



NEW YORK STATE SENATOR

Brian Kavanagh

Governor Hochul Announces Support for Comprehensive Package to Combat Rise in Domestic Terrorism, Strengthen State Gun Laws and Crack Down on Social Media Platforms that Promote Extremist Acts of Violence in Wake of Racist Mass Shooting in Buffalo

BRIAN KAVANAGH May 18, 2022

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In direct response to the white supremacist act of terror at a supermarket on Saturday in Buffalo, Governor Kathy Hochul today unveiled a comprehensive package to combat the steady rise in domestic terrorism and violent extremism, strengthen and close loopholes in

state gun laws and crack down on social media platforms that host and amplify content that promotes and broadcasts violent, lawless acts and endangers our communities.

"The horrific and despicable act of terror committed by a white supremacist this past weekend in Buffalo showed that we as a country are facing an intersection of two crises: the mainstreaming of hate speech - including white nationalism, racism and white supremacy - and the easy access to military-style weapons and magazines," **Governor Hochul said.** "This is a wake-up call and here in New York we are taking strong steps to directly address this deadly threat. Today, I issued Executive Orders to devote substantial resources and focus toward combating the troubling surge in domestic terrorism by identifying radicalized individuals and tracking their threats amplified on social media, and further empower State Police to keep guns away from dangerous people. I am also issuing a referral letter to the Attorney General to investigate social media's role in the Buffalo shooting, and am calling for the passage of several pieces of legislation that will help law enforcement get more guns off the street."

"We will continue to confront this epidemic head-on, stamp out extremists who threaten our communities, strengthen the toughest gun laws in the country and do whatever it takes to keep New Yorkers safe," **Governor Hochul added.**

"The terror attack in Buffalo has once again revealed the depths and danger of the online forums that spread and promote hate," **Attorney General Letitia James said.** "The fact that an individual can post detailed plans to commit such an act of hate without consequence and then stream it for the world to see is bone chilling and unfathomable. As we continue to mourn and honor the lives that were stolen, we are taking serious action to investigate these companies for their roles in this attack. Time and time again, we have seen the real-world devastation that is borne of these dangerous and hateful platforms, and we are doing everything in our power to shine a spotlight on this dangerous behavior and take action to

ensure it never happens again."

Among these measures, Governor Hochul has issued two Executive Orders. The first **Executive Order** is designed to fight the troubling surge in domestic terrorism and violent extremism frequently inspired by, planned on and posted about on social media platforms and internet forums. The Executive Order calls on the Division of Homeland Security and Emergency Services to establish a new unit, dedicated solely to the prevention of domestic terrorism, within the Division's Office of Counter Terrorism. This new unit will focus on threat assessment management, disbursing funding to localities to create and operate their own threat assessment management teams and utilizing social media to intervene in the radicalization process. It will also educate law enforcement members, mental health professionals and school officials on the recent uptick in domestic and homegrown violent extremism and radicalization, as well as create best practices for identifying and intervening in the radicalization process.

The Executive Order also calls on New York State Police to establish a dedicated unit within the New York State Intelligence Center (NYSIC) to track domestic violent extremism through social media. The unit will develop investigative leads through social media analysis, with a specific focus on identifying possible threats and individuals motivated by radicalization and violent extremism. Finally, the Executive Order calls on every county to perform an exhaustive review of its current strategies, policies and procedures for confronting threats of domestic terrorism.

The second **Executive Order** will require State Police to file for an Extreme Risk Protection Order (ERPO) under New York State's Red Flag Law whenever they have probable cause to believe that an individual is a threat to themselves or others.

Governor Hochul also issued a [referral](#) to the Office of the Attorney General under Executive Law Section 63(8) to investigate and study the social media platforms that were utilized by the Buffalo shooting suspect to broadcast, promote, and facilitate violence, espouse hate, and legitimize replacement theory. Findings from the investigation will be used to enhance and build on New York State's strategy for combatting hate and violent extremism.

As part of the package, Governor Hochul is also pushing a series of legislative measures designed to help law enforcement investigate and prevent gun-related crimes. The Governor is proposing new legislation to close the "other gun" loophole by revising and widening the definition of a firearm, making more guns subject to various preexisting firearm laws.

Governor Hochul is also working with the Legislature to pass two bills to address and streamline the investigation of gun-related crimes. The first would set forth a process to require semiautomatic pistols manufactured or delivered to licensed dealers in New York to be microstamping-enabled. Microstamping is an innovative ammunition-marking technique that marks bullets and cartridge cases with a unique fingerprint each time a firearm is discharged. This allows investigators to link bullets and casings recovered at crime scenes to a specific gun and potentially other crimes. The second piece of legislation would strengthen gun reporting protocols by requiring all law enforcement agencies to report the recovery of any crime gun within 24 hours of their discovery.

These latest measures are part of Governor Hochul's continued commitment to addressing the gun violence epidemic. The [enacted State Budget](#) includes meaningful and significant changes to public safety laws as well as \$227 million for bold initiatives that will strengthen the gun violence prevention efforts of law enforcement and community-based organizations.

The recent spike in domestic terror attacks represents one of the most pressing threats to public safety across the United States. In the last decade, domestic terror attacks and plots have tripled nationally. In 2021, there were 73 terrorist attacks and unearthed plots in the United States, including 38 white supremacist and similarly like-minded terrorist attacks and plots.

New York State Office of Victim Services Director Elizabeth Cronin said, "We at OVS are doing everything in our power to provide support to the victims and all of those affected by the racist and senseless killing of innocent people who were simply going about their lives on Saturday. We join all New Yorkers in support of Governor Hochul and residents of her hometown as they grieve, attempt to heal and ensure that nothing like this ever happens again. We thank Governor Hochul for her strength and leadership through this and for her steadfast commitment to supporting victims and reducing gun violence and hate crimes across our state."

OVS provides a critical safety net and can pay for expenses resulting from a crime when individuals have no other way to pay for them, including funeral and burial expenses, medical and counseling costs and other expenses as well as assist victims and families with lost wages and loss of support.

OVS joined with Erie County District Attorney John J. Flynn and the Federal Bureau of Investigation and the Buffalo Police Department to establish a community resource center to provide trauma-informed support and immediate services to residents who have been impacted by the tragedy that occurred on Jefferson Avenue and the closure of Tops Friendly Markets due to the ongoing criminal investigation. The center opens tonight to anyone who needs help during this difficult time. Services include assistance with groceries, utility payments, banking services and mental health counseling.

Division of Criminal Justice Services Commissioner Rosanna Rosado said, "The horrific mass shooting in Buffalo ripped apart the social fabric of a neighborhood, a city, a state, and a nation. The devastation, loss, and trauma inflicted upon our neighbors, families, and loved ones by hate-fueled extremism cannot and shall not be in vain. We must listen to the voices of those most impacted and support them as they grieve, heal, and recover from tragedy. Following Governor Hochul's leadership, we must also act to confront hate and racism, prevent future violent extremism, and stop the illegal flow of guns into our communities. We stand with the Governor to help bring an end to the gun violence epidemic."

Division of Homeland Security and Emergency Services Commissioner Jackie Bray said, "Make no mistake - domestic terrorism driven by white supremacy and antisemitism is the preeminent threat to our homeland. This new unit within the Office of Counter Terrorism will strengthen the resources, focus and response that these threats and the poison fueling them demand."

State Police Superintendent Kevin P. Bruen said, "The State Police remains focused on working with our law enforcement partners at the local, state and federal level to fight gun violence and domestic terrorism. We appreciate the support of Governor Hochul and the legislature to further expand those efforts. No single law enforcement agency can solve these problems, it will require a combined effort across communities and even state boundaries to make progress."

Senator Kirsten Gillibrand said, "Saturday's shooting was an unfathomable tragedy that took the lives of 10 innocent New Yorkers. We have to do everything we can to help prevent this from happening again - that means keeping assault weapons off our streets and out of the hands of dangerous extremists and investigating the role online platforms are playing in spreading and promoting racist rhetoric. I thank Governor Hochul for taking this quick and decisive action and I will keep fighting at the federal level to pass commonsense gun reform,

combat extremism, and keep New Yorkers safe."

Representative Brian Higgins said, "The pain felt by families, workers, neighbors and the entire Buffalo community is something no other human or city should have to endure. Action is urgent and necessary. Governor Kathy Hochul is leading the way with comprehensive measures that begin to root out loopholes and better protect New Yorkers. This week the House of Representatives will follow suit by passing its own Domestic Terrorism Prevention bill. Together we must do everything possible to prevent the persistent presence of unnecessary tragedies like this."

State Senator Brad Hoylman said, "Passing comprehensive gun violence legislation is quite literally a matter of life or death for New Yorkers. We are battling one of the biggest issues of our time, and although our efforts today will not return the lives lost to the racist terrorist attack in Buffalo, we can help curb future gun violence through this package of bills. Our microstamping bill (S.4116A/A.7926) would require gun manufacturers and dealers to implement microstamping technology, which adds a trackable serial number to spent ammunition — and would help ensure public safety and prevent crime. I applaud Governor Hochul for addressing gun violence in this swift and effective manner, and I implore Albany to pass each bill before the end of session."

State Senator Brian Kavanagh said, "In the wake of the abhorrent, racist attack that sent shock waves throughout our state and our nation, I am proud to join Governor Kathy Hochul and our colleagues in government to take prompt action to protect New Yorkers against the insanity of gun violence. We will never fully rid our country of atrocities like this until the gun industry and their allies in Congress and in many states act responsibly and stop blocking laws that would stop the violence. But steps like the ones we're taking today are an important part of our ongoing commitment to doing everything we can here in New York. I want to thank Governor Hochul for her steadfast leadership in these extraordinarily

difficult times, and everyone who has joined the fight against the twin scourges of racist hatred and lethal violence."

Assemblymember Linda B. Rosenthal said, "The unspeakably tragic shooting in Buffalo this past weekend is an example of what can happen when extremists are empowered to spread their racist hate speech and execute evil plans to take innocent lives. In the wake of this attack on the Black community, New York State must lead in protecting against such radical and extremist conspiracy theories and continue to push for stricter gun laws that will protect our communities. As the sponsor of legislation that would require semiautomatic pistols sold in New York State to be capable of microstamping, I applaud Governor Hochul for her leadership and bold action to ensure that guns do not end up in the hands of those who aim to do harm. Once our microstamping legislation becomes law, law enforcement will have another tool to help track down perpetrators and stop the scourge of gun violence."

Assemblymember Jo Anne Simon said, "Thank you, Governor Hochul, for taking swift action to increase implementation of NY's Extreme Risk Protection Order. It is critical that New York do everything it possibly can to ensure the safety and well-being of our communities. This executive order will require training of police officers about ERPO and require that cases which meet the ERPO eligibility criteria be filed in the Supreme Court, which will save lives. ERPO helps prevent people from harming themselves or others, and I support strengthening its implementation."

Queens District Attorney Melinda Katz said, "Together we need to stop the proliferation of guns in our neighborhoods. This effort includes tracking their use, reducing the inventory and identifying those weapons used in shootings. The Governor's proposal continues to lead the State in that direction."

Bronx District Attorney Darcel D. Clark said, "The young gunman who allegedly massacred 10 people in the Buffalo supermarket because of they were Black was able to buy the assault weapon legally in this state, and he modified it with an illegal high capacity magazine. He had threatened to kill students at his high school last year, which local police investigated. The proposed law to expand the definition of firearm to "any other weapon" to include convertible assault weapons, and Governor Hochul's executive order requiring State Police to file for an Extreme Risk Protection Order (ERPO) under New York State's Red Flag Law whenever they have probable cause to believe that an individual is a threat to themselves or others will help in our fight to end mass shootings. Governor Hochul's Executive Order calling on State Police to establish a unit to track domestic violent extremism through social media is another measure that will help improve the safety of New Yorkers."

Reverend Al Sharpton said, "It is imperative that government and legislators take very seriously the threat of race-based domestic terrorism and do all within its power to confront it; just as in the history in this country, legislators and governors rose to the occasion whether it be Jim Crow laws, women rights laws, and LGBTQIA rights Laws. We must rise to the occasion now of dealing with race-based white supremacy domestic terrorism with legislation. We cannot just sympathize we must legislate and make laws."

New Yorkers Against Gun Violence Executive Director Rebecca Fischer said, "As gun violence and white supremacist-motivated shootings ravage our state and disproportionately impact Black and Brown New Yorkers, we are grateful that Governor Hochul is immediately taking action to save lives. The Governor's Executive Orders and legislative proposals will prevent mass shootings, suicide, domestic violence, and other gun violence plaguing our communities every day. Microstamping technology and crime gun reporting will address the gun trafficking crisis by holding rogue gun dealers accountable and helping to solve crimes. We are proud to stand with Governor Hochul today and applaud her for championing these life-

saving policies to protect New Yorkers."

Suffolk County Sheriff Errol D. Toulon, Jr. said, "Gun violence is at an all-time high and I applaud Governor Hochul for the proposal of these measures which I believe will help law enforcement track down the people committing these crimes and stop more of our residents from becoming victims."

Albany Police Chief Eric Hawkins said, "Senseless gun violence has had a devastating impact on communities across the State of New York. I thank Governor Hochul for continuing to ensure that law enforcement agencies have the tools and resources necessary to help address these ongoing challenges."

Brady President Kris Brown said, "While New York's gun violence prevention laws are among the strongest in the nation, common-sense fixes can help to make them stronger and help law enforcement more readily address and solve crimes. The policies that Governor Hochul announced today will both help refine New York's existing laws, such as the extreme risk law which could be more effectively implemented, and implement new, evidence-based solutions such as microstamping technology. These policies are common-sense. They will help to prevent future tragedies like the attack in Buffalo, keep families safe from gun violence in communities across the state, and have a positive ripple effect on states throughout the country."

Sheltering Arms CEO Elizabeth McCarthy said, "At Sheltering Arms, our hearts are with the residents of Buffalo as they recover from this tragedy. Gun violence and hate affect us all and it is important we confront these issues together. Our Rock Safe Streets team works to end gun violence in their community of Far Rockaway and we welcome the opportunity to work with our partners across the state to bring peace to every community in New York."

Southern Poverty Law Center's Chief of Staff Lecia Brooks said, "We greatly appreciate Governor Hochul speaking out so clearly and powerfully against hate and for her efforts to end these violent, racially motivated attacks against Black and Brown communities. Like many violent extremists, the alleged attacker in Buffalo was steeped in online radical white supremacist culture made possible by the broad perpetuation of hate on social media platforms. The efforts announced today will help shine a bright light into the dark corners of the web propelling action and preventing future horrific acts. For too long, these companies have put profits over the public good which must end. Social media companies themselves also need to do much more to enforce their own policies and protocols removing disinformation, hateful and violent content. We stand ready to assist with this ongoing effort."

March for Our Lives Policy Director Zeenat Yahya said, "As white supremacy continues to rear its ugly and deadly head, we need urgent action from our leaders to deny white supremacy safe harbor. We've long advocated for 'No Notoriety' for killers to prevent copycat shooters. It is clear now that 'No Notoriety' will also help stop white supremacy from festering. Governor Hochul's directive to investigate social media platforms' role will help do just that and, along with her push to close gun loopholes, is a lifesaving measure. These actions are proactive, not reactive, and we're pleased to see the governor commit to them."

Giffords Law Center to Prevent Gun Violence Deputy Chief Counsel David Pucino said, "The horrific mass shooting in Buffalo, and the hate that inspired it, are something we cannot and will not ever accept. Our hearts are with the survivors and those who lost loved ones to this senseless, despicable act, but our eyes are on the lawmakers in this country who must do more. Communities across New York are demanding that more be done to protect them from gun violence, and we thank Governor Hochul for answering that call with these critical actions."

SAVE East Harlem, GOSO, Director Omar Jackson said, "Far too often when a deadly tragedy occurs, our communities bear the brunt of the violence. Last weekend's tragic event in Buffalo reminds us that we need more resources to fight against the serious and growing public health crisis of gun violence and hate. SAVE works every day to fight against gun violence by building lines of communication with young people and it is critical that our society devote more resources to mental health care, condemning racism, reducing access to guns and pushing back against the hatred and violence that is threatening our communities."

Central Family Life Center, True 2 Life, Program Manager Mike Perry said, "We stand in solidarity with the families of the victims who were killed by senseless gun violence. We hope this tragic event pushes elected officials to act now and support Violence Prevention groups in NYC. Additionally, we look forward to working together to dismantle history inequities that lend to these types of violent acts."

Jacobi Medical Center, Stand Up to Violence, Executive Program Director Carjah Dawkins Hamilton said, The Stand Up to Violence program at NYC Health + Hospitals/ Jacobi stands with our affiliated SNUG program in Buffalo and the people of Buffalo during this difficult time. We continue in our dedication to standing up to the violence that plagues our community and condemn the racist ideologies that resulted in this tragedy. We are resolute in our continued mission to prevent violence from continuing to ravage our NY state communities.

Center for Court Innovation, SOS Save our Streets/RISE Project, Director Hailey Nolasco said, "As we are learning to adjust to a new normal as a result of the COVID-19 pandemic, it is an unfortunate reality that gun violence has been exacerbated due to the many underlying issues affecting our communities such as the effects of unprecedented unemployment, mental health challenges, and increased barriers to resources. Neighborhoods across New

York and the country are overwhelmed with the hurt and trauma that accompanies gun violence. This issue requires long-term investments in public safety centered in community that are multi-pronged and incorporate prevention and intervention. We must address the root causes of these challenges and ensure that young people most likely to use or be harmed by a gun are connected to credible messenger programs such as SOS Save our Streets and the NYC Crisis Management System."

Community Capacity Development, Executive Director and Founder, K. Bain said, "While the needless loss of any human life is tragic, the racist aspect of this attack against the Black Community in Buffalo is especially troubling. We cannot dismiss this as simply a depraved act of a deranged individual. We call upon the nation's leadership at all levels - and across political, religious, academic, business and community institutions - to immediately confront the historically rooted pattern of racially motivated, systemic violence directed particularly targeting Black, Brown, Asian and Indigenous people."

Life Camp CEO Erica Ford said, "LIFE Camp applauds Governor Hochul for her voice on hate crime and investment in gun violence eradication and we appeal for the state's investment to include culturally competent led groups and experts on the front line of healing & trauma recovery as well as diverse community violence intervention groups."

Everytown for Gun Safety President John Feinblatt said, "The essence of leadership is responding to tragedies like the mass shooting in Buffalo with real solutions, not just rhetoric, and that's exactly what Governor Hochul is doing by throwing her support behind these life-saving policies. We already have many of the tools we need to prevent gun violence — now we need to make sure law enforcement, mental health professionals, school administrators, and everyday New Yorkers know when to take them out of the toolbox and put them to use."

Everytown Survivor Fellow and volunteer with the New York chapter of Moms Demand Action whose son Ya-Quin English was shot and killed in 2013 and son Jermaine Hight was stabbed and killed in 2016 Pamela Hight said, "I'm grateful to Governor Hochul, who is standing up for survivors of gun violence like me. The shooting in Buffalo shook me to my core - the victims looked like me, lived like me and loved like me. Nothing can bring my babies back, but I am deeply grateful for Governor Hochul taking steps to help disarm hate and prevent more families from experiencing this same pain."