



NEW YORK STATE SENATOR

George M. Borrello

Assemblyman Giglio and Sen. Borrello Sponsor Bill to Allow Judges to Carry Sidearms in Court

GEORGE M. BORRELLO August 17, 2023

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Rural Judges Have the Right to Defend Themselves and Others

ALBANY – Assemblyman Joseph M. Giglio and Sen. George Borrello have introduced legislation to allow judges and town and village justices to carry guns into court to protect themselves and others.

Under the 2022 Concealed Carry Improvement Act, judges and justices were barred from carrying firearms into court as courts are considered “sensitive locations” where firearms are banned.

Originating in the Assembly, the bill exempting judges from the sensitive locations ban was drafted by Assemblyman Giglio who asked Sen. Borrello to carry the legislation in the Senate. The bill (S.7633) would allow judges who have pistol permits to carry a firearm in a “sensitive location” including courts.

“I introduced this bill in the Assembly in response to public requests to give rural judges the ability to protect themselves and those in their courtrooms,” Assemblyman Giglio said. “This legislation provides an exemption which allows only those judges and justices with valid New York State pistol permits to carry firearms in courtrooms. Many of these courtrooms are in remote towns with no municipal police forces and with often-lengthy law enforcement response times.

“This commonsense legislation would provide a safer courtroom environment for our rural judges, similar to the protection provided by bailiffs and other law enforcement officers in more populous areas of the state.”

The Concealed Carry Improvement Act exempted law enforcement officers and private security guards from its “sensitive location” restrictions. However, no exemption was made for judges and town and village justices.

“Thanks to the bail reform laws adopted by the majority, many of the rural judges I represent are seeing dangerous criminals in their courtrooms. It’s not safe and judges and have a right to defend themselves,” Sen. Borrello said. “In many rural communities, there is no court security. There is just a judge and their clerk. This law will enable the presiding judge to defend themselves and others, preventing the potential violent disruption of court proceedings.”

Some rural town and village courts do not even have metal detectors.

“The current situation is unsafe,” Sen. Borrello said. “The New York State Magistrates Association has concerns.”

New York’s Concealed Carry Improvement Act was adopted by majority members of the New York Assembly and Senate and signed into law by Governor Kathy Hochul after the U.S. Supreme Court struck down parts of New York’s concealed carry handgun law for violating the Second Amendment. Sen. Borrello and Assemblyman Giglio voted against the Concealed Carry Improvement Act as an unconstitutional abridgement of the Second Amendment. The Concealed Carry Improvement Act is being challenged in federal court.

Among the key elements of the Concealed Carry Improvement Act is a ban on carrying a gun in sensitive locations defined under the law including courts, schools, bars, medical facilities, stadiums, government buildings and houses of worship.

“Regarding ‘sensitive locations’ my Democrat colleagues fail to understand that criminals don’t follow those rules,” Sen. Borrello said.