



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

Senator Fuschillo's Legislation to Increase Penalties for Impersonating a Police Officer Passed by Senate

CHARLES J. FUSCHILLO JR. March 6, 2013

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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 criminals who impersonate police officers in order to commit crime.

“Individuals are taught and are legally required to listen to police officers and obey their instructions. Criminals who impersonate officers do so to gain the trust and compliance of their unsuspecting victims. They also make the job of legitimate law enforcement harder, because residents will not know whether the person they are meeting is really a police officer or a criminal in disguise. Creating enhanced charges in these cases will create a stronger deterrent and ensure that these criminals are held accountable for their deception,” said Senator Fuschillo.

The legislation (S778) would create a new crime of committing an offense while impersonating a police officer or peace officer. In most cases, the penalty for this new charge would be one level higher than the penalty for the underlying crime committed by the offender. As an example, a criminal who committed a class D felony robbery (punishable by up to seven years in prison) would face class C felony charges (punishable by up to 15 years in

prison) if they impersonated a police officer while committing the robbery.

Criminals, including rapists and robbers, have posed as police officers in order to gain the trust and compliance of their victims. In one January 2011 incident, a Long Island man was arrested for robbing a twenty year old man in a convenience store parking lot by claiming to be a police officer and ordering the victim to put his hands on his car.

“The New York State Association of PBAs appreciates Senator Fuschillo’s sponsorship of this important legislation. Every time a criminal impersonates an officer, it creates distrust and suspicion among the public as to whether a police officer is actually an officer or an impostor looking to do them harm. That makes it harder and more dangerous for us to do our job and protect the public. Enhanced charges will make criminals think twice before impersonating an officer and ensure that those who do face tougher penalties,” said Peter Paterson, Legislative Chairman of the New York State Association of PBAs.

The legislation has been sent to the Assembly for consideration.