STATE OF NEW YORK

6865--A

2025-2026 Regular Sessions

IN SENATE

March 25, 2025

Introduced by Sens. WEBB, COMRIE, FERNANDEZ, GONZALEZ, LIU, RAMOS -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- recommitted to the Committee on Codes in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to the creation of a "ebony alert system" for missing Black youth

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The executive law is amended by adding a new section 837-f-3 to read as follows:

§ 837-f-3. Ebony alert system. 1. The division of criminal justice services, through the missing children clearinghouse and in consultation with the division of state police, shall establish and maintain an ebony alert system on behalf of Black youth, to provide prompt dissemination of information to the public regarding missing persons who meet the criteria established pursuant to this section.

2. A law enforcement agency investigating a missing person case may request activation of an ebony alert through the missing children clearinghouse. Upon receipt of such request, the division, through the missing children clearinghouse and in coordination with the division of state police, shall evaluate the request and determine whether activation criteria have been met.

3. An ebony alert may be activated when the division determines that:

(a) the missing person is twelve to twenty-five years of age, inclusive;

(b) the disappearance of such person is unexplained or suspicious;

(c) the missing person suffers from a mental or physical disability;

(d) the missing person may be at risk of harm, including but not limited to trafficking, exploitation, or other criminal activity;

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD09408-03-6

(e) the individual is believed to be in danger or otherwise in peril; and

(f) sufficient descriptive information is available that dissemination to the public could assist in the safe recovery of such person.

4. Upon activation of an ebony alert, the division may disseminate information regarding the missing person through appropriate communications systems, including but not limited to:

(a) law enforcement communications networks;

(b) broadcast and digital media outlets;

(c) wireless emergency alerts or other public alert notification systems;

(d) internet or social media platforms utilized by the division or participating agencies; and

(e) other public notification systems utilized by the missing children clearinghouse.

5. In implementing the ebony alert system, the division shall coordinate with the division of state police, the division of homeland security and emergency services, the department of transportation, local law enforcement agencies, and other appropriate entities involved in missing persons investigations.

6. The department of transportation may assist in disseminating ebony alert information through dynamic message signs or other highway communication systems, provided that such use complies with applicable federal laws and regulations governing highway signage.

7. When the division determines that a missing person subject to an ebony alert may have crossed jurisdictional boundaries, the division may coordinate with law enforcement agencies in other states or jurisdictions to disseminate alert information and facilitate recovery.

8. In administering the ebony alert system, the division shall ensure that dissemination of information is conducted in a manner consistent with applicable state and federal privacy laws and regulations and that information released to the public is limited to that necessary to assist in the recovery of the missing person.

9. The commissioner, in consultation with the division of state police and the missing children clearinghouse, shall promulgate rules and regulations necessary to implement the provisions of this section.

10. The ebony alert system established pursuant to this section shall operate in coordination with other statewide missing persons alert systems administered by the division. The division shall determine whether activation of an ebony alert is appropriate when the circumstances of the disappearance do not meet the criteria for activation of another missing persons alert system administered by the division. Nothing in this section shall be construed to permit the simultaneous activation of multiple statewide alert systems for the same missing person.

§ 2. The commissioner of the division of criminal justice services shall submit an annual report to the governor and legislature regarding the activities of the ebony alert system, including statistical information involving reported cases of missing individuals that meet the criteria established under section 837-f-3 of the executive law and a summary of the division's efforts with respect to the activities authorized under this act.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law.