

Suffolk County Sheriff's Office Domestic Violence Bureau: Orders Of Protection



Dr. Errol D. Toulon, Jr. Suffolk County Sheriff



Dr. Errol D. Toulon, Jr.

Suffolk County Sheriff

Dr. Errol D. Toulon, Jr. was elected as the 67th Sheriff in 2017 and is the county's first African American to be elected into a non-judicial countywide office. He spent 22 years as a Uniformed Member of the NYCDOC and retired as the Deputy Commissioner of Operations. As Suffolk's highest-ranking law enforcement official, he serves and protects our residents through innovative programs to reduce crime and recidivism, eradicate the drug epidemic, and work to put an end to human trafficking. Sheriff Toulon has his Doctorate in Educational Administration, a Masters in Business Administration.

What are the responsibilities of the Domestic Violence Bureau (DVB)?

Responsibilities:

- Service and enforcement of Orders of Protection (OP) in Suffolk County
- Arrest individuals charged with violating an OP and those with family offense related warrants
- Service and enforcement of Extreme Risk Protection Orders, also known as Red Flag Laws
- Maintaining a countywide OP database

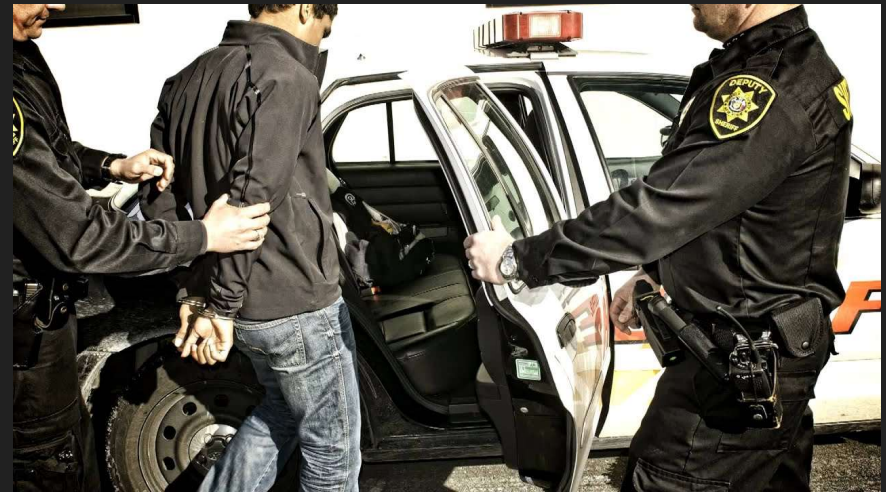
Mission:

- DVB provides victims with safe refuge by removing batterers from the home, seizing weapons, and executing arrest warrants against the perpetrators of domestic violence
- DVB works closely with domestic violence agencies both on the private and public level to assist the victims of domestic violence



DVB Personnel

- Administrative Captain
- Two Deputy Sheriff Lieutenants
- Five Deputy Sheriff Sergeants
- Nineteen Deputy Sheriffs
- Extreme Risk Protection Order Squad
- Criminal Contempt Unit





- An Order of Protection (OP) is a court order requiring one person to do, or not to do certain things if a crime is committed
- Protected Party- individual who filed for an OP
- Respondent- individual who is restricted by the OP
- Stay-away orders of protection require the respondent to have no contact directly or through a third party
- Refrain from orders of protection can have contact but must refrain from committing family offenses, criminal offenses, or engaging in other prohibited behaviors

How to File for an Order of Protection

- Family Court: If a family offense is committed a Family Court judge can issue an OP
- You can file for a Family Court OP on your own or with the help of an advocate
- Criminal Court: If a criminal offense was committed a judge may issue an OP
- Supreme Court: a judge may issue an OP as a part of a divorce order

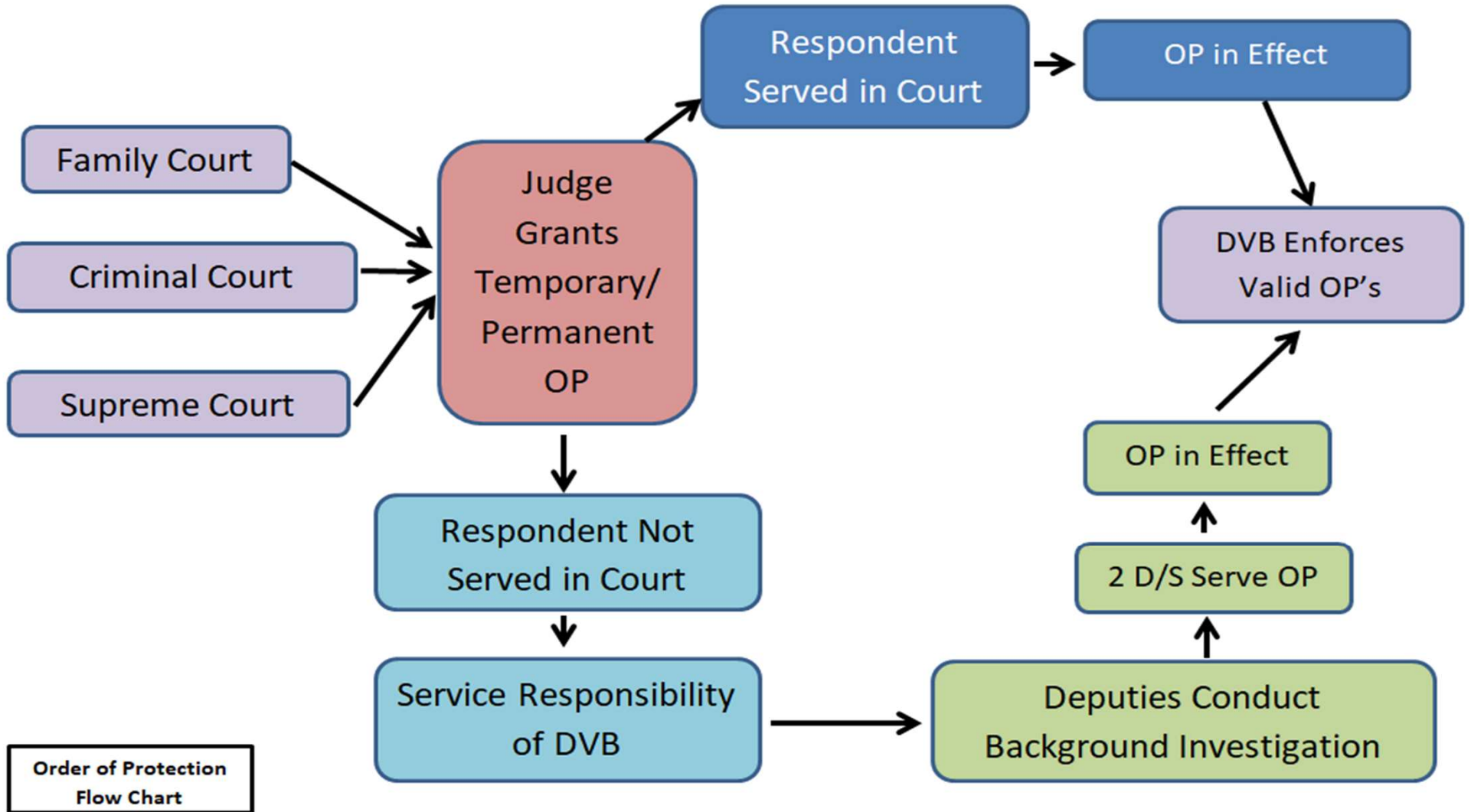


Orders of Protection Service

- An OP is served by the issuing judge in court
- If a respondent is not served in court, they are served by DVB Deputy Sheriffs
- OPs are not valid until the respondent is served
- Family Court OPs can last from 2 - 5 years
- Criminal Court OPs can last up to 8 years
- Supreme Court OPs related to a divorce are permanent



Orders of Protection Flow Chart



Orders of Protection Service

- Individuals who violate OPs have committed Criminal Contempt
- Individuals with a warrant for Criminal Contempt are investigated, found, and arrested by Criminal Contempt Unit Deputy Sheriffs
- Criminal Contempt Deputy Sheriffs operate unmarked cars in plain clothes to increase their success

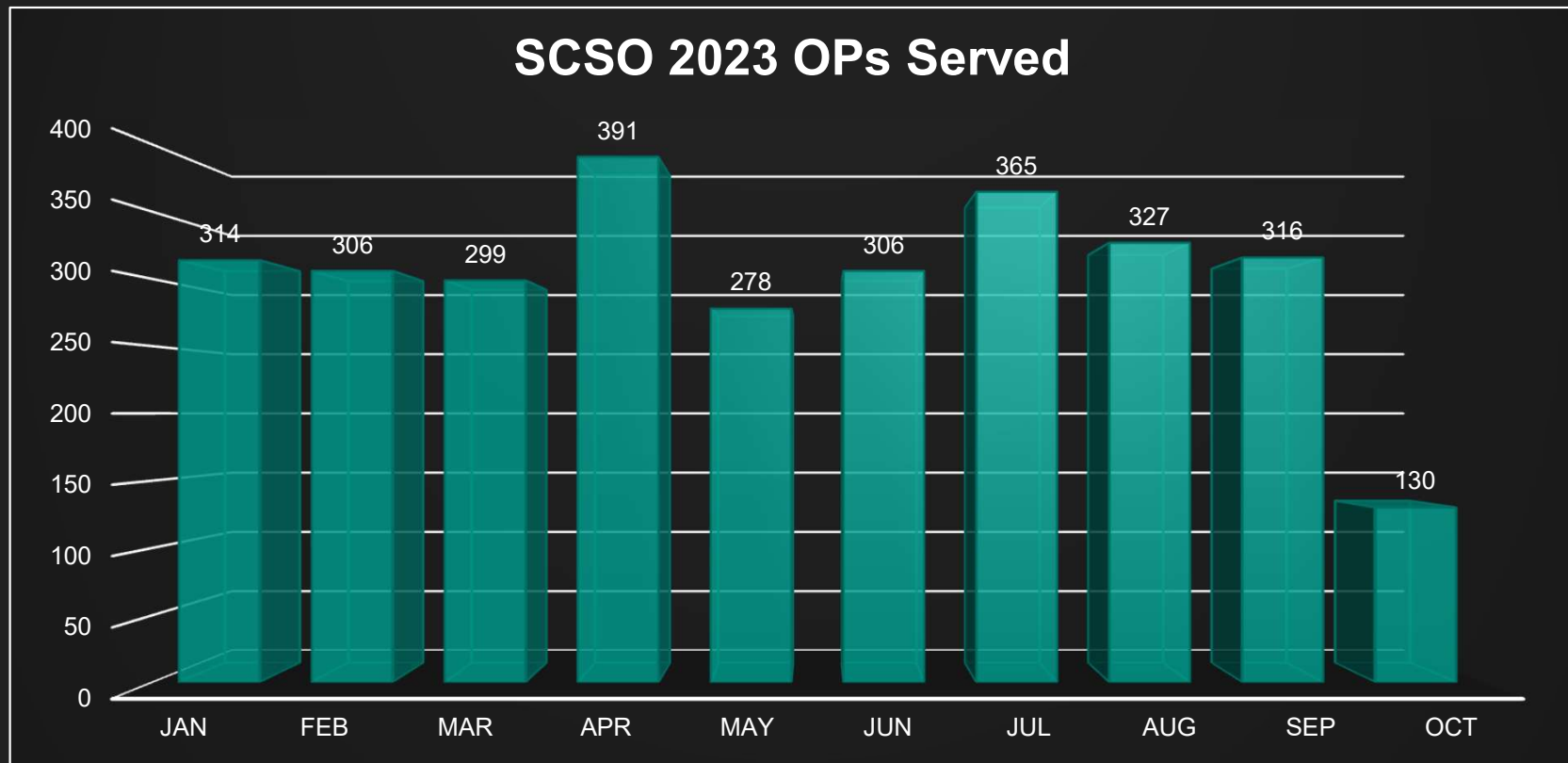


Items of Consideration

- Exclusions as per an OP require the removal of a respondent from a home
- Removing an individual can be emotionally volatile and potentially dangerous
- An OP prohibits individuals from owning weapons
- Child custody transfers can be executed pursuant to an OP



Order of Protection Statistics



*It is noted that the October statistics are only for the first week of the month

NYS RED FLAG LAWS

- **February 25, 2019:** Governor Cuomo signs the state's first Red Flag Law
- **June 6, 2022:** Governor Hochul signs legislation into law, expanding upon the current ERPO legislation



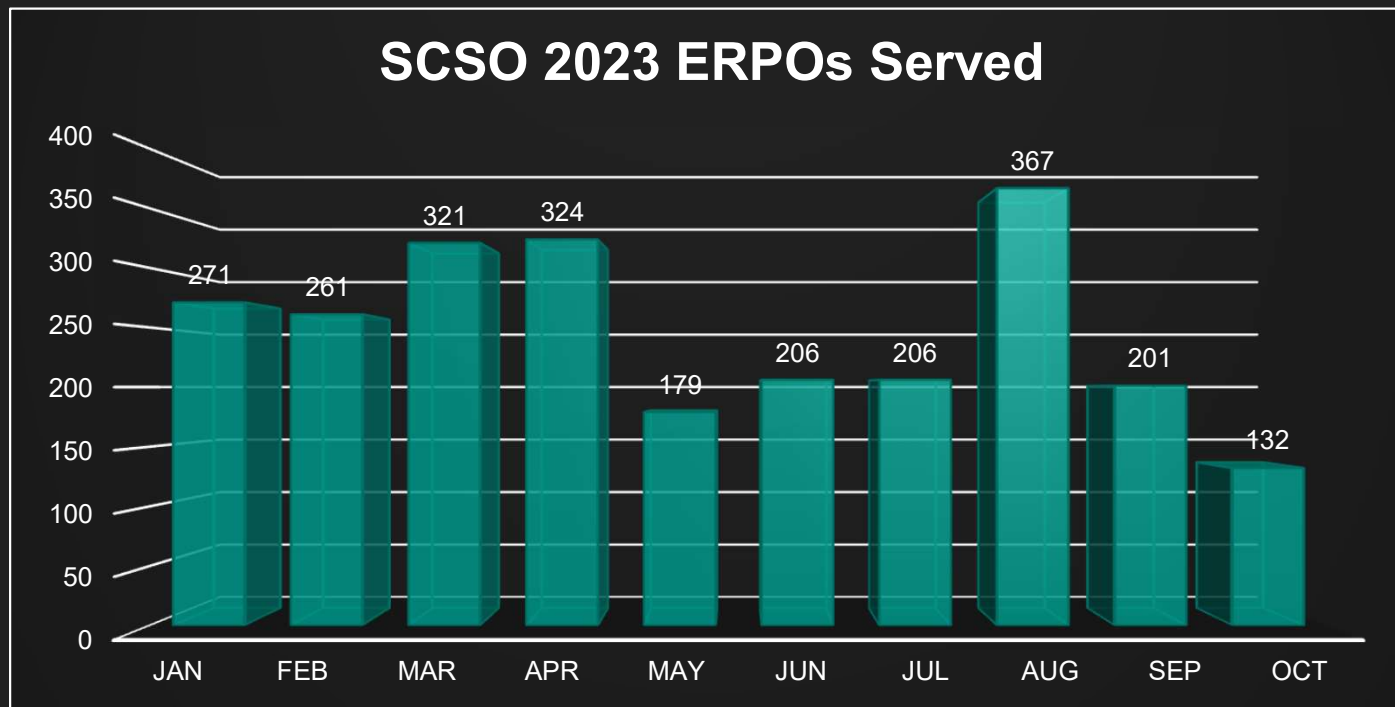
ERPO LEGISLATION

- Amended Red Flag Laws have expanded the individuals that MUST FILE an ERPO petition:
 - Law enforcement
 - District Attorneys
- Language in the revised legislation HAS TAKEN AWAY DISCRETION
- Individuals who MAY FILE an ERPO petition:
 - Medical professionals
 - School administrators



Suffolk County ERPOs

- DVB is responsible for all ERPO services and searches within Suffolk County



ERPO LEADS TO WEAPONS AND DRUGS SEIZURE

Wednesday, May 4, 2022:

- DVB Deputy Sheriffs serve an ERPO on Robert Ludwig, 26, of East Setauket
- Discovered multiple illegal weapons and drug paraphernalia
- Search warrant obtained by Criminal Investigations Bureau (CIB)



Criminal Search Warrant Resulted In the Seizure of:

- Three 9MM “Ghost” Guns
- 41 High Capacity Magazines
- Over 4,000 rounds of ammo
- One Firearm Silencer



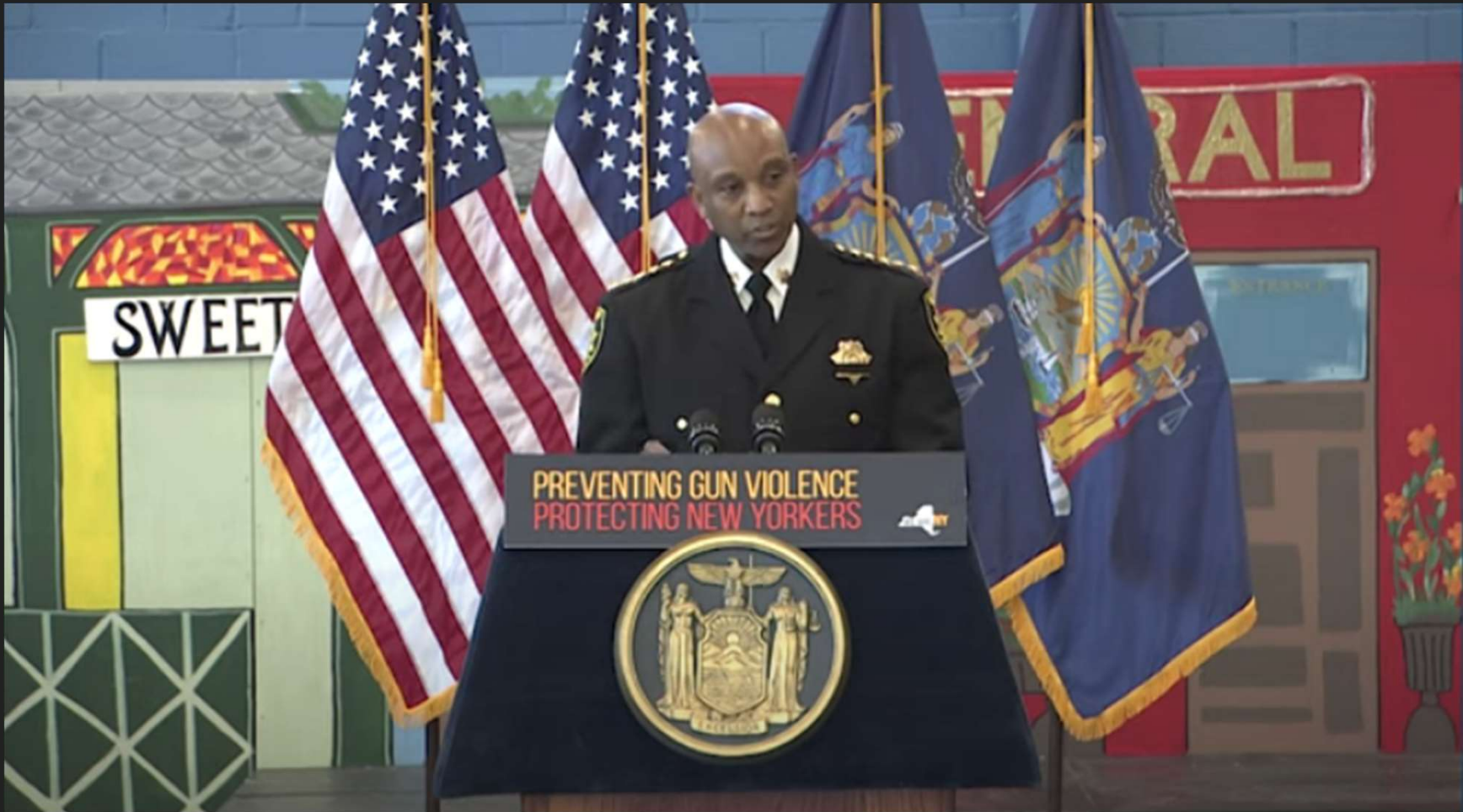
Criminal Search Warrant Resulted In the Seizure of:

QUANTITIES OF MULTIPLE DRUGS INCLUDING:

- Amphetamines
- Fentanyl
- Marijuana
- LSD
- Psychedelic Mushrooms
- THC Edibles
- Concentrated Cannabis
- Xanax
- Suboxone
- Two Scales
- Over \$50,000 in cash



Sheriff Toulon Press Event with the Governor's Office



In Summary

Orders of Protection

- DVB serves approximately 5,000 OPs each year
- Enforcement of these orders ensures the safety of Suffolk County Citizens
- DVB can provide resources to victims of domestic violence

Extreme Risk Protection Orders

- Enacted in response to Buffalo mass shooting
- District Attorneys and Police Officers are now mandated to file ERPO petitions
- Medical professionals and school officials may file an ERPO petition





This presentation is courtesy of
Dr. Errol D. Toulon, Jr., Suffolk County Sheriff