



NEW YORK STATE SENATOR  
Timothy M. Kennedy

## Kennedy, Peoples-Stokes, Wisniewski Family Call for GPS Stalking Bill, Known as Jackie's Law, to be Signed into Law

TIMOTHY M. KENNEDY July 17, 2014

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*Legislation Prompted by Jackie Wisniewski's Story Now Awaits Governor's Signature to Become Law.*

*Prior to her death, Jackie found a GPS device installed on her car, tracking her whereabouts.*

*Legislation passed by Kennedy and Peoples-Stokes updates NY's stalking laws to crackdown on GPS stalking.*

*This legislation aims to combat domestic violence – in 2012 over 6,300 Erie County residents became victims of domestic violence, and over 4,000 of those victims were women.*

BUFFALO, N.Y. – Senator Tim Kennedy, Assemblywoman Crystal Peoples-Stokes and the Wisniewski family are calling for their GPS stalking legislation, known widely as Jackie's Law, to be signed into law. This critically-important legislation, which was prompted by the tragic murder of Jackie Wisniewski, will crack down on GPS stalking by updating New York State's stalking laws to allow law enforcement to pursue criminal charges against those who use GPS or other electronic tracking devices to stalk their victims.

Kennedy and Peoples-Stokes guided the bill through the Senate and Assembly with the support of the Wisniewski family, and it received final approval at the end of May. The bill has been delivered to the Governor, and it is now waiting for his signature to become law. The Governor has 10 days – not counting Sundays – from July 11, the day the bill was delivered, to sign it into law.

"When Jackie Wisniewski was murdered, our entire community mourned alongside her family. It was a tragedy that caused deep sadness and pain, and brought attention to the need to strengthen laws to prevent domestic violence," said **Senator Tim Kennedy**. "Jackie endured constant harassment and suffering which was amplified after her abuser installed a GPS tracking device to monitor her every movement and stalk her. It's appalling that this action alone was not illegal. We must ensure state law keeps pace with technology. Survivors of domestic violence are in dire need of this protection, and the Governor should sign it into law."

"The loss of a loved one is a long process for a family to endure. Jackie Wisniewski was a daughter, mother, and loving aunt. Her life was cut too short and we need to bring attention to domestic violence," said **Assemblywoman Crystal Peoples-Stokes**. "Jackie's killer was able to install a GPS tracking device in her car, this should have been illegal; and I am calling for the Governor to sign the bill into law."

Following the tragic murder of Jackie Wisniewski, the horrifying details of the domestic violence she endured came to light. In March 2012, Jackie discovered a GPS tracking device that Timothy Jorden had installed on her car to stalk her and constantly follow her movement and location. Although Jorden was clearly stalking Wisniewski with the use of GPS technology, this specific action could not be deemed criminal due to a gap in state law. Just months later, in June 2012, Jorden shot and killed Wisniewski in a stairwell at the Erie County Medical Center (ECMC).

This GPS stalking legislation (S.4187C/A.7720B) will fix that gap in the law. It will empower law enforcement to pursue criminal charges and prosecute individuals who install GPS tracking systems with the intention of stalking another person.

Once this legislation is signed into law, individuals who use GPS systems or electronic devices to follow the movements and location of their victims can be charged with stalking in the fourth degree. This legislation will also help streamline the process of securing an order of protection since stalking offenses can be pursued in criminal court, family court or both.

Often, victims of abuse do not feel comfortable pressing charges against their abuser. They can be so fearful of retaliation that they feel stuck in the abusive relationship, and may hesitate to press charges. In Jackie's case, she may have been afraid to press charges, and the police were unable to identify a crime in the current state penal code to charge Jorden with.

This legislation allows law enforcement to prosecute perpetrators for the crime of stalking in the fourth degree, without requiring the victim to press charges or to file an order of protection. Law enforcement will have the ability to charge and prosecute an individual if he or she installs a GPS device to track the movement or location of their victim. The onus of pursuing criminal charges will shift from the victim to law enforcement officials.

Kennedy and Peoples-Stokes believe this new law will be an important step forward in the ongoing efforts to prevent domestic violence. In Erie County, there were more than 6,300 victims of domestic violence in 2012, and over 4,000 of those victims were women, according to the NYS Division of Criminal Justice Services. In Buffalo, there were about 4,000 reported victims of domestic violence, and about 3,000 of those victims were women.

If you or someone you know is experiencing domestic violence, you are encouraged to immediately call the 24-Hour Domestic Violence Hotline Response for Erie County at 716-862-HELP (4357). If you are in need of shelter, dial 716-884-6000. Hotline counselors provide crisis intervention, safety planning, support, information and referrals. If you suspect you are being stalked with the use of a GPS device, contact the Family Justice Center at (716) 558-SAFE (7233).

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*Senator Timothy M. Kennedy represents the New York State Senate's 63rd District, which is comprised of the town of Cheektowaga, the city of Lackawanna and nearly all of the city of Buffalo. More information is available at <http://kennedy.nysenate.gov>.*

*Assemblymember Crystal D. Peoples-Stokes represents the New York State Assembly's 141st District which covers a large portion of the city of Buffalo including sections of North Buffalo and Allentown, the entire East Side, Larkinville and the downtown central business district. More information is available at <http://assembly.state.ny.us/mem/Crystal-D-Peoples-Stokes>.*