

UNFINISHED BUSINESS

Bill No: SB 891
Author: Cervantes (D), et al.
Amended: 8/19/26
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

SENATE FLOOR: 39-0, 5/19/26
AYES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener
NO VOTE RECORDED: Niello

ASSEMBLY FLOOR: Passed, 8/25/26

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 facilitates collaboration between parties in cases of missing and murdered indigenous people.

Assembly Amendments delay the requirement for DOJ to publish specified aggregated data until July 1, 2030, and limit the annual report to publication between 2030 and 2033.

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, beginning July 1, 2030, 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, beginning July 1, 2030 until January 1, 2033, 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 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 establishes 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 also requires the DOJ to publish an annual report of its findings beginning in 2030 and until 2033.

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

According to the Assembly Appropriations Committee:

Costs of up to \$3 million annually (General Fund) to DOJ to establish and operate the MMIPJP. DOJ reports the department cannot absorb these costs within existing budgeted resources and that implementation is dependent upon an appropriation. DOJ's estimate spans five divisions and approximately 14 positions, including research and data staff in the California Justice Statistics Center to collect, analyze, and publish MMIP data; a crime analyst in the Missing and Unidentified Persons Section; two special agent supervisors in the Division of Law Enforcement to act as liaisons with tribal governments and law enforcement agencies, plus associated vehicle costs; a dedicated victim advocate in the Victim Services Unit; and analyst and clerical staff in the Office of Native American Affairs to coordinate the program, conduct outreach, and draft the annual report. In addition, DOJ will face one-time IT costs of about \$578,000 to reprogram DOJ's missing persons database and the statewide crime reporting system so DOJ can capture and publish the tribal affiliation and foster care information the bill requires. DOJ's current estimate is somewhat higher than the department's estimate on the substantially similar SB 4 (Cervantes), of this legislative session, held on the suspense file in this committee, on which DOJ anticipated costs beginning at \$1.4 million and rising to approximately \$2.3 million ongoing for nine positions. The increase appears attributable to requiring additional positions, particularly in the California Justice Statistics Center, and the one-time IT modifications tied to the new publication requirements. DOJ reports that its Research Services Branch would absorb related homicide and missing persons statistical workload through June 30, 2029, using limited-term resources provided in connection with SB 108 (Budget Act of 2024), but anticipates needing permanent funding for two research positions beginning July 1, 2029, when that funding expires.

SUPPORT: (Verified 8/25/26)

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
So'oh-Shinálí Sister Project
Strong Hearted Native Women's Coalition
Wilton Rancheria
Yocha Dehe Wintun Nation

OPPOSITION: (Verified 8/25/26)

None received

Prepared by: Stephanie Jordan / PUB. S. /
8/26/26 11:18:43

**** **END** ****