

Man wanted in officer's slaying dies in gunbattle

By RICH MCKAY
SENTINEL STAFF WRITER

BEVILLE'S CORNER — A man wanted in the killing of a New Jersey police officer last week was slain during a gunfight Easter morning after a chase by Hernando deputies and

and abdomen, also wounding her partner before fleeing.

Hernando deputies called for backup as they began to pursue Marti and he sped off and shot at them, Bergen County, N.J., prosecutor John L. Molinelli said.

drove northeast on State crossing from Hernando in

ment, Caruthers said. The chase covered about 20 miles, Hernando sheriff's officials said.

When the car stopped about 9:50 a.m., Marti got out with an AK-47 assault rifle and again shot at the deputies, officials said. He was shot several times by deputies, Caruthers said.

Marti was airlifted to a Lakeland hospital where he was pronounced



Violence Policy Center

“Officer Down”

Assault Weapons and the War on Law Enforcement

Rifle attack called officer's nightmare

B6 The Roanoke Times, Sunday, June 17, 2001

Suspect brandished 9 mm 'Uzi-style' weapon, authorities say

Slain officer wanted shift with most action

ACTION FROM 1A

In his application, Cudnik said he wanted to be a police officer because it was "one of the most mentally and physically challenging and emotionally rewarding vocations that I can aspire to."

wanted to work when all the action was happening."

His personnel file showed no commendations. The only reprimand occurred in February 1995 when he was suspended for 60 days for leaving the scene of a three-car accident while off-duty, then failing to report his involvement in it.

Cudnik grew up in the Garfield Heights area and graduated from Parma Senior High School in 1967. He was the divorced father of three sons: Hilary Jr., 23, a Cleveland firefighter; Michael, 21, a student at the University of Dayton; and Daniel, 20, with the Coast Guard.

Even though he worked the grueling 8 p.m. to 4 a.m. shift in one of the city's toughest neighborhoods, Cudnik was a frequent presence at the bar, which opened at 6 a.m. to serve bacon and eggs to the no-nonsense working man's crowd at the nearby LTV Steel Co. mill.

"He was always here," said

The Violence Policy Center (VPC) is a national non-profit educational organization that conducts research and public education on firearms violence and provides information and analysis to policymakers, journalists, grassroots advocates, and the general public. The Center examines the role of firearms in America, analyzes trends and patterns in firearms violence, and works to develop policies to reduce gun-related death and injury.

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- *Firearms Production in America 2002 Edition—A Listing of Firearm Manufacturers in America with Production Histories Broken Out by Firearm Type and Caliber* (March 2003)
- *“Just Like Bird Hunting”—The Threat to Civil Aviation from 50 Caliber Sniper Rifles* (January 2003)
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- *Cease Fire: A Comprehensive Strategy to Reduce Firearms Violence* (Revised, October 1997)

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Introduction

In 1994, Congress passed, and President Clinton signed, a ban on the production of certain semiautomatic assault weapons as well as high-capacity ammunition magazines that hold more than 10 rounds. The law banned specific assault weapons by name and also classified as assault weapons semiautomatic firearms that could accept a detachable ammunition magazine and had two additional assault weapon design characteristics. The law is scheduled to end on September 13, 2004.

This study reveals the gun industry's efforts to evade the 1994 ban and documents the significant threat assault weapons still pose to law enforcement. These facts make clear the need to not only renew, but also *strengthen*, the ban before it expires next year. Legislation will soon be introduced in the U.S. Congress to accomplish this goal. Without action this Congress, the 1994 law will expire in 2004.

Both President Bush and Attorney General Ashcroft have expressed support for the assault weapons ban. President Bush's support for the ban has been longstanding. In October 2000, Bush campaign spokesperson Ray Sullivan told *Salon* magazine that he would expect then-candidate Bush to reauthorize the ban.¹ That position was reiterated by Attorney General John Ashcroft during his confirmation hearings on January 17, 2001, when he stated, "It is my understanding that the president-elect of the United States has indicated his clear support for extending the assault weapon ban, and I would be pleased to move forward that position, and to support that as a policy of this president, and as a policy of the Justice Department."² Most recently, in April of this year, White House spokesperson Scott McClellan told Knight Ridder news service, "The President supports the current law, and he supports reauthorization of the current law."³

This study contains three sections. *Section One: Assault Weapons, the Gun Industry, and Law Enforcement* reveals how the firearms industry has evaded the current ban, and how assault weapons continue to pose a stark threat to America's law enforcement personnel. *Section Two: Law Enforcement Officers Killed in the Line of Duty by Assault Weapons, 1998 Through 2001* is a chart listing the known incidents of police officers killed by assault weapons, including year, state, manufacturer, model of assault weapon, and caliber. *Section Three: Selected Incidents of Law Enforcement Officers Killed in the Line of Duty by Assault Weapons, 1998 Through*

¹ Jake Tapper, "Gore Shoots Blanks on Guns," *Salon*, October 24, 2000.

² "Day 2, Morning Session of a Hearing of the Senate Judiciary Committee," *Federal News Service*, January 17, 2001.

³ Shannon McCaffrey, "In Surprise Move, Bush Backs Renewing Ban on Assault Weapons," *Knight Ridder/Tribune News Services*, April 12, 2003.

2001 offers expanded narratives for 15 of the law enforcement shootings that occurred during this period. Each narrative also includes a representative illustration of the model of assault weapon used in the shooting (each weapon shown is representative of the brand or model of assault weapon and may not be identical to the specific weapon used in the shooting detailed in the narrative).

Section One: Assault Weapons, the Gun Industry, and Law Enforcement

Assault Weapons: A Clear Threat to Law Enforcement

A primary stimulus for the 1994 law was the severe threat that assault weapons pose to law enforcement officers. Police and other law enforcement personnel were some of the first victims of the assault weapon trend that emerged in the 1980s. For example, in October 1984, a San Jose, California, police officer was gunned down with an UZI carbine. In a high-profile shootout in April 1986, two agents from the Federal Bureau of Investigation (FBI) were killed by robbery suspects wielding a Ruger Mini-14 assault rifle. Five other agents were wounded in the gun battle. As high-capacity assault weapons became more commonplace, police routinely complained that they were being outgunned by suspects. As a result, major law enforcement organizations supported passage of the 1994 federal assault weapons ban.

In 1995, the first full year in which the ban was implemented, police continued to be victims of assault weapons. Approximately one in 10 of the 74 law enforcement officers killed in the line of duty in 1995 was slain with a banned assault weapon.⁴

The Gun Industry Evades the Law

Immediately after the 1994 law was enacted, the gun industry moved quickly to make slight, cosmetic design changes in their “post-ban” guns to evade the law, a tactic the industry dubbed “sporterization.” Of the nine assault weapon brand/types listed by manufacturer in the law,⁵ six of the brand/types have been re-marketed in new,

⁴ *Cop Killers: Assault Weapon Attacks on America’s Police*, Violence Policy Center, September 1995.

⁵ The law states, “The term ‘semiautomatic assault weapon’ means—(A) any of the firearms, or copies or duplicates of the firearms in any caliber, known as—(i) Norinco, Mitchell, and Poly Technologies Avtomat Kalashnikovs (all models); (ii) Action Arms Israeli Military Industries UZI and Galil; (iii) Beretta Ar70 (SC-70); (iv) Colt AR-15; (v) Fabrique National FN/FAL, FN/LAR, and

“sporterized” configurations.⁶ In fact, gunmakers openly boast of their ability to circumvent the assault weapons ban. Their success is described in an August 2001 *Gun World* magazine article about the new Vepr II assault rifle, a “sporterized” version of the AK-47:

In spite of assault rifle bans, bans on high capacity magazines, the rantings of the anti-gun media and the rifle’s innate political incorrectness, the Kalashnikov [AK-47], in various forms and guises, has flourished. Today there are probably more models, accessories and parts to choose from than ever before.

Equally blunt was an article in the May 2003 issue of *Gun World* reviewing the LE Tactical Carbine, a post-ban, “sporterized” AR-15 clone:

Strange as it seems, despite the hit U.S. citizens took with the passage of the onerous crime bill of 1994 [which contained the federal assault weapons ban], ARs are far from dead. Stunned momentarily, they sprang back with a vengeance and seem better than ever. Purveyors abound producing post-ban ARs for civilians and pre-ban models for government and law enforcement agencies, and new companies are joining the fray.⁷

Just such a post-ban AR, the Bushmaster XM15 M4 A3 assault rifle, was used by the Washington, DC-area snipers to kill 10 and injure three in October 2002. The Bushmaster is the poster child for the industry’s success at evading the ban. The snipers’ Bushmaster is even marketed as a “Post-Ban Carbine.” [Please see page four for catalog copy.]

The industry’s efforts have been aided by the fact that not all assault weapons are covered by the 1994 ban. For example, assault weapons with more conventional designs, such as the Ruger Mini-14, were not covered by the 1994 law — although gun experts define them as assault weapons. Furthermore, any gun that was legally possessed as of the date the 1994 law took effect may still be legally possessed and

FNC; (vi) SWD — 10, M-11/9, and M-12; (vii) Steyr AUG; (viii) INTRATEC TEC-9, TEC-DC9 and TEC-22; and (ix) revolving cylinder shotguns, such as (or similar to) the Street Sweeper and Striker 12....”

⁶ Assault weapons that have not been reintroduced are the Beretta AR70, Street Sweeper and Striker 12 assault shotguns (the latter two guns were re-classified by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) as subject to the strict regulations of the National Firearms Act of 1934), and Steyr AUG, although Steyr has begun marketing a new assault weapon—the Vector—that, like the AUG, is of a bullpup design.

⁷ “Rock River’s LE Tactical Carbine,” *Gun World* (May 2003), p. 50.

Bushmaster XM15 M4 Type 16" Post-Ban Carbine...

M4 Profile Barrel • Mini Y Comp Muzzle Brake • Fixed length BATF Approved Tele-style Stock

A new model from Bushmaster in 2001, this XM15 E2S M4 Type Post-Ban Carbine features a lightweight 14.5" Barrel machined in the distinctive M4 profile with a permanently attached Mini Y Comp muzzle brake. This configuration yields a total barrel length of 16" to comply with Post-Ban regulations. A BATF approved fixed tele-style buttstock is added to complete the military look of this new carbine. The 14.5" barrel is chrome lined in both bore and chamber for maximum longevity and ease of maintenance. The barrel's button rifling, in a 1 x 9" right hand twist, will stabilize a wide range of currently available ammunition with bullet weights up to 69 grains. The M16A2 dual aperture, rear sight system offers both windage and elevation adjustments - elevation is calibrated from 300 to 800 meters. The two different apertures give either a short range, quick target acquisition sight picture or a smaller "peep" aperture for long distance accuracy. The tele-stock style buttstock is pinned and fixed in an "open" position and has been BATF approved for use on Post-Ban manufactured carbines.

As with all other Bushmasters, the forged 7075T6 aircraft quality aluminum receivers are finished in a non-reflective mil. spec. hard anodize for durability, and include all M16A2 design improvements such as cartridge case deflector, last round bolt hold-open and raised ridges for magazine release button protection. A mil. spec. manganese phosphate coating insures complete protection against corrosion or rust on barrel and other exposed steel parts. The M4-16" Carbine is shipped in a lockable, hard plastic case - complete with 10 round magazine, carrying sling, and Operator's Safety and Instruction Manual.

**BATF Approved,
Fixed Position,
Tele-Style
Buttstock**



**M4
Profile
Chrome
Lined Barrel
& Mini Y Comp
Muzzle Brake**
(permanently pinned
and welded in place)

SPECIFICATIONS: XM15 M4 Type 16" Post-Ban Carbine

Caliber .223 Rem. (5.56 mm)
Mag. Capacity Shipped with 10 round
(accepts all M16 type)
Overall Length 34.875 inches (88.6 cm)
Barrel Length 16" total vs. Mini Y Comp
(40.6 cm)
Rifling R.H. twist; 1 turn in 9"
Weight w/o magazine 6.59 Lbs. (2.99 kg)
Mode of Operation Gas Operated -
Semi-Automatic

**Bushmaster XM15 E2S
M4 Type 16" Post-Ban Carbine**
(Model Number PCWA2X 14M4MY)
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**Shipped with 10 Round Magazine,
Sling and Operator's Manual in
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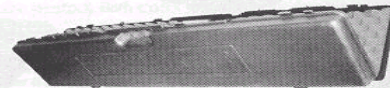
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The Bushmaster XM15 used by the Washington, DC-area snipers to kill 10 and wound three in October 2002 is the poster child for the gun industry's cynical efforts to circumvent the federal assault weapons ban. Maine-based Bushmaster even advertises the gun—based on the banned Colt AR-15 assault rifle—as a "Post-Ban Carbine."

transferred without restriction. With respect to high-capacity ammunition magazines, manufacturers stockpiled thousands, or perhaps hundreds of thousands, of magazines before the ban took effect. Those magazines—some of which can hold up to 75 rounds of ammunition—are still widely available.

Still a Threat to Police—One in Five Law Enforcement Officers Slain in the Line of Duty is Killed With an Assault Weapon

The gun industry's evasion of the 1994 ban on assault weapons and high-capacity ammunition magazines continues to put law enforcement officers at extreme risk. Using data obtained from the Federal Bureau of Investigation, the Violence Policy Center has determined that ***at least 41 of the 211 law enforcement officers slain in the line of duty between January 1, 1998, and December 31, 2001, were killed with assault weapons.***⁸ ***Using these figures, one in five law enforcement officers slain in the line of duty was killed with an assault weapon.***

While no comprehensive information is yet available for the years 2002 and 2003, it is clear that law enforcement personnel continue to be killed by assault weapons. For example, on February 20, 2003, in Alexandria, Louisiana, two police officers were killed in an ambush with an AK-47-type assault rifle. Anthony Molette, age 25, had a long criminal history, including a charge of attempted first-degree murder. The day before the murders, Molette opened fire on an officer in his patrol car. The officer was not hurt, but 18 to 20 rounds were fired into the vehicle. Molette bragged to his friends about the shooting, prompting Alexandria police to search for him. When officers arrived at Molette's residence to serve a warrant, Molette opened fire, fatally wounding Officers Charles Ezernack, age 26, and Jeremy "Jay" Carruth, age 29. Molette was shot and killed as he charged two other police officers.⁹

The fact that from 1998 through 2001 one in five law enforcement officers slain in the line of duty was killed with an assault weapon indicates that the ban in its current form is inadequate to protect police and the public from the hazards presented by assault weapons.

⁸ The Federal Bureau of Investigation data does not identify the firearm used in some instances, in those cases the type of firearm is listed as "unknown." Therefore, the number of law enforcement officers killed with assault weapons may actually be higher. (This figure does not include the 72 law enforcement deaths that resulted from the events of September 11, 2001. The foreword of the FBI's *Law Enforcement Officers Killed and Assaulted, 2001* states, "Because a catastrophe such as the September 11 attacks falls far outside the normal course of police experience, the FBI has not included those fatalities in the 2001 rate, trend, or disposition tables for to do so would skew the data and render analyses meaningless.") The year 2001 is the most recent year for which complete information is available from the FBI.

⁹ "Police Killings Baffling," *State-Times/Morning Advocate*, February 22, 2003.

According to the Urban Institute's 1997 study of the effects of the 1994 ban,¹⁰ "the relatively high use of assault weapons in murders of police suggests that police gun murders should be more sensitive to the effects of the ban than gun murders of civilians." The stark reality that murders of law enforcement personnel committed with assault weapons have not abated demonstrates the need to not only renew, but significantly strengthen, the current ban.

¹⁰ Roth and Koper, *Impact Evaluation of the Public Safety and Recreational Firearms Use Protection Act of 1994 Final Report*, Urban Institute, March 13, 1997.

Section Two: Law Enforcement Officers Killed in the Line of Duty by Assault Weapons, 1998 Through 2001

Year	State	Manufacturer	Model	Caliber
1998	Alaska	Colt	AR-15	7.62mm
	Georgia	Iver Johnson	M1 Carbine	.30
	Oregon	Norinco	SKS ¹¹	7.62mm
	New York	Unknown	MAC-11	9mm
	California	Armalite	M151A	.223
	Mississippi	Colt	AR-15	.223
	Mississippi	Colt	AR-15	.223
	Michigan	DPMS, Inc.	AR-15	.223
	Florida	Unknown	SKS	7.62mm
	Colorado	Unknown	SKS	7.62mm
	Texas	Unknown	AR-15	.223
	Texas	Unknown	AR-15	.223
	Missouri	Unknown	MAK 90	7.62mm
	California	Ruger	Mini-14	.223
	Indiana	Norinco	SKS	7.62mm
1999	California	Ferunion/Hungarian Arms	SA85	7.62mm
	Indiana	Norinco	SKS	7.62mm

¹¹ The SKS is not banned by name under the 1994 federal assault weapons ban. Only SKS rifles that were modified to be defined as an assault weapon under Section (B) of the law were affected by the ban. Section (B) defines a "semiautomatic assault weapon" as "a semiautomatic rifle that has an ability to accept a detachable ammunition magazine and has at least 2 of—(i) a folding or telescoping stock; (ii) a pistol grip that protrudes conspicuously beneath the action of the weapon; (iii) a bayonet mount; (iv) a flash suppressor or threaded barrel designed to accommodate a flash suppressor; and (v) a grenade launcher...." Legislation to be introduced this Congress would explicitly ban any SKS able to accept a detachable ammunition magazine. Unless otherwise stated, the exact configuration of SKS weapons used in police shootings cited in this study cannot be determined.

Year	State	Manufacturer	Model	Caliber
	New Jersey	Intratec	TEC-9	9mm
	Arizona	Unknown	AK-47	7.62mm
	California	Norinco	MAK 90	7.62mm
	Oklahoma	Colt	AR-15 H-BAR	.223
	Texas	Norinco	MAK 90 Sporter	7.62mm
	Texas	Norinco	MAK 90	7.62mm
	Texas	Norinco	MAK 90	7.62mm
	Texas	Norinco	MAK 90	7.62mm
2000	North Carolina	Maadi	ARM	7.62mm
	Georgia	Ruger	AR-15 ¹²	.223
	California	Colt	CAR-15	.223
	Texas	Ruger	Mini-14	.223
	Georgia	Intratec	TEC-9	9mm
	Maryland	Unknown	M1 Carbine	.30
2001	California	Unknown	AR-15	.223
	Florida	SWD, Inc.	M-11	9mm
	Indiana	Unknown	AK-47	7.62mm
	Kentucky	Underwood	M1 Carbine	.30
	Kentucky	Underwood	M1 Carbine	.30
	Michigan	Unknown	SKS	7.62mm
	Tennessee	Maadi	MAK 90	7.62mm
	Texas	Unknown	M-11	9mm
	Texas	Norinco	SKS	7.62mm
	Utah	Norinco	SKS	7.62mm

¹² Inconsistency between manufacturer and weapon type from FBI data.

**Section Three: Selected Incidents of Law Enforcement Officers
Killed in the Line of Duty by Assault Weapons,¹³
1998 Through 2001**

¹³ Each weapon shown is representative of the brand or model of assault weapon and is not a picture of the specific weapon used in the shooting described in the narrative.

Date: January 27, 1998
Location: Portland, Oregon
Assault Weapon: Norinco SKS 7.62mm rifle

On January 27, 1998, one police officer was killed and two were wounded with a Norinco SKS 7.62mm rifle. The officers, working on a drug investigation in Portland, entered the home of Steven Douglas Dons and were met with gunfire. Colleen Waibel, a six-year veteran, was hit with multiple gunshots, becoming the first female officer killed in the line of duty in Portland. Kim Keist, a 15-year veteran, was wounded in the chest and arm despite wearing a bullet-proof vest. A third officer was treated for a gunshot wound to the hand. A neighbor reported that Dons was known to have a large arsenal of weapons and that police had been called to the house weeks before on a complaint of weapons being fired. Dons committed suicide while awaiting trial.

Lauren Dodge, "Three Portland Officers Ambushed at House; One Dead, Two Wounded," *Associated Press*, January 28, 1998; "Victim, Husband Have Mixed Feelings Over Apparent Suicide of Suspect," *The Columbian*, February 26, 1998.

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Date: April 25, 1998
Location: Millbrae, California
Assault Weapon: Armalite M151A .223 rifle

On April 25, 1998, one police officer was killed with an Armalite M151A .223 rifle. Officer David Chetcuti responded to another officer's call for help in a traffic stop on the Millbrae Avenue off-ramp of U.S. 101. Officer Seann Graham had pulled over Marvin Patrick Sullivan for not having a current registration sticker for his vehicle. Sullivan, who was heavily armed and had bombs strapped to his body, opened fire, wounding Officer Chetcuti. Chetcuti returned fire hitting the suspect once in the side before being killed by two shots to the head from close range. Several of the bullets penetrated Chetcuti's bullet-proof vest, and more than 40 bullet casings were recovered at the scene. Officer Graham escaped harm by diving into a drainage ditch. Sullivan was arrested after leading several police cars in a chase across the San Mateo Bridge. Sullivan has been repeatedly declared incompetent to stand trial, and sent to a California state mental hospital.

Tyche Hendricks and Jim Herron Zamora, "Cop Killing: No Fremont Tie," *San Francisco Examiner*, April 27, 1998; "Judge: Man isn't competent; Defendant Sent Back to Hospital in Millbrae Cop Slaying Case," *San Jose Mercury News*, July 23, 2002.



Date: May 29, 1998
Location: Cortez, Colorado
Assault Weapon: SKS 7.62mm rifle

On May 29, 1998, one police officer was killed and two were wounded with an SKS 7.62mm rifle. Officer Dale Claxton stopped a truck that had been reported stolen the day before. As Officer Claxton was checking the stolen truck's license plate, a passenger in the truck fired approximately 40 rounds through the front of Claxton's police cruiser. Montezuma County Sheriff's Deputy Jason Bishop responded to the radio call of an officer being shot, and was wounded as his cruiser was hit with approximately 40 more rounds from the SKS. Minutes later, Deputy Todd Martin was wounded in the left arm and right leg. The three suspects, described by authorities as "anti-government, end-of-the-world-fearing survivalists," escaped into Colorado. Two of the suspects were later found dead, while the third, Jason Wayne McVean, is still at large.

Greg Burton, "Posse Scours Badlands for 3 Cop Killers," *Salt Lake Tribune*, May 31, 1998; Julie Cart, "Answers Vanished Along With Four Corners Outlaw," *Los Angeles Times*, November 24, 1999.



Date: July 7, 1998
Location: San Benito, Texas
Assault Weapon: AR-15 .223 rifle

On July 7, 1998, two U.S. Border Patrol agents were killed with an AR-15 .223 rifle. Ernie Moore, reportedly enraged over a broken love affair, shot and wounded Dan Morin, who had been dating Moore's former girlfriend, and killed Morin's mother and sister. Two hours later, a shootout ensued between Moore and police officers resulting in the death of two Border Patrol agents before Moore was fatally wounded. In addition to a cocaine habit, Moore had a history of emotional problems and displayed Nazi posters and photos of Adolf Hitler in his bedroom.

James Pinkerton, "Two Border Patrol Agents Are Slain During Rampage," *Houston Chronicle*, July 8, 1998; "Assault Rifle Costs Border Town \$35M," *National Law Journal*, March 4, 2002.



Date: November 29, 1998
Location: Los Angeles, California
Assault Weapon: Ruger Mini-14 .223 rifle

On November 29, 1998, Los Angeles Police Department training officer Brian Brown was killed with a Ruger Mini-14 .223 rifle. Brown and his partner witnessed a drive-by shooting in Culver City and attempted to stop the suspects. The gunmen fired multiple rounds from the Mini-14, killing Officer Brown. Police shot and killed one of the suspects near the scene while the other managed to commandeer a taxi, leading police on a five-mile chase before also being fatally wounded.

Anthony Breznican, "Three Dead, Including Police Officer, During Violent Arrest for Drive-By Shooting," *Los Angeles Times*, December 1, 1998.



Date: January 10, 1999
Location: Oakland, California
Assault Weapon: MAK-90 or SA85 7.62mm rifle

On January 10, 1999, Officer James Williams was killed with a MAK-90 or SA85 7.62mm rifle. Officer Williams was among a group of officers who were searching for a rifle that had been discarded by the occupants of a vehicle that was involved in a chase with police. While they were searching for the rifle, a gunman opened fire from a nearby overpass, killing Officer Williams. Chad Rhodes was arrested and charged with special-circumstances murder, attempted murder, three counts of firing an assault weapon, and possessing an assault weapon. Rhodes pleaded guilty to second-degree murder and was sentenced to life in prison without parole.

Henry K. Lee, "Arrest in Oakland Sniper Slaying," *San Francisco Chronicle*, January 12, 1999; Henry K. Lee, "Sniper Suspect Enters Plea of Not Guilty," *San Francisco Chronicle*, February 6, 1999; "Man Pleads Guilty in Killing of Oakland Cop," *San Francisco Chronicle*, April 9, 2003.



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Date: April 8, 1999
Location: Orange, New Jersey
Assault Weapon: TEC-9 9mm pistol

On April 8, 1999, Officer Joyce Carnegie was killed with a TEC-9 9mm pistol. Condell Woodson pleaded guilty to felony murder in the death of Officer Carnegie. Woodson claimed that his gun accidentally went off, shooting Carnegie in the head and abdomen as she was attempting to arrest Woodson for armed robbery. Woodson also pleaded guilty to robbery and weapons offenses. Carnegie was the second policewoman killed in the line of duty in New Jersey history.

Amy Westfeldt, "Man Pleads Guilty to Policewoman's Murder," *Associated Press*, May 13, 1999.



Date: June 12, 1999
Location: Orange County, California
Assault Weapon: MAK-90 or SA85 7.62mm rifle

On June 12, 1999, Sheriff's Deputy Brad Riches was killed with a MAK-90 or SA85 7.62mm rifle. Deputy Riches was sitting in his patrol car outside a 7-Eleven when his police cruiser was riddled with assault weapon fire. The 7-Eleven clerk said that a customer told him he was carrying an AK-47-style assault rifle to shoot a police officer. Maurice Steksal was convicted on November 19, 2002 of the first-degree murder of Deputy Riches.

Jack Leonard, "Thousands Pay Last Respects to Slain Deputy," *Los Angeles Times*, June 17, 1999;
Greg Hardesty, "Laborer Guilty of Deputy's Murder," *Orange County Register*, November 20, 2002.



Date: January 27, 2000
Location: Lexington, North Carolina
Assault Weapon: Maadi 7.62mm rifle

On January 27, 2000, Sheriff's Deputy Todd Cook was killed with a Maadi 7.62mm rifle. Deputy Cook was serving a warrant at the home of Christopher Lee Cooper who had been accused of trespassing and was also wanted by Lexington police for questioning about a statutory rape. Deputy Cook was shot at least five times from behind. After the shooting, Cooper led police on a car chase that ended when he crashed through a roadblock. Officers found Cooper dead in the car from a self-inflicted gunshot wound.

"Piedmont Community Mourns Loss of Slain Deputy," *Associated Press*, January 29, 2000.



Date: August 3, 2000
Location: San Marcos, Texas
Assault Weapon: Ruger Mini-14 .223 rifle

On August 3, 2000, State Trooper Randall Vetter was killed with a Ruger Mini-14 .223 rifle. Trooper Vetter stopped 72-year-old Melvin Hale for not wearing his seat belt. Hale got out of his car and aimed his rifle at Vetter because he believed the traffic stop violated his constitutional rights. Vetter raised his pistol and ordered him to put down his gun. Hale fired at least twice, hitting Vetter in the head as he sat in his patrol car. Six months earlier, another San Marcos trooper had written a letter warning Hays County law enforcement officers to exercise caution around Hale. The trooper said Hale had threatened him with a rifle when he stopped at Hale's ranch to ask about deer hunting on the 125-acre property. Hale pleaded guilty to the shooting and was sentenced to life in prison.

Jason Spencer, "A Somber Salute for a Fallen Officer," *Austin American-Statesman*, August 9, 2000; "Trooper's Shooter Gets Life Sentence; 74-year-old Accepted Surprise Plea Agreement as Jury Selection Began," *Austin American-Statesman*, January 24, 2002.



Date: March 29, 2001
Location: San Antonio, Texas
Assault Weapon: M-11 assault pistol

On March 29, 2001, San Antonio Police Officer Hector Garza, age 48, was shot and killed while responding to a domestic disturbance report. Jessica Garcia, age 21, had called police to ask for an officer's protection while she moved out of her home. When Garcia's husband, Frank, learned of her plans, he drove home and killed both Jessica and Officer Garza—a 25-year police veteran—by shooting them both in the head with an M-11 assault pistol. Frank Garcia, 28, was arrested at the scene and charged with two counts of capital murder and three counts of attempted murder. Garcia was convicted of the murders in February 2002.

Bill Hendricks, "Cop's Slaying Stuns City," *San Antonio Express-News*, March 30, 2001; "Garcia Gets Death Penalty; Cop Killer Sentenced," *San Antonio Express-News*, February 12, 2002.



Date: April 4, 2001

Location: Detroit, Michigan

Assault Weapon: SKS assault rifle

On April 4, 2001, Detroit Police Officer Neil Wells, age 41, was fatally shot during a drug raid at an abandoned apartment house. While on patrol, Wells and his partner received a complaint of drug sales at the building. When the officers arrived, the gunman was waiting in ambush behind a door. Wells was shot twice at close range with an SKS assault rifle. Lamont Smith, age 21, was charged with murder and felony firearm violations. Smith was convicted of second degree murder and sentenced to 60 to 90 years in prison.

Norman Sinclair, "Gun Owner Sought in Cop's Killing," *The Detroit News*, April 8, 2001; "Man Given 60-90 Years in Cop Killing," *Detroit Free Press*, January 16, 2002.



Date: September 6, 2001

Location: Hamilton County, Tennessee

Assault Weapon: MAK 90 assault rifle

On September 6, 2001, Hamilton County Sheriff's Deputy Donald Bond, age 35, was shot and killed when he stopped at a fruit and vegetable stand to check on a suspicious vehicle. When Deputy Bond did not respond to a 2:18 AM call from his dispatcher, an alert was sent out to locate him. A fellow deputy found Bond dead beside his patrol car, shot multiple times with an MAK 90 assault rifle. Later that morning, acting on a tip, a SWAT team evacuated the suspect's street and waited for a chance to make an arrest. After observing Marlon Duane Kiser, age 31, throw out a front panel of body armor and Deputy Bond's service weapon, police arrested Kiser and charged him with first-degree murder. Kiser is awaiting trial in the case.

Mike O'Neal and Gary Tanner, "Suspect Held in Deputy's Death," *Chattanooga Times Free Press*, September 7, 2001; "Law Enforcement Officers Killed and Assaulted, 2001," Federal Bureau of Investigation; "Courts News Digest," *Chattanooga Times Free Press*, February 18, 2003.



Date: September 17, 2001

Location: Indianapolis, Indiana

Assault Weapon: AK-47 assault rifle

On September 17, 2001, Marion County Sheriff's Deputy Jason Baker, age 24, was killed during a car chase and gun battle. On his way to a report of a domestic dispute, Deputy Baker tried to make a traffic stop. The driver refused to stop and a chase ensued. Allen Dumperth, a convicted felon, and Michael Shannon, both age 20, fired at Baker from their fleeing car. When Baker's fellow officers found him, he was dead from a gunshot wound to the head. The front and rear windows of his patrol car were shot out. After crashing his car, Dumperth was shot and killed by members of the police SWAT team. Shannon later pleaded guilty in court to shooting Deputy Baker.

Vic Ryckaert, "Role in Deputy Death Brings 40 Years; 21-Year-Old Bought the Assault Rifles Used by 2 Men Accused in Slaying of Jason Baker," *Indianapolis Star*, April 11, 2002.



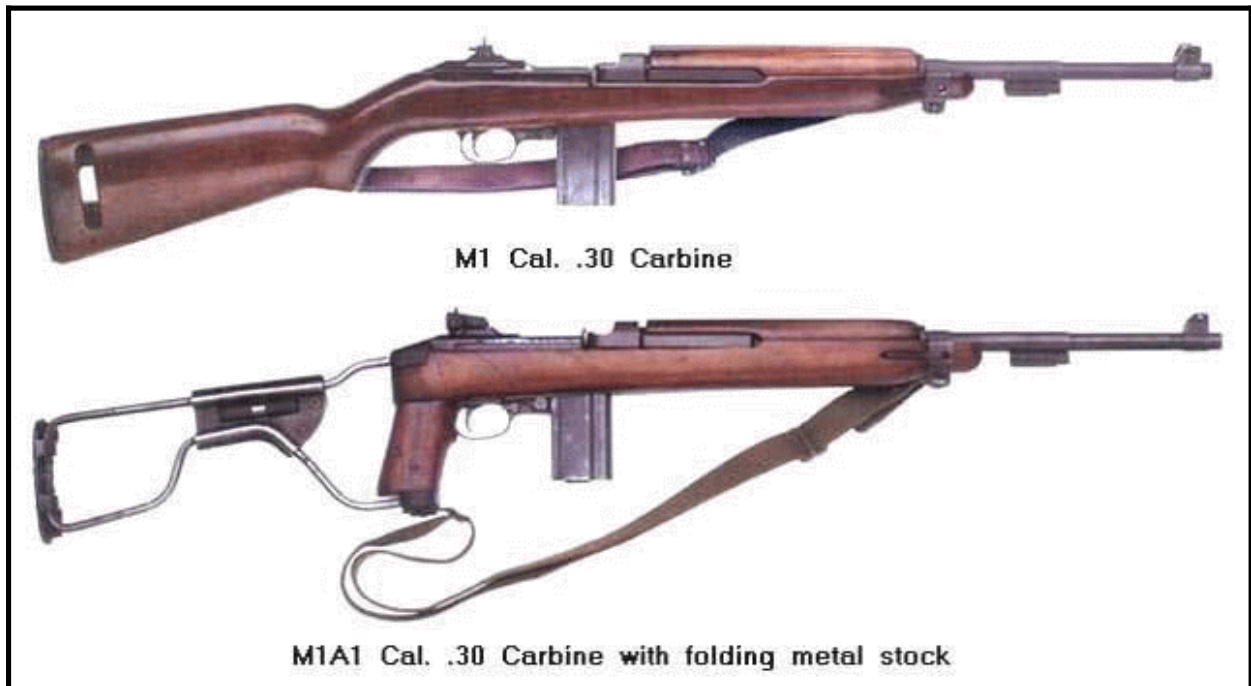
Date: November 13, 2001

Location: Nicholasville, Kentucky

Assault Weapon: M1 Carbine

Jessamine County Sheriff's Deputies Billy Ray Walls, age 28, and Chuck Morgan, age 51, were shot and killed, and another deputy was wounded, when they tried to serve a warrant for misdemeanor terroristic-threatening to Phillip Walker, age 75, on his drydocked houseboat. Walker had threatened to kill a family member with a gun. While in the houseboat with the deputies, Walker fired 11 shots from a 30-caliber M1 Carbine, killing Deputy Walls and fatally injuring Deputy Morgan. Walker was killed in the gun battle.

Greg Kocher, "Man Who Killed Deputy Fired 11 Times Police Say," *Lexington Herald Leader*, November 15, 2001.



About the Violence Policy Center

The Violence Policy Center (VPC) is a national nonprofit educational organization working to reduce death and injury from firearms. As America's premier think tank on gun policy, the VPC studies current firearms issues and provides information to policymakers, journalists, public health professionals, and grassroots activists.

The virtually unrestricted distribution of firearms is more than a crime problem, it is a national health crisis. Unlike every other consumer product, firearms are exempt from federal health and safety laws. Guns—especially handguns and assault weapons—are inherently dangerous products, and the failure to regulate them like all other products costs thousands of lives and billions of dollars every year. By conducting research on key issues in firearms policy, the VPC counters the gun lobby's distortions and brings hard facts to the debate over firearms death and injury.



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