

ASSEMBLY THIRD READING
AB 2115 (Ramos)
As Introduced February 18, 2026
Majority vote

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.

Major Provisions

- 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.

COMMENTS

Last year the Assembly 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 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's 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. 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-Dodds 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-Dodds 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-Dodds, 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. This bill takes cognizance of this fact and issues a formal apology and memorializes both the Legislature's responsibility and the ongoing resilience of California Native Americans.

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.

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.

Arguments in Opposition

None on file

FISCAL COMMENTS

According to the Assembly Appropriations Committee:

- 1) Minor, absorbable costs to the Secretary of State for submitting the formal apology to the State Archives, which the office reports would be part of its normal course of business.
- 2) General Services estimates \$500,000 in one-time costs and \$250 per year in ongoing costs to comply with this bill (General Fund). General Services estimates one-time costs of \$235,000 for the design on the plaque, project management, environmental and historic documentation, and regulatory reviews and bidding. General Services additionally estimates \$265,000 for installation of the plaque and project management and inspection. In 2024, Assemblymember Jones-Sawyer introduced similar legislation, AB 3089, Chapter 624, addressing the issue of chattel slavery. At that time, both the apology and the commissioning of the plaque were expected to be under \$150,000. General Services estimates a higher price tag for this bill, citing unknowns about the plaque, including its size and material. The Legislative Analyst's Office recently warned of General Fund structural deficits of around \$35 billion per year beginning in the 2027-28 fiscal year.

VOTES

ASM JUDICIARY: 12-0-0

YES: Kalra, Macedo, Bauer-Kahan, Bryan, Connolly, Dixon, Harabedian, Pacheco, Papan, Sanchez, Stefani, Zbur

ASM APPROPRIATIONS: 15-0-0

YES: Wicks, Hoover, Aguiar-Curry, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta, Tangipa

UPDATED

VERSION: February 18, 2026

CONSULTANT: Tom Clark / JUD. / (916) 319-2334

FN: 0002631