



NEW YORK STATE SENATOR

James L. Seward

Leandra's Law - Tough New DWI Law Passed By Senate

JAMES L. SEWARD November 18, 2009

| ISSUE: **CRIME, DRUNK DRIVING**



ALBANY, 11/18/09 -- State Senator James L. Seward (R/C/I – Oneonta) today announced passage of Leandra’s Law creating felony charges for individuals who drive drunk with a child in the car.

“This is a crucial public safety measure which will protect our children, make our highways safer and put criminals behind bars,” said Senator Seward. **“Children count on adults to protect them--most are too young to take away the car keys or call a cab. Leandra’s Law sends a clear message to anyone who even thinks of getting behind the wheel after drinking, especially if a child is in the**

car.”

The legislation is named after 11-year-old Leandra Rosado who was killed in October after a car driven by the mother of one of her friends overturned on the Henry Hudson Parkway. The driver was later charged only with misdemeanor crimes, spurring calls for stronger DWI legislation.

Leandra’s Law creates a new crime of aggravated driving while intoxicated with a child. Under the law, an individual who drives drunk with a child under the age of 16 in the car would be charged with a class E felony and face up to four years in prison and/or a fine of up to \$5,000.

“Drunk driving with a child in the vehicle is a heinous crime and should be treated as such,” Seward continued. **“Strengthening the laws surrounding such an unthinkable act provides protection for those who cannot protect themselves.”**

Leandra’s Law also expands the ignition interlock device provisions. Any individual convicted of DWI or a DWI-related crime must install an ignition interlock at his expense. The law also makes it a class A misdemeanor to circumvent the device or operate a motor vehicle without the device installed.

“Leandra’s Law is another step toward ensuring that New York has the toughest DWI laws in the nation. This is common sense legislation that will save lives and put drunk drivers behind bars,” Seward concluded.

In 2007, there were 9,480 accidents related to driver intoxication in New York and 344 resulted in deaths. Nearly 200 of those killed or injured were under the age of 14.

The bill passed unanimously in both the senate and the assembly and has been forwarded to the governor for final approval.

Photo caption: Senator James L. Seward with Leandra's father, Lenny Rosado, who helped spearhead efforts to get the tough new DWI laws passed.