



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

Senator Fuschillo Announces Leandra's Law Signed by Governor Paterson

CHARLES J. FUSCHILLO JR. November 18, 2009

| ISSUE: **DRUNK DRIVING**



Law Creates Felony Charges For Driving Drunk With a Child in the Car, Requires All Convicted DWI Offenders to Use Ignition Interlocks

State Senator Charles J. Fuschillo, Jr. today announced that “Leandra’s Law,” which creates felony charges for those who drive drunk with a child in the car, has been signed by Governor Paterson.

The law, which was authored by Senator Fuschillo (R-Merrick), Senator Martin Dilan (D-Brooklyn), and Assemblyman Harvey Weisenberg (D-Long Beach) is named after 11 year old Leandra Rosado, who was killed while riding in a car that crashed along the Henry Hudson Parkway last month. The driver of the car, who was the mother of one of Leandra’s friends, was arrested for DWI. Leandra’s father, Lenny Rosado, worked with the three state lawmakers in fighting to get the law passed.

“Holding a child’s life hostage by putting them in a car and driving drunk should be a felony, and that’s exactly what this legislation would do. In addition, it would help prevent future drunk driving crashes by requiring all convicted drunk drivers to use ignition interlocks. I’m pleased that we were able to work

together to pass this legislation, which will further strengthen New York's DWI laws and prevent drunk driving crashes on our roadways. I thank Governor Paterson for his support," said Senator Fuschillo. Under Leandra's Law, those convicted of driving drunk (.08 BAC or higher) with a child in the car will be charged with a class E felony and face up to 4 years in prison.

Additional penalties are created for cases where children are killed or seriously injured while riding in a car with a drunk driver. Drunk drivers who cause the death of a child riding in their car will face up to 25 years in prison. Those who seriously injure their child passenger in a DWI crash will face up to 15 years in prison.

In addition, any driver convicted of a DWI offense, including first time offenders, will not be permitted to operate a vehicle without having an ignition interlock installed. An ignition interlock is a breath test device linked to a vehicle's ignition system. Offenders must blow into the interlock before starting their vehicle. The interlock will prevent the car from starting if it detects alcohol in the driver's breath. According to MADD, interlocks have been proven to reduce repeat drunk driving offenses by an average of 64 percent.

These penalties would be in addition to any other penalties imposed by the courts.

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