

Arguments For

HB15-1009

CONCERNING REPEALING CERTAIN PROVISIONS REGARDING
LARGE-CAPACITY AMMUNITION MAGAZINES

Fredric Calhoun
February 2, 2015

Narrative

Firearms with high capacity magazines are not the problem, The first magazine fed semi-automatic handgun was invented in the late 1800's and the most popular version went into production in 1911. The so-called "assault rifles" with 30 round magazines are also not new technology. The AR and AK rifles were invented after World War II in the late 40's and have always been available to the general public. It is noted the "47" in AK-47 stands for 1947, the year the firearm went into production and fully automatic "machine gun" versions of these rifles were readily available to civilians until 1986 and background checks on firearm transfers weren't required until 1994. Yet nobody talks about mass killings with any semi-automatic or automatic version of these rifles during the 40's, 50's, 60's, and 70's so it's a relatively new phenomenon and logic would indicate it's being caused by something else.

The assertion is often made that smaller magazines will save lives. The problem with that logic is that the aggressor always has the advantage - he can choose the time, place, environment, protection, firearms, tactics and has the element of surprise and smaller magazines won't necessarily change the outcome because the aggressor can plan on it and train for it. As shown on page 2 from actual demonstrations, the total end-to-end time difference to aim, fire and swap magazines varies anywhere from 1.4 seconds for an experienced shooter to 2.4 seconds for a novice. On page 3, if only the time to swap magazines is considered, the times of 9 independent demonstrations range from 0.3 to 3.5 seconds. So is 3.5 seconds really going to make a difference? As shown in the video referenced on page 4, a person who starts running when he realizes a magazine swap commences can move only 9 to 14 feet before the next shot is fired. And this "getaway" tactic is ineffective if the shooter reloads during a lull before the firearm is empty as was rumored to have been done by the Sandy Hook killer.

As discussed on page 5, what is especially egregious about this law is the way it is written - specifically it does not define "owner" and it does not define "continuous possession" and without clarification it becomes another vague, abstruse and onerous restriction placed on friends and family members that could trip them up and subject them to intimidation and entrapment by overzealous and unscrupulous authorities who are aligned with an anti-gun agenda.

We hear a lot of arguments to justify this magazine limitation and I'm fairly certain similar arguments were made in 1934, 1968, 1986, 1990, 1993 and 1994 when other restrictive gun laws were passed - and since all of the regulations derived from those laws are apparently not enough, maybe you can understand the reluctance of gun owners to embrace the idea of accepting any new ones. The reality is laws banning large magazines have nothing to do with keeping people safe - its about exploiting infrequent acts of horrific gun violence to advance the agenda of gun control in more incremental, progressive steps in order to set a new baseline and move the goal posts to accommodate the next restriction that will roar in with a tidal wave of emotion that drowns the facts after the next mass shooting where some killer decides to use 15 round magazines.

Finally, while empathy for a person's loss is a noble human quality, in adjudicating the laws we insist juries consider only the facts and evidence and I believe it is incumbent upon you to apply the same standard when writing these laws. I ask that you look at the facts and support this bill.

Time Required to Only Swap Magazines

Firearm Type	Utube Video Web Address	Play Duration (min:sec)	Magazine Change Duration (sec)	Where Performed	Notes
AR15	http://www.youtube.com/watch?v=rGKvpabCCJ4	0:47	3.5	range	
AR15	http://www.youtube.com/watch?v=lil1mrsT6D4	0:12	2.6	range	
AR15	http://www.youtube.com/watch?v=6OSyHXNPBnk	0:12	3.0	range	
AR15	http://www.youtube.com/watch?v=VRGI4-5zCrw	0:13	2.5	range	
AR15	http://www.youtube.com/watch?v=LOTZ3fX6fUw	0:43	3.5	range	
AR15	http://www.youtube.com/watch?v=ksZqzPWm7VQ	0:30	3.0	inside	
AR15	http://www.youtube.com/watch?v=rLYNBF9FajU	0:39	3.0	inside	
AR15	http://www.youtube.com/watch?v=8C-CLsMRcA0	6:00	0.3	range	mag coupler
AR15	http://www.youtube.com/watch?v=iQ1GFhxc8cg	4:30	1.0	inside	mag coupler
	AVERAGE		2.5		
semi-auto handgun	http://www.youtube.com/watch?v=CAFxgQmxbGI	0:28	0.9	inside	
semi-auto handgun	http://www.youtube.com/watch?v=JbC5mEc6ipE	0:57	2.0	range	
	AVERAGE		1.5		
all types	http://www.youtube.com/watch?&v=b2Upjn5DR0o#!	13:56		range	

Conclusion

- It's not clear a victim being fired upon is going to know when or how a criminal with a gun is reloading
 - Consider When
 - ~0.5 sec between shots with ~2.5 sec reload time
 - Leaves 2 sec to realize a reload is happening and “tackle” the criminal or get away
 - Referenced video (below) demonstrates this scenario
 - » Victim from a standing position was able to move only 9 feet before the reload was completed and the next shot was fired
 - Consider How
 - Experienced gun users train to reload during a lull before the gun is empty in order to ensure a full magazine
 - Gun can still be fired any time during the reload process
- It's also not clear a victim would choose to “tackle” the shooter as opposed to try to run away
 - If the victim chooses to run away during a mass shooting the reload time becomes irrelevant

Problems with the Law's Grandfather Clause

- Law states
 - **“Owns the large capacity magazine on the effective date”**
 - Does the family “own” it or only the person that bought it?
 - **“Maintains continuous possession of the large capacity magazine”**
 - What is the definition of continuous possession?
 - No distinction between permanent or temporary possession
 - Violations?
 - Hand firearm and magazine to a friend or family to shoot
 - Have friend or family carry range bag with magazines
 - Leave magazine with friend or family while go to the range porta- potty
 - Family has access or combination to a gun safe with magazines
 - Family uses magazine in a firearm for self defense
- Without more clarification a lot of law abiding gun owners can potentially become lawbreakers as well as be set up to be exploited by overzealous authorities who are aligned with an anti-gun agenda.