



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

Senate Passes Fuschillo Bill Raising Penalties for False Personation

CHARLES J. FUSCHILLO JR. June 2, 2011

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Senator Charles J. Fuschillo, Jr. (R-Merrick) today announced that the New York State Senate has passed legislation he sponsors to raise penalties for individuals who seek to evade security and scrutiny at transportation facilities and other public places. The legislation creates stronger penalties for individuals trying to illegally access secure areas at airports, train stations, and bus terminals, as well for those who steal law enforcement or fire department identification.

"New York's airports, train stations, and bus terminals are filled with areas that need to be kept secure in order to ensure the safety of passengers. Someone who breaks into one of these secure areas could cause serious damage that harms passengers and disrupts service; they need to face more than misdemeanor charges. This legislation would give law enforcement a stronger tool to bring felony charges against someone who is trying to illegally enter a secure area," said Senator Fuschillo.

The legislation (S5232) would create new penalties for individuals attempting to illegally enter into secure areas by misrepresenting themselves. Under the proposed law, anyone who tries to gain access to secure areas of airports, train stations, bus terminals, and other transportation facilities and public places by giving a fake name, address, or birth date would

face class E felony charges punishable by up to four years in prison. These individuals face only misdemeanor charges under current law.

The legislation also creates higher penalties for criminals who steal law enforcement or fire department identification. These IDs, while relatively inexpensive in terms of their actual monetary value, are invaluable to criminals because they can be used to gain access to secure areas and avoid scrutiny in many secure situations. However, current law only allows a thief to be charged based on the ID's actual monetary value.

Senator Fuschillo's legislation changes to the law to recognize that these IDs are far more valuable than their actual monetary worth. Individuals who steal law enforcement or fire department IDs would face class D felony charges, punishable by up to seven years in prison.

"As first responders, police officers and firefighters have access to secure areas that are integral to safety operations. Their badges and ID cards are incredibly valuable to someone looking to infiltrate security or avoid scrutiny, far exceeding their actual cost. The law needs to reflect that," Senator Fuschillo added.

Additionally, the legislation would create new penalties for individuals who impersonate pilots, flight crew, or ground crew personnel at airports or on aircraft. These individuals would face class A misdemeanor charges punishable by up to one year in prison.

The legislation has been sent to the Assembly for consideration.

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