

2025 HOUSE JUDICIARY

HB 1535

2025 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Room JW327B, State Capitol

HB 1535
2/4/2025

Relating to the committee on tribal and state relations; and to provide an appropriation.

10:44 a.m. Chairman Klemin opened the hearing.

Members Present: Chairman Klemin, Vice-Chairman Vetter, Representatives Christianson, Hoverson, Johnston, McLeod, S. Olson, Satrom, Tveit, Wolff, Schneider

Members Absent: Vice-Chairman Karls, Representatives Henderson, VanWinkle

Discussion Topics:

- Effectiveness of North Dakota alert systems
- Number of missing indigenous people in North Dakota
- North Dakota Alert System process

10:45 a.m. Representative Jayme Davis, North Dakota Representative for District 9, introduced the bill and provided testimony #34330 and #34331.

10:53 a.m. Representative Collete Brown, North Dakota Representative for District 9, testified in favor and provided testimony #34531.

11:01 a.m. Representative Jayme Davis, North Dakota Representative for District 9, answered committee questions.

11:03 a.m. Representative Lisa Finley-Deville, North Dakota Representative for District 4A, testified in favor and provided testimony #34319.

11:06 a.m. James DeCoteau, Cultural Liaison to the Chairman of the Turtle Mountain Tribe, testified in favor and provided testimony #34545

11:09 a.m. Mikalen Belgarde, Member of Turtle Mountain Band of Chippewa Indians, testified in favor and provided testimony #34400.

11:12 a.m. Erin Belgarde, MMIP Taskforce Member for Turtle Mountain Band of Chippewa Indians, testified in favor and provided testimony #34176.

11:14 a.m. Jenna Clawson Huibregtse, Sergeant for the North Dakota Highway Patrol, testified neutrally and provided testimony #34049.

Additional written testimony:

Erika Red Tomahawk, Tribal-State Policy Coordinator for North Dakota Native Vote, submitted testimony in favor #34067

Shanda Poitra, Founder and Executive Director of Turtle Mountain IMPACT: Empowerment Self Defense, submitted testimony in favor #34177
Lonna Street, Chairwoman of the Spirit Lake Tribe, submitted testimony in favor #34537
Jessica Belgarde, Mandan, North Dakota, submitted testimony in opposition #34372, #34373, and #34374

11:29 a.m. Chairman Klemin closed the hearing.

Wyatt Armstrong, Committee Clerk



69th Legislative Assembly
Neutral Testimony
House Bill No. 1535
House Judiciary Committee
February 4, 2025

TESTIMONY OF
Sergeant Jenna Clawson Huibregtse

Good afternoon, Chairman Klemin and members of the House Judiciary Committee. My name is Jenna Clawson Huibregtse, and I proudly serve as a sergeant with the North Dakota Highway Patrol. I operate as the Safety and Education officer, and some of my duties include operating as North Dakota's alerts coordinator and overseeing the agency's cultural liaison officer program.

I would like to thank the bill sponsors for bringing this important issue to the forefront and offering their testimony. Greater awareness and public involvement in recognizing and addressing the crisis of missing and murdered indigenous people is paramount. In my testimony, I will offer a high-level overview of the existing alerts, current SB 2098 and its changes to the alerts system, how alerts are processed, the importance of strict criteria, and current issues with the alerts system.

The alerts system consists of many entities including: local law enforcement, BCI, highway patrol, and Emergency Services including state radio and the watch center.

High-Level Overview of Alerts

AMBER Alert (exists as an executive order, also in SB 2098)

1. Exist for abducted children who are 17 years of age or younger
2. Confirmation by local law enforcement of a stranger or family abduction in which the child is believed to be in grave danger serious bodily harm or death,
3. There is descriptive information about the child, abductor, and/or suspect's vehicle to assist with a safe recovery.

Blue Alert

1. An individual has threatened a law enforcement officer with a deadly weapon, has used a deadly weapon against a law enforcement officer, has caused a law enforcement officer to suffer serious bodily injury or death, or the officer has been abducted or is missing while on duty;
2. The individual has fled the scene of the offense and a description of the individual or the individual's vehicle is available for broadcast;
3. The law enforcement agency investigating the offense has determined the individual poses a threat to the public or other law enforcement personnel; and
4. Dissemination of available information to the public may help avert further harm or assist in the apprehension of the suspect.

Silver Alerts

1. The missing person involves a vulnerable adult as defined under NDCC 50-25.2-01 or vulnerable elderly adult, who is at least 65 years old, as defined under NDCC 12.1-31-07, who has been reported to law enforcement as missing.
2. The missing person involves a minor who has developmental disabilities, as defined under NDCC 25-01.2-01, who has been reported to law enforcement as missing.
3. There is descriptive information about the minor or adult and/or vehicle involved, to assist with the safe recovery of the person.
4. There is enough usable information about the person and/or vehicle to believe an immediate broadcast will provide the public with descriptive information to help locate the person or vehicle.

Senate Bill 2098 refines some of the existing language, formally bringing Amber alerts into century code and adds clarifying language regarding endangered missing persons and silver alerts. This bill also puts all alerts in the same section of century code.

If you refer to a red and white handout I distributed, you will see a case study compiled by NDDES from the last issued Silver Alert. This includes an outlining the alert process when a request is made by local law enforcement. When an individual is believed to meet criteria for an alert, the reporting local law enforcement agency fills out the request form and submits it by contacting State Radio. State Radio then works with local enforcement and the Watch Center to run verification checklists, gather intel, and begin notifications to the Highway Patrol, the Bureau of Criminal Investigation, and alerts group to start the vetting process.

Often there is further information that needs to be collected with the reporting law enforcement agency or with the family before an alert is issued. This information typically includes more descriptive information about what someone was wearing or driving, checking cell phone records, bank accounts, places they frequent, and more. A key piece of alerts working is having enough usable information for the public to look for the individual(s) or suspect(s). During this information collecting process, we encourage local jurisdictions to use their own local alerting system, typically referred to as a code red, but we find they are often unaware of this resource. By doing this, we help locate many of the people in alert requests before they are issued out to the public. This spares our alerts system from overuse, and only impacts the immediate area where the person is likely located versus the entire state.

When an alert does not meet criteria, efforts to find the person do not cease at this time. We continue to assist the requesting law enforcement agency with launching a missing persons search, assist them in putting a local code red alert, use media and social media blasts, and more. Regardless of an alert being issued or not, local law enforcement agencies maintain control of a missing person case. The Highway Patrol and Bureau of Criminal Investigation's involvement stays at an alerts level and as an assisting agency in the missing persons search.

Adding an alert type, in this case the Feather alert, will require specific and strict criteria being added to this bill. After discussions with the bill sponsors and Indian Affairs Commission, the highway patrol and bureau of criminal investigation offered the following potential criteria for a Feather Alert:

- Confirmation by local law enforcement of a stranger or family abduction in which the missing person is believed to be in grave danger of serious bodily harm or death; and,
- Descriptive information about the person, the abductor, and/or suspect's vehicle to assist with the safe recovery of the victim and/or the apprehension of the suspect.

It is important to separate abducted individuals from a standard missing persons case. There are a variety of reasons a person can go missing and not all qualify in this category. In some cases, people choose to go missing or in other cases people do not want to be found. We must maintain and respect the freedom of choice afforded to people who chose to go missing. While it is in the minority, we have received alert requests and even issued alerts where someone was taking time off from their family at a hotel or in another case the person was in jail in another state. In both examples, we would then find out later they had their faculties about them and did not qualify for an alert. Without strict

criteria, an alerts system can become an overused tool that encroaches on the freedom of our able mind and able-bodied citizens or becomes an overused substitute for thorough law enforcement investigations.

The feather alert bill focuses on an important topic and a crisis that has impacts Native Americans more than any other race. The U.S. Department of Justice indicates Native American women are missing and murdered at a rate ten times higher than the national average. These statistics are also high for Native American men and children. Though many of these cases may not be alerts qualifying, they shed light on related issues impacting tribal members: understaffed law enforcement agencies, distrust causing delayed or failure to report missing people, lack of law enforcement agreements and assistance, and more.

For the committee's discussion it's important to know who else is not covered by alerts, and that is all races, people aged 18 and older who have been abducted and meet these same criteria. However, I caution creating more alert types. More alerts also equal more confusion for the public. Midwest states vary in alert types, some having over 10 alerts types, and sending nearly 400 alerts in a year. Currently, with three alert types, North Dakota send out 10 alerts per year on average. To give some context, if we had a missing persons alert with general criteria, we would have sent 1,301 alerts to your cell phone in 2024. That averages 3.5 alerts a day. Strict criteria, like I've outlined today, reserves the alerts system for our most vulnerable.

When considering changes to the alerts century code, we must look at its origin. The alerts system was created to bring abducted children home via the Amber alert. The unfortunate truth is, each time an alert type is added or expanded we reduce the effectiveness of alerts due to people shutting their notifications off. While North Dakota enjoys a high success rate for public alerts, the catch 22 is the more alerts being sent, the less they are viewed as people become desensitized. Maintaining a high standard of strict criteria is paramount when considering adding or expanding emergency alerts.

For consideration there are a few other adjustments to language:

Line 9 and line 15, strike "superintendent" and add "highway patrol". This aligns with how alerts are currently being done.

Line 13, strike "missing" and insert previously mentioned criteria.

Line 21 and 22, strike "shall oversee the implementation of the feather alert notice system, and". Implementation would need to be done by the agencies who issue alerts: highway patrol, BCI, and NDDES. This still keeps the Indian Affairs Commission on as a liaison.

Line 20, Issuing an alert in indigenous languages is incredibly useful, but may come with challenges. We are limited to 90 characters, including spaces, when issuing an alert to cell phones. This information is what you see on your cell phone, and it provides a short description and a website to click for more information. An alternative may be having pre-written messages, in indigenous languages, that could be displayed on the website for an alert if one is issued. Otherwise, the interpretation service would need to be provided 24/7 in the event we have an alert that needed interpreting.

This concludes my testimony, and I will stand for any questions.



— State of —
North Dakota

Office of the Governor

John Hoeven
Governor

EXECUTIVE ORDER 2002-06

WHEREAS, it is essential to utilize maximum public participation to recover children in the most serious child abduction situations; and

WHEREAS, in child abduction circumstances, law enforcement has information available to disseminate to the general public that could assist in the safe recovery of the victim, the apprehension of the suspect, or both; and

WHEREAS, the Amber Alert, first created in Dallas, Texas after the murder of Amber Hagerman, a nine-year-old girl who was abducted in 1996 from her home in Arlington, Texas makes the Emergency Alert System available for use by law enforcement officials to alert the general public when a child has been abducted and is believed to be in danger; and

WHEREAS, the goal of the Amber Plan is to coordinate the services of government, law enforcement, and broadcasting agencies in an effort to expedite the recovery of abducted children by coercing the kidnapper to release the child for fear of being caught; and

WHEREAS, the Amber Plan requires law enforcement to meet certain criteria when evaluating a child abduction before activation can occur. Therefore, the Amber Alert is not activated for every abduction or custody dispute; and

WHEREAS, tragedies, such as those concerning 11-year-old Jeanna North of Fargo, North Dakota in 1993 inspired the Fargo Police Department to develop the Jeanna Alert; and

WHEREAS, nine North Dakota counties have had a fully implemented Amber Alert program for several years: Cass, Adams, Hettinger, Bowman, Slope, Golden Valley, Billings, Stark and Dunn. It has been used once in the Richardton area.

NOW, THEREFORE, I, JOHN HOEVEN, Governor of the State of North Dakota, by virtue of the power and authority vested in me by the Constitution and statutes of the State of North Dakota, do hereby issue this Executive Order to become effective immediately:

IT IS ORDERED that the Superintendent of the North Dakota Highway Patrol, in cooperation with the Division of Emergency Management and other state agencies, shall implement the use of the Emergency Alert System in the State of North Dakota.

IT IS FURTHER ORDERED that the Superintendent of the North Dakota Highway Patrol, in cooperation with the Division of Emergency Management and other state agencies, local law enforcement and broadcasters, shall develop policies and procedures providing instruction specifying how law enforcement agencies, broadcasters and any other intermediate emergency agencies that may institute activation of the Amber Alert shall proceed after a qualifying abduction has been reported to a law enforcement agency. Those policies and procedures shall be inserted into the North Dakota Emergency Operation Plan, and shall include, but not be limited to:


- (1) Procedures for transfer of information regarding the abducted victim and abduction from the law enforcement agency to the broadcasters;
- (2) Specification of the event code or codes that should be used if the Emergency Alert System is activated to report a qualifying child abduction;
- (3) Recommended language for an abduction alert;
- (4) Specification of information that must be included by the reporting law enforcement agency, including which agency a person with information relating to the abduction should contact and how the person should contact the agency; and
- (5) Recommendations on the extent of the geographical area to which a child abduction emergency alert should be broadcast.

IT IS FURTHER ORDERED that the Superintendent of the North Dakota Highway Patrol shall see that these policies and procedures are implemented immediately and distributed to law enforcement agencies, broadcasters and intermediate agencies. The Superintendent shall also coordinate with the Office of the Governor and Division of Emergency Management to communicate the existence of this program to the public and shall report back to the Governor regarding compliance with this Order.

All State entities under the Governor's jurisdiction shall cooperate fully with the Superintendent of the North Dakota Highway Patrol and provide assistance as needed to implement this Executive Order. All other State agencies are encouraged to assist the Superintendent of the North Dakota Highway Patrol as requested to comply with the Executive Order.

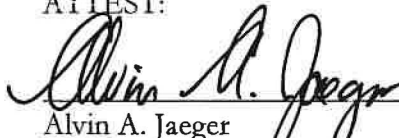
This order is pursuant to Article V, Section I of the North Dakota Constitution.

Executed at Bismarck, North Dakota this 30th day of August, 2002.



John Hoeven
Governor

ATTEST:



Alvin A. Jaeger
Secretary of State



Cory G. Fong
Deputy

Meet the ND Watch Center

NORTH
Dakota | Emergency Services
Be Legendary.™

24/7 Round-the-Clock Readiness

The ND Watch Center is responsible for round the clock monitoring, collecting, assessing, and disseminating of public safety threats information.

The Watch Center is our first line of state emergency response. Following comprehensive standard operating procedures, the Watch Center Staff notifies the correct people at the correct time. When needed, they get the right people to the table, ensuring timely response.

Watch Center



Watch Center was notified by state radio of a vehicle fire in Towner, ND. The vehicle is in a car port in the alley of Towner Hardware. There are two 1000lb propane tanks 20 ft from the fire as well as a house 8-10 yards from the fire. Some explosions have been heard. Entire block and restaurant has been evacuated. No injuries reported, everyone clear of the vehicle. I called Kelsey the EM, left voicemail. No requests for assistance at this time.



WE GET INFORMATION IN



WE COMPILE

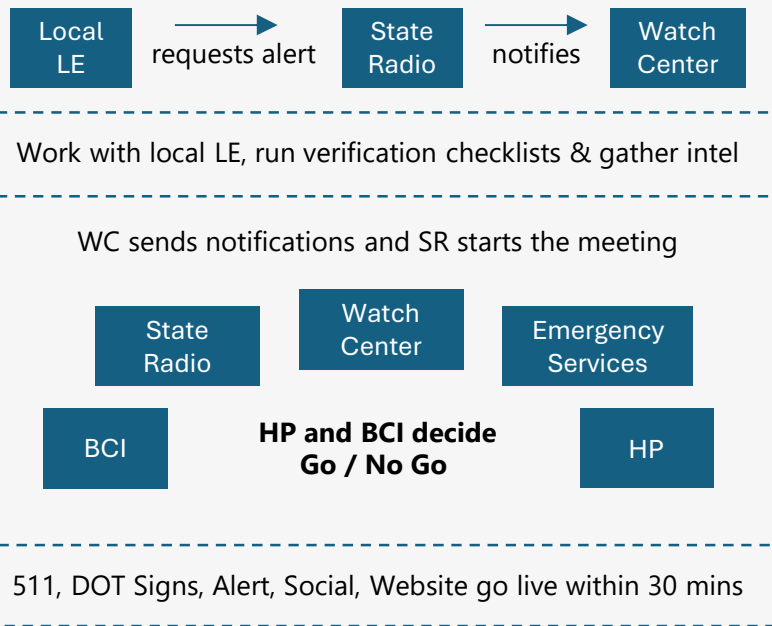


WE GET INFORMATION OUT

Public Alerts

Did you know? ND enjoys a high success rate for public alerts. In 2024, nine people were located before activation and three were found safely after. Since the inception in 2018, ND has not experienced a Silver Alert in which the individual was not found.

What goes into an alert?



Case study

State Radio received an alert request by Minot Police Dept the evening of December 31st. From start to finish, all public communications were live in just 33 mins.

Schaefer was found alive in her vehicle the next morning by two Berthold area teens who were snowmobiling in the very rural area. 911 was called and Schaefer was taken to the hospital where she was monitored and treated for hypothermia.



The Catch 22 with public alerts: the more alerts being sent, the less they are viewed. More people opt out of receiving alerts on their phone and tune out of the DOT road signs and news, reducing the overall effectiveness.

An **AMBER Alert** can be activated if it is believed that an immediate broadcast alert will help locate the child(ren) and/or suspect, and there is enough descriptive information about the child, the suspect and/or the suspect's vehicle to assist with the safe recovery of the victim and/or apprehension of the suspect as long as **BOTH** the following criteria are met:

AMBER ALERT

- The abducted child or children are 17 years of age or younger, AND
- There is confirmation by law enforcement of a stranger or a family abduction in which the child is believed to be in GRAVE DANGER of serious bodily harm or death.

A **Silver Alert** is activated if there is enough descriptive information about the missing person and/or vehicle to assist with the safe recovery of that person and **EITHER** of the following are met:

SILVER ALERT

- Is the missing person a vulnerable adult who meets and has a substantial functional or mental impairment?
 - **Substantial functional impairment** - a substantial incapability, because of physical limitations, of living independently or providing self-care as determined through observation, diagnosis, evaluation, or assessment.
 - **Substantial mental impairment** - a substantial disorder of thought, mood, perception, orientation, or memory that grossly impairs judgment, behavior, or ability to live independently or provide self-care as revealed by observation, diagnosis, evaluation, or assessment.
- Is the missing person a minor who has a developmental disability as outlined below?

Developmental disability – a severe, chronic disability of an individual which:

 - Is attributable to a mental or physical impairment or combination of mental and physical impairments, including Down syndrome;
 - Is manifested before the individual attains age twenty-two;
 - Is likely to continue indefinitely;
 - Results in substantial functional limitations in three or more of the following areas of major life activity:
 - Self-care
 - Self-direction
 - Receptive and expressive language
 - Learning
 - Economic sufficiency
 - Mobility
 - Capacity for independent living

Reflects the individual's needs for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services which are of lifelong or extended duration and are individually planned and coordinated. Do you believe the subject is mobile and has left the immediate area?

A **Blue Alert** is activated if there is enough descriptive information to aid in the apprehension of an individual who is a suspect in an offense if **ALL** of the following are met:

BLUE ALERT

- The individual has threatened a law enforcement officer with a deadly weapon, has used a deadly weapon against a law enforcement officer, has caused a law enforcement officer to suffer serious bodily injury or death, or the officer has been abducted or is missing while on duty;
- The individual has fled the scene of the offense and a description of the individual or the individual's vehicle is available for broadcast;
- Law enforcement investigating the offense has determined the individual poses a threat to the public or other law enforcement personnel; and
- Dissemination of available information to the public may help avert further harm or assist in the apprehension of the suspect.



North Dakota Native Vote
919 S 7th Street
Suite 603
Bismarck, ND 58504

February 2, 2025

Testimony of Erika Red Tomahawk

Tribal-State Policy Coordinator, North Dakota Native Vote

In support for HB 1535

Dear Chairman Klemin and Members of the Judiciary Committee,

My name is Erika Red Tomahawk, and I am writing to you today in strong support of House Bill 1535, a critical measure that would establish the Feather Alert System in North Dakota. I come before you as a young Native American woman and an advocate for Indigenous communities across our state.

For far too long, Native American people—particularly women and youth—have gone missing at alarmingly high rates, often without an immediate and coordinated response. The numbers paint a devastating picture:

- In 2016, the National Crime Information Center (NCIC) recorded 5,712 cases of missing American Indian and Alaska Native women and girls, yet the federal missing persons database, NamUs, reflected only 116 cases. (Source: [Missing and Murdered Indigenous People Crisis | Indian Affairs](#))
- Between 2012 and 2021, the National Center for Missing & Exploited Children reported that nearly 3,000 Native American children were reported missing across 44 states, 55% of whom were female, with the majority aged 15 to 17 years old. (Source: [Missing and Murdered Indigenous People \(MMIP\): Overview of Recent Research, Legislation, and Selected Issues for Congress](#))

Right here in North Dakota, the crisis is just as pressing. As of early 2025, several Indigenous individuals reported missing in 2024 remain unaccounted for. Among them are Mason Cree, a 15-year-old boy missing since September 5, 2024, and Isaac James Hunt, a 28-year-old man missing since March 8, 2024. (Source: [North Dakota Missing Indigenous Persons Database](#))

A staggering 40% of all missing persons in North Dakota were Indigenous as of April 2024, despite Native Americans comprising only a small percentage of the state's population. (Source: [MISSING AND MURDERED INDIGENOUS WOMEN](#))



North Dakota Native Vote
919 S 7th Street
Suite 603
Bismarck, ND 58504

This is not just a crisis—it is an injustice. House Bill 1535 will provide a necessary and urgent solution by establishing the Feather Alert System, ensuring that when an Indigenous person goes missing, law enforcement, media, and the public mobilize immediately through a statewide emergency notification system. This bill will:

- Provide a rapid response framework for law enforcement to issue alerts.
- Utilize the Emergency Alert System and other public channels to broadcast critical information.
- Ensure culturally competent implementation, including alerts in tribal languages when needed.
- Foster coordination between tribal, state, and federal agencies to bridge the gaps in response and reporting.

This legislation is not just about policy—it is about protecting lives. It is a promise to Indigenous families that their missing loved ones will no longer be forgotten or ignored. It is a commitment that when someone goes missing, every possible resource will be deployed to bring them home.

I urge this committee to give a **"Do Pass" recommendation** on **House Bill 1535** and ensure that North Dakota becomes a leader in addressing the crisis of Missing and Murdered Indigenous People (MMIP). This is an opportunity to take meaningful action—to stand for justice, to uphold accountability, and to ensure that no more families are left searching in silence.

Thank you for your time and consideration.

Respectfully,

Erika Red Tomahawk

WRITTEN TESTIMONY IN SUPPORT OF TO HB 1535

Date of Hearing: February 4th, 2025

Erin J. Belgarde 114 2nd Ave NE, Rolla ND 58367

Committee Chair and members of the committee, my name is Erin J. Belgarde. I am a resident of Rolla, North Dakota. I write in support of House Bill 1535. I am an Indigenous female who sits on the MMIP Chapter for the Turtle Mountain Band of Chippewa Indians Tribe.

Missing & Murdered Indigenous Women, Girls, & Two Spirits (MMIWG2S) is a crisis that refers to the disproportionate amount of violence and abuse that occurs to Indigenous people in the US. While stats on MMIWG2S are low, the few facts on it are astonishing.

- The third leading cause of death for an American Indian/Alaska Native youth 1-24 years old in 2020 was homicide.
- 97% of AI/AN women and 90% of AI/AN men reported that they had a non-AI/AN assaulter in their lifetime.
- 1 in 3 American Indian and Alaska Native women have experienced rape or sexual assault in their lifetime.

These statistics are alarming. The MMIP movement is slowly gaining momentum, this has been a problem for decades. Now that we know better, we need to do better. This feather alert is an excellent step in the right direction.

Please support HB 1535

Respectfully, Erin J. Belgarde 114 2nd Ave NE, Rolla ND 58367

Written Testimony in Support of House Bill No. 1535 with Representative Davis' Amendments

Presented by: Shanda Poitra, Executive Director, Turtle Mountain IMPACT
To: Government and Veterans Affairs Committee

Date: February 3, 2025

Good morning Mr. Chairman and Members of the Committee,

My name is Shanda Poitra, and I am the Executive Director of Turtle Mountain IMPACT, a grassroots organization dedicated to empowering Indigenous women, youth, and communities through culturally specific violence prevention and cultural revitalization efforts. I serve on a Community Advisory Board for a University of North Dakota research initiative designed to interrupt sexual assault in indigenous communities under the direction of Dr. Raeanne Anderson, PhD, and alongside former ND House of Representative Ruth Buffalo, and additionally serve as Board Secretary for the Turtle Mountain Missing and Murdered Indigenous People chapter. I am here to testify in support of House Bill No. 1535, and I urge the committee to adopt this legislation alongside the amendments proposed by Representative Davis.

This bill directly addresses the crisis of missing and murdered Indigenous people (MMIP) in North Dakota by creating and enacting a Feather Alert Notice System, a system to activate an urgent bulletin using the emergency alert system to air a description of an indigenous individual who has been reported to law enforcement as missing, to aid in the location of that individual, and provide vital funding for tribal, state, and federal efforts. For far too long, Indigenous communities have faced systemic neglect and jurisdictional challenges that leave our relatives vulnerable and their cases unresolved. This bill represents a meaningful opportunity to reverse that trend by developing a system that actively responds in a timelier manner.

The MMIP Crisis and the Need for Action

The statistics surrounding MMIP are heartbreaking. Over 84% of Indigenous women experience violence in their lifetimes, and in some areas, the murder rate for Native women is more than 10 times the national average. Locally, this impact is felt by the women and girls who participate in our programs. The majority of these cases go unsolved because they're simply not being investigated properly. Behind these numbers are real people—our mothers, daughters, sisters, and friends—who deserve justice and safety.

In my own experience, I've seen firsthand how violence, trauma, and systemic barriers harm our communities. This reality is why I founded Turtle Mountain IMPACT in 2018, to empower our people through practical safety skills and traditional cultural practices. In a survey of our past program participants, 67% said that fear for their safety is something they think about all the time or fairly often.

Some examples of the ways people have used the skills to keep themselves and their loved ones safer include:

- A woman was working a janitorial shift late at night when her supervisor attempted to sexually assault her. She used the skills she learned from us to stop him.
- Two teen girls were approached by a man who tried to get them into his vehicle, but they were able to escape.
- A domestic violence survivor used her skills to stay calm and focused during a court hearing despite the provocations of her abusive ex-partner.
- A survivor of abduction and domestic violence told us that learning self-defense improved her Post-Traumatic Stress Disorder symptoms.

Every time a member of our community is able to prevent or interrupt violence, it is an achievement for them and a reflection of the need for our work. We have successfully taught self-defense, held community talking circles, and organized search efforts for missing people, but the work is far from done.

Culturally Specific Solutions: The Power of HB 1535

House Bill 1535 incorporates several elements that align with the work we do at Turtle Mountain IMPACT. Its focus on developing an emergency alert system for Indigenous people addresses the necessary action needed to quickly respond to the MMIP epidemic, which in turn will empower tribal communities and address interagency collaboration, echoing our own efforts to bring culturally specific solutions to violence prevention. The bill's inclusion of grant funding is particularly impactful, as it will enable tribal nations and grassroots organizations like ours to implement programs tailored to our communities' unique needs.

Representative Davis' amendments further enhance the bill by including tribal representation on the advisory board. At Turtle Mountain IMPACT, we know how transformative these approaches can be. For example, we developed a culturally specific self-defense curriculum for Indigenous women, addressing issues like harassment, hate speech, and intimate partner violence. We've also revitalized traditional coming-of-age ceremonies and launched talking circles to create spaces for healing and empowerment.

This bill and its amendment could help replicate such efforts on a broader scale, creating systemic change that honors our communities' voices and traditions.

A Personal Perspective

My work with Turtle Mountain IMPACT has shown me the resilience of our people and the importance of investing in culturally grounded solutions. One of our proudest achievements is our community's revitalization of a traditional water ceremony as part of a coming-of-age event for young women. It was the first of its kind in decades and combined traditional teachings with modern violence prevention strategies. I believe HB 1535 can support more initiatives like this and build a foundation for safety and healing in our communities.

Call to Action

I urge the committee to pass House Bill 1535 with Representative Davis' amendments. Together, we can take a vital step toward ending the MMIP crisis and ensuring that our Indigenous relatives are no longer forgotten or ignored.

Thank you for your time and commitment to this important issue and I stand for any questions.

Respectfully,

Shanda Poitra

Executive Director, Turtle Mountain IMPACT

Testimony of Representative Finley-DeVile

In support of House Bill 1535

Chairman Klemen and members of the House Judiciary Committee, my name is Representative Lisa Finley-DeVile. I represent District 4A, which includes, MHA Nation. Thank you for the opportunity to testify today, as a cosponsor I thank you for the opportunity to speak in support of HB 1535, which relates to the feather alert notice system, and the committee on tribal and state relations. As an Indigenous woman, I can say this bill represents a critical step toward addressing a pressing issue that affects the safety and well-being of Indigenous people not only in North Dakota but across the country.

The need for a rapid-response system to assist in locating missing Indigenous people cannot be overstated. Every year, Indigenous communities across the U.S. face alarmingly high rates of missing persons cases, particularly involving women and children. One tragic and recent example is the case of Olivia Lone Bear, a member of the Mandan, Hidatsa, and Arikara Nation, who went missing in October 2017. Olivia, a mother of five, was last seen leaving her home near New Town. Despite extensive search efforts, it took nine months for authorities to find her, and tragically, Olivia's case is just one of many where the response time was not fast enough to bring her home safely.

Her disappearance highlights the ongoing gaps in how missing Indigenous people are treated and the urgent need for a system like the Feather Alert, which could have potentially expedited the search and increased public awareness from the outset. Like so many others, Olivia's case was delayed by jurisdictional confusion, lack of coordination between law enforcement agencies, and limited resources dedicated to finding missing Indigenous people. The creation of a system designed specifically for this purpose would ensure that cases like Olivia's—and others across our state—receive the urgent attention they deserve.

House Bill 1535 directly addresses these challenges by creating a rapid-response system modeled after Amber Alerts, but specifically for Indigenous individuals. The "Feather Alert" would be triggered by law enforcement when a missing person is reported, using the state's emergency alert system to distribute information as quickly as possible. The quicker an alert can go out to the public, the more likely it is that someone may have seen the missing person or may be able to assist in their recovery. Studies have shown that early alerts significantly increase the chances of recovery (U.S. Department of Justice, 2019).

When we look at any of the cases of the many Missing or Murdered Indigenous People, it's important to remember that Indigenous communities are often dispersed and face specific cultural and linguistic challenges that other communities don't. Ensuring that alerts are delivered in Indigenous languages where necessary ensures greater accessibility and relevance to those who are most affected. Language is a source of strength and unity for these communities, and

U.S. Department of Justice. (2019). *Missing Persons: The Value of Timely Notifications*. Bureau of Justice Statistics.

First Nations Development Institute. (2014). *The Role of Language in Community Health and Wellbeing*.

National Congress of American Indians. (2020). *Addressing the Crisis of Missing and Murdered Indigenous Women and Girls*. National Congress of American Indians Policy Brief.

including it in the alert system will only enhance its effectiveness (First Nations Development Institute, 2014).

Another key provision of this bill is the establishment of the Indian Affairs Commission as the oversight body for the Feather Alert system. This is essential for ensuring that the system remains responsive and accountable to tribal communities. Coordination between tribal law enforcement, state agencies, and federal partners is vital for swift action, and the Indian Affairs Commission will help facilitate that. As we have seen many times, jurisdictional issues can lead to delays in the search for missing persons. A system that is both tribally led and state-supported can help mitigate those challenges and ensure that every possible resource is brought to bear when someone is missing (National Congress of American Indians, 2020).

The funding provided in this bill—\$250,000 for the Indian Affairs Commission, along with the creation of a full-time position dedicated to this effort—ensures that this system can be effectively implemented and maintained over time. The creation of a sustainable, well-resourced alert system is essential to making sure it works when needed most. Without adequate funding and infrastructure, systems like this risk becoming underused or inefficient.

I ask that you give House Bill 1535 a do pass recommendation. This bill represents a vital step toward addressing the disparities in how missing Indigenous persons are handled in North Dakota. It is a necessary tool to bring greater visibility and urgency to these cases, ensuring that Missing and Murdered Indigenous People, those who have gone missing, will receive the attention and resources they need for a timely recovery. We can do better for our communities, and this bill is a key part of that effort.

Thank you for your time and consideration of this important issue.

U.S. Department of Justice. (2019). *Missing Persons: The Value of Timely Notifications*. Bureau of Justice Statistics.

First Nations Development Institute. (2014). *The Role of Language in Community Health and Wellbeing*.

National Congress of American Indians. (2020). *Addressing the Crisis of Missing and Murdered Indigenous Women and Girls*. National Congress of American Indians Policy Brief.



North Dakota House of Representatives

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Representative Jayme Davis

District 9
601 John Street
Rolette, ND, 58366-7209
jdavis@ndlegis.gov

COMMITTEES:

Human Services
Political Subdivisions

February 4, 2025

Good Morning Chairman Klemin, Vice Chair Karls, Vice Chair Vetter, and Members of the Committee;

For the record, my name is Jayme Davis, and I am a Representative from District 9, which encompasses two Tribal Nations—the Turtle Mountain Band of Chippewa, where I am an enrolled member, and the Spirit Lake Nation. District 9 also includes the beautiful Peace Gardens.

Thank you for the opportunity to introduce House Bill 1535, legislation that establishes the Feather Alert Notice System in North Dakota. I am honored to be the prime sponsor of this bill, which has received strong support from law enforcement agencies, including the Bureau of Criminal Investigation (BCI) and the North Dakota Highway Patrol, as well as each of the five tribal nations within our state.

HB 1535 is a proactive measure to address the crisis of missing Indigenous persons by creating an emergency alert system that will function similarly to Amber and Silver Alerts. This system will ensure that when an Indigenous person is reported missing under critical circumstances, a coordinated, statewide notification can be activated to aid in their safe recovery.

Right now, there are currently 24 missing Indigenous people in North Dakota. As of last night, a total of eight Indigenous individuals have gone missing since January 1, 2025—all of whom are under the age of 18. The Feather Alert will be another tool in our toolbox to combat the MMIP epidemic. However, this is not an alert that will be activated every time someone goes missing. The process will start at the local or tribal level, and only if the established criteria for a Feather Alert are met will the system be activated at the state level.

Tribal nations are also working to implement their own measures to address MMIP cases. Additionally, this bill aligns with HB 1199, which proposes the creation of an MMIP task force to improve communication among all agencies working on this crisis and to identify and fill the gaps that contribute to the disproportionately high rates of missing and murdered Indigenous people compared to the national average.

Some of the key provisions in HB 1535 include:

1. Establishing the Feather Alert System
 - The BCI, in partnership with the ND Highway Patrol and State Radio, will oversee the alert system, ensuring a rapid response to reports of missing Indigenous persons.
 - The alert will be broadcast using the Emergency Alert System (EAS), similar to Amber and Silver Alerts, to notify the public and law enforcement statewide.
2. Tribal and State Collaboration
 - The Indian Affairs Commission will serve as the primary liaison between state and tribal governments.
 - The bill mandates annual public meetings with tribal representatives and law enforcement to assess and improve the effectiveness of the Feather Alert system.

3. Funding and Implementation

- HB 1535 includes an appropriation of \$250,000 to support the implementation, coordination, and evaluation of the system.
- This funding will allow for training, public awareness campaigns, and a full-time coordinator at the Indian Affairs Commission to manage the program.

Support and Potential Amendments

- I have worked closely with BCI and the ND Highway Patrol and have attached amendments to strengthen implementation.
- Importantly, all five tribal nations in North Dakota support this legislation, recognizing it as a critical step toward saving lives and protecting Indigenous communities.

Mr. Chairman and members of the committee, HB 1535 is about ensuring that when an Indigenous person goes missing, every available resource is mobilized to bring them home safely. This is not just a tribal issue—it is a North Dakota issue, and it is our responsibility to act.

I respectfully ask for your support of HB 1535 and look forward to working with the committee on any necessary amendments to make this bill as effective as possible.

Thank you, Mr. Chairman. I am happy to answer any questions.

Proposed Amendments to House Bill 1535

Feather Alert System

SECTION 1. AMENDMENT TO CRITERIA FOR ACTIVATION OF A FEATHER ALERT

Subsection 2 of Section 1 is amended to read as follows:

A law enforcement agency may request the Bureau of Criminal Investigation or the Highway Patrol to activate a Feather Alert notice if the agency determines that all of the following conditions are met:

- a. The missing person is an Indigenous person.
- b. The investigating law enforcement agency has utilized available local, tribal, and state resources.
- c. The law enforcement agency determines that the person has gone missing under unexplained, suspicious, or dangerous circumstances.
- d. The law enforcement agency believes that the person is in imminent danger due to factors such as age, health, mental or physical disability, environment or weather conditions, or the possibility of being in the company of a dangerous person.
- e. There is sufficient descriptive information available regarding the missing person, the suspect, or a related vehicle to assist in recovery efforts.
- f. The law enforcement agency confirms the case involves a suspected abduction, or the missing individual is believed to be in grave danger of serious bodily harm or death.

SECTION 2. AMENDMENT TO IMPLEMENTATION AND OVERSIGHT

Subsection 4 of Section 1 is amended to read as follows:

The Indian Affairs Commission shall serve as the primary liaison between tribal, state, and federal agencies regarding the Feather Alert notice system and assist with public education, outreach, and advocacy efforts. The commission shall receive an annual report from the Highway Patrol and Bureau of Criminal Investigation on the effectiveness and implementation of the system and present findings at the annual listening session with tribal leaders.

SECTION 3. TECHNICAL REVISIONS FOR AGENCY TERMINOLOGY

Throughout the bill, the following updates shall be made for consistency with SB 2098 and current North Dakota emergency alert procedures:

- Replace "**superintendent**" with "**Highway Patrol**" to allow for efficient delegation of authority.
- Clarify that the **Bureau of Criminal Investigation (BCI)**, in coordination with the **North Dakota Highway Patrol (NDHP)** and **North Dakota Department of Emergency Services (NDDes)**, will handle activation logistics and dissemination of alerts.

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 (c) 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.

Ca. Gov. Code § 8594.13

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.



CALIFORNIA

Tribal leaders cite problems with California's Feather Alert for Native people who go missing



Family members put up new posters on a memorial for Khadijah Britton, 24, who was last seen Feb. 8, 2018, being forced into a car at gunpoint by ex-boyfriend Negie Fallis in Covelo, Calif. (Gina Ferazzi / Los Angeles Times)

By Anabel Sosa
Staff Writer

Jan. 29, 2024 Updated 12:42 PM PT

SACRAMENTO — When Yurok tribal member Danielle Ipiña-Vigil disappeared

in San Francisco last summer, her family requested that state police issue a Feather Alert — an emergency notification meant to help authorities locate Indigenous people who go missing in California.

But the request was denied, making Ipiña-Vigil one of three known cases of Native people living in California who went missing in the last year and for whom a Feather Alert request was rejected. Since the system began a year ago, authorities have issued just two of the five Feather Alerts requested, according to the California Highway Patrol.

A CHP official said local officers denied the requests because they did not meet the criteria, which include that the person went missing under suspicious circumstances and is believed by officials to be in danger.

But the denials have fueled concerns in Native communities that the system meant to help locate missing Indigenous people is not working as intended.

“We’ve had two successful Feather Alerts and numerous denials,” Taralyn Ipiña said while talking about her sister Danielle, who went missing on June 21, during a somber news conference Wednesday. She was later found, and details on her case are limited. “Being denied a Feather Alert based on opinions contradicts the very basis of [this] legislation.”

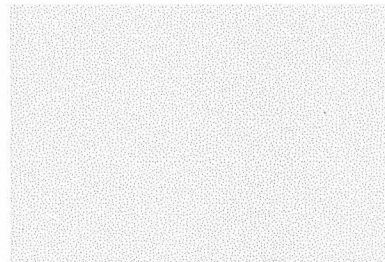
Now Sacramento policymakers are reevaluating how well the law is working. More than a dozen California tribal members gathered at the Capitol last week demanding information about the three denied missing-person alerts. They are also asking to remove a statute that requires local law enforcement to act as the buffer between tribes and the CHP, and to instead open the door for state and

tribal police to work together.

More to Read

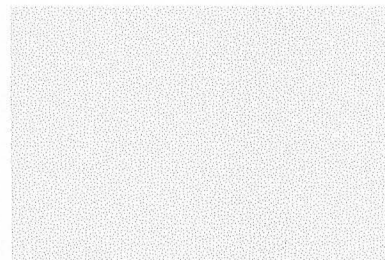
Community groups set up strike teams to respond to Trump's mass deportation plans

Jan. 25, 2025



Faulty evacuation alerts woke Angelenos in a panic. What's wrong with L.A.'s emergency system?

Jan. 11, 2025



New study shows more barriers to voting for Native Americans

Nov. 20, 2024



“The alert has to be issued by CHP the way it’s structured. But the middleman is the local law enforcement agency that the request comes into,” said CHP Commissioner Sean Duryee, who testified at the hearing. “Some do really, really good. What’s been expressed to us is that sometimes that middleman creates issues for the tribal communities.”

Her mother disappeared. Then her babysitter. A lawman fears she might be next

March 14, 2023

The Feather Alert, signed into law in 2022, was designed to be similar to the Amber Alert, which since its inception in 1996 has located more than 1,100 missing children nationwide. Assemblymember James Ramos (D-Highland), who was the first California Native American elected to the Legislature, said the state needed a separate system for missing Indigenous people because of high rates of violence and abductions in tribal communities. It's one of seven categories of missing-person alerts in California.

New data show that the CHP approved all six Amber Alert requests it received in the same year it denied three of the Feather Alert requests.

That included a 39-year-old man from the Big Valley Tribe who was found dead two days after he was reported missing to the Lake County Sheriff's Office.

Another request that was denied was in the case of a 14-year-old girl from the Pechanga Band of Indians who went missing at the end of June and was later found, according to a CHP spokesperson.

State officials did issue an alert for a teenage girl who went missing just this month. She was returned home on Jan. 21, said Yurok Tribe investigator Julia Oliveira, who credited the Feather Alert for helping officials find the girl.

Oliveira was hired by the Yurok Tribe last year, after serving 20 years at the Humboldt County Sheriff's Office, to work on missing and murdered cases in

the North Coast.

“I don’t think [the police] have a cultural understanding of why the Feather Alert was created,” Oliveira told The Times. “You’re talking to the folks who are trying to implement it and I think there is an educational void.”

Leaders and members from tribes around the state, including the Yurok and Me-Wuk, arrived early at the Capitol asking for clarity on Feather Alert requirements and for reports of missing persons to be treated with urgency.

“We can’t be caught in the middle of California Highway Patrol and the tribe,” said Chairman Joe James of the Yurok Tribe, who live near the lower Klamath River. “Why were they getting denied?”



CALIFORNIA

After recent killings on California reservation, tribes ask for help to stem violence

May 8, 2023

There are 151 active cases of missing American Indian/Alaska Natives in California. At least one of the denied Feather Alerts came out of Humboldt County, which currently has the highest number of cases.

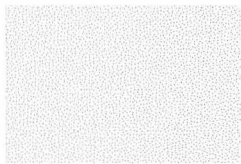
Duryee didn’t go into detail during the hearing about the denied cases, citing privacy laws, but said that the officer who responded to the requests “didn’t feel like the criteria were met.”

Tribal members said these denials are reminiscent of historical traumas linked

to decades of under-reported cases of missing and murdered people — the reason the Feather Alert was created in the first place.

“There are so many factors that go into determining if they’re missing,” Duryee said. “Just because someone doesn’t qualify for Feather Alert doesn’t mean we wash our hands clean.”

Duryee said law enforcement agencies still have the power to do “traditional police work,” such as using license plate recognition or cellphone data. “Just because an alert is not issued doesn’t mean law enforcement isn’t working on it,” he said.



WORLD & NATION

Native women are vanishing across the U.S. Inside an aunt’s desperate search for her niece

Jan. 31, 2020

During the emotional hours-long hearing before the Assembly Select Committee on Native American Affairs, Indigenous individuals voiced mistrust in the state’s system for reporting crimes and missing persons.

Merri Lopez-Keifer, director of Native American Affairs for the California Department of Justice, testified that her team is reevaluating data about crime against tribal members, citing potential “misidentification” of race and “underreporting.” She said missing-person reports allow for only one race category to be selected, which does not account for the “vast landscape and regional variations” across the state.

“This approach may overlook potential cases involving multiracial individuals,” Lopez-Keifer said. “It is especially relevant in the context of American Indian/Alaska Natives who are often racially misclassified as white, Hispanic or Asian.”

“We don’t necessarily know the number, it’s the truth,” she said.

Tribal communities are asking for amendments to the law, including giving tribal law enforcement the authority to issue Feather Alerts. Ramos said he plans to propose legislation in the coming weeks.

“Today’s hearing was meant to put ideas out into the open,” he told The Times. “And now we will go to work.”



Anabel Sosa

Anabel Sosa is a reporter for the Los Angeles Times’ Sacramento bureau, covering legislation and politics. She is a graduate of UC Berkeley’s School of Journalism and a California Local News fellow.

Testimony Prepared for the House Judiciary Committee

In opposition of House Bill No. 1535

February 3, 2025

By: Jessica Belgarde

Good morning. Chairman Ruby, Vice-Chairwoman Frelich, and members of the House Judicial Committee, my name is Jessica Belgarde, thank you for this opportunity to testify in opposition of House Bill No. 1535 Relating to the feather alert notice system; to amend and reenact section 54-35-23 of the North Dakota Century Code, relating to the committee on tribal and state relations; and to provide an appropriation.

I would like to start by stating that I am strongly in opposition of this bill. I would also say it is more so of the wording in this bill and not so much the bill itself. I do believe that Missing and Murdered Indigenous People (MMIP) is in fact at an all-time high and does not get enough coverage whether that be through media or any other state or national resource. But I also believe that those who do go “missing” is more of a humanity issue rather than an isolated racial issue. However, this bill does not specify in any detail the age demographic in which they are referring to or whether this bill is for the purpose of MMIP. Rather this bill states tribal members as a whole, in which I would say that North Dakota State wide alert systems work for all people not just one specific group.

After reading this introduction to the House Bill 1535 I as a civilian with no experience in politics or law I have already seen the failures in this bill. Which is why I am speaking out on this issue. This section does not give enough detail as to what requires such person to be considered “legally missing”. This section does not state the critical requirements that would

meant to help them is in fact not working. Rather than celebrating the two alerts that were activated and those individuals were found tribes have focused on the three denials due to not meeting the criteria. Sacramento policymakers are reevaluating how well this law is working. Native tribes and members are quoted in this article placing blame on the CPH and law enforcement for not having experience or knowledge of the bill or being culturally sensitive. This bill if passed has the potential to create a great divide between state and tribal people. Possibly a greater divide that already exists today. This would significantly impact state and tribal relations.

In this article Los Angeles Times cited the concerns from both state and tribe as well as the California Highway Patrol such as when a "Feather Alert" is denied by CPH or local law enforcement it is construed as a "cultural insensitivity issue". But a good and positive point "There are so many factors that go into determining if they're missing," Duryee said. "Just because someone doesn't qualify for Feather Alert doesn't mean we wash our hands clean". Duryee said law enforcement agencies still have the power to do "traditional police work," such as using license plate recognition or cellphone data. "Just because an alert is not issued doesn't mean law enforcement isn't working on it," he said.

One take away I would ask this committee to consider from this article is mistrust that has been verbalized by the California tribal members at their assembly speaking on this topic.

Now, most are probably wondering why I as a Native American enrolled in a North Dakota Tribe is speaking against this. I would like it known that I support anything that would help finding the Missing Murdered Indigenous People as well as any other race that has been missing

or murdered that is not what I am opposing. Rather, to have more clarification on what this bill enacts. What are the qualifications and requirements to report a missing person in tribal lands? Whose laws are we following in this alert? How does this perform without a hitch to find said missing person but having tribal and state working together with different laws to follow? There are so many more questions. So many gaps, so many ways this bill will fail if not properly enacted with all the crucial details. That is why this bill needs more clarification to try to alleviate any of these obstacles that could potentially crumble this bill.

I would like to also state the California is the first and only state to have a "Feather Alert" and they have had much confusion, dismay and obstacles trying to enact this law. One fact that should be greatly considered before passing this bill in North Dakota is California is a state with 110 federally recognized tribes and roughly 100 reservations. This factor is why California truly needs the "Feather Alert" whereas, North Dakota is a smaller state with only five federally recognized tribes that could also activate any of the North Dakota alert systems for their people as well. I have provided a copy of the California Government Code 8594.13 to better show how their bill outlines in great detail how the bill is followed as reference. As well as, the Los Angeles Times article.

In my own experience with tribal law, tribal court, and tribal entities it is not a good experience. After this said experience, I was met with resistance I went on to making revisions tribal laws to support state and federal laws and to make things fair for the tribal people and children. I have seen firsthand how a tribal court operates. Currently, Turtle Mountain Tribal Court has conducted juvenile court pertaining to child welfare for the past three years without a Guardian Ad Litem for any child ward to the tribal court. I have this information in court transcripts and

affidavits. With seeing firsthand and speaking with countless others on that tribe who have had similar and worst done to them I knew reading this bill there had to be more fine detail to ensure the tribes use the alert system to help locate missing people rather than to their advantage.

I would like to address an incident that happened on June 13, 2024. I will never forget this day. My home, my parents' home, my sister's home was raided by Federal Bureau of Investigation officers due to reports made by the tribe that my child was a Missing Murdered Indigenous Person. Among other things that were said was my family were "drug users, we sold drugs, and the child is more than likely dead". The Federal agents came from other states to assist and came into a situation preparing for the worst which is completely understandable with those claims. All statements of which are untrue. My attorney spoke with the Federal Agents and let them know we are in active fight through court process also letting them know that this is a civil child custody case. The agents immediately apologized and said to close their end they just needed to see the child. And they did, they seen a happy, healthy, loved little girl and they left that day. This was traumatizing beyond words for everyone involved and home that day. This is an act of abuse of power and switching the narrative to better suit the tribe to get what they wanted. My only reason for speaking up and saying this is because without guidelines, regulations, and every aspect being planned out more incidents like this will happen when in fact they shouldn't.

I am currently in a fight against the tribe for custody of my daughter after her civil rights were violated by the tribe. After the tribe was told through Burleigh and Morton courts that this is a civil child custody case the tribe then went on to contact and I quote from a court affidavit from the tribe's attorney "The Tribe's federal partners, the United States Attorney's Office, the Federal Bureau of Investigation, and the Bureau of Indian Affairs have all declined to assist the Tribe in

the physical custody recovery of I.V. claiming that this is a "custody" matter. Despite the clarity of the Court's August 5 Order, the Tribe's federal law enforcement partners still refuse to assist the Tribe in retrieving I.V." I am more than willing to give this committee copies of any and all court documents, affidavits and any other documents that shows the tribe has broken many laws. I believe this will show that with any bill being introduced into North Dakota Legislature needs to be combed over and every aspect be written in so tribes cannot do this or anything like this to anyone else. Also, so tribes cannot waste time and funding for issues that do not meet Federal and State guidelines. I would like to state a disclaimer; I am not speaking on all tribes and their intention as I have never worked with any other tribe but rather, I am speaking on the experiences I have had with this one tribe in particular. Also, anything I speak on I have documentation to support it.

Thank you, Chairman Ruby, Vice-Chairwoman Frelich, and members of the House Judicial Committee, for your time and giving me this platform to speak up against injustices and gaps when I see them. If any of you ladies and gentlemen have questions, I would gladly answer them. Once again, I strongly oppose to the passing of this bill and would hope that listening to my testimony, cited sources and experiences you will also oppose.

Good Morning Chairman Klemin, Vice Chair Karls, Vice Chair Vetter, and Members of the Committee,

For the record, my name is Mikalen Belgarde, and I am an enrolled member of the Turtle Mountain Band of Chippewa Indians. To understand the importance of addressing the current epidemic of Missing Indigenous Peoples in North Dakota, I must share why this topic is deeply personal to me. I wear multiple hats as an Indigenous public health professional, and I have a strong background in education and academics. I am a Ph.D. candidate in Indigenous Health, preparing to embark on my dissertation journey this fall. My research aims to support the Indigenous Peoples of North Dakota by identifying and advocating for culturally responsive prevention strategies to address the crisis of Missing and Murdered Indigenous Peoples (MMIP). This issue became personal to me as a sophomore at North Dakota State University, when I first experienced the heartbreaking reality of MMIP. It was all over the news—Savanna Greywind was missing. I remember joining the community search for her and walking from doorstep to doorstep in North Fargo asking if we could search homeowner's properties and garbage bins for Savannah. I was only 19 years old. Despite the desperate search efforts, she was not found until over a week later. We know that the first 48 hours of a missing person's case are critical in finding them alive. The ND Feather Alert system, proposed in House Bill 1535, would provide a statewide response to locate Missing Indigenous Peoples within that crucial time frame.

Beyond its life-saving potential, this bill also presents an economic benefit, reducing costs across multiple jurisdictions, including search and rescue efforts, investigations, and law enforcement resources. The data on violence against Indigenous Peoples is alarming:

- ◆ Indigenous Peoples experience violent crime at more than twice the national average.
- ◆ Indigenous women are murdered at 10 times the rate of non-Indigenous women.
- ◆ Murder is the third leading cause of death for Indigenous females under the age of 20.

While North Dakota has existing alert systems—Amber Alert, Blue Alert, and Silver Alert—none are specifically designed to address the unique challenges facing Missing Indigenous Peoples.

House Bill 1535 is an essential step forward. It would:

- Establish the Feather Alert to rapidly notify the public about Missing Indigenous People.
- Strengthen the existing Missing Indigenous Persons database to ensure more accurate and timely reporting.
- Provide a culturally informed and proactive approach to addressing this crisis.

There remains a critical need for research, action, and policy implementation to combat the disproportionate risks faced by Indigenous Peoples in North Dakota. The passage of this bill is not just about policy—it is about saving lives and ensuring that our communities do not continue to suffer in silence. I strongly urge you to support House Bill 1535 and take meaningful action to protect Indigenous lives.

Thank you for your time and the opportunity to testify today.

References:

1. 2020 North Dakota Human Trafficking Report. North Dakota Human Trafficking Task Force. (2020). <https://www.ndhttf.org/north-dakota-overview>
2. CAWS. (2020, April 15). Violence against Native Americans. CAWS North Dakota. <https://www.cawsnorthdakota.org/get-thefacts/violence-against-native-americans/>
3. Claiborne, R. (2022, October 18). "Silent crisis" - thousands of missing and murdered Native Americans: Professor Lewerenz is quoted. North Dakota Law. <https://blogs.und.edu/ndlaw/2022/10/silent-crisis-thousands-ofmissing-and-murdered-native-americans-professor-lewerenz-isquoted/>
4. McKinley, C. E., & Knipp, H. (2022). "You Can Get Away with Anything Here... No Justice at All"- Sexual Violence Against U.S. Indigenous Females and Its Consequences. *Gender issues*, 39(3), 291–319. <https://doi.org/10.1007/s12147-021-09291-6>
5. Nicholson, M. (2015, December 5). Colonialism as a determinant of health. Two-Eyed Seeing for Health. <https://2eyedhealth.wordpress.com/2015/12/05/colonialism-as-adeterminant-of-health/>
6. Martin, K. H. (2020). Violent victimization known to law enforcement in the Bakken oil-producing region of Montana and North Dakota, 2006-2012. Bureau of Justice Statistics. <https://bjs.ojp.gov/library/publications/violent-victimization-knownlaw-enforcement-bakken-oil-producing-region>
7. State of North Dakota. (n.d.). North Dakota Public alerts. ND Response. <https://ndresponse.gov/alert>
8. North Dakota Bureau of Criminal Investigation. (2012). North Dakota Bureau of Criminal Investigation Policy and Procedure Missing Persons. North Dakota Attorney General. <https://attorneygeneral.nd.gov/wpcontent/uploads/2022/11/OpenMeetingsManual.pdf>



North Dakota House of Representatives

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Representative Collette Brown

District 9 (SLT/TMBCI)
3395 89th Avenue NE
Warwick, ND, 58381-9409
cbrown@ndlegis.gov

COMMITTEES:

Industry, Business and Labor
Government and Veterans Affairs

February 3, 2025

Chairman Klemin and committee members, for the record my name is Collette Brown, District 9 Representative which encompasses the TMBCI and Spirit Lake Tribes.

Imagine the heart-wrenching fear of discovering that a loved one is missing—the uncertainty, the panic, and the desperate hope for their safe return. Now, imagine facing these emotions with limited resources, inadequate support, and without a system designed to quickly mobilize communities and law enforcement to locate your loved one. This is the reality for many Indigenous families across our nation. But there is a solution: the Feather Alert System.

The Feather Alert System is a critical tool designed to address the disproportionate rates at which Indigenous people, especially women and girls, go missing or are victims of violence. Like the AMBER Alert system used for abducted children, the Feather Alert would rapidly disseminate information through media, highway signs, and digital platforms, enlisting the public's help in locating missing Indigenous individuals.

Consider the success of AMBER and Silver Alerts. These systems have saved countless lives by quickly mobilizing communities. The Feather Alert would do the same, honoring the lives and dignity of Indigenous people while fostering a sense of collective responsibility and awareness.

Opponents may argue about costs or administrative burdens. However, the cost of inaction is far greater measured in lost lives, broken families, and communities left in perpetual grief. Implementing the Feather Alert System is not just a logistical decision; it's a moral responsibility.

I urge you all to support the creation of the Feather Alert System. As a public official and a tribally enrolled member of the Spirit Lake Tribe HB1535 is needed; as ND legislators we have an opportunity to have an effective collaboration between tribal, state, and federal agencies so that we can help all citizens of North Dakota spread awareness and stand in solidarity with our ND Tribes. Together, we can create a society where every missing person matters, every family receives the support they need, and no one is left searching alone.

Thank you for your time and consideration.



SPIRIT LAKE TRIBE

P.O. BOX 359 • FORT TOTTEN, ND 58335 • PHONE 701-766-4221 • FAX 701-766-4126

February 4, 2025

Testimony in Support of HB 1535 – The Feather Alert System
Chairwoman Lonna Street, Spirit Lake Tribe

Thank you, Chairman and members of the committee. My name is Lonna J. Street, Chairwoman of the Spirit Lake Tribe. I write to you today in strong support of HB 1535, the Feather Alert System.

Too many of our Native people have gone missing, and too many families are left without answers. Right now, Spirit Lake still searches for our missing—Jemini Posey, Isaac Hunt, and others whose names deserve to be spoken. But this isn't just about Spirit Lake. Every one of our surrounding Tribal Nations—Standing Rock, Turtle Mountain, Three Affiliated Tribes, Sisseton-Wahpeton Oyate—has lost someone. Families across our communities live with the pain of not knowing if their loved ones will ever come home.

When our people go missing, their names may fade from the news, but they never fade from our families and communities. Each day, we continue to search, to hope, to pray. The Feather Alert System is more than an emergency notice—it is action. It means that when a Native person goes missing, law enforcement and communities move quickly, because time can be the difference between bringing someone home or another unsolved case. It means no more families left searching alone, no more waiting for help that comes too late.

We have seen how effective alerts can be. In a recent Silver Alert in North Dakota, young people found the missing elder just in time; much longer, and it may have been too late. We need that same urgency, that same “just-in-time” help for our Native people. This system will make a difference. This system would have made a difference last year with our missing loved ones. However, I write about today. Today, you can choose to play a historic, unprecedented role in making a lasting difference.

Our people have always looked out for one another. We were raised to listen, to act, to protect. This bill follows that teaching. It gives our missing a voice. It gives families hope. It also says you are our neighbors, and you care too.

This is not just policy. It is kindness, support, and respect. It is doing what is right. Passing this bill means standing with Native families, it means being our friends, and it means making sure that no more mothers, fathers, or children are left to wonder if enough was done.

I urge you to pass HB 1535, and I thank you for working with us in bringing hope for our future.

Let's bring our people home.

Lonna J. Street

Chairwoman
Spirit Lake Tribe

Testimony in Support of House Bill 1535**Feather alert bill****To the Honorable Members of the Committee,****2/4/2025**

My name is James DeCoteau, and I am the Cultural Liaison to the Chairman of the Turtle Mountain Tribe, Vice President of the Turtle Mountain NAGPRA Committee, Co-Founder of the Turtle Mountain MMIP Chapter, and Lead Suit Instructor for the Turtle Mountain Impact Empowerment Self Defense program. I am honored to provide my testimony in support of House Bill 1535, which would create and enact a Feather Alert Notice System to aid in locating Indigenous individuals who are reported missing.

The creation of a Feather Alert Notice System is vital to the safety of Indigenous people in North Dakota and demonstrates a commitment to the welfare and protection of our communities. Every day, indigenous individuals—especially women and children—are disproportionately impacted by violence, abductions, and disappearances. Many of these cases go unnoticed or underreported. House Bill 1535 will help ensure that when a loved one goes missing, there is an effective and immediate response, drawing on the power of the Emergency Alert System to broadcast information to the public quickly and efficiently.

As a member of the Turtle Mountain Tribe and an advocate for Missing and Murdered Indigenous People (MMIP), I have seen firsthand the impacts of these tragedies on our families and communities. It is deeply encouraging to know that this bill will not only implement an alert system but also bring together tribal, state, and federal agencies in a collaborative effort to address this issue.

Furthermore, the establishment of a task force composed of representatives from various North Dakota tribes will foster the collaboration and communication necessary for the success of the system. This process will allow for the diverse needs and perspectives of all tribal communities to be considered, ensuring that the system is designed in a way that is both culturally appropriate and effective.

The appropriation of funds to the Indian Affairs Commission for the coordination, implementation, and evaluation of the Feather Alert Notice System is an essential step in making this initiative a reality. With proper resources, this bill can make a tangible difference in the lives of countless individuals and families across North Dakota.

For all these reasons, I wholeheartedly support House Bill 1535. This bill represents a crucial step toward creating a safer, more supportive environment for your Indigenous North Dakota constituents. It is an opportunity to take meaningful action and make a difference for those who have too often been overlooked.

Thank you for your time and consideration.

Sincerely,
James DeCoteau

Cultural Liaison to the Chairman, Turtle Mountain Tribe
Vice President, Turtle Mountain NAGPRA Committee
Co-Founder, Turtle Mountain MMIP Chapter
Lead Suit Instructor, Turtle Mountain Impact, Women's Empowerment Self-Defense
Cell P: (701)278-0155
E-mail: james.decoteau@tmbci.org

2025 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Room JW327B, State Capitol

HB 1535
2/4/2025

Relating to the committee on tribal and state relations; and to provide an appropriation.

3:45 p.m. Chairman Klemin opened the hearing.

Members Present: Chairman Klemin, Vice-Chairman Karls, Vice-Chairman Vetter, Representatives Christianson, Henderson, Hoverson, Johnston, McLeod, S. Olson, Tveit, Wolff, Schneider

Members Absent: Representatives Satrom, VanWinkle

Discussion Topics:

- Existing North Dakota alert systems
- Number of missing indigenes people in North Dakota

3:49 p.m. Representative McLeod moved to adopt the Amendments proposed on Feb 4, 2025, during the 10:30 a.m. hearing in testimony #37748.

3:49 p.m. Representative Vetter seconded the motion.

Representatives	Vote
Representative Lawrence R. Klemin	Y
Representative Karen Karls	Y
Representative Steve Vetter	Y
Representative Nels Christianson	Y
Representative Donna Henderson	Y
Representative Jeff Hoverson	Y
Representative Daniel Johnston	Y
Representative Carrie McLeod	Y
Representative SuAnn Olson	Y
Representative Bernie Satrom	A
Representative Mary Schneider	Y
Representative Bill Tveit	Y
Representative Lori VanWinkle	A
Representative Christina Wolff	Y

3:56 p.m. Motion passed 12-0-2

3:56 p.m. Representative McLeod moved a Do Pass as Amended and Rerefer to Appropriations.

3:56 p.m. Representative Schneider seconded the motion.

Representatives	Vote
Representative Lawrence R. Klemin	Y
Representative Karen Karls	Y
Representative Steve Vetter	Y
Representative Nels Christianson	Y
Representative Donna Henderson	Y
Representative Jeff Hoverson	Y
Representative Daniel Johnston	Y
Representative Carrie McLeod	Y
Representative SuAnn Olson	Y
Representative Bernie Satrom	A
Representative Mary Schneider	Y
Representative Bill Tveit	Y
Representative Lori VanWinkle	A
Representative Christina Wolff	N

4:00 p.m. Motion passed 11-1-2

4:00 p.m. Representative McLeod will carry the bill.

4:00 p.m. Chairman Klemin closed the hearing.

Wyatt Armstrong, Committee Clerk

February 4, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1535

Introduced by

Representatives Davis, Finley-DeVille, Martinson, Satrom, Schneider, Brown, Sanford,
Swiontek

Senators Braunberger, Cory, Lee

1 A BILL for an Act to create and enact a new section to chapter 39-03 of the North Dakota
2 Century Code, relating to the feather alert notice system; to amend and reenact section
3 54-35-23 of the North Dakota Century Code, relating to the committee on tribal and state
4 relations; and to provide an appropriation.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1.** A new section to chapter 39-03 of the North Dakota Century Code is created
7 and enacted as follows:

8 **Feather alert notice system - Report.**

- 9 1. The ~~superintendent~~highway patrol, in cooperation with the bureau of criminal
10 investigation and the division of state radio of the department of emergency services,
11 shall establish a feather alert notice system to activate an urgent bulletin using the
12 emergency alert system to air a description of an indigenous individual who has been
13 reported to law enforcement as missing and to aid in the location of that individual.
14 2. A law enforcement agency may request the bureau of criminal investigation or the
15 ~~superintendent~~highway patrol to activate a feather alert notice if the agency
16 determines that all of the following conditions are met:
17 a. The missing individual is an Indigenous individual;
18 b. The law enforcement agency utilized available local, tribal, and state resources;
19 c. The law enforcement agency determined the individual is missing under
20 unexplained, suspicious, or dangerous circumstances;

- 1 d. The law enforcement agency believes the individual is in imminent danger due to
2 factors such as age, health, mental or physical disability, environment or weather
3 conditions, or the possibility of being in the company of a dangerous individual;
4 e. There is sufficient descriptive information available regarding the missing
5 individual, the suspect, or a related vehicle to assist in recovery efforts; and
6 f. The law enforcement agency confirms the case involves a suspected abduction,
7 or the missing individual is believed to be in danger of serious bodily harm or
8 death.
- 9 3. The bureau of criminal investigation, in cooperation with the highway patrol, shall
10 prepare an operational plan to prepare for and respond to requests for activation of a
11 feather alert notice. The plan must include the role and requirements of the division of
12 state radio of the department of emergency services in broadcasting an alert to the
13 public, including alerts in indigenous languages when required. The bureau of criminal
14 investigation, in coordination with the highway patrol and the department of
15 emergency services, shall oversee the activation logistics and dissemination of alerts.
- 16 4. The Indian affairs commission shall ~~oversee the implementation of the feather alert~~
17 ~~notice system, and~~ serve as the primary liaison between tribal, state, and federal
18 agencies regarding the feather alert notice system and assist with public education,
19 outreach, and advocacy efforts. The bureau of criminal investigation and the highway
20 patrol shall issue an annual report to the Indian affairs commission on the
21 effectiveness and implementation of the feather alert system. The bureau of criminal
22 investigation and the highway patrol shall present the report and findings at an annual
23 listening session with tribal leaders.
- 24 5. The ~~superintendent~~ highway patrol, in cooperation with a representative of each
25 federally recognized tribe in the state, shall:
- 26 a. Promote public trust and understanding of the feather alert notice system through
27 community outreach and law enforcement training programs.
- 28 b. Hold an annual public meeting and make recommendations to the director of the
29 bureau of criminal investigation concerning improvements to the feather alert
30 notice system.

SECTION 2. AMENDMENT. Section 54-35-23 of the North Dakota Century Code is amended and reenacted as follows:

54-35-23. Committee on tribal and state relations - Membership - Duties.

1. The committee on tribal and state relations is composed of seven members as follows:
 - a. A chairman designated by the chairman of the legislative management;
 - b. Three members of the house of representatives, two of whom must be selected by the leader representing the majority faction of the house of representatives and one of whom must be selected by the leader representing the minority faction of the house of representatives; and
 - c. Three members of the senate, two of whom must be selected by the leader representing the majority faction of the senate and one of whom must be selected by the leader representing the minority faction of the senate.
2. The committee shall meet at such times and places as determined by the chairman. The legislative council shall provide staffing for the committee.
3. The committee shall conduct joint meetings with the North Dakota tribal governments' task force to study tribal-state issues, including government-to-government relations, human services, education, corrections, and issues related to the promotion of economic development and shall evaluate the feather alert notice system under section 1 of this Act. After the joint meetings have concluded, the committee shall meet to prepare a report on its findings and recommendations, together with any legislation required to implement those recommendations, to the legislative management.
4. The members of the committee are entitled to compensation from the legislative council for attendance at committee meetings at the rate provided for members of the legislative assembly for attendance at interim committee meetings and are entitled to reimbursement for expenses incurred in attending the meetings in the amounts provided by law for other state officers.
5. a. The North Dakota tribal governments' task force is composed of six members as follows:
 - (1) The executive director of the Indian affairs commission, or the executive director's designee;

- 1 (2) The chairman of the Standing Rock Sioux Tribe, or the chairman's
- 2 designee;
- 3 (3) The chairman of the Spirit Lake Tribe, or the chairman's designee;
- 4 (4) The chairman of the Three Affiliated Tribes of the Fort Berthold Reservation,
- 5 or the chairman's designee;
- 6 (5) The chairman of the Turtle Mountain Band of Chippewa Indians, or the
- 7 chairman's designee; and
- 8 (6) The chairman of the Sisseton-Wahpeton Oyate of the Lake Traverse
- 9 Reservation, or the chairman's designee.
- 10 b. If the executive director of the Indian affairs commission or any of the tribal
- 11 chairmen appoint a designee to serve on the task force, only one individual may
- 12 serve as that designee during the biennium. A substitute designee may be
- 13 appointed by the executive director of the Indian affairs commission or a tribal
- 14 chairman in the event of the death, incapacity, resignation, or refusal to serve of
- 15 the initial designee.

16 **SECTION 3. APPROPRIATION - INDIAN AFFAIRS COMMISSION - FEATHER ALERT**

17 **NOTICE SYSTEM - FULL-TIME EQUIVALENT POSITION.** There is appropriated out of any
18 moneys in the general fund in the state treasury, not otherwise appropriated, the sum of
19 \$250,000, or so much of the sum as may be necessary, to the Indian affairs commission for the
20 purpose of coordinating, implementing, and evaluating the feather alert notice system, and for
21 one full-time equivalent position, for the biennium beginning July 1, 2025, and ending June 30,
22 2027. Funding under this section is available for salaries and wages, operating expenses, and
23 capital assets.

**REPORT OF STANDING COMMITTEE
HB 1535**

Judiciary Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS** ([25.1040.02001](#)) and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (11 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). HB 1535 was placed on the Sixth order on the calendar.

Proposed Amendments to House Bill 1535

Feather Alert System

SECTION 1. AMENDMENT TO CRITERIA FOR ACTIVATION OF A FEATHER ALERT

Subsection 2 of Section 1 is amended to read as follows:

A law enforcement agency may request the Bureau of Criminal Investigation or the Highway Patrol to activate a Feather Alert notice if the agency determines that all of the following conditions are met:

- a. The missing person is an Indigenous person.
- b. The investigating law enforcement agency has utilized available local, tribal, and state resources.
- c. The law enforcement agency determines that the person has gone missing under unexplained, suspicious, or dangerous circumstances.
- d. The law enforcement agency believes that the person is in imminent danger due to factors such as age, health, mental or physical disability, environment or weather conditions, or the possibility of being in the company of a dangerous person.
- e. There is sufficient descriptive information available regarding the missing person, the suspect, or a related vehicle to assist in recovery efforts.
- f. The law enforcement agency confirms the case involves a suspected abduction, or the missing individual is believed to be in grave danger of serious bodily harm or death.

SECTION 2. AMENDMENT TO IMPLEMENTATION AND OVERSIGHT

Subsection 4 of Section 1 is amended to read as follows:

The Indian Affairs Commission shall serve as the primary liaison between tribal, state, and federal agencies regarding the Feather Alert notice system and assist with public education, outreach, and advocacy efforts. The commission shall receive an annual report from the Highway Patrol and Bureau of Criminal Investigation on the effectiveness and implementation of the system and present findings at the annual listening session with tribal leaders.

SECTION 3. TECHNICAL REVISIONS FOR AGENCY TERMINOLOGY

Throughout the bill, the following updates shall be made for consistency with SB 2098 and current North Dakota emergency alert procedures:

- Replace "**superintendent**" with "**Highway Patrol**" to allow for efficient delegation of authority.
- Clarify that the **Bureau of Criminal Investigation (BCI)**, in coordination with the **North Dakota Highway Patrol (NDHP)** and **North Dakota Department of Emergency Services (NDDes)**, will handle activation logistics and dissemination of alerts.

2025 HOUSE APPROPRIATIONS

HB 1535

2025 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee Roughrider Room, State Capitol

HB 1535
2/20/2025

A BILL for an Act to create and enact a new section to chapter 39-03 of the North Dakota Century Code, relating to the feather alert notice system; and to amend and reenact section 54-35-23 of the North Dakota Century Code, relating to the committee on tribal and state relations.

4:12 p.m. Chairman Vigesaa called the meeting to order.

Members present: Chairman Vigesaa, Vice Chairman Kempenich, Representatives Anderson, Berg, Bosch, Brandenburg, Fisher, Hanson, Louser, Martinson, Meier, Mitskog, Monson, Murphy, Nathe, Nelson, O'Brien, Pyle, Richter, Sanford, Stemen, Swiontek, Wagner

Discussion Topics:

- States Alert Systems
- Amber Alerts
- Ashanti Alert

4:12 p.m. Representative Vetter described bill.

4:18 p.m. Sergeant Jenna Clawson, Alerts Coordinator, ND Highway Patrol answered questions.

4:25 p.m. Chairman Vigesaa closed the meeting.

Krystal Eberle for Risa Berube, Committee Clerk

2025 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee Roughrider Room, State Capitol

HB 1535
2/20/2025

Relating to the feather alert notice system; to amend and reenact section 54-35-23 of the North Dakota Century Code, relating to the committee on tribal and state relations; and to provide an appropriation.

6:52 p.m. Chairman Vigesaa Called the meeting to order

Members present: Chairman Vigesaa, Vice Chairman Kempenich, Representatives Anderson, Berg, Bosch, Brandenburg, Fisher, Hanson, Martinson, Meier, Mitskog, Monson, Murphy, Nathe, Nelson, O'Brien, Pyle, Richter, Sanford, Stemen, Swiontek, Wagner

Member absent: Representative Louser

Discussion Topics:

- Committee Action

6:52 p.m. Chairman Vigesaa recapped the bill.

6:59 p.m. Representative J. Nelson moved to amend to delete section 3 of the bill.

6:59 p.m. Representative Monson seconded the motion.

7:04 p.m. Roll call vote

Representatives	Vote
Representative Don Vigesaa	Y
Representative Keith Kempenich	Y
Representative Bert Anderson	Y
Representative Mike Berg	Y
Representative Glen Bosch	Y
Representative Mike Brandenburg	Y
Representative Jay Fisher	Y
Representative Karla Rose Hanson	Y
Representative Scott Louser	AB
Representative Bob Martinson	Y
Representative Lisa Meier	Y
Representative Alisa Mitskog	Y
Representative David Monson	Y
Representative Eric J. Murphy	Y
Representative Mike Nathe	Y
Representative Jon O. Nelson	Y
Representative Emily O'Brien	Y
Representative Brandy L. Pyle	Y

Representative David Richter	Y
Representative Mark Sanford	Y
Representative Gregory Stemen	Y
Representative Steve Swiontek	Y
Representative Scott Wagner	Y

7:04 p.m. Motion passed 22-0-1.

7:06 p.m. Representative J. Nelson moved for a Do Pass as amended.

7:06 p.m. Representative Mitskog seconded the motion.

7:06 p.m. Roll call vote

Representatives	Vote
Representative Don Vigesaa	Y
Representative Keith Kempenich	N
Representative Bert Anderson	Y
Representative Mike Berg	Y
Representative Glen Bosch	Y
Representative Mike Brandenburg	Y
Representative Jay Fisher	Y
Representative Karla Rose Hanson	Y
Representative Scott Louser	AB
Representative Bob Martinson	Y
Representative Lisa Meier	Y
Representative Alisa Mitskog	Y
Representative David Monson	Y
Representative Eric J. Murphy	Y
Representative Mike Nathe	N
Representative Jon O. Nelson	Y
Representative Emily O'Brien	Y
Representative Brandy L. Pyle	Y
Representative David Richter	Y
Representative Mark Sanford	Y
Representative Gregory Stemen	N
Representative Steve Swiontek	Y
Representative Scott Wagner	Y

7:06 p.m. Motion passed 19-3-1.

7:06 p.m. Representative Mitskog will carry the bill.

7:08 p.m. Chairman Vigesaa closed the meeting.

Krystal Eberle for Risa Berube, Committee Clerk

February 20, 2025

2.21.25

Sixty-ninth
Legislative Assembly
of North Dakota

**PROPOSED AMENDMENTS TO
FIRST ENGROSSMENT**

JB 144

ENGROSSED HOUSE BILL NO. 1535

Introduced by

Representatives Davis, Finley-DeVile, Martinson, Satrom, Schneider, Brown, Sanford,
Swiontek

Senators Braunberger, Cory, Lee

1 A BILL for an Act to create and enact a new section to chapter 39-03 of the North Dakota
2 Century Code, relating to the feather alert notice system; and to amend and reenact section
3 54-35-23 of the North Dakota Century Code, relating to the committee on tribal and state
4 relations; ~~and to provide an appropriation.~~

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1.** A new section to chapter 39-03 of the North Dakota Century Code is created
7 and enacted as follows:

8 **Feather alert notice system - Report.**

- 9 1. The highway patrol, in cooperation with the bureau of criminal investigation and the
10 division of state radio of the department of emergency services, shall establish a
11 feather alert notice system to activate an urgent bulletin using the emergency alert
12 system to air a description of an indigenous individual who has been reported to law
13 enforcement as missing and to aid in the location of that individual.
14 2. A law enforcement agency may request the bureau of criminal investigation or the
15 highway patrol to activate a feather alert notice if the agency determines that all of the
16 following conditions are met:
17 a. The missing individual is an Indigenous individual;
18 b. The law enforcement agency utilized available local, tribal, and state resources;

- 1 c. The law enforcement agency determined the individual is missing under
- 2 unexplained, suspicious, or dangerous circumstances;
- 3 d. The law enforcement agency believes the individual is in imminent danger due to
- 4 factors such as age, health, mental or physical disability, environment or weather
- 5 conditions, or the possibility of being in the company of a dangerous individual;
- 6 e. There is sufficient descriptive information available regarding the missing
- 7 individual, the suspect, or a related vehicle to assist in recovery efforts; and
- 8 f. The law enforcement agency confirms the case involves a suspected abduction,
- 9 or the missing individual is believed to be in danger of serious bodily harm or
- 10 death.
- 11 3. The bureau of criminal investigation, in cooperation with the highway patrol, shall
- 12 prepare an operational plan to prepare for and respond to requests for activation of a
- 13 feather alert notice. The plan must include the role and requirements of the division of
- 14 state radio of the department of emergency services in broadcasting an alert to the
- 15 public, including alerts in indigenous languages when required. The bureau of criminal
- 16 investigation, in coordination with the highway patrol and the department of
- 17 emergency services, shall oversee the activation logistics and dissemination of alerts.
- 18 4. The Indian affairs commission shall serve as the primary liaison between tribal, state,
- 19 and federal agencies regarding the feather alert notice system and assist with public
- 20 education, outreach, and advocacy efforts. The bureau of criminal investigation and
- 21 the highway patrol shall issue an annual report to the Indian affairs commission on the
- 22 effectiveness and implementation of the feather alert system. The bureau of criminal
- 23 investigation and the highway patrol shall present the report and findings at an annual
- 24 listening session with tribal leaders.
- 25 5. The highway patrol, in cooperation with a representative of each federally recognized
- 26 tribe in the state, shall:
- 27 a. Promote public trust and understanding of the feather alert notice system through
- 28 community outreach and law enforcement training programs.
- 29 b. Hold an annual public meeting and make recommendations to the director of the
- 30 bureau of criminal investigation concerning improvements to the feather alert
- 31 notice system.

SECTION 2. AMENDMENT. Section 54-35-23 of the North Dakota Century Code is amended and reenacted as follows:

54-35-23. Committee on tribal and state relations - Membership - Duties.

1. The committee on tribal and state relations is composed of seven members as follows:
 - a. A chairman designated by the chairman of the legislative management;
 - b. Three members of the house of representatives, two of whom must be selected by the leader representing the majority faction of the house of representatives and one of whom must be selected by the leader representing the minority faction of the house of representatives; and
 - c. Three members of the senate, two of whom must be selected by the leader representing the majority faction of the senate and one of whom must be selected by the leader representing the minority faction of the senate.
2. The committee shall meet at such times and places as determined by the chairman. The legislative council shall provide staffing for the committee.
3. The committee shall conduct joint meetings with the North Dakota tribal governments' task force to study tribal-state issues, including government-to-government relations, human services, education, corrections, and issues related to the promotion of economic development and shall evaluate the feather alert notice system under section 1 of this Act. After the joint meetings have concluded, the committee shall meet to prepare a report on its findings and recommendations, together with any legislation required to implement those recommendations, to the legislative management.
4. The members of the committee are entitled to compensation from the legislative council for attendance at committee meetings at the rate provided for members of the legislative assembly for attendance at interim committee meetings and are entitled to reimbursement for expenses incurred in attending the meetings in the amounts provided by law for other state officers.
5. a. The North Dakota tribal governments' task force is composed of six members as follows:
 - (1) The executive director of the Indian affairs commission, or the executive director's designee;

- 1 (2) The chairman of the Standing Rock Sioux Tribe, or the chairman's
- 2 designee;
- 3 (3) The chairman of the Spirit Lake Tribe, or the chairman's designee;
- 4 (4) The chairman of the Three Affiliated Tribes of the Fort Berthold Reservation,
- 5 or the chairman's designee;
- 6 (5) The chairman of the Turtle Mountain Band of Chippewa Indians, or the
- 7 chairman's designee; and
- 8 (6) The chairman of the Sisseton-Wahpeton Oyate of the Lake Traverse
- 9 Reservation, or the chairman's designee.
- 10 b. If the executive director of the Indian affairs commission or any of the tribal
- 11 chairmen appoint a designee to serve on the task force, only one individual may
- 12 serve as that designee during the biennium. A substitute designee may be
- 13 appointed by the executive director of the Indian affairs commission or a tribal
- 14 chairman in the event of the death, incapacity, resignation, or refusal to serve of
- 15 the initial designee.

16 ~~SECTION 3. APPROPRIATION - INDIAN AFFAIRS COMMISSION - FEATHER ALERT~~
17 ~~NOTICE SYSTEM - FULL-TIME EQUIVALENT POSITION. There is appropriated out of any~~
18 ~~moneys in the general fund in the state treasury, not otherwise appropriated, the sum of~~
19 ~~\$250,000, or so much of the sum as may be necessary, to the Indian affairs commission for the~~
20 ~~purpose of coordinating, implementing, and evaluating the feather alert notice system, and for~~
21 ~~one full-time equivalent position, for the biennium beginning July 1, 2025, and ending June 30,~~
22 ~~2027. Funding under this section is available for salaries and wages, operating expenses, and~~
23 ~~capital assets.~~

**REPORT OF STANDING COMMITTEE
ENGROSSED HB 1535**

Appropriations Committee (Rep. Vigesaa, Chairman) recommends **AMENDMENTS** ([25.1040.03001](#)) and when so amended, recommends **DO PASS** (19 YEAS, 3 NAYS, 1 ABSENT OR EXCUSED AND NOT VOTING). HB 1535 was placed on the Sixth order on the calendar.

2025 SENATE STATE AND LOCAL GOVERNMENT

HB 1535

2025 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee Room JW216, State Capitol

HB 1535
3/27/2025

Relating to the feather alert notice system; and to the committee on tribal and state relations.

2:47 p.m. Chair Roers called the hearing to order.

Members Present: Chairman Roers; Vice Chair Castaneda; Senators: Barta, Braunberger, Lee and Walen.

Discussion Topics:

- Missing indigenous people
- Dedicated alert system
- Needed to save lives
- Represents hope
- Enhance public awareness
- Missing and Endangered Persons Alert

2:47 p.m. Representative Davis, District #9, introduced the bill and submitted testimony #44329.

2:57 p.m. Romy Bullhead, Family of Renzel Bullhead, testified in favor and submitted testimony #44333 (Renzel's mom, Roxy Leaf, was at the podium with Romy).

3:03 p.m. Representative Brown, District #9, testified in favor and submitted testimony #44335.

3:08 p.m. Alva Cottonwood Gabe, citizen, testified in favor.

3:13 p.m. Na-Ja Marshall, Sergeant at Arms Sitting Bull College Student Government, testified in favor and submitted testimony #44194.

3:14 p.m. Tanner Veo, Sitting Bull College Government Secretary/Treasurer, testified in favor and submitted testimony #44320.

3:17 p.m. Melanie Moniz, citizen, testified in favor.

3:20 p.m. Representative Finley-DeVille, District #4A, testified in favor and submitted testimony #44338.

3:29 p.m. Representative Davis, District #9, answered questions from the committee.

3:35 p.m. Vicky Alberts, New Town College and ND School of Law, testified in favor.

3:40 p.m. Jenna Clawson Huibregtse, Lieutenant ND Highway Patrol, testified in opposition and submitted testimony #44319.

4:00 p.m. Steven Harstad, Chief Agent ND Bureau of Criminal Investigation, testified in opposition.

Additional written testimony:

James DeCoteau, MMIP/NAGPRA Cultural Liaison and Turtle Mountain Band of Chippewa Indians Chairmans Assistant, submitted testimony in favor #43771.

Jamie Azure, TMBCI Chairman Turtle Mountain Band of Chippewa Indians, submitted testimony in favor #44313.

Erin Belgarde, Community Innovation Research and Development Director Turtle Mountain Band of Chippewa Indians, submitted testimony in favor #43668.

4:05 p.m. Chair Roers closed the hearing.

Susan Helbling, Committee Clerk

WRITTEN TESTIMONY IN SUPPORT OF TO HB 1535

Date of Hearing: March 27, 2025

Erin J. Belgarde, 807 John Street, Rolette, ND 58366

Committee chair and members of the committee, my name is Erin Belgarde and I have worked for the Turtle Mountain Band of Indian Reservation in Belcourt North Dakota for 16.5 years. I am speaking today in support of House Bill 1535. As a proud indigenous Female, I know how crucial it is to pass this bill.

For decades, Native American and Alaska Native communities have struggled with high rates of assault, abduction, and murder of tribal members. Unfortunately, not all crimes are reported but still the statistics are high for MMIW.

- Nationally, Native Woman are more than twice as likely to be raped or sexually abused assaulted than any other group of females.
- On some reservations, the rate of homicide among Native Women exceeds the National Average by more than tenfold.
- Nearly one in three Native American Women will experience rape or attempted rape in their lifetime.

These statistics are alarming. My entire life I have had to look behind me to make sure no one was following me, leave elevators that only carried myself and a male, ask people to follow me to my car in the parking lot. The threat has always been there. Please help us add resources to the threat.

Please support HB 1535

Respectfully, Erin J. Belgarde, 807 John Street, Rolette, ND 58366

Testimony in Support of House Bill 1535**Feather alert bill****To the Honorable Members of the Committee,****3/27/2025**

My name is James DeCoteau, and I am the Cultural Liaison to the Chairman of the Turtle Mountain Tribe, Vice President of the Turtle Mountain NAGPRA Committee, Co-Founder of the Turtle Mountain MMIP Chapter, and Lead Suit Instructor for the Turtle Mountain Impact Empowerment Self Defense program. I am honored to provide my testimony in support of House Bill 1535, which would create and enact a Feather Alert Notice System to aid in locating Indigenous individuals who are reported missing.

The creation of a Feather Alert Notice System is vital to the safety of Indigenous people in North Dakota and demonstrates a commitment to the welfare and protection of our communities. Every day, indigenous individuals—especially women and children—are disproportionately impacted by violence, abductions, and disappearances. Many of these cases go unnoticed or underreported. House Bill 1535 will help ensure that when a loved one goes missing, there is an effective and immediate response, drawing on the power of the Emergency Alert System to broadcast information to the public quickly and efficiently.

As a member of the Turtle Mountain Tribe and an advocate for Missing and Murdered Indigenous People (MMIP), I have seen firsthand the impacts of these tragedies on our families and communities. It is deeply encouraging to know that this bill will not only implement an alert system but also bring together tribal, state, and federal agencies in a collaborative effort to address this issue.

Furthermore, the establishment of a task force composed of representatives from various North Dakota tribes will foster the collaboration and communication necessary for the success of the system. This process will allow for the diverse needs and perspectives of all tribal communities to be considered, ensuring that the system is designed in a way that is both culturally appropriate and effective.

The appropriation of funds to the Indian Affairs Commission for the coordination, implementation, and evaluation of the Feather Alert Notice System is an essential step in making this initiative a reality. With proper resources, this bill can make a tangible difference in the lives of countless individuals and families across North Dakota.

For all these reasons, I wholeheartedly support House Bill 1535. This bill represents a crucial step toward creating a safer, more supportive environment for your Indigenous North Dakota constituents. It is an opportunity to take meaningful action and make a difference for those who have too often been overlooked.

Thank you for your time and consideration.

Sincerely,
James DeCoteau

Cultural Liaison to the Chairman, Turtle Mountain Tribe
Vice President, Turtle Mountain NAGPRA Committee
Co-Founder, Turtle Mountain MMIP Chapter
Lead Suit Instructor, Turtle Mountain Impact, Women's Empowerment Self-Defense

Cell P: (701)278-0155

E-mail: james.decoteau@tmbci.org



Sierra Wessel | *President*

Tia Luger | *Vice President*

Tanner Veo | *Secretary/Treasurer*

Na-Ja J. Marshall | *Sergeant-At-Arms*

Dear Honorable Members of the Committee,

I am writing to express my strong support for North Dakota House Bill 1535, which aims to establish and improve the Feather Alert notice system and amend section 54-35-23 of the North Dakota Century Code relating to the Committee on Tribal and State Relations. This bill is an essential step toward ensuring the safety and well-being of Indigenous communities in North Dakota, and I believe it is critical to the protection of vulnerable individuals across our state.

The Feather Alert notice system, as proposed in HB 1535, would serve as a vital tool in locating and safely recovering missing Indigenous persons, particularly women and children. The tragic and disproportionate rates of missing Indigenous individuals in our country, including here in North Dakota, make it imperative that we take action to address this issue. Implementing a statewide alert system tailored to Indigenous communities will help raise awareness, expedite responses, and engage both state and tribal law enforcement in a coordinated effort to locate and return missing persons more effectively.

Additionally, the bill's proposed amendments to the Committee on Tribal and State Relations will further strengthen communication and collaboration between state and tribal authorities. This is essential for ensuring that the needs and concerns of Indigenous communities are properly addressed, and that both parties are working together in the best interest of public safety.



As a Student Government Member for the Tribal College Sitting Bull College, I have witnessed firsthand the challenges faced by Indigenous communities when it comes to the reporting and resolution of missing persons cases. HB 1535 offers a solution that will not only enhance the safety of our Indigenous neighbors but also foster greater trust and cooperation between tribal and state entities.

By supporting this bill, we can send a strong message that North Dakota stands with its Indigenous communities, prioritizing their safety and ensuring that all individuals, regardless of their background, have the protection they deserve. I urge the committee to support House Bill 1535 and move it forward for passage.

Thank you for your time and consideration.

Warm Regards,

Sierra Wessel | *President*

Tia Luger | *Vice President*

Tanner Veo | *Secretary/Treasurer*

Na-Ja J. Marshall | *Sergeant-At-Arms*



TURTLE MOUNTAIN BAND OF CHIPPEWA INDIANS

4180 Hwy 281
P.O. BOX 900
BELCOURT, ND 58316

(701) 477-2600
Fax: (701) 477-0916
www.tmchippewa.com

TESTIMONY IN SUPPORT OF TO HB 1535

Date of Hearing: March 27, 2025

TMBCI Tribal Chairman

Jamie Azure,

4180 Hwy 281, Belcourt ND 58316

Committee chair and members of the committee, my name is Jamie Azure and I am the Tribal Chairman of the Turtle Mountain Band of Chippewa. I would like to thank you for allowing this time for myself and others to speak on behalf of an extremely important subject today. I speak today in support of House Bill 1535.

I support this bill with a more important title than Tribal Chairman. I am a father of two beautiful, amazing teenage daughters. It breaks my heart knowing that many parents across Native Nation suffer with not knowing the fate of their children who are missing or without closure.

For decades, Native American and Alaska Native communities have struggled with high rates of assault, abduction, and murder of tribal members. Unfortunately, not all crimes are reported yet the statistics are high for MMIW.

- Nationally, Native Woman are more than twice as likely to be raped or sexually abused assaulted than any other group of females.
- On some reservations, Native women are murdered at more than ten times the national average.
- Nearly one in three Native American Women will experience rape or attempted rape in their lifetime.

These facts I've mentioned today are alarming. We need to do better. A feather alert will work. Data does matter. The lives of all people matter. We will make a difference when these resources and more work together with the common goal of saving lives.

Support for HB 1535 is important because it addresses the critical issue of high rates of assault, abduction, and murder among Native American and Alaska Native communities. The bill aims to improve resources to Native Communities. By supporting this bill, the goal is to save lives, provide closure for affected families, and ensure that the lives of Native lives are protected and valued.

I humbly ask the committee to support HB 1535

Respectfully, Chairman Jamie Azure, 4180 Hwy 281, Belcourt ND 58316



**69th Legislative Assembly**

Testimony in opposition

House Bill No. 1535**Senate State and Local Government Committee**

March 27, 2025

TESTIMONY OF

Lieutenant Jenna Clawson Huibregtse

Good afternoon, Chair Roers, Vice Chair Castenada, and members of the Senate State and Local Government Committee. My name is Jenna Clawson Huibregtse, and I proudly serve as a lieutenant with the North Dakota Highway Patrol. I operate as the Safety and Education commander, and some of my duties include operating as North Dakota's alerts coordinator and overseeing the agency's cultural liaison officer program.

Greater awareness and public involvement in recognizing and addressing the crisis of missing and murdered indigenous people is paramount. In my testimony, I will offer a high-level overview of the existing alerts, current SB 2098 and its changes to the alerts system, how alerts are processed, the importance of strict criteria, and current issues with the alerts system.

High-Level Overview of Alerts

The alerts system consists of many entities including: local law enforcement, BCI, highway patrol, and Emergency Services including state radio and the watch center.

AMBER Alert (exists as an executive order, also in SB 2098)

1. Exist for abducted children who are 17 years of age or younger
2. Confirmation by local law enforcement of a stranger or family abduction in which the child is believed to be in grave danger serious bodily harm or death,
3. There is descriptive information about the child, abductor, and/or suspect's vehicle to assist with a safe recovery.

Blue Alert

1. An individual has threatened a law enforcement officer with a deadly weapon, has used a deadly weapon against a law enforcement officer, has caused a law enforcement officer to suffer serious bodily injury or death, or the officer has been abducted or is missing while on duty;
2. The individual has fled the scene of the offense and a description of the individual or the individual's vehicle is available for broadcast;
3. The law enforcement agency investigating the offense has determined the individual poses a threat to the public or other law enforcement personnel; and
4. Dissemination of available information to the public may help avert further harm or assist in the apprehension of the suspect.

Silver Alerts

1. The missing person involves a vulnerable adult as defined under NDCC 50-25.2-01 or vulnerable elderly adult, who is at least 65 years old, as defined under NDCC 12.1-31-07, who has been reported to law enforcement as missing.
2. The missing person involves a minor who has developmental disabilities, as defined under NDCC 25-01.2-01, who has been reported to law enforcement as missing.
3. There is descriptive information about the minor or adult and/or vehicle involved, to assist with the safe recovery of the person.
4. There is enough usable information about the person and/or vehicle to believe an immediate broadcast will provide the public with descriptive information to help locate the person or vehicle.

Senate Bill 2098 refines some of the existing language, formally bringing Amber alerts into century code and adds clarifying language regarding endangered missing persons and silver alerts. A suggested amendment to House Bill 1535, is to bring this proposed section of law, if passed, into chapter 54 where the rest of alerts have been formally organized this session.

When an alert is requested:

When an individual is believed to meet criteria for an alert, the reporting local law enforcement agency fills out a request form and submits it by contacting State Radio. State Radio then works with local enforcement and the Watch Center to run verification checklists, gather intel, and begin notifications to the Highway Patrol, the Bureau of Criminal Investigation, and alerts team to start the vetting process.

Often there is further information that needs to be collected with the reporting law enforcement agency or with the family before an alert is issued. This information typically includes more descriptive information about what someone was wearing or driving, checking cell phone records, bank accounts, places they frequent, and more. A key piece of alerts working is having enough usable information for the public to look for the individual(s) or suspect(s) AND believing the missing person is likely in view of the public, and still in the state, so they can be found safely.

During this information collecting process, we encourage local jurisdictions to use their own local alerting system first, typically referred to as a code red, but we find they are often unaware of this resource. By doing this, we help locate many of the people in alert requests before they are issued out to the public. This spares our alerts system from overuse and only impacts the immediate area where the person is likely located versus the entire state. This is an effective tool, used yesterday in Bismarck, and brought home a Silver alert submission before the state-wide alerting system needed to be used.

When an alert does not meet criteria:

When an alert does not meet criteria, efforts to find the person do not cease. We continue to assist the requesting law enforcement agency with launching a missing persons search, assist them in putting out a local code red alert, use media and social media blasts, and more. Regardless of an alert being issued or not, local law enforcement agencies maintain control of a missing person case. The Highway Patrol and Bureau of Criminal Investigation's involvement stays at an alerts level and as an assisting agency in the missing persons search.

Adding an alert type, in this case the Feather alert, must require specific and strict criteria being amended into this bill. After discussions with the bill sponsors and Indian Affairs Commission, the highway patrol and bureau of criminal investigation believe a significant rework is needed for an inclusive alert, that does not overuse the alerts system ultimately making it no longer an effective tool.

We believe this legislation should be retitled – missing and endangered persons alert – as to include all North Dakotans, while maintaining a strong emphasis written into highlight indigenous peoples who go missing at a rate 10x more than other races. The title missing and endangered persons alert” also maintains consistency with the federal alerting system.

Criteria:

Strong criteria, that ensure a powerful alerts system, must be amended into this law. When criteria become too broad, over-alerting occurs and the system is no longer

effective. This is seen across the nation in states with hundreds of alerts per year. If the criteria are implemented as written, we will join those states and citizens in North Dakota will be alerted every day.

This highlights at least two incredibly important issues; we must maintain the consistent and strict criteria in the alerts system AND we must address the missing persons epidemic plaguing tribal nations and North Dakota. However, as I testified in this committee before, it is important to separate abducted individuals or those who go missing and are in grave danger of serious bodily harm or death from a standard missing persons or a search for recovery case.

There are a variety of reasons a person can go missing and not all qualify in these categories. In some cases, people choose to go missing or in other cases people do not want to be found. We must maintain and respect the freedom of choice afforded to people who chose to go missing. For example, we have received Silver alert requests and even issued alerts where someone was staying at a hotel, sitting in an emergency room, or was in jail in another state. In these examples, we would then find out later they had their faculties about them and did not qualify for an alert. Without strict criteria, an alerts system can become an overused tool that encroaches on the freedom of our able mind and able-bodied citizens or becomes an overused substitute for thorough law enforcement investigations.

To maintain an effective alerts system, I urge the committee to rename this alert to missing endangered persons alert and implement the following criteria:

- a. The missing individual is over the age of 17;
- b. Confirmation by local law enforcement of a stranger or family abduction in which the missing adult is believed to be in grave danger of serious bodily harm or death; or,
- c. The missing adult is believed to be in danger of serious bodily harm or death; and,
- d. There is descriptive information about the person, the abductor, and/or suspect's vehicle to assist with the safe recovery of the victim and/or the apprehension of the suspect; and,
- e. Believe an immediate broadcast alert will assist in the search for and safe return of the missing and endangered adult.

For consideration while keeping the alerts system effective and impactful the following must be considered:

3. A wireless emergency alert will only be utilized for a missing endangered persons alert when there is confirmation by a law enforcement agency that an abduction has occurred. (Savannah Greywind, Dru Sjodin, Sherry Arnold, Oliva Lonebear, etc.)
4. When the missing endangered person is an indigenous individual, the alerting website and distributed materials will specify as such. If the race of the person is unknown the alert will not be delayed for race identification.

Having worked in law enforcement, with missing persons cases, and intensely with tribes for 10 years, I understand the intent of the bill and the impact this awareness brings for the Native American community. The feather alert bill focuses on an important topic and a crisis that impacts Native Americans more than any other race. The U.S. Department of Justice indicates Native American women are missing and murdered at a rate ten times higher than the national average. These statistics are also high for Native American men and children. Though some of these cases may not be alerts qualifying, they shed light on related issues impacting tribal members: understaffed law enforcement agencies, distrust causing delayed or failure to report missing people, lack of law enforcement agreements and assistance, and more. I know that many of these issues can be working on by the passage of HB 1199 – related to the the missing indigenous people task force.

For the committee's discussion, it's important to know who is not covered by alerts, and that is all races, people aged 18 and older who have been abducted or are missing endangered, and in grave danger of serious bodily harm or death. However, I caution creating more alert types with expansive criteria or descriptions. They must be strict, direct, and as clear as possible. More alerts equal more confusion for the public. Midwest states vary in alert types, some having over 10 alerts types, and sending nearly 400 alerts in a year. Currently, with three alert types, North Dakota sends out 10 alerts per year on average. To give some context, if we have a missing persons alert with too general of criteria, we could have sent 1,301 alerts to your cell phone in 2024. That averages 3.5 alerts a day. This would render the system ineffective, as people would shut their alerts off and become numb to emergency alerts—or as we call it now, alters fatigue. Strict

criteria, like I've outlined today, reserves the alerts system for our most vulnerable while providing a mechanism to have more missing people reported, information distributed, and ultimately saving more lives.

When considering changes to the alerts century code, we must look at its origin. The alerts system was created to bring abducted children home via the Amber alert. The unfortunate truth is, each time an alert type is added or expanded we reduce the effectiveness of Amber alerts due to people shutting their notifications off. If a child is abducted in North Dakota, we need everyone to know. While North Dakota enjoys a high success rate for public alerts, the catch 22 is the more alerts being sent, the less they are viewed as people become desensitized. Maintaining a high standard of strict criteria is paramount when considering adding or expanding emergency alerts.

For consideration, and an overview, there are other suggested amendments to language for this alerting type to operate effectively, and I will highlight those that are more than housekeeping type items.

1. Renaming the alert type to "missing endangered persons alert"
 - a. This includes all North Dakotans, and maintains consistency with the federal alerting system.
2. Provides requirements to highlight those that are indigenous who qualify for this alert
3. Requires a WEA only for abduction cases
4. Allows alerting in indigenous languages when available, instead of a requirement
5. Keeps Indian Affairs as a liaison in indigenous cases only
6. Strikes the annual findings at an annual listening session, as it creates redundancy. Public meetings can be done at an Indian Affairs Commission meetings, where tribal chairs are sitting commission members, and the meetings are always open to the public and they are hosted both virtually and around the state, in -person, for accessibility.
7. Strikes the annual public meeting where recommendations are made to improve the system by law enforcement. HP and BCI already host quarterly meetings to improve the alerts systems individually and a whole. These are not open to the public as law enforcement sensitive information is shared.

This concludes my testimony, and I will stand for any questions.



Tanner Veo

Student Government Secretary-Treasurer (2024-2025)

9299 Highway 24, Fort Yates, ND 58538

605-872-0639

03/26/2025

The committee on Tribal and State relations.

North Dakota Legislative Council

State Capitol

600 East Boulevard Avenue

Bismarck, ND 58505

Dear Members of the Tribal and State Committee,

My name is Tanner Veo, and I am the secretary-treasurer of the Student Government at Sitting Bull College, and former Student President of Student Government at United Tribes Technical College from 2022-2024. I am also a current graduate student in the North Dakota College system pursuing my master's degree in environmental science at Sitting Bull College, in Fort Yates, ND. I am writing in strong support of House Bill 1535, which would establish a Feather Alert System to help locate missing Indigenous persons in our state.

The need for this bill is deeply personal for myself and Indian Country throughout our state and would serve the residents of North Dakota by increasing coordination and efforts in our state when addressing missing and murdered indigenous people (MMIP). My sister also went missing in Bismarck last year, for a period of 3 days. I spent many hours driving and asking others where she was to find and locate her to ensure she was in a good



place. I understand the stress and anxiety felt when loved ones go missing. Many in our community go missing with limited news coverage and delayed response times. A Feather alert system, like Silver or Amber alerts system, would ensure time-sensitive information is shared quickly and improve outcomes of North Dakota search and rescuers.

I commend the 11 sponsors of House Bill 1535 for taking action on this issue that has long impacted American Indian communities. Recently, Renzo Bullhead, an Indigenous North Dakotan, went missing. Renzo is 20 years old, was recently engaged, and a current student at United Tribes Technical College. I want to recognize and thank the searchers who are still passionately looking for Renzo and pray that he is found every morning. This compassion is trait that all North Dakotans share as we always help each other through the good times and bad times. As a North Dakotan, I am requesting to provide testimony at the Public Testimony for HB 1535 tomorrow, March 27th.

Thank you again for your consideration of this critical legislation. I am available through my phone number at 605-872-0639 or tannerveo@gmail.com

Sincerely,

Tanner Veo | Sitting Bull College Secretary-Treasurer

A handwritten signature in black ink, appearing to read "Tanner Veo". The signature is stylized with a large, sweeping initial "T" and a long, horizontal stroke extending to the right.



North Dakota House of Representatives

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Representative Jayme Davis

District 9
601 John Street
Rolette, ND, 58366-7209
jdavis@ndlegis.gov

COMMITTEES:

Human Services
Political Subdivisions

March 27, 2025

Good Morning Chair Roers, Vice Chair Castaneda, and Members of the Committee;

For the record, my name is Jayme Davis, and I am a Representative from District 9, which includes two Tribal Nations—the Turtle Mountain Band of Chippewa, where I am an enrolled member, and the Spirit Lake Nation. District 9 also includes the beautiful Peace Gardens.

Thank you for the opportunity to introduce House Bill 1535, legislation that establishes the Feather Alert Notice System in North Dakota. This bill has received strong support from law enforcement agencies, including the Bureau of Criminal Investigation (BCI) and the North Dakota Highway Patrol, as well as each of the five tribal nations within our state.

HB 1535 is a proactive measure to address the crisis of missing Indigenous persons by creating an emergency alert system that will function similarly to Amber and Silver Alerts. This system will ensure that when an Indigenous person is reported missing under critical circumstances, a coordinated, statewide notification can be activated to aid in their safe recovery.

Right now, there are currently 16 missing Indigenous people in North Dakota. As of this morning, four of those are from right here in the Bismarck/Mandan area, and a total of eight Indigenous individuals have gone missing since January 1, 2025. The Feather Alert will be another tool in our toolbox to combat the Missing and Murdered Indigenous People (MMIP) epidemic. However, this is not an alert that will be activated every time someone goes missing. The process will start at the local or tribal level, and only if the established criteria for a Feather Alert are met will the system be activated at the state level.

Tribal nations are also working to implement their own measures to address MMIP cases. Additionally, this bill aligns with HB 1199, which proposes the creation of an MMIP task force to improve communication among all agencies working on this crisis and to identify and fill the gaps that contribute to the disproportionately high rates of missing and murdered Indigenous people compared to the national average.

Some of the key provisions in HB 1535 include:

1. Establishing the Feather Alert System
 - The BCI, in partnership with the ND Highway Patrol and State Radio, will oversee the alert system, ensuring a rapid response to reports of missing Indigenous persons.
 - The alert will be broadcast using the Emergency Alert System (EAS), similar to Amber and Silver Alerts, to notify the public and law enforcement statewide.
2. Tribal and State Collaboration
 - The Indian Affairs Commission will serve as the primary liaison between state and tribal governments.

- The bill mandates annual public meetings with tribal representatives and law enforcement to assess and improve the effectiveness of the Feather Alert system.

3. Funding and Implementation

- HB 1535 originally included an appropriation of \$250,000 to support the implementation, coordination, and evaluation of the system.
- This was removed in the House and I respectfully ask for the committee to reinstate the funding at the level requested below. I have attached to my testimony the funding it would require for one FTE under the Bureau of Criminal Investigation for the biennium which is different from the original request.
- This funding will allow for training and a full-time coordinator.

Support and Potential Amendments

- I have worked closely with BCI and the ND Highway Patrol and the Indian Affairs Commission. We continue to discuss possible amendments to strengthen this bill. My focus remains specifically with passing with the Feather Alert notice and its implementation.
- Importantly, all five tribal nations in North Dakota support this legislation, recognizing it as a critical step toward saving lives and protecting Indigenous communities.

Now more than ever - there is no question in my mind that this specific alert is needed to save lives. Unfortunately - in real time - we are actively searching for a missing Indigenous man by the name of Renzo Bullhead here in the Bismarck/Mandan area. His family will be the next to speak.

Chair Roers, Vice Chair Castaneda, members of the committee. I've experienced firsthand what it takes to look for our people that go missing from our reservation and now when they go missing outside our reservation. Both are incredibly daunting tasks, and I don't wish anyone to have to go through those experiences. I wish I didn't have to stand in front of you today asking for you to pass this bill. I wish this bill didn't have to exist. I hope and pray that some day I can come back and say we no longer need this in our century code because our people are no longer being targeted. I no longer have to be hyper aware of my surroundings. I no longer have to be vigilant about when my nieces, nephews, sisters, brothers, cousins go off somewhere on their own - that they all now make it home safe every night. Indigenous people are no longer 40% of those being sex trafficked. For Indigenous women murder is no longer the 3rd leading cause of our deaths. We no longer go missing at a 10x higher rate than other ethnicities. So, believe me when I say, I don't want to be standing before you asking for this legislation but I have to. It's a must.

Madame Chair and members of the committee, HB 1535 is about ensuring that when an Indigenous person goes missing, every available resource is mobilized to bring them home safely. This is not just a tribal issue—it is a North Dakota issue, and it is our responsibility to act.

I respectfully ask for your support of HB 1535 and look forward to working with the committee on any necessary amendments to make this bill as effective as possible.

Thank you, Madame Chairman. I am happy to answer any questions.

AMENDMENT

7. The Bureau of Criminal Investigation shall establish a full-time equivalent (FTE) sworn position for a statewide missing persons coordinator. The costs associated with this position shall include:

- a. Salary and benefits: \$250,210 per biennium;
- b. Ongoing operating costs: \$53,235 per biennium;
- c. One-time operating and small equipment costs: \$19,785;
- d. One-time capital asset costs (vehicle, radios, and necessary equipment): \$64,100.

Legislative Testimony for the Parents of Renzo Bull Head in Support of HB 1535

[Introduction]

Good morning, esteemed members of the committee. My name is Roxy Leaf, and I stand before you today as the mother of Renzo Bull Head, an enrolled member of the Standing Rock Sioux Tribe. As you may know, Renzo has been missing since March 16, and we have been tirelessly searching for him. We are here today to express our unwavering support for HB 1535 and to advocate for a system that can potentially save lives like Renzo's.

[Personal Impact]

As a family, we are in the midst of a nightmare. Renzo is not just a statistic; he is a son, a brother, a fiancé, and a friend. He is a dedicated college student, pursuing a welding degree and contemplating a career in the military, inspired by our family's longstanding tradition of service. With over 68 individuals reported missing in North Dakota—and ~~99~~¹⁴ of them being Indigenous—this is not just our family's tragedy; it is a community crisis.

The current reality is that when Indigenous people go missing, it often takes too long for alerts to be issued, resulting in lost opportunities for timely intervention. With the Feather Alert notice system outlined in HB 1535, we could have activated an alert the moment Renzo was reported missing. This legislation represents hope—not only for our family but for countless families who may find themselves in similar situations.

[Talking Points Supporting HB 1535]

1. Timely Alerts Can Save Lives: The proposed Feather Alert system will use existing emergency alert channels to broadcast information about missing Indigenous individuals quickly. Prompt activation can significantly increase the chances of recovery and reunification.

2. Community Involvement: This bill underscores the importance of community engagement and support. The requirement for local, tribal, and state resources to work together creates a united front in search efforts, bolstering trust between law enforcement and Indigenous communities.

3. Culturally Relevant Responses: The bill ensures that alerts can be issued in Indigenous languages when necessary, which is crucial for effective communication within our communities. It respects our cultural heritage and acknowledges our unique needs.

4. Data-Driven Monitoring: The establishment of an annual reporting system will enable us to track the effectiveness of the Feather Alert system. This data will be invaluable in refining our response strategies and ensuring that no family experiences the agony of a delayed alert.

5. Advocacy and Education: The Indian affairs commission's role as a liaison will foster better communication between tribal and state agencies. It will also provide ongoing public education about the Feather Alert system, ensuring that communities are well-informed and prepared.

****[Call to Action]****

To the members of this committee, we ask you to support HB 1535—not just for Renzo, but for all the families who are waiting for news of their loved ones. Let us work together to create a safer North Dakota for everyone, especially for our Indigenous communities who are disproportionately affected by violence and abduction.

We have seen an incredible outpouring of support from volunteers and community members who have come together to search for Renzo. This spirit of unity is what we need to channel into legislative action.

[Conclusion]

In closing, I want to express my sincerest gratitude for your time and attention today. HB 1535 represents more than just a legislative act; it embodies our hope for a system that honors our loved ones, provides timely assistance, and brings families back together.

May we find strength in collaboration and compassion in our efforts. Thank you.

ALERT: MISSING RELATIVE



NAME: RENZO BULLHEAD
AGE: 20
HEIGHT: 5'11"
WEIGHT: 180
HAIR/EYES: BLACK/BROWN
LAST SEEN: By the railroad bridge on the Bismarck side, along the Missouri River
WEARING: Black and grey plaid pajama pants, black hoodie, and black puffer jacket



**IF YOU HAVE SEEN RENZO OR HAVE
ANY INFORMATION ABOUT HIS
WHEREABOUTS, PLEASE CONTACT:**

**Diedra Leaf
605-581-8424**

**Delane Blue Thunder
605-314-6425**

**Mandan Police Department
701-667-3250 (Case #25000954)**

*Please also contact Diedra or Delane
if you would like to be of any assistance
in an on-the-ground search.*





North Dakota House of Representatives

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Representative Collette Brown

District 9 (SLT/TMBCI)
3395 89th Avenue NE
Warwick, ND, 58381-9409
cbrown@ndlegis.gov

COMMITTEES:

Industry, Business and Labor
Government and Veterans Affairs

March 27, 2025

Madame Chair Roers and committee members, for the record my name is Collette Brown, District 9 Representative which encompasses two of the five Tribes of ND, the TMBCI and Spirit Lake Tribes. I stand before you in strong and unwavering support of HB 1535—the Feather Alert System.

Imagine the heart-wrenching fear of discovering that a loved one is missing—the uncertainty, the panic, and the desperate hope for their safe return. Now, imagine facing these emotions with limited resources, inadequate support, and without a system designed to quickly mobilize communities and law enforcement to locate your loved one. This is the reality for many Indigenous families across our nation. But there is a solution: the Feather Alert System.

The Feather Alert System is a critical tool designed to address the disproportionate rates at which Indigenous people, especially women and girls, go missing or are victims of violence. Like the AMBER Alert system used for abducted children, the Feather Alert would rapidly disseminate information through media, highway signs, and digital platforms, enlisting the public's help in locating missing Indigenous individuals.

Too many of our Native people have gone missing, and too many families are left without answers. Right now, Spirit Lake is still searching for our missing—Jemini Posey, Isaac Hunt, and others whose names deserve to be spoken, like Renzo Bullhead and remembered, like Olivia Lonebear and Savannah Greywind. Everyone of North Dakota's five tribal nations—Standing Rock, Spirit Lake, Turtle Mountain, Three Affiliated Tribes, Sisseton-Wahpeton Oyate—has suffered this heartbreaking loss. Families across our communities live with the agony of not knowing if their loved ones will ever come home.

When our people go missing, their names may fade from the headlines, but they never fade from our hearts. Each day, we continue to search, to hope, to pray. The Feather Alert System is more than an emergency notice—it is a call to action. It ensures that when a Native person goes missing, law enforcement and communities mobilize immediately, because time is the difference between bringing someone home or another unsolved case. It means no more families left searching alone, no more waiting for help that comes too late.

Opponents may argue about costs or administrative burdens. However, the stakes of ignoring this epidemic are far greater measured in lost lives, broken families, and communities left in perpetual grief. Implementing the Feather Alert System is not just a logistical decision; it is an ethical responsibility.

We know that alert systems work. A recent Silver Alert in North Dakota led to young people finding the missing elder just in time; much longer, and it could have been too late. We need that same urgency, that same "just-in-time" help for our Native people. This system will save lives. It could have made a difference just 11 days ago. Today, you have the power to play a historic and unprecedented role in ensuring this protection for our communities.

Our people have always stood together. We were raised to listen, to act, to protect. This bill reflects that teaching. It amplifies the voices of our missing. It gives families hope. It sends a clear message: you are our neighbors, and you care too.

As a public official and a tribally enrolled member of the Spirit Lake Tribe, I know HB 1535 is needed. As North Dakota legislators, we have an opportunity to foster effective collaboration between tribal, state, and federal agencies so that we can help all citizens of North Dakota spread awareness and stand in solidarity with our ND Tribes.

This is not just policy. It is humanity. It is kindness, support, and respect. It is doing what is right. Passing this bill means standing with Native families. It means being our friends, our allies, our partners in justice. It means ensuring that no more mothers, fathers, or children are left to wonder if enough was done.

I urge you to pass HB 1535. Stand with us. Bring hope. Bring action. Bring our missing home.

Thank you for your time and consideration.

HB 1535



North Dakota House of Representatives

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Representative Lisa Finley-DeVille

District 4A
P.O. Box 501
Mandaree, ND 58757-0501
lfinleydeville@ndlegis.gov

COMMITTEES:

Industry, Business and Labor
Transportation

Testimony of Representative Finley-DeVille

Chairwoman Roers and members of the Senate State and Local Government committee, my name is Representative Lisa Finley-DeVille. I represent District 4A, which includes, Mandan, Hidatsa, and Arikara Nation. Thank you for the opportunity to testify today, as a cosponsor I thank you for the opportunity to speak in support of HB 1535, which relates to the feather alert notice system, and the committee on tribal and state relations. As an Indigenous woman, I can say this bill represents a critical step toward addressing a pressing issue that affects the safety and well-being of Indigenous people not only in North Dakota but across the country.

The need for a rapid-response system to assist in locating missing Indigenous people cannot be overstated. Every year, Indigenous communities across the U.S. face alarmingly high rates of missing persons cases, particularly involving women and children. One tragic and recent example is the case of Olivia Lone Bear, a member of the Mandan, Hidatsa, and Arikara Nation, who went missing in October 2017. Olivia, a mother of five, was last seen leaving her home near New Town. Despite extensive search efforts, it took nine months for authorities to find her, and tragically, Olivia's case is just one of many where the response time was not fast enough to bring her home safely.

Her disappearance highlights the ongoing gaps in how missing Indigenous people are treated and the urgent need for a system like the Feather Alert, which could have potentially expedited the search and increased public awareness from the outset. Like so many others, Olivia's case was delayed by jurisdictional confusion, lack of coordination between law enforcement agencies, and limited resources dedicated to finding missing Indigenous people. The creation of a system designed specifically for this purpose would ensure that cases like Olivia's—and others across our state—receive the urgent attention they deserve.

House Bill 1535 directly addresses these challenges by creating a rapid-response system modeled after Amber Alerts, but specifically for Indigenous individuals. The "Feather Alert" would be triggered by law enforcement when a missing person is reported, using the state's

U.S. Department of Justice. (2019). *Missing Persons: The Value of Timely Notifications*. Bureau of Justice Statistics.

First Nations Development Institute. (2014). *The Role of Language in Community Health and Wellbeing*.

National Congress of American Indians. (2020). *Addressing the Crisis of Missing and Murdered Indigenous Women and Girls*. National Congress of American Indians Policy Brief.

emergency alert system to distribute information as quickly as possible. The quicker an alert can go out to the public, the more likely it is that someone may have seen the missing person or may be able to assist in their recovery. Studies have shown that early alerts significantly increase the chances of recovery (U.S. Department of Justice, 2019).

When we look at any of the cases of the many Missing or Murdered Indigenous People, it's important to remember that Indigenous communities are often dispersed and face specific cultural and linguistic challenges that other communities don't. Ensuring that alerts are delivered in Indigenous languages where necessary ensures greater accessibility and relevance to those who are most affected. Language is a source of strength and unity for these communities, and including it in the alert system will only enhance its effectiveness (First Nations Development Institute, 2014).

Another key provision of this bill is ~~the establishment of the Indian Affairs Commission as the oversight body~~ ^{will be a liaison between tribes & local state} for the Feather Alert system. This is essential for ensuring that the system remains responsive and accountable to tribal communities. Coordination between tribal law enforcement, state agencies, and federal partners is vital for swift action, and the Indian Affairs Commission will help facilitate that. As we have seen many times, jurisdictional issues can lead to delays in the search for missing persons. A system that is both tribally led and state-supported can help mitigate those challenges and ensure that every possible resource is brought to bear when someone is missing (National Congress of American Indians, 2020).

^{is one FTE for the Bureau of Criminal Investigation} The funding provided in this bill—\$250,000 for the Indian Affairs Commission, along with the ~~creation~~ of a full-time position dedicated to this effort—ensures that this system can be effectively implemented and maintained over time. The creation of a sustainable, well-resourced alert system is essential to making sure it works when needed most. Without adequate funding and infrastructure, systems like this risk becoming underused or inefficient.

I ask that you give House Bill 1535 a do pass recommendation. This bill represents a vital step toward addressing the disparities in how missing Indigenous persons are handled in North Dakota. It is a necessary tool to bring greater visibility and urgency to these cases, ensuring that Missing and Murdered Indigenous People, those who have gone missing, will receive the attention and resources they need for a timely recovery. We can do better for our communities, and this bill is a key part of that effort.

Thank you for your time and consideration of this important issue.

2025 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee Room JW216, State Capitol

HB 1535
4/22/2025

Relating to the feather alert notice system; and to the committee on tribal and state relations.
--

2:49 p.m. Chair Roers called the hearing to order.

Members Present: Chairman Roers; Vice Chair Castaneda; Senators: Barta, Braunberger , Lee and Walen.

Discussion Topics:

- More comprehensive report
- Justify who gets a cell phone blast
- Define each alert
- Indigenous awareness

2:49 p.m. Chair Roers opened the hearing up for discussion on proposed amendment testimony #45128.

2:59 p.m. Steve Harstad, Chief Agent Bureau of Criminal Identification, answered questions from the committee.

3:11 p.m. Senator Walen moved Amendment LC #25.1040.04006.

3:11 p.m. Senator Lee seconded the motion.

Senators	Vote
Senator Kristin Roers	Y
Senator Jose L. Castaneda	Y
Senator Jeff Barta	Y
Senator Ryan Braunberger	Y
Senator Judy Lee	Y
Senator Chuck Walen	Y

Motion Passed 6-0-0

3:14 p.m. Senator Braunberger moved Do Pass as amended.

3:14 p.m. Senator Barta seconded the motion.

Senators	Vote
Senator Kristin Roers	Y
Senator Jose L. Castaneda	Y
Senator Jeff Barta	Y
Senator Ryan Braunberger	Y

Senator Judy Lee	Y
Senator Chuck Walen	Y

Motion Passed 6-0-0

3:14 p.m. Senator Roers will carry the bill.

3:15 p.m. Chair Roers closed the hearing.

Susan Helbling, Committee Clerk

Sixty-ninth
Legislative Assembly
of North Dakota

**PROPOSED AMENDMENTS TO
SECOND ENGROSSMENT**

VG 4/22/25
1 of 9

REENGROSSED HOUSE BILL NO. 1535

Introduced by

Representatives Davis, Finley-DeVillie, Martinson, Satrom, Schneider, Brown, Sanford,
Swiontek

Senators Braunberger, Cory, Lee

1 A BILL for an Act ~~to create and enact a new section to chapter 39-03 of the North Dakota~~
2 ~~Century Code, relating to the feather alert notice system; and to amend and reenact the new~~
3 ~~chapter to title 54 as created by section 1 of Senate Bill No. 2098, as approved by the sixty-~~
4 ~~ninth legislative assembly, and~~ section 54-35-23 of the North Dakota Century Code, relating to a
5 state alert notice system and the committee on tribal and state relations; and to provide for a
6 report.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

8 ~~SECTION 1. A new section to chapter 39-03 of the North Dakota Century Code is created~~
9 ~~and enacted as follows:~~

10 ~~**Feather alert notice system - Report.**~~

11 ~~1. The highway patrol, in cooperation with the bureau of criminal investigation and the~~
12 ~~division of state radio of the department of emergency services, shall establish a~~
13 ~~feather alert notice system to activate an urgent bulletin using the emergency alert~~
14 ~~system to air a description of an indigenous individual who has been reported to law~~
15 ~~enforcement as missing and to aid in the location of that individual.~~

16 ~~2. A law enforcement agency may request the bureau of criminal investigation or the~~
17 ~~highway patrol to activate a feather alert notice if the agency determines that all of the~~
18 ~~following conditions are met:~~

19 ~~a. The missing individual is an Indigenous individual;~~

20 ~~b. The law enforcement agency utilized available local, tribal, and state resources;~~

- 1 ~~c. The law enforcement agency determined the individual is missing under~~

2 ~~unexplained, suspicious, or dangerous circumstances;~~
- 3 ~~d. The law enforcement agency believes the individual is in imminent danger due to~~

4 ~~factors such as age, health, mental or physical disability, environment or weather~~

5 ~~conditions, or the possibility of being in the company of a dangerous individual;~~
- 6 ~~e. There is sufficient descriptive information available regarding the missing~~

7 ~~individual, the suspect, or a related vehicle to assist in recovery efforts; and~~
- 8 ~~f. The law enforcement agency confirms the case involves a suspected abduction,~~

9 ~~or the missing individual is believed to be in danger of serious bodily harm or~~

10 ~~death.~~
- 11 ~~3. The bureau of criminal investigation, in cooperation with the highway patrol, shall~~

12 ~~prepare an operational plan to prepare for and respond to requests for activation of a~~

13 ~~feather alert notice. The plan must include the role and requirements of the division of~~

14 ~~state radio of the department of emergency services in broadcasting an alert to the~~

15 ~~public, including alerts in indigenous languages when required. The bureau of criminal~~

16 ~~investigation, in coordination with the highway patrol and the department of~~

17 ~~emergency services, shall oversee the activation logistics and dissemination of alerts.~~
- 18 ~~4. The Indian affairs commission shall serve as the primary liaison between tribal, state,~~

19 ~~and federal agencies regarding the feather alert notice system and assist with public~~

20 ~~education, outreach, and advocacy efforts. The bureau of criminal investigation and~~

21 ~~the highway patrol shall issue an annual report to the Indian affairs commission on the~~

22 ~~effectiveness and implementation of the feather alert system. The bureau of criminal~~

23 ~~investigation and the highway patrol shall present the report and findings at an annual~~

24 ~~listening session with tribal leaders.~~
- 25 ~~5. The highway patrol, in cooperation with a representative of each federally recognized~~

26 ~~tribe in the state, shall:~~

 - 27 ~~a. Promote public trust and understanding of the feather alert notice system through~~

28 ~~community outreach and law enforcement training programs.~~
 - 29 ~~b. Hold an annual public meeting and make recommendations to the director of the~~

30 ~~bureau of criminal investigation concerning improvements to the feather alert~~

31 ~~notice system.~~

1 **SECTION 1. AMENDMENT.** Section 54-35-23 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **54-35-23. Committee on tribal and state relations - Membership - Duties.**

- 4 1. The committee on tribal and state relations is composed of seven members as follows:
- 5 a. A chairman designated by the chairman of the legislative management;
- 6 b. Three members of the house of representatives, two of whom must be selected
7 by the leader representing the majority faction of the house of representatives
8 and one of whom must be selected by the leader representing the minority
9 faction of the house of representatives; and
- 10 c. Three members of the senate, two of whom must be selected by the leader
11 representing the majority faction of the senate and one of whom must be
12 selected by the leader representing the minority faction of the senate.
- 13 2. The committee shall meet at such times and places as determined by the chairman.
14 The legislative council shall provide staffing for the committee.
- 15 3. The committee shall conduct joint meetings with the North Dakota tribal governments'
16 task force to study tribal-state issues, including government-to-government relations,
17 human services, education, corrections, and issues related to the promotion of
18 economic development and shall evaluate the feather alert notice system, regarding
19 missing indigenous individuals, under section 42 of this Act. After the joint meetings
20 have concluded, the committee shall meet to prepare a report on its findings and
21 recommendations, together with any legislation required to implement those
22 recommendations, to the legislative management.
- 23 4. The members of the committee are entitled to compensation from the legislative
24 council for attendance at committee meetings at the rate provided for members of the
25 legislative assembly for attendance at interim committee meetings and are entitled to
26 reimbursement for expenses incurred in attending the meetings in the amounts
27 provided by law for other state officers.
- 28 5. a. The North Dakota tribal governments' task force is composed of six members as
29 follows:
- 30 (1) The executive director of the Indian affairs commission, or the executive
31 director's designee;

- 1 (2) The chairman of the Standing Rock Sioux Tribe, or the chairman's
- 2 designee;
- 3 (3) The chairman of the Spirit Lake Tribe, or the chairman's designee;
- 4 (4) The chairman of the Three Affiliated Tribes of the Fort Berthold Reservation,
- 5 or the chairman's designee;
- 6 (5) The chairman of the Turtle Mountain Band of Chippewa Indians, or the
- 7 chairman's designee; and
- 8 (6) The chairman of the Sisseton-Wahpeton Oyate of the Lake Traverse
- 9 Reservation, or the chairman's designee.
- 10 b. If the executive director of the Indian affairs commission or any of the tribal
- 11 chairmen appoint a designee to serve on the task force, only one individual may
- 12 serve as that designee during the biennium. A substitute designee may be
- 13 appointed by the executive director of the Indian affairs commission or a tribal
- 14 chairman in the event of the death, incapacity, resignation, or refusal to serve of
- 15 the initial designee.

16 **SECTION 2. AMENDMENT.** The new chapter to title 54 of the North Dakota Century Code
17 as created by section 1 of Senate Bill No. 2098, as approved by the sixty-ninth legislative
18 assembly, is amended and reenacted as follows:

19 **Definitions.**

20 As used in this chapter:

- 21 1. "Amber alert notice" means an urgent bulletin using the emergency alert system to air
- 22 a description of a child who has been abducted.
- 23 2. "Blue alert notice" means an urgent bulletin using the emergency alert system to air a
- 24 description of an individual or an individual's vehicle to aid in the apprehension of an
- 25 individual who has threatened a law enforcement officer with a deadly weapon, used a
- 26 deadly weapon against a law enforcement officer, caused a law enforcement officer to
- 27 suffer serious bodily injury or death, abducted a law enforcement officer, or caused a
- 28 law enforcement officer to go missing while on duty, and the individual has left the
- 29 scene of the offense.
- 30 3. ~~"Missing endangered individual" means:~~

- 1 ~~a. A disabled adult or elderly vulnerable adult as defined in section 50-25.2-01 who~~
2 ~~has disappeared and whose disappearance has been reported to law~~
3 ~~enforcement;~~
- 4 ~~b. An individual who has a developmental disability as defined in section 25-01.2-01~~
5 ~~who has disappeared and whose disappearance has been reported to law~~
6 ~~enforcement; or~~
- 7 ~~c. An elderly adult who has disappeared, whose disappearance has been reported~~
8 ~~to law enforcement and the disappearance:~~
 - 9 ~~(1) Indicates the individual is believed to be in grave danger of serious bodily~~
10 ~~harm or death, as determined by a law enforcement agency and either the~~
11 ~~highway patrol or bureau of criminal investigation, based on a report~~
12 ~~received from the missing adult's family member or an individual who has~~
13 ~~significant frequent contact with the missing adult, which contains sufficient~~
14 ~~evidence of the imminent risk;~~
 - 15 ~~(2) Warrants a silver alert notice activation due to the particular circumstances,~~
16 ~~as determined by a law enforcement agency and either the highway patrol~~
17 ~~or bureau of criminal investigation, based on a report received from the~~
18 ~~missing adult's family member or an individual who has significant frequent~~
19 ~~contact with the missing adult, which contains sufficient evidence that the~~
20 ~~particular circumstances warrant a silver alert notice activation.~~
21 "Feather
22 alert notice" means an urgent bulletin using the emergency alert system to
23 air a description of an indigenous individual who has been abducted or is
24 believed to be at imminent risk of serious bodily injury or death.
- 24 4. "Missing and endangered persons alert notice" means an urgent bulletin using the
25 emergency alert system to air a description of an adult who has been abducted or is
26 believed to be at imminent risk of serious bodily injury or death.
- 27 5. "Silver alert notice" means an urgent bulletin using the emergency alert system to air a
28 description of a missing, disabled, or elderly individual, or individual with a
29 developmental disability, to aid in the location of that individual.

Alert-notice system activation - Report.

1. A law enforcement agency may request the bureau of criminal investigation or the superintendent of the highway patrol to activate an amber alert notice, a blue alert notice, a missing and endangered persons alert notice, a feather alert notice, or a silver alert notice.
2. The bureau of criminal investigation, in cooperation with the highway patrol and other relevant stakeholders, shall prepare an operational plan to prepare for and respond to requests for activation of an amber alert notice, a blue alert notice, a missing and endangered persons alert notice, a feather alert notice, or a silver alert notice. The plan must include the role and requirements of the division of state radio of the department of emergency services in broadcasting an alert to the public, including alerts in indigenous languages when available.
3. The Indian affairs commission shall serve as the primary liaison between tribal, state, and federal agencies regarding alert notices, if the missing individual is indigenous, and assist with public education, outreach, and advocacy efforts.
4. The bureau of criminal investigation and the highway patrol shall issue an annual report to the Indian affairs commission on the effectiveness and implementation of the feather alert notice and the missing and endangered persons alert notice for cases involving missing indigenous individuals.

Annual public meetings - Report.

The bureau of criminal investigation and the highway patrol, in cooperation with a representative of each federally recognized tribe in this state, shall present reports and findings at an annual public meeting with tribal leaders.

Minimum requirements for activating ~~an amber or blue~~ a wireless emergency alert notice.

1. An amber alert notice may not be activated unless:
 - a. The abduction involves a child seventeen years of age or younger;
 - b. The law enforcement agency investigating the abduction has confirmed the child is believed to be in grave danger of serious bodily harm or death; and

- 1 c. The bureau of criminal investigation or the superintendent of the highway patrol
2 determines sufficient descriptive information has been provided about the child,
3 the abductor, or the abductor's motor vehicle to:
 - 4 (1) Assist with the safe recovery of the child;
 - 5 (2) Assist with the apprehension of the abductor; and
 - 6 (3) Believe an immediate broadcast alert will assist in the search for and safe
7 return of the child.
- 8 2. A blue alert notice may not be activated unless:
 - 9 a. An individual who is a suspect in an offense has threatened a law enforcement
10 officer with a deadly weapon, used a deadly weapon against a law enforcement
11 officer, caused a law enforcement officer to suffer serious bodily injury or death,
12 abducted a law enforcement officer, or caused a law enforcement officer to go
13 missing while on duty;
 - 14 b. The individual has fled the scene of the offense and a description of the individual
15 or the individual's vehicle is available for broadcast;
 - 16 c. The law enforcement agency investigating the offense has determined the
17 individual poses a threat to the public or other law enforcement personnel; and
 - 18 d. Dissemination of available information to the public may help avert further harm
19 or assist in the apprehension of the suspect.
- 20 3. A missing and endangered persons alert notice may not be activated unless:
 - 21 a. The abduction involves an individual eighteen years of age or older;
 - 22 b. The law enforcement agency investigating the abduction has confirmed the
23 missing individual is believed to be in grave danger of serious bodily harm or
24 death; and
 - 25 c. The bureau of criminal investigation or the superintendent of the highway patrol
26 determines sufficient descriptive information has been provided about the missing
27 individual, the suspect, or the motor vehicle to:
 - 28 (1) Assist with the safe recovery of the missing individual;
 - 29 (2) Assist with the apprehension of the suspect; and
 - 30 (3) Believe an immediate broadcast alert will assist in the search for and safe
31 return of the missing individual.

- 1 4. A feather alert notice may not be activated unless:
- 2 a. The abduction involves an indigenous individual;
- 3 b. The law enforcement agency investigating the abduction has confirmed the
- 4 missing individual is believed to be in grave danger of serious bodily harm or
- 5 death; and
- 6 c. The bureau of criminal investigation or the superintendent of the highway patrol
- 7 determines sufficient descriptive information has been provided about the missing
- 8 individual, the suspect, or the motor vehicle to:
- 9 (1) Assist with the safe recovery of the missing individual;
- 10 (2) Assist with the apprehension of the suspect; and
- 11 (3) Believe an immediate broadcast alert will assist in the search for and safe
- 12 return of the missing individual.
- 13 5. A silver alert notice may not be activated unless the missing individual is:
- 14 a. A disabled adult or elderly vulnerable adult, as defined in section 50-25.2-01, who
- 15 has disappeared and whose disappearance has been reported to law
- 16 enforcement;
- 17 b. An individual who has a developmental disability, as defined in section
- 18 25-01.2-01, who has disappeared and whose disappearance has been reported
- 19 to law enforcement; or
- 20 c. An elderly adult who has disappeared, whose disappearance has been reported
- 21 to law enforcement, and the disappearance:
- 22 (1) Indicates the individual is believed to be in grave danger of serious bodily
- 23 harm or death, as determined by a law enforcement agency and either the
- 24 highway patrol or bureau of criminal investigation, based on a report
- 25 received from the missing adult's family member or an individual who has
- 26 significant frequent contact with the missing adult, which contains sufficient
- 27 evidence of the imminent risk; or
- 28 (2) Warrants a silver alert notice activation due to the particular circumstances,
- 29 as determined by a law enforcement agency and either the highway patrol
- 30 or bureau of criminal investigation, based on a report received from the
- 31 missing adult's family member or an individual who has significant frequent

- 1 contact with the missing adult, which contains sufficient evidence that the
- 2 particular circumstances warrant a silver alert notice activation.
- 3 6. If a request for activation of a missing endangered persons alert notice or a feather
- 4 alert notice does not meet the minimum requirements under this section, the
- 5 department of emergency services shall follow the department's operational plan for
- 6 determining proper public notification channels.

**REPORT OF STANDING COMMITTEE
REENGROSSED HB 1535**

State and Local Government Committee (Sen. Roers, Chairman) recommends **AMENDMENTS** ([25.1040.04006](#)) and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). Reengrossed HB 1535 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

25.1040.04006
Title.

Prepared by the Legislative Council
staff for Senator Roers
April 17, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO SECOND ENGROSSMENT

REENGROSSED HOUSE BILL NO. 1535

Introduced by

Representatives Davis, Finley-DeVile, Martinson, Satrom, Schneider, Brown, Sanford,
Swiontek

Senators Braunberger, Cory, Lee

A BILL for an Act ~~to create and enact a new section to chapter 39-03 of the North Dakota-~~
~~Century Code, relating to the feather alert notice system; and~~ to amend and reenact the new
chapter to title 54 as created by section 1 of Senate Bill No. 2098, as approved by the sixty-
ninth legislative assembly, and section 54-35-23 of the North Dakota Century Code, relating to a
state alert notice system and the committee on tribal and state relations; and to provide for a
report.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

~~SECTION 1. A new section to chapter 39-03 of the North Dakota Century Code is created~~
~~and enacted as follows:~~

~~Feather alert notice system -- Report.~~

~~1. The highway patrol, in cooperation with the bureau of criminal investigation and the~~
~~division of state radio of the department of emergency services, shall establish a~~
~~feather alert notice system to activate an urgent bulletin using the emergency alert~~
~~system to air a description of an indigenous individual who has been reported to law~~
~~enforcement as missing and to aid in the location of that individual.~~

~~2. A law enforcement agency may request the bureau of criminal investigation or the~~
~~highway patrol to activate a feather alert notice if the agency determines that all of the~~
~~following conditions are met:~~

~~a. The missing individual is an Indigenous individual;~~

~~b. The law enforcement agency utilized available local, tribal, and state resources;~~

- ~~c. The law enforcement agency determined the individual is missing under unexplained, suspicious, or dangerous circumstances;~~
- ~~d. The law enforcement agency believes the individual is in imminent danger due to factors such as age, health, mental or physical disability, environment or weather conditions, or the possibility of being in the company of a dangerous individual;~~
- ~~e. There is sufficient descriptive information available regarding the missing individual, the suspect, or a related vehicle to assist in recovery efforts; and~~
- ~~f. The law enforcement agency confirms the case involves a suspected abduction, or the missing individual is believed to be in danger of serious bodily harm or death.~~
- ~~3. The bureau of criminal investigation, in cooperation with the highway patrol, shall prepare an operational plan to prepare for and respond to requests for activation of a feather alert notice. The plan must include the role and requirements of the division of state radio of the department of emergency services in broadcasting an alert to the public, including alerts in indigenous languages when required. The bureau of criminal investigation, in coordination with the highway patrol and the department of emergency services, shall oversee the activation logistics and dissemination of alerts.~~
- ~~4. The Indian affairs commission shall serve as the primary liaison between tribal, state, and federal agencies regarding the feather alert notice system and assist with public education, outreach, and advocacy efforts. The bureau of criminal investigation and the highway patrol shall issue an annual report to the Indian affairs commission on the effectiveness and implementation of the feather alert system. The bureau of criminal investigation and the highway patrol shall present the report and findings at an annual listening session with tribal leaders.~~
- ~~5. The highway patrol, in cooperation with a representative of each federally recognized tribe in the state, shall:~~
- ~~a. Promote public trust and understanding of the feather alert notice system through community outreach and law enforcement training programs.~~
- ~~b. Hold an annual public meeting and make recommendations to the director of the bureau of criminal investigation concerning improvements to the feather alert notice system.~~

1 **SECTION 1. AMENDMENT.** Section 54-35-23 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **54-35-23. Committee on tribal and state relations - Membership - Duties.**

4 1. The committee on tribal and state relations is composed of seven members as follows:

- 5 a. A chairman designated by the chairman of the legislative management;
6 b. Three members of the house of representatives, two of whom must be selected
7 by the leader representing the majority faction of the house of representatives
8 and one of whom must be selected by the leader representing the minority
9 faction of the house of representatives; and
10 c. Three members of the senate, two of whom must be selected by the leader
11 representing the majority faction of the senate and one of whom must be
12 selected by the leader representing the minority faction of the senate.

13 2. The committee shall meet at such times and places as determined by the chairman.
14 The legislative council shall provide staffing for the committee.

15 3. The committee shall conduct joint meetings with the North Dakota tribal governments'
16 task force to study tribal-state issues, including government-to-government relations,
17 human services, education, corrections, and issues related to the promotion of
18 economic development and shall evaluate the feather alert notice-system, regarding
19 missing indigenous individuals, under section 42 of this Act. After the joint meetings
20 have concluded, the committee shall meet to prepare a report on its findings and
21 recommendations, together with any legislation required to implement those
22 recommendations, to the legislative management.

23 4. The members of the committee are entitled to compensation from the legislative
24 council for attendance at committee meetings at the rate provided for members of the
25 legislative assembly for attendance at interim committee meetings and are entitled to
26 reimbursement for expenses incurred in attending the meetings in the amounts
27 provided by law for other state officers.

28 5. a. The North Dakota tribal governments' task force is composed of six members as
29 follows:

30 (1) The executive director of the Indian affairs commission, or the executive
31 director's designee;

- (2) The chairman of the Standing Rock Sioux Tribe, or the chairman's designee;
- (3) The chairman of the Spirit Lake Tribe, or the chairman's designee;
- (4) The chairman of the Three Affiliated Tribes of the Fort Berthold Reservation, or the chairman's designee;
- (5) The chairman of the Turtle Mountain Band of Chippewa Indians, or the chairman's designee; and
- (6) The chairman of the Sisseton-Wahpeton Oyate of the Lake Traverse Reservation, or the chairman's designee.

- b. If the executive director of the Indian affairs commission or any of the tribal chairmen appoint a designee to serve on the task force, only one individual may serve as that designee during the biennium. A substitute designee may be appointed by the executive director of the Indian affairs commission or a tribal chairman in the event of the death, incapacity, resignation, or refusal to serve of the initial designee.

SECTION 2. AMENDMENT. The new chapter to title 54 of the North Dakota Century Code as created by section 1 of Senate Bill No. 2098, as approved by the sixty-ninth legislative assembly, is amended and reenacted as follows:

Definitions.

As used in this chapter:

1. "Amber alert notice" means an urgent bulletin using the emergency alert system to air a description of a child who has been abducted.
2. "Blue alert notice" means an urgent bulletin using the emergency alert system to air a description of an individual or an individual's vehicle to aid in the apprehension of an individual who has threatened a law enforcement officer with a deadly weapon, used a deadly weapon against a law enforcement officer, caused a law enforcement officer to suffer serious bodily injury or death, abducted a law enforcement officer, or caused a law enforcement officer to go missing while on duty, and the individual has left the scene of the offense.
3. ~~"Missing-endangered individual" means:~~

~~a. A disabled adult or elderly vulnerable adult as defined in section 50-25.2-01 who has disappeared and whose disappearance has been reported to law enforcement;~~

~~b. An individual who has a developmental disability as defined in section 25-01.2-01 who has disappeared and whose disappearance has been reported to law enforcement; or~~

~~c. An elderly adult who has disappeared, whose disappearance has been reported to law enforcement and the disappearance:~~

~~(1) Indicates the individual is believed to be in grave danger of serious bodily harm or death, as determined by a law enforcement agency and either the highway patrol or bureau of criminal investigation, based on a report received from the missing adult's family member or an individual who has significant frequent contact with the missing adult, which contains sufficient evidence of the imminent risk;~~

~~(2) Warrants a silver alert notice activation due to the particular circumstances, as determined by a law enforcement agency and either the highway patrol or bureau of criminal investigation, based on a report received from the missing adult's family member or an individual who has significant frequent contact with the missing adult, which contains sufficient evidence that the particular circumstances warrant a silver alert notice activation: "Feather alert notice" means an urgent bulletin using the emergency alert system to air a description of an indigenous individual who has been abducted or is believed to be at imminent risk of serious bodily injury or death.~~

4. "Missing and endangered persons alert notice" means an urgent bulletin using the emergency alert system to air a description of an adult who has been abducted or is believed to be at imminent risk of serious bodily injury or death.

5. "Silver alert notice" means an urgent bulletin using the emergency alert system to air a description of a missing, disabled, or elderly individual, or individual with a developmental disability, to aid in the location of that individual.

Alert-notice system activation - Report.

1. A law enforcement agency may request the bureau of criminal investigation or the superintendent of the highway patrol to activate an amber alert notice, a blue alert notice, a missing and endangered persons alert notice, a feather alert notice, or a silver alert notice.
2. The bureau of criminal investigation, in cooperation with the highway patrol and other relevant stakeholders, shall prepare an operational plan to prepare for and respond to requests for activation of an amber alert notice, a blue alert notice, a missing and endangered persons alert notice, a feather alert notice, or a silver alert notice. The plan must include the role and requirements of the division of state radio of the department of emergency services in broadcasting an alert to the public, including alerts in indigenous languages when available.
3. The Indian affairs commission shall serve as the primary liaison between tribal, state, and federal agencies regarding alert notices, if the missing individual is indigenous, and assist with public education, outreach, and advocacy efforts.
4. The bureau of criminal investigation and the highway patrol shall issue an annual report to the Indian affairs commission on the effectiveness and implementation of the feather alert notice and the missing and endangered persons alert notice for cases involving missing indigenous individuals.

Annual public meetings - Report.

The bureau of criminal investigation and the highway patrol, in cooperation with a representative of each federally recognized tribe in this state, shall present reports and findings at an annual public meeting with tribal leaders.

Minimum requirements for activating ~~an amber or blue~~ a wireless emergency alert notice.

1. An amber alert notice may not be activated unless:
 - a. The abduction involves a child seventeen years of age or younger;
 - b. The law enforcement agency investigating the abduction has confirmed the child is believed to be in grave danger of serious bodily harm or death; and

c. The bureau of criminal investigation or the superintendent of the highway patrol determines sufficient descriptive information has been provided about the child, the abductor, or the abductor's motor vehicle to:

- (1) Assist with the safe recovery of the child;
- (2) Assist with the apprehension of the abductor; and
- (3) Believe an immediate broadcast alert will assist in the search for and safe return of the child.

2. A blue alert notice may not be activated unless:

- a. An individual who is a suspect in an offense has threatened a law enforcement officer with a deadly weapon, used a deadly weapon against a law enforcement officer, caused a law enforcement officer to suffer serious bodily injury or death, abducted a law enforcement officer, or caused a law enforcement officer to go missing while on duty;
- b. The individual has fled the scene of the offense and a description of the individual or the individual's vehicle is available for broadcast;
- c. The law enforcement agency investigating the offense has determined the individual poses a threat to the public or other law enforcement personnel; and
- d. Dissemination of available information to the public may help avert further harm or assist in the apprehension of the suspect.

3. A missing and endangered persons alert notice may not be activated unless:

- a. The abduction involves an individual eighteen years of age or older;
- b. The law enforcement agency investigating the abduction has confirmed the missing individual is believed to be in grave danger of serious bodily harm or death; and
- c. The bureau of criminal investigation or the superintendent of the highway patrol determines sufficient descriptive information has been provided about the missing individual, the suspect, or the motor vehicle to:
 - (1) Assist with the safe recovery of the missing individual;
 - (2) Assist with the apprehension of the suspect; and
 - (3) Believe an immediate broadcast alert will assist in the search for and safe return of the missing individual.

1 4. A feather alert notice may not be activated unless:

2 a. The abduction involves an indigenous individual;

3 b. The law enforcement agency investigating the abduction has confirmed the
4 missing individual is believed to be in grave danger of serious bodily harm or
5 death; and

6 c. The bureau of criminal investigation or the superintendent of the highway patrol
7 determines sufficient descriptive information has been provided about the missing
8 individual, the suspect, or the motor vehicle to:

9 (1) Assist with the safe recovery of the missing individual;

10 (2) Assist with the apprehension of the suspect; and

11 (3) Believe an immediate broadcast alert will assist in the search for and safe
12 return of the missing individual.

13 5. A silver alert notice may not be activated unless the missing individual is:

14 a. A disabled adult or elderly vulnerable adult, as defined in section 50-25.2-01, who
15 has disappeared and whose disappearance has been reported to law
16 enforcement;

17 b. An individual who has a developmental disability, as defined in section
18 25-01.2-01, who has disappeared and whose disappearance has been reported
19 to law enforcement; or

20 c. An elderly adult who has disappeared, whose disappearance has been reported
21 to law enforcement, and the disappearance:

22 (1) Indicates the individual is believed to be in grave danger of serious bodily
23 harm or death, as determined by a law enforcement agency and either the
24 highway patrol or bureau of criminal investigation, based on a report
25 received from the missing adult's family member or an individual who has
26 significant frequent contact with the missing adult, which contains sufficient
27 evidence of the imminent risk; or

28 (2) Warrants a silver alert notice activation due to the particular circumstances,
29 as determined by a law enforcement agency and either the highway patrol
30 or bureau of criminal investigation, based on a report received from the
31 missing adult's family member or an individual who has significant frequent

1 contact with the missing adult, which contains sufficient evidence that the
2 particular circumstances warrant a silver alert notice activation.
3 6. If a request for activation of a missing endangered persons alert notice or a feather
4 alert notice does not meet the minimum requirements under this section, the
5 department of emergency services shall follow the department's operational plan for
6 determining proper public notification channels.

2025 CONFERENCE COMMITTEE

HB 1535

2025 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Room JW327B, State Capitol

HB 1535
4/29/2025
Conference Committee

A BILL for an Act to amend and reenact the new chapter to title 54 as created by section 1 of Senate Bill No. 2098, as approved by the sixty-ninth legislative assembly, and section 54-35-23 of the North Dakota Century Code, relating to a state alert notice system and the committee on tribal and state relations; and to provide for a report.

10:00 a.m. Chairman Karls called the meeting to order.

Members Present: Chairman Karls, Representatives Christianson, Wolff, Senators Roers, Braunberger, Walen

Discussion Topics:

- Different types of North Dakota emergency alert systems
- Wireless phone blasts

10:01 a.m. Senator Roers proposed Amendment LC: 25.1040.04007, testimony #45289.

10:13 a.m. Senator Roers moved to Amend LC: 25.1040.04007 and replace "may use multiple modes" with "shall use at least one mode" on page 6 line 17.

10:13 a.m. Senator Braunberger seconded the motion.

10:16 a.m. Jenna Clawson Huibregtse, Lieutenant with the North Dakota Highway Patrol, answered committee questions.

10:18 a.m. Senator Roers rescinded her motion.

10:18 a.m. Senator Roers moved to Amend LC: 25.1040.04007 and replace everything on page 6 lines 16-18 after "local law enforcement" with "shall use at least one mode of communication for alerts defined in this section, including but not limited to".

10:18 a.m. Senator Braunberger seconded the motion.

10:19 a.m. Motion passed 6-0-0

10:19 a.m. Senator Roers moved to replace Senate Amendments LC: 25.1040.04006 with conference committee Amendments LC: 25.1040.04008.

10:19 a.m. Senator Walen seconded the motion.

10:20 a.m. Motion passed 6-0-0

10:20 a.m. Representative Christianson will carry the bill for the House.

10:20 a.m. Senator Roers will carry the bill for the Senate.

10:21 a.m. Chairman Karls adjourned the meeting.

Wyatt Armstrong, Committee Clerk

April 29, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

**PROPOSED AMENDMENTS TO
SECOND ENGROSSMENT**

CO
4/29/25
10f9

REENGROSSED HOUSE BILL NO. 1535

Introduced by

Representatives Davis, Finley-DeVille, Martinson, Satrom, Schneider, Brown, Sanford,
Swiontek

Senators Braunberger, Cory, Lee

*In place of amendment (25.1040.04006) adopted by the Senate, Reengrossed House Bill
No. 1535 is amended by amendment (25.1040.04008) as follows:*

1 A BILL for an Act ~~to create and enact a new section to chapter 39-03 of the North Dakota~~
2 ~~Century Code, relating to the feather alert notice system; and to amend and reenact the new~~
3 ~~chapter to title 54 as created by section 1 of Senate Bill No. 2098, as approved by the sixty-~~
4 ~~ninth legislative assembly, and~~ section 54-35-23 of the North Dakota Century Code, relating to a
5 state alert notice system and the committee on tribal and state relations; and to provide for a
6 report.

7 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

8 ~~— **SECTION 1.** A new section to chapter 39-03 of the North Dakota Century Code is created~~
9 ~~and enacted as follows:~~

10 ~~— **Feather alert notice system – Report.**~~

11 ~~— 1. The highway patrol, in cooperation with the bureau of criminal investigation and the~~
12 ~~division of state radio of the department of emergency services, shall establish a~~
13 ~~feather alert notice system to activate an urgent bulletin using the emergency alert~~
14 ~~system to air a description of an indigenous individual who has been reported to law~~
15 ~~enforcement as missing and to aid in the location of that individual.~~

16 ~~— 2. A law enforcement agency may request the bureau of criminal investigation or the~~
17 ~~highway patrol to activate a feather alert notice if the agency determines that all of the~~
18 ~~following conditions are met:~~

19 ~~— a. The missing individual is an Indigenous individual;~~

- 1 ~~b. The law enforcement agency utilized available local, tribal, and state resources;~~
- 2 ~~c. The law enforcement agency determined the individual is missing under~~
- 3 ~~unexplained, suspicious, or dangerous circumstances;~~
- 4 ~~d. The law enforcement agency believes the individual is in imminent danger due to~~
- 5 ~~factors such as age, health, mental or physical disability, environment or weather~~
- 6 ~~conditions, or the possibility of being in the company of a dangerous individual;~~
- 7 ~~e. There is sufficient descriptive information available regarding the missing~~
- 8 ~~individual, the suspect, or a related vehicle to assist in recovery efforts; and~~
- 9 ~~f. The law enforcement agency confirms the case involves a suspected abduction,~~
- 10 ~~or the missing individual is believed to be in danger of serious bodily harm or~~
- 11 ~~death.~~
- 12 ~~3. The bureau of criminal investigation, in cooperation with the highway patrol, shall~~
- 13 ~~prepare an operational plan to prepare for and respond to requests for activation of a~~
- 14 ~~feather alert notice. The plan must include the role and requirements of the division of~~
- 15 ~~state radio of the department of emergency services in broadcasting an alert to the~~
- 16 ~~public, including alerts in indigenous languages when required. The bureau of criminal~~
- 17 ~~investigation, in coordination with the highway patrol and the department of~~
- 18 ~~emergency services, shall oversee the activation logistics and dissemination of alerts.~~
- 19 ~~4. The Indian affairs commission shall serve as the primary liaison between tribal, state,~~
- 20 ~~and federal agencies regarding the feather alert notice system and assist with public~~
- 21 ~~education, outreach, and advocacy efforts. The bureau of criminal investigation and~~
- 22 ~~the highway patrol shall issue an annual report to the Indian affairs commission on the~~
- 23 ~~effectiveness and implementation of the feather alert system. The bureau of criminal~~
- 24 ~~investigation and the highway patrol shall present the report and findings at an annual~~
- 25 ~~listening session with tribal leaders.~~
- 26 ~~5. The highway patrol, in cooperation with a representative of each federally recognized~~
- 27 ~~tribe in the state, shall:~~
- 28 ~~a. Promote public trust and understanding of the feather alert notice system through~~
- 29 ~~community outreach and law enforcement training programs.~~

- 1 ~~b. Hold an annual public meeting and make recommendations to the director of the~~
2 ~~bureau of criminal investigation concerning improvements to the feather alert~~
3 ~~notice system.~~

4 **SECTION 1. AMENDMENT.** Section 54-35-23 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **54-35-23. Committee on tribal and state relations - Membership - Duties.**

- 7 1. The committee on tribal and state relations is composed of seven members as follows:
8 a. A chairman designated by the chairman of the legislative management;
9 b. Three members of the house of representatives, two of whom must be selected
10 by the leader representing the majority faction of the house of representatives
11 and one of whom must be selected by the leader representing the minority
12 faction of the house of representatives; and
13 c. Three members of the senate, two of whom must be selected by the leader
14 representing the majority faction of the senate and one of whom must be
15 selected by the leader representing the minority faction of the senate.
16 2. The committee shall meet at such times and places as determined by the chairman.
17 The legislative council shall provide staffing for the committee.
18 3. The committee shall conduct joint meetings with the North Dakota tribal governments'
19 task force to study tribal-state issues, including government-to-government relations,
20 human services, education, corrections, and issues related to the promotion of
21 economic development and shall evaluate the feather alert notice-system, regarding
22 missing indigenous individuals, under section 42 of this Act. After the joint meetings
23 have concluded, the committee shall meet to prepare a report on its findings and
24 recommendations, together with any legislation required to implement those
25 recommendations, to the legislative management.
26 4. The members of the committee are entitled to compensation from the legislative
27 council for attendance at committee meetings at the rate provided for members of the
28 legislative assembly for attendance at interim committee meetings and are entitled to
29 reimbursement for expenses incurred in attending the meetings in the amounts
30 provided by law for other state officers.

- 1 5. a. The North Dakota tribal governments' task force is composed of six members as
2 follows:
3 (1) The executive director of the Indian affairs commission, or the executive
4 director's designee;
5 (2) The chairman of the Standing Rock Sioux Tribe, or the chairman's
6 designee;
7 (3) The chairman of the Spirit Lake Tribe, or the chairman's designee;
8 (4) The chairman of the Three Affiliated Tribes of the Fort Berthold Reservation,
9 or the chairman's designee;
10 (5) The chairman of the Turtle Mountain Band of Chippewa Indians, or the
11 chairman's designee; and
12 (6) The chairman of the Sisseton-Wahpeton Oyate of the Lake Traverse
13 Reservation, or the chairman's designee.
14 b. If the executive director of the Indian affairs commission or any of the tribal
15 chairmen appoint a designee to serve on the task force, only one individual may
16 serve as that designee during the biennium. A substitute designee may be
17 appointed by the executive director of the Indian affairs commission or a tribal
18 chairman in the event of the death, incapacity, resignation, or refusal to serve of
19 the initial designee.

20 **SECTION 2. AMENDMENT.** The new chapter to title 54 of the North Dakota Century Code
21 as created by section 1 of Senate Bill No. 2098, as approved by the sixty-ninth legislative
22 assembly, is amended and reenacted as follows:

23 **Definitions.**

24 As used in this chapter:

- 25 1. "Amber alert notice" means an urgent bulletin using the emergency alert system to air
26 a description of a child who has been abducted.
27 2. "Blue alert notice" means an urgent bulletin using the emergency alert system to air a
28 description of an individual or an individual's vehicle to aid in the apprehension of an
29 individual who has threatened a law enforcement officer with a deadly weapon, used a
30 deadly weapon against a law enforcement officer, caused a law enforcement officer to
31 suffer serious bodily injury or death, abducted a law enforcement officer, or caused a

1 law enforcement officer to go missing while on duty, and the individual has left the
2 scene of the offense.

3 3. ~~"Missing endangered individual" means:~~

4 ~~a. A disabled adult or elderly vulnerable adult as defined in section 50-25.2-01 who~~
5 ~~has disappeared and whose disappearance has been reported to law~~
6 ~~enforcement;~~

7 ~~b. An individual who has a developmental disability as defined in section 25-01.2-01~~
8 ~~who has disappeared and whose disappearance has been reported to law~~
9 ~~enforcement; or~~

10 ~~c. An elderly adult who has disappeared, whose disappearance has been reported~~
11 ~~to law enforcement and the disappearance:~~

12 ~~(1) Indicates the individual is believed to be in grave danger of serious bodily~~
13 ~~harm or death, as determined by a law enforcement agency and either the~~
14 ~~highway patrol or bureau of criminal investigation, based on a report~~
15 ~~received from the missing adult's family member or an individual who has~~
16 ~~significant frequent contact with the missing adult, which contains sufficient~~
17 ~~evidence of the imminent risk;~~

18 ~~(2) Warrants a silver alert notice activation due to the particular circumstances,~~
19 ~~as determined by a law enforcement agency and either the highway patrol~~
20 ~~or bureau of criminal investigation, based on a report received from the~~
21 ~~missing adult's family member or an individual who has significant frequent~~
22 ~~contact with the missing adult, which contains sufficient evidence that the~~
23 ~~particular circumstances warrant a silver alert notice activation. "Feather~~
24 ~~alert notice" means an urgent bulletin using the emergency alert system to~~
25 ~~air a description of an indigenous individual who has been abducted or is~~
26 ~~believed to be at imminent risk of serious bodily injury or death.~~

27 4. "Missing and endangered persons alert notice" means an urgent bulletin using the
28 emergency alert system to air a description of an adult who has been abducted or is
29 believed to be at imminent risk of serious bodily injury or death.

5. "Silver alert notice" means an urgent bulletin using the emergency alert system to air a description of a missing, disabled, or elderly individual, or individual with a developmental disability, to aid in the location of that individual.

Alert notice system activation - Report.

1. A law enforcement agency may request the bureau of criminal investigation or the superintendent of the highway patrol to activate an amber alert notice, a blue alert notice, a missing and endangered persons alert notice, a feather alert notice, or a silver alert notice.
2. The bureau of criminal investigation, in cooperation with the highway patrol and other relevant stakeholders, shall prepare an operational plan to prepare for and respond to requests for activation of an amber alert notice, a blue alert notice, a missing and endangered persons alert notice, a feather alert notice, or a silver alert notice. The plan must include the role and requirements of the division of state radio of the department of emergency services in broadcasting an alert to the public, including alerts in indigenous languages when available.
3. The bureau of criminal investigation, in cooperation with the highway patrol, department of emergency services, and local law enforcement, shall use one or more modes of communication for an alert defined in this chapter, including:
 - a. The emergency alert system;
 - b. The national information system for travel;
 - c. Digital highway message signs;
 - d. Local alerting systems if available;
 - e. State or local jurisdiction websites; or
 - f. Social media platforms.
4. The Indian affairs commission shall serve as the primary liaison between tribal, state, and federal agencies regarding alert notices, if the missing individual is indigenous, and assist with public education, outreach, and advocacy efforts.
5. The bureau of criminal investigation and the highway patrol shall issue an annual report to the Indian affairs commission on the effectiveness and implementation of the feather alert notice and the missing and endangered persons alert notice for cases involving missing indigenous individuals.

Annual public meetings - Report.

The bureau of criminal investigation and the highway patrol, in cooperation with a representative of each federally recognized tribe in this state, shall present reports and findings at an annual public meeting with tribal leaders.

Minimum requirements for activating ~~an amber or blue~~ a wireless emergency alert notice.

1. An amber alert notice may not be activated unless:
 - a. The abduction involves a child seventeen years of age or younger;
 - b. The law enforcement agency investigating the abduction has confirmed the child is believed to be in grave danger of serious bodily harm or death; and
 - c. The bureau of criminal investigation or the superintendent of the highway patrol determines sufficient descriptive information has been provided about the child, the abductor, or the abductor's motor vehicle to:
 - (1) Assist with the safe recovery of the child;
 - (2) Assist with the apprehension of the abductor; and
 - (3) Believe an immediate broadcast alert will assist in the search for and safe return of the child.
2. A blue alert notice may not be activated unless:
 - a. An individual who is a suspect in an offense has threatened a law enforcement officer with a deadly weapon, used a deadly weapon against a law enforcement officer, caused a law enforcement officer to suffer serious bodily injury or death, abducted a law enforcement officer, or caused a law enforcement officer to go missing while on duty;
 - b. The individual has fled the scene of the offense and a description of the individual or the individual's vehicle is available for broadcast;
 - c. The law enforcement agency investigating the offense has determined the individual poses a threat to the public or other law enforcement personnel; and
 - d. Dissemination of available information to the public may help avert further harm or assist in the apprehension of the suspect.

3. A missing and endangered persons alert notice may not be activated unless:

- a. The abduction involves an individual eighteen years of age or older;

- 1 b. The law enforcement agency investigating the abduction has confirmed the
2 missing individual is believed to be in grave danger of serious bodily harm or
3 death; and
- 4 c. The bureau of criminal investigation or the superintendent of the highway patrol
5 determines sufficient descriptive information has been provided about the missing
6 individual, the suspect, or the motor vehicle to:
 - 7 (1) Assist with the safe recovery of the missing individual;
 - 8 (2) Assist with the apprehension of the suspect; and
 - 9 (3) Believe an immediate broadcast alert will assist in the search for and safe
10 return of the missing individual.
- 11 4. A feather alert notice may not be activated unless:
 - 12 a. The abduction involves an indigenous individual;
 - 13 b. The law enforcement agency investigating the abduction has confirmed the
14 missing individual is believed to be in grave danger of serious bodily harm or
15 death; and
 - 16 c. The bureau of criminal investigation or the superintendent of the highway patrol
17 determines sufficient descriptive information has been provided about the missing
18 individual, the suspect, or the motor vehicle to:
 - 19 (1) Assist with the safe recovery of the missing individual;
 - 20 (2) Assist with the apprehension of the suspect; and
 - 21 (3) Believe an immediate broadcast alert will assist in the search for and safe
22 return of the missing individual.
- 23 5. A silver alert notice may not be activated unless the missing individual is:
 - 24 a. A disabled adult or elderly vulnerable adult, as defined in section 50-25.2-01, who
25 has disappeared and whose disappearance has been reported to law
26 enforcement;
 - 27 b. An individual who has a developmental disability, as defined in section
28 25-01.2-01, who has disappeared and whose disappearance has been reported
29 to law enforcement; or
 - 30 c. An elderly adult who has disappeared, whose disappearance has been reported
31 to law enforcement, and the disappearance:

- 1 (1) Indicates the individual is believed to be in grave danger of serious bodily
2 harm or death, as determined by a law enforcement agency and either the
3 highway patrol or bureau of criminal investigation, based on a report
4 received from the missing adult's family member or an individual who has
5 significant frequent contact with the missing adult, which contains sufficient
6 evidence of the imminent risk; or
- 7 (2) Warrants a silver alert notice activation due to the particular circumstances,
8 as determined by a law enforcement agency and either the highway patrol
9 or bureau of criminal investigation, based on a report received from the
10 missing adult's family member or an individual who has significant frequent
11 contact with the missing adult, which contains sufficient evidence that the
12 particular circumstances warrant a silver alert notice activation.
- 13 6. If a request for activation of a missing endangered persons alert notice or a feather
14 alert notice does not meet the minimum requirements under this section, the
15 department of emergency services shall follow the department's operational plan for
16 determining proper public notification channels.

HB 1535 042925 1019 AM Roll Call Vote

Amendment

HB 1535

Date Submitted: April 29, 2025, 10:19 a.m.

Action: Passed

Amendment LC #: Pending LC #

Motioned By: Roers, Kristin

Seconded By: Braunberger, Ryan

Emergency Clause: None

Vote Results: 6 - 0 - 0

Description: Senator Roers moved Amendment

Rep. Karls, Karen	Yea
Rep. Christianson, Nels	Yea
Rep. Wolff, Christina	Yea
Sen. Roers, Kristin	Yea
Sen. Braunberger, Ryan	Yea
Sen. Walen, Chuck	Yea

HB 1535 042925 1020 AM Roll Call Vote

Final Recommendation

HB 1535

Date Submitted: April 29, 2025, 10:20 a.m.

Recommendation: In Place Of

Amendment LC #: 25.1040.04008

Engrossed LC #: N/A

Motioned By: Roers, Kristin

Seconded By: Walen, Chuck

House Carrier: Christianson, Nels

Senate Carrier: Roers, Kristin

Emergency Clause: None

Vote Results: 6 - 0 - 0

Description: Senator Roers moved Amendment

Rep. Karls, Karen	Yea
Rep. Christianson, Nels	Yea
Rep. Wolff, Christina	Yea
Sen. Roers, Kristin	Yea
Sen. Braunberger, Ryan	Yea
Sen. Walen, Chuck	Yea

**REPORT OF CONFERENCE COMMITTEE
REENGROSSED HB 1535**

Your conference committee (Sens. Roers, Braunberger, Walen and Reps. Karls, Christianson, Wolff) recommends that in place of amendment [25.1040.04006](#) adopted by the Senate, Reengrossed HB 1535 is amended by amendment [25.1040.04008](#).

Reengrossed HB 1535 was placed on the Seventh order of business on the calendar.

25.1040.04007
Title.

Prepared by the Legislative Council
staff for Senator Roers
April 28, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO SECOND ENGROSSMENT

REENGROSSED HOUSE BILL NO. 1535

Introduced by

Representatives Davis, Finley-DeVille, Martinson, Satrom, Schneider, Brown, Sanford,
Swiontek

Senators Braunberger, Cory, Lee

*In place of amendment (25.1040.04006) adopted by the Senate, Engrossed House Bill
No. 1535 is amended by amendment (25.1040.04007) as follows:*

1 A BILL for an Act ~~to create and enact a new section to chapter 39-03 of the North Dakota~~
2 ~~Century Code, relating to the feather alert notice system; and to amend and reenact the new~~
3 ~~chapter to title 54 as created by section 1 of Senate Bill No. 2098, as approved by the sixty-~~
4 ~~ninth legislative assembly, and~~ section 54-35-23 of the North Dakota Century Code, relating to a
5 state alert notice system and the committee on tribal and state relations; and to provide for a
6 report.

7 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

8 ~~SECTION 1. A new section to chapter 39-03 of the North Dakota Century Code is created~~
9 ~~and enacted as follows:~~
10 ~~Feather alert notice system -- Report:~~
11 ~~1. The highway patrol, in cooperation with the bureau of criminal investigation and the~~
12 ~~division of state radio of the department of emergency services, shall establish a~~
13 ~~feather alert notice system to activate an urgent bulletin using the emergency alert~~
14 ~~system to air a description of an indigenous individual who has been reported to law~~
15 ~~enforcement as missing and to aid in the location of that individual:~~
16 ~~2. A law enforcement agency may request the bureau of criminal investigation or the~~
17 ~~highway patrol to activate a feather alert notice if the agency determines that all of the~~
18 ~~following conditions are met:~~
19 ~~a. The missing individual is an Indigenous individual:~~

- 1 ~~b. The law enforcement agency utilized available local, tribal, and state resources;~~
- 2 ~~c. The law enforcement agency determined the individual is missing under~~
- 3 ~~unexplained, suspicious, or dangerous circumstances;~~
- 4 ~~d. The law enforcement agency believes the individual is in imminent danger due to~~
- 5 ~~factors such as age, health, mental or physical disability, environment or weather~~
- 6 ~~conditions, or the possibility of being in the company of a dangerous individual;~~
- 7 ~~e. There is sufficient descriptive information available regarding the missing~~
- 8 ~~individual, the suspect, or a related vehicle to assist in recovery efforts; and~~
- 9 ~~f. The law enforcement agency confirms the case involves a suspected abduction,~~
- 10 ~~or the missing individual is believed to be in danger of serious bodily harm or~~
- 11 ~~death.~~
- 12 ~~3. The bureau of criminal investigation, in cooperation with the highway patrol, shall~~
- 13 ~~prepare an operational plan to prepare for and respond to requests for activation of a~~
- 14 ~~feather alert notice. The plan must include the role and requirements of the division of~~
- 15 ~~state radio of the department of emergency services in broadcasting an alert to the~~
- 16 ~~public, including alerts in indigenous languages when required. The bureau of criminal~~
- 17 ~~investigation, in coordination with the highway patrol and the department of~~
- 18 ~~emergency services, shall oversee the activation logistics and dissemination of alerts.~~
- 19 ~~4. The Indian affairs commission shall serve as the primary liaison between tribal, state,~~
- 20 ~~and federal agencies regarding the feather alert notice system and assist with public~~
- 21 ~~education, outreach, and advocacy efforts. The bureau of criminal investigation and~~
- 22 ~~the highway patrol shall issue an annual report to the Indian affairs commission on the~~
- 23 ~~effectiveness and implementation of the feather alert system. The bureau of criminal~~
- 24 ~~investigation and the highway patrol shall present the report and findings at an annual~~
- 25 ~~listening session with tribal leaders.~~
- 26 ~~5. The highway patrol, in cooperation with a representative of each federally recognized~~
- 27 ~~tribe in the state, shall:~~
- 28 ~~a. Promote public trust and understanding of the feather alert notice system through~~
- 29 ~~community outreach and law enforcement training programs.~~

- 1 ~~b. Hold an annual public meeting and make recommendations to the director of the~~
2 ~~bureau of criminal investigation concerning improvements to the feather alert~~
3 ~~notice system.~~

4 **SECTION 1. AMENDMENT.** Section 54-35-23 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **54-35-23. Committee on tribal and state relations - Membership - Duties.**

- 7 1. The committee on tribal and state relations is composed of seven members as follows:
- 8 a. A chairman designated by the chairman of the legislative management;
- 9 b. Three members of the house of representatives, two of whom must be selected
10 by the leader representing the majority faction of the house of representatives
11 and one of whom must be selected by the leader representing the minority
12 faction of the house of representatives; and
- 13 c. Three members of the senate, two of whom must be selected by the leader
14 representing the majority faction of the senate and one of whom must be
15 selected by the leader representing the minority faction of the senate.
- 16 2. The committee shall meet at such times and places as determined by the chairman.
17 The legislative council shall provide staffing for the committee.
- 18 3. The committee shall conduct joint meetings with the North Dakota tribal governments'
19 task force to study tribal-state issues, including government-to-government relations,
20 human services, education, corrections, and issues related to the promotion of
21 economic development and shall evaluate the feather alert notice-system, regarding
22 missing indigenous individuals, under section 42 of this Act. After the joint meetings
23 have concluded, the committee shall meet to prepare a report on its findings and
24 recommendations, together with any legislation required to implement those
25 recommendations, to the legislative management.
- 26 4. The members of the committee are entitled to compensation from the legislative
27 council for attendance at committee meetings at the rate provided for members of the
28 legislative assembly for attendance at interim committee meetings and are entitled to
29 reimbursement for expenses incurred in attending the meetings in the amounts
30 provided by law for other state officers.

- 1 5. a. The North Dakota tribal governments' task force is composed of six members as
2 follows:
- 3 (1) The executive director of the Indian affairs commission, or the executive
4 director's designee;
- 5 (2) The chairman of the Standing Rock Sioux Tribe, or the chairman's
6 designee;
- 7 (3) The chairman of the Spirit Lake Tribe, or the chairman's designee;
- 8 (4) The chairman of the Three Affiliated Tribes of the Fort Berthold Reservation,
9 or the chairman's designee;
- 10 (5) The chairman of the Turtle Mountain Band of Chippewa Indians, or the
11 chairman's designee; and
- 12 (6) The chairman of the Sisseton-Wahpeton Oyate of the Lake Traverse
13 Reservation, or the chairman's designee.
- 14 b. If the executive director of the Indian affairs commission or any of the tribal
15 chairmen appoint a designee to serve on the task force, only one individual may
16 serve as that designee during the biennium. A substitute designee may be
17 appointed by the executive director of the Indian affairs commission or a tribal
18 chairman in the event of the death, incapacity, resignation, or refusal to serve of
19 the initial designee.

20 **SECTION 2. AMENDMENT.** The new chapter to title 54 of the North Dakota Century Code
21 as created by section 1 of Senate Bill No. 2098, as approved by the sixty-ninth legislative
22 assembly, is amended and reenacted as follows:

23 **Definitions.**

24 As used in this chapter:

- 25 1. "Amber alert notice" means an urgent bulletin using the emergency alert system to air
26 a description of a child who has been abducted.
- 27 2. "Blue alert notice" means an urgent bulletin using the emergency alert system to air a
28 description of an individual or an individual's vehicle to aid in the apprehension of an
29 individual who has threatened a law enforcement officer with a deadly weapon, used a
30 deadly weapon against a law enforcement officer, caused a law enforcement officer to
31 suffer serious bodily injury or death, abducted a law enforcement officer, or caused a

1 law enforcement officer to go missing while on duty, and the individual has left the
2 scene of the offense.

3 3. ~~"Missing endangered individual" means:~~

4 ~~a. A disabled adult or elderly vulnerable adult as defined in section 50-25.2-01 who~~
5 ~~has disappeared and whose disappearance has been reported to law~~
6 ~~enforcement;~~

7 ~~b. An individual who has a developmental disability as defined in section 25-01.2-01~~
8 ~~who has disappeared and whose disappearance has been reported to law~~
9 ~~enforcement; or~~

10 ~~c. An elderly adult who has disappeared, whose disappearance has been reported~~
11 ~~to law enforcement and the disappearance:~~

12 ~~(1) Indicates the individual is believed to be in grave danger of serious bodily~~
13 ~~harm or death, as determined by a law enforcement agency and either the~~
14 ~~highway patrol or bureau of criminal investigation, based on a report~~
15 ~~received from the missing adult's family member or an individual who has~~
16 ~~significant frequent contact with the missing adult, which contains sufficient~~
17 ~~evidence of the imminent risk;~~

18 ~~(2) Warrants a silver alert notice activation due to the particular circumstances,~~
19 ~~as determined by a law enforcement agency and either the highway patrol~~
20 ~~or bureau of criminal investigation, based on a report received from the~~
21 ~~missing adult's family member or an individual who has significant frequent~~
22 ~~contact with the missing adult, which contains sufficient evidence that the~~
23 ~~particular circumstances warrant a silver alert notice activation. "Feather~~
24 ~~alert notice" means an urgent bulletin using the emergency alert system to~~
25 ~~air a description of an indigenous individual who has been abducted or is~~
26 ~~believed to be at imminent risk of serious bodily injury or death.~~

27 4. "Missing and endangered persons alert notice" means an urgent bulletin using the
28 emergency alert system to air a description of an adult who has been abducted or is
29 believed to be at imminent risk of serious bodily injury or death.

1 5. "Silver alert notice" means an urgent bulletin using the emergency alert system to air a
2 description of a missing, disabled, or elderly individual, or individual with a
3 developmental disability, to aid in the location of that individual.

4 **Alert notice system activation - Report.**

5 1. A law enforcement agency may request the bureau of criminal investigation or the
6 superintendent of the highway patrol to activate an amber alert notice, a blue alert
7 notice, a missing and endangered persons alert notice, a feather alert notice, or a
8 silver alert notice.

9 2. The bureau of criminal investigation, in cooperation with the highway patrol and other
10 relevant stakeholders, shall prepare an operational plan to prepare for and respond to
11 requests for activation of an amber alert notice, a blue alert notice, a missing and
12 endangered persons alert notice, a feather alert notice, or a silver alert notice. The
13 plan must include the role and requirements of the division of state radio of the
14 department of emergency services in broadcasting an alert to the public, including
15 alerts in indigenous languages when available.

new 16 3. The bureau of criminal investigation, in cooperation with the highway patrol,
17 department of emergency services, and local law enforcement, may use multiple
18 modes of communication for a feather alert notice or missing and endangered persons
19 alert notice, including:

20 a. The emergency alert system;

21 b. The national information system for travel;

22 c. Digital highway message signs;

23 d. Local alerting systems if available;

24 e. State or local jurisdiction websites; and

25 f. Social media platforms.

26 4. The Indian affairs commission shall serve as the primary liaison between tribal, state,
27 and federal agencies regarding alert notices, if the missing individual is indigenous,
28 and assist with public education, outreach, and advocacy efforts.

29 5. The bureau of criminal investigation and the highway patrol shall issue an annual
30 report to the Indian affairs commission on the effectiveness and implementation of the

feather alert notice and the missing and endangered persons alert notice for cases involving missing indigenous individuals.

Annual public meetings - Report.

The bureau of criminal investigation and the highway patrol, in cooperation with a representative of each federally recognized tribe in this state, shall present reports and findings at an annual public meeting with tribal leaders.

Minimum requirements for activating ~~an amber or blue~~ a wireless emergency alert notice.

1. An amber alert notice may not be activated unless:

- a. The abduction involves a child seventeen years of age or younger;
- b. The law enforcement agency investigating the abduction has confirmed the child is believed to be in grave danger of serious bodily harm or death; and
- c. The bureau of criminal investigation or the superintendent of the highway patrol determines sufficient descriptive information has been provided about the child, the abductor, or the abductor's motor vehicle to:
 - (1) Assist with the safe recovery of the child;
 - (2) Assist with the apprehension of the abductor; and
 - (3) Believe an immediate broadcast alert will assist in the search for and safe return of the child.

2. A blue alert notice may not be activated unless:

- a. An individual who is a suspect in an offense has threatened a law enforcement officer with a deadly weapon, used a deadly weapon against a law enforcement officer, caused a law enforcement officer to suffer serious bodily injury or death, abducted a law enforcement officer, or caused a law enforcement officer to go missing while on duty;
- b. The individual has fled the scene of the offense and a description of the individual or the individual's vehicle is available for broadcast;
- c. The law enforcement agency investigating the offense has determined the individual poses a threat to the public or other law enforcement personnel; and
- d. Dissemination of available information to the public may help avert further harm or assist in the apprehension of the suspect.

1 3. A missing and endangered persons alert notice may not be activated unless:

2 a. The abduction involves an individual eighteen years of age or older;

3 b. The law enforcement agency investigating the abduction has confirmed the
4 missing individual is believed to be in grave danger of serious bodily harm or
5 death; and

6 c. The bureau of criminal investigation or the superintendent of the highway patrol
7 determines sufficient descriptive information has been provided about the missing
8 individual, the suspect, or the motor vehicle to:

9 (1) Assist with the safe recovery of the missing individual;

10 (2) Assist with the apprehension of the suspect; and

11 (3) Believe an immediate broadcast alert will assist in the search for and safe
12 return of the missing individual.

13 4. A feather alert notice may not be activated unless:

14 a. The abduction involves an indigenous individual;

15 b. The law enforcement agency investigating the abduction has confirmed the
16 missing individual is believed to be in grave danger of serious bodily harm or
17 death; and

18 c. The bureau of criminal investigation or the superintendent of the highway patrol
19 determines sufficient descriptive information has been provided about the missing
20 individual, the suspect, or the motor vehicle to:

21 (1) Assist with the safe recovery of the missing individual;

22 (2) Assist with the apprehension of the suspect; and

23 (3) Believe an immediate broadcast alert will assist in the search for and safe
24 return of the missing individual.

25 5. A silver alert notice may not be activated unless the missing individual is:

26 a. A disabled adult or elderly vulnerable adult, as defined in section 50-25.2-01, who
27 has disappeared and whose disappearance has been reported to law
28 enforcement;

29 b. An individual who has a developmental disability, as defined in section
30 25-01.2-01, who has disappeared and whose disappearance has been reported
31 to law enforcement; or

- 1 c. An elderly adult who has disappeared, whose disappearance has been reported
2 to law enforcement, and the disappearance:
- 3 (1) Indicates the individual is believed to be in grave danger of serious bodily
4 harm or death, as determined by a law enforcement agency and either the
5 highway patrol or bureau of criminal investigation, based on a report
6 received from the missing adult's family member or an individual who has
7 significant frequent contact with the missing adult, which contains sufficient
8 evidence of the imminent risk; or
- 9 (2) Warrants a silver alert notice activation due to the particular circumstances,
10 as determined by a law enforcement agency and either the highway patrol
11 or bureau of criminal investigation, based on a report received from the
12 missing adult's family member or an individual who has significant frequent
13 contact with the missing adult, which contains sufficient evidence that the
14 particular circumstances warrant a silver alert notice activation.
- 15 6. If a request for activation of a missing endangered persons alert notice or a feather
16 alert notice does not meet the minimum requirements under this section, the
17 department of emergency services shall follow the department's operational plan for
18 determining proper public notification channels.