



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

## Fuschillo Legislation Creating Higher Penalties for Illegally Entering Transportation Facilities Passed by Senate

CHARLES J. FUSCHILLO JR. March 20, 2012

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Senator Charles J. Fuschillo, Jr. (R-Merrick) today announced Senate passage of legislation he sponsors to raise penalties for individuals who seek to evade security and scrutiny at transportation facilities and other public places.

The legislation (S5232) 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.

“Airports, train stations, and bus stations are filled with sensitive areas that must be kept secure to safeguard passengers. Someone who breaks into these areas could inflict serious damage that endangers lives or brings services to a halt; they should face more than just misdemeanor charges. Law enforcement needs a stronger tool to prosecute these individuals and that’s exactly what this legislation would give them,” said Senator Fuschillo, Chairman of the Senate’s Transportation Committee.

Under the proposed law, anyone who tries to access secure areas of airports, train stations, bus terminals, and other transportation facilities and public places using a fake name,

address, or birth date would face class E felony charges and 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 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 and up to seven years in prison.

"Police or fire department badges and ID cards are invaluable to criminals looking to evade security and infiltrate secure areas. That's their real value, not their actual monetary cost which pales in comparison. This legislation would ensure that the law reflects 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.