

# *Association of Commuter Rail Employees*

Statement of Tony Bottalico  
Judiciary Committee  
House Bill 1094  
March 20, 2015

Sen. Coleman, Rep. Tong and members of the committee:

My name is Anthony Bottalico. I am general manager of the Association of Commuter Rail Employees (ACRE) and represent the organization today in support of House Bill 1094, *An Act Concerning Assault with Enhanced Penalties*.

Our members are conductors, locomotive engineers, signalmen and rail traffic controllers in the Metro-North Railroad system. With me is ACRE's legislative representative, Marcellus Edwards.

Section 2 of the bill specifies that assault of a train operator, conductor, inspector, signal person or station agent can be a Class C Felony. ACRE supports this change.

In some respects, I wish I was not here today. But, frankly, the situation has come to a boiling point on the Metro-North Railroad.

The overwhelming majority of passengers who ride our trains are good people who depend on our conductors and team to get them to and from their destinations each day. It might be the dad going to work from Stamford to Wall Street in Manhattan. Or, it might be a mom doing the same from Milford to New Haven. It could be kids riding to and from school. Maybe it is a family going together to a Yankees game. Whatever the reason, tens of thousands of people use Metro-North's New Haven line every day.

Our job is to get our passengers to their destinations safely and on-time. I maintain that our members do this job well and they do it with a very high degree of professionalism. All this despite during the most difficult time in our history.

Unfortunately, we have seen an uptick in the number of unruly, intoxicated or disturbed passengers who refuse to pay their fares, bother other passengers, swear or act in a disorderly, harassing or even violent manner. These individuals scare our riders and make their trip uncomfortable.

Just a month ago, on February 20, service on Metro-North stopped because we had to deal with one passenger who refused to pay his fare. Our conductor asked for payment. The passenger proceeded to argue with the conductor over the fare, and then hit him and pushed him to the

floor. When the train stopped at the Westport train station, the passenger attempted to flee on foot. Fortunately, he was quickly apprehended by officers. But, our conductor was injured and the incident resulted in delays as passengers needed to be moved to another train.

We ask that you send a message that violence against our members will not be tolerated.

This bill sends that message: assault or punch a conductor or engineer and you could do some serious time, up to 10 years in prison under a Class C Felony.

Let me conclude by saying again that the vast majority of our customers—99.9 percent— are good and decent people. Senate Bill 1094 will protect our members and our passengers and help make the riding experience safe and enjoyable for everyone. It is the only deterrent we have.

Thank you for your time, and I will be happy to answer any questions you might have.