



WISCONSIN LEGISLATURE

P.O. BOX 8952 • MADISON, WI 53708

Testimony in Support of Assembly Bill 55 & 56 – Reckless Driving

Chairman Spiros, Vice-Chair Schutt, and members of the Committee on Criminal Justice and Public Safety:

Thank you for meeting today to hear public testimony on Assembly Bill 55 and 56, which addresses reckless driving in the form of increased penalties and allowing municipalities to impound vehicles involved in reckless driving.

According to the Milwaukee Police Department, 374 driving citations for reckless driving were issued in 2021. This past year we saw 497 citations or a 32% increase. While Milwaukee is the center of attention, this is a statewide issue. The Department of Transportation says about 2,900 people are injured in reckless driving crashes every year with 119 people killed just last year. This does not include the numerous high speed pursuits that are terminated for the safety of the public, but should be worth noting. Reckless driving may include stolen vehicles, fleeing from officers and excessive speeding of 25 mph or more. Last year alone in Milwaukee, 2,342 citations were issued for excessive speeding of 25 mph or more – nearly 6 per day. Assembly Bill 55 & 56 seek to curb this rising issue by strengthen penalties and providing another tool for police to deter criminals from habitually reoffending.

Criminals do not fear the repercussions for their actions and even publicly admit this. AB 55 would double the current penalties for all instances of reckless driving including fines and imprisonment. This bill also eliminates the time period for which a second offense modifier can be implemented. Effectively allowing for any second offense to qualify for increased penalties.

Offenders convicted of reckless driving rarely pay their fine – 77% of those have gone unpaid since 2020 in Milwaukee alone. AB 56 allows municipalities to pass ordinances impounding vehicles when the owner has a previous conviction and as not fully paid fines. Habitual offenders previously had no reason to think twice about reckless driving. This legislation will assist in the removal of the instrumental tool in reckless driving – the vehicle.

I have heard from constituents the desire to put an end to reckless driving and I hope that these bills are the crucial first steps. I ask you to join me in supporting Assembly Bill 55 & 56, legislation that is long overdue to give proper attention to the rising crime in our state. I would be happy to respond to any questions or concerns about the legislation.

Representative Donovan 84th Assembly District



DUEY STROEBEL

STATE SENATOR • 20TH DISTRICT

Testimony on Assembly Bill 55

February 28, 2023

Thank you Chairman Spiros and members of the Assembly Committee on Criminal Justice and Public Safety for holding a public hearing on Assembly Bill 55, a bill I authored with Representative Donovan to establish a stronger deterrent against reckless driving by increasing the penalties for individuals who endanger public safety through the negligent operation of a vehicle.

As Representative Donovan has highlighted, reckless driving has become commonplace in the City of Milwaukee and neighboring communities. As the frequency and brazenness of this criminal behavior has increased, so too have the number of instances in which offenders' willful disregard for the rules of the road has tragically resulted in the serious injury or death of innocent victims. While there are several factors that have contributed to this troubling trend in recent years, one of the most fundamental problems is the confidence in the lack of serious consequences among those who treat our roads as their personal playground.

While Wisconsin's laws against reckless driving largely date back to the first half of the 20th century and have been revisited on occasion for the purposes of addressing certain types of offenses, the corresponding penalties have received less scrutiny. The current law forfeiture of between \$25 and \$200 for first offense reckless driving and between \$50 and \$500 for a subsequent offense was enacted in 1953.¹ Moreover, the law that created Wisconsin's original reckless driving statute also imposed a term of imprisonment of up to six months for a first offense.² Thus, a strong argument could be made that the deterrent against reckless driving in Wisconsin has become weaker over time.

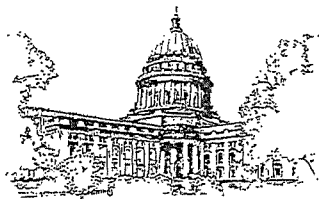
AB 55 seeks to rectify these shortcomings by increasing the penalties for the various reckless driving offenses prescribed under current law, in addition to imposing the existing surcharges for OWI offenses to individuals found guilty of reckless driving.

Roughly one year ago, Milwaukee Mayor Cavalier Johnson and Police Chief Jeffrey Norman spoke to the heightened emphasis the city was placing on holding offenders accountable for senseless reckless driving, highlighting the issuance of citations through the Milwaukee Police Department's Traffic Safety Unit in particular. However, those who make a habit out of threatening public safety from behind the wheel of a vehicle often have little regard for municipal or county boundaries. This is why it's important that we put law enforcement across all of Wisconsin's communities in a stronger position to combat reckless driving, which is exactly what AB 55 would help to accomplish.

Thank you for your consideration of AB 55. I welcome any questions from the committee.

¹ 1953 Wisconsin Act 340; s. 85.91(3), 1953 Stats.

² 1949 Wisconsin Act 29; s. 85.395, 1949 Stats.



STATE SENATOR LaTonya Johnson

WISCONSIN STATE SENATE

6TH DISTRICT

Thank you Chairman and committee members for holding a hearing on Assembly Bills 55 and 56 and for providing the opportunity for public testimony on such important legislation.

Basic rules of the road, it's what we follow to get to and from our destinations safely and orderly. Red means stop and green means go. It's a basic fundamental understanding of driver's education, it's so fundamental that the 2 year olds in my daycare would play red light/green light with the older kids because they understood this simple concept.

Unfortunately, in recent years we've suffered a breakdown in these norms with more and more individuals reckless driving without regard for their own lives or anyone else in their path. Running red lights, stop signs, drag racing on residential streets, driving on sidewalks as well as fleeing police at high rates of speed have become all-too common occurrences and my constituents, my community and our city are paying for these poorly made decisions with our lives.

On June 28, 2018 Milwaukee Police Officer 23 year old Charles Irvine Jr was killed and his partner injured when their squad rolled over during a high speed pursuit of a motorist who had been driving recklessly. Officer Irvine had been with the police dept. since age 19 but had only been an officer for 2 years.

March 22, 2019 my daughters friend 22 year old Cristina Marlyn Hernandez (called Marlyn) and her best friend Francis were riding in an Uber headed to Marlyn's house when their Uber was struck by a reckless driver in a stolen car. Marlyn was pronounced dead at the scene, Francis was thrown from the vehicle and sustained injuries but she survived.

February 2, 2023 James Macon a Milwaukee County Transit System bus driver and former president of the Transit Union was crossing the street after his shift headed to his car when a reckless driver ran a red light and t-boned another car before finally hitting James, throwing him into the air and into oncoming traffic. James sustained broken bones all over his body and had to undergo surgery.



STATE SENATOR
LaTonya Johnson

WISCONSIN STATE SENATE

6TH DISTRICT

This dangerous behavior is not only robbing my city and its citizens of its peace of mind when doing simple every day task such a driving to work, school or the grocery store, it's robbing our citizens of their lives and their quality of life.

In 2020 for reckless driving Milwaukee Police Dept. made 579 arrest, issued 3,798 reckless driving citations and issued 17,322 reckless driving citation with speeding. In addition to all of that there were a total of 6,081 hit and runs.

In 2021, they made 725 arrest, issued 4,873 reckless driving citations and issued 29,252 reckless driving citation with speeding, with an additional 17,520 hit and runs.

I strongly support and urge the passing of Assembly bill 55 and 56 with the full and complete understanding that increasing penalties and impounding vehicles "alone" will not stop all reckless driving, but it will increase the price of putting our communities in danger. I refuse to let lawlessness take away another innocent life and our cities quality of life without me doing my part as an elected official representing to help prevent it from happening. I believe these bills, in addition to other investments such as traffic calming, red light cameras and pedestrian safety, have critical roles to play in helping to reverse this alarming behavior that is consistently getting worse rather than better. I also hope we can continue to come together on a bipartisan basis to improve public safety for all Wisconsin families.

Once again, thank you for the opportunity to address the committee on such important legislation, and thank you to my co-authors for their work on this bipartisan bill.



AB 56: Combating Reckless Driving – Impoundment of Vehicles Used in Reckless Driving Offenses

Testimony of Senator Steve Nass

Assembly Committee on Criminal Justice & Public Safety

February 28, 2023 • 225 Northwest, State Capitol

Thank you Chairman and committee members for allowing me to provide testimony in support of AB 56. This bill is part of a package aimed at combatting the growing problem of reckless driving and the damage and injuries that result from it. AB 56 would allow local governments to enact an ordinance authorizing law enforcement to impound vehicles used in reckless driving offenses when the person cited is the owner of the vehicle and has a prior reckless driving conviction for which a forfeiture was imposed that has not been fully paid.

Reckless driving has become an epidemic in parts of Wisconsin, especially Milwaukee, our largest city. Since 2020, Milwaukee alone has seen over 250 people die in traffic accidents, with the city seeing their highest numbers in decades. Many more have been injured and experienced property damage and destruction. Both Milwaukee Mayor Cavalier Johnson and Governor Evers have called for action to keep our roads safer by reducing incidents of habitual reckless driving in our state.

Current laws have proven wholly inadequate to address this problem, lacking any teeth when it comes to fighting these crimes that have become commonplace on our streets. The fine for a first time offense can be as little as \$25. Reckless drivers causing bodily harm could spend as few as 30 days in jail, while causing serious and lasting injuries to their victims. Many drivers don't even take these fines seriously, as 77% of fines in Milwaukee have gone unpaid since 2020.

This bill works together with AB 55 to help combat the explosion of reckless driving in Wisconsin. These bills will allow local municipalities to impound vehicles that were involved in reckless driving incidents and increase the penalties for first and second reckless driving offenses and offenses that cause bodily harm and great bodily harm. These bills will create a stronger deterrent to reduce these types of offenses and make our streets and communities safer.

“In God We Trust”

11th Senate District

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Under this bill, the local ordinance may allow impoundment of the vehicle until the person fully pays the prior forfeiture and makes a deposit for the citation for which the vehicle was impounded. The local government that has impounded a vehicle may dispose of it by following the same procedure as disposing of an abandoned vehicle under s. 342.40, Stats., if the vehicle remains unclaimed for more than 90 days after the disposition of the citation for which the vehicle was impounded.

Thank you for the opportunity to provide testimony in support of AB 56. Please contact my office with any further questions committee members have on this legislation.

February 28, 2023

TESTIMONY OF ABBIE STRONG
WITNESS ADVOCATE FOR VICTIMS OF RECKLESS DRIVING

ASSEMBLY BILL 55: RELATING TO: INCREASED PENALTIES FOR RECKLESS
DRIVING
ASSEMBLY BILL 56: IMPOUNDMENT OF VEHICLES USED IN CERTAIN RECKLESS
DRIVING OFFENSES

Good morning Mr./Ms. Chairman and Members of the Assembly Committee on Criminal Justice and Public Safety:

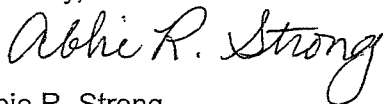
My name is Abbie Strong, and I am here today representing the family of Aaron Strong, a victim of reckless driving, killed on October 12, 2022. I am here today to be the voice of victims who have been hurt or killed by reckless driving and cannot advocate for themselves.

I am urging you today to pass Assembly Bills 55 and 56. These are vitally essential bills that can positively impact the daily lives of citizens and families in Wisconsin. They can prevent innocent lives from becoming victims of these crimes. Additionally, these bills can lower the number of Wisconsin families, currently at 2,900, from suffering undue pain from reckless driving.

My husband, Aaron Strong, was the victim of reckless driving, so reckless that the driver was driving over 70 miles per hour, on the wrong side of the road, through four red lights, before colliding with his Nissan sedan. I support Assembly Bill 55, as this bill makes it difficult for reckless drivers to meet financial obligations and responsibilities for at least a short time. The increased jail time also allows these risks to society to be kept at bay, away from innocent victims. Assembly Bill 56 goes one step further- it takes the weapon out of the hands of reckless drivers. While these measures cannot completely eradicate reckless driving, it is a positive step to protect the citizens of Wisconsin, even if that means protecting us from our own. If just one family can be spared this heartache, these bills proudly serve their purposes.

Thank you, Mr./Ms. Chairman of the Board, for your time and consideration on this matter this morning.

Sincerely,



Abbie R. Strong



February 28, 2023

To: Chairman Spiros and Members of the Assembly Committee on Criminal Justice and Public Safety

From: Wisconsin Chiefs of Police Association

Re: Support Assembly Bill 55 and Assembly Bill 56, Reckless Driving Penalties

Chairman Spiros, thank you for your willingness to hold a hearing on this legislation. We would also like to thank the authors, Representative Donovan, and Senators Nass and Stroebel for introducing these bills.

We ask for your support of Assembly Bills 55 and 56.

We are testifying on both of these bills together because they both address the issue of reckless driving.

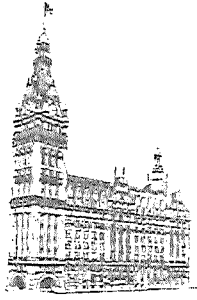
We appreciate the efforts of Representative Donovan on this issue. He has shared the challenges Milwaukee faces on this issue. Our Wisconsin Chiefs of Police Association (WCPA) members from the Milwaukee area will also attest to these challenges.

Milwaukee is not alone. The WCPA represents over 800 police executives throughout Wisconsin, and we experience this issue throughout the state. Regardless of size of municipality or location-north, south, east, or west-law enforcement, and the communities we protect, are forced to deal with this issue on a regular basis.

Reckless driving actions will not be ignored. We will address it together by increasing penalties and impounding vehicles in these incidents.

The Wisconsin Chiefs of Police Association supports both Assembly Bill 55 and Assembly Bill 56 and asks that the committee move forward on both of these bills.

We would be happy to take any questions on both of these pieces of legislation.



Cavalier Johnson
Mayor, City of Milwaukee

February 28, 2023

Wisconsin State Legislature Assembly Committee on
Criminal Justice and Public Safety
Wisconsin State Capitol, 2 East Main Street
Madison, WI 53703

Dear Chairman John Spiros and Members of the Assembly Committee on Criminal Justice and Public Safety:

Thank you for holding a hearing on Assembly Bill 55 and Assembly Bill 56. As Mayor, I am committed to meaningful action to increase public safety in Milwaukee. One significant threat to our safety – a threat we see too often – is reckless driving.

In 2020, the Milwaukee Common Council established a task force in response to the rising issue of reckless driving. The City-County Carjacking and Reckless Driving Task Force produced a report that outlined various recommendations to make our streets safer for everyone.

The recommendations included increasing penalties for reckless driving and providing alternative penalties such as impounding vehicles that have been involved in reckless driving. AB 55 and AB 56 are consistent with these recommendations and would provide valuable tools for holding dangerous drivers accountable while increasing safety.

On my first day as Mayor, I formally declared reckless driving a public safety crisis and began implementing my S.T.A.N.D. Plan (Safe street design, Traffic enforcement, Accountability, Neighborhood engagement and Demand progress) to create safer streets throughout the city. A key component of that plan is strengthening partnerships with the State Legislature to provide the city additional tools to curb reckless driving.

I am grateful for Rep. Bob Donovan's leadership in introducing legislation aimed at solving an issue that impacts communities throughout Wisconsin including Milwaukee. I want to emphasize the importance of AB 56 providing local flexibility to enact ordinances that meet the needs of different communities to address reckless driving. I also appreciate the opportunity to partner with the State Legislature to ensure that our city has the resources it needs to keep our community safe. I welcome the opportunity to continue to work with this committee to improve public safety in the City of Milwaukee.

Thank you again to Rep. Bob Donovan, Rep. Dan Knodl, Sen. Duey Stroebel, Sen. Steve Nass and Sen. LaTonya Johnson for introducing AB 55 and AB 56 and to you, Committee Chair Spiros, and your colleagues on the committee for holding a hearing on these bills.

Sincerely,

A handwritten signature in black ink, appearing to read "Cavalier Johnson". The signature is fluid and cursive, with a large initial "C" and "J".

Cavalier Johnson
Mayor