
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Jesse Arreguín, Chair
2025 - 2026 Regular

Bill No: SB 891 **Hearing Date:** March 17, 2026
Author: Cervantes
Version: January 14, 2026
Urgency: No **Fiscal:** Yes
Consultant: SJ

Subject: *Missing and Murdered Indigenous Persons Justice Program*

HISTORY

Source: Yurok Tribe

Prior Legislation: SB 4 (Cervantes), held in Assembly Appropriations, 2025
AB 2279 (Cervantes), vetoed in 2024
AB 1314 (Ramos), Ch. 476, Stats. of 2022
AB 3099 (Ramos), Ch. 170, Stats. of 2020

Support: Ella Baker Center for Human Rights; Habematolel Pomo of Upper Lake

Opposition: None known

PURPOSE

The purpose of this bill is to establish The Missing and Murdered Indigenous Persons Justice Program within the Department of Justice (DOJ) which would facilitate collaboration between parties in cases of missing and murdered indigenous people.

Existing federal law defines “Indian country” as: all land within the limits of any Indian reservation under the jurisdiction of the U.S. Government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation; all dependent Indian communities within the borders of the U.S. whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state, and all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same. (18 U.S.C. § 1151.)

Existing federal law provides concurrent California and Tribal jurisdiction over criminal offenses committed by or against Indians in the areas of Indian country, as specified. Provides that the Indian Country affected within California includes all Indian Country within the state. (18 U.S.C. § 1162.)

Existing law provides that murder is the unlawful killing of a human being, or a fetus, with malice aforethought. (Pen. Code, § 187, subd. (a).)

Existing law requires the Attorney General to establish and maintain the Violent Crime Information Center to assist in the identification and the apprehension of persons responsible for

specific violent crimes and for the disappearance and exploitation of persons, particularly children and at-risk adults. (Pen. Code, § 14200, subd. (a).)

Existing law requires all local police and sheriffs' departments to accept any report, by any party, including any telephonic report, of a missing person, including runaways, without delay and to give priority to the handling of these reports over the handling of reports relating to crimes involving property. (Pen. Code, § 14211, subd. (a).)

Existing law requires the local police or sheriff's department, in cases of reports involving missing persons, including, but not limited to, runaways, to immediately take the report and make an assessment of reasonable steps to be taken to locate the person by using the required report forms, checklists, and guidelines. (Pen. Code, § 14211, subd. (c).)

Existing law establishes the "feather alert," a notification system designed to issue and coordinate alerts with respect to endangered indigenous people, specifically indigenous women or indigenous people, who are reported missing. (Gov. Code, § 8594.13, subd. (a).)

Existing law provides that a law enforcement agency or Tribe of California may directly request the California Highway Patrol activate a Feather Alert. Specifies that a law enforcement agency may request that a Feather Alert be activated if that agency determines a Feather Alert would be an effective tool in the investigation of missing and murdered indigenous persons, including young women or girls. Requires the law enforcement agency to consider the following factors to make that determination:

- The missing person is an indigenous woman or an indigenous person.
- The investigating law enforcement agency has utilized available local and tribal resources.
- The law enforcement agency determines that the person is missing.
- The law enforcement agency or tribe believes that the person is in danger and is missing under circumstances that indicate that: the missing person's physical safety may be endangered; the missing person may be subject to trafficking; or the missing person suffers from a mental or physical disability, or a substance use disorder.
- There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person. (Gov. Code, § 8594.13, subds. (c), (e).)

Existing law establishes the Rural Indian Crime Prevention Program within the Office of Emergency Services. Provides that the purpose of the program is to provide financial and technical assistance for local law enforcement. Requires the program to target the relationship between law enforcement and Native American communities to encourage and to strengthen cooperative efforts and to implement crime suppression and prevention programs. (Pen. Code, § 13847, subd. (a).)

This bill establishes the Missing and Murdered Indigenous Persons Justice Program (MMIPJP) within and under the discretion of the DOJ. Provides that the program has all the following responsibilities:

- Facilitate collaboration and act as a liaison between tribal victims' families, tribal governments, and federal, tribal, state, and out-of-state law enforcement agencies, where

appropriate, regarding active and inactive cases involving missing and murdered indigenous persons in California, including cases involving human trafficking.

- Provide technical assistance to law enforcement agencies already engaged in investigating cases involving missing and murdered indigenous persons in California, including cases of human trafficking.
- Publish data on the number of, and facts about, cases involving missing and murdered indigenous persons in California, where appropriate.

This bill requires the DOJ to submit an annual report, until January 1, 2029, to both houses of the Legislature containing all of the following:

- The cases the department acted as a liaison and provided technical assistance to law enforcement.
- The information published on the number of, and facts about, cases involving missing and murdered indigenous persons.
- An analysis of all appropriate data, and any recommendations to assist or improve upon necessary collaboration and coordination between local, state, and tribal governments in addressing missing and murdered indigenous persons in California.

COMMENTS

1. Need For This Bill

According to the author:

It is an unfortunate truth that across the United States, including in California, there is an ongoing crisis of persistent violence levied committed against Indigenous people, especially women and girls. The Sovereign Bodies Institute (SBI) began tracking the number of murdered and missing Indigenous people (MMIP) in California in 2015 and found that there are approximately 18 new MMIP cases documented per year. Cases were documented in 42 of California's 58 counties. According to SBI, 91 percent of murdered and missing Indigenous children in Southern California are girls, and the lack of thematic issues among these cases suggests these girls are targeted because they are both Indigenous and girls.

Senate Bill 891, a reintroduction of my Senate Bill 4 from 2025 and Assembly Bill 2279 from 2024, will continue this effort by establishing the Missing and Murdered Indigenous Persons Justice Program within the Department of Justice. The Program would be empowered to facilitate collaboration and act as a liaison between tribal victims' families; tribal governments; and state, federal, and out-of-state law enforcement agencies. The Program would also provide technical advice to law enforcement agencies investigating MMIP cases in California when appropriate. Finally, to further improve transparency regarding the ongoing MMIP crisis, the Program would be required to publish data on the number of MMIP cases and facts about those cases, as well as submit an annual report to the Legislature. This bill will help provide a coordinated state response to MMIP cases, as well as shine a light on a crisis affecting our Indigenous communities that has not received nearly the attention it deserves.

2. Murdered or Missing Indigenous Persons (MMIP)

In 2018, the Urban Indian Health Institute (UIHI) published a report after conducting a study “aimed at assessing the number and dynamics of cases of missing and murdered American Indian and Alaska Native women and girls in cities across the United States.” (UIHI, *Missing and Murdered Indigenous Women & Girls: A snapshot of date from 71 urban cities in the United States*, p.2 available at <<https://www.uihi.org/wp-content/uploads/2018/11/Missing-and-Murdered-Indigenous-Women-and-Girls-Report.pdf>>.) In its report, UIHI cited a National Crime Information Center statistic that there were 5,712 reports of missing American Indian and Alaska Native women and girls made in 2016 although the U.S. Department of Justice’s federal missing persons database only had 116 cases. (*Ibid.*) That discrepancy as well as the lack of research on rates of violence among American Indian and Alaska Native women living in urban areas—where nearly three quarters of the Indigenous population lives—led UIHI to conduct its study. (*Ibid.*)

In describing its methodology to collect data on cases of missing and murdered Indigenous women and girls, the UIHI stated:

As demonstrated by the findings of this study, reasons for the lack of quality data include underreporting, racial misclassification, poor relationships between law enforcement and American Indian and Alaska Native communities, poor record-keeping protocols, institutional racism in the media, and a lack of substantive relationships between journalists and American Indian and Alaska Native communities. In an effort to collect as much case data as possible and to be able to compare the five data sources used, UIHI collected data from Freedom of Information Act (FOIA) requests to law enforcement agencies, state and national missing persons databases, searches of local and regional news media online archives, public social media posts, and direct contact with family and community members who volunteered information on missing or murdered loved ones. (*Id.* at p. 4.)

The report concluded:

UIHI discovered a striking level of inconsistency between community, law enforcement, and media understandings of the magnitude of this violence. If this report demonstrates one powerful conclusion, it is that if we rely solely on law enforcement or media for an awareness or understanding of the issue, we will have a deeply inaccurate picture of the realities, minimizing the extent to which our urban American Indian and Alaska Native sisters experience this violence. This inaccurate picture limits our ability to address this issue at policy, programing, and advocacy levels. (*Id.* at p. 20.)

This bill seeks to address some of the issues outlined in the report. Specifically, this bill would establish the Missing and Murdered Indigenous Persons Justice Program within DOJ, to facilitate and act as a liaison between parties in cases regarding missing and murdered indigenous people, as well as to collect data from various sources. This bill would also require the DOJ to publish an annual report of its findings beginning in 2029.

3. Prior Legislation

This bill is a reintroduction of SB 4 (Cervantes) which was passed by this Committee last year and held by the Assembly Appropriations Committee. This bill is substantially similar to AB 2279 of the 2023-2024 legislative session which was vetoed. In addition to the requirements in this bill, AB 2279 would have required the program to provide grants to local and tribal law enforcement agencies to support investigatory activities.

In his veto message of AB 2279, Governor Newsom wrote:

I appreciate the author's commitment to addressing the ongoing MMIP crisis. My administration continues to prioritize policies that increase collaboration between law enforcement and tribal communities to bring justice to those impacted. In partnership with the Legislature, we increased funding in this year's budget for the MMIP Grant Program, which has awarded millions of dollars to support tribes' efforts to identify, publicize, investigate, and solve MMIP cases.

This measure is duplicative of those efforts and creates a new, unfunded grant program not included in the 2024 Budget Act. In partnership with the Legislature this year, my Administration has enacted a balanced budget that avoids deep program cuts to vital services and protected investments in education, health care, climate, public safety, housing, and social service programs that millions of Californians rely on. It is important to remain disciplined when considering bills with significant fiscal implications that are not included in the budget, such as this measure.

As noted in Governor Newsom's veto message, the 2024-25 budget provided "\$13.2 million one-time General Fund in 2024-25 for the Missing and Murdered Indigenous Persons Grant Program to provide grants to federally recognized Indian tribes in California to support efforts to identify, publicize, investigate, and solve cases involving missing and murdered indigenous people." (Governor Newsom, *California State Budget 2024-25*, p. 78 available at <<https://ebudget.ca.gov/2024-25/pdf/Enacted/BudgetSummary/FullBudgetSummary.pdf>>.) The Budget additionally appropriated "\$5 million one-time General Fund, available for five years, for the DOJ to provide technical assistance to local and tribal law enforcement agencies in their efforts to identify and investigate missing and murdered indigenous individuals and to provide grants to local law enforcement agencies to support these investigatory activities." (*Ibid.*)

4. Argument in Support

The Ella Baker Center for Human Rights writes:

Currently, California has the largest Native American population in the country with nearly 109 federally recognized tribes. Specifically, California is home to over 700,000 Native American and Alaska Native people. Unfortunately, among the states, California also ranks fifth in terms of the number of cases of missing and murdered Indigenous people (MMIP).

The Sovereign Bodies Institute (SBI) began tracking the number of murdered and missing Indigenous people (MMIP) in California in 2015 and found that there are approximately 18 new MMIP cases documented per year. Cases were

documented in 42 of California's 58 counties. According to SBI, 91 percent of murdered and missing Indigenous children in Southern California are girls, and the lack of any thematic issues among these cases suggests that these girls are targeted because they are both Indigenous and girls. Of all the MMIP cases that SBI documented in California, only 21 percent involved a response by the criminal justice system.

For known MMIP cases in Southern California, there is no documentation of a single conviction. In 2019, the Urban Indian Health Institute reported that 95 percent of MMIP cases go without being covered by either national or international media. Senate Bill 891 will help provide a state response to the ongoing MMIP crisis by establishing a Missing and Murdered Indigenous Persons Justice Program within the Department of Justice. The Program would be empowered to facilitate collaboration between victims' families; tribal governments; and state, federal, and out-of-state law enforcement agencies. The Program would also assist in investigating MMIP cases in California when appropriate, including human trafficking cases. Finally, to further improve transparency regarding the ongoing MMIP crisis, the Program would be required to publish data on the number of MMIP cases and facts about those cases, as well as submit an annual report to the Legislature.

SB 891 will help provide a coordinated state response to MMIP cases, as well as shine a light on a crisis affecting our Indigenous communities that has not received nearly the attention it deserves.

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