



NEW YORK STATE SENATOR

Eric T. Schneiderman

After Binghamton, Sen. Schneiderman and Assm. Paulin Unveil Handgun License Renewal Bill

ERIC T. SCHNEIDERMAN April 22, 2009

Proposal Would Reform New York's Dangerous Lifetime Permit System

NEW YORK – In light of the recent Binghamton tragedy, Senator Eric T. Schneiderman (D-Manhattan/Bronx) and Assemblywoman Amy Paulin (D-Westchester) unveiled legislation today to reform the state's lifetime handgun license laws, which do not require any review of a licensee's subsequent criminal convictions, mental health status, or other behaviors of concern after the initial issuance of a permit. The bill, which has widespread support among local and national anti-gun violence groups, introduces a five-year renewal process to ensure that licensees are following the rules of their permit. Had such a mechanism existed, it would have detected that Jiverly Wong had moved out of state in 2001.

Currently, New York City, Nassau, Suffolk and Westchester counties require gun permit renewals or re-certifications every three to five years. But New York State law prohibits other counties from allowing permit renewals, forcing them to issue lifetime permits.

“Under New York State law, drivers, cosmetologists, waxers and barbers all must renew their licenses every few years, yet handgun owners get a lifetime pass. It's absurd that New York

State is more interested in the mental health of the person who waxes your eyebrows than someone who owns a gun," said **Sen. Schneiderman**. "Considering the Binghamton tragedy, it's about time that law enforcement officials in our state have a reasonable, periodic renewal system in place with the most current information on gun licensees. This legislation protects the public without sacrificing the rights of law-abiding citizens."

Besides the counties of Suffolk, Nassau and the city of New York, once a license to carry or possess a firearm has been issued, the license is permanent unless otherwise revoked or suspended. There is no opportunity for the licensing officer to review whether the conditions that existed at the time of the issuance of the license have changed.

"Our legislation will greatly help to prevent tragedies like what happened in Binghamton from happening again. Had the license renewal requirement been in effect, it may have prevented Jiverly Wong, the man who gunned down 13 people in the Binghamton immigration center, from maintaining a valid pistol permit. This tragedy serves as a somber illustration of how critically important it is that our state licensing system be thorough, that the records be accurate and up to date, and that handguns be accounted for," said

Assemblywoman Paulin.

The proposed legislation (S1598-A and A801-A) would:

- Provide regular confirmation that the licensee is still qualified to have a firearm. Without a renewal system, certain criminal convictions or changes in mental health status occurring after the initial issuance of the license may go undetected.

- Provide regular updating of licensing information. Such information includes the licensee's current name and address, and the make, caliber and serial number of all firearms possessed. Without a renewal system, licensees who move out-of-state – a change in conditions that could result in license revocation or denial of a license renewal – may go undetected.
- Ensure the integrity of the licensing system. Without a renewal system, there is no opportunity for licensing officers to determine whether licensees remain in compliance with the terms of their licenses.

“With a lifetime permit, there are no reasonable checks to make sure the person who got a license is still a mentally competent, law-abiding citizen. Changing circumstances can lead to deadly results,” said **Jackie Hilly, Executive Director of New Yorkers Against Gun Violence**. “This is a common sense bill that could significantly reduce the incidence of gun violence in our state.”

“The massacres at Columbine and Virginia Tech and the recent tragedy in Binghamton each exposed flaws in the background checks required to buy a gun or get a gun permit,” said **John Feinblatt, Mayor Bloomberg's Criminal Justice Coordinator**. “Requiring police to periodically re-check New York State gun permits is a smart and sensible idea that works for New York City, and would be painless for responsible gun owners. I support passage of this law, which will help police keep guns out of the hands of criminals, and could prevent the next tragedy.”

"New York State law should be re-written to require the renewal of gun permits every five years to permit periodic background checks. The legislation presented today will enable the State of New York to safeguard its residents," said **Sen. Eric Adams**. "We must protect our citizens from the disastrous effects of gun violence. The bullet from a weapon pierces not only the flesh of our loved ones, but the emotional body of our family as well. Even the substance of the larger community is rent and wounded. The voices of our constituents call for legislators to prevent gun violence. Today, we have responded."

"Despite historic reductions in crime, gun violence remains prevalent, said **Sen. Kevin Parker**. Too many handguns are making their way into our communities, and present a real threat to our schools, families and quality of life. This legislation reforms what is now a permissive and permanent handgun licensing system, and gives law enforcement the ability to better protect our communities and get guns off the street. I commend Senator Schneiderman for introducing this bill, and will work with him to ensure its passage."

"Currently, New York State prohibits cities and localities from establishing the most basic protections against gun violence, periodic reviews of gun licenses. This is nonsensical. There is no lifetime guarantee on any individual's mental or emotional health and the ready availability of such a dangerous weapon to a gun owner who's become violent is a recipe for disaster. I commend my colleagues Senator Schneiderman and Assemblywoman Amy Paulin for addressing such a crucial public safety issue," said **Sen. Diane Savino**.

"The bill will give law enforcement agencies the tools they need to enforce our handgun laws and make sure licenses are accurate and up-to-date, which will keep us all safer," said **Sen. Daniel Squadron**.

Elected officials and students from Binghamton also offered support for the legislation.

"I look forward to both the New York State Senate and the Assembly proposing and passing common sense legislation that will provide a more effective review of all pistol permits. The events in Binghamton three weeks ago and the facts surrounding the shooter's gun permit process demonstrate the great and pressing need for a process that will better protect all our citizens," said **Binghamton Mayor Matt Ryan**.

"I thank Senator Schneiderman, Assemblymembers Donna Lupardo and Amy Paulin and other state legislators who are taking on this important issue. I hope that there will be a substantive debate around this bill and other proposals to promote public safety and individual rights." **Leah Webb, City Council Member, 4th District, Binghamton and organizer at Citizen Action New York**.

"In light of the recent tragic shootings here in Binghamton and elsewhere across the country, it is imperative that our government does everything it can to keep our students and citizens safe. This bill ensures that we keep guns out of the hands of criminals and people with mental illness," said **Daniel Levin, a senior at Binghamton University**.