



NEW YORK STATE SENATOR

Michael Gianaris

At Kevin Flores Memorial Walk, Sen. Gianaris to Urge Passage of His Bill Increasing Penalties for Suspended Drivers

[Michael Gianaris](#)

March 2, 2018

ISSUE:

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Gianaris: Let's Act Now to Prevent More Deaths Like Kevin's

ASTORIA, N.Y. – Senator Michael Gianaris will call on the state legislature to pass his legislation creating felony charges for suspended drivers who injure or kill. Senator Gianaris will make a statement this afternoon at the Kevin Angel Flores Memorial Walk, honoring the life of the teenager killed in January by a driver with numerous suspensions he who was operating a truck.

“Dangerous drivers continue to kill because the current punishment does not fit the crime,” said **Senator Michael Gianaris**. “We need to get serious about improving the law before another life is lost at the hands of drivers we know should not be behind the wheel.”

Currently, the most severe penalty a District Attorney can seek in such instances is a misdemeanor, which rarely results in jail time and leaves perpetrators free to continue driving and putting people at risk. Phillip Monfoletto, the driver who killed Kevin Flores, had nine license suspensions on his record and continued to drive with a suspended license, even mocking the leniency of our laws in a Facebook post.

Senator Gianaris’ legislation would increase the penalty to a class E felony for seriously injuring a person and a class D felony if the accident resulted in a death, with a maximum penalty of seven years in prison. The Senator introduced his bill, [S.3299](#), after a similar incident killed 8-year old Noshat Nahian while he walked to

school on Northern Boulevard in December 2013. The driver, in that case, was also operating with a suspended license. There have since been multiple additional deaths at the hands of improper drivers in western Queens alone.

Earlier in February, the Senator's bill passed the Senate Codes Committee and is awaiting a full vote by the Senate. It will need approval from the Assembly before being sent to the Governor for his signature.

The memorial walk honoring the memory of Kevin Flores will take place **today, March 2, at 4:30 pm** beginning at Kevin's school, the Launch Expeditionary Learning Charter School at [1580 Dean Street](#) in Brooklyn. Senator Gianaris, teachers, and students will then walk to the site of the accident where Kevin was tragically killed at the intersection of Jefferson and Lewis Avenues, where memories of Kevin will be shared. Senator Gianaris will be among the speakers. In case of severe weather, the program will take place in the Launch School auditorium.

related legislation

[2017-S3299](#)

-
- Introduced
 - In Committee Assembly
 - In Committee Senate
 - ◦ On Floor Calendar Assembly
 - ◦ On Floor Calendar Senate
 - ◦ Passed Assembly
 - ◦ Passed Senate
 - Delivered to Governor
 - Signed By Governor
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[Includes in the class E felony of vehicular assault in the second degree, the causing of serious physical injury while operating a vehicle with suspended, revoked or no license](#)

January 20, 2017

In Assembly Committee

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Do you support this bill?

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Aye

Nay