



NEW YORK STATE SENATOR

Jack M. Martins

From the Desk of Senator Jack M. Martins

JACK M. MARTINS March 4, 2016

| ISSUE: **CRIME**

It's one of life's simple yet elusive truths that problems do not get resolved on their own. In fact, left ignored they tend to fester and grow until they're considerably more difficult to fix. Acknowledging this reality and learning how to apply concrete action to avoid it is widely recognized as a sign of personal maturity. The same reasoning can also be applied to government and today's column addresses just such a crossroads for New York State.

I'm writing to you about a story you might have heard over the last few days, a terribly painful incident, but one I owe it to the family involved not to sugarcoat. On December 11, 2014 a man driving with a suspended license hit and killed 12-year old Zachary Ranftle as he walked to school in Valley Stream. The driver's record was abysmal; between 2011 and 2014 he was charged with driving while intoxicated (DWI) (twice), reckless driving (twice), fleeing from the police and resisting arrest. Now hold on to your hats. Despite this appalling driving record, and the death of this little boy, all the current law allowed the Nassau County District Attorney's Office to charge the driver with was "aggravated unlicensed operation of a motor vehicle," a misdemeanor that carries a maximum jail sentence of six months. The judge linked the sentence to the outcome of a separate DWI charge but the driver in question still only received a combined 18 month jail sentence.

My friends, I will ask you plainly: Does this make any sense to you? Do you think that we as a society have done justice by this little boy and his family? If you're like me, you can lose sleep thinking about it. Maybe it's because I hold public office and I know we can do better. Maybe it's because I met his family and had to look into his mother's eyes. Maybe it's because I'm a parent too and this incident strikes at my deepest fears for my own family. But I know in my heart of hearts that there is something very wrong here. And it's been very wrong for years. Zachary's mom Kathleen pointed out that people do more time for crimes that don't even involve death, and she's right. She added, "Six months of jail time is an insult." Anybody involved will tell you that the law is nothing short of woefully inadequate.

That's why I am sponsoring legislation that would end this injustice by creating felony charges for individuals who kill or injure someone while driving with a suspended or revoked license. Under the legislation, which was drafted together with Nassau County District Attorney Madeline Singas, these drivers would face up to four years in prison if they cause serious injury to another person and up to seven years in prison if they take someone's life.

My Senate colleagues immediately passed the legislation last year but inconceivably, the state Assembly has refused to act. Ultimately, they're sending the message that protecting offenders is more important than justice for victims! I suggest that they throw their partisan politics out the window and do what's right. This is a simple, clear cut matter of right and wrong and thousands of people, from victims to law enforcement to prosecutors to everyday people, agree: it's time to fix it and not let another family suffer.

As a father, my heart breaks for Zachary's family. I can't imagine their pain and loss, nor their anger at having to watch the person who took Zachary's life receive what amounts to a slap on the wrist.

We can sit here, wringing our hands and gnashing our teeth while we complain about the driver and the unfairness of it all but ironically, he is being punished precisely as our laws dictate. That must change. It's time for us to link arms, to act "maturely" and to take action knowing that this heart-wrenching story will only happen again unless we do.