

HB 19-1021 Concerning the Repeal of Certain Provisions Concerning Ammunition Magazines
Testimony in support of the bill by Keith Emerson, speaking as an individual, January 24, 2019

I come before you today to point out two facts:

1. Limiting magazine size does not work to deter crime and mass murders or normally lower the number of people killed and
2. The Colorado magazine ban puts an unwarranted burden on law-abiding citizen gun-owners.

Magazine size restriction do not make a difference in mass killings. In the vast majority of mass shootings the murderers have not been deterred by magazine capacity. For example, the killer at Marjory Stoneman Douglas High School in Parkland, Florida used 10 round magazines.¹ The tools of the murderer at Santa Fe High School in Santa Fe, Texas were a .38 caliber revolver, which typically holds 6 cartridges, and a Remington 870 pump shotgun, which has a standard capacity of 4 shells.²

What about having to change magazines? Of all the mass murders there has been a single instance where I'm aware that having to change a magazine made a difference. That was in the Gabby Giffords shooting where the killer dropped the loaded magazine and it was picked up by a bystander. For everyone else, let me reference a YouTube video³ made by a sheriff in Boone County, Indiana demonstrating how quickly magazines can be changed. I'll give away the ending and say that there's no appreciable difference in the time it takes to fire 30 rounds with a pistol using standard vs. restricted size magazines.

Ah, I hear voices saying, but what about the horrendous shooting in Newtown, Connecticut at Sandy Hook Elementary? I've heard claims that 6 children escaped while the murderer changed magazines. Well, I did a little research and according to Wikipedia no one knows what happened in those few moments but it is apparent that "either because his weapon jammed or the killer made an error in reloading it."⁴ What they did find afterward was cartridges on the

¹ <https://www.nationalreview.com/2018/03/report-parkland-shooter-did-not-use-high-capacity-magazines/>

² <https://abcnews.go.com/beta-story-container/US/texas-school-shooting-suspect-allegedly-found-weapons-mass/story?id=55324161>

³ <https://www.youtube.com/watch?v=MCSySuemiHU>

⁴ https://en.wikipedia.org/wiki/Sandy_Hook_Elementary_School_shooting

floor, which does not happen in a magazine change but does happen when clearing a jammed firearm. The Parkland, Florida killer's AR-15 also jammed.

Then there's the specious argument that magazine limits are worth it even if one life can be saved. Well, very few lives have been saved and limiting the capability of people to defend themselves using a firearm with a standard capacity magazine can cause deaths too. If lives were saved by limiting magazine size you would not have exempted the police from the 2013 law. Why do police or the general public, when defending themselves, need more than 10 or 15 rounds? For one thing there are often more than one bad person. Last Saturday at 1 AM five armed criminals invaded a home in Houston.⁵ They were beaten off by the homeowner who I suspect was using standard capacity magazines.

Another reason police and the general public need access to standard capacity magazines is that, frankly, in the stress of a life-or-death encounter accuracy tends to decrease. Shannon Watts, founder of Moms Demand Action, has pointed out that trained police hit their target only 30% of the time.⁶ By the way, that doesn't mean the other bullets go on to kill innocent bystanders.

One more note. An effect of the 2013 magazine law was that a Colorado startup that manufactured magazines, Magpul, left Colorado for Wyoming and Texas. Last summer the company received a good sized military contract for its magazines. Those were jobs that could have been here in Colorado except for that law.

I request that you allow this bill to pass or at least permit Colorado residents to purchase magazines of standard capacity for their firearms.

Sincerely,

Keith Emerson

7840 East Bethany Pl. Denver, CO

⁵ https://www.thetruthaboutguns.com/2019/01/john-boch/houston-defender-in-home-invasion-shootout-kills-three-of-five-attackers/?utm_source=wideopen&utm_medium=email&utm_campaign=wideopen&utm_content=%5B%5B%5D%5D

⁶ <https://www.politifact.com/truth-o-meter/statements/2018/may/25/shannon-watts/do-more-7-10-police-bullets-miss-their-mark-gun-co/>