
THIRD READING

Bill No: SB 891
Author: Cervantes (D)
Introduced: 1/14/26
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 6-0, 3/17/26
AYES: Arreguín, Seyarto, Caballero, Pérez, Reyes, Wiener

SENATE APPROPRIATIONS COMMITTEE: 7-0, 5/14/26
AYES: Cervantes, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

SUBJECT: Missing and Murdered Indigenous Persons Justice Program

SOURCE: Yurok Tribe

DIGEST: This bill establishes 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.

ANALYSIS:

Existing federal law:

- 1) 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. (Title 18 United States Code (U.S.C.) § 1151.)
- 2) Provides concurrent California and Tribal jurisdiction over criminal offenses committed by or against Indians in the areas of Indian country, as specified.

- 3) Provides that the Indian Country affected within California includes all Indian Country within the state. (18 U.S.C. § 1162.)

Existing law:

- 1) Provides that murder is the unlawful killing of a human being, or a fetus, with malice aforethought. (Penal (Pen.) Code, § 187, subd. (a).)
- 2) 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).)
- 3) 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).)
- 4) 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).)
- 5) 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. (Government (Gov.) Code, § 8594.13, subd. (a).)
- 6) 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:

- a) The missing person is an indigenous woman or an indigenous person.
 - b) The investigating law enforcement agency has utilized available local and tribal resources.
 - c) The law enforcement agency determines that the person is missing.
 - d) 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.
 - e) 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).)
- 7) 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:

- 1) 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:
 - a) 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.
 - b) 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.
 - c) Publish data on the number of, and facts about, cases involving missing and murdered indigenous persons in California, where appropriate.
- 2) Requires the DOJ to submit an annual report, until January 1, 2029, to both houses of the Legislature containing all of the following:

- a) The cases the department acted as a liaison and provided technical assistance to law enforcement.
- b) The information published on the number of, and facts about, cases involving missing and murdered indigenous persons.
- c) 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.

Background

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 data 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.

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

According to the Senate Appropriations Committee:

Costs to the DOJ in the low millions of dollars annually. DOJ estimates costs of \$1.4 million in Fiscal Year 2026-27, and \$1.9 million in FY 2027-28 for nine full-time positions in its Division of Law Enforcement, Victims Services Unit, Directorate Division, and Special Prosecutions Section, plus Information Technology software costs and consulting services for the annual report through December 31, 2028.

DOJ anticipates costs of \$2.3 million in Fiscal Year 2030-31 and ongoing thereafter to maintain the above-described staffing levels for the MMIPJP and add two full time positions to the DOJ Research Services Branch.

SUPPORT: (Verified 5/14/26)

Yurok Tribe (source)
California Commission on the Status of Women and Girls
California Partnership to End Domestic Violence
California Tribal Business Alliance
Ella Baker Center for Human Rights
Habematolel Pomo of Upper Lake
Scotts Valley Band of Pomo Indians
Yocha Dehe Wintun Nation

OPPOSITION: (Verified 5/14/26)

None received

Prepared by: Stephanie Jordan / PUB. S. /
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**** **END** ****