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Attorney General Brown Joins Multistate Amicus Brief to Uphold Laws Restricting Gun Magazine Capacity *Coalition of 19 AGs Argue that Large Capacity Magazines Are Not Protected by the Second Amendment*

BALTIMORE, MD (October 27, 2023) – Maryland Attorney General Anthony G. Brown today joined a coalition of 19 Attorneys General in support of the District of Columbia’s efforts to restrict the capacity of firearms magazines within its borders. The coalition filed an [amicus brief](#) in the U.S. Court of Appeals for the District of Columbia Circuit, arguing that D.C.’s law that prohibits possession and sale of large-capacity magazines comports with the Second Amendment to the U.S. Constitution because these magazines are not commonly used for self-defense.

“Large-capacity magazines can cause mass casualties within a matter of seconds and must be restricted to ensure the safety of our communities,” **said Attorney General Brown**. “Those restrictions are constitutionally sound and should be upheld to combat rising and more extreme gun violence.”

The case, *Hanson v. District of Columbia*, concerns the constitutionality of a D.C. law that allows for possession and sale of firearms magazines that accept up to 10 rounds of ammunition, but prohibits larger capacity magazines. The case was brought by plaintiffs who claimed that the law violates their Second Amendment rights. A U.S. District Court concluded that the plaintiffs are unlikely to succeed on the merits of that claim, and, therefore, allowed the law to remain in effect while the case proceeds. The plaintiffs then appealed the decision to a higher court.

In the brief, the Attorneys General collectively argue that D.C.’s large-capacity magazine law is a constitutionally-permissible restriction because:

- **To encourage public safety, states can and do impose restrictions on dangerous weapons, accessories, and ammunition that pose a threat to communities:** States have widely adopted reasonable restrictions on the public carry, possession, and sale of many types of weapons, accessories, and forms of ammunition that are not suitable for self-defense and undermine the public’s safety. These restrictions are intended to reduce injuries and deaths, while leaving many other options available for individuals who wish to exercise the core Second Amendment right to self-defense.
- **Large-capacity magazines are not protected by the Second Amendment because they are not “Arms,” and they are not commonly used or suitable for self-defense:** The Second Amendment protects only firearms that are commonly used or suitable for self-defense. Large-

capacity magazines are neither. Instead, they facilitate the infliction of more injuries and more deaths when used in mass shootings and other forms of gun violence.

- **The District of Columbia’s law is consistent with a historical tradition of regulating and imposing restrictions on new and distinctively dangerous forms of weaponry:** Historical gunpowder storage laws and other rules and regulations were explicitly intended to prevent threats to public safety by limiting the aggregation of arsenals far beyond what would be sufficient for self-defense. Many state and federal laws throughout American history have also regulated specific dangerous weapons or accessories used for criminal and other violent purposes, such as machine guns or short-barreled shotguns.

In submitting the brief, Attorney General Brown joins the Attorneys General of California, Connecticut, Colorado, Delaware, Hawaii, Illinois, Maine, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New York, Oregon, Rhode Island, Pennsylvania, Vermont, and Washington.

<https://www.marylandattorneygeneral.gov/press/2023/102723a.pdf>

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