



State of New Jersey

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Governor

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ATTORNEY GENERAL LAW ENFORCEMENT DIRECTIVE NO. 2023-02

TO: All Law Enforcement Chief Executives and County Prosecutors
Chief Data Officer, Office of Justice Data

FROM: Matthew J. Platkin, Attorney General

DATE: June 14, 2023

SUBJECT: Directive Requiring Data Collection for Certain Firearm Permits

On June 24, 2022, in response to the United States Supreme Court ruling in *N.Y. State Rifle & Pistol Assoc. v. Bruen*, I issued Attorney General Law Enforcement Directive 2022-07, clarifying that although the Court's ruling had invalidated New Jersey's requirement that an applicant for a carry permit demonstrate justifiable need, all other requirements in our carry permit laws remained intact and were to be strictly followed. On December 22, 2022, Governor Phil Murphy signed *L. 2022, c. 131*, providing, among various other parameters for ensuring the safety of New Jerseyans, clear procedures for reviewing applications for permits to carry handguns, and the ability to implement a web portal operated by the New Jersey State Police to electronically process applications for permits to carry.

At present, all firearm purchase identification cards and permits to purchase a handgun are maintained within the Firearms Application & Registration System (FARS) operated by the New Jersey State Police (NJSP). To ensure consistency with permits to carry handguns, NJSP will create and implement a centralized web portal for the issuance of permits to carry handguns, as well as collecting relevant data related to same.

Until such time that the statewide web portal for permits to carry a handgun is active, it is critical that law enforcement agencies tasked with issuing permits to carry immediately begin providing the Office of the Attorney General with anonymous information related to all permit to carry applications the agency has approved or denied since December 1, 2019, three years prior to the enactment of the new law and just prior to the global COVID-19 pandemic. Providing this information will assist in creating data-driven policy to strengthen public safety, inform necessary



personnel and resource allocation, and mitigate risks associated with an increase in handguns carried in public places throughout our state.

Therefore, pursuant to the authority granted to me under the New Jersey Constitution and the Criminal Justice Act of 1970, N.J.S.A. 52:17B-97 to 117, which provides for the general supervision of criminal justice by the Attorney General as chief law enforcement officer of the State in order to secure the benefits of a uniform and efficient enforcement of the criminal law and the administration of criminal justice throughout the State, I hereby direct all law enforcement agencies operating under the authority of the laws of the State of New Jersey to implement and comply with the reporting procedures outlined below.

I. Permits to Carry a Handgun – Reporting Requirements and Procedures

As of December 22, 2022, the enactment of *L. 2022, c. 131*, the police chief of the municipality where an applicant resides, or in certain circumstances the NJSP Superintendent, is responsible for reviewing and approving or denying applications for permits to carry handguns. Prior to the new law, the final decision was made by the Superior Court in the appropriate vicinage. Given that law enforcement is now the ultimate decision maker in one of the most significant processes in the state, we must be acutely aware of the impact. By implementing the following reporting procedures, we will gain better insight into the effect of carrying handguns in public in New Jersey.

There are three timeframes for reporting information on applications to carry handguns: (A) one-time historical reporting; (B) interim reporting; (C) reporting post-implementation of the statewide web portal. By incorporating all three, New Jersey will be able to provide the public with a full picture of the prevalence of handguns being legally carried throughout our state.

A. One-Time Historical Data Reporting

As noted, prior to December 22, 2022—the enactment of *L. 2022, c. 131*—a Superior Court judge in the appropriate vicinage made the final decision on whether a permit to carry a handgun was approved. As a result of the statutory revisions, law enforcement chief executives in hundreds of jurisdictions are now tasked with making this critical determination. Thus, using the excel spreadsheet and appropriate submission link in Appendix A, all law enforcement agencies shall submit anonymized data on all permit to carry applications that were approved or denied by the law enforcement agency during the period from December 1, 2019, until June 30, 2023, capturing three full years of data prior to the enactment of the new law (this does not include the Superior Court’s decision or applications pending appeal). Once agencies submit their completed Appendix A the historical reporting requirement will be complete.

The anonymized information will be collected in the following categories:

- a. Date of submission

- b. County of submission;
- c. Municipality of submission;
- d. Applicant's year of birth;
- e. Applicant's race;
- f. Applicant's gender identity;
- g. Whether approved or denied;
- h. Date of approval or denial; and
- i. Reason for denial, if applicable.

One-time historical data reporting shall be submitted no later than October 1, 2023.

B. Interim Monthly Reporting

In order to provide uniformity and efficiency in issuing permits to carry, the new law allows for the implementation of a centralized web portal to become effective on a date following July 1, 2023. *See* N.J.S.A. 2C:58-4(d). However, until such time that the web portal is active, it is imperative that there not be any break in data collection. Thus, monthly interim data on the categories outlined in Section I.A. of this Directive must be reported using the excel spreadsheet and appropriate submission link in Appendix A.

Interim reporting will begin on August 1, 2023, for the month of July and continue monthly until such time that the web portal is completed. At that time, this interim monthly reporting requirement will sunset.

C. Post-Implementation of the Statewide Web Portal Reporting for NJSP Only

Following implementation of the statewide web portal for permits to carry a handgun, the NJSP shall provide monthly anonymized statistical data from the web portal consistent with the categories outlined in Section I.A. of this Directive. The manner of submission shall be determined by the Office of Justice Data, in coordination with the NJSP Firearms Investigation Unit (FIU). Such collaboration shall begin immediately upon issuance of this Directive.

Please note that the processing and decision to issue permits to carry handguns pursuant to N.J.S.A. 2C:58-4 remain the responsibility of the chiefs of police, and the NJSP Superintendent as the case may be, and are in no way altered by this Directive.

II. Permits to Purchase & Firearms Identification Cards – Reporting Requirements and Procedures for NJSP Only

In addition to permits to carry, it is important to understand the context of approved permits to purchase and firearms identification cards. Currently, the New Jersey Firearms Application and Registration System (FARs) houses all data related to permits to purchase and firearms identification cards. To create consistency in reporting and housing of firearms statistics, it is

directed that NJSP FIU provide monthly data to the Attorney General on the following categories for completed applications for permits to purchase and firearms identification cards:

- a. County where the application was filed;
- b. Municipality where the application was filed;
- c. Applicant's year of birth;
- d. Applicant's race; and
- e. Applicant's gender identity.

This reporting requirement shall begin October 1, 2023, for data collected during the month of September and shall continue monthly, with a five-day grace period.

III. Reporting Summary Chart

Applications for Permits to Carry Handguns (Approved and Denied) *All Law Enforcement Agencies to Report*

Reporting category	Data Collection Range	Due Date (5-day grace period)
One-Time Historical	12/1/19 to 06/30/23	10/01/23
Monthly Interim	07/01/23 to 07/31/23 08/01/23 to 08/31/23 to continue until web portal implementation	08/01/23 09/01/23 to continue until web portal implementation
Post-Web Portal Implementation (<i>only NJSP to report</i>)	to begin upon notice of implementation of the web portal and continue monthly	to begin upon notice of implementation of the web portal and continue monthly

Permits to Purchase & Firearms Identification Cards (Approved Only) *NJSP Only to Report*

Reporting category	Reporting Date Range	Due Date (5-day grace period)
Monthly	09/01/23 to 09/30/23 10/01/23 to 10/31/23 to continue monthly	10/01/23 11/01/23 to continue monthly

IV. Other Provisions

- A. ***Non-enforceability by third parties.*** This Directive is issued pursuant to the Attorney General's authority to ensure the uniform and efficient enforcement of the laws and administration of criminal justice throughout the State. Nothing in this Directive shall be construed in any way to create any substantive right that may be enforced by any third party.

- B. **Severability.** The provisions of this Directive shall be severable. If any phrase, clause, sentence, or provision of this Directive is declared by a court of competent jurisdiction to be invalid, the validity of the remainder of the document shall not be affected.
- C. **Questions.** Any questions concerning the interpretation or implementation of this Directive shall be addressed to Assistant Attorney General Sara Quigley, Senior Counsel to the Attorney General.
- D. **Effective date.** This Directive shall take effect immediately and remain in force and effect unless and until it is repealed, amended, or superseded by Order of the Attorney General.



Matthew J. Platkin
Attorney General

ATTEST:



Lyndsay V. Ruotolo
First Assistant Attorney General
Dated: June 14, 2023