

# MEDICAL SOCIETY of the STATE OF NEW YORK

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**On Senate Codes Committee Agenda  
On Assembly Codes Committee Agenda**

**On Senate Judiciary Committee Agenda  
On Assembly Codes Committee Agenda**

*Division of Governmental Affairs*

## **MEMORANDUM IN SUPPORT**

**S. 2374 (GIANARIS)  
A.2690 (PAULIN)**

**AN ACT to amend the penal law and the general business law in relation to establishing an extension of time of up to thirty calendar days for national instant background checks**

**S. 2448 (SEPULVEDA)  
A.2684 (FAHY)**

**AN ACT to amend the penal law, in relation to prohibiting the possession, manufacture, transport and disposition of rapid-fire modification devices**

**S. 2451 (KAVANAGH)  
A. 2680 (SIMON)**

The Medical Society of the State of New York believes that gun violence in the United States is a public health crisis. The above cited measures would be important steps to assist in mitigating this violence in the country and within New York State. The Medical Society strongly supports these measures.

Physicians often see patients at risk of firearm injury and death, including patients at risk of suicide. Physicians believe that certain steps must be taken to ensure the health and safety of patients. The Giffords Law Center to Prevent Gun Violence found that New York State annually averages 432 gun-related homicides, 1,499 nonfatal shootings, and 105 accidental shootings. The NYSDOH also reports that between 2013 and 2015, there were 4,931 suicides in the state, of which 1,343 or 27.2%, involved firearms.

In March 2018, the MSSNY House of Delegates took action to support legislation that requires a waiting period and background checks prior to the purchase of all firearms, including the person-to-person transfer, internet sales, and interstate transactions for all firearms. The MSSNY HOD also supported legislation that blocks the sale of any device or modification, including but not limited to bump stocks, which convert a firearm into a weapon that mimics fully-automatic operation. MSSNY supports legislation that would ban the sale and/or ownership of high-capacity magazines or clips and high-speed, high-destruction rounds. (MSSNY Policy 260.898 and Policy 260.899) Furthermore, MSSNY believes that gun violence in the United States is a public health crisis and supports federal efforts to reverse the ban that prohibits the Center for Disease Control from researching gun-related injuries, deaths, and suicides related to this violence.

In January 2019, the MSSNY Task Force on Firearm Safety also recommended that the Medical Society support the concept of "red flag" provisions. This legislation would allow establish an Extreme Risk Protection Order (ERPO) which is an order of protection prohibiting certain person from purchasing, possessing or attempting to purchase or possess a firearm, rifle or shotgun. Under the measure, a police officer, a family or household member, a school administrator or his/her designee, can request a court-issued order of protection when it is

believed that a person has threatened or committed an act of violence towards themselves or others, or situations where an order of protection has been violated, or where there is a pending charge or conviction for an offense involving the use of a weapon. When a person is in crisis, loved ones and law enforcement are often the first to see the warning signs. This legislation would empower those who recognize signs of danger to petition for a court order that temporarily removes a person's access to guns if they are likely to use them to harm themselves or others.

***For the above reasons, the Medical Society of the State of New York supports this measure and urges its enactment.***

***Respectfully submitted,***

***MSSNY Division of Governmental Affairs***

***PFC/Support 1/28/19***