



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 auxiliary police and their ability to carry a collapsible police baton.

**A59 – Introduced by Member of the Assembly Simanowitz**  
**S1142 – Introduced by Member of the Senate Avella**

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 the penal law, in relation to auxiliary police and their ability to carry a collapsible police baton.

In 2011, the New York Police Department suspended the Auxiliary Bike. Patrol Program, due to safety concerns. These concerns centered on the inability of Auxiliary police to carry a collapsible baton. The normal police baton, which NYPD Auxiliary police can carry, was too long and oftentimes got stuck in the bicycle wheels while the volunteer policemen pedaled. This bill would allow the police commissioner to authorize Auxiliary policeman to carry collapsible police batons, which would make bicycle patrols a viable option again. The collapsible baton could be carried safely by the Auxiliary police, while still providing the protection necessary for such a patrol.

In addition may other departments have questioned whether or not they had the authority to authorize their auxiliary police to carry the standard police baton for non-civil defense patrols. Under the CPL 2.10 Auxiliary Police have Peace Officer powers "when acting pursuant to their special duties during a period of attack or imminent attack by enemy forces, or during official drills called to combat natural or man-made disasters, or during official drills in preparation for an attack by enemy forces or in preparation for a natural or man-made disaster", but questions about whether or not routine patrols are considered "official drills" or not, this has caused some departments to ask their officers to leave their police batons at home until they sort this out. This bill would allow them to authorize their auxiliary police to carry the impact weapons they were trained on for regular patrol.

Respectfully Submitted,

Glenn J. Kearney, President