

# The Truth Behind “Assault Weapons Bans”

## What is an “assault weapon”?

**There is no standard definition of an “assault weapon” because it is a fictitious political term.** The term has been used to describe semi-automatic firearms that look threatening to those who do not understand the difference between “military-grade” firearms and civilian-owned firearms.

Contrary to what the gun control proponents would have you believe, “AR” does not mean “assault rifle” or “automatic rifle.” The AR in AR-15 stands for ArmaLite, the company that developed the platform in the 1950’s. (Yes, this platform has been around for decades).

A 1997 article in the Stanford Law and Policy Review emphasizes that **the term assault weapon “did not exist in the lexicon of firearms” before 1989, when it was “developed by anti-gun publicists to expand the category of ‘assault rifles’ so as to allow an attack on as many additional firearms as possible on the basis of undefined ‘evil’ appearance.”** This is further confirmed by Deputy Associate Director of the BATF Edward D. Conroy’s testimony to Congress regarding the Assault Weapon Control Act of 1989. There Conroy repeatedly emphasized that **“assault weapons” were characterized merely by their “appearance,”** and the proposed definition of “assault weapon” that BATF had at the time was based on the firearm being “cosmetically similar” to other fully-automatic firearms.

AR-15’s and other semi-automatic firearms are NOT “assault weapons” because they are not fully-automatic machine guns. Automatic firearms have been restricted from civilian ownership since 1934.

**MYTH:** Assault weapons bans will reduce violent crime.

**FACT:** The congressionally-mandated study of the federal “assault weapon ban” of 1994-2004 found that the **ban had no impact on crime**, in part because **“the banned guns were never used in more than a modest fraction of gun murders.”**<sup>1</sup> Rifles of any type are used in only two percent of murders.<sup>2</sup> Subsequent research conducted by the RAND Corporation found no conclusive evidence that banning “assault weapons” or “large” capacity magazines has an effect on mass shootings or violent crime.<sup>3</sup>

**Murder rates were 19.3% higher when the Federal ban was in effect.**<sup>4</sup>

**MYTH:** There is no “need” for civilians to own AR-15’s.

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<sup>1</sup> [1] Roth, Koper, et al., [Impact Evaluation of the Public Safety and recreational Firearms Use Protection Act of 1994](#), Urban Institute, March 13, 1997.

<sup>2</sup> [2] FBI, Crime in the United States 2014, [Expanded Homicide Table 8](#).

<sup>3</sup> [3] Rand Corporation, [The Science of Gun Policy: A Critical Synthesis of Research Evidence on the Effects of Gun Policies in the United States](#), 2018, p. 66.

<sup>4</sup> [4] Mark Gius, [An examination of the effects of concealed weapons laws and assault weapons bans on state-level murder rates](#), Applied Economic Letters, Vol. 21, No. 4.

**FACT:** Americans own nearly 25 million AR and AK platform firearms.<sup>5</sup> AR-15s are the most commonly used rifles in marksmanship competitions, training, and home defense.

Total violent crime and murder has fallen to near historic lows, while ownership of the firearms and magazines that gun control supporters want banned has risen to all-time highs.<sup>6,7</sup>

AR-15s and other semi-automatic rifles are not the fully-automatic, military-grade firearms they are often claimed to be by gun control supporters and the media.

**Ammunition magazines that hold more than 10 rounds are standard equipment for many handguns** and rifles that Americans keep for self-defense.

**MYTH:** “Assault weapons” are used in most mass shootings.

**FACT:** Gun control supporters are wrong to claim that “assault weapons” are used in most mass shootings. While the media focus on this false narrative, mass killings have been committed with firearms of all types, and without firearms of any type.

**MYTH:** More guns leads to more violent crime.

**FACT:** From 1991, when violent crime hit an all-time high, to 2017, the nation’s total violent crime rate decreased 47 percent, including a 34 percent decrease in the murder rate.<sup>8</sup> Meanwhile, Americans bought about 200 million new firearms<sup>9</sup>, including more than eighteen million AR-15s<sup>10</sup>, and so many tens of millions of “large” handgun and rifle magazines that it seems pointless to attempt a count.<sup>11</sup>

**MYTH:** Assault Weapons Bans Withstand Constitutional Muster.

**FACT:** Firearms that gun control supporters call “assault weapons” and ammunition magazines that they call “large” are among the arms protected by the Second Amendment. Because they’re

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<sup>5</sup> [5] National Shooting Sports Foundation, 1990 – 2020 estimated US firearm production – exports + imports of MSR/AR, AK Platform Semi-automatic rifles.

<sup>6</sup> [6] 2020 is the most recent year of data available. See the [FBI UCR Data Tool](#) See also Claude Fischer, [A crime puzzle](#), The Public Intellectual, May 2, 2011.

<sup>7</sup> [5] National Shooting Sports Foundation, 1990 – 2020 estimated US firearm production – exports + imports of MSR/AR, AK Platform Semi-automatic rifles.

<sup>8</sup> <sup>8</sup> [6] 2020 is the most recent year of data available. See the [FBI UCR Data Tool](#) See also Claude Fischer, [A crime puzzle](#), The Public Intellectual, May 2, 2011.

<sup>9</sup> Bureau of Alcohol, Tobacco, Firearms and Explosives, Firearm Commerce in the United States 2018.

<sup>10</sup> National Shooting Sports Foundation, 1990 – 2020 estimated US firearm production – exports + imports of MSR/AR, AK Platform Semi-automatic rifles.

<sup>11</sup> According to Sen. Charles Schumer (D-N.Y.), who sponsored the federal “assault weapons” and “large” magazine “ban” when he was in the House of Representatives, 50 million “large” magazines were imported during the 10 years the “ban” was in effect. (Schumer press release, [Schumer Moves to Renew Federal Ban on Assault Weapons](#), May 8, 2003.) Magazines that hold more than 10 rounds are standard-equipment, supplied with millions of semi-automatic pistols and rifles manufactured and sold each year.

among the arms that are most useful for the entire range of defensive purposes, they're "in common use" for defensive purposes, a standard articulated by the Supreme Court in *Heller*.

Just last year, the Supreme Court remanded two cases challenging so-called large capacity magazine bans out of New Jersey (*Association of New Jersey Rifle & Pistol Clubs v. Grewal* 2022) and California (*Duncan v. Bonta* 2022) for further proceedings because the Third and Ninth Circuit courts of appeals applied the wrong test in upholding the bans.

**SINCE THEN:**

- Federal judge in CA ruled that the magazine ban was unconstitutional and enjoined it from being enforced (*Duncan v. Bonta* 2023).
- Likewise, California's ban on so-called assault weapons was found to be unconstitutional and enjoined (*Miller v. Bonta* 2023).
- A federal judge in Illinois did the same thing to the state's ban on so-called assault weapons and large capacity magazines earlier this year (*Barnett v. Raoul*).

**MYTH:** We must ban "assault weapons" because they are often used in violent crime.

**FACT:** According to the 2019 Crime in the United States report (based on FBI murder statistics), handguns were responsible for nearly half of all homicides in the US in 2019. Even hands, fists and feet were used twice as often as a rifle to commit murder. AR-15's are used in a tiny percentage of crimes.

**Conclusion:** We don't blame law-abiding individuals for violent crime in any other circumstance. Surely, it would be absurd to ban SUV's because someone drove an SUV drunk and killed another driver. The same is true here. Why are we penalizing every law-abiding gun owner for the actions of a disturbed individual?