



# ROB HUTTON

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## **Testimony in Support of Senate Bill 115**

Senate Committee on Judiciary and Public Safety

March 13, 2025

Thank you, Chairman Wanggaard and committee members, for holding a hearing on Senate Bill 115. This bill promotes transparency and accountability in decisions made by prosecutors and judges, allowing Wisconsin citizens to see 13 key pieces of data related to the prosecution, conviction and sentencing of criminals.

The judicial system can be confusing and opaque for the average citizen, which is frustrating for those who want to know why the system is too lenient and which public officials are responsible. This bill seeks to improve transparency by aggregating information in an easy-to-use format.

The bill would require the Department of Justice to collect criminal case data and publish an annual report for public consumption. The availability of this information has the potential to bring much-needed accountability to those making these important public safety decisions and enable greater citizen oversight.

The data to be collected is as follows:

- the county in which the case was filed and the prosecutor assigned to the case
- the name of the court official assigned to the case
- the criminal charge filed
- the charging recommendation from the referring law enforcement agency
- whether any plea bargain was offered in the case
- whether a deferred prosecution agreement was offered in the case
- whether any charge relating to the case was dismissed
- whether the case resulted in conviction
- for each case, whether the court released the defendant without bail, upon the execution of an unsecured appearance bond, upon the execution of an appearance bond with sufficient solvent sureties, or upon the deposit of cash in lieu of sureties, or denied release, and the name of the court official who made the decision
- for each case for which a court required the execution of an appearance bond with sufficient solvent sureties, the monetary amount of the bond and the name of the court official who made the decision
- when a court requires the deposit of cash in lieu of sureties, the monetary amount of cash required and the name of the court official who made the decision
- any other conditions of release imposed on the defendant and the name of the court official who made the decision

Again, thank you for your time and consideration of this bill. I respectfully ask for your support.



# BOB DONOVAN

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## Testimony in Support of Senate Bill 115

The public demands transparency from our legislative and executive branches—and for good reason. However, our judiciary is often exempt from similar scrutiny. Time and again, we've seen court officials making questionable decisions with dangerous consequences. These decisions, combined with a judicial system that confuses the average citizen, erode trust in the institution.

For example, the Wisconsin Circuit Court Access (WCCA) is a vital tool for our court system but has limitations. Its complexity makes it hard to follow and obscures a clear view of the judicial branch as a whole. Senate Bill 115 addresses this by collecting similar and new data, prioritizing access, and ensuring the third branch serves the public transparently.

This legislation requires the director of state courts to gather 13 data points on criminal cases and share them with the Department of Justice. The data would be reported annually to the Legislature and published on an accessible, interactive website for the public. Records would be retained for 10 years after a criminal charge is filed, with personal identifying information protected.

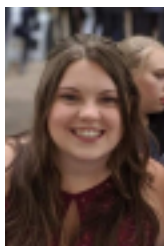
The public has a right to know how our judicial system works in a way that is understandable and digestible. As I mentioned before, our branches of government are designed to be transparent to voters. This bill will ensure that judicial branch has equal amounts of transparency as the legislative and executive branch.

I want to thank the group of legislators who also recognized this as a worthy issue and decided to co-sponsor. Committee members, please join me in supporting Senate Bill 115—common sense legislation that prioritizes transparency and access to our judicial system.

Bob Donovan

A handwritten signature in cursive script that reads "Robert B. Donovan".

State Representative  
61<sup>ST</sup> Assembly District

**Ruth Ehrgott, Enough is Enough ~ A Legacy for Erin**

Chairperson and Members of the Committee,

Thank you for the opportunity to testify in support of SB115, a bill that would require the Department of Justice to collect and publish critical data on criminal case proceedings in Wisconsin.

I come before you today not just as an advocate, but as a mother and grandmother who has suffered an unimaginable loss. My daughter, Erin, and her unborn baby, Baby M, were taken from us in a senseless act of reckless driving. Their deaths were not just a tragic accident—they were the result of repeated failures in our system to hold offenders accountable. This is not an isolated incident. Across our state, families are left grieving while perpetrators move through the judicial system with little transparency or scrutiny.

Since losing Erin and Baby M, we have become dedicated to ensuring that no other family endures this pain. Through Enough is Enough ~ A Legacy for Erin, we work tirelessly to track court cases, advocate for stronger laws, and hold decision-makers accountable. But we face a major obstacle: a lack of comprehensive, publicly available data that allows us to analyze trends and identify systemic failures.

**Why This Bill Matters****Identifying Patterns of Leniency and Accountability**

- This bill would give advocates, policymakers, and the public access to concrete data on how cases are handled—from charging decisions to plea deals to sentencing outcomes.
- We need to see which prosecutors pursue charges aggressively and which judges impose meaningful consequences—and just as importantly, where justice is falling short.

**Shining a Light on Bail and Release Decisions**

- Time and time again, we see offenders released on low bail or with minimal consequences, only to reoffend—sometimes with deadly consequences.
- Having transparent records of bail conditions and the officials responsible for those decisions will allow us to push for changes where patterns of leniency put the public at risk.

**Empowering Advocacy and Legislative Change**

- Right now, organizations like ours manually track reckless driving and fleeing cases through Court Watch. This bill would allow systematic, statewide tracking of these cases.
- With searchable, real-time data, we can strengthen our advocacy for judicial and legislative reforms that will truly hold offenders accountable.

If this bill had been in place earlier, maybe we could have identified gaps in the system before they led to tragedies like ours. Maybe we could have raised the alarm about patterns of leniency that put dangerous drivers back on the streets. Maybe Erin and Baby M would still be here.

We can't change the past, but we can demand a more transparent, just, and accountable system for the future. This bill is not just about numbers—it's about lives. It's about giving victims and their families the information they need to demand better. It's about ensuring that the next reckless driver doesn't get a free pass, and the next family doesn't have to suffer this pain.

I urge you to support this bill and take a critical step toward real accountability in Wisconsin's criminal justice system.

Thank you.

3/13/25

Mr. Chairman and Committee Members:

I am writing on behalf of Enough is Enough ~ A Legacy for Erin, a not for profit advocacy group combating criminal reckless driving across the state of Wisconsin, currently focused in Milwaukee County. We began our efforts in November of 2023, when Erin Mogensen, a 32 year old mother-to-be, was killed by a repeat felon, fleeing police at speeds topping 117 mph.

I am in support of SB115 requiring the Department of Justice to collect and report criminal case data from circuit courts across the state. Unfortunately, I am unable to attend the 3/13/2025 hearing in person. Please accept this communication as if I was reading it aloud.

This bill is a great start to getting information on crimes committed within the State of Wisconsin to the citizens of Wisconsin. This data is critical in determining whether our elected judges and district attorneys are actually working to keep our communities safe. It will help measure the effectiveness of our laws. Quite honestly, members of our group were shocked at the lack of availability of this type of information.

Enough is Enough's Court Watch program has observed well over 200 hearings in Milwaukee County regarding fleeing an officer and reckless driving. In January, we released a report of findings on our "First 100" sentencing cases. This report was based on our observations of actual cases. Data, much like what is being sought with SB115, currently does not exist, making any type of research and reporting very difficult. Below is a highlight of our findings, again based on those 100 observed cases. (A summary and full report may be found on our website [ene4erin.org](http://ene4erin.org).)

- Sentencing patterns differ *significantly* between judges, even for similar cases.
- Judges vary in how closely they adhere to prosecuting attorneys' recommendations:
  - **More lenient sentences were issued in 69% of cases.**
  - Tougher sentences were issued in 8% of cases.
  - Sentences matching the State Prosecutor's recommendations occurred in 23% of cases.
- **35% of cases resulted in probation** or House of Corrections rather than incarceration in a prison.
- Of those issued probation, **61% involved defendants with prior convictions.**

- Judges frequently applied concurrent sentences, reducing the total length of incarceration.
- Fines (not restitution) were rarely, if ever, imposed as part of sentencing.
- Many cases involve victim injury and property damage
- Approximately **50% of the cases recorded involve defendants with previous convictions.**

In an age when information is key to good decision making, SB115 is a critical start in collecting and storing the key data elements on crimes committed in Wisconsin. We all need to be well informed and work together to make our communities safe. Please approve Senate Bill 115!

Thank you.

Respectfully,

Angie Mogensen

A member of Enough is Enough ~ A Legacy for Erin