



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

Senate Passes Fuschillo Legislation Raising Penalties for False Personation

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 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, bus terminals, and other public places, as well for those who steal law enforcement or fire department identification.

“Secure areas need to be kept secure for a reason. Someone who illegally accesses secure areas of airports, train stations, bus terminals, and other public places could cause serious damage that jeopardizes safety or disrupts services. They should face more than misdemeanor charges. Giving law enforcement stronger tools will help hold these individuals accountable and create a stronger deterrent for those who are tempted to break the law,” said Senator Fuschillo, Chairman of the Senate’s Transportation Committee.

The legislation (S759) would raise 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 misrepresenting their 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 be changed to reflect the true value of these IDs rather than the actual cost," added Senator Fuschillo.

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.