

Nos. 25-238, 25-566

In the
Supreme Court of the United States

CUTBERTO VIRAMONTES, et al.,
Petitioners,

v.

COOK COUNTY, et al.,
Respondents.

EDDIE GRANT, JR., et al.,
Petitioners,

v.

RONNELL HIGGINS, et al.,
Respondents.

**On Writs of Certiorari to the
United States Court of Appeals
for the Seventh and Second Circuits**

**BRIEF FOR *AMICI CURIAE* NATIONAL
AFRICAN AMERICAN GUN ASSOCIATION,
ASIAN PACIFIC AMERICAN GUN OWNERS
ASSOCIATION, THE LIBERAL GUN CLUB, AND
OPERATION BLAZING SWORD - PINK
PISTOLS, IN SUPPORT OF PETITIONERS**

MATTHEW D. ROWEN
Counsel of Record
CLEMENT & MURPHY, PLLC
706 Duke Street
Alexandria, VA 22314
(202) 742-8900
matthew.rowen@clementmurphy.com
Counsel for Amici Curiae

September 4, 2026

TABLE OF CONTENTS

TABLE OF AUTHORITIES.....	ii
INTEREST OF <i>AMICI CURIAE</i>	1
INTRODUCTION AND SUMMARY OF ARGUMENT	3
ARGUMENT.....	5
I. Minority Groups Have A Particularly Strong Interest In Ensuring That Citizens Can Defend Themselves And Their Loved Ones	5
II. AR-15s Are Popular For A Reason: The Features That Render A Firearm An “Assault Weapon” Under Respondents’ Laws Are Highly Useful For Civilian Self-Defense	10
CONCLUSION	21

TABLE OF AUTHORITIES

Cases

<i>Ass’n of N.J. Rifle & Pistol Clubs, Inc.</i> <i>v. Att’y Gen. of N.J.</i> , 183 F.4th 211 (3d Cir. 2026).....	12, 14
<i>Barnett v. Raoul</i> , 180 F.4th 1035 (7th Cir. 2026)	11
<i>Barnett v. Raoul</i> , 756 F.Supp.3d 564 (S.D. Ill. 2024)	11
<i>Bevis v. City of Naperville</i> , 85 F.4th 1175 (7th Cir. 2023)	10
<i>District of Columbia v. Heller</i> , 554 U.S. 570 (2008).....	10
<i>Friedman v. City of Highland Park</i> , 784 F.3d 406 (7th Cir. 2015).....	20
<i>Kolbe v. Hogan</i> , 849 F.3d 114 (4th Cir. 2017).....	17
<i>Peruta v. California</i> , 137 S.Ct. 1995 (2017).....	9
<i>Snope v. Brown</i> , 145 S.Ct. 1534 (2025).....	4
<i>Staples v. United States</i> , 511 U.S. 600 (1994).....	3

Statutes

18 U.S.C. §249(a)(2).....	5
Pub. L. No. 103-322, 108 Stat. 1796 (1994)	6

Other Authorities

- Curtis Bunn, *Why more Black people are looking for safety in gun ownership*, NBC News (June 14, 2022), perma.cc/8E5M-N4DZ..... 7
- Council on Crim. Just., *Violent Victimization is Decreasing—But Not for Everyone* (Oct. 2024), perma.cc/U7V6-T2XH..... 5
- Crime Prevention Rsch. Ctr., *Ten Cases Over The Last Few Years Where People Have Had To Fire Ten Or More Shots In Self Defense* (Oct. 22, 2020), perma.cc/UKY5-APRS 14
- William English, *2021 National Firearms Survey: Updated Analysis Including Types of Firearms Owned 20* (Georgetown Univ. Rsch., Paper No. 4109494, 2022), perma.cc/E8H9-N6RZ..... 8
- William English, *2026 National Firearms Survey: Results from the Second Wave, Including Current Ownership of AR-15 Style Rifles, Other “Assault Weapons,” and Magazines that Hold More than 10 Rounds* (Georgetown Univ., Working Paper: Aug. 2026), perma.cc/L535-DTQF 8
- FBI, *FBI Releases Domestic Violence Special Report* (Feb. 11, 2026), perma.cc/ERL3-FWHN 6
- FBI, Uniform Crime Reporting Program, *Reported Crimes in the Nation* (2024), perma.cc/AN5P-ZE2J..... 5, 6

Aleisha Flores, <i>FBI Hate Crime Data Reveals Persistent Threats to Asian Americans Amid Escalating Anti-Immigrant Climate</i> , Asian Ams. Advancing Just. (Aug. 17, 2026), perma.cc/C7F4-P6Z4	5
Lauren Fox, <i>Do Women Prefer AR-15 Rifles?</i> , U.S. News & World Rep. (Jan. 30, 2013), perma.cc/B7MP-E5KC	7
<i>Gun Digest 2012</i> (Dan Shideler ed., 66th ed. 2011).....	16
<i>Gun Shop Owner Shoots, Kills Man During Attempted Robbery</i> , Wis TV (updated Aug. 19, 2012), perma.cc/R3R8-G6R8	14
Peter Holley, <i>Fearing That State Leaders Want Them “Eradicated,” Some Transgender Texans Embrace Firearms</i> , Tex. Monthly (Mar. 23, 2023), perma.cc/22FR-EEPL	8
Natasha Ishak, <i>The True Stories Behind The ‘Rooftop Koreans’ Who Took Up Arms During The L.A. Uprising</i> , ATI (updated June 11, 2025), perma.cc/5Q3Q-U9AB	8, 9
Nicholas J. Johnson, et al., <i>Firearms Law and the Second Amendment</i> (3d ed. 2021).....	10, 11, 12, 13, 17, 19, 20
Nicholas Johnson, <i>Negroes and the Gun: The Black Tradition of Arms</i> (2014)	5
Kelly Jordan, <i>Violence Against Women a Growing Concern</i> , Emory Rollins Sch. of Pub. Health (Mar. 5, 2025), perma.cc/WTC9-48NS	6

Don B. Kates, Jr., <i>Guns, Murders, and the Constitution: A Realistic Assessment of Gun Control</i> , Pac. Rsch. Inst. (Feb. 1990), perma.cc/5JDM-5VMV	7
David B. Kopel, <i>Rational Basis Analysis of “Assault Weapon” Prohibition</i> , 20 J. Contemp. L. 381 (1994)	15, 19
David B. Kopel, <i>The History of Firearms Magazines and Magazine Prohibitions</i> , 78 Albany L. Rev. 849 (2015)	11, 13
<i>LGBT people five times more likely than non-LGBT people to be victims of violent crime</i> , Williams Inst., UCLA Sch. of Law (Feb. 13, 2025), perma.cc/N3JY-NHXY	6
David K. Li, <i>Pregnant Florida Woman Uses AR-15 to Fatally Shoot Armed Intruder</i> , NBC News (Nov. 4, 2019), perma.cc/ZS4Y-D3FC	8
Delphine Luneau, <i>FBI’s Annual Crime Report: Hate Crimes Against LGBTQ+ Community Remain Among Top 3 Most Reported Categories</i> , Human Rts. Campaign (Aug. 5, 2025), perma.cc/5WXG-K7GV	6
Frank Miniter, <i>The Future Of The Gun</i> (2014)	19
<i>Protecting America from Assault Weapons: Hearing before the H. Comm. on the Judiciary</i> , 116th Cong. (2019), perma.cc/S7ZR-HR4D	8
Glenn Puit, <i>DA: Fatal Shooting In Parking Lot Was ‘Clear Case of Self-Defense’</i> , Las Vegas Rev. J. (May 4, 2020), perma.cc/Y6AU-FMTB	14

RailScales, <i>How Does an AR-15 Foregrip Help with Accuracy</i> (Apr. 8, 2025), perma.cc/PS5N-B5TZ	16
Rep. of J. Buford Boone, <i>Barnett v. Raoul</i> , No. 3:23-cv-209 (S.D. Ill. Sept. 13, 2024)	20
Rep. of Jeffrey Eby & Michael Musselman, <i>Barnett v. Raoul</i> , No. 3:23-cv-209 (S.D. Ill. Sept. 13, 2024)	20
Rep. of Matthew Little, <i>Barnett v. Raoul</i> , No. 3:23-cv-209 (S.D. Ill. Sept. 13, 2024).....	13, 15, 16, 17, 18
Rep. of David Lombardo, <i>Barnett v. Raoul</i> , No. 3:23-cv-209 (S.D. Ill. Sept. 13, 2024)	19
Rep. of Steven Watt, <i>Barnett v. Raoul</i> , No. 3:23-cv-209 (S.D. Ill. Sept. 16, 2024).....	12, 13, 15, 16, 17, 18, 20
<i>RIT Students Accosted by Gunman in Their Home</i> , ABC 13 (July 13, 2013), perma.cc/2TXF-WZ96	8
David Robinson, <i>AR-15 Foregrips 101</i> , Bolts & Bullets (Nov. 1, 2025), perma.cc/64BG-XV7H	16
Jacob Sullum, <i>The Threat Posed by Gun Magazine Limits</i> , Reason (Jan. 16, 2013), perma.cc/DSV5-D3GV	14
Patrick Sweeney, <i>Gun Digest Book of the AR-15, Volume II</i> (2007)	19
Trial.Tr., <i>Barnett v. Raoul</i> , No. 3:23-cv-209 (S.D. Ill. Sept. 16, 2024).....	11
Trial.Tr., <i>Barnett v. Raoul</i> , No. 3:23-cv-209 (S.D. Ill. Sept. 17, 2024).....	15, 18

Trial.Tr., <i>Barnett v. Raoul</i> , No. 3:23-cv-209 (S.D. Ill. Sept. 18, 2024).....	13, 14, 15, 17, 19
E. Gregory Wallace, “Assault Weapon” <i>Myths</i> , 43 S. Ill. U.L.J. 193 (2018)	15
Julie A. Ward et al., <i>Reasons for Gun Ownership Among Demographically Diverse New and Prior Gun Owners</i> , Am. J. of Prev. Med. (2024), perma.cc/4H2U-2P3V	7
<i>What’s the Best AR-15 for Women</i> , Bad Moon Armory (updated Aug. 18, 2025), perma.cc/53EF-GRMS	17

INTEREST OF *AMICI CURIAE*¹

The National African American Gun Association (“NAAGA”) is a nonprofit association founded in 2015 to defend the Second Amendment rights of members of the African-American community. NAAGA has more than 40,000 members living in every state of the United States and the District of Columbia. Its mission is to establish a fellowship by educating on the rich legacy of gun ownership by African Americans, offering training that supports safe gun use for self-defense and sportsmanship, and advocating for the inalienable right to self-defense for African Americans. NAAGA’s goal is to have every African American introduced to firearm use for home protection, competitive shooting, and outdoor recreation, including with one of the most effective firearms in America for those purposes: the AR-15.

The Asian Pacific American Gun Owners Association (“APAGOA”) is a nonprofit association of gun owners with an Asian Pacific American heritage that is focused on promoting safe and responsible gun ownership within the Asian Pacific American community. APAGOA provides educational materials and other supportive resources to its members and other interested parties, and advocates for strong firearms safety, education, and community-building initiatives. APAGOA’s goal is to educate and empower

¹ Pursuant to Supreme Court Rule 37.6, *amici* state that no counsel for any party authored this brief in whole or in part and that no party or its counsel made any monetary contribution toward the preparation or submission of this brief. The National Shooting Sports Foundation, Inc., contributed financial support to fund the preparation and submission of this brief.

the Asian Pacific American gun-owner community so that they can use their firearms, including AR-15s and similar rifles, safely and responsibly.

The Liberal Gun Club (“LGC”) is an organization of gun owners that seeks to provide a voice for gun owners across the political spectrum in the national conversation on gun rights, gun legislation, firearms safety, and shooting sports. With over 11,500 supporters and over 6,000 contributing members, LGC serves as a national forum for all people, irrespective of their beliefs, to discuss firearms ownership and use and the enjoyment of firearms-related activities free from the destructive elements of political extremism that dominate this subject on the national scale. LGC also actively develops and fosters a variety of firearms-training programs and firearms-safety-education programs, including with respect to AR-15s and similar rifles, for both gun owners and non-gun owners alike.

Operation Blazing Sword–Pink Pistols (“OBSPP”) comprises two organizations, Operation Blazing Sword and Pink Pistols, which together advocate on behalf of lesbian, gay, bisexual, transgender, and queer firearm owners, with specific emphasis on self-defense issues. Operation Blazing Sword maintains a network of over 2,000 volunteer firearm instructors in nearly a thousand locations across all fifty states. Pink Pistols, which was incorporated into Operation Blazing Sword in 2018, is a shooting society that honors gender and sexual diversity and advocates for the responsible use of firearms for self-defense. Membership is open to anyone, regardless of sexual

orientation or gender identity, who supports the rights of LGBTQ firearm owners.

Amici have a clear interest in this case. The communities they represent are far more likely than other Americans to become victims of firearms violence. And, unfortunately, Black, Asian, female, and LGBT individuals are also far more likely to find themselves in situations where they stand alone facing groups of predators bent on violence against them. *Amici*'s members thus need the most effective firearms they can get to defend themselves and their loved ones—and can attest to the self-defense benefits of the semiautomatic rifles that Connecticut and Cook County have outlawed. Semiautomatic rifles of the sort these jurisdictions have banned “traditionally have been widely accepted as lawful possessions,” *Staples v. United States*, 511 U.S. 600, 612 (1994), for good reason: They are among the most reliable, accurate, and easy to handle firearms ever made. Far from lending themselves to criminality, moreover, the features that define the semiautomatic rifles respondents have banned are what make them so sought-after as self-defense tools. *Amici*'s respective members do not just want these reliable, accurate, and easy to handle firearms; in many cases, having them (or not) is a matter of life or death. *Amici* accordingly submit this brief in support of petitioners.

INTRODUCTION AND SUMMARY OF ARGUMENT

Although respondents and their allies have (mis)branded the firearms at issue in this case as “assault weapons,” a far more appropriate moniker for AR-15s and other similar semiautomatic rifles would

be “self-defense weapons.” “Americans today possess an estimated 20 to 30 million AR-15s,” *Snope v. Brown*, 145 S.Ct. 1534, 1534 (2025) (Kavanaugh, J., respecting the denial of certiorari), for a reason: The specific features and firearm models Connecticut and Cook County have banned are among the best-suited for self-defense of any firearm currently available. Far from lending themselves to criminality, the features that define the rifles respondents have chosen to denigrate are precisely what make them so well-suited to the Second Amendment’s *ne plus ultra* purpose. The ability to fire semiautomatically without the need to rely on human muscle to rechamber a firearm and the capacity to accept a detachable magazine are both hallmarks of essentially all modern firearms because they allow users to fire more accurate shots more quickly. And features like pistol and forward grips, adjustable and thumbhole stocks, and barrel shrouds and muzzle brakes likewise make handling and firing easier and more accurate—not to mention more achievable for the elderly, weaker individuals, and Americans of all shapes, sizes, colors, and creeds. Respondents’ flat bans on these safe, effective, and reliable self-defense tools are not just inconsistent with historical tradition, as petitioners have explained. They are also perverse, as they deprive the people who face the greatest need for effective self-defense tools of some of the best such tools ever made.

ARGUMENT

I. **Minority Groups Have A Particularly Strong Interest In Ensuring That Citizens Can Defend Themselves And Their Loved Ones.**

For centuries now, minority groups of all kinds have been the targets of violent crime in this country. Racial minorities, for example, have throughout our history (and even today) been subject to lynchings, racist attacks, and race-based gang and mob violence. *See generally* Nicholas Johnson, *Negroes and the Gun: The Black Tradition of Arms* (2014). According to the National Crime Victimization Survey, over 51% of all reported hate crimes in 2024 were motivated by race, *see* FBI, Uniform Crime Reporting Program, *Reported Crimes in the Nation* 6 (2024), perma.cc/AN5P-ZE2J (“*Reported Crimes*”), and Black and Asian Americans face particularly high victimization rates, *see* Council on Crim. Just., *Violent Victimization is Decreasing—But Not for Everyone* (Oct. 2024), perma.cc/U7V6-T2XH; Aleisha Flores, *FBI Hate Crime Data Reveals Persistent Threats to Asian Americans Amid Escalating Anti-Immigrant Climate*, *Asian Ams. Advancing Just.* (Aug. 17, 2026), perma.cc/C7F4-P6Z4.

Sexual minorities are likewise disproportionately subject to violence based on discriminatory animus. Congress itself recognized as much when it enacted the Matthew Shepard Hate Crimes Prevention Act of 2009, which expanded the scope of the federal statute to include violence driven by a perpetrator’s animus toward the victim’s actual or perceived sexual orientation or gender identity. 18 U.S.C. §249(a)(2). The FBI also reports that approximately one-fifth of

all hate crimes are motivated by such bias, which makes this category of hate crime third only to crimes based on race and religion. *See Reported Crimes, supra*, at 6; *see also* Delphine Luneau, *FBI's Annual Crime Report: Hate Crimes Against LGBTQ+ Community Remain Among Top 3 Most Reported Categories*, Human Rts. Campaign (Aug. 5, 2025), perma.cc/5WXG-K7GV; *LGBT people five times more likely than non-LGBT people to be victims of violent crime*, Williams Inst., UCLA Sch. of Law (Feb. 13, 2025), perma.cc/N3JY-NHXY.

Despite the passage of the Violence Against Women Act, Pub. L. No. 103-322, §40001, 108 Stat. 1796, 1902 (1994), cis-gender women, too, fall victim to disproportionately high rates of violence today. Women are often targets because of their perceived vulnerability to male predators, whether in the form of domestic violence by husbands and boyfriends or street violence by common muggers and rapists. *See Reported Crimes, supra*, at 6-9; *see also* FBI, *FBI Releases Domestic Violence Special Report* (Feb. 11, 2026), perma.cc/ERL3-FWHN (reporting that nearly 75% of domestic violence victims are women); Kelly Jordan, *Violence Against Women a Growing Concern*, Emory Rollins Sch. of Pub. Health (Mar. 5, 2025), perma.cc/WTC9-48NS (finding that, on average, “one woman is being murdered every 10 minutes by an intimate partner or a family member”).

Given the particular dangers they face, racial and sexual minorities must often be *their own* first responders, by arming themselves from the violent perpetrators who would do them harm. As civil rights lawyer and criminologist Don B. Kates, Jr., said,

“Even if all 500,000 American police officers were assigned to patrol, they could not protect 240 million citizens from upwards of 10 million criminals who enjoy the luxury of deciding when and where to strike ... [b]ut we have nothing like 500,000 patrol officers” to patrol all communities, much less the less-policed minority communities. Don B. Kates, Jr., *Guns, Murders, and the Constitution: A Realistic Assessment of Gun Control*, Pac. Rsch. Inst. (Feb. 1990), perma.cc/5JDM-5VMV. Law-abiding citizens in minority populations often must provide for their own protection, both at home and about. *See generally* Julie A. Ward et al., *Reasons for Gun Ownership Among Demographically Diverse New and Prior Gun Owners*, Am. J. of Prev. Med. (2024), perma.cc/4H2U-2P3V.

That explains why an ever-increasing number of *amici*’s own members and racial and sexual minorities more broadly have chosen to equip themselves with an AR-15 and similar semiautomatic rifles. “Young women,” for example, “are speaking out as to why AR-15 weapons are their weapon of choice” in self-defense situations. *See, e.g.*, Lauren Fox, *Do Women Prefer AR-15 Rifles?*, U.S. News & World Rep. (Jan. 30, 2013), perma.cc/B7MP-E5KC. The same is true for individuals in other minority and marginalized groups. *See, e.g.*, Curtis Bunn, *Why more Black people are looking for safety in gun ownership*, NBC News (June 14, 2022), perma.cc/8E5M-N4DZ. According to a recent survey, 34% of Black individuals polled, 29.2% of Asians, 35.4% of Native Americans, 48.4% of Pacific Islanders, and 38.3% of Hispanics owned one or more AR-15 or similar semiautomatic rifle, and the vast majority of those cited self-defense as the main

reason why. See William English, *2021 National Firearms Survey: Updated Analysis Including Types of Firearms Owned*, 20 (Georgetown Univ. Rsch., Paper No. 4109494, 2022), perma.cc/E8H9-N6RZ; see also William English, *2026 National Firearms Survey: Results from the Second Wave, Including Current Ownership of AR-15 Style Rifles, Other “Assault Weapons,” and Magazines that Hold More than 10 Rounds*, 10, 37 (Georgetown Univ., Working Paper: Aug. 2026), perma.cc/L535-DTQF; Peter Holley, *Fearing That State Leaders Want Them “Eradicated,” Some Transgender Texans Embrace Firearms*, Tex. Monthly (Mar. 23, 2023), perma.cc/22FR-EEPL.

Countless real-life accounts demonstrate how such individuals have protected themselves and their families from untold violence by using or simply brandishing the arms that Connecticut, Cook County, and other states and localities have chosen to ban. See, e.g., *Protecting America from Assault Weapons: Hearing before the H. Comm. on the Judiciary*, 116th Cong. 9 & n.32 (2019), perma.cc/S7ZR-HR4D (statement of Amy E. Swearer). One particularly harrowing example involved “[a] pregnant ... woman” in Florida who, “armed with a semi-automatic rifle, gunned down one of two home invaders who had broken in and were pistol whipping her husband.” David K. Li, *Pregnant Florida Woman Uses AR-15 to Fatally Shoot Armed Intruder*, NBC News (Nov. 4, 2019), perma.cc/ZS4Y-D3FC. Other examples of law-abiding citizens whose lives were saved because of these self-defense tools abound. See, e.g., *RIT Students Accosted by Gunman in Their Home*, ABC 13 (July 13, 2013), perma.cc/2TXF-WZ96 (noting that two home invaders, one of them armed, fled after an

occupant brandished his AR-15); Natasha Ishak, *The True Stories Behind The ‘Rooftop Koreans’ Who Took Up Arms During The L.A. Uprising*, ATI (updated June 11, 2025), perma.cc/5Q3Q-U9AB (describing how “Korean store owners” armed themselves with “semiautomatic rifle[s]” during the LA riots after they were “abandoned by the LAPD”).

To be sure, not everyone might feel the need to arm themselves with an AR-15 or similar rifle for self-defense. “For those ... who work in marbled halls, guarded constantly by a vigilant and dedicated police force, the guarantees of the Second Amendment might seem antiquated and superfluous.” *Peruta v. California*, 137 S.Ct. 1995, 1999 (2017) (Thomas, J., dissenting from denial of certiorari). Regrettably, it is easy for those already-protected members of society to overlook the safety needs of vulnerable communities. Facing daily threats of violence is a world few of them will ever know and that most could not fathom. But it is one that sadly exists today for many people in many parts of this country, as it has been for centuries. *See, e.g.*, Ishak, *supra*. In light of that reality, the “Framers made a clear choice: They reserved to *all* Americans the right to bear arms for self-defense.” *Peruta*, 137 S.Ct. at 1999-2000 (emphasis added).

Of course, *amici* do not ask that lawmakers and jurists, among others, leave their often-protected communities or do away with their security details or systems to the extent they have them. Rather, *amici* ask only that they recognize that everyday Americans, and especially otherwise vulnerable minorities in urban and rural communities alike, should be afforded the same protection through the reasonable exercise

of the Second Amendment right to self-defense that the Founding generation promised to *all* Americans, regardless of race, creed, or status.

II. AR-15s Are Popular For A Reason: The Features That Render A Firearm An “Assault Weapon” Under Respondents’ Laws Are Highly Useful For Civilian Self-Defense.

The popularity of semiautomatic rifles for self-defense among *amici*’s members (and the rest of the country) is unsurprising. AR-15s and other similar semiautomatic rifles are more reliable, easier to handle, and more accurate than handguns, making them an even better fit for self-defense than the once “quintessential self-defense weapon,” *District of Columbia v. Heller*, 554 U.S. 570, 629 (2008). See Nicholas J. Johnson, et al., *Firearms Law and the Second Amendment* 1997 (3d ed. 2021). Bans like Connecticut’s and Cook County’s thus seek to strip *amici*’s members and others of vital self-defense tools. In addition to banning a host of common rifles by name, respondents’ laws ban any semiautomatic rifle with the ability to accept a magazine that holds more than ten rounds of ammunition if it has one or more of the following features: a pistol grip; a protruding grip that can be held by the non-trigger hand; a folding, telescoping, or thumbhole stock; a barrel shroud; or a muzzle brake or muzzle compensator. Each of those parts, much like the whole of the AR-15 and the other semiautomatic rifles respondents outlaw, is highly useful for civilian self-defense.²

² Some of the information below is derived from the factual record developed in *Barnett v. Raoul*, No. 3:23-cv-209 (S.D. Ill.), on remand from the Seventh Circuit’s decision in *Bevis v. City of*

A. First, the ability to fire semiautomatically is exceptionally useful for civilian self-defense.

The advent of semiautomatic firing was the great innovation in modern firearms technology. The modern semiautomatic action was invented in the 1880s, and semiautomatic firearms first started coming on the market in the 1890s. David B. Kopel, *The History of Firearms Magazines and Magazine Prohibitions*, 78 Albany L. Rev. 849, 857-58 (2015). Semiautomatic firearms are different from lever-action, bolt-action, or pump-action firearms, which require human exertion to reload a new round into the chamber. With a semiautomatic firearm, by contrast, “[e]ach time the gun is fired, the semi-automatic action uses part of the energy from firing the cartridge to automatically eject the spent casing, recock the firing mechanism, and load a new cartridge into the firing chamber.” Johnson, *supra*, at 1984.

“Because the use of recoil energy or diversion of gases in the semi-automatic action significantly reduces felt recoil, semi-automatics can be easier to use by persons who do not have great upper-body strength” compared to lever-action, bolt-action, breach-loading, or pump-action firearms that require

Naperville, 85 F.4th 1175 (7th Cir. 2023). The parties in *Barnett* not only engaged in extensive expert discovery, but conducted a multi-day trial at which numerous self-defense and military experts testified regarding the self-defense utility of AR-15s and similar semiautomatic rifles, especially as compared to machineguns. That trial culminated in a decision enjoining Illinois’ ban, which is nearly identical to Cook County’s ban. 756 F.Supp.3d 564 (S.D. Ill. 2024). While the Seventh Circuit reversed, it did not cast doubt on the trial record below. 180 F.4th 1035 (2026).

human energy to reload a new round into the chamber. *Id.* at 1995; *see also* Trial.Tr.at.198:23-200:5, *Barnett v. Raoul*, No. 3:23-cv-209 (S.D. Ill. Sept. 16, 2024), Dkt.234 (discussing benefits of semiautomatic firearms as “home defense” weapons for those with physical limitations). “For all users, the reduced recoil” that the semiautomatic action facilitates—which is far less than any self-defense shotgun and than most if not all handguns—“helps keep the muzzle on target, increasing the accuracy of a second shot”—which has “obvious self-defense utility.” Johnson, *supra*, at 1995-97.

B. Detachable magazines compound the utility of semiautomatic rifles like the AR-15 and its many cousins. Ammunition feeding devices, or “magazines,” are a critical functional component of modern semiautomatic firearms. Modern magazines are not mere passive holders of ammunition. They actively feed ammunition into the firing chamber. *See* Johnson, *supra*, at 1994 (“Semi-automatic rifles store *and feed* their ammunition from a magazine.” (emphasis added)). When a user pulls the trigger, the round in the chamber fires, and the semiautomatic action combines with the magazine to feed a new round into the chamber, allowing the user to fire a second (and third, etc.) shot without needing to exert physical labor beyond the separate trigger pull required for each follow-up shot. *See id.* at 1984-85. So, without a magazine feeding ammunition into the firing chambers, a firearm cannot operate semiautomatically at all. *See Ass’n of N.J. Rifle & Pistol Clubs, Inc. v. Att’y Gen. of N.J. (ANJRPC)*, 183 F.4th 211, 247 (3d Cir. 2026) (en banc).

The defensive utility of detachable magazines is equally obvious. See Rep. of Steven Watt ¶6, *Barnett*, Dkt.232-24 (explaining importance of “detachable magazines in order to facilitate efficient loading/reloading while under the rapidly unfolding threat of violence” in self-defense scenario); Rep. of Matthew Little ¶¶17-22, *Barnett*, Dkt.232-21 (detailing “defensive” benefits of “a detachable magazine,” including increased “ammunition capacity” “when reacting to an attack ..., especially as fine motor skills deteriorate significantly under stress”; “reliability” due to jam mitigation; safe storage; and safe transportation). Firearms equipped “with detachable magazines ... typically can be reloaded more quickly than other firearms, especially by nonexperts.” Johnson, *supra*, at 1995. Indeed, self-defense experts nearly uniformly recognize that “semiautomatic firearms that accept detachable magazines are so well suited for defense of self or others as to render all other types of firearms obsolete for that purpose.” Little Rep., *supra*, ¶17.

That utility of being able to accurately fire follow-up shots does not dissipate (let alone disappear) after the tenth shot. Quite the opposite. “When a firearm being used for defense is out of ammunition, the defender no longer has a functional firearm.” Kopel, *History of Firearms*, *supra*, at 851. So having more rounds at the ready is a benefit for civilian self-defense, while “limiting a rifle to a ten-round capacity ... handicaps the user in a self-defense situation.” Little Rep., *supra*, ¶18; see also Watt Rep., *supra*, ¶6 (“Every [self-defense] instructor and virtually every attendee of the [defensive carbine] course uses detachable magazines that have a

capacity exceeding 10 rounds with their carbine.”); Trial.Tr.at.501:17-502:3, *Barnett* (Sept. 18, 2024), Dkt.240 (discussing stress of self-defense scenarios that make it difficult to reload quickly and thus support the self-defense need for and utility of larger magazines); *ANJRPC*, 183 F.4th at 249-51.³

C. The remaining features Connecticut, Cook County, and other state and local governments have singled out likewise facilitate accurate shooting and safe handling of self-defense weapons.

Pistol grips. A pistol grip is a handgrip that extends below a firearm that allows the user to place his or her “hand in an ergonomic position” improving the user’s “ability to control the weapon” and “to manage recoil” for “more effective and efficient” use of the firearm—including, *e.g.*, all AR-type firearms,

³ There are also, unfortunately, numerous real-life instances demonstrating a civilian’s need for a detachable magazine with more than ten rounds to repel assailants. See Crime Prevention Rsch. Ctr., *Ten Cases Over The Last Few Years Where People Have Had To Fire Ten Or More Shots In Self Defense* (Oct. 22, 2020), perma.cc/UKY5-APRS (providing non-exhaustive list where “dozens” to “hundreds” of shots were fired in self-defense); see also, *e.g.*, *Gun Shop Owner Shoots, Kills Man During Attempted Robbery*, Wis TV (updated Aug. 19, 2012), perma.cc/R3R8-G6R8 (civilian defended himself with AR-15 by “empt[ying] a 30 round magazine before retreating ... to get more ammunition”); Glenn Puit, *DA: Fatal Shooting In Parking Lot Was ‘Clear Case of Self-Defense’*, Las Vegas Rev. J. (May 4, 2020), perma.cc/Y6AU-FMTB (victim “fired 11 times” in self-defense); Jacob Sullum, *The Threat Posed by Gun Magazine Limits*, Reason (Jan. 16, 2013), perma.cc/DSV5-D3GV (highlighting the “shopkeepers in Koreatown” during the LA riots who had “‘large-capacity’ magazines to defend themselves and their property against rampaging mobs”).

which all comes standard with pistol grips. Trial.Tr.at.446:22-447:12, *Barnett*, Dkt.240. A pistol grip can also be “essential to safe [firearm] handling,” because it helps users more “easily access the manual safety” and reduce the potential of “bystander” endangerment, and permits the user to operate the firearm with one hand, “in case of injury or the need to perform a vital task with the support hand,” or to retain “the weapon if an attacker attempts to disarm.” Little Rep., *supra*, ¶¶19(A)-(B) & 20-21; Trial.Tr.at.447:18-448:5, 451:8-24, *Barnett*, Dkt.240; see also David B. Kopel, *Rational Basis Analysis of “Assault Weapon” Prohibition*, 20 J. Contemp. L. 381, 396 (1994) (“The major purpose of a pistol grip on a long gun is to stabilize the firearm while firing from the shoulder.”). Indeed, some semiautomatic rifles effectively require a pistol grip (or something like it) because of their modern straight-line design. See E. Gregory Wallace, *“Assault Weapon” Myths*, 43 S. Ill. U.L.J. 193, 229 (2018). For those with disabilities or those with smaller or more feeble hands, pistol grips can also be particularly helpful in terms of safely and effectively wielding a firearm in self-defense situations. Trial.Tr.at.265:22-267:5, *Barnett*, Dkt.236 (Sept. 17, 2024) (“So if you have somebody that has a small hand, they can choose a grip that[] ... fits them and puts their trigger finger in the proper location to pull the trigger right.”).

Forward grips. A forward grip too “can aid self-defense in multiple ways” when attached to a semiautomatic rifle. Watt Rep., *supra*, ¶16. For example, “it offers the defender options for grasping the firearm with their forward hand in various ways conducive to effective individual control of the firearm,

based on physiology, adverse weather, or other conditions ... thereby, enhancing safe handling and effective use of the firearm, particularly under the stress of a self-defense situation.” *Id.* To that end, “[a] forward grip ... allows defenders to grasp the firearm in a way where their forward hand is less likely to move or slip while firing.” *Id.*

“[A] forward grip can” thus “increase the defender’s control of the firearm, which can improve accuracy and facilitate the firearm’s safe use, all of which facilitate effective self-defense.” *Id.*; *see also* RailScales, *How Does an AR-15 Foregrip Help with Accuracy* (Apr. 8, 2025), perma.cc/PS5N-B5TZ (“Forward grips aid in the maneuverability of the firearm, since the natural angle of a person’s outstretched hand is more oriented to grasping objects at a vertical angle, rather than a horizontal one perpendicular to the body.”); David Robinson, *AR-15 Foregrips 101*, *Bolts & Bullets* (Nov. 1, 2025), perma.cc/64BG-XV7H (similar).

And, again, for people with disabilities or those with smaller or more feeble hands, a forward or protruding grip can be particularly helpful in terms of safely and effectively wielding a semiautomatic rifle. Watt Rep., *supra*, ¶15; *see also* Little Rep., *supra*, ¶¶13, 19B, 20A, 21 (such features are “well suited for defensive use both inside and outside the home, when appropriate ammunition is used”); *Gun Digest 2012*, at 362 (Dan Shideler ed., 66th ed. 2011) (“[W]ith a vertical foregrip ... the gun points faster, more accurately, and is steadier,” and thus is “recommend[ed] ... for all uses”).

Adjustable stocks. A “stock” is the part of a long gun to which the barrel, action, and firing mechanism are attached, and that allows the user to firmly brace the firearm and more easily aim with stability. “When firing [a] rifle, the shooter braces its *stock* against the shoulder of the same arm she uses to operate the trigger.” Johnson, *supra*, at 1970.

A “telescoping” stock is just an adjustable shoulder stock, which allows a person to change the length of his or her firearm to fit his or her stature. Telescoping and other adjustable stocks help users safely and effectively operate rifles. See *Kolbe v. Hogan*, 849 F.3d 114, 159 (4th Cir. 2017) (Traxler, J., dissenting) (explaining that a telescoping stock “permits the operator to adjust the length of the stock according to his or her physical size so that the rifle can be held comfortably”). This is not complicated: Having a firearm that fits the user increases the user’s ability to control the firearm, which in turn allows her to wield it more effectively to defend herself. “Everybody has different physiology,” so, “to control a firearm, the distance or the pull length of the stock is different for different people.” Trial.Tr.at.444:12-18, *Barnett*, Dkt.240; see also *id.* at 446:14-19 (“[F]it is very, very important to the efficient and effective use for a firearm, particularly for self-defense....”). “This is especially true for the population groups arguably most in need of a firearm for self-defense, the disabled, the small statured, the elderly, and the frail.” Little Rep., *supra*, ¶19(C); see also *What’s the Best AR-15 for Women*, Bad Moon Armory (updated Aug. 18, 2025), perma.cc/53EF-GRMS (noting that, for women in

particular, an adjustable stock helps “fit” the firearm to “their stature”).⁴

Thumbhole stocks. A “thumbhole” stock, as its name suggests, has a small hole drilled through the grip area which allows the user of a firearm to place the thumb of their firing hand into the stock of a rifle behind the trigger guard, mimicking the ergonomics of a pistol grip. See Watt Rep., *supra*, ¶6. Like pistol grips themselves, thumbhole stocks can create a more comfortable and stable grip for the user, which provides for greater accuracy and decreases the risk of dropping the firearm or firing stray shots in self-defense or competition shooting scenarios. See Little Rep., *supra*, ¶19(A); Watt Rep., *supra*, ¶15.

Barrel shrouds. A barrel shroud is a piece of metal or other material built to fit around the barrel of a firearm, which provides a safe place to put one’s hand when bracing the firearm. Johnson, *supra*, at 1968. While some manufacturers’ barrel shrouds look “aggressive” or “militaristic” to some, the self-defense utility is obvious. Without such a feature, users would have to put their hands “directly ... on the barrel,” causing them to “burn” themselves—which would undermine their ability to fire any, much less accurate, follow-up shots. Trial.Tr.at.261:23-262:1, *Barnett*, Dkt.236. And, for that reason, “[v]irtually every semiautomatic rifle/carbine ... in existence” has some kind of barrel shroud (or a protruding grip to

⁴ Adjustable stocks do not render a long gun concealable, like a handgun. See Watt Rep., *supra*, ¶17 (“Adjustable stocks usually only allow the stock to change length by a few inches. While those inches can be critical for proper use of the long-gun by the user, they are negligible in concealing the long-gun.”).

serve the same feature), Watt Rep., *supra* ¶19; without one, the firearm would be “unsafe” to operate. Little Rep., *supra* ¶19(E).

Muzzle brakes. Muzzle brakes and compensators are designed to redirect propellant gases to counter recoil, thus “reduc[ing] the gun’s recoil and mak[ing] it easier to control.” Kopel, *Rational Basis*, *supra*, at 396. “[A] gun with a muzzle brake ... is both significantly more accurate” than one without “because the muzzle and the shooter are both less likely to move out of position, and more comfortable to shoot.” *Id.* at 397; *see also* Trial.Tr.at.429:7-18, *Barnett*, Dkt.240 (explaining how a muzzle brake “reduces recoil, which makes the firearm more controllable”); Patrick Sweeney, *Gun Digest Book of the AR-15, Volume II* (2007); Little Rep., *supra*, ¶20(E). “Improved accuracy and shooting comfort seem a dubious basis for classifying a firearm as uniquely suitable for prohibition.” Kopel, *Rational Basis*, *supra*, at 397.

* * *

In sum, AR-15s and other semiautomatic rifles equipped with the features respondents have singled out “are popular with civilians ... because they [are] accurate, light, portable, and modular”; they are “easy to shoot and ha[ve] little recoil, making it popular with women” and others alike. Frank Miniter, *The Future Of The Gun* 35 (2014); *see also, e.g.*, Johnson, *supra*, at 1997 (AR-15s and other similar semiautomatic rifles “offer[] several advantages as a primary home defense weapon” based on their “lighter weight, shorter barrel, and ergonomic stock and grip,” which “make it easier to handle than shotguns and most other rifles”); Rep.

of David Lombardo 1, *Barnett*, Dkt.232-23 (same). Indeed, the AR-15 “is so user-friendly that [the] ‘Disabled Americans for Firearms Rights’ ... says the AR-15 makes it possible for people who can[no]t handle a bolt-action or other rifle type to shoot and protect themselves” in self-defense scenarios that require more than a simple handgun. Minitier, *supra*, at 35. Put differently, semiautomatic rifles like the AR-15 “are extremely well suited for self-defense, including within confined areas like a home.” Rep. of J. Buford Boone ¶41, *Barnett*, Dkt.232-18; *see also Friedman v. City of Highland Park*, 784 F.3d 406, 411 (7th Cir. 2015) (“[T]hey are lighter than many rifles and less dangerous per shot than large-caliber pistols or revolvers. Householders too frightened or infirm to aim carefully may be able to wield them more effectively than the pistols James Bond preferred.”); Johnson, *supra*, at 1997 (“While handguns are easier to maneuver and store and shotguns have devastating firepower at short distances,” AR-15s “offer[] several advantages as a primary home defense weapon.”).

Evidently, “the large number of people that choose [such rifles] for self-defense and related purposes are making wise choices.” Watt Rep., *supra*, ¶12. And the states and local governments, like Connecticut and Cook County, that have banned them, will accomplish nothing more than removing from the civilian market what is arguably the “best designed home defense weapon” in recent American history. *See* Rep. of Jeffrey Eby & Michael Musselman 11, *Barnett*, Dkt.232-17.

CONCLUSION

This Court should reverse.

Respectfully submitted,

MATTHEW D. ROWEN

Counsel of Record

CLEMENT & MURPHY, PLLC

706 Duke Street

Alexandria, VA 22314

(202) 742-8900

matthew.rowen@clementmurphy.com

Counsel for Amici Curiae

September 4, 2026