

From: [Steve and Karen Olson](#)
To: [Elizabeth Majerus](#)
Cc: [Nick Reimer](#)
Subject: Manitowoc Bond Schedule
Date: Tuesday, April 2, 2019 11:57:17 AM

Atty Majerus:

As you will recall, we had a roundtable meeting April 2nd involving Chief Reimer, yourself and the Court regarding deposits for OWS and OAR. At that meeting it was jointly agreed to request Council reset bond amounts for those offenses at the amount set forth in the Wisconsin Uniform Deposit Schedule. I ask that you submit to Council a resolution to do so. I don't believe Council should set any particular amount, rather, just revoke the 2008 resolution which deviated from the state schedule. As such, if there is a change in the State Deposit Schedule, the City of Manitowoc deposit would float accordingly, as is the case with all other traffic offenses.

I wish Council to know why these changes were originally made back in 2008. I took the bench May 1, 2008. My predecessor, Judge Dan Glaeser, would order a defendant convicted of Operating after Suspension to pay the state deposit amount, then \$109, and additionally would order a 6 month drivers license suspension as a punitive sanction. I perceived a problem with the additional 6 month suspension. Not only could the convicted driver not get a license due to the 6 month suspension, more than likely they were not even eligible for an occupational license. As you know, if one has two suspensions in any one year period, one is not eligible for an occupational license. So, the net result for someone convicted under judge Glaeser was they couldn't obtain any sort of drivers license and simply continued to drive without one.

I wished to drop the 6 month standard suspension, but, try to keep the overall sanction somewhat similar. In other words, drop the suspension but increase the forfeiture as a balance. My hope was that this scenario would encourage suspended drivers to 'get legal', since they would likely be able to obtain a drivers license. Initially, it seemed to be working. Paul Schermetzler of the MPD did a computer analysis of citations about 8 months after the change went into effect. His analysis showed a steadily falling number of OAS citations being issued. Then, the 'Great Recession' hit the Manitowoc area late 2008. Folks simply were no longer paying the enhanced forfeitures I was ordering. A standard penalty the Municipal Court has always ordered is a DL suspension for non-payment of any traffic citation. That I continued to order as a sanction for non-payment. OAS citations began to tick up and in recent years have become a torrent. Now, whether lack of money from lay-offs with the Great Recession was a factor can only be speculation, but, if it was that should have long ended given the full economy we now have. Yet, despite full employment for anyone who wants a job, the OAS citations continue unabated. Interestingly, this isn't just a Manitowoc problem. It is state-wide.

Currently, our deposit schedule for OAS is \$313, an enhanced amount at my original request dating to 2008. I ask that ordinance be rescinded such that MPD falls back to the Uniform Deposit Schedule amount of \$124. Same request for OAR. The novel attempt to get folks legal hasn't worked and should end. It might be that with lower forfeiture amounts and a full economy, more compliance with court judgments may occur and the goal of getting people legally licensed might be enhanced.

Steve Olson
Manitowoc Municipal Judge
