

COMMENTARY

Don't Mess With New York's Gun Laws

We don't need—or want—people bringing firearms from other states to Central Park or Times Square.

ILLUSTRATION: CHAD CROWE

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On the first day of the new Congress, the Concealed Carry Reciprocity Act was introduced in the House, and in February a similar bill was introduced in the Senate. The legislation requires New York state and New York City to honor concealed-carry firearms permits issued in other states. This would be a dangerous and unwarranted interference with state and city laws, undermining public safety in some of America's most celebrated neighborhoods and tourist attractions.

The legislation makes any permit to carry concealed weapons valid in New York City, regardless of where it was issued. This would supersede New York's restrictive permitting policies. That's a shame, because those policies have been a major contributor to the city's historic reduction of gun crime in the past quarter-century, and many other states have extremely lax controls in place.

Some states issue permits to convicted felons, people wanted on warrants, and those subject to orders of protection. Eleven states do not even require permits to carry firearms, meaning that a person could be armed in public without ever having a background check. The new law would allow residents of those "permitless carry" states to tote their guns in New York.

Even worse, many states have no effective procedures to identify people who commit crimes after being granted concealed-carry permits. And even if they did, they don't have a system to revoke their gun privileges. New York City could deem someone too dangerous to carry a gun, but that person could walk around the city with a firearm if he

has documentation or privileges from another state.

A resident of New York easily could travel to another state, acquire a permit, and return to New York authorized to carry a gun. There is no national database of state permits, nor is there likely to be one. The same activists who favor this legislation also oppose any federal records or research on gun ownership.

Checking the validity of permits—which may well be falsely acquired, forged, revoked or expired—would be impractical in most cases. Criminals already bring firearms purchased in states with loose gun laws into New York City. It's not hard to imagine they'd do the same with out-of-state gun permits.

More than 230 concealed-carry permit holders in various states have been convicted of the murders of family members and strangers in the past 10 years. These include 31 mass shootings, resulting in the deaths of 147 people. The Fort Lauderdale airport shooter—who killed five people and wounded six others this January—purchased his gun legally in Alaska, where a permit is not required for concealed carry.

Proponents of the new law argue that a permit holder cannot receive reciprocity if he is otherwise prohibited by federal law from possessing, transporting, shipping or receiving a firearm. Yet the federal government would not be issuing the permits or attesting to the eligibility of the permit holders. There is no way to know, within any reasonable time frame, if a state permit holder is prohibited by federal law.

Enforcement would be further complicated by a provision in the legislation that gives any permit holder who is deprived of “any right, privilege, or immunity” the ability to sue for damages and legal expenses. It places the burden entirely on the state to determine the legitimacy of the permit—even though there is no ready means to do so.

As law-enforcement officials in New York City, we have some expertise in what it takes to control gun crime. Our city has accounted for 25% of the decline in homicides nationally since 1990. In the same period, murders in the city fell by 84% and shootings by 81%. There has been no comparable decline in gun crime anywhere in the U.S.—especially not in the states with looser gun laws.

How did New York accomplish it? By enforcing some of the strongest gun laws in the country, which we continue to do with a compelling sense of urgency because lives are at stake.

Yet 38% of the 50 homicides we've recorded this year involved a gun. As we work to

prevent future shooting deaths, we don't want subways packed with pistols or shootouts in Times Square. We don't want our highly effective gun laws superseded, overturned or otherwise interfered with. We will fight any federal action that lets visitors bring guns to our streets.

Mr. O'Neill is New York City's police commissioner. Mr. Vance is Manhattan district attorney and co-chairman of Prosecutors Against Gun Violence.

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