

1 **2022 NYSAC Fall Seminar**  
2 **Standing Committee on Public Safety**  
3 **Resolution #5**

4  
5 **Resolution Urging the State to Provide Counties with Funding to**  
6 **Administer Requirements of New Extreme Risk Order of Protection Law**

7  
8 **WHEREAS**, on June 6, 2022, Governor Hochul signed Chapter 208 of the Laws of  
9 2022, which requires district attorneys and their assistants and all police officers to file  
10 for an Extreme Risk Order of Protection when presented with credible facts that would  
11 indicate that there is probable cause to believe that an individual is likely to engage in  
12 conduct that will result in serious harm to themselves or others; and

13  
14 **WHEREAS**, the circumstances that trigger this obligation are all too common and are  
15 encountered on a nearly daily basis by police officers going about their routine course of  
16 business; and

17  
18 **WHEREAS**, applying for such an order and seeing the subsequent proceeding through  
19 to its successful conclusion is a time-consuming endeavor that many times requires legal  
20 expertise; and

21  
22 **WHEREAS**, sheriffs, district attorneys, county attorneys, and county clerks do not  
23 have staff and resources necessary to comply with this mandate as the State Legislature  
24 intended; and

25  
26 **WHEREAS**, in addition to staffing constraints, during the execution of these risk  
27 orders of protection, there is often a need for significant safe keeping storage with a  
28 physical structure for these weapons.

29  
30 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of  
31 Counties (NYSAC) calls on the State of New York to provide funding to support these  
32 new responsibilities that fall entirely on county governments because storage of these  
33 weapons has the potential to exceed the current timeframe for maintenance and  
34 preservation; and

35  
36 **BE IT FURTHER RESOLVED**, if it is truly the desire of the State to have these  
37 orders be used to prevent future gun violence, then it must provide mandatory  
38 petitioners with the support to do so; and

39  
40 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties of  
41 New York State encouraging member counties to enact similar resolutions; and

42  
43 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to  
44 the Governor of the State of New York, the New York State Legislature, and all others  
45 deemed necessary and proper.