

FEDERAL LAW ENFORCEMENT OFFICERS ASSOCIATION

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November 6, 2018

Members,

The Federal Law Enforcement Officers Association has been made aware that the Attorney General of New Jersey recently reissued an opinion and guidance that, under State law, retired law enforcement officers who are permanent residents of New Jersey are required to obtain a retired officer State permit to lawfully carry a firearm in the State of New Jersey.

We believe this State statute may interfere with the rights of qualified retired law enforcement officers to carry firearms pursuant to the Law Enforcement Officers Safety Act (LEOSA).

FLEOA Outside Counsel is in the process of reviewing the New Jersey State statute and analyzing the possibility that this statute violates the Supremacy Clause of the Constitution.

LEOSA was implemented to enable retired law enforcement officers to readily protect themselves from “vindictive criminals.” The Statutory scheme implemented by the State of New Jersey infringes on the rights of retirees to carry a firearm and protect themselves and their families.

Although we disagree with the Attorney General of the State of New Jersey, members are encouraged to comply with the State statutory requirements until such time as the courts clarify the rights and obligations of retired law enforcement officers living in the State of New Jersey.

FLEOA is in the process of conferring with other law enforcement partners in pushing back against what we believe is an infringement on the rights of our members.

FLEOA is engaged and will keep you updated on developments as they become available.

Lawrence Berger, Esq.

Lawrence Berger

Outside Counsel to FLEOA Members

Mahon & Berger, Esqs.