them accountable when they violate the rights of people who are detained.

SOLUTION

SB 423 would amend the CPRA to require local agencies to release records related to 911 calls and other calls for service from private detention facilities. This will shine a light on how detention centers are operating in the state and ensure that detention facilities cannot cover up violations of civil rights, crimes, or other inhumane treatment occurring within the facility.

The bill safeguards privacy by requiring agencies to redact the name or identifying information of any person who experienced an incident or was the victim of a crime, and it allows an agency to withhold certain investigatory writings during an active investigation if disclosure would substantially interfere with it.

SUPPORT

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[5] https://calmatters.org/justice/2026/03/otay-mesa-san-diego-sheriff/