
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Jesse Arreguín, Chair
2025 - 2026 Regular

Bill No: AB 2257 **Hearing Date:** June 23, 2026
Author: Hart
Version: May 22, 2026
Urgency: No **Fiscal:** No
Consultant: ML

Subject: *Corrections: jail administrators*

HISTORY

Source: Author

Prior Legislation: SB 519 (Atkins), Ch. 306, Stats. of 2023
SB 1137 (Gonzalez), Ch. 365, Stats. of 2022
SB 16 (Skinner), Ch. 402, Stats. of 2021
AB 1185 (McCarty), Ch. 342, Stats. of 2019
SB 1421 (Skinner), Ch. 988, Stats. of 2018
SB 911 (Calderon), Ch. 1236, Stats. of 1993

Support: 805 Undocufund; Advocacy on the 101; Buen Vecino; California Coalition for Sheriff Oversight; California Public Defenders Association; Californians for Safety and Justice; Central Coast Alliance United for a Sustainable Economy; Clergy and Laity United for Economic Justice - Ventura County; Coastal Legal Center; County of San Diego Fourth District Supervisor Monica Montgomery Steppe; County of Santa Barbara; Diversity Coalition San Luis Obispo County; Freedom 4 Youth; Indivisible Santa Barbara; Indivisible Santa Maria; Kingston, Martinez, and Hogan LLP; La Raza Community Resource Center; Law Office of Richard Wagner; Legal Services for Prisoners With Children; Mariposa Advocacy and Legal Services; Mixteco/Indigena Community Organizing Project; Nextgen California; O.L.A. Raza; Oakland Privacy; One Step a La Vez; Prosecutors Alliance Action; San Luis Obispo Unitarian Universalist; San Quentin Skunkworks; Santa Barbara County Immigrant Legal Defense Center; Santa Paula Latino Town Hall; Smart Justice California; The Fund for Santa Barbara; Unitarian Society of Santa Barbara - Justice and Equity Team

Opposition: California State Sheriffs' Association; Los Angeles County Professional Peace Officers Association; Peace Officers Research Association of California

Assembly Floor Vote: 41 - 25

PURPOSE

The purpose of this bill is to authorize a county board of supervisors (BOS) to establish the position of jail administrator, to be headed by an executive officer nominated by the sheriff and confirmed by the BOS, to assume the sheriff's duties under California law pertaining to the county jail.

Existing law requires the Legislature to provide for county powers, an elected county sheriff, an elected district attorney, an elected assessor, and an elected governing body in each county. (Cal. Const., art. XI, § 1, subd. (b).)

Existing law requires a county charter to provide for, among other things, an elected sheriff and other officers, their election or appointment, compensation, terms and removal, the powers and duties of governing bodies and all other county officers, and for consolidation and segregation of county officers, and for the manner of filling all vacancies occurring therein. (Cal. Const., art. XI, § 4, subds. (c) & (e).)

Existing law requires, notwithstanding any other law, that the office of sheriff be filled by election as provided for elective county officers, and vacancies shall be filled as provided by law for filling elective county offices, unless the county or city and county is chartered and such charter provides for election of the sheriff by vote of the electors. (Gov. Code, § 24205.)

Existing law requires the BOS to supervise the official conduct of all county officers, and particularly insofar as the functions and duties of such county officers relate to the assessing, collecting, safekeeping, management, or disbursement of public funds, and shall see that they faithfully perform their duties, direct prosecutions for delinquencies, and when necessary, require them to renew their official bond, make reports and present their books and accounts for inspection, although this shall not be construed to affect the independent and constitutionally and statutorily designated investigative and prosecutorial functions of the sheriff and district attorney of a county. (Gov. Code, § 25303.)

Existing law prohibits the BOS from obstructing the investigative function of the sheriff of the county. (Gov. Code, § 25303.)

Existing law authorizes the BOS of any county to, by resolution, establish a department of corrections, to be headed by an officer appointed by the BOS, which shall have jurisdiction over all county functions, personnel, and facilities, or so many as the BOS names in its resolution, relating to institutional punishment, care, treatment, and rehabilitation of prisoners, including, but not limited to, the county jail and industrial farms and road camps, their functions, and personnel. (Gov. Code, § 23013.)

Existing law authorizes the BOS of two or more counties to, by agreement and the enactment of ordinances in conformity thereto, establish a joint department of corrections to serve all the counties included in the agreement, to be headed by an officer appointed by the boards jointly. (Gov. Code, § 23013.)

Existing law provides that notwithstanding any other provision of law, except in counties in which the sheriff, as of July 1, 1993, is not in charge of and the sole and exclusive authority to keep the county jail and the prisoners in it, the sheriff shall take charge of and be the sole and exclusive authority to keep the county jail and the prisoners in it including persons confined to the county jail for a violation of the terms and conditions of their post-release community supervision, as specified, except for work furlough facilities where by county ordinance the work furlough administrator is someone other than the sheriff. (Gov. Code, § 26605.)

Existing law provides that the common jails in the several counties of this state are kept by the sheriffs of the counties in which they are respectively situated, and are used as follows: for the detention of persons committed in order to secure their attendance as witnesses in criminal cases; for the detention of persons charged with crime and committed for trial; for the confinement of

persons committed for contempt, or upon civil process, or by other authority of law; for the confinement of persons sentenced to imprisonment therein upon a conviction for a crime; and for the confinement of persons pursuant to a violation of the terms and conditions of their post-release community supervision, as specified. (Pen. Code, § 4000.)

Existing law establishes numerous obligations on sheriffs pertaining to county jails, including, among other things, that the sheriff receive all persons committed to jail by competent authority, and receive and keep in the county jail any prisoner committed thereto by process or order issued under the authority of the United States. (Pen. Code, §§ 4005, 4015, subd. (a).)

Existing law authorizes a county sheriff to contract for healthcare services, as specified, and provides that in those counties in which the sheriff does not administer a jail facility, a director or administrator of a local department of corrections established by the BOS is the person who may contract for services provided to jail inmates in the facilities they administer in those counties. (Pen. Code, § 4011.10, subds. (a) & (h).)

Existing law establishes the duties and authority of the sheriff, among other things, as follows:

- To preserve peace, and to accomplish this object, may sponsor, supervise, or participate in any project of crime prevention, rehabilitation of persons previously convicted of crime, or the suppression of delinquency. (Gov. Code, § 26600.)
- To arrest and take before the nearest magistrate for examination all persons who attempt to commit or who have committed a public offense. (Gov. Code, § 26601.)
- To prevent and suppress any affrays, breaches of the peace, riots, and insurrections that come to their knowledge, investigate public offenses which have been committed, and execute all orders of the local health officer issued for the purpose of preventing the spread of any contagious or communicable disease. (Gov. Code, § 26602.)
- To command the aid of as many inhabitants of the sheriff's county as they think necessary in the execution of their duties. (Gov. Code, § 26604.)

Existing law provides that, notwithstanding any other provision of law, no deputy sheriff shall be required to become a custodial or other officer involuntarily. (Gov. Code, § 26605.1.)

Existing law authorizes the sheriff, after conferring with a specified physician, to release from a county correctional facility for transfer to a medical facility or residential care facility, a prisoner whose physical condition is such that they are rendered incapable of causing harm to others upon or after release from custody. (Gov. Code, § 26605.5, subd. (a).)

Existing law authorizes the sheriff or their designee, after conferring with a specified physician, to release from a county correctional facility a prisoner sentenced to a county jail if the sheriff determines that the prisoner would not reasonably pose a threat to public safety and the prisoner is deemed to have a life expectancy of six months or less. (Gov. Code, § 26605.6, subd. (a).)

Existing law authorizes the sheriff, or their designee, after conferring with a specified physician, to request the court to grant medical probation or to resentence a prisoner to medical probation in

lieu of jail time for specified prisoners sentenced to a county jail. (Gov. Code, § 26605.7, subd. (a).)

Existing law provides that custodial officers of a county shall be employees of, and under the authority of, the sheriff, except in counties in which the sheriff, as of July 1, 1993, is not in charge of and the sole and exclusive authority to keep the county jail and the prisoners in it. (Pen. Code, § 831.5, subd. (a).)

This bill authorizes a county BOS to establish the position of jail administrator, to be headed by an executive officer nominated by the sheriff and confirmed by the BOS, to assume the sheriff's duties under California law pertaining to the county jail.

This bill states that if the BOS establishes the position of jail administrator, the sheriff of the county shall nominate a candidate to fill the position and submit that nomination to the board within 90 days of the establishment of the position. States that the BOS shall confirm or deny the appointment of the candidate submitted by resolution within 60 days of the submission.

This bill authorizes the BOS, when determining whether to confirm or deny the appointment, to consider any relevant factor, including, but not limited to, any of the following:

- Professional experience in corrections management.
- Experience managing public budgets.
- Extensive familiarity with Title 15 of the California Code of Regulations and national standards for jail accreditation.
- Extensive familiarity with the requirements for appropriate medical and mental health care within a correctional setting.
- Demonstrated commitment to protecting the civil and human rights of incarcerated individuals.
- Knowledge of best practices and evidence-based approaches to rehabilitation.

This bill states that if the BOS denies the candidate, the sheriff shall nominate a different candidate to fill the position and submit that nomination to the BOS within 60 days of the denial. States that the BOS shall confirm or deny the appointment of the new candidate pursuant to the procedures described above.

This bill states that a candidate that is nominated for a jail administrator position that has never been filled but has not been confirmed or denied by the BOS shall serve as the interim jail administrator during the review process.

This bill states that a jail administrator appointed pursuant to this section shall have all of the following powers and duties:

- They shall be the executive officer of all county jails and have supervisory authority over all staff and incarcerated individuals.
- They shall serve a term of three years.
- If a currently serving interim jail administrator or an acting jail administrator is confirmed, their time spent as interim or acting jail administrator before being confirmed does not count towards the three-year term.
- If they are a peace officer, they shall retain peace officer status to the extent allowable.

- If a jail administrator is appointed pursuant to this section, the sheriff shall retain authority to supervise, direct the day-to-day operations of, evaluate, discipline, or remove the jail administrator.
- If there is a vacancy in the jail administrator position for any reason, including, but not limited to, expiration of the term, removal of the jail administrator by the sheriff, or resignation of the jail administrator, all of the following apply:
 - The sheriff shall appoint an acting jail administrator within three days of the vacancy.
 - The acting jail administrator shall not serve for more than 150 days.
 - The board may authorize the acting jail administrator to serve additional 60-day terms.
 - If an acting jail administrator's term expires and a candidate has not been confirmed, the sheriff shall appoint a different jail administrator within three days of the expiration.
 - The sheriff shall nominate a candidate to fill the position and submit that nomination to the board within 90 days of the vacancy.
 - The sheriff may, but is not required to, nominate the acting jail administrator as the candidate.

This bill states that up to six months before a jail administrator's term expires, the sheriff may nominate and submit to the board a candidate to serve when the term expires.

COMMENTS

1. Need for This Bill

The author writes:

California's county jails are in crisis. Deaths are occurring at record-high levels, people with mental illness are languishing, and costs are skyrocketing without improved outcomes.

Sheriffs are responsible for operating jails. Boards of supervisors are responsible for funding jails and bearing legal liability. While boards of supervisors are required to fund the day-to-day operations of county jails — and pay massive legal settlements when things go wrong — boards of supervisors have no direct authority to improve jail practices. Boards of supervisors are prevented from exercising their statutory budgetary and oversight responsibilities over jails.

AB 2257 seeks to bring balance to the shared governance responsibilities that boards of supervisors and sheriffs have in administering county jails, for the benefit of the public, people in custody, and the correctional workforce.

This modest bill will give boards of supervisors the authority to confirm a sheriff-nominated jail administrator to a three-year term, while leaving the day-to-day management of the jail within the sheriff's office. By giving boards of supervisors a direct, limited policy lever to influence jail administration, this

bill will incentivize greater collaboration between sheriffs and boards of supervisors in operating county jails.

This bill fills a gap in existing law and builds on the Legislature’s recent sheriff oversight bills to provide counties with a practical tool to address known jail issues and work proactively to improve outcomes.

2. County Jail In-Custody Deaths

There has been a significant increase in in-custody county jail deaths in recent years. According to the California Department of Justice, “Since the passage of Public Safety Realignment in 2011 - which mandated that individuals sentenced for specific non-violent offenses be housed in county jails rather than state prisons - the share of deaths in custody reported from county sheriff’s departments (who manage county jail systems) has grown from 17.1 percent in 2010 to 22.2 percent in 2014....”¹ The percentage of county jail deaths rose to 20.6 percent in 2019. (*Id.*) Notably, between 2006 and 2020, 185 people died in San Diego County jails – one of the highest numbers of in-custody deaths among counties in the state.² In 2022, 215 persons died in California jails, a record high considering data going back to 2005.³

3. County Departments of Corrections and Rehabilitation

Government Code section 23013, enacted in 1957, authorizes the BOS of any county to establish a department of corrections, to be headed by an officer appointed by the board, which shall have jurisdiction over all county functions, personnel, and facilities, or so many as the board names in its resolution, relating to institutional punishment, care, treatment, and rehabilitation of prisoners. (Gov. Code, § 23013.) This statute has survived legal challenges to its constitutionality. A 1969 Attorney General opinion found that this authority does not create irreconcilable differences with the sheriff’s authority over county jails established in Penal Code section 4000 and does not violate the prohibition against delegation of legislative powers, as specified. (Ops. Cal. Atty. Gen., No. 69-169 (Nov. 7, 1969) p. 7. [finding, “if a board of supervisors of any county in this state elects to establish a county department of corrections under the mandate of section 23013, the chief officer of such department rather than the sheriff will have the responsibility for administering the county jail.”].) Similarly, in 1988, a California Court of Appeal rejected a challenge that this statute unconstitutionally infringed on electoral power and unconstitutionally modified the office of the sheriff, among other claims, and held that the statute was a valid exercise of legislative power. (*Beck v. County of Santa Clara* (1988) 204 Cal.App.3d 789, 797.)

However, elsewhere, the Government Code provides that notwithstanding any other provision of law, except in counties in which the sheriff, as of July 1, 1993, is not in charge of and the sole and exclusive authority to keep the county jail and the prisoners in it, the sheriff shall take charge of and be the sole and exclusive authority to keep the county jail and the prisoners in it. (Gov. Code, § 26605.) Read together, up until 1993, counties had the authority to establish a department of corrections to be headed by an officer appointed by the BOS. However, SB 911

¹ Dept. of Justice, *Death in Custody from 2010 to 2019* (July 5, 2023) <<https://openjustice.doj.ca.gov/data-stories/2019/death-custody-2010-2019>> [as of June 12, 2026].

² Cal. State Auditor, Rep. 2021-109, *San Diego County Sheriff’s Department – It Has Failed to Adequately Prevent and Respond to the Deaths of Individuals in Its Custody* (Feb. 3, 2022) <<https://www.auditor.ca.gov/reports/2021-109/index.html>> [as of June 12, 2026].

³ Duara & Kimelman, *California jails are holding thousands fewer people, but far more are dying in them*, CalMatters (Mar. 25, 2024) <<https://calmatters.org/justice/2024/03/death-in-california-jails/>> [as of Mar. 26, 2024].

(Calderon), Chapter 1236, Statutes of 1993, largely eliminated this authority by establishing that a county sheriff's authority over the jails and their inmates shall be the sole and exclusive authority. (Gov. Code, § 26605.) At the time, proponents of the bill argued that county sheriffs, as elected officials, are more directly accountable to the voters whose interest is for jails to run safely and efficiently.⁴ SB 911 preserved Government Code Section 23013's language authorizing counties to create a separate department of corrections, but suspended indefinitely the ability of counties to exercise that authority, provided they had not already done so.

This Committee is only aware of one county—Napa County—that operates a Department of Corrections that does not operate under the authority of the Napa County Sheriff's Office.⁵ The Napa County BOS established the Department of Corrections as a separate entity from the Sheriff's office in 1975.⁶ Because SB 911 contained an exemption for counties where the sheriff, as of July 1, 1993, was not the sole or exclusive authority of the county jail, Napa County continues to operate its Department of Corrections today.

4. Effect of This Bill

After recent amendments, this bill does not “unfreeze” the authority of counties to establish a department of corrections. Instead, this bill authorizes a county BOS to establish the position of jail administrator, to be headed by an executive officer nominated by the sheriff and confirmed by the BOS, to assume the sheriff's duties under California law pertaining to the county jail. A jail administrator appointed pursuant to this bill will be the executive officer of all county jails and have supervisory authority over all staff and incarcerated individuals. If a jail administrator is appointed, the sheriff shall retain authority to supervise, direct the day-to-day operations of, evaluate, discipline, or remove the jail administrator.

If the BOS establishes the position of jail administrator, the sheriff of the county must nominate a candidate to fill the position and submit that nomination to the board within 90 days of the establishment of the position. The BOS must confirm or deny the appointment of the candidate submitted by resolution within 60 days of the submission.

The BOS, when determining whether to confirm or deny the appointment, may consider any relevant factor, including, but not limited to, any of the following:

- Professional experience in corrections management.
- Experience managing public budgets.
- Extensive familiarity with Title 15 of the California Code of Regulations and national standards for jail accreditation.
- Extensive familiarity with the requirements for appropriate medical and mental health care within a correctional setting.
- Demonstrated commitment to protecting the civil and human rights of incarcerated individuals.
- Knowledge of best practices and evidence-based approaches to rehabilitation.

A candidate who is confirmed will serve a term of three years.

⁴ Assem. Com. on Public Safety, Analysis of Sen. Bill No. 911 (1993-1994 Reg. Sess.) <http://www.leginfo.ca.gov/pub/93-94/bill/sen/sb_0901-0950/sb_911_cfa_930824_152041_asm_comm> [as of June 12, 2026].

⁵ Napa County, *About Corrections* <<https://www.napacounty.gov/251/About-Corrections>> [as of June 12, 2026].

⁶ *Ibid.*

A candidate that is nominated for a jail administrator position that has never been filled will serve as the interim jail administrator during the review process, if that candidate has not previously been confirmed or denied by the board. If the BOS denies the candidate, the sheriff must nominate a different candidate to fill the position and submit that nomination to the BOS within 60 days of the denial. The BOS must confirm or deny the appointment of the new candidate pursuant to the procedures described above.

If there is a vacancy in the jail administrator position for any reason, including, but not limited to, expiration of the term, removal of the jail administrator by the sheriff, or resignation of the jail administrator, the sheriff shall appoint an acting jail administrator within three days of the vacancy. The acting jail administrator shall not serve for more than 150 days. The BOS may authorize the acting jail administrator to serve additional 60-day terms. If an acting jail administrator's term expires and a candidate has not been confirmed, the sheriff must appoint a different jail administrator within three days of the expiration. The sheriff must nominate a candidate to fill the position and submit that nomination to the board within 90 days of the vacancy. The sheriff may, but is not required to, nominate the acting jail administrator as the candidate.

If an interim jail administrator or an acting jail administrator is confirmed, their time spent as interim or acting jail administrator before being confirmed does not count towards the three-year term.

Up to six months before a jail administrator's term expires, the sheriff may nominate and submit to the board a candidate to serve when the term expires.

Notably, while this bill may be intended to create additional accountability, transparency, and oversight in the management of county jails, its practical effect may be limited because the sheriff retains the authority to supervise and terminate the jail administrator. Additionally, the sheriff can appoint an interim jail administrator if the BOS fails to confirm an appointee. Practically speaking, therefore, the sheriff would still retain almost complete control over the jail system under this bill. The author and Committee may consider amendments that would eliminate the authority of the sheriff to supervise and terminate the jail administrator, to better ensure the position's independence. Additionally, the Committee may consider amendments that would allow the BOS to appoint an interim jail administrator, rather than the Sheriff.

5. Argument in Support

Buen Vecino writes:

Boards of supervisors are responsible for funding the operation of the jails and paying legal settlements when things go wrong, but they currently have no meaningful authority to compel changes to jail practices. Boards of supervisors today are effectively required to write blank checks to sheriffs while jail issues persist.

This modest reform would give boards of supervisors a formal policy lever to address jail issues. The reform would also incentivize sheriffs to work collaboratively with boards of supervisors, as boards would have the authority to

confirm the appointment of jail administrators for three-year terms. The reform is permissive, allowing each county to decide whether to exercise this authority.

The bill leaves day-to-day supervision of the jail administrator with the sheriff, but requires that the jail administrator come back to the board for confirmation every three years or whenever a vacancy occurs.

California's county jails have too often operated outside of meaningful public accountability, despite the serious consequences jail conditions have for incarcerated people, families, and communities. For immigrant communities, the stakes are especially high. Jail decisions can contribute to family separation, undermine trust in local government, and expose vulnerable community members to unsafe or unjust conditions.

6. Argument in Opposition

The Peace Officers' Research Association of California writes:

By separating jail operations from the authority of the elected sheriff, the bill may create fragmentation, reduce accountability, and lead to coordination challenges, inconsistent policies, and operational inefficiencies. These impacts are not merely structural; they directly affect the day-to-day work of peace officers operating in and alongside custody environments. The bill also diminishes the authority of an elected sheriff while placing operational control in the hands of an appointed administrator, potentially blurring accountability for jail management, officer safety, and public safety outcomes.

AB 2257 also introduces uncertainty for correctional peace officers. Changes to governance structures can affect staffing, training, supervision, and chain of command, all of which are critical to maintaining safe and effective correctional operations and ensuring officer safety.

-- END --