



CITIZENS CRIME COMMISSION OF NEW YORK CITY

RICHARD M. ABORN, PRESIDENT

Contact: Ashley Cannon, (212) 608-4700

FACT SHEET

Large Capacity Ammunition Magazines

What is an ammunition magazine?

An ammunition magazine is the feeding device that contains the ammunition used by a firearm, including automatic and semiautomatic weapons. The magazine may be detachable or internal.

What is the difference between an automatic and a semiautomatic firearm?

Automatic firearms continuously fire rounds until the trigger is released or the magazine is emptied. Semiautomatic firearms shoot one round per single pull of the trigger. The firearm used by Jared Loughner during the Arizona shooting was a semiautomatic handgun equipped with a large capacity ammunition magazine. He fired more than 30-rounds in just 15 seconds.

What is the difference between an ammunition magazine and an ammunition clip?

An ammunition magazine and an ammunition clip are two different devices. A clip is a device that holds several bullets together, allowing ammunition to be quickly loaded into a magazine. The major difference between a magazine and a clip is a magazine has a feeding mechanism (such as a spring) used to move a round into the gun. Although incorrect, the two terms are often used interchangeably.



How many rounds qualify a magazine as large capacity?

Ammunition magazines that hold more than 10-rounds at a time are generally considered to be *large capacity*.

Why should large capacity ammunition magazines be banned?

Across the country criminals armed with weapons equipped with large capacity ammunition magazines have gone on numerous shooting sprees causing mass fatalities. When large capacity magazines are available in large sizes, capable of holding as many as 100-rounds of ammunition, the lethality of these attacks is significantly increased. During the January 2011 Tucson, AZ shooting, Jared Loughner was equipped with a large capacity ammunition magazine, allowing him to fire off more than 30-bullets in just 15 seconds—killing 6 and wounding 13 others, including Rep. Gabrielle Giffords.

Large capacity ammunition magazines carry far more bullets than any civilian could possibly ever use. Restricting the size of ammunition magazines to no more than 10 bullets is common sense. A ban on large capacity ammunition magazines would not only reduce the number of rounds in the gun, but more importantly reduce the lethality of these dangerous weapons. Moreover, we need to protect our police officers, who shouldn't have to confront so much firepower on the street: they deserve better.

Other than the Tucson, AZ shooting, are there other examples of crimes committed with large capacity ammunition magazines?

Large capacity ammunition magazines have been used in a number of high-profile shootings, including:

- Gian Luigi Ferri, armed himself with two TEC-9 assault weapons with 50-round magazines, which enabled him to kill eight people and wound six others in San Francisco, California.
- In Waco, Texas, the Branch-Davidians had an arsenal of assault weapons including twenty 100-round drum magazines and 260 more large capacity ammunition magazines.
- Patrick Purdy killed 5 children and wounded 29 others at a Stockton, California school with multiple firearms, including one equipped with a 75-round drum magazine, enabling him to shoot 106 rounds in less than two minutes.
- Colin Ferguson used four 15-round magazines to kill 6 people and injure 19 others on the Long Island Rail Road.
- Seung-Hui Cho, the Virginia Tech shooter, used several weapons and emptied multiple 15-round magazines to kill 32 and wound 17 more.

If large capacity ammunition magazines are so dangerous why are they available for civilians to purchase?

These large capacity ammunition magazines were banned in the U.S. from 1994 to 2004. Following the 1993 Long Island Rail Road shooting, Congress passed the Federal Assault Weapons Ban. This law banned the sale of large capacity magazines (more than 10 rounds at a time) and semiautomatic assault weapons. This ban had a 10-year sunset provision. In September 2004, Congress and President George W. Bush took no action to renew the ban—allowing civilians once again to lawfully purchase these dangerous weapons.

Citizens Crime Commission of New York City, Inc., 335 Madison Avenue, 9th Floor, New York, NY 10017
p: 212.608.4700 • f: 212.350.2701 • e: info@nycrimecommission.org
www.nycrimecommission.org

What is Congress seeking to ban, specifically?

In the wake of the Tucson shooting, Congresswoman Carolyn McCarthy (NY04) and Senator Frank Lautenberg (NJ) introduced legislation (HR 308/S 32) that would prohibit the manufacture and sale of ammunition magazines that have a capacity of, or could be readily converted to accept, more than 10-rounds of ammunition.

The bill, titled “the Large Capacity Ammunition Feeding Devices Act,” defines large capacity ammunition feeding devices as “a magazine, belt, drum, feed strip, or similar device that has a capacity of, or that can be readily restored or converted to accept, more than 10 rounds of ammunition.” (This definition is the same as was included in the Federal Assault Weapons Ban of 1994.)

What will happen to the large capacity magazines that are already manufactured or previously purchased?

- The proposed Large Capacity Ammunition Feeding Devices Act prohibits the transfer, possession, or import of a large capacity ammunition feeding devices manufactured after the date of enactment of the bill.
- The proposed bill prohibits the transfer or import (but not possession) of large capacity ammunition feeding devices manufactured before the date of enactment of the bill.

Are there any exemptions to the proposed law?

The proposed Large Capacity Ammunition Feeding Devices Act allows for the following exemptions to the ban (the following exceptions were contained in the Assault Weapons Ban of 1994.):

1. Active law enforcement
2. Protection of nuclear materials
3. Retired law enforcement for devices transferred to them at retirement
4. Authorized testing or experimentation

How is the new proposal different than the previous ban that expired in 2004?

The proposed Large Capacity Ammunition Feeding Devices Act contains two provisions the Assault Weapons Ban of 1994 did not include:

- The bill prohibits the importation of the devices; and
- Bans the transfer of devices in existence before the enactment of the bill (allows for continued possession)