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**JFK “AIRPORT HUSTLERS” CHARGED WITH UNLAWFUL IMPRISONMENT  
AND ENDANGERMENT OF VANLOAD OF FRENCH TOURISTS**

*D.A. Pushes For Action On Bill To Strengthen Penalties  
For Unlawful Solicitation of Ground Transportation*

Queens District Attorney Richard A. Brown today announced that two Brooklyn men who steered five unsuspecting French tourists to their unauthorized van service outside JFK’s Air France terminal have been charged with holding them against their will as the van raced approximately seven miles through sections of Queens and Brooklyn in an attempt to escape pursuing police vehicles. The tourists’ harrowing journey began when Port Authority police officers attempted to cite the defendants for “hustling” passengers at the airport.

District Attorney Brown said, “Yesterday’s incident at JFK Airport highlights a systemic problem that my office and others – including the Port Authority of New York and New Jersey and the City’s Taxi and Limousine Commission and Economic Development Corporation – have been working on together in an effort to stymie the practice of unlawful solicitation of ground transportation – often by repeat offenders.”

The District Attorney continued, “Unwitting passengers at our city’s two major airports are confronted daily by unscrupulous individuals who aggressively offer illegal rides. Often, these passengers are unfamiliar with New York prices and/or U.S. currency and, as a result, are charged exorbitant fees to be driven even the shortest of distances. As tourism, one of New York’s most revenue-producing industries, continues to grow, the need to provide a safe and welcoming environment requires stronger penalties for those who engage in unlawful solicitation of ground transportation. Just such a bill is presently pending in the State Senate and we urge legislators to act promptly and approve this critically important measure.”

The District Attorney identified the defendants as Khaalif Preacher, 27, of 1384 Pacific Street and Ian L. McFarlane, 57, of 285 East 35<sup>th</sup> Street, both of Brooklyn. Both men are presently awaiting arraignment in Queens Criminal Court on charges of second-degree assault, second-degree assault on an officer, first-degree reckless endangerment, first-degree unlawful imprisonment, resisting arrest, third-degree unlawful fleeing a police officer in a motor vehicle and unlawful solicitation of ground transportation services. If convicted, the defendants each face up to seven years in prison.

District Attorney Brown said that, according to the charges, a Port Authority police officer yesterday, June 23, 2009, observed McFarlane offer ground transportation to five arriving passengers standing on the shuttle line outside of the Air France terminal at JFK and escort them to a green van being driven by Preacher. Displaying his shield, the officer allegedly approached McFarlane, who was sitting in the front passenger seat, tapped on the window and ordered the defendants to stop. It is alleged that McFarlane looked over at Preacher, who then took off at a high rate of speed, only to be forced to slow down because

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of airport traffic. As another police officer approached the van on the driver's side, banging on the window and ordering the defendants to stop and get out of the vehicle, McFarlane and Preacher refused and once again sped off at a high rate of speed, causing the officer to sustain an injury to his shoulder.

It is further alleged that Port Authority police pursued the van in a marked vehicle with their lights flashing and sirens blaring and were assisted in the chase by at least ten other police vehicles. During the chase from the airport, the defendants allegedly swerved through traffic, forcing vehicles and pedestrians to jump out of the van's way, and at times ran stop signs and red lights and traveled at speeds of sixty miles per hour on crowded residential streets. In the course of the chase, the five tourists – Esther Mamane and her mother Claudie Mamane, 60, and Gwenaelle Dulugat and her parents, Michele Dulugat, 61, and Jean-Jacques Dulugat, 62 – were allegedly locked in the van and the defendants refused their pleas to stop as they cried and screamed to be let go.

Additionally, it is alleged that when the defendants were confronted by a dead end street, they turned the van into a postal facility at 1050 Forbell Street in the East New York section of Brooklyn and jumped out, fleeing on foot as the vehicle continued to move with their five screaming passengers locked inside. The van ultimately crashed into a stop sign and then a U.S. Postal Service truck. After the crash, Claudie Mamane allegedly tried to exit the van but got caught in the seatbelt, causing her to fall to the ground – at which time her right arm was run over by the still moving van.

Finally, it is alleged that as a Port Authority police officer chased after McFarlane on foot, McFarlane only stopped running when cornered and the officer had his gun drawn. However, as the officer put away his weapon and attempted to handcuff McFarlane, the defendant allegedly began wrestling with the officer and kicking him, causing the officer to sustain a sprained knee. Preacher also allegedly resisted police efforts to place him under arrest.

District Attorney Brown noted that Section 1220b of the Vehicle and Traffic Law presently makes it a violation for any driver, for a price and without authorization or prearrangement, to offer ground transportation at an airport and subjects the offender to a fine of \$100 to \$250 and/or 15 days in jail. A third conviction of Section 1220b within an 18-month period raises the offense to a misdemeanor punishable by a fine of \$750 to \$1,500 and/or 45 days in jail. Even this enhanced penalty, however, has not been sufficient to deter airport hustling. A bill (S4653/A4552) sponsored by Assemblyman Jeffrion L. Aubry and Senator Martin M. Dilan would make airport hustling a Class B misdemeanor and increase the monetary fines and increase the period of incarceration to up to 90 days in jail. The bill has passed the Assembly and is presently awaiting a vote in the Senate.

The investigation and arrests were conducted by the Port Authority Police Department – specifically, Police Officers Eddie Velesquez, Kevin O'Connell, Robert Sznorkowki and Michael Bestany under the supervision of Sergeant Bernard Buckner and Lieutenant John Ryan, and by Detective John Reilly under the supervision of Lieutenant William Hanley and Inspector Anthony Fitzgerald.

The case is being prosecuted by Catherine C. Kane, Chief of the District Attorney's Airport Investigations Unit, of the Organized Crime and Rackets Bureau, under the supervision of Gerard A. Brave, Bureau Chief, and Mark L. Katz, Deputy Bureau Chief, and the overall supervision of Peter A. Crusco, Executive Assistant District Attorney, Investigations Division, and Linda M. Cantoni, Deputy Executive Assistant District Attorney.

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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