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HARTLEY DODGE MEMORIAL  
BOROUGH OF MADISON  
MADISON, NEW JERSEY  
07940

September 14, 2016

TO: The Honorable  
Stephen Sweeney, Senate President  
Vincent Prieto, Speaker, NJ General Assembly  
Nancy F. Munoz, Assemblywoman, District 21  
Valeri Vainieri Huttle, Assemblywoman, District 37  
Mila M. Jasey, Assemblywoman, District 27  
John F. McKeon, Assemblyman, District 27  
All Morris County Municipalities  
New Jersey State League of Municipalities

FROM: Elizabeth Osborne  
Borough Clerk *EO*

RE: Borough of Madison Resolution R 267-2016, supporting Assembly Bill  
A-3686, Designated as "Ralph and David's Law"

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Attached please find a certified copy of Resolution R 267-2016, adopted by the Borough Council of the Borough of Madison at the Council meeting of September 12, 2016, supporting Assembly Bill A-3686, designated as "Ralph and David's Law".

R 267-2016

**RESOLUTION OF THE BOROUGH OF MADISON ENDORSING AND SUPPORTING THE PASSAGE OF ASSEMBLY BILL NO. 3686, DESIGNATED AS "RALPH AND DAVID'S LAW"**

**WHEREAS**, on February 26, 2006, David Heim, a thirteen year old boy was tragically killed by a drunk driver in Sussex County; and

**WHEREAS**, the drunk driver who hit David was convicted solely of drunk driving and served only thirty days in jail, the maximum term of imprisonment for a first offense under the State's Drunk Driving Law; and

**WHEREAS**, another tragic death occurred on May 5, 2012 when Ralph Politi, Jr. an East Hanover Township community activist and business owner, was killed by a drunk driver who swerved out of her lane and struck him as he stood by his pickup truck; and

**WHEREAS**, in the case of Ralph Politi, the drunk driver was recently acquitted of first-degree aggravated manslaughter and second-degree vehicular homicide, and instead received a two year suspension of her drivers' license, and was ordered to perform thirty days of community service and pay \$733 in fines and penalties; and

**WHEREAS**, as a result of the untimely deaths of both David Helm and Ralph Politi, and the penalty limitations imposed by current law, members of both sides of the aisle have crafted Assembly Bill No. 3686, which establishes the crime of strict liability vehicular homicide and the conditions under which a defendant may be charged with such a violation; and

**WHEREAS**, under Assembly Bill No. 3686, strict liability vehicular homicide would be a third-degree crime, but neither the presumption of nonimprisonment that normally applies to first time offenders convicted of third degree crimes, nor the casual requirements of N.J.S.A. 2C:2-3, would apply; and

**WHEREAS**, Assembly Bill No. 3686 would be known as "Ralph and David's Law" in honor of Ralph Politi and David Heim; and

**WHEREAS**, the Borough Council of the Borough of Madison applauds the bi-partisan efforts of members of the General Assembly in strengthening the penalty provisions for operating a vehicle or vessel under the influence of drugs or alcohol, closing any loopholes that would set a violator free

**NOW, THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Madison, County of Morris, and State of New Jersey as follows:

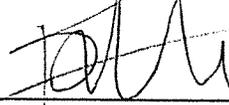
1. The Borough Council endorses and supports the bi-partisan efforts of the General Assembly in the introduction of Assembly Bill No. 3686, which establishes the third-degree crime of strict liability vehicular homicide, amends various sections of statutory law, and designates Assembly Bill No. 3686 as "Ralph and David's Law".

2. The Borough Council calls upon all mayors and governing bodies in the other thirty- eight Morris County municipalities to approve and adopt resolutions in support of Assembly Bill No. 3686.

3. That certified copies of this resolution shall be transmitted to the sponsors of Assembly Bill No. 3686, Assemblymen John F. McKeon and Anthony M. Bucco, Assemblywomen Mila M. Jasey, Nancy F. Munoz and Valerie Vainieri Huttie, Assembly Speaker Vincent Prieto, Senate President Stephen M. Sweeney, members of the 21<sup>st</sup>, 25<sup>th</sup> 27<sup>th</sup> and 40<sup>th</sup> Legislative Districts, the New Jersey State League of Municipalities and all Morris County municipalities.

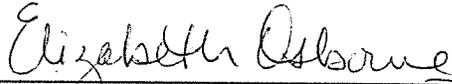
ADOPTED AND APPROVED

September 12, 2016



BENJAMIN WOLKOWITZ, Acting Mayor

Attest:



ELIZABETH OSBORNE, Borough Clerk