



BOB DONOVAN

STATE REPRESENTATIVE • 61ST ASSEMBLY DISTRICT

(608) 237-9161

Toll-Free: (888) 534-0061

Rep.Donovan@legis.wisconsin.gov

P.O. Box 8952

Madison, WI 53708-8952

Testimony in Support of Assembly Bill 78

Thank you, Chairman Spiros and members of the Committee on Criminal Justice and Public Safety, for meeting today to hear public testimony on Assembly Bill 78, which strengthens Wisconsin's towing and impounding statutes to address reckless driving.

In 2023, Wisconsin Act 1 allowed municipalities to pass an ordinance allowing the towing of vehicles that are recklessly driving, the owner of the vehicle, and had previous unpaid fines. This legislation was a vital first step in equipping municipalities with tools to curb reckless driving.

In September of 2023, the Milwaukee Common Council *unanimously* passed a resolution urging the State Legislature to amend state towing laws. It stated: "Law enforcement needs the tools to immediately keep dangerous drivers off the road, regardless of whether it is their first time being caught, own the cars in question or have the means to pay previous fines." This was later amended to exclude stolen vehicles and avoid an extra burden to the owners.

This follows a promising trend of Milwaukee adopting tougher approaches to reckless driving. In October of 2024, City Attorney Evan Goyke announced his office would no longer dismiss or amend reckless driving charges. This follows a surge in citations: from 371 in 2021 to 603 in 2024—a trend that doesn't include the countless drivers who flee or refuse to stop.

Assembly Bill 78 responds directly to Milwaukee's call by eliminating the requirements that a vehicle's driver own it or have unpaid fines, thus allowing towing on a first offense. This is not a mandate—officers retain discretion to ensure stops are safe for the community, the driver, and themselves. Additionally, owners of stolen vehicles would be exempt from towing, impoundment, or storage fees, resolving the Council's concerns. Municipalities must still pass an ordinance to adopt these changes, a provision unchanged from 2023 Wisconsin Act 1.

Support for accountability is growing, from grassroots activists to City Hall. Assembly Bill 78 merely answers the call from local elected leaders to give them the tools to better control the reckless driving epidemic.

Bob Donovan

A handwritten signature in black ink that reads "Robert B. Donovan".

State Representative
61ST Assembly District



Van H. Wanggaard

Wisconsin State Senator

Testimony on Assembly Bill 78

Thank you, Mr. Chairman and committee members, for today's hearing on Assembly Bill 78, which builds upon the success we've had with 2023 Act 1, allowing for the vehicles of repeat reckless drivers to be impounded.

This bill allows a local government to impound a vehicle that violates Wisconsin's reckless driving law, and keep the vehicle impounded until costs of towing the vehicle and any outstanding fines are paid.

To protect innocent owners, law enforcement must make a reasonable effort to determine if the vehicle has been reported stolen. If so, the vehicle may be returned to the owner at no charge. If a stolen vehicle is unclaimed for 60 days after impoundment, the local government may dispose of the vehicle as it would any abandoned vehicle.

I'm pleased to say this bill is supported by the Wisconsin Chiefs of Police, and Wisconsin Professional Police Association, and was drafted in concert with the city of Milwaukee, as it will make Wisconsin's streets safer.

Thank you in advance for your support.

Serving Racine and Milwaukee Counties - Senate District 21

P.O. Box 7882, Madison, WI 53707-7882 • (608) 266-1832 • Toll-free (866) 615-7510
Sen.Wanggaard@legis.wi.gov • SenatorWanggaard.com

JESSIE RODRIGUEZ

STATE REPRESENTATIVE ★ 21ST ASSEMBLY DISTRICT

Testimony Assembly Bill 78

Assembly Committee on Criminal Justice & Public Safety

Wednesday March 5th, 2025

Good morning Chairman Spiros & committee members. Thank you for holding a public hearing on Assembly Bill 78 relating to the impoundment of vehicles used in certain reckless driving offenses. I would like to thank Representative Donovan & Senator Wanggaard for introducing this legislation as reckless driving has significantly impacted my district.

Reckless driving has reached unprecedented levels in Milwaukee County in recent years. These incidents have increased since 2014 and are now at a higher rate than most of the country. Local governments are not the only entities who can help in reducing this problem. The state can help local law enforcement by passing legislation, such as Assembly Bill 78, to give our local governments another tool to reduce reckless driving.

Under current law, a political subdivision may enact an ordinance authorizing law enforcement officers to impound vehicles used in reckless driving offenses. The person cited for reckless driving must be the owner of the vehicle and has a previous reckless driving conviction where the fine was not paid in full.

Assembly Bill 78 will authorize the impoundment of any vehicle used in a reckless driving offense regardless of ownership of the vehicle or prior record of the driver. This would allow local law enforcement to reduce the number of reckless driving incidents and reduce the number of stolen vehicles used in such incidents.

Provisions are written in the bill to allow law enforcement to return the vehicle if an officer determines that the vehicle was stolen, in which case, the vehicle can be returned back to the owner without payment of a fee or charge.

These changes will dramatically reduce incidents of reckless driving as our local officials will be able to hold reckless drivers accountable regardless of their driving records or whether they own the vehicle they used to commit the offense. This gives law enforcement a much stronger tool to continue to keep our communities safe.

Thank you for holding a public hearing on Assembly Bill 78. I look forward to your support for its passage out of committee.



Wisconsin State Lodge *Fraternal Order of Police*



PO Box 206 West Bend, WI 53095

Ryan Windorff
President

Mark Sette
Vice President

Ryan Miller
Secretary

Randy Winkler
Treasurer

Travis Vickney
Second Vice President

Shane Wrucke
Sergeant at Arms

Don Kapla
Immediate Past President

Jerry Johnson
National Trustee

Written Testimony of Ryan Windorff, President of the Wisconsin Fraternal Order of Police, in Support of Assembly Bill 78

Submitted to the Assembly Committee on Criminal Justice and Public Safety

March 5, 2025

To the Honorable Members of the Assembly Committee on Criminal Justice and Public Safety,

My name is Ryan Windorff, and I am the President of the Wisconsin Fraternal Order of Police. The Fraternal Order of Police is the world's largest organization of sworn law enforcement officers, with over 377,000 members in more than 2,200 lodges. The Wisconsin State Lodge proudly represents more than 3,600 members in 33 lodges throughout the state. We are the voice of those who dedicate their lives to protecting and serving our communities. We are committed to improving the working conditions of law enforcement officers and the safety of those we serve through education, legislation, information, community involvement, and employee representation.

I am submitting this written testimony in strong support of Assembly Bill 78, a vital legislative measure to address the serious and growing issue of reckless driving throughout Wisconsin. Reckless driving has reached alarming levels in many communities across the state. In Milwaukee County, there were 94 traffic fatalities in 2024, with eight deaths reported already this year as of March 1, 2025. While these numbers reflect significant tragedies in Milwaukee, the problem is widespread, endangering public safety in communities throughout Wisconsin.

Historical data highlights troubling trends in traffic fatalities. Over the years, the average annual traffic deaths in Milwaukee have risen dramatically, reflecting a broader pattern seen statewide. This crisis underscores the urgent need for effective legislative solutions. Despite well-intentioned initiatives like traffic-calming measures and enhanced driver education programs, reckless driving continues to pose a critical public safety challenge, as evidenced by Forbes Advisor's ranking of Milwaukee as the 19th worst city for drivers in the United States based on data from 2017 to 2021.

Assembly Bill 78 is a necessary response to these challenges. By enabling local authorities to impound vehicles involved in reckless driving, regardless of ownership or the driver's prior record, this bill empowers law enforcement officers to take decisive action against dangerous drivers and the vehicles they operate. It provides the essential tools officers need to get these reckless drivers off our streets and protect our communities.

Furthermore, the bill incorporates safeguards for victims of vehicle theft by requiring law enforcement to verify the status of impounded vehicles, ensuring that stolen vehicles are returned to their rightful owners without fees.



Wisconsin State Lodge *Fraternal Order of Police*



PO Box 206 West Bend, WI 53095

Ryan Windorff
President

Mark Sette
Vice President

Ryan Miller
Secretary

Randy Winkler
Treasurer

Travis Vickney
Second Vice President

Shane Wrucke
Sergeant at Arms

Don Kapla
Immediate Past President

Jerry Johnson
National Trustee

I strongly urge you to support Assembly Bill 78. By passing this legislation, we can empower law enforcement to address reckless driving effectively and enhance the safety of our residents across Wisconsin. Thank you for your consideration.

Respectfully submitted,

Ryan Windorff
President

My name is Lacrishia Lewis, and I would like to thank everyone in their efforts to change the law regarding reckless driving in our city. I am speaking from experience myself because I been in this position on 12/24/19. I was driving for a rideshare company at that time and as I was heading northbound on 55th and Lisbon, I had the green light and as I took off someone ran the red light.

My car was hit from the back right side of my car and due to the impact, my car was facing southbound and the impact caused my glasses to fly off my face. Luckily, I was able to get them off the floor in time to go to the driver to see if they were okay and instead, they took off! I was able to get the plate number and write it down and had a witness to it all. Because of this, I look both ways at a green light and even at stop signs in residential areas because I've seen people just drive through them like the sign does not apply to them.

Lastly, I wanted to mention that I myself have been interviewed by James Stratton of channel 12 because of a separate but relatable issue regarding recklessness. I brought this to the attention of the mayor twice only for it to fall on deaf ears which is why I reached out to WISN. There's people driving around with no plates and expired tags. I drive for another rideshare company and I can drive 3 hours after my first shift job and it amazes me how so many people are getting away with this and there's no accountability because if there was they would not be driving like this. Also, it was a driver that did

not have plates in a stolen car that took the life of Erin Mogensen and her unborn child.

I want to see more accountability towards offenders and enough of the wrist slapping. I want people and not just Milwaukee but throughout the state to know if you eff around, you're going to find out. Thank you for your time.

Lacrissha Lewis

Milwaukee, WI



Thank you for being here today, I am honored to tell my daughters story.

My name is Melissa Weber I am Samantha Recores mom, let me tell you a little about Samantha.

Samantha graduated from Germantown High School in June of 2023, she had plans to attend college and become an x-ray tech, she enjoyed painting and she loved the color Blue. Samantha enjoyed hanging out with her friends and loved her family and time we all spent together, she could make you laugh with her random silliness, she loved sunrises and sunsets. Samantha was a tomboy at heart, I always envisioned her on her wedding day in a beautiful white gown with a pair of sneakers on her feet. We will never get to see her on her wedding day or experience her being a what I would say a wonderful mom. This was taken from us as a result of reckless driving my daughter Samantha Recore was 19 years old. Samantha knew the driver they hadn't talked in about a year and had just started being friends that Monday.

On Friday August 9th of 2024 my worst nightmare as a parent came true.

Samantha was a passenger in a vehicle that Germantown police attempted to do a traffic stop on due to suspended vehicle registration, the driver didn't stop he exceeded speeds over 100 mph and hit a tree, the speed limit on this stretch of road is 35 mph.

WI State Patrol was appointed lead on the crash investigation due to many resources, my family and I have had constant inconsistencies and misleading information from WI state Patrol. I didn't speak to WI state patrol until August 25th 2024 at that time we were told they had not interviewed "suspect" or searched the vehicle because the vehicle was a family member they had to get permission and were waiting on that. In this twenty- four-minute- long conversation things were said to me that were later proven to not be true. I asked about my daughter's belongings I was told "we believe they are in the vehicle" the vehicle that hasn't been searched yet. During our meeting with Washington County detective to review the criminal complaint we learned the vehicle was in fact the drivers we also were told other information we weren't aware of.

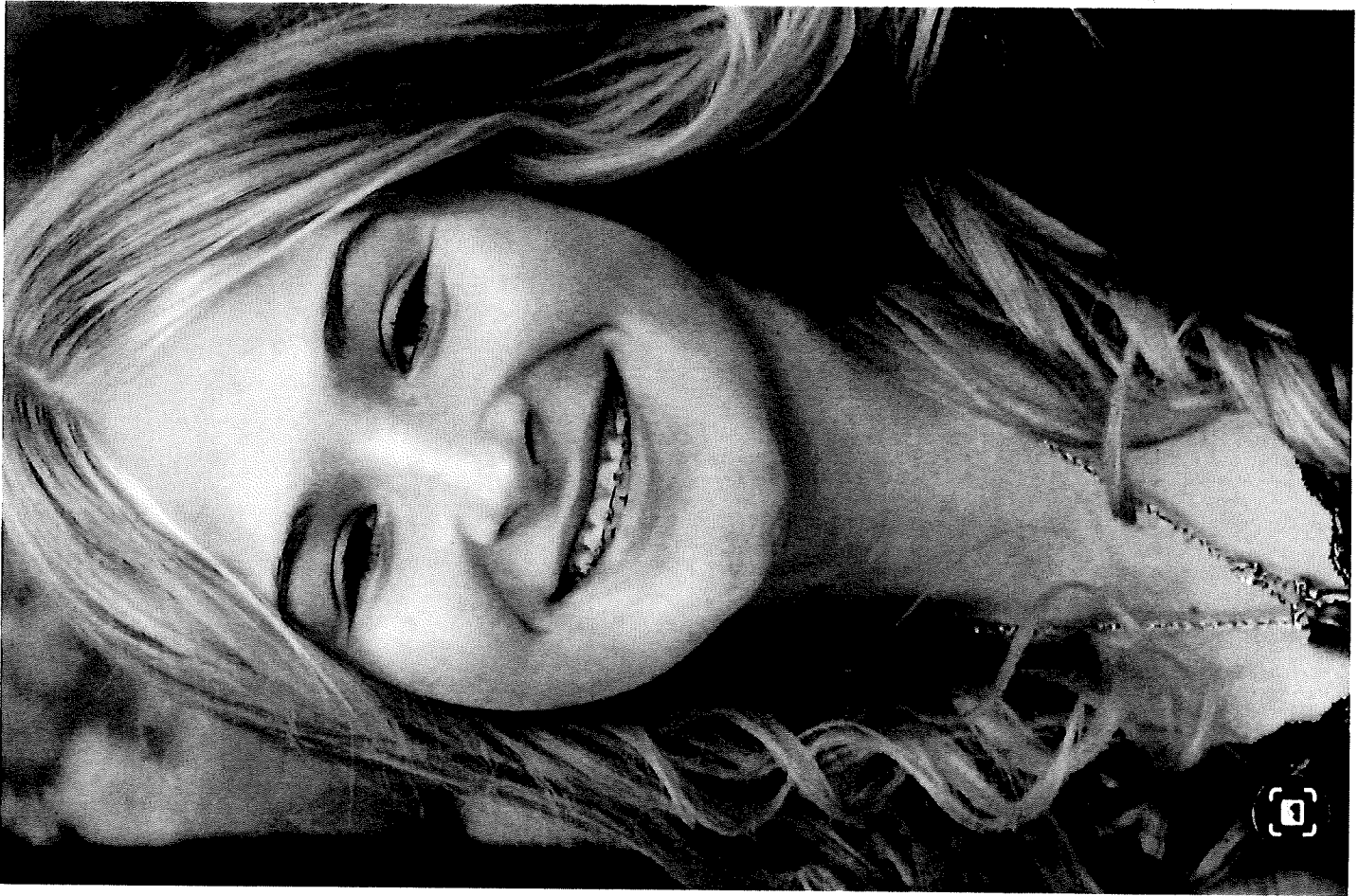
Vehicles involved in any reckless driving incident should automatically be searched and towed even if it's a traffic stop for excessive speed. Stop reckless drivers ahead of crimes.

A vehicle should be searched and automatically towed to a secure garage if it is involved in a reckless driving crash even if it's a friend, family members or stolen it is now a part of a crime scene.

I truly believe the driver responsible for my daughter's death due to fleeing thought he could get away with minimal consequences this has to stop with making some changes. Reckless drivers need to know actions have consequences.

My daughter Samantha Recore's life mattered to so many.

Thank you for your time today.





Testimony in Support of Vehicle Impoundment Bill, AB 78

Ruth Ehrgott, Enough is Enough ~ A Legacy for Erin

Thank you so much for the opportunity to speak today. My name is Ruth Ehrgott and I am here as an advocate and a mother. My daughter, Erin Mogensen, and my unborn grandchild, Baby M, were killed by a convicted felon fleeing from police, who used a vehicle as a weapon to evade accountability. His reckless choices shattered my family's world, and tragically, our story is not unique.

Every change in law sends a message. When reckless drivers and fleeing suspects face little to no consequence, it tells them, and the rest of our community, that these **actions are tolerated**. It tells victims and their families that **justice is optional**. We have the opportunity to change that.

This bill is a crucial step toward accountability. Under current law, impounding a vehicle is only allowed under limited circumstances, those being if the driver owns the car and has unpaid fines. But in reality, many reckless drivers are using stolen, borrowed, or rented vehicles to commit these crimes. This bill closes that loophole. It ensures that vehicles used in reckless driving offenses can be taken off the streets immediately, preventing other offenders from simply getting into the car and doing it again. Stolen cars will be returned to their rightful owners instead of being used as tools of destruction.

Impounding vehicles is just one piece of the solution. We must also recognize that a car, in the wrong hands, becomes a deadly weapon. Just as we have laws preventing dangerous individuals from possessing firearms, we need to apply that same logic to vehicles. When someone recklessly flees from police or endangers lives, they are weaponizing that car. Our laws must reflect this reality.

Passing this bill also demonstrates our support for law enforcement. We cannot ask them to keep our communities safe without giving them the tools to do so. Right now, officers are repeatedly arresting the same offenders, only to see them back on the streets, behind the wheel, continuing their reckless behavior. This cycle must end. Strengthening vehicle impoundment laws will give law enforcement a proactive tool to intervene before another tragedy occurs.

If stronger laws had been in place, and if reckless drivers faced real and immediate consequences, perhaps Erin's life would have been saved. Perhaps the man who killed her wouldn't have had the chance to continue escalating his actions, and he wouldn't now be facing what is essentially a lifetime in prison. Accountability isn't just about punishment; it's about preventing tragedies before they happen—saving both lives and futures.

Passing this bill is a necessary step, but it should not be the last one. Local ordinances must also reflect this priority, ensuring that impoundment policies align with the urgency of this crisis. Our laws should send a clear, unwavering message: reckless driving and fleeing police will not be tolerated in our communities.

I urge you to pass this bill. We cannot afford to wait until another life is lost.

**TESTIMONY BEFORE THE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY IN
FAVOR OF AB 78, MARCH 5, 2025**

My name is Marian Wasierski. I was walking across the street to my church on Sunday morning September 4, 2022, when I was hit by a vehicle turning the corner. I was told that the driver paused briefly, got out of the car, said something about being sorry, and then took off. To this day my case remains an open case.

My physical injuries included a broken nose and neck bone, skin abrasions on both sides of my body, head trauma resulting in bleeding in my brain and bruising, most pronounced on my left thigh which was the site of impact. I was tossed into the air. I did not lose consciousness, but I do not have a clear memory of the incident. I did not require surgery. I spent three days in the hospital.

While my physical injuries have healed, I do have an annual follow up for the head trauma. I do have scars which are forever. I wonder about the long-term impact on my physical well-being. With the passage of time, I realize I also have scars which are affecting my emotional well-being. This is harder to quantify. This is personal. But this is also where I connect with the scourge of reckless driving in our community.

My current metaphor for the state of terror we are all living in invokes the actions of a SNIPER. I do confess that the idea came to me after watching an adventure crime movie. In the movie, a SNIPER shot and killed random, innocent people walking along a public urban sidewalk. In our reality, reckless driving is the SNIPER. This SNIPER attacks at any time, on any day, in any place, and targets anyone. This SNIPER is eroding our shared sense of safety and security. AB 78 will disarm the SNIPER. This bill will separate perpetrators from their weapons. This bill will place one more piece to help finish the puzzle which is ending reckless driving in Wisconsin.

So, I ask every day—who will be next? When and where will the next senseless, avoidable incident happen? Will someone we know, and love become the next victim? Why are so many people acting with selfish disregard for the common good? Will I become a victim again?

And my FINAL URGENT QUESTION—WHAT'S IT GOING TO TAKE to make this public health threat a TOP PRIORITY for leaders and regular citizens alike?



March 5, 2025

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 78 - Vehicle Impoundment for Reckless Driving Offenses

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 Senator Wanggaard, for introducing this bill.

We urge support of Assembly Bill 78.

This bill modifies 2023 Wisconsin Act 1, which permitted political subdivisions to implement ordinances authorizing the impoundment of vehicles used in reckless driving offenses. Act 1 also requires the offender to be the owner of the vehicle.

Assembly Bill 78 modifies Act 1 by authorizing a local ordinance to permit impoundment of a vehicle used in a reckless driving offense regardless of vehicle ownership.

The Wisconsin Chiefs of Police Association supported the initial legislation that produced Act 1 last session.

Our association constantly looks for ways to help ensure that our communities are safe. We believe this is common sense legislation ensuring that action is taken when those violating supervision are held accountable.

By making this one small change, municipalities will have more tools available to tackle the reckless driving issue endangering many communities around the state.

The Wisconsin Chiefs of Police Association supports this legislation and asks that the committee move forward on this legislation.

We would be happy to answer any questions regarding this legislation.

Public Testimony in Support of Bob Donovan's Towing and Impoundment Bill (AB79)

Submitted by *Enough is Enough ~ A Legacy for Erin*

March 5, 2025

Chairperson and Members of the Committee,

Thank you for the opportunity to submit this testimony in support of Bob Donovan's towing and impoundment bill addressing reckless driving. While I regret not being present in person, I ask that you accept this written testimony as if I were delivering it aloud.

Enough is Enough ~ A Legacy for Erin (ENE) was established as a 501(c)(3) organization in response to the tragic loss of Erin Mogensen, who was killed by a reckless driver fleeing police in November 2023. Our mission is to combat reckless driving by advocating for accountability—not only for offenders but also for the district attorneys and judges responsible for enforcing the law. Without meaningful consequences, reckless driving will continue to devastate Milwaukee County.

Had ENE existed two years ago when the original bill was introduced, we would have strongly supported it then as we do now. That bill presented a common-sense solution to an escalating crisis. However, it is deeply disappointing that the original bill, despite broad support, was not effectively implemented.

Bob Donovan has listened to the concerns of the Milwaukee Common Council and revised this legislation to address enforcement challenges. This bill provides additional tools to municipalities and law enforcement, enabling them to take decisive action against repeat offenders. Police officers—who are on the front lines of this issue—deserve better tools and a streamlined process to combat reckless driving effectively.

Some have raised concerns regarding enforcement discretion and potential impacts on vehicle owners. It is important to clarify:

- **Law enforcement already follows established guidelines for reckless driving.** Officers and courts consistently define and apply these standards in cases they oversee.
- **Police will retain discretion in towing decisions.** This bill does not impose a rigid requirement but rather grants municipalities and the law enforcement who serve them an additional tool when deemed necessary.
- **For parents concerned about their children using their vehicles:** If my child were driving recklessly, I would want to know. The inconvenience of retrieving my car from a tow lot is far preferable to retrieving my child from a hospital—or worse, a morgue.

Critics may argue that this law disproportionately affects certain communities. However, data suggests that reckless driving disproportionately harms Black and Latino residents in Milwaukee County. An April 2024 *Milwaukee Journal Sentinel* article by Drake Bentley, citing a Wisconsin Policy Forum report, found that while traffic deaths decreased statewide, they **increased** in Milwaukee County—primarily impacting communities of color. Shouldn't our first priority be protecting innocent victims rather than shielding reckless drivers from accountability?

Regardless of whether a reckless driver's vehicle is stolen or personally owned, impounding it achieves critical safety objectives:

- It removes a dangerous driver from the road—immediately reducing the risk of further harm.
- It facilitates the timely return of stolen vehicles to rightful owners.
- It disrupts repeat offenders who would otherwise continue endangering lives.

Over time, as reckless drivers recognize that consequences are inevitable, through general deterrence, the need for impoundment may diminish. Municipal enforcement may then be shifted from reactive punishment to proactive deterrence.

Milwaukee City Attorney Evan Goyke has pledged that his office will *no longer amend or dismiss reckless driving citations*, emphasizing the need for accountability. Likewise, District Attorney Kent Lovern has identified reckless driving as a top enforcement priority, recognizing it as a **violent crime**.

Criminal reckless driving is a **felony** in Wisconsin, punishable by more than one year in prison. This legislation aligns with the state's commitment to treating reckless driving with the seriousness it demands.

The time for action is now. Enough is Enough ~ A Legacy for Erin urges lawmakers to support Bob Donovan's revised towing and impoundment bill. We must send a clear message: reckless driving will not be tolerated in Milwaukee County. Every tool we provide to law enforcement is another step toward preventing unnecessary deaths and lifelong injuries.

We owe it to Erin. We owe it to every innocent victim whose tragedy was preventable. And we owe it to the countless lives we still have time to protect.

Thank you.

Respectfully,

Jeanne Lupo

President

On Behalf of Enough is Enough ~ A Legacy for Erin

ene4erin.org/ene4erin@gmail.com