

# **S. 736/H.R. 1808: ASSAULT WEAPONS BAN OF 2021**

## **THE PROBLEM**

Assault weapons are a class of semi-automatic firearms specifically designed to maximize the number of people shot in the shortest amount of time. They are a relatively new class of weapon, developed in the last century based on high-powered military designs. During the 1980s, the gun industry sought to reverse a decline in consumer demand for guns by developing and marketing new types of weapons to civilians. The most common variety, the AR-15, is the civilian version of the M16, a combat rifle that made its debut during the Vietnam War.

Military features clearly distinguish assault weapons from standard sporting firearms; these features are what enable shooters to fire many rounds quickly and accurately while retaining control of the weapon. The key feature of assault weapons is the ability to accept detachable large-capacity ammunition magazines, which the bill defines as magazines with a capacity of more than 15 rounds of ammunition. Firearms—and in particular, assault weapons—become more lethal when equipped with large capacity magazines, which allow a shooter to fire repeatedly without needing to pause and reload.

- An analysis of mass shootings between 1990 and 2017 found that attacks involving large capacity magazines resulted in a [62% higher](#) death toll.
- Estimates suggest that nearly [40%](#) of guns used in serious violent crimes, including murders of law enforcement officers, are equipped with large capacity magazines.
- Large capacity magazines have been used in all ten of the deadliest mass shootings in the last decade.

Wounds caused by assault weapons are more severe and lethal than wounds caused by other firearms, and, particularly when paired with large capacity magazines, assault weapons can injure more people more quickly. Because of this lethality, assault weapons are frequently the guns of choice for individuals who carry out horrific public attacks.

- Assault weapons have been used in some of the deadliest mass shootings in the last decade.
- Shooters armed with assault weapons have wreaked havoc in our nation's public spaces, from movie theaters and schools to churches, grocery stores, festivals, and city streets.
- An [analysis of public mass shootings](#) resulting in four or more deaths found that more than 85% of such fatalities were caused by assault rifles.
- [An assailant with an assault rifle is able to hurt and kill twice the number of people compared to an assailant with a non-assault rifle or handgun.](#)

## **THE SOLUTION**

The Assault Weapons Ban of 2021 would ban the future manufacture of assault weapons, as well as the future manufacture and sale of large-capacity magazines, while allowing gun owners to retain their current weapons.

A growing body of research demonstrates that banning assault weapons can help to prevent gun violence. Studies of both the lapsed federal assault weapons ban and state-level assault weapons bans show that these laws help to reduce fatalities and injuries from mass shootings, as well as the use of assault weapons in crime.

## **IMPACT OF THE FORMER FEDERAL ASSAULT WEAPONS BAN**

Between 1994 and 2004, certain “semiautomatic assault weapons” were banned at the federal level. During the 10-year period that the federal assault weapons ban was in effect, mass shooting fatalities were [70% less likely](#) to occur compared to the periods before and after the ban. [One study](#) found that in several major cities, the share of recovered crime guns that were assault weapons declined by at least 32% after the federal ban was adopted.

## **CONSISTENT WITH THE SECOND AMENDMENT**

Laws restricting access to assault weapons and/or large capacity magazines have been ruled consistent with the Second Amendment. Courts have upheld these restrictions in challenges to state-level bans on assault weapons and/or large capacity magazines in Vermont, Massachusetts, New York, Connecticut, New Jersey, Maryland, Colorado, California, and Illinois, as well as the District of Columbia.