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JFK SECURITY OFFICER AND BAGGAGE HANDLER
PLEAD GUILTY IN FAILED INTEGRITY TEST
Admit Stealing Electronics from Passenger's Suitcase

Queens District Attorney Richard A. Brown today announced that a Transportation Security (TSA) officer and a contract airport baggage handler have each pleaded guilty to charges of stealing a laptop computer and a T-Mobile Sidekick from a "seeded" suitcase that had been checked in and bound for Miami as part of an integrity test being conducted last July at John F. Kennedy Airport by the TSA 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 admitted that they betrayed that trust and, in the process, tarnished the reputation of their employers and other baggage handlers who faithfully carry out their responsibilities each day."

The District Attorney identified the defendants as TSA Officer Brian Burton, 27, of Queens, and baggage handler Antwon Simmons, 26, of Brooklyn. The two defendants appeared yesterday before Queens Supreme Court Justice Steven W. Paynter and pleaded guilty to first-degree falsifying business records, petit larceny and fifth-degree criminal possession of stolen property. In addition, Burton pleaded guilty to official misconduct. Justice Paynter indicated that he would sentence the defendants to a determinate term of 45 days in jail and five years' probation on May 11, 2010.

District Attorney Brown said that, in pleading guilty, Burton admitted that he stole a cell phone and Simmons admitted that he stole a laptop from luggage that was to be loaded onto a Delta Airline flight to Miami on the morning of July 7, 2009. The defendants also admitted that they acted together in switching the luggage tags with a different bag in an effort to conceal the theft of property. A review of surveillance footage from the screening area showed Burton inspecting the bag and 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, prosecuted 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.

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