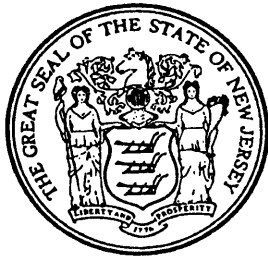


Attorney General's Report Concerning Assault Firearms 1998

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State of New Jersey
Department of Law and Public Safety



ATTORNEY GENERAL'S REPORT CONCERNING

ASSAULT FIREARMS 1998

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 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, 1998. 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.

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Criminal Offenses Involving Assault Firearms

With the enactment of the Assault Firearms Act in 1990, 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 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, 1998, a total of 800 criminal offenses involving assault firearms have been reported statewide (Table 1).

. The total 800 offenses included: 20 murders; 157 armed robberies; 95 aggravated assaults; 518 unlawful possession of firearms; and 10 other offenses (Table 1).

Table 1

Criminal Offenses Involving
Assault Firearms
by County

May 30, 1990 - October 31, 1998

County	Murder	Robbery	Aggravated Assault	Unlawful Possession Weapon	Other	Total
Atlantic	-	2	6	35	-	43
Bergen	2	3	4	31	-	40
Burlington	-	3	1	36	-	40
Camden	4	12	10	63	3	92
Cape May	-	-	1	8	-	9
Cumberland	1	-	4	10	-	15
Essex	4	111	46	105	1	267
Gloucester	-	1	2	16	1	20
Hudson	2	7	1	26	1	37
Hunterdon	-	-	1	8	-	9
Mercer	1	6	3	7	2	19
Middlesex	2	2	6	36	-	46
Monmouth	-	2	2	13	-	17
Morris	1	-	1	11	-	13
Ocean	-	1	2	25	1	29
Passaic	2	1	3	15	1	22
Salem	-	-	1	11	-	12
Somerset	-	2	-	12	-	14
Sussex	-	-	-	6	-	6
Union	1	4	1	36	-	42
Warren	-	-	-	8	-	8
STATEWIDE	20	157	95	518	10 ¹	800

¹ Other includes the following offenses: six unlawful sale of assault firearms offenses, two criminal mischief offenses, one conspiracy to commit murder, and one sexual assault.

Table 2

Criminal Offenses Involving
Assault Firearms
by County
November 1996 - October 1997

County	Murder	Robbery	Aggravated Assault	Unlawful Possession Weapon	Other	Total
Atlantic	-	2	-	1	-	3
Bergen	-	1	-	3	-	4
Burlington	-	-	-	5	-	5
Camden	-	1	1	1	-	3
Cape May	-	-	1	-	-	1
Cumberland	-	-	2	1	-	3
Essex	-	5	2	7	-	14
Gloucester	-	-	-	1	1	2
Hudson	1	2	-	2	-	5
Hunterdon	-	-	-	1	-	1
Mercer	-	-	1	-	-	1
Middlesex	-	-	2	5	-	7
Monmouth	-	-	-	-	-	-
Morris	-	-	-	1	-	1
Ocean	-	-	-	3	-	3
Passaic	-	1	-	-	-	1
Salem	-	-	1	-	-	1
Somerset	-	-	-	4	-	4
Sussex	-	-	-	-	-	-
Union	-	1	-	5	-	6
Warren	-	-	-	1	-	1
STATEWIDE	1	13	10	41	1 ²	66

During the previous report year, November 1996 through October 1997, a total of 66 assault firearms offenses were reported statewide: 1 murder; 13 robberies; 10 aggravated assaults; 41 unlawful possession of assault firearms offenses; and 1 unlawful sale of assault firearms offenses (Table 2).

² One unlawful sale of an assault firearm offenses.

Table 3

**Criminal Offenses Involving
Assault Firearms
by County
November 1997 - October 1998**

County	Murder	Robbery	Aggravated Assault	Unlawful Possession Weapon	Other	Total
Atlantic	-	-	-	4	-	4
Bergen	-	-	-	1	-	1
Burlington	-	-	-	2	-	2
Camden	2	-	-	7	-	9
Cape May	-	-	-	2	-	2
Cumberland	-	-	-	4	-	4
Essex	1	1	-	10	-	12
Gloucester	-	-	1	1	-	2
Hudson	-	-	-	2	-	2
Hunterdon	-	-	-	2	-	2
Mercer	1	-	-	1	-	2
Middlesex	-	1	2	6	-	9
Monmouth	-	1	1	5	-	7
Morris	-	-	-	5	-	5
Ocean	-	-	-	3	-	3
Passaic	-	-	-	2	-	2
Salem	-	-	-	-	-	-
Somerset	-	-	-	-	-	-
Sussex	-	-	-	1	-	1
Union	-	-	-	8	-	8
Warren	-	-	-	1	-	1
STATEWIDE	4	3	4	67	-	78

. During the most recent report year, November 1997 through October 1998, a total of 78 assault firearms offenses were reported statewide: 4 murder; 3 robberies; 4 aggravated assaults; and 67 unlawful possession of assault firearms offenses (Table 3).

Table 4
Criminal Offenses Involving
Assault Firearms
Statewide Yearly Summary³

	Murder	Robbery	Aggravated Assault	Unlawful Possession Weapon	Other	Total
Nov. 1990 Oct. 1991 ⁴	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	4	67	-	78
TOTAL	20	140	93	503	8⁵	764

³ Reflects six 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 2.

⁴ 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.

⁵ Includes six unlawful sale of an assault firearms offenses, 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 1997 through October 1998.

- . New Jersey State Police and federal law enforcement representatives, having received information concerning the robbery of an armored car at a New Jersey turnpike service area, planned an operation to apprehend the alleged suspects. The suspects, apparently sensing the police operation, attempted to flee the service area without actually attempting the robbery. When apprehended by police, the suspects were found in possession of the following assault weapons: an AK47, an AR15 and a MAC11.

- . Police observed an unfamiliar male on foot, acting suspiciously. At one point the male turned quickly around the corner of a building, reached inside his coat and ducked down. When the officer exited his vehicle to speak to the subject, the subject fled. The officer pursued and caught the subject, advising him to stop and show his hands. At this point, the subject turned and pointed a machine gun at the officer, and then fled again. The subject was ultimately apprehended and arrested. The weapon in subject's possession was identified as a Sten Mark II, fully automatic machine gun with a detachable stock, with a large capacity magazine loaded with six hollow point, 9MM bullets. Subject was also in possession of a second large capacity magazine, loaded with 25 hollow point, 9MM bullets. Subject was allegedly returning from his home, where he obtained the weapon, to a local tavern, where he was planning to settle an argument which had occurred earlier.

- . Three men were drinking together in an apartment when they were approached by two unknown males, one of whom was armed with an AK47. The unknown males demanded to know where the money was. When a struggle followed, several gun shots were fired (seven or eight shots) and one man was killed. The armed suspects fled.

During a domestic argument with her boyfriend, the victim was threatened with a shotgun. Subsequently, the victim notified police and the boyfriend was arrested for aggravated assault and terroristic threats. At the time of the arrest, police confiscated a H&K Mod. 91 .308 caliber assault rifle, seven high capacity ammunition magazines, a large amount of ammunition, a .22 caliber blank pistol, a Remington 11-87 shotgun, a Winchester 30-30 rifle, and a trigger assembly from a shotgun.

After being summoned to a restaurant on a report of an armed robbery, police took three suspects into custody. The suspects were apprehended in a brush area adjacent to the restaurant. One of the suspects had apparently committed suicide. Police recovered the following weapons at the scene: a 9MM Uzi, a Phoenix Arms semi-automatic handgun, and a AMT .22 caliber Rimfire semi-automatic handgun.

Three subjects, armed with an AK47 and what appeared to be a shotgun, entered a bar and robbed the employee and patrons. The victims were ordered, at gun point, to get on the floor and place all their money and gold jewelry on the floor next to them. Prior to fleeing the scene of the armed robbery, the suspects tied the victims hands and/or feet.