



2021 AG REQUEST LEGISLATION LIMITS ON HIGH-CAPACITY MAGAZINES

Problem:

In 32 seconds, a 24-year-old armed with a 100-round double-drum magazine and an AR-15-type firearm killed or injured 36 people in a Dayton, Ohio nightclub. This was just one day after a mass shooting at an El Paso Walmart, where a white nationalist armed with multiple high-capacity magazines killed or injured 46 people, including children.

These high-capacity magazines – including that same 100-round double-drum magazine used in Dayton – are legal in Washington state.

KEY
STATS

**762
FATALITIES**

Since 1980, high-capacity magazines have been involved in at least 81 mass shootings [see back for more info], resulting in 762 fatalities and 1,154 persons injured.¹

- An analysis of mass shootings from 2009 to 2017 revealed that 58 percent involved high-capacity magazines, resulting in twice as many fatalities and 1,400% more injuries per incident compared to those that did not involve high-capacity magazines.²
- In many cases³, mass killers have been disarmed only when forced to reload.⁴

Solution:

Washington must prioritize public safety and limit high-capacity magazines. Limiting high-capacity magazines limits the number of deaths and injuries that a mass shooter can cause by providing a critical opportunity to intervene once a mass shooting has begun. Whether a state allows high-capacity magazine sales is the single best predictor of the mass shooting rates in that state.⁵

Legislation: [SB 5078](#) / [HB 1164](#)

The legislation sets a reasonable limit to the capacity of magazines that can be sold, possessed or transferred in Washington state – 10 rounds. The bill provides several exemptions including for law enforcement, military and recreational shooting ranges. It requires safe and secure storage for magazines grandfathered by possession on the effective date of the legislation.

Around the US:

Nine states⁶ already restrict magazine capacity – six of those states have a lower rate of gun violence than Washington.⁷ These laws restricting magazine capacity have been upheld in several federal courts of appeal decisions.⁸ The United States Supreme Court allowed those decisions upholding these laws to stand.

Key Support:

- Alliance for Gun Responsibility
- City of Seattle
- Everytown for Gun Safety
- Faith Action Network
- Foundation for Healthy Generations
- Governor's Office
- Grandmothers Against Gun Violence
- King County
- Providence St. Joseph Health
- Seattle Police Chief
- Seattle Police Department
- Snohomish County Prosecutor
- Washington Association for Substance Abuse and Violence Prevention
- Washington State Medical Association

Prime Sponsors:

Sen. Liias: D
Rep. Valdez: D

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1: Violence Policy Ctr., Large-Capacity Ammunition Magazines (2021), https://www.vpc.org/fact_sht/VPCshootinglist.pdf

2: Everytown for Gun Safety, Assault Weapons and High-Capacity Magazines (Mar. 22, 2019), <https://everytown.org/2019/03/22/2QEVgSc>.

3: In Parkland, Florida, the mass shooting ended only when the shooter's assault weapon jammed when he attempted to reload. In the 2011 Tucson shooting of then-Rep. Gabrielle Giffords (D-Ariz.), the mass shooting was interrupted when the shooter stopped to reload and dropped his magazine.

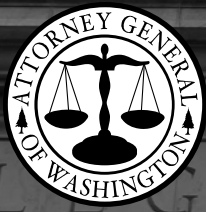
4: J. Levin and E. Madfis, "Rampage School Shootings" The Cambridge Handbook of Social Problems Vol. 2 (2018) P. 262

5: CNN, Here is one correlation between state gun laws and mass shootings (2017), <https://cnn.it/2R1VAG0>

6: Maryland, California, Colorado, Connecticut, New York, Massachusetts, New Jersey, Hawaii, and Vermont

7: State Firearm Deaths, Ranked by Rate, (2013), Violence Policy Center.

8: See *Worman v. Healey*, 922 F.3d 26, 30-31 (1st Cir. 2019), petition for cert. filed (U.S. Sept. 23, 2019) (No. 19-404); *Ass'n of N.J. Rifle & Pistol Clubs, Inc. v. Att'y Gen. N.J.*, 910 F.3d 106, 110 (3d Cir. 2018) (affirming the denial of a preliminary injunction); *Kolbe v. Hogan*, 849 F.3d 114, 135, 138 (4th Cir.) (en banc), cert. denied, 138 S. Ct. 469 (2017); *Fyock v. City of Sunnyvale*, 779 F.3d 991, 1001 (9th Cir. 2015) (affirming the denial of a preliminary injunction); *Friedman v. City of Highland Park*.



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High-profile shootings involving high-capacity magazines (not exhaustive)

Location	Year	Magazine Size/Capacity	Victim Deaths	Injuries*
Dayton, Ohio	2019	100-round drum	9	27
Walmart, El Paso, TX	2019	30-rounds	22	24
Gilroy Garlic Festival, Gilroy, CA	2019	75-round drum, 40-rounds	3	13
Borderline Bar and Grill, Thousand Oaks, CA	2018	30-rounds	12 + 1 law enforcement officer	
Marjory Stoneman Douglas High School, Parkland, FL	2018	30-rounds	17	17
First Baptist Church, Sutherland Springs, TX	2017	30-rounds	26	20
Route 91 Harvest Festival, Las Vegas, NV	2017	100-rounds, 25-rounds, 40-rounds	58	500+
UPS Distribution Center, San Francisco, CA	2017	30-rounds	3	2
Cascade Mall, Burlington, WA	2016	25-rounds	5	
House Party, Mukilteo, WA	2016	30-rounds	3	1
Baton Rouge, LA	2016	Reports cite HCM over 10-rounds	3 law enforcement officers	3 law enforcement officers
Dallas, TX	2016	Reports cite HCM over 10-rounds	5 law enforcement officers	9 law enforcement officers, 2 citizens
Pulse Nightclub, Orlando, FL	2016	30-rounds	49	53
Excel Industries, Hesston, KS	2016	30-rounds	3	14
Inland Regional Center, San Bernardino, CA	2015	30-rounds	14	21
Umpqua Community College, Roseburg, OR	2015	15-rounds	9	8
Navy Operational Support Center, Chattanooga, TN	2015	30-rounds	5	2
Emmanuel African Methodist Episcopal Church, Charleston, SC	2015	15-rounds	9	1
Marysville-Pilchuck High School, Marysville, WA	2014	Reports cite HCM over 10-rounds	4	1
Apartment Complex, Hialeah, FL	2013	17-rounds	6	
Santa Monica, CA	2013	30-rounds	5	
Hendersonville, NC	2013	30-rounds	3	
Sandy Hook Elementary School, Newtown, CT	2012	30-rounds	27	2
Accent Signage Systems, Minneapolis, MN	2012	15-rounds	6	3
Sikh Temple, Oak Creek, WI	2012	19-rounds	6	2
IHOP, Carson City, NV	2011	20 and 30-rounds	4	7
Safeway Parking Lot, Tucson, AZ	2011	33 and 15-rounds	6	13

There are more than 40 mass shootings not listed, from 1981 to present, that involve HCMs of 15-rounds or higher.

*In some cases number of injuries are estimates and may include injuries resulting from gunfire and other circumstances.