

The gun owner next door: What you don't know about the weapons in your neighborhood

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Editor's note: Journal News reporter Dwight R. Worley owns a Smith & Wesson 686 .357 Magnum and has had a residence permit in New York City for that weapon since February 2011.

Types of handgun permits

Permit restrictions in Westchester*

- » Unrestricted (full carry) 4,900
- » Employment 2,329
- » Premises only 38
- » Target 11,240
- » Hunting 6,913

*Permit restrictions exceed the number of licensees because permits may have more than one restriction. Rockland did not provide these data.

Federally licensed gun dealers in Westchester, Rockland and Putnam: 121 (as of June)

Federally licensed gun dealers statewide: 1,843 (as of June)

Note: Putnam was still preparing its response to The Journal News' Freedom of Information Law request and could not immediately provide data.

See a video at LoHud.com.

In May, Richard V. Wilson approached a female neighbor on the street and shot her in the back of the head, a crime that stunned their quiet Katonah neighborhood.

What was equally shocking for some was the revelation that the mentally disturbed 77-year-old man had amassed a cache of weapons — including two unregistered handguns and a large amount of ammunition — without any neighbors knowing.

“I think that the access to guns in this country is ridiculous, that anybody can get one,” said a neighbor of Wilson’s who requested anonymity because it’s not known whether the gunman, whose unnamed victim survived, will return home or be sent to prison. “Would I have bought this house knowing somebody (close by) had an arsenal of weapons? No, I would not have.”

In the wake of the mass shooting at Sandy Hook Elementary School in Newtown, Conn., and amid renewed

nationwide calls for stronger gun control, some Lower Hudson Valley residents would like lawmakers to expand the amount of information the public can find out about gun owners. About 44,000 people in Westchester, Rockland and Putnam — one out of every 23 adults — are licensed to own a handgun.

[Click here for interactive map of gun permits](#)

Anyone can find out the names and addresses of handgun owners in any county with a simple Freedom of Information Law request, and the state's top public records expert told The Journal News last week that he thinks the law does not bar the release of other details. But officials in county clerk's offices in Westchester, Rockland and Putnam maintain the public does not have a right to see such things as the specific permits an individual has been issued, the types of handguns a person possesses or the number of guns he or she owns — whether one or a dozen.

Combined with laws that allow the purchase of rifles and shotguns without a permit, John Thompson, a program manager for Project SNUG at the Yonkers Family YMCA, said that leaves the public knowing little about the types of deadly weapons that might be right next door.

"I would love to know if someone next to me had guns. It makes me safer to know so I can deal with that," said Thompson, whose group counsels youths against gun violence. "I might not choose to live there."

Dave Triglianios, a Mahopac resident and certified gun instructor, said making all information on pistol-permit applications public would violate the privacy of law-abiding gun owners. He said that everyone, including gun owners, sympathizes with the Sandy Hook families but that onerous gun legislation and the disclosure of specifics only harm legitimate gun owners, not criminals.

My information "should be absolutely private," said Triglianios, who is licensed to carry firearms and owns an AR-15 rifle, the same model of gun used in the Newtown massacre. "Why do my neighbors need to know that? I am not a threat to my neighbors. I don't pose a physical threat to anyone."

State and federal lawmakers are considering a raft of new gun laws, including measures to ban assault weapons and high-capacity magazines, to restrict purchases of guns and ammunition and to improve background checks for gun buyers.

No measure among the various bills would make more pistol-permit information public. Gun-control advocates said such a measure is unlikely to gain support due to privacy concerns. Others say it's appropriate for law enforcement to have access to detailed records on licensed handguns, but not the general public.

"It's not necessary for people to know who has what," said Daniel Friedman, a Ramapo councilman and author of the book, "Saving Our Children: An In-Depth Look at Gun Violence in Our Nation and Our Schools." "I think we need to balance people's right to privacy with people's right to safety and people's right to legitimately own guns."

Dana Schubert, a retired Newtown police officer, said after the school massacre that he supports gun-owner privacy but would like to see laws requiring the storage of firearms in safes when not in use.

He said Nancy Lanza, the mother of Sandy Hook shooter Adam Lanza, did not properly secure her collection of weapons, allowing Adam to take four of them to kill her and 26 children and adults at Sandy Hook Elementary.

“As a gun owner, I have no right to endanger my neighbor,” Schubert said. “I have a responsibility not to do so.”

Details at issue

Access to information provided on pistol-license applications — such as the permit type, models of guns purchased and number of weapons owned — changed in 1994 when the state Legislature rewrote sections of the penal law covering licensure.

Before the amendment, the law said “the application for any license, if granted, shall be a public record.” The law now reads “the name and address of any person to whom an application for any license has been granted shall be a public record.” Many counties have interpreted that to mean any information beyond names and addresses is barred from public release.

But Robert Freeman, executive director of the state Committee on Open Government, said all government records and data are presumed public unless a specific statute bars their release. While names and addresses are specifically deemed public records, Freeman said, disclosure of additional data is left to the discretion of the custodians of pistol-permit records.

“There’s nothing in the law that prohibits the disclosure of additional information,” he said. “There’s simply no right of access to it.”

After the Newtown shooting, The Journal News filed Freedom of Information Law requests in Westchester, Rockland and Putnam for pistol-permit records, seeking the names of licensees, their addresses, types of permits and types of weapons owned. The newspaper was advised by officials in all three clerks’ offices that only names and addresses would be released.

The Journal News appealed Westchester’s partial denial of the request, citing language from Freeman’s written opinions on the subject. County Attorney Robert Meehan, the appeal officer, denied the request, writing, “The available legislative history associated with (the law amendment) demonstrates that its intent was to limit the public disclosure of pistol permit applications to the name and address of successful applicants.”

Rockland provided the names and addresses for its 16,998 permit holders but could not provide information on the types of permits issued. Rockland has 3,907 current permits; the rest are permits that have had no activity in at least five years. The figure includes people who may have moved or died, since the county’s permits never expire.

Westchester provided the names and addresses of the county’s 16,616 active permit holders, all of which are considered current because the county’s permits expire five years after issuance. At the request of The Journal News, county officials also provided some aggregate information on the types of permits issued.

Nearly 5,000 individuals in Westchester have unrestricted permits to carry weapons at all times, a number that includes retired police officers. Current officers who live in Westchester, regardless of where they work, do not need to carry permits.

More than 11,200 individuals have target-shooting permits, just over 6,900 have hunting permits, and more than 2,300 have permits to possess a gun during employment. A request for the total number of handguns licensed in the county was denied.

Putnam responded to the FOIL request but said pulling together the records would take additional time. The county estimated it has 11,000 permits.

Tom King, president of the New York Rifle & Pistol Association, said the release of additional pistol-permit information would endanger gun owners, some of whom have valuable collections of weapons.

“You’re giving a shopping list to criminals,” he said. “Does it matter if you own 47 guns or you own one gun? Everybody likes to think that someone who has all of these guns is evil, that there’s some nefarious reason they have all these guns. There are collectors.”

Public officials share similar concerns. Though acknowledging that some pistol-permit data are public, Paul Piperato, the Rockland county clerk, said he’s always uneasy providing it.

“You have judges, policemen, retired policemen, FBI agents — they have permits,” Piperato said. “Once you allow the public to see where they live, that puts them in harm’s way.”

Jackie Hilly, a Mamaroneck resident and executive director of New Yorkers Against Gun Violence, stopped short of saying the public has a right to know more information about gun owners and the weapons they possess. However, she said it is important for people to ask neighbors about the weapons they own, particularly in cases where children would be visiting the neighbor’s home.

“You are likely to find out one of your children’s friend’s homes that they visit has a gun,” Hilly said. “If you assume there are no guns, you could be wrong.”

Political debate

As the gun-control debate heats up, pro- and anti-gun groups, politicians and gun dealers are re-examining whether there are ways to make it harder for unfit individuals to obtain weapons.

Hilly joined New York City Mayor Michael Bloomberg, a staunch gun-control advocate, and Mayors Against Illegal Guns at a news conference Friday calling for what she said are “common sense” reforms to gun laws, including closing the “gun show loophole.” Hilly said an estimated 40 percent of guns are sold between individuals at gun shows or privately — transactions that are not subject to background checks.

Mayors from White Plains, Peekskill and Mount Vernon also signed the group’s letter supporting various measures, including a federal ban on assault weapons and making gun trafficking a federal crime.

“We have seen a proliferation of these tragedies after the ban on assault weapons expired in 2004,” Peekskill Mayor Mary Foster said. “We cannot allow this to continue.”

Westchester County Executive Rob Astorino last week canceled a gun show set for February at Westchester County Center, and the Crowne Plaza hotel in Suffern canceled a gun show scheduled for March. Dick’s Sporting Goods, the nation’s largest sporting-goods chain, suspended sales of certain types of rifles following the Newtown shooting.

The head of the National Rifle Association, which was silent in the days after the Newtown shooting, said Friday that increased gun regulations would embolden “monsters” and make people in “gun-free school zones” targets for criminals.

Wayne LaPierre, the NRA's chief executive, said banks, stadiums and lawmakers are protected by armed security and that schools need similar protection. His group is creating a "model school shield program" that will provide armed, trained volunteers to guard schools free of charge.

Triglianos said having trained armed guards in schools would be more effective than gun bans.

"Security means armed," he said. "Somebody who is a security guard and is not armed is just another person who is going to run away when somebody starts shooting."

But Hilly said the solution to gun violence isn't more guns.

"You don't have more success with more guns," she said. "You certainly don't want our schools turned into armed camps."