



City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin
53202

Meeting Minutes

CITY-COUNTY CARJACKING AND RECKLESS DRIVING TASK FORCE

Danielle Decker, Ald. Michael Murphy, Ald. Chantia Lewis, Asst. Chief Michael Brunson, ADA Joy Hammond, Reggie Moore, Bianca Williams, Nichole Yunk Todd, Judge Derek Mosley, Chief Judge Maxine White, Dept. Insp. Daniel Hughes, Marvell Reed and Byron Marshall Jr.

*Staff Assistant: Joanna Polanco, 286-2366,
jpolan@milwaukee.gov*

*Legislative Liason: Tea Norfolk, 286-8012,
Tea.Norfolk@milwaukee.gov*

Monday, April 15, 2019

9:00 AM

Room 301-B, City Hall

1. Roll Call at 9:11 AM

2. Introduction of Members.

Present 11 - Murphy, Lewis, White, Marshall Jr., Decker, Brunson, Hammond, Kidd, Williams, Todd and Hughes

Absent 1 - Reed

3. Election of Chair and Vice-Chair.

*Ald. Murphy was voted unanimously as a Chair
Asst. DA Joy Hammond was voted unamously as Vice-Chair
There were no objections.*

4. Open meetings and open records presentation by the City Clerk.

Mr. Owczarski explained to committee the State of Wisconsin Open Meetings and Open Record Laws. Since this committee is a public body, there is a rebuttal presumption under the law that any time a quorum is gathered anywhere, it is assumed there is a meeting about this body. To prevent problems with this, the City Clerk Office post meetings, based on the directive of the Chair; three biggest pitfalls that are dealt consistently are casual contact and meetings, phone calls, and email; It is best to avoid any conversations about the body outside of a posted meeting; avoid any phone calls to discuss committee matters, and avoid replying "ALL" to any email received among members. Mr. Owczarski strongly recommended members to contact the Staff Assistant when there is a need to share information with members.

All materials or documentation submitted to this body as a byproduct of its nature becomes a public record. All and any request of materials pertaining to the body should be referred to the City Clerk Office or the Staff Assistant of the Committee.

5. Discussion relative to the scope and responsibilities of the task force.

Ald. Murphy asked all members present to what you would like to see accomplished: Ms. Yunk Todd said that she would like to see established metric goals and to address the root causes of these behaviors.

Ms. Williams added said that she would like to find out the root causes of why so many young people are stealing cars and to find family resources to prevent them from continuing the behavior.

Chief White also agreed with Ms. Williams and Ms. Yunk Todd expressed, she added that in addition to the chair's statement, she would like to see how we got to this point and to look at other jurisdictions to figure out how strategically use our resources to have a serious short-term impact.

Ms. Decker said that as a member of the City's lobbying team, it would be beneficial if the task force could create a series of concrete recommendations that department can shop around to the state legislator budgetary or operational partners to counter reckless driving and be able to leverage Red light Cameras legislation that, in the last decade it has not been successful.

Judge Mosley said that his goal is focused on the reckless driving piece. He wants to make sure that something is done to get the message out; he has had the benefit of seen what happens when enforcement stepped up when it comes to reckless driving. He would like to target enforcement and accountability when it comes to reckless driving, blowing the red light, stops signs and things of that nature.

Asst. DA Hammond said that there are two distinct issues we are dealing with: reckless driving and carjacking; The DA office carjacking numbers are very low. DA does not charge carjacking; they charged armed robberies. She said that MPD has amazing resources that are not being used. We need to figure out a way to use the available resources to get to these kids; she sees carjacking committed by 14-16 year kids, on a daily basis and they kind of know who they are, but there needs to be a change in the culture with education and accountability.

Deputy Inspector Hughes said that his agency does not see as many carjacking per say. They deal more with the reckless driving aspect. Education piece is a huge component, accountability and consequence also as important.

Asst. Chief Brunson said that 2015 is when MPD saw the huge spike in carjacking in addition to individuals who would flee from the police. In 2017 there were 8,528 non-pursuits, an individual in a vehicle flees from the police and at that time the pursuit policy basically restricted officers with certain degree to only go after certain individuals for specific things. It was even greater in 2015 and 2016; the pursuit policy changed in 2010 and it changed again, in the latter part of 2016, numbers of pursuit went up from 2017 to 2018. For example, in 2017 there were 369 pursuits, in 2018 there were 940 pursuits; these individuals that commit this type of crimes, carjacking, reckless driving, auto thefts, are still thinking that police can't pursuit. As a consequence of the policy changes, MPD supervisors have a greater responsibility because of pursuits. Police department want to see conduct stop and see safety on the streets; however, to get there, unfortunately the pursuit is something that are necessary to go after some individuals. There is a component to traffic safety:

Education, Enforcement and Engineering, such as cameras. Enforcement efforts starting next month.

Ald. Lewis said that she is very interested in both pieces of the task force for personal reasons. While looking at recommendations, she would like to include Milwaukee Public Schools and the Milwaukee County Transit System for a marketing piece. Also include foster care children that are also the offenders.

Mr. Marshall Jr. said that he serves as the chair of the Safety & Civic Commission and work at mentoring at-risk youth non-profit. and offered his resources to the task force.

Ald. Murphy said that there are three areas to focus on and the creation of adhoc committees to report back to the full task force:

Prevention and Education -

*Ald. Lewis - Chair
Nichole Yunk Todd
Bianca Williams
Shana Kidd
Ald. Murphy
Judge Mosley
Tea Norfolk - LRB*

Accountability and Enforcement -

*DA Joy Hammond - Chair
Nichole Yunk Todd
Asst. Chief Michael Brunson
Sheldyn Himle
Judge White
Insp. Daniel Hughes
Danielle Decker*

Engineering Solutions -

*DPW Mike Amsden - Chair
Byron Marshall Jr.
Ald. Murphy
Judge Mosley
Chief Judge White
Kathy Brengosz - LRB*

Ald. Murphy invited different representatives to start the discussion on these different areas; ultimate goal is to change behaviors in order to have a safer City.

6. Complete Street Status Update.

Appearing:

*Mike Amsden, AICP
Multimodal Transportation Manager
City of Milwaukee - Department of Public Works*

Presentation on Complete Street Status Update -

Complete Street Policy passed in October 2018 - The City of Milwaukee is committed to fostering a livable city through the creation of Complete Streets that improve access to neighborhoods, prioritize the safety and health of residents and visitors, support

economic growth, improve access to education and jobs, enhance urban design, encourage physical activity, and reduce negative environmental impacts throughout the city.

DPW is re-thinking the street designs in order to improve the reckless driving throughout the city.

With the collaboration of Complete Streets committee, the Safety and Civic Commission can work in collaboration with this task force to help to come out with recommendations to reduce the carjacking and reckless driving in the city.

F&PC David Gelting - researcher

The Fire & Police Commission is the oversight body for the Fire and Police Department; members were provided with the 2017 Fire & Police Vehicle Pursuit Report. The 2018 data has been compiled. Mr. Gelting will be coming back to present the report once it has been released and published. Meanwhile, Ald. Murphy suggests that the members of the Accountability and Enforcement ad hoc subcommittee discuss the data before the next meeting.

Tea Norfolk - LRB

The following information was requested from the Legislative Reference Bureau for the City-County Carjacking and Reckless Driving Task Force to consider:

- 1. The most recent Fire and Police Commission Vehicle Pursuit Report.*
- 2. Wisconsin carjacking and reckless driving statutes, policy changes, and recently-passed related legislation.*
- 3. Data from the last four years on the number of people ticketed/arrested/charged with carjacking and reckless driving offenses in Milwaukee, including juvenile and demographic data.*
- 4. A national survey of the best practices in enforcement, education and traffic engineering solutions to carjacking and reckless driving.*
- 5. Steps MPS has been taking to address these issues, including the funding/operation/results of driver's education programming.*
- 6. The City's expenditures on traffic humps and other traffic-calming engineering responses.*

In the past year, there have been three pieces of legislation that in some way amended statute on carjacking and reckless driving.

Act 309

Passed on February 24, 2017

This act altered Wisconsin's legal definition of "serious violent crime" to include carjacking, as well as many other offenses. Under prior law, if a person had one or more convictions for a serious violent crime or a crime punishable by life imprisonment and subsequently committed a serious violent crime, the court was required to impose a bifurcated sentence that included a mandatory minimum period of confinement of three years and six months. Not only does this act expand the definition of serious violent crime to include many other crimes, it also increases the mandatory minimum period of confinement to five years.

The act went into effect on April 18, 2018.

Act 311

Passed on February 21, 2017

This act created a new carjacking offense, the crime of intentionally taking by the use of force, or by the threat of the use of force, a vehicle without the consent of the owner, as a Class E felony, punishable by a fine not to exceed \$50,000 or imprisonment not to exceed 15 years, or both. The act also increased the penalty for repeat carjacking offenses, taking a driving a vehicle without the owner's consent, and driving or operation a vehicle without the owner's consent.

This act went into effect on April 18, 2018.

Act 287

Passed on May 19, 2017

This act increased the felony classification for taking and driving any vehicle without the consent of the owner or driving or operating any vehicle without the consent of the owner if the vehicle is a commercial vehicle. The act also makes stealing property with a value that exceeds \$100,000 a Class F felony and requires a person who causes damage to a commercial vehicle to pay restitution.

The act went into effect on April 18, 2018.

Reckless Driving

Wis. 346.62 – Reckless driving

This Wisconsin state statute defines the specific scenarios that qualify as “reckless driving” – all of which are instances of endangering the safety of any person or property by the negligent operation of a vehicle. This statute has not been amended since 1998.

Judge Mosley stated that there was a change in the Failed to Yield Status. Every Failed Yield whether to a pedestrian or car, or an emergency vehicle, requires a defensive driving safety class. Failure to take such class, results in Driver's License revocation.

Summary

The statutory changes made in the last year were, for the most part, bundled in a series of measures to expand and toughen legal responses to criminal behavior. The definition of “serious violent crime” was expanded, and the felony classification for carjacking crimes was elevated.

Arrests

The Milwaukee Police Department provided data regarding arrests for carjacking and reckless driving related offenses from 2015 to 2018.

Over that four-year time period, the average number of arrests for “Operating a vehicle without owner's consent” (s. 943.23 (3), Wis. Stats.) was 538.

- The most common age range for this offense was 17-21*

The average number of arrests for other offenses included:

- 365 for "Operating a vehicle without owner's consent, passenger" (s. 943.23(4m), Wis. Stats.)
- 153 for "Take and drive vehicle without owner's consent" (s. 943.23(2), Wis. Stats.)
- 42 for "Carjacking" (s. 943.23(2), Wis. Stats.)

The average number of arrests for "Reckless driving" (ss. 346.62(2) to 346.62(4), Wis. Stats.) was 21.

- *The most common age range for this offense was 17-21*

Citations

The average number of citations over the last two years for "Exceeding the speed zone" (s. 346.57(5), Wis. Stats) was 10,355.

- *The most common age range for this offense was 22-26*

The average number of citations for other related offenses were:

- 444 for "Unreasonable and imprudent speed" (s. 346.57(2), Wis. Stats.)
- 401 for "Speeding on city highway" (s. 346.57(4)(e), Wis. Stats.)
- 273 for "Reckless driving" (ss. 346.62(2) to 346.62(4), Wis. Stats.)
- o *The most common age range for this offense was 17-21*

Criminal Charges

The Milwaukee County District Attorney's office provided data for carjacking and reckless-driving-related offenses within the past four years.

The average number of charges for "Operating without owner's consent" (s. 943.23(3), Wis. Stats.) was 198.

- *The most common age range for this offense was 16 years and younger*

The average number of charges for other related offenses were:

- 122 for "Operate vehicle without owner's consent, passenger" (s. 943.23(4m), Wis. Stats.)
- 116 for "Take and drive vehicle without owner's consent" (s. 943.23(2), Wis. Stats.)
- 9 for "Carjacking" (s. 943.23(1g), Wis. Stats.)
- o *The most common age range for this offense was 17-21*

The average number of charges for "Reckless driving, causing bodily harm" (s. 346.62(3), Wis. Stats.) and "Reckless driving, causing great bodily harm" (s. 346.62(4), Wis. Stats.) was 11.

- *The most common age range for this offense was 17-21*

7. Public comments.

Ms. Celia Jackson -

worked with MPS Drive Campaign and Safe and Sound working on community campaign to educate about reckless driving. inviting task force to consider having a win-win opportunity by looking at root causes in order to resolve the problem of carjacking and reckless driving, to also include offenders.

Ms. Cacy Masters -

*Safe and Sound Associate Director
Youth Program Manager working with MPD for a collaboration project this summer.*

Ms. Williams suggested a Stolen Car Hotline for those individuals that do not feel comfortable contacting a law enforcement agency such as Insurance companies and foster care homes.

Chief Judge White said that a huge component of community that can help, but it could bring a lot of family turmoil. We do not want to put ordinary citizens at risk.

8. Set next meeting date and time.

Ald. Murphy would coordinate with DA Rep. Hammond, Judge Mosley and Chief Justice White to scheduled the next meeting.

9. Meeting adjourned at 10:39 AM

**Joanna Polanco
Staff Assistant**

In the event that Common Council members who are not members of this committee attend this meeting, this meeting may also simultaneously constitute a meeting of the Common Council or any of the following committees: Community and Economic Development, Finance and Personnel, Judiciary and Legislation, Licenses, Public Safety and Health, Public Works, Zoning, Neighborhoods & Development, and/or Steering and Rules. Whether a simultaneous meeting is occurring depends on whether the presence of one or more of the Common Council member results in a quorum of the Common Council or any of the above committees, and, if there is a quorum of another committee, whether any agenda items listed above involve matters within that committee's realm of authority. In the event that a simultaneous meeting is occurring, no action other than information gathering will be taken at the simultaneous meeting.

Upon reasonable notice, efforts will be made to accommodate the needs of persons with disabilities through sign language interpreters or auxiliary aids. For additional information or to request this service, contact the City Clerk's Office ADA Coordinator at 286-2998, (FAX)286-3456, (TDD)286-2025 or by writing to the Coordinator at Room 205, City Hall, 200 E. Wells Street, Milwaukee, WI 53202.

Limited parking for persons attending meetings in City Hall is available at reduced rates (5 hour limit) at the Milwaukee Center on the southwest corner of East Kilbourn and North Water Street. Parking tickets must be validated in the first floor Information Booth in City Hall.

Persons engaged in lobbying as defined in s. 305-43-4 of the Milwaukee Code of Ordinances are required to register with the City Clerk's Office License Division. Registered lobbyists appearing before a Common Council committee are required to identify themselves as such. More information is available at <http://city.milwaukee.gov/Lobbying>.