

Meeting Date: 07/28/26
Federal Jurisdiction File Numbers: 0110.1, 0115.2,
0119.9, 0124.3,
and 0136.3
Staff: P. Huber

Staff Report 02

APPLICANT:

Federal Bureau of Prisons

PROPOSED ACTION:

Consider cessions of legislative jurisdiction to establish concurrent criminal jurisdiction pursuant to California Government Code Section 126.

AREA, LAND TYPE, AND LOCATION:

Federal lands, under the jurisdiction of the Federal Bureau of Prisons, comprising the United States Penitentiary at Atwater, Merced County; the former Federal Prison Camp at Boron, San Bernardino County; the Metropolitan Detention Center at Los Angeles, Los Angeles County; the Federal Correctional Institution at Mendota, Fresno County; and the former Correctional Institution at Taft, Kern County.

BACKGROUND:

Legislative jurisdiction is the authority to make and enforce law. The State of California has all legislative jurisdiction over the lands within the State, except where the Legislature has consented to or authorized cessions of legislative jurisdiction. The United States has limited powers under the U.S. Constitution, relying on those enumerated. These limitations can create challenges for the federal government to address the day-to-day conduct on federal lands that would normally be governed by the State. Since California's statehood, the United States has sought cessions so that it can exercise legislative jurisdiction to address the needs of federal lands. Consequently, some federal lands today remain under exclusive, partial, or concurrent federal legislative jurisdiction, sometimes called "federal enclaves."

Pursuant to Government Code section 126, the Commission is authorized, on behalf of the State of California, to cede concurrent criminal legislative jurisdiction to the United States over federal property. When the State cedes concurrent criminal legislative jurisdiction, the federal government can enforce many state criminal laws imported into federal law by the Assimilative Crimes Act (18 U.S.C. § 13). Simultaneously, State and local law enforcement can continue to enforce California law. This approach allows for maximum flexibility so that any level of government can respond to emergencies or crimes.

The Commission may cede concurrent criminal legislative jurisdiction only when:

- A. The United States has requested such cession in writing.
- B. The federal lands are held by the United States for the erection of forts, magazines, arsenals, dockyards, and other needful buildings within the purview of clause 17 of Section 8 of Article 1 of the United States Constitution, or for any other federal purposes. For this finding, "held by the United States" means the lands are owned or leased by the United States for a public purpose.
- C. The cession is made pursuant to and in compliance with the laws of the United States.
- D. A notice of the proposed cession has been given to the clerk for the board of supervisors of the county in which the federal lands are located at least 15 days before the proposed cession.
- E. The proposed cession is in the best interests of the State of California.
- F. The United States has agreed to bear all costs and expenses incurred by the Commission in making the cession.

A cession of jurisdiction vests when certified copies of the Commission's orders or resolutions making the above findings have been recorded in the office of the county recorder of each county in which any part of the land is situated. The cession will continue for 10 years or for so long as the lands are held by the United States and used for the purposes for which jurisdiction is ceded, whichever period is less.

In ceding concurrent criminal jurisdiction, the State reserves its civil legislative jurisdiction, including its jurisdiction over the land, water, and use of water, with full power to control and regulate the acquisition, use, control, and distribution of water with respect to the land affected by the cession. The State also retains its

criminal legislative jurisdiction over the property, which can be exercised concurrently with federal criminal legislative jurisdiction.

This cession of jurisdiction affects federal property only. The proposed cession would have no effect on private property.

PROPOSED ACTION:

The Bureau of Prisons has requested that the State of California cede concurrent criminal legislative jurisdiction over lands comprising the United States Penitentiary at Atwater, Merced County; the former Federal Prison Camp at Boron, San Bernardino County; the Metropolitan Detention Center at Los Angeles, Los Angeles County; the Federal Correctional Institution at Mendota, Fresno County; and the former Correctional Institution at Taft, Kern County, as more particularly described in Exhibits A, B, C, D, and E.

STAFF ANALYSIS AND RECOMMENDATION:

AUTHORITY:

Government Code Section 126.

STATE'S BEST INTERESTS:

The Commission previously ceded concurrent criminal legislative jurisdiction over the locations identified in the proposed action ([Item 60, April 5, 2016](#)). Those cessions expired on April 4, 2026, resulting in the retrocession of all legislative jurisdiction to the State. The Federal Bureau of Prisons has applied for new cessions over the same facilities to restore concurrent criminal legislative jurisdiction to the United States, which would allow it to conduct federal investigations and prosecutions of certain criminal offenses on federal property, including many state criminal laws imported into federal law by the Assimilative Crimes Act. This concurrent, or shared, authority provides greater flexibility in enforcing criminal law. State and local law enforcement officials may struggle to access large or remote federal properties, such as military bases or national parks. Federal law enforcement officials may be better able to respond to incidents, ensuring timelier responses and reducing demands on State and local officials.

The Federal Bureau of Prisons has requested a cession of concurrent criminal legislative jurisdiction at these prison sites to benefit both state and federal law

enforcement. The United States owns all these lands. In its request letter, the Federal Bureau of Prisons stated, “We believe it is mutually desirable, and in the interest of sound administration, that the United States continue to have concurrent criminal jurisdiction with the State of California over these sites.” The Federal Bureau of Prisons also agreed to reimburse the Commission for its costs incurred in processing the cession, and it provided letters of support from local law enforcement for each county that would be affected by the cessions.

CONCLUSION:

Commission staff believes that the proposed cessions of concurrent criminal jurisdiction are in the best interests of the State and that sufficient evidence exists for the Commission to make each of the findings required by Government Code section 126.

OTHER PERTINENT INFORMATION:

1. Approval or denial of the cessions is a discretionary action by the Commission. Each time the Commission approves or rejects a cession, it exercises legislatively delegated authority. If the Commission denies the requested cession, all legislative jurisdiction will remain with the State. If the Commission approves the requested cessions, the United States and the State will share concurrent criminal legislative jurisdiction. This action gives no right to new or renewed cessions upon expiration.
2. This action is consistent with the “Committing to Collaborative Leadership” Strategic Focus Area of the Commission’s 2021–2025 Strategic Plan.
3. Commission staff provided notice of each proposed cession to the respective Clerks for the Boards of Supervisors of Fresno, Kern, Los Angeles, Merced, and San Bernardino counties on July 13, 2026.
4. The Federal Bureau of Prisons has requested in writing cessions of concurrent criminal jurisdiction over lands under its jurisdiction.
5. The proposed cessions of concurrent criminal jurisdiction are not a project as defined by the California Environmental Quality Act because they are administrative actions that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, sections 15060, subdivision (c)(3), and 15378, subdivision (b)(5).

EXHIBITS:

- A. Land Description – United States Penitentiary Atwater
- B. Land Description – Former Federal Prison Camp Boron
- C. Land Description – Metropolitan Detention Center Los Angeles
- D. Land Description – Federal Correctional Institution Mendota
- E. Land Description – Former Correctional Institution Taft

RECOMMENDED ACTION:

It is recommended that the Commission:

AUTHORIZATION:

1. Find that the requirements of Government Code section 126 have been satisfied as follows:
 - a. The United States has requested in writing that the State cede concurrent criminal legislative jurisdiction over the lands described in Exhibits A, B, C, D, and E.
 - b. The lands are held by the United States for the erection of forts, magazines, arsenals, dockyards, and other needful buildings within the purview of clause 17 of Section 8 of Article I of the United States Constitution, or for any other federal purposes.
 - c. The cessions are made pursuant to and in compliance with the laws of the United States.
 - d. Notices of the proposed cessions have been given to the clerk for the board of supervisors for each county in which the federal lands are located at least 15 days before the proposed cessions.
 - e. The proposed cessions are in the best interests of the State of California.

- f. The United States has agreed to bear all costs and expenses incurred by the State Lands Commission in making the cessions.
2. Cede concurrent criminal legislative jurisdiction to the United States over the lands described in the Exhibits for so long as the lands are owned by the United States and used for federal purposes or for 10 years, whichever period is less.
3. Authorize the Executive Officer or designee to execute Resolutions of Cession of Concurrent Criminal Legislative Jurisdiction for the cessions and have them recorded in the official records of Fresno, Kern, Los Angeles, Merced, and San Bernardino counties.

EXHIBIT A

Land Description United States Penitentiary Atwater Merced County, California

Parcel 1 of 2:

Legal description for a portion of Castle Air Force Base for the U.S. Department of Justice, Federal Bureau of Prisons, designated as Federal transfer sites B1, B2, B3, B4, and B5:

A portion of Sections 20, 21, 28 and 29, Township 6 South, Range 13 East, Mount Diablo Base and Meridian, situate in the County of Merced, State of California, more particularly described as follows:

Beginning at the Southeast corner of the Southwest quarter of Section 28;
Thence South $89^{\circ} 38' 37''$ West along the centerline of Ladino Avenue and the South line of said Section 28, a distance of 2555.33 feet;
Thence North $38^{\circ} 19' 53''$ West, a distance of 345.83 feet;
Thence North $02^{\circ} 29' 05''$ East, a distance of 279.06 feet to the beginning of a curve concave to the Southwest, having a radius of 110.00 feet;
Thence Northwesterly along the arc of said curve, through a central angle of $90^{\circ} 16' 20''$, a distance of 173.31 feet;
Thence North $87^{\circ} 47' 15''$ West, a distance of 72.59 feet to the beginning of a curve concave to the Northeast, having a radius of 330.00 feet;
Thence Northwesterly along the arc of said curve, through a central angle of $49^{\circ} 27' 22''$, a distance of 284.85 feet;
Thence North $38^{\circ} 19' 53''$ West, a distance of 7396.96 feet to the North line of lot 45 as shown on the map of Liberty Colony, recorded in volume 7 of official plats at page 70, Merced County records;
Thence North $89^{\circ} 54' 45''$ East along the North line of lots 45 - 52, inclusive, of said map, a distance of 5278.45 feet to the East line of said Section 20;
Thence South $02^{\circ} 31' 38''$ West along said East line, a distance of 704.91 feet to a concrete monument with a brass cap as shown on the map entitled Segment "B" Real Estate Castle Air Force Base Military Reservation;
Thence South $38^{\circ} 17' 50''$ East, a distance of 4133.09 feet to a concrete monument with a brass cap and the East line of the West half of said Section 28;
Thence South $00^{\circ} 51' 00''$ West (the basis of bearings) along the East line of the West half of said Section 28, a distance of 2639.65 feet to the point of beginning.

Contains 648.8 acres more or less.

and

Parcel 2 of 2:

A parcel of land in the County of Merced, State of California, more particularly described as follows:

A strip of land 30 feet in width off of the full length of the North side of the Northeast $\frac{1}{4}$ of Section 33, Township 6 South, Range 13 East, M.D.B. & M.

EXHIBIT B

Land Description Former Federal Prison Camp Boron San Bernardino County, California

ALL that certain real property, being a portion of Sections 1 and 2, Township 11 North, Range 7 West, San Bernardino Meridian, County of San Bernardino, State of California, being more particularly described as follows:

BEGINNING at the Northwest corner of Lot 1 of the Northeast quarter of said Section 2, as said Lot 1 is shown on the General Land Office plat of said Township and Range, approved on April 18, 1941, said Northwest corner bears from National Geodetic Survey Designation "TOJO" (PID FT1313), the following two (2) courses:

- (1) North 10° 12' 43" West, 19465.26 feet to National Geodetic Survey Designation "BABE" (PID FT1314); and
 - (2) South 28° 36' 35" West, 9523.54 feet;
-
1. Thence along the North line of said Lot 1, South 89° 59' 41" East, a distance of 1720.80 feet;
 2. Thence leaving said North line and proceeding South 00° 00' 19" West, a distance of 166.53 feet;
 3. Thence South 44° 52' 49" East, a distance of 140.00 feet;
 4. Thence North 45° 07' 11" East, a distance of 54.00 feet;
 5. Thence South 44° 52' 49" East, a distance of 19.00 feet;
 6. Thence North 45° 07' 11" East, a distance of 14.25 feet;
 7. Thence South 44° 52' 49" East, a distance of 29.19 feet;
 8. Thence North 45° 07' 11" East, a distance of 6.55 feet;
 9. Thence South 44° 52' 49" East, a distance of 26.00 feet;
 10. Thence North 45° 07' 11" East, a distance of 10.00 feet;
 11. Thence South 44° 52' 49" East, a distance of 29.00 feet;
 12. Thence North 45° 07' 11" East, a distance of 122.13 feet;
 13. Thence North 00° 00' 19" East, a distance of 192.81 feet to a point on said North line of Lot 1;
 14. Thence along said North line, South 89° 59' 41" East, a distance of 579.50 feet to the Northeast corner of said Lot 1 and a point on the common line between said Sections 1 and 2;
 15. Thence along said common line, South 00° 21' 28" West, a distance of 349.41 feet to a point which is North 00° 21' 28" East 982.49 feet from the common quarter corner of said Sections 1 and 2;

16. Thence leaving said common line and proceeding North 89° 38' 41" East, a distance of 664.72 feet;
17. Thence South 00° 21' 28" West, a distance of 982.14 feet to a point on the East-West centerline of said Section 1;
18. Thence along said East-West centerline, North 89° 36' 52" East, a distance of 668.05 feet to the Northeast corner of the Northwest quarter of the Southwest quarter of said Section 1;
19. Thence leaving said East-West centerline and proceeding along the East line of said Northwest quarter of the Southwest quarter, South 00° 08' 46" West, a distance of 1331.64 feet to the Southeast corner of said Northwest quarter of the Southwest quarter;
20. Thence along the South line of said Northwest quarter of the Southwest quarter, South 89° 32' 54" West, a distance of 1325.69 feet to the Southwest corner of said Northwest quarter of the Southwest quarter, last said corner being also the Southeast corner of the Northeast quarter of the Southeast quarter of said Section 2;
21. Thence along the South line of said Northeast quarter of the Southeast quarter, South 89° 48' 46" West, a distance of 1309.92 feet to the Southwest corner of said Northeast quarter of the Southeast quarter;
22. Thence along the West line of said Northeast quarter of the Southeast quarter, North 00° 00' 42" West, a distance of 1334.15 feet to the Northwest corner of said Northeast quarter of the Southeast quarter, last said corner being also a point on the East-West centerline of said Section 2;
23. Thence along last said East-West centerline, South 89° 51' 28" West, a distance of 1306.50 feet to the center quarter corner of said Section 2, being also the Southwest corner of aforementioned Lot 1 of the Northeast quarter of Section 2;
24. Thence along the West line of said Lot 1, North 00° 07' 06" East, a distance of 1338.61 feet to the point of beginning.

Containing 174.16 acres, more or less.

The Basis of Bearings for this description is a grid bearing of North 10° 12' 43" West between National Geodetic Survey Designation "TOJO" (PID FT1313) and National Geodetic Survey Designation "BABE" (PIO FT1314), as determined from National Geodetic Survey Data Sheets, NAD83 (1992), Epoch 1991.35, California Coordinate System Zone 5. All distances shown are ground distances.

EXHIBIT C

Land Description Metropolitan Detention Center Los Angeles Los Angeles County, California

That real property within the City of Los Angeles, County of Los Angeles, State of California, consisting of those portions of real property of the United States of America described as follows:

Beginning at the centerline intersection of Aliso Street and Alameda Street;
Thence southerly along the centerline of Alameda South 01 degree 51 minutes 44 seconds East, 264.68 feet;

Thence westerly at right the centerline of Alameda Street North 88 degrees 08 minutes 16 seconds West, 50 feet to a point in the westerly right of way line Alameda Street which is the true point beginning:

Thence North 1 degree 51 minutes 44 seconds West, 219.72 feet;
Thence North 44 degrees 42 minutes 02 seconds East, 14.67 feet;
Thence North 06 degrees 11 minutes 05 seconds East, 26.40 feet;
Thence North 53 degrees 43 minutes 19 seconds West, 210.88 feet; said course being parallel with the centerline of Aliso Street;
Thence South 37 degrees 27 minutes 00 seconds West, 79.55 feet;
Thence South 03 degrees 00 minutes 00 seconds West, 160.00 feet;
Thence South 52 degrees 33 minutes 00 seconds East, 260.00 feet to the true point of beginning.

EXHIBIT D

Land Description Federal Correctional Institution Mendota Fresno County, California

That portion of Sections 1 and 12, Township 14 South, Range 14 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on westerly right of way line of State Highway 33, said point lying on the south line of said Section 12, distant thereon, N89° 20' 07" W, 80.00 feet from the southeast corner thereof; thence along the westerly right of way line of said State Highway 33, the following eleven (11) courses:

1. N1° 26' 47" E, 30.00 feet to a point on the north right of way line of California Avenue; thence
2. N46° 03' 11" E, 71.19 feet to a point lying 30 feet west, measured at right angles from the east line of the southeast quarter of said Section 12; thence
3. N1° 26' 29" E, parallel with and 30 feet west measured at right angles from the east line of the southeast quarter of said Section 12, a distance of 2578.41 feet to a point on the north line of the southeast quarter of said Section 12; thence
4. N1° 26' 15" E, parallel with and 30 feet west measured at right angles from the east line of the northeast quarter of said Section 12, a distance of 2615.39 feet; thence
5. N58° 31' 47" W, 82.72 feet to a point on the north line of the northeast quarter of said Section 12; thence
6. N61° 24' 00" E, 82.72 feet to a point lying 30 feet west, measured at right angles from the east line of the southeast quarter of said Section 1; thence
7. N1° 25' 56" E, parallel with and 30 feet west measured at right angles from the east line of the southeast quarter of said Section 1, a distance of 2500.66 feet; thence
8. N58° 34' 37" W, 42.72 feet to a point lying 67 feet west, measured at right angles from the east line of the southeast quarter of said Section 1, and 95 feet south, measured at right angles from the north line of the southeast quarter of said Section 1; thence
9. N1° 25' 56" E, parallel with and 67 feet west measured at right angles from the east line of the southeast quarter of said Section 1, a distance of 30.00 feet; thence
10. N61° 25' 41" E, 42.72 feet to a point lying 30 feet west, measured at right angles from the east line of the southeast quarter of said Section 1; thence

11. N1° 25' 56" E, parallel with and 30 feet west, measured at right angles from the east line of the southeast quarter of said Section 1, a distance of 44.64 feet to a point on the north line of the southeast quarter of said Section 1;

Thence S89° 54' 52" W, along the north line of the southeast quarter of said Section 1, a distance of 2750.59 feet to the point of intersection of the north line of the southeast quarter of said Section 1 with a line lying 378.98 feet (379.00 ground feet) east, measured at right angles from the west line of the southeast quarter of said Section 1;

Thence N1° 22' 48" E, parallel with and 378.98 feet (379.00 ground feet) east, measured at right angles from the west line of the northeast quarter of said Section 1, a distance of 477.13 feet to the point of intersection of a line 378.98 feet (379.00 ground feet) east, measured at right angles from the west line of the northeast quarter of said Section 1, and a line 476.97 feet (477.00 ground feet) north, measured at right angles from the south line of the northeast quarter of said Section 1;

Thence S89° 54' 52" W, parallel with and 476.97 feet (477.00 ground feet) north, measured at right angles from the south line of the northeast quarter of said Section 1, a distance of 379.10 feet to a point on the west line of the northeast quarter of said Section 1;

Thence S1° 22' 48" W, along the west line of the northeast quarter of said Section 1, a distance of 477.13 feet to the center quarter corner of said Section 1;

Thence S89° 54' 35" W, along the north line of the southwest quarter of said Section 1, a distance of 2659.99 feet to the west quarter corner of said Section 1;

Thence S1° 19' 40" W, along the west line of the southwest quarter of said Section 1, a distance of 2642.17 feet to the northwest corner of said Section 12;

Thence S1° 18' 35" W, along the west line of said Section 12, a distance of 2631.21 feet to the west quarter corner of said Section 12;

Thence continuing along the west line of said Section 12, S1° 18' 35" W, 2631.20 feet to the southwest corner of said Section 12;

Thence S89° 19' 41" E, along the south line of the southwest quarter of said Section 12, a distance of 2650.94 feet to the south quarter corner of said Section 12;

Thence S89° 20' 07" E, along the south line of the southeast quarter of said Section 12, a distance of 2570.60 feet to the point of beginning.

Containing 966.36 acres, more or less.

The basis of bearings for this description is California State Plane Coordinates, Zone 4, NAD 83 (1991.35 Epoch) as determined by fast-static GPS observation from H.P.G.N. CA 0606 and U.S.C. & G.S. station Mendota Reset, taken as N89° 42' 10" E. Distances for this description are California State Plane Coordinates, Zone 4 Grid, unless otherwise specified. Divide each distance by 0.999934301601 to obtain ground distances.

EXHIBIT E

Land Description Former Correctional Institution Taft Kern County, California

Being a portion of Section 27, T. 32 S., R. 24 E., M.D.B. and M., in the County of Kern, State of California, more particularly described as follows:

Commencing at the Southeast corner of the above said Section 27;

Thence (1) N 89° 21' 24" W, along the south line of the Southeast quarter of said Section, 1578.70 feet to a point of intersection with an offset line, 40 feet easterly of a row of Chevron U.S.A., Inc. pipeline markers as they existed on the site in February, 1992, said point being the true point of beginning;

Thence (2) continuing N 89° 21' 24" W, along the south line of said Southeast quarter of said Section, 1026.67 feet to the South quarter corner of the Section;

Thence (3) N 89° 32' 30" W, along the south line of the Southwest quarter of said Section 27, 2642.26 feet to the Southwest corner of the Section;

Thence (4) N 0° 31' 23" E, along the west line of the Southwest quarter of said Section, 2639.63 feet to the West quarter corner of the Section;

Thence (5) N 0° 30' 48" E, along the west line of the Northwest quarter of said Section

27, 2639.98 feet to the Northwest corner of the Section;

Thence (6) S 89° 25' 51" E, along the north line of the Northwest quarter of said Section, 2632.00 feet to the North quarter corner of the Section;

Thence (7) S 89° 28' 26" E, along the north line of the Northeast quarter of said Section

27, 1438.36 feet to a point of intersection with the northerly extension of the west line of that certain parcel granted to the Standard Pipeline Company per the document recorded in Book 3166, at page 64, Official Records;

Thence (8) S 0° 39' 23" W along said extension and said west line of said parcel and parallel with the east line of said Section 27, 1590.00 feet to the Southwest corner of said parcel;

Thence (9) S 4° 27' 14" E, 396.62 feet to a point of intersection with a line parallel with and

395.13 feet South of as measured at right angles to the south line of said parcel, said point also being a point of intersection with said offset line, 40 feet easterly of said Chevron

U.S.A., Inc., pipeline markers;

Thence (10) S 7° 38' 15" W, along said offset line, 1049.61 feet;

Thence (11) S 8° 06' 31" W, continuing along said offset line, 1034.87 feet:
Thence (12) S 8° 12' 15" W, continuing along said offset line, 1235.20 feet to the
true point of beginning.

Containing 20,880,943.38 sq. ft., 479.361 acres, more or less.