

**From:** [MAIL, FPC](#)  
**To:** [Gehling, Naomi](#); [Todd, Leon](#)  
**Subject:** FW: Reckless driving and towing proposal  
**Date:** Thursday, February 17, 2022 12:46:28 PM

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Good afternoon,

The message below was sent to each of the Commissioners this morning by Gretchen Schuldt containing her comments on the proposed amendment to SOP 610 relating to towing of vehicle involved in reckless driving incidents. I am forwarding each of you a copy for your files and to place in the Commissioners' iPads prior to tonight's meeting.

Thank you!

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**From:** Gretchen Schuldt <[gschuldt1@gmail.com](mailto:gschuldt1@gmail.com)>  
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**Subject:** Reckless driving and towing proposal

Some people who received this message don't often get email from [gschuldt1@gmail.com](mailto:gschuldt1@gmail.com). [Learn why this is important](#)

Thank you for your thoughtful consideration of the frustrating, enraging, and terrifying issue of reckless driving in Milwaukee.

As you know, every new policy brings unintended consequences. I hope the commission will take the time to think about those and work to avoid or mitigate as many of them as possible. This proposed policy still needs work. There are just too many holes in it. Below are some of my concerns.

1. This proposal may actually encourage car thefts. If driving stupidly is your game and you know you run the risk of having your (unregistered) car towed if you get caught, are you more or less likely to use someone else's car to play?

When the Police Department stopped participating in high-speed car chases, opponents of the move said it encouraged reckless driving because the word got out that police would not chase if you fled. Word will get out about towing, and people will develop a work-around. (Also please note that the reinstatement of high-speed police chases have not stopped reckless driving, car thefts, or fleeing.) If speeder's car is likely to be towed, is the speeder more or less likely to escalate into a full-fledged, even-higher-speed chase?

2. The policy needs to be clarified to state specifically how long a car towed under the reckless driving provisions can be held in a tow lot. Must an owner be notified only after 72 hours? Can the car then be turned into "evidence" and be held longer? What if the car owner was not involved in any driving offense?

3. There needs to be an interim process for owners to reclaim cars. Seizing a car through towing can put tremendous hardship on an entire family, not just the reckless driver allegedly involved in the driving offense. There needs to be a recognition that license plate theft is not uncommon. There also needs to be a process for an innocent owner to get the car back as soon as possible. If the city seizes and tows these cars, it should also provide guidance to owners on getting them properly registered.

4. There needs to be an immediate method for some sort of interim due process mechanism to settle disputes over whether the car should have been towed at all. The policy does not now provide for that.

5. If a towed car turns out to have been wrongfully towed, the city should provide transportation to the owner to reclaim the car or reimburse the owner for transportation and any other expenses incurred, including wages for any work missed.

6. The city also should waive qualified immunity as a defense in any instance where police wrongly tow a car or the city improperly holds a car for an excessive period of time.

7. The commission should establish, *before* the policy is approved, metrics to determine whether the reckless driving provision is successful. The public has an absolute right to know the measurements that will be used and to be assured that the metrics are not so flexible as to allow dismal failure to be labeled "success." What, specifically, is the goal of the policy? To increase the number of tows for having an unregistered car? To decrease speeding? How will that be measured? What if the number of speeding tickets goes down, but the number of high-speed chases goes down? What if the total number of speeding tickets and chases drops by 5%, but 3% of reckless driving tows were wrongly done?

I'm sorry I missed yesterday's meeting. I fully support the call to investigate the success in other communities of the city's proposed approach.

I look forward to the discussion on this topic and to the commission moving forward, with a fully-considered policy, to reduce reckless driving in Milwaukee.

Thank you.

Gretchen Schuldt  
Milwaukee