Charles Clark

 19th of October 2022

The Honorable Kathy Hochul
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

Honorable Letitia James

Attorney General,

State of New York

The Capitol, Albany NY 12224-0341

Honorable Eric Adams

Mayor, City of New York

City Hall

New York NY 10007

Dear Governor Hochul and Attorney General James and Mayor Eric Adams;

**I am writing because I and many others in my profession need clarification and an explanation regarding an issue that is arising between different agencies of the State and the police, regarding the 47 hour class for armed guards and the prerequisites for the class.**

**I look forward to obtaining clarification on this issue and a legal opinion on how governmental agencies should proceed with this issue.**

**With the enactment of S.51001/A.4100, which is legislation relating to licensing of firearms an unintended consequence has arisen that will make it nearly impossible for lower income workers who live in New York City to progress and advance their careers in the security industry.**

**The way the law has been implemented has the effect of being discriminatory. The language of the new law has created confusion among security schools, state agencies and police departments regarding the initial training of licensed armed guards. Let me Explain:**

**As of today the Department of State, Licensing Services states the following on their web page:**

 **47 Hour Firearms Training** - You must possess a valid NYS Pistol Permit and security guard registration to enroll in this course. Upon successful completion of this course, submit a copy of the certificate with your application for an armed guard registration upgrade.

<https://dos.ny.gov/security-guard-training-requirements#:~:text=47%20Hour%20Firearms%20Training%20%2D%20You,an%20armed%20guard%20registration%20upgrade>.

But….the Police Department City of New York, NYPD states you must complete the 47 hour class BEFORE they issue a Carry Guard pistol permit. AND the NYPD no longer issues a Pre-License exemption that allowed a person to train at a pistol range before their license became finally approved.

NYPD states the new legislation amended NYS Penal Law as follows: ***Subdivision a of section 265.20 of the penal law is amended by adding a new paragraph 3-a to read as follows: 3-a. Possession of a pistol or revolver by a person undergoing live-fire range training pursuant to section 400.00 of this chapter while such person is undergoing such training and is supervised by a duly authorized instructor***. Page 10 and 11 of S.51001

NYPD states that based on this law they no longer have to issue the Pre-License Exemption.

(The irony is that for the new concealed carry permits you can take the 16 hour required training before obtaining the pistol permit)

How is a security guard who is a New York City resident, who does not have a pistol permit going to become an armed guard? With the current policies in effect with the NYPD and NYS Department of State Licensing Services, Security guards and security companies and security schools are at an impasse over the requirements of the 47 hour class.

This is affecting how people can advance in their careers as security guards.

**If you can afford the $340 to personally apply for another type of permit such as Residence Premise or other Carry Permit and you wait the nearly 1 year for the investigation and processing and NYPD issues you a personal pistol permit you could then take the 47 hour class.**

**But many unarmed security guards cannot afford the $340 for the personal pistol permit and another $340 for the carry guard permit.**

**In New York City, Prior to September 1, 2022 a security company with an unarmed guard who was being considered for armed guard could have that security guard apply for a Carry Guard license with the NYPD License Division.**

**The unarmed security guard would complete a Request for Pre-license Exemption form and submit it to NYPD with the Carry Guard application.**

**The NYPD, after an investigation could then issue a Pre-License Exemption which would allow the security guard to take the 47 hour armed guard class and participate in the live fire part of the class at a pistol range.**

**Once the security guard successfully completes the 47 hour armed guard class they submitted the certificate to the Department of State Licensing Services with the appropriate fee and the security guard unarmed would be changed to security guard armed in the NYS Security Guard Registry.**

**The security guard would still have to wait for NYPD to issue a Carry Guard pistol permit before they could carry a firearm at work.**

**The process involved quite a bit of paperwork but the process worked.**

**With the process in effect now I don’t see a way forward for many unarmed security guards to advance to armed security guards. The more than 2,000 Licensed and trained armed guards are key to protecting the critical infrastructure in our city.**

**Please investigate the above matter. Governmental agencies should work harmoniously and in synchronization with each other. Please issue the direction needed to resolve and clarify this issue for all involved.**

Thank you for your time and consideration in this matter.

Sincerely

Charles Clark