

# EXECUTIVE ORDERS

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**Executive Order No. 147.20: Amendment to Executive Order 147 - A Special Prosecutor to Investigate and Prosecute Matters Relating to the Deaths of Civilians Caused by Law Enforcement Officers.**

In view of the request of Attorney General Barbara D. Underwood, my order and requirement, embodied in Executive Order Number one hundred and forty-seven, dated July 8, 2015, is hereby amended to include an additional paragraph to the penultimate paragraph as amended by Executive Order Numbers 147.1 - 147.19 to read as follows:

FURTHER, the requirement imposed on the Special Prosecutor by this Executive Order shall include the investigation, and if warranted, prosecution:

(t) of any and all unlawful acts or omissions or alleged unlawful acts or omissions by any law enforcement officer, as listed in subdivision 34 of section 1.20 of the Criminal Procedure Law, arising out of, relating to or in any way connected with the death of Jaime Roderigo Lopez-Cabrera, on September 25, 2018, in Dutchess County.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this twenty-sixth day of November in the year two thousand eighteen.  
*BY THE GOVERNOR*  
/s/ Andrew M. Cuomo  
/s/ Melissa DeRosa  
*Secretary to the Governor*

**Executive Order No. 147.21: Amendment to Executive Order 147 - A Special Prosecutor to Investigate and Prosecute Matters Relating to the Deaths of Civilians Caused by Law Enforcement Officers.**

In view of the request of Attorney General Barbara D. Underwood, my order and requirement, embodied in Executive Order Number one hundred and forty-seven, dated July 8, 2015, is hereby amended to include an additional paragraph to the penultimate paragraph as amended by Executive Order Numbers 147.1 - 147.20 to read as follows:

FURTHER, the requirement imposed on the Special Prosecutor by this Executive Order shall include the investigation, and if warranted, prosecution:

(u) of any and all unlawful acts or omissions or alleged unlawful acts or omissions by any law enforcement officer, as listed in subdivision 34 of section 1.20 of the Criminal Procedure Law, arising out of, relating to or in any way connected with the death of Gerard Roldan on November 9, 2018, in Schoharie County.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this twenty-sixth day of November in the year two thousand eighteen.  
*BY THE GOVERNOR*  
/s/ Andrew M. Cuomo  
/s/ Melissa DeRosa  
*Secretary to the Governor*

**Executive Order No. 168.19: Continuing the Declaration of a Disaster Emergency in the Five Boroughs of New York City and the Counties of Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk and Westchester that Incorporate the MTA Region in the State of New York.**

WHEREAS, pursuant to Executive Order No. 168, a disaster has heretofore been declared in the five boroughs of New York City and the Counties of Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk and Westchester that incorporate the Metropolitan Transportation Authority (MTA) Region in the State of New York due to increasingly constant and continuing failures of the tracks, signals, switches and other transportation infrastructure throughout the system including at Pennsylvania Station located in the County of New York (Penn Station), that have resulted in various subway derailments, extensive track outages, and substantial service disruptions impacting the health and safety of hundreds of thousands of riders;

WHEREAS, the ongoing failures of the tracks, signals, switches and other transportation infrastructure throughout the MTA's rail and subway system continue to pose an imminent threat and have a vast and deleterious impact on the health, safety, and livelihood of commuters, tourists, resident New Yorkers, as well as business and commerce in the Metropolitan Commuter Transportation District (MCTD), which is the recognized economic engine of the State of New York, and thereby have adversely affected the New York State economy;

WHEREAS, the track outages and service disruption necessary to implement the Amtrak Repair Program, and other repairs necessary to fix tracks, signals, switches and other transportation infrastructure throughout the MTA's rail and subway system continue to be necessary to protect the public, health and safety of commuters, tourists, resident New Yorkers, and will continue to worsen the transportation disaster emergency that currently exists due to the condition of Penn Station and the MTA's rail and subway system as a whole; and,

WHEREAS, it continues to be necessary for the MTA and its subsidiaries and affiliates to take significant and immediate action to assist in the repair of the tracks, signals, switches and other transportation infrastructure and in the mediation of such track outages and service disruptions due to this disaster emergency;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the Laws of the State of New York, do hereby extend the state disaster emergency declared pursuant to Executive Order No. 168 and extend all of the terms, conditions, and directives of Executive Order No. 168 and the terms, conditions, and directives for any extensions of the same for the period from the date that the disaster emergency was declared pursuant to Executive Order No. 168 until January 12, 2019; provided that the temporary suspension of any laws, rules, regulations or guidelines pursuant to this and any future extensions of Executive Order 168 shall apply to the extent the Chairman of the MTA or his designee, which shall only include the MTA's President or Managing Director, determines it necessary for the purposes of awarding any contracts, leases, licenses, permits or any other written agreement that may be entered into to mitigate such disaster emergency.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this Thirteenth day of December in the year two thousand eighteen.

BY THE GOVERNOR  
/S/ Andrew M. Cuomo  
/s/ Melissa DeRosa  
*Secretary to the Governor*

**Executive Order No. 188.3: Extending the Protection of School Children From Speeding Vehicles in School Zones Within the City of New York.**

WHEREAS, in 2013 I signed into law Chapter 189 of the Laws of 2013, codified at N.Y. Vehicle and Traffic Law § 1180-b, to develop a system to advance school zone highway safety by use of camera technology to record and enforce speeding violations;

WHEREAS, in 2014, I signed into law an amendment to the above-referenced law authorizing the deployment of speed cameras in 140 school zones throughout the City of New York;

WHEREAS, the New York State Senate adjourned the 2018 legislative session without having acted to extend the aforementioned laws, and has yet to return to act on the same, which, without necessary emergency action taken by the NYC Council, NYC Mayor and the Executive, would have ended a program that has demonstratively and successfully protected school children, families and educators through the use of camera technology to record and enforce speeding violations in school zones;

WHEREAS, it is unacceptable to place school children at risk of serious physical harm and death in the very same places where they are to be educated, cared for, and protected, and that such school children have the right to safely access schools for the purposes of education and enrichment;

WHEREAS, based upon the foregoing, the New York State Police and the New York State Department of Transportation believe that the termination of New York City's speed camera program would result in an eminent disaster emergency that places at risk the health and safety of school children, parents, educators, school employees and volunteers within the City of New York, as well as other pedestrians, and will result in a needless increase in pedestrian fatalities and serious injuries;

WHEREAS, New York City schools are now open and have thus experienced a dramatic increase in the number of children and pedestrians in their zones; and

WHEREAS, the Mayor of New York and City Council have taken actions evidencing the local government's belief that children are in imminent danger and that a public safety emergency exist without this respective program.

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and Laws of the State of New York, do hereby extend the state of disaster emergency declared pursuant to Executive Order No. 188 and extend all of the terms, conditions, and directives of Executive Order No. 188 for the period from the date that the disaster emergency was declared pursuant to Executive Order No. 188 until December 21, 2018.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this twenty-first day of November in the year two thousand eighteen.  
BY THE GOVERNOR  
/S/ Andrew M. Cuomo  
/s/ Melissa DeRosa  
*Secretary to the Governor*

**Executive Order No. 188.4: Extending the Protection of School Children From Speeding Vehicles in School Zones Within the City of New York.**

WHEREAS, in 2013 I signed into law Chapter 189 of the Laws of 2013, codified at N.Y. Vehicle and Traffic Law § 1180-b, to develop a system to advance school zone highway safety by use of camera technology to record and enforce speeding violations;

WHEREAS, in 2014, I signed into law an amendment to the above-referenced law authorizing the deployment of speed cameras in 140 school zones throughout the City of New York;

WHEREAS, the New York State Senate adjourned the 2018 legislative session without having acted to extend the aforementioned laws, and has yet to return to act on the same, which, without necessary emergency action taken by the NYC Council, NYC Mayor and the Executive, would have ended a program that has demonstratively and successfully protected school children, families and educators through the use of camera technology to record and enforce speeding violations in school zones;

WHEREAS, it is unacceptable to place school children at risk of serious physical harm and death in the very same places where they are to be educated, cared for, and protected, and that such school children have the right to safely access schools for the purposes of education and enrichment;

WHEREAS, based upon the foregoing, the New York State Police and the New York State Department of Transportation believe that the termination of New York City's speed camera program would result in an eminent disaster emergency that places at risk the health and safety of school children, parents, educators, school employees and volunteers within the City of New York, as well as other pedestrians, and will result in a needless increase in pedestrian fatalities and serious injuries;

WHEREAS, New York City schools are now open and have thus experienced a dramatic increase in the number of children and pedestrians in their zones; and

WHEREAS, the Mayor of New York and City Council have taken actions evidencing the local government's belief that children are in imminent danger and that a public safety emergency exist without this respective program.

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and Laws of the State of New York, do hereby extend the state of disaster emergency declared pursuant to Executive Order No. 188 and extend all of the terms, conditions, and directives of Executive Order No. 188 for the period from the date that the disaster emergency was declared pursuant to Executive Order No. 188 until January 20, 2019.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this twenty first day of December in the year two thousand eighteen.  
BY THE GOVERNOR  
/S/ Andrew M. Cuomo  
/s/ Melissa DeRosa  
*Secretary to the Governor*

**Executive Order No. 191: Declaring an Emergency in Order to Appoint New Jersey and Connecticut Police Officers as Railroad Police Officers to Provide Enhanced Security on Commuter Trains, Buses, and Ferries.**

WHEREAS, the holiday season is a time of heightened alert and increased risk of terrorist attack as terrorists typically consider significant, symbolic dates when planning attacks, with the objective of inflicting mass casualties and maximizing the economic and psychological damage to the United States, as evidenced by the November 2010 plot to bomb a holiday tree lighting ceremony in Portland, Oregon by a homegrown violent extremist; the December 2010 attack on a market filled with Christmas shoppers in Stockholm, Sweden by a suicide bomber; the December 2010 arrests in the United Kingdom of 12 individuals plotting to conduct attacks during the holiday season; the December 2016 attack in Berlin where a truck was driven into a crowd of people located at the Christmas market next to the Kaiser Wilhelm Memorial Church; the 2016 nightclub attack in Istanbul that left 39 people dead during a New Year's Eve celebration in 2016; the December 2017 bombing in a tunnel in New York City's Port Authority Bus Terminal, which was inspired by the Islamic State in Iraq and

Syria (“ISIS”) Christmas propaganda and conducted after the attacker saw holiday-themed posters on the tunnel walls; the continued threats issued in 2018 by pro-ISIS social media users calling for ISIS supporters to conduct attacks during the upcoming holiday season; and the December 2018 active shooter attack by a terrorist at a popular Christmas Market in Strasbourg, France, which killed 5 and injured at least 11 more;

WHEREAS, New York State has been subjected to terrorist attacks and plots, including the World Trade Center bombing in 1993; the attacks on the World Trade Center on September 11, 2001; the Brooklyn Bridge Plot in 2003; the Financial Centers Plot in 2004 targeting the New York Stock Exchange and Citigroup Center in New York City and the Prudential Plaza in Newark, New Jersey; the 2007 plot to blow up jet fuel supply tanks and the pipeline that fed the tanks located underneath the John F. Kennedy International Airport; the May 2009 plot to bomb a Bronx synagogue and the Stewart Air National Guard Base; the failed plot of Faisal Shahzad in May 2010; the May 2011 plot by Ahmed Ferhani and Mohamed Mamdouh to bomb New York City Synagogues, during which Ferhani and Mamdouh discussed additional targets in New York City, including churches and the Empire State Building; the October 2012 foiled attempt by Quazi Mohammad Rezwaniul Ahsan Nafis to detonate a 1,000 pound car bomb outside the Federal Reserve Bank of New York in Lower Manhattan; the planned attacks by Quazi and his brother in November 2012 directed at landmarks in New York; the 2014 indictment of Mufid Elfgeeh, a Rochester resident who is alleged to have provided material support to ISIS; the September 2016 attack in New York City involving a pressure cooker style bomb that injured more than 30 people and involved additional detonated and undetonated devices; the October 2017 attack in Lower Manhattan involving Sayfullo Saipov, who drove a rented Home Depot truck down a bike path killing eight people and injuring 12; the October 2018 plot by a Rockland County man to detonate a 200 pound explosive device on Election Day; and the October 2018 package bombs that were sent to multiple locations in New York, including CNN’s Headquarters in New York City and a Westchester residence. All of these examples demonstrate that terrorists continue to pose a persistent threat to the State of New York;

WHEREAS, while there is no known confirmed threat to the New York metropolitan area, New York transportation systems have been repeatedly targeted by terrorists, including: the previously mentioned 2017 Port Authority Bombing; the 2016 plot by three men planning to conduct bombings and shootings in Times Square and within the City’s subway system during the month of Ramadhan on behalf of ISIS; the 2013 al-Qa’ida - directed plot to derail a passenger train traveling from Toronto to New York; the Zazi plot against New York City subways in 2009; the 2008 plot by Bryant Neal Vinas aimed at the Long Island Railroad; the 2006 plot to bomb the Port Authority-Trans Hudson (PATH) train tunnels; and the 2004 plot to bomb Herald Square in Manhattan. The targeting of transportation systems by terrorist groups is further demonstrated by the bombing on the Saint Petersburg Metro in Russia and the Parsons Green tube station in London, England in 2017; the bombings at an airport and metro station in Brussels, Belgium in 2016; and coordinated bombings across London’s mass transit system in 2005 and in Madrid in 2004;

WHEREAS, hundreds of thousands of commuters travel between the states of New York, New Jersey, and Connecticut via mass transit systems that include interstate rail, bus, and ferry systems accessible to the public, and enhanced law enforcement presence on these conveyances is prudent to protect public safety;

WHEREAS, on September 24, 2014, in response to heightened concerns of terrorist activities, New York State and New Jersey formalized a counterterrorism partnership through a Memorandum of Understanding whereby additional security measures and protocols were agreed upon in an effort to bolster the security posture of the Bi-State Region;

WHEREAS, the ISIS continues to use social media sites to repeatedly call on sympathizers to carry out attacks within the United States and Western countries in any manner or way;

WHEREAS, 130 people were murdered and 352 people were injured in multiple, simultaneous terrorist attacks in Paris, France on

November 13, 2015; and at least 20 people were murdered in a November 20, 2015 terrorist attack in Bamako, Mali; 32 people were killed and more than 300 people were injured after three coordinated suicide bombings at an airport and metro station in Brussels, Belgium on March 22, 2016; 86 people were murdered and 434 people were injured after a terrorist attack on a Bastille Day celebration in Nice, France on July 14, 2016; 5 people were murdered and 49 more injured on the Westminster Bridge and area outside of the Parliament Building in a vehicle and knife attack in London, England on March 22, 2017; 5 people were murdered and 14 people were injured in a truck attack in Stockholm, Sweden on April 7, 2017; 22 people were murdered outside of Manchester Arena in Manchester, England on May 22, 2017; 8 people were murdered and 48 people injured during an attack on and around London Bridge in London, England on June 3, 2017; 16 people were murdered and 152 people were injured in multiple attacks involving vehicles, knives and explosives in Las Ramblas, Barcelona and Cambrils in Catalonia, Spain between August 17 and 18, 2017; 4 people were murdered and 16 people were injured in March 2018 during an ISIS-inspired active shooter attack and hostage situation in Trebes, France; and authorities in the Netherlands foiled a complex coordinated attack in September 2018 by arresting seven men who planned to target a mass gathering event with firearms and explosives;

WHEREAS, 49 people were murdered and 53 people were injured in a terrorist attack on the Pulse Nightclub in Orlando, Florida on June 12, 2016; 11 people were injured in a terrorist attack perpetrated by Abdul Artan at the Ohio State University on November 28, 2016; threats were issued in 2016 involving the 90th Annual Macy’s Thanksgiving Day Parade in New York City; 58 people were murdered and 546 people were injured during a mass shooting in Las Vegas on October 1, 2017; 26 people were murdered and 20 people were injured in a church shooting in Sutherland Springs, Texas on November 5, 2017; 2 people were murdered and 5 were injured in March 2018 after several package bombs were sent indiscriminately to residents of Texas; 11 people were murdered and 6 people were injured in an anti-Semitic active shooter attack in October 2018 at the Tree of Life Synagogue in Pittsburgh, Pennsylvania; and 12 people were murdered and more than 20 people were injured in a November 2018 shooting at a restaurant in Thousand Oaks, California;

WHEREAS, ISIS has released a propaganda video containing images of New York City purportedly under attack;

WHEREAS, various terrorist groups continue to issue threats in an attempt to motivate homegrown terror attacks in the United States;

WHEREAS, New York’s sister states, Connecticut and New Jersey, have agreed to deploy police officers to provide increased security on commuter trains, buses, and ferries going in and out of New York State;

WHEREAS, sworn members of the Connecticut State Police, sworn police officers of any county or municipality in the State of Connecticut, sworn members of the New Jersey State Police, and sworn police officers of any county or municipality in the State of New Jersey are restricted in their law enforcement authority once such a conveyance crosses the jurisdictional boundary between Connecticut and New York or between New Jersey and New York;

WHEREAS, New York, New Jersey, and Connecticut are all members of the Emergency Management Assistance Compact (EMAC), which allows for mutual assistance and resource sharing among sister states;

WHEREAS, the EMAC provides that emergency forces from the sending state, while operating within the jurisdictional boundaries of the receiving state pursuant to the compact, shall have the same powers (except that of arrest, unless specifically authorized by the receiving state), duties, rights and privileges as are afforded forces of the receiving state in which they are performing emergency services;

WHEREAS, to utilize the police resources provided by New York’s sister states, New York State must confer police officer powers, including arrest powers, on such officers while they are within its geographic jurisdiction;

WHEREAS, Section 88 of the Railroad Law authorizes the Superintendent of the State Police to appoint any person as a railroad police

officer only under prescribed circumstances and subject to certain limitations;

*Secretary to the Governor*

WHEREAS, if such circumstances and limitations were applied to sworn members of the Connecticut State Police, sworn police officers of any county or municipality in the State of Connecticut, sworn members of the New Jersey State Police, and sworn police officers of any county or municipality in the State of New Jersey who are serving as railroad police officers from 12:01 A.M. on December 25, 2018 through 12:01 A.M. on January 2, 2019, such application would prevent, hinder, and delay action necessary to respond to a terrorist attack or a threat thereof; and

WHEREAS, Section 29-a of the Executive Law authorizes the suspension, alteration and modification of statutes, local laws, ordinances, orders, rules or regulations, or parts thereof, if compliance with such provisions would prevent, hinder or delay action necessary to cope with a disaster emergency and the inclusion of any other terms and conditions.

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the Laws of the State of New York, do hereby find that a disaster may be imminent to which the affected local governments are unable to respond adequately without assistance. Therefore, pursuant to 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, I hereby declare a State Disaster Emergency effective December 25, 2018;

FURTHER, pursuant to the authority vested in me by Section 29-a of the Executive Law to temporarily suspend and modify specific provisions of any statute, local law, ordinance, order, rule or regulation, or parts thereof, of any agency during a State Disaster Emergency, if compliance with such provisions would prevent, hinder or delay action necessary to cope with the disaster, I hereby temporarily suspend and modify, for the period from 12:01 AM on December 25, 2018 until 12:01 AM on January 2, 2019, the following laws for purposes of appointment of sworn members of the Connecticut State Police, sworn police officers of any county or municipality in the State of Connecticut, sworn members of the New Jersey State Police, and sworn police officers of any county or municipality in the State of New Jersey as Railroad Police;

FURTHER, Subdivision 1 of Section 88 of the Railroad Law insofar as it requires the Superintendent of the State Police to appoint railroad police officers only upon the application of a corporation, express company, or steamboat company, is modified to the extent necessary to allow the Governor to appoint, and I do hereby appoint, sworn members of the Connecticut State Police, sworn police officers of any county or municipality in the State of Connecticut, sworn members of the New Jersey State Police, and sworn police officers of any county or municipality in the State of New Jersey as railroad police officers, and to include all rail and bus facilities and property owned, operated or in the custody or control of the Port Authority of New York and New Jersey or its subsidiaries, the Metropolitan Transit Authority or its subsidiaries, New Jersey Transit or its subsidiaries, and ferries certified to carry passengers to and from New York State; and Subdivisions 2 through 17 of Section 88 of the Railroad Law, as necessary to effectuate this Order; and

FURTHER, this Order shall take effect at 12:01 AM on December 25, 2018 and shall remain in effect until 12:01 AM on January 2, 2019, and any be extended, with further notice consistent with section 29-a of the Executive Law, upon consideration of a continued heightened alert of terrorist attack, at which time the suspension of laws may be extended upon consideration of a continued heightened alert of terrorist attack.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this twenty fourth day of December in the year two thousand eighteen.

*BY THE GOVERNOR*

/S/ Andrew M. Cuomo

/s/ Melissa DeRosa