



NEW YORK STATE SENATOR

Brad Hoylman-Sigal

Senator Hoylman Introduces Legislation to Stiffen Penalties Against Killers of Auxiliary Police Officers

BRAD HOYLMAN March 14, 2014

| ISSUE: **POLICE**



New York, NY, March 14, 2014 — Today, on the anniversary of the fatal 2007 shooting of two on-duty New York Police Department auxiliary officers, State Senator Brad Hoylman (D, WFP – Manhattan) announced the introduction of *Auxiliary Police Officers Yevgeniy Marshalik and Nicholas Pekearo Memorial Act* ([S.6822](#)), which would make the killing of an Auxiliary Police officer the same offense against a police or peace officer. By increasing the penalty for killing an auxiliary officer in the line of duty, the legislation aims to help protect thousands of

Auxiliary Police officers across New York.

State Senator Brad Hoylman said: “We recognize the bravery of the civic-minded Auxiliary Police officers who put their lives on the line every day for their communities. Seven years after the murder of Officers Marshalik and Pekearo here in Greenwich Village, we’re reminded that deadly acts against Auxiliary Police officers do not have equal weight under the law as similar crimes against police and peace officers. Auxiliary Police officers deserve the same protections as police and peace officers, and their assailants should face the same penalties.”

Public Advocate Letitia James said: “Auxiliary Police Officers perform a vital service to the citizens of New York City, and deserve to know that we use our full power to ensure their protection. I want to commend State Senator Hoylman for introducing this important legislation.”

Manhattan District Attorney Cyrus R. Vance, Jr. said: “Seven years ago today, two auxiliary officers, Yevgeniy Marshalik and Nicholas Pekearo, were killed in the line of duty. This legislation recognizes that all police officers, whether volunteer or not, deserve our gratitude and protection for putting their own lives at risk to protect ours.”

Manhattan Borough President Gale Brewer said: “This was an horrific incident, and their contributions should not be forgotten. This legislation would ensure Auxiliary Police officers receive the protections they deserve.”

State Senator Daniel Squadron said: “Auxiliary police officers are a big part of protecting our communities, and they need the same protection under the law as police officers and peace

officers. Thank you to Senator Hoylman for your leadership, I am proud to join you in the names of Officers Yevgeniy Marshalik and Nicholas Pekearo and all auxiliary officers who risk their lives for our communities.”

Council Member Corey Johnson said: “New York City's Auxiliary Police force is a volunteer organization made up of dedicated New Yorkers who serve our city with honor and is a beacon for civic service. When an Auxiliary Police officer is murdered on the job, the crime must be held to the same standard as when an NYPD officer is killed. On the seventh anniversary of the murders of Auxiliary Police Officers Yevgeniy Marshalik and Nicholas Pekearo, this legislation corrects a current wrong in how these crimes are accounted for .”

Council Member Margaret Chin said: “Seven years after the murders of Officer Marshalik and Officer Pekearo in Greenwich Village, this critical legislation recognizes the sacrifices made by law enforcement in the line of duty by leveling the penalties for deadly crimes against police, peace, and auxiliary officers. All law enforcement officers deserve equal protections under the laws they risk their lives to uphold.”

David Gruber, Chair of Community Board 2, said: “These brave volunteers are the eyes and ears of the community. They are very often mistaken for regulation police officers and put themselves in the potential line of fire every time they patrol our streets to keep us safe. I congratulate Senator Hoylman for introducing and sponsoring this long overdue legislation.”

Maureen Remacle, President of the Sixth Precinct Community Council, said: “During their lives, Auxiliary Officers Pekearo and Mashalik devoted themselves to protecting our community. As we mark the seventh anniversary of their tragic killing, it is fitting that we are advancing legislation in their names that will protect other auxiliary officers around the

city and the state.”

Raymond Cline, Resident of Chair of the Bleecker Area Merchants' and Residents' Association (BAMRA), said: “March 14th, 2007 brought a horrifying reminder that there are those determined to kill - even in historic Greenwich Village. On that day, there was blood on Sullivan Street when Auxiliary Officers Nicholas Pekearo and Eugene Marshalik gave their lives to stop a gunman from hurting others. We could not be more appreciative of the Sixth Precinct and its Auxiliary Officers, and are pleased to see this effort to bring the same justice to anyone killing an auxiliary as a regular police officer, as both are out there protecting us every day.”

Lois Rakoff, who was Resident Chair of BAMRA at the time Officers Pekearo and Marshalik were fatally shot said, “The slain auxiliary police officers Eugene Marshalik and Nick Pekearo were slain as police officers. The assailant didn't see auxiliary cops. He saw two men in blue, police-like uniforms and shot them dead. Auxiliary police are defenseless and unarmed. This act will hopefully prevent assailants from killing auxiliary police in the line of duty in the future.”

Judith Callet, Former Resident Chair of the Bleecker Area Merchants' and Residents' Association,(BAMRA), said: “March 14th is a day to remember NYPD Auxiliary Officers Nicholas Pekearo and Eugene Marshalik. These two young men, Nick – an aspiring author and native Villager and Eugene – a NYU student – volunteered at the Sixth Precinct. They were proud to be a part of the 6th Precinct and watching out for their beloved Village. In the end, their love for our BAMRA community resulted in their murders when they were shot and killed on our streets, by a madman on a rampage. We will never forget them. I want to thank State Senator Brad Hoylman for introducing legislation that will help to deter would-

be-killers of other auxiliary officers across New York State. I am honored to have the opportunity, as we have sadly these past 7 years, to remember Nicholas Pekearo and Yevgeniy (Eugene) Marshalik – for their bravery and their sacrifice...their families' sacrifice.”

The *Auxiliary Police Officers Yevgeniy Marshalik and Nicholas Pekearo Memorial Act* amends NY State penal law to mandate that those who kill an on-duty Auxiliary Police officer are charged with the same offense as those who kill a police or peace officer.

The New York City Police Department Auxiliary Police Program is the largest in the United States with over 4,500 auxiliary police officers contributing over one million hours of service each year. Similar programs exist across the state. Through the NYPD Auxiliary Police Program, community members volunteer to assist their local precincts, Housing Police Service Areas, and transit districts, by performing uniformed patrols. They do not carry firearms. While auxiliary officers assist in deterring crime, they are carefully trained to observe and report conditions requiring the services of the regular police, and to avoid engaging directly with criminals. However, the nature of uniformed patrol in any capacity means that auxiliary officers risk finding themselves in dangerous situations every time they step into uniform.

###