

Attorney General Raoul Supports Delaware's Restrictions On Assault Weapons And Large-Capacity Magazines

August 25 2023 10:25 AM



CHICAGO - Attorney General Kwame Raoul, as part of a coalition of 18 attorneys general, filed an amicus brief, defending Delaware's commonsense laws that restrict access to assault weapons and large-capacity ammunition magazines.

Raoul and the coalition filed [their brief](#) in Delaware State Sportsmen's Association, Inc. v. Delaware Department of Safety and Homeland Security in the U.S. Court of Appeals for the Third Circuit. The attorneys general argue that the Second Amendment to the U. S. Constitution does not prevent states from enacting reasonable firearms regulations, including those that restrict the possession of unusually dangerous weapons and accessories to protect public safety, prevent crime and reduce the harms caused by gun violence.

“I support Delaware and its commonsense laws to restrict access to assault weapons and large-capacity ammunition magazines. Like Illinois, Delaware is actively protecting its citizens and communities from deadly firearms,” Raoul said. “I will continue to stand by fellow attorneys general who prioritize public safety by restricting access to assault weapons and large-capacity magazines.”

In 2022, Delaware adopted laws that prohibit the possession and sale of assault weapons and limit possession of ammunition magazines capable of holding more than 17 rounds, also known as large-capacity magazines, to members of law enforcement and the armed forces, and people with concealed carry permits.

Raoul and the attorneys general collectively argue that Delaware's restrictions are consistent with the Second Amendment because:

- **To encourage public safety, states can and do impose restrictions on dangerous weapons, accessories, and ammunition that pose a threat to communities.** States have widely adopted reasonable restrictions to the public carry, possession, and sale of many types of weapons, accessories, and forms of ammunition that are not suitable for self-defense and undermine the public's safety. These restrictions are intended to reduce injuries and deaths while leaving many other options available for individuals who wish to exercise the Second Amendment right to self-defense.
- **Assault weapons and large-capacity magazines are not protected by the Second Amendment because they are not commonly used or suitable for self-defense.** The Second Amendment protects only firearms that are commonly used or suitable for self-defense. The states argue that assault weapons and large-capacity magazines do not meet this requirement.
- **Delaware's laws are consistent with historical restrictions on new, and distinctly dangerous, forms of weaponry.** As novel weapons and accessories have emerged, and become more dangerous over time, states have historically implemented regulations to limit the public's access to uniquely lethal forms of weaponry that are not suitable for self-defense.

The brief is Attorney General Raoul's most recent action to address gun violence throughout Illinois and across the nation. The Attorney General's office works with state law enforcement agencies and prosecutors to increase awareness of Illinois' red flag law and to address gaps in Illinois' firearms licensing system. The office also continues to prosecute individuals who lie on FOID card applications.

Raoul also proposed the Firearms Industry Responsibility Act in Illinois to hold bad actors in the gun industry accountable, which Governor JB Pritzker signed into law on Aug. 12. Nationally, Attorney General Raoul led coalitions of attorneys general in filing briefs supporting state laws in New Jersey and New York that similarly hold gun industry members accountable for their own, unlawful actions.

Raoul has also led coalitions of attorneys general supporting bans on carrying firearms in sensitive areas such as in schools, on public transit and in places of worship. Attorney General Raoul has persistently advocated at the federal and state levels to strengthen regulation of 3D-printed guns and ghost guns. Illinois law now prohibits ghost guns, but the office continues to fight in federal court to help defend a recent rule closing the federal loophole. Additionally, Attorney General Raoul successfully filed and resolved a lawsuit to get the federal firearm license of an unscrupulous arms manufacturer revoked.

In addition to supporting law enforcement, the Attorney General's office supports victims service providers around Illinois that offer trauma-informed services for crime victims and their families. Raoul's Crime Victims Services Division administers a host of programs and services to assist survivors of violent crime. More information is available on the [Attorney General's website](#).

Joining Raoul in filing the brief are the attorneys general of California, Colorado, Connecticut, the District of Columbia, Hawaii, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Vermont and Washington.