



NEW YORK STATE SENATOR

Brian X. Foley

Senator Foley Increases Penalty for ATM Theft

BRIAN X. FOLEY June 25, 2010

| ISSUE: **BANKS**

| COMMITTEE: **BANKS**

Senator Brian X. Foley (D – Blue Point) sponsored legislation (S5536-A), which passed the senate last week, that extends the crimes covered by grand larceny in the second and third degrees.

The legislation extends the charge of grand larceny in the third degree to include stealing an automated teller machine (ATM) or the contents of such a machine. It also extends the charge of grand larceny in the second degree to include stealing an ATM or its contents when the suspect has committed grand larceny in the third degree within the previous 5 years.

“Increasing the penalty for stealing an ATM machine just makes sense,” said Senator Foley. “ATMs are essentially automated banks and users should feel the same sense of security they would when visiting a traditional bank. They must know that those individuals who attempt to steal one of these machines or the contents of one will be punished in a fashion similar to those who would rob a bank.”

Currently, the laws do not provide adequate punishment for this crime. This legislation raises the level of penalty to a C felony for first-time offenders and a B felony for those who are repeat offenders.

The companion bill, sponsored by Assembly Member Wright, is currently in the Assembly Codes Committee.