

Executive Director's Memo
2002-02

TO: All Athletic Commission Personnel
Deputy Commissioner

FROM: Charles DeRienzo

DATE: January 8, 2002

SUBJECT: Possession of Firearms by NYSAC Personnel

1. N.Y. State law does not authorize any employee of the N.Y.S. Athletic Commission to carry a firearm by virtue of his/her position within the NYSAC. There should be no doubt in anyone's mind regarding this mandate. Possession of a firearm by any employee without the proper firearms license is a crime. That crime is in no way mitigated by the employee's position with the NYSAC.
2. N.Y. State law does not authorize any employee of the N.Y.S. Athletic Commission to use a firearm in the discharge of his/her duties even if that firearm is lawfully carried by virtue of a firearm's permit or Criminal Procedure Law (C.P.L.) § 2.10.
3. If an employee who legally possesses a firearm by virtue of a valid license or pursuant to C.P.L. § 2.10, and possesses that firearm while working as an employee of the NYSAC, he or she is not to openly display said firearm or to use the firearm while discharging the duties as an employee of the NYSAC. Said employee must understand that the state does not authorize the possession or use of that firearm in connection with said employee's duties. Therefore, the state does not indemnify said employee for any action taken with the use of a firearm.