

**COUNTY OF SUFFOLK
DISTRICT ATTORNEY'S OFFICE**



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DA and Senator Flanagan join relatives of hit and run victims calling for stiffer prison sentences

Suffolk County District Attorney Thomas Spota, State Senator John Flanagan and the relatives of four men and women killed by hit and run drivers today renewed the call to increase the maximum punishment for those convicted of the crime from seven to 15 years imprisonment.

“The family members of the victims here today are representing 58 families of hit and run victims; that is how many indictments we’ve had since 2012 in Suffolk of people who left the scene of a crash resulting in a fatality or a serious physical injury,” District Attorney Spota said.

State Senator John Flanagan (R-East Northport), a staunch advocate of increasing prison time for convicted hit and run drivers, and the sponsor of previous bills in Albany to increase prison time said, “As a legislator, I approach this issue as a parent. I have three kids. I look at this as “What if?” What if this happened to my family? The Senate stands ready to act and I know these family members of the victims will be very compelling and will garner the attention to be the catalyst to get it done.”

Among the family members who addressed the media was Lindsay Benjamin, the daughter of Karen Benjamin who died three weeks after being rundown while jogging by Thomas Costa of Coram, now serving two and one-third to seven years in prison. Lindsay Benjamin said her family has been working hard to change the hit and run law and their petition to do so on Change.org contains 3,700 signatures. “I’m working to change the law. This has to stop,” Ms. Benjamin said.

The niece of Scott Wayte, killed on Dec. 28, 2012 while crossing the street in front of the Riverhead restaurant where he and his family were about to celebrate his 50th birthday, said her family has fought twice at parole hearings to keep hit and run driver Joseph Plummer behind bars. Plummer, the driver who struck Wayte and sped off, is serving 2 to 6 years in prison. “This is a man who left another human being dead, in the road, and he will be walking among us in about a year and a half,” Melanie Stafford said.

Dennis Hughes, the father of Erika Hughes, a single mom who was struck and killed walking along a Mastic street in July of 2011 by Preston Mims, said that four years after his daughter’s death, “I can’t believe I’m up here still fighting for this – this is common sense.” Preston Mims

was sentenced to one and one-third to four years for leaving the scene of an accident resulting in death.

“He left my daughter on the side of the road and never got out of the car. If there was a chance to save her, he never made a phone call,” Hughes said.

The parents of Brittany Walsh, the Lindenhurst teenager killed in 2012 on Montauk Highway by Michael Grasing, spoke of changing current law to make the crime of Aggravated Vehicular Homicide a violent felony and thereby making the sentence a determinate 25 years in prison. At present the maximum punishment upon conviction is 8 and one-third to 25 years making parole possible after only eight years and four months of incarceration.

Thomas Walsh, the victim’s father, said although Grasing received a maximum 32 years in prison, his daughter’s killer will be eligible for parole far sooner than that. “I know where I will be eight years from now, then every year after that (attending Grasing’s parole board appearances). Why don’t people just say the penalty doesn’t fit the crime?”

“It is happening more and more and we’ve got to have a law in this state that appropriately punishes hit and run drivers and the people who can do that are in our state legislature,” District Attorney Spota said.

“We are at the start of a new two-year legislative session,” Senator Flanagan added. “Senator (Dean) Skelos (Senate Majority leader) is on board and I’d love to see the Governor amend this, put it in his budget and we’ll be able to say he supports these changes.”

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A criminal charge is an accusation. A defendant is presumed innocent until and unless proven guilty in a court of law.