



NEW YORK STATE SENATOR

Brian Kavanagh

## Mental Health and Healthcare Organizations Call for Inclusion of Extreme Risk Protection Orders Bill in the State Budget

BRIAN KAVANAGH March 28, 2018

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

*1199SEIU United Healthcare Workers East, the Greater New York Hospital Association, the Mental Health Association of New York State, the Mental Health Association of New York City, the Mental Health Association in Orange County, Mental Health America of Dutchess County, the National Alliance on Mental Illness-New York State, and the New York State Nurses Association join the “NY ERPO Coalition,” advocate passage in the budget*

*Frontline mental health and healthcare workers see the tragic effects of gun violence all too often*

(Albany, NY) -- Today, 1199SEIU United Healthcare Workers East, the Greater New York Hospital Association, the Mental Health Association of New York State, the Mental Health Association of New York City, the Mental Health Association in Orange County, Mental Health America of Dutchess County, the National Alliance on Mental Illness-New York State, and the New York State Nurses Association urged the Governor, the Senate, and the Assembly to include extreme risk protection order legislation in the state budget. The mental health and healthcare organizations also announced they joined the “New York ERPO Coalition,” led by New York State Senator Brian Kavanagh, Senator Brad Hoylman, Assemblymember Jo Anne Simon, and New Yorkers Against Gun Violence.

These organizations’ members -- nurses, nurse aides, social workers, other medical professionals, and some of our most important health care institutions -- are on the

frontlines of New York's gun violence epidemic. Everyday, they treat those who are injured by guns and help survivors and victims' families cope with the trauma. This bill will empower families, household members, and law enforcement officials to take proactive steps to prevent gun violence and save lives.

Their critical support comes as leaders in Albany enter the final stages of budget negotiations, and as the coalition [urges](#) the Governor, Senate, and Assembly to include the extreme risk protection orders legislation in the budget. This weekend, all five New York City District Attorneys [called](#) for this legislation to be included in the budget, and earlier today the Nassau and Suffolk County District Attorneys and Nassau County Police Commissioner [joined them](#). The bill has also been supported by [Westchester District Attorney](#) Anthony A. Scarpino, Jr. and the [Westchester Board of Legislators](#).

**Glenn Liebman, CEO of Mental Health Association of New York State** said, "We thank Senators Kavanagh and Hoylman and Assemblymember Simon for introducing legislation that provides a sensible approach to gun safety. This proposed legislation does not stigmatize individuals with mental illness as we have so often seen with other initiatives. Instead the focus appropriately is on behavior and not diagnosis. We look forward to working with this coalition of healthcare professionals to get this legislation passed."

"Government and society must do everything possible to ensure the safety and well being of those living with psychiatric disorders -- and the removal of firearms during vulnerable times is certainly a step towards this goal," **said Wendy Burch, Executive Director of the National Alliance on Mental Illness-New York State**. "This bill will help keep all New Yorkers -- including the one-in-four New York families impacted by mental illness -- safe. It will help reduce gun violence of all stripes, including suicide. That's why we look forward to working with our partners to ensure this law is enacted in the budget, and that police and judges have the training and information they need to safely implement these lifesaving orders."

“The time has come for legislation that will help prevent gun violence so that hospitals can spend less time dealing with its terrible aftermath,” **said Greater New York Hospital Association (GNYHA) President Kenneth E. Raske.** “GNYHA especially supports the bill’s provision allowing family members to petition the courts for temporary removal of firearms from individuals who are a danger to themselves or others. New York’s hospitals are grateful to Senators Kavanagh and Hoylman and Assemblymember Simon for their leadership on this critically important issue.”

**Jill Furillo, RN, Executive Director, New York State Nurses Association said:** “Members of the New York State Nurses Association see the horrible aftermath of gun violence on a daily basis. All of us on the front lines agree enough is enough, and that’s why we support this measure because anything we can do to reduce the amount of gun violence and anything we can do to keep guns out of the wrong hands is the right thing to do.”

“Every day, our mental health professionals and crisis services connect New Yorkers in emotional distress to care when and where they need it – including care for the trauma related to gun violence,” **said Kimberly Williams, President and CEO of the Mental Health Association of New York City.** “By increasing safety and reducing risk, this legislation can effect meaningful public health impact throughout both New York City and the State.”

**Nadia Allen, Executive Director of the Mental Health Association in Orange County, said:** “When this proposed bill is passed it will undoubtedly help to keep weapons out of the hands of people who have thoughts of violence, regardless if they have a mental illness or not. This must be the focus of public policy initiatives today and in the future. If an individual has a pattern or history of violence, that individual should not have access to weapons. The controversy about weapons and violence is about that, and it must not continue to be diverted and sidetracked toward a controversy about mental health.”

The bill ([S7133A/A8976B](#)), is sponsored by Senators Brian Kavanagh and Brad Hoylman and Assemblymember Jo Anne Simon. This legislation would create a new type of civil order called an “extreme risk protection order.” Family members, household members, and law enforcement officials -- including police and District Attorneys -- would be able to petition a judge for an ERPO, and if the court finds the respondent is likely to harm themselves or others, the judge would issue an order which temporarily restricts their right to possess or purchase guns. The subject of the order would also be required to temporarily surrender any guns they currently own.

Earlier this month, the bill passed the Assembly with strong bipartisan support. The Senate bill has 29 co-sponsors, including every member of the Democratic Conference and the Independent Democratic Conference (IDC).

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.

“Extreme risk protection orders are a proven way to stop gun violence. Lawmakers know that. Mental health and healthcare professionals know that. And that’s why it’s so important these organizations are supporting our push,” **said State Senator Brian Kavanagh, sponsor of S7133.** “These mental health and healthcare professionals deal with the aftermath of gun violence everyday. They do amazing work -- but we want to make their job easier by further strengthening our gun laws. We look forward to working with our mental health and healthcare partners to ensure this bill passed in the budget.”

**State Senator Brad Hoylman said:** "There's a reason mental health professionals are some of our strongest allies in the fight for Extreme Risk Protection Orders: they know the last thing a person in crisis needs is the volatility of a deadly weapon. We need to pay attention when

there's near-unanimity in expert opinion, and we have it here: ERPOs are a simple, common sense way to save lives."

"Gun violence is shaking our nation to its core and our health care providers are essential to helping people cope with the impacts of these tragedies. I'm so grateful that our mental health and healthcare professionals have joined our growing coalition to call for the extreme risk protection order bill. We must do more to prevent people from harming themselves or others, and we must recognize the heavy toll that gun violence takes on families, survivors and the community," **said Assemblymember Jo Anne Simon.**

"Our healthcare partners understand that legislative action is needed to address this public health epidemic of gun violence," **said Rebecca Fischer, executive director of New Yorkers Against Gun Violence.** "An extreme risk protection order process would prevent senseless tragedies and save lives—an objective shared by medical professionals and lawmakers alike."

"At a time when over 90 people in our country die from gun violence every day, most by suicide, it is imperative for New York to take the responsible steps to help keep guns out of the hands of people who are experiencing a crisis," **said Nico Bocour, State Legislative Director of Giffords.** "Support from the mental health and healthcare experts indicates these life-saving measures can help solve this crisis by helping keep guns out of the hands of dangerous people. These proposals have the broad support of the public, and we look forward to their inclusion in the state's budget."

**Dakota Jablon, Policy Analyst at the Educational Fund to Stop Gun Violence said,** "Extreme Risk Protection Orders are an evidence-based approach that focuses on real risk factors for violence, not a mental health diagnosis. By putting time and distance between a person at high risk of violence and a gun, Extreme Risk Protection Orders will save New Yorkers' lives."

### 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, Prosecutors Against Gun Violence, New York Legislators for Gun Violence Prevention, and District Attorneys Clark (Bronx), Gonzalez (Brooklyn), Vance, Jr. (Manhattan), Singas (Nassau), Brown (Queens), McMahon (Staten Island), and Sini (Suffolk) and Nassau Police Commissioner Patrick Ryder. Now, it also includes 1199SEIU United Healthcare Workers East, the Greater New York Hospital Association, the Mental Health Association of New York State, the Mental Health Association of New York City, the Mental Health Association in Orange County, Mental Health America of Dutchess County, the National Alliance on Mental Illness-New York State, and the New York State Nurses Association.

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#### RELATED LEGISLATION

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### **2017-S7133A**

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- 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](#)

Sponsored by [Brian Kavanagh](#)

Do you support this bill?