



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

Senate Passes Fuschillo Legislation to Increase Penalties for Impersonating a Police Officer

CHARLES J. FUSCHILLO JR. March 29, 2012

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Senator Charles J. Fuschillo, Jr. (R-Merrick) today announced Senate passage of legislation he sponsors to raise penalties for criminals who impersonate police officers in order to commit crime.

“Most individuals trust police officers and obey their instructions without question. Criminals posing as police officers abuse that trust in order to prey on unsuspecting victims. Law enforcement should be able to elevate charges in these cases. Under this legislation, that’s exactly what they would be allowed to do,” said Senator Fuschillo.

The legislation (S5241) 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

stopped a twenty year old man in a convenience store parking lot, told him he was a police officer, and ordered him to put his hands on his car. He then proceeded to rob the victim.

“On behalf of the New York State Association of PBAs, we thank Senator Fuschillo for sponsoring this important legislation. Criminals who impersonate officers in order to break the law cause suspicion and distrust of legitimate police officers. That makes it harder and more dangerous for us to perform our duties and protect the public. Tougher penalties are needed to provide a stronger deterrent and ensure that these criminals are held accountable for their actions,” said Peter Paterson, Legislative Chairman of the New York State Association of PBAs.

The legislation has been sent to the Assembly for consideration.