

CHAIR

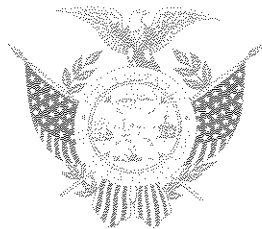
- Public Safety Committee

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- Judiciary and Legislation Committee

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- VISIT Milwaukee Board



TERRY L. WITKOWSKI
ALDERMAN, 13TH DISTRICT

*The
Garden
District*

October 25, 2012

To the Honorable, the Common Council

Dear Members:

Common Council File 120860 contains the following recommendations:

Revocation of the public passenger driver's license of Opinder Singh. (Committee vote: ayes: 3, Noes: (0), Excused: 1, Absent:1)

With regard to the files listed above, the Public Safety Committee held an evidentiary hearing on October 24, 2012.

Pursuant to Chapter 100-54, Milwaukee Code of Ordinances, and § 349.24, Wis. Stats., the Committee is transmitting a copy of its Report and Recommendations, regarding the above matter to your Honorable Body.

Pursuant to City Ordinances, prior to the time the Common Council acts on the Committee's Report, a roll call vote will be taken to confirm that all members present and voting have read the Committee's Report and any objections that have been filed by the Licensee.

These matters have been scheduled for a hearing before the full Common Council at its meeting on Thursday, November 8, 2012 at 9:00 A.M. in the Common Council Chambers.

Respectfully,
Handwritten signature of Terry L. Witkowski in black ink.

Terry Witkowski, Chair
Public Safety Committee





Office of the City Clerk

Jim Owozarski
City Clerk

Rebecca N. Grill
Deputy City Clerk

October 25, 2012

Opinder Singh
3901 S 85th Street
Greenfield, WI 53228

Atty. Caitlin Noonan
Atty. Jamie Lavora
Kim & LaVoy SC
2505 N 124th St., Ste 220
Brookfield WI 53005

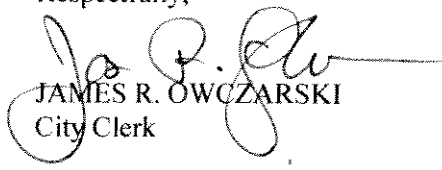
Dear Mr. Singh and Atty. Caitlin Noonan and Jamie Lavora:

You are hereby notified that the Milwaukee Common Council will hold a hearing on November 8, 2012, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider whether to revoke your public passenger vehicle driver's license.

Attached you will find a copy of the Report of the Public Safety Committee which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending revocation of this license based upon a Certified Record of Judgments of Conviction, showing that the applicant was convicted of Sexual Assault contrary to section 940.225(3M), and Disorderly Conduct contrary to section 947.01(1) Wis. Stat., on July 23, 2012. The recommendation is the result of a public hearing before the Committee held on October 24, 2012.

You may file a written objection to the report of the Committee. If you file a written objection to the report, you may also appear before the Milwaukee Common Council to make oral arguments supporting your written objections and present oral arguments supporting that objection to the Common Council. Any written objections to the Committee's Report must be filed with the City Clerk by 4:45 p.m. on November 5, 2012. You or a legal representative may then also appear at the Common Council meeting and request an opportunity to address the Common Council for approximately five (5) minutes to present an oral argument on your own behalf.

Respectfully,


JAMES R. OWOZARSKI
City Clerk

Enclosure



Date: October 25, 2012

REVISED

To: All Members of the Milwaukee Common Council

From: The Public Safety Committee

Re: Report of the Renewal Application of Opinder Singh for a public passenger vehicle driver's license.

FINDINGS OF FACT

1. Opinder Singh (hereinafter the "Licensee") is the holder of a Public Passenger Vehicle Driver's License in the City and County of Milwaukee, Wisconsin. Said license expires at midnight, October 31, 2012.
2. An application to renew said permit was filed with the Office of the City Clerk.
3. Pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department filed a police report. That report could form the basis of non-renewal or suspension of this license.
4. On October 16, 2012, the City Clerk's Office provided timely notice to the Licensee, pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24 of the Wisconsin Statutes of a police report that could form the basis for suspension or non-renewal of the license of the licensee and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the police report on October 24, 2012 September at 9:00 a.m. in Room 301B of City Hall. At said date, time and place, the licensee did appear and was represented by Attorney Caitlin Noonan of Kim & Lavoy, S.C.
5. Assistant City Attorney Jay Unora presented criminal record report, criminal complaint and judgment of conviction documents which were already part of the record from a previous proceeding of October 4, 2012 and as reiterated below under Item 6.
6. The following was a made part of the record on October 4, 2012 when the licensee's taxicab permit was not renewed:

- A. On May 31, 2012, the applicant was arrested by West Allis Police department for child enticement (§ 948.07-felony), false imprisonment (§ 940.30-felony) and 2nd degree sexual assault of a child (§ 948.02-felony). These offenses occurred while operating Yellow Cab #133.
- B. The criminal complaint filed in Milwaukee County Circuit Court, Case No. 2012-CF-2788 documented the facts surrounding the criminal charges.
- C. The Judgment of Conviction in Case No. 2012-CF-2788 documented the applicant was convicted of disorder conduct and 4th degree sexual assault on July 24, 2012 in Milwaukee County Circuit Court.
- D. The above-described offenses substantially relate to the applicant's Taxicab permit because these offenses were committed through the use of a taxicab.

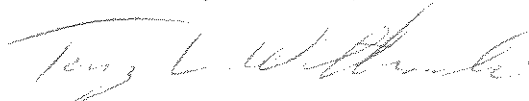
CONCLUSIONS OF LAW

- 1. The Committee has jurisdiction to hold hearings and provide Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24, Wisconsin Statutes.
- 2. Based upon the above facts found, the Committee concludes that the licensee, Opinder Singh, has not met the criteria of Chapter 100 of the Milwaukee Code of Ordinances or § 349.24 of the Wisconsin Statutes to allow renewal of his public passenger vehicle driver's license based upon the certified record of judgments showing that the applicant was convicted of sexual assault contrary to Wis. Stat. § 940.225(3M) and disorderly conduct contrary to Wis. Stat. § 947.01(1) on July 23, 2012.
- 3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Public Safety Committee that the full Common Council of the City of Milwaukee should exercise its judgment to revoke the public passenger vehicle driver's license of the applicant based upon the record as outlined above.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee by vote of three (3) ayes, zero (0) noes, one (1) absent and one (1) excused recommends that the public passenger vehicle driver's license of Opinder Singh be revoked.

Dated and signed at Milwaukee, Wisconsin this 25th day of October, 2012.



TERRY L. WITKOWSKI
Chairman, Public Safety Committee