

RESOLUTION SAFE ACT (As Amended 9/21/14)

WHEREAS, magistrates, by virtue of their duties, exposure and publicity are particularly vulnerable to acts of violence from criminal elements of society with whom magistrates routinely interact; and

WHEREAS, the heightened risk faced by magistrates has been recognized and acknowledged by the New York State Legislature in the enactment of section 120.09 of the Penal Law; and

WHEREAS, the New York State Magistrates Association views certain provisions of the Secure Ammunition and Firearms Enforcement Act of 2013 (S.A.F.E. Act) as curtailing the rights and abilities of law-abiding individuals to utilize firearms in lawful self-defense; and

WHEREAS, the New York State Legislature has implicitly acknowledged the limitations otherwise imposed by the S.A.F.E. Act upon those charged with upholding the law by providing certain exemptions for law enforcement and retired law enforcement;

NOW, THEREFORE, BE IT RESOLVED, that the New York State Magistrates Association calls on the Governor and members of the State Legislature to support legislation extending the S.A.F.E. Act law enforcement exemptions to judges and retired judges (as defined by section 120.09 of the Penal Law) within the State; and be it further

RESOLVED, that the New York State Magistrates Association further calls on the Governor and members of the State Legislature to support legislation extending the term of any pistol permit held by a retired judge or by a judge (as defined by section 120.09 of the Penal Law) for the duration of the judge's term in office, unless suspended or revoked for misconduct; and prohibiting any licensing officer from imposing any carry restrictions upon any judge or retired judge, absent a finding of past or present misconduct.