



NEW YORK STATE SENATOR

Frank Padavan

Padavan, AG Cuomo, Movie and TV Industry Team Up to Fight Film Piracy

FRANK PADAVAN May 4, 2008

New York State Senator Frank Padavan (Queens) joined with Attorney General Andrew Cuomo film, movie and TV industry leaders to announce legislation that would combat the creation, distribution and sale of illegally recorded movies in New York State. The legislative initiative has already been met with bipartisan support and will be acted upon in the State Legislature in the near future.

“Film and music piracy has quickly become a major part of the growing criminal counterfeit epidemic,” Senator Frank Padavan said. “Year after year, multimedia piracy has had an adverse impact on New York’s economy. This wave of criminal activity has cost the entertainment sector billions in income while leaving New York state with a significant loss in tax revenue. In order to effectively and proactively combat the emergence of multimedia piracy, we must enact legislation on the state level that will increase criminal penalties for these crimes and send a clear message that counterfeiting and piracy will no longer be tolerated in New York.”

“New York has become the hub for a criminal network dedicated to film piracy,” said Attorney General Cuomo. “The wide distribution of pirated films originating from New York costs our state vital economic resources, including thousands of jobs and millions of dollars

in tax revenue. We are all paying a price for the leniency given to this type of organized crime, and I will not let it continue on my watch.”

The Piracy Protection Act increases the criminal penalty for illegal recording a film or a live performance or using an illegal recording for commercial purposes to a Class A misdemeanor. First time offenders could face up to year in prison and a \$1,000 fine. Multiple repeat film piracy offenders will be charged with a felony with higher criminal penalties.

Cuomo also announced today that, in conjunction with this legislation, the Attorney General’s Office is creating a new Special Assistant Attorney General to coordinate local and state law enforcement efforts against film piracy. The Special Assistant Attorney General will work with the Attorney General’s Organized Crime Task Force (OCTF), which investigates and prosecutes criminal networks that operate across county and state lines. This person will also work with local police and district attorneys to aggressively pursue emerging and existing organized crime enterprises that peddle pirated films across the state and country.

According to recent industry reports, over 50% of all illegally recorded movies are filmed in New York. Once films are recorded, they are then often distributed nationwide by organized crime syndicates. Despite this fact, New York State only charges illegal film recording as a violation, merely imposing a small fee on offenders.

Padavan stressed this legislation takes on increased importance with the recent raid of DVD counterfeiting rings in Queens. According to AP published reports, police with search warrants raided two counterfeiting rings in Bayside and Flushing. Police uncovered illegal equipment used to manufacturer nearly 70,000 counterfeit movies and music DVD’s. All totaled authorities seized \$1.4 million in counterfeit DVD’s and arrested 10 individuals

associated with the counterfeiting ring.

“As technology gets more advanced so does the methods by which these criminals use to commit their crimes,” Padavan said. “The recent raids in Flushing and Bayside on two sophisticated counterfeiting rings, remind us that New York is the center of this troubling trend. It’s clear that we must be more aggressive in the fight to eliminate counterfeiting and piracy in New York City and throughout the state. With these initiatives we are presenting today, Attorney General Cuomo, myself and my state legislative colleagues are taking the necessary steps to crackdown on these criminals.”

During the 2006 Legislative Session, Senator Padavan spearheaded an effort that led to the enactment of legislation he sponsored to significantly fight music piracy. The legislation signed into law on September 13, 2006 reduces the felony threshold for music piracy from one thousand to one hundred infringing recordings.

Senate Majority Leader Joseph L. Bruno said, “When someone participates in multimedia piracy, they are stealing from artists and hurting the entertainment industry that is such a large part of New York’s economy. I commend the Attorney General, Senator Padavan and Senator Volker for putting forward legislation that sends a clear message that such piracy is a serious crime and that those who engage in video piracy will be held accountable for their actions.”

Assembly Speaker Sheldon Silver said, “I am proud to be supporting this legislation to combat piracy in New York. This bill will help us address film piracy at its source and will be an effective deterrent to criminals who profit at the expense of our entertainment community. I commend Attorney General Cuomo for working with the legislature and offering an effective solution to this growing problem.”

New York State Assembly Codes Committee Chair Joseph R. Lentol said, "Piracy is a serious burden for New York City and New York State and individuals who illegally record films and performances in theaters should not get a free ride. This legislation is a critical tool to ensure that these criminals pay the price for their actions. I want to thank the Attorney General for working with us on this issue and for utilizing his office to be an important part of the enforcement of our piracy laws."

Tina Fey, "As an actor, a writer and a New Yorker, it's discouraging to see the widespread effects piracy has had on our industry. Piracy is an issue that is often overlooked, but is one that has an enormous negative impact on every person who works in entertainment, from the stagehands, to the actors, to the producers and so on. It means a great deal to have our Attorney General, Andrew Cuomo, speak out on behalf of all New Yorkers within the artistic community of this city and State. And remember, when you buy a DVD, you should not be able to see the heads of people watching it in a movie theater at the bottom of the screen."

Dan Glickman, Chairman and CEO of the Motion Picture Association of America, Inc. said, "Motion picture piracy is a widespread problem that not only costs the film community billions of dollars but comes at a tremendous cost in terms of jobs and the overall economy of New York and the country. I am pleased Attorney General Cuomo recognizes the importance of this issue and is working hard to take it on."

Jeff Zucker, President and CEO of NBC Universal, said, "The current tidal wave of counterfeiting and piracy undermines future growth and kills jobs in the entertainment industry and in all innovation-dependent sectors of the U.S. economy. Enhanced penalties and specialized, dedicated enforcement resources are key to fighting piracy and counterfeiting. I applaud Attorney General Cuomo for this initiative, and in particular for his ground-breaking decision to create a special