

# Illinois



## Land of Post-Ban Assault Weapons



Violence Policy Center

**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, 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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- *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.

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,<sup>1</sup> six of the brand/types have been re-marketed in new, "sporterized" configurations.<sup>2</sup>

Because of the transient nature of the gun industry and the lack of reliable, comprehensive information on gun manufacture in the United States,<sup>3</sup> it is impossible to offer an exact number as to the number of manufacturers who are currently manufacturing "sporterized" assault weapons as well as the actual number of such guns manufactured. An examination by the Violence Policy Center of manufacturers attending the annual S.H.O.T. (Shooting, Hunting, and Outdoor Trade) Show, the annual trade show for the firearms industry, advertisements by gunmakers in industry trade publications and consumer gun publication, and, manufacturer web sites, reveals however, that Illinois appears to have the largest number of "sporterized" assault weapon manufacturers of any state.

Since 1994, six Illinois gunmakers—Armalite, Inc., D.S. Arms, Inc., Eagle Arms, Les Baer Custom, Inc., Rock River Arms, Inc., and Springfield Armory, Inc.—have

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<sup>1</sup> 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 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...."

<sup>2</sup> 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.

<sup>3</sup> Firearms are virtually the only (the other being tobacco) consumer product not regulated by a federal agency for health and safety in the United States.

manufactured "sporterized" assault rifles, mostly post-ban AR-15s.<sup>4</sup> Today, all, except apparently for Springfield Armory, Inc., manufacture sporterized assault rifles. [Please see Section Two: Profiles of Illinois Assault Weapon Manufacturers for additional information on these gunmakers.]

An article in the May 2003 issue of *Gun World* reviewing Rock River Arms' LE Tactical Carbine, a post-ban, "sporterized" AR-15 clone was blunt in its assessment of gunmakers' ability to circumvent the ban:

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.

Equally boastful was an August 2001 *Gun World* magazine article discussing the 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.

The ability, and willingness, of assault weapon manufacturers to evade the 1994 federal assault weapons law makes clear that any legislation to extend the ban must not only renew it, but strengthen it, so that the industry's success at evading the ban is addressed.

Legislation to address the industry's subversion of the law has been introduced in the 108<sup>th</sup> Congress by Representatives Carolyn McCarthy (D-NY) and John Conyers (D-MI) in the U.S. House of Representatives and Senator Frank Lautenberg (D-NJ) in the U.S. Senate. "The Assault Weapons Ban and Law Enforcement Protection Act of 2003" would:

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<sup>4</sup> Another 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. A poster child for the industry's success at evading the ban, the snipers' Bushmaster is even marketed as a "Post-Ban Carbine."

- **Expand the list of named, banned assault weapons.** The limited list of banned assault weapons contained in the original law is expanded to address new, post-ban weapons marketed by the industry as well as assault weapons not covered by the 1994 law.
- **Improve the definition of “assault weapons” to cover all assault weapons.** The definition is refined to include firearms that accept a detachable ammunition magazine and incorporate *one* other assault weapon characteristic such as a pistol grip or folding stock. Current law requires the presence of two such characteristics before a gun is labeled an “assault weapon.” The narrowness of this definition has resulted in a proliferation of post-ban assault weapons, including legal versions of guns—such as the TEC-9 and AR-15—banned by name by the 1994 law.
- **Revise the list of assault weapon characteristics to delete some extraneous characteristics and better define others.** Some “assault weapons” characteristics used to define such weapons in current law actually have no bearing on whether the firearm functions as an assault weapon. For example, the ability to attach a bayonet to the barrel of a gun has no bearing on whether the firearm functions as an assault weapon. In addition, the term “pistol grip” is clarified to include so-called “thumbhole stocks,” or other design features that perform the same function.
- **The term “firearm” as used in the assault weapons ban is clarified to include the frame or receiver of a prohibited gun.** The “receiver” of any firearm is its major working part. Receivers and frames are defined by the Gun Control Act of 1968 as “firearms.” The Bureau of Alcohol, Tobacco, Firearms and Explosives, however, has adopted a different interpretation of this basic federal gun law in the case of assault weapons, determining that the term “firearm” as applied to assault weapons does not include receivers or frames. This interpretation allows gun dealers and wholesalers to sell new receivers of otherwise banned guns. Furthermore, all of the other parts necessary to make an assault weapon are readily available, often sold as “parts kits.” Compounding this problem is the fact that it is legal for an individual to manufacture a firearm for personal use.
- **Prohibit manufacturers from using pre-ban, high-capacity ammunition magazines in post-ban assault weapons.** Under the 1994 law, no new firearm may be manufactured or sold in the United States with an ammunition magazine that has a capacity greater than 10 rounds. Assault weapon manufacturers are circumventing the law by equipping new guns with “grandfathered” high-capacity magazines of 10 rounds or more.

- **Ban the Importation of high-capacity ammunition magazines.** Currently, ATF regulations allow for the importation of foreign-made high-capacity magazines manufactured prior to the 1994 ban. This not only ensures that there will always be a supply of high-capacity magazines available for sale in the United States, but also dramatically increases the possibility that the manufacture date of new high-capacity magazines can be falsified.

As seen by the product lines of Illinois gunmakers—Armalite, Inc., D.S. Arms, Inc., Eagle Arms, Les Baer Custom, Inc., Rock River Arms, Inc., and Springfield Armory, Inc.—and numerous others across the nation, the firearms industry has successfully evaded the 1994 ban. Therefore, simple renewal of the existing ban will do nothing to address the severe danger that assault weapons pose to public safety. Reauthorization of the ban must include substantial improvements to prevent the gun industry from continuing to flood America’s streets with these deadly weapons.

## Section Two: Profiles of Illinois Assault Weapon Manufacturers

This section contains brief profiles of the six Illinois gunmakers who have manufactured post-ban assault weapons since passage of the 1994 law. Each profile contains:

- o Company contact information (address, telephone, fax, and web address).
- o Firearms production data from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) by corresponding weapon category. In its production data, ATF breaks weapons out by rifle, shotgun, pistol, and revolver. Only rifle production data is presented in the following section because Illinois manufacturers only marketed post-ban assault *rifles*. ***However, it is extremely important to note that due to reporting limitations, listed production information is for all manufactured firearms of that weapon category and may include non-assault weapons.*** For companies that from their catalog copy and web site appear to manufacture only assault weapons (Armalite, Inc., D.S. Arms, Inc., Eagle Arms, Les Baer Custom, Inc., Rock River Arms, Inc.) the production numbers may more accurately reflect assault weapon production. For Springfield Armory, Inc., which has manufactured both assault weapons and non-assault weapons, production numbers would include an unknown proportion of non-assault weapons. Information for the year 2001 is the most recent available from ATF. Where no production data is currently available from ATF, it is stated.
- o When available, criminal tracing data for the years 1995 to 2000 from the Bureau of Alcohol, Tobacco, Firearms and Explosives is offered. For companies that from their catalog copy and web site appear to manufacture only assault rifles (Armalite, Inc., D.S. Arms, Inc., Eagle Arms, Les Baer Custom, Inc., Rock River Arms, Inc.) traces were conducted by manufacturer. For Springfield Armory, Inc., which has manufactured both assault weapons and non-assault weapons, traces were conducted by specific assault weapon model types. Lack of tracing data does not necessarily mean that a given manufacturer's guns were not traced to crime, but may reflect the time limitations of both the ATF tracing data base information (ending in 2000) and ATF production data (ending in 2001). Due to limitations in the tracing data, trace numbers are for both pre-ban and post-ban weapons where applicable.
- o Example of assault weapon(s) manufactured by company.



**ArmaLite, Inc.**  
**www.armalite.com**

745 South Hanford Street  
 Geneseo, IL 61254-1603  
 309-944-6939 phone  
 309-944-6949 fax

*ArmaLite manufactures post-ban versions of AR-10 and AR-15-type assault rifles. In an October 13, 2003, e-mail from "ArmaLite Sales" posted on an on-line forum hosted by the company, the gunmaker announced The ArmaLite® Post-PostBan™ Rifle Program. In it, ArmaLite detailed plans to help its customers convert their weapons to "pre-ban" configurations upon the hoped-for expiration of the assault weapons ban.*

Rifle Production History

Year	Rifles
1995	1,215
1996	2,722
1997	5,469
1998	6,605
1999	8,018
2000	8,475
2001	8,246
Total	40,750

Criminal Tracing Data

Year	Traces
1995	6
1996	20
1997	16
1998	28
1999	34
2000	38
Total	142



**AR 10-A4 Carbine**

**M15A2 Carbine**







**DS Arms, Inc.**  
**www.dsarms.com**

27W990 Industrial Avenue  
 Lake Barrington, IL 60010-2376  
 847-277-7258 phone  
 847-277-7259 fax

*DS Arms, Inc. manufactures only post-ban assault rifles. Advertising its weapons as "The only true U.S. Manufactured FAL," the company characterizes its SA58 rifles as "the choice of professionals."*

Rifle Production History

Year	Rifles
1997	581
1998	72
1999	1,188
2000	948
2001	1,378
Total	4,167

Criminal Tracing Data

Year	Traces
1995	0
1996	0
1997	0
1998	0
1999	6
2000	2
Total	8





**Eagle Arms**  
**www.eagle-arms.com**

P.O. Box 146  
 Geneseo, IL 61254  
 309-944-6977 phone  
 309-944-6978 fax

*Eagle Arms manufactures "all new and all American" post-ban versions of banned AR-15-type assault rifles. Eagle Arms is a division of ArmaLite but maintains its own catalog, web site, and brand identify. Eagle Arms produced weapons under its own licensee name up until 1992 according to ATF documents. It then become a division of the newly reconstituted ArmaLite. In 2003 Eagle Arms announced that it was "Flying Solo in 2003!" No production figures are available for Eagle Arms as a separate licensee name after 1992.*

Rifle Production History

Year	Rifles
1987	477
1988	495
1989	4,071
1990	606
1991	992
1992	730
Total	7,371

Criminal Tracing Data

Year	Traces
1995	16
1996	22
1997	40
1998	39
1999	40
2000	26
Total	183





**Les Baer Custom, Inc.**  
**www.lesbaer.com**

29601 34th Avenue North  
Hillsdale, IL 61257  
309-658-2716 phone  
309-658-2610 fax

*Les Baer manufactures post-ban versions of AR-15-type assault rifles. In describing its Custom Thunder Ranch Rifle—named for the shooting camp where students can attend such classes as “Urban Rifle” and “Urban Rifle H.I.T. (High Intensity Tactical)”—the company promises, “For personal and property defense in rural areas or for police use in patrol vehicles, this is the .223 rifle that you’ll be seeing, because it will flat out-perform anything that has ever been built.”*

Rifle Production History

No Information Available

Criminal Tracing Data

No Information Available





**Rock River Arms, Inc**  
[www.rockriverarms.com](http://www.rockriverarms.com)

1042 Cleveland Road  
 Colona, IL 61241  
 309-792-5780 phone  
 309-792-5781 fax

*Rock River Arms, Inc. manufactures post-ban AR-15-type Carbines and rifles. According to the company's catalog, "All RRA rifles are post-ban...."*

Rifle Production History

Year	Rifles
1999	330
2000	191
2001	1,245
Total	1,766

Criminal Tracing Data

No Information Available





**Springfield Armory, Inc.**  
[www.springfieldarmory.com](http://www.springfieldarmory.com)

420 West Main Street  
 Geneseo, IL 61254  
 309-944-5631 phone  
 309-944-3676 fax

*Since passage of the 1994 assault weapons ban, Springfield Armory has manufactured post-ban versions of FN-FAL/LAR rifles as well as post-ban versions of HK-91 assault rifles. Currently, Springfield Armory, as judged by its web site and catalog, does not appear to manufacture any post-ban assault rifles.*

Rifle Production History

Year	Rifles	Year	Rifles
1986	1,028	1994	13,924
1987	2,888	1995	9,068
1988	4,002	1996	9,742
1989	9,846	1997	10,124
1990	9,171	1998	5,982
1991	12,044	1999	10,515
1992	4,802	2000	9,506
1993	6,942	2001	8,124
		Total	127,708

Criminal Tracing Data

Year	Traces
1995	11
1996	8
1997	4
1998	15
1999	22
2000	12
Total	72



**SAR- 4800**