



SENATE UNANIMOUSLY PASSES EMMA'S LAW TO GIVE CRIME VICTIMS A VOICE AT SENTENCING

ALBANY, NY — The New York State Senate has passed Emma's Law (S611A), legislation sponsored by Senator Toby Ann Stavisky (D-Queens) that would give victims of certain misdemeanor offenses the right to be heard at sentencing. The bill passed by a vote of 62 – 0 and now heads to the Assembly, where it is sponsored by Assemblymember Carrie Woerner (A2138A).

Emma's Law is named for Emma Grace O'Rourke, who at eleven years old was barred from speaking at the sentencing of the driver who seriously injured her father. Conan O'Rourke suffered traumatic, near fatal injuries when his car was rear-ended. Because the driver pleaded guilty to a misdemeanor reckless driving charge rather than the original felony, Emma was foreclosed under current law from addressing the court on her family's behalf.

Under existing law, only victims of felony crimes have a guaranteed right to make a victim impact statement at sentencing. S611A would close that gap in a narrow but critical category of cases in which a defendant is initially charged with a felony driving offense that caused serious physical injury but pleads down to a misdemeanor. In those cases, the court would be required, upon timely request, to allow the victim or a representative to be heard.

"Survivors deserve a voice. That is the principle behind this bill, and it is why I have carried it year after year," **said Senator Toby Ann Stavisky**. "When someone is seriously hurt by a reckless driver, the plea deal should not silence them. Now it will move to the Assembly for consideration."

The bill carries no fiscal impact on the State or local governments. Senator Stavisky thanked Senators Dean Murray and Rob Rolison for joining as co-sponsors, and Assemblymember Woerner for her continued partnership in the Assembly.

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