

Local Municipal Judge While In DUI Custody, Invokes District Attorney's Name; Tells Cop To "Google His Name"

By Mark Belling, WISN-AM

A municipal court judge for several communities in southern Waukesha County complained to the DNR Warden who arrested him for drunk driving and then dropped the name of Waukesha County District Attorney Sue Opper.

The information is included in the arrest report of Mark Powers, a prominent local attorney who brags on his website about specializing in drunk driving cases. Powers is also the part-time municipal judge in the joint municipal court of Eagle, Vernon, North Prairie and the Town of Mukwonago/the two communities. The reports were obtained following my filing of a state open records request.

Powers was pulled over by a DNR warden around 7:45 pm on August 18 while driving an SUV on Highway 83 near Highway 18 in Wales. The warden was responding to a report that an SUV was stopping repeatedly in the road. Powers was pulled over after, according to the report, failing to maintain his lane and making an extremely wide turn. The warden said when he approached the vehicle he detected a strong odor of cologne as if there was an attempt to mask the smell of alcohol. After Powers declined field sobriety tests, his vehicle was searched and the warden reported finding a nearly empty can of alcoholic lemonade.

At the station, Powers allegedly hectorated the warden saying "do you understand what the **** you have done, doing this ****?" The report said he then said he was leaving a party attended by Waukesha County District Attorney Sue Opper. Powers also stated he has represented law enforcement officers in court and has gotten them acquitted.

Powers provided a breath sample and his alcohol content was 0.26 which is more than three times the legal Wisconsin limit of 0.08. Powers initially stated he was taking full responsibility for his actions but he has pleaded not guilty to the charges. The case is being handled in Ozaukee County Court because of Powers' role in the judicial system in Waukesha County.

Powers is a partner in the well-known local law firm Huppertz and Powers. The firm's website crow's about its success in handling drunk driving cases. Powers has been frequently interviewed by the media on drunk driving cases and he passes himself off as an expert in the subject.

Powers' attorney Jessica Klein tells me Powers will not be stepping down as municipal judge. She denied that Powers was attempting to throw his weight around when dropping Opper's name and said he was merely explaining where he had been coming from. Klein said Powers' statements about the impact a drunk driving citation would have on him was merely an explanation and not an attempt to apply pressure on the warden.

Mark Belling

November 14, 2023