



NEW YORK STATE ASSOCIATION  
OF AUXILIARY POLICE, INC.  
RESPONDING TO THE NEEDS OF VOLUNTEER LAW ENFORCEMENT

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MEMORANDUM IN SUPPORT

An act to amend the penal law, in relation to on duty auxiliary police officers.

**A5468 – Introduced by Member of the Assembly Weprin  
S3920 – Introduced by Member of the Senate Golden**

The New York State Association of Auxiliary Police, Inc. a type A Not for Profit trade association incorporated in 1973 representing over 7,000 volunteers in over 60 Law Enforcement agencies in the State of New York, strongly supports this legislation which seeks to increase the punishment for certain actions against on-duty auxiliary police officers such as criminally negligent homicide, assault or menacing of such officers.

There are very few New York State laws that help protect the safety of auxiliary police officers. On March 14, 2007, two NYPD auxiliary police officers, APO Nicholas Pekearo & APO Eugene Marshalik, were shot and killed while following a killer who had just murdered a pizza shop employee in Greenwich Village, Auxiliary police officers generally do not carry firearms, and need further protection.

With the more recent attacks on police officers, including two NYPD officers, PO Wenjian Liu & PO Rafael Ramos who were ambush while sitting in their patrol car, it is more important than ever that enhanced protections are enacted so that all law enforcement officers are able to carry out their day-to-day duties with as little fear as possible for their safety. It should be noted that NYPD Police Officer Wenjian Liu was a former NYPD Auxiliary & a member of NYSAAP.

This bill seeks to enhance the protection afforded to on-duty auxiliary police officers by establishing new offenses that would punish those who assault on-duty auxiliary police officers, menace on-duty auxiliary police officers, or obstruct the duties of an on-duty auxiliary police officer by means of a self-defense spray device. These new offenses are similar to Penal Law provisions that are already in place for the protection of police officers and peace officers.

Respectfully Submitted,

Glenn J. Kearney, President