

Nos. 25-238, 25-566

IN THE
Supreme Court of the United States

CUTBERTO VIRAMONTES, et al.,
Petitioners,

v.

COOK COUNTY, ILLINOIS, et al.,
Respondents.

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

v.

RONNELL HIGGINS, IN HIS OFFICIAL CAPACITY AS
COMMISSIONER OF THE CONNECTICUT DEPARTMENT OF
EMERGENCY SERVICES AND PUBLIC TRANSPORTATION, et al.,
Respondents.

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

**BRIEF OF THE INTERNATIONAL ASSOCIATION
OF CHIEFS OF POLICE AS AMICUS CURIAE
IN SUPPORT OF RESPONDENTS**

DAVID J. ZIMMER
Counsel of Record
EDWINA B. CLARKE
ZIMMER, CITRON & CLARKE LLP
711 Atlantic Avenue, 6th Fl.
Boston, MA 02111
(617) 676-9421
dzimmer@zimmercitronclarke.com

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<i>Hearing on the Assault Weapons Ban of 2013: Hearing Before the S. Comm. on the Judiciary, 113th Cong. (2013),</i> https://www.congress.gov/113/chrg/CHRG-113shrg25650/CHRG-113shrg25650.pdf	14
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<i>Cleveland Braces for Guns in the Streets as GOP Convention Looms</i> , CBS News (July 13, 2016), https://www.cbsnews.com/news/republican-national-convention-dallas-police-ambush-security-concerns-open-carry-firearms/	14
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International Association of Chiefs of Police, <i>Firearms Policy Position Statement</i> (2018), https://www.theiacp.org/sites/default/files/2019-05/IACP%20Firearms%20Position%20Paper_2018%20(1).pdf	2
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Christopher S. Koper et al., <i>Criminal Use of Assault Weapons and High-Capacity Semiautomatic Firearms: An Updated Examination of Local and National Sources</i> , 95 J. Urb. Health 313 (2018)	15
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- New Details in Slaying of Sacramento Police Officer Tara O’Sullivan*, CBS Sacramento (June 21, 2019), <https://www.cbsnews.com/sacramento/news/tara-osullivan-sacramento-police/> 11
- New Mexico State Police, *Darian Jarrott Incident Review Committee Report* (2024), https://www.dps.nm.gov/wp-content/uploads/2024/03/3.11.24_Final-DARIAN_JARROTT_INCIDENT_REVIEW_COMMITTEE_REPORT_REV_R.pdf 12, 13
- Brian A. Reaves & Andrew L. Goldberg, Bureau of Justice Statistics, U.S. Dep’t of Justice, NCJ 173429, *Local Police Departments 1997* (2000), <https://bjs.ojp.gov/content/pub/pdf/lpd97.pdf> 5
- Brian A. Reaves, Bureau of Justice Statistics, U.S. Dep’t of Justice, NCJ 248767, *Local Police Departments, 2013: Equipment and Technology* (2015), <https://bjs.ojp.gov/content/pub/pdf/lpd13et.pdf> 5
- Sacramento Police Say Bodycam Footage Shows Officer Was Ambushed Before Fatal Shooting*, CBS Sacramento (June 22, 2019), <https://www.cbsnews.com/news/tara-osullivan-sacramento-police-officer-was-ambushed-according-to-body-camera-footage-police-say/> 11-12

- Clayton Sandell et al., *Colorado Officers Describe What Happened in Horrific ‘Ambush-Style Attack’ That Killed One of Their Own*, ABC News (May 15, 2018), <https://abcnews.com/US/colorado-officers-describe-happened-horrific-ambush-style-attack/story?id=55102757> 10, 11
- Mark Scolforo et al., *Prosecutor Says Stalking Suspect Ambushed Pennsylvania Police Officers, Killing 3*, Associated Press (Sept. 19, 2025), <https://apnews.com/article/pennsylvania-shooting-officers-killed-wounded-f3872f254eeb60ec9cfe1dbc4d0ce695> 13, 14
- Robert J. Spitzer, *Gun Accessories and the Second Amendment: Assault Weapons, Magazines, and Silencers*, 83 L. & Contemp. Probs. 231 (2020) 15
- Don Thompson, *Police: Officer Shot in Ambush Had No Chance of Survival*, Associated Press (June 22, 2019), <https://apnews.com/article/be168e151bd544499a789eacb400ec92> 12
- Erik Verduzco & Jeffrey Collins, *4 Officers Killed in North Carolina Were at a Disadvantage as Shots Rained From Above, Officers Say*, Associated Press (Apr. 30, 2024), <https://apnews.com/article/officers-killed-charlotte-north-carolina-warrant-64a4a9c849b721631cd2f8872945e08d> 9, 10

INTEREST OF AMICUS CURIAE¹

Founded in 1893, the International Association of Chiefs of Police (IACP) is the world's largest professional association of law enforcement leaders, with more than 35,000 members across over 180 countries. In the United States, IACP's members include police chiefs, sheriffs, superintendents, and other command-level officials who lead agencies of every size, from small, rural departments, to state police agencies, to the Nation's largest metropolitan forces. IACP seeks to advance the interests of police and promote professionalism in policing through advocacy, research, education, and the development of model policies and standards.

Promoting officer safety is central to IACP's mission. IACP's members are the officials responsible for deciding how officers are trained and equipped to respond when an armed attacker opens fire. For more than three decades, IACP has concluded that AR-15 platform and similar semiautomatic rifles pose a distinct threat to officers and the public. In 1992, IACP's membership adopted a resolution calling for a prohibition on such weapons. In 2003, it adopted a resolution strongly supporting reauthorization of the federal assault weapons law before its scheduled 2004 expiration, along with technical amendments to strengthen it. After the law expired, IACP urged law

¹ Pursuant to this Court's Rule 37.6, amicus states that no counsel for any party authored this brief in whole or in part, and that no person or entity other than amicus, its members, or its counsel made a monetary contribution intended to fund the preparation or submission of this brief.

enforcement leaders to advocate for its reinstatement. In 2009, IACP again formally supported legislation to reinstate these restrictions, citing officer safety, gang and drug-trafficking violence, and the growing criminal use of such firearms. And IACP reaffirmed its longstanding support for these restrictions in a 2018 position paper.² IACP's members took each of these actions because, as law enforcement leaders, they understand that the criminal use of AR-15 platform and similar semiautomatic rifles poses an increased risk both to officers and to the communities they are sworn to protect.

In these cases, the Court is being asked whether to strike down two state and local laws prohibiting the possession of AR-15 platform and similar semiautomatic rifles. IACP submits this brief in hopes that, in answering this question, the Court will consider the perspective of the law enforcement officers who must confront these weapons each day.

SUMMARY OF ARGUMENT

Every day, in small towns and big cities across the country, law enforcement officers risk their lives to protect their communities. It is their job to run *toward* danger, especially when no one else can or will. Most of them do so carrying a pistol—typically in 9mm, 10mm, or .40 or .45 caliber—and wearing a soft body armor vest

² See Int'l Ass'n of Chiefs of Police, *Firearms Policy Position Statement* (2018), [https://www.theiacp.org/sites/default/files/2019-05/IACP%20Firearms%20Position%20Paper_2018%20\(1\).pdf](https://www.theiacp.org/sites/default/files/2019-05/IACP%20Firearms%20Position%20Paper_2018%20(1).pdf).

suitable for protecting against handguns—equipment that has saved the lives of thousands of officers.

But when the danger is a shooter armed with a semiautomatic rifle like an AR-15, neither is enough. The rounds from those rifles can penetrate the vest, and the shooter can hit officers from distances their pistols cannot reach. In short, the officers are outgunned. That reality means that officers face an increased risk of death and serious injury in the line of duty, as recent incidents in Charlotte, North Carolina and elsewhere across the country tragically illustrate. In light of such incidents, police chiefs nationwide have raised the alarm that, when officers are outgunned, those officers, as well as the communities they are sworn to protect, are less safe. The outcome of these cases could shape that reality for years to come.

Although the threat that AR-15 platform and similar semiautomatic rifles pose to police is national in scope, the right response may vary from state to state. Different states may reasonably reach different judgments about whether to keep these rifles out of circulation altogether, prohibit carrying them in crowded public spaces, or limit who can acquire them. Some states may prefer to invest in equipment and training better suited to dealing with the risks posed by these weapons. That flexibility, under which states implement the solutions that best match their needs, derives from our constitutional order. It properly leaves the facets of governing that most directly touch citizens' daily lives, like the prevention of crime, to "smaller governments closer to the governed." *NFIB v. Sebelius*,

567 U.S. 519, 536 (2012) (opinion of Roberts, C.J.).

Amicus asks the Court, in deciding these cases, to remain mindful of the officers who will live with the consequences of its decision and to preserve room for states and their law enforcement agencies to work together on solutions suited to their own circumstances.

ARGUMENT

I. AR-15 Platform and Similar Semiautomatic Rifles Leave Officers Tasked With Protecting the Public Outgunned.

1. Each day in the United States, hundreds of thousands of law enforcement officers leave their homes not knowing whether they will return. They knock on doors behind which armed suspects may wait. They approach cars on dark roadsides with no way of seeing what the driver has within reach. And when gunfire erupts in a school or supermarket, or on a crowded street, they move toward it while others seek cover. This Court has long recognized these dangers: “American criminals have a long tradition of armed violence, and every year in this country many law enforcement officers are killed in the line of duty, and thousands more are wounded.” *Terry v. Ohio*, 392 U.S. 1, 23 (1968). It has also recognized that officers cannot avoid that danger by standing back: “The role of a peace officer includes preventing violence and restoring order, not simply rendering first aid to casualties.” *Brigham City v. Stuart*, 547 U.S. 398, 406 (2006).

Amicus’s members are the officials responsible for

protecting the officers tasked with carrying out those duties. To that end, police departments across the country provide their officers with equipment designed to meet the threats they most commonly face. By 1997, 98% of officers nationwide were authorized to carry semiautomatic handguns.³ Likewise, by 2013, 82% of officers were “required ... to wear protective armor at all times.”⁴ First developed in the 1970s, the “soft body armor” that most officers wear today is composed of a “ballistic-resistant,” “lightweight fabric” designed for day-to-day use.⁵ And such armor has been enormously effective: “[T]he risk of fatality for officers assaulted with a firearm while not wearing body armor was 14 times higher than for officers wearing body armor.”⁶ Indeed, by one count, such armor had by 2014 prevented

³ Brian A. Reaves & Andrew L. Goldberg, Bureau of Justice Statistics, U.S. Dep’t of Justice, NCJ 173429, *Local Police Departments 1997*, at iv (2000), <https://bjs.ojp.gov/content/pub/pdf/lpd97.pdf> (last visited Oct. 27, 2026).

⁴ Brian A. Reaves, Bureau of Justice Statistics, U.S. Dep’t of Justice, NCJ 248767, *Local Police Departments, 2013: Equipment and Technology* 1-3 & tbl. 2 (2015), <https://bjs.ojp.gov/content/pub/pdf/lpd13et.pdf> (last visited Oct. 27, 2026).

⁵ Criminal Justice Tech. Testing & Evaluation Ctr., *Body Armor Overview & History*, <https://cjttec.org/compliance-testing-program/for-law-enforcement/body-armor-overview-and-history/> (last visited Oct. 27, 2026).

⁶ Brian A. Reaves, Bureau of Justice Statistics, *Local Police Departments, 2013: Equipment and Technology*, *supra* note 4, at 3.

over 3,100 officer fatalities nationwide.⁷

2. When a suspect is armed with an AR-15 platform or similar semiautomatic rifle, the calculus changes entirely.

To begin, an officer's handgun is no match for an AR-15 platform rifle. These rifles are ordinarily chambered for much more powerful ammunition: AR-15 platform rifles fire intermediate rifle cartridges that can exit the muzzle at roughly 3,200 feet per second—more than 2.5 times the exit velocity of a 9mm pistol—and they strike their targets with over three times the kinetic energy. JA101. AR-15-style rifles are also accurate at far greater distances. Such weapons have an effective range of 400 to 500 yards, while a typical handgun's is about 50. *Id.* Imagine an officer taking fire from five football fields away, yet she can only return fire at half of one football field—just one tenth of the distance needed to defend herself. An officer in this situation may have no way of effectively returning fire on the shooter. In such circumstances, the features that make the 9mm well suited to the close-range encounters that dominate day-to-day police work offer little help. With their extensive training and experience, officers are well equipped to hold their own against suspects armed with

⁷ *The Bulletproof Vest Partnership Grant Program: Supporting Law Enforcement Officers When It Matters Most: Hearing Before the S. Comm. on the Judiciary*, 113th Cong. 2 (2014) (statement of Sen. Patrick Leahy, Chairman), <https://www.judiciary.senate.gov/imo/media/doc/3712A846-5056-A032-5282-A700D87675A6/05-14-14LeahyStatement.pdf> (last visited Oct. 27, 2026).

handguns, shotguns, or knives. But training cannot close the firepower gap for the officer facing a well-positioned criminal armed with an AR-15 platform or similar semiautomatic rifle.

There is more. Compounding the risk is the fact that standard-issue lightweight body armor was not designed to stop the bullets fired by AR-15-style rifles. Soft body armor was specifically created to protect against bullets fired from “*handguns*.”⁸ As such, the more powerful rounds fired by an AR-15-style weapon “can travel through most soft body armor and standard protective equipment used by law enforcement.” JA42. And the risk of serious injury or death to officers carrying and wearing standard-issue equipment is exacerbated by other “combat-functional” features of AR-15-style weapons, H.R. Rep. No. 103-489, at 18 (1994), that petitioners themselves acknowledge. For example, such weapons are designed to have “little recoil,” which makes them “accurate,” “easy to shoot,” and “user friendly.” Pet. Br. 9 (citation omitted). Beyond that, features of these weapons, such as pistol grips and high-capacity, detachable magazines, “increase[] stability” and “control[].” JA136. Petitioners also recognize that these features “can result in more effective shot placement ... and require less time to acquire successive targets.” *Id.*; see also H.R. Rep. No. 103-489, at 19 (noting that the high-capacity magazines accepted by AR-15 platform and similar semiautomatic

⁸ Criminal Justice Tech. Testing & Evaluation Ctr., *Body Armor Overview & History*, *supra* note 5 (emphasis added).

rifles “make it possible to fire a large number of rounds without re-loading, then to reload quickly when those rounds are spent”).

AR-15 platform and similar semiautomatic rifles therefore pose a combination of dangers not shared by any other weapon that officers commonly encounter in the field. A bolt-action rifle, such as those traditionally used for hunting, may fire a more powerful round over long distances, but it must be manually cycled between shots. A handgun can be fired rapidly, but its rounds are the ones patrol armor is built to stop, and it is effective only at close range. AR-15 platform and similar semiautomatic rifles pair range and armor-defeating power with sustained, accurate, rapid fire. That combination allows a single shooter to accurately target officers with multiple rounds capable of piercing officers’ vests—from a distance that prevents officers armed with handguns from effectively returning fire.

3. An example illustrates the real-world implications for officers. At around 1:30 p.m. on April 29, 2024, a joint fugitive task force led by the U.S. Marshals Service and the Charlotte-Mecklenburg Police Department (CMPD) arrived at a house in east Charlotte, North Carolina, to serve a warrant on a convicted felon wanted for unlawfully possessing a firearm.⁹ The subject “saw the

⁹ See Sopan Deb et al., *8 Officers Are Shot, 4 Fatally, While Serving Warrant in Charlotte*, N.Y. Times (Apr. 29, 2024), <https://www.nytimes.com/2024/04/29/us/charlotte-police-shooting-north-carolina.html> (last visited Oct. 27, 2026).

[officers] coming to the house”¹⁰ and positioned himself accordingly—taking his “AR-15-style rifle” with him to “the second floor of [the] house.”¹¹ As the officers approached, they were “immediately met with gunfire” from above.¹² The ensuing standoff lasted for three hours,¹³ with “hundreds” of officers ultimately responding to the scene.¹⁴

The results were tragic. Eight officers were shot, and four were killed: Officer Joshua Eyer of CMPD; Officers Sam Poloche and William Elliott of the North Carolina Department of Adult Correction; and Deputy U.S. Marshal Thomas Weeks.¹⁵ Officer Eyer—who had recently been named CMPD’s “officer of the month”—“was killed while responding to others who were facing

¹⁰ ABC11, *LIVE: Police Give Update on Officers Shot, Killed in Charlotte*, at 42:10-42:22 (YouTube, Apr. 30, 2024), <https://www.youtube.com/watch?v=YuRcjY-DVVs> (last visited Oct. 27, 2026).

¹¹ Deb et al., *8 Officers Are Shot, 4 Fatally, While Serving Warrant in Charlotte*, *supra* note 9.

¹² ABC11, *LIVE: Police Give Update on Officers Shot, Killed in Charlotte*, *supra* note 10, at 42:10-42:22.

¹³ Erik Verduzco & Jeffrey Collins, *4 Officers Killed in North Carolina Were at a Disadvantage as Shots Rained From Above, Officers Say*, Associated Press (Apr. 30, 2024), <https://apnews.com/article/officers-killed-charlotte-north-carolina-warrant-64a4a9c849b721631cd2f8872945e08d> (last visited Oct. 27, 2026).

¹⁴ ABC11, *LIVE: Police Give Update on Officers Shot, Killed in Charlotte*, *supra* note 10, at 38:00-38:08.

¹⁵ Verduzco & Collins, *4 Officers Killed in North Carolina Were at a Disadvantage as Shots Rained From Above, Officers Say*, *supra* note 13.

gunfire at the scene.”¹⁶

The outcome turned on the weapon involved. As then-CMPD Chief of Police Johnny Jennings explained after the attack, because the shooter was armed with an AR-15-style rifle, he was able to “unload several rounds towards [the] officers within [a] matter of seconds”—rounds that “the traditional body armor for police officers does not withstand.”¹⁷ That situation, Chief Jennings went on to state, presented responding officers with “dangers that most humans should not have to face.”¹⁸ The officers faced those dangers heroically, doing everything their training and their oaths demanded of them. “[N]ot a single one of them backed away.”¹⁹ Still, four of them did not come home.

4. Charlotte was not an isolated incident. To the contrary, in recent years, stories of officers being killed by individuals with AR-15 platform and similar semiautomatic rifles have become sadly commonplace. To take just a few further examples:

Douglas County, CO. In the early morning of December 31, 2017, officers responding to a 911 call found an individual barricaded inside his room.²⁰ After

¹⁶ *Id.*

¹⁷ ABC11, *LIVE: Police Give Update on Officers Shot, Killed in Charlotte*, *supra* note 10, at 40:52-41:30.

¹⁸ *Id.* at 38:00-38:30.

¹⁹ *Id.*

²⁰ Clayton Sandell et al., *Colorado Officers Describe What Happened*

officers kicked down the door, the individual opened fire on the officers with an AR-15-style rifle, possibly discharging an entire “30-round magazine on them within a few seconds” and striking Deputy Zackari Parrish of the Douglas County Sheriff’s Office, who later died.²¹ Several of Deputy Parrish’s fellow officers were also wounded in the encounter, some seriously.²² One officer described feeling “outgunned, in a strange territory.”²³

Sacramento, CA. In June 2019, rookie Sacramento Police Officer Tara O’Sullivan was killed with an AR-15-style rifle while responding to a domestic violence incident.²⁴ After other officers on the scene “determined the tools they had would not be able to withstand gunshots from the suspect’s high-powered rifle,” they “called for an armored vehicle,” and a four-hour standoff ensued.²⁵ As Sacramento Police Chief Daniel Hahn later

in Horrific ‘Ambush-Style Attack’ That Killed One of Their Own, ABC News (May 15, 2018), <https://abcnews.com/US/colorado-officers-describe-happened-horrific-ambush-style-attack/story?id=55102757> (last visited Oct. 27, 2026).

²¹ *Id.*

²² *See id.*

²³ *Id.*

²⁴ *New Details in Slaying of Sacramento Police Officer Tara O’Sullivan*, CBS Sacramento (June 21, 2019), <https://www.cbsnews.com/sacramento/news/tara-osullivan-sacramento-police/> (last visited Oct. 27, 2026).

²⁵ *Sacramento Police Say Bodycam Footage Shows Officer Was*

explained, because neither patrol car doors nor the officers' body armor could have withstood the rifle fire, if officers had tried to rescue Officer O'Sullivan before the armored vehicle arrived, "we would have had additional officers murdered."²⁶

Luna County, NM. During a traffic stop in February 2021, Officer Darian Jarrott, who stood on the vehicle's passenger side, ordered its driver to exit the vehicle and leave his handgun (which Officer Jarrott had noticed) inside.²⁷ The driver complied but, unbeknownst to Officer Jarrott, exited the vehicle carrying an AR-15-style rifle that he had "concealed ... between the driver's door and the driver's seat."²⁸ As the two walked toward the back of the vehicle on either side, the driver suddenly raised the rifle and fired two shots within the span of a second; within five seconds, Officer Jarrott was

Ambushed Before Fatal Shooting, CBS Sacramento (June 22, 2019), <https://www.cbsnews.com/news/tara-osullivan-sacramento-police-officer-was-ambushed-according-to-body-camera-footage-police-say/> (last visited Oct. 27, 2026).

²⁶ Don Thompson, *Police: Officer Shot in Ambush Had No Chance of Survival*, Associated Press (June 22, 2019), <https://apnews.com/article/be168e151bd544499a789eacb400ec92> (last visited Oct. 27, 2026).

²⁷ See N.M. State Police, *Darian Jarrott Incident Review Committee Report* 5 (2024), https://www.dps.nm.gov/wp-content/uploads/2024/03/3.11.24_Final-DARIAN_JARROTT_INCIDENT_REVIEW_COMMITTEE_REPORT_REV_R.pdf (last visited Oct. 27, 2026).

²⁸ *Id.* at 26.

on the ground.²⁹ Although Officer Jarrott drew his sidearm, the driver struck him with several more rifle rounds before “ultimately sh[ooting] Officer Jarrott in the head at point-blank range” and killing him.³⁰

Bristol, CT. In October 2022, an individual lured officers from the Bristol Police Department to his home with a false 911 call, concealed himself in nearby bushes “with an AR-style rifle” and “multiple magazines of ammunition,” and opened fire on police when they arrived.³¹ From his hiding spot “fifty-one feet” away from the officers, the individual fired fifty-nine rounds, killing Sergeant Dustin DeMonte and Officer Alex Hamzy, and injuring Officer Alec Iurato.³²

North Codorus Township, PA. In September 2025, officers from the Northern York County Regional Police Department—all of them “wearing bulletproof vests”—arrived at a home to execute a misdemeanor arrest warrant.³³ The suspect lay in wait with “an AR-style

²⁹ *See id.* at 17-18.

³⁰ *Id.* at 5.

³¹ Connecticut Office of Inspector General, *Report Regarding the Use of Deadly Force by the Bristol Police Department on October 12, 2022 Resulting in the Death of Nicholas A. Brutcher* at 58 (June 26, 2024), <https://portal.ct.gov/-/media/dcj/06262024bristol.pdf> (last visited Oct. 27, 2026).

³² *Id.* at 5, 33, 59.

³³ Mark Scolforo et al., *Prosecutor Says Stalking Suspect Ambushed Pennsylvania Police Officers, Killing 3*, Associated Press (Sept. 19, 2025), <https://apnews.com/article/pennsylvania-shooting-officers->

rifle” behind the home’s unlocked front door, opening fire once the officers entered and killing three: Detective Sergeant Cody Becker and Detectives Mark Baker and Isaiah Emenheiser, all “long-time veterans ... with almost six decades of combined service.”³⁴

The list goes on and on.

5. In the wake of these tragedies, law enforcement leaders nationwide have sounded a common refrain: AR-15 platform and similar semiautomatic rifles place police officers in greater danger.³⁵

The experience of the Nation’s officers is borne out by the data. According to one study from 2018, AR-15 platform and similar semiautomatic rifles account for

killed-wounded-f3872f254eeb60ec9cfe1dbc4d0ce695 (last visited Oct. 27, 2026).

³⁴ *Id.*

³⁵ See, e.g., *Law Enforcement Leaders Testify on Officer Safety*, C-SPAN at 1:04:30-1:04:45 (July 26, 2022), <https://www.c-span.org/program/senate-committee/law-enforcement-leaders-testify-on-officer-safety/615193> (last visited Oct. 27, 2026) (noting that officers may be outgunned and outmanned); *Hearing on the Assault Weapons Ban of 2013: Hearing Before the S. Comm. on the Judiciary*, 113th Cong. 32 (2013), <https://www.congress.gov/113/chrgr/CHRG-113shrg25650/CHRG-113shrg25650.pdf> (last visited Oct. 27, 2026) (recounting arms race resulting from proliferation of assault weapons); see also *Cleveland Braces for Guns in the Streets as GOP Convention Looms*, CBS News (July 13, 2016), <https://www.cbsnews.com/news/repulican-national-convention-dallas-police-ambush-security-concerns-open-carry-firearms/> (last visited Oct. 27, 2026).

“13–16% of guns used in murders of police.”³⁶ While the exact figure may be debated—for example, petitioners contend the figure is “closer to 13 percent,” JA158-59—the reality is that such rifles are significantly “more likely to be used in police murders than civilian murders.”³⁷

More important than the statistics are the officers behind them. This brief has recounted the stories of only a few: Joshua Eyer. Sam Poloche. William Elliott. Thomas Weeks. Zackari Parrish. Tara O’Sullivan. Darian Jarrott. Dustin DeMonte. Alex Hamzy. Cody Becker. Mark Baker. Isaiah Emenheiser. Some of these officers were rookies; others had years or even decades of training and experience under their belts. All were equipped with tools designed to meet the threats their work ordinarily presents. In each case, their training, experience, and tools were overwhelmed, often in seconds, by an individual with an AR-15 platform or similar semiautomatic rifle. These officers—as well as the many others whose names do not appear in this brief—left behind spouses, children, siblings, parents, friends, and partners who still mark the anniversaries of the day they did not come home. And the list, already

³⁶ Christopher S. Koper *et al.*, *Criminal Use of Assault Weapons and High-Capacity Semiautomatic Firearms: An Updated Examination of Local and National Sources*, 95 J. Urb. Health 313, 319 (2018).

³⁷ Robert J. Spitzer, *Gun Accessories and the Second Amendment: Assault Weapons, Magazines, and Silencers*, 83 L. & Contemp. Probs. 231, 241 (2020).

far too long, grows longer every year.

II. States and Their Law Enforcement Agencies Need Flexibility to Protect the Officers Who Protect Them.

Departments and their chiefs across the country must reckon with these weapons, but the threat they pose may look different from one state to the next. Amicus submits that, although the problem identified in this brief is national in scope, the solution may vary from state to state. In amicus’s view, state legislatures—rather than localities acting via ordinance or bylaw—are best positioned to strike that balance on a statewide basis, calibrating their responses to conditions within their borders while sparing officers and law-abiding citizens alike a confusing patchwork of rules that changes from one municipal boundary to the next.

According to data compiled by the Federal Bureau of Investigation, in 2025, 37% of law enforcement officers nationwide worked in states that restricted the distribution or possession of AR-15 platform and similar semiautomatic rifles in some form.³⁸ A decision from this

³⁸ Eleven states—California, Connecticut, Delaware, Illinois, Maryland, Massachusetts, New Jersey, New York, Rhode Island, Virginia, and Washington—as well as the District of Columbia have enacted statutes to this effect. *See* Cal. Penal Code §§ 16350, 16790, 16890, 30500 *et seq.*; Conn. Gen. Stat. § 53-202a *et seq.*; Del. Code tit. 11, §§ 1465-1466; 720 ILCS 5/24-1.9; Md. Code Ann., Crim. Law § 4-301 *et seq.*; Mass. Gen. Laws ch. 140, § 121 *et seq.*; N.J. Stat. §§ 2C:39-1(w), 2C:39-5(f); N.Y. Penal Law §§ 265.00(22), 265.02(7), 265.10, 400.00(16-a); R.I. Gen. Laws §§ 11-47.2-1, 11-47.2-2; Va. Code Ann.

Court invalidating such laws would have nationwide consequences, subjecting more than a third of the Nation’s law enforcement officers to an increased risk that the legislatures in their states have determined they should not face.

The existence of such laws in some states does not prevent others from reaching a different judgment about how best to address the risks from AR-15 platform and similar semiautomatic rifles. *See, e.g., Wolford v. Lopez*, 609 U.S. 185, 215-16 (2026) (Barrett, J., concurring) (“States may regulate the keeping and bearing of arms so long as they do not ‘infring[e]’ the right, as originally understood.” (citation omitted)); *see also N.Y. State Rifle & Pistol Ass’n v. Bruen*, 597 U.S. 1, 80 (2022) (Kavanaugh, J., concurring) (“Properly interpreted, the Second Amendment allows a ‘variety’ of gun regulations.” (quoting *District of Columbia v. Heller*, 554 U.S. 570, 636 (2008))).

That flexibility accords with—indeed, derives from—our constitutional order. “Because the police power is controlled by 50 different States instead of one national sovereign, the facets of governing that touch on

§§ 18.2-287.4:1, 18.2-308.2:2(F), 18.2-308.2:5(E); Rev. Code Wash. §§ 9.41.390, 9.41.010(2); D.C. Code Ann. §§ 7-2501.01(3A), 7-2502.02(a)(6), 7-2505.01, 7-2505.02(a), (c). The 37% figure in the body was calculated by dividing the total number of officers working in those eleven states (and D.C.) in 2025 by the total number of officers nationwide. *See* National Incident-Based Reporting System, Fed. Bureau of Investigation Crime Data Explorer, *Law Enforcement Employment Data*, <https://cde.ucr.cjis.gov/LATEST/webapp/#/pages/home> (analysis of 2025 data) (last visited Oct. 27, 2026).

citizens' daily lives are normally administered by smaller governments closer to the governed." *NFIB*, 567 U.S. at 536 (opinion of Roberts, C.J.); accord *Bond v. United States*, 572 U.S. 844, 854 (2014). And so, because "[i]t goes without saying that preventing and dealing with crime is much more the business of the States than it is of the Federal Government," this Court has said that it does "not lightly construe the Constitution so as to intrude upon the administration of justice by the individual States." *Patterson v. New York*, 432 U.S. 197, 201 (1977). Though *Patterson* addressed a different question, its teaching holds true here too: decisions about how best to protect the officers who stand between the public and violent crime lie at the very heart of the administration of justice, and they are best made by those closest to it.

Amicus's request is a simple one. It asks this Court, in deciding these cases, to remain mindful of the officers who will live with the consequences of that decision, and of the need to permit states and the law enforcement professionals who serve them to work together to implement solutions tailored to their unique circumstances. The officers who answer calls, approach doors, and run toward gunfire do so on behalf of the communities they serve. States should have a voice in how those officers are protected.

CONCLUSION

The judgments of the courts of appeals should be affirmed.

Respectfully submitted,

DAVID J. ZIMMER

Counsel of Record

EDWINA B. CLARKE

ZIMMER, CITRON & CLARKE LLP

711 Atlantic Avenue, 6th Fl.

Boston, MA 02111

(617) 676-9421

dzimmer@zimmercitronclarke.com

Counsel for Amicus Curiae