#126 FIREARMS APP

State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF STATE POLICE
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WEST TRENTON, NJ 08628-0068

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Governor

JOHN J. FARMER, JR.
Attorney General

COLONEL CARSON J. DUNBAR, JR.
Superintendent
TELEPHONE: (609) 882-2000

September 20, 2000

Dear Member of the Law-Enforcement Community:

We are pleased to provide you and your agency with an updated Firearms Guidebook. This guide was prepared by the New Jersey State Police Firearms Investigation Unit to help ensure that firearm regulations in New Jersey are enforced in a standardized manner. The guidebook covers every aspect of the firearms' application process, clarifies background investigations, and introduces a uniform report for recording the findings of the investigator. This guide also details the qualifications and procedures necessary for a retired police officer to obtain a Retired Law Enforcement Officer Permit to Carry a Handgun.

We strongly encourage you to use the guidebook frequently and to encourage your fellow fficers to utilize it as well. We believe that any questions regarding the firearms' application process are answered clearly and concisely in the reference material.

As members of New Jersey's law-enforcement community, we have a direct responsibility to ensure that the state's firearms laws are enforced in a uniform and judicious manner. To this end, we hope that this guidebook will enhance your own agency's efforts in this most important area.

If you have any questions that are not answered in the guidebook, or any other concerns or comments, please do not hesitate to contact a member of the Firearms Investigations Unit at 609-882-2000, extension 2664.

Sincerely,

FOR COLONEL CARSON J. DUNBAR, JR.
SUPERINTENDENT

Vincent Modarelli
Lieutenant Colonel
Deputy Superintendent of Investigations

General Information

Applications:

1. Applications for a *Firearms Purchaser Identification Card, or Permit to Purchase a Handgun (STS 33)* may be obtained and filed at the applicant's local police department. Applicants who reside in a municipality without a full-time municipal police department obtain and file their applications at their local State Police station. Applicants who reside outside of New Jersey may make application (Firearms Purchaser Identification Card and Permit to Carry a Handgun ONLY) at the State Police station (except toll road stations) located geographically closest to where they reside.
2. Applications for *Permit to Carry a Handgun (SP 642)* are obtained in the same manner as stated above. Employees of armored car companies and individuals who reside outside of New Jersey, are required by law to make application for carry permits with the State Police.
3. Applicants for *Wholesale and Retail Firearms Dealers Licenses* are required to file their applications for such licenses with the State Police. They should be directed to contact the Firearms Investigation Unit at Division Headquarters.
4. Applicants for a *Duplicate Firearms Purchaser Identification Card (STS-3)* may obtain and file applications at their local police department. Applicants who reside in a municipality without an organized full-time police department, or who reside outside of New Jersey, may obtain and file their application at the State Police station serving their area. (Out of state applicants will utilize the State Police station geographically closest to their residence.)
5. The applicant shall personally complete the application forms.
6. Investigators should check applications and all forms attached thereto for completeness at the time of submission.
7. The investigator should confirm the applicant's identification to his or her satisfaction.
8. Applicants should be made aware of the 'disabilities' as outlined in NJSA 2C: 58-3c that preclude them from obtaining a firearm permit.
9. Applicants should be advised that falsification of any information on an application or related document is a crime of the third degree under NJSA 2C: 39-10c.
10. Eligible retiring police officers may obtain applications for their permits to carry at any State Police station. Renewal applications must be filed yearly and are available at any State Police station.
11. Retired officers are reminded that they must submit semi-annual training records (qualifications) to the Firearms Investigation Unit to maintain the validity of their permit to carry.

12. An application for a Retired Police Officers Permit to Carry must be filed with the Division of State Police not later than six months after the officer's effective retirement (2C: 39-6L1).

Investigation:

1. Each applicant for a firearm permit is to be investigated to determine whether he or she meets the requirements established by law for the issuance of such permit.
2. The investigation shall be completed within a reasonable period of time. In accordance with N.J.S.A. 2C:58-3f, the investigating agency has between thirty and forty-five days from the date of application to grant a permit. *Please note, the Attorney General has held that this automatic approval does not apply under certain conditions.* (See Attachment "A").
3. Fingerprints are required to be collected and submitted from *initial* applicants for a Firearms Purchaser Identification Card or Permit to Purchase a Handgun. They are *not required* on subsequent applications for similar permits.

Questions?

Please consult the F.A.Q. section of this guide. If the question is not answered contact the:

New Jersey State Police
Firearms Investigation Unit
P.O. Box 7068
West Trenton, NJ 08628-0068

Voice: 609-882-2000 ext. 2664 *Unit Supervisor
2768 *Assistant Unit Supervisor
2580 *Project L.I.S.A. (Trace request) coordinator
2740 *N.I.C.S. (National Instant Check) liaison
2742 *Special Investigation Squad supervisor
2316 *Retired Police Officer Line
2242 *Retired Police Officer Line

Fax: 609-771-0589 (Direct Line)
609-637-9583 (Secondary Line/ rear of building)

Firearms Purchaser Identification Card

For Rifles (including Black Powder & BB or Pellet) and Shotguns

Applicant:

1. Must be at least eighteen years of age.
2. Must be of good character and of good repute in the community in which he or she lives.
3. Can never have been convicted of a crime of the first, second, third or fourth degree in this state, or the equivalent in another state or jurisdiction, that has not been expunged or sealed.
4. Must not be a drug dependent person as defined in section 2 of P.L. 1970, c.226 (C.24: 21-2).
5. Must not be currently confined for a mental disorder to a hospital, mental institution or sanitarium.
6. Must not be a habitual drunkard.
7. Cannot suffer from a physical defect or disease that would make it unsafe for him or her to handle firearms.
8. Can never have been confined for a mental disorder.
9. Cannot be an alcoholic.
10. Persons who do not meet the requirements of items seven, eight and nine above are ineligible to obtain a Firearms Purchaser Identification Card unless such person produces a certificate of a medical doctor or psychiatrist licensed in New Jersey, or other satisfactory proof, that he or she is no longer suffering from that particular disability in such a manner that would interfere with or handicap him or her in the handling of firearms.
11. Must not knowingly falsify any information on the application form or any other required document.
12. Must not be subject to a court order issued pursuant to section 13 of P.L. 1991, c.261 (C.2C: 25-29) prohibiting the applicant from possessing any firearm.
13. Must not be a person where the issuance of such permit would not be in the interest of the public health, safety or welfare.

Application Process:

1. The applicant needs to complete the application (STS-33) in its entirety and submit the appropriate fee.
2. The applicant needs to complete Part One of the 'Consent for Mental Health Records Search' (SP-66) form. The applicant should sign and date this form in the presence of the investigating officer, or other enlisted (sworn) officer if the investigating officer is not present. The officer receiving the form should sign it in the space provided for "Witness" and provide the department's information on the appropriate line. State Police personnel will list their assigned station.
3. If the applicant has not previously applied with your agency for a handgun purchase permit, then the applicant is to be fingerprinted by your department on both a state applicant fingerprint card (SBI-19) and a federal applicant fingerprint card (FD-258), and submit the appropriate fee.
4. If the applicant has been previously issued a handgun purchase permit by your department, AND has a valid SBI (State Bureau of Identification) number, by statue this applicant need not be fingerprinted again. The applicant is to complete and submit a "Request for Criminal History Record Information' for a Non-Criminal Justice Purpose" form (SBI-212A), and submit the appropriate fee.
5. If the applicant has been previously issued a handgun purchase permit by another police department in New Jersey, provides satisfactory proof of identity, AND has a valid SBI number, the applicant should submit an SBI-212A form with the appropriate fee. Again, this applicant need not be fingerprinted again.

Investigation of the Applicant:

1. At the time the application is submitted and while the applicant is in your presence, check the application and supporting documents in their entirety.
2. Allow the applicant time to correct any mistakes made on the application.
3. Explain the questions to the applicant to ensure that he or she understands them and their implications.
4. Have the applicant double check the reference information provided for completeness and accuracy. Advise the applicant that an inability to contact references will result in a delay in issuing the Firearms Purchaser Identification Card, and will result in the applicant providing a new reference.
5. If a given answer on the application is unclear or incomplete, question the applicant and clarify the answer.
6. If documentation is needed to support an answer given by the applicant, return the application to the applicant and have them resubmit it when the additional information is supplied. (E.g. the applicant answered, "yes" to question 17, indicating he or she is an alcoholic, the applicant needs to provide a certificate from a medical doctor, or other satisfactory proof, indicating that he or she is no longer suffering from that disability in such a manner that would interfere with or handicap him or her in the handling of firearms.)
7. Ask the applicant if he or she anticipates applying for a Permit to Purchase a Handgun within the next six months. If the answer is 'yes' have them apply now.

This will save them time and money and it will save your department extra work investigating this person again. (This action will need to be indicated at the top of the application and, of course, the appropriate fee will need to be submitted.)

8. For applicants who submit an SBI-212A form, verify their SBI numbers while they are still in the station. This can be done in one of several ways:
    a. Check the Master Name Index file on the computer terminal using the 'GNRQ' function. (Check with your Terminal Agency Co-coordinator/ TAC if you are unsure how to do this).
    b. Check the Firearms Investigation Unit database using the 'GFIA' function on your computer terminal. (Check with your TAC)
    c. Call the SBI hotline at 609-882-2000 extension 2303 during normal business hours. (Monday through Friday- 8:30am to 8:30pm and Saturday- 10:00am to 5:00pm.)
9. Verify the applicant's driver's license number by checking his or her license against the application.
10. Run the applicant through NCIC, NJWP (New Jersey Wanted Persons), ATS, and ACS, to see if there is an active warrant for his or her arrest. If there is an active warrant, be sure to confirm it, then arrest the applicant.
11. Check to see if all the fees being submitted are in the proper form and of the correct amount. Ensure that checks or money orders are properly made out.
12. If fingerprints are required with this application, then fingerprint the applicant now.
13. Once satisfied that the application is complete and proper, allow the applicant to leave.
14. Submit the applicant's fingerprints or SBI-212A form and the applicable fee to the SBI.
15. Check the applicant through the Interstate Identification Index utilizing the "F" purpose code. A III should first be run under the 'QH' screen. If a record is returned proceed to the 'QR' screen.
16. Run the applicant's driver's license and print out the driving history checking for DWI convictions. The current State Police standard and federal standard for disqualifying firearm applicants with DWI convictions is two convictions within the last five years, with the most recent conviction within the last year. Applicants who fit this criteria may be denied under several justifications: First, would be the 'habitual drunkard' standard; Second, would be 'alcoholism'. This is a general standard and there will certainly be times when you may want to deny an applicant with a gross amount of DWI's. *Each case should be evaluated on its merits.*
17. Next, check the applicant through the Promis Gavel system to check for an indication of a criminal record and any pending indictments. (Check with your TAC officer if you are unsure how to run Promis Gavel or need a sign on.)
18. Check the applicant through the Domestic Violence database. (You access this through the first screen when you sign into Promis Gavel.) This database is utilized to check for Domestic Violence Restraining Orders (TRO/ FRO).
19. If the applicant's references reside locally, personally visit them and have them complete the reference form (See form section of guide).
20. If the applicant's references are not local, mail them the reference form.

21. If it becomes necessary to telephone the applicant's references, verify that you are speaking with the given reference. Ask them to identify themselves by reading their driver's license number or some other unique information that you can verify easily to ensure they are whom they say they are. You may need to have the reference call you back at the station to ease any fear they may have of giving you this information over the phone.
22. Verify the applicant's employment by contacting their employer.
23. Follow up any incomplete findings. If the fingerprints, SBI-212A form, Promis Gavel, or any other indices check reveals a record without a disposition, contact the appropriate agency and clear the information with a disposition.
24. If the applicant indicated on the application that he or she was treated for a mental health related ailment or if you uncover information during your checks that a mental health record exists, follow up by contacting the doctor or institution with a letter requesting information. The consent (SP-66) that the applicant signed should accompany this letter. You may need to have the applicant supply the contact information for the doctor or institution. *Do not submit the Consent for Mental Health Records Search Form to the County Adjuster*
25. Once the investigation is complete, complete the Firearms Applicant Investigation Report (SP-407 & SP-407a).

Issuance of the Firearms Purchaser Identification Card:

1. Complete the information required on the Firearms Purchaser Identification Card and accurately record the SBI number on the card. * Past practice allowed municipal departments to record a number on the Firearms Purchaser Identification Card other than the SBI number when the applicant's fingerprints were unclassifiable by the SBI. *This is not an accepted practice any longer. The applicant's SBI number must appear on the Firearms Purchaser Identification Card. If the prints are unclassifiable by the SBI, contact the SBI in order to resolve the problem. If you are aware of anyone in your community who does not have his or her SBI number on the Firearms Purchaser Identification Card, encourage him or her to update the card. Firearms Purchaser Identification Cards without valid SBI numbers on them will be voided.
2. Have the Chief of Police sign the Firearms Purchaser Identification Card. If your agency presently does not have a Chief, then the highest-ranking officer is to sign the card. Departments with a public safety director are to have the highest-ranking sworn police officer sign the card.
3. Firearms Purchaser Identification Cards issued by the Division of State Police will be processed at the Firearms Investigation Unit. They will be returned to the investigating station for delivery to the applicant.
4. Contact the applicant to pick up the card. Have the applicant place his or her right index fingerprint on the Firearms Purchaser Identification Card and sign it in the presence of a police officer.

Denying issuance of a Firearms Purchaser Identification Card:

1. If your background investigation revealed that the applicant is subject to any of the disabilities as set forth under NJSA 2C: 58-3c, you must deny the issuance of the Firearms Purchaser Identification Card.
2. Have your Chief of Police, or highest-ranking officer as the case may be, indicate on the application that it is denied and the reason for the denial.
3. Notify the applicant by registered mail that their application for a Firearms Purchaser Identification Card was denied and the reason for the denial.
4. Indicate in your letter that, by statue (2C: 58-3d), he or she has thirty days to appeal the denial by writing to the Superior Court in the County in which they reside requesting a hearing on the denial.
5. Also advise them that they must notify you in writing if they appeal the denial to the court.
6. Save the return on the registered letter as proof the letter was received.

Retention of Applications & Support Documents:

(State Police)

1. The Firearms Investigation Unit shall computerize and microfilm the original copy of the application and investigation report.
2. Stations shall maintain the yellow copy of the application and investigation report and any other ledgers or records associated with the Firearm Application. Master Name Index Cards will be maintained according to the appropriate S.O.P.

(Municipal Police)

3. Municipal departments are encouraged to maintain copies of the application and investigation report, as well as any support documents. This will aid in future investigations of the same applicant~~, often~~ alleviating the need to clear missing dispositions repeatedly.

Disposition:

(State Police)

1. Forward the following forms by interoffice mail to the Firearms Investigation Unit *within ten working days*~~,~~ from the date the application is accepted at the station.
   a. Original Application (STS-33)
   b. Consent for Mental Health Records Search (SP-66)
   c. Original Investigation Report (SP-407 & 407a)
   d. Appropriate Fees. (see Fee Schedule)

2. Forward the applicant's fingerprints or 212a form and corresponding fees immediately upon receipt to the SBI (see schedule attachment).

(Municipal Police)

1. Upon completion of the investigation and issuance or denial of the Firearms Purchaser Identification Card, forward the following form to the New Jersey State Police Firearms Investigation Unit.
    a. Original Application (STS-33)

2. Forward the applicant's fingerprints or SBI-212A form and corresponding fees immediately upon receipt to the SBI (see schedule attachment).

If the Firearms Purchaser Identification Card was denied by your agency, do not forward the STS-33 form until all court action has been completed, or until more than thirty days has elapsed from the time you notified the applicant of his or her denial. *If the denial was upheld in court, or if the denial is overturned, forward a copy of the court order along with the original application.*

Permit to Purchase a Handgun & Form of Register

(For Handguns & Handgun Frames)

Applicant:

1. Must be at least twenty-one years of age.
2. Must be of good character and of good repute in the community in which he or she lives.
3. Can never have been convicted of a crime of the first, second, third or fourth degree in this state, or the equivalent in another state or jurisdiction, that has not been expunged or sealed.
4. Must not be a drug dependent person as defined in section 2 of P.L. 1970, c.226 (C.24: 21-2).
5. Must not be currently confined for a mental disorder to a hospital, mental institution or sanitarium.
6. Must not be a habitual drunkard.
7. Cannot suffer from a physical defect or disease that would make it unsafe for him or her to handle firearms.
8. Can never have been confined for a mental disorder.
9. Cannot be an alcoholic.
10. Persons who do not meet the requirements of items seven, eight and nine above are ineligible to obtain a Permit to Purchase a Handgun unless such person produces a certificate of a medical doctor or psychiatrist licensed in New Jersey, or other satisfactory proof, that he or she is no longer suffering from that particular disability in such a manner that would interfere with or handicap him or her in the handling of firearms.
11. Must not knowingly falsify any information on the application form or any other required document.
12. Must not be subject to a court order issued pursuant to section 13 of P.L. 1991, c.261 (C.2C: 25-29) prohibiting the applicant from possessing any firearm.
13. Must not be a person where the issuance of such permit would not be in the interest of the public health, safety or welfare.

Application Process:

1. The applicant needs to complete the application (STS-33) in its entirety and submit the appropriate fee.
2. The applicant needs to complete Part One of the 'Consent for Mental Health Records Search' (SP-66) form. The applicant should sign and date this form in the presence of the investigating officer, or other enlisted (sworn) officer if the investigating officer is not present. The officer receiving the form should sign it in the space provided for "Witness" and provide the departments information on the appropriate line. State Police personnel will list their assigned station.

3. If the applicant has not previously applied to your agency for a handgun purchase permit or Firearms Purchaser Identification Card, then the applicant is to be fingerprinted by your department on both a state applicant fingerprint card (SBI-19) and a federal applicant fingerprint card (FD-258), and submit the appropriate fee. *-UNLESS-*
   a. The applicant has been previously issued a handgun purchase permit or Firearms Purchaser Identification Card by *another* police department in New Jersey, provides satisfactory proof of identity, AND has a valid State Bureau of Identification (SBI) number. This applicant should submit an SBI-212A form with the appropriate fee. This applicant need not be fingerprinted again. (Make a photocopy of the Firearms Purchaser Identification Card and attach it to the application) OR
   b. The applicant has been previously issued a handgun purchase permit by your department or a Firearms Purchaser Identification Card, AND has a valid SBI (State Bureau of Identification) number. The applicant is to complete and submit a "Request for Criminal History Record Information for a Non-Criminal Justice Purpose" form (SBI-212A), with the appropriate fee. By statue this applicant need not be fingerprinted again.

Investigation of the Applicant:

1. At the time the application is submitted and while the applicant is in your presence, check the application and support documents in their entirety.
2. Allow the applicant time to correct any mistakes made on the application.
3. Explain the questions to the applicant to ensure that he or she understands them and their implications.
4. Have the applicant double check the reference information provided for completeness and accuracy. Advise the applicant that an inability to contact references will result in a delay in issuing the pistol purchase permit(s), and will result in the applicant providing a new reference.
5. If a given answer on the application is unclear or incomplete, question the applicant and clarify the answer.
6. If documentation is needed to support an answer given by the applicant, return the application to the applicant and have them resubmit it when the additional information is supplied. (E.g. the applicant answered, "yes" to question 17, indicating he or she is an alcoholic, the applicant needs to provide a certificate from a medical doctor, or other satisfactory proof, indicating that he or she is no longer suffering from that disability in such a manner that would interfere with or handicap him or her in the handling of firearms.)
7. If the applicant does not have a Firearms Purchaser Identification Card, ask the applicant if he or she anticipates applying for a Firearms Purchaser Identification Card within the next six months. If the answer is 'yes' have them apply now. This will save them time and money and it will save your department extra work investigating this person again. (This action will need to be indicated at the top of the application and of course the appropriate fee will need to be submitted.)

8. For applicants who submit an SBI-212A form, verify their SBI numbers while they are still in the station. This can be done in one of several ways:
    a. Check the Master Name Index file on the computer terminal using the 'GNRQ' function. (Check with your Terminal Agency Co-coordinator/ TAC if you are unsure how to do this).
    b. Check the Firearms Investigation Unit database using the 'GFIA' function on your computer terminal. (Check with your TAC)
    c. Call the SBI hotline at 609-882-2000 extension 2303 during normal business hours. (Monday through Friday - 8:30am to 8:30pm and Saturday - 10:00am to 5:00pm.)
9. Verify the applicant's driver's license number by checking his or her license against the application.
10. Run the applicant through NCIC, NJWP (New Jersey Wanted Persons), ATS, and ACS, to see if there is an active warrant for his or her arrest. If there is an active warrant, be sure to confirm it, then arrest the applicant.
11. Check to see if all the fees being submitted are in the proper form and of the correct amount. Ensure that checks or money orders are properly made out.
12. If fingerprints are required with this application, then fingerprint the applicant now.
13. Once satisfied that the application is complete and proper, allow the applicant to leave.
14. Submit the applicant's fingerprints or SBI-212A form and the applicable fee to the SBI.
15. Check the applicant through the Interstate Identification Index utilizing the "F" purpose code. A III should first be run under the 'QH' screen. If a record is returned proceed to the 'QR' screen.
16. Run the applicant's driver's license and print out the driving history checking for DWI convictions. The current State Police standard and federal standard for disqualifying firearm applicants with DWI convictions is two convictions within the last five years, with the most recent conviction within the last year. Applicants who fit this criteria may be denied under several justifications: First, would be the 'habitual drunkard' standard; Second, would be 'alcoholism'. This is a general standard and there will certainly be times when you may want to deny an applicant with a gross amount of DWI's. *Each case should be evaluated on its merits.*
17. Next, check the applicant through the Promis Gavel system to check for an indication of a criminal record and any pending indictments. (Check with your TAC officer if you are unsure how to run Promis Gavel or need a sign on.)
18. Check the applicant through the Domestic Violence database. (You access this through the first screen when you sign into Promis Gavel.) This database is utilized to check for Domestic Violence Restraining Orders (TRO/ FRO).
19. If the applicant's references reside locally, personally visit them and have them complete the reference form (See form section of guide).
20. If the applicant's references are not local, mail them the reference form.
21. If it becomes necessary to telephone the applicant's references, verify that you are speaking with the given reference. Ask them to identify themselves by reading their driver's license number or some other unique information that you can verify easily to ensure they are whom they say they are. You may need to have the reference call you

back at the station to ease any fear they may have of giving you this information over the phone.

22. Verify the applicant's employment by contacting their employer.
23. Follow up any incomplete findings. If the fingerprints, SBI-212A form, Promis Gavel, or any other indices check reveals a record without a disposition, contact the appropriate agency and clear the information with a disposition.
24. If the applicant indicated on the application that he or she was treated for a mental health related ailment or if you uncover information during your checks that a mental health record exists, follow up by contacting the doctor or institution with a letter requesting information. The consent (SP-66) that the applicant signed should accompany this letter. You may need to have the applicant supply the contact information for the doctor or institution. *Do not submit the Consent for Mental Health Records Search Form to the County Adjuster*
25. Once the investigation is complete, complete the Firearms Applicant Investigation Report (SP-407 & SP-407a).

Issuance of the Permit to Purchase a Handgun & Form of Register:

1. Complete the information required on the Permit to Purchase a Handgun & Form of Register and accurately record the SBI number on the permit.
2. Have the Chief of Police sign the permit. If your agency presently does not have a Chief, then the highest-ranking officer is to sign the card. Departments with a public safety director are to have the highest-ranking sworn police officer sign the permit. Have this officer place his Title of Office in the space provided.
3. Insert the permit number in the space provided. (This is your departments internal tracking number for the permit)
4. Permits to Purchase issued by the Division of State Police will be processed at the Firearms Investigation Unit. They will be returned to the investigating station for delivery to the applicant.
5. Contact the applicant and have them pick up their permit. Have the applicant sign the permit in your presence in the space provided.

Denying issuance of a Permit to Purchase a Handgun & Form of Register:

1. If your background investigation revealed that the applicant is subject to any of the disabilities as set forth under NJSA 2C: 58-3c, you must deny the issuance of the Permit to Purchase a Handgun.
2. Have your Chief of Police, or highest-ranking officer as the case may be, indicate on the application that it is denied and the reason for the denial.
3. Notify the applicant by registered mail that their application for a Permit to Purchase a Handgun was denied and the reason for the denial.
4. Indicate in you letter that, by statue (2C: 58-3d), he or she has thirty days to appeal the denial by writing to the Superior Court in the County in which they reside asking for a hearing on the denial.
5. Also advise them that they must notify you in writing if they appeal the denial to the court.

6. Save the return on the registered letter as proof the letter was received.

Retention of Applications & Support Documents:

(State Police)

1. The Firearms Investigation Unit shall computerize and microfilm the original copy of the application and investigation report.
2. Stations shall maintain the yellow copy of the application and investigation report and any other ledgers or records associated with the Firearm Application. Master Name Index Cards will be maintained according to the appropriate S.O.P.

(Municipal Police)

1. Municipal departments are encouraged to maintain copies of the application and investigation report, as well as any support documents. This will aid you in future investigations of the same applicant, alleviating the need to clear missing dispositions repeatedly.

Disposition:

(State Police)

1. Forward the following forms by interoffice mail to the Firearms Investigation Unit *within ten working days* from the date the application is accepted at the station.
   a. Original Application (STS-33)
   b. Consent for Mental Health Records Search (SP-66)
   c. Original Investigation Report (SP-407 & 407a)
   d. Appropriate Fees. (see Fee Schedule)

2. Forward the applicant's fingerprints or SBI-212A form and corresponding fees immediately upon receipt to the SBI (see schedule attachment).

(Municipal Police)

1. Upon completion of the investigation and issuance or denial of the Permit to Purchase a Handgun & Form of Register, forward the following form to the New Jersey State Police Firearms Investigation Unit.
   a. Original Application (STS-33)

2. Forward the applicant's fingerprints or SBI-212A form and corresponding fees immediately upon receipt to the SBI (See schedule attachment).

If the Permit to Purchase a Handgun & Form of Register was denied by your agency, do not forward the STS-33 form until all court action has been completed, or until more than thirty days has elapsed from the time you notified the applicant of his or her denial. *If the denial was upheld in court, or if the denial was overturned, forward a copy of the court order along with the original application.*

Duplicate Firearms Purchaser Identification Card

Applicant:

1. Must have previously been issued a Firearms Purchaser Identification Card by an organized full-time police department within the State of New Jersey or by the New Jersey State Police.
2. Must not have had his or her Firearms Purchaser Identification Card revoked. Unless a court order exists authorizing the applicant to obtain a duplicate Firearms Purchaser Identification Card.
3. Must not have become subject to the disabilities set forth under NJSA 2C: 58-3c. (See "Applicant" section of Firearms Purchaser Identification Card.)

Application Process:

1. The applicant needs to complete the application (STS-3) in its entirety.
2. The applicant needs to complete Part One of the 'Consent for Mental Health Records Search' (SP-66) form. The applicant should sign and date this form in the presence of the investigating officer, or other enlisted (sworn) officer if the investigating officer is not present. The officer receiving the form should sign it in the space provided for "Witness" and provide the departments information on the appropriate line. State Police personnel will list their assigned station.
3. The applicant must present proper identification to the investigating officer's satisfaction. If the applicant cannot or does not present adequate identification, then the applicant will have to submit fingerprints (SBI-19 & FD-258) along with the appropriate fee.
4. Applicants who present satisfactory identification may be processed on a SBI-212A form provided:
    a. He or she turns in the old Firearms Purchaser Identification Card at the time of application and the SBI number on it is verified.
    b. The investigating officer is able to verify that the applicant has a valid SBI number if the applicant's Firearms Purchaser Identification Card is lost, stolen or mutilated.
5. Applicants <u>must</u> submit fingerprints along with the appropriate fee, if their SBI number cannot be verified.

Scope & Purpose:

1. An application for Duplicate Firearms Purchaser Identification Card will be accepted from an applicant who:
    a. Has <u>lost</u> his or her Firearms Purchaser Identification Card or whose card has been <u>stolen</u>.

b. Has a mutilated card.
   1. Old card will be surrendered and destroyed.
c. Has a Change of Name, Address or Sex
   1. Old card will be surrendered and destroyed.
   2. A copy of the court order or marriage certificate will accompany all requests for change of name.

2. "DUPLICATE" must be typed on the upper right corner of the new identification card.

Investigation of the Applicant:

1. At the time the application is submitted and while the applicant is in your presence, check the application and support documents in their entirety.
2. Allow the applicant time to correct any mistakes made on the application.
3. Explain the questions to the applicant to ensure that he or she understands them and their implications.
4. If a given answer on the application is unclear or incomplete, question the applicant and clarify the answer.
5. If documentation is needed to support an answer given by the applicant, return the application to the applicant and have them resubmit it when the additional information is supplied. (E.g. The applicant answered, "yes" to question 17, indicating he or she is an alcoholic, the applicant needs to provide a certificate from a medical doctor, or other satisfactory proof, indicating that he or she is no longer suffering from that disability in such a manner that would interfere with or handicap him or her in the handling of firearms.)
6. Ask the applicant if he or she anticipates applying for a Permit to Purchase a Handgun within the next six months. If the answer is 'yes' have them apply now. This will save them time and money and it will save your department extra work investigating this person again. (This action will need to be indicated at the top of the application and, of course, the appropriate fee will need to be submitted.)
7. For applicants who submit an SBI-212A form, verify their SBI numbers while they are still in the station. This can be done in one of several ways:
   a. Check the Master Name Index file on the computer terminal using the 'GNRQ' function. (Check with your Terminal Agency Co-coordinator/ TAC if you are unsure how to do this).
   b. Check the Firearms Investigation Unit database using the 'GFIA' function on your computer terminal. (Check with you TAC)
   c. Call the SBI hotline at 609-882-2000 extension 2303 during normal business hours. (Monday through Friday - 8:30am to 8:30pm and Saturday - 10:00am to 5:00pm.)
8. Verify the applicant's driver's license number by checking his or her license against the application.
9. Run the applicant through NCIC, NJWP (New Jersey Wanted Persons), ATS, and ACS, to see if there is an active warrant for his or her arrest. If there is an active warrant, be sure to confirm it, then arrest the applicant.

10. Check to see if all the fees being submitted are in the proper form and of the correct amount. Ensure that checks or money orders are properly made out.
11. If fingerprints are required with this application, then fingerprint the applicant now.
12. Once satisfied that the application is complete and proper, allow the applicant to leave.
13. Submit the applicant's fingerprints or SBI-212A form and the applicable fee to the SBI.
14. Check the applicant through the Interstate Identification Index utilizing the "F" purpose code. A III should first be run under the 'QH' screen. If a record is returned proceed to the 'QR' screen.
15. Run the applicant's driver's license and print out the driving history checking for DWI convictions. The current State Police standard and federal standard for disqualifying firearm applicants with DWI convictions is two convictions within the last five years, with the most recent conviction within the last year. Applicants who fit this criteria may be denied under several justifications: First, would be the 'habitual drunkard' standard; Second, would be 'alcoholism'. This is a general standard and there will certainly be times when you may want to deny an applicant with a gross amount of DWI's. *Each case should be evaluated on its merits.*
16. Next, check the applicant through the Promis Gavel system to check for an indication of a criminal record and any pending indictments. (Check with your TAC officer if you are unsure how to run Promis Gavel or need a sign on.)
17. Check the applicant through the Domestic Violence database. (You access this through the first screen when you sign into Promis Gavel.) This database is utilized to check for Domestic Violence Restraining Orders (TRO/ FRO).
18. Follow up any incomplete findings. If the fingerprints, SBI-212A form, Promis Gavel, or any other indices check reveals a record without a disposition, contact the appropriate agency and clear the information with a disposition.
19. If the applicant indicated on the application that he or she was treated for a mental health related ailment or if you uncover information during your checks that a mental health record exists, follow up by contacting the doctor or institution with a letter requesting information. The consent (SP-66) that the applicant signed should accompany this letter. You may need to have the applicant supply the contact information for the doctor or institution. ***Do not submit the Consent for Mental Health Records Search Form to the County Adjuster***
20. Once the investigation is complete, complete the Firearms Applicant Investigation Report (SP-407 & SP-407a).

Issuance of the (Duplicate) Firearms Purchaser Identification Card:

21. Complete the information required on the Firearms Purchaser Identification Card and accurately record the SBI number on the card. "Duplicate" must be typed on the upper right corner of all duplicate identification cards. The applicants SBI number must appear on the Firearms Purchaser Identification Card. Firearms Purchaser Identification Cards without a valid SBI number on them will be voided.
22. Have the Chief of Police sign the Duplicate Firearms Purchaser Identification Card. If your agency presently does not have a Chief, then the highest-ranking sworn officer

is to sign the card. Departments with a public safety director are to have the highest-ranking police officer sign the card.

23. Duplicate Firearms Purchaser Identification Cards issued by the Division of State Police will be processed at the Firearms Investigation Unit. They will be returned to the investigating station for delivery to the applicant.
24. Contact the applicant to pick up the card. Have the applicant place his or her right index fingerprint on the Duplicate Firearms Purchaser Identification Card and sign it in the presence of a police officer.

Denying issuance of a Duplicate Firearms Purchaser Identification Card:

1. If your background investigation revealed that the applicant is subject to any of the disabilities as set forth under NJSA 2C: 58-3c, you must deny the issuance of the Duplicate Firearms Purchaser Identification Card.
2. Have your Chief of Police, or highest-ranking officer as the case may be, indicate on the application that it is denied and the reason for the denial.
3. Notify the applicant by registered mail that their application for a Duplicate Firearms Purchaser Identification Card was denied and the reason for the denial.
4. Indicate in your letter that, by statue (2C: 58-3d), he or she has thirty days to appeal the denial by writing to the Superior Court in the County in which they reside asking for a hearing on the denial.
5. Also advise them that they must notify you in writing if they appeal the denial to the court.
6. Save the return on the registered letter as proof the letter was received.

Retention of Applications & Support Documents:

(State Police)

1. The Firearms Investigation Unit shall computerize and microfilm the original copy of the application and investigation report.
2. Stations shall maintain the yellow copy of the application and investigation report and any other ledgers or records associated with the Firearm Application. Master Name Index Cards will be maintained according to the appropriate S.O.P.

(Municipal Police)

1. Municipal departments are encouraged to maintain copies of the application and investigation report, as well as any support documents. This will aid you in future investigations of the same applicant, often alleviating the need to clear missing dispositions repeatedly.

Disposition:

(State Police)

1. Forward the following forms by interoffice mail to the Firearms Investigation Unit *within five working days* from the date the application is accepted at the station.
    a. Original Application (STS-3)
    b. Consent for Mental Health Records Search (SP-66)
    c. Original Investigation Report (SP-407 & 407a)
    d. Appropriate Fees. (see Fee Schedule)

2. Forward the applicant's fingerprints or SBI-212A form and corresponding fees immediately upon receipt to the SBI (see schedule attachment).

(Municipal Police)

1. Upon completion of the investigation and issuance or denial of the Duplicate Firearms Purchaser Identification Card forward the following form to the New Jersey State Police Firearms Investigation Unit.
    a. Original Application (STS-3)

2. Forward the applicant's fingerprints or SBI-212A form and corresponding fees immediately upon receipt to the SBI (See schedule attachment)

If the Duplicate Firearms Purchaser Identification Card was denied by your agency, do not forward the STS-3 form until all court action has been completed, or until more than thirty days has elapsed from the time you notified the applicant of his or her denial. *If the denial was upheld in court or if the denial was overturned, forward a copy of the court order along with the original application.*

Permit to Carry a Handgun

Applicant:

1. Must be at least twenty-one years of age.
2. Must be of good character and of good repute in the community in which he or she lives.
3. Can never have been convicted of a crime of the first, second, third or fourth degree in this state, or the equivalent in another state or jurisdiction, that has not been expunged or sealed.
4. Must not be a drug dependent person as defined in section 2 of P.L. 1970, c.226 (C.24: 21-2).
5. Must not be currently confined for a mental disorder to a hospital, mental institution or sanitarium.
6. Must not be a habitual drunkard.
7. Cannot suffer from a physical defect or disease that would make it unsafe for him or her to handle firearms.
8. Can never have been confined for a mental disorder.
9. Cannot be an alcoholic.
10. Persons who do not meet the requirements of items seven, eight and nine above are ineligible to obtain a Permit to Carry a Handgun, unless such person produces a certificate of a medical doctor or psychiatrist licensed in New Jersey, or other satisfactory proof, that he or she is no longer suffering from that particular disability in such a manner that would interfere with or handicap him or her in the handling of firearms.
11. Must not knowingly falsify any information on the application form or any other required document.
12. Must not be subject to a court order issued pursuant to section 13 of P.L. 1991, c.261 (C.2C: 25-29) prohibiting the applicant from possessing any firearm.
13. Must not be a person where the issuance of such permit would not be in the interest of the public health, safety or welfare.

Application Process:

1. The applicant needs to complete the application (SP-642) in its entirety and in triplicate (Three original applications.) and submit the appropriate fee.
2. The applicant must submit four photographs (1 ½ x 1 ½ square)
3. The applicant needs to complete Part One of the 'Consent for Mental Health Records Search' (SP-66) form. The applicant should sign and date this form in the presence of the investigating officer, or other enlisted (sworn) officer if the investigating officer is not present. The officer receiving the form should sign it in the space provided for "Witness" and provide the department's information on the appropriate line. State Police Personnel will list their assigned station.

4. The applicant *must* be fingerprinted by the investigating department on both a state applicant fingerprint card (SBI-19) and a federal applicant fingerprint card (FD-258), and submit the appropriate fee.
5. The applicant must submit a notarized certification (letter) of need, specific in content, under oath, which:
    a. In the case of a private citizen shall specify in detail the urgent necessity for self-protection, as evidenced by specific threats or previous attacks which demonstrate a special danger to the applicant's life that cannot be avoided by means other than by issuance of a permit to carry a handgun. Where possible the applicant shall corroborate the existence of any specific threats or previous attacks by reference to reports of such incidents to the appropriate law enforcement agencies; or
    b. In the case of employees of private detective agencies, armored car companies and private security companies, that:
        i. In the course of performing statutorily authorized duties, the applicant is subject to a substantial threat of serious bodily harm; and
        ii. That carrying a handgun by the applicant is necessary to reduce the threat of unjustifiable serious bodily harm to any person.
6. If the applicant is an employee of an armored car company, his or her application shall be accompanied by a letter from the chief executive officer of the armored car company verifying employment of the applicant; endorsing approval of the application and agreeing to notify the Superintendent within five days of the termination of an employee to whom any permit is issued, and agreeing to obtain from that employee the permit, which shall be immediately surrendered to the Superintendent
7. The applicant must submit a complete list of each gun he or she intends to carry.
8. The applicant must produce evidence that he or she is thoroughly familiar with the safe handling and use of handguns. This may be evidenced in one of several ways:
    a. Completion of a firearms training course substantially equivalent to the firearms training approved by the Police Training Commission as described by N.J.S.A. 2C: 39-6j;
    b. Submission of an applicant's most recent handgun qualification scores utilizing the handgun(s) he or she intends to carry as evidenced by test firings administered by a certified firearms instructor of a police academy, a certified firearms instructor of the National Rifle Association, or any other recognized certified firearms instructor;
    c. Completion of a course or test in the safe handling of a handgun administered by a certified firearms instructor of a police academy, a certified firearms instructor of the National Rifle Association, or any other recognized certified firearms instructor; or
    d. Passage of any test in this State's laws governing the use of force administered by a certified instructor of a police academy, a certified instructor of the National Rifle Association, or any other recognized certified instructor.
9. Where available, the information in (8) above shall be accompanied and validated by certifications of the appropriate instructor(s). In the absence of, or in addition to (8) a

through d above, the applicant shall provide any other available and accurate information which may evidence his or her proficiency in the safe handling and use of firearms, including most recent handgun qualification scores and whether he or she utilized the handgun(s) he or she intends to carry, courses attended in the safe handling and use of firearms, and extent of knowledge, however gained, of this State's laws pertaining to the use of force in the defense of person and property.

10. The applicant must have his or her application endorsed by three reputable persons, who have known the applicant for at least three years preceding the date of the application, and who shall certify that the applicant is a person of good moral character and behavior.
11. This process shall be the same for initial applicants, as well as renewal applicants.

Investigation of the Applicant:

1. At the time the application is submitted and while the applicant is in your presence, check the application and support documents in their entirety.
2. Ensure that the application and letter of need are notarized.
3. Allow the applicant time to correct any mistakes made on the application.
4. Explain the questions to the applicant to ensure that he or she understands them and their implications.
5. Have the applicant double check the voucher (reference) information provided for completeness and accuracy. Advise the applicant that an inability to contact vouchers will result in a delay in issuing the Permit to Carry a Handgun, and will result in the applicant providing a new reference.
6. If a given answer on the application is unclear or incomplete, question the applicant and clarify the answer.
7. If documentation is needed to support an answer given by the applicant, return the application to the applicant and have them resubmit it when the additional information is supplied. (E.G. The applicant answered, "yes" to question 17, indicating he or she is an alcoholic, the applicant needs to provide a certificate from a medical doctor, or other satisfactory proof, indicating that he or she is no longer suffering from that disability in such a manner that would interfere with or handicap him or her in the handling of firearms.)
8. Verify the applicant's driver's license number by checking his or her license against the application.
9. Run the applicant through NCIC, NJWP (New Jersey Wanted Persons), ATS, and ACS, to see if there is an active warrant for his or her arrest. If there is an active warrant, be sure to confirm it, then arrest the applicant.
10. Check to see if all the fees being submitted are in the proper form and of the correct amount. Ensure that checks or money orders are properly made out.
11. Fingerprint the applicant. (Fingerprints are required with all PTC applications.)
12. Once satisfied that the application is complete and proper, allow the applicant to leave.
13. Submit the applicant's fingerprints and the applicable fee to the SBI.

14. Check the applicant through the Interstate Identification Index utilizing the "F" purpose code. A III should first be run under the 'QH' screen. If a record is returned proceed to the 'QR' screen.
15. Run the applicant's driver's license and print out the driving history checking for DWI convictions. The current State Police standard and federal standard for disqualifying firearm applicants with DWI convictions is two convictions within the last five years, with the most recent conviction within the last year. Applicants who fit this criteria may be denied under several justifications: First, would be the 'habitual drunkard' standard; Second, would be 'alcoholism'. This is a general standard and there will certainly be times when you may want to deny an applicant with a gross amount of DWI's. *Each case should be evaluated on its merits.*
16. Next, check the applicant through the Promis Gavel system to check for an indication of a criminal record and any pending indictments. (Check with your TAC officer if you are unsure how to run Promis Gavel or need a sign on.)
17. Check the applicant through the Domestic Violence database. (You access this through the first screen when you sign into Promis Gavel.) This database is utilized to check for Domestic Violence Restraining Orders (TRO/ FRO).
18. If the applicant's references reside locally, personally visit them and have them complete the reference form (See form section of guide).
19. If the applicant's references are not local, mail them the reference form.
20. If it becomes necessary to telephone the applicant's references, verify that you are speaking with the given reference. Ask them to identify themselves by reading their driver's license number or some other unique information that you can verify easily to ensure they are whom they say they are. You may need to have the reference call you back at the station to ease any fear they may have of giving you this information over the phone.
21. Verify the applicant's employment by contacting their employer.
22. Follow up any incomplete findings. If the fingerprints, Promis Gavel, or any other indices check reveals a record without a disposition, contact the appropriate agency and clear the information with a disposition.
23. If the applicant indicated on the application that he or she was treated for a mental health related ailment or if you uncover information during your checks that a mental health record exists, follow up by contacting the doctor or institution with a letter requesting information. The consent (SP-66) that the applicant signed should accompany this letter. You may need to have the applicant supply the contact information for the doctor or institution. *Do not submit the Consent for Mental Health Records Search Form to the County Adjuster*
24. Once the investigation is complete, complete the Firearms Applicant Investigation Report (SP-407 & SP-407a).

Approval of the Permit to Carry a Handgun:

1. Upon approval of the Chief of Police or the Superintendent:
2. Complete the information required on the Application for Permit to Carry Handgun.
3. Place the applicant's photograph on the application in the space provided.
4. Forward the following to the Superior Court:

a. Applications with fee.
b. Signed Consent for Mental Health Records Search form.
c. Applicant's fingerprint returns, both state and federal.
d. Applicant's letter of need, and letter from employer if applicable.
e. Applicant's proof of safe handling and use of handguns.
f. Applicants complete list of guns he or she intends to carry.
g. Your investigation report (SP407 & SP407a).

5. Once issued by the court, keep a complete file of the application and support documents for your records.
6. Municipal Departments are encouraged to photocopy the completed package prior to forwarding it to the court.

Denying Issuance of a Permit to Carry a Handgun:

1. If your background investigation revealed that the applicant is subject to any of the disabilities as set forth under NJSA 2C: 58-3c, or if the applicant failed to satisfactorily justify his or her *need* to carry a handgun, or the applicant failed to satisfactorily demonstrate that he or she is thoroughly familiar with the safe use and handling and use of handguns, you MUST deny the Permit to Carry a Handgun.
2. Have your Chief of Police, or highest-ranking officer as the case may be, indicate on the application that it is denied and the reason for the denial.
3. Notify the applicant by registered mail that the application for a Permit to Carry a Handgun was denied and the reason for the denial.
4. Indicate in your letter that, by statue (2C: 58-4e), he or she has have thirty days to appeal the denial by writing to the Superior Court in the county in which they reside, or in the case of an employee of an armored car company, to the Superior Court in which the applicant intended to carry the firearm, requesting a hearing on the denial.
5. Also advise them that they must notify you in writing if they appeal the denial to the court.
6. In some cases, the Chief of Police or Superintendent as the case may be, may approve the application and the Superior Court where it was forwarded to may deny it. In these instances you should also notify the applicant by registered mail that his or her Permit to Carry a Handgun was denied by the court and explain the appeal process as described above. (In most cases, their appeal will be heard by the same judge who just denied the permit.)
7. Save the return on the registered letter as proof the letter was received.

Retention of Applications & Support Documents:

(State Police)

1. The Firearms Investigation Unit shall computerize and microfilm the original copy of the application and investigation report.
2. Stations shall maintain a photocopy of the application and investigation report and any other ledgers or records associated with the Firearm Application. Master Name Index Cards will be maintained according to the appropriate S.O.P.

(Municipal Police)

1. Municipal departments are encouraged to maintain copies of the application and investigation report, as well as any support documents. This will aid you in future investigations of the same applicant, often alleviating the need to clear missing dispositions repeatedly.

Disposition:

(State Police)

1. Forward the following forms by interoffice mail to the Firearms Investigation Unit *within five working days* from the date the application is accepted at the station.
   a. Original Application's (SP-642)
   b. Consent for Mental Health Records Search (SP-66)
   c. Original Investigation Report (SP-407 & 407a)
   d. Appropriate Fee. (see Fee Schedule)
   e. Applicant's qualifications.

2. Forward the applicant's fingerprints and corresponding fee immediately upon receipt to the SBI (see schedule attachment).

(Municipal Police)

1. Upon completion of the investigation and issuance or denial of the Permit to Carry a Handgun, forward the following form to the New Jersey State Police Firearms Investigation Unit.
2. Original Application (SP-642)

3. Forward the applicant's fingerprints and corresponding fee immediately upon receipt to the SBI (see schedule attachment).

If the Permit to Carry a Handgun was denied, either by your agency or the court, do not forward the SP-642 form until all court action has been completed, or until more than thirty days has elapsed from the time you notified the applicant of his or her denial. *If the denial was upheld in court or if the denial was overturned, forward a copy of the court order along with the original application.*

Firearms Applicant Investigation Report

The block numbers on the Firearms Applicant Investigation Report, State Police Forms numbered 407 & 407A, have been inserted to simplify filling out the report. They correspond with the numbers in the Firearms Applicant Investigation Report Guide, which spells out the proper information to be inserted in each category. This report should be typed, but may be printed if done legibly and in ink.

1. TYPE OF APPLICATION
Insert the application type as it applies.
Example: *Firearms Purchaser Identification Card*
Permit to Purchase a Handgun
Permit to Carry a Handgun
Duplicate Firearms Purchaser Identification Card

2. DATE OF APPLICATION
In numerals, Month – Day – Year
Example: *1-1-2000*

3. NAME OF APPLICANT
First name, middle initial, and last name. If no middle initial, type "N.M.I." (no middle initial)

4. DATE OF BIRTH
In numerals, Month – Day – Year
Example: 07-17-1961

5. ADDRESS OF APPLICANT
   a. Street Address must be inserted here. Number and name of street. If an apartment, include number and or alphabetic designation. If an R.D. number and or P.O. Box number, insert that information <u>and</u> also identify the name of the street or road where the applicant actually resides.
   b. Full name of city, town, borough or municipality. If the applicant's mailing address is a different town, include complete information.
   c. County of residence.
   d. State of residence. (Use accepted two-character abbreviation.)

Example: *123 Main Street, Toms River (Manchester Township), Ocean, NJ*

6. NAME AND RESIDENCE CONFIRMATION COMMENTS
Confirm through investigation that the applicant is known by the name used on the application and actually resides at the address listed.

Example: *Investigation confirmed that the applicant is known by the name listed on the application and does reside at the given address.*

7. OCCUPATION
Enter the applicant's occupation as it applies.

8. EMPLOYER'S NAME AND ADDRESS OR PLACE OF BUSINESS
Enter name and address of the applicant's employer. If self-employed, indicate same.

9. EMPLOYMENT CONFIRMATION COMMENTS
Confirm the type of business, location and position held by the applicant.
Example: *Investigation revealed that the applicant is employed as listed on the application.*

10. INVESTIGATOR'S RECORDS CHECK AND COMMENTS
Enter the results of the records check(s) (including dispositions of cases, if any) on the applicant, made from the sources that you checked.

Example:	*SBI (Fingerprints, SBI212A)*	*No Record*
	FBI (Fingerprints, III, NCIC)	*No Record*
	PROMIS GAVEL	*No Record*
	DOM.VIOLENCE REGISTRY	*No Record*
	ACS/ ATS	*No Record*
	(MY TOWN) POLICE DEPT.	*No Record*

If the applicant has a juvenile record, list the following information:

Date of petition
Cause of petition
Name of Complainant
Name and location of court
Name of Judge
Date adjudicated a juvenile delinquent
Sentence imposed, if any

If the applicant has a record with the prosecutor's or probation office, or county jail, (as discovered through PROMIS GAVEL) list all pertinent information, including dispositions.

If additional space is required to report in this category, use block 15 and if necessary, block 24 on page two (SP-407a).
Report the information in this manner:

FBI Record found, see block 24 on page two.

11. REFERENCE #1 – NAME AND ADDRESS
Enter the full name and complete address of Reference #1.

12. COMMENTS

Enter the results of your interview of Reference #1. Report any evidence to indicate that the applicant is subject to one or more of the disabilities as set forth in NJSA 2C: 58-3c. If Reference #1 provides no information, report in the negative.
Example: *Reference #1 provided no information to indicate that the applicant is subject to any of the disabilities as set forth in NJSA 2C: 58-3c.*

13. REFERENCE #2 – NAME AND ADDRESS
Enter the full name and complete address of Reference #2.

14. COMMENTS
Same as category #12.

15. SUMARY OF INVESTIGATION
Summarize the investigation and furnish additional information not provided in the categories above.
Example: *The investigation revealed that the application was properly completed. No information was developed to indicate that the applicant is subject to any of the disabilities as set forth in NJSA 2C: 58-3c.*

OR

The investigation revealed that the application was not properly completed. The applicant stated that he had not been convicted of a disorderly persons offense. The investigation revealed that the applicant was convicted of simple assault in Seaside Heights Municipal Court on December 25th, 1951 by Judge Herod. He was sentenced to ten days of sweeping sand off of the boardwalk and a $100.00 fine.

16. DATE OF REPORT
In numerals, Month – Day – Year.

17. RANK – NAME – BADGE – STATION/ DEPARTMENT
Enter rank, name and station or department as it applies. The signature of the investigator shall be affixed in block 17 as well.
State Police supervisors will insert their initials and badge number in the "Station/ Dept." block indicating that the report has been checked.

18. PERMIT TO PURCHASE NUMBER – DATE OF ISSUE
State Police: Leave blank at time report is submitted.
Municipal Police: Enter the permit number as it applies. (You should enter the Permit Number you place on the permit.) Enter the date of issue as it applies.

19. IDENTIFICATION CARD NUMBER/ SBI NUMBER – DATE OF ISSUE
State Police: Leave blank at time report is submitted.
Municipal Police: Enter the applicant's Firearms Purchaser Identification Card/ SBI number. Enter the date of issue of the Firearms Purchaser Identification Card (if known).

20. LOCATION OF BUSINESS OF RETAIL DEALER
This space is reserved for the Firearms Investigation Unit.

21. FEDERAL LICENSE NO. ISSUED – NAME OF LICENSEE – DATE OF EXP.
This space is reserved for the Firearms Investigation Unit.

22. REFERENCE #3 – NAME AND ADDRESS
This category shall be used only in the investigation of a Permit to Carry a Handgun application. Enter full name and complete address of Reference #3.

23. COMMENTS
Same as Category #12.

24. SUMMARY OF INVESTIGATION
Same as category 15.

Note – Permit to Carry a Handgun

In addition, the investigator shall in the investigation of an applicant for a Permit to Carry a Handgun, interview the applicant and report the following information:

- Confirmation of the applicant's statement of need to carry.
- Confirmation of the applicant's proof of knowledge and skill in handling firearms and proficiency score(s).
- Confirmation by the three Vouchers as to the following information:
  - Reference did in fact review and endorse the application.
  - Reference believes the answers given by the applicant on the application to be true and correct.
  - Reference does or does not object to the applicant carrying a handgun.

25. DATE OF REPORT
In numerals, Month – Date – Year.

26. RANK – NAME – BADGE
Rank, Name and Badge as it applies. The investigator shall affix his or her signature within block 26.

27. STATION/ DEPARTMENT
Enter your assigned station or department as it applies.
State Police supervisors will insert their initials and badge number indicating that the report has been checked in this block.

28. RETAIL FIREARMS DEALER'S LICENSE NUMBER – DATE OF ISSUE
This space is reserved for the Firearms Investigation Unit.

29. PERMIT TO CARRY A HANDGUN NUMBER – DATE OF ISSUE
State Police: Leave blank at time report is submitted.

Municipal Police: Insert the permit number for the Permit to Carry a Handgun and date of issue as it applies.

STATE OF NEW JERSEY
Firearms Applicant Investigation Report

(1) TYPE OF APPLICATION APPLICATION DATE: / /

- ☐ **FIREARMS PURCHASER ID CARD**
  - ☐ Initial ☐ Duplicate
- ☐ **PURCHASE A HANDGUN** *# Applied for:* _____
- ☐ **PERMIT TO CARRY HANDGUN**
- ☐ **FIREARMS DEALER**
  - ☐ RETAIL *Lic. #* _____
    - ☐ Initial ☐ Renewal
  - ☐ WHOLESALE/MANUFACTURER *Lic. #* _____
    - ☐ Initial ☐ Renewal
- ☐ **OTHER** _____

(2) NAME OF APPLICANT *(First, Middle, Last)*

(3) DATE OF BIRTH / /

(4) SOCIAL SECURITY NUMBER - -

(5) US CITIZENSHIP ☐ Yes *(Verified)* ☐ No

(6) ADDRESS OF APPLICANT *(Number, Street, City, County, State)*

☐ *Address Confirmation:* _____

(7) OCCUPATION *(Position)*

☐ *Employment Verification:* _____

EMPLOYER'S NAME & ADDRESS

(8) LOCATION OF BUSINESS OF FIREARMS DEALER *(Number, Street, City, County, State)* ☐ N/A

FEDERAL LICENSE NUMBER ISSUED | NAME OF LICENSEE | EXPIRATION DATE

INTERVIEW OF REPUTABLE PERSONS WHO ARE PERSONALLY ACQUAINTED WITH THE APPLICANT TO DETERMINE IF APPLICANT IS SUBJECT TO ANY OF THE DISABILITIES OR CONDITIONS AS SET FORTH IN *N.J.S. 2C:58-3.*

(9) REFERENCE #1 - *(Name, Address, Telephone) (Report derogatory information in Summary and check "See Summary" box.)* ☐ N/A ☐ SEE SUMMARY

☐ Reference was contacted on _____ and failed to provide any information to indicate that applicant is subject to the disability of *N.J.S. 2C:58-3.*

(10) REFERENCE #2 - *(Name, Address, Telephone) (Report derogatory information in Summary and check "See Summary" box.)* ☐ N/A ☐ SEE SUMMARY

☐ Reference was contacted on _____ and failed to provide any information to indicate that applicant is subject to the disability of *N.J.S. 2C:58-3.*

(11) REFERENCE #3 - *(Name, Address, Telephone) (Report derogatory information in Summary and check "See Summary" box.)* ☐ N/A ☐ SEE SUMMARY

☐ Reference was contacted on _____ and failed to provide any information to indicate that applicant is subject to the disability of *N.J.S. 2C:58-3.*

(12) FEDERAL, STATE, COUNTY & MUNICIPAL RECORD CHECKS CONDUCTED *(Explain all "Yes" responses in Summary.)*

	RECORD YES	RECORD NO		RECORD YES	RECORD NO		RECORD YES	RECORD NO	RECORD N/A
NCIC/SCIC	☐	☐	NJ MOTOR VEHICLE (D.W.I)	☐	☐	III/212A	☐	☐	☐
NJ DOM. VIOLENCE REG.	☐	☐	_____	☐	☐	STATE/FEDERAL FINGERPRINTS	☐	☐	☐
ACS/ATS	☐	☐	_____	☐	☐	US DEPT HOMELAND SECURITY *(Non-US Citizens Only)*	☐	☐	☐
PROMIS GAVEL	☐	☐	_____	☐	☐	ALIEN/VISA NUMBER _____			

(13) SUMMARY OF INVESTIGATION *(List additional record checks conducted.)*

(14) DATE OF REPORT | (15) RANK NAME BADGE STATION | (16) REVIEWER

(17) PERMIT TO PURCHASE NUMBER DATE OF ISSUE | (18) FID CARD/SBI NUMBER DATE OF ISSUE | (19) REPORT NUMBER

SUMMARY OF INVESTIGATION, *Continued*

(14) DATE OF REPORT	(15) RANK NAME	BADGE	STATION	(16) REVIEWER

(17) PERMIT TO PURCHASE NUMBER	DATE OF ISSUE	(18) FID CARD/SBI NUMBER	DATE OF ISSUE	(19) REPORT NUMBER

Frequently Asked Questions

This section of the guide will attempt to answer some of the frequently asked questions about New Jersey's gun laws in general, and the firearm application process.

Q. I want to buy a shotgun, what permit(s) do I need?
A. A person who wishes to obtain long-arms, (shotguns, rifles, muzzle loading rifles or BB rifles) first needs to make application for and be issued a Firearms Purchaser Identification Card.

Q. How do I get a Firearms Purchaser Identification Card?
A. You must apply at your local full time police department. If you do not have a local full time police department, you must apply at the State Police Barracks that provides your 'local police' protection.

Q. I live outside of New Jersey; can I apply for a Firearms Purchaser Identification Card?
A. Yes. You can make application for a Firearms Purchaser Identification Card at the State Police Barracks located closest to your residence (excluding those located on toll roads).

Q. I'm not a citizen of the United States; can I be issued a Firearms Purchaser Identification Card?
A. Yes. If you reside in New Jersey in a municipality with a full time police department, you may apply there. If you reside outside of New Jersey, you can apply at any State Police Barracks (excluding toll roads).

Q. How long will it take to be issued a Firearms Purchaser Identification Card?
A. If you've never applied for a firearm permit before, it will probably take about three months. This is typically the length of time it takes the FBI to process your fingerprints. If you've already received either a Permit to Purchase a Handgun or a Permit to Carry a handgun, and if your department doesn't fingerprint you again, it should take about one month.

Q. Once I have obtained a Firearms Purchaser Identification Card (FAID), where can I purchase long-arms?
A. You may purchase long-arms with your FAID card at licensed (both a state and federal license) gun shops within New Jersey. You may purchase long-arms at any federally licensed firearms dealer in any state, at their place of business. You may also purchase long-arms from any private citizen who resides within the state of New Jersey, while actually in New Jersey.

Q. Can I purchase or receive a long-arm directly from someone in another state?

A. No. It is a violation of federal law for a resident of one state to receive a firearm of any kind from a resident of another state. In order for this type of transfer to proceed legally, it must go through a licensed firearms dealer in the state where the firearm is to be received. In New Jersey that means the dealer must have both a New Jersey State Retail Firearms Dealers License and a Federal Firearms License. A firearm transferred in such a manner may either be brought directly to the gun shop, or shipped there by the person in the foreign state.

Q. What form(s) must I complete when I buy or receive a long-arm?

A. If you purchase or receive a long-arm from a licensed dealer, he or she will have all the proper forms for you to complete. If you purchase or receive a long-arm from a private citizen, you must complete a Certificate of Eligibility. They are available at any licensed firearms dealer in the State of New Jersey.

Q. Can someone from another state bring a firearm into New Jersey?

A. Yes. Persons from other states may transport their firearm(s) into and through New Jersey. They may bring them (directly) to a gun shop, practice facility or a private residence. You may also hunt with your long-gun, with current and appropriate licenses.

Q. How do I legally transport my long-arm(s)?

A. All firearms must be transported unloaded and contained in a closed and fastened case, gun box, securely tied package, or locked in the trunk of the automobile in which it is being transported, and in the course of travel shall include only such deviations as are reasonably necessary under the circumstances (NJSA 2C:39-6g).

Q. I want to buy or receive a handgun, what permit is needed?

A. Persons who wish to obtain handguns (including BB handguns and muzzle loading pistols) first need to make application for and be issued a Permit to Purchase a Handgun.

Q. How do I get a Permit to Purchase a Handgun?

A. You must apply at your local full time police department. If you do not have a local full time police department, you must apply at the State Police Barracks that provides your 'local police' protection.

Q. I live outside of New Jersey; can I apply for a Permit to Purchase a Handgun?

A. No. Federal law prohibits persons from buying or receiving a handgun in any state other than the one in which they reside. Therefore, the New Jersey State Police will not accept applications for handgun permits from non-residents.

Q. I'm not a citizen of the United States; can I be issued a Permit to Purchase a Handgun?

A. Yes. If you reside in New Jersey in a municipality with a full time police department, you may apply there. If you reside in an area of New Jersey without a full time

A. Yes. If you reside in New Jersey in a municipality with a full time police department, you may apply there. If you reside in an area of New Jersey without a full time municipal police department, you can apply at the State Police Barracks that serves your area.

Q. How long will it take to be issued a Permit to Purchase a Handgun?
A. If you've never applied for a firearm permit before, it will probably take about three months. This is typically the length of time it takes the FBI to process your fingerprints. If you've already received either a Firearms Purchaser Identification Card or a Permit to Carry a handgun, and if your department doesn't fingerprint you again. it should take about one month.

Q. Once I have a Permit to Purchase a Handgun, where can I purchase a handgun?
A. You may purchase handguns your Permit at licensed (both a state and federal license) gun shops within New Jersey. You may also purchase handguns from any private citizen who resides within the state of New Jersey, while actually in New Jersey.

Q. Can I purchase or receive a handgun directly from someone in another state?
A. No. It is a violation of Federal law for a resident of one state to receive a firearm of any kind from a resident of another state. In order for this type of transfer to proceed legally, it must go through a licensed firearms dealer in the state where the firearm is to be received. In New Jersey that means the dealer must have both a New Jersey State Retail Firearms Dealers License and a Federal Firearms License. A firearm transferred in such a manner may either be brought directly to the gun shop, or shipped there by the person in the foreign state.

Q. What form(s) must I complete when I buy or receive a handgun?
A. If you purchase or receive a handgun from a licensed dealer, he or she will have all the proper forms for you to complete. If you purchase or receive a handgun from a private citizen, you must complete the information required on the permit at the time you take possession of the handgun.

Q. How do I legally transport my handgun(s)?
A. All firearms must be transported unloaded and contained in a closed and fastened case, gun box, securely tied package, or locked in the trunk of the automobile in which it is being transported, and in the course of travel shall include only such deviations as are reasonably necessary under the circumstances. (NJSA 2C:39-6g)

Q. I'm not a policeman, are hollow point bullets legal for me to possess?
A. Yes. They are legal to possess in your home or on land owned by you. They are legal to possess and use at the practice range. They are also legal for hunting in certain instances. They are also legal to possess while traveling to and from such places.

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Q. I've just been notified that I was willed a firearm and I don't have a Firearms Purchaser Identification Card, how can I legally receive it?

A. Person's who are willed a firearm do not need to have a Firearms Purchaser Identification Card or a Permit to Purchase a Handgun to legally take possession of it. N.J.S.A. 2C:58-3j stipulates that in such circumstances, all that is required is that the person receiving the firearm, not be subject to the disabilities set forth in 2C:58-3c. If the intended recipient is subject to any of the disabilities under 2C:58-3c, he or she may maintain ownership (not possession) for a period of 180 days, so that the gun may be sold. The firearm is to remain in the custody of the Chief of Police in the municipality where the heir resides or the Superintendent as the case may be.

Q. I want to go hunting, but don't own a gun. Can I borrow one?

A. Yes. You may borrow a gun (rifle or shotgun) from the legal owner of such weapon, provided that your possession of it, is not more than eight consecutive hours in a twenty-four hour period, and provided that you are not subject to any of the disabilities as set forth under NJSA 2C:58-3c. The legal owner of the gun must remain in close proximity to you and the firearm at all times. (2C:58-3.1)

Q. What types of firearms are considered assault weapons?

A. A complete list can be found in N.J.S.A. 2C:39-1w.

Q. How do I determine if a weapon is substantially similar to a named weapon?

A. The Attorney General of the State of New Jersey determined that the term substantially similar means:

A semi-automatic rifle that has the ability to accept a detachable magazine and has at least two of the following:

- A folding or telescoping stock.
- A pistol grip that protrudes conspicuously beneath the action of the weapon.
- A bayonet mount.
- A flash suppressor or threaded barrel designed to accommodate a flash suppressor.
- A grenade launcher.

A semi-automatic pistol that has an ability to accept a detachable magazine and has at least two of the following:

- An ammunition magazine that attaches to the pistol outside of the pistol grip.
- A threaded barrel capable of accepting a barrel extender, flash suppressor, forward handgrip, or silencer.
- Manufactured weight of 50 ounces or more when the pistol is unloaded.
- A semiautomatic version of an automatic firearm.

A semi-automatic shotgun that has at least two of the following:

- A folding or telescoping stock.

- A pistol grip that protrudes conspicuously beneath the action of the weapon.
- A fixed magazine capacity in excess of 5 rounds.
- An ability to accept a detachable magazine.

** Please note that according to N.J.S.A. 2C: 39-1w3, a semi-automatic shotgun with <u>either</u> a pistol grip, folding stock or a magazine capacity exceeding six rounds, is by definition an assault firearm.*

Q. I've just moved into New Jersey and I own several firearms, what permits do I need?

A. New Jersey is a voluntary registration state. A person who moves into New Jersey from another jurisdiction, may keep firearms legally possessed prior to the move. No permits or ID cards are needed. There are several conditions that may apply however.

1. If the owner of the firearm(s) is subject to any of the disabilities under NJSA 2C: 58-3c, he or she may only retain ownership for a period of 180 days. He must surrender, sell or otherwise legally transfer the firearms that he owns within that time period.
2. If any of the weapons are considered assault firearms (or high capacity magazines) under New Jersey law, those weapons may not be brought into New Jersey and must be disposed of legally (under the former jurisdiction's laws) prior to the individual moving into New Jersey.

Persons who move into New Jersey may voluntarily register their firearm(s) at their local police department or State Police station as the case may be, utilizing form SP650.