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JFK SECURITY OFFICER AND CONTRACT BAGGAGE HANDLER
FAIL INTEGRITY TEST

Charged with Stealing Electronics from Passenger's Suitcase

_____ Queens District Attorney Richard A. Brown today announced that a TSA officer and a contract airport baggage handler have been arrested by Port Authority police officers on charges of stealing a laptop computer and a T-Mobile Sidekick from a suitcase that had been checked in and bound for Miami as part of an integrity test conducted last week at John F. Kennedy Airport by the Transportation Security Administration and Delta Air Lines.

District Attorney Brown said, "When air travelers check their luggage with an airline, there is an implicit trust that their bags and their contents will meet them at their destination. In this case, the defendants are accused of betraying that trust and, in the process, of tarnishing the reputation of their employers and other baggage handlers who faithfully carry out their responsibilities each day."

In a statement, Delta Air Lines said, "Delta takes the security of luggage that we transport on behalf of our customers very seriously. We applaud the work of the law enforcement partners who worked closely with us in this investigation to ensure that the airport contractors and security staff suspected of luggage theft were caught and apprehended. Delta does not tolerate this type of activity and has aggressive security programs in place to stop luggage theft."

The District Attorney identified the defendants as Brian Burton, 27, of Queens, and Antwon Simmons, 26, of Brooklyn. The two defendants are presently being held pending arraignment in Queens Criminal Court on charges of fourth-degree grand larceny, fourth-degree criminal possession of stolen property, petit larceny and second-degree falsifying business records. If convicted, they each face up to four years in prison.

District Attorney Brown said that, according to the charges, a "seeded" suitcase containing two cell phones, a laptop, and an iPod was included as baggage for a Delta Airline's flight to Miami on the morning of July 7, 2009. It is alleged that when the suitcase cleared the checked baggage room, a MacBook Air laptop and T-Mobile Sidekick phone were missing from the bag and that the luggage tags had been switched – indicating a different passenger's name and a destination of Los Angeles – in an effort to conceal the theft of property. A review of surveillance footage from the screening area allegedly showed Transportation Security Officer Brian Burton inspecting the bag and baggage handler Antwon Simmons being present in the room.

The investigation was conducted by Delta Air Lines, the Transportation Security Administration and the Department of Homeland Security, Office of the Inspector General (DHS/OIG).

The arrests were made by the TSA, the DHS/OIG and by Detective Greg Brady of the Port Authority Police Department under the supervision of Lieutenant William Hanley and Inspector Anthony Fitzgerald and the overall supervision of Superintendent of Police Michael A. Fedorko.

Assistant District Attorney Carmencita N. Gutierrez, the Deputy Bureau Chief of the District Attorney's Integrity Bureau, is prosecuting the case under the supervision of Assistant District Attorney James M. Liander, Bureau Chief, and the overall supervision of Executive Assistant District Attorney for Investigations Peter A. Crusco and Deputy Executive Assistant District Attorney for Investigations Linda M. Cantoni.

It should be noted that a criminal complaint is merely an accusation and that a defendant is presumed innocent until proven guilty.

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Note to Editors: Press release e-version posted at www.queensda.org.