



November 2, 2018

MADIGAN SUPPORTS NEW JERSEY'S BAN ON LARGE-CAPACITY MAGAZINES

Madigan & Coalition Say Second Amendment Permits Reasonable Gun Safety Laws

Chicago — Attorney General Lisa Madigan today joined a coalition of 16 state attorneys general to defend New Jersey's ban on large-capacity magazines that hold more than ten rounds of ammunition. In an amicus brief filed in the U.S. Court of Appeals for the Third Circuit, Madigan and the coalition said the Second Amendment permits states to enact reasonable firearm restrictions that protect public safety, prevent crime, and reduce the harm caused by gun violence.

"The Constitution provides states the right to enact laws to better protect their residents from gun violence," Madigan said. "A ban on high-capacity magazines for guns that are used to commit horrible acts of mass violence is a reasonable and necessary restriction."

Madigan and the coalition filed an amicus brief in *Association of New Jersey Rifle and Pistol Clubs, Inc. v. Attorney General New Jersey*. The lawsuit was filed by the New Jersey affiliate of the National Rifle Association and sought to prevent a 2018 law prohibiting the possession of large-capacity magazines from taking effect.

New Jersey enacted its ban on large-capacity magazines to protect residents from gun violence and to reduce the number of casualties and fatalities from potential mass shootings. Half a dozen other states and the District of Columbia have also enacted laws banning large-capacity magazines holding more than 10 rounds of ammunition, which have been upheld as reasonable firearm restrictions by federal courts of appeals.

In September 2018, a lower court denied the Association of New Jersey Rifle and Pistol Clubs' request for a preliminary injunction. The Association appealed to the Third Circuit, where the case is being heard on an expedited basis.

In this amicus brief, Madigan and the coalition assert that a ban on large-capacity magazines is a reasonable restriction that New Jersey has the right to adopt because:

- **The Second Amendment does not prevent states from enacting common-sense gun regulations.** The brief explains that states are entitled to adopt reasonable restrictions on firearms to address the unique conditions within their borders and protect public safety. Restricting access to large-capacity magazines is a reasonable restriction because it would reduce firearm injuries and deaths while leaving many other options open for individuals who wish to exercise the core Second Amendment right to self-defense.
- **States have a responsibility to prevent gun violence and protect public safety.** The brief notes that states have primary responsibility for ensuring public safety. This includes a duty to reduce the likelihood that their residents will become victims of preventable firearm violence, and to minimize fatalities and injuries when that violence does occur. The brief notes that deciding how best to protect the safety of residents is a question better suited to state legislatures than courts.
- **Regulating large-capacity magazines protects the public.** The brief cites evidence that large-capacity magazines are especially attractive to mass shooters and criminals, posing increased risks to innocent civilians and law enforcement. At the same time, there is no proof that large-capacity magazines are necessary—or even commonly used—for self-defense.

Joining Madigan in filing today's amicus brief were the attorneys general of California, Connecticut, Delaware, District of Columbia, Hawaii, Iowa, Maryland, Massachusetts, New York, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, and Washington.



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