

To all Members,

A brief LEOSA update:

The United States District Court, District of New Jersey Opinion and Order issued on 21 June 2022 by Judge Zahid N. Quraishi, was **AFFIRMED** by the United States Court of Appeals for the Third Circuit in an opinion filed on 14 February 2024. In that opinion, the court states:

***“We may not ignore Congress’s unambiguous conferral of an individual right or its clear intent to preempt state law. In LEOSA, Congress granted certain retired law enforcement officers a right to carry a concealed firearm. And LEOSA expressly preempts contrary provisions of state law.”***

“We will **AFFIRM** the District Court’s order.”

The United States Court of Appeals has affirmed that The LEOSA Qualified Retired Law Enforcement Officer (QRLEO) is **not** required to possess a state or local government issued firearms carry permit, regardless of state of residence and regardless of what law enforcement agency the QRLEO retired from. The court also affirmed that the QRLEO **can** carry hollow point ammunition.

In the original 21 June 2022 opinion, the court also issued a Permanent Injunction prohibiting the State of New Jersey from arresting and/or prosecuting any QRLEO who has the identification required by 18 U.S.C 926(d) regardless of their state of residence or the agency from which they retired. The United States Third Circuit Court of Appeals has **affirmed** that Permanent Injunction and **ORDERED** costs ***shall*** be taxed against the Appellants.

There are other areas of this monumental court opinion that clarify different aspects of LEOSA which are very beneficial to the law enforcement community.

If you would like to review the Third Circuit Court ruling and the United States District Court opinion and order issued on 21 June 2022 by Judge Zahid N. Quraishi, you can go to [NJSPBA600.org](http://NJSPBA600.org) and click on the LEOSA CARD AUTHENTICATION link. This is an unprotected link that can be accessed by the general public without a password.

If you have specific LEOSA questions, you can call the NJSPBA 600 LEOSA Hotline seven days a week between the hours of 9am and 6pm at 848-207-5597. If there is no answer, please leave a message and your call will be returned ASAP. When leaving a message please speak slowly and clearly so we can return your call without delay.

Jack Giordano

LEOSA Committee Chairman