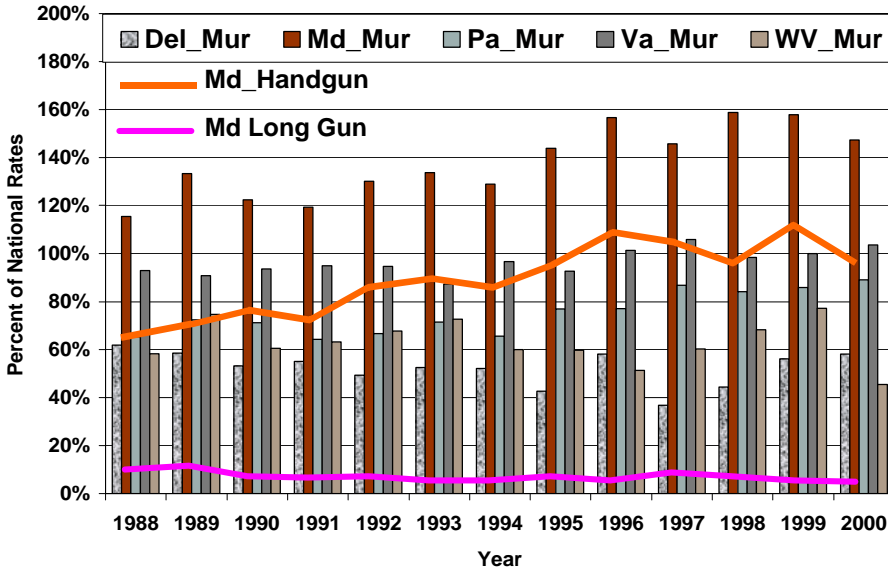


## HB844 and SB494 Gun Ban Bills

Figure 1 shows Maryland's murder rate as a percent of national rates for 1988 through 2000. So, in 2000 the whole United States had a murder rate of 5.5 per 100,000 and Maryland had a rate of 8.1 ( $100 \times 8.1 / 5.5 = 147\%$ ). By showing rate as a percent of the national rate, we remove

**Figure 1 Murder Rates in Maryland and Neighboring States**

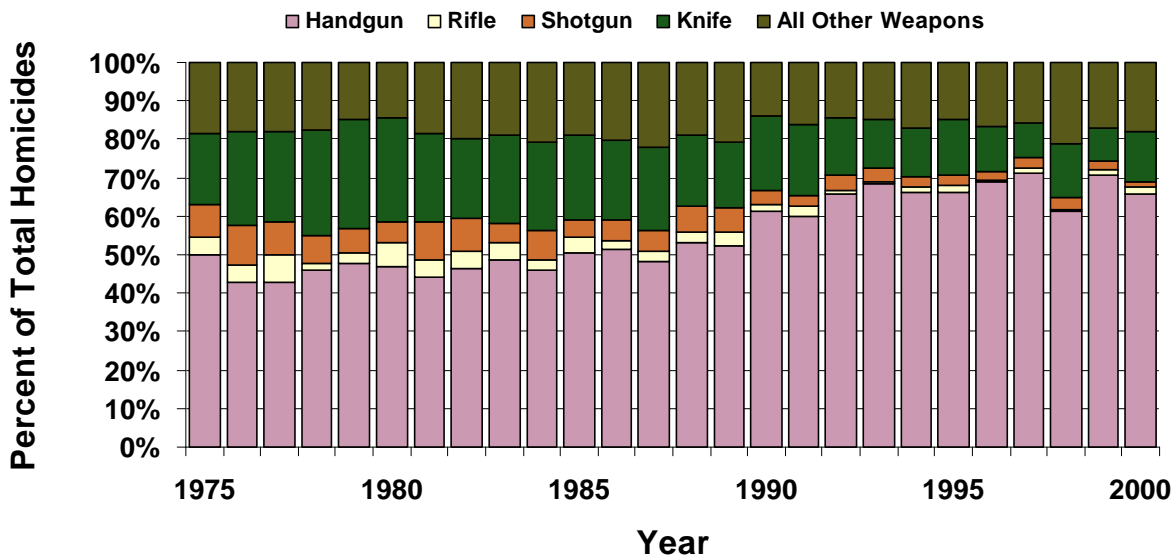


national induced trends from the data so that we can evaluate how Maryland does for itself. To provide a context for judging Maryland's performance we include results for the states bordering and surrounding Maryland.

Also on the figure, we show line graphs of murders in Maryland using long guns and handguns to the same scale. Notice that since about 1995, Maryland's murder rate where handguns were used is approximately equal to the national rate by itself. The use of handguns in murder has

grown as a percent of murders and in absolute number since 1988 when Maryland banned small cheap handguns. That is, handguns were used in 241 (53%) of the 452 murders reported by the Maryland State Police (MSP) but by 2000, handguns were used for 289 (66%) of 438 murders. By contrast, in 1988 all long guns (rifles and shotguns) were used in 42 (9%) while in 2000 long gun use had shrunk to 12 (3%). In Figure 2 we see that knives are used more frequently than long guns for murder. Even hands and feet are used more frequently for murder than long guns in Maryland.

**Figure 2 Weapon Use in Maryland Homicides**



## **Talking Points for both HB844 and SB494:**

**Maryland's Restrictive handgun policy is having no positive effect. Handgun murders are growing in numbers and as a percent of murders.**

**Criminals appear to have no trouble getting handguns for their murders – long gun usage has actually declined. But legal handguns have nearly been banned in Maryland with many common makes and models available only to criminals.**

**Less than one-half of 1 percent of all firearm crimes in America fit the long gun categories outlined by this bill. The percentage of crimes committed with these weapons is an extremely small percentage of all gun-crimes committed, and, when crimes are committed with "assault" guns, they are often with illegally owned weapons proving once again that only the law-abiding will obey these laws. We know that police and Montgomery County Democrats often engage in flights of rhetoric by making claims like these guns are "the choice of drug dealers." In particular, we recall a Baltimore police official solemnly lecturing on the rampant criminal use of these "assault" weapons in his city. When asked to produce all these guns that had been supposedly confiscated, the Baltimore Police Department could only come up with two, which had been taken at a routine traffic stop.**

**The list of long guns to be banned is a small fraction of those used in long gun crimes and long guns are involved in a very small fraction of crimes. The focus on these guns is disproportionate to their use.**

**In choosing which firearms to ban, Maryland's Democrats have revealed they do not know much about firearms. They have picked features that appear menacing, but that either have not been factors in criminal assaults or have little relation to the dangerousness of the weapon. For example, the murderer who killed 19 people in a McDonalds in San Ysidro, California; used a conventional 12-gauge shotgun to kill the first 11. Such a shotgun is far more lethal than scary pistols such as a 9mm Uzi and far more common in criminal assaults than a Bushmaster .223 rifle.**

**The basic premise of this amendment, that these weapons are too "lethal," is simply wrong. More lethal weapons have existed and have been available for decades. Even if one type of weapon were to become the weapon of choice of felons, banning it would not reduce crime; the felons would simply switch to other weapons. Criminals are not criminals because of the availability of "assault" weapons. Even if the assumption that banning these weapons would reduce crime by the exact number of crimes that would have been committed with them if they had not been banned were correct, it would have no appreciable effect on the crime rate. According to the Federal Bureau of Investigation, in 1991, nearly five times as many individuals were murdered with knives (3,405), as were murdered with rifles (741). Criminals also murdered more people with their bare hands (1,189), than they shot with rifles. Out of 1.9 million violent crimes in 1992, less than 10,000 were committed with so-called assault weapons. Legislators who believe that restricting the constitutional right to keep and bear these arms will stem the tide of violence will be sorely disappointed with the results if this bill passes. We see similar behavior in Maryland data shown in the two Figures presented.**

**Maryland's violence suppression policy of focusing on the weapon used is more ineffective than its neighboring states.**

**It is the criminal stupid -- not the criminal's weapon that is important. We need to stick to the facts. The only sure way to reduce crime is to lock up criminals. We know beyond any doubt that the same few repeat offenders, both adult and juvenile, are responsible for the vast majority of crimes committed in America. If we lock them up, they will be unable to terrorize innocent people. The solution is that simple, and that difficult. Too many Senators are unwilling to say these felons are incorrigible. Too many are willing to say they should be given yet one more chance, though doing so will endanger innocent lives. Responsibility is denied, so there is no accountability, and we are left with a society where we must try to ensure safety by limiting license. This approach is the coward's way out, and history proves that human nature will doom it to failure. Unless criminals themselves are effectively punished, attempts to limit the tools of their trade will produce only pathetic results.**

**The result of this policy will be to increase criminal use of these banned guns as is currently being demonstrated by Maryland's various handgun bans.**

**In the particular case of HB844, the ban includes nearly all self-loading pistols since they take detachable magazines and can take a threaded barrel that can accept a flash hider or silencer.**

**The bills ban long gun militia weapons contrary to *Presser v. Illinois*, 116 U.S. 252, 265 (1886) (see <http://caselaw.lp.findlaw.com/scripts/getcase.pl?navby=case&court=us&vol=116&invol=252>) which held that "the states cannot prohibit the people from keeping and bearing arms so as to deprive the United States of their rightful resource for maintaining the public security, and disable the people from performing their duty to the general government" and contrary to the Constitution Article I, Section 8 (15, 16).**

**The Bill would restrict the fundamental right to keep and bear arms in a misinformed, poorly reasoned, and futile attempt to reduce violent crime.**

**The Democrat sponsors of this bill have either ignored the right to keep and bear arms or support it only as a right reserved for hunters or the national guard. Both are off the point. Putting aside the fact that the writers of the Constitution clearly had no intent of limiting the right to own weapons, and certainly never made any attempts to do so as public officials, the second amendment clearly speaks of the right of citizens to arm themselves as a militia, or in other words, in self defense. The weapons restricted by this amendment may not be useful for hunting, but they are very useful for self defense, and thus should deserve special protection, not censure.**

### **Additional Point for HB844**

**HB844 has a nasty surprise for Marylander who own self-loading pistols since it would outlaw most of them (unless they are registered). That registration also has a short notice (7/31/03 and there is no bureaucracy established to handle the registration). Can we say trap the gun owner?**

## "Assault Weapon" Statistics

What was crime like before the ban? The following summary of police statistical surveys is excerpted from David B. Kopel. (<http://www.davidkopel.com/> Kopel's paper contains the citations for these surveys and lists a few more studies as well.)

- **California.** In 1990, "assault weapons" comprised thirty-six of the 963 firearms involved in homicide or aggravated assault and analyzed by police crime laboratories, according to a report prepared by the California Department of Justice, and based on data from police firearms laboratories throughout the state. The report concluded that "assault weapons play a very small role in assault and homicide firearm cases." Of the 1,979 guns seized from California narcotics dealers in 1990, fifty-eight were "assault weapons."
- **Chicago.** From 1985 through 1989, only one homicide was perpetrated with a military caliber rifle. Of the 17,144 guns seized by the Chicago police in 1989, 175 were "military style weapons."
- **Florida.** Florida Department of Law Enforcement Uniform Crime Reports for 1989 indicate that rifles of all types accounted for 2.6% of the weapons used in Florida homicides. The Florida Assault Weapons Commission found that "assault weapons" were used in 17 of 7,500 gun crimes for the years 1986-1989.
- **Los Angeles.** Of the more than 4,000 guns seized by police during one year, only about 3% were "assault weapons."
- **Maryland.** In 1989-90, there was only one death involving a "semiautomatic assault rifle" in all twenty-four counties of the State of Maryland.
- **Massachusetts.** Of 161 fatal shootings in Massachusetts in 1988, three involved "semiautomatic assault rifles." From 1985 to 1991, the guns were involved in 0.7% of all shootings.
- **Miami.** The Miami police seized 18,702 firearms from January 1, 1989 to December 31, 1993. Of these, 3.13% were "assault weapons."
- **New Jersey.** According to the Deputy Chief Joseph Constance of the Trenton New Jersey Police Department, in 1989, there was not a single murder involving any rifle, much less a "semiautomatic assault rifle," in the State of New Jersey. No person in New Jersey was killed with an "assault weapon" in 1988. Nevertheless, in 1990 the New Jersey legislature enacted an "assault weapon" ban that included low-power .22 rifles, and even BB guns. Based on the legislature's broad definition of "assault weapons," in 1991, such guns were used in five of 410 murders in New Jersey; in forty-seven of 22,728 armed robberies; and in twenty-three of 23,720 aggravated assaults committed in New Jersey.
- **New York City.** Of 12,138 crime guns seized by New York City police in 1988, eighty were "assault-type" firearms.
- **New York State.** Semiautomatic "assault rifles" were used in twenty of the 2,394 murders in New York State in 1992.
- **San Diego.** Of the 3,000 firearms seized by the San Diego police in 1988-90, nine were "assault weapons" under the California definition.
- **San Francisco.** Only 2.2% of the firearms confiscated in 1988 were military-style semiautomatics.
- **Virginia.** Of the 1,171 weapons analyzed in state forensics laboratories in 1992, **3.3%** were "assault weapons."
- **National statistics.** Less than four percent of all homicides in the United States involve any type of rifle. **No more than .8% of homicides are perpetrated with rifles using military calibers.** (And not all rifles using such calibers are usually considered "assault weapons.") Overall, the number of persons killed with rifles of any type in 1990 was lower than the number in any year in the 1980s.

When the gun control side has it pointed out to them that their sweeping "assault weapons" bans will disarm large numbers of voters, they usually come back with a more limited bill which affects a certain number of scary-looking firearms that they claim are the choice of criminals, which, despite the impression given by Hollywood action movies, is completely untrue.

Actually, police departments nationwide agree that criminals do not prefer these weapons:

- Police View: **Over 100,000 police officers** delivered a message to Congress in 1990 stating that only 2% to 3% of crimes are committed using a so-called "assault weapon."
- Congressional Record, 13 September 1990, p. E 2826, citing [Police Advertisement], Roll Call, 3 September 1990. Also, see Howard Schneider, "Gun Owners Take Shot at Schaefer Assault-Weapon Bill," The Washington Post, February 15, 1991
- Florida study: In Florida, only 3.5% of the guns recovered by the police were guns that could loosely be defined as "assault weapons."
- State of Florida Commission on Assault Weapons, Report, 18 May 1990, pp. 34-41. State of Florida Commission on Assault Weapons, Report, 18 May 1990, pp. 34-41.
- California study: The California Department of Justice suppressed an official report showing that "assault weapons" comprised only 3.7% of the guns used in crime. While the report was eventually leaked to the media, it received little press coverage.
- David Alan Coia, "Assault rifles said to play small role in violent crime," The Washington Times, 27 June 92.

- Virginia task force: A special task force on assault weapons found that only 2.8 percent of the homicides involved "assault-type weapons" during 1992.
- Mark Johnson, "**Assault-type weapons rarely used,**" Richmond Times-Dispatch, 4 August 1993.
- Knives more deadly: According to the FBI, people have a much **greater chance of being killed by a knife or a blunt object** than by any kind of rifle, including an "assault rifle." In Chicago, the chance is 67 times greater. That is, a person is 67 times more likely to be stabbed or beaten to death in Chicago than to be murdered by an "assault rifle." FBI, "Crime in the United States," 1994, p. 18. Matt L. Rodriguez, Superintendent of Police for the City of Chicago, 1993 Murder Analysis at 12, 13.

It is not without interest that memos were circulated within the California Department of Justice which suggested that the sponsor of the California ban, former Assemblyman Mike Roos (D) and others agreed not to include future studies on what firearms were used in crimes because these facts were "**unlikely to support the theses on which the law was to be based.**" No sense confusing legislators or the public with the facts. Calif. Political Week, September 9, 1991 at 1.

*"A vague law impermissibly delegates basic policy matters to policemen, judges, and juries for resolution on an ad hoc and subjective basis."*

**-Grayned v. City of Rockford<sup>[N.1]</sup>**

*"Vague statutes offend due process by failing to provide explicit standards for those who enforce them, thus allowing arbitrary and discriminatory enforcement"*

**-Papachristou v. City of Jacksonville<sup>[N.2]</sup>**

*"The absence of specificity in a criminal statute invites abuse on the part of prosecuting officials, who are left free to harass any individuals or groups who may be **the object of official displeasure.**"*

**-Kadish & Schulhofer<sup>[N.3]</sup>**

"In short, assault weapons are not the real problem in gun related crime."

-Samuel Walker <sup>[N.8]</sup>

Still other possibilities include scenarios that the United States Supreme Court had warned us about in 1972. As noted above, the Court found that "vague statutes offend due process by failing to provide explicit standards for those who enforce them, thus allowing arbitrary and discriminatory enforcement."

**Assault Weapon Defined:** "Today, this term has entered the political lexicon, now meaning a "military-looking" semiautomatic weapon, which is frequently assumed to be the "weapon of choice" of criminals and also assumed to be readily convertible into a machine gun"

**-Kasler v. Lungren** <sup>[N.9]</sup>

The FBI has found that 77% of law enforcement officers are killed by handguns, not "assault weapons". <sup>[N.13]</sup>

The rifle pictured below is **legal** to possess in Monmouth County, NJ. Is this rifle legal in Sussex County, NJ?



Norinko MAK 90 Rifle- This 7.62\*39mm rifle was deemed legal by Monmouth County Superior Court!

On February 26, 1996 Monmouth County Superior Court Judge Michael D. Farren, J.S.C. dismissed an indictment against

Robert D. Merrill. The Judge declared that the definition of "assault firearm" is unconstitutional for vagueness and due process. Judge Farren correctly observed that the possession of magazines capable of holding more than 15 bullets as violative of due process if they had been obtained prior to the enactment of the statute. Moreover, Judge Farren held that the statutory provision making it a crime to possess a semi-automatic firearm that is "substantially identical" to a banned weapon as vague. In his decision, Farren stated "This defendant is charged with possessing a Norinko MAK-90 semi-automatic rifle that is allegedly 'substantially identical' to a list of 37 weapons from the four corners of the globe. How is this defendant or any defendant to know if his firearm is 'substantially identical' unless he is intimately familiar with the nomenclature of the other 37 weapons. This is an impossibility and a task which the law cannot require." <sup>[N.15]</sup>

On July 11, 1996 Sussex County Assistant Prosecutor Vincent J. Connors, Jr. leads the Grand Jurors of Sussex County into indicting Thomas Cassidy for the unlawful possession of assault firearms. Apparently, this indictment stemmed from firearms that were illegally seized in the midnight warrantless search and seizure. This is the same Vincent J. Connors, Jr. that had- in an overt act of prosecutorial misconduct- dismissed the complaint filed by Tom and secured his wrongful conviction on February 4, 1997!

**Some Basic Firearm Definitions**

**Semiautomatic Firearms:** First introduced in 1885. Firearms that require the shooter to pull the trigger for each shot fired. After each shot, the gasses produced by the ignition of a cartridge cycle the action and chamber another cartridge. When the shooter pulls the trigger again, the same "self-loading" occurs, and the firearm is again ready for firing.

**Automatic Weapons:** First introduced in 1889. Often referred to as "machine guns", employ the same type of self-loading action as semiautomatic weapons, but they do not require a pull of the trigger for each shot. As the trigger remains depressed the weapon continually fires until either the ammunition is exhausted or the shooter releases the trigger. This category also includes burst-fire weapons. These weapons have been strictly regulated since 1934.

**Burst-Fire:** Essentially, this is an automatic weapon that incorporates a mechanism that limits the amount of automatic fire. Generally, the burst feature will fire 2 or 3 rounds of ammunition automatically, requiring the shooter to pull the trigger again for another burst of fire. (Ex. M-16A2 US Service Rifle incorporating 3 round burst feature).

**Selective-Fire:** Means that by the manipulation of a switch or lever the weapon can fire either fully automatically or semiautomatically.

**Actual Assault Rifles:** First introduced about 1944. These are short, compact, **selective-fire** weapons that fire a cartridge intermediate in power between submachinegun and rifle cartridge (Defense Intelligence Agency).

**Assault Firearm:** Today, this term has entered the political lexicon, now meaning a "military-looking" semiautomatic weapon, which is frequently assumed to be the "weapon of choice" of criminals and also assumed to be readily convertible into a machine gun" (*Kasler v. Lungren*).

Apparently, this is what NJ is seeking to criminalize. Guns that have been in existence since 1885! Guns that are **legal** in the 49 remaining United States! Law abiding firearm owners in New Jersey are subjected to malicious criminal prosecutions!

Clare Davis, NJ Attorney General's Office  
Criminologist Frank E. Zimmering <sup>[N.10]</sup>

Yet on October 21, 1996 the Superior Court of New Jersey, Appellate Division upheld Joseph Pelleteri's conviction for possessing an "assault firearm", specifically, a Marlin Model 60 .22 caliber rifle. In their opinion, the Court declared "When dealing in guns, the citizen acts at his peril."<sup>[N.16]</sup> In other words, this could be any one of you law abiding gun owners in New Jersey! Perhaps it is time for you to get involved before you are maliciously prosecuted too! Can you imagine New Jersey's most dangerous drug traffickers toting Marlin Model 60's over their shoulders in some of our most urban neighborhoods as Colonel Dintino had testified? This we find difficult to believe. It is also extremely unlikely that any urban drug dealer would carry any cumbersome rifle through the streets to conduct the stealthful processes of drug distribution.

Also in October of 1996, the *Coalition of New Jersey Sportsmen* had filed a challenge to the New Jersey "assault weapon" law in the United States District Court for the District of New Jersey. This case is currently on appeal in the U.S. Court of Appeals for the Third Circuit.

*These two rifles pictured below are now **legal** to possess in New Jersey!*



*Colt Match Target Rifle .223 caliber (above).*



*Springfield M1A .308 caliber rifle (above).*

Interestingly, the State of New Jersey Attorney General's Office issued a directive (PDF) to all county prosecutors on March 31, 1997. In this letter, Debra L. Stone, Deputy Director, Operations states that the Colt Match Target Rifle and the Springfield M1A are no longer prohibited under state law!<sup>[N.17]</sup> That's correct, folks! The rifles on your immediate left are now legal in New Jersey while those of you who like to plink with a .22 caliber may enjoy a criminal prosecution in the State of New Jersey! Remember our lessons from above regarding vague laws? Recall that we have learned that in the absence of specificity in a criminal statute invites abuse by prosecuting officials? Well guess what folks. It is true! On March 28, 1998 Judge Gerald B. Hanifan, J.S.C. dismissed Count Five of the indictment against Thomas Cassidy based upon the above March 31, 1997 directive issued by the Attorney General's Office. Although not specifically named in the indictment, one of the firearms Tom had been charged with criminally possessing was now once again legal! Yet despite Judge Hanifan's ruling and the Attorney General's directive, Sussex County Assistant Prosecutor Francis Koch stated in open court that he would seek to bring that charge back in front of the Grand Jury. In other words, he said that he would seek to re-indict Tom for a firearm that was now legal! Didn't the United States Supreme Court warn us that these officials would engage in this type of harassment? Thus far however, to our knowledge, Assistant Prosecutor has not re-indicted Tom for the criminal possession of a Springfield M1A rifle.

At this point, you may be a bit confused as to what firearms are legal and which ones are not. That's O.K. Because so is everyone else! But what is most offensive is that because of this vagueness officials do have the power to pick and choose who they prosecute on an ad hoc and subjective basis. Prosecuting officials are indeed left free to harass those of official displeasure. Remember how Tom sought damages in the amount of \$2 million dollars for a violation of his civil rights? Recall how the **Sussex County Justice** officials have conspired by filing cover charges, creating previously non-existent probable cause, wrongfully convicting, getting Tom wrongfully fired from NJDOC, and a host of many other egregious events! In other words they do in fact harass those of official displeasure! Despite a bit of confusion, let us now turn our attention to the "substantially identical" provision of N.J.S.A. 2C:39-1 (w)(2).

## "Substantially Identical"

*"Unfortunately, 'substantially identical' is a contradiction in terms because if something is identical, it is exactly the same. If it is substantially the same, it means slightly different. How can something be identical and slightly different at the same time?"*

**-Evan F. Nappen**

*The rifle pictured below is **illegal** to possess in New Jersey!*



*Marlin Model 60 Rifle- This .22 caliber rifle was deemed an "assault firearm" by the New Jersey Appellate Division Courts!*

What the "substantially identical" provision in the law does do however, is allow prosecuting authorities to prosecute those who are the object of official displeasure. It is the exact same situation that the U.S. Supreme Court sought to prohibit in 1972. But rather than embark on an extended discussion of this provision, below we shall attempt to demonstrate the potential dangers inherent in this provision by singling out merely two firearm manufacturers out of the laundry list of 37 firearms named in the statute. N.J.S.A. 2C:39-1 (w) attempts to define what the legislature means by "assault firearm". For example, **Colt AR-15 and CAR-15 series** and **Bushmaster Assault Rifle** are merely two of 37 firearms listed. Incidentally, these names and many others are machine guns, even though the legislature believes that it is banning semiautomatics!<sup>[N.18]</sup>

In the display that we have constructed at the right, we have acquired images of just a few of the many rifles produced by just two firearms manufacturers that are named in the statute- Colt and Bushmaster. **All of the firearms at the right are semiautomatic firearms.** All of these guns fire a .223 caliber cartridge, one shot at a time, for each squeeze of the trigger. Are these guns legal in the State of New Jersey? We do not know. But even more shocking is the fact that those who created and enforce these laws do not know either! However, if you are the object of "official displeasure", then you too will likely be prosecuted.

Now let us try to analyze this "substantially identical" provision for a moment. The legislature has declared that any rifle that is substantially identical to the laundry list of misnamed firearms in the statute is also prohibited. As noted above, the Colt Match Target rifle is now legal as of March 31, 1997. Are the firearms displayed at the right also legal? Aren't they "substantially identical" to the Colt Match Target rifle?

As you can see, the "substantially identical" clause permits officials to enforce the law arbitrarily, on an ad hoc and subjective basis. Under this rationale, anyone who has a firearm that resembles the .22 caliber Marlin Model 60 rifle in their home may be prosecuted too. We believe that there are many of you out there who may fall into this terrible trap that the State of New Jersey has set for you.

Why has the legislature constructed such an elaborate ruse? In observing the malicious application of the law firsthand, we believe that the State of New Jersey wants to ban all semiautomatic firearms. But rather than propose such a drastic measure that the public is likely disapproving of, the legislature cleverly attacks an insignificant proportion of guns that are rarely used in crimes. In this clever ruse, many previously law abiding citizens are maliciously prosecuted.

## Legal or Not?



*Colt Accurized Rifle (above) .223 caliber semi-automatic rifle.*



*Colt Sporter II (above) .223 caliber semi-automatic rifle.*



*Bushmaster XM15 E2S (above) .223 caliber semi-automatic rifle.*



*Bushmaster XM15 E2S AK Shorty (above) .223 caliber semi-automatic rifle.*



*Bushmaster M17S Bullpup (above) .223 caliber semi-automatic rifle.*

### Notes:

<sup>1</sup> *Grayned v. City of Rockford*, 408 U.S. 104, 108-109 (1972).

<sup>2</sup> *Papachristou v. City of Jacksonville*, 405 U.S. 156, 165-171 (1972).

<sup>3</sup> Kadish, S. & Schulhofer, S. (1995). *Criminal Law And Its Processes Cases and Materials Sixth Edition*. Aspen Law and Business.

<sup>4</sup> New Jersey Code of Criminal Justice, 2C:39-5 (f). St. Paul, MN.: West Group.

<sup>5</sup> See N.J.S.A. 2C:35-7.

<sup>6</sup> See N.J.S.A. 2C:24-4 (5)(b).

<sup>7</sup> *Payton v. New York*, 445 U.S. 573, 576, 590 (1980).

<sup>8</sup> Walker, S. (1998). *Sense and Nonsense about Crime and Drugs- A Policy Guide, Fourth Edition*. New York, NY:

Wadsworth.

See also Kleck, G. (1992, September 1). Assault Weapons Aren't the Problem. The New York Times.

9 *Kasler v. Lungren*, 61 Cal. App. 4th 1237; 72 Cal. Rptr. 2d 260 (1998).

10 Zimring, F. (1989, October). The Problem of Assault Firearms. Crime & Delinquency, Vol. 35 No. 4.

11 LaPierre, W. (1994). Guns, Crime, and Freedom. Washington, D.C.: Regnery.

12 State of New Jersey, Assembly Economic Growth, Agriculture, Tourism And Coastal Protection Committee Transcript, May 9, 1991.

13 U.S. Department of Justice, Federal Bureau of Investigation. (1998). Law Enforcement Officers Killed and Assaulted. Washington, D.C.: U.S. Government Printing Office.

14 Forero, J. (1995, October 8). Gun Owners Holding Out on State Ban. The Sunday Star Ledger, pp. 1, 30-31.

15 Hester, T. (1996, February 29). Judge sees two sections of state's assault weapons law as unconstitutional. The Star-Ledger, p. 12.

16 *State v. Pelleteri*, 294 N.J. Super. 330, 683 A2d 555 (A.D. 1996).

17 See also: Schwaneberg, R. (1997, April 3). Minor changes make two rifles legal in Jersey. The Star-Ledger, pp. 15, 22.

18 Halbrook, S. (1999). Firearms Law Deskbook, Federal and State Criminal Practice. St. Paul, MN.: West Group.

[http://i2i.org/SuptDocs/Crime/Assault\\_Ban\\_Chicanery.htm](http://i2i.org/SuptDocs/Crime/Assault_Ban_Chicanery.htm)