

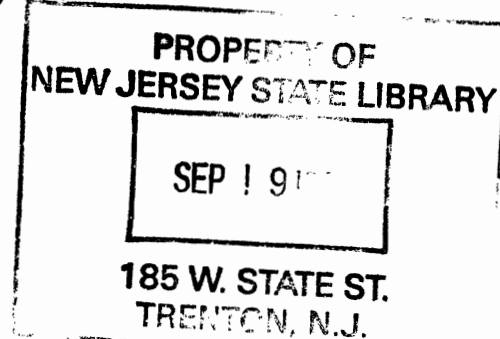


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State of New Jersey
DEPARTMENT OF LAW AND PUBLIC SAFETY
OFFICE OF THE ATTORNEY GENERAL

FRED DeVESA
ATTORNEY GENERAL

December 20, 1993



The Honorable Jim Florio
Governor of New Jersey
State House, CN 0001
Trenton, New Jersey 08625

Re: Annual Report Concerning Assault Firearms

Dear Governor Florio:

The attached report, submitted to the Senate President and Speaker of the General Assembly pursuant to the New Jersey Assault Firearms Act, is forwarded for your information. The report provides information concerning the types and number of assault firearms surrendered or rendered inoperable and criminal offenses involving assault firearms since May 30, 1990, the effective date of the Assault Firearms Act.

Respectfully submitted,

Fred DeVesa
Attorney General



State of New Jersey
DEPARTMENT OF LAW AND PUBLIC SAFETY
OFFICE OF THE ATTORNEY GENERAL

FRED DEVESA
ATTORNEY GENERAL

December 20, 1993

Honorable Donald DiFrancesco
Senate President
New Jersey State Senate
State House Annex
Trenton, N.J. 08626

Honorable Garabed "Chuck" Haytaian
Speaker of the General Assembly
New Jersey State Assembly
State House Annex
Trenton, N.J. 08625

Re: Annual Report Concerning Assault Firearms

Dear Senator DiFrancesco and Assemblyman Haytaian:

Enclosed please find my report regarding the Assault Firearms Act. This report, submitted pursuant to N.J.S.A. 2C:58-14, is for the year 1993. Section 1 of this report details "the types and quantities of firearms surrendered or rendered inoperable" as required by N.J.S.A. 2C:58-14. Section 2 describes "the number and types of criminal offenses involving assault firearms," ibid.

The statute also authorizes the Attorney General to make recommendations, "including additions or deletions to the inventory of assault firearms delineated in N.J.S.A. 2C:39-1w. As N.J.S.A. 2C:58-14 calls for such recommendations, I offer no suggestions for reform of the law at this time.

Respectfully submitted,

Fred DeVesa
Attorney General

**ATTORNEY GENERAL'S REPORT CONCERNING
ASSAULT FIREARMS 1993**

**State of New Jersey
Department of Law and Public Safety**

December 1993

This current report provides a compilation of data collected from the effective date of the Act, May 30, 1990, through September 30, 1993. In addition to the narrative highlights presented, detailed data is provided in accompanying tables. Moreover, a brief description of a few of the crimes that contribute to the statistics involving assault firearms is also provided.

Section 1. Firearms Surrendered or Rendered Inoperable

Any person lawfully owning an assault firearm on May 30, 1990, the effective date of the Assault Firearms Act, who was not eligible to register the weapon pursuant to the criteria established, or who chose not to register the weapon, was given one year to take one of three actions:

- . Transfer the weapon to a person or entity lawfully entitled to possess it;
- . Render the weapon inoperable; or
- . Voluntarily surrender the weapon to law enforcement officials.

Since enactment of the Assault Firearms Act, a total of 921 assault firearms have been certified to the Division of State Police as rendered inoperable and 26 have been surrendered.² Since filing last year's annual report, only one additional weapon had been certified as rendered inoperable and no additional weapons had been surrendered. The majority of actions involving weapons being rendered inoperable or surrendered occurred during the one-year report period beginning six months after enactment of the law.

An inventory of weapons rendered inoperable or surrendered, to date, is provided in Table 1.

² Those persons who disposed of assault weapons through sales to dealers or out-of-state residents were not required to report the sales or transfer of the weapon. Accordingly, there is no way to determine how many assault firearms were eliminated through such lawful sales or transfers.

**ATTORNEY GENERAL'S REPORT CONCERNING
ASSAULT FIREARMS 1993**

Pursuant to N.J.S.A. 2C:58-14, the following information was compiled through procedures established by the Office of the Attorney General to report on the Assault Firearms Act.

- . The types and quantities of firearms surrendered or rendered inoperable.
- . The number and types of criminal offenses involving assault firearms.

While this Annual Report includes all data requested by the Legislature, it should be noted that this information does not serve as a total measure of the benefits derived from the enactment of the assault firearms law. The intent of the law, which serves to protect the people of this State from the dangers presented by the availability of firearms that are designed to rapidly discharge ammunition capable of killing human beings as well as firearms that are ill-suited and infrequently used for legitimate civilian purposes, is two-fold:

- . To prevent the availability and increase of these firearms by limiting future sales to qualified persons who can demonstrate that the "public safety and welfare" require that they possess such a weapon, N.J.S.A. 2C:39-5f, 2C:58-5; and,
- . To reduce the number of these firearms in circulation prior to the effective date of the law by requiring owners to either sell them (to dealers or residents of other states) or to surrender or render them inoperable, N.J.S.A. 2C:39-5f, 2C:58-13.¹

¹ An exception to the reduction efforts allowed a person who lawfully acquired an assault firearm prior to May 1, 1990 to register the assault firearm if it was one approved as "used for legitimate target-shooting purposes" and if the person was a member of a rifle or pistol club that filed its charter with the Superintendent of the Division of State Police. N.J.S.A. 2C:58-12.

Table 1
Firearms Rendered Inoperable
or Surrendered³

<u>Type of Firearm</u>	<u>Rendered Inoperable</u>	<u>Surrendered</u>
AK-47	1	1
Armalite	2	-
Biretta AR-70, BM 59	4	-
Bushmaster	1	-
Calico	3	-
Chartered Industries	3	-
Colt AR-15, Car 15	109	1
Daewoo	6	-
FN-FAL, FN-LAR, FN-FNC	15	-
Franchi	5	-
Galil	3	-
Heckler & Koch H&K 91	39	-
Ingram MAC 11	-	1
Intratec	10	-
Kasnar Import	-	1
M1-A	-	2
M1 Carbine	29	7
Marlin Mod. 60	-	3
Plainfield Machine Co. Carbine	29	-
Remington Mod. 552	-	1
Ruger	57	-
Sears "Ted Whelms" 3T	-	3
Springfield Armory	37	-
Sterling	1	-
Steyr	3	-
Street Sweeper	5	-
Striker 12	7	-
Uzi	11	4
Valmet	5	1
Winchester	-	1
Other ⁴	536	-
TOTAL	921	26

³ Based on Division of State Police accumulative assault firearms registration data for the period May 30, 1990 through August 31, 1993.

⁴ Other indicates firearms that were not adequately identified in certifications filed by their owners to permit grouping according to brand name.

Section 2. Criminal Offenses Involving Assault Firearms

With the enactment of the Assault Firearms Act, the Division of State Police Uniform Crime Reporting Unit implemented procedures for the reporting of offenses committed with or involving assault firearms. Pertinent information, including the offense committed, the date of the offense, and case number is reported monthly by the original investigating law enforcement agency on a standardized form developed by State Police.

Criminal incidents are reported by most serious Uniform Crime Report (UCR) tracked offense. When an episode is reported as an unlawful possession of an assault firearm, that means only that unlawful possession is the most serious UCR-tracked crime. For example, incidents involving both narcotics violations and possession of an assault firearm are reported as unlawful possession of a firearm. Incidents involving murder or robbery and possession of an assault firearm are reported as murder or robbery, respectively. Moreover, each criminal incident is reflected once, although many involve numerous victims, several defendants and separate crimes.

The analysis of criminal offenses involving assault firearms provided herein is based on a statewide compilation of the information reported since the effective date of the Assault Firearms Act.

- . From May 30, 1990 through October 31, 1993, a total of 360 criminal offenses involving assault firearms have been reported statewide (Table 2).
- . The total 360 offenses included: 10 murders; 73 armed robberies; 61 aggravated assaults; 210 unlawful possession of firearms; and 6 other offenses (Table 2).

Table 2
Criminal Offenses Involving
Assault Firearms
by County
May 30, 1990 - October 31, 1993

County	Murder	Robbery	Aggravated Assault	Unlawful Possession Weapon	Other	Total
Atlantic	-	-	5	22	-	27
Bergen	2	-	2	15	-	19
Burlington	-	2	-	14	-	16
Camden	-	9	8	27	3	47
Cape May	-	-	-	2	-	2
Cumberland	1	-	1	2	-	4
Essex	2	49	33	46	1	131
Gloucester	-	1	1	10	-	12
Hudson	1	5	1	9	-	16
Hunterdon	-	-	1	3	-	4
Mercer	-	1	2	3	-	6
Middlesex	2	1	1	16	-	20
Monmouth	-	1	1	5	-	7
Morris	1	-	1	3	-	5
Ocean	-	1	2	7	1	11
Passaic	-	-	1	3	1	5
Salem	-	-	-	6	-	6
Somerset	-	1	-	3	-	4
Sussex	-	-	-	1	-	1
Union	1	2	1	9	-	13
Warren	-	-	-	4	-	4
STATEWIDE	10	73	61	210	6 ⁵	360

⁵ Includes two unlawful sale of assault weapon, two criminal mischief, one conspiracy to commit murder, and one sexual assault.

Table 3
Criminal Offenses Involving
Assault Firearms
by County

November 1992 - October 1993

County	Murder	Robbery	Aggravated Assault	Unlawful Possession Weapon	Other	Total
Atlantic	-	-	1	6	-	7
Bergen	-	-	1	6	-	7
Burlington	-	-	-	7	-	7
Camden	-	-	2	7	1	10
Cape May	-	-	-	-	-	-
Cumberland	1	-	-	1	-	2
Essex	-	15	15	17	-	47
Gloucester	-	-	-	5	-	5
Hudson	1	1	-	2	-	4
Hunterdon	-	-	1	1	-	2
Mercer	-	-	-	1	-	1
Middlesex	-	-	-	1	-	1
Monmouth	-	-	1	1	-	2
Morris	-	-	-	-	-	-
Ocean	-	-	1	1	-	2
Passaic	-	-	1	-	-	1
Salem	-	-	-	2	-	2
Somerset	-	-	-	-	-	-
Sussex	-	-	-	1	-	1
Union	1	-	-	3	-	4
Warren	-	-	-	2	-	2
STATEWIDE	3	16	23	64	1 ⁶	107

During the most recent one-year report period, November 1992 through October 1993, a total of 107 offenses involving assault firearms were reported: 3 murders; 16 robberies; 23 aggravated assaults; 64 unlawful possession of firearms; and 1 other offense (Table 3).

⁶ Unlawful sale of an assault weapon.

Table 4
Criminal Offenses Involving
Assault Firearms
by County
November 1991 - October 1992⁷

County	Murder	Robbery	Aggravated Assault	Unlawful Possession Weapon	Other	Total
Atlantic	-	-	1	6	-	7
Bergen	-	-	-	5	-	5
Burlington	-	-	-	1	-	1
Camden	-	-	1	15	1	17
Cape May	-	-	-	1	-	1
Cumberland	-	-	-	1	-	1
Essex	1	11	11	10	-	33
Gloucester	-	-	-	2	-	2
Hudson	-	-	-	3	-	3
Hunterdon	-	-	-	2	-	2
Mercer	-	-	1	1	-	2
Middlesex	1	-	-	6	-	7
Monmouth	-	-	-	2	-	2
Morris	-	-	-	2	-	2
Ocean	-	-	-	4	1	5
Passaic	-	-	-	3	-	3
Salem	-	-	-	3	-	3
Somerset	-	-	-	1	-	1
Sussex	-	-	-	-	-	-
Union	-	1	1	6	-	8
Warren	-	-	-	2	-	2
STATEWIDE	2	12	15	76	2 ⁸	107

⁷ Because of reporting and data compilation practices at the time, this report period includes data for the two-week period, October 16, 1990 through October 31, 1990, along with the one-year period, November 1990 through October 1991.

⁸ Includes one conspiracy to commit murder and one criminal mischief.

Table 5
Criminal Offenses Involving
Assault Firearms
by County

November 1990 - October 1991

County	Murder	Robbery	Aggravated Assault	Unlawful Possession Weapon	Other	Total
Atlantic	-	-	3	6	-	9
Bergen	2	-	1	3	-	6
Burlington	-	-	-	5	-	5
Camden	-	8	5	4	-	17
Cape May	-	-	-	1	-	1
Cumberland	-	-	1	-	-	1
Essex	1	12	7	15	1	36
Gloucester	-	1	1	3	-	5
Hudson	-	2	-	2	-	4
Hunterdon	-	-	-	-	-	-
Mercer	-	1	-	-	-	1
Middlesex	1	-	1	8	-	10
Monmouth	-	1	-	2	-	3
Morris	1	-	1	1	-	3
Ocean	-	1	1	2	-	4
Passaic	-	-	-	-	-	-
Salem	-	-	-	1	-	1
Somerset	-	1	-	2	-	3
Sussex	-	-	-	-	-	-
Union	-	1	-	-	-	1
Warren	-	-	-	-	-	-
STATEWIDE	5	28	21	55	1 ⁹	110

- . During the two preceding one-year periods, November 1991 through October 1992 and November 1990 through October 1991, 107 and 110 criminal offenses involving assault firearms were reported, respectively (Tables 4 and 5).

⁹ Unlawful sale of an assault weapon.

Table 6
Criminal Offenses Involving
Assault Firearms
Statewide Yearly Summary

	Murder	Robbery	Aggravated Assault	Unlawful Possession Weapon	Other	Total
Nov. 1990 Oct. 1991	5	28	21	55	1	110
Nov. 1991 Oct. 1992 ¹⁰	2	12	15	76	2	107
Nov. 1992 Oct. 1993	3	16	23	64	1	107
TOTAL¹¹	10	56	59	195	4¹²	324

A description of the facts of a few of the crimes that contribute to the crime statistics involving assault firearms and weapons with large capacity ammunition magazines or folding stocks provides a more complete picture of the nature of the problem.

- . An Intratec 9mm assault firearm was used during a struggle in which the murder victim was shot in the head.

¹⁰ Because of reporting and data compilation practices used at the time, includes the two-week period, October 16, 1990 through October 31, 1990, along with the one-year period November 1990 through October 1991.

¹¹ Includes three complete one-year report periods. Does not include the initial four and one-half month report period immediately following the effective date of the Act.

¹² Includes two unlawful sale of an assault weapon, one conspiracy to commit murder, and one criminal mischief.

- . Four subjects approached victim as he was leaving a party, chased and tripped him, and shot him in the leg with an Intratec 9mm automatic assault firearm.
- . A victim, while innocently sitting on a mailbox, received a gunshot wound as a subject randomly fired an Intratec 9mm automatic assault firearm.
- . During a gas station holdup, a service station customer buying gasoline was shot and killed with a MAC 10 assault firearm by seven subjects (one adult and six juveniles) as they attempted to rob him.
- . When returning home from work, a victim was approached by three subjects who assaulted him and threatened him with a fully-loaded 9mm Cobray assault firearm, with a large capacity ammunition magazine. When the subjects were arrested, they were identified as having participated in a similar armed robbery earlier the same day.
- . When police officers intercepted and arrested four subjects fleeing from the scene of an attempted burglary, a fully-loaded 9mm MAC 11 assault firearm was confiscated along with a .22 caliber Ruger.
- . During a street robbery, victim was approached by two subjects armed with an Uzi assault firearm and a second, unidentified automatic weapon. After threatening and robbing the victim, he was told to "run." As the victim fled, one subject fired the Uzi in short bursts hitting victim in the leg.
- . After an altercation with victim earlier in the day, subject arranged a meeting to discuss an end to the "feud." When victim arrived at the designated meeting place, the subject began firing an Intratec 9mm assault firearm, wounding the victim.

- . A carjacking was committed by two subjects armed with an Uzi automatic assault firearm.
- . While playing basketball in an outdoor courtyard, three victims, including a 14-year old youth, were shot by subjects firing Uzi-type automatic firearms. The incidents occurred when five subjects, two of which were armed, ran through the courtyard firing their weapons and then fled the area.
- . A subject, during commission of a purse snatching and personal robbery, threatened two female victims with an automatic machine gun.

