



State of New Jersey

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ATTORNEY GENERAL LAW ENFORCEMENT DIRECTIVE NO. 2018-4

TO: All Chief Law Enforcement Officers

FROM: Gurbir S. Grewal, Attorney General

DATE: August 22, 2018

SUBJECT: **Directive Instructing All Law Enforcement Agencies in New Jersey to Participate in the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives eTrace System “Collective Data Sharing” Program**

This Directive instructs all law enforcement agencies in New Jersey to participate in the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) eTrace System “Collective Data Sharing” program, and share all crime gun trace result data they receive from ATF with participating state law enforcement agencies.

Law enforcement agencies across New Jersey already endeavor to provide the New Jersey State Police (NJSP) and the Regional Operations Intelligence Center (ROIC) with information about gun crime. Pursuant to Attorney General Directive 2008-1, these agencies must supply NJSP and the ROIC with information on each crime gun recovered, including the type of gun and the town where the gun was recovered, as well as information regarding any individual(s) involved. NJSP and the ROIC, in turn, use this statewide data to identify patterns, high-risk individuals, and any individuals violating our criminal laws.

New Jersey law enforcement agencies now have the opportunity to share even more information, which can be used for law enforcement purposes. These agencies already rely on ATF to provide trace result data for any crime gun recovered in New Jersey. For each trace request submitted, ATF prepares and forwards a report to the requesting agency, which identifies the manufacturer or importer, the wholesaler and/or retailer, and the first retail purchaser. However, ATF does not share trace result information with anyone other than the requestor unless the requestor grants ATF permission to do so. Recently, ATF developed a program called “Collective Data Sharing” which allows law enforcement entities in the same state to share the results of the trace reports they receive from ATF on a reciprocal basis. The process for doing so



is simple—the agencies mark their intent to “opt in” to this arrangement through their ATF eTrace account. NJSP has already agreed to “opt in” to share the information it receives from ATF with other New Jersey law enforcement partners and will therefore receive such information from all other agencies that decide to “opt in” to this program.

Because the overwhelming majority of crime guns recovered in New Jersey are purchased out of state, the sharing of trace information among law enforcement agencies in New Jersey will serve to enhance our ability to combat gun violence and trafficking. NJSP and the ROIC will collect and analyze this aggregate information to produce intelligence products that identify statewide patterns in sources and types of guns, as well as unlawful purchasers and firearms traffickers.

Therefore, pursuant to the authority granted to me under the New Jersey Constitution and Criminal Justice Act of 1970, N.J.S.A. 52:17B-97 to -117, I, Gurbir S. Grewal, 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 following policies, procedures, standards, and practices:

1. All state, county, and municipal law enforcement agencies responsible for enforcing the criminal laws in New Jersey shall inform ATF, via their ATF eTrace account, of their intent to participate in the “Collective Data Sharing” program to share gun trace reports on a reciprocal basis.
2. All state, county, and municipal law enforcement agencies responsible for enforcing the criminal laws in New Jersey shall continue to provide complete and accurate information on all crime guns recovered to NJTrace.
3. NJSP, including the ROIC, shall provide law enforcement agencies with technical support necessary to comply with this Directive. Law enforcement agencies may also consult with ATF on technical questions regarding eTrace and its “opt in” feature.
4. All law enforcement agencies shall begin the ATF eTrace “opt in” process within 30 days of the date of the issuance of this Directive.
5. The goal of this Directive is for agencies to share trace information to further investigations and efforts to combat gun violence and trafficking in New Jersey. Nevertheless, there may be cases where a law enforcement agency has a concern about sharing information in a particular trace report. In such instances, the law enforcement agency may contact the ATF National Tracing Center, through the “Contact Us” link located in the email accompanying the eTrace report, to designate the trace report being submitted as “Sensitive.” Upon such designation, ATF removes the Sensitive Report from any shared database. Law enforcement agencies should exercise this option only where the agency’s chief law enforcement officer determines that sharing the trace information would jeopardize the safety of individuals involved in an investigation or otherwise compromise an investigation. The Director of the Division of Criminal Justice will conduct a yearly audit of the use of the “Sensitive” designation by law enforcement agencies in New Jersey to ensure compliance with this Directive.

This Directive shall take effect immediately. The provisions of this Directive shall remain in force and effect unless and until it is repealed, amended, or superseded by Order of the Attorney General.



Gurbir S. Grewal
Attorney General

ATTEST:



Veronica Allende
Director, Division of Criminal Justice

Dated: August 22, 2018