



NEW YORK STATE SENATOR

Joseph P. Addabbo Jr.

'Leandra's Law' Protects Our From Drunk Drivers: Addabbo

JOSEPH P. ADDABBO JR November 20, 2009

New York State Senate Member

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15th District

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Press Release

For Immediate Release

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'LEANDRA'S LAW' PROTECTS OUR CHILDREN

FROM DRUNK DRIVERS: ADDABBO

Senate Passes Bipartisan Legislation Increasing Penalties for DWI with Child Passenger—Toughest DWI Law in the Nation

Queens, NY, November 20, 2009 – **New York State Senator Joseph P. Addabbo, Jr.**, announced that on Wednesday, November 18, the Senate passed legislation drastically increasing the penalty for any person who drives intoxicated with a child passenger. Two recent fatal incidents involving intoxicated drivers with child passengers have highlighted the need for stronger measures to prevent or punish persons who drive intoxicated with children as passengers.

The new bill, called “Leandra’s Law,” honors the memory of 11-year-old Leandra Rosado, who was killed in a tragic alcohol-related car accident in October. Working together with Leandra’s father, Lenny Rosado, Mothers Against Drunk Driving and district attorneys, the Senate made it clear that driving drunk with a child passenger will no longer be tolerated in New York.

Addabbo, a member of the Senate’s standing Committee on Transportation, said in support of his fellow Senators, “The bipartisan passage of Leandra’s Law says ‘the party is over’ loud and clear to irresponsible New York drivers who won’t insure the safety of their most vulnerable passengers—children—by driving while being drunk. Leandra Rosado’s senseless death on the Henry Hudson Parkway was the last straw. There have also been numerous news reports of reckless drivers who caused local families great harm while traveling through Queens. Now, the price of such negligence will be a felony charge for DWI driving with a child age 15 and under. And, convictions of all DWI and related crimes mandate having ignition interlock devices installed, plus any other penalty that may be imposed such as jail time and a fine. Local roads have now been made much safer for our children and grandchildren.”

Already being hailed in the press as the toughest DWI law in the country, local media editorials have called the strict penalties for such an offense “good legislation.” Sponsored by Senators Martin Malave Dilan (D-Brooklyn) and Charles Fuschillo, Jr. (R-Merrick) and cosponsored by Senate President Pro Tempore Malcolm A. Smith (D-Queens), the law provides for the harshest penalties and most significant expansion of preventative measures to date for any offender convicted of driving while intoxicated with a child passenger, including:

Any DWI with a child passenger:€€€€€€€€

€€€€€€€€ • Increases offense from misdemeanor to E felony

€€€€€€€€ • Increases maximum penalties from 1 year in jail to 4 years in state prison

DWI and causing serious injury to a child passenger:

€€€€€€€€ • Increases offense from E felony to D felony

€€€€€€€€ • Increases maximum penalties from 4 years to 7 years in state prison

Driving recklessly while intoxicated and causing serious injury to a child passenger:

€€€€€€€€ • Increases offense from E felony to C felony

€€€€€€€€ • Increases maximum penalties from 4 years to 15 years in state prison

Driving recklessly while intoxicated and causing the death of a child passenger:

€€€€€€€€ • Increases offense from D felony to B felony

€€€€€€€€ • Increases maximum penalties from 7 years to 25 years in state prison

Mandates ignition interlock devices for all DWI convictions:

• All offenders will be required to install an ignition interlock device in their vehicle upon conviction of any DWI offense, which may only be waived upon a judicial finding that the offender has no history of alcohol abuse or dependence.

If you have any questions or comments on “Leandra’s Law,” please call Senator Addabbo’s district office at 718- 738-1111.