



NEW YORK STATE SENATOR

Brian Kavanagh

Statement of the New York ERPO Coalition on Proposals to Include Gun Violence Prevention Measures in the State Budget

BRIAN KAVANAGH March 21, 2018

| ISSUE: **GUNS, GUN VIOLENCE PREVENTION, GUN VIOLENCE, GUN CONTROL, GUN LEGISLATION**

(Albany, NY) — Last week, the Senate and Assembly each included measures intended to prevent gun violence in their respective budget resolutions, and Governor Andrew Cuomo this weekend announced additional measures he supports, which media reports indicate he intends to advocate for in the state budget, due to be enacted by March 31st. In response, the New York ERPO Coalition — a group of elected officials and advocates working to enact an “extreme risk protection orders” bill in New York, which would authorize families and law enforcement to seek court issued orders restricting access to guns for individuals who are likely to harm themselves or others — released the following statement:

“The shooting at Marjory Stoneman Douglas High School has once again brought our nation’s gun crisis into tragic focus. While New York has one of the lowest rates of gun-related deaths in the country, and some of the strongest laws to prevent gun violence, more can — and must — be done.

“The State budget is the most immediate opportunity to strengthen New York's laws, and as part of budget negotiations, the Governor, the Senate, and the Assembly each have proposed legislation intended to reduce gun violence.

“Many of us have long supported several of the reforms that have been proposed — including laws restricting domestic abusers’ access to guns and closing a loophole that permits a gun to be sold after three days have elapsed even if a background check has not been completed — and we applaud the Assembly and the Governor for supporting these and other commonsense measures, and including them in the budget negotiations.

"However, we believe that any package of legislation without an extreme risk protection orders bill would leave New York’s gun laws incomplete, and would allow preventable tragedies to continue occurring. A growing number of states — including Florida — have enacted similar legislation to fill this gap in their laws.

“An ERPO law would help ensure that individuals who are likely to harm themselves or others aren’t able to access guns. It would empower family members and police to take action before a tragedy occurs. And it would uphold the constitutional rights of all New Yorkers while saving lives.

“For years, New York has been a leader on gun violence prevention, setting a standard that other states would do well to emulate. But failing to enact ERPO legislation this year would mean neglecting to embrace a life-saving tool that research, the experience of other states, and common sense all tell us will prevent needless deaths and serious injuries in New York.

“The Assembly passed ERPO last month with strong bipartisan support, and last week included it in that house's budget resolution. During the floor debate on the Senate budget resolution, Senate Democrats also called for including it in the budget. Today, we’re urging all parties to include ERPO in the final budget due to be enacted next week.

“New Yorkers’ lives hang in the balance — and we cannot let them down.”

About the NY ERPO Coalition:

Formed earlier this year, the New York ERPO Coalition includes Senators Brian Kavanagh and Brad Hoylman, Assemblymember Jo Anne Simon, New Yorkers Against Gun Violence, Giffords, Everytown for Gun Safety, the New York Chapter of Moms Demand Action for Gun Sense in America, Brady Campaign to Prevent Gun Violence, Citizens Crime Commission of New York City, Coalition to Stop Gun Violence, and Prosecutors Against Gun Violence.

The coalition supports enactment of [S7133/A8976](#) — sponsored by Senators Kavanagh and Hoylman and Assemblymember Simon — which creates extreme risk protection orders in New York. These new court-issued civil orders would prevent someone from possessing or purchasing guns if a court finds they are likely to harm themselves or others, and would force them to temporarily surrender any guns they currently own. The orders could be requested by family members, household members, and police officers — who often see warning signs of gun violence but may be powerless to act under current law before a tragedy occurs. The legislation includes strong due process protections.

Six other states — Connecticut, Indiana, California, Washington, Oregon, and Florida — have similar laws. The Florida bill was enacted this month in response to the shooting at Marjory Stoneman Douglas High School on February 14th.

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RELATED LEGISLATION

2017-S7133A

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Establishes extreme risk protection orders as a court-issued order of protection prohibiting a person from purchasing, possessing or attempting to purchase or possess a firearm, rifle or shotgun

December 08, 2017

In Senate Committee [Codes](#)

Sponsored by [Brian Kavanagh](#)

Do you support this bill?
