



NEW YORK STATE SENATOR

John A. DeFrancisco

## NYS Senate Passes Senator DeFrancisco's Bill Named After the Late Tiffany Heitkamp

JOHN A. DEFRANCISCO February 11, 2013

| ISSUE: **CRIME**

Senator John A. DeFrancisco (R-I-C Syracuse) announced that his bill (S1790), which would create a link between all of a person's driving under the influence of alcohol or drug offenses, passed the New York State Senate today, February 11, 2013.

Named after the late Tiffany Heitkamp, who was killed during an alcohol related boating accident in July of 2006, the bill would link Boating While Intoxicated (BWI), with Snowmobiling While Intoxicated (SWI), Driving While Intoxicated (DWI), and driving an ATV while intoxicated. Under current law, there is no linkage between these offenses, making it possible to be convicted of two or more separate offenses by using different motorized vehicles and still be treated as a first time offender.

"Several cases have occurred where a BWI offense has been committed by an individual who has also committed a DWI offense. Tiffany Heitkamp was one of these cases," said Senator DeFrancisco. "Tiffany lost her life because the operator of the boat in which she was a passenger was intoxicated. The boat operator had a record of alcohol related driving convictions, but he was only charged as a first time offender."

"If an individual has a history of operating any kind of vehicle or vessel while under the influence of alcohol or drugs, it should be taken into account when the individual is charged and sentenced," continued Senator DeFrancisco. "Operating a car, snowmobile, ATV or boat while drunk are all reckless behaviors, which can have serious consequences. Providing a link between these offenses would hold violators accountable for a history of irresponsible behavior while operating a powerful and potentially deadly vehicle."

"The Senate has passed this bill repeatedly for several years. It's time for the Assembly to bring this important bill to the floor and pass it this year," concluded Senator DeFrancisco.

The bill has been delivered to the Assembly.