
Wisconsin Legislative Council

ACT MEMO



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2023 Wisconsin Act 272
[2023 Senate Bill 981]

**Alerts for Certain
Missing Children**

BACKGROUND

Amber Alert System

The Amber Alert system is a voluntary, cooperative partnership between law enforcement agencies and local radio television broadcasters to broadcast an emergency bulletin to the public when a child under the age of 17 has been abducted and is believed to be in danger of serious bodily harm or death. The program was initiated by federal legislation and is coordinated by the U.S. Department of Justice. [34 U.S.C. ch. 205.]

Each state has an Amber Alert plan. Under Wisconsin's [Amber Alert Plan](#), all Amber Alerts must meet the following criteria:

- The child who is the subject of the alert must be 17 years of age or younger.
- The child must be in danger of serious bodily injury or death.
- The law enforcement agency requesting the alert must have enough descriptive information about the child, the suspect, or the suspect vehicle to believe an immediate broadcast will help locate the child.

According to the plan, Amber Alerts are not used for runaways or family abductions unless the child's life is in immediate danger.

Alerts for Certain Missing Adults

State law provides a process whereby the public is alerted that adults at risk¹ and veterans at risk² are missing. If a law enforcement agency receives a report that an adult at risk is missing, it must disseminate this information through the [Wisconsin Integrated Crime Alert Network](#). Such alerts are referred to as "Silver Alerts." Similarly, if it receives a report that a veteran at risk is missing within 72 hours of that individual's disappearance, then the law enforcement agency must also disseminate this information through the Wisconsin Integrated Crime Alert Network. These alerts are referred to as "Green Alerts."

¹ In this context, an "adult at risk" is "an adult who has a developmental disability, who suffers from Alzheimer's disease or dementia, or who suffers from or could, without access to medication, suffer from cognitive impairment if the impairment would likely render the adult incapable of getting to a familiar location without assistance." [s. 175.51 (1m) (a), Stats.]

² In this context, a "veteran at risk" is "a veteran or an active-duty member of the armed forces, the national guard, or the military reserve forces of the United States who is known, based on the information provided by the person making the report, to have a physical or mental health condition that is related to his or her service." [s.175.51 (1v) (a), Stats.]

The Wisconsin Department of Justice (DOJ) is required to develop, administer, and maintain the Wisconsin Integrated Crime Alert Network. This includes the requirement for DOJ to provide training to law enforcement agencies on identifying reports of adults at risk that are appropriate for issuing a Silver Alert or Green Alert.

2023 WISCONSIN ACT 272

2023 Wisconsin Act 272 expands Wisconsin's alerts for certain missing adults to also include alerts for certain missing children that would not otherwise be issued through the Amber Alert System. Specifically, the act requires a law enforcement agency to disseminate a report through the Wisconsin Integrated Crime Alert Network when it receives a report of a missing person, who satisfies all of the following:

- Has not attained the age of 18 years.
- Whose location is unknown.
- Whose situation does not qualify for another alert (e.g., Amber Alert).
- The person is believed to be incapable of returning home without assistance due to a physical or mental condition or disability, or the person has not attained the age of 10 years.

The act also requires DOJ to provide a form for law enforcement to use for making such reports and to train law enforcement officers on identifying children under the age of 18 who are appropriate for dissemination through Wisconsin's Integrated Crime Network.

Effective date: April 11, 2024

For a full history of the bill, visit the Legislature's [bill history page](#).

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