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April 6, 2004

N O T I C E

TO: Chief Law Enforcement Officer

DATE: April 6, 2004

SUBJECT: **Notice: Advisory on the Use of State Body Armor Replacement Funds for Procuring Zylon-Based Body Armor**

On November 25, 2003, December 2, 2003 and February 24, 2004, the Division of Criminal Justice sent notices to you of reports concerning zylon-based body armor vests degrading more quickly than anticipated, reducing their antiballistic capabilities. Also, in November 2003, the United States Department of Justice (DOJ) announced a new Bulletproof Vest Safety Initiative, "to address the reliability of body armor used by law enforcement personnel and to examine the future of bullet-resistant technology and testing."

On March 11, 2004, the DOJ published a preliminary test report entitled "Status Report to the Attorney General on Body Armor Safety Initiative Testing and Activities" that is accessible for review at www.vests.ojp.gov. The preliminary findings indicate that there is some deterioration of zylon-based vests. DOJ reports that in tests of 20 used zylon-based vests, bullets penetrated 10 of the vests. The DOJ study was prompted by failures of the zylon material in three instances, one of which resulted in the death of a police officer. Again, for more details about these incidents, please review the full text of DOJ's preliminary report at www.vests.ojp.gov.

DOJ is conducting more extensive testing, which is expected to continue into 2005. In the meanwhile, DOJ “continues to encourage law enforcement to wear bullet-resistant body armor for their protection.” Although there may be problems with zylon-based vests, using them is unquestionably superior to using no vest at all.

Based upon this information the Division of Criminal Justice (DCJ) recommends the following actions to those law enforcement agencies receiving state body armor replacement grant funds:

- 1) Temporarily suspend the procurement of zylon-based body armor with state body armor replacement grant funds until the results of future testing by DOJ or other independent agencies are finalized or clearly defined. All other body armor meeting applicable DOJ standards and your agency’s needs may continue to be purchased in accordance with applicable public bidding laws.
- 2) Initiate a replacement program of aged zylon-based body armor using state body armor grant funds, and, if received, federal Bulletproof Vest Partnership (BVP) grant funds.
- 3) Send to the Body Armor Desk, Program Development Section, Division of Criminal Justice, information on the make, model and the number of aged zylon-based body vests your agency has determined need replacement. Information can be submitted by fax to (609) 984-2909 on the attached form. Questions can be addressed to: Ida Pennacchi at (609) 292-1462.
- 4) Immediately, contact the Office of the Attorney General, Dave Rebeck, Deputy Attorney General, (609) 292-4478, of any incident of vest failures.

DCJ’s objective is to protect the lives of law enforcement officers. Until more definitive information is known about the degradation of zylon-based vests, law enforcement agencies should be very careful about relying upon this body armor equipment. The Attorney General and the Division of Criminal Justice will continue to closely monitor the topic of body armor safety and communicate as rapidly as possible to the state’s law enforcement agencies all available information.

Please feel free to contact this office with any questions regarding body armor or this notice.

Attachment

