

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

STATE OF NEW JERSEY, *et al.*,

Plaintiffs,

v.

PAMELA J. BONDI, *et al.*,

Defendants.

No. 1:25-cv-1807-PX

**[PROPOSED] AMICUS CURIAE BRIEF OF BRADY CENTER
TO PREVENT GUN VIOLENCE, GIFFORDS LAW CENTER TO PREVENT
GUN VIOLENCE, AND EVERYTOWN FOR GUN SAFETY SUPPORT FUND,
IN SUPPORT OF PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**

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I. INTEREST OF *AMICI CURIAE*

Amici Curiae Brady Center to Prevent Gun Violence (“Brady”), Giffords Law Center to Prevent Gun Violence (“Giffords Law Center”), and Everytown for Gun Safety Support Fund (together, *Amici*) respectfully submit this Brief in support of Plaintiffs’ Motion for Preliminary Injunction, ECF 5.

Amici are three nonpartisan, nonprofit organizations dedicated to ending gun violence. Brady is the Nation’s oldest organization dedicated to reducing gun violence through education, research, legal advocacy, and political action. Giffords Law Center is a non-profit policy organization serving lawmakers, advocates, legal professionals, gun violence survivors, and others seeking to reduce gun violence and improve the safety of their communities. Everytown for Gun Safety Support Fund (“Everytown”) is the education, research, and litigation arm of Everytown for Gun Safety, the largest gun-violence prevention organization in the nation, with millions of supporters across the country. Brady, Giffords Law Center, and Everytown have filed numerous amicus briefs in cases involving firearms regulations, and judges have regularly cited the organizations’ research and expertise.

Amici have a strong interest in preventing the return of forced reset triggers (“FRTs”) to individuals in New Jersey, Maryland, Delaware, Colorado, Hawai’i, Illinois, Maine, Massachusetts, Michigan, Minnesota, Nevada, Oregon, Rhode Island, Vermont, Washington, and the District of Columbia (collectively, the “Plaintiff States”) because of the increased risk of gun violence and harm posed by these unusually dangerous and unnecessary devices.

II. INTRODUCTION

Amici write with three points to aid the Court in understanding the nature of FRTs and the harm they will cause if they are redistributed into the Plaintiff States.

First, Amici explain how FRTs turn semiautomatic AR-15 firearms into fully automatic machineguns by replacing the weapon's trigger assembly. The design of an FRT trigger assembly allows a shooter to fire dozens of rounds of ammunition automatically by maintaining rearward pressure on the trigger with a single, continuous pull. With an FRT, an AR-15 can match or exceed the firing rate of a fully automatic M16 machinegun, a powerful weapon of war.

Second, Amici explain how FRTs and similar machinegun conversion devices pose a grave threat to public safety. Returning the devices to individuals in the Plaintiff States, as the U.S. Department of Justice has agreed with a private party to do, will exacerbate the scale and carnage of mass shootings and increase the danger posed by other criminal activity.

Third, Amici explain how, when compared with the threat posed by FRTs, there is no countervailing interest in using FRTs for self-defense. Firearms utilizing FRTs are not at all useful in lawful self-defense, and their use is much more likely to result in injury of bystanders.

III. ARGUMENT

A. FRTs Convert Semiautomatic Firearms into Fully Automatic Machineguns.

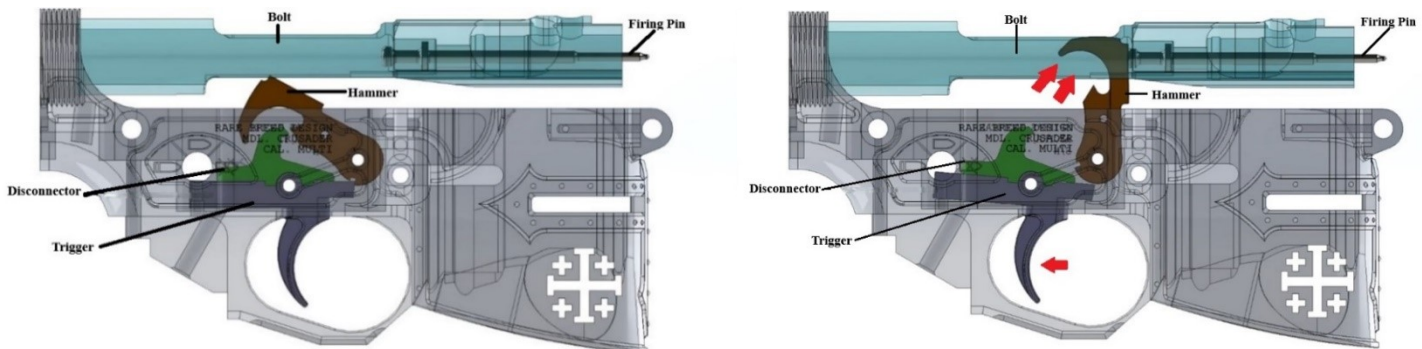
One can convert a standard, semiautomatic AR-15-style firearm¹ into a fully automatic machinegun by replacing the firearm's trigger assembly with an FRT. An FRT trigger assembly features a distinctly shaped hammer—the part that is released by the trigger and strikes the firing pin, and entirely lacks a disconnecter—the part in a standard AR-15 trigger assembly that catches the hammer after a shot is fired and prevents the hammer from moving forward again to strike the firing pin until the trigger is pulled again.

In a standard AR-15, when a shooter squeezes the trigger, the spring-loaded hammer is

¹ AR-15s are typically configured as rifles, but models that lack a shoulder stock and feature a shorter barrel can also be classified as pistols. FRTs can be installed in both rifle and pistol models of the AR-15 platform.

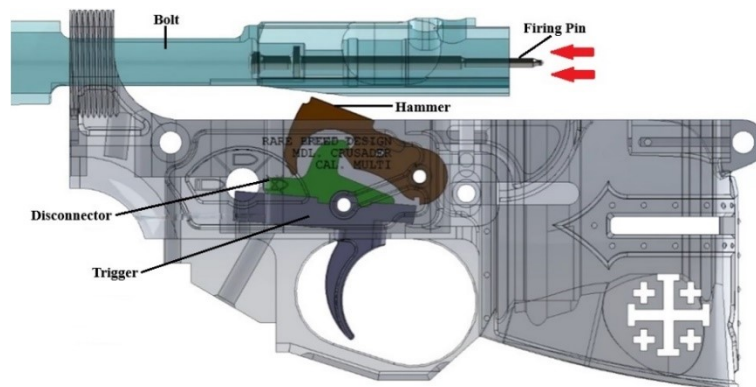
released to swing forward, hitting the firing pin, as shown in Figure 1.²

Figure 1



The firing pin discharges the cartridge primer and ignites the gunpowder that propels the bullet forward, while some of the gases expelled by the bullet throw the bolt backward, setting the hammer back on top of the disconnector, as shown in Figure 2.

Figure 2



The disconnector then captures and retains the hammer.³ To shoot another bullet, the shooter must release the trigger, putting it in the “reset” position, and then squeeze again. This releases the hammer, and restarts the cycle.⁴

With an FRT installed, the beginning of the shooting process remains the same—the shooter squeezes the trigger, which causes the hammer to swing forward, hitting the firing pin and

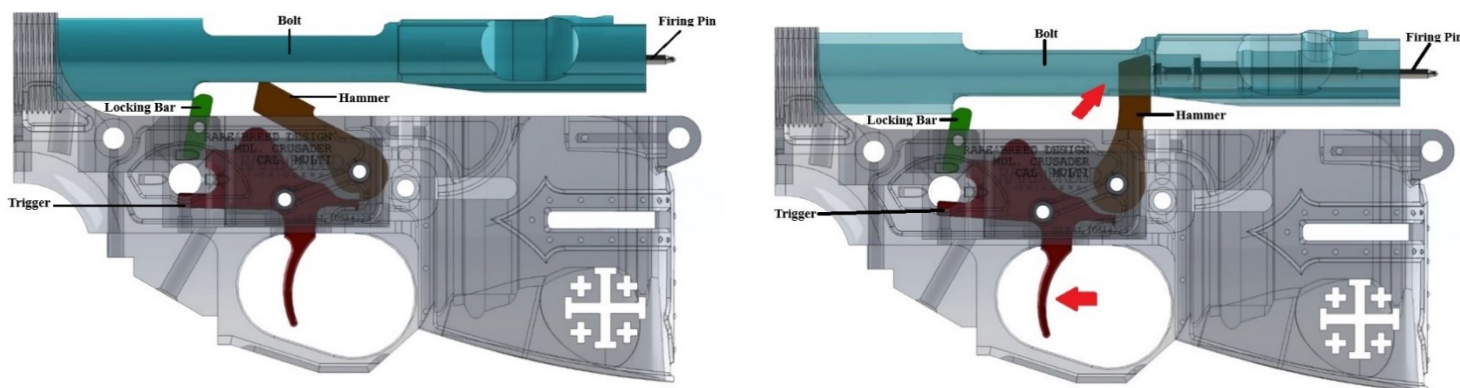
² ATF Report on FRT-15, ECF 5-17, (“ATF FRT-15 Report”) at 8; Firearms Technology Criminal Branch: Report of Technical Examination (Oct. 10, 2021), ECF 5-21 (“FTCB Report”) at 10.

³ ATF FRT-15 Report at 36.

⁴ *Id.* at 41.

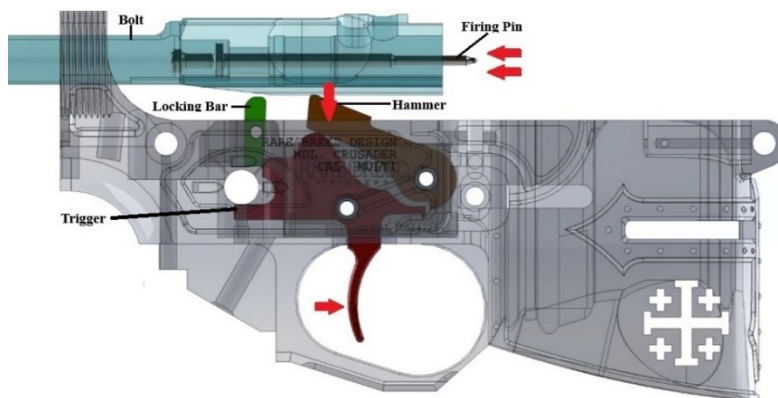
initiating the firing sequence, as shown in Figure 3.⁵

Figure 3



From here, the FRT's distinctly designed trigger assembly allows for continuous fire without the shooter having to again release and squeeze the trigger. As the bolt travels backward, it contacts the hammer and pushes it down against the raised hump on the trigger assembly, where the disconnecter would be located on a standard AR-15 trigger assembly.⁶ But then, rather than the hammer settling onto the trigger mechanism and being captured by the disconnecter, as would happen with a regular trigger assembly, the hammer pushes against the raised portion of the FRT, as shown in Figure 4.⁷ The rearward motion of the bolt also compresses the action spring.⁸

Figure 4



⁵ *Id.* at 31–32.

⁶ *Id.* at 36.

⁷ *Id.*

⁸ *Id.*

Therefore, rather than the hammer being captured by the disconnecter, as would happen with a standard AR-15 trigger assembly, the pressure from the hammer pushes the trigger forward against the rearward pressure exerted by the shooter's finger, as shown in Figure 4.⁹ This process automatically resets the trigger without any additional physical manipulation by the shooter.

Then, the compressed action spring pushes the bolt forward, chambering a new round and knocking the locking bar forward, which releases the hammer and reinitiates the firing sequence.¹⁰ With constant rearward pressure on the trigger, this cycle will continue automatically until the shooter releases the trigger or ammunition is expended.¹¹

With an FRT trigger assembly, the shooter can simply squeeze the trigger once and, according to Defendant National Association for Gun Rights ("NAGR"), "if [the shooter] maintain[s] consistent rearward pressure without releasing the trigger, the firearm will continue to fire."¹² The video excerpted below shows a man doing exactly this, firing two full 30-round magazines in around one second each.¹³



⁹ *Id.* at 36; FTCB Report at 14–15.

¹⁰ See ATF FRT-15 Report at 37; FTCB Report at 16.

¹¹ FTCB Report at 17–18.

¹² Taylor Rhodes, *Binary Trigger Vs Forced Reset Trigger (FRT): A Comprehensive Guide*, NAGR (Feb. 26, 2025), <https://tinyurl.com/5x5mv2e8>; see also Corevision Training, <https://tinyurl.com/mr2pz8ws> (“[FRTs] allow[] for extremely rapid follow-up shots as long as the shooter maintains trigger pressure.”); ATF FRT-15 Report at 15 (“If the shooter maintains constant rearward pressure from the original single function (pull) of the trigger, the FRT-15 trigger will automatically . . . [shoot] subsequent projectiles.”).

¹³ Radvous, *Rare Breed FRT Trigger, This thing is Awesome!*, YouTube (June 12, 2021), <https://tinyurl.com/2pjbhmc>.

The video proceeds as follows:

Timestamp	Event
0:02-0:04	“Today we’re going to test out the Rare Breed FRT trigger.”
0:14	The man begins firing.
0:15	The man finishes firing a 30-round magazine.
0:22-0:24	The man reloads a new 30-round magazine.
0:26	The man begins firing again.
0:27	The man finishes firing the second 30-round magazine.
0:31	“Just like a real full auto.”

The comparison to “real full auto” is apt. With an FRT installed, an AR-15 can match, or even exceed, the firing rate of the fully automatic M16 machinegun used by the U.S. military. An M16’s cyclic rate of fire—the speed at which the firearm can fire mechanically—is between 700 to 970 rounds per minutes (“RPM”).¹⁴ An AR-15 modified with an FRT performs similarly, with a cyclic rate of fire of 840 RPM.¹⁵ Moreover, the FRT “allow[s] a shooter to maintain this rate of fire irrespective of the shooter’s training, skill, or stamina.”¹⁶ By using this accessory that “take[s] only minutes to install,”¹⁷ anyone can therefore convert a semiautomatic rifle into a fully automatic machinegun capable of emptying an entire 30-round magazine in merely two seconds.

B. FRTs Pose a Dire Threat to Public Safety.

Giving civilians the ability to easily turn semiautomatic AR-style firearms into fully automatic firearms puts entire communities in the literal line of machinegun fire. By dramatically increasing the firing rate of an AR-15, FRTs stand to exacerbate the danger posed by mass

¹⁴ U.S. Army Technical Manual TM 9-1005-319-10 at 0002 00-1, <https://tinyurl.com/k4cm8tp>.

¹⁵ ATF FRT-15 Report at 17.

¹⁶ Decl. of Special Agent Craig Saier, ECF 5-5 (hereinafter “Saier Declaration”) ¶ 32.

¹⁷ *Fargo-Based Company Ordered To Stop Selling FRT-15 Triggers*, KVRR News (Sept. 5, 2024), <https://tinyurl.com/2mxzeyre>; *see also* Rare Breed Triggers, *Rare Breed Triggers FRT-Installation*, Vimeo (Feb. 4, 2021), <https://tinyurl.com/5chst3rw> (showing full installation of FRT in video lasting 8:41).

shootings and by other firearms-involved crimes. This situation threatens the lives of citizens and law enforcement officers alike. There is no harm more irreparable.

i. Fully Automatic Gunfire Increases the Devastation of Mass Shootings.

Mass shootings are an epidemic in the United States, with 502 mass shootings in 2024 alone.¹⁸ Just since 2020, there have been more than 3,260¹⁹—an average of nearly two per day—and this rise shows no sign of slowing.

AR-style firearms have been used in many of the highest-casualty mass shootings, including: at Pulse Nightclub, where a gunman shot 102 people, killing 49; at Sandy Hook Elementary School, where 20 first graders and six adults were killed; at Marjory Stoneman Douglas High School, where a gunman shot 34 students and staff, killing 17; in Highland Park, Illinois, where a gunman shot 55 people at a July Fourth parade, killing seven; in Aurora, Colorado, where a gunman shot 70 people at a movie theater, killing 12—unfortunately, the list goes on.²⁰ Even using an unmodified AR-style firearm, a lone individual can commit mass murder in under a minute—or even less—before law enforcement can respond. In 2019, a shooter armed with a semiautomatic AR-15 pistol killed nine people and wounded 17 others outside a bar in Dayton, Ohio *in just 32 seconds*.²¹ In 2022, a gunman armed with an AR-15 fired more than 100 rounds in two and a half minutes inside an elementary school in Uvalde, Texas, and, more than 70 minutes later, 19 children and two teachers had died and 17 others were wounded.²²

¹⁸ *Past Summary Ledgers*, Gun Violence Archive, <https://tinyurl.com/mu4wdcux> (last visited June 17, 2025). The Gun Violence Archive, an independent data collection and research group, defines a mass shooting as an incident where four or more people are shot or killed, not including the shooter. <https://tinyurl.com/2s4jpkp9>.

¹⁹ *Id.*; *Gun Violence Archive 2025*, Gun Violence Archive (June 11, 2025), <https://tinyurl.com/y6h7f3zb>.

²⁰ *See Guns Used in the Deadliest U.S. Mass Shootings*, Smoking Gun, <https://tinyurl.com/yc3mpk2x>.

²¹ Bill Chappell, *The Pistol That Looks Like a Rifle: The Dayton Shooter's Gun*, NPR (Aug. 8, 2019), <https://tinyurl.com/ywa6zzsb>.

²² Carla Astudillo et al., *What we know, minute by minute, about how the Uvalde shooting and police response unfolded*, Texas Tribune (July 28, 2022), <https://tinyurl.com/mr4eyjfu>.

The devastation wreaked by mass shooters will only worsen if they can arm themselves with devices that dramatically increase the rate at which they can fire these weapons. Indeed, the deadliest shooting in U.S. history involved AR-style rifles equipped with bump stocks, an external device that allows for rapid-fire mimicking that of a machinegun. In 2017, 60 people were killed and more than 850 were injured²³ *in just ten minutes* when a shooter perched in a hotel window above the Las Vegas strip fired more than 1,000 rounds into the crowd at a music festival.²⁴

Even a single bullet from an AR-15 can wreak significant destruction on a human body. *See Bianchi v. Brown*, 111 F.4th 438, 455 (4th Cir. 2024) (en banc) (AR-15 bullets are “[b]uilt to generate maximum wound effect”), *cert. denied sub nom., Snope v. Brown*, --- S. Ct. ----, 2025 WL 1550126 (U.S. June 2, 2025). The energy of just one .223 caliber bullet fired from an AR-15 “is so massive it has to go someplace, and your body will literally tear apart,” according to Dr. Babak Sarani, a trauma surgeon and authority on casualties from mass shootings.²⁵ Trauma surgeon Dr. Peter Rhee has explained that wounds inflicted by a semiautomatic rifle “look[] like a grenade went off in [the body].”²⁶ These bullets need not hit an artery to cause catastrophic bleeding: the speed of a standard .223 caliber bullet from an AR-15 creates a cavitating blast effect on impact, causing internal damage far outside the bullet’s path and gaping exit wounds that drastically reduce a person’s chance of survival.²⁷ Former Connecticut Chief Medical Examiner Dr. Wayne Carver testified that not a single one of the 20 children and six adults shot by an AR-

²³ The Las Vegas Metropolitan Police Department’s investigation into the shooting determined that “[a]pproximately 869 people sustained documented physical injuries. Of those who sustained injuries, [it] was able to confirm approximately 413 gunshot or shrapnel injury victims,” but “[d]ue to the mass number, types of injuries sustained, and subjects who were treated and released prior to police contact, a definitive number of people who sustained gunshot or shrapnel injuries is not known.” *LVMPD Criminal Investigative Report of the 1 October Mass Casualty Shooting* (Aug. 3, 2018), <https://tinyurl.com/44zxhcsv>.

²⁴ Jonathan Bernstein & Mark Gray, *Five Years Since the Route 91 Massacre No One Knows a Damn Thing*, Rolling Stone (Sept. 21, 2022), <https://tinyurl.com/mpu7my28>.

²⁵ N. Kirkpatrick, et al., *The Blast Effect*, Wash. Post (2023), <http://tinyurl.com/2kutwsea>.

²⁶ Sarah Zhang, *What an AR-15 Can Do to the Human Body*, WIRED (June 17, 2016), <https://tinyurl.com/5d5prxmt>.

²⁷ *Id.*

15 at Sandy Hook Elementary “had survivable or even treatable injuries.”²⁸

Repeated fire from an AR-style firearm is even more destructive. Dr. Roy Guerrero recalled seeing children in Uvalde “whose bodies had been so pulverized, decapitated by the bullets fired at them, over and over again, whose flesh had been so ripped apart, that the only clue as to their identities were the blood-spattered cartoon clothes still clinging to them.”²⁹ Just some of the 13 bullets that hit one Parkland student “tore [his] chest apart” and created exit wounds in his head so “gaping” that portions of his brain were found on the walls.³⁰

In each scenario, a single gunman was able to rapidly inflict such abject carnage with a semiautomatic AR-style firearm. Imagine the even greater devastation an individual could cause with a weapon capable of emptying a 30-round magazine in two seconds with a single pull of the trigger. Flooding the Plaintiff States with FRTs thus poses an unfathomable threat to the citizens of those states by exacerbating the scale and carnage of mass shootings or other acts of gun violence.

ii. *Civilian Possession of Fully Automatic Firearms Is Increasingly Associated with Criminal Activity.*

There is a “national, escalating trend” of machinegun conversion devices³¹ (“MCDs”), including FRTs and similar devices, “being used in the commission of violent crimes or being recovered from individuals and criminal organizations.”³² For example, violent crimes involving these devices—including homicides, aggravated assaults, robberies, carjackings, and murders of

²⁸ Dep. of Dr. H. Wayne Carver II at 23, *Pozner v. Fetzer*, No. 18-cv-3122 (Wis. Cir. Ct. Dane Cty. Nov. 27, 2018), <http://tinyurl.com/dzu8ybwu>.

²⁹ *Testimony of Dr. Roy Guerrero*, H. Comm. on Oversight and Reform (June 8, 2022), <https://tinyurl.com/y98a4wed>. See also U.S. Dep’t of Justice, *Critical Incident Review: Active Shooter at Robb Elementary School* at 255 (“Families were asked to provide descriptions of their children, but due to the condition of the victims’ bodies, families were also asked for descriptions of their children’s clothing[.]”).

³⁰ Kirkpatrick, *supra* note 25.

³¹ MCDs “easily integrate[] with semiautomatic firearms to illegally convert them to fire automatically.” ATF, *Machine Conversion Devices – Fact Sheet* (last accessed June 17, 2025), <https://tinyurl.com/55287pc9>.

³² Saier Decl. ¶ 41.

police officers—increased approximately 400% from 2022 to 2023.³³ According to former Chief Operating Officer of the ATF Tom Chittum: “Not since Prohibition have we seen this many machine guns being used to commit crimes.”³⁴

This increasing prevalence of MCDs in crime shows that putting FRTs back into circulation in the Plaintiff States will irreparably harm those communities by making fully automatic gunfire more accessible to criminal actors. The danger that violent crime poses to the public escalates gravely when the perpetrator is armed with automatic fire: criminal activity like armed robberies or physical altercations can turn into massacres when devices like FRTs are involved.

ATF Special Agent Charlie J. Patterson explained that MCDs are “doubling or tripling the potential for death” at crime scenes.³⁵ For example, in Birmingham, individuals used firearms outfitted with Glock switches³⁶ when carrying out a “murder-for-hire” targeted hit and fired more than 100 rounds into a crowd, killing three bystanders in addition to the target and wounding 17 others. The Birmingham Police Chief commented: “Where we used to see a dozen or less casings on the scene, we’re seeing 75 to 100 or even more than 100 on a crime scene” because of “how quickly these rounds are fired from these weapons. There’s a lot of damage that can be done very

³³ *Id.* ¶ 42; these statistics are even more shocking when taking into account that “[t]he precise number of incidents of firearms recovered and found to be equipped with an FRT-15, WOT, or other similar device is likely underreported.” *Id.* ¶ 33.

³⁴ Scott Glover & Curt Devine, *A device that can turn a semi-automatic weapon into a machine gun in moments is wreaking havoc on American streets*, CNN (Aug. 30, 2022), <https://tinyurl.com/2yd938dz>.

³⁵ Peter Hermann, *D.C. police see rise in devices that convert guns into fully automatic weapons*, Wash. Post (Sept. 4, 2021), <https://tinyurl.com/2bm98tb>.

³⁶ A Glock switch is a type of MCD that can turn a semiautomatic Glock into a fully automatic firearm. These devices (which are not made by Glock) have proliferated rapidly because they are cheap (selling for \$50-\$100), small (about the size of a quarter), and easy to install. “Authorities have struggled to regulate them as they have exploded in popularity recently because they can be manufactured cheaply and quickly on 3-D printers.” Zusha Elinson & Scott Calvert, *The \$50 Device That Turns Handguns Into Automatic Weapons*, Wall Street Journal (Feb. 17, 2024), <https://tinyurl.com/ytbh9acj>. FRTs, on the other hand, have not been as readily available because they are more difficult to produce illicitly and the government had been blocking their licit sale. Now that the government is no longer doing so, the widespread proliferation of FRTs will undoubtedly join that of Glock switches.

quickly[.]”³⁷ In Sacramento, as another example, six were killed and 12 more were injured when individuals involved in a physical altercation sprayed automatic fire.³⁸

Incidents like this make clear the immense danger these devices pose in the hands of criminals. In yet another terrifying example, ATF agents investigating an armed narcotics trafficker found an AR-type firearm equipped with an FRT³⁹ that had been used in seven separate shootings, including a drive-by shooting targeting a home and another directed at a police vehicle.⁴⁰ ATF agents found 70 bullet casings at the site of one of the shootings and 42 at another.⁴¹ Audio of another drive-by shooting involving that same firearm “demonstrated that the shooter fired 14 shots in less than two seconds.”⁴²

Criminal possession of FRTs also poses a unique danger to police due to the fact that the device has no external component, allowing it to be installed without any visible modification to the firearm.⁴³ This means that, if a shooter’s weapon is equipped with an FRT, agents and officers assessing whether a suspect has a machinegun often will have no way of knowing they are walking into automatic fire until it is too late.

C. Preventing Redistribution Does Not Materially Harm Defendants’ or the Public’s Interests Because FRTs Are Not Useful for Lawful Self-Defense.

While allowing redistribution of FRTs into the Plaintiff States would pose a significant danger to the public, *preventing* redistribution does not pose any material countervailing harm.

³⁷ Taylor Lang & Riley Conlon, *Police say Glock switches used in Birmingham mass shooting: Here’s what they are*, WVTM13 (Sept. 23, 2024), <https://tinyurl.com/m698k48r>.

³⁸ Chuck Johnston & Hannah Sarisohn, *6 dead, at least 12 wounded after a shooting in downtown Sacramento, police say*, CNN (Apr. 3, 2022), <https://tinyurl.com/y8rcb9an>.

³⁹ The firearm was equipped with a version of an FRT called a Wide Open Trigger (“WOT”). WOTs operate based on the same mechanical principles as the Rare Breed Triggers FRT-15, making FRT-15s and WOTs effectively “identical.” Decl. of Eric Barlow, ECF 5-4 ¶ 18 (quoting *United States v. Rare Breed Triggers, LLC*, 690 F. Supp. 3d 51, 123 n.1 (E.D.N.Y. 2023)).

⁴⁰ Saier Decl. ¶ 34.

⁴¹ *Id.*

⁴² *Id.*

⁴³ *Id.* ¶ 33.

FRTs are not useful in, and not used in, self-defense.⁴⁴ Indeed, Defendant NAGR concedes that the rapid-fire capability made possible by FRTs is not only practically inappropriate for self-defense, but poses a danger to innocent people in the vicinity of the shooter:

In high-stress defensive situations, trigger control and shot accountability are paramount. . . . The FRT, while mechanically reliable, prioritizes speed over precision, which can make shot placement more difficult when it matters most. For home defense, a standard, high-quality semi-automatic trigger is generally a safer and more practical choice.⁴⁵

This fact weighs in favor of granting Plaintiffs’ preliminary injunction. *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 24 (2008) (courts “must balance the competing claims of injury and must consider the effect on each party of the granting or withholding of the requested relief” (quoting *Amoco Prod. Co. v. Gambell*, 480 U.S. 531, 542 (1987))).

i. FRTs are Inappropriate and Not Useful for Lawful Self-Defense.

It is all but impossible to fire an FRT in a manner that allows for the controlled fire necessary to evaluate a developing self-defense scenario. As one online commenter explained, when trying to shoot an FRT in a semiautomatic manner, “I was not successful getting off single shots. The best I was getting was triple and quad shots . . . but I just wasn’t able to get off the trigger for a single shot no matter how I tried.”⁴⁶

FRTs are therefore not suited for lawful self-defense because they do not allow an

⁴⁴ The Second Amendment protects “arms” that are “most appropriate and typically used for self-defense” and “emphatically does not stretch to encompass weapons that are ill-suited and disproportionate to such a purpose.” *Bianchi*, 111 F.4th at 452; *see also Bevis v. City of Naperville*, 85 F.4th 1175, 1193 (7th Cir. 2023) (citing *D.C. v. Heller*, 554 U.S. 570 (2008)) (The Second Amendment protects arms only for “th[e] lawful purpose” that “is at its core the right to individual self-defense.”).

⁴⁵ Rhodes, *supra* note 12.

⁴⁶ OldCannon, *A quick review of the Rare Breed “forced reset” trigger*, TexasCHLforum.com (April 24, 2021), <https://tinyurl.com/e6t4hkr9>; *see also* ATF FRT-15 Report at 16 (explaining that five-round ammunition load fired “automatically, without manual reloading, by a single function of the trigger”). Many contributors to online firearm forums echo the uselessness and dangerousness of FRTs in self-defense scenarios. One individual noted that “[a]s far as I can determine, FRT are stupid range toys. They are not consistent with a serious use firearm and I cannot imagine a situation in which I would want one.” Doug M., *Forced Reset Triggers*, Smith & Wesson Forum (May 19, 2025), <https://tinyurl.com/n8n96dx3>.

individual the time necessary to assess and reassess a situation as it develops, which is required to make the use of fatal force legally justifiable. To lawfully defend oneself with lethal force, an individual must have “reasonable grounds to believe” they are “in apparent imminent or immediate danger of death or serious bodily harm.” *State v. Faulkner*, 301 Md. 482, 485 (1984). This requirement is ongoing, meaning an individual must reassess the situation as it develops. *See Sydnor v. State*, 365 Md. 205, 216 (2001) (“the defense of self-defense has substance only when the deadly force used was necessary at the moment of imminent danger”). Moreover, courts have found that semiautomatic assault weapons—even without FRTs installed—are poorly suited for self-defense because “rapid fire does not allow a shooter to reevaluate the circumstances and determine whether fatal force is still required.” *Rupp v. Bonta*, 723 F. Supp. 3d 837, 855 (C.D. Cal. 2024). This risk increases with automatic fire, underscoring that FRTs are especially ill-suited for lawful self-defense.

In addition, empirical research demonstrates that FRTs are not *useful* for lawful self-defense. The average number of shots fired by civilians in self-defense scenarios is only about two.⁴⁷ Moreover, the U.S. Concealed Carry Association reported that, according to FBI statistics, “the average gunfight includes three rounds fired.”⁴⁸ Lucky Gunner, an online retailer that also provides self-proclaimed “reliable shooting advice for regular people,” reported: “In the overwhelming majority of the incidents where an armed civilian fires a shot in self-defense, probably 70 to 90% of them are able to resolve the situation within 3 or 4 rounds, and usually closer to one or two rounds. Every once in awhile [sic], the good guy fires more like 5 to 8

⁴⁷ See Decl. of Lucy P. Allen ¶¶ 19–20, *Barnett v. Raoul*, 3:23-cv-00209 (S.D. Ill. Jan. 24, 2023), ECF 185-8 (average of 2.34 shots fired per incident from 2011–17); Claude Werner, *The Armed Citizen - A Five Year Analysis*, Guns Save Lives (Mar. 12, 2012), tinyurl.com/bdemd7ya (average of 2.2 defensive shots fired per incident from 1997–2001).

⁴⁸ Kevin Michalowski, *The Statistically Perfect Gunfight*, USCCA (Feb. 25, 2019), <https://tinyurl.com/3upbexr9>.

rounds.”⁴⁹

Numerous federal and state courts—including the en banc Fourth Circuit—have similarly found no evidence that firing a large number of bullets rapidly is necessary or even beneficial for self-defense. *See Bianchi*, 111 F.4th at 458–59 (observing that “civilian self-defense rarely—if ever—calls for the rapid and uninterrupted discharge of many shots” (quoting *Ocean State Tactical, LLC v. Rhode Island*, 95 F.4th 38, 45 (1st Cir. 2024), *cert. denied*, --- S. Ct. ----, 2025 WL 1549866 (June 2, 2025))); *Kolbe v. Hogan*, 849 F.3d 114, 127 (4th Cir. 2017) (en banc) (“Neither the plaintiffs nor Maryland law enforcement officials could identify a single incident in which a Marylander has . . . needed to fire more than ten rounds, to protect herself.”); *see also Nat’l Ass’n for Gun Rights v. Lamont*, 685 F. Supp. 3d 63, 96–97 (D. Conn. 2023); *Rocky Mountain Gun Owners v. Polis*, 467 P.3d 314, 331 (Colo. 2020).

ii. *FRTs Are Dangerous When Used in Self-Defense.*

As noted, FRTs can maintain a rate of fire that matches, or even exceeds, a fully automatic machinegun like the M16.⁵⁰ This accelerated rate of fire results in shooting “in an indiscriminate and uncontrolled fashion,” making FRT-equipped firearms difficult to “control for even the most experienced marksmen.”⁵¹ The U.S. Army recognizes that automatic fire from a rifle “drastically decrease[s] the probability of [a] 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.”⁵²

Furthermore, as the en banc Fourth Circuit recognized in *Bianchi*, “the heightened firepower of AR-15s ‘pose[s] a serious risk of overpenetration’” by itself. 111 F.4th at 458 (quoting

⁴⁹ Further, Lucky Gunner states that “a small, five-shot revolver should be more than enough to take care of the problem in all but the most extreme cases.” Chris Baker, *How Much Ammo Capacity Is Enough?*, Lucky Gunner (Sept. 2, 2016), <https://tinyurl.com/47kz2tsh>.

⁵⁰ *Supra* at 6.

⁵¹ Saier Decl. ¶ 11.

⁵² *TC 3-22.9 Rifle and Carbine Manual*, U.S. Dep’t of the Army, § 8-21, (May 2016), <https://tinyurl.com/2p963dxd>.

Capen v. Campbell, 708 F. Supp. 3d 65, 86 (D. Mass. 2023), *aff'd*, 134 F.4th 660 (1st Cir. 2025). FRTs exacerbate this risk. “In crowded places the fast-firing means bullets can spread out and hit several people at once, even if they aren’t the main targets.”⁵³ The uncontrolled fire from FRTs is therefore a recipe for disaster in a self-defense scenario occurring in congested spaces, such as apartment complexes or urban neighborhoods.

The capability of an FRT to empty a 30-round magazine in two seconds serves no practical purpose for lawful self-defense. Despite this, and the well-documented facts detailing the horrifying damage these devices can cause,⁵⁴ Defendant Attorney General Pamela Bondi proclaimed that redistribution of FRTs “will enhance public safety.”⁵⁵ She provided no explanation or evidence for this outlandish claim—nor could she. There is no reasonably conceivable instance where an FRT would be useful for lawful self-defense or would enhance public safety. And tellingly, *Amici* could find no report of an FRT having been used in any lawful self-defense scenario. Balanced against the irreparable harm these devices can inflict, Defendants cannot show any countervailing harm to their interest or the public interest if FRTs are not redistributed into the Plaintiff States.

IV. CONCLUSION

For the foregoing reasons, *Amici* submit that this Court should grant Plaintiffs’ Motion for a Preliminary Injunction.

⁵³ Decl. of Jennifer Paulikonis, ECF 5-25 ¶ 9.

⁵⁴ *See supra* 7–9.

⁵⁵ U.S. Dep’t of Justice, *Department of Justice Announces Settlement of Litigation Between the Federal Government and Rare Breed Trigger* (May 16, 2025), <https://tinyurl.com/yythj2mt>.

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Respectfully submitted,

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**Pro hac vice admission pending*

CERTIFICATE OF SERVICE

I hereby certify that on June 17, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to counsel of record.

/s/ Erin Davis
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