

**A RESOLUTION SUBMITTED BY
LEGISLATORS MILLS, TODARO, GREENE, AND LORIGO**

EC LEG MAR 19 '25 PM 3:39

Re: Rescinding New York State Executive Order No. 47.3 banning the hiring of corrections officers by local governments

WHEREAS, New York State has terminated over 2,000 New York State Corrections Officers following a state-wide strike of officers fighting for improved working conditions within state prisons; and

WHEREAS, New York State was already suffering from a shortage of corrections officers to adequately staff state prisons; and

WHEREAS, Governor Kathy Hochul has issued Executive Order No. 47.3 which forbids state agencies and local governments from appointing, transferring, or promoting any corrections officer who was involved in the strike; and

WHEREAS, many local municipalities are suffering from shortages of corrections staff in their own jail systems and could benefit from additional trained and experienced officers to relieve such shortages; and

WHEREAS, due to the execution of this order, New York State will suffer even further from staffing shortages in state prisons which will only exacerbate the poor conditions that led to the strike in the first place; and

WHEREAS, to date, Oneida, Rensselaer and Chemung Counties have filed lawsuits against New York State over this ban on hiring the terminated corrections officers, arguing that the executive order violates home rule for local governments; and

WHEREAS, despite Governor Hochul's executive order having a sunset date of April 9, 2025 for the provision to prohibit corrections officers from seeking employment by local governments across New York, the Erie County Department of Personnel has issued a memorandum establishing permanent enforcement of this order.

NOW, THEREFORE BE IT

RESOLVED, that the Erie County Legislature calls upon Governor Kathy Hochul to immediately rescind the sections of Executive Order No. 47.3 pertaining to the appointment, transfer, and promotion of state corrections officers; and be it further

RESOLVED, that the Erie County Legislature directs County Executive Mark Poloncarz and Personnel Commissioner Brian Bray to rescind the personnel policy related to Executive Order No. 47.3; and be it further

RESOLVED, that the Erie County Legislature directs the County Attorney to join Oneida, Rensselaer and Chemung Counties in their respective lawsuits to protect our county from potential gubernatorial overreach; and be it further

RESOLVED, that certified copies of this resolution be forwarded to Governor Kathy Hochul, Erie County Executive Mark Poloncarz, Sheriff John Garcia, the County Attorney, the Erie County Department of Personnel, and any other party deemed necessary and proper.