

TESTIMONY PREPARED FOR GOVERNOR JIM FLORIO  
ON THE NEED FOR A NATIONAL ASSAULT WEAPONS BAN  
SENATE JUDICIARY COMMITTEE  
TUESDAY, AUGUST 3, 1993

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Good morning, Mr. Chairman, distinguished members of the committee, ladies and gentlemen. Thank you for asking me to come here to speak about what I believe is the urgent need for a national ban against assault weapons.

There are some weapons that are so dangerous that society has a right -- and an obligation -- to take them out of circulation.

Assault weapons are not sporting weapons -- unless you consider murder a sport. They are military weapons of war designed for one purpose only -- to kill the most people in the shortest time.

It is indeed ironic that, as we sent troops to Somalia to take these weapons out of the hands of people there, they are increasingly being used by people here. Assault weapons are fast becoming the guns of choice for terrorists, drug dealers, mass murderers, street gangs, hate groups and cults.

In 1990, my state, New Jersey, banned assault weapons. The very day the law took effect a New Jersey mother and her two children were taken hostage by a man with an assault rifle.

The man shot the 20-year-old daughter 14 times. He shot and killed the mother. He forced the 9-year-old son to stand in the window with a toy gun to draw police fire while his mother lay dying.

As I said, this tragedy took place in New Jersey.

But the killer was from Connecticut.

And the assault rifle he used was purchased in Florida.

Mr. Chairman, that is why we need a national ban against these killing machines.

New Jersey has the toughest assault weapons law in the country. We fought hard to pass that law and to keep it on the books when the NRA tried to repeal it.

But no individual state's law, no matter how strong, can stop the deadly flow of assault weapons across state lines.

As you pursue this legislation, I can tell you from experience that you will get a lot of heat from some very powerful special interests.

For three years the NRA in New Jersey has used money, political intimidation and high-priced lobbying to try to get rid of our law.

They said that if they could turn things around in New Jersey, no other state would even dare to ban assault weapons.

But other states ARE acting. In the three years since New Jersey passed its law, more than 30 cities, states and counties all across the nation have followed. Most recently, the state of Connecticut, the city of Philadelphia and the Assembly of the state of New York.

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They acted because people are fed up with special interests standing in the way of safety and sanity. People are standing up, not only against gun violence, but also against those who would oppose even the most undeniably reasonable efforts to stem that violence.

Last winter, when it looked as though the NRA might succeed in repealing our law in New Jersey, people raised their voices in outrage. One state senator's answering machine burned out from overload -- in one day. The Senate President couldn't reach his own office by phone because the lines were jammed by people urging him to let the law stand.

As evidence of a turning tide against gun violence, an analyst from the American Enterprise Institute put it best when he said: "What those senators in New Jersey were saying is that I'm not going to vote against gun control and then go before the voters -- if I did, I'd be an ex-politician."

In the more than four years since the first national assault weapons ban was introduced in Congress after the schoolyard massacre in Stockton, California, we've seen too many killings.

- \* Ten people killed, four wounded at an office in Jacksonville, Florida.
- \* Four killed by a former postal worker in Ridgewood, New Jersey.
- \* Twenty gunned down at a lunch counter in Killeen, Texas.
- \* Two killed, three wounded outside CIA headquarters in Virginia.
- \* Four ATF agents killed and 16 wounded in Waco.
- \* Eight killed, six wounded in a San Francisco office with two TEC9s that were legal where purchased but cannot be bought in New Jersey.

I've talked to doctors and nurses who struggle to piece people back together after they've been shot with assault weapons.

I've listened to police officers tell me their worst fear is to be staring some night down the wrong end of an Uzi.

I've stood with the mother of a 15-year-old girl from East Orange, New Jersey, an honors student, murdered with a TEC-22.

I believe we did the right thing in New Jersey. I'm gratified that, even as some still try to weaken our law, you are looking to us for ways to protect people all over the nation.

A few months ago, I met the husband of the woman who was killed in the terrible crime I mentioned a few moments ago. He momentarily put his grief aside to tell me there should be a national ban on assault weapons. He said, and I quote, "These weapons should not be in the hands of everyday people."

For his family and families all across this nation, I join him in asking you to get these battlefield weapons out of our neighborhoods. Ban assault weapons and you will get rid of weapons 10 times more likely to be used in crimes than other guns. You will save the lives of people whose names you will never know. Thank you.

CRIME - N.J.

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## **Governor Jim Florio: "Fighting For The Safety Of Our Streets"**

There are few experiences that destroy our worlds more than when our sisters are raped, or when our children are shot in the crossfire of the streets, or when our parents are mugged. Violent crime is not a stereotype; it puts fear in our hearts and makes us all victims. There are ways, however, to combat crime effectively and efficiently. Jim Florio's approach to crime is this: **tough measures to deter crime, tough measures to help victims, and tough measures to punish and incapacitate criminals.** Jim Florio made a commitment to the citizens of New Jersey that he would fight to make the streets safer. Jim Florio received the prestigious John F. Kennedy *Profile in Courage Award* in 1993 for keeping that commitment. Our Governor's actions prove that there is no shame in leading with principles, and that our desire for public safety is stronger than the gun lobby's expectation that money will buy political favors.

- **Jim Florio signed the toughest assault weapon ban in the nation on May 30, 1990. The ban outlaws the sale and restricts the possession of over 50 types of deadly assault weapons. Despite various attempts by the Republican Legislature and the NRA to eliminate the ban, Jim Florio refused to give in. While the Governor respects the right of legitimate sportsmen and women to collect and use guns for recreation and hunting, assault weapons such as the AK-47 are designed for no other purpose but to kill as many people in the shortest possible period of time. The ban has already removed thousands of these killing weapons from our streets, saving countless numbers of lives. [Attorney General's Annual Report Concerning Assault Firearms, 1/19/93] In order to prevent an increase in the number of victims among law enforcement officials, innocent bystanders, and our children, Jim Florio took a strong stand and did not budge.**

During the Florio administration, New Jersey became a safer environment for our families and neighbors:

- **In 1992, New Jersey's crime rate fell to its lowest point in seven years. Since 1990, murders have dropped 8.1%; robberies have fallen 4.5% after rising from 1988-1990. Aggravated assaults have dropped 1.8% since 1990 after rising for seven years in a row, and car thefts have decreased a substantial 12.5%. [Uniform Crime Report 1992]**
- **Drug use among teenagers has dropped under the Florio Administration. Fewer New Jersey teenagers used marijuana and cocaine in 1992 than in 1989, and alcohol use has decreased 4.5%. ["Fewer N.J. students using drugs, alcohol," Bergen Record, 5/28/93] The Governor's Drug Abuse Resistance Education (D.A.R.E.) program has**

**seen a tremendous increase in enrollment: over 748 law enforcement officers have been teaching approximately 500,000 fifth and sixth graders about resisting drugs and alcohol. [NJ status report on the national education goals] According to Detective Michael Woods of the Moonachie Police Department, "It's working!" ["Fewer N.J. students using drugs, alcohol," Bergen Record, 5/28/93]**

*But as Governor Florio has said, "crime is more than statistics. It is . . . trauma that changes people's lives and has changed the way we see ourselves. We can't truly judge how best to keep our streets and neighborhoods safe if we forget the real costs of crime, in real terms, told in the real voices of victims."* ["The Human Face: Victims can now address parole board," Star Ledger, 7/24/92]

- **That is why Jim Florio strongly supported and helped put into place the Crime Victims Rights Amendment, a constitutional amendment that finally recognizes and upholds the rights of victims. [NJ Constitution]**
- **That is why Jim Florio signed the law that, for the first time, allows crime victims and their families to testify at parole board hearings and describe not only their anguish, but the danger in freeing the assailants. ["The Human Face: Victims can now address parole board," Star Ledger, 7/24/92]**
- **And that is why Jim Florio signed a tough law that requires most criminals to compensate their victims and increases the minimum assessment criminals must pay to the State Violent Crimes Compensation Board.**

Jim Florio has enacted tough measures to help those victimized by crime.

- **That is why Jim Florio has granted just 1 pardon, the official forgiveness of a crime, and 2 commutations, the shortening of sentences; they were given to individuals with terminal illnesses. In sharp contrast, the previous administration pardoned or commuted the sentences of 120 inmates, including 15 murderers. Several of these criminals committed crimes again upon release, including murder. Jim Florio also signed the law which mandates public disclosure by Governors of the reasons for the pardons and commutations they grant. Previously, this use of power was cloaked in secrecy. ["Many convicted criminals found a friend in Tom Kean," Atlantic City Press, 4/5/92; "Florio issues 1st clemency report, no pardons given," Atlantic City Press, 3/3/93]**
- **That is why Jim Florio signed the nation's toughest domestic violence law, requiring police to press charges if they see signs of abuse. ["Domestic violence law sends sober message," Star Ledger 11/8/92]**
- **That is why Jim Florio will break ground for the largest State Prison ever built in New Jersey, a 3,000 bed medium-security prison in Bridgeton. ["Governor Announces Bridgeton as Site for New Prison," Press**

Release, 2/5/93] The Governor has already added over 2,500 prison beds during three years of his administration. [State beds added prior to 9/1/92]

- That is why Jim Florio has signed tough car-jacking measures.
- That is why Jim Florio has taken weekend furloughs away from violent criminals.
- And that is why Jim Florio supported and helped put into place a constitutional amendment strengthening the death penalty. *Now*, prosecutors can seek the death penalty for convicted murderers who inflict fatal injuries upon their victims, regardless of whether the murderers intended to kill. *Now*, prosecutors can seek the death penalty for drug kingpins who order killings even if they do not pay for the murders. Governor Florio supports a death penalty that is applied fairly, without racial bias; the fairest way to apply the death penalty is to remove the murderers from our streets. As the Governor has said, *"deadly crimes . . . will carry the strongest penalty."* ["Florio enacts death penalty tightener at memorial for slain officers," Star Ledger 5/13/92]

### Strengthening the Thin Blue Line...

When our police are stronger, our communities are stronger:

- In January 1993, for the first time in four years, New Jersey graduated a new class of State Troopers -- the "Fighting 113th" -- containing 93 graduates. Jim Florio made this graduation possible by using drug forfeiture money to train these law enforcement officers. Two more classes, the 114th and 115th, will each graduate approximately 100 State troopers in March 1994 and July 1994 respectively.
- That is Jim Florio approved the placing of 1,000 new police officers in high crime areas across the state, to prevent crime from happening and put the offenders behind bars when crime does occur. ["Anti-crime bills advance," Bergen Record, 6/93]
- Cities have already received a total of \$4.6 million in federal aid for the creation of Police Community Partnership Programs, also known as "community policing." The money transforms worn-down, dilapidated buildings used by drug pushers into community/recreation centers, and puts more cops on the beat in our neighborhoods. Said Brother David Russo of St. Anthony's Church in Union City, *"I prayed for God to send help to this neighborhood and he has."* ["Druglord death penalty law keys bid to take back towns," Star Ledger, 1/27/93]

## **Stamping Out Hate Crimes in Our Communities**

The existence of crimes perpetrated against victims simply because of their race or religion prompted the creation of, in January 1992, the first-ever Office of Bias Crime and Community Relations in the Attorney General's office. *"Hate crime is a crime that strikes at the soul,"* spoke Paul G. Goldenberg, chief of the newly created Office. ["Florio due in South River to sign a bias-crime bill," News Tribune, 6/9/93] Governor Florio has responded:

- **Jim Florio signed a law that gives some hope and dignity back to the victims of hate crimes by allowing them to sue their attackers for civil damages. While this law clearly serves to compensate victims, it also sends a tough message to perpetrators of hate: you'll pay the price in terms of both time and money.**

From passing an anti-stalking law with tough penalties to hunting down "dead beat dads," Governor Florio has acted where others have only put out plans. **And Jim Florio will continue to fight for the safety of all New Jersey citizens and neighborhoods:**

**Expanding Community Policing to More Neighborhoods** - There are few things more precious to New Jerseyans than the ability to feel safe and secure in their own homes and neighborhoods. There are signs that our "community policing" initiatives are helping to restore that security, putting more cops on the beat and insuring that playgrounds and local parks are safe so our children can once again enjoy them. And while this pilot program has been extremely successful, Jim Florio is committed to expanding it to more cities and towns, providing a greater police presence, more full-time neighborhood mini-precincts and substations, and more community programs for our children. Working with the Legislature and the federal government, "community policing" will continue to be a high priority in a second term.

**Fighting for the Rights of the Individual** - In today's advanced-technology world, our personal records are not-so-personal. If you use a credit card or an automated teller, make a telephone call, or go to the hospital, that data is not only on record, but is available to be shared to thousands of individuals and companies throughout the nation. In some cases, the result is an endless stream of junk mail that we receive in our homes asking us to buy insurance, order from a catalog, or expand your line of credit. Or you may get an annoying "computer phone call." In other cases, the result may not be quite as innocent: companies may be reviewing your credit reports without your knowledge. Other firms, like insurance companies, may be combing through your medical records without your knowledge. There are limits to what these firms should be able to know without our permission.

It is no longer enough for us to be physically safe from harm. By reviewing our personal records, whether accurate or inaccurate, firms that we don't even know about can hold our entire financial future in the balance. Enough is enough. **Jim Florio will ask the Attorney General to work with the Division of Consumer Affairs, other relevant state agencies and the Legislature to**

**craft a bill to limit the ability of companies to probe our personal records without our consent.**

**If You Do the Crime...You'll Do the Prison Time** - This Fall, Jim Florio will break ground for a new 3,000-bed state prison in Bridgeton. And while that's a start on insuring that we have adequate prison space, it's still not enough to adequately house those convicted of serious crimes. Jim Florio will work with the Legislature to provide the resources to build more jail cells -- and to keep those convicted of violent crimes behind bars.

**Terrorism Task Force** - The recent tragic events at the World Trade Center, and uncovered plots to destroy other regional landmarks, have once again made us painfully aware of our vulnerability at home to fanatical terrorists. Because of New Jersey's location as a gateway to the world, those inclined to commit acts of terrorism find the metropolitan region as a convenient point of entry. The federal Immigration and Naturalization Service, along with the FBI, often depend on local law enforcement personnel to help them track down suspects in our State. Jim Florio will work with the Attorney General and the Superintendent of the State Police to create a specialized Task Force to ferret out terrorists, and help deport them, if appropriate.

In sharp contrast to Governor Jim Florio's tough stance against criminals, Christine Todd Whitman has been a 20 year member of the National Council on Crime and Delinquency and has even headed its Board of Directors. Some of the Council's well-known policy stances include:

- setting maximum sentences of 12 months for convicted felons.
- eliminating mandatory sentences.
- abolishing life sentences that do not allow parole.
- eliminating the New Jersey law that currently makes probation and parole unavailable to those who sell drugs near schools.

["Whitman belongs to group with controversial views on crime," Courier-News, 1/12/93]

What does Christine Todd Whitman believe? She believes the assault weapon ban is "lousy legislation" that needs to be "cleaned up." What does Christine Todd Whitman want? She wants to dilute the ban, and she wants the NRA to finance her campaign. [Campaign message of the day, July 6, 1993]

**THE CHOICE IS CLEAR:** Jim Florio takes a back seat to no one on crime. He has a proven record of leadership in fighting special interests and criminals, and has been winning the battle. Christine Todd Whitman has