



February 1<sup>st</sup>, 2024

Senator Cabral-Guevara, Chair

Members of the Senate Committee on Mental Health, Substance Abuse Prevention, Children and Families

**Testimony on 2023 Senate Bill 981**

*Relating to: expanding alerts for missing adults to include certain missing children.*

Thank you, Chairwoman Cabral-Guevara and other members of the committee, for hearing my testimony on Senate Bill 981 today. When a child goes missing, the entire community feels the heaviness and urgency of the situation. The emotional stress and the fear that parents go through in these situations is something I can't possibly imagine. As a law enforcement officer and a legislator, I believe that we should be doing whatever we can be to bring these kids back home safely.

Wisconsin's common alerts are the Adults at Risk (Silver Alert), the Veteran's at Risk (Green Alert), and the Amber Alert (which is in partnership with the federal level). The Amber Alert is the one that is specifically for missing children if the following criteria are met: the child is 17 years of age or younger, the child must be in danger of serious bodily injury or death, and 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. While the Amber Alert is a helpful tool, it does not encompass all possible missing children cases.

SB 891 aims to expand the Adults at Risk alert to include a missing person under 18 to whom an Amber Alert does not apply if the person is believed to be incapable of returning home without assistance due to a physical or mental condition or disability or if the person is under 10. Currently, the Adult at Risk alert applies to a missing person who is at least 18 if the person has a developmental disability or suffers from dementia, or who could, without access to medication, suffer from cognitive impairment that would likely render the adult incapable of getting to a familiar location alone.

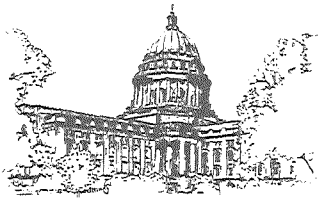
One of the benefits of utilizing the already existing "Silver Alert" is the infrastructure that DOJ has to send out the alert. Currently, a missing child alert goes out via the Wisconsin Crime Alert system, which is a voluntary opt-in subscriber system. A Silver Alert gets dispersed via the Wireless Emergency Alert System, state lottery terminals, the DOT Dynamic Messaging Signs, the Wisconsin Crime Alert system, digital advertising billboards, Facebook, and Twitter. This ensures that the alert is seen by the community, who can help act quickly in these situations that need a swift response.

These alerts aren't a perfect solution to this problem, but it gives law enforcement additional hands on deck to help save a child if possible. This is for every parent, family member, or friend that lost their child to a horrible situation like this. Thank you, and I will take any questions at this time.

Respectfully,

A handwritten signature in black ink, appearing to read "Jesse James".

Senator Jesse James  
23<sup>rd</sup> Senate District  
[Sen.James@legis.wisconsin.gov](mailto:Sen.James@legis.wisconsin.gov)



# STATE SENATOR LaTonya Johnson

WISCONSIN STATE SENATE

6<sup>TH</sup> DISTRICT

Good afternoon Chairman James and members of the committee. Thank you for holding a public hearing on Senate Bill 981 (SB 981), the Protection and Recovery Involving Non-located Children Endangered (PRINCE) Act, a vital piece of legislation designed to enhance the safety and recovery efforts for our most vulnerable citizens – our children.

The PRINCE Act represents a significant step forward in our collective efforts to protect children who go missing under circumstances not covered by the Amber Alert system. The heart-wrenching case of 5-year-old Prince McCree, who tragically lost his life after going missing, underscores the urgent need for this bill. Despite the absence of a known suspect, the urgency of Prince's disappearance was undeniable, and yet, the current Amber Alert system could not be utilized.

The PRINCE Act seeks to bridge this critical gap by expanding our alert systems to include missing children who do not qualify for an Amber Alert. This expansion is not merely a procedural change; it is a lifeline for families in distress and a call to action for communities to rally in the search and safe recovery of missing children.

In Wisconsin alone, the Department of Justice reports that an average of 76 children aged 8 and younger go missing each year, most of whom do not meet the criteria for an Amber Alert. The PRINCE Act will ensure that these children are not overlooked and that their disappearances are met with the same level of urgency and public awareness as those that qualify for an Amber Alert.

The effectiveness of the Silver Alert system in locating missing seniors is a testament to the power of community engagement in such critical situations. By sending alerts directly to the phones of individuals within a proximity of the missing person's last known location, the Silver Alert system has proven its efficacy. The PRINCE Act proposes to apply this same effective mechanism to the cases of missing children, recognizing their vulnerability and the inherent urgency in locating them as soon as possible.

Moreover, the expansion of the Alert criteria under this bill is both thoughtful and necessary. It allows for the issuance of an alert for a missing person under 18 when an Amber Alert does not apply, particularly in cases where the child, due to a physical or mental condition or disability, is incapable of returning home without assistance, or if the child is under 10.

The PRINCE Act is not just a legislative proposal; it is a moral imperative. It ensures that our state's response to missing children is as immediate and robust as possible. It empowers law enforcement and communities to act swiftly and decisively. Most importantly, it honors the memory of Prince McCree and all the children like him by ensuring that every missing child receives the attention and resources necessary for their safe return.

Thank you for your consideration.



WISCONSIN STATE REPRESENTATIVE

**Shelia Stubbs**

77TH ASSEMBLY DISTRICT

**February 1, 2024**

**Senate Bill 981—Relating to: expanding alerts for missing adults to include certain missing children— the PRINCE Act**

**Senate Committee on Mental Health, Substance Abuse Prevention, Children and Families**

Good morning Senator Chair Jesse James, Senator Vice Chair Rachael Cabral-Guevara, and Members of the Senate Committee on Mental Health, Substance Abuse Prevention, Children and Families . Thank you for the opportunity to testify in support of Senate Bill 981—Relating to: expanding alerts for missing adults to include certain missing children— the PRINCE Act.

First, I would like to thank Senator LaTonya Johnson for her hard work on this bill. I would also like to thank Representative John Spiros and Senator Jesse James for their collaboration on this bipartisan legislation to safely recover missing children.

Today I stand in unwavering support of Senate Bill 981—Relating to: expanding alerts for missing adults to include certain missing children. When their safety is endangered, our children deserve to be searched for as immediately and thoroughly as possible. The tragic homicide of 5-year-old Prince McCree of Milwaukee starkly underlines the gaps in our current procedures for locating missing children.

Since the circumstances of Prince’s disappearance did not meet the criteria to trigger an Amber Alert, his community was under-notified and under-informed about an emergency taking place in their midst. Something must be done to close this gap. It is deeply disturbing that, shortly after Wisconsin celebrated its 20<sup>th</sup> anniversary of implementing the Amber Alert Program, that program was unable to aid in the rescue of a missing and endangered child.

Under current law, the Silver Alert applies to a missing person over the age of 18 who has any cognitive condition that could lead to their endangerment or inability to reach a familiar place alone. Currently, deployment of an Amber Alert requires a reasonable belief by law enforcement that the child was abducted and is in imminent danger of serious bodily injury or death and that if sufficient information is shared with the public, the alert will assist in finding the child.

This bill expands the Silver Alert to include children if the situation is not covered by the Amber Alert. Under this bill, a Silver Alert could be issued for a missing person under 18 to whom an Amber Alert does not apply if the person is believed to be incapable of returning home without assistance due to a physical or mental condition or disability or if the person is under 10.

Thank you for listening to my testimony today in support of the PRINCE Act. By expanding the Silver Alert to include missing children, we will greatly increase the chances that missing children will be found alive and well. Every second counts in a missing persons case, and we cannot afford any delays in the location of a missing child. I am happy to answer any questions.

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NBCBLK

## Why Wisconsin didn't issue an Amber Alert for missing 5-year-old later found dead



State Sen. LaTonya Johnson wants to overhaul the state's Amber Alert system after Prince McCree's death.



— Prince Rashon McCree. Courtesy family

Nov. 7, 2023, 9:42 AM CST

**By Char Adams**

A Wisconsin family is struggling to come to terms with the death of their 5-year-old and the fact that authorities declined to issue an Amber Alert when he disappeared.

[Prince McCree](#) was found dead in a Milwaukee dumpster on Oct. 26, just one day after he disappeared from a multifamily home.

Now, as two people face charges in his death, Prince's family and local advocates are questioning the Wisconsin Justice Department's decision not to issue an Amber Alert. Some say the state's guidelines for putting out the alerts, which are meant to help find missing endangered children, are too strict. State Sen. LaTonya Johnson and other critics have expressed concern that the rigid criteria for Amber Alerts may keep authorities from recovering missing children, especially in a country where Black children go missing often with little media attention and apparent police apathy.

Police sent out a "critically missing" alert to media outlets but not an Amber Alert, a Milwaukee police spokesperson said.

"We did consult with the Department of Justice; however, we did not meet the criteria for an amber alert," the spokesperson said in an email. The state Justice Department denied the police request, the spokesperson said.

## Some say the bar for issuing an Amber Alert is too high

Under the state's Amber Alert program, missing children must be 17 or younger and in danger of serious bodily harm or death, and there must be enough "descriptive information about the child, the suspect, and/or the suspect vehicle to believe an immediate broadcast alert will help locate the child," according to [the Justice Department's website](#).

Johnson said she believes the Justice Department may have denied the request because there was no suspect description or vehicle involved when Prince disappeared.

"This tragedy is just horrific and sad in all proportions," said Johnson, who lives near the family. "His family, they are taking it extremely hard. They're struggling." She said she and Prince's family were confused when they learned an Amber Alert would not be issued the day he went missing.

"I found out that one would not be issued because he didn't qualify," she said. "That pissed me off. Something is wrong when a 5-year-old does not qualify for an Amber Alert."

The Justice Department declined to explain why it declined the request, telling NBC News that "given this case is not our investigation and is now a part of litigation, Wisconsin DOJ is not releasing law enforcement sensitive information."

## Body of missing 5-year-old boy found in Milwaukee dumpster



Wisconsin has issued 57 Amber Alerts since it implemented the program in 2003, 50% of which have played roles in recovering children, according to the Justice Department.

Johnson said Prince's family initially believed race played a role in denying the Amber Alert. "If this was a little white boy, more would be done," she recalled hearing family members say.

"I felt that way, too, at first," she added. "I explained to them that they were trying, but the system won't allow them to do it."

Racial disparities do not seem to factor into the state's Amber Alerts. Authorities issue less than three a year. Of the 41 alerts sent out from 2003 to 2020, 18 were for Black children, [USA Today reported](#). Residents are still concerned, as the number of alerts issued pales in comparison to the hundreds of children [who remained missing in Milwaukee alone](#), the state's Blackest city, in 2022.

The family's suspicion comes with a level of context. The national crisis of missing Black children is well documented, and [advocates have long said](#) missing Black children are less likely to receive law enforcement resources and even Amber Alerts to find them. That was among the complaints in Milwaukee in 2020 when residents put together a civilian search party to find two Black teenage girls, who had been missing for three days, [USA Today reported](#). They disappeared amid the George Floyd police violence protests, and tensions between Black residents and local police

were running high in cities and neighborhoods across the country. Like Prince's, their cases also did not meet criteria for Amber Alerts, the newspaper reported then.

The hourslong search for the girls erupted in civil unrest, with residents clashing with police in the streets because of frustration that police were not doing enough to find the girls. The girls were [found safe later that day](#) by one of their mothers. Police said [in a statement then](#) that they searched a home where many believed the girls had been taken but that they were not there, so officers continued the search. Police clarified that the situation did not qualify for an Amber Alert under the state's guidelines; they did not specify why. The situation underscored perceptions of law enforcement apathy when it comes to missing Black people in Wisconsin and specifically in Milwaukee, where most of the [state's Black population lives](#).

Meanwhile, advocates and concerned residents have long criticized the strict criteria for issuing Amber Alerts in Wisconsin. Last year, Chippewa Falls resident Eric Henry started a petition to ease the criteria after a local [10-year-old girl, Lily Peters, disappeared](#) and was found dead the next day. The petition asked legislators to create a "Lily Alert" for cases that do not meet the Amber Alert requirements. It is unclear why the Justice Department declined to issue the alert in Lily's case, but [local law enforcement officials said](#) at the time that it most likely was denied because there was no suspect vehicle or suspect description to report initially.

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"We need something more. Any parent would agree that when a child is missing even for a short amount of time and they need help then help should be sent," he [wrote in the petition](#). "We can do better as a community and must be more proactive. We need an alert with less regulations around it so we can respond quicker to missing children."

The petition has more than 195,000 signatures.

## 'You did this to my baby'

Police found Prince's body bound in a garbage bag in a dumpster near the multifamily home he and his family shared with several other people, including Davie Pietura, 27, and Erik Mendoza, 15, who are both charged in his death.

Pietura was arrested and charged with first-degree homicide, physical abuse of a child, hiding a corpse and being party to a crime, jail records show. An attorney for Pietura did not immediately respond to a request for comment.

Mendoza appeared at a juvenile court hearing on Oct. 31, and Prince's father addressed him through tears, [WISN-TV of Milwaukee reported](#). "You did this to my baby," he said. "Erik, you broke us."

No motive was discussed at the hearing, but according to a criminal complaint, Pietura told police that "Mendoza never liked" Prince, and "discussed wanting to kill" him. Mendoza is charged as an adult with first-degree intentional homicide, physical abuse of a child, hiding a corpse and recklessly endangering safety, according to [NBC affiliate WTMJ of Milwaukee](#).

Neither have entered pleas, and they are expected to [appear for preliminary hearings](#) later this month.

According to the criminal complaint, Prince's mother kept him home from school Oct. 25 because he was sick. She let Prince play video games with Pietura in the basement, which he often did, while she napped.

When she woke up, Prince was gone, and Pietura and Mendoza initially denied seeing him, according to the criminal complaint obtained by NBC News. The family called the police, who used K9 units to find Prince. Soon, they discovered blood in the basement where Pietura and Mendoza were and security video from a nearby resident's front doorbell camera, which allegedly showed Pietura and Mendoza carrying a garbage bag through an alleyway, the complaint says.

According to the complaint, Pietura and Mendoza told police that Mendoza choked Prince and beat him with a golf club until he was barely conscious. They bound and gagged him and continued beating him until they believed he was dead.

"Prince's dad, he's not doing well at all," said Johnson, the state senator, adding that she spoke with the father the day Prince vanished, before his body was discovered. "The reality of his son



being gone was setting in. He was feeling to the point that he failed to protect him. It's just not a burden any parent should have to bear."

As the family prepares for Prince's funeral on Tuesday, Johnson has set her sights on addressing the state's Amber Alert system. She said in a text message that it may be too difficult to make adjustments to the federal Amber Alert system, so "our next obvious choice is to create a system locally that mimics the amber alert without the suspect criteria."

She told WISN of her plans, "Even if that wouldn't have saved Prince, it does have the possibility of saving another child in the future."

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Char Adams

Char Adams is a reporter for NBC BLK who writes about race.

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Petition details Comments



# Lily alert for missing kids

Started April 25, 2022  
Petition to State Senator Jesse James

196,076

Signatures

200,000

Next Goal

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## Why this petition matters



Started by [Eric Henry](#)

I'd like to formally start a petition to create a Lily alert. A 10 year old girl went missing in Chippewa falls, Wisconsin. The child was reported missing after a bike ride to her aunt's house. She was reported missing around 9pm. Her bike and body were located the next morning. The police called it a homicide. An amber alert was never sent due to the rules around what constitutes its use. We need something more. Any parent would agree that when a child is missing even for a short amount of time and they need help then help should be sent. The community is devastated and rallied to start a search group for the missing child. We can do better as a community and must be more proactive. We need an alert with less regulations around it so we can respond quicker to missing children.



[Download this QR code](#) to help others easily find and sign the petition.

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## Decision Makers

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## Family Wants Answers After No Amber Alert Came When a Boy Disappeared

The Milwaukee Police Department wanted an alert when Prince McCree, 5, was reported missing. The state denied the request, and the boy was found dead the next day.

By Rebecca Carballo

Nov. 9, 2023

On Oct. 25, 5-year-old Prince McCree was home sick from school, playing video games. Then, he disappeared.

The police in Milwaukee asked state officials to issue an Amber Alert. The request was denied, and a day later Prince was found dead in a dumpster.

Now, his family is asking why no alert was issued and if it could have helped save his life.

“How does a child go missing and you don’t make an emergency alert?” said Lisa Casey, Prince’s cousin.

While his mother was asleep, Prince went to play video games in the basement with Erik Mendoza, 15, and David Pietura, 27, both of whom also lived in the house, according to the complaint.



Prince McCree  
Courtesy of family

Prince’s mother noticed he was missing later that day when she went to check on him. After she couldn’t find him, she called the police, according to the complaint. Relatives, neighbors and friends also took to the streets and began searching for the boy.

The Milwaukee Police Department requested an Amber Alert that was ultimately denied by the Wisconsin Department of Justice, which issues them for the state.

Mr. Mendoza and Mr. Pietura were later charged in Prince’s death after admitting their involvement to the police, according to the criminal complaint.

Mr. Mendoza was charged with first-degree intentional homicide, physical abuse of a child, hiding a corpse and recklessly endangering safety. If convicted, he could face up to two life sentences plus 65 years in prison and fined up to \$100,000. Mr. Pietura was charged with first-degree intentional homicide, physical abuse of a child, repeated acts causing death and hiding a corpse. If convicted, he could face up to two life sentences plus 12 years and six months in prison and fined up to \$25,000.

A total of 53 Amber Alerts have been issued in Wisconsin since the program's statewide inception in 2003. Nationally, about 254 alerts were issued in 2021 involving 320 children, according to the most recent U.S. Justice Department report.

To qualify for an Amber Alert, a missing child must be under 17 years of age and in danger of serious bodily harm or death, according to the Wisconsin Department of Justice. The law enforcement agency requesting the alert must have "enough descriptive information about the child, the suspect and/or the suspect vehicle to believe an immediate broadcast alert will help locate the child."

The state's Department of Justice refused to explain why it declined the request from Milwaukee and said that charges had been filed by the district attorney and that it would not be "releasing law enforcement sensitive information," said Gillian Drummond, a spokeswoman for the department.

Friends and relatives began sharing a photo of Prince on social media soon after he disappeared, and about 40 minutes later the authorities alerted local media, said State Sen. LaTonya Johnson, who lived a few houses away from Prince, and helped search for him.

The local police contacted about 200 homes and businesses, according to the complaint, but still didn't find him. Officers were eventually led to Prince's body after interviewing Mr. Pietura, who told them he had been put in a dumpster behind a bar.

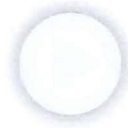
State Senator Johnson said that an Amber Alert might not have helped Prince, but she was looking into creating a system of local alerts for similar situations when an Amber Alert would not be available.

"We had neighbors on our block, who went to sleep and woke up to the fact that Prince was found dead and did not even realize he was missing," she said.

**Rebecca Carballo** is a reporter based in New York. More about Rebecca Carballo

2 Weather Alerts In Effect

# Missing 11-year-old Zanesville girl found in Wisconsin, 3 arrested for kidnapping



Authorities say the girl was abducted from Indiana, where there was a Silver Alert out for her return.

By [WPTA Staff](#) and [Taylor Williams](#)

Published: Dec. 31, 2023 at 12:28 PM CST



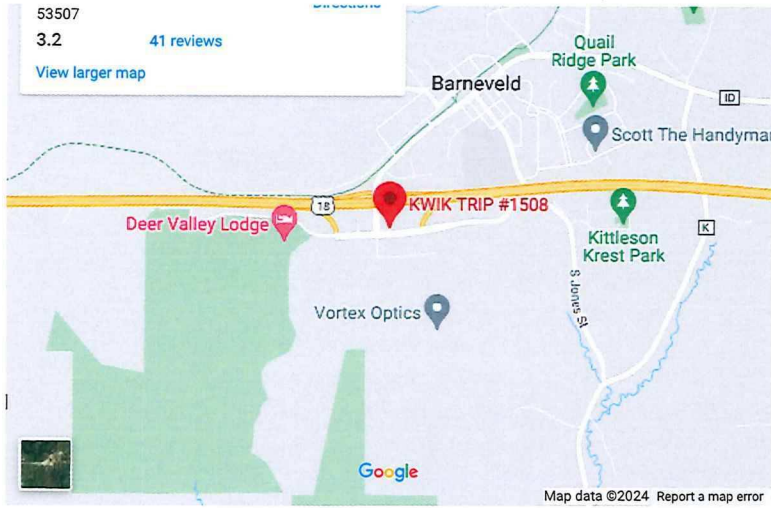
WELLS COUNTY, Ind. (WPTA) - A missing Zanesville girl has been found safe and 3 people have been arrested for kidnapping her.

A Silver Alert was issued Saturday, Dec. 30 for an 11-year-old girl. She was last seen at 3:30 p.m. in Zanesville near the Stoney Creek Estate Mobile Home Park.

Wells County Sheriff Scott Holliday says that during the time of her disappearance, there was a white Dodge Caravan, with one or two men in the area.

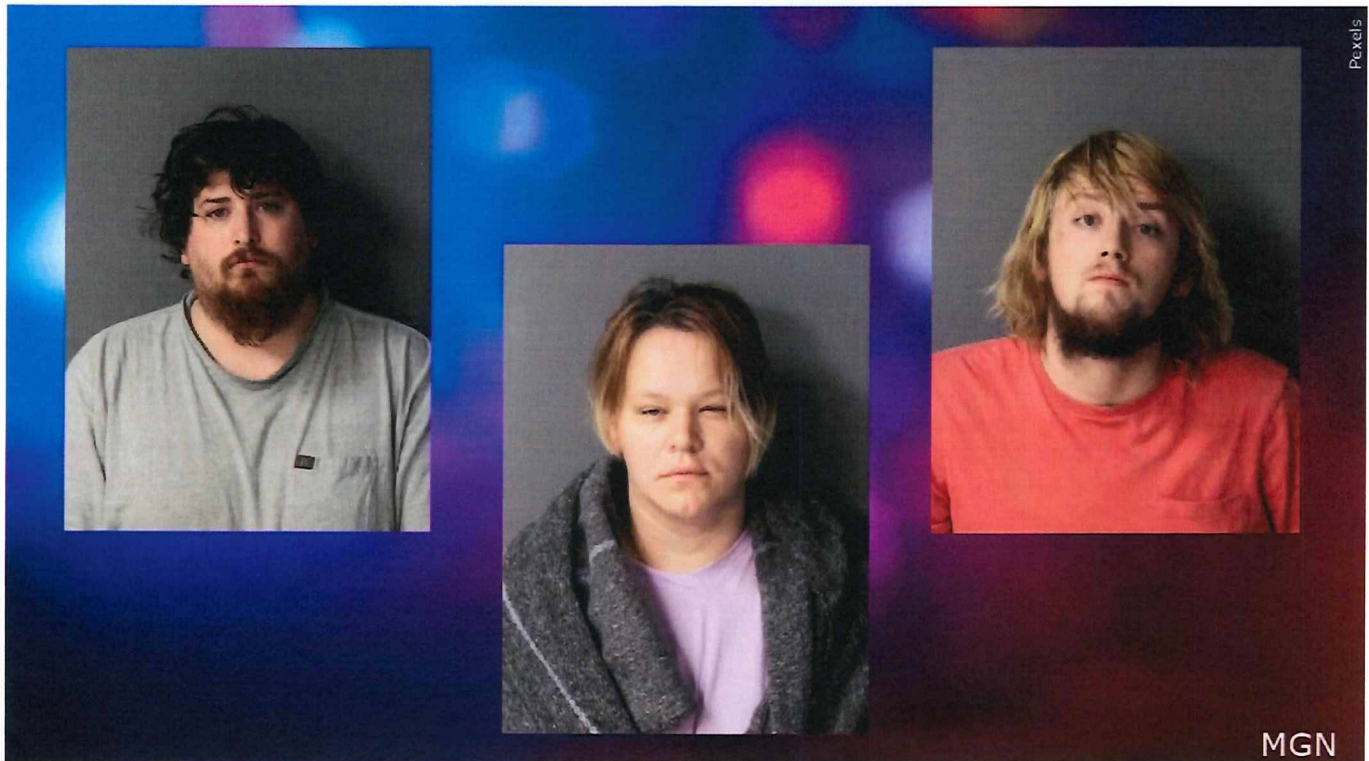
**BACKGROUND:** [Silver Alert canceled for missing 11-year-old Zanesville girl](#)

According to the Iowa County Sheriff's Office in Wisconsin, they received a call about a vehicle that had been used in an abduction in Indiana. That vehicle was stopped at Kwik Trip in Barneveld, which is west of Madison, Wisconsin.



The Dodgeville Police Department and the Iowa County Sheriff's Office initiated a traffic stop on USH 151 and closed the southbound lanes. Inside police say they found the girl, "safely removed" her and took 3 adults into custody.

Zackary Delozier, 27, of Edgemont, South Dakota, Sara Gaudino, 23, of Rapid City, South Dakota, and Isaiah Schryvers, 24, of Rapid City, South Dakota are now in the Iowa County Jail.



27-year-old Zackary Delozier (left), 23-year-old Sara Gaudino (middle), and 24-year-old Isaiah Schryvers (right) are charged with kidnapping in a Wells County girl's disappearance. (wpta)

All three have warrants for Kidnapping of a Minor out of Wells County. Officials say the group will need to waive extradition first before being transferred back to Indiana.

Officials have not said why the trio took the girl or where they were headed.

Phone: 603.930.9500  
Fax: 603.471.1875

Michael W. Peterson, Sheriff  
Austin L. Durst, Chief Deputy

Release of Information

Reference: Assisting Wells County Sheriff's Office, Indiana

December 31, 2023

Sheriff Michael Peterson reports that on December 30, 2023, Iowa County Communications Center was notified that a vehicle at Kwik Trip in Barneveld was involved in an Indiana Silver Alert for an abduction of an 11-year-old female in Indiana. The Iowa County Sheriff's Office was advised that the occupants of the vehicle were possibly armed. While the Iowa County Sheriff's Office was enroute to Barneveld it was relayed that the vehicle was traveling in the Township of Dodgeville on USH 38/151. The City of Dodgeville Police Department was dispatched to assist the Iowa County Sheriff's Office and located the vehicle traveling south on USH 151. The Dodgeville Police Department and the Iowa County Sheriff's Office initiated a traffic stop on the vehicle. The 11-year-old child was safely removed from the vehicle and 3 adults were taken into custody. During the investigation, USH 151 southbound was shut down for approximately 20 minutes.

Taken into custody:

Zachary DeLozier, age 27 of Edgemont, South Dakota  
Sara Gaudio, age 23 of Rapid City, South Dakota  
Isiah Schryvers, age 24 of Rapid City, South Dakota

All three parties had warrants for Kidnapping of a Minor out of Wells County, Indiana.

Iowa County Sheriff's Office Detectives and Wisconsin Department of Justice-DCI Agents are currently investigating the incident. The Iowa County Sheriff's Office was assisted by Dodgeville Police Department, Mineral Point Police Department, Wisconsin Department of Justice-DCI, Iowa County Social Services, and Iowa County Highway Department.

As Iowa County Sheriff, I can't thank everyone enough. Being out there with this great group of professionals, watching all these agencies come together, taking these three adults into custody quickly, and removing this 11-year-old female from this situation so she can return to her family is an amazing feeling. Thank you for making a difference in our communities.

No other comments will be made at this time due to the on-going investigation.

Our thanks goes out to our partners in Law Enforcement at the [Iowa County Sheriff's Office](#) and many other agencies for their assistance in this investigation. This is an active investigation and no further comments will be made at this time.

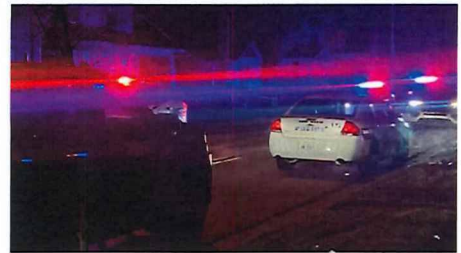
245 53 215

This is an ongoing investigation by the Iowa County Sheriff's Office Detective and Wisconsin Department of Justice- DCI Agents.

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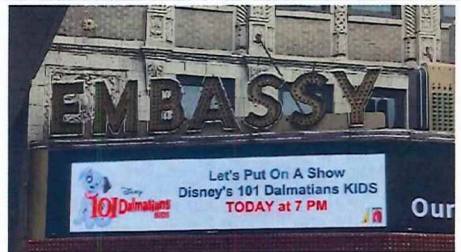
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