



*State of New Jersey*

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**ATTORNEY GENERAL LAW ENFORCEMENT DIRECTIVE NO. 2020-1 v 3.0**

**TO:** All Chief Law Enforcement Executives

**FROM:** Gurbir S. Grewal, Attorney General

**DATE:** March 19, 2020 (Issued)  
March 27, 2020 (Revised)  
April 11, 2020 (Revised)

**SUBJECT: Directive Instructing All Law Enforcement Agencies And Officers On The Appropriate Use Of COVID-19 Information From Public Health Officers**

To enable law enforcement officers across New Jersey to better protect themselves and to more effectively use their limited supplies of personal protective equipment (PPE) in the midst of the COVID-19 pandemic, the New Jersey Department of Health (NJDOH) has authorized New Jersey Local Public Health Officers to share the names and addresses of individuals who have tested positive for COVID-19 (the “COVID-19 Information”) with law enforcement.<sup>1</sup> At the same time, however, NJDOH has requested that certain steps be followed to secure the information being shared and the privacy of the individuals affected. This updated directive incorporates NJDOH’s requests and establishes the procedure for obtaining COVID-19 Information from health officials, the process for sharing such information with law enforcement and others, and the limitations on its use.

To streamline the process by which COVID-19 Information is shared across the state and to address various local interoperability and other information-sharing concerns raised by some agencies, this updated directive establishes the County Prosecutor’s Office (CPO) as the primary conduit for the sharing of COVID-19 Information.

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<sup>1</sup> NJDOH’s April 11, 2020 memorandum regarding COVID-19 Information sharing is attached as Ex. A and a Frequently Asked Questions (dated April 11, 2020) from NJDOH is attached as Ex. B.



While COVID-19 Information offers a critical tool for our law enforcement officers, who are stepping up across New Jersey to protect the public's safety in the face of unprecedented challenges, anyone receiving or accessing such information pursuant to this directive must adhere to the limitations set forth herein or face serious consequences. Any unauthorized disclosure of this information or any misuse or mishandling of this information may jeopardize the ongoing ability for law enforcement to obtain COVID-19 Information.

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 CPOs will receive COVID-19 Information from their County Local Information Network and Communication System (LINCS) agencies pursuant to the processes set forth in Exhibit A, and shall disseminate it as follows:
  - a. If there is a county Computer Aided Dispatch (CAD) or regional CAD(s) that cover police, emergency medical services (EMS), and/or firefighters, the CPO shall share COVID-19 Information with a point of contact (POC) for the county CAD and for each applicable regional CAD; these POCs shall have the authority to enter COVID-19 Information into the CAD and will be responsible for doing so.
  - b. If the police (including the Chief Law Enforcement Executive), emergency medical services (EMS), and/or firefighters of any municipality in that county lack access to a county CAD or to a regional CAD, then the CPO shall share the information directly with the Chief Law Enforcement Executive of that municipality or their designee. The Chief Law Enforcement Executive or their designee shall, in turn, share the information as follows:
    - i. With a single point of contact in their law enforcement agency who has the authority to enter that information into the agency's CAD. If the particular agency does not maintain their own CAD system, or their CAD system does not allow for certain items to be flagged, the information shall be maintained in an equivalent records management system that is similarly protected from widespread dissemination.
    - ii. Where EMS and/or firefighters do not have access to any county, regional, or law enforcement agency CAD containing COVID-19 Information, the Chief Law Enforcement Executive or their designee will also provide the COVID-19 Information to a single point of contact within their local EMS or fire service for the purpose of entering that same information into the EMS or fire service's CAD, or equivalent records management system.
2. COVID-19 Information must be transmitted in protected, encrypted, and secure emails or, if hand-delivered, it must be similarly protected. Each individual's information shall

- be maintained in a secure and confidential manner, and it shall be deleted when the County LINCS agency or CPO provides information indicating a particular individual has been cleared from isolation. In all cases, all such information may be retained for only the duration of the public health emergency declared under Executive Order No. 103 (2020) and must be permanently and securely deleted and destroyed when the Governor determines that a public health emergency no longer exists. It shall be the responsibility of each CPO to establish a process to ensure compliance with the requirements of this paragraph.
3. Except for those individuals authorized to receive or access this information under Paragraph 1, and except as otherwise provided by an authorized public health agency, all other state, county, and municipal law enforcement officers may only be informed that a particular individual has tested positive for COVID-19 through the CAD system when accessed for a legitimate law enforcement or public safety purpose, and they may not disseminate that information further, except that:
    - a. A law enforcement officer may inform other officers and/or first responders responding to the same address or otherwise interacting with the same individual that there is an indication of COVID-19 positive test at that address or with that individual if that is the case.
    - b. A law enforcement officer may share COVID-19 Information with New Jersey Division of Child Protection and Permanency (DCPP) employees and with New Jersey State Parole Board officers if they request a name or address lookup in connection with the performance of their duties and that request implicates COVID-19 Information.<sup>2</sup>
    - c. A law enforcement officer may share COVID-19 Information with the New Jersey State Police Regional Operations Intelligence Center (ROIC) in response to a name or address lookup requested by the ROIC if that that request implicates COVID-19 Information.
  4. Any law enforcement officer receiving COVID-19 Information may only use it for the limited purpose of protecting their health and safety, and the health and safety of other officers and first responders responding to the same address or otherwise interacting with the same individual.
  5. No law enforcement officer may use COVID-19 Information as a basis to refuse any call for service.
  6. No law enforcement officer or agency may require individuals to identify themselves as COVID-19 positive or quarantined when seeking assistance from law enforcement

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<sup>2</sup> Any law enforcement officer providing COVID-19 Information to DCPP employees and Parole Officers should instruct them that they are prohibited from disseminating it further.

or other first responders, nor advise or require individuals to provide public notice of COVID-19 positive/quarantined status.<sup>3</sup>

7. No law enforcement officer may flag individuals as COVID-19 positive or quarantined in any CAD or equivalent system unless the information is received pursuant to the processes outlined in this Directive.
8. Nothing in this Directive restricts a law enforcement officer or agency from handling a call for service in accordance with the agency's general procedures, such as phone, electronic, or any other applicable reporting.

This Directive shall take effect April 15, 2020, but agencies able to implement all of the requirements set forth herein before that date will not be deemed out of compliance with any prior directive concerning COVID-19 Information. The provisions of this Directive shall remain in force and effect unless and until NJDOH revokes its April 11, 2020 memorandum, or unless and until this Directive is repealed, amended, or superseded by Order of the Attorney General, whichever comes first.



Gurbir S. Grewal  
Attorney General

ATTEST:



Veronica Allende  
Director, Division of Criminal Justice

Dated: April 11, 2020

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<sup>3</sup> An officer may still ask an individual to voluntarily provide them with this information (but not require them to answer), and/or an individual may voluntarily provide this information even absent such request. If that happens, this information may still only be used for the limited purpose of protecting their health and safety, and the health and safety of other officers and first responders responding to the same address or otherwise interacting with the same individual, but it may not be used as a basis to refuse a call for service.