

GUNSENSE VERMONT
Submission to:
HOUSE JUDICIARY COMMITTEE
March 19, 2018

GunSenseVT supports Rep. LaLonde's proposal to ban new high capacity magazines and we respectfully submit the following information for the committee to consider.

What is a high-capacity magazine? A high-capacity magazine is generally defined as an ammunition-feeding device capable of accepting more than 10 rounds.

- Assault weapons and high-capacity magazines dramatically increase the lethality of shootings, leading to more people being shot and more fatalities.
- A review of mass shootings between January 2009 and July 2015 found that 155 percent more people were shot and 47 percent more were killed when assault weapons or large-capacity magazines were used. (Everytown for Gun Safety, "Analysis of Recent Mass Shootings" (2015), available at <https://everytownresearch.org/documents/2015/04/analysis-of-recent-mass-shootings.pdf>.)
- These weapons of war are not only used in mass shootings. A 2017 study estimated that, together, assault weapons and guns equipped with high-capacity magazines account for up to 36 percent of guns used in crime. (Christopher S. Koper and others, "Criminal Use of Assault Weapons and High-Capacity Semiautomatic Firearms: an Updated Examination of Local and National Sources," *Journal of Urban Health* (2017)
- By limiting the number of rounds a mass shooter could fire uninterrupted, meaning they'd have to reload more often, and not be able to shoot as many people in between. More reloading would result in a higher probability of a malfunction or mistake, giving law enforcement more time to respond and bystanders more opportunity to flee or fight back.
- Bans on large capacity ammunition magazines reduce the capacity, and thus the potential lethality, of any firearm that can accept a large capacity ammunition magazine, including a firearm that is not an assault weapon. (Christopher S. Koper, *An Updated Assessment of the Federal Assault Weapons Ban: Impacts on Gun Markets and Gun Violence, 1994-2003*, Report to the National Institute of Justice, US Department of Justice 6, 18 (June 2004), at <https://www.ncjrs.gov/pdffiles1/nij/grants/204431.pdf>.)
- Eight states and Washington, D.C., have also passed measures restricting magazines of various sizes, with most implementing a 10-round limit as part of broader assault weapons ban legislation.
- Definition of "large capacity ammunition magazine" includes magazines capable of holding more than 10 rounds (*Hawaii, California, Connecticut, Maryland, Massachusetts, New York, District of Columbia*)

- Ban applies to large capacity ammunition magazines for use with all firearms (*California, Colorado, Connecticut, Maryland, Massachusetts, New Jersey, New York, District of Columbia*)
- Prohibited activities include possession, sale, purchase, transfer, loan, pledge, transportation, distribution, importation, and manufacture of large capacity ammunition magazines (*California, Hawaii, New Jersey, and New York are the most comprehensive, banning manufacture, transfer and possession*)
- No allowance for pre-ban magazines (*California, District of Columbia, Hawaii, New Jersey, New York*); alternatively, if pre-ban magazines are grandfathered, the owner must register them before a specified date (*Connecticut*)
- If the manufacturing of large capacity magazines is permitted, all magazines manufactured after the adoption of the ban must be identified by distinct and legible markings (*Colorado*)
- “Conversion” or “repair” kits that can be used to build large capacity ammunition magazines from spare parts are prohibited (*California*)

From the 2017 study, Christopher S. Koper and others, “Criminal Use of Assault Weapons and High-Capacity Semiautomatic Firearms: an Updated Examination of Local and National Sources,” from the *Journal of Urban Health*:

- a) Policies restricting semiautomatic assault weapons and large-capacity ammunition magazines are intended to reduce gunshot victimizations by limiting the stock of semiautomatic firearms with large ammunition capacities and other military-style features conducive to criminal use.
- b) The federal government banned such weaponry from 1994 to 2004, and a few states currently impose similar restrictions. Recent debates concerning these weapons have highlighted their use in mass shootings, but there has been little examination of their use in gun crime more generally since the expiration of the federal ban.
- c) This study investigates current levels of criminal activity with assault weapons and other high-capacity semiautomatics in the USA using several local and national data sources including the following:
 - i. guns recovered by police in ten large cities,
 - ii. guns reported by police to federal authorities for investigative tracing,
 - iii. guns used in murders of police, and
 - iv. guns used in mass murders.
- d) Results suggest assault weapons (primarily assault-type rifles) account for 2–12% of guns used in crime in general (most estimates suggest less than 7%) and 13–16% of guns used in murders of police.

- e) Assault weapons and other high-capacity semiautomatics together generally account for 22 to 36% of crime guns, with some estimates upwards of 40% for cases involving serious violence including murders of police.
- f) Assault weapons and other high-capacity semiautomatics appear to be used in a higher share of firearm mass murders (up to 57% in total), though data on this issue are very limited. Trend analyses also indicate that high-capacity semiautomatics have grown from 33 to 112% as a share of crime guns since the expiration of the federal ban—a trend that has coincided with recent growth in shootings nationwide.

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