



NEW YORK STATE SENATOR

Brian Kavanagh

Forwarding: Westchester Board Set To Back State Legislation for Extreme Risk Protection Orders

BRIAN KAVANAGH March 23, 2018

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

Today, the Westchester Board of Legislators announced support for a resolution backing the creation of "extreme risk protection orders" (ERPOs) in New York. The state legislation, S7133A/A8976B, is sponsored by Senators Brian Kavanagh and Brad Hoylman and Assemblymember Jo Anne Simon.

Earlier this week, the New York ERPO Coalition **called** for this legislation to be enacted in the budget.

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*****PRESS RELEASE*****

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WESTCHESTER BOARD SET TO BACK STATE LEGISLATION FOR EXTREME RISK PROTECTION ORDERS

Measure Would Help Keep Guns Out of Hands of Those Who Pose a Threat to Themselves, Others

White Plains, NY — With students and advocates for sensible gun reform gathering this weekend across the country for the March for Our Lives, the Westchester County Board of Legislators is set to back a state proposal that would allow loved ones and authorities to go to court to keep guns out of the hands of people who pose a threat to themselves or others.

Monday night, the Board is planning to vote on a resolution in support of a bill introduced in Albany by State Senators Brian Kavanaugh and Brad Hoylman and Assemblymember Jo Anne Simon that would establish Extreme Risk Protection Orders (ERPO) in New York. The resolution had bipartisan support in committee at the Board.

The proposed law would entitle family or household members, police officers or district attorneys to petition a court for such a protection order. If the court deems sufficient evidence has been presented to show dangerous behavior by an individual, a temporary ERPO would be granted, and the individual would have to surrender any guns he or she possesses to the police. The individual also would not be allowed to purchase or possess firearms until the order is lifted. After a second hearing, the court could extend the order for up to a year, at which point it would expire, unless a petition is filed to renew the order.

According to New Yorkers Against Gun Violence, a majority of mass shooters and suicide

victims exhibit dangerous behavior before carrying out shootings. That behavior might be a “red flag” to household members, but even when loved ones reach out to law enforcement, police may not have the power to intervene.

Ben Boykin, Chair of the Westchester County Board of Legislators, said, "Make no mistake, gun violence is an epidemic in America. Extreme Risk Protection Orders are a sensible, limited, targeted measure with full judicial oversight, that can help prevent people from doing harm to themselves or others when red flags are present so that after a shooting we don't have to say, 'We saw the warning signs but couldn't do anything to help.'"

Legislator Catherine Borgia said, "This is a sensible step toward reducing access to firearms by persons who are at risk of harming themselves and others. These sort of 'red flag laws' help the community identify danger before tragedy strikes."

New York State Senator Brian Kavanagh, sponsor of S7133, which creates extreme risk protection orders, said, "Westchester County has a long history of embracing smart approaches to preventing gun violence -- and that continues today. This resolution is clear: Westchester legislators want Albany to give residents and police in their county and throughout New York an important new tool to stop gun violence and save lives. We're glad to have support from the Board of Legislators. I hope that the Senate, the Assembly, and the Governor can heed their call, and include extreme risk protection orders in the budget we expect to pass next week."

Similar measures have passed in Connecticut and California, and three other states, and other proposals are pending in 23 more states. ERPO laws have the support of New Yorkers Against Gun Violence, Everytown for Gun Safety and Giffords Law Center.

The Board's action comes amid mounting concerns about gun violence in America. According to a March 2017 analysis by Everytown for Gun Safety, from 2009-2016 there were 156 mass shootings in the United States, and in 42 percent of cases, the shooter exhibited warning signs before the shooting.

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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

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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](#)

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Do you support this bill?