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**Personalized Handgun Authorization Commission
Public Session Meeting Minutes
May 12, 2023**

The May 12, 2023 meeting of the New Jersey State Personalized Handgun Authorization Commission (PHAC, or “the Commission”) was conducted electronically via Zoom. Pursuant to the Open Public Meetings Act, notice was provided at least 48 hours before the scheduled meeting. Notice was filed with the Secretary of State, faxed to approved news publications including the Star Ledger, the Times of Trenton, the Bergen Record, the Courier Post, and the Press of Atlantic City, and also posted at the Hughes Justice Complex. The meeting began at 11:02 and was accessible to the public by dial-in information provided on the Commission’s public agenda.

1. Open Public Meetings Act Notice – read by Mr. Ershow

2. Roll Call

- Commission Members Present: Nico Bocour, Jennifer Chuang, Jeremy Ershow, Nashon Hornsby, Robert Nixon, Timmy Oh.
- Commission Members Not Present: Lt. Col. Joseph Brennan.
- Department of Law & Public Safety Staff Present: Assistant Attorney General Chris Arnold; Deputies Attorney General Chandini Jha, Dan Roman.

3. Introduction of New Members

New Members Jeremy Ershow (Chair, designee of the Attorney General) and Nashon Hornsby (designee of Department of Health Commissioner) introduced themselves.

4. Introduction of Division of Law Counsel

The Division of Law Counsel Chris Arnold, Assistant Attorney General and Dan Roman, Deputy Attorney General, were introduced. The Division of Law Counsel will provide the



Commission with legal advice. Chandini Jha, Deputy Attorney General, was also introduced. Ms. Jha will support the Commission as needed.

5. Performance Standards and Qualifying Criteria

The Commission discussed its obligations and deadlines to establish performance standards and qualifying criteria, per N.J. Stat. Ann. C.2C:58-2.8(c). Mr. Ershow expressed a goal of voting on performance standards and qualifying criteria by mid/late June.

The Commission discussed the statutory language concerning standards and qualifying criteria. Mr. Ershow described his understanding that, under the statute, performance standards and qualifying criteria are high-level objectives which are upstream from the specific tests that will be used to determine whether the standards are met. He further said he understands C.2C:58-2.8(c)(1)-(4) to set out mandatory qualifying criteria, and that otherwise PHAC has discretion to add additional qualifying criteria as it sees fit. He said he understands 2.8(c)(1)-(3) to be such that the statute tells PHAC the precise standards to use. He said he understands 2.8(c)(4) as a command to import and adopt any pre-existing standards that meet the description in that provision.

Ms. Bocour, Dr. Chuang, Mr. Hornsby, and Mr. Nixon expressed agreement with Mr. Ershow's interpretation. Mr. Nixon expressed that the Commission should not make performance standards so arduous that it is impossible for personalized handgun technology to develop.

The Commission considered potential "reliability standards generally used in the industry for other commercially available handguns," per N.J. Stat. Ann. C.2C:58-2.8(c)(4). Commissioners discussed a standard from the National Institute of Justice for law enforcement firearms, and a standard from the Sporting Arms and Ammunition Manufacturers' Institute certified by the American National Standards Institute. Mr. Hornsby directed the Commission to an apparent standard from the Permanent International Commission for the Proof of Small Arms. Mr. Ershow requested that Commission members or members of the public identify, by the next Commission meeting on June 9, 2023, any other standards to consider as potentially falling within Section 2.8(c)(4).

The Commission also discussed potential additional performance standards and qualifying criteria. Mr. Ershow requested that Commission members or members of the public identify ideas for such additional performance standards or qualifying criteria by the next Commission meeting on June 9, 2023. During this discussion, Mr. Nixon volunteered to present on a firearm's mechanical components at the next Commission meeting.

6. Testing Requirements for Mandatory Standards

The Commission discussed possible testing requirements corresponding to the mandatory performance standards. Mr. Oh shared particular ideas for testing, including tests for authentication, permanent affixation, and deactivation. At Mr. Nixon's request, Mr. Oh agreed to share draft testing protocols prior to the next meeting, for discussion.

7. Voting Procedures

Mr. Roman provided a brief overview of Roberts' Rules of Order and voting thereunder.

8. PHAC Meeting Minutes

Mr. Ershow raised that the commission has not voted on, approved, or otherwise adopted minutes for any of its prior meetings. The Commission discussed working to prepare and vote on minutes for its prior meetings.

Mr. Ershow proposed that, going forward, the Commission will vote on and approve the last meeting's minutes at the following Commission meeting.

9. PHAC Website

Mr. Ershow reported he is working with the Department of Law and Public Safety on the Commission's public website.

10. Public Comments

No members of the public attended or otherwise provided comment.

11. Adjournment and Discussion of Next Meetings

The next Personalized Handgun Authorization Commission meeting will be called for June 9, 2023, at 11:00 a.m. Commission discussed that it would not meet on June 16, due to the state holiday on the same date.

On a motion by Mr. Ershow, seconded by Mr. Hornsby, the Commission adjourned at 12:46 P.M.