

PROVIDING FOR AUXILIARY POLICE
Act of Jan. 14, (1952) 1951, P.L. 2016, No. 561
AN ACT

Cl. 53

Providing for supplementing the police forces of cities, boroughs, towns and townships, for the appointment, powers and control of auxiliary police therein, and for the transfer during disasters and emergencies of such auxiliary police, members of the regular police forces, and police equipment thereof.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The following words when used in this act shall have the following meanings:

- (1) "Municipality" means city, borough, town and township.
- (2) "Chief of police" means the chief or head of the police force of any municipality.

Section 2. (a) The chief of police of any municipality may nominate persons as auxiliary policemen who have satisfactorily completed such training as he may prescribe.

(b) All such persons so nominated shall, before they enter upon their duties, be confirmed and sworn by the mayor of the city, the burgess of the borough or town, or the chairman of commissioners or supervisors of the townships.

(c) Auxiliary policemen shall serve at the pleasure of the chief of police of the municipality nominating them.

Section 3. No person shall be nominated, affirmed or sworn as an auxiliary policeman under this act who is not a citizen of the United States, or who advocates or has advocated a change by force or violence in the constitutional form of government of the United States or in this State, or the overthrow of any government in the United States by force or violence, or who has been convicted of or is under indictment or information charging any subversive act against the United States or felony. Each person who is appointed to serve as an auxiliary policeman shall, before entering upon his duties, take an oath in writing before a person authorized to administer oaths in this State, which oath shall be substantially as follows:

"I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of Pennsylvania against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

And I do further swear (or affirm) that I do not advocate, nor am I a member or an affiliate of any organization, group or combination of persons that advocates, the overthrow of the Government of the United States or of this State by force or violence; and that during such time as I am a member of the

auxiliary police I will not advocate nor become a member nor an affiliate of any organization, group or combination of persons that advocates, the overthrow of the Government of the United States or of this State by force or violence."

Section 4. The mayor of any city, the burgess of any borough or town, and the chairman of commissioners or supervisors of any township, may call the auxiliary police to active duty during any period of distress, disaster or emergency, except in cases of labor disturbances.

Section 5. (a) Auxiliary policemen on active duty shall have the same powers as regular police officers of the municipality in which they are serving, and shall perform such other duties as may be assigned to them by the chief of police.

(b) Auxiliary policemen when on active duty in a municipality other than the one in which appointed shall have the same powers in such municipality as regular police officers thereof.

(c) The powers herein conferred may be exercised by auxiliary policemen only after they report for active duty and until they are relieved from duty.

Section 6. Upon the occurrence of any disaster or emergency other than a labor disturbance in any municipality, the chief executive officer thereof may request the Governor for the emergency assignment of police equipment, auxiliary police and members of the regular police forces from other municipalities for the period of such emergency. If the Governor approves such request, he shall direct the Commissioner of the Pennsylvania State Police to order the chief executive officers of as many municipalities as may be necessary to transfer and such officials shall transfer police equipment, auxiliary police and members of the regular police force to the requesting municipality, in sufficient numbers and amounts to aid in meeting the disaster or emergency. During such period, the transferred police and equipment shall be under the jurisdiction of the chief of police of the municipality to which they are transferred. Such transferred police shall have the same powers as regular police officers of the municipality to which they are transferred.

Section 7. The provisions of this act shall become effective immediately upon final enactment.