



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

Aaa New York Announces Support of Senator Fuschillo's Legislation Creating Felony Charges for Driving Drunk WITH a Child in the Car

CHARLES J. FUSCHILLO JR. September 1, 2009

| ISSUE: **DRUNK DRIVING**

AAA of New York State recently announced its support of legislation sponsored by State Senator Charles J. Fuschillo, Jr. (8th Senate District) creating felony charges for individuals who drive drunk with a child in the car.

In a memorandum in support, AAA of New York State stated that Senator Fuschillo's legislation "will be effective in terms of deterring motorists from driving under the influence with children as passengers." AAA of New York State noted that studies have shown "alcohol involvement for child fatalities has actually increased," and that "drunk drivers who had children in the vehicle at the time of their offenses were more likely to have previous drunk driving convictions or prior driver license suspensions and were less likely to buckle up their children."

Senator Fuschillo's legislation (S6125):

- * Individuals who drive drunk with a child under the age of 16 in the car would be charged with a class E felony and face up to four years in prison and/or a fine of up to \$5,000;
- * Expand the state's aggravated vehicular homicide law to include drunk drivers who kill a child under the age of 16. In addition, it would raise the penalty for aggravated vehicular homicide to a class B violent felony punishable by up to 25 years in prison;
- * Expand the state's aggravated vehicular assault law to include drunk drivers who seriously injure a child under the age of 16. In addition, it would raise the penalty for aggravated vehicular assault to a class C violent felony punishable by up to 15 years in prison.

Senator Fuschillo's legislation is also being supported by Nassau County District Attorney Kathleen Rice, anti-DWI organizations such as MADD and DEDICATEDD, and families who have lost loved ones at the hands of drunk drivers.