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**ATTORNEY GENERAL'S REPORT CONCERNING  
ASSAULT FIREARMS 2005**

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Office of the Attorney General  
Department of Law and Public Safety  
Division of Criminal Justice  
State of New Jersey

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## **ATTORNEY GENERAL'S REPORT CONCERNING**

### **ASSAULT FIREARMS 2005**

Pursuant to the Assault Firearms Act, *N.J.S.A. 2C:58-14*, information concerning the number and types of criminal offenses involving assault firearms was compiled through procedures established by the Office of the Attorney General and is reported in this Annual Report. This information pertains to any offense involving an assault firearm which was reported to a law enforcement agency within New Jersey.

While this Annual Report includes the data required by the Legislature, this information does not serve as a total measure of the benefits derived from the enactment of the assault firearms law. This law serves to protect the people of this state from the dangers presented by firearms 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. The purpose of the assault firearms law is two-fold:

- . To prevent the availability and increase of these firearms by limiting future sales.
- . To reduce the number of these firearms in circulation.

## **Criminal Offenses Involving Assault Firearms**

With the enactment of the Assault Firearms Act, *N.J.S.A. 2C:58-14*, in 1990, the Division of State Police Uniform Crime Reporting Unit implemented procedures for reporting offenses committed with or involving assault firearms. Pertinent information, including the offense committed, the date of the offense, and the case number, is reported monthly by the original investigating law enforcement agency. This information is reported on a standardized form developed by the State Police.

This current report provides a compilation of data collected from the effective date of the Act, May 30, 1990 through October 31, 2005. In addition to the narrative highlights presented concerning the number and types of criminal offenses involving assault firearms, 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.

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 an incident may involve numerous victims, several perpetrators or defendants and separate crimes. While some arrest information is available through specific, individual police reports obtained to provide examples of incidents involving assault firearms, no statewide standardized system exists through which arrest or clearance rates are reported.

- . From May 30, 1990, the effective date of the Assault Firearms Act, through October 31, 2005, a total of 1,371 criminal offenses involving assault firearms have been reported statewide (Table 1).
- . The total 1,371 offenses included: 30 murders; 183 armed robberies; 126 aggravated assaults; 1,013 unlawful possession of firearms; and 19 other offenses (Table 1).

**Table 1**  
**Criminal Offenses Involving Assault Firearms**  
**by County**  
**May 30, 1990 - October 31, 2005**

County	Murder	Robbery	Aggravated Assault	Unlawful Possession Weapon	Other	Total
Atlantic	-	2	7	69	2	80
Bergen	2	3	4	60	-	69
Burlington	-	3	2	66	-	71
Camden	5	16	15	102	4	142
Cape May	-	-	-	13	-	13
Cumberland	1	2	8	19	-	30
Essex	7	121	54	230	3	415
Gloucester	-	1	3	22	1	27
Hudson	2	8	1	44	1	56
Hunterdon	-	-	1	16	-	17
Mercer	1	8	5	44	2	60
Middlesex	2	3	7	60	1	73
Monmouth	-	2	3	28	1	34
Morris	1	1	2	35	-	39
Ocean	5	1	3	44	1	54
Passaic	2	3	6	34	1	46
Salem	-	-	1	14	1	16
Somerset	-	2	-	21	1	24
Sussex	-	-	-	13	-	13
Union	2	7	4	64	-	77
Warren	-	-	-	15	-	15
Statewide	30	183	126	1013	19 <sup>1</sup>	1,371

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<sup>1</sup> Other includes the following types of offenses: unlawful sale of assault firearms, criminal mischief, conspiracy to commit murder, sexual assaults and burglary.

**Table 2**  
**Criminal Offenses Involving Assault Firearms**  
**by County**  
**November 2004 - October 2005**

County	Murder	Robbery	Aggravated Assault	Unlawful Possession Weapon	Other	Total
Atlantic	-	-	-	2	1	3
Bergen	-	-	-	5	-	5
Burlington	-	1	-	4	-	5
Camden	-	-	1	4	-	5
Cape May	-	-	-	-	-	0
Cumberland	-	-	1	1	-	2
Essex	-	3	1	16	-	20
Gloucester	-	-	-	-	-	-
Hudson	-	-	-	3	-	3
Hunterdon	-	-	-	-	-	-
Mercer	-	-	1	7	-	8
Middlesex	-	-	-	4	-	4
Monmouth	-	-	1	2	-	3
Morris	-	-	1	2	-	3
Ocean	-	-	-	3	-	3
Passaic	-	-	-	4	-	4
Salem	-	-	-	-	-	-
Somerset	-	-	-	1	-	1
Sussex	-	-	-	2	-	
Union	-	-	-	1	-	1
Warren	-	-	-	-	-	-
Statewide	-	4	6	61	1	72

During the current report year, November 2004 through October 2005, a total of 72 assault firearms offenses were reported statewide: 4 armed robberies; 6 aggravated assaults; 61 unlawful possession of assault firearms offenses; and 1 other offense (unspecified) (Table 2).

**Table 3**  
**Criminal Offenses Involving Assault Firearms**  
**by County**  
**November 2003 - October 2004**

County	Murder	Robbery	Aggravated Assault	Unlawful Possession Weapon	Other	Total
Atlantic	-	-	-	8	-	8
Bergen	-	-	-	7	-	7
Burlington	-	-	-	7	-	7
Camden	1	1	1	5	-	8
Cape May	-	-	-	1	-	1
Cumberland	-	-	1	0	-	1
Essex	-	-	1	17	1	19
Gloucester	-	-	-	-	-	-
Hudson	-	-	-	2	-	2
Hunterdon	-	-	-	-	-	-
Mercer	-	-	-	8	-	8
Middlesex	-	-	1	3	1	5
Monmouth	-	-	-	-	1	1
Morris	-	-	-	1	-	1
Ocean	-	-	-	3	-	3
Passaic	-	1	-	1	-	2
Salem	-	-	-	-	-	-
Somerset	-	-	-	1	-	1
Sussex	-	-	-	-	-	-
Union	-	-	-	6	-	6
Warren	-	-	-	-	-	-
Statewide	1	2	4	70	3	80

During the current report year, November 2004 through October 2005, a total of 80 assault firearms offenses were reported statewide: 1 murder; 2 armed robbery; 4 aggravated assaults; 70 unlawful possession of assault firearms offenses; and 3 other offenses (Table 2).

**Table 4**  
**Criminal Offenses Involving Assault Firearms**  
**by County**  
**November 2002 - October 2003**

County	Murder	Robbery	Aggravated Assault	Unlawful Possession Weapon	Other	Total
Atlantic	-	-	-	4	-	4
Bergen	-	-	-	2	-	2
Burlington	-	-	-	7	-	7
Camden	-	-	1	5	-	6
Cape May	-	-	-	-	-	0
Cumberland	-	-	-	2	-	2
Essex	1	-	-	24	1	26
Gloucester	-	-	-	1	-	1
Hudson	-	-	-	3	-	3
Hunterdon	-	-	-	-	-	0
Mercer	-	-	-	4	-	4
Middlesex	-	-	-	3	-	3
Monmouth	-	-	-	4	-	4
Morris	-	-	-	1	-	1
Ocean	-	-	-	1	-	1
Passaic	-	-	1	3	-	4
Salem	-	-	-	1	1	2
Somerset	-	-	-	1	1	2
Sussex	-	-	-	2	-	2
Union	-	-	-	3	-	3
Warren	-	-	-	2	-	2
Statewide	1	-	2	73	3	79

During the previous report year, November 2002 through October 2004, a total of 79 assault firearms offenses were reported statewide: 1 murder; 2 aggravated assaults; 73 unlawful possession of assault firearms offenses; and 3 other offenses (Table 3).

**Table 5**  
**Criminal Offenses Involving Assault Firearms**  
**Statewide Yearly Summary<sup>2</sup>**

	Murder	Robbery	Aggravated Assault	Unlawful Possession Weapon	Other	Total
Nov. 1990 - Oct. 1991 <sup>3</sup>	5	28	21	55	1	110
Nov. 1991 - Oct. 1992	2	12	15	76	2	107
Nov. 1992 - Oct. 1993	3	16	23	64	1	107
Nov. 1993 - Oct. 1994	1	48	5	64	-	118
Nov. 1994 - Oct. 1995	3	8	8	76	1	96
Nov. 1995 - Oct. 1996	1	12	7	60	2	82
Nov. 1996 - Oct. 1997	1	13	10	41	1	66
Nov. 1997 - Oct. 1998	4	3	3	67	-	77
Nov. 1998 - Oct. 1999	1	6	9	54	-	70
Nov. 1999 - Oct. 2000	-	5	2	76	1	84
Nov. 2000 - Oct. 2001	1	5	4	75	-	85
Nov. 2001 - Oct. 2002	6	4	5	86	1	102
Nov. 2002 - Oct. 2003	1	-	2	73	3	79
Nov. 2003 - Oct. 2004	1	2	4	70	3	80
Nov. 2004 - Oct. 2005	-	4	6	61	1	72
<b>TOTAL</b>	<b>30</b>	<b>166</b>	<b>124</b>	<b>998</b>	<b>17<sup>4</sup></b>	<b>1,335</b>

<sup>2</sup> Reflects 13 annual periods, November 1st through October 31st. Does not include the initial four and one-half month period (May 30, 1990 - October 15, 1990) immediately following the effective date of the Assault Firearms Act. The data for that period was reported in the initial report filed as required by statute within 180 days of enactment of the Act. The data for that period is, however, reflected in the total reported in Table 1.

<sup>3</sup> Because of reporting and data compilation practices used in 1990, this report period includes the two-week period, October 16, 1990 through October 31, 1990, along with the one-year period November 1990 through October 1991.

<sup>4</sup> Includes the following types of offenses: unlawful sale of an assault firearms, conspiracy to commit murder, criminal mischief, burglary, and sexual assault.



Summarized below are some of the facts of a few of the offenses that contribute to the crime statistics involving assault firearms and weapons with large capacity ammunition magazines or folding stocks. These descriptions provide a more complete picture of the nature of the problem. These assault firearms offenses were reported for the most recent report year, November 2004 through October 2005.

- . While pursuing a vehicle reportedly involved in narcotics activity and eluding police, driver (a juvenile) was observed throwing an object from the vehicle. Upon further investigation, the object, a semi-automatic .380 caliber M12 assault weapon with a high capacity magazine, was recovered. The weapon was loaded with 20 ball rounds and one hollow point round.
- . Police were dispatched for a domestic disturbance, where subject reportedly pointed a gun at the victim. When asked if there were weapons in the home, subject stated there were handguns in the back bedroom. Police recovered several boxes of ammunition, handguns and rifles, including two 9MM handguns, two semi-automatic shotguns, a 10MM Glock handgun, several other handguns and rifles, a cross bow, several hundred rounds of hollow point bullets, several hundred rounds of other ammunition, large capacity magazines, and explosives. Subject was charged with seven counts of possession of assault weapons, possession of hollow point bullets, possession of large capacity magazines, and other weapons violations.
- . While stopped at a traffic light, police observed three subjects in a passing vehicle, with the front passenger holding a rifle. After following the vehicle a short distance, police attempted to apprehend subjects while stopped at a traffic light. At this time, the passenger pointed an assault firearm at the officers and the subjects' vehicle fled. Vehicle was soon involved in a crash and disabled. At this time, police apprehended two subjects as they attempted to flee on foot. The third subject was injured and apprehended at the scene of the accident. Police recovered a fully loaded (28 rounds) Norinco MAK90 assault rifle hanging out of the front passenger window of subjects' vehicle.
- . Police responded to a report of an armed robbery. Two victims were reportedly robbed at gunpoint. Police pursued and apprehended two subjects fitting the description provided of the armed robbers. Further canvassing of the area turn up two weapons used in the robbery: 9MM Luger Tec 9 with large capacity magazine and 9MM M-11 Cobray with magazine.

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After leaving a restaurant, two male victims were approached by two subjects and robbed at gunpoint. After the incident was reported, police located the subjects' vehicle and began a pursuit. When subjects' vehicle crashed, the driver and two passengers fled on foot. Two subjects were subsequently apprehended. The weapon, a sawed-off shotgun, had reportedly been thrown from the car during the pursuit.

Police responded to domestic dispute. While negotiating with the subject, subject pointed a weapon at police and then shot himself in the head. After subject was transported to the hospital for medical attention, police recovered a .22 caliber handgun at the scene along with various chemicals, ammunition, including hollow point bullets, and fireworks. In addition, subject's brother-in-law turned several weapons over to police including: a Ruger .22 caliber handgun, Davis .25 caliber handgun, Taurus 9MM, and Pistolet automatic MAB Breuete 9MM.

Police were dispatched to an apartment on report of subject firing a weapon. Based on the description provided of the subject, police initiated a foot pursuit and apprehended subject not far from where the shooting incident was reported. During a search of the area, police located a box, under a scrub, which contained a M-11 9MM semi-automatic handgun.