



NEW YORK STATE SENATOR

Eric T. Schneiderman

Senate Protects Children From Drunk Drivers

ERIC T. SCHNEIDERMAN November 19, 2009

| ISSUE: **DRUNK DRIVING**

I am proud to announce that the Senate passed Leandra's Law, landmark legislation drastically increasing the penalty for any person who drives intoxicated with a child passenger. The law is named in honor of 11-year-old Leandra Rosado, who was killed in a drunken driving accident in October. Her father, Lenny, has been an incredible advocate and driving force in protecting our families from deadly drunk drivers.

The legislation, which I co-sponsored, provides for the harshest penalties and most significant expansion of preventative measures to date for any offender convicted of driving while intoxicated with a child passenger.

Any DWI with a child passenger:

- * Increases offense from misdemeanor to E felony
- * Increases maximum penalties from 1 year in jail to 4 years in state prison

DWI and causing serious injury to a child passenger:

- * Increases offense from E felony to D felony
- * Increases maximum penalties from 4 years to 7 years in state prison

Driving recklessly while intoxicated and causing serious injury to a child passenger:

- * Increases offense from E felony to C felony
- * Increases maximum penalties from 4 years to 15 years in state prison

Driving recklessly while intoxicated and causing the death of a child passenger:

- * Increases offense from D felony to B felony
- * Increases maximum penalties from 7 years to 25 years in state prison

Mandates ignition interlock devices for all DWI convictions:

- * All offenders will be required to install a ignition interlock device in their vehicle upon conviction of any DWI offense, which may only be waived upon a judicial finding that the offender has no history of alcohol abuse or dependence.

Although this bill won't bring Leandra Rosado back, it will honor her memory by protecting children across this state from deadly drunk drivers. By passing the toughest child passenger DWI law in nation, we are sending a clear message that this kind of reckless conduct will not be tolerated in New York. Drivers who put the lives of children at risk will face serious consequences.