

**TOWN OF WEST SENECA**



**SHEILA M. MEEGAN**  
TOWN SUPERVISOR

**To: Fellow Town Board Members**

**From: Sheila M. Meegan, Town Supervisor**

**Date: May 29, 2013**

**Re: Resolution In Support of Jackie's Law**

Kindly move to adopt the attached resolution in support of Jackie's Law. This legislation proposed by New York State Senator Timothy M. Kennedy, 63<sup>rd</sup> District adds a new section to the state's penal code, under "Unlawful Surveillance in the Second Degree," which makes the use of a GPS device to track a person's movement, without their consent, a class E felony. Those convicted a class E. felony can face up to 4 years in prison.

**RESOLUTION IN SUPPORT OF "JACKIE'S LAW"**

**Whereas**, in the months prior to the tragic murder of Jackie Wisniewski, Jackie discovered a GPS tracking device that Timothy Jorden had installed on her car to stalk her and follow her movements and location. This specific action could not be deemed criminal due to a gap in state law. Just months later, in June 2012, Jorden shot and killed Wisniewski in a stairwell at ECMC.

**Whereas**, NYS Senator Timothy M. Kennedy, 63<sup>rd</sup> District, Western New York has proposed legislation to close this gap in the law. It's called **Jackie's Law**, and it will empower law enforcement to pursue charges and prosecute individuals who install GPS tracking systems with the intent of stalking another person.

**Whereas**, currently there is no legal statute that specifically outlaws the use of GPS devices in stalking cases. **Jackie's Law** adds a new section to the state's penal code, under "Unlawful Surveillance in the Second Degree," which makes the use of a GPS device to track a person's movement, without their consent, a class E felony. Those convicted of a class E Felony can face up to 4 years in prison.

**Whereas**, this legislation allows law enforcement to prosecute perpetrators for the crime of unlawful surveillance, without requiring the victim to file an Order of Protection or press charges. Law enforcement will have the ability to charge and prosecute an individual with a felony offense if he or she installs a GPS device to track the movement or location of their victim.

**Now Therefore Be It Resolved**, that the Town of West Seneca fully supports Senator Kennedy's proposed legislation, **Jackie's Law**.

**And Be It Further Resolved**, that a copy of this resolution be sent to New York State Senator Patrick M. Gallivan.