

Assault Weapons and Accessories in America

Introduction

Across America, the firepower in the hands of gun owners of varying stripes is increasing dramatically. The reason: assault weapons. Drug traffickers are finding that assault weapons—in addition to ‘standard issue’ handguns—provide the extra firepower necessary to fight police and competing dealers. Right-wing paramilitary extremists, in their ongoing battle against the “Zionist Occupational Government,” have made these easily purchased firearms their gun of choice. And rank and file gun aficionados—jaded with handguns, shotguns, and hunting rifles—are moving up to the television glamour and movie sex appeal of assault weapons. The growing market for these weapons—coupled with a general rising interest in the non-sporting use of firearms—has generated an industry of publications, catalogs, accessories, training camps, and combat schools dedicated to meeting its needs.

Assault weapons are growing in popularity for a variety of reasons. For manufacturers, assault weapons are a necessary new product line in the wake of the mid-1980s decline in handgun sales. Yet, manufacturers didn’t create a market, they recognized one. For criminals, the weapons look intimidating, have increased firepower, and can be purchased under the same controls as a hunting rifle or shotgun: that is, virtually none. For survivalists who envision themselves fending off a horde of desperate neighbors from their bomb shelters, the high ammunition capacity and other anti-personnel capabilities of assault weapons are exactly what is needed. And for fans of Rambo and “Miami Vice,” assault weapons offer the look and feel of the real thing. Not surprisingly, this shift to increased firepower—in both criminal and law-abiding hands—has law enforcement worried.

The assault weapons threat is exacerbated by the fact that the weapons are difficult to define in legal terms. Legislators and members of the press have proposed placing increased restrictions on all semi-auto firearms, which would include some hunting rifles. Whether these proposals are merely the result of ignorance of the wide variety of firearms that are semi-automatic, or misguided efforts in the face of definitional problems, they only lend credence to the gun lobby’s argument that restrictions on assault weapons are merely the first step toward banning all semi-automatic guns.

Assault firearms are semi-automatic (firing one bullet per trigger pull) and fully automatic (the weapon will keep on firing as long as the trigger is depressed) anti-personnel rifles, shotguns, and handguns that are designed primarily for military and law enforcement use. With muzzle velocities that are often greater than standard long guns and high-capacity ammunition magazines, assault weapons are built to kill large numbers of human beings quickly and efficiently. In tests at their firing range, San Jose, California police found that a fully automatic UZI could fire its 30-round magazine in slightly less than two seconds. A semi-automatic version of the weapon required only five seconds for the magazine to be emptied.[1] Most assault weapons have no legitimate hunting or sporting use. Assault rifles and shotguns often have pistol grips and folding stocks and are typically lighter and more concealable than standard long guns. Some assault pistols have threaded barrels for the easy attachment of silencers. Many assault weapons are merely semi-automatic versions of military machine guns, making them easier to convert to fully automatic machine guns.

The number of assault weapons in civilian hands—both criminal and law-abiding—is estimated to be in the hundreds of thousands, perhaps millions.[2] No exact figures are available. An unknown number of these weapons have been illegally converted to full-auto. (For an explanation of the different categories and types of firearms, please see Appendix I.)

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Assault Weapons Violence

- October 1984. San Jose, California police officer Joe Tamarett is shot and wounded with an UZI carbine.[3]
- January 1988. Virginia resident Michael Anthony Eberhardt is arrested in Washington, D.C., for allegedly purchasing 72 guns in Virginia during an 18-month period and then smuggling them into D.C. for sale to drug dealers. According to *The Washington Post*, "Many of the weapons were the semi-automatic TEC-9s favored by local drug dealers." [4]
- April 1986. Two FBI agents are killed with a Ruger Mini-14 in a shootout in Miami, Florida.[5]
- April 1984. Dennis Cresta, dressed in camouflage fatigues and carrying a Ruger Mini-14 and Colt AR-15, opens fire in Oakland, California, after being questioned by a policeman. No one is hit.[6]
- July 1987. An elderly woman and her three sons kill three police officers who come to their motel room in Inkster, Michigan, to serve a warrant for a \$286.40 bad check. One of the weapons used to slay the officers is a Heckler & Koch assault rifle.[7]
- September 1988. Samuel Eloud holds 11 people hostage in a Richmond, Virginia shopping center with a semi-automatic AK-47 and handgun in order to bring "peace to Lebanon." [8]
- June 1984. Denver, Colorado radio show personality Alan Berg is gunned with a silenced MAC-10 by right-wing extremists.[9]
- July 1984. James Huberty goes "hunting for humans" with an UZI, a handgun, and a shotgun in a San Ysidro, California McDonald's. 21 die; 19 are injured.[10]
- December 1985. Portland, Connecticut eighth-grader Floyd Warmesley kills school janitor David Bengston with his father's TEC-9, then holds a classroom of children hostage.[11]
- July 1988. Manassas, Virginia police officer John Conner is gunned down with a Colt AR-15 by a man whose wife had recently left him.[12]
- April 1987. William B. Cruse opens fire with a Ruger Mini-14 outside a Palm Bay, Florida shopping center, killing six and injuring 10.[13]
- March 1988. An arsenal that includes a Chinese-made semi-automatic AK-47, a hand grenade, 14 other semi-automatic guns, 32-round ammunition magazines, and a handgun outfitted with a laser sight is seized from five men in New York City's Port Authority bus terminal.[14]
- February 1988. At a press conference decrying the increase in assault weaponry, Prince Georges County (Maryland) Police Chief Michael J. Flaherty states, "The real issue is the safety of our officers." Holding up a TEC-9, he adds, "It's not used for hunting, and it's not used for sporting events. In my opinion, they should not be sold in the United States." [15]

These events are not isolated incidents. Although no comprehensive nationwide statistics are available on the misuse of assault weapons specifically, police organizations, police departments, government agencies, and handgun restriction organizations agree that the sale and misuse of assault weapons has escalated dramatically during the 1980s. (Most law enforcement reporting systems are set up only to separate handguns from long guns. The federal Bureau of Alcohol, Tobacco and Firearms (ATF), the government agency charged with enforcing federal firearms laws, will soon begin breaking out assault weapons from standard long guns.[16])

"There has been an increase in [assault] weapons by all walks of life—gang members, drug dealers, your next door neighbor, even police officers," states Detective Bohannon of the Los Angeles Police Department Gun Detail. In Los Angeles, assault weapons have turned up increasingly in gang violence and drive-by shootings. Says Bohannon, "These are not sporting weapons. They're designed for one purpose and one purpose only, and that's to kill people."

(Bohannon stresses that his opinions are personal and do not reflect the view of the Los Angeles Police Department.) According to Bohannon, essentially the same models of weapons are being seen on the streets by police: "Your least expensive weapons are your MACs and TECs. In the middle you've got your AK-47s and your UZI. At the top level are going to be your AR-15s....[and others]."[17]

During fiscal year 1987, almost a third of the firearms seized by agents of the Drug Enforcement Agency (DEA)—the leading federal agency charged with enforcing America's federal drug laws—from drug traffickers were semi-automatic and fully automatic. (These figures include non-assault semi-automatic pistols. Figures on solely assault rifles and pistols are not available.) Sixteen percent were fully automatic. On a daily basis, DEA agents seized automatic weapons that included M-16s, AK-47s, MAC-10s, MAC-11s, and UZIs.[18]

From January 1 to February 10, 1988, of the 388 guns seized by the District of Columbia police, the vast majority were either semi-automatic or fully automatic. Only seven such weapons were seized during the first six months of 1987, six in 1986, one in 1985, and two in 1984.[19]

In neighboring Prince George's County, Maryland, from July 1987 through February 1988, police seized 140 semi-automatic or automatic weapons, including a TEC-9 and several UZI submachine guns, some equipped with silencers.[20]

In 1986, ATF seized 2,854 illegal machine guns. These weapons were either converted illegally or illegally possessed. In 1985, the number of illegal weapons seized was 2,042. In 1984, 539.[21]

The most popular assault weapons are the AK-47, AR-15A2, MAC-10, MAC-11, Ruger Mini-14, TEC-9 and UZI. (For a description and brief history of each weapon, as well as select advertising information, please see Appendix II.) Recognizing the strong market for high-capacity, concealable assault weapons that are painted black and look threatening, America's firearms industry continues to introduce new models. Two of the latest are:

- The Calico M100P pistol, manufactured by American Industries in Bakersfield, California. With its futuristic lines and black finish, this .22 caliber weapon is the Darth Vader of handguns. Composed of a lightweight alloy frame, it has a "helical feed" 100-round capacity plastic magazine. A 50-round magazine is also available. The weapon also comes in a carbine (a short-barreled, lightweight rifle) version with a folding stock. Under the headline "Durable, Accurate, Light, Versatile," an ad for the gun shows an intimidating M100P pistol with an optional "Klear-Vue" magazine (a see-through magazine that gives the shooter "complete visibility of rounds remaining in the magazine") and laser sight.[22]The pistol version of the weapon is 17 inches long with the 100-round magazine, and weighs 3.75 pounds. The carbine version, with its stock retracted and the 100-round magazine, is 29.8 inches long. In November 1988, Calico will introduce a 9mm version of the weapon.[23]
- The Street Sweeper is a 12-gauge riot shotgun with a revolving cylinder that rotates with each trigger pull. Able to fire 12 rounds in less than three seconds, the weapon is manufactured by SWD, Inc. (manufacturers of the MAC-11). An ad for the weapon reads "It's a Jungle Out There! There Is A Disease And We've Got the Cure." It invites the reader to "Make you [sic] streets safe and clean with the help of 'The Street Sweeper!'" With its folding stock retracted, the weapon has an overall length of 25 5/8 inches.[24] The SWD weapon is modeled on a shotgun used by South African security personnel, the Striker 12. Efforts had been made to import the Striker, but the weapon was the first long gun ever to fail the sporting-use test that ATF applies to imported long guns. (Domestically produced firearms do not have to meet any sporting use standard.)

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Assault Weapons and Accessories in America Drug Traffickers, Paramilitary Groups...

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Because of their ease of purchase, effectiveness, convertibility, and mystique, assault weapons have become increasingly popular among people involved in the drug trade. Or as one DEA spokesman put it, "There's a *machismo* to carrying the biggest, ugliest, and most powerful weapon available." [25]

According to DEA Special Agent Maurice Hill, drug dealers in Miami began to switch over from revolvers to higher capacity pistols in the early 1970s. By the end of the decade, they had begun using shoulder-carried weapons, and by the early 1980s had upgraded to weapons like the UZI. Since then, criminals nationwide have expanded into a broad category of assault weapons. Regarding assault weapons, Special Agent Maurice Hill says, "They're all over now." [26]

Noting that drug traffickers "seem to like the AR-15s, AK-47s, TEC-9s," ATF spokesperson Tom Hill concurs: "We've seen a proliferation because of the drug trade. More and more people want to have increased firepower and the status of having the semi-automatic assault type weapon. It looks dangerous. Most assault weapons used in criminal acts were initially purchased legally. Some are stolen, some come from over the counter through straw purchases, some are from people who fill out the forms illegally." [27]

In 1987, ATF traced weapons seized from two members of a Jamaican drug gang (known as "posses") in Tampa, Florida. The trace found that 149 weapons had been purchased over the counter from Tampa-area dealers. The majority of the weapons were TEC-9s, MACs, AR-15s, and Glock 17 handguns, "all preferred weapons of the Jamaican posses." [28] (The Glock 17, the first handgun to incorporate plastic into its structural design, is not considered an assault weapon.) As the result of this increased criminal firepower, police departments are beginning to abandon their six-shot revolvers for higher-capacity semi-automatic handguns.

Assault weapons have also become the weapon of choice for a different category of criminal: America's right-wing paramilitary extremists. In his book, *Armed and Dangerous: The Rise of the Survivalist Right*, author James Coates describes the scene outside the 224-acre compound of the paramilitary extremist organization, The Covenant, Sword, and Arm of the Lord (CSA), located in Three Brothers, Arkansas, prior to a raid by law enforcement officials in 1985: [29]

"[A]ll visitors were greeted by a group of roughly half a dozen obviously frightened and surly young men carrying Mini-14s, MAC-10s and other automatic and semi-automatic weapons. Other armed CSA soldiers were clearly visible in a fifty-foot-tall guard tower overlooking the front gate, from which they pointed machine guns at reporters. Noble [a CSA member], wearing a Bowie knife strapped to one leg and cradling a converted AR-15 automatic rifle in his arm, repeatedly came to the gate to spar verbally with the nervous news media." [30]

Until recently, police had believed that the CSA—after its members were subjected to increased government prosecution, its compound deserted, and its leader, James Ellison, imprisoned for crimes that included the manufacture of automatic weapons—had disbanded. But in May of 1988, CSA member Londell Williams was charged with conspiring to assassinate presidential candidate Jesse Jackson. Police recovered a converted AR-15 from Williams. [31]

Other paramilitary organizations that favor assault weapons and have been known to convert them to fully automatic machine guns include the Posse Comitatus, Aryan Nations, and The Order.

Although many drug traffickers and members of paramilitary organizations are convicted felons, they are often able to illegally buy these weapons from retail sales outlets. In every state, assault rifles and shotguns are sold under the same lax restrictions that apply to hunting rifles and shotguns. Assault pistols are sold under the same laws that apply to handguns, which vary from locality to locality.

Some states do require that the purchaser of any firearm first receive an owner's ID card or permit, while other states have a waiting period for all firearms. Yet most states' standards for the sale of long guns are no more severe than the federal law, which requires only that the purchaser be 18 years old and fill out a federal form 4473. On this form, the purchaser swears that he is not a convicted felon, drug addict or alcoholic, and that he does not have a history of mental illness. Most purchases are cash and carry, and long guns can be purchased interstate, with no limit on the number of weapons that can be purchased.[32]

The federal standards for handguns are essentially identical to that of long guns, except that they cannot be sold interstate, the purchaser must be 21 years old, and multiple purchases (more than one handgun purchased within five working days) must be reported to ATF.[33]

(In 1986, Congress outlawed the future production of machine guns for civilian use. Currently, there is a pool of more than 187,000 machine guns that citizens can legally purchase. [34] To obtain a machine gun, a citizen must be fingerprinted, photographed, submit to a background check, wait five to six months, and a \$200 transfer tax must be paid. These same standards must be met to possess silencers, sawed-off rifles and shotguns, and military weaponry, such as hand grenades, land mines, grenade launchers, and other weapons and accessories restricted under the National Firearms Act of 1934. [35])

The most restrictive handgun laws are on the state and local level, and assault pistols would be sold under these standards. Handgun laws in America range from Morton Grove, Illinois, which has banned the sale and private possession of handguns, to the state of Florida, which operates essentially under only the federal standards.[36]

Because many assault weapons—such as the AR-15A2, M100P carbine, Ruger Mini-14, Street Sweeper, and UZI carbine—can be purchased as standard long guns by virtually anyone who is willing to lie on the form, they are a boon to criminals. Assault pistols can be purchased easily by criminals in states with lax handgun laws such as Texas, Virginia, and Florida. From there, these weapons can then be sold to criminals in cities and states with more restrictive laws.

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Assault Weapons and Accessories in America And Just Plain Folk

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Although much attention has been focused on drug traffickers and paramilitary extremists, many assault weapons are purchased by “just plain folk.” These people run the gamut from survivalists who want to be ready “just in case” to gun owners who want the thrill of owning the latest high-tech weapons.

A 1986 *Defense Monitor* on “Militarism in America,” published by the Center for Defense Information (CDI), in Washington, D.C., notes an increasing “fascination for paramilitary weapons and training” among the general public.[37]

Television shows such as “The A-Team,” first broadcast on ABC in 1983, “Miami Vice,” first broadcast on NBC in 1984, and other action/adventure/police dramas have acted as a showcase for new weaponry. In effect, the shows supply free advertising for assault weapons manufacturers.

The Center for Media and Public Affairs, based in Washington, D.C., monitored 620 television programs throughout the past 30 years, revealing a noticeable shift toward military-style assault weapons.[38]

According to Daniel Amundson, research director for The Center, “There certainly is a greater number of automatic weaponry,” and this is “partly reflecting news from the front pages and partly reflecting artistic embellishment.” Noting that the guns have been “ever present” in television, Amundson adds, “The presence hasn’t changed, but which ones are present has. ‘Miami Vice’ requires very sleek and modern weapons. This shows a reflection of the headlines. If drug lords are using more UZIs and MAC-10s, you’re going to see it in ‘Miami Vice’ six to nine months later.”

According to Amundson, television has a “tremendous potential to act as a marketplace for anything: weapons, violence, soap, attitudes toward blacks and women. Television has helped the average person to identify weapons more than we’d ever thought, expanded our knowledge, terminology, of the types of guns available. UZI, MAC-10 is no longer jargon for firearms specialists; and that tells us a great deal.”[39]

Meanwhile, in movie theaters, the .44 magnum handgun of Clint Eastwood pales in comparison to the weapons of Rambo and his ilk. Throughout the 1980s, Sylvester Stallone films such as the Rambo series and “Cobra,” Chuck Norris movies such as the “Missing in Action” series and “Invasion USA,” and Arnold Schwarzenegger movies such as “Terminator,” “Predator,” and “Commando” have helped popularize paramilitary weapons and accessories.

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Assault Weapons and Accessories in America Assault Weapons Marketing

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The marketing of assault weapons throughout this decade is in large part due to the slump in handgun sales that has afflicted the industry since 1982. Handgun production dropped from a high of 2.7 million that year to less than 1.7 million in 1984—a decrease of nearly 40 percent. In 1986, production increased to 1.9 million, a level still well below that of the early 1980s.[40] (Because handgun manufacturers will not release sales figures, and are not required to do so by law, production figures are the only available gauge for the market.) With an estimated 35 to 40 million handguns in American hands[41], the slump is apparently the result of saturation of the primary market—white males—and the increasing resale of used handguns.

In their marketing of assault weapons, manufacturers often focus on their police or military functions, their ruggedness and dependability, and the cache of a lone man and his gun against the elements, crime, or the unstated threat of post-nuclear survival.

Colt Industries has even developed an ad aimed directly at survivalists. The 1985 ad features a handsome rancher looking across his land. He has leather patches on the elbows of his flannel shirt and an AR-15A2 in one hand. The headline reads: "Survival means different things to different people. For a rancher in the high country of Wyoming, being self-sufficient can mean keeping varmints from his sheep. For a rugged individual in the wilderness, it means being prepared for any eventuality. For both these men, and thousands like them, there's only one gun. The Colt AR-15A2. The reasons are as simple as they are plentiful. First, it's the rifle they're already familiar with. The AR-15A2 Sporter II is the civilian version of the battle proven and recently improved U.S. military M-16A1..."[42]

This survivalist sales pitch is echoed in an ad for Heckler & Koch's HK 91 semi-automatic assault rifle. The ad's headline reads, "When you're determined to survive, you leave nothing to chance. In a survival situation, you want the most uncompromising weapons that money can buy. The HK 91 Semi-Automatic Assault Rifle from Heckler & Koch." The ad ends with the tag line, "In a world of compromise, some men don't."[43]

An ad for the FIE/Franchi LAW-12 shotgun—which comes in standard hunting and assault configurations—urges the reader to "Take the 'LAW' Into Your Own Hands. Whether you patrol the birdlands when the sun is rising...or patrol the boonies when the sun sets...the FIE/Franchi LAW-12 is the LAW of the land! All the LAW you need! Situation – The sun has set, it's now midnight, you're called to a Code 3 situation! Your backup is deployed to another sector. You're all alone, left to handle a tough situation...what do you do? Take the LAW-12 into your hands – A possible 9 rounds of heavy hitting 12 guage [sic] "00" Buck – All 9 rounds can be emptied on target in less than 3 seconds...operation successful..."[44]

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Assault Weapon Look-Alikes: Airguns and Toy Guns

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Paramilitary enthusiasm has not been limited to the firearms market. America's manufacturers of non-powder firearms (such as BB guns and pellet guns) and toy guns have been quick to realize that assault weaponry is in. These manufacturers' role models are no longer hunting rifles and Western-style six-shooters, but machine guns and large-caliber handguns. This shift has been accompanied by a keener eye to detail and advances in plastic molding. The result: non-powder firearms and toy guns that are virtually indistinguishable from their more lethal counterparts.

Daisy Manufacturing was one of the first to recognize this potential market. The company introduced its paramilitary line of imported Softair guns in 1986. Softair guns are working replicas, down to the point of expelling spent shells and firing plastic pellets. They retail for approximately \$60. "So accurate in detail you'll swear it's the real thing!...a 'must have' for paramilitary enthusiasts of all ages," reads the catalog description for a replica of the UZI Assault pistol. Copy for a replica of the KG9-SP (predecessor of the TEC-9) boasts that it's "an authentic reproduction of the American-made semiautomatic defense weapon used by anticommunist guerrillas in Angola." A replica of a Heckler & Koch weapon is described as being "without a doubt the most exciting paramilitary airgun on the market today! Styled after the semiautomatic firearm carried by the German police and made famous in the motion picture, 'Rambo: First Blood, Part II,' the Model 15 has the look and feel of the real thing."^[45]

Rival manufacturer Crosman has its own UZI look-alike (which fires metal projectiles) and a reproduction of Colt's M-16 machine gun dubbed the A.I.R. 17. Crosman guarantees that "it looks just like the real thing," down to a detachable pellet clip and flash guard on the muzzle of the gun.^[46]

Larc International, located in Longwood, Florida, offers—by mail—the M19-A BB submachine gun. "Imagine—a 3,000 BB per minute cycle rate with an effective range of over 50 yards—That's some AWESOME Fire Power!!!" With a magazine capacity of 3,000 BBs, the weapon also comes in a pistol version. Each sells for \$39. On the ordering coupon, the purchaser must promise that he or she is 18 years or older.^[47]

The Para-Ordnance M-85 is a full-auto paint ball "splat gun" MAC-11 machine pistol replica that fires 1,200 rounds per minute at 440 feet per second. The 24-round magazine can be emptied in 1.2 seconds. It sells for \$299.50.^[48]

Far more common than paramilitary non-powder firearms are plastic-molded toy assault weapons. In addition to such staples as M-16s, AK-47s, UZIs, and KG-9s, Daisy, the self-proclaimed leader in the field, offers toy silenced MAC-10 pistols (the Alan Berg murder weapon) and bolt action machine guns.^[49]

The International Association of Chiefs of Police (IACP), located in Gaithersburg, Maryland, views look-alikes as a unique threat to public safety. As criminal misuse of assault weapons increases, police are more likely to assume that look-alikes are in fact real firearms. People who thoughtlessly display or brandish look-alikes run the risk of finding themselves in a deadly face-off with a police officer who must make a split-second decision on whether or not to draw a weapon and fire. According to the IACP, incidents involving airguns, highly detailed toy guns, and paint "splat guns" are increasing dramatically.^[50]

In May 1988, as an amendment to a bill dealing with the threat posed by non-detectable "plastic" firearms, Congress voted to require that every look-alike sold in America be clearly marked with an orange stripe or other color to distinguish it from its real counterpart. The bill is awaiting presidential signature, which is expected. On the state and local level, laws have been introduced and enacted regarding the sale, production, and brandishing of look-alikes.

But even prior to the bill, various companies, reacting to the growing debate over look-alikes and the increasing negative publicity their sales generated, began to shift their product lines and mark their products to help distinguish them from real firearms. In late 1987, Daisy stopped the sale of its Softair guns, which had been imported from Japan. A spokesman for the company noted, however, that the decision was “90 percent financial. The guns just weren’t selling.”[51]

Critics of the marking concept point out that the marking can be easily painted over and will do little good in the dark, while criminals can paint similar markings on real guns.

What make look-alikes so appealing—that they look *just like* the increasingly popular assault weapons—is precisely what makes them so dangerous.

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Assault Weapons and Accessories in America Publications

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The growing fascination with assault weapons has been accompanied by a growth in the number of publications dedicated to the non-sporting use of firearms.

Firepower, published by Everett Moore out of Cornville, Arizona, is the only magazine in America dedicated to full-auto and high-capacity firearms and has a circulation of 90-95,000. (Prior to the 1986 machine gun ban, the magazine had been devoted exclusively to full-auto.) Each issue of the magazine is filled with weapon, ammunition, and accessory reviews. Virtually all of the weapons reviewed are assault weapons.

According to Moore, "We jokingly refer to them as black and wicked-looking types of guns. They fill a need in the consumer market for people...who cannot afford the automatic version of the same weapon." Moore acknowledges that violence involving these weapons is "a legitimate concern. It's a reality and you can't deny that." He adds, though, that "it seems like any time we go to disarm the criminal, we end up disarming the legitimate, honest civilian."^[52]

American Survival Guide is "the magazine for safer living." Published by McMullen Publishing in Anaheim, California, articles are listed under headings that include "Survival Weapons," "Survival Gear," and "Survival How To."^[53] It also contains the "Survivalist Directory," a post-apocalypse personals column that offers a "confidential listing of survivalists who wish to become known to others of like mind." Personal ads in the August issue include:

- "Melbourne, Florida. Teenage military organization that does U.F.O. research would like to recruit members. Also would like to set-up [sic] information exchange and meet others in this area for training. All races and sexes are welcome. Ages 12 and over only. No racists or religious fanatics need apply."
- "Northern Arkansas. Young, conservative male seeks correspondence with other survivalists in area. Special interest is nuclear survival. No liberals, atheists, druggies, or alcoholics. Females welcome. All ages reply."
- "Baltimore, Maryland. Urban group which meets biweekly is looking for interested local survivalists wishing to exchange information. We are not Rambos, racists, or extremists, but family-oriented and interested in workable, realistic solutions to short and long term survival scenarios."^[54]

Published since 1979, *Survival Guide* has a circulation of between 30,000 and 70,000.^[55]

In addition to his mainstay, the monthly *Combat Handguns*, New York-based Stanley Harris also publishes such annuals as *Guns & Survival* and *Special Weapons*. Another Harris publication, *Eagle*, which had promised its readers "violent combat action," has ceased publication. An October 1983 issue of the magazine featured an article entitled, "The Amazing Soft Drink Silencer—I'm a Pepper, You're a Dead Man." The article outlined the ease with which a two-liter plastic soft-drink container could be used as a silencer for a MAC-10. *Eagle* found it to be "the best suppressor found in today's supermarkets. It's cheap, effective, and mixes well at parties. What more could you want?"^[56]

The *Special Weapons* annual offers "The Newest Ideas in Guns and Equipment as Well as Combat-Proven Tactics." ^[57] Articles in *Special Weapons* include: "Colt Delta HBAR—Boasting sniper rifle accuracy we compare this new Colt to the combat-proven Gali"; "The Search for Compact Firepower—We compare

submachine guns to short assault rifles”; “The Offensive Handgun—It’s the tool of the assassin”; “How to Buy Automatic Weapons—Latest prices and availability of Class III firearms”; and the “Assault Rifle Buyer’s Guide.”[58]

“The Offensive Handgun” is a how-to piece on assassination. The article advises that “single shots are preferred. The head, neck, and spine are the best targets.”[59] Recognizing that sometimes “an unsuppressed pistol may be the only one available,” the article advises that, “the sound can be muffled by shooting through...a potato or pillow. If the muzzle is held against the target, this also may muffle the sound, but it can also cause him to react in unexpected ways, besides presenting the possibility of the pistol jamming from bits of clothing or flesh caught in the muzzle or chambers.”[60] The article notes that the speed and capacity of a modern machine pistol are “important when shooting a number of people at once.”[61]

Soldier of Fortune, published out of Boulder, Colorado, describes itself as “The Journal of Professional Adventurers.” In a disclaimer on its title page (a trait many of these magazines share), it warns readers that the magazine “does not verify validity of every advertisement and/or the legality of every product contained herein. *Soldier of Fortune* magazine does not intend for any product or service to be used in any illegal manner.”[62] The magazine has been published since 1975 by National Rifle Association board member Robert K. Brown.

In addition to various “you are there” articles such as “Sandinista Staredown” and “Bum Trip in Bolivia,”[63] the magazine contains weapon reviews and combat tactics. *Soldier of Fortune* has also carried classified ads for mercenaries for hire. This practice has since been discontinued as the result of a lawsuit filed by the family of a victim whose murderer was hired as the result of an ad placed in the September 1984 issue of the magazine. The ad read: “Ex-marines. 67-69 Nam Vets. Ex-DI, weapons specialist—jungle warfare. Pilot. ME. High risk assignments. US or overseas.”

In 1984 Robert Black hired John Wayne Hearn to kill his wife. Hearn did so in February 1985. It had been Hearn’s third murder in 19 days. As the result of this, the victim’s parents and son sued *Soldier of Fortune* for \$21 million, arguing that the magazine was aware of the implication contained in the ad.[64] In March 1988, a Colorado jury found that the magazine should have known that the ad was offering the services of a hired killer and ordered it to pay \$9.4 million. The decision is currently being appealed.[65] (*Soldier of Fortune* refused to answer any questions for this report, including circulation and initial date of publication, on advice of their legal counsel pending outcome of the suit.)

New Breed, “the magazine for military adventure,”[66] is published by Harry S. Belil, out of Nanuet, New York. Though the magazine focuses more on military action, it does contain articles on assault weaponry and tactics. The August 1988 issue also contains a review of the 1988 SHOT (Shooting, Hunting, Outdoor Trade) show, the annual trade show of the firearms industry, held last January. In the piece, the author notes that “there were plenty of assault rifles at the show.”[67]

Shotgun News describes itself as “The Trading Post for anything that shoots.” Published three times a month out of Hastings, Nebraska, the 200-page, tabloid-style magazine has a circulation of nearly 190,000.[68] The magazine is crammed with classified and display ads for firearms and accessories, most of which are geared to firearms dealers.

In addition to a cavalcade of gun ads, *Shotgun News* carries ads for a variety of accessories (including Nazi memorabilia such as coffee mugs with swastikas), firearms, and publications, including *The Turner Diaries*, the “bible of right-wing extremists.” In the book, “Earl Turner and his fellow patriots...are forced underground when the U.S. government bans the private possession of firearms and stages the mass Gun Raids to round up suspected gun owners. An all-out race war occurs and the struggle escalates. Turner and his comrades suffer terribly, but their ingenuity and boldness in devising and executing new methods of guerrilla warfare lead to a victory of cataclysmic intensity and worldwide scope. If the government had the power to ban books, *The Turner Diaries* would be at the top of their list. Order your copy today.” The \$5.95 book is offered by the neo-Nazi National Vanguard located in Arlington, Virginia. [70]

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Assault Weapons and Accessories in America

Accessories

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Not only do these publications supply information, but they also contain advertisements for various catalogs and products. The *Survival Systems* book catalog describes itself as offering “the most unusual and controversial books you’ve ever seen in your life.”[71] In a disclaimer, the company notes, “Certain of the books in this catalog deal with activities and items which could be in violation of various laws if actually performed or constructed. We do not advocate the breaking of any law. Our books are sold for entertainment purposes only and only to adults!”[72] With a toll-free number for credit-card orders, the catalog contains books on revenge, fraud, dirty tricks, firearms conversion, home construction of firearms and explosives, and murder techniques.

Books offered by *Survival Systems* include:

- *How to Build Silencers: An Illustrated Manual*. “A complete manual for the construction of silencers at home with simple tools. Build in less than one hour. \$5.95.”[73]
- *Improvised Weapons of the American Underground*. “This book makes other ‘cookbooks’ things for Sunday School picnics. This collection of original articles covers: Making of Nitroglycerin; Plastic Explosives; Detonators and Primers; Fuses; Impact Ignition Incendiary Devices; and Construction of Various Types of Silencers; and complete Plans for a Home Made Machine Gun which can be built for less than \$20.00. An absolutely incredible manual. \$7.50.”[74]
- *Full Auto*. “A completely illustrated modification manual on selective fire conversions for the following weapons: Mini-14; AR-15; HK-91-93; MAC 10-11; and the M1 Carbine. With this new edition, you can convert all five weapons into their full-automatic configurations with ease, as all procedures are thoroughly explained in an easily understood, fully illustrated, step-by-step manner. Without a doubt, this is the finest conversion manual on the market. \$12.00.”[75]

Robert K. Brown’s Paladin Press offers a 47-page, glossy catalog that includes sections on sniping, revenge and humor, survival, weapons, explosives and demolitions, guerrilla warfare, silencers, new ID and personal freedom, locksmithing, and terrorism. In an essay entitled “New Age Survival,” readers are reassured that “We don’t want to alarm you into heading for the hills today—but will help you become prepared to do so tomorrow.”[76]

Books offered in the catalog include:

- *Anarchist Handbook*. “For the modern anarchist, all you need to know to construct an impressive selection of improvised weapons,” including “an expedient silencer; a pipe hand grenade; plastic explosive; and a rocket launcher. For each weapon, the author supplies a list of materials easily acquired from drug or hardware stores, hobby shops, supermarkets or even junk piles; step-by-step procedures; simple diagrams and how-to-use instruction for certain weapons. \$7.00”[77]
- *The Mini-14 Exotic Weapons System*. “Convert your Mini into a full-auto, silenced, SWAT-type weapon that is capable of field clearing firepower. Note that this conversion process requires no machining or special tools. Once completed it takes just five minutes to drop in the Automatic Connector (the book’s secret!) or remove it as needed. It’s that simple! \$15.00”[78]
- *Improvised Explosives—How to Make Your Own*. “Ten simple but powerful formulas for explosives and incendiaries” that gives the reader the ability “to construct actual bombs, booby traps and mines. Learn how to obtain or make all the necessary chemicals or get acceptable substitutes.

Various fuses, detonators, and chemical and electrical timers are covered, as are pipe bombs, plastic bottle bombs, jerry can bombs and tamperproof bombs. With ease, you can construct such devices as a package bomb, booby-trapped door, auto trap, sound-detonated bomb, or pressure mine—to name just a few. \$10.00"[79]

- *How to Kill* (volumes one through six). "[M]akes no moral judgements, but merely describes what has been known for years by the professionals who are part of the shadowy world of international espionage and intrigue. As the author states in his preface, 'My only premise is that there are times when one must attack with complete ruthlessness and fight with lethal fury. This fury and ruthlessness must be harnessed and directed to the gravest possible damage—to kill.'" Priced at \$8 per volume, the catalog notes that no book in the *How to Kill* series is available in Canada due to legislation by the Canadian solicitor general.[80]

In addition to operating a 24-hour-a-day, toll-free order line and offering a "no questions asked" money-back guarantee, Paladin Press also offers gift certificates, which "make excellent gifts for you to send to friends and relatives." [81]

Firepower's Everett Moore also runs a mail-order publications house. Moore's Desert Publications offers many of the same publications as his competitors under headings that include: weapons and firearms, specialized warfare, police science, survival, self-defense, full-auto, suppressors, and improvised munitions.[82] Moore, who sells between 2,000 and 5,000 copies of specific titles a year, refers to the publications as "big boy toys," adding, "I haven't known a man yet who didn't like [to know how] to pick a lock." [83]

The catalog of Phoenix Systems, Inc., located in Evergreen, Colorado, offers its buyers "The Right Stuff," which includes:

- U.S. Military Practice Grenades "with ALL the mechanical parts IN THE FUSE ASSEMBLY!!!—NO EXPLOSIVES." The ad warns that "ACTIVATION OF THESE DEVICES REQUIRES PRIOR BATF APPROVAL. \$19.95 each." [84]
- Booby Trap Firing Device (M-1), "Standard U.S. Military PRESSURE RELEASE firing device used to initiate detonation of explosive charges in BOOBY TRAP applications or remote firing of Claymore mines. EXCELLENT training device because it is RELOADABLE with new primer caps (when not coupled DIRECTLY TO AN EXPLOSIVE CHARGE). Hundreds of applications—can be screwed directly into an explosive charge for instantaneous detonation or coupled to detonator cord for remote firing. \$14.95 each." [85]
- The Ballistic Knife—The Knife That Shoots. "CONGRESS OUTLAWED THE SPRINGS—BUT YOU CAN STILL BUY THE KNIFE!" The knife "can be fired up to an effective range of 30 feet. The typical penetration of this knife is about three times that of a manual stab. Extra blades and flight stabilizer available. \$79.95 each." Under the heading "ATTENTION COLLECTORS AND SPORTSMEN," the ad notes, "Due to recent Federal regulation, the Ballistic Knife may no longer be sold with the projection spring. The Ballistic Knife, IN LEGAL KIT FORM, that we are now able to sell, is identical to the original knife without the spring included." The ad adds, "WE SELL NO SPRINGS." [86]
- FULL AUTOMATIC FIRE FOR YOUR AR-15. The drop-in auto sear is the KEY component in converting an AR-15 to M-16 selective fire capability (semi or full automatic) and is the ONLY part for this conversion that is now required to be registered if CURRENTLY manufactured. OUR auto sears were manufactured prior to 11/1/81 when it was NOT required to have a serial number stamped on this part. COMPLETELY LEGAL TO PURCHASE." With the purchase of "five other commonly available M-16 replacement parts," the conversion can be made "in SECONDS without tools." The ad urges readers to "Act now while it is still legal to purchase these auto sears. When existing supplies are exhausted, THERE WILL BE NO MORE!! \$175.00 each." [87]

The recommended reading list of the catalog includes books on silencers; on UZI, MAC-10, and AR-15 conversions; and on home munitions. Other products available through ads placed in these magazines include:

- The BMF Activator, a hand crank that can be attached to a rifle, boasts the "newest crank-operated rapid fire capability since the gatling gun!! Legally fire up to 1200 rounds per minute on your semi-automatic .22 rifle. Imagine the sensation of firing a truly rapid fire rifle. Since each turn of the crank handle fires the rifle four times, it is capable of pulling the trigger many times faster than you can." The advertising flyer for the activator includes a copy of a letter from ATF stating that "a manually operated device of this type is not subject to any of the provisions of the Gun Control Act of 1968." [88]
- The Tri Burst Trigger Activator, distributed by Orpheus Industries, offers "legal firepower." It "allows a 3—round burst from your AR-15...mounts in seconds" and fits "all makes" of AR-15 rifles. It sells for a "special introductory price" of only \$34.95. [89]

- “The Ultimate” trigger activator derides its competitors as “the rapid fire plastic gizmo and the sheet metal device.” With models available for the AR-15, Mini-14 and 30, M-1 Carbine, and AK models, The Ultimate allows the user to “fire individual rounds, 3 shot bursts or 50 round bursts at your instant discretion.” The ad notes that “all federal laws (if any) will apply. The ATF has ruled this device is not regulated by federal law.” It retails for \$129.95.[90]
- The API Predator Laser Target Designator is equipped with “helium neon lasers” that “project an intense narrow beam of red light” with “an effective range” of up to 500 meters. Laser sights give their users point-and-shoot assassination capability. “Generally, the only visible element of the laser beam is a spot on a solid object that reflects light back to the operator. The beam itself is invisible in clear air.” Priced at \$495, the API laser sight is only one of the many laser sights on the market, with some costing hundreds of dollars less.[91]
- An ad for Kephart Publications offers plans for such exotic weapons as: hand, rifle, and shotgun grenades; L.A.W., RPG-7, Bazooka, Pod, Pocket, Shotgun, and T.O.W. rockets; claymore and land mines; flame throwers; and others. The ad guarantees “these plans are legal to own and make according to BATF provisions” and promises that the “basic information is complete and all WILL work. All devices are simple to make and very inexpensive. Only common material and hand tools required. NO MACHINE SHOP WORK.” The ad offers any 10 plans for \$55.00.[92]
- The “Deadly Weapons—Firearms & Firepower” video tape advertisement features an assassination kit of a silenced MAC-10 in a briefcase. The ad asks, “Do you know which bullets will penetrate a car door? A windshield? Just how quiet is a real silencer? How effective is full auto fire?” Purchasers of the tape can “SEE & Learn the Answers to these questions and much more!” The tape sells for \$49.95.[93]
- The “Ninety Rounder” is a circular “assault magazine” that can hold 90 rounds of ammunition “for people who want real firepower!” Offered by the MWG Company, it promises “LMG [light machine gun] Type Firepower From a Semi Auto Rifle.” It retails for \$49.95.[94]
- For the leisure hours, “Rock N’ Roll #3—Sexy Girls and Sexy Guns, The Video” offers “14 outrageous, southern California beauties...firing some of the sexiest machine guns ever produced. And you’re probably wondering about the girls. What can I tell you? They’re hot. 14 different girls in string bikinis and high heels blasting UZIs, MAC-10s, M-16s, MP-5s, AK-47s, M-14s and more. It’s something you just have to see.”[95]

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Assault Weapons and Accessories in America Paramilitary Training Camps and Combat Schools

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Those interested in assault weapons and combat techniques do not need to rely solely on book knowledge. Around the United States, training centers from the paramilitary training camps of right-wing extremists to commercial combat schools—offer training in the use of weapons, explosives, and combat skills.

According to testimony offered before the Subcommittee on Security and Terrorism in September 1985, paramilitary/mercenary training camps can be broken down into three categories:

- Franchises or commercial establishments that offer training to law enforcement or security firms worldwide;
- Paramilitary and survivalist organizations that offer training in the use of small arms, map reading, and survival under extreme circumstances (those operated by the Covenant, Sword and Arm of the Lord, for example). According to the Anti-Defamation League of B'nai B'rith, many of these camps also include an indoctrination of race hatred.
- Mercenary training camps, the goal of which is to offer the knowledge and skills necessary to be a soldier-for-hire.[96]

In 1984, paramilitary training camps garnered media attention when the FBI revealed that several Sikh students had attended a two-week session at the Merc School in Dolomite, Alabama, with the intention of using their new-found knowledge to assassinate Indian Prime Minister Rajiv Gandhi.[97]

At the time, the Merc School's owner, Frank Camper, stated that he operated strictly within the law and was merely training people to survive in combat situations.[98] Said Camper, "If someone were to train with me and to go away and perform an act of terrorism, then I'm not responsible for that person's actions. They are responsible for themselves." [99] (Camper, however, apparently did inform on the Sikh students to the FBI, helping lead to their arrest.)

Critics of the camps argue that those run by survivalist and paramilitary organizations are turning out terrorists. The ADL states in the fall issue of its 1986 *Law Report*, "ADL Paramilitary Training Statute: A Response to Extremism," that in many camps, "combat' training is interspersed with the indoctrination of hatred and totalitarianism in preparation for anticipated civil strife, the rationale being the vision of a 'coming race war.'" [100]

In 1980 such camps were uncovered in Alabama, California, Connecticut, Illinois, North Carolina, and Texas.[101] Daniel M. Hartnett, ATF Acting Deputy Associate Director, Law Enforcement, stated at the 1985 hearings that camps run by extremists have shown "a willingness to commit violent crimes to further their cause and support their movement." [102]

A 1985 raid conducted by law enforcement officials at a compound run by the Posse Comitatus outside of Rulo, Nebraska, yielded a cache of weapons that included assault rifles and 13 fully automatic pistols and rifles, including modified AR-15s.[103]

In 1986, the ADL formulated model state legislation that would ban paramilitary training "aimed at provoking civil disorder." [104] In drafting the model bill, the ADL specifically stated that the statute must not violate First Amendment freedoms of speech and association. Another objective was to draft the statute narrowly so that it would not prohibit legitimate lawful activities such as target shooting and other sporting events. This was important, the ADL stated, for

"minimizing opposition to the bill by powerful special interest groups." [105] Laws based on the statute have passed in Arkansas, California, Colorado, Connecticut, Florida, Georgia, Idaho, Illinois, Michigan, Missouri, Nebraska, New Jersey, North Carolina, Oregon, Pennsylvania, Rhode Island, Virginia, and West Virginia. [106]

In a statement opposing legislation restricting paramilitary training camps, America's leading pro-gun organization, the National Rifle Association (NRA), based in Washington, D.C., states that such "legislation is objectionable because it makes the mere possession of firearms a crime, therefore undermining the right to keep and bear arms" and that "the constitutionality of such legislation is questionable at best, and could not, in all probability, withstand a court challenge based on violation of First Amendment rights." [107]

The controversy has faded since the 1985 hearings, although camps and schools continue to operate. The FBI currently has no figures on the numbers of camps and schools operating in the United States. One such school, Brigade Security Forces, located in Mooreville, North Carolina, offers six-day courses in "commando tactics." It offers "absolutely the best firearms training available with numerous NATO and COMMUNIST firearms." One can also enroll in a special 30-day course "designed for the adventurer that demands it all in one course." Counter terrorist, sniper, and covert operations are some of the areas covered. Brigade also offers private instruction for "Individuals or Groups who desire Total Secrecy and Special Training. NO COMMUNISTS, GAYS, ATHIESTS [sic]!!!" are allowed, and one must be at least 16 years old to attend. [108]

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Assault Weapons and Accessories in The Assault Weapons Debate

Not surprisingly, the increasing number and subsequent misuse of assault weapons has resulted in a growing debate over their place in American society. The battle lines mirror those drawn over other such “gun control” issues as waiting periods for handgun purchases, bans on armor-piercing bullets, and restrictions on the sale of “plastic” firearms. On one side of the debate is America’s gun lobby. The other side consists of handgun restriction advocates and various police organizations.

America’s gun lobby—comprised of pro-gun organizations, manufacturers, and various publications—staunchly opposes any restrictions on the sale or availability of assault weapons. The leading voice of dissent belongs to the NRA. With 2.7 million members and a budget of more than \$71 million, the NRA is America’s largest and most powerful pro-gun organization.[109] In 1987 the organization published a pamphlet entitled *Semi-Auto Firearms—The Citizen’s Choice*. A year later the organization published *Semi-Auto Rifles: Data and Comment*, a collection of articles on semi-automatics that had appeared in the NRA’s magazine, *The American Rifleman*.

In both the pamphlet and the book, the NRA presents the controversy over assault weapons as a broader attack on all semi-automatic firearms, including hunting rifles with semi-automatic mechanisms. By framing the debate as one concerning all semi-autos, as opposed to a specific category of semi-auto, the NRA is able to present efforts to restrict assault weapons as a threat to hunters. The NRA recognizes the fact that it is far easier to mobilize its membership and non-NRA outdoorsmen with images of banning their trusted hunting rifles as opposed to UZIs or TEC-9s.

The cover of *Semi-Auto Firearms—The Citizen’s Choice* features a duck hunter, duck call in mouth, silhouetted against a bright orange sunrise. In his hand he appears to hold a shotgun. On the first page of the pamphlet, the NRA offers its view of the debate: “The national media and organized ‘gun control’ groups have advanced from demanding prohibitions on certain handguns and ammunition, to calls for banning semi-automatic firearms. The pattern is obvious, and the strategy has long been clear—isolate certain types of firearms, label them as inherently ‘evil’ or ‘crime prone,’ and then try to segregate and drive a wedge between firearms owners...[110] Fully automatic and high-tech firearms often seen on television programs, and in popular yet violent movies, perpetuate the myth that ‘semi-autos’ are frequently used for criminal purposes...[111] Even to experts, admittedly, semi-automatic target or sporting rifles such as the AR15 and M1A look like the full-automatic military M16s and M14s. Why not? A civilian jeep looks like a military jeep, a civilian tent looks like a military tent and a civilian shooter at the national Matches at Camp Perry looks very much like his military counterpart.”[112]

(The NRA’s stand on assault weapons is not surprising considering the fact that it has labeled repeal of the 1986 federal ban on the future production of machine guns for civilian use a “high priority.”[113] In outlining its position on machine guns, the organization states, “Sporting events involving automatic firearms are similar to those events such as silhouette shooting and other target-related endeavors and deserve the same respect and support.”[114] The NRA promises that it “will take all necessary steps to educate the public on the sporting uses of automatic firearms”[115] and explains that “The Second Amendment is not limited by its language to the type of arms that the people have the right to own.”[116] The organization supports “the right of any law abiding individuals to own any firearms, including automatic firearms.”[117]) (Although the NRA was asked to answer questions regarding its stand on assault firearms, the appropriateness of *Soldier of Fortune* publisher Robert K. Brown being on its board of directors, paramilitary accessories, and paramilitary training camps, a spokesman, after reviewing the questions, stated that the NRA was “declining to provide information for this report.”)

While the NRA struggles to turn the assault weapons debate into a semi-auto debate for public relations purposes, legislators and members of the press have been making it into one inadvertently. Neither of America's national handgun restriction organizations has come out in favor of restricting or banning all semi-autos, and have only recently begun dealing with long guns (there is no national organization calling for restrictions on *all* guns). Yet in discussions of assault firearms, those urging restrictions on these weapons have used the terms assault, paramilitary, and semi-automatic weapon interchangeably. This misuse apparently stems from an unfamiliarity with weapons terminology and a lack of understanding of the wide range of weapons covered by the term semi-automatic. As the result of this lack of knowledge, and the difficulties in defining assault weapons in legal terms, laws have been proposed on the state level that would place waiting periods on all semi-auto weapons. In August 1988, *The New York Times* ran two editorials in favor of such a law on the federal level, as well as urging a ban on the sale of assault weapons.[118]

According to John Hosford, executive director of the Citizens Committee for the Right to Keep and Bear Arms (CCRKBA), a 500,000 member pro-gun organization located in Bellevue, Washington, the issue of paramilitary weapons will be addressed at the organization's board meeting in September 1988. Says Hosford, "It would be safe to say that we will take an aggressive position in support of these." Founded in 1971, the CCRKBA favors a repeal of the Gun Control Act of 1968 and has lobbied against gun control ordinances on the local, state, and federal level.[119]

The 100,000 plus-member Gun Owners of America (GOA), located in Springfield, Virginia, views the assault weapons debate as part of a long-range plan by handgun restriction advocates to disarm America. Says GOA Director of Government Affairs Craig Markva, "The goal was to target the machine guns first, then the semi-autos, and right along with the handguns. The whole premise [of handgun restriction organizations] has been based upon the fact that the Second Amendment is a hunting right." But Markva argues, "The whole idea of the Second Amendment is self-defense. The goal of the anti-gunner is to isolate different categories of firearms for control or banning, and then move on. The slippery slope is alive and well and continues rolling on."

America's handgun restriction movement has been cautious in its response to the assault weapons debate. Their reticence is understandable. By moving against a category of firearm that is not only a long gun, but difficult to define, they run the risk of appearing to prove the gun lobby right: that is, that handgun restrictions are merely the first step down the aforementioned slippery slope.

In the past, the "gun control" debate was easily defined. "Good" guns were long guns that were used for hunting and sporting purposes, while "bad" guns were easily concealable handguns that had limited sporting use and were prone to misuse. Previously the standard for restricting weapons involved concealability and a cost/benefit analysis: Is the harm done by a given category of firearm outweighed by any possible benefit? Yet, although assault weapons are frequently misused and many are more concealable than standard long guns, a new standard is emerging: For what purpose was this weapon designed? The first application of this standard came in 1986, when Congress voted to outlaw the future production of machine guns for civilian use. The number of criminal incidents involving legally owned machine guns prior to the ban had been few. Yet, Congress saw no reason for this category of weapon to remain in civilian hands.

Handgun Control Inc. (HCI), based in Washington, D.C., is America's leading handgun restriction organization. The organization has more than 180,000 dues-paying members and an annual budget of more than \$4 million. Its vice-chair is Sarah Brady, wife of White House press secretary James Brady, who was injured in the March 1981 assassination attempt on President Reagan. In its organization brochure, HCI calls for the "restriction on the sale of UZI-type assault weapons, the weapons of war like that used in the 1983 McDonald's massacre in California." The organization adopted this stand in 1983. Recently, HCI has run newspaper ads calling for unspecified restrictions on assault weapons, labeling them "drug guns." In addition, HCI came out in favor of banning the Striker-12 from import. In addition to its stand on "UZI-type assault weapons," the organization favors a waiting period with background check for all handgun purchases, a ban on the sale of snub-nosed handguns, and a ban on the production and sale of plastic handguns.[120]

The National Coalition to Ban Handguns (NCBH), based in Washington, D.C., is a coalition of 31 national religious, professional, educational, and public health organizations that favors banning the sale and private possession of handguns in America. Exceptions to this would include possession by police, military personnel on active duty, target shooters who keep and use their handguns at bona fide shooting clubs, and federally licensed collectors. NCBH has approximately 20,000 members and an annual budget of \$400,000. Prior to 1985, the organization dealt only with handguns. But in May of that year, its board voted to work to ban the sale and private possession of machine guns. Currently, its board is considering whether to endorse banning the sale and private possession of assault weapons. It is scheduled to reach a decision at its November 1988 meeting.[121]

The Law Enforcement Steering Committee is the leading voice of law enforcement on the gun control issue. The Committee consists of: the Federal Law Enforcement Officers Association; the International Association of Chiefs of Police; the Fraternal Order of Police; the International Brotherhood of Police Officers; the National Association of Police Organizations; the Police Executive Research Forum; the Police Management Association; the Police Foundation; the Major Cities Chief Administrators; the National Organization of Black Law Enforcement Executives; and the National Troopers Coalition.[122] As of September 1988, none of the members of the Committee have adopted an official stand on assault weapons, although the topic is scheduled to be discussed in the future.[123]

On the federal level, no bills dealing with assault weapons have yet been introduced in Congress. It is expected that such a bill will be introduced sometime during 1989.

On the state level, the first proposed law restricting the availability of assault weapons was introduced by California State Representative Art Agnos (Dem., San Francisco) in 1985. (Agnos was elected mayor of San Francisco in 1987.) The law, which would have banned the sale and possession of specific assault weapons—such as the UZI, MAC, and AR-15—failed to pass. In 1988, Assemblyman Michael Roos (Dem., Los Angeles) introduced a measure that also would have banned specific assault weapons. The bill was later amended to require instead a 15-day waiting period with background check for all semi-automatic weapons. The amended version of the bill failed to pass. Roos expects to file a bill next year that would place a waiting period on specific assault weapons.[124]

In addition, product liability lawsuits have been filed against manufacturers of assault weapons. Such suits are based on the legal theory that the manufacturers of these weapons know that their products are inherently dangerous and prone to criminal misuse. Therefore, they should be held responsible for the resulting death and injury. One of the first product liability suits dealing with an assault weapon was filed on April 22, 1987, against Intratec USA, manufacturers of the TEC-9. The suit was filed by the estate of David L. Bengston of Connecticut. Bengston, a high school janitor, was fatally shot by an eighth grader on December 10, 1985, with a TEC-9 that belonged to the student's father. The student later held a classroom of children hostage until his father came and convinced him to turn over the weapon. In their complaint, attorneys for Bengston argued that the TEC-9 is in fact a super Saturday Night Special. The case is currently awaiting trial.[125]

The first victory for proponents of the legal theory that some handguns are inherently defective because of specific design characteristics occurred on October 3, 1985, when the Maryland Court of Appeals ruled in *Kelley v. R.G. Industries* that manufacturers of Saturday Night Specials could be held liable for their criminal misuse. The case stemmed from a March 1981 robbery in which the plaintiff, Olen J. Kelley, was shot in the chest with a Rohm handgun. [126] (As part of the law outlawing the sale of Saturday Night Specials passed in Maryland in 1988, the Maryland legislature—as part of a compromise with the gun lobby—added a component what would in effect nullify the Kelley decision.)

The signs are increasing of a growing awareness that America has an assault weapons “problem.” At the end of its July 1988 documentary on handgun violence in America, “Guns, Guns, Guns,” NBC reporter Connie Chung notes the increasing misuse of assault weapons like the UZI.[127] In his speech at the Democratic National Convention, Democratic presidential candidate Jesse Jackson states of drug dealers, “They say, ‘We don’t have Saturday Night Specials anymore.’ They say, ‘We buy AK-47s and Uzis, the latest lethal weapons. We buy them across the counter on Long Beach Boulevard.’ You cannot fight a war on drugs unless and until you are going to challenge the bankers and the gun sellers....”[128]

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Assault Weapons and Accessories in America Conclusion

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Assault weapons are increasingly being perceived by legislators, police organizations, handgun restriction advocates, and the press as a public health threat. As these weapons come to be associated with drug traffickers, paramilitary extremists, and survivalists, their television and movie glamour is losing its lustre to a violent reality.

Because of this fact, assault weapons are quickly becoming the leading topic of America's gun control debate and will most likely remain the leading gun control issue for the near future. Such a shift will not only damage America's gun lobby, but strengthen the handgun restriction lobby for the following reasons:

- *It will be a new topic in what has become to the press and public an "old" debate.* Although handguns claim more than 20,000 lives a year, the issue of handgun restriction consistently remains a non-issue with the vast majority of legislators, the press, and public. The reasons for this vary: the power of the gun lobby; the tendency of both sides of the issue to resort to sloganeering and pre-packaged arguments when discussing the issue; the fact that until an individual is affected by handgun violence he or she is unlikely to work for handgun restrictions; the view that handgun violence is an "unsolvable" problem; the inability of the handgun restriction movement to organize itself into an effective electoral threat; and the fact that until someone famous is shot, or something truly horrible happens, handgun restriction is simply not viewed as a priority. Assault weapons—just like armor-piercing bullets, machine guns, and plastic firearms—are a new topic. The weapons' menacing looks, coupled with the public's confusion over fully automatic machine guns versus semi-automatic assault weapons—anything that looks like a machine gun is assumed to be a machine gun—can only increase the chance of public support for restrictions on these weapons. In addition, few people can envision a practical use for these weapons.
- *Efforts to stop restrictions on assault weapons will only further alienate the police from the gun lobby.* Until recently, police organizations viewed the gun lobby in general, and the NRA in particular, as a reliable friend. This stemmed in part from the role the NRA played in training officers and its reputation regarding gun safety and hunter training. Yet, throughout the 1980s, the NRA has found itself increasingly on the opposite side of police on the gun control issue. Its opposition to legislation banning armor-piercing ammunition, plastic handguns, and machine guns, and its drafting of and support for the McClure/Volkmer handgun decontrol bill, burned many of the bridges the NRA had built throughout the past hundred years. As the result of this, the Law Enforcement Steering Committee was formed. The Committee now favors such restriction measures as waiting periods with background check for handgun purchase and a ban on machine guns and plastic firearms. If police continue to call for assault weapons restrictions, and the NRA continues to fight such measures, the result can only be a further tarnishing of the NRA's image in the eyes of the public, the police, and NRA members. The organization will no longer be viewed as the defender of the sportsman, but as the defender of the drug dealer.
- *Efforts to restrict assault weapons are more likely to succeed than those to restrict handguns.* Although the majority of Americans favor stricter handgun controls, and a consistent 40 percent of Americans favor banning the private sale and possession of handguns,[129] many Americans do believe that handguns are effective weapons for home self-defense and the majority of Americans mistakenly believe that the Second Amendment of the Constitution guarantees the individual right to keep and bear arms.[130] Yet, many who support the individual's right to own a handgun have second thoughts when the issue comes down to assault weapons. Assault weapons are often viewed the same way as machine guns and "plastic" firearms—a weapon that poses such a grave risk that it's worth compromising a perceived constitutional right.

Although the opportunity to restrict assault weapons exists, a question remains for the handgun restriction movement: How? Defining an assault weapon—in legal terms—is not easy. It's not merely a matter of going after guns that are "black and wicked looking." Although those involved in the debate know the weapons being discussed, it's extremely difficult to develop a legal definition that restricts the availability of assault weapons without affecting legitimate semi-automatic guns. Most likely, any definition would focus on magazine capacity, weapon configuration, muzzle velocity, the initial purpose for which the weapon (or its full-auto progenitor) was developed, convertibility, and possible sporting applications. Any law based on this definition would, however, need to have a clause to excuse legitimate semi-automatic weapons that would inadvertently fall under it. And although legislation could be passed that would ban specific weapons, the world's arms manufacturers are expert at producing weapons that follow the letter, but not the intent, of the law. This often results in products that are virtually identical to the restricted weapon, yet different enough to remain on the market.

Yet, the framework for restricting assault weapons already exists. On the federal level, ATF currently excludes from import handguns recognized as Saturday Night Specials. This is done by application of criteria designed by the agency that takes into account such things as barrel length, caliber, quality of materials, safety devices, and other factors. Any gun that does not meet the importation threshold cannot be sold in the United States. Any manufacturer whose product is refused for import can challenge the decision in federal court. Criteria to identify and categorize assault weapons could be developed by ATF and applied toward restricting the availability of both foreign- and domestically-produced assault weapons.

The state of Maryland has taken a similar approach in banning the sale of Saturday Night Specials. The 1988 Maryland law established a nine-member board responsible for creating a roster of permitted handguns. The nine members of the board include: the superintendent of the state police; representatives of the Maryland States' Attorney's Association, Maryland Association of Chiefs of Police, Marylanders Against Handgun Abuse, the National Rifle Association, and a Maryland gun manufacturer; and three citizen board members to be determined by the governor. After January 1, 1990, the law requires that no person in Maryland may: manufacture a handgun not on the Handgun Roster or sell or offer to sell any handgun not on the Handgun Roster that was manufactured after January 1, 1985. In determining whether a handgun has a legitimate use and can therefore be placed on the roster, the board will consider: concealability; ballistic accuracy; weight; quality of materials; quality of manufacture; and reliability as to safety, caliber, and detectability by standard security devices used at airports and courthouses.[131] States could develop similar rosters to ban the sale of assault weapons.

Since passage of the Maryland law, the NRA has collected enough signatures of Maryland residents to bring the measure to referendum on the November 1988 ballot. The NRA's opposition to such a panel is not surprising. The organization fears giving the government, at any level, the power to restrict the availability of firearms—conjuring up images of a "gun czar." And although such proposals would solve the definitional problems posed by assault weapons, it would guarantee fierce opposition from the gun lobby.

The success of any proposed legislation to restrict assault weapons and their accessories depends not only on whether the American public pays attention to the topic, but agrees that these products are dangerous. Obviously, some aspects of America's fascination with assault weapons and their accessories are here to stay. Publications are clearly protected under the First Amendment of the Constitution. Yet the weapons themselves, and accessories such as laser sights and grenades requiring only the explosive charge, can be restricted and even banned at the local, state, or federal level. The fact that assault weapons are increasingly being equated with America's drug trade may play a major role in motivating the public to call for their restriction. Yet, recognizing the country's fascination for exotic weaponry and the popular images and myths associated with guns, it may require a crisis of a far greater proportion before any action is taken.

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