

November 20, 2019

Honorable Laurie A. White
Orleans Criminal District Court, Section A
2700 Tulane Avenue
1st Floor, Courtroom #3
New Orleans, LA 70119
SectionA@criminalcourt.org

Re: Victims' Request for Reduction of Tashonty Toney's Sentence

Dear Judge White,

We want to share our sincere thanks for your careful, victim-centered handling of the Tashonty Toney case. It was clear and affirming in your concluding remarks that you heard us; that you understood the exquisite beauty and promise of the lives that we lost--David Hynes and Sharree Walls--and the gravity of the lasting physical and emotional damage resulting from Mr. Toney's horrific actions. However, we write to you today to offer insight into the impact that the 90-year sentence has had on us--a number of the victims in this case--and to respectfully entreat you to reduce the number of years that Mr. Toney will serve behind bars.

We anticipated some level of closure with the conclusion of the trial and sentencing. It is, therefore, with regret that we share that the maximum sentence given to Mr. Toney has had the opposite effect on us. Since the sentence was rendered, rather than enabling us to move forward and set this chapter behind us, we have felt a pang in our stomachs and sense of apprehension for what we feel is an excessive sentence in light of several mitigating factors: Mr. Toney's decision to plead guilty, his demonstration of remorse, his commitment to his family, and our belief that without a driver's license, Mr. Toney does not pose a lasting threat to society.

We do not wish to continue thinking about this man who has caused us untold pain. Yet this feeling of involuntary pity, the weight of having had a hand in denying this man any possibility of future freedom, and the terrible sense of obligation to now come to his aid is salt on already open wounds. While we respect that sentencing is at your discretion, we want you to know that we, victims of Mr. Toney's actions, want his sentence to be reduced, so we might move forward with clear spirits and attempt to never think of this man again.

By pleading guilty as charged to all counts, Mr. Toney spared us from having to testify and recount before a packed courtroom the horrible details of the crash and the aftermath. It also constituted Mr. Toney's first step in accepting responsibility for his actions. These actions matter and weigh against a lifetime in prison.

While giving our victim impact statements on October 28, 2019, Mr. Toney looked us straight in the eye, nodded in comprehension and agreement to our urging to be a better person and take responsibility, and appeared to begin to process the devastating consequences of his actions. The following day, Mr. Toney again looked us in the eye, apologized, and expressed remorse for his actions. These actions matter and weigh against a lifetime in prison.

We respectfully disagree with the prosecution's narrative that Mr. Toney was unremorseful or that any expression of remorse was a mere charade. Listening to the prison phone call with his sister, we do not think *his* words demonstrated a lack of remorse and do not think his sister's inflammatory words should be imputed to him.

While he committed a monstrous act, we do not believe that Mr. Toney is a monster that must be separated from society for the rest of his life. His irresponsible and thoughtless actions gruesomely killed two beautiful souls and injured many others, and for that he should spend a significant amount of time in prison and never be allowed to drive a motor vehicle. However, with the exception of the night of March 2, 2019, Mr. Toney by many accounts was a nonviolent, working member of society who supported his family. Had Mr. Toney's crimes been committed with premeditated intent or had it been an intentional act of terror, his sentence would likely match the one currently faces: life in prison.

We believe Mr. Toney should be required to serve 15-25 years before the consideration of parole. At the very least, we ask that the five-year sentences imposed for the counts related to our injuries be modified to run *concurrently* with the vehicular homicide sentences. In exchange for a reduced sentence, we ask that he be banned for life from ever obtaining a driver's license.

It is with dread that those of us who are roughly Mr. Toney's age consider the remote possibility of living full and beautiful lives into our 90s, only to know that he is certainly still behind bars. We seek clear consciences and the ability to move forward in peace.

Thank you for your consideration, your careful handling, and your understanding of the complexity of this tragedy. We are available to testify further if needed, though we do wish for the opportunity to move forward.

Sincerely,



Sophie Harris Vorhoff
Victim



Harry Vorhoff
Victim



Penelope Catzen
Victim



Gabrielle Alicino
Victim

Cc: Ralph Whalen, Attorney for Tashonty Toney
Jason Napoli, Orleans Parish Assistant District Attorney
Melissa Lewis, Orleans Parish District Attorney's Office