

Date of Hearing: June 30, 2026

Counsel: Ilan Zur

ASSEMBLY COMMITTEE ON PUBLIC SAFETY

Nick Schultz, Chair

SB 1379 (Cervantes) – As Amended June 23, 2026

SUMMARY: Requires the Board of Supervisors (BOS) for the County of Riverside to separate the offices of sheriff and coroner, as specified. Specifically, **this bill:**

- 1) Requires, notwithstanding any other law, that the Riverside BOS separate the offices of sheriff and coroner by July 1, 2027.
- 2) Requires the BOS, for medicolegal death investigation services, to move the services to the coroner's office and require the use of an independent medical examiner model for the services.
- 3) Prohibits a person other than the coroner or a medical examiner from signing a death certificate or any portion of a postmortem examination.
- 4) Requires Riverside County to publish the following information on its internet website:
 - a) An initial incident report of an in-custody death within 24 hours of the death.
 - b) A preliminary report of an in-custody death within 72 hours of the death.
 - c) In-custody death data in a centralized public database that includes the number of deaths by facility, the cause of death for each death, demographic data of the deceased, and medical response times to the incident resulting in the death.
 - d) Notice of each in-custody serious incident, including, but not limited to, a suicide attempt, drug overdose, including any Narcan reversal, a person suffering severe withdrawal symptoms, a person suffering medical distress during restraint, and any time a person's medical request is ignored and that person is subsequently taken to the hospital.
 - e) Any Department of Justice (DOJ) in-custody death reporting form submitted to the DOJ for an in-custody death.
- 5) Requires Riverside County to notify the next of kin of the cause of death of an in-custody death within 72 hours of the determination of the cause of death.
- 6) States that, notwithstanding any other law, both of the following apply to an employee represented by a recognized employee organization, as defined, on the date this bill is enacted who is transferred, reassigned, reclassified, retitled, or moved to a different office or agency as a result of this bill:

- a) They shall remain within the same recognized bargaining unit.
 - b) They shall continue to be represented by the employee organization that served as the employee's exclusive representative immediately prior to the transfer.
- 7) States that an employee transferred pursuant to this bill shall retain all rights, benefits, retirement status, seniority, compensation, and representation status applicable immediately prior to the transfer.
 - 8) States that an affected employee who holds peace officer status as a corner or deputy corner, as specified, shall retain, or be placed in, a classification qualifying for such peace officer status until the expiration of the memorandum of understanding that is in effect on the date this bill is enacted.
 - 9) States that the transfer of functions, duties, classifications, positions, or employees pursuant to this bill shall not constitute grounds for any of the following:
 - a) The creation of a new bargaining unit.
 - b) The modification of an existing bargaining unit.
 - c) The removal of an employee from a bargaining unit represented by the affected employee organization.
 - 10) States that the implementation of this section shall not diminish, impair, alter, or affect the rights of a recognized employee organization or any memorandum of understanding in effect on the date this bill is enacted.
 - 11) Defines "in-custody death" as the death of a person who is detained, under arrest, or is in the process of being arrested by the county sheriff's office, is en route to be incarcerated by the county sheriff's office, is incarcerated at a county jail, or is at a medical facility while in custody of the county sheriff's office.
 - 12) Makes this bill a special statute, and states that a special statute is necessary "because of the significantly higher rates of deaths in County of Riverside jails compared to the rest of the state."

EXISTING LAW:

- 1) States that officers of a county include a sheriff and coroner, among others. (Gov. Code, § 24000 subds. (b) & (m).)
- 2) Authorizes a BOS to abolish the office of coroner and provide instead for the office of medical examiner, to be appointed by the BOS and to exercise the powers and perform the duties of the coroner. The medical examiner shall be a licensed physician and surgeon duly qualified as a specialist in pathology. (Gov. Code, § 24010)

- 3) Authorizes a BOS to consolidate by ordinance the duties of certain county offices into one or more combinations, including the sheriff and the coroner. (Gov. Code, § 24300, subd. (n).)
- 4) Requires coroners to determine the manner, circumstances, and cause of death in specified circumstances, including violent, sudden or unusual deaths, unattended deaths, deaths known or suspected as due to homicide or suicide, deaths suspected as a result of an accident or injury, deaths in whole or in part occasioned by criminal means, deaths in prison or while under sentence, and deaths where a reasonable ground exists to suspect the death was caused by the criminal act of another, among others. (Gov. Code, § 27491, subd. (a).)
- 5) Authorizes a coroner, in any case where a coroner is required to inquire into a death, to delegate their jurisdiction to an agency of another county or the federal government if the other agency has requested the delegation, or has agreed to take jurisdiction, the other agency has the authority to perform the functions being delegated, and when the coroner and other agency have a jurisdictional interest or involvement in the death. (Gov. Code, § 27491.55.)
- 6) Requires a forensic autopsy to be conducted by a licensed physician and surgeon and the results of such an autopsy to be determined by said person. (Pen. Code, § 27522, subd. (a).)
- 7) States that the manner of death shall be determined by the coroner or medical examiner of a county and that if forensic autopsy is conducted by a licensed physician and surgeon, the coroner shall consult with the physician in determining the manner of death. (Gov. Code, § 27522, subd. (d)(1).)
- 8) Specifies that commencing January 1, 2027, the above provision does not apply to an independent medical examination conducted by a third-party medical examination provider, as specified. (Gov. Code, § 27522, subd. (d)(2).)
- 9) States that only persons directly involved in the investigation of the death of the decedent shall be allowed into the autopsy suite. (Gov. Code, § 27522, subd. (f)(1).)
- 10) Provides that if an individual dies due to the involvement of law enforcement activity, law enforcement directly involved with the death of that individual shall not be involved with any portion of the post-mortem examination, nor allowed into the autopsy suite during the performance of the autopsy. (Gov. Code, § 27522, subd. (f)(2).)
- 11) Prohibits, commencing January 1, 2027, a combined Sheriff-Coroner office from determining the cause of death for certain deaths, as follows:
 - a) Prohibits, in any county where the offices of the sheriff and the coroner are combined, the sheriff-coroner from determining the circumstances, manner, and cause of death, as specified, for any in-custody death, but instead must do one or both of the following:
 - i) Contract with one or more counties that have a coroner's office that operates independently from the sheriff, or that have established an office of medical examiner, to determine the circumstances, manner, and cause of death. The contracted entities must operate independently from the sheriff-coroner in conducting the medical examination, as specified. (Gov. Code, § 27491.56, subd. (b)(1).)

- ii) Contract with one or more private third-party medical examination providers that are separate and independent from the sheriff-coroner and that meet specified physician qualification requirements to determine the circumstances, manner, and cause of death. The private provider shall operate independently from the sheriff-coroner in conducting the medical examination process, as specified. (Gov. Code, § 27491.56, subd. (b)(2).)
- b) Requires the cause and manner of death listed on the death certificate to match the cause and manner of death determined by the coroner, medical examiner, or private third-party medical examination provider, as specified. (Gov. Code, § 27491.56, subd. (c).)
- c) Requires, in a county with a combined sheriff-coroner, the BOS to annually select and enter into a service agreement with medical examiners or independent coroner offices from other counties, or with a private third-party medical examination provider, or with any combination of those entities. (Gov. Code, § 27491.56, subd. (d)(1).)
- d) Prohibits a private third-party medical examination provider that has entered into such a service agreement from, during the term of that service agreement, being contracted by the county or the sheriff-coroner of that county to provide medical examination for any cases that do not involve in-custody deaths. (Gov. Code, § 27491.56, subd. (d)(2).)
- e) Requires, upon the determination of the circumstances, manner, and cause of death, that the findings of the examination shall be delivered to the sheriff-coroner, district attorney, county health officer, and board of supervisors of the county in which the death occurred, as well as to the decedent's next of kin. (Gov. Code, § 27491.56, subd. (e).)
- f) Defines "in-custody death" to mean either of the following:
 - i) The death of a person who is detained, under arrest, or is in the process of being arrested, is en route to be incarcerated, or is incarcerated at a municipal or county jail, state prison, state-run boot camp prison, boot camp prison that is contracted out by the state, any state or local contract facility, or other local or state correctional facility, including any juvenile facility, as well as a death that occur in medical facilities while in law-enforcement custody.
 - ii) A death of a person who is detained, under arrest, or is in the process of being detained or arrested, by a federal law enforcement officer, including for the purposes of immigration enforcement, or who is en route to be detained, or is detained, at a federal correctional facility or immigration detention facility, and for which the sheriff-coroner has jurisdiction or the federal government has requested an autopsy be performed by the sheriff-coroner's office. (Gov. Code, § 27491.56, subd. (f)(1)-(2); Pen. Code, § 10008, subd. (c).)

FISCAL EFFECT: Unknown.

COMMENTS:

- 1) **Sponsor:** Author-sponsored.

- 2) **Author's Statement:** According to the author, “Under current law, counties may consolidate the offices of sheriff and coroner. In Riverside County, this structure has contributed to persistent challenges regarding the deaths of individuals in custody in the county’s jails, including underreporting, inconsistent determinations of causes of death, and limited access to information for families and the public. In some cases, deaths involving trauma or neglect have been classified as ‘natural’ or ‘undetermined,’ raising serious concerns about investigative integrity and oversight. According to the Inland Empire Lives Lost report, between 2012 and 2022, over 226 people died while in custody in Riverside County jails. In addition, the County has had to pay out nearly \$100 million in taxpayer funds for judicial settlements related to in-custody deaths. Senate Bill 1379 would require the Riverside County Board of Supervisors to separate the offices of county sheriff and coroner by July 1, 2027, and employ an independent medical examiner model. By ensuring that in-custody deaths investigations are conducted by independent, qualified medical professionals and strengthening transparency requirements, SB 1379 will help renew public confidence in Riverside County’s justice system.”
- 3) **Sheriff-Coroner Offices and Office of Medical Examiners:** The Office of the Coroner typically has three main responsibilities: medical, investigative, and administrative.¹ Medical responsibilities include conducting autopsies to determine cause of death within the jurisdiction, transporting and removing bodies, verifying cause of death and signing death certificates, and appearing at all unattended deaths unless the deceased has been seen by a physician within a specified period of time.² Investigative functions are composed of conducting investigations to determine causes of death and establishing the identity of the deceased person.³ Finally, administrative responsibilities include maintaining records and responding to inquiries by law enforcement agencies and doctors with potential cases.⁴

Forty-eight of California’s 58 counties have combined Sheriff-Coroner offices, meaning the two offices are consolidated, and the sheriff also serves as the coroner.⁵ The consolidation typically occurs for two reasons: 1) the maintenance and function of two separate offices is more expensive, especially for smaller counties; and 2) many of the deaths that a coroner investigates have criminal or other law enforcement components.

The duality of Sheriff-Coroners may present a conflict of interest. Medical experts determine a subject’s cause of death, but the sheriff, as an elected official, possesses final say in determining a subject’s manner of death. In San Joaquin County, for example, a lawsuit was filed in 2018 alleging the sheriff’s department changed an autopsy report at the center of a police excessive-force case.⁶ The year before in that same county, two pathologists resigned from the office and alleged that the sheriff changed the manner of death in autopsy reports without their knowledge. The pathologists called for a split of the offices so that the

¹ California State Association of Counties, *Sheriff-Coroner* (accessed March 28, 2025) <<https://www.counties.org/county-office/sheriff-coroner>> [as of June 14, 2026].

² *Ibid.*

³ *Ibid.*

⁴ *Ibid.*

⁵ California State Association of Counties, *Sheriff-Coroner* <available at: <https://www.counties.org/county-office/sheriff-coroner>> [as of June 14, 2026].

⁶ CBS News, *Lawsuit: Sheriff’s Department Changed Autopsy Report in Police Excessive Force Case* (April 21, 2018)<<https://www.cbsnews.com/sacramento/news/lawsuit-sheriff-changed-autopsy-report/>> [as of June 14, 2026].

independence of the coroner could be guaranteed.⁷ The San Joaquin County Board of Supervisors ultimately voted to replace the coroner's office with a medical examiner.⁸

In contrast, other counties utilize an office of the medical examiner that is independent from the Sheriff's Office. Existing law authorizes a BOS to abolish the office of coroner and provide instead for the office of medical examiner, to be appointed by the board and to exercise the powers and perform the duties of the coroner. (Gov. Code, § 24010.) Given the lower costs associated with maintaining a single Sheriff-Coroner Office, this option is typically utilized by larger, better-resourced counties. A medical examiner functions as the medical doctor responsible for examining bodies post-mortem to determine cause of death. Unlike Sheriff-Coroners, a medical examiner must be a licensed physician and surgeon duly qualified as a specialist in pathology. (Gov. Code, § 24010). Medical examiners' responsibilities may include investigating sudden or unnatural deaths, performing forensic medicine and pathology consultations, counseling families regarding manners and causes of death, testifying in courts, conducting physical examinations and laboratory tests, conducting inquests, and serving subpoenas for witnesses.

- 4) **In-Custody Deaths in Riverside County:** Riverside County operates a combined sheriff-coroner office.⁹ In 2024, the New York Times labeled Riverside “one of America’s deadliest jail systems.”¹⁰ There were 226 jail in-custody deaths from 2011 to 2022 in Riverside County, according to a report by the criminal justice nonprofit Care First California.¹¹ In 2022, at least 19 people died while held in Riverside County detention facilities, which is a higher rate of jail deaths than in LA County that year, which had three times as many inmates.¹² According to Attorney General Bonta, 2022 was the deadliest year in Riverside County jails in over two decades.¹³ A New York Times investigation determined that “the department has omitted pertinent facts about the deaths in communications to families of the deceased and to the public.”¹⁴ Attorney General Bonta recently opened an ongoing civil rights investigation into the increase in deaths in custody, and Riverside County agreed to pay more than \$12 million to settle lawsuits linked to detainee deaths going back to 2020.¹⁵ In 2024, at least a dozen cases were still pending.¹⁶

⁷ CBS News, *Pathologists Who Resigned Call for San Joaquin County Sheriff-Coroner Split* (Dec. 8, 2017) <<https://www.cbsnews.com/sacramento/news/pathologists-who-resigned-call-for-san-joaquin-county-sheriff-coroner-split/>> [as of June 14, 2026].

⁸ KQED, *San Joaquin County Sheriff Stripped of Role in Death Investigations* (April 25, 2018) <<https://www.kqed.org/news/11664465/san-joaquin-county-sheriff-stripped-of-role-in-death-investigations>> [as of June 14, 2026].

⁹ Riverside County Sheriff, *Coroner's Bureau* <<https://www.riversidesheriff.org/389/Coroners-Bureau>> [as of June 14, 2026].

¹⁰ Christopher Damien, *The Deadliest Year Inside One of America's Deadliest Jail Systems*, The New York Times (Nov. 1, 2024) <<https://www.nytimes.com/2024/11/01/us/california-jail-deaths-riverside-county.html>> [as of June 14, 2026].

¹¹ Deborah Brennan, *Amid jail deaths spike, groups call for splitting coroner from Riverside sheriff's Office*, CalMatters (Apr. 2, 2025) <<https://calmatters.org/justice/2025/04/riverside-sheriffs-office/>> [as of June 14, 2026].

¹² Aument and Kessler, *In a California county where the sheriff is also the coroner, families seek change* (June 6, 2024) <<https://www.theguardian.com/us-news/article/2024/jun/06/riverside-california-sheriff-chad-bianco-coroner>> [as of June 14, 2026].

¹³ Terry Castleman, *Death in sheriff's custody leads Riverside County to pay \$7.5 million settlement* (May 21, 2024) <<https://www.latimes.com/california/story/2024-05-21/riverside-county-pays-7-5-million-settlement-death-in-custody>> [as of June 14, 2026].

¹⁴ Damien, *supra*.

¹⁵ *Ibid.*

¹⁶ *Ibid.*

In December 2023, Riverside County supervisors Kevin Jeffries and V. Manuel Perez authored a proposal to study the separation of the coroner from the sheriff, stating that “[w]hile there is no evidence of any improprieties in Riverside County regarding the operations of the coroner’s office under the sheriff... the optics of a potential conflict of interest can lead to a loss of confidence in our institutions.”¹⁷ The Executive Office to the Board of Supervisors, which analyzed this proposal, advised against separating the sheriff’s office from the coroner, in part because of costs.¹⁸ The report additionally recommended that the Sheriff’s department enter arrangements with neighboring counties to investigate jail deaths and deaths involving use of force.¹⁹ In March of 2024, the Riverside BOS agreed to maintain a combined sheriff-coroner’s office.²⁰ They additionally voted to adopt a new arrangement of referring autopsies for individuals who died in county jails to be outsourced to neighboring agencies.²¹

- 5) **AB 1108 (Hart), Chapter 389, Statutes of 2025:** While counties are permitted to establish an independent office of medical examiners, this is subject to the discretion of the BOS. In 2025, the Legislature enacted AB 1108 (Hart), Chapter 389, Statutes of 2025. This bill went a step further and prohibited any combined Sheriff-Coroner from determining the manner of death for certain types of “in-custody deaths.” (Gov. Code, § 27491.56, subd. (b).) This prohibition applies to the death of a person who is detained, under arrest, or is in the process of being arrested, is en route to be incarcerated, or is incarcerated at a municipal or county jail, state prison, including any juvenile facility, as well as a death that occurs in medical facilities while in law-enforcement custody, and certain immigration-enforcement related deaths. (Gov. Code, § 27491.56, subd. (f)(1).) Notably, it does not include deaths caused by law enforcement that occur outside of custody. AB 1108 prohibited Sheriff-Coroner’s from making death determinations for these types of deaths, and instead, required them to either: 1) contract with a county that has a coroner’s office that operates independently from the office of the sheriff, or that has established an office of medical examiner to determine the manner of death; or 2) contract with one or more private third-party medical examination providers that are separate and independent from the office of the sheriff-coroner and that meet specified physician qualification requirements to determine the circumstances, manner, and cause of death. (Gov. Code, § 27491.56, subd. (b)(2).) The provisions of AB 1108 go into effect on January 1, 2027. Given that Riverside County operates a combined sheriff-coroner’s office, the county will be required to comply with the above requirements.
- 6) **Effect of this Bill:** California counties are authorized, but not required, to abolish the office of the coroner and provide instead for the office of the medical examiner, which exercises the powers and performs the duties of the coroner. (Gov. Code, § 24010). This bill, a special statute specific to Riverside County, removes this discretion and requires the Riverside BOS to separate the offices of the sheriff and coroner by July 1, 2027. As part of this change, it requires the BOS, for “medicolegal death investigation services”, to move those services to

¹⁷ Aument and Kessler, *supra*.

¹⁸ *Ibid*.

¹⁹ Jeff Horseman, *Keep Riverside County Sheriff’s Department and Coroner together, report says* (March 11, 2024) <<https://www.pressenterprise.com/2024/03/11/keep-riverside-county-sheriffs-department-and-coroner-together-report-says/>> [as of June 14, 2026].

²⁰ Jeff Horseman, *Coroner, sheriff’s will be kept together, Riverside County board decides* (March 12, 2024) <<https://www.pressenterprise.com/2024/03/12/coroner-sheriffs-will-be-kept-together-riverside-county-board-decides/>> [as of June 14, 2026].

²¹ Aument and Kessler, *supra*.

the coroner's office and require the use of an independent medical examiner model for the services. It also prohibits a person other than the coroner or a medical examiner from signing a death certificate or any portion of a postmortem examination.

The author may wish to clarify whether the purpose of this bill is to establish a separate office of the Coroner in Riverside County or to adopt an office of a medical examiner, as authorized by Government Code 23010. The bill requires that death investigation services be "move[d] to the coroner's office, which suggests intent to require Riverside County to maintain a separate and independent office of the Coroner. On the other hand, the bill "[r]equire[s] the use of an independent medical examiner model for the [death investigation] services," and prohibits anyone other than "the coroner or a medical examiner" from signing a death certificate, which suggests that it may be requiring Riverside County to adopt an office of a medical examiner, as authorized under Government Code 24010. If the intent is to simply separate the offices and create an independent coroner's office, the author may wish to clarify the references to a medical examiner in this bill.

The bill imposes in-custody reporting and notification requirements on Riverside County. It requires Riverside County to publish specified information on its website. Information that must be posted includes: 1) an initial incident report of an in-custody death within 24 hours of the death; 2) a preliminary report of an in-custody death within 72 hours of the death; 3) in-custody death data in a centralized public database that includes the number of deaths by facility, the cause of death for each death, demographic data of the deceased, and medical response times to the incident resulting in the death; 4) notice of each in-custody serious incident, including a suicide attempt, drug overdose, a person suffering severe withdrawal symptoms, a person suffering medical distress during restraint, and any time a person's medical request is ignored and that person is subsequently taken to the hospital; and 5) any DOJ in-custody death reporting form submitted to the DOJ for an in-custody death. It also requires Riverside County to notify the next of kin of the cause of death of an in-custody death within 72 hours of the determination of the cause of death. These requirements apply to the County of Riverside, not the office of the sheriff.

This reporting would encompass "in-custody" deaths, which means the death of a person who is detained, under arrest, or is in the process of being arrested by the county sheriff's office, is en route to be incarcerated by the county sheriff's office, is incarcerated at a county jail, and is at a medical facility while in custody of the county sheriff's office. This definition is similar to the definition of "in-custody death" used in AB 1108 (Hart), Chapter 389, Statutes of 2025. Like the definition used in AB 1108, it does not apply to deaths that occur outside of law enforcement custody, even if they were caused by law enforcement use of force.

These reporting provisions raise several issues for the author to consider. First, some of the proposed new reporting obligations on Riverside County are duplicative of existing law. Law enforcement agencies are already subject to certain reporting obligations when a person dies in custody. If a person dies in law enforcement custody, the law enforcement agency or agency in charge of the correctional facility must report to the DOJ, within 10 days after the death, all facts in the possession of the agency concerning the death. (Gov. Code, § 12525, subs. (a) & (b).) If any of that information changes or new information becomes available, the agency must update its written report to the AG within 10 days of the date that new

information becomes available. (*Ibid.*) These records are subject to public disclosure under the California Public Records Act. (Gov. Code, § 12525, subd. (c).)

In addition to the above reporting to the DOJ, an in-custody death also requires the agency with jurisdiction over the applicable correctional facility to post specified information on its website within 10 days of the death. (Pen. Code, § 10008, subd. (a).) Particularly, the applicable agency must post: 1) the name of the agency with custodial responsibility at the time of death; 2) the county in which the death occurred; 3) the facility in which the death occurred; 4) the location within that facility where the death occurred; 5) the race, gender, and age of the decedent; 6) the date on which the death occurred; 7) the custodial status of the decedent; and 8) the manner and means of death. (Pen. Code, § 10008, subd. (a).) Similar to the reporting to the DOJ, if any of the information changes, the agency shall update the posting within 30 days of the change. (Pen. Code, § 10008, subd. (b)(1).)

Some of the information this bill requires to be reported, such as initial and preliminary reports surrounding the death and demographic information of the decedent, may already be included in reporting to the DOJ and the public. The bill also creates multiple disclosure timelines following an in-custody death. Currently, an in-custody death requires reporting to the DOJ and online reporting to the public within 10 days of the death. (Pen. Code, § 10008, subd. (b); Gov. Code, § 12525, subd. (a).) This bill would require Riverside County to post online an initial incident report of an in-custody death within 24 hours of the death, and a preliminary report of an in-custody death within 72 hours of the death. These different timelines may contribute to inconsistent and duplicative in-custody death reporting timelines in Riverside County.

Given that in-custody deaths already trigger reporting obligations, including to the public and to the AG, the need for additional reporting requirements is somewhat unclear. If the goal is to supplement existing reporting obligations for in-custody deaths, it may be prudent to do so through generally applicable laws, rather than singling out one particular county for heightened disclosure obligations. This is particularly true given that Riverside County is by no means the only county jail system that has experienced an increase in in-custody deaths.²²

Finally, the author may wish to clarify the meaning of some of the terms used to describe reportable information. The bill requires the online reporting of any in-custody “serious” incident, which, among other things, is defined to include a person suffering “severe” withdrawal symptoms, and a person suffering “medical distress” during restraint. The author may wish to define or expand upon the use of the term “serious incident,” identify what type of symptoms are considered “severe,” and define the term “medical distress. Compliance with the reporting requirements of this bill may be difficult absent additional specificity and clarity as to what type of incidents are reportable.

- 7) **Special Statute:** The California Constitution states that “a local or special statute is invalid in any case if a general statute can be made applicable.” (Cal Const, art. IV, § 16.) Effectively, special legislation is generally prohibited unless the exigency of the circumstances demands a

²² Between 2006 and 2020, 185 people died in San Diego County jails – one of the highest totals among counties in the State. (California State Auditor, Report 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 March 26, 2024].)

special law. (*Sacramento v. Swanston* (1915) 29 Cal.App. 212, 216.) A law is considered “special” “if it confers particular privileges, or imposes peculiar disabilities or burdensome conditions, in the exercise of a common right, upon a class of persons arbitrarily selected from the general body of those who stand in precisely the same relation to the subject of the law.” (*Law School Admission Council, Inc. v. State of California* (2014) 222 Cal.App.4th 1265, 1298.) This bill establishes specific requirements and conditions for a single California county, a strong indicator of special legislation.

The constitutional prohibition against special legislation does not prohibit the Legislature from enacting statutes, such as this bill, that “apply solely to a particular county or local entity... if there is a rational relationship between the purpose of the statute... and the singling out of [a single]... county affected by the statute.” (*City of Malibu v. California Coastal Com.* (2004) 121 Cal.App.4th 989, 995 [quoting (*White v. Cal.* (2001) 88 Cal.App.4th 298, 305).] The Legislature’s determination that a rational relationship exists is “entitled to great weight and will not be reversed unless the determination is arbitrary and without conceivable factual or legal basis.” (*White, supra*, 88 Cal.App.4th at p. 305). In support of this special statute, the bill states, “the significantly higher rates of deaths in the County of Riverside jails compared to the rest of the state.” While there has been an increase in in-custody deaths in Riverside County jails in recent years, there has also been a substantial increase in jail deaths across the state more generally.²³ If this bill is challenged as an unconstitutional special statute, whether the specific conditions in Riverside County justify special legislation will be up to a court to decide.

- 8) **Argument in Support:** According to the *Drug Policy Alliance*, “As long as sheriff-coroner offices remain combined, the inherent conflict of interests will obscure the truth about how loved ones died under the Sheriff’s custody. While this issue persists throughout California, SB 1379’s approach of separating the offices of the sheriff and coroner in a county with a disproportionate number of in-custody deaths is an important first step in the right direction...”

“Riverside County has reported disproportionately high in-custody deaths for over a decade, including high in-custody death rates during Sheriff Chad Bianco’s tenure. From 2011-2022, there were 226 in-custody deaths reported in Riverside County and 216 in San Bernardino County. In other words, these counties accounted for 19% of the state’s in-custody deaths during that period, despite only making up around 12% of the state population. These deaths have only continued since then, with 45 in-custody deaths recorded in Riverside County from 2021-2024.

“SB 1379 will ensure that medical examinations and investigations of sudden, violent, unexplained, or suspicious deaths in Riverside County jails are conducted with integrity, providing families with the closure and dignity they deserve. Moreover, these objective medical reports will help Riverside County implement the necessary reforms to drive down their epidemic of in-custody deaths. As long as Sheriff-Coroner Offices are allowed to conduct medical examinations for law enforcement-involved incidents, conflicts of interest

²³ Duara and Kimelman, *California jails are holding thousands fewer people, but far more are dying in them* (March 25, 2024) <<https://calmatters.org/justice/2024/03/death-in-california-jails/>> [as of June 21, 2026].

and bias will get in the way of the truth.”

- 9) **Argument in Opposition:** According to the *California State Sheriff's Association*, “The current sheriff-coroner model utilized by choice by a vast majority of California’s counties (48 of 58) enjoys the benefit of operational and budgetary efficiency. Separating these offices will remove investigative efficiencies and drastically increase county costs unnecessarily by requiring the county to stand up a separate coroner office.

“From a governance perspective, this bill is heavy-handed and disregards local control. Existing law already permits counties to pursue multiple models of county office consolidation or separation. In fact, in late 2023, the Riverside County Board of Supervisors directed its Executive Office to evaluate separating the coroner’s bureau from the sheriff’s department. Having done that, the Executive Office communicated the following to the Board: ‘As a result of an extensive evaluation, the Executive Office has reached the conclusion that the negative impacts of separating the Coroner’s Bureau and/or Public Administrator from the Sheriff’s Department significantly outweigh the perceived benefit and would not be in the best interests of the community.’

“This is a decision best left to the sound discretion of local officials who have budget authority and relevant local experience.”

10) Prior Legislation:

- a) AB 1108 (Hart), Chapter 389, Statutes of 2025, prohibited a sheriff-coroner, in any county where the offices of the sheriff and the coroner are combined, from determining the circumstances, manner, and cause of death for any in-custody death, and instead requires the sheriff-coroner to contract with another county or a private third-party medical examination provider, as specified, to determine the manner, circumstances, and cause of the in-custody death.
- b) AB 360 (Gipson), Chapter 431, Statutes of 2023, provided that “excited delirium” is not a validly recognized medical diagnosis or cause of death.
- c) AB 2531 (Bryan), Chapter 968, Statutes of 2024, clarified that death-in-custody reporting requirements apply to juveniles who die in custody and defined "in-custody death."
- d) AB 1608 (Gipson), of the 2021-2022 Legislative Session, would have eliminated the authority of a county board of supervisors to consolidate the duties of the sheriff with the duties of the coroner, or the duties of the sheriff with the tax collector. AB 1608 failed passage on the Senate Floor.
- e) AB 2761 (McCarty), Chapter 802, Statutes of 2022, required a state or local correctional facility to post specified information on its website within 10 days after the death of a person who died while in custody, and to update that information within 30 days of any change.
- f) SB 1303 (Pan), of the 2017-2018 Legislative session, would have replaced the coroner with an independent office of the medical examiner in counties with 500,000 or more residents or allowed counties to retain the sheriff-coroner position and adopt a policy to

refer cases where the sheriff-coroner may have a conflict to a county that has an independent medical examiner. SB 1303 was vetoed.

- g) SB 1189 (Pan), Chapter 787, Statutes of 2017, prohibited, if an individual dies due to the involvement of law enforcement activity, law enforcement personnel directly involved with the care and custody of that individual from being involved with any portion of the postmortem examination, nor allowed inside the autopsy suite during the performance of the autopsy.

REGISTERED SUPPORT / OPPOSITION:

Support

ACLU California Action
California Coalition for Sheriff Oversight (CCSO)
California Public Defenders Association
Drug Policy Alliance 1
Ella Baker Center for Human Rights
Smart Justice California, a Project of Beyond Impact

Opposition

California State Association of Public Administrators, Public Guardians, and Public Conservators
California State Sheriffs' Association
County of Fresno
Fresno County Board of Supervisors
Riverside County Sheriff's Office

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