

U.S. Attorney's Report to the District

Earlier this month, a federal grand jury in Fresno returned an indictment charging a 33-year-old Bakersfield resident with interfering with the safe operation of a Kern County Sheriff's Department helicopter by shining a handheld laser into the helicopter's cockpit. The case is being prosecuted by this office, and if convicted, the defendant faces a likely prison sentence. That case is only the latest manifestation of a concerted effort by this office to confront an increasing problem.

The use of handheld lasers directed at aircraft poses a real danger. In mid-January, the Federal Aviation Administration announced that the number of incidents nationwide in 2010 involving lasers pointed at aircraft almost doubled over the previous year, and was the highest number of laser events recorded since the FAA began keeping track in 2005. Six of the top 20 airports for laser strike incidents in 2010 were in California. In announcing the figures, U.S. Transportation Secretary Ray LaHood noted that lasers can distract and harm pilots who are working to get passengers safely to their destinations. Lasers can damage pilots' eyes and cause temporary blindness, an obvious threat to the safety of aircraft. Congress is currently considering additional legislation to address the issue.

In response to this growing threat, laser strike working groups were formed in Sacramento in late 2008 and in Bakersfield in early 2010. These working groups consist of federal, state and local prosecutors and law enforcement investigators. Their efforts have been yielding results. In the Sacramento area, 12 adults and seven minors have been prosecuted by this office or by district attorneys' offices since 2009 for shining lasers into aircraft cockpits. Of the four defendants prosecuted by this office, two have already pleaded guilty in federal court and been sentenced to prison, and two more are pending trial. In the Bakersfield area, two more who were prosecuted by this office have already pleaded guilty and been sentenced to prison, and as noted above, another has just been charged. Another defendant was convicted by local authorities in the Bakersfield area and sentenced to jail.

These prosecutions are having an impact. In the Sacramento area, where the laser strike working group has been active for more than two years, the number of laser strike incidents has declined dramatically, from 36 incidents in 2008 to about a dozen in 2010. These working groups have served as a national model for new laser strike working groups around the country.

As long as powerful handheld lasers are available to the public, and individuals who access them are willing to engage in reckless and dangerous behavior, laser strike incidents will pose a threat to aircraft. We will continue to enhance the safety of aircraft pilots and passengers, however, by working with our law enforcement partners to identify, arrest, and prosecute those who are responsible for such incidents.