



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 in relation to the definition of the term "peace officer" as such term is used in provisions of law relating to peace officers

**A51 – Introduced by Member of the Assembly Simanowitz
And S3177 – Introduced by Member of the Senate Martins**

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 amend Subdivision 14 of section 89-f of the general business law, in relation to the definition of the term "peace officer" as such term is used in provisions of law relating to security guards.

The requirement of full time employment as a peace officer dates back to when there was a difference between the training of a part time or full time peace officer. One of the arguments used by DJCS & NYSAAP to lobby S6102-a & A7957-a back in 2009 was *"The bill also eliminates the limitation on part-time peace officer training. Peace officers possess the same powers and are responsible for the same duties regardless of whether they are employed full-time or part-time. There is no logical reason to provide a peace officer with reduced training merely because he or she works less than 40 hours per week."* In September of 2010 the Governor signed the bill and the training requirements were changed. Auxiliary Police are Volunteer Peace Officers trained to the same standards as full time Peace Officers. Those standards can be found in the Criminal Procedure Law § 2.30.

Why should Volunteer Peace Officers be denied a Training Waiver that they would otherwise qualify for merely because they are not employed full time? The Division of Criminal Justice Services should be able to issue the Training Waiver based on the officer's training and not his or her hours of employment per week.

Respectfully Submitted,

Glenn J. Kearney, President