
THIRD READING

Bill No: AB 2257
Author: Hart (D)
Amended: 5/22/26 in Assembly
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 5-1, 6/23/26
AYES: Arreguín, Caballero, Cortese, Pérez, Wiener
NOES: Seyarto

SENATE LOCAL GOVERNMENT COMMITTEE: 5-2, 7/1/26
AYES: Durazo, Arreguín, Ashby, Cervantes, Laird
NOES: Choi, Seyarto

ASSEMBLY FLOOR: 41-25, 5/28/26 - See last page for vote

SUBJECT: Corrections: jail administrators

SOURCE: Author

DIGEST: This bill authorizes a county board of supervisors (BOS) to establish the position of jail administrator, nominated by the sheriff and confirmed by the BOS, to serve a three-year term as the executive officer of the county jail, under the direction of the sheriff.

ANALYSIS:

Existing law:

- 1) 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. (California (Cal.) Constitution (Const.), art. XI, § 1, subd. (b).)
- 2) 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).)

- 3) 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. (Government (Gov.) Code, § 24205.)
- 4) 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.)
- 5) Prohibits the BOS from obstructing the investigative function of the sheriff of the county. (Gov. Code, § 25303.)
- 6) 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. (Penal (Pen.) Code, § 4000.)
- 7) 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).)

- 8) Establishes the duties and authority of the sheriff, among other things, as follows:
- a) 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.)
 - b) 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.)
 - c) 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.)
 - d) 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.)

This bill:

- 1) 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 serve a three-year term as the executive officer of the county jail, under the direction of the sheriff.
- 2) 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.
- 3) States that prior to determining whether to confirm or deny the appointment, the board must hold a public hearing on the topic of jail operations
- 4) 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:
 - a) Professional experience in corrections management.

- b) Experience managing public budgets.
 - c) Extensive familiarity with Title 15 of the California Code of Regulations and national standards for jail accreditation.
 - d) Extensive familiarity with the requirements for appropriate medical and mental health care within a correctional setting.
 - e) Demonstrated commitment to protecting the civil and human rights of incarcerated individuals.
 - f) Knowledge of best practices and evidence-based approaches to rehabilitation.
- 5) 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.
- 6) This bill states that a jail administrator appointed pursuant to this section shall have all of the following powers and duties:
- a) They shall be the executive officer of all county jails and have supervisory authority over all staff and incarcerated individuals.
 - b) They shall serve a term of three years.
 - c) If a currently serving acting jail administrator is confirmed, their time spent as acting jail administrator before being confirmed does not count towards the three-year term.
 - d) If they are a peace officer, they shall retain peace officer status to the extent allowable.
 - e) 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.
 - f) If there is a vacancy in the jail administrator position for any reason following the establishment of the position and the board's initial decision to confirm or deny the appointment of a candidate, 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:
 - i) The sheriff shall appoint an acting jail administrator within three days of the vacancy.
 - ii) The acting jail administrator shall not serve for more than 150 days.
 - iii) The board may authorize the acting jail administrator to serve additional 60-day terms.

- iv) 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.
 - v) The sheriff shall nominate a candidate to fill the position and submit that nomination to the board within 90 days of the vacancy.
 - vi) The sheriff may, but is not required to, nominate the acting jail administrator as the candidate.
- 7) 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.

Background

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...." (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].)

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 serve a three-year term as the executive officer of the county jail, under the direction of the sheriff. A jail administrator appointed pursuant to this bill will have supervisory authority over all jail 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. 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 acting jail administrator is confirmed, their time spent as 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 acting jail administrator if the BOS fails to confirm an appointee, and there is no limit to the number of consecutive acting jail administrators. Practically speaking, therefore,

the sheriff would still retain almost complete control over the jail system under this bill.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 7/20/26)

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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: (Verified 7/20/26)

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

ASSEMBLY FLOOR: 41-25, 5/28/26

AYES: Addis, Aguiar-Curry, Ahrens, Alvarez, Arambula, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Caloza, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Jackson, Kalra, Lee, Lowenthal, McKinnor, Muratsuchi, Ortega, Papan, Pellerin, Ransom, Rogers, Schiavo, Schultz, Sharp-Collins, Solache, Ward, Wicks, Zbur, Rivas

NOES: Alanis, Ávila Farías, Castillo, Chen, Davies, DeMaio, Dixon, Ellis, Flora, Gallagher, Jeff Gonzalez, Hadwick, Hoover, Johnson, Lackey, Macedo, Patterson, Ramos, Michelle Rodriguez, Sanchez, Soria, Ta, Tangipa, Valencia, Wallis

NO VOTE RECORDED: Bains, Calderon, Carrillo, Irwin, Krell, Nguyen, Pacheco, Patel, Petrie-Norris, Quirk-Silva, Celeste Rodriguez, Blanca Rubio, Stefani, Wilson

Prepared by: Marshal Lawler / PUB. S. /
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