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**ANALYSIS OF THE SPARROW DYNAMICS CRG-15 GRIP  
UNDER CALIFORNIA’S “ASSAULT WEAPON” RESTRICTIONS**

**I. QUESTION PRESENTED**

Does the Sparrow Dynamics CRG-15 Grip, a product of Sparrow Product Development, Inc.,<sup>1</sup> constitute a “pistol grip that protrudes conspicuously beneath the action of the weapon” as that term is used in the definition of an “assault weapon” under California Penal Code section 30515(a)(1)?

**II. SHORT ANSWER**

Because the Sparrow Dynamics CRG-15 Grip does not allow for a “pistol style grasp in which the web of the trigger hand (between the thumb and index finger) can be placed beneath or below the top of the exposed portion of the trigger while firing,” it is *not* a “pistol grip that protrudes conspicuously beneath the action of the weapon,” as that term is used in the definition of an “assault weapon” under California Penal Code section 30515(a)(1).

**III. ANALYSIS**

California law generally prohibits the manufacture, distribution, transportation, importation, sale, or transfer of any “assault weapon.”<sup>2</sup> Any violation of this restriction is punishable as a felony.<sup>3</sup>

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<sup>1</sup> For more information on Sparrow Product Development, Inc., visit [www.sparrowproducts.com](http://www.sparrowproducts.com) and [www.sparrowdynamics.com](http://www.sparrowdynamics.com).

<sup>2</sup> Cal. Penal Code § 30600.

<sup>3</sup> *Id.*

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Additionally, the mere *possession* of an “assault weapon” is also a crime punishable as a misdemeanor or felony.<sup>4</sup>

What exactly constitutes an “assault weapon” under California law has undergone several revisions since the term was first introduced. For the purposes of this analysis, however, the relevant definition is Penal Code section 30515(a)(1), which classifies the following as an “assault weapon”:

- A semiautomatic, centerfire rifle that does not have a fixed magazine but has any one of the following:
  - A pistol grip that protrudes conspicuously beneath the action of the weapon;
  - A thumbhole stock;
  - A folding or telescoping stock;
  - A grenade launcher or flare launcher;
  - A flash suppressor; or,
  - A forward pistol grip.<sup>5</sup>

To be classified as an “assault weapon” under this section, the firearm must first meet the prerequisite characteristics that the firearm is a rifle,<sup>6</sup> is semiautomatic,<sup>7</sup> fires centerfire ammunition,<sup>8</sup> and does not have a fixed magazine.<sup>9</sup> If the firearm is missing any of these prerequisite characteristics, the firearm is not an “assault weapon” for the purposes of Penal Code section 30515(a)(1).

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<sup>4</sup> Cal. Penal Code § 30605.

<sup>5</sup> Cal. Penal Code § 30515(a)(1).

<sup>6</sup> A rifle is defined as “a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.” Cal. Penal Code § 17090.

<sup>7</sup> While not specifically defined in the Penal Code, California Department of Justice regulations define the term “semiautomatic” as “a firearm functionally able to fire a single cartridge, eject the empty case, and reload the chamber each time the trigger is pulled and released.” 11 C.C.R. § 5471(hh).

<sup>8</sup> Defined by California Department of Justice regulations as “a cartridge with its primer located in the center of the base of the case.” 11 C.C.R. § 5471(j).

<sup>9</sup> The term “fixed magazine” is defined as “an ammunition feeding device contained in, or permanently attached to, a firearm in such a manner that the device cannot be removed without disassembly of the firearm action.” Cal. Penal Code § 30515(b). As used in this definition, “disassembly of the firearm action” has been defined by the California Department of Justice as requiring the fire control assembly to be “detached from the action in such a way that the action has been interrupted and will not function.” 11 C.C.R. § 5471(n).

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But if the firearm has all of these prerequisite characteristics, it must then be determined if it is equipped with any of the six prohibited “features” under Penal Code section 30515(a)(1). Having any one of these features will classify the firearm as an “assault weapon.”

One such prohibited feature is a “pistol grip that protrudes conspicuously beneath the action of the weapon.”<sup>10</sup> Under existing California Department of Justice (“DOJ”) regulations, this term is defined as “a grip that allows for a pistol style grasp in which the web of the trigger hand (between the thumb and index finger) can be placed beneath or below the top of the exposed portion of the trigger while firing.”<sup>11</sup> The definition also applies to “pistol grips on bullpup firearm designs.”<sup>12</sup>

There is no additional guidance under the law as to what constitutes a “pistol grip that protrudes conspicuously beneath the action of the weapon,” nor is there any further explanation as to what is meant by the term “pistol style grasp” as used in DOJ’s definition.

#### **A. Sparrow Dynamics CRG-15 Grip**

Sparrow Product Development, Inc., through their Sparrow Dynamics brand, has designed a grip for AR-15 style firearms labeled the CRG-15 Grip (“CRG”). The grip is being marketed as an alternative product available to AR-15 owners who wish to avoid having their firearm classified as an “assault weapon” under Penal Code section 30515(a)(1) by eliminating the firearms “pistol grip that protrudes conspicuously beneath the action of the weapon.”

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<sup>10</sup> Cal. Penal Code § 30515(a)(1)(A).

<sup>11</sup> 11 C.C.R. § 5471(z).

<sup>12</sup> *Id.*

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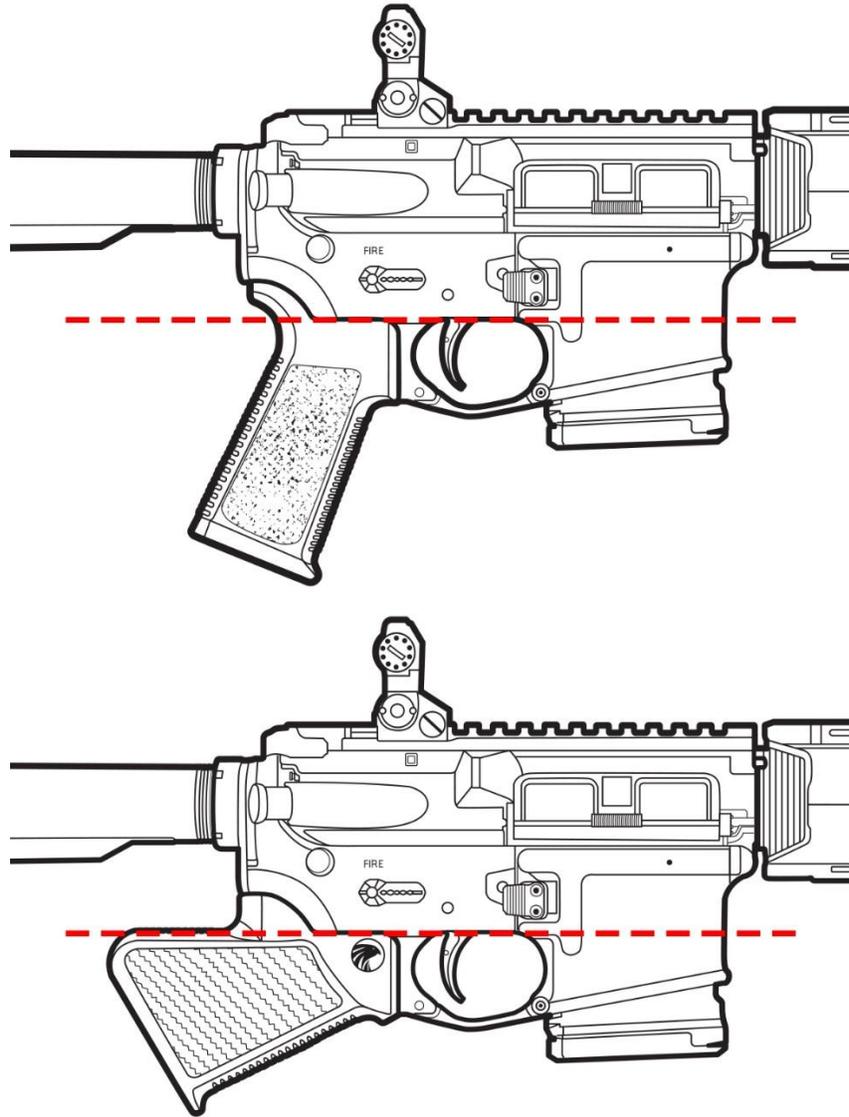
*Image of the CRG-15 Grip in various color options*

When properly mounted to an AR-15 style firearm, the CRG requires users of the firearm to grip the rifle in a manner that is different from a typical grip on such firearms. Because it is unclear from a legal standpoint as to what constitutes a “pistol style grasp,” it is impossible to say with certainty whether the CRG allows for a “pistol style grasp.”

Even so, the CRG should not be classified as a “pistol grip that protrudes conspicuously beneath the action of the weapon” because it does not allow for the web of the trigger hand to be placed beneath or below the top of the exposed portion of an AR-15 style firearm’s trigger. When properly mounted to an AR-15 style firearm, the CRG requires users of that firearm to place the web of their trigger hand above the top most exposed portion of the trigger while firing.

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*Image of an AR-15 style firearm with a standard pistol grip versus the CRG. Note the red lines added to illustrate the relative position of the grips in relation to the top most exposed portion of the trigger.*

Because the CRG requires users to place the web of their trigger hand above the top most exposed portion of the trigger, the CRG cannot be classified as a “pistol grip that protrudes conspicuously beneath the action of the weapon” because it does not satisfy DOJ’s definition of the term. As a result, owners of AR-15 style firearms who properly mount the CRG to their firearm should be able to avoid having their firearm classified as equipped with a “pistol grip that protrudes conspicuously beneath the action of the weapon,” thereby potentially avoiding the firearm being classified as an “assault weapon” under Penal Code section 30515(a)(1).

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However, users of the CRG with this purpose in mind should take care to ensure their firearm is also not equipped with any one of the other prohibited “features” under Penal Code section 30515(a)(1), which include thumbhole stocks,<sup>13</sup> folding or telescoping stocks,<sup>14</sup> grenade or flare launchers,<sup>15</sup> flash suppressors,<sup>16</sup> or forward pistol grips.<sup>17</sup> Even with a properly mounted CRG, having any one of these other prohibited features mounted to the firearm will potentially classify the firearm as an “assault weapon” under Penal Code 30515(a)(1).<sup>18</sup>

#### IV. CONCLUSION

When properly mounted on an AR-15 style firearm, the CRG should avoid the firearm being classified as equipped with a “pistol grip that protrudes conspicuously beneath the action of the weapon,” and as a result potentially avoid having the firearm classified as an “assault weapon” under California law.

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<sup>13</sup> The term “thumbhole stock” is defined as “a stock with a hole that allows the thumb of the trigger hand to penetrate into or through the stock while firing. 11 C.C.R. § 5471(qq).

<sup>14</sup> A “folding stock” is defined as “a stock which is hinged in some fashion to the receiver to allow the stock to be folded next to the receiver to reduce the overall length of the firearm,” and includes “under folding and over folding stocks.” 11 C.C.R. § 5471(nn). A “telescoping stock” is defined as “a stock which is shortened or lengthened by allowing one section to telescope into another portion,” and on AR-15 style firearms, “the buffer tube or receiver extension acts as the fixed part of the stock on which the telescoping butt stock slides or telescopes.” 11 C.C.R. § 5471(oo).

<sup>15</sup> A “grenade launcher” is defined as “a device capable of launching a grenade.” 11 C.C.R. § 5471(v). A “flare launcher” is defined as “a device used to launch signal flares.” 11 C.C.R. § 5471(q).

<sup>16</sup> A “flash suppressor” is defined as “any device attached to the end of the barrel, that is designed, intended, or functions to perceptibly reduce or redirect muzzle flash from the shooter’s field of vision.” 11 C.C.R. § 5471(r). This includes a “hybrid device that has either advertised flash suppressing properties or functionally has flash suppressing properties,” and devices “labeled or identified by its manufacturer as a flash hider.” *Id.*

<sup>17</sup> A “forward pistol grip” is defined as “a grip that allows for a pistol style grasp forward of the trigger.” 11 C.C.R. § 5471(t),

<sup>18</sup> Individuals should also ensure that their rifle is not prohibited as a make/model “assault weapon,” has a fixed magazine capable of holding more than ten rounds, or has an overall length of less than 30 inches. See Cal. Penal Code §§30510-30515; See also 11 C.C.R. §§ 5495-5499. These rifles are considered “assault weapons” regardless of whether or not the firearm is equipped with the prohibited features under Penal Code section 30515(a)(1), and installation of the CRG will have no effect on such firearms being classified as an “assault weapon” under California law.

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