

## ANOTHER BAN ON “HIGH-CAPACITY” MAGAZINES?

### THE EVIDENCE SHOWS IT WOULD NOT REDUCE CRIME RATES

Magazines for firearms in common use on America’s shooting ranges, kept at home, or lawfully carried by millions of citizens today vary in their ammunition-carrying capacity. Depending on the make and model of firearm, magazines provided by manufacturers as standard equipment for handguns and rifles often accommodate 15 to 30 rounds of ammunition.

These magazines offer recreational and competitive shooters, as well as those citizens exercising their right to carry a firearm or keep one at home for self-defense, the choice of magazine that should be theirs to make.

The average number of rounds fired in the course of a criminal shooting involving a semiautomatic pistol is between 3.2 and 3.7 rounds.<sup>i</sup> This falls well below the arbitrary 10 round limit imposed during the AWB and is even less than the capacity of an ordinary revolver. In fact, this average number of rounds fired is only about one shot higher than in the case of criminal misuse of revolvers.

<sup>ii</sup> A separate study, conducted for the

National Institute of Justice, found that data suggest “relatively few attacks involve more than 10 shots fired” and that studies on the number of shots fired “show that assailants fire less than four shots on average.”<sup>iii</sup> Further, research has shown that criminal misuse with pistols is not significantly more likely to result in injuries or fatalities than in cases involving revolvers.<sup>iv</sup>

While so-called “assault rifles” are rarely used in crime, those criminals using them were actually less likely to have fired the gun than those carrying a single-shot firearm.<sup>v</sup>

Banning magazines for firearms based on an arbitrary limit on capacity has often been proffered as a “common sense” measure to reduce crime rates, especially following deplorable and highly publicized tragedies. But a dispassionate look at the facts demonstrates that limiting magazine capacity by some arbitrary number of rounds of ammunition it can hold will not reduce the crime rate.

As part of the misleadingly named “Assault Weapons Ban” (AWB), between 1994 and 2004, the

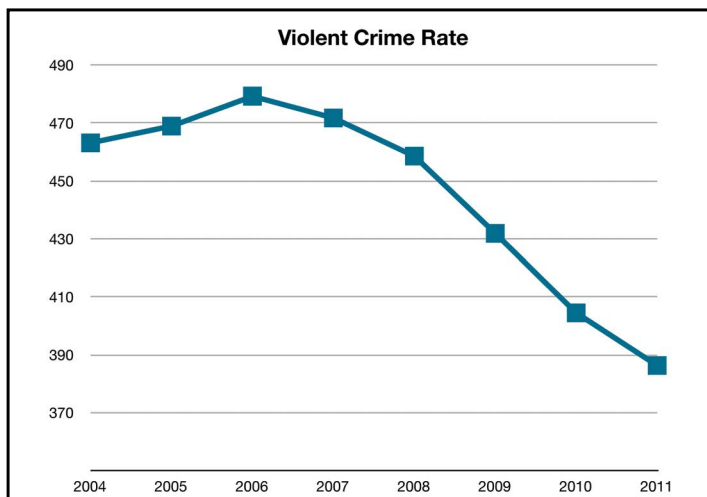
production of newly manufactured magazines for both rifles and handguns was limited to a capacity of ten cartridges.<sup>vi</sup> A comprehensive study by the Centers for Disease Control (CDC) in 2003 looked at 51



studies covering the full panoply of gun-control measures, including the AWB, and was unable to show that the AWB and its magazine capacity

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- According to studies by the Centers for Disease Control (CDC) and the Urban Institute the **“Assault Weapon Ban” (AWB), which restricted magazine capacity, did not reduce crime rates.**
- Since the AWB and its magazine capacity restriction expired in 2004 the U.S. **violent crime rate has fallen by 17%.**
- Since 2004, magazines with a capacity of more than ten rounds are again common and standard with most semiautomatic rifles and pistols sold. Millions of these magazines are safely and responsibly owned and used by law-abiding Americans. **There are already roughly 130 million detachable magazines. More than 30 million of these can accommodate more than 30 rounds.**
- **Criminals misusing pistols discharge on average fewer rounds than are held in an ordinary revolver** and only about one more shot than those misusing revolvers.



limitation had reduced crime.<sup>vii</sup>

Another study, commissioned by Congress, found that these bans were not effective in reducing crime because “the banned weapons and magazines were never used in more than a modest fraction of all gun murders.”<sup>viii</sup> Since the AWB expired in 2004, the nation’s violent crime rate has continued to drop by 17 percent and is now at the lowest levels since the early 1970s.<sup>ix</sup>

Instead of appropriately focusing on the actions of mentally-disturbed individuals, the focus is again being shifted to legislation affecting law-abiding citizens. Like all Americans, we abhor the criminal misuse of firearms. Recent tragedies, however, were not caused by the characteristics of firearms, ammunition or magazines. Sadly, they were caused by the insane actions of the perpetrators.

Any capacity-based ban on the manufacture and sale of magazines would be utterly arbitrary. Experience and independent studies have shown

that it is not an effective means for reducing crime and keeping our communities safer. A ban would, however, limit the ability of millions of Americans who participate in the shooting sports to choose for themselves the firearm and magazine that meets their needs. It would infringe upon the Second Amendment rights of Americans by having the government limit their ability to defend themselves, their loved ones and their property.

Some have even called for the government to confiscate all lawfully owned magazines above a certain capacity. Aside from the serious constitutional questions confiscation raise, how could a magazine round-up ever be practically achieved? The answer is simple: it couldn’t.

What the media and gun control proponents label “high” or “large capacity” magazines are, in fact, common across America today. There are already roughly 130 million detachable magazines. More than 30

million of these can accommodate more than 30 rounds.<sup>x</sup> Magazines manufactured before the 1994 ban remained widely available while the ban was in effect. We estimate that since 2004 several million more magazines of varying sizes of capacity have been manufactured and sold to law abiding Americans and used lawfully. These magazines are standard equipment for handguns and other firearms owned by tens of millions of Americans. Should law-abiding Americans be able to choose magazines for their rifles or self-defense pistols, as they feel appropriate, or have that right infringed by arbitrary capacity limitations that contribute nothing to improving public safety?

America tried this gun control experiment for ten years. We already know it does not work. Why limit our freedoms again when we know it will not make our communities safer?

i Christopher S. Koper, "Impact of Handgun Types on Gun Assault Outcomes: a Comparison of Gun Assaults Involving Semiautomatic Pistols and Revolvers," *Injury Prevention*, 2003;9, p.151.

ii Christopher S. Koper, "Impact of Handgun Types on Gun Assault Outcomes: a Comparison of Gun Assaults Involving Semiautomatic Pistols and Revolvers," *Injury Prevention*, 2003;9, p.152.

iii 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, United States Department of Justice, June 2004. p.90.

iv Christopher S. Koper, "Impact of Handgun Types on Gun Assault Outcomes: a Comparison of Gun Assaults Involving Semiautomatic Pistols and Revolvers," *Injury Prevention*, 2003;9, p.153.

v Caroline Wolf Harlow, Department of Justice, Bureau of Justice Statistics Special Report, "Firearm Use by Offenders: Survey of Inmates in State and Federal Correctional Facilities," NCJ 189369, November 2001.p.11.

vi The Public Safety and Recreational Firearms Use Protection Act, Title XI, Subtitle A, of the Violent Crime Control and Law Enforcement Act of 1994, P.L. 103-322, 108 Stat. 1996-2010.

vii Centers for Disease Control and Prevention "First Reports Evaluating the Effectiveness of Strategies for Preventing Violence: Firearms Laws. Findings from the Task Force on Community Preventative Services", *Morbidity and Mortality Weekly Reports (MMWR)*; 52(RR14), October 3, 2003.

viii Christopher S. Koper, "Impact Evaluation of the Public Safety and Recreational Firearms Use Protection Act of 1994," The Urban Institute, March 13, 1997. p. 2.

ix NSSF analysis of Federal Bureau of Investigation, Uniform Crime Reporting Statistics, "Estimated Crime in the United States," <http://www.ucrdatatool.gov/>. Last accessed December 20, 2012.

x NSSF estimates

