

Cal. Gov. Code § 8594.13

Section 8594.13 - [Effective 1/1/2025] Feather Alert

(a) For purposes of this section, the following terms apply:

- (1) "Feather Alert" means a notification system, activated pursuant to subdivision (d), designed to issue and coordinate alerts with respect to endangered indigenous people, specifically indigenous women or indigenous people, who are reported missing.
- (2) "Law enforcement agency" means a state, local, or tribal law enforcement agency or police department.
- (3) "Tribe" or "Tribe of California" means a Native American tribe located in California that is on the contact list maintained by the Native American Heritage Commission for the purposes of Chapter 905 of the Statutes of 2004 and Chapter 532 of the Statutes of 2014.

(b) The Department of the California Highway Patrol, in consultation with tribal nations, the Department of Justice, as well as a representative from the California State Sheriffs' Association, the California Police Chiefs Association, and the California Peace Officers' Association, shall develop policies and procedures providing instruction specifying how a law enforcement agency, a broadcaster participating in the Emergency Alert System, and any other intermediate emergency agency that may institute activation of the Feather Alert, and, where appropriate, other supplemental warning systems, shall proceed after a missing person has been reported to a law enforcement agency and the conditions described in subdivision (e) are met. Those policies and procedures shall include, but not be limited to:

- (1) Procedures for the transfer of information regarding the missing person and the circumstances surrounding the missing person's disappearance from the law enforcement agency to the broadcasters.
- (2) Specification of the event code or codes that should be used if the Feather Alert is activated to report a missing person.
- (3) Recommended language for a Feather Alert issued pursuant to this section.
- (4) Specification of information that shall be included by the reporting law enforcement agency, including which agency a person with information relating to the missing person should contact and how the person should contact the agency.
- (5) Recommendations on the extent of the geographical area to which a Feather Alert issued pursuant to this section should be broadcast.

(c)

(1) A law enforcement agency or Tribe of California may directly request the Department of the California Highway Patrol to activate a Feather Alert consistent with the requirements of paragraph (2).

(2)

(A) If a person is reported missing to a law enforcement agency and that agency determines that the requirements of subdivision (e) are met, the law enforcement agency or Tribe of California may request the Department of the California Highway Patrol to activate a Feather Alert.

(B)

(i) For purposes of this subdivision, a law enforcement agency shall make a determination that the requirements of subdivision (e) are met within 24 hours, following the initial report being made to the agency.

(ii) If the law enforcement agency does not make a determination within 24 hours as required by clause (i), then the Tribe of California may directly request the Department of the California Highway Patrol to activate a Feather Alert.

(d) If the Department of the California Highway Patrol concurs that the requirements of subdivision (e) have been met, it shall activate a Feather Alert within the appropriate geographical area requested by the investigating law enforcement agency.

(1)

(A) The Department of the California Highway Patrol shall respond to a law enforcement agency's or tribe's request to activate a Feather Alert within 48 hours of receiving the request.

(B) The department shall take reasonable steps to confirm that a report from a missing person's family members is not an attempt to locate an indigenous woman or indigenous person who is intentionally avoiding or evading abuse in any of the following forms:

(i) Sexual assault.

(ii) Sexual harassment.

(iii) Domestic violence.

(iv) Intimate partner violence.

(2) If the Department of the California Highway Patrol declines to activate a Feather Alert, it shall provide written notice to the requesting law enforcement agency or tribe of the reasons for declining the request within 48 hours of issuing its decision.

(3) Radio, television, cable, satellite, and social media systems are encouraged to, but not required to, cooperate with disseminating the information contained in a Feather Alert.

(4) Upon activation of a Feather Alert, the Department of the California Highway Patrol shall make all reasonable efforts to locate the missing person and to assist each investigating law enforcement agency and tribe in their efforts to locate the missing person by issuing a be-on-the-lookout alert, an electronic flyer, a social media post, or changeable message signs in compliance with paragraph (5).

(5) Upon activation of a Feather Alert, the Department of the California Highway Patrol may use a changeable message sign if both of the following conditions are met:

- (A) A law enforcement agency determines that a vehicle may be involved in the missing person incident.
- (B) Specific identifying information about the vehicle is available for public dissemination.
- (e) 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. The law enforcement agency shall consider the following factors to make that determination:
- (1) The missing person is an indigenous woman or an indigenous person.
 - (2) The investigating law enforcement agency has utilized available local and tribal resources.
 - (3) The law enforcement agency determines that the person is missing.
 - (4) The law enforcement agency or tribe believes that the person is in danger and is missing under circumstances that indicate any of the following:
 - (A) The missing person's physical safety may be endangered.
 - (B) The missing person may be subject to trafficking.
 - (C) The missing person suffers from a mental or physical disability, or a substance use disorder.
 - (5) There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.
- (f)
- (1) The Department of the California Highway Patrol shall work with law enforcement agencies and tribal nations to create and submit a report to the Governor's office and the Legislature. The report shall include the following information:
 - (A) The efficacy and advantages of the Feather Alert, including, but not limited to, statistical data on the number of cases closed and the number of cases that remain open.
 - (B) The impact of the Feather Alert on other alert programs.
 - (2) The Department of the California Highway Patrol shall submit the report in paragraph (1) to the Legislature in compliance with Section 9795 no later than January 1, 2027.
 - (3) The requirement for submitting a report imposed under this subdivision is inoperative on January 1, 2031, pursuant to Section 10231.5.

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Amended by Stats 2024 ch 661 (AB 2348),s 1, eff. 1/1/2025.

Amended by Stats 2024 ch 659 (AB 1863),s 2, eff. 1/1/2025.

Amended by Stats 2023 ch 131 (AB 1754),s 68, eff. 1/1/2024.

Added by Stats 2022 ch 476 (AB 1314),s 2, eff. 1/1/2023.

This section is set out more than once due to postponed, multiple, or conflicting amendments.
