

TRAINING BULLETIN

A PUBLICATION OF THE SAN DIEGO POLICE DEPARTMENT

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EBONY ALERT GUIDELINES

I. PURPOSE

To provide guidance on new California legislation authorizing law enforcement to issue an Ebony Alert for missing African-American or Black persons between the age of 12 to 25 years old.

II. SCOPE

This Training Bulletin applies to all Department personnel.

III. BACKGROUND

The first alert system developed in California was “AMBER Alert,” that authorized law enforcement agencies to use digital messaging on overhead roadway signs to assist in recovery efforts for child abduction cases. As of December 2020, the AMBER Alert system had successfully assisted in the rescue of 1,029 kidnapped children.

According to data from the 2019 United States Census, people who are Black or African American make up 13.4% of the United States population. Per statistics from the National Crime Information Center’s (NCIC) Missing Person and Unidentified Person Files in 2021, 177,500 Black adults and children were reported missing. Black youth 18 years of age or under make up 38 percent of missing persons cases and Black children make up about 33 percent of all missing child cases.

IV. DEFINITIONS

Ebony Alert - a notification system designed to issue and coordinate alerts with respect to Black youth, including young women and girls, who are reported missing

under unexplained or suspicious circumstances, at risk, developmentally disabled, or cognitively impaired, or who have been abducted.

V. PROCEDURES

A. **On January 1, 2024**, a new alert system will be available to SDPD personnel looking for missing persons of African-American/Black persons between the ages of 12 and 25 years of age.

1. California Government Code Section 8594.14 provides authority for law enforcement personnel as follows:

8594.14

(a) For purposes of this section, “Ebony Alert” means a notification system, activated pursuant to subdivision (b), designed to issue and coordinate alerts with respect to Black youth, including young women and girls, who are reported missing under unexplained or suspicious circumstances, at risk, developmentally disabled, or cognitively impaired, or who have been abducted.

(b) (1) If a person is reported missing to a law enforcement agency and that agency determines that the requirements of subdivision (c) are met, the law enforcement agency may request the Department of the California Highway Patrol to activate an Ebony Alert. If the Department of the California Highway Patrol concurs that the requirements of subdivision (c) have been met, it may activate an Ebony Alert within the appropriate geographical area requested by the investigating law enforcement agency.

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

(3) Upon activation of an Ebony Alert, the Department of the California Highway Patrol may assist the investigating law enforcement agency by issuing a be-on-the-lookout alert, an electronic flyer, or changeable message signs in compliance with paragraph (4).

(4) Upon activation of an Ebony 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.
 - (c) A law enforcement agency may request that an Ebony Alert be activated if that agency determines that an Ebony Alert would be an effective tool in the investigation of missing Black youth, including a young woman or girl. The law enforcement agency may consider the following factors to make that determination:
 - (1) The missing person is between 12 to 25 years of age, inclusive.
 - (2) The missing person suffers from a mental or physical disability.
 - (3) The person 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.
 - (4) The law enforcement agency determines that the person has gone missing under unexplained or suspicious circumstances.
 - (5) The law enforcement agency believes that the person is in danger because of age, health, mental or physical disability, or environment or weather conditions, that the person is in the company of a potentially dangerous person, or that there are other factors indicating that the person may be in peril.
 - (6) The investigating law enforcement agency has utilized available local resources.
 - (7) There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.
- B. Department members are also reminded of the other alert systems utilized by the California Highway Patrol and their activation requirements posted on their website (www.chp.ca.gov/News-Alerts):

1. **AMBER Alert Criteria**

In order for an AMBER Alert to be activated, the following criteria must be met (Government Code section 8594):

1. Confirmation that an abduction has occurred or a child was taken by anyone, including, but not limited to, a custodial parent or guardian.
2. The victim is 17 years of age or younger, or an individual with a proven mental or physical disability.
3. The victim is in imminent danger of serious bodily injury or death.
4. There is information available that, if disseminated to the public, could assist in the safe recovery of the victim.

2. **Blue Alert Criteria**

In order for a Blue Alert to be activated, the following criteria must be met (Government Code section 8594.5):

1. A law enforcement officer has been killed, suffers serious bodily injury, or is assaulted with a deadly weapon, and the suspect has fled the scene of the offense.
2. A law enforcement agency investigating the offense has determined that the suspect poses an imminent threat to the public or other law enforcement personnel.
3. A detailed description of the suspect's vehicle or license plate is available for broadcast.
4. Public dissemination of available information may help avert further harm or accelerate apprehension of the suspect.

3. **Feather Alert Criteria**

In order for a Feather Alert to be activated, a law enforcement agency must determine that the following criteria have been met. (Government Code section 8594.13):

1. The missing person is an indigenous woman or indigenous person.
2. The investigating law enforcement agency has utilized available local and tribal resources.

3. The law enforcement agency determines that the person has gone missing under unexplainable or suspicious circumstances.
4. The law enforcement agency believes that the person is in danger.
5. There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

4. **Silver Alert Criteria**

In order for a Silver Alert to be activated, law enforcement must be satisfied the following criteria have been met (Government Code section 8594.10):

1. The missing person is 65 years of age or older, developmentally disabled or cognitively impaired.
2. The investigating law enforcement agency has utilized all available local resources.
3. The law enforcement agency determines that the person has gone missing under unexplained or suspicious circumstances.
4. The law enforcement agency believes that the person is in danger because of age, health, mental or physical disability, environment or weather conditions, the person is in the company of a potentially dangerous person, or other factors indicating that the person may be in peril.
5. There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

5. **Yellow Alert Criteria**

In order for a Yellow Alert to be activated, law enforcement must be satisfied the following criteria have been met (Government Code section 8594.15):

1. A person has been killed due to a hit-and-run incident.
2. There is an indication that a suspect has fled the scene utilizing the state highway system or is likely to be observed by the public on the state highway system.

3. The investigating law enforcement agency has additional information concerning the suspect or the suspect's vehicle, including, but not limited to, any of the following:

- (A) The complete license plate number of the suspect's vehicle.
- (B) A partial license plate number and additional unique identifying characteristics, such as the make, model, and color of the suspect's vehicle, which could reasonably lead to the apprehension of a suspect.
- (C) The identity of a suspect.

4. Public dissemination of available information could either help avert further harm or accelerate apprehension of a suspect based on any factor, including, but not limited to, the time elapsed between a hit-and-run incident and the request or the likelihood that an activation would reasonably lead to the apprehension of a suspect.

Please read at squad conferences and post.