



A Distinction: NJ RPO and LEOSA

Retired Law Enforcement Officer Guidance

Firearms Investigation & Licensing Bureau
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BLUF:

The New Jersey State Police recognize that the Law Enforcement Officers Safety Act (LEOSA) grants qualified law enforcement officers (QLEO) and qualified retired law enforcement officers (QRLEO) the right to carry a concealed firearm in New Jersey.

LEOSA provides the QLEO or QRLEO the ability to carry a concealed firearm with proper credentialing, proof of firearm qualification, and the qualified individual must also comply with other statutory mandates pursuant to 18 U.S.C. § 926B and 18 U.S.C. § 926C.

Distinction:

The current New Jersey Retired Police Officer Permit to Carry program (RPO) expands on the rights provided pursuant to LEOSA. It does not supersede or mandate a QRLEO obtain the RPO permit in lieu of LEOSA; however, the NJ RPO program provides certain benefits LEOSA does not.

Benefits	RPO	LEOSA
15 Rnd Mag Capacity	Yes	No
Hollow Point Ammo	No **	Yes
Open Carry	Yes	No
**Hollow nose ammunition that's polymer filled is considered legal in NJ.		

Benefits Comparison:

The RPO allows a QRLEO to possess a 15-round magazine, whereas LEOSA does not exempt an individual from state ammunition magazine laws. Without an RPO, QRLEO's are restricted to a 10-round capacity ammunition magazine.

LEOSA allows a QRLEO to carry hollow point ammunition. The RPO program under current state law allows a QRLEO to carry ammunition that has a hollow nose but is polymer filled, providing a comparable alternative to regular hollow point ammunition.

The RPO allows a QRLEO the ability to open carry a handgun while LEOSA mandates the firearm must be concealed. Specifically, N.J.S. 2C:39-6l does not overtly restrict the QRLEO with a valid RPO from openly carrying a firearm, and guidance from the NJSP has interpreted the permit to be an unrestricted permit to carry in terms of open or concealed.

**Note: This is the key distinction that makes the RPO more appropriate as a permit used for purposes other than personal protection, I.E. security work.*

Summary:

While the New Jersey State Police recommends the RPO to QRLEO's as "layers of protection," it is not mandatory unless the QRLEO intends to work with the expectation of carrying a firearm openly, which would be inconsistent with 18 U.S.C. § 926C Retired LEOSA.

The RPO is an available benefit in addition to the rights provided by LEOSA, but it is not mandatory. We recommend layers of protection while carrying a firearm for work related purposes, which the RPO program provides.