OFFICE OF THE DISTRICT ATTORNEY
Milwaukee County
KENT LOVERN · District Attorney
Chief Deputy Jeffrey J. Altenburg, Deputies Lovell Johnson, Jr., Elisabeth Mueller,
Matthew J. Torbenson, Megan Newport, Sara N.V. Sadowski, Ann López

November 5, 2025

Chief Judge Carl Ashley
Milwaukee County Circuit Court
901 N. 9th Street
Milwaukee, WI 53233

Re: Response to Wisconsin State Public Defender letter regarding Enough is Enough

Dear Chief Judge Ashley,

This is my response to the letter to the Milwaukee County Judiciary dated October 24, 2025, which was sent by Regional Attorney Manager Angel Johnson and Deputy Regional Attorney Manager Paige Styler on behalf of the Wisconsin State Public Defenders Office. This letter was filed as our office was still responding to an Open Records request filed by the Milwaukee State Public Defender's Office, a process that continued through the end of last week.

As is well known, Enough is Enough – A Legacy for Erin (ENE) is a court watch organization that observes cases in Milwaukee County, focusing on reckless driving cases and advocating for stronger measures to protect the community. This group was formed after a woman (Erin Mogensen) and her unborn child were killed on November 23, 2023, by an individual fleeing from police. Erin's mother-in-law is one of the founding members of the group.

In the early months of 2024, after I announced my candidacy for Milwaukee County District Attorney, members of this group reached out to my campaign, asking to meet with me about their formation of this organization. At this meeting, I learned that ENE had already formed as a 501(c)(3) organization with one of its stated purposes being to serve as a court watch entity to gather information about prosecution and sentencing practices. When asked my reaction to this, I indicated my general belief that more public engagement with our criminal justice system is always welcome, so people can see the difficulty of the work done on a daily basis by a governmental system that owes ongoing accountability to our community. I also offered that my office would assist this group with accessibility to the criminal justice system as appropriate, an approach our office has historically taken with countless community groups and thousands of individuals who reach out asking for assistance in navigating a complicated, not intuitive system.

Subsequently, I asked ADA Joy Hammond to assist ENE in their early efforts to understand the criminal justice system in Milwaukee. ADA Hammond is one of eight Community Prosecutors in this office whose primary function is connecting members of the community with other assets and institutions in our county, including criminal justice partners, governmental agencies, housing, social services, schools, and community groups that form the fabric of neighborhoods throughout our county. While these prosecutors handle some criminal prosecutions in court, they most often work on issues brought forward by members of the community.

With regard to ENE, it is my understanding that ADA Hammond attended a few meetings with the group over the course of a year, provided a courthouse tour, brought in former ADA Tom Potter to help them navigate the Wisconsin Circuit Court Access Program (CCAP) case search database, met with ENE and a current, sitting Judge in the courthouse cafeteria, and then attended an off-site community event after the group had been in existence for one year. I also attended this public event, which occurred in a county library. ADA Hammond, at my request, also shared with ENE information about the District Attorney's role in the criminal justice system, as well as the role that the judiciary, the defense, and other system actors play. ADA Hammond did not "define, develop, or launch" the Enough is Enough program. After studying the framework of the criminal justice system, with the help of ADA Hammond and others, including a member of the Judiciary, the group took what they learned and launched their court watch efforts.

I understand ENE heaped praise upon ADA Hammond as it nominated her for an award. It has been my experience over the years that members of the public express high levels of gratitude for everyday work that is simply part of our job. Just this year alone, on a number of occasions, I have received effusive words of praise for work carried out by my attorney and non-attorney colleagues alike, who are just doing their job in a professional and respectful manner.

Each of our ADAs and DDAs is expected to treat all members of the public with respect and courtesy. In each unit of our office, and particularly in our Community Partnership Unit, of which Joy Hammond is a part, we have regular contact with a variety of community groups and organizations. These groups include, but are not limited to, Safe and Sound, Running Rebels, Bikers Against Child Abuse, Diverse and Resilient, Milwaukee Downtown BID 21, UMOS, Common Ground, Zonta International, Sojourner Family Peace Center, the Benedict Center, the Difference Principle, Near West Side Partners, Asha, and many, many more. ENE is now one of those groups.

As ENE began its work within the criminal justice system in mid-2024, our office assisted with providing ENE copies of criminal complaints, which are obviously public documents, consistent with every other member of the public, including the media, who requests a copy. A Dropbox was set up solely for the sharing of filed criminal complaints with ENE. It appears the Dropbox was used for several days, with fewer than twenty criminal complaints placed into it. In response to email inquiries from ENE, ADAs also provided logistical information about pending court cases ENE was interested in tracking. Contrary to the assertion in the SPD letter to the Judiciary, no weekly meetings occurred between ENE and this office. ADA Hammond developed a form for case referrals that she used in five cases and, based on our review of internal records, was not used by other ADAs in our office. The 258 emails responsive to the open records request are mostly logistical in nature, and a fairly insignificant number considering dozens of ADAs handled hundreds of traffic-related cases of interest to ENE since ENE started monitoring cases sixteen months ago.

The most concerning assertion in the SPD letter relates to the editing by individuals related to the District Attorney's Office of ENE communications to the Judiciary. The very manner in which this claim is written by SPD might suggest the editing of multiple communications to more than one member of the Judiciary, containing the seemingly nefarious instruction to remove language related to my office. Attached to my letter is one communication referred to in the SPD letter. ("Exhibit 1") The attached letter is a draft of a letter intended to be sent by ENE to you, Chief Judge Ashley, in May 2024, as the group was launching its work in the courthouse. ENE was introducing itself to you

and expressing what it hoped to accomplish with its court watch program. Jeanne Lupo, the president of the organization, asked retired ADA Tom Potter to review and edit the letter, which, as can be seen, he did extensively. Potter explained his reasoning for his edits, including the need to clearly establish the independence of ENE from the District Attorney's Office. Of note, Potter provided edits to the letter that clearly state the involvement with the District Attorney's Office "for help in finding cases that would benefit most from community input." There is no attempt to obfuscate the engagement ENE has with this office. I do not know what the final letter ENE sent to you in May 2024 looks like, Chief Judge Ashley, but the attached letter, which was sent to the SPD before its letter to the Judiciary, contains the edits we recommended be included.

A second exchange of email related to this concern raised by SPD also occurred in May 2024 between Ms. Lupo and ADA Hammond, and is also attached to this letter. ("Exhibit 2") Ms. Lupo is seeking ADA Hammond's advice about wording in a communication piece ENE would distribute to members of the community. Hammond wrote four suggested paragraphs. Although I certainly have not seen everything produced in writing by ENE, I have not yet seen an ENE writing that substantially contains the paragraphs written by Hammond. Of note, the email exchange does reference the group prioritizing its impact statement for the Mosley case. This is the case involving the individual charged and convicted in the vehicular death of Erin Mogensen, whose death inspired the formation of ENE. ADA Hammond had no involvement with the production of victim impact statements in that case, nor in the prosecution of Mr. Mosley.

There is no evidence that any member of the District Attorney's Office has edited other ENE submissions to the Judiciary at large, specifically any community impact statements submitted to the courts by ENE. I am satisfied that no such evidence exists because such activity does not take place within this office. In an internal review with my staff last week, I confirmed that the names and contact information of victims and witnesses in impact statements may be redacted for safety reasons. I also learned that in very rare circumstances, a victim advocate in my office may write out a victim impact statement for a citizen unable to write it themselves. In those rare cases, the victim advocate indicates on the victim impact statement that he or she actually wrote the words on paper dictated by the citizen. Beyond that, I am satisfied that there is no collaborative effort between members of my office and members of the community (even beyond ENE members) related to the authoring or substantive editing of impact statements presented by victims or other interested members of the community. My colleagues and I recognize the sanctity of plea agreements and understand that community members should produce any impact statements independently.

The SPD made special mention that "the group's key findings would be shared with the press, local leaders, and legislators." This is precisely the function of court watch groups. In fact, the District Attorney's office previously had a grant that allowed our office to employ an individual for this precise task. The responsibilities of this MCDA employee included monitoring courtrooms, compiling information about charged cases broken down by Milwaukee Police Department District and other neighborhoods, and then sharing this information with community members through Safe and Sound and other neighborhood groups to encourage Milwaukee County residents to participate in the criminal justice process. When funding for this position was lost, many of these responsibilities were taken over by the then MCDA Community Prosecution Unit, which is the current Community Partnership Unit, and other grassroots groups in Milwaukee County. ENE is simply one of those groups. A community impact statement form given to ENE is of a similar nature to that provided

over the years to other individuals and community groups to provide feedback in specific cases in the court system that are being tracked by members of the community.

I would add that the reports published by ENE track not only the group's observations of court decisions but also of prosecutorial decisions within my office. At the public meeting I attended with the group earlier this year, many of the questions directed at me related to why plea agreements are entered into and why the maximum possible sentence is often not recommended by my office – all reasonable questions that are often asked of every prosecutor's office by members of the public.

My office's emails submitted to the SPD indicate that most of the assistance provided by ADA Hammond to ENE took place during the summer of 2024, as the group was better understanding the Milwaukee County criminal justice system. The attached emails reference the type of assistance Hammond offered to ENE during that time. Additionally, as was well known at the time, ADAs in court efiled ENE's prepared impact statements. The ADAs had nothing to do with the content and production of the statements, but merely facilitated their filing with respective courts. In August 2024, Clerk of Court Anna Hodges met with the group and helped them learn how they could efile their statements independently. Even before August 2024, it is apparent that ENE was mastering how to independently access specific case information through CCAP.

In conclusion, it is my view that the District Attorney's Office has provided an appropriate level of assistance to allow a community group to better understand and access the Milwaukee County criminal justice system, which has been a historically fundamental role of this office within our community. I am satisfied, based on the evidence I have reviewed, that this office's level of engagement with ENE has been undertaken with the spirit of facilitating greater access of community members to the important workings of its local government institutions, while maintaining the ethical tenets that govern our advocacy.

Respectfully submitted,

Kent Lovern
District Attorney

cc: Wisconsin State Public Defender Jennifer Bias
Milwaukee Regional Manager Angel Johnson
Milwaukee Deputy Regional Manager Paige Styler

From: Thomas Potter
To: "jeanne Lupo"; Hammond, Joy
Subject: RE: Please review and offer feedback
Date: Tuesday, May 7, 2024 3:54:47 PM

Jeanne, here are my suggested edits for your letter
New language is in red, replacing the strikethrough text

Tried to take just a bit of the edge off, and to avoid any possible impression that the DA's office is "pulling any strings" here. Court Watch will be better received if our judges understand it was born independent of prosecutors. I think you will find Judge Ashley very easy to work with, as he is truly a "people person."

Hello Judge Ashley,

My name is Jeanne Lupo. I am president of a grass roots, nonprofit advocacy organization named Enough is Enough ~ A Legacy for Erin. Our group formed shortly after the tragic death of Erin Mogensen, 32 years old and eight weeks pregnant. She was killed by a criminally reckless driver fleeing police. It was her 4th wedding anniversary. It is still difficult to fathom the senseless and unnecessary loss.

Prior to and since Erin's tragedy, there have been countless additional reckless driving crimes involving innocent victims. The commonality in too many of these cases ~~all of them~~ is that the perpetrators have serious criminal records, and/or ~~had many previous crimes,~~ are on ~~unmonitored~~ probation or bail ~~allowing them to commit more and more serious crimes while they~~ awaiting a trial that won't occur for many months, even years.

~~The criminal justice system is broken~~. We need more ~~There is a lack of~~ accountability for the crimes being committed ~~and the sentences being metered to the criminals.~~ To that end, we are creating a Court Watch program to ~~monitor~~ observe court proceedings, primarily sentencing hearings; provide victim and community impact statements for specific cases to the judges ~~through the District Attorney prosecuting the case, and report on the outcomes of those cases~~. Through community involvement in this process we hope to enlighten and engage affected neighborhoods, empowering them to have input on decisions that affect them on a daily basis; and show the judges the faces and lives of the communities impacted by the decisions they are making; choices to hold accountable, or not, the criminals threatening the public safety of the communities that the judges serve.

I am writing to make you aware of this program and would very much like to meet with you prior to our launch in a few weeks. We have ~~been working closely with~~ also reached out to the District Attorney's office for help in finding cases that would benefit most from community input. ~~to identify cases to monitor~~. We would like to collaborate with the courts in a similar fashion - toward finding a solution to the public safety crisis.

I respect your time is at a minimum and very valuable. I promise to honor an efficient meeting to present our program and discuss a smooth rollout into your courts.

I can be reached at 414-581-2038 or jeannlupo4@gmail.com

Thank you very much
Jeanne Lupo

From: jeanne Lupo <jeannelupo4@gmail.com>
Sent: Thursday, May 2, 2024 8:58 PM
To: Hammond, Joy <Joy.Hammond@da.wi.gov>; Thomas Potter <TLPott5@gmail.com>
Subject: Please review and offer feedback

Joy and Tom
This is the email I would like to send to chief Judge Ashely requesting a meeting to discuss the rollout of our Court Watch program. Please offer feedback so I may actually attract his attention and garner a meeting.
Thank you so much
jeanne

Hello Judge Ashley,

My name is Jeanne Lupo. I am president of a grass roots, non profit advocacy organization named Enough is Enough ~ A Legacy for Erin. Our group formed shortly after the tragic death of Erin Mogensen, 32 years old and eight weeks pregnant. She was killed by a criminal reckless driver fleeing police. It was her 4th wedding anniversary. It is still difficult to fathom the senseless and unnecessary loss.

Prior to and since Erin's tragedy, there have been countless additional reckless driving crimes involving innocent victims. The commonality in all of them is that the perpetrators have had many previous crimes, are on unmonitored probation allowing them to commit more and more serious crimes while they await a trial that won't occur for many months to years.

The criminal justice system is broken. There is a lack of accountability for the crimes being committed and the sentences being metered to the criminals.To that end, we are creating a Court Watch program to monitor court proceedings, primarily sentencing hearings; provide victim and community impact statements for specific cases to the judges through the District Attorney prosecuting the case, and report on the outcomes of those cases. Through community involvement in this process we hope to enlighten and engage affected neighborhoods, empowering them to have input on decisions that

affect them on a daily basis; and show the judges the faces and lives of the communities impacted by the decisions they are making; choices to hold accountable, or not, the criminals threatening the public safety of the communities that the judges serve.

I am writing to make you aware of this program and would very much like to meet with you prior to our launch in a few weeks. We have been working closely with the District Attorney's office to identify cases to monitor. We would like to collaborate with the courts in a similar fashion - toward finding a solution to the public safety crisis.

I respect your time is at a minimum and very valuable. I promise to honor an efficient meeting to present our program and discuss a smooth rollout into your courts.

I can be reached at 414-581-2038 or jeannlupo4@gmail.com

Thank you very much

Jeanne Lupo

From: Hammond, Joy
To: "jeanne Lupo"
Subject: RE: Happy Monday
Date: Wednesday, May 15, 2024 11:20:42 AM

Hi again – Just wanted to add this website/link to the Fire and Police Commission reports on fleeing/pursuits. The 2023 report should be out soon!

2022 City of Milwaukee Fire and Police Commission Vehicle Pursuit Report

From: jeanne Lupo <jeannelupo4@gmail.com>
Sent: Tuesday, May 14, 2024 6:06 PM
To: Hammond, Joy Joy.Hammond@da.wi.gov

Subject: Re: Happy Monday

This statement on a card idea is great! And I think for our observers, we can lift a few brief statements from what you wrote and have our go to statements and lingo. Thank you so much!

As far as the data - that's ok and actually good. I wasn't sure where to go if we weren't able to get what we wanted from the other sources. This gives us a starting place and we can get working on it. Another gift.... ;}

My questions back to you are:
Do you want us to prepare an impact statement for YOUR hearing next Thursday? It could be a good test run for what we will need to be doing anyway. And, do you want us to actually be "court watchers" for your hearing - buttons, stand up, the whole deal. I don't want to negatively impact your case. It is quite likely if we do that for yours, it would be the official "first". Again, not sure we should be putting all those eggs in one basket, but.....

Think about it and let me know. We're ok and intend to be there either way.
Have a good evening -
Jeanne

On Tue, May 14, 2024 at 5:48 PM Hammond, Joy <Joy.Hammond@da.wi.gov> wrote:

> HI Jeanne! Couple of things
>
> I talked to our OMAP (information) people and they said that we need to go through open records at openrecords@milwaukee.gov for our data requests since it would be used by your organization, I assume, for publications etc. I did ask if there were any #s already available somewhere that we can start with, so we'll see what he says. He did say that the open record folks are really good and responsive, so we will be ok if we need to go that route.

Also - as I was reworking your letter to the chief judge into the in court statement – I got thinking... What if you printed this on a card that you can hand out to anyone who asks who you are while you are doing Court Watch? You could add website and contact information for anyone interested in joining you... Just a thought!

Anyway - Here is what I came up with:

> We represent a grass roots, nonprofit advocacy organization named Enough is Enough ~ A Legacy for Erin. Our group formed shortly after the tragic death of Erin Mogensen, who was just 32 years old and eight weeks pregnant. She was killed by a criminally reckless driver fleeing police on her 4th wedding anniversary. We are moved to action by the constant, out of control fleeing and reckless driving behavior in our community that is causing property damage, injuries and claiming innocent lives .
>
> We believe that there needs to be more accountability for the crimes being committed and, to that end, this is our Court Watch program. We are here to respectfully observe key court proceedings on thoughtfully selected cases and provide victim and community impact statements to the Courts.
>
> Through this community involvement in the Court process we hope to enlighten and engage affected neighborhoods, empowering them to have input on decisions that affect them on a daily basis. We also need to be present and show the judges our faces to remind them that the entire community is impacted by the decisions they are making on these cases.
>
> Our hope is that by demonstrating that we, the voting community, are fed up with the revolving door for dangerous fleeing and reckless driving offenses, justice will be done for all of us and the message will get sent to the defendants and even potential offenders, that dangerous driving is no longer acceptable here.

Let me know what you think!

Thanks

Joy

From: jeanne Lupo <jeannelupo4@gmail.com>
Sent: Monday, May 13, 2024 6:27 PM
To: Hammond, Joy <Joy.Hammond@da.wi.gov>
Subject: Re: Happy Monday

Thank you for getting back to me - my replies are below in "purple" (Erin's favorite color!)

On Mon, May 13, 2024 at 12:13 PM Hammond, Joy <Joy.Hammond@da.wi.gov>

wrote:

Hi Jeanne –

Hope you had a great weekend too!

I will get some data points for us today. I am thinking about the last 2 years – does that sound good to you? Yes I agree. We can do whatever time period you wish, but I think 2 years is enough data to show the problem in numbers. I will ask for total # of pursuits, # of pursuits cancelled bc of unreasonably reckless driving, # of arrests, age data regarding the arrests (under 21, etc) I also want the # of pursuits ending in an accident and those causing injury as well as the # of incidents causing death. The other things I will ask for is the # of pursuits of stolen cars and those where drugs and guns are recovered. This all sounds good.

I am happy to try to put something together for you. I will play off the language from the 'approved' latter for the chief judge – I think that will keep the message consistent. I can also look at anything you have already worked on too. Thanks - if you can. Otherwise, I'll draft something this week and we can compare. We also discussed a stock letter to go with the community impact statement (or Be the template for the official community Impact statement). When I re-vamp the Enough is Enough form, I will add some language to that and see what you think That language will help. We have as a high priority "to do" right now to write our impact statments for the Mosley case. I have only thought about it - I can;t imagine that the family will find this easy - but hopefully somewhat theraputic. But, yes, we are working on ours as a template for others.

At this point the May 23rd sentencing for the fleeing case I have is set in Judge Kori Ashley's Court (she's the chief judges niece) at 9am. The defendant is Traveon Carrigan. He is not a juvenile transfer – just someone who I had TWO fleeing cases with in juvenile court (among other things) and he is now on his THIRD fleeing (also among other things!) As far as I can tell, the hearing will go on that day. (I'm putting together a pretty involved presentation for the court, so my husband is talking about coming lol) I will likely play jail calls where he brags about doing many fleeings and not getting caught... This is helpful. And exciting - will be to see you in action and to meet your husband! I will schedule our group to be "observers" for that day. Unless something monumental occurs between now and then, We probably won't have had our first Court Watch case - unless you want us to practice on this one... your call totally.

I'm really excited for this group and am looking forward to working together for a long time! It's a bit like having a prayer answered – I have been saying for years – "If the community only knew..." and now they will! Well - we feel that way about you. Honestly there have been many "blessing" that have occurred since we got started, you being one of them. Next time we're together, please remind em to share what Erin's pastor said at her service. Quite an interesting perspective on how God helps us.

I am planning an officewide email today (once I get approval) to ask my fellow ADAs if they have egregious cases and cases with accidents/injury/death or multiple repeat offenses for us to

follow. They will be the best source for this information and that way we can get the whole office on board to support you. Thank you for this. We look forward to the identified cases. We are having Tom teach us how to interpret what we find in ccap in the next week or so so we should be better equippped to analyze the additional cases.

Let me know if there is anything else I can do for you – and I will update you as soon as I get more information. I think we're set for now - you've done so much already!! We'll be/keep in touch!

Jeanne

Thanks!
Joy

From: jeanne Lupo <jeannelupo4@gmail.com>
Sent: Monday, May 13, 2024 8:11 AM
To: Hammond, Joy <Joy.Hammond@da.wi.gov>
Subject: Happy Monday

Hi Joy
I hope you enjoyed a beautiful Mother's Day!

I have three items of interest this morning -

Has your data contact (I think her name is Bridget?) had any luck generating some statistics for us? I don;t know that it is a very high priority but, like we talked about, it would be nice to have a benchmark before we start watching cases. I guess once we figure out how to generate the data, it would hopefully be easy to create a timeline around when we started, etc.

I would like to generate a few phrases or statements we may pull from for when we start to visit the courts. I am anticipating the judges asking about why we are there (the judge sitting in for Judge Kagel did - she was very friendly and encouraging). I will work on some this week and hopefully you can review and adjust for us. Or, if you're sitting around "doing nothing" HA! you might scribe some. Just a couple explaining why we are there, etc.

Last, for this morning, the court case you suggested us observing is May 23rd. I checked my notes, I think this is the one that is a juvenile being tried in adult court, correct? Do you have a time and location for the hearing yet? Any thoughts on how long the hearing might be? Is there a way for us to track it in case anything changes? The reason I'm asking is I'm scheduling other meetings and items for that week already. So, I want to make sure I leave room for anyone wanting to spend time with you! ;}

I'm sorry to bombard you first thing with all of these questions...
We all appreciate all you are doing for us - and certainly are enjoying getting to

know you!

Thanks - and Happy Monday!!
Jeanne