

NJ
70
A 88.6

**ATTORNEY GENERAL'S REPORT CONCERNING
ASSAULT FIREARMS 1995**

State of New Jersey
Department of Law and Public Safety

May 1996

**ATTORNEY GENERAL'S REPORT CONCERNING
ASSAULT FIREARMS 1995**

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

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

While this Annual Report includes the 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, 1995. 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.

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 were certified to the Division of State police as rendered inoperable and 28 were surrendered.¹

During the recent report year, November 1, 1994 through October 31, 1995, two additional assault weapons were surrendered to the State Police.² The weapons surrendered were a Cobray semi-automatic M12 and a Norinco automatic rifle.

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.

² Assault weapons are currently surrendered to law enforcement officials pursuant to N.J.S.A. 2C:39-12, the voluntary surrender law. Assault weapons surrendered to local law enforcement agencies are not included as this information is not reported to the State Police.

Table 1
Firearms Rendered Inoperable or Surrendered³

Type of Firearm	Rendered Inoperable	Surrendered
AK-47	1	1
Armalite	2	-
Beretta AR-70, BM 59	4	-
Bushmaster	1	-
Calico	3	-
Chartered Industries	3	-
Cobray Semi-Automatic M12	-	1
Colt AR-15, Car 15	109	1
Daewoo	6	-
FN-FAL, FN-LAR, FN-FNC	15	-
Franchi	5	-
Galil	3	-
Heckler & Koch HK 91	39	-
Ingram MAC 11	-	1
Intratec	10	-
Kasnar Import	-	1
M1-A	-	2
M1 Carbine	29	7
Marlin Mod. 60	-	3
Norinco Automatic Rifle	-	1
Plainfield Machine Co. Carbine	29	-
Remington Mod. 552	-	1
Ruger	57	-
Sears "Ted Williams" 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	28

³ Based on the Division of State Police accumulative assault firearms data for the period May 30, 1990 through October 31, 1995.

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 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.

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, 1995, a total of 574 criminal offenses involving assault firearms have been reported statewide (Table 2).

- The total 574 offenses included: 14 murders; 129 armed robberies; 74 aggravated assaults; 350 unlawful possession of firearms; and 7 other offenses (Table 2).

Table 2
Criminal Offenses Involving
Assault Firearms
by County

May 30, 1990 - October 31, 1995

County	Murder	Robbery	Aggravated Assault	Unlawful Possession Weapon	Other	Total
Atlantic	-	-	6	29	-	35
Bergen	2	2	3	22	-	29
Burlington	-	2	1	25	-	28
Camden	2	10	8	47	3	70
Cape May	-	-	-	5	-	5
Cumberland	1	-	2	5	-	8
Essex	2	97	40	72	1	212
Gloucester	-	1	1	13	-	15
Hudson	1	5	1	15	1	23
Hunterdon	-	-	1	5	-	6
Mercer	-	6	2	6	-	14
Middlesex	2	1	2	25	-	30
Monmouth	-	1	1	7	-	9
Morris	1	-	1	5	-	7
Ocean	-	1	2	15	1	19
Passaic	2	-	2	12	1	17
Salem	-	-	-	11	-	11
Somerset	-	1	-	7	-	8
Sussex	-	-	-	3	-	3
Union	1	2	1	16	-	20
Warren	-	-	-	5	-	5
STATEWIDE	14	129	74	350	7 ⁵	574

⁵ Other includes the following offenses: three 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 1994 - October 1995

County	Murder	Robbery	Aggravated Assault	Unlawful Possession Weapon	Other	Total
Atlantic	-	-	-	5	-	5
Bergen	-	1	1	5	-	7
Burlington	-	-	-	7	-	7
Camden	1	-	-	11	-	12
Cape May	-	-	-	1	-	1
Cumberland	-	-	-	2	-	2
Essex	-	5	5	11	-	21
Gloucester	-	-	-	1	-	1
Hudson	-	-	-	3	1	4
Hunterdon	-	-	-	1	-	1
Mercer	-	2	-	2	-	4
Middlesex	-	-	1	3	-	4
Monmouth	-	-	-	1	-	1
Morris	-	-	-	1	-	1
Ocean	-	-	-	4	-	4
Passaic	2	-	1	8	-	11
Salem	-	-	-	1	-	1
Somerset	-	-	-	1	-	1
Sussex	-	-	-	2	-	2
Union	-	-	-	5	-	5
Warren	-	-	-	1	-	1
STATEWIDE	3	8	8	76	1 ⁶	96

During the most recent report year, November 1994 through October 1995, a total of 96 offenses involving assault firearms were reported: 3 murder offenses; 8 robberies; 8 aggravated assaults; 76 unlawful possession of assault firearms offenses; and 1 other offense (Table 3).

⁶ Unlawful sale of an assault firearm.

Table 4
Criminal Offenses Involving
Assault Firearms
by County

November 1993 - October 1994

County	Murder	Robbery	Aggravated Assault	Unlawful Possession Weapon	Other	Total
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 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 4).

Table 5
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 ⁷	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 5).

⁷ Unlawful sale of an assault weapon.

Table 6
Criminal Offenses Involving
Assault Firearms
by County

November 1991 - October 1992

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

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 6 and 7).

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

Table 7
Criminal Offenses Involving
Assault Firearms
by County

November 1990 - October 1991⁹

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 ¹⁰	110

⁹ 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.

¹⁰ Unlawful sale of an assault weapon.

Table 8
Criminal Offenses Involving
Assault Firearms
Statewide Yearly Summary¹¹

	Murder	Robbery	Aggravated Assault	Unlawful Possession Weapon	Other	Total
Nov. 1990	5	28	21	55	1	110
Oct. 1991 ¹²						
Nov. 1991	2	12	15	76	2	107
Oct. 1992						
Nov. 1992	3	16	23	64	1	107
Oct. 1993						
Nov. 1993	1	48	5	64	-	118
Oct. 1994						
Nov. 1994	3	8	8	76	1	96
Oct. 1995						
TOTAL¹³	14	112	72	335	5¹⁴	538

¹¹ Reflects five annual periods. Does not include the initial six month period immediately following enactment of the Assault Firearms Act.

¹² 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.

¹³ Includes five 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, which is reflected in the totals in Table 2.

¹⁴ Includes three unlawful sale of an assault weapon, one conspiracy to commit murder, and one criminal mischief.

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 1994 through October 1995.

- . While attempting to serve a search warrant for unlawful possession of weapons, two local police officers and a prosecutor's office investigator were assaulted by the suspect armed with an AK47 assault rifle. In addition to firing shots at police officers within the building, the suspect fired shots out of the residence windows. Not only were police personnel endangered, but also area residents, including children playing outside were endangered. Two officers were fatally wounded and a third was seriously injured after being struck five times.
- . After responding to a call that two armed males had broken into an apartment and assaulted the resident, police arrested two suspects and recovered two weapons. The weapons recovered in the suspects' flight path were a Tech 9 assault firearm and a .45 calibre Pit Bull semi-automatic handgun.
- . Police, responding to a reported armed robbery, located and arrested two suspects. When arrested, the suspects had in their possession a 9MM pistol and MAC 11 assault firearm with a large capacity magazine. In addition, police recovered a Tech 9 with a large capacity magazine which had been discarded by one suspect.
- . While arresting a driver for a motor vehicle violation, police officers were assaulted by an unknown male pedestrian armed with a Tech 9, Uzi type assault firearm.
- . A victim, while standing with two friends, was approached by three males wearing ski masks, threatened with a Tech 9 automatic assault firearm and robbed of \$150.00.

. Two victims were assaulted and robbed by three suspects armed with a Tech 9 assault firearm. The robbery took place at a neighborhood corner store. Prior to fleeing with the \$35.00 obtained from the robbery, the suspect carrying the weapon fired two or three rounds.

. Two suspects, armed with a .380 caliber automatic handgun and a MAC 11 assault firearm, committed a murder. Reportedly, the murder was committed in retaliation for an armed robbery which occurred the previous day. That armed robbery involved two men in possession of an automatic handgun and a machine gun.