

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.

[Additional Caption Listed On Inside Cover]

ON WRITS OF CERTIORARI TO THE UNITED STATES COURTS OF
APPEALS FOR THE SEVENTH AND SECOND CIRCUITS

**BRIEF OF SURVIVORS OF HIGHLAND
PARK PARADE AND ROUTE 91 HARVEST
FESTIVAL MASS SHOOTINGS AS *AMICI
CURIAE* IN SUPPORT OF RESPONDENTS**

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EDDIE GRANT, JR., *et al.*,

Petitioners,

v.

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

Respondents.

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STATEMENT OF INTEREST¹

Amici Curiae Dr. Ashlee Jaffe, Barbara Medina, Elizabeth Turnipseed, Joseph and Sheila Gutman, Katie Woodall, Lauren Bennett, Marisa Marano, Geena Springmann, and Peter Straus are ten survivors of two of the deadliest mass shootings in U.S. history. Ashlee, Elizabeth, Joe, Sheila, Barbara, and Lauren survived the mass shooting in Highland Park, Illinois, on July 4, 2022, at an Independence Day parade. Peter lost his father in the shooting. Katie, Geena, and Marisa survived the Route 91 Harvest festival mass shooting on October 1, 2017, in Las Vegas, Nevada.

The shooter at the Highland Park parade fired 83 shots from an assault rifle, wounding 50 and killing seven people in seconds. At the Las Vegas shooting, the shooter used over a dozen assault rifles to fire over 1,000 rounds at concert attendees, wounding 489 and killing 58 in minutes.

Amici are all too familiar with the unique danger and lethality of assault rifles. The wide availability of these military-style weapons has caused their trauma and that of all Americans affected by a mass shooting or otherwise injured by an assault rifle. *Amici* therefore have a vital interest in ensuring the Constitution is correctly interpreted to allow the enactment of reasonable gun violence prevention laws.

1. All parties consented to the filing of this brief, and no party or counsel for a party authored it in whole or in part. No party, counsel for a party, or person other than *Amici Curiae* or counsel made any monetary contribution intended to fund its preparation or submission.

Amici come before this Court to give voice to the millions of Americans affected by the epidemic of mass shootings made worse by the availability of assault rifles, and to the many others who have been murdered and silenced.

INTRODUCTION AND SUMMARY OF ARGUMENT

Assault rifles belong in war zones, not in the hands of a civilian unloading into a small-town Independence Day parade. Assault rifles do not belong in the hands of a civilian raining down bullets on thousands of unsuspecting concertgoers. Assault rifles do not belong in civilian hands at a school, office building, place of worship, or shopping center. Assault rifles do not belong in civilian hands.

These weapons are designed and used to cause as much harm to as many people as possible. Their effectiveness in causing mass casualties, compared with other firearms, is why shooters favor them.

In *McDonald v. City of Chicago*, this Court promised its ruling “by no means eliminates” localities’ ability “to devise solutions to social problems that suit local needs and values.” 561 U.S. 742, 785 (2010). That pledge inspired sustained engagement by the public and lawmakers to enact effective gun laws. This democratic feat should not be snatched from Americans by a ruling limiting state and local governments’ ability to enact life-saving gun laws.

This brief presents the voices of ten Americans harmed by a mass shooting involving an assault rifle. They are a medical doctor who treated victims of gun violence

but needed the same treatment when shot at the Highland Park parade; a young mother shot in the hip, bleeding and unable to reach her daughter's upended stroller at the same shooting; and an older sister forced to abandon friends and a bleeding woman to protect her little sister at the Route 91 Harvest festival shooting.

For these survivors and the seven others who volunteered their stories, restricting the availability of assault rifles is not just a societal but a personal matter.

ARGUMENT

I. THE REGULATION OF ASSAULT RIFLES IS AN ISSUE OF CRITICAL IMPORTANCE TO AMERICAN SURVIVORS OF MASS SHOOTINGS.

Mass shootings are a pressing form of American gun violence exacerbated by the availability of assault weapons. One in every 15 Americans has been present at a mass shooting at some point in their lifetime, and 2.2 percent have been injured in at least one.² There have been nearly 5,000 mass shootings nationwide since 2015, averaging 621 annually since 2020.³ In 2025 alone, there were 407 mass shootings, or 1.1 per day.⁴

2. David C. Pyrooz et al., *Direct exposure to mass shootings among US adults*, 8 JAMA Network Open 3, 6 (Mar. 7, 2025).

3. Gun Violence Archive, <https://www.gunviolencearchive.org/> (last visited Oct. 27, 2026).

4. *Id.*

Mass shootings are “an alarming public health crisis.”⁵ They are associated with high rates of mortality and morbidity,⁶ and have far-reaching impacts on survivors and communities.⁷ “Survivors of mass shootings are additional victims.”⁸ They are at increased risk of mental health issues and report persistent sadness, fear, helplessness, and an eroded sense of safety, as well as symptoms of depression and anxiety.⁹ In communities where a mass shooting occurred, five to ten percent of people (excluding primary victims) suffer from posttraumatic stress disorder (PTSD).¹⁰

Nearly all of the deadliest mass shootings in America over the past decade involved an assault rifle.¹¹ The use of assault rifles in mass shootings has increased from 19 percent in the 1990s and 2000s to 34 percent in the 2010s and 59 percent in the 2020s.¹² These aggressively

5. Jillian Peterson et al., *Epidemiology of Mass Shootings in the United States*, 12 Annu. Rev. Clin. Psychol. 124, 141 (Feb. 12, 2024).

6. Jaclyn Schildkraut et al., *Mass Public Shootings in America 2025*, Rock Institute (2025), <https://www.rockinst.org/issue-area/mass-public-shootings-in-america-2025/>.

7. Rosanna Smart et al., *Mass Shootings in the United States*. RAND Corporation, RR-A4360-3 (2026), https://www.rand.org/pubs/research_reports/RR4360-3.html.

8. Peterson et al., *supra*, at 129.

9. *Id.*

10. *Id.*

11. *Id.*

12. *Id.* at 135.

marketed weapons are favored by mass shooters because of their effectiveness in achieving mass casualties while fending off police.¹³

Assault rifles turn havens into war zones: schools, places of worship, shopping centers, entertainment venues, restaurants, and workplaces.¹⁴ American schoolchildren must participate in active shooter drills in case a shooter targets their school.

Amici share their stories here to acquaint the Court with the terror assault rifles have inflicted on Americans, particularly survivors of mass shootings. Their accounts represent the voices of survivors across America who, suffering from the trauma caused by assault rifles and daily mass shootings, have, through their lawmakers, enacted laws that make their communities safer and restore trust in the security of their homes, schools, places of worship, and public events.

Highland Park Parade Mass Shooting

July 4, 2022, began with joy and excitement in suburban Highland Park, Illinois. Children adorned their bikes and tricycles in red, white, and blue. Parents packed snacks and American flags and secured their babies in strollers. Neighbors shouted, “Happy Fourth,” as they headed to the annual Highland Park Independence Day Parade. This was the first parade after a two-year pause due to COVID-19.

13. *Id.*

14. *Id.*

As hundreds of families unfolded their lawn chairs and set up camp along the parade route, a 21-year-old shooter was perched on a rooftop overlooking them. He held a high-powered assault rifle and three 30-round magazines. Fifteen minutes into the parade, he opened fire on the spectating families. Chaos ensued. More than 50 people, ranging in age from eight to 85, were wounded, and seven were killed. The shooter later stated he did not want to injure people; he wanted to kill.

Liz, Ashlee, Sheila, Joe, Barbara, and Lauren attended the parade and were wounded or had a family member wounded. Peter, thousands of miles away that day, lost his father. They shared their accounts in interviews.

A. Liz Turnipseed

Liz hails from Philadelphia. On July 4, 2022, she and her husband Ian dressed their three-year-old daughter Sonia in red, white, and blue for the parade, which Liz had attended as a child. They raved about the parade to Sonia, promising floats and a band. With any luck, it would be the first and last Fourth of July Sonia spent as an only child—Liz was scheduled for an embryo transfer in early August.

On their way, Sonia could see that, like her, everyone was wearing red, white, and blue. “There were just so many children,” Liz recalls. “They had decorated their bikes and tricycles with red, white, and blue streamers so they could ride in the parade.” The family was late but found an open spot in front of Walker Brothers, the local pancake house. They sat directly across from the rooftop where the shooter was waiting.

Ian stood behind Liz, and Sonia watched from her stroller. Women on horseback led the parade, followed by first responders, fire truck drivers, and EMTs with their families. They gathered at the end of the parade route for a community festival while the parade continued.

Next came lawmakers, veterans, and the park district. Camp counselors and lifeguards handed out candy and packets of seeds to kids. Then came the thunderous chorus of the marching band. The shooter held his fire. He had friends in the band.

But as the band passed Walker Brothers, Liz heard a “pop-pop-pop-pop-pop.” She thought someone had lit fireworks. She looked toward Sonia, felt a sharp sensation on her hip, and fell. A high-pitched sound rang in her ears from the supersonic bullets whizzing overhead. She lifted her head and saw Sonia’s stroller flipped onto its side. Liz could not see her baby. A searing pain shot through her side. Ian appeared and pulled her behind a crowded bike rack. He had Sonia, and she was alive. Ian had flipped Sonia’s stroller over and taken her into his arms when the shooting began. Liz told him to run with Sonia. Ian cradled Sonia like a football and ran.

Alone, bleeding, and unable to move, Liz lay behind the bike rack as bullets rained down on the parade. At first, she thought it was a terrorist attack but soon realized it was a mass shooting. The bullets came in waves: a brief pause, then more rapid fire. She watched bullets and shrapnel ricochet off the ground among the abandoned flags and bikes. It became quiet again. Those who remained were wounded or dead. To her left, Liz saw the feet of a lifeless couple she later learned were Kevin and

Irina McCarthy. Their two-year-old boy wandered in the street through the dead and dying.

Ian handed Sonia to a stranger and ran back to Liz. The woman yelled out her name, but Ian did not catch it. Liz made him go back to find out who had their daughter. Finally, the Lake County Sheriff reached Liz and applied pressure to her leg. As the Sheriff treated her, Liz saw paramedics giving chest compressions to a man she later learned was 88-year-old Stephen Straus. On the street behind Liz was an eight-year-old boy who was shot in the back with a bullet that exited his chest, damaging his aorta, liver, esophagus, and spinal cord, and permanently paralyzing him from the waist down.

Liz was taken to Lake Forest Hospital. She was discharged after three days, only to return with unexplained bleeding. The bullet had left a 14 cm hole in her leg that would not close—a hematoma filled with blood and dead tissue. For 30 days, she was connected to a vacuum-assisted wound-closure device to remove fluid and accelerate her healing. The hematoma has shrunk, but Liz lives with chronic pain. She has bullet fragments in her leg, hip, and buttocks and therefore cannot get an MRI. Liz cannot sit at her desk for long. For months after the shooting, she could not care for Sonia. When the day came that Liz could again stand at the counter and cook dinner, she wept.

Liz suffers from PTSD, depression, and anxiety, and is hypervigilant: “Any stress can trigger nightmares.” She is in regular cognitive behavioral therapy. She and Ian do not go to Chicago Cubs games anymore. Sonia refers to what happened as the “loud noise machine and the glass

balls,” and she has trouble attending birthday parties or gym class; the sounds of children screaming and running around can be triggering.

Liz did not make it to her follow-up IVF appointment. The embryo transfer scheduled for August never happened. The extensive nerve damage has made it impossible for Liz to have another child.

B. Dr. Ashlee Jaffe

“I am a survivor,” Dr. Ashlee Jaffe whispered to herself as she waited alone to deliver a speech against gun violence in 2024. Ashlee never thought she would be on the other side of gun violence. She is a doctor specializing in pediatric rehabilitation, regularly treating patients with firearms-related injuries. Her work focuses on the long-lasting impact of being shot by a single bullet. That work was clinical, until July 4, 2022.

Born and raised in the Highland Park area, Ashlee returned on Independence Day weekend to celebrate the holiday and her father’s birthday. Ashlee, her husband, and their five-year-old son met friends for breakfast at Walker Brothers before the parade. After breakfast, they stepped outside to watch the parade. Ashlee claimed a bench outside the pancake house. She sat down with her friend’s two-year-old son on her lap, her own son at her side, and her friend’s mother and two friends gathered around. Ashlee had “no idea that someone had climbed on top of the building across the street.”

As she heard a pop-pop-pop, Ashlee felt a sudden pain in her hand. She was confused. She looked to see

where the sound originated as her brain caught up and registered that shots were coming. “It felt like a dream where you’re trying to scream but can’t.” She looked down and saw blood. Then, more shots. Ashlee knew she had been hit but hesitated, afraid of crying wolf and causing a stampede: “It took time for people to stop focusing on the parade and realize it was a war zone developing around them.”

More shots. Now there was no doubt. Ashlee screamed that she was hit, threw her friend’s son to the ground, and yelled for someone to take him, not knowing whether he had also been shot. It was as if she were on a battlefield, making split-second decisions to survive. “I did not know what the right thing to do was.” Ashlee’s watch had been shot off her wrist. She saw her son walking into the street to retrieve it. She grabbed him, pulled him under the bench, and wrapped her body around him. She saw that her husband had grabbed her friend’s son. She saw people lying dead on the ground. She saw paramedics performing chest compressions on Jacki Sundheim, a preschool teacher who later died. A man ran across the street with bullet wounds in his chest. Ashlee wanted to help but knew the battlefield rule: victims must first help themselves. The bullets came in volleys—83 shots in all, from three magazines. It was “terrifying.”

Things became quiet, but it was not clear whether the shooting had stopped. Ashlee handed her husband her wedding ring so it would not be cut off in surgery. A SWAT officer told them to evacuate the area as the scene was not secure. Ashlee’s husband took their son and her friend’s son into a nearby shop. Her friend appeared out

of nowhere and rushed Ashlee to Highland Park Hospital, where Ashlee had been born.

The hospital waiting room was filled with wounded people. Ashlee, in doctor mode, handed washcloths to the bleeding to use on their wounds. “Code blue, code blue” sounded over the loudspeakers, and she knew someone was at risk of death. Ambulances and wounded people kept coming. Families were kept out to make space for the wounded, but her friend’s mother was allowed inside to accompany Ashlee. A man in the waiting room remarked that he had done two tours in Vietnam and had never been shot—until that day.

Eventually Ashlee’s husband transported her to the less busy Lutheran General Hospital. There, the shooting played on a loop on the TV screens. Only then did Ashlee notice the additional wound on her elbow. Ashlee’s hand is permanently damaged. She has lost strength in her grip, and her injured hand cannot sense heat. She would not dare take a hot lasagna out of the oven; she might burn without knowing it.

Ashlee also struggles mentally. She attended a baseball game once but stayed near an elevator in the back the entire game. The same trauma grips her son, who wanted to write an essay in third grade arguing that only the military should have big guns. Through her advocacy, Ashlee hopes the Highland Park shooting is the last one her son experiences.

C. Peter Straus

Peter, who lives in San Francisco, grew up in Highland Park. His father, Stephen Straus, died there in the July 4th shooting. Stephen had been a sharpshooter in the army during peacetime, so Peter grew up around guns. Peter still owns guns, for target shooting, a pastime from his childhood. Assault rifles, he says, “are made for destroying, killing, and maiming, not protecting.”

The Highland Park Independence Day parade was a Straus family tradition—Peter remembers attending in 1976. Peter’s mother was disabled, so Stephen went alone. Stephen stood in front of Walker Brothers, across from the roof where the shooter was positioned. The shooter later told police that he targeted older adults like Stephen and wanted to kill them, aiming from the waist up. He shot Stephen multiple times.

A friend texted Peter that there was gunfire at the parade. Peter tried to reach his father, but his calls failed each time. Then his brother called. “Dad’s dead.” Peter could not process what he heard. He knew his brother wouldn’t joke; he just didn’t want it to be true. “My dad was gone, I’d never be able to say goodbye, or thank you, or I love you. Everything changed in an instant.”

Peter’s mother, who had relied on Stephen to care for her, moved into assisted living six months later and carries on alone. Stephen’s death left a void for Peter’s brother and his children, who lived nearby and had seen Stephen the night before. Stephen was “a warm, gentle, thoughtful and kind man.” He had worked as a stockbroker in downtown Chicago most of his life. He was still working and showed

no signs of slowing down, going on walks and riding his bike regularly.

“I have shot a semi-automatic assault rifle, but I can’t for the life of me understand why a civilian would own such a thing, because it’s clearly only a weapon of war if you’ve shot one,” Peter said. “It’s not a hunting gun. It should be owned only by military or law enforcement.”

D. Sheila and Joe Gutman

On July 4, 2022, a single bullet from the shooter’s assault rifle shattered and shredded Sheila’s foot. Joe, her husband, was with her.

Sheila and Joe attended the parade with family, including their three adult sons, their sons’ wives, and their grandchildren. They watched from lawn chairs just east of Walker Brothers. One grandchild, just a year old, sat in a stroller. When the gunshots started, Sheila did not think much of it. Joe thought it was a bunch of “knuckle-headed kids” setting off firecrackers. But the sounds kept coming, and then bodies began falling. Chaos erupted as people scrambled for cover. Sheila remembers the bullets coming fast after each brief pause. An elderly woman was bleeding in front of her. Sheila tried to run but couldn’t. Her foot was heavy, and lifting it brought searing pain.

Someone grabbed the baby from the stroller, and the family ran for cover. When Joe saw that Sheila wasn’t moving, he and one of their sons carried her. Shop owners, fearing they might be the shooters, would not let them in. Instead, the family found a hallway in a U-shaped corridor of shops and offices.

Joe stepped back outside when the shooting stopped. “It was a war zone,” he recalls. Two SWAT officers sprinted past him with guns drawn. Along the parade route, medics were covering the dead. People were running aimlessly, searching for family or safety. Many of the wounded and dead lay near Walker Brothers, where his family had been sitting. It was the “hot zone”: the shooter was perched directly across from the area, so most of his bullets landed there. Everyone within five feet of them was shot, killed, or knew someone who was. The woman sitting next to them was shot in the pelvis. A girl who sat across from them was hit in the foot—she is the one who found Aiden McCarthy, the wandering two-year-old whose parents, Kevin and Irina, had been killed.

Sheila’s foot created a pool of blood in the hallway where her family hid. The family took her to Lake Forest Hospital, where a family friend happened to be a surgeon. He brought in a specialist, and they operated on Sheila immediately. Sheila’s wounds were unlike anything civilian trauma centers experience. Wounds like hers are found among soldiers at war, not here. The bullet “eviscerated” her foot. The surgeons sought advice from multiple trauma centers around the country. They attached two rounds of flap grafts to replace the missing tissue and skin. They considered amputating her foot. “Just let me die,” she cried. Despite keeping her foot, Sheila will never be the same.

Her recovery has been long and painful: 17 surgeries, 45 days hospitalized (six in intensive care), and 22 sessions in a hyperbaric chamber. Sheila has been in physical therapy ever since the shooting. She could not walk for

over a year, even after regaining mobility. Her physical challenges continue.

The trauma runs deep. Every family member who attended the parade has been affected. “The aftermath is brutal,” Sheila says. “Someone can heal from physical harm, but not isolation and dependency.” Not a day goes by when she does not suffer from the incident. She believes it is her responsibility to teach others about the terror of assault rifles and the trauma of mass shootings. Joe puts it plainly: “[I]f it was not a military grade style assault rifle, maybe they would have gotten off 13 shots instead of 83.”

E. Barbara Medina

Barbara, a resident of Highland Park, participated in the 2022 parade with her father and two children, then ages seven and 12, along with a friend and the friend’s children.

Barbara and her family did not witness the carnage that day. As they approached a corner to turn onto Central Avenue, the shots rang out, and hundreds of people swarmed them, fleeing. She was carrying one side of a large banner and, when she realized there was a shooting, told the woman on the other side to drop it and run.

Barbara could not see her children or father, who were also marching in the parade, handing out candy and carrying a float. As she ran to find them, she saw her daughter on her scooter about to be trampled by the stampeding crowd as everyone funneled down an alleyway. Barbara reached down to lift her seven-year-old off her scooter so she wouldn’t get run over, tripped over the

scooter, and broke her arm. “I tend to sugarcoat it, but it was terrifying. I watched my arm going in the wrong direction as I hit the ground, was run over by a guy on a bike and had to reset my own arm,” she says. Knowing her injury would prevent her from running quickly, she planned to hide under a car with her daughter, but at the last moment, a woman opened a courtyard door to her townhouse complex and took them into her home. By then, everyone had scattered. Barbara did not know where her son and father were or if they were in danger. It would be four or five hours before everyone found each other.

Highland Park Hospital was overflowing, so Barbara had a friend drive her to Skokie Hospital to treat her broken elbow once they could leave their shelter. Though she had two surgeries to replace the shattered radial head, she still cannot fully straighten her arm, experiences nerve pain, and suffers from continued medical issues related to a blood disorder triggered by the injury.

The family tries not to let the memory control, but they suffer from anxiety and PTSD. At large events, they look for the exits first and avoid anywhere they might be trapped. Fear precedes fun. Her son has developed tics that flare up with loud noises or large crowds. When Barbara leaves their home, he asks, “What if there is a shooting and you die this time?”

F. Lauren Bennett

Lauren is a longtime Highland Park resident. Her sons were born there. She and her husband loved the parade; he had been going since he was a toddler. On July 4, 2022, they arrived early, at 8:30 a.m., and saved seats

near Walker Brothers. They had never sat there before but wanted a good spot for the boys to grab candy from the camp counselors and lifeguards.

Minutes into the parade, just after the band had passed, Lauren heard a noise: “It sounded like those snaps that kids play with.” She felt a shock on her hip and looked down. There was blood all over. She knew she had been shot. No one else had noticed. The parade was proceeding, and everyone was watching. But when Lauren screamed that they were being shot at, everyone started running. The scene replays in Lauren’s mind like a movie: “It was like a hailstorm of concrete in every direction and chaos started. I thought it was a militia coming after us because of all the bullets. I never would have thought it was one person with a gun.”

As Lauren got up to run, she felt a shock in her back; she had been shot again. She could not see her children but knew she had to find safety, so she dove into a nearby bush. “In the bushes, I looked at myself completely covered in blood, just soaked.” Somewhere, her husband was running with their children while shouting for people to flee.

She emerged from the bushes. “I started running and I was just dripping with blood. I was just running for safety. I knew I needed a doctor.” Her husband caught up with her in their car. Other paradegoers surrounded the car and begged for a ride, but they could not take them. Her husband drove over lawns and around crowds of panicked people. Her children were in the back seat crying; they had seen their mom’s bloody hip. She thought she might die.

They were the first to arrive at the hospital. The doctors and nurses looked puzzled; they didn't know yet. Then, ambulances swarmed the emergency room and chaos ensued. Lauren heard children crying and the recitation of last rites. Doctors found two holes in her back where she had been shot. The bullets had barely missed her heart and lungs. They stitched her up, and the shrapnel worked its way out over time. Lauren's husband took their sons home and put on a movie, trying to shield them from what was happening.

Images of the shooting repeat in Lauren's mind daily. "It's a part of me. It's in me. I'm always thinking of it and I'm always scared. If this can happen to us in this nice safe community, then it could happen anywhere at any time." Lauren tries to stay strong for her boys. For a long time, her older son brought a bulletproof vest to school as a safety tool, like a blanket. Her youngest stays with the principal when they have mass shooting drills. "It makes me mad. My kids. They have their whole lives ahead of them and this will be with them forever, for their whole lives."

The Fourth of July is somber now. They cannot be around sudden loud noises. They no longer go to Disney World every year. They are constantly looking over their shoulders, for places to run or hide. "It's really hard to live. We do the best we can. It's one day at a time."

Knowing there was only one shooter makes Lauren even angrier: "In the moments that it happened, my mind was thinking there is an army coming after us. I never knew a lot about these guns. I never thought about it. But when we were in the hospital and learned there was

one shooter they were looking for, I was shocked. In the hospital they were bringing in bloody body after bloody body. I would never have thought that could happen with one person and one gun.”

Route 91 Harvest Festival Mass Shooting

The Route 91 Harvest country music festival sold out months before opening on September 29, 2017. Held at Las Vegas Village, across from the Mandalay Bay Hotel, it drew more than 40,000 fans to see music stars like Jason Aldean, Eric Church, and Sam Hunt. Aldean was scheduled to close the festival with a late-night set on October 1. Tens of thousands of concertgoers crowded the field when he took the stage.

As fans listened to Aldean’s performance, a 64-year-old businessman on the 32nd floor of the Mandalay Bay Hotel loaded up 14 semiautomatic assault rifles, ten handguns, bump stocks, and numerous high-capacity magazines capable of holding up to 100 rounds each. From there, he looked straight down on the crowd, packed into the middle of the field. The shooter had cased hotel rooms in the area a week earlier and settled on this one.

At 10:05 p.m., he began shooting into the crowd. In just ten minutes, he fired more than 1,000 rounds, wounding over 800 concertgoers and killing 58. Katie, Marisa, and Geena were in the crowd.

G. Katie Woodall

Katie was a preschool teacher, mom, and wife. She attended the concert with her husband Wayne and two

other couples. They moved closer to the stage to get the best view of Jason Aldean's performance. The concert lights silhouetted them against the darkness.

Katie was singing and dancing with her husband and friends when she thought she heard fireworks. Then their husbands shouted in unison that someone was shooting, and they hit the ground. They got up to run, but Katie was struggling. Wayne asked if she had been shot; she did not know.

Out of nowhere, a concert attendee who identified himself as a former military medic ran over to help. He saw that Katie had been shot, applied compression, and noted with concern that there appeared to be no exit wounds. He explained that they could not stay where they were because they were illuminated by the concert lights, making them easier targets for the gunman and his powerful weapon. "No one is coming to get you," the medic said.

Drawing on his military experience, and aware that the shooter was using an assault weapon, he explained that the shooter would have to pause briefly to reload and that this would be their moment to run. Together they moved over shards of glass and overturned tables toward a dark area so he could treat her further. As they crawled, blood splattered on Katie's face, and she wondered with horror whether Wayne had been hit. But when she turned, she saw that a woman next to her had been shot in the neck. The medic told them to continue ahead on their own; the woman needed aid even more urgently.

The gunfire briefly paused, and Katie and Wayne bolted for safety. Katie saw people frantically loading a friend's bullet-riddled body into a wheelbarrow and rushing toward the exit. She saw men who had attempted to shield their wives from bullets now lying dead on the concert field. The screams of people realizing a loved one had died still ring in her ears. As she and Wayne ran, Katie's pain worsened. She told Wayne, "I can't do this anymore; you just need to tell the boys that I love them." Wayne refused, "I will not do that. You are going to tell the boys that you love them. You are not going to give up . . . this is not going to be the end of our story. You are not going to die here."

Katie and Wayne eventually made it to an ambulance, which was crammed with victims. At the hospital, Katie underwent surgery. Her colon was damaged, and the bullet was lodged in her oblique muscles. The doctors had manipulated and moved around her organs, bruising them and causing her to feel like her insides had been beaten with a baseball bat for years after the surgery. She spent six days in the hospital and three months in recovery. The bullet remains inside, a painful reminder. Katie has been diagnosed with PTSD and continues to struggle. Death is more salient in her mind now. Before leaving for a vacation, she replays in her head the right words to let her kids know their importance and the joy they have brought to her life, in case she is killed.

Still, Katie finds strength to advocate for survivors of mass shootings and against assault rifles by sharing her story: "We were thrust into a kind of horror we never could have imagined existed. Because our country allows people to purchase assault rifles my husband and I found

ourselves in a combat zone in which innocent civilians who had no military training and no means to defend themselves were being gunned down.”

H. Marisa Marano and Geena Springmann

Marisa and Geena are sisters and clinical social workers who treat traumatized individuals. The sisters attended the concert together. For Marisa, it was one of those rare nights out for a parent with a young child. They met Geena’s friends on the concert grounds.

A few minutes after Jason Aldean began his performance, they heard shots. Like many, they initially thought they heard fireworks. But when someone yelled “get down,” they hit the deck. Marisa wrapped her body around Geena to shield her from the bullets. “The gunfire came in waves,” Geena remembered. There would be a “burst of gunfire,” and then a lull. The bullets came in rapid succession, “pop-pop-pop-pop-pop.” They sprinted from the scene after five minutes, running past a woman in a white shirt covered in blood. They had to protect themselves and each other. They became separated from their friends. “People were falling left and right, and you did not know where the shots were coming from.”

Geena left behind her purse, wallet, and keys. While fleeing, she called her mother but could not reach her. Her mother responded with a text asking why Geena had called. Geena replied, “shooting.” Her mother replied in horror, “what’s going on, by you?” She let her mother know that it was at the festival and added, “We are running I love you.” Her mother asked if they were at the MGM and said they should stay there because the shooter wouldn’t

come inside. She told Geena that their father was coming, so they should tell him their location. Geena texted back, “Mom not now lots of bodies.” She tried the police, but the call could not go through. She texted her boyfriend (now husband) and his family to let them know as well.

The sisters sought shelter at the MGM hotel, but the doors were locked. After a restaurant manager opened a side door, they broke down. The hotel patrons and staff were confused, unaware of the shooting, telling the sisters to “calm down.” Finally, their father found them and drove them home. The ride was silent as the scene replayed in their minds. At home, their mother was hysterical. Early news reports indicated perhaps six or seven deaths, but Geena knew dozens were injured or dead. They were shocked to learn the shooting had lasted ten minutes because “it felt like hours, and the bullets just kept coming.”

Marisa and Geena carry hidden scars. Both have PTSD and are now hypervigilant about their surroundings. Geena avoids crowded events. As a mother, she hopes her child never experiences a mass shooting. Whenever there is a school shooting, she is reminded of her own fear. At a football game where a gun was fired to start the game, she instantly fell to the ground in a fetal position. She left a movie theater in the middle of the film when she saw a man with a suspicious bag.

Marisa has not attended another outdoor concert since that night. She looks for the exit when she attends events and struggles to trust people. She once left a grocery store early when she noticed a person carrying a firearm. She and her husband have enrolled their children in private

schools with security. They are gun owners, but Marisa does not believe anyone should own an assault rifle. She knows firsthand that “these weapons are designed to kill as many people as possible.”

II. THE CHALLENGED ASSAULT WEAPON BANS REFLECT FOUNDING-ERA LAWS THAT PROTECTED AGAINST THE EXACT “TERROR” EXPERIENCED BY THESE VICTIMS OF MASS SHOOTINGS BY PROHIBITING DANGEROUS AND UNUSUAL WEAPONS.

Amici’s experiences and injuries underscore the unique lethality of AR-15s and similar semiautomatic assault rifles. The assault rifle is a Goldilocks of death because it combines the most lethal features of more traditional categories of military small arms into one deadly package. For example, assault rifles combine the accuracy and flesh-tearing kinetic energy of a rifle cartridge, the rate of fire and smoothness of a semiautomatic firearm, and the capacity and maneuverability of a submachine gun. Proponents of these weapons do not dispute this; they celebrate it. The government writes that “AR-15s are highly useful for self-defense, both in their capacity for deterrence and in their lethality.” U.S. Br. 23. But assault rifles are not designed for self-defense; they are designed for military assaults. And their lethality is not a cause for celebration.

The “first mass-produced” assault rifle was developed by the Nazis late in the Second World War.¹⁵ The

15. Dieter Stenger, *To The Bitter End: The German StG44 Assault Rifle*, Army History, Summer 2015, at 22.

Sturmgewehr 44 “brought about a revolution in military small arms” and created a new category of military small arms—the assault rifle—through its innovative use of “an ‘intermediate’ cartridge.”¹⁶ Intermediate cartridges shoot a rifle bullet at high velocities and kinetic energies but without the unnecessary powder, size, weight, and recoil associated with a full-sized rifle cartridge.¹⁷ That design feature allowed assault rifles to not only “replace the standard-issue bolt-action rifle, but also replace[] submachine guns and light machine guns” without sacrificing lethality.¹⁸

The wounds created by rifle bullets fired at high velocities from assault rifles are “markedly different” from those created by handgun bullets.¹⁹ “The severity and extent of a [gunshot] wound . . . are determined . . . by the amount of [kinetic] energy that is lost in the tissue.”²⁰ “By virtue of high velocities and thus higher kinetic energies, rifle bullets have the potential to produce extremely severe

16. Stephen Bull, *Encyclopedia of Military Technology and Innovation* 25–26 (2004); *see also* Stenger, *supra*, at 22; Vincent J. M. Di Maio, *Gunshot Wounds: Practical Aspects of Firearms, Ballistics, and Forensic Techniques* 151, 170, 173 (3d ed. 2016).

17. *See, e.g.*, Bull, *supra*, at 25–26; Firearms Research Center, *Terminology*, Univ. of Wyo. Coll. of L., <https://firearmsresearchcenter.org/terminology/> (last visited Oct. 22, 2026); N.R. Jenzen-Jones (ed.), *The ARES Glossary* 14 (Version 1.1, Armament Research Services 2022), <https://armamentresearch.com/wp-content/uploads/2022/08/The-ARES-Glossary-Version-1.1.pdf>.

18. Stenger, *supra*, at 22.

19. Di Maio, *supra*, at 145.

20. *Id.* at 151.

wounds.”²¹ These bullets’ speed is why Liz heard a high-pitched sound when she was shot.

As a rifle bullet “enters the body, there is a ‘tail splash,’ or backward hurling of injured tissue. Blood and tissue are ejected from the entrance. The bullet passes through the target, creating a large temporary cavity[.]”²² The temporary cavity “will undulate” as “[p]ositive and negative pressures alternate in the wound track, with resultant sucking of foreign material and bacteria into the track from both entrance and exit and ejection of blood and tissue from both entrance and exit.”²³ “The expanding walls of the temporary cavity are capable of doing severe damage[.]” because “[t]here is compression, stretching, and shearing of the displaced tissue.”²⁴ “Injuries to blood vessels, nerves, or organs not struck by the bullet, and a distance from the path, can occur as can fractures of bones[.]”²⁵ When the temporary cavity “exceeds the elastic limit of [an] organ . . . the organ *bursts*.”²⁶ That is why Ashlee still experiences nerve pain. That is why the eight-year-old boy paralyzed in the Highland Park shooting suffered damage to his aorta, liver, esophagus, *and* spinal cord. And that is why Katie’s colon was damaged and why doctors had to lift, manipulate, and move around her organs during her surgery to examine them.

21. *Id.*

22. *Id.* at 52.

23. *Id.*

24. *Id.*

25. *Id.*

26. *Id.* at 54 (emphasis in original).

The “5.56 × 45-mm (.223) cartridge . . . used in the original AR-15” is particularly deadly because it has a unique “tendency to rapidly destabilize . . . resulting in lead core being *squirting* out the base. Because of these characteristics, this cartridge tends to lose considerable amounts of kinetic energy, thus producing relatively severe wounds for the amount of kinetic energy that it possesses.”²⁷ By contrast, “handgun bullets . . . produce[] a direct path of destruction with very little lateral extension within the surrounding tissues, i.e., only a small temporary cavity is produced.”²⁸ That unique aspect of the AR-15 cartridge is why the bullet left a 14 cm hole in Liz’s leg that would not close and why she still has bullet fragments in her body. That is also why Sheila’s foot was “eviscerated” by the AR-15 bullet. And that is why Lauren felt a shock on her hip when she was struck.

An assault rifle loaded with civilian hunting ammunition can be deadlier than its military counterpart. “In contrast to full metal-jacketed military bullets, a [civilian] hunting bullet begins to expand (mushroom) shortly after entering the body, with a resultant rapid loss of kinetic energy. . . . This is augmented by shredding of the lead core.”²⁹ Using these bullets in conflict is considered a war crime under the Hague Declaration of 1899.³⁰ After the Las Vegas shooting—the deadliest mass shooting in U.S. history—police found this type of ammunition in the shooter’s

27. *Id.* at 156 (emphasis in original).

28. *Id.* at 51.

29. *Id.* at 54.

30. Declaration (IV, 3) Concerning Expanding Bullets, July 29, 1899, 187 Consol. T.S. 459.

hotel room.³¹ The intermediate cartridge’s lethality is compounded by the assault rifle’s high rate of fire.

There is no dispute that *military* versions of the AR-15 and other assault rifles “may be banned” under this Court’s precedent. U.S. Br. 28 (quoting *District of Columbia v. Heller*, 554 U.S. 570, 627 (2008)). But the only distinction Petitioners draw between properly banned “military” assault rifles and improperly banned “civilian” assault rifles is that military variants can shoot automatic or burst fire rather than just semiautomatically. Pet’r Br. 8. Petitioners rest their case on this distinction, but it is a false one.

First, semiautomatic assault rifles can easily be modified to shoot at a functionally automatic rate through available trigger and bump-fire mechanisms. Indeed, “a shooter manually bump firing a semiautomatic rifle can achieve continuous fire” without modifying the rifle in any way. *Garland v. Cargill*, 602 U.S. 406, 423 (2024). The gunman in Las Vegas “equipped his weapons with bump stocks, which allowed him to fire hundreds of rounds in a matter of minutes,” “killing 58 people and wounding over 500 more.” *Id.* at 412. As Justice Alito correctly observed, “that event demonstrated that a semiautomatic rifle with a bump stock can have the *same lethal effect as a machinegun*.” *Id.* at 429 (Alito, J., concurring) (emphasis added).

31. Las Vegas Metro. Police Dep’t, *LVMPD Criminal Investigative Report of the 1 October Mass Casualty Shooting*, Event No. 171001-3519, at 106 (Aug. 3, 2018), <https://www.lvmpd.com/home/showpublisheddocument/134/638298568313170000>.

Second, automatic fire is not inherently more lethal. U.S. Army doctrine teaches that “[a]utomatic or burst fire is [deployed] when the Soldier is required to provide suppressive fires.”³² It “drastically decrease[s] the probability of hit due to the rapid succession of recoil impulses and the inability of the Soldier to maintain proper sight alignment and sight picture on the target.”³³ In contrast, “[r]apid semiautomatic fire . . . is typically used for multiple targets or combat scenarios,” often with increased lethality.³⁴ And semiautomatic fire is more effective when targeting “fleeing targets,” as is often the case in a mass shooting.³⁵

Third, to say that the Second Amendment distinguishes between fully automatic assault rifles, which can kill at a rate of 700 rounds per minute, and semiautomatic assault rifles, which can kill at a rate of 300 rounds per minute, *Bevis v. City of Naperville*, 85 F.4th 1175, 1196 (7th Cir. 2023), would suggest “a hair-splitting interpretation” that this Court should not countenance. *Fulton v. City of Philadelphia*, 593 U.S. 522, 569 (2021) (Alito, J., concurring).

Amici’s experiences speak directly to the unique lethality of semiautomatic assault rifles. They show why this Court should not interfere with restrictions of these weapons duly enacted through the democratic process.

32. Dep’t of the Army, *Training Circular No. 3-22.9: Rifle and Carbine* at 8-6 (May 2016).

33. *Id.*

34. *Id.*

35. 86 Cong. Rec. 6246 (1940).

A. The Second Amendment Permits State and Local Governments to Regulate Assault Rifles As They Are Uniquely Dangerous Weapons That Terrorize Americans

This Court has explained that “[f]rom Blackstone through the 19th-century cases, commentators and courts routinely explained that the right [to keep and bear arms] was not a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose.” *Heller*, 554 U.S. at 626. The Court has recognized the gun violence problem in America and stated the Constitution leaves governments “a variety of tools for combating that problem,” including regulation. *Id.* at 636.

As the Connecticut Respondents explain, American history shows governments can prohibit unusually dangerous weapons. *See* Br. for Conn. Resp. 9-37; *see also Heller*, 554 U.S. at 626-627. This centuries-long historical tradition includes Founding-era laws prohibiting the common-law offense of “riding or going armed, with dangerous or unusual weapons . . . by terrifying the good people of the land.” 4 Commentaries on the Laws of England 11 (1765-1769) (Blackstone). This reflects the purpose of the laws enacted by Connecticut and Cook County. These local laws are designed to prevent another mass shooter from coming armed with an assault rifle, a dangerous and unusual weapon, into a public place or event to the terror of people such as *Amici*.

Survivors of mass shootings understand the value of public debate and action through the democratic process, especially on this issue. They have spoken out against gun violence and advocated for safer gun laws. Their voices

cannot be fully heard if their governments cannot act on an issue that has caused them significant trauma. This Court should keep its promise to them and the millions of other Americans affected by mass gun violence daily that “state and local experimentation with reasonable firearm regulations will continue under the Second Amendment.” *McDonald*, 561 U.S. at 785 (citation and brackets omitted). State and local governments and their citizens must be granted room to shape policy around this issue, as it involves a stark tradeoff with the right of Americans to stay alive, safe, and unbroken.

CONCLUSION

Amici urge the Court to uphold the State of Connecticut and Cook County’s assault rifle restrictions, so that no more mass shooters go armed with this dangerous weapon to the terror of more Americans.

Respectfully submitted,

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