



NEW YORK STATE SENATOR

John J. Flanagan

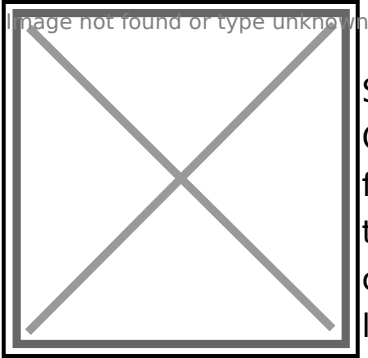
Senator Flanagan And District Attorney Spota Join Families To Call For Strengthening Hit-And-Run Laws

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January 21, 2015

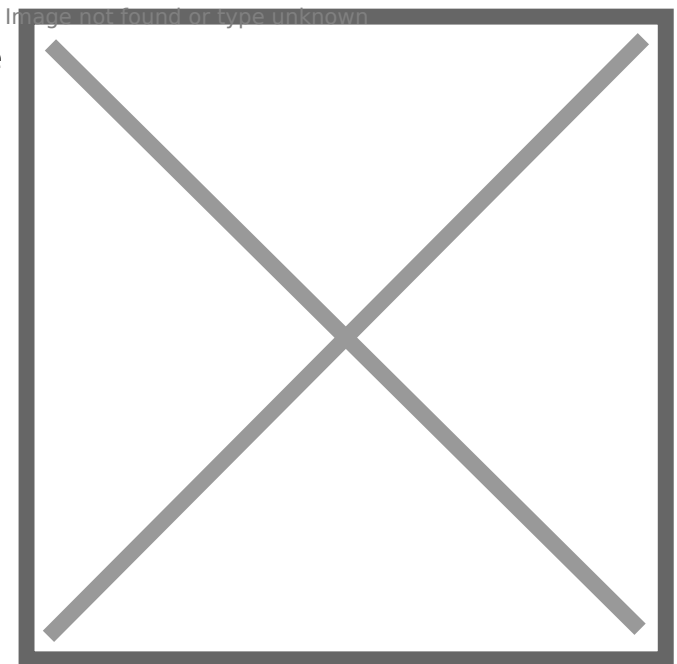
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Senator John Flanagan (2nd Senate District) and Suffolk County District Attorney Thomas Spota joined the families of four men and women killed by hit-and-run drivers to renew the call to increase the maximum punishment for those convicted of that crime from 7 to 15 years imprisonment. The legislation Senator Flanagan sponsors has passed the Senate in both of the past two years but has died in the Assembly.

“It is happening more and more and we’ve got to have a law in this state that appropriately punishes hit and run drivers and the people who can do that are in our state legislature,” District Attorney Spota said. “The family members of the victims here today are representing 58 families of hit and run victims; that is how many indictments we’ve had since 2012 in Suffolk of people who left the scene of a crash resulting in a fatality or a serious physical injury.”



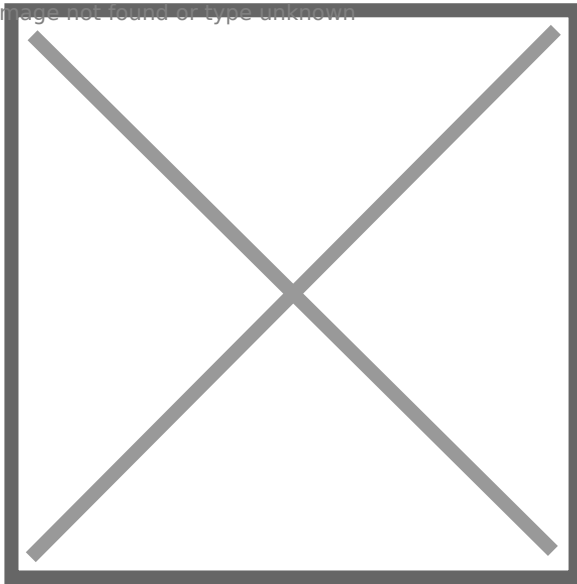
"As a legislator, I approach this issue as a parent who has three kids. I look at this and ask what if this happened to my family? That is why the decision of the family members to be here and to provide a real understanding of their grief is so important -- to let everyone know how vital it is that we stop and punish those who commit these selfish crimes. The time for change is now. The Senate is ready to act yet again, and it is imperative that the Assembly join us this year," stated Senator Flanagan.

Among the family members who addressed the media was Lindsay Benjamin, the daughter of Karen Benjamin who died three weeks after being rundown while jogging by Thomas Costa of Coram, now serving two and one-third to seven years in prison. Lindsay Benjamin said her family has been working hard to change the hit and run law and their petition to do so on Change.org contains 3,700 signatures. "I'm working to change the law. This has to stop," Ms. Benjamin said.

The niece of Scott Wayte, killed on Dec. 28, 2012 while crossing the street in front of the Riverhead restaurant where he and his family were about to celebrate his 50th birthday, said her family has fought twice at parole hearings to keep hit and run driver Joseph Plummer behind bars. Plummer, the driver who struck Wayte and sped off, is serving 2 to 6 years in prison. "This is a man who left another human being dead, in the road, and he will be walking among us in about a year and a half," Melanie Stafford said.

Dennis Hughes, the father of Erika Hughes, a single mom who was struck and killed walking along a Mastic street in July of 2011 by Preston Mims, said that four years after his daughter's death, "I can't believe I'm up here still fighting for this - this is common sense." Preston Mims was sentenced to one and one-third to four years for leaving the scene of an accident resulting in death. "He left my daughter on the side of the road and never got out of the car. If there was a chance to save her, he never made a phone call," Hughes said.

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The parents of Brittany Walsh, the Lindenhurst teenager killed in 2012 on Montauk Highway by Michael Grasing, spoke of changing current law to make the crime of Aggravated Vehicular Homicide a violent felony and thereby making the sentence a determinate 25 years in prison. At present the maximum punishment upon conviction is 8 and one-third to 25 years making parole possible after only eight years and four months of incarceration.

Thomas Walsh, the victim's father, said although Grasing received a maximum 32 years in prison, his daughter's killer will be eligible for parole far sooner than that. "I know where I will be eight years from now, then every year after that (attending Grasing's parole board appearances). Why don't people just say the penalty doesn't fit the crime?"

"We are at the start of a new two-year legislative session which allows us to renew our efforts to strengthen laws that protect all New York residents. These are sensible changes that will help save lives. I urge the Assembly to join the Senate in passing these laws as soon as possible to let these families know that their voices are being heard by their state leaders and that the memory of their loved ones will be honored," added Senator Flanagan.