



NEW YORK STATE SENATOR

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## The Punishment Doesn't Fit the Crime

[RUBEN DIAZ](#) February 28, 2014

### WHAT YOU SHOULD KNOW

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### THE PUNISHMENT DOESN'T FIT THE CRIME

You should know that I am no fan of Governor Andrew Cuomo. For many years, he and I have publicly disagreed on a number of serious issues, including abortion, traditional marriage, funding for senior citizens and less fortunate New Yorkers, and the urgency of the DREAM Act.

You should also know that I have no doubt that if Kerry Kennedy were not the former wife of Governor Andrew Cuomo, and if she were not the daughter of the late Robert F. Kennedy and the niece of President John F. Kennedy, she would not be the target of the great injustice she now faces in her very public trial.

According to news reports, on July 13, 2012, Kerry Kennedy took a sleeping pill instead of her thyroid medication and drove five miles swerving at 70 miles per hour, side-swiped a tractor trailer on Interstate 684, and was found by police slumped over the steering wheel inside her car that had stalled in a left-turn lane on Route 22 near the Armonk exit.

Whether or not Kerry Kennedy has been found guilty or not guilty of the misdemeanor she has been charged with, the punishment she has already taken does not fit the crime. The screaming headlines, commentaries, and talking heads continue to attack and condemn one New York woman who has been charged with a misdemeanor.

Even if Kerry Kennedy's judgment was impaired by the Zolpidem pill she had taken which caused her car accident, we all know that there are cases where drunk drivers have taken the lives of people - and those drivers do not encounter these outrageous and ugly public attacks.

The Westchester prosecutor even threw in an ugly spin, telling the six-member jury during summations to: "Speak truth to power and convict Kerry Kennedy of the crime she committed." This mockery of the book title Kerry Kennedy wrote had nothing at all to do with the facts of the case on trial, but more to do with having a chance to attack Kerry Kennedy's credibility by taking a cheap shot at someone who comes from a well-known political family.

My dear reader, I am not saying to let it go, but is this our system of justice? They have made a circus out of her trial and a mockery of Kerry Kennedy - just because she is the former wife of Governor Andrew Cuomo and a Kennedy.

Kerry Kennedy's crime should have nothing to do with being the former wife of Governor Andrew Cuomo. Nor should it have anything to do with being the daughter of the late

Senator Robert F. Kennedy and Ethel Kennedy, or with being the niece of the late President John F. Kennedy. It should only have to do with her actions during a brief period of time in her life: on July 13, 2012.

Ladies and gentlemen, let the punishment fit the crime, and let's end the media's pile-on against her.

This is Senator Rev Rubén Díaz, and this is what you should know.