



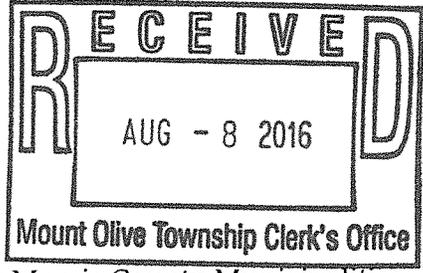
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CC: Adm.
8/8/16
Police Chief

TOWNSHIP OF EAST HANOVER
411 RIDGEDALE AVENUE
EAST HANOVER, NJ 07936

(973) 428-3000
FAX: (973) 887-7210

August 3, 2016



TO: Mayors of All Morris County Municipalities

RE: Resolution No. 111- 2016
Assembly, No. 3686 ~ "Ralph and David's Law"

Enclosed for your consideration is a certified copy of a resolution that was approved by the Township Council of the Township of East Hanover at a meeting held August 1, 2016. The resolution endorses and supports the passage of Assembly, No. 3686, designated as "Ralph and David's Law" that would establish a third-degree crime of strict liability vehicular homicide and the conditions under which a defendant may be charged. Assembly, No. 3686 would also amend certain sections of state statutes to reinforce penalties for vehicular homicide caused by drunk or drugged drivers.

The Mayor and Council feel very resolute for the passage of Assembly, No. 3686, meaningfully due to the untimely tragic death of lifetime resident Ralph Politi, Jr., who was a staunch community leader and business owner.

The Township Council respectfully requests the support of governing bodies in all Morris County municipalities to adopt a like resolution endorsing the passage of Assembly, No. 3686.

Sincerely,

Paula A. Massaro
Township Clerk

Encl.

cc: New Jersey State League of Municipalities
Senate President Stephen M. Sweeney
Assembly Speaker Vincent Prieto
Assemblymen John F. McKeon and Anthony M. Bucco
Assemblywomen Mila M. Jasey, Nancy F. Munoz and Valerie Vainieri Huttel
Members of Legislative Districts No. 26 & 40

RESOLUTION NO. 111-2016

A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EAST HANOVER ENDORSING AND SUPPORTING THE PASSAGE OF ASSEMBLY, NO. 3686, DESIGNATED AS "RALPH AND DAVID'S LAW," WHICH WOULD ESTABLISH THE THIRD-DEGREE CRIME OF STRICT LIABILITY VEHICULAR HOMICIDE FOR DRIVING A VEHICLE WHILE INTOXICATED IN VIOLATION OF N.J.S.A. 39:4-50 OR FOR OPERATING A VESSEL UNDER THE INFLUENCE OF ALCOHOL OR DRUGS IN VIOLATION OF N.J.S.A. 12:7-46, AND AMEND VARIOUS SECTIONS OF STATUTORY LAW TO STRENGTHEN PENALTIES FOR VEHICULAR HOMICIDE CAUSED BY DRUNK OR DRUGGED DRIVERS

WHEREAS, on February 26, 2004, 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 parked 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 driver's 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 Heim and Ralph Politi, and the penalty limitations imposed by current law, members of both sides of the aisle have crafted Assembly, 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, 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 causal requirements of N.J.S.A. 2C:2-3, would apply; and

WHEREAS, Assembly, No. 3686 would also amend various sections of statutory law to strengthen penalties for vehicular homicide caused by drunk or drugged drivers; and

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

WHEREAS, the Township Council of the Township of East Hanover 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 Township Council of the Township of East Hanover in the County of Morris and State of New Jersey as follows:

1. The governing body endorses and supports the bi-partisan efforts of the General Assembly in the introduction of Assembly, No. 3686, which establishes the third-degree crime of strict liability vehicular homicide, amends various sections of statutory law, and designates Assembly, No. 3686 as "Ralph and David's Law."
2. The Township 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, No. 3686.
3. That certified copies of this resolution shall be transmitted to the sponsors of Assembly, No. 3686; namely Assemblymen John F. McKeon and Anthony M. Bucco, Assemblywomen Mila M. Jasey, Nancy F. Munoz and Valerie Vainieri Huttle, Assembly Speaker Vincent Prieto, Senate President Stephen M. Sweeney, members of Legislative Districts 21, 25, 26, 27 and 40, the New Jersey State League of Municipalities and all Morris County municipalities.

I HEREBY CERTIFY the foregoing to be a true copy of a resolution adopted by the Township Council of the Township of East Hanover at a regular meeting held August 1, 2016.


 Paula A. Massaro, RMC, Township Clerk

Councilman Peluso
Councilman DeMaio
Councilman Martorelli
Council President Jandoli
Mayor Pannullo

YES	NO	ABSTAIN	ABSENT
X			
X			
X			
X			
X			