



Written by [Warren Mass](#) on November 18, 2020

Four New York Sheriffs Will Not Enforce Governor Cuomo's Thanksgiving Restrictions

The sheriffs of four upstate New York counties — Erie, Fulton, Saratoga, and Washington — have said that they will not enforce Governor Andrew Cuomo's restrictions on Thanksgiving Day gatherings.

Fulton County Sheriff Richard Giardino posted a message on his office Facebook page stating: "With regard to the Thanksgiving Executive Order, the Fulton County Sheriff's Office will NOT be enforcing it against our County residents. Frankly, I am not sure it could sustain a Constitutional challenge in Court for several reasons including your house is your castle. And as a Sheriff with a law degree I couldn't in good faith attempt to defend it [in] Court, so I won't."

Giardino noted his office cannot justify entering private homes without search warrants, invitations, or under an "emergency circumstance."

"We have limited resources and we have to set priorities, so obtaining a Search Warrant to enter your home to see how many Turkey or Tofu eaters are present is not a priority," Giardino wrote.

Giardino also quoted Albany County Sheriff Craig Apple, who he said summarized the best way to get the message to have a safe Thanksgiving across: "It's sometimes in the messaging, most people will respond better when asked; not told to do something. Especially when it comes to reducing the spread of CV19 and saving lives."

Cuomo announced several new measures on Twitter on November 11, that he asserted are necessary for mitigating the spread of the coronavirus. He tweeted: "We know indoor gatherings and parties are a major source of COVID spread. To slow the spread, NYS will limit indoor gatherings at *private residences* to 10 people." (Emphasis added.)

Erie County (Buffalo) Sheriff Timothy B. Howard also issued a statement regarding Thanksgiving:

I have no plans to utilize my office's resources or Deputies to break up the great tradition of Thanksgiving dinner. This national holiday has created longstanding family traditions that are at the heart of America, and these traditions should not be stopped or interrupted by Governor Cuomo's mandates.

My office will respect the sanctity of your home and traditions, and I encourage you to follow your heart and act responsibly, as well as do what's best for your family.

On behalf of everyone at the Erie County Sheriff's Office, I want to wish you and your family



Photo: Ms Jones via Wikimedia @ [https://commons.wikimedia.org/wiki/File:Our_\(Almost_Traditional\)_Thanksgiving_Dinner.jpg](https://commons.wikimedia.org/wiki/File:Our_(Almost_Traditional)_Thanksgiving_Dinner.jpg)



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a Happy Thanksgiving.

Sheriffs Michael Zurlo of Saratoga County and Jeff Murphy of Washington County both made similar statements. “I can’t see how devoting our resources to counting cars in citizens’ driveways or investigating how much turkey and dressing they’ve purchased is for the public good,” Zurlo said in a press release.

Murphy said there will be no Thanksgiving enforcement in his county.

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