

Attorney General Raoul Defends California Assault Weapons Ban

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CHICAGO - Attorney General Kwame Raoul, as part of a coalition of 20 attorneys general, filed [an amicus](#) brief in support of the state of California's efforts to restrict the sale and possession of assault weapons within its borders.

“States should be able to protect residents and communities by passing laws restricting the sale and possession of assault weapons,” Raoul said. “I will continue to collaborate with fellow attorneys general who prioritize public safety by defending common sense gun safety measures.”

The case, *Miller v Bonta*, concerns the constitutionality of California’s assault weapons ban, and the coalition filed an amicus brief in support of California in the U.S. Court of Appeals for the Ninth Circuit. A judge on the U.S. District Court for the Southern District of California issued an injunction against California’s Assault Weapons Control Act, and California appealed the decision. The Ninth Circuit has stayed the lower court’s injunction while it considers California’s appeal, allowing the law to remain in effect for now.

In the amicus brief, Raoul and the attorneys general argue that California’s assault weapons ban is a constitutionally permissible restriction under the Second Amendment because:

- **To protect 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 on 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. Semiautomatic assault weapons, such as AR-15 and AK-47-style rifles, fall into this category. They inflict catastrophic injuries and are uniquely devastating in mass shootings. Common-sense assault weapons restrictions are intended to reduce these senseless injuries and deaths.
- **Assault weapons are not protected by the Second Amendment because they are not commonly used or suitable for self-defense:** The District Court overlooked the abundance of evidence that assault weapons were designed and engineered for military combat, and to create as many devastating injuries and deaths in as short a time as possible.
- **California’s assault weapons ban is consistent with a historical tradition of regulating and imposing restrictions on new and distinctively dangerous forms of weaponry:** There is longstanding tradition of firearm regulation that supports California’s prohibition. For example, historical gunpowder storage laws and other rules and regulations were explicitly intended to prevent threats to public safety by limiting the aggregation of arsenals far beyond what would be sufficient for self-defense. States and the federal government have long had to adopt laws and regulations to cope with new weapons technologies that create public safety threats if there is no valid purpose for their usage in self-defense.

The brief is Attorney General Raoul's most recent action to address gun violence throughout Illinois and across the nation. Last month, Raoul, as part of a coalition of attorneys general, filed [an amicus brief](#) in a similar case, supporting California's efforts to restrict the capacity of large-capacity magazines within its borders.

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. 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 in August.

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.

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](#).

Raoul was joined in filing the amicus brief in *Miller v Bontaby* the attorneys general of Arizona, Colorado, Connecticut, Delaware, District of Columbia, Hawaii, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Vermont and Washington.