



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

Senate Passes Fuschillo Legislation to Help Police Positively Identify Suspects

CHARLES J. FUSCHILLO JR. February 11, 2013

| ISSUE: **CRIME**

Proposed Law Would Give Police Officers Routine Digital Access to an Individual's Driver License Photo in the Field

Senator Charles J. Fuschillo, Jr. (R-Merrick) today announced that the New York State Senate passed legislation he sponsors to give police greater resources to positively identify suspects. The legislation would give officers routine access to Department of Motor Vehicles (DMV) driver license photo images when performing their duties.

"Photographs are an invaluable resource to help verify someone's identity. We need to make sure that police officers have digital access to driver's license photographs in the field so that they can perform their duties more effectively. The Assembly should join the Senate in approving this legislation," said Senator Fuschillo.

Under current law, police officers have digital access to an individual's driving record, as well as the physical description listed on that person's driver's license (sex, height, eye color, and birth date) when they are in the field performing their duties. However, the law does not entitle them routine access to that individual's driver license photo, a major resource which can help them verify someone's identity. While DMV has begun to voluntarily give law enforcement authorities access to these photos as part of a data sharing initiative, there is no legal requirement for them to do so.

Senator Fuschillo's legislation (S772) would make this practice law to ensure that police officers will have routine access to driver's license and learner's permit photos when performing their duties in the field.

"This legislation would be a valuable tool for detectives investigating serious crimes, ensuring that the identity of a suspect involved in a criminal offense can be readily determined with a visual identification process, ensuring the proper identity of a suspect. Additionally, officers on patrol routinely make traffic stops and conduct investigations on the street. This legislation would greatly assist in identifying individuals and lessen the chance of suspects using other people's identity," said Peter Paterson, Legislative Chairman of the New York State Association of PBAs.

The legislation has been sent to the Assembly for consideration.