

**ATTORNEY GENERAL'S REPORT CONCERNING
ASSAULT FIREARMS 2003**



State of New Jersey
Department of Law and Public Safety
July 2004

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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, 2003. 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, 2003, a total of 1,219 criminal offenses involving assault firearms have been reported statewide (Table 1).
- . The total 1,219 offenses included: 29 murders; 177 armed robberies; 116 aggravated assaults; 882 unlawful possession of firearms; and 15 other offenses (Table 1).

Table 1
Criminal Offenses Involving Assault Firearms
by County
May 30, 1990 - October 31, 2003

County	Murder	Robbery	Aggravated Assault	Unlawful Possession Weapon	Other	Total
Atlantic	-	2	7	59	1	69
Bergen	2	3	4	48	-	57
Burlington	-	2	2	55	-	59
Camden	4	15	13	93	4	129
Cape May	-	-	-	12	-	12
Cumberland	1	2	6	18	-	27
Essex	7	118	52	197	2	376
Gloucester	-	1	3	22	1	27
Hudson	2	8	1	39	1	51
Hunterdon	-	-	1	16	-	17
Mercer	1	8	4	29	2	44
Middlesex	2	3	6	53	-	64
Monmouth	-	2	2	26	-	30
Morris	1	1	1	32	-	35
Ocean	5	1	3	38	1	48
Passaic	2	2	6	29	1	40
Salem	-	-	1	14	1	16
Somerset	-	2	-	19	1	22
Sussex	-	-	-	11	-	11
Union	2	7	4	57	-	70
Warren	-	-	-	15	-	15
Statewide	29	177	116	882	15 ¹	1,219

¹ 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 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 current report year, November 2002 through October 2003, 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 2).

Table 3
Criminal Offenses Involving Assault Firearms
by County
November 2001- October 2002

County	Murder	Robbery	Aggravated Assault	Unlawful Possession Weapon	Other	Total
Atlantic	-	-	1	8	-	9
Bergen	-	-	-	3	-	3
Burlington	-	-	-	2	-	2
Camden	-	1	-	6	1	8
Cape May	-	-	-	1	-	1
Cumberland	-	-	-	2	-	2
Essex	1	1	1	17	-	20
Gloucester	-	-	-	1	-	1
Hudson	-	-	-	4	-	4
Hunterdon	-	-	-	2	-	2
Mercer	-	1	1	4	-	6
Middlesex	-	1	-	3	-	4
Monmouth	-	-	-	3	-	3
Morris	-	-	-	5	-	5
Ocean	5	-	1	5	-	11
Passaic	-	-	1	6	-	7
Salem	-	-	-	1	-	1
Somerset	-	-	-	4	-	4
Sussex	-	-	-	1	-	1
Union	-	-	-	7	-	7
Warren	-	-	-	1	-	1
Statewide	6	4	5	86	-	102

During the previous report year, November 2001 through October 2002, a total of 102 assault firearms offenses were reported statewide: 6 murders, 4 robberies; 5 aggravated assaults; 86 unlawful possession of assault firearms offenses; and 1 other offense (sexual assault) (Table 2).

Table 4
Criminal Offenses Involving Assault Firearms
Statewide Yearly Summary²

	Murder	Robbery	Aggravated Assault	Unlawful Possession Weapon	Other	Total
Nov. 1990 - Oct. 1991 ³	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
TOTAL	29	160	114	867	13 ⁴	1,183

² 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.

³ 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.

⁴ 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 2002 through October 2003.

- . During a narcotics investigation, police recovered several firearms and other weapons, as well as drugs, while executing a search warrant. The weapons recovered included: Cobray M-11 9mm assault weapon; Mac-11 machine gun; Spesco corp. 39 special revolver; Winchester rifle; assorted swords and knives; .357 ammunition; and 9mm Winchester ammunition.
- . During a motor vehicle stop, police determined that the subject's driver's license was fake. When the officer requested permission to search the vehicle's trunk for additional identification, subject consented. In the truck, police found a SWD Mac-11 assault weapon and a large capacity magazine loaded with ball ammunition and hollow point bullets. In addition, police found subject's real driver's license.
- . Police responded to a report of several armed gunmen and stopped the described motor vehicle. When officers approached the vehicle and illuminated the interior with flashlights, officers observed a passenger attempt to hide an assault weapon under his buttocks. A total of five assault weapons were confiscated along with a box of ammunition, including hollow point bullets, and a .38 caliber revolver. The assault weapons confiscated were: Cobray PM-11 9mm; Kel-Tech 9mm; F.B. Radom 9mm; 9mm Luger; and Taurus Millennium 9 mm.
- . After a PSE&G employee reported he had been approached by four subjects, one of which was armed, police investigated. When they entered the subjects' apartment, officers noticed a strong smell of burning marijuana and observed a male subject holding a black handgun. In the apartment, police found an Uzi assault weapon, an AK-47 assault weapon, a MAK-90 rifle, loaded magazines, and narcotics.
- . While on mobile patrol, officers approached two subjects who were drinking on the street corner. As officers approached, subjects began walking away. Police detained subjects when they suspected one subject was concealing a weapon in his waistband. When subject was searched, police found an Intratec 9mm Luger assault weapon along with a large capacity magazine. The assault weapon had one live round in the chamber and 14 rounds in the magazine. Also in subjects' possession was suspect CDS.

As a result of information received concerning narcotics activity and numerous shootings, police initiated a narcotics surveillance. The apartment under surveillance was the home of a single mother, her two young children (ages 5 and 7) and her associates. After witnessing several drug sales transactions, police arrested several subjects involved and entered the apartment to search for the children known to reside there. As officers checked the apartment, they observed a Tech 9 assault weapon on the bed. Also found was a box of ammunition and a bullet proof vest.

Following police response to a domestic dispute, female subject obtained a temporary restraining order (TRO). Pursuant to this order, police contacted the boyfriend/male subject about a weapon in his possession. When police served the TRO, subject surrendered a Smith and Wesson .22 caliber pistol, 23 boxes of .22 caliber ammunition, and one box of 12 gauge ammunition. When police later returned the ammunition to the subject's residence, female subject turned over a second weapon to police. Police subsequently questioned the boyfriend, who then indicated that he had approximately 80 more firearms in a storage closet in the basement of the residence. As a result, police confiscated 57 rifles, 9 handguns, 8 shotguns and 4 magazines, including a large capacity magazine. Among the rifles were an M1 carbine assault weapon, a Commando Mark III rifle, and a .22 caliber Explorer rifle.