



NEW YORK STATE SENATOR

John A. DeFrancisco

NEW YORK STATE SENATE GIVES FINAL PASSAGE TO BILL NAMED AFTER THE LATE TIFFANY HEITKAMP

JOHN A. DEFRANCISCO June 2, 2016

| ISSUE: **CRIME, DRUNK DRIVING**

State Senator John A. DeFrancisco today announced that his bill (S3785-A), which would strengthen New York's drunken driving laws, has passed both the Senate and Assembly. The bill would enact Tiffany Heitkamp's law.

The legislation is named after the late Tiffany Heitkamp, a Syracuse woman who was killed in 2006, while riding in a boat that was operated by an intoxicated individual who had a history of alcohol-related automobile incidents. However, because there is no linkage in statute between Boating While Intoxicated (BWI) and Driving While Intoxicated (DWI) laws, the driver was only charged after the crash as a first time offender.

Tiffany Heitkamp's law would require a sentencing judge in a BWI case to consider prior DWI offenses. By creating this requirement, a judge would be directed to impose stiffer penalties upon sentencing, including larger fines and possible incarceration.

"When someone has a history of operating a vehicle or vessel while under the influence of alcohol or drugs, that record should be taken into account when the individual is sentenced," said Senator DeFrancisco. "Repeat offenders should be held accountable for their history of dangerous actions to help deter further tragedies."

The bill will now be delivered to the office of Governor Cuomo for his review.

#####