



# State of New York

## Executive Chamber

No. 211

### EXECUTIVE ORDER

#### DECLARATION OF A STATE WIDE DISASTER EMERGENCY DUE TO GUN VIOLENCE

**WHEREAS**, gun violence poses a serious threat to the health and quality of life of all residents of the state of New York; and

**WHEREAS**, gun violence is reaching crisis levels: gun violence is the leading cause of premature death in the U.S. and gun injuries total \$280 billion in healthcare/societal costs annually; and

**WHEREAS**, since January 2021, gun violence is up 48% in New York City, 22% in Albany, 88% in Buffalo and 95% in Rochester; and

**WHEREAS**, urban communities in New York State are disproportionately affected by the direct and indirect consequences of gun violence; and

**WHEREAS**, urban communities in New York State typically experience a spike in gun violence in the summer months; and

**WHEREAS**, at least 50% of homicides and 55% of nonfatal shootings involve people associated with gangs or more loosely-affiliated "street groups"; and

**WHEREAS**, the cycle of escalatory gun provides insight into where future shootings will occur which allows an immediate crisis response; and

**WHEREAS**, the collection and analysis of data from local law enforcement agencies can help target state funds and services needed to reduce gun violence and save lives in communities with high rates of gun-related violence; and

**WHEREAS**, data collected can be utilized to support proven community violence intervention programs, summer employment opportunities and other investments known to reduce crimes and make our neighborhoods safer; and

**WHEREAS**, the state has an obligation to act in a manner consistent with the science and data on gun violence in order to prevent imminent and immediate harm to communities across the state; and

**WHEREAS**, the science and data suggest that deployment of more violence interrupters, and provision of summer employment programs will have an immediate ameliorative effect on the increased violence that has been occurring in these communities; and

**WHEREAS**, it is necessary to suspend certain provisions of law, rule or regulation which would otherwise hamper the efforts of the State to respond to this crisis;

**NOW, THEREFORE, I, ANDREW M. CUOMO**, Governor of the State of New York, by virtue of the authority vested in me by the Constitution of the State of New York and Section 28 of Article 2-B of the Executive Law, do hereby declare a State-wide disaster emergency effective July 6, 2021, and until further notice across New York State; and

**FURTHER**, I direct the creation of the Office of Gun Violence Prevention and the creation of the Governor's Council on Gun Violence Reduction and direct all relevant agencies to take appropriate action to protect State property and to assist affected local governments and individuals in responding to and recovering from this disaster, and to provide such other assistance as necessary to protect the public health, welfare and safety.

**FURTHER**, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, during a State disaster emergency, if compliance with such would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, I hereby suspend the following effective July 6 through August 5, 2021:

- Section 112 of the State Finance Law, so far as it applies to contracts, leases, licenses, permits or any other written agreements that may be entered into for purposes of mitigating such disaster emergency;
- Section 136-a of the State Finance Law so far as it applies to contracts, leases, licenses, permits or any other written agreements that may be entered into for purposes of mitigating such disaster emergency;
- Section 139-d of the State Finance Law so far as it applies to contracts, leases, licenses, permits or any other written agreements that may be entered into for purposes of mitigating such disaster emergency;
- Section 139-i of the State Finance Law so far as it applies to contracts, leases, licenses, permits or any other written agreements that may be entered into for purposes of mitigating such disaster emergency;
- Section 139-j of the State Finance Law so far as it applies to contracts, leases, licenses, permits or any other written agreements that may be entered into for purposes of mitigating such disaster emergency;
- Section 139-k of the State Finance Law so far as it applies to contracts, leases, licenses, permits or any other written agreements that may be entered into for purposes of mitigating such disaster emergency;
- Section 163 of the State Finance Law so far as it applies to contracts, leases, licenses, permits or any other written agreements that may be entered into for purposes of mitigating such disaster emergency;
- Section 163-a of the State Finance Law so far as it applies to contracts, leases, licenses, permits or any other written agreements that may be entered into for purposes of mitigating such disaster emergency;
- Any rules, regulations or guidelines established pursuant to, in conformity with, or for purposes of implementing any of the aforementioned provisions of law;
- Any other provision of any New York State statute, local law, ordinance, orders, rules or regulations, or parts thereof, that may apply to contracts, leases, licenses, permits, program or operational plans, or any other written agreements that may be entered into for purposes of mitigating such disaster emergency; and
- Subdivision twelve of section eight hundred and thirty seven of the Executive Law is modified insofar as to require that all primary police departments in Gun Involved Violence Elimination (G.I.V.E.) jurisdictions: Albany, Buffalo, Hempstead, Mount Vernon, Nassau County, Newburgh, New York City, Niagara Falls, Poughkeepsie, Rochester, Schenectady, Suffolk County, Syracuse, Troy, Utica, Yonkers, Binghamton City, Jamestown City, Kingston City and Spring Valley Village shall be polled by Division of Criminal Justice Services (DCJS) weekly for the following data: shooting incidents, shooting victims and individuals killed by gun violence. All departments shall be surveyed for the following incident-level data: date, time, location, victim age, victim sex and victim race and where an arrest has been made, perpetrator age, perpetrator sex and perpetrator race.



BY THE GOVERNOR

*[Signature]*  
Secretary to the Governor

GIVEN under my hand and the Privy Seal of the State  
in the City of Albany this sixth day of  
July in the year two thousand twenty-one.

*[Signature]*