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OCT 17 2006

## MEMORANDUM

From: *R.R. O'Brien / J*  
R. R. O'BRIEN, JR., CAPT  
CG Sector New York

Reply to: WWM  
Attn of: LCDR McBrady  
(718) 354-2353

To: VCO Thomas Venezia, CG First District Auxiliary Southern Region

Subj: AUXILIARY USE OF LAW ENFORCEMENT BLUE LIGHT

Ref: (a) Navigation Rules, International – Inland, Annex V COMDTINST M 16672.2(Series)  
(b) Auxiliary Operations Policy Manual, COMDTINST M 16798.3(Series)

1. A change to reference (a) to allow use of the blue light on Coast Guard Auxiliary facilities or by Coast Guard Auxiliarists is not warranted. I do not authorize or condone the independent use of the law enforcement blue light by Coast Guard Auxiliarists. I do not authorize or condone the independent placement or use of the blue light on Coast Guard Auxiliary facilities operating in this AOR. However, as the Operational Commander I may authorize its use on Auxiliary facilities on a case-by-case basis during specific operations with my pre-designated command representative onboard. Any Auxiliarist or Auxiliary facility with a blue light should immediately secure it or turn it over to the nearest CG unit, and are not authorized patrol orders until they comply with this requirement. Reference (a) specifies that this light is only authorized for "law enforcement vessels of the federal government, the States and their political subdivisions...when engaged in direct law enforcement or public safety activities." Accordingly, reference (b) specifically states that the blue light is not to be used on Auxiliary facilities. Reference (a) does permit the use of the alternating red and yellow public safety light for Auxiliary facilities engaged in "government sanctioned public safety activities" and - for that reason - it is the standard light for independent Auxiliary facility use at the appropriate times while on patrol orders.

2. I understand the compliance issues surrounding operations such as Operation Clear Channel and major marine event patrols such as the Macy's fireworks extravaganza or Navy Fleet Week. Yes, the "placement" of a blue light on a Coast Guard Auxiliary facility involved in support of the patrol commander helps to influence compliance among maritime community. Since an Auxiliary facility and crew cannot support maritime law enforcement missions without my authorized and LE trained Active Duty Coast Guard (AD CG) representative aboard, then independent use of blue lights is inappropriate and impacts the credibility of our enforcement posture with the regulated public as well as our federal, state and local law enforcement partners. A vessel with a blue light implies the presence and readiness of an armed and fully capable law enforcement vessel whose crew has the prerequisite LE training and capabilities designed to ensure public and officer safety/security, as well as compliance with law and regulation, with authorized use of deadly force if necessary.

3. Auxiliary facilities without pre-designated AD CG LE representatives onboard should continue to use the public safety light in the course of their patrol duties, as necessary. If these vessels are unable to perform their mission or feel their safety is jeopardized, they should immediately notify their Operational Commander. Either an AD CG asset will be dispatched to the scene or a designated AD CG LE representative will be detailed to the Auxiliary facility with a blue light for enforcement duty as necessary.

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