

# 2009 FIREARMS

USED IN THE COMMISSION OF CRIMES



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**2009 FIREARMS**  
**USED IN THE COMMISSION OF CRIMES**

**OFFICE OF THE ATTORNEY GENERAL  
CALIFORNIA DEPARTMENT OF JUSTICE**

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**California Penal Code section 12039** requires the Attorney General to provide a report to the Legislature on the specific types of firearms used in the commission of crimes. This report details the number and type of firearms used most frequently in the commission of violent, homicidal, street, and drug trafficking crimes in 2009. Also included is the frequency with which stolen and fully automatic firearms were used in the commission of these crimes. Although legislation for this report states that the data should be based on information obtained from local and state crime laboratories, the legislation does not require local laboratories to report this information to the Department of Justice. Therefore, local law enforcement agencies submit this information voluntarily, which limits the data received for inclusion in this report.

## Purpose

This report is prepared by the California Department of Justice, Bureau of Forensic Services (BFS), for the Legislature as directed by California Penal Code section 12039. The report details the specific types of firearms used in the commission of various types of crimes.

## Scope

This report includes firearms examined during 2009 in the BFS Regional Criminalistics Laboratories.

Because BFS serves principally the rural areas of California, the data in this report may not represent gun trends within urban areas or within California as a whole.

## Firearm Types (Figures 1 and 2)

Of the 147 firearms examined, there were 120 (81.6 percent) handguns, 13 (8.8 percent) rifles, 11 (7.5 percent) shotguns, and 3 (2 percent) machine guns. Of these firearms, 8 (5.4 percent) were assault weapons (as defined in California Penal code section 12276) and 1 (0.7 percent) was classified as a short-barreled shotgun or rifle. The most commonly encountered caliber was 9 mm Luger, followed by .22 rimfire and .40 Smith & Wesson (S&W), and .380 automatic.

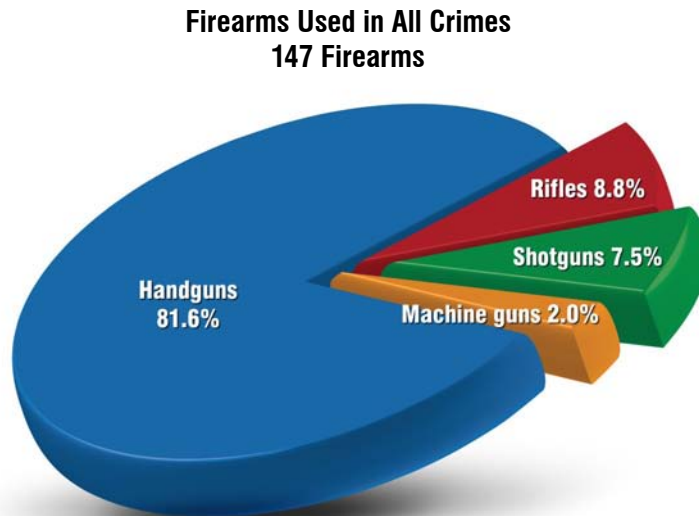


Figure 1

Percentages may not total 100 percent because of rounding

**Weapons by Caliber**

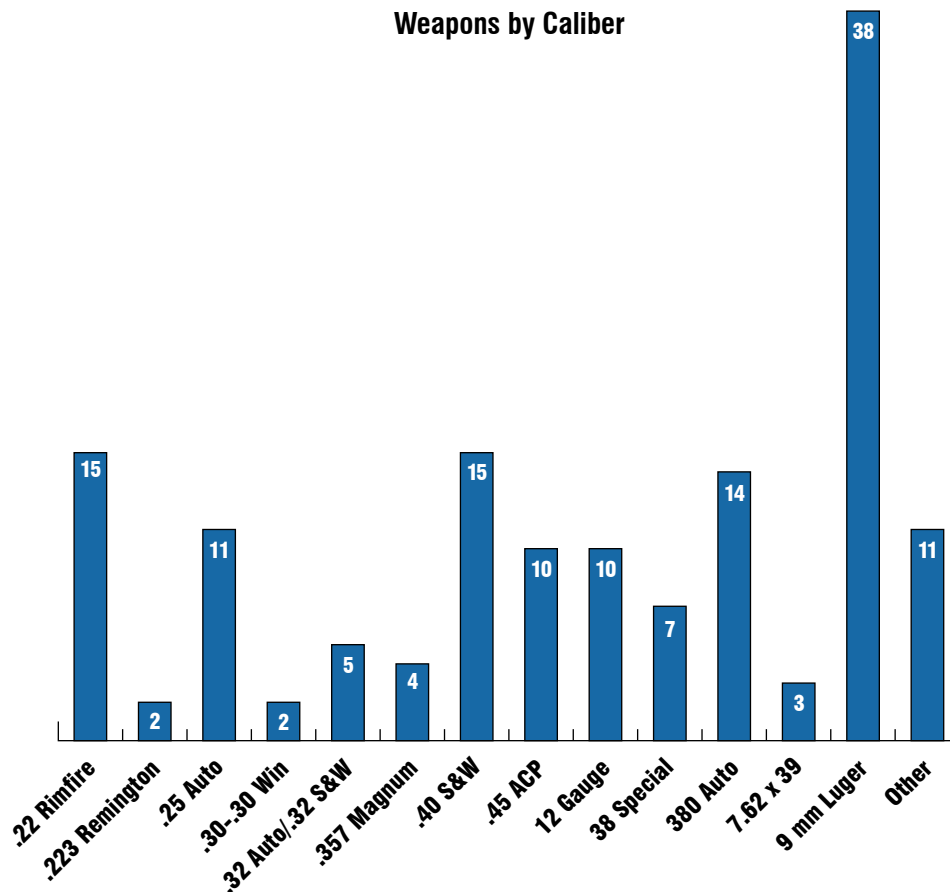


Figure 2

**Crimes of Violence Other than Homicide (Figure 3)**

Of the firearms examined, 65 (44.2 percent of the total) were submitted in cases involving crimes of violence other than homicide. There were 49 (75.4 percent) handguns, 9 (13.9 percent) rifles, and 7 (10.8 percent) shotguns.

**Firearms Used in Crimes of Violence (Other than Homicide)  
65 Firearms**

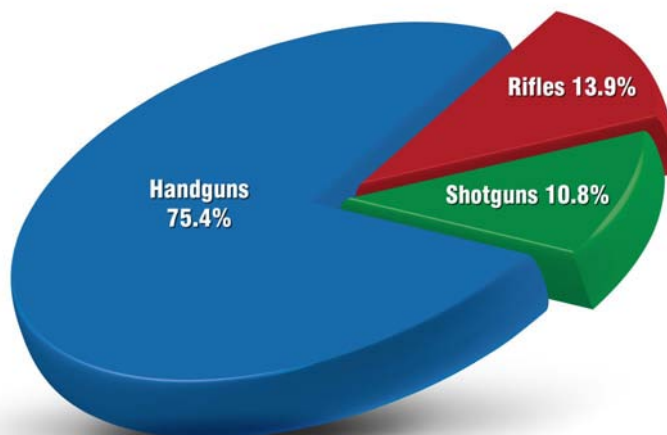


Figure 3

### Homicides (Figure 4)

Of the 32 firearms (21.8 percent of the total) submitted in homicide cases, there were 24 (75.0 percent) handguns, 3 (9.0 percent) rifles, 4 (13.0 percent) shotguns, and 1 (3.0 percent) machine gun (submachine gun).

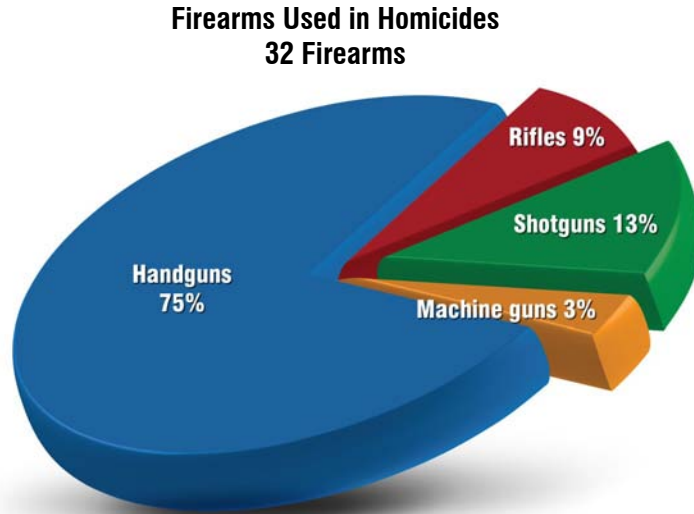


Figure 4

### Drug Trafficking Crimes (Figure 5)

Of the 51 firearms (34.7 percent of the total) identified as being used in drug trafficking crimes, there were 47 (92.0 percent) handguns, 2 (4.0 percent) rifles, and 2 (4.0 percent) machine guns (submachine guns).

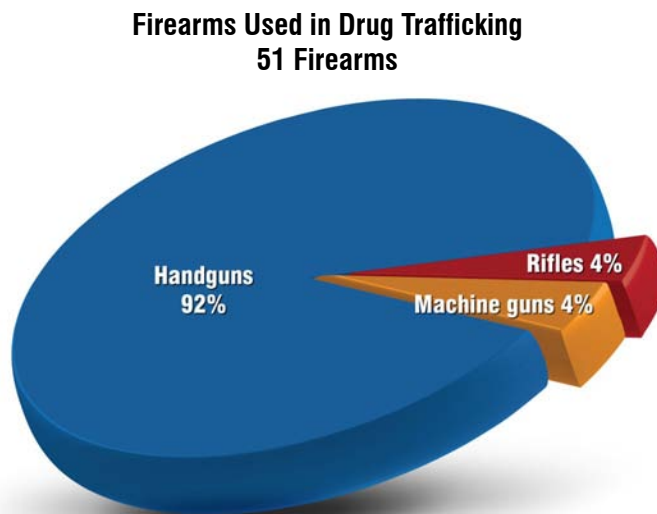


Figure 5



### Street Gang Crimes (Figure 6)

Of the 6 firearms (4.0 percent of the total) identified as being related to street gang crimes, 5 (83.3 percent) were handguns and 1 (16.7 percent) was a machine gun (submachine gun).

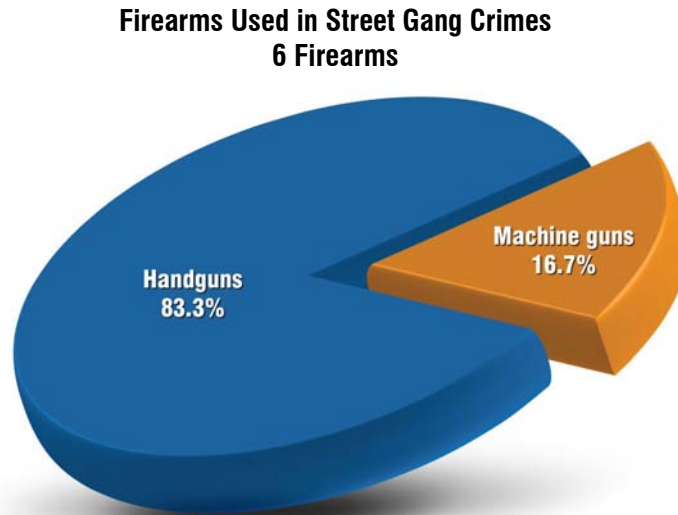


Figure 6

### Special Cases (Figure 7)

**California Assault Weapons** - Eight of the firearms examined in 2009 were identified as California Assault Weapons (as defined in California Penal Code section 12276).

**Stolen Firearms** - Of the firearms examined, one was confirmed to have been reported stolen. For many of the other firearms examined, ownership status was not determined.

**Serial Numbers Removed** - Ten firearms (6.8 percent of the total) were submitted with the serial numbers removed.

**Machine Guns or Full Auto Conversions** - Three submachine guns or converted firearms were examined this year.

**Short-Barreled Rifle or Shotgun** - One (0.7 percent of the total) of the examined firearms was classified as a short-barreled rifle or shotgun.

**Officer-Involved Shooting Incidents** - Of the four (2.7 percent of the total) firearms identified as being related to officer-involved shooting incidents, there was one handgun, two rifles, and one shotgun.

**Silencers** - One firearm with a silencer was examined this year.

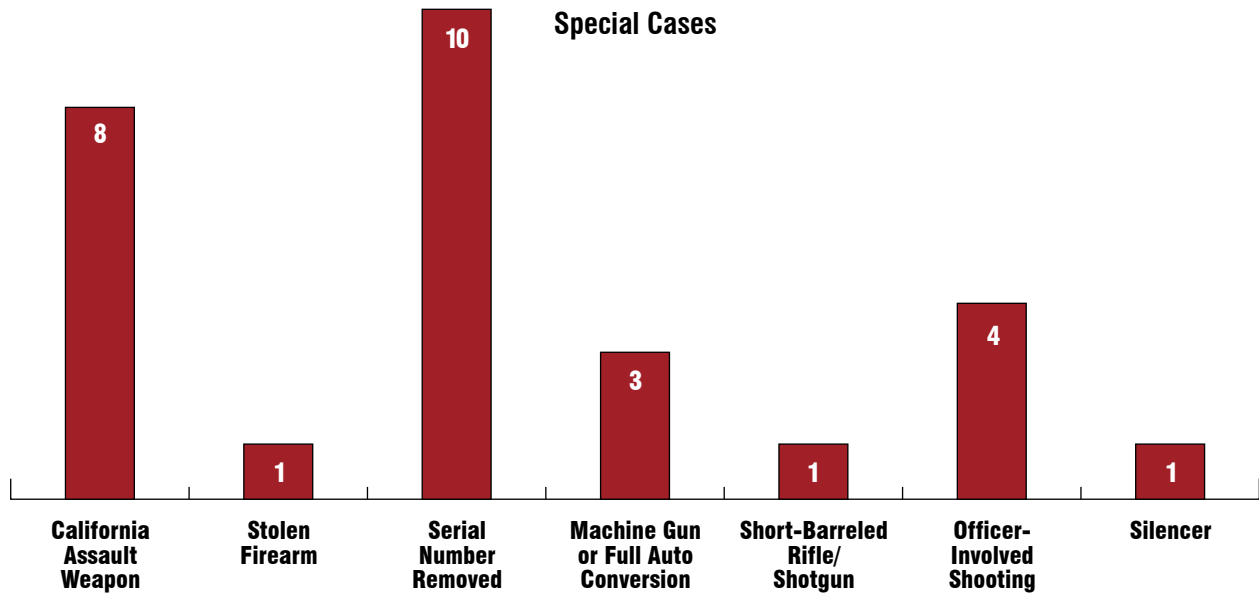


Figure 7

### California Assault Weapons by Year (Figure 8)

California Assault Weapon use has continued at a relatively low level since it was first reported.

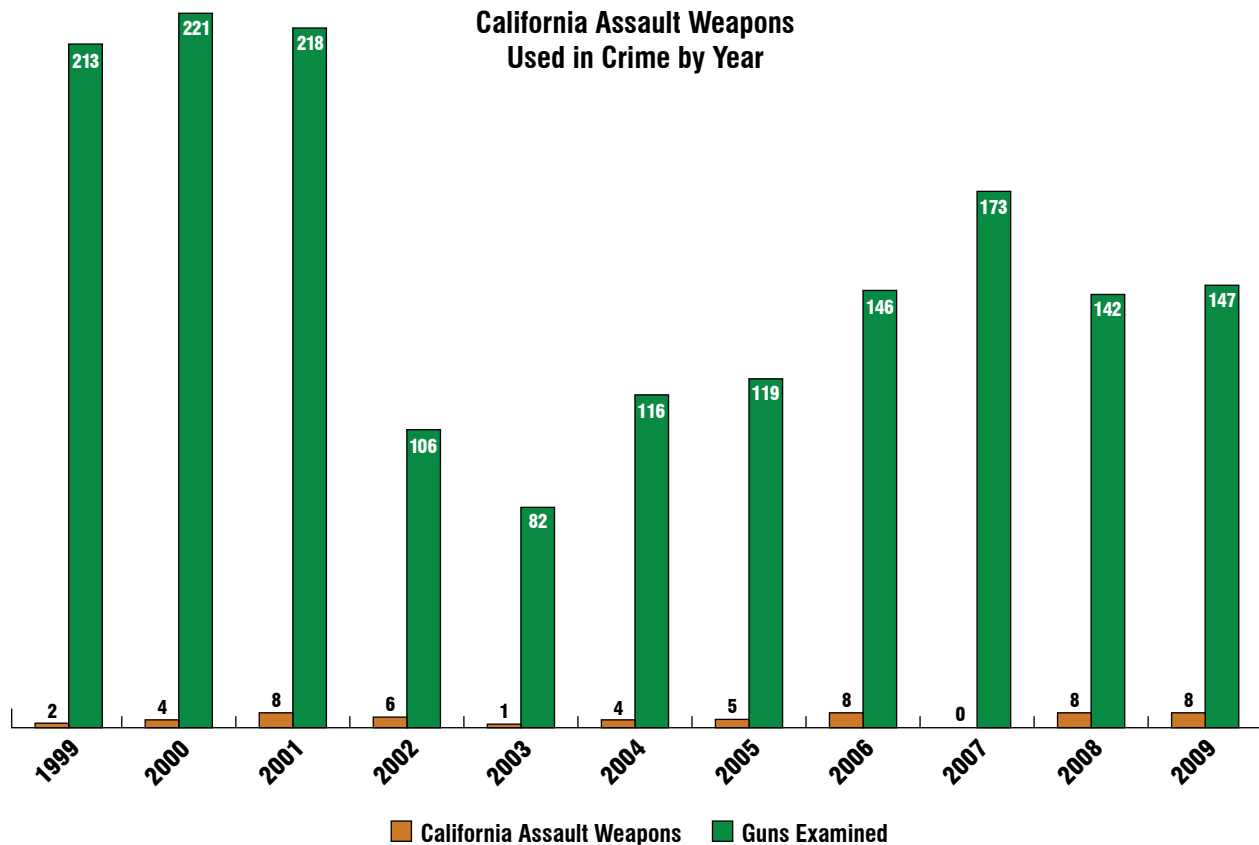


Figure 8

### **Penal Code Section 12039**

The Attorney General shall provide the Legislature on or before April 15 of each year, commencing in 1998, a written report on the specific types of firearms used in the commission of crimes based upon information obtained from state and local crime laboratories. The report shall include all of the following information regarding crimes in which firearms were used: (a) A description of the relative occurrence of firearms most frequently used in the commission of violent crimes, distinguishing whether the firearms used were handguns, rifles, shotguns, assault weapons, or other related types of weapons. (b) A description of specific types of firearms that are used in homicides or street gang and drug trafficking crimes. (c) The frequency with which stolen firearms were used in the commission of the crimes. (d) The frequency with which fully automatic firearms were used in the commission of the crimes. (e) Any trends of importance such as those involving specialized ammunition or firearms modifications, such as conversion to a fully automatic weapon, removal of serial number, shortening of barrel, or use of a suppressor.

