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Hawaii Attorney General Joins 18-State Coalition Defending Vermont's Right to Ban Large-Capacity Magazines to Prevent Gun Violence

HONOLULU – Attorney General Clare E. Connors joined a group of 18 state Attorneys General to defend Vermont's right to ban large-capacity magazines and protect public safety. In a friend-of-the-court brief filed in the Vermont Supreme Court, AG Connors and her counterparts argue that states have the right to enact reasonable firearm restrictions that reduce the number of deaths and injuries caused by gun violence.

"The Vermont law provides reasonable restrictions and is constitutional," said Attorney General Connors. "States need to be able to address gun violence on their own terms and in a manner suited to their needs."

The District of Columbia and partner states filed an amicus brief in *State of Vermont v. Max B. Misch*, a suit in which the Vermont Supreme Court will determine whether Vermont's prohibition on large-capacity magazines violates the Vermont Constitution's right to bear arms. In 2018, Vermont prohibited the manufacture, importation, possession, and sale of large-capacity magazines, with some exceptions, including for magazines lawfully possessed before the law went into effect. The law bans magazines that hold more than 10 rounds of ammunition for long guns and more than 15 rounds for handguns. Eight other states and the District of Columbia have enacted similar prohibitions. The constitutionality of those laws has been consistently upheld by federal courts of appeals under the Second Amendment, which the U.S. Supreme Court has recognized as "analogous" to Vermont's right-to-bear-arms provision.

In the brief, the states collectively argue that a ban on large-capacity magazines is a reasonable restriction that Vermont has the right to adopt because:

- **The right to bear arms does not prevent states from enacting common-sense gun safety measures:** 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 their 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 citizens will fall victim to preventable firearm violence, and to minimize fatalities and injuries when that violence does occur. The brief notes that because there are local and regional differences that contribute to gun violence, deciding how best to protect the safety of state residents is a question better suited to 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. Restricting large-capacity magazines means a mass shooter must reload or switch weapons, giving bystanders more opportunities to flee, take shelter, or intervene. At the same time, there is no proof that large-capacity magazines are necessary—or even commonly used—for self-defense.

The brief is available [here](#).

The coalition was led by District of Columbia AG Karl Racine and was joined by Attorneys General from California, Connecticut, Delaware, Hawaii, Illinois, Maryland, Massachusetts, Michigan, Minnesota, New Jersey, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Virginia, and Washington.

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