

Guns in America: Can public records invade privacy? Part A

(This case was prepared by University of Georgia journalism student Lindsey Cook for JOUR 5170, Advanced Studies in Journalism, based on primary and secondary sources cited below.)

In the wake of the Sandy Hook shooting in Newtown, Connecticut, *The Journal News* brought fear of guns close to home with an interactive map. In order to show citizens which of their neighbors owned guns, the newspaper requested names and addresses for permit holders in the three New York counties it covers. The newspaper posted a story about its quest for the records as well as a map of all the gun owners from the records it received. In the Google Fusion Map, a reader could see names and full addresses of gun owners. The map triggered a month of violent backlash against newspaper staff until it was eventually replaced with a screenshot that showed no addresses.

Discuss:

- Should you have a right to know which of your neighbors own guns?
- Is this newsworthy?
- Is this story in the public interest?
- Does this story fill the journalistic watchdog role?
- Should gun permit applications be a public record?
- Does publishing the names and addresses of permit holders invade privacy? Is it justified?

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The story detailed the open records battle the newspaper went through to get the records and discussed reasons for and against permit data as public records. The story was titled “The gun owner next door: What you don’t know about the weapons in your neighborhood.” It makes a clear argument that all information on a pistol permit application should be public. According to the story, one out of every 23 adults in the region are licensed to own a handgun. The story begins with the following graph:

“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.”

The article cites sources on both sides of the debate. The story says parents may want this information if they allow their children to play at a house where there may be guns. Another source calls the public record “a shopping list” for criminals and points out that the map includes the name and location of judges, police officers and FBI agents who may be put in harm’s way by the data. The article and the accompanying map garnered over one million hits — more than twice the newspaper’s previous record.

Discuss:

- Does this article capitalize on fear after Newtown? Is that ethical?
- Is this article click bait?
- Does this article provide the context needed to go along with the map?
- What would be a more compelling story to accompany the map?
- Should the story have a different title?
- Should the story open differently?
- If the story had been about flaws in the gun-permitting systems, would the map have been justified?
- If the map had included crime rates, population density or income, would it be different?
- Are there other ways to show the data, but make it less of a privacy concern? For example, what if you had to type in your address and it would return the closest guns to you instead of showing all the guns in a map? Would you publish then?

- With over a million clicks, people are obviously interested in this information. How does the color your view?
 - Do you think this story could potentially put police officers in danger or increase robberies of gun-owning homes? How does that impact your decision?

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The map could have been made as a block-level analysis which shades individual blocks based on the amount of data without exposing exact addresses. This would have required more technical skill and time.

The data is misleading because the map shows everyone that has a permit. There isn't data for how many of those people followed through and actually purchased a gun. Furthermore, the data have a short shelf life because the holders could have moved or died and the data would not be updated. There was a disclaimer on the map noting this. The data would not have included assault-type weapons like those used in Sandy Hook and of course doesn't include illegally obtained weapons — a huge driver of gun violence.

Discuss:

- What sort of disclaimer is appropriate?
- Should readers be allowed to ask that their data be removed from the map?
- Does this information make the map useless?
- How would you balance the desire to get this story out when the news peg is still current with the desire to publish a more technically advanced map?
- What options are available with a small staff without a data visualization expert to create a more advanced and less ethically grey map?
- How long should data like this be left up? Most data becomes outdated the second you get your file. How often should it be updated? How much manpower would you as editor devote to keeping the map updated with current information?

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The data was a public record at the time, as mandated by state law. The newspaper simply retrieved the data and posted it in a form that was more easily accessible. Several newspapers had made similar requests in other parts of the country and after coming under intense pressure, chose to rescind the requests before they had even been filled.

Newspapers do data dumps like this all the time. The Texas Tribune for example has a database of salaries for public employees which gets lots of complaints from those included, but is very popular on the website. Maps showing sex offenders from the sex offender registry are also popular.

Discuss:

- Can publishing a public record invade someone's privacy?
- Are salaries different?
- What about sex offender maps?
- Where do you draw the line?
- Is making public records more publicly accessible, like in these cases, a public service?
- Does the fact that other newspapers were bullied out of obtaining this information impact your decision?

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The story idea came about after tax reporter Dwight R. Worley returned from interviewing Newtown families. He discussed the idea with his immediate editor who then talked to her bosses. Editors said there were no formal meetings about the article, but that it came up at several other meetings. In 2006, the newspaper had published similar data, but had not mapped it and did not provide street numbers. The 2006 article had been controversial as well.

Worley said of the map, “The people have as much of a right to know who owns guns in their communities as gun owners have to own weapons,”

Discuss:

- Is it possible to foresee or prepare for this type of controversy?
- What types of meetings and discussions should happen when a potentially controversial story is about to run?
- Who should be included in those conversations?
- What questions should have the reporters and editors asked?
 - What groups or individuals could the editors have turned to for guidance?

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Criticism of the newspaper poured in from across the nation. Reporters, editors and even the chief executive of Gannett received threatening messages (the paper is owned by Gannett). A crowd-sourced map titled, “Where are the Journal News employees in your neighborhood?” went online with the names and home addresses of the newspaper’s employees. Bloggers encouraged boycotts of advertisers products and information about where employee’s children attended school was posted online. Two packages of white powder were shipped to the newsroom. The newspaper’s publisher hired armed guards to monitor the newspaper’s headquarters and bureau. She also offered to put up any employees that felt threatened in nearby hotels with armed guards. Despite this, the newspaper kept the map up for a month. Once the map was eventually removed, it was replaced by a screenshot of the initial map with no mention of the controversy.

Discuss:

- Should the map have been removed earlier?
- What is the proper response to these threats?
- What would you have done had you been in the publisher’s place?
- Should any indication of the original map and controversy have remained? If so, what?
- How many threats would you endure for a story you felt was of public importance?

Guns in America: Can public records invade privacy? Epilogue

The newspaper removed the map after a new law was pushed through the local government including a measure prohibiting the release of gun permit holder records for a period of 120 days, which was a direct response to the map. The map also led to similar proposed measures in almost a dozen states. The publisher, Janet Hasson, said in a statement “While the new law does not require us to remove the data, we believe that doing so complies with its spirit.” The newspaper said removing the map was not a concession to the critics and was not evidence they believed the map had no value. They said the data had been public for 27 days and thought that those that wanted to view it, had already viewed it and said the data would become outdated and inaccurate over time.

Worley now works as an investigative reporter for *The Journal News*. According to *The Rockland County Times*, Rockland editor Caryn McBride was included in a lay-off purge at the paper. The paper is still run by the same CEO and EIC.