

COMMITTEE ASSIGNMENTS

CHAIR

Finance and Personnel Committee

VICE CHAIR

Steering and Rules Committee
Milwaukee Arts Board

MEMBER

Zoning, Neighborhoods and
Development Committee
Milwaukee Public Library Board
Capital Improvements Committee


NIK KOVAC
ALDERMAN, 3RD DISTRICT
CITY OF MILWAUKEE

September 11, 2015

Judge Phillip M. Chavez
Milwaukee Municipal Court
951 N. James Lovell St.
Milwaukee, WI 53233

Re: Judiciary & Legislation Committee Appearance – Monday, September 14, 2015.

Dear Judge Chavez,

I want to be clear about some of what I am looking for from the Municipal Court's appearance before the Judiciary & Legislation Committee (File #150277) on Monday.

If the justification for driver's licenses suspensions is that license suspension is the Court's sole leverage to get judgments paid, I want to see data on Monday that supports the claim. Your data should at least include:

1. How many driver's licenses are suspended each year.
2. How many and what percentage of license suspensions are lifted because the defendant paid the judgment in full, made a payment to extend the judgment or agreed to an installment payment plan.
 - How many and what percentage of licenses were re-suspended for failure to meet payment obligations.
3. How many and what percentage of suspensions last for the full two years allowed by statute.
4. How many and what percentage of license suspensions are lifted through payment in full, extension or payment plan within:
 - One month.
 - 90 days.
 - 6 months.
 - One year.
5. How many and what percentage of suspensions lead to revocations and what are the consequences for the defendant from a revocation.
6. The racial, income, age and zip code demographics of revoked defendants.

Additionally, do you feel that the court is successful in explaining, in detail and to the benefit of the individual defendant, their rights as indigents?

I would also like the Court to brainstorm – and by this I mean be creative with ideas that may or may not be options for the Court today – in the following two areas:

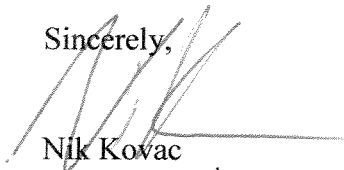
- Ways the Court can get defendants to Court so the City can stop issuing blanket driver's license suspensions simply because the defendant fails to appear.
- Suggest alternatives to driver's license suspensions that work to incentivize defendants to pay judgments without being so punitive that defendants cannot drive to work and keep or get jobs.

Finally, I am deeply troubled by our exchange regarding the Driver's License Recovery Program that occurred during the September 10th Public Safety Committee hearing. You seemed to imply that suspending the driver's license of a defendant for failure to pay a court forfeiture was justified because, if a defendant is unable to pay his or her forfeiture, they likely are too poor to pay for insurance. Hence, if the Court allows the defendant to continue driving, the defendant will be driving without statutorily required auto insurance. Unfortunately our exchange was cut short prior to you being able to provide a full explanation of your stance on this topic, and I look forward to a continued dialogue.

I sincerely believe that you, and the other officiants of the court, do not harbor a bias against those most destitute in the city. As such, please justify the Court's action of using driver's license suspensions as a sanction against defendants who fail to appear, or who fail to make timely payments on judgments. As I mentioned at the hearing, driver's license suspensions seem justified only as a sanction for unsafe driving behavior. It appears to me that using this sanction only exacerbates a difficult situation, making it even harder for residents to get to jobs and other commitments.

I am looking forward to a very productive presentation so we can work on making the Court more effective.

Sincerely,



Nik Kovac
Alderman, 3rd District