



NEW YORK STATE SENATOR

Brian Kavanagh

## Statement from Senator Kavanagh on Governor Cuomo Signing Law to Keep Guns from Domestic Violence Abusers

BRIAN KAVANAGH May 2, 2018

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



(Albany, NY) — Yesterday, Governor Andrew Cuomo signed legislation to prohibit those convicted of certain domestic violence offenses from possessing guns.

New York State Senator Brian Kavanagh, Chair of American State Legislators for Gun Violence Prevention and New York Legislators for Gun Violence Prevention, released the following statement in response:

“Every New Yorker should agree that those convicted of domestic violence shouldn’t be allowed to have guns. It’s common sense — and good lawmaking. This law will undoubtedly save lives and reduce the threat that individuals who commit domestic violence crimes pose to those they have abused and to society at large. I am proud to have joined Governor Andrew Cuomo, my Democratic colleagues in both chambers of the legislature, and some Republicans to enact this law.

“This legislation is profoundly important, but its passage highlights the fact that we still have more work to do to prevent gun violence in New York by passing smart legislation that will prevent dangerous individuals from accessing guns.

“With seven weeks remaining in the regular legislative session, I will continue to work with the Governor, my legislative colleagues, and the New York Extreme Risk Protection Orders Coalition to enact our extreme risk protection orders bill and other measures that will close the gaps in New York’s gun laws, keep guns out of the wrong hands, and save lives.”

### **About Extreme Risk Protection Orders:**

[Bill S7133A/A8976B](#) would create extreme risk protection orders (ERPOs), a new type of court-issued civil order that would prohibit someone from purchasing guns, and require them to temporarily surrender any guns they possess, if a court finds they are likely to harm themselves or others.

An ERPO could be requested by family members, household members, police officers, and district attorneys — who often see warning signs of impending violence but may be powerless to act under current law before a tragedy occurs. Those requesting an order would have to present evidence that an individual is likely to harm themselves or others. The legislation includes strong due process protections, including a prompt hearing to allow the subject of an order to present evidence challenging the order in court. The bill passed the

Assembly in June 2017, and again in March 2018 with strong bipartisan support. The Senate bill has 29 co-sponsors, including every member of the Democratic Conference.

Eight other states — Connecticut, Indiana, California, Washington, Oregon, Florida, Vermont, and Maryland — have similar laws. The Florida, Vermont, and Maryland bills were enacted in the wake of the shooting at Marjory Stoneman Douglas High School in Parkland, Florida on February 14, 2018.

**About the New York ERPO Coalition:**

Formed earlier this year, the New York ERPO Coalition includes: ERPO bill sponsors Senator Brian Kavanaugh, Senator Brad Hoylman, and 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, New York Legislators for Gun Violence Prevention, Brady Campaign to Prevent Gun Violence, Citizens Crime Commission of New York City, Coalition to Stop Gun Violence, Prosecutors Against Gun Violence, District Attorneys Cyrus Vance, Jr. (Manhattan), Darcel D. Clark (Bronx), Eric Gonzalez (Brooklyn), Madeline Singas (Nassau), Richard A. Brown (Queens), Michael McMahon (Staten Island), and Timothy Sini (Suffolk) and Nassau Police Commissioner Patrick Ryder, 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, 1199SEIU United Healthcare Workers East, the New York State Nurses Association, and the Greater New York Hospital Association.

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## 2017-S7133A

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
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- - Passed Assembly
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- 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?

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