
THIRD READING

Bill No: AB 248
Author: Bryan (D), et al.
Amended: 6/27/25 in Senate
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 5-0, 6/10/25
AYES: Arreguín, Caballero, Gonzalez, Pérez, Wiener
NO VOTE RECORDED: Seyarto

ASSEMBLY FLOOR: 51-12, 3/20/25 - See last page for vote

SUBJECT: County jails: wages

SOURCE: Legal Services for Prisoners with Children

DIGEST: This bill authorizes a county board of supervisors to determine the sum for work completed by individuals incarcerated in a county jail.

Senate Floor Amendments of 6/26/25 clarify that “sum” means a “sum of money.”

ANALYSIS:

Existing federal law states that neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, nor any place subject to their jurisdiction. (U.S. Constitution (Const.), 13th Amend.)

Existing state law:

- 1) Prohibits slavery. (California Constitution (Cal. Const.), art. I, § 6.)
- 2) Prohibits involuntary servitude except to punish crime. (Cal. Const., art. I, § 6.)

- 3) 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:
 - a) For the detention of persons committed in order to secure their attendance as witnesses in criminal cases;
 - b) For the detention of persons charged with crime and committed for trial;
 - c) For the confinement of persons committed for contempt, or upon civil process, or by other authority of law;
 - d) For the confinement of persons sentenced to imprisonment therein upon a conviction for crime; and,
 - e) For the confinement of persons for a violation of the terms and conditions of their postrelease community supervision. (Penal (Pen.) Code, § 4000.)
- 4) Authorizes a board of supervisors to provide that each individual confined in or committed to a county jail be credited with a sum not to exceed \$2 for each eight hours of work done by the incarcerated person. (Pen. Code, § 4019.3.)

This bill authorizes a county board of supervisors to determine the sum for work completed by individuals incarcerated in a county jail.

Background

Under current law, the board of supervisors of a county is authorized to credit a person incarcerated in the county jail up to \$2 for each eight hours of work. (Pen. Code, § 4019.3.) In practice, many counties do not provide incarcerated workers with any monetary compensation. (Joe Garcia, *'Relic of slavery': California lawmakers are trying again to raise pay for incarcerated workers* (May 19, 2025) available at <[https://www.calmatters.org/justice/2025/05/incarcerated-worker-pay/#:~:text=Most%20California%20county%20jails%20do,an%20hour%2C"%20explained%20Bryan.](https://www.calmatters.org/justice/2025/05/incarcerated-worker-pay/#:~:text=Most%20California%20county%20jails%20do,an%20hour%2C)>) The same article observed: “Mopping floors, cleaning toilets, preparing and distributing three meals a day for all persons in lockup — sheriffs and jailers treat these essential jobs as privileges bestowed on individuals who choose to trade work for time outside their cells and other perks, such as guaranteed daily showers or extra food.” (*Ibid.*)

A prior effort to make changes to the wages of workers incarcerated in the state’s prisons was unsuccessful. See SB 1371 (Bradford, Chapter 723, Statutes of 2022) of the 2021-2022 legislative session. In addition, Proposition 6 would have prohibited involuntary servitude with no exceptions and would have applied to both state prisons and county jails. It was rejected by the voters in November 2024.

This bill eliminates the current \$2 cap per 8 hours of work and instead, authorizes a county board of supervisors to determine an amount for work completed by individuals incarcerated in a county jail. Proponents of this bill argue that the compensation currently provided, if any, to individuals incarcerated in county jails is so low that these individuals are unable to afford basic hygiene items and food products from the jail commissary, sometimes leading people to go into debt in order to purchase these types of products. Supporters of this bill also assert that low or no monetary compensation limits a person's ability to pay restitution, causing many to go into debt.

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

SUPPORT: (Verified 6/26/25)

Legal Services for Prisoners With Children (source)

A New Way of Life Re-Entry Project

All Above All

All of Us or None

California Attorneys for Criminal Justice

California Public Defenders Association

Center for Employment Opportunities

Communities United for Restorative Youth Justice

County of Los Angeles Board of Supervisors

Courage California

Debt Free Justice California

Disability Rights California

Ella Baker Center for Human Rights

Freedom 4 Youth

Friends Committee on Legislation of California

Greenpeace USA

Initiate Justice

Justice2Jobs Coalition

LA County Public Defenders Union, Local 148

La Defensa

National Employment Law Project

One Fair Wage

Riverside All of Us or None

Sister Warriors Freedom Coalition

Smart Justice California

The Gathering for Justice

UAW Region 6

Vera Institute of Justice
Viet Voices
1 Individual

OPPOSITION: (Verified 6/26/25)

California State Sheriffs' Association

ARGUMENT IN SUPPORT:

The LA County Public Defenders Union, Local 148 writes:

This bill would promote dignity, fairness, and financial stability for incarcerated workers in California's counties. Current law...sets a maximum wage of \$2.00 per eight-hour shift for incarcerated workers in the custody of county jails. AB 248 would repeal this maximum wage and would allow counties to set their own wages for incarcerated workers under their jurisdiction. This bill does not require counties to pay wages to incarcerated workers; it simply gives them the authority to do so.

...

Incarcerated workers are workers and deserve to earn monetary wages. Currently, incarcerated workers in county jails do not earn monetary wages in over 90% of California's counties. In most counties, incarcerated workers are provided with sentence credits or other informal "compensation" such as additional recreational time.

Paying fair wages to incarcerated workers has fiscal and non-fiscal benefits for the workers, their families, and society. First, paying incarcerated workers fair wages would allow them to potentially save money while incarcerated and help them to get back on their feet immediately post-release. This would positively impact recidivism rates and, therefore, reincarceration expenditures and crime costs for California. In addition, if incarcerated workers make monetary wage, they can better support family members, children, and other loved ones outside. Finally, paying fair wages to incarcerated workers can improve mental health outcomes, boost morale, and encourage personal agency.

ARGUMENT IN OPPOSITION:

According to the California State Sheriffs' Association:

AB 248 would allow the board of supervisors to credit each prisoner with a wage to be determined by the board if the prisoners is confined in or committed to a county jail and performs a work assignment.

AB 248 could create significant fiscal pressure on counties already facing challenging budget times. Counties would likely be forced to consider a substantial new cost when determining if and how to deploy inmate workers. Inmates are already eligible to earn credit toward early release by completing work assignments as well as some form of monetary compensation. AB 248 would create pressure on counties to increase the fiscal recompense provided to inmate workers, thereby potentially limiting the availability of opportunities for work while incarcerated.

ASSEMBLY FLOOR: 51-12, 3/20/25

AYES: Addis, Aguiar-Curry, Arambula, Ávila Farías, Bains, Bennett, Berman, Boerner, Bonta, Bryan, Caloza, Carrillo, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Hoover, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Schultz, Sharp-Collins, Soria, Stefani, Valencia, Ward, Wicks, Wilson, Zbur, Rivas

NOES: Castillo, Chen, Davies, DeMaio, Dixon, Ellis, Gallagher, Jeff Gonzalez, Hadwick, Macedo, Sanchez, Tangipa

NO VOTE RECORDED: Ahrens, Alanis, Alvarez, Bauer-Kahan, Calderon, Essayli, Flora, Irwin, Lackey, Papan, Patterson, Ramos, Blanca Rubio, Schiavo, Solache, Ta, Wallis

Prepared by: Stephanie Jordan / PUB. S. /
6/30/25 10:55:25

**** END ****