



LAWSUIT REFORM ALLIANCE OF NEW YORK

SUPPORT

BILL NUMBER:	S.87 (GIANARIS)
SUBJECT:	Recovery for Personal Injury While Committing a Crime
DATE:	January 25, 2021
CONTACT:	Tom Stebbins

Summary:

This legislation would bar recovery for personal injuries incurred by persons committing crimes from the victim or person acting on behalf of the victim.

Why we support this legislation:

Prevents the Courts from Becoming Tool for Abuse

- Too often our civil justice system is misused. In the case of criminals suing their victims for personal injuries, the civil court system becomes a tool for abuse rather than justice. Victims of crimes can be further traumatized by lawsuits from their perpetrator, and lose faith in a system that allows their perpetrator to lawfully target them.

Protects Good Samaritans

- This legislation not only protects innocent victims it also protects good Samaritans who act on behalf of the victim. People who protect victims of crime should be protected themselves, and more importantly, people should not be deterred from protecting victims of crimes for fear of liability to the criminal.

Restores Confidence in Our Civil Justice System

- Stories about criminals suing their victims garner massive media attention.¹ The cases are nearly all dismissed but the damage is done, not only to the victim themselves, but also the public's collective trust in our civil justice system.

Frees Up Valuable Court Resources for Cases with Merit

- The overwhelming majority of these cases are dismissed. This legislation would prevent them from ever being filed, which would free up the court system for cases with merit.

¹ "10 Criminals Who Sued Their Victims" <https://listverse.com/2017/09/01/10-criminals-who-sued-their-victims/>