

Date of Hearing: March 24, 2026

ASSEMBLY COMMITTEE ON JUDICIARY  
Ash Kalra, Chair  
AB 2115 (Ramos) – As Introduced February 18, 2026

**SUBJECT:** CALIFORNIA NATIVE AMERICANS: FORMAL APOLOGY

**KEY ISSUE:** SHOULD THE STATE OF CALIFORNIA RECOGNIZE AND ACCEPT RESPONSIBILITY FOR THE HARMS COMMITTED AGAINST NATIVE AMERICANS, AND SHOULD THE LEGISLATURE PREPARE A FORMAL APOLOGY AND ARRANGE FOR PLACEMENT OF A PLAQUE MEMORIALIZING THIS APOLOGY?

**SYNOPSIS**

*Last year this Committee heard and passed AJR 18 (Ramos), which acknowledged the wrongs committed by the State of California against California’s indigenous peoples during the early years of California statehood, including the appropriation of Native lands, the denial of civil and political rights, state-sanctioned indentured servitude for Native American children and adults charged with “vagrancy,” and the funding of violent campaigns – carried out both by regular troops and organized citizen militias – against California’s indigenous peoples.*

*This bill takes the next step by accepting responsibility for the harms committed against California Native Americans and issuing a formal apology. Specifically, this bill requires the Legislature to prepare a formal apology that recognizes and accepts responsibility for the harms that the state committed, encouraged, facilitated, or allowed to be committed. The bill requires that the apology contain the Great Seal of the State of California and requests that it be signed by the Speaker of the Assembly, the President pro Tempore of the Senate, the Governor, and the Chief Justice of the California Supreme Court. It requires the Secretary of State to submit the apology to the State Archives where it may be viewed by the public in perpetuity. Finally, the bill requires the Department of General Services (DGS) and the Legislative Joint Rules Committee to arrange for the design, installation, and maintenance of a plaque memorializing the apology, and requires that the plaque be displayed in a conspicuous place in the State Capitol Building. The bill would authorize DGS and the Joint Rules Committee to receive public and private money to fund the design, installation, and maintenance of the plaque.*

*This bill is sponsored by the Santa Ynez Band of Chumash Indians. There is no registered opposition to this bill. Last year’s AJR 18 did not receive any “no” votes in the Committee or on the Floor.*

**SUMMARY:** Requires the State of California, and the Legislature in particular, to recognize and accept responsibility for harms caused to California Native Americans and to issue and memorialize a formal apology, as specified. Specifically, **this bill:**

- 1) Makes findings and declarations detailing the State’s history of perpetuating harm against Native Americans through policies that were enacted, sanctioned, or tolerated by the Legislature, and noting also that, while the Governor issued an apology by Executive Order, the Legislature has never formally acknowledged or accepted responsibility for historical wrongs and never formally apologized for its wrongdoing.

- 2) Provides that the State of California recognizes and accepts responsibility for all the harms and atrocities committed by its representatives who promoted, permitted, facilitated, and enforced policies of violence against California Native Americans, which has left an enduring legacy of trauma and has led to the destruction of important cultural and spiritual sites, and recognizes the irreparable harms it has caused to its tribal communities.
- 3) Provides that the California Legislature commends and honors California Native Americans for their resilience; apologizes for perpetuating the harms against California Native Americans because of policies enacted, sanctioned, or tolerated by the Legislature; and acknowledges that these were not isolated incidents but part of a sustained pattern of state and state-supported actions.
- 4) Requires a plaque memorializing this apology to be installed in the State Capitol Building and authorizes the Department of General Services and the Joint Rules Committee to receive private and public donations to fund the design, installation, and maintenance of the plaque.
- 5) Requires the Legislature to prepare the formal apology, which shall bear the Great Seal of the State and requests that this apology be signed by the Speaker of the Assembly, the President pro Tempore of the Senate, the Governor, and the Chief Justice of the California Supreme Court, and it requires the Secretary of State to submit a final copy of this apology to the State Archives, where it shall be available to the public for viewing in perpetuity.

**EXISTING LAW** provides that the State of California recognizes and accepts responsibility for harms committed by the state in promoting, facilitating, enforcing, and permitting chattel slavery and formally apologizes for perpetuating harm against African Americans. Requires that a plaque memorializing the apology be prepared and installed in the California State Capitol Building, as specified. (Government Code Sections 8301.2 and 8301.3.)

**FISCAL EFFECT:** As currently in print this bill is keyed fiscal.

**COMMENTS:** According to the author:

AB 2115 would provide that the State of California recognizes and accepts responsibility for all the harms and atrocities committed by its public officials, those who promoted, permitted, facilitated, and enforced policies of violence against California's First People. This apology would further the path of reconciliation and demonstrate the state commitment to rectifying the wrongs committed against their communities.

Although the Governor has apologized for the historic wrongs committed by his predecessors, the Legislature and courts have yet to apologize for their role in this traumatic history. Their actions remain a stain on California's history, one that has not been truthfully or fully told. California's First People deserve an apology for the harm they endured and the generational trauma that continues to affect their communities to this day.

Last year this Committee heard and passed AJR 18 (Ramos), which acknowledged the wrongs committed by the State of California against California's indigenous peoples during the early years of California statehood, including the appropriation of Native lands, the denial of civil and political rights, state-sanctioned indentured servitude for Native American children and adults

charged with “vagrancy,” and the funding of violent campaigns – carried out both by regular troops and organized citizen groups – against California’s indigenous peoples.

***This bill*** takes the next logical step by accepting responsibility for the harms committed against California Native Americans and issuing a formal apology on behalf of the Legislature. Specifically, this bill requires the Legislature to prepare a formal apology that recognizes and accepts responsibility for the harms that the state committed, encouraged, facilitated, or allowed to be committed. The bill requires that the apology contain the Great Seal of the State of California and requests that it be signed by the Speaker of the Assembly, the President pro Tempore of the Senate, the Governor, and the Chief Justice of the California Supreme Court. It requires the Secretary of State to submit the apology to the State Archives where it may be viewed by the public in perpetuity. Finally, the bill requires the Department of General Services (DGS) and the Legislative Joint Rules Committee to arrange for the design, installation, and maintenance of a plaque memorializing the apology, and requires that the plaque be displayed in a conspicuous place in the State Capitol Building. The bill would authorize DGS and the Joint Rules Committee to receive public and private money to fund the design, installation, and maintenance of the plaque.

***Governor Newsom’s Executive Order.*** As noted by the author’s background material and in the bill’s findings and declarations, in 2019 Governor Gavin Newsom issued Executive Order N-15-19 that, among other things, apologized “on behalf of the citizens of the State of California to all California Native Americans for the many instances of violence, maltreatment, and neglect [that] California inflicted California’ tribes.” The Executive Order also ordered the Governor’s Tribal Advisor to establish the Truth and Healing Council to bear witness to, record, and examine the historical record of the state’s relationship with Native Californians. However, the author notes, the California Legislature has never formally apologized for its role in committing harm. As detailed below, the Legislature’s role was significant, both in terms of its own actions and policies, and in terms of encouraging, funding, and tolerating private acts of violence.

***Historical Background.*** Hubert Howe Bancroft (1832-1918), who contributed to and oversaw the creation of a multivolume *History of California* in the late 19<sup>th</sup> century, in 1886 wrote the following about the onset of the “American” (U.S.) period of California history:

The idea of conquest in the American mind has never been associated with tyranny. On the contrary, such is the national trust in its own superiority and beneficence, that either as a government or as individuals we have believed ourselves bestowing a precious boon upon whomsoever we could confer in a brotherly spirit our institutions. And down to the present time the other nations of the earth have not been able to prove us far in the wrong in indulging this patriotic self-esteem. (Bancroft, *History of California*, vol. 6, p. 256.)

One can only imagine that California’s indigenous people did not see “conquest” in quite the same way as Bancroft did. They did not experience conquest as “beneficence,” a “precious boon,” or “brotherly spirit.” They might have accused Bancroft not of indulging in a patriotic “self-esteem,” but in self-serving denial and historical blindness. This bill seeks to address that denial and blindness with a formal acknowledgement and apology.

Over the past several decades, historians have uncovered a more complex and less triumphal story of California’s early history than the one provided by Bancroft. Even before California became a state, people of all races swarmed to California’s mother lode in search of gold. When

they did, as the historian Shirley Moore wrote, they “encroached on traditional Indian communities, breached treaties, and exploited Indian labor, resources, and goodwill.” (Shirley Ann Wilson Moore, “We Feel the Want of Protection:’ Politics of Law and Race in California, 1848-1878,” in Burns and Orsi, eds., *Taming the Elephant: Politics, Government, and Law in Pioneer California* (2003), pp. 97, 104-105.)

***The California Constitution and Early Legislation.*** Even before the U.S. Congress formally recognized California as a state – and while California remained under military occupation after the Mexican American War (1846-1848) – residents of the military territory convened a constitutional convention, drafted and ratified the 1849 Constitution, and submitted it to the U.S. Congress for approval. They elected a Governor and elected members to the new state Assembly and Senate. In 1850, while still waiting for Congress to recognize California as a state, the Legislature convened and began drafting a comprehensive body of state laws. Not all Californians participated in this process, however. The constitutional delegates, and the members of the first state legislature, consisted of Anglo-American men, most of whom had arrived in California only recently, and a smaller number of “Californios,” drawn from the Spanish-speaking elite of Mexican California. Consistent with the requirements of the 1849 Constitution, all laws were to be published in English and Spanish, a practice that continued until the current 1879 Constitution eliminated that requirement. (See several of the essays produced in Burns and Orsi, *supra*.)

However, not all Californians participated in the process. In addition to the absence of women, none of the many African Americans and Asian Americans who came to California during the Gold Rush were represented. The same was true for California’s Native American population. The lack of representation was reflected both by the 1849 Constitution and in the statutes passed by the first Legislature. Although the delegates debated whether to give Native Californians the right to vote, the final document only granted the right to vote to, “Every white male citizen of the United States, and every white male citizen of Mexico, who shall have elected to become a citizen of the United States, under the treaty of peace [Treaty of Guadalupe Hidalgo].” (California Constitution of 1849, Article II, Section 1.)

While the delegates had debated granting Native Americans the right to vote, they did not do so. Instead, they added the following provision:

Provided, that nothing herein contained shall be construed to prevent the Legislature, by a two-thirds concurrent vote, from admitting to the right of suffrage, Indians or the descendants of Indians, in such special cases as such a proportion of the legislative body may deem just and proper. (Article II, Section 1.)

The Legislature never passed such legislation. Although the 15<sup>th</sup> Amendment to the U.S. Constitution prohibited denying the right to vote based on race, Native Americans in California did not become citizens and earn the right to vote until the federal Citizenship Act of 1924.

One of the most succinct studies of California’s early laws relating to indigenous Californians was produced by the California Research Bureau of the California State Library in 2002. Prepared by Kimberly Johnston-Dodds at the request of Senator John Burton, who was then the President pro Tempore, the report focused on “four examples of early State of California laws and policies that significantly impacted the California Indians’ way of life”: (1) the 1850 Act for the Government and Protection of Indians; (2) California militia policies and expeditions waged against Native Americans from 1851-1859; (3) the State of California’s official response to

federal treaties negotiated with California tribes during 1851 and 1852; and (4) early state fish protection laws that exempt California Indians from certain prohibitions. (Kimberly Johnston-Dobbs, *Early California Laws Related to California Indians*, California Research Bureau Report 02-014 (2002), p. 1.) This fascinating report includes not only a concise narrative overview of early state policies, but also includes as appendices many important primary sources, including statutes, court documents, copies of articles of indenture, and related material.

According to Johnston-Dobbs, the 1850 *Act for the Government and Protection of Indians* facilitated the removal of Indians from native lands, separated children from their families by apprenticing and indenturing them to white families, and punished Native Americans arrested for “vagrancy” by hiring them out to the highest bidder if they could not provide sufficient bail. As Johnston-Dobbs notes, an earlier version of the Act was perhaps more accurately titled “An Act for the protection, punishment, and government of Indians,” though there seemed to be much more punishment and government than protection. Many of these provisions, including the vagrancy provisions, were quite like Black Codes passed in Southern states after the Civil War to regulate the lives of Freedmen, including prohibitions on Native American testimony against whites in criminal trials. Johnston-Dobbs also documents many cases in which the provisions of the Act providing for the “apprenticeship” of Native American children, removed from the custody of their parents sometimes amounted to little more than the “kidnapping and selling of Indians.” (*Id.*, at pp. 5-14.)

Article VII of the 1849 Constitution gave the Governor the power to call out the militia to “suppress insurrections, and repel invasions.” However, even when there were no insurrections (and certainly “invasions”) by Native Californians, the Governor used conflicts between whites and Native Americans as a pretext for ordering the militia “to resist and punish the attacks of the Indians upon the frontier.” According to the records of California State Comptroller, the state spent over \$843,000 on these militia campaigns. In addition, the Legislature reimbursed local armed citizen organizations that waged war on Native Californians. In all, the expenditures against Native Californians amounted to nearly \$1.3 million. (*Id.*, at pp.16-18, citing Comptroller of the State of California, *Expenditures for Military Expeditions for Military Expeditions against Indians*, located at California State Archives.)

In 1860, during the so-called “Mendocino Wars,” the Legislature created a Joint Special Committee to investigate incidents of alleged Indian stealing of settlers’ livestock, as well as alleged atrocities committed by whites against Native Americans. The Committee’s majority report noted that Native Americans had committed “depredations on the stock of the settlers,” but it also concluded that the response to these “depredations” were disproportionate and “marked by the most horrid atrocity. . . No provocation has been shown, if any could be, to justify such acts.” The report noted:

Accounts are daily coming from the counties of the Coast Range, of sickening atrocities and wholesale slaughters of great numbers of defenseless Indians in that region of the country. Within the last four months, more Indians have been killed by our people than during the century of Spanish and Mexican domination. Either our government, or our citizens, or both, are to blame. (The report is reproduced in Johnston-Dobbs, pp. 20-22.)

Indeed, someone is to blame. The documents analyzed in the California Research Bureau Report, as well as the many secondary sources cited in the report’s footnotes, suggest that the California State Legislature, by its own admission, shares much of the blame. While many of the atrocities

were committed by private citizens, those actions were either authorized, funded, or tolerated by the Legislature.

***ARGUMENTS IN SUPPORT:*** The Santa Ynez Band of Chumash Indians, the bill's sponsor, writes in support:

California is home to the largest Native American population in the United States, with more than 100 Native Nations residing within its border, each nation with its own distinct culture, spiritual traditions, and histories. These communities have endured centuries of violence sanctioned by both state and federal policies, violence that has continued to impact their communities to this day.

For tribes like the Chumash, whose ancestral homelands span the Central Coast, these policies were not abstract or distant. They translated into dispossession from traditional lands, the erosion of cultural practices, and generations of trauma that continue to affect our people today. These harms were the direct result of state-sanctioned policies adopted and maintained during California's early history.

AB 2115 builds on the work initiated by Governor Newsom's 2019 executive order. It ensures that the Legislature formally acknowledges its role in these historic wrongs and affirms the State's commitment to true government-to-government relationships with tribal nations. This acknowledgment provides a necessary foundation for rebuilding trust and advancing meaningful reconciliation.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

Santa Ynez Band of Chumash Indians  
CFT-A Union of Educators and Classified Professionals

**Opposition**

None on file

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