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**ATTORNEY GENERAL'S REPORT CONCERNING
ASSAULT FIREARMS 1994**

State of New Jersey
Department of Law and Public Safety

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ATTORNEY GENERAL'S REPORT CONCERNING

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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, 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.

This current report provides a compilation of data collected from the effective date of the Act, May 30, 1990, through October 31, 1994. 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.¹ Since filing last year's annual report, no additional firearms have been certified as rendered inoperable and no additional firearms have been surrendered. The majority of actions involving firearms being rendered inoperable or surrendered occurred during the one-year report period beginning six months after enactment of the law.

An inventory of those firearms rendered inoperable or surrendered since enactment of the Assault Firearms Act is provided in Table 1.

¹ 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.

Table 1
Firearms Rendered Inoperable
or Surrendered²

<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 ³	536	-
TOTAL	921	26

² Based on Division of State Police accumulative assault firearms registration data for the period May 30, 1990 through October 31, 1994.

³ 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.

- . From May 30, 1990, the effective date of the Assault Firearms Act, through October 31, 1994, a total of 478 criminal offenses involving assault firearms have been reported statewide (Table 2).
- . The total 478 offenses included: 11 murders; 121 armed robberies; 66 aggravated assaults; 274 unlawful possession of firearms; and 6 other offenses (Table 2).

Table 2

Criminal Offenses Involving
Assault Firearms
by County

May 30, 1990 - October 31, 1994

County	Murder	Robbery	Aggravated Assault	Unlawful Possession Weapon	Other	Total
Atlantic	-	-	6	24	-	30
Bergen	2	1	2	17	-	22
Burlington	-	2	1	18	-	21
Camden	1	10	8	36	3	58
Cape May	-	-	-	4	-	4
Cumberland	1	-	2	3	-	6
Essex	2	92	35	61	1	199
Gloucester	-	1	1	12	-	14
Hudson	1	5	1	12	-	19
Hunterdon	-	-	1	4	-	5
Mercer	-	4	2	4	-	10
Middlesex	2	1	1	22	-	26
Monmouth	-	1	1	6	-	8
Morris	1	-	1	4	-	6
Ocean	-	1	2	11	1	15
Passaic	-	-	1	4	1	6
Salem	-	-	-	10	-	10
Somerset	-	1	-	6	-	7
Sussex	-	-	-	1	-	1
Union	1	2	1	11	-	15
Warren	-	-	-	4	-	4
STATEWIDE	11	121	66	274	6 ⁴	478

⁴ Includes the following offenses: 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 1993 - October 1994

<u>County</u>	<u>Murder</u>	<u>Robbery</u>	<u>Aggravated Assault</u>	<u>Unlawful Possession Weapon</u>	<u>Other</u>	<u>Total</u>
Atlantic	-	-	1	2	-	3
Bergen	-	1	-	2	-	3
Burlington	-	-	1	4	-	5
Camden	1	1	-	9	-	11
Cape May	-	-	-	2	-	2
Cumberland	-	-	1	1	-	2
Essex	-	43	2	15	-	60
Gloucester	-	-	-	2	-	2
Hudson	-	-	-	3	-	3
Hunterdon	-	-	-	1	-	1
Mercer	-	3	-	1	-	4
Middlesex	-	-	-	6	-	6
Monmouth	-	-	-	1	-	1
Morris	-	-	-	1	-	1
Ocean	-	-	-	4	-	4
Passaic	-	-	-	1	-	1
Salem	-	-	-	4	-	4
Somerset	-	-	-	3	-	3
Sussex	-	-	-	-	-	-
Union	-	-	-	2	-	2
Warren	-	-	-	-	-	-
STATEWIDE	1	48	5	64	-	118

During the most recent report year, November 1993 through October 1994, a total of 118 offenses involving assault firearms were reported: 1 murder; 48 robberies; 5 aggravated assaults; and 64 unlawful possession of firearms. (Table 3).

Table 4
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 ⁵	107

During the prior 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 4).

⁵ Unlawful sale of an assault weapon.

Table 5
Criminal Offenses Involving
Assault Firearms
by County
November 1991 - October 1992⁶

<u>County</u>	<u>Murder</u>	<u>Robbery</u>	<u>Aggravated Assault</u>	<u>Unlawful Possession Weapon</u>	<u>Other</u>	<u>Total</u>
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 ⁷	107

⁶ 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.

⁷ Includes one conspiracy to commit murder and one criminal mischief.

Table 6

**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 ⁸	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 5 and 6).

⁸ Unlawful sale of an assault weapon.

Table 7
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 ⁹	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
TOTAL ¹⁰	11	104	64	259	4 ¹¹	442

⁹ Because of reporting and data compilation practices used at the time, 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.

¹⁰ Includes four 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.

¹¹ Includes two unlawful sale of an assault weapon, two criminal mischief, one conspiracy to commit murder, and one sexual assault.

Summarized below are some 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. These assault firearms offenses were reported for the most recent report year, November 1993 through October 1994.

- . A police officer responding to a disturbance call at a local restaurant was shot and killed with an Uzi. After killing the police officer, the subject entered the restaurant kitchen, shot and killed his girlfriend and then committed suicide.
- . Police recovered a MAC 11 discarded by a subject fleeing from the scene of an aggravated assault. The subject allegedly pointed the assault weapon and threatened three adults. One adult victim was holding her two-year old child at the time. During a subsequent search of the subject's home, police also confiscated a loaded Cobra 9 MM semi-automatic.
- . While waiting for a bus, a 15-year old boy was robbed of \$21.00 cash by three youthful offenders armed with a Tech 9 assault weapon.
- . During a carjacking, committed by three subjects, one subject was armed with a submachine gun (identified as either an Uzi or MAC 10) and a second subject was armed with a shotgun.
- . A victim, while walking along the street, was approached by a young male subject, threatened with a Tech 9 assault weapon and robbed of personal effects including \$10.00 cash, a video tape, and his house keys.
- . Three subjects, after being requested not to loiter in front of a store, threw a bottle through the front window of the store and began firing shots into the store with an automatic, Uzi-type weapon. The subject with the automatic weapon, continued to randomly fire shots as the subjects fled in an automobile.
- . Seven guns, including three MAC 11 submachine guns, two Tech 9 submachine guns and two handguns, along with five large capacity magazines, were discovered in a vacant apartment and turned over to police.