



NEW YORK STATE SENATOR

Owen H. Johnson

Johnson/Senate Pass Tougher Penalties For Dangerous Drivers

OWEN H. JOHNSON May 17, 2006

State Senator Owen H. Johnson (4th Senate District, Babylon), Chairman of the Finance Committee, said that legislation he supported in the Senate known as the "Craig J. Todeschini Bill" passed the Senate this week. The bill would make it a felony for a driver to flee police.

"When drivers are reckless and try to flee from law enforcement by speeding away, they put law enforcement, other motorists and pedestrians at great risk of being injured or killed," said Senator Johnson. "It's about time that New York State put a felony pursuit law on the books to punish those who disobey law enforcement and provoke a dangerous high speed chase."

The bill is named after 25-year-old State Police Trooper Craig J. Todeschini of Geddes, Onondaga County, who was killed in the line of duty on April 23rd. A speeding motorcyclist failed to obey Trooper Todeschini's directive to stop, resulting in a high speed chase and his police vehicle crashed into a tree during the pursuit.

Senator Johnson explained that sixteen states have felony pursuit laws on the books to protect people from dangerous high speed chases.

The bill (S.7858) creates the felony offense of unlawful fleeing a police officer in a motor vehicle when a person, after being directed to stop by a police officer or having stopped at the officer's direction, flees or attempts to flee that police officer by driving at a speed in excess of twenty miles over speed limit or engaging in reckless driving.

Under the provisions of the bill, unlawfully fleeing an officer would be a Class E felony punishable by up to four years in prison; if an officer or another person is injured, the offense would be a Class D felony, punishable by up to seven years in prison; and if an officer or another person is seriously injured or killed, the offense would be a Class C felony, punishable by up to 15 years in prison.

The bill was sent to the Assembly.

The Senate has acted on felony pursuit legislation in previous years, in response to other incidents where people have been killed or injured including:

- On January 1, 2004, 24-year-old David Scaringe of Albany was killed by an errant bullet from police, who were trying to stop a driver from fleeing.
- In June of 2001, Rochester police officer Russ Iglar was seriously injured when he was run over by a bank robbery suspect fleeing police from the scene of the crime.

According to the National Law Enforcement Memorial Fund, over the past ten years, 688 law enforcement officers have been killed in motor vehicle incidents, almost 100 more than were killed by guns.