

C. D. Michel – SBN 144258
cmichel@michellawyers.com
Sean A. Brady – SBN 262007
sbrady@michellawyers.com
Matthew D. Cubeiro – SBN 291519
mcubeiro@michellawyers.com
MICHEL & ASSOCIATES, P.C.
180 East Ocean Boulevard, Suite 200
Long Beach, CA 90802
Telephone: 562-216-4444
Facsimile: 562-216-4445

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

STEVEN RUPP, et al.,

Plaintiffs,

vs.

ROB BONTA, in his official capacity
as Attorney General of the State of
California,

Defendant.

Case No.: 8:17-cv-00746-JLS-JDE

**DECLARATION OF SEAN A. BRADY
IN SUPPORT OF PLAINTIFFS’
MOTION TO EXCLUDE THE
TESTIMONY OF DEFENDANT’S
EXPERT WITNESS LUCY ALLEN
UNDER FEDERAL RULE OF
EVIDENCE 702**

Hearing Date: April 28, 2023
Hearing Time: 10:30 a.m.
Courtroom: 8A
Judge: Hon. Josephine L. Staton

DECLARATION OF SEAN A. BRADY

I, Sean A. Brady, am an attorney at the law firm Michel & Associates, P.C., attorneys of record for Plaintiffs in this action. I am licensed to practice law before the United States Court for the Central District of California. I have personal knowledge of the facts set forth herein and, if called and sworn as a witness, I could and would testify competently to the truth of the matters set forth herein.

1. On January 6, 2023, Defendant served Plaintiffs with the Supplemental Expert Report and Declaration of Lucy Allen. A true and correct copy of Ms. Allen's expert report, is attached hereto as **Exhibit 1**.

I declare under penalty of perjury that the foregoing is true and correct.
Executed within the United States on March 24, 2023.

/s/ Sean A. Brady
Sean A. Brady
Declarant

EXHIBIT 1

1 ROB BONTA
Attorney General of California
2 P. PATTY LI
Supervising Deputy Attorney General
3 ANNA FERRARI
Deputy Attorney General
4 JOHN D. ECHEVERRIA
Deputy Attorney General
5 State Bar No. 268843
455 Golden Gate Avenue, Suite 11000
6 San Francisco, CA 94102-7004
Telephone: (415) 510-3479
7 Fax: (415) 703-1234
E-mail: John.Echeverria@doj.ca.gov
8 *Attorneys for Defendant Rob Bonta,*
*in his official capacity*¹
9

10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA
12 WESTERN DIVISION
13

14 **STEVEN RUPP; STEVEN**
15 **DEMBER; CHERYL JOHNSON;**
16 **MICHAEL JONES;**
17 **CHRISTOPHER SEIFERT;**
18 **ALFONSO VALENCIA; TROY**
19 **WILLIS; and CALIFORNIA RIFLE**
20 **& PISTOL ASSOCIATION,**
21 **INCORPORATED,**

22 Plaintiffs,

23 v.

24 **ROB BONTA, in his official capacity**
25 **as Attorney General of the State of**
26 **California; and DOES 1-10,**

27 Defendants.
28

8:17-cv-00746-JLS-JDE

**SUPPLEMENTAL EXPERT
REPORT AND DECLARATION
OF LUCY P. ALLEN**

Courtroom: 8A
Judge: The Honorable Josephine
L. Staton
Action Filed: April 24, 2017

¹ Rob Bonta has succeeded former Attorney General Xavier Becerra as the Attorney General of the State of California. Pursuant to Federal Rule of Civil Procedure 25(d), Attorney General Bonta, in his official capacity, is substituted as the defendant in this case.

**SUPPLEMENTAL EXPERT REPORT AND DECLARATION
OF LUCY P. ALLEN**

I, Lucy P. Allen, declare:

1. I previously submitted an expert report in this case dated October 25, 2018 (the “2018 Report”). This supplemental expert report provides additional data and analysis. I have personal knowledge of the matters discussed in this report, and if called as a witness, I could competently testify to these matters.

I. SCOPE OF ASSIGNMENT

2. I have been asked by the Office of the Attorney General of California to address the following issues: (a) the number of rounds of ammunition fired by individuals using a gun in self-defense;² and (b) the outcomes when assault weapons (as defined under California law)³ and large-capacity magazines (magazines capable of holding more than ten rounds) are used in public mass shootings, including the associated number of casualties.

II. QUALIFICATIONS AND REMUNERATION

A. Qualifications

3. I am a Managing Director of NERA Economic Consulting (“NERA”), a member of NERA’s Securities and Finance Practice and Chair of NERA’s Product Liability and Mass Torts Practice. NERA provides practical economic advice related to highly complex business and legal issues arising from

² I have also been asked to analyze the percent of incidents in which rifles were used in self-defense according to The Heritage Foundation’s “Defensive Gun Uses in the U.S.” database.

³ It is my understanding that the primary provisions of California law that are relevant to this case are: California Penal Code sections 30510 and 30515, and California Code of Regulations, title 11, section 5499. See, for example, California Department of Justice: “What is considered an assault weapon under California law?” and “What are AK and AR-15 series weapons?” <https://oag.ca.gov/firearms/regagunfaqs>, accessed October 25, 2018.

1 competition, regulation, public policy, strategy, finance, and litigation. NERA was
2 established in 1961 and now employs approximately 500 people in more than 20
3 offices worldwide.

4 4. In my over 25 years at NERA, I have been engaged as an economic
5 consultant or expert witness in numerous projects involving economics and
6 statistics. I have been qualified as an expert and testified in court on various
7 economic and statistical issues relating to the flow of guns into the criminal market.
8 I have testified at trials in Federal and State Courts, before the New York City
9 Council Public Safety Committee, the American Arbitration Association and the
10 Judicial Arbitration Mediation Service, as well as in depositions.

11 5. I have an A.B. from Stanford University, an M.B.A. from Yale
12 University, and M.A. and M. Phil. degrees in Economics, also from Yale
13 University. Prior to joining NERA, I was an Economist for both President George
14 H. W. Bush's and President Bill Clinton's Council of Economic Advisers. My
15 resume with recent publications and testifying experience is included as Exhibit A.
16

17 **B. Remuneration**

18 6. NERA is being compensated for time spent by me and my team at
19 standard billing rates and for out-of-pocket expenses at cost. NERA billed for my
20 time at \$1,050 per hour in 2022. NERA's fees are not in any way contingent upon
21 the outcome of this matter.

22 **III. MATERIALS CONSIDERED**

23 7. In preparing this report, I considered the following materials:⁴

- 24 a) Third Amended Complaint for Declaratory and Injunctive Relief, filed
25 June 27, 2018 ("Complaint");
26

27
28

⁴ Specific cites are in Exhibit B, Exhibit C, and footnotes to this report.

- 1 b) NRA Institute for Legislative Action, Armed Citizens,
2 <https://www.nraila.org/gun-laws/armed-citizen/>, accessed May 28, 2017;
- 3 c) News stories from Factiva;
- 4 d) California Department of Justice: “What is considered an assault weapon
5 under California law?” and “What are AK and AR-15 series weapons?”
6 <https://oag.ca.gov/firearms/regagunfaqs>;
- 7 e) Mother Jones: “US Mass Shootings, 1982-2022: Data From Mother
8 Jones’ Investigation,” updated November 23, 2022,
9 [http://www.motherjones.com/politics/2012/12/mass-shootings-mother-](http://www.motherjones.com/politics/2012/12/mass-shootings-mother-jones-full-data)
10 [jones-full-data](http://www.motherjones.com/politics/2012/12/mass-shootings-mother-jones-full-data); “A Guide to Mass Shootings in America,” updated
11 November 23, 2022, [http://www.motherjones.com/politics/2012/07/mass-](http://www.motherjones.com/politics/2012/07/mass-shootings-map)
12 [shootings-map](http://www.motherjones.com/politics/2012/07/mass-shootings-map); “What Exactly is a Mass Shooting,” Mother Jones,
13 August 14, 2012, [http://www.motherjones.com/mojo/2012/08/what-is-a-](http://www.motherjones.com/mojo/2012/08/what-is-a-mass-shooting)
14 [mass-shooting](http://www.motherjones.com/mojo/2012/08/what-is-a-mass-shooting). Additional details for the mass shootings obtained through
15 Factiva and Google searches;
- 16 f) Citizens Crime Commission of New York City: “Mayhem Multiplied:
17 Mass Shooters and Assault Weapons,” February 2018 update; “Mass
18 Shooting Incidents in America (1984-2012),”
19 [http://www.nycrimecommission.org/mass-shooting-incidents-](http://www.nycrimecommission.org/mass-shooting-incidents-america.php)
20 [america.php](http://www.nycrimecommission.org/mass-shooting-incidents-america.php). Additional details for the mass shootings obtained through
21 Factiva and Google searches;
- 22 g) The Washington Post: “The terrible numbers that grow with each mass
23 shooting,” updated May 12, 2021.
- 24 h) The Violence Project: “Mass Shooter Database,”
25 <https://www.theviolenceproject.org/mass-shooter-database/>, updated May
26 14, 2022.
- 27 i) “Defensive Gun Uses in the U.S.,” The Heritage Foundation, as of
28 October 7, 2022,

<https://datavisualizations.heritage.org/firearms/defensive-gun-uses-in-the-us>.

- j) Academic articles on mass shootings;
- k) Legal decisions on gun-related issues; and
- l) Academic literature and textbooks on statistics.

IV. BACKGROUND

8. California law “generally prohibits” the manufacture, distribution and possession of certain firearms, defined as assault weapons (“Assault Weapons”).⁵ According to California law, firearms qualify as Assault Weapons based on either their “make and model” or on certain “features.”⁶ Examples of Assault Weapons include the “UZI,” “AK series” and “Colt AR-15 series” rifles, and the “Bushmaster XM15.”⁷ A semiautomatic, centerfire rifle (without a fixed magazine) can also be considered an Assault Weapon if it includes certain features, including a “pistol grip,” a “thumbhole stock,” a “flash suppressor,” or an “adjustable” (telescoping or folding) stock.⁸ It is my understanding that Plaintiffs are challenging certain provisions of California law related to rifles that would qualify as Assault Weapons under California Penal Code sections 30510(a), 30515(a)(1)(A-C) and (E-F), and 30515(a)(3) and section 5499 of title 11 of the California Code of Regulations (“Assault Rifles”).⁹ Therefore, for the purpose of this report, the term

⁵ Complaint, ¶¶19-21. See, also, California Department of Justice: “What is considered an assault weapon under California law?” and “What are AK and AR-15 series weapons?” <https://oag.ca.gov/firearms/regagunfaqs>, accessed October 25, 2018.

⁶ Complaint, ¶2.

⁷ California Penal Code section 30510 and California Code of Regulations, title 11, section 5499. See, also, Complaint, ¶¶23,24,26.

⁸ California Penal Code section 30515. See, also, Complaint, ¶7.

⁹ Complaint, ¶4.

1 Assault Rifles does not include pistols, shotguns, rifles with fixed magazines, or
2 rifles that are equipped with a grenade launcher.

3 **V. FINDINGS**

4 **A. Use of Guns in Self-Defense**

5 **1. The number of rounds used by individuals in self-defense**

6 9. The number of rounds commonly needed by individuals to defend
7 themselves cannot be practically or ethically determined with controlled scientific
8 experiments and there is no source that systematically tracks or maintains data on
9 the number of rounds fired by individuals in self-defense. Due to these limitations, I
10 have analyzed available data sources to estimate the number of rounds fired by
11 individuals to defend themselves. In particular, I have analyzed data from the NRA
12 Institute for Legislative Action, as well as my own study of news reports on
13 incidents of self-defense with a firearm. In all, I have analyzed almost 1,000
14 incidents of self-defense with a firearm and found that it is rare for a person, when
15 using a firearm in self-defense, to fire more than ten rounds.

16 10. The NRA maintains a database of “Armed Citizen” stories describing
17 private citizens who have successfully defended themselves, or others, using a
18 firearm (“NRA Armed Citizen database”). According to the NRA, the “Armed
19 Citizen” stories “highlight accounts of law-abiding gun owners in America using
20 their Second Amendment rights to defend self, home and family.”¹⁰ Although the
21 methodology used to compile the NRA Armed Citizen database of stories is not
22 explicitly detailed by the NRA, the NRA Armed Citizen database is a useful data
23 source in this matter for at least three reasons. First, the Armed Citizen database
24 was the largest collection of accounts of citizen self-defense compiled by others
25

27 ¹⁰ NRA Institute for Legislative Action, Armed Citizens,
28 <https://www.nraila.org/gun-laws/armed-citizen/>, accessed May 28, 2017.

1 that I was able to find.¹¹ Second, the incidents listed in the Armed Citizen database
2 highlight the very conduct that Plaintiffs claim the California law impedes (*i.e.*, the
3 use of firearms by law-abiding citizens for self-defense).¹² Third, the Armed
4 Citizen database is compiled by an entity that actively opposes restrictions on
5 magazine capacity and restrictions on the possession and use of firearms in
6 general.¹³ In light of the positions taken by the entity compiling the data, I would
7 expect that any selection bias would be in favor of stories that put use of guns in
8 self-defense in the best possible light and might highlight the apparent need of guns
9 and/or multiple rounds in self-defense incidents.

10 11. My team and I performed an analysis of incidents in the NRA Armed
11 Citizen database that occurred between January 2011 and May 2017.¹⁴ For each
12 incident, the city/county, state, venue (whether the incident occurred on the street,
13 in the home, or elsewhere) and the number of shots fired were tabulated.¹⁵ The
14 information was gathered for each incident from both the NRA synopsis and, where

16 ¹¹ Note that in 2020, after the time my research was conducted, The Heritage
17 Foundation began an online database of its own sample of defensive gun use
18 incidents (<https://datavisualizations.heritage.org/firearms/defensive-gun-uses-in-the-us>).

19 ¹² Complaint, ¶¶1,4.

20 ¹³ See, for example, NRA Civil Rights Defense Fund website,
21 <http://www.nradefensefund.org/current-litigation.aspx>, accessed October 12, 2018.

22 ¹⁴ My collection and coding of the NRA Armed Citizen stories was last
23 performed in mid-2017.

24 ¹⁵ The following incidents were excluded from the analysis: (1) duplicate
25 incidents, (2) wild animal attacks, and (3) one incident where the supposed victim
26 later pleaded guilty to covering up a murder. When the exact number of shots fired
27 was not specified, we used the average for the most relevant incidents with known
28 number of shots. For example, if the story stated that “shots were fired” this would
indicate that at least two shots were fired and thus we used the average number of
shots fired in all incidents in which two or more shots were fired and the number of
shots was specified.

1 available, an additional news story. An additional news story was found for over
2 95% of the incidents in the NRA Armed Citizen database.

3 12. According to this analysis of incidents in the NRA Armed Citizen
4 database, it is rare for a person, when using firearms in self-defense, to fire more
5 than ten rounds. Out of 736 incidents, there were two incidents (0.3% of all
6 incidents), in which the defender was reported to have fired more than 10 bullets.¹⁶
7 Defenders fired 2.2 shots on average.¹⁷ In 18.2% of incidents, the defender did not
8 fire any shots. These incidents highlight the fact that in many instances defenders
9 are able to defend themselves without firing any shots. For example, according to
10 one of the incidents in the NRA Armed Citizen Database:

11 “A man entered a Shell station in New Orleans, La. and attempted to rob a
12 cashier, by claiming he was carrying a gun. The cashier responded by
13 retrieving a gun and leveling it at the thief, prompting the criminal to flee.
(The Times Picayune, New Orleans, La. 09/02/15)”¹⁸

14 13. For incidents occurring in the home (56% of total), defenders fired an
15 average of 2.1 shots, and fired no shots in 16.1% of incidents. For incidents
16 occurring outside the home (44%) of total, defenders fired an average of 2.2 shots,
17 and fired no shots in 20.9% of incidents.¹⁹ The table below summarizes these
18 findings:

20 ¹⁶ Note that the only two incidents with more than 10 bullets fired were
21 added to the NRA Armed Citizen database in 2016 and 2017 after an earlier
22 analysis that I had conducted of the database had been submitted to and cited by the
Court in *Kolbe v. O'Malley*, Case No. CCB-13-2841 (Dkt. 79).

23 ¹⁷ Note that the analysis is focused on shots fired when using a gun in self-
24 defense and therefore the average includes instances when no shots are fired. If one
25 calculates the average excluding incidents of self-defense with a gun without firing
shots, the average is still low, 2.6 shots when at least one shot is fired.

26 ¹⁸ “Gas station clerk scares off robber,” NRA-ILA Armed Citizen, September
27 9, 2015.

28 ¹⁹ A separate study of incidents in the NRA Armed Citizen database for an
(continued...)

**Number of Shots Fired in Self-Defense
Based on NRA Armed Citizen Incidents in the United States
January 2011 - May 2017**

	Shots Fired by Individual in Self-Defense		
	Overall	Incidents in Home	Outside the Home
Average Shots Fired	2.2	2.1	2.2
Number of Incidents with No Shots Fired	134	66	68
Percent of Incidents with No Shots Fired	18.2%	16.1%	20.9%
Number of Incidents with >10 Shots Fired	2	2	0
Percent of Incidents with >10 Shots Fired	0.3%	0.5%	0.0%

Notes and Sources:

Data from NRA Armed Citizen database covering 736 incidents (of which 411 were in the home) from January 2011 through May 2017. Excludes duplicate incidents, wild animal attacks, and one incident where the supposed victim later pleaded guilty to covering up a murder.

14. We also performed the same analysis of the NRA Armed Citizen database limited to incidents that occurred in California. According to this analysis, defenders in California fired 2.0 shots on average. Out of 47 incidents, there were no incidents in which the defender was reported to have fired more than 10 bullets. In 27.7% of incidents, the defender did not fire any shots, and simply threatened the offender with a gun. For incidents occurring in the home (60% of total), defenders fired an average of 1.9 shots, and fired no shots in 32.1% of incidents. For incidents occurring outside the home (40% of total), defenders fired an average of 2.2 shots and fired no shots in 21.1% of incidents. The table below summarizes these findings for California:

earlier period (the five-year period from 1997 through 2001) found similar results. Specifically, this study found that, on average, 2.2 shots were fired by defenders and that in 28% of incidents of armed citizens defending themselves the individuals fired no shots at all. See, Claude Werner, "The Armed Citizen – A Five Year Analysis," <http://gunssaveslives.net/self-defense/analysis-of-five-years-of-armed-encounters-with-data-tables>, accessed January 10, 2014.

**Number of Shots Fired in Self-Defense
Based on NRA Armed Citizen Incidents in California
January 2011 - May 2017**

	Shots Fired by Individual in Self-Defense		
	Overall	Incidents in Home	Outside the Home
Average Shots Fired	2.0	1.9	2.2
Number of Incidents with No Shots Fired	13	9	4
Percent of Incidents with No Shots Fired	27.7%	32.1%	21.05%
Number of Incidents with >10 Shots Fired	0	0	0
Percent of Incidents with >10 Shots Fired	0.0%	0.0%	0.0%

Notes and Sources:

Data from NRA Armed Citizen database covering 47 incidents in California (of which 28 were in the home) from January 2011 through May 2017. Excludes repeat stories, wild animal attacks and one incident where the supposed victim later pleaded guilty to covering up a murder.

15. In addition to our analysis of incidents in the NRA Armed Citizen database, we performed a systematic, scientific study of news reports on incidents of self-defense with a firearm in the home, focusing on the same types of incidents as the NRA stories and covering the same time period.²⁰

16. To identify relevant news stories to include in our analysis, we performed a comprehensive search of published news stories using Factiva, an online news reporting service and archive owned by Dow Jones, Inc. that aggregates news content from nearly 33,000 sources.²¹ The search was designed to

²⁰ This analysis was initially conducted to research issues regarding self-defense in the home, which was a focus before the 2022 *New York State Rifle & Pistol Association v. Bruen* Supreme Court decision. The analysis of the NRA Armed Citizen incidents described above indicates that the number of shots fired in self-defense outside the home is similar to those inside the home.

²¹ Factiva is often used for academic research. For example, a search for the term “Factiva” on Google Scholar yields over 28,000 results. As another example, a search on Westlaw yields at least 83 expert reports that conducted news searches using Factiva.

1 return stories about the types of incidents that are the focus of the NRA Armed
2 Citizen database and that Plaintiffs claim the California law impedes – in particular,
3 the use of firearms for self-defense.²² The search identified all stories that contained
4 the following keywords in the headline or lead paragraph: one or more words from
5 “gun,” “shot,” “shoot,” “fire,” or “arm” (including variations on these keywords,
6 such as “shooting” or “armed”), plus one or more words from “broke in,” “break
7 in,” “broken into,” “breaking into,” “burglar,” “intruder,” or “invader” (including
8 variations on these keywords) and one or more words from “home,” “apartment,”
9 or “property” (including variations on these keywords).²³ The search criteria match
10 approximately 90% of the NRA stories on self-defense with a firearm in the home,
11 and an analysis of the 10% of stories that are not returned by the search shows that
12 the typical number of shots fired in these incidents was no different than in other
13 incidents. The search covered the same period used in our analysis of incidents in
14 the NRA Armed Citizen database (January 2011 to May 2017). The region for the
15 Factiva search was set to “United States.” The search returned approximately
16 35,000 stories for the period January 2011 to May 2017.²⁴

17
18 ²² NRA Institute for Legislative Action, Armed Citizens,
19 <https://www.nraila.org/gun-laws/armed-citizen/>, accessed May 28, 2017. See, also,
20 Complaint, ¶¶1,4.

21 ²³ The precise search string used was: (gun* or shot* or shoot* or fire* or
22 arm*) and (“broke in” or “break in” or “broken into” or “breaking into” or burglar*
23 or intrud* or inva*) and (home* or “apartment” or “property”). An asterisk denotes
24 a wildcard, meaning the search includes words which have any letters in place of
the asterisk. For example, a search for shoot* would return results including
“shoots,” “shooter” and “shooting.” The search excluded duplicate stories classified
as “similar” on Factiva.

25 ²⁴ The effect of using alternative keywords was considered. For example,
26 removing the second category (“broke in” or “break in” or “broken into” or
27 “breaking into” or burglar* or intrud* or inva*) and including incidents in which
28 the assailant was already inside the home and/or was known to the victim was
considered. *A priori*, there was no reason to believe that a larger number of shots
(continued...)

1 17. Using a random number generator, a random sample of 200 stories
2 was selected for each calendar year, yielding 1,400 stories in total.²⁵ These 1,400
3 stories were reviewed to identify those stories that were relevant to the analysis, *i.e.*,
4 incidents of self-defense with a firearm in or near the home. This methodology
5 yielded a random selection of 200 news stories describing incidents of self-defense
6 with a firearm in the home out of a population of approximately 4,800 relevant
7 stories.²⁶ Thus, we found that out of the over 70 million news stories aggregated by
8 Factiva between January 2011 and May 2017, approximately 4,800 news stories
9 were on incidents of self-defense with a firearm in the home. We analyzed a
10 random selection of 200 of these stories.

11 18. For each news story, the city/county, state and number of shots fired
12 were tabulated. When tabulating the number of shots fired, we used the same
13 methodology as we used to analyze stories in the NRA Armed Citizen database.²⁷
14 We then identified other stories describing the same incident on Factiva based on
15

16 _____
17 would be used in these incidents and based on an analysis of the NRA stories we
18 found that the number of shots fired in incidents when defending against someone
already in the home was not different than those with an intruder.

19 ²⁵ The random numbers were generated by sampling with replacement.

20 ²⁶ The approximately 4,800 relevant news stories were estimated by
21 calculating the proportion of relevant news stories from the 200 randomly selected
22 stories each year and applying that proportion to the number of results returned by
23 the search for each year of the analysis. For example, in 2017, 33 out of 200 (17%)
24 randomly selected news stories involved incidents of self-defense with a firearm in
the home. Applying that proportion to the 1,595 results from the Factiva search in
2017 yields 263 relevant news stories in 2017. This process was repeated every
year to arrive at a total of 4,841 relevant news stories from 2011-2017.

25 ²⁷ When the exact number of shots fired was not specified, we used the
26 average for the most relevant incidents with known number of shots. For example,
27 if the story stated that “shots were fired” this would indicate that at least two shots
28 were fired and thus we used the average number of shots fired in all incidents in
which two or more shots were fired and the number of shots was specified.

1 the date, location and other identifying information, and recorded the number of
2 times that each incident was covered by Factiva news stories.

3 19. To determine the average number of shots fired per *incident*, we first
4 determined the average number of shots fired per *story* and then analyzed the
5 number of stories per incident. According to our study of a random selection from
6 approximately 4,800 relevant stories on Factiva describing incidents of self-defense
7 with a firearm in the home, the average number of shots fired per story was 2.61.
8 This is not a measure of the average shots fired *per incident*, however, because the
9 number of stories covering an incident varies, and the variation is not independent
10 of the number of shots fired. We found that there was a statistically significant
11 relationship between the number of shots fired in an incident and the number of
12 news stories covering an incident.²⁸ We found that on average the more shots fired
13 in a defensive gun use incident, the greater the number of stories covering an
14 incident. For example, as shown in the table below, we found that incidents in
15 Factiva news stories with zero shots fired were covered on average by 1.8 news
16 stories, while incidents with six or more shots fired were covered on average by
17 10.4 different news stories.

23 ²⁸ Based on a linear regression of the number of news stories as a function of
24 the number of shots fired, the results were statistically significant at the 1% level
25 (more stringent than the 5% level commonly used by academics and accepted by
26 courts. See, for example, Freedman, David A., and David H. Kaye, "Reference
27 Guide on Statistics," *Reference Manual on Scientific Evidence* (Washington, D.C.:
28 The National Academies Press, 3rd ed., 2011), pp. 211-302, and Fisher, Franklin
M., "Multiple Regression in Legal Proceedings," 80 *Columbia Law Review* 702
(1980).)

**Average Number of News Stories by Number of Shots Fired
In Factiva Stories on Incidents of Self-Defense with a Firearm
January 2011 - May 2017**

Number of Shots Fired By Defender	Average Number of News Stories
0	1.8
1 to 2	2.8
3 to 5	3.8
6 or more	10.4

Notes and Sources:

Based on news stories describing defensive gun use in a random selection of Factiva stories between 2011 and May 2017 using the search string: (gun* or shot* or shoot* or fire* or arm*) and ("broke in" or "break in" or "broken into" or "breaking into" or burglar* or intrud* or inva*) and (home* or "apartment" or "property"), with region set to "United States" and excluding duplicate stories classified as "similar" on Factiva. Methodology for tabulation of shots fired as per footnote 16.

20. After adjusting for this disparity in news coverage, we find that the average number of shots fired per incident covered is 2.34.²⁹ Note that this adjustment does not take into account the fact that some defensive gun use incidents may not be picked up by *any* news story. Given the observed relationship that there are more news stories when there are more shots fired, one would expect that the

²⁹ The adjustment reflects the probability that a news story on a particular incident would be selected at random from the total population of news stories on incidents of self-defense with a firearm in the home. The formula used for the adjustment is:

$$\frac{\sum_{i=1}^n (Shots\ Fired_i \times \frac{R_i}{C_i})}{\sum_{i=1}^n (\frac{R_i}{C_i})}$$

where:

n = random selection of news stories on incidents of self-defense with a firearm in the home

R_i = number of search results on Factiva in the calendar year of incident i

C_i = number of news stories covering incident i

incidents that are not written about would on average have fewer shots than those with news stories. Therefore, the expectation is that these results, even after the adjustment, are biased upward (*i.e.*, estimating too high an average number of shots and underestimating the percent of incidents in which no shots were fired).

21. As shown in the table below, according to the study of Factiva news stories, in 11.6% of incidents the defender did not fire any shots, and simply threatened the offender with a gun. In 97.3% of incidents the defender fired 5 or fewer shots. There were no incidents where the defender was reported to have fired more than 10 bullets.

**Number of Shots Fired in Self-Defense in the Home
Based on Random Selection of News Stories in Factiva
January 2011 - May 2017**

Estimated population of news reports in Factiva on self-defense with a firearm in the home	4,841
Random selection of news reports	200
Average Number of Shots Fired	2.34
Median Number of Shots Fired	2.03
Number of Incidents with No Shots Fired	23
Percent of Incidents with No Shots Fired	11.6%
Number of Incidents with ≤ 5 Shots Fired	195
Percent of Incidents with ≤ 5 Shots Fired	97.3%
Number of Incidents with >10 Shots Fired	0
Percent of Incidents with >10 Shots Fired	0.0%

Notes and Sources:

Based on news stories describing defensive gun use in a random selection of Factiva stories between 2011 and May 2017 using the search string: (gun* or shot* or shoot* or fire* or arm*) and ("broke in" or "break in" or "broken into" or "breaking into" or burglar* or intrud* or inva*) and (home* or "apartment" or "property"), with region set to "United States" and excluding duplicate stories classified as "similar" on Factiva. Methodology for tabulation of shots fired as per footnote 16. Number of incidents probability-weighted as per footnote 18.

22. In sum, an analysis of incidents in the NRA Armed Citizen database, as well as our own study of a random sample from approximately 4,800 news stories describing incidents of self-defense with a firearm, indicates that it is rare for a person, when using a firearm in self-defense, to fire more than ten rounds.

2. Percent of incidents in which rifles were used in self-defense according to Heritage Defensive Gun Use Database

23. I have been asked to analyze the Heritage Foundation's "Defensive Gun Uses in the U.S." database ("Heritage DGU Database"), a database of defensive gun incidents that was first published after the 2018 Allen Report.³⁰ In particular, I have been asked to analyze the percent of incidents in which rifles were used in self-defense according to the Heritage DGU Database. The analysis of the Heritage DGU Database indicates that it is rare for a rifle to be used in self-defense.

24. The Heritage Foundation is a think tank focused on "formulat[ing] and promot[ing] public policies based on the principles of free enterprise, limited government, individual freedom, traditional American values, and a strong national defense."³¹ According to The Heritage Foundation, "[t]he right of the people to keep and bear arms is a fundamental part of American liberty, serving as an important individual defense against crime and a collective defense against tyranny."³²

25. In April 2020, The Heritage Foundation began publishing and periodically updating a database of news stories describing incidents in the U.S. in

³⁰ "Defensive Gun Uses in the U.S.," *The Heritage Foundation*, as of October 7, 2022, <https://datavisualizations.heritage.org/firearms/defensive-gun-uses-in-the-us>.

³¹ "About Heritage," *The Heritage Foundation*, <https://www.heritage.org/about-heritage/mission>.

³² "Firearms," *The Heritage Foundation*, <https://www.heritage.org/firearms>.

1 which individuals purportedly defended themselves using firearms.³³ The Heritage
2 Foundation notes that its database is not comprehensive but meant to “highlight”
3 stories of successful self-defense.^{34,35}

4 26. As of October 7, 2022, the Heritage DGU Database included 2,714
5 incidents from January 1, 2019 through October 6, 2022.³⁶ The Heritage DGU
6 Database codes the following information for each incident:³⁷

- 7
- 8 • Date of the incident;
 - 9 • Website link to the news story;
 - 10 • Location (city and state);
 - 11 • Context (e.g., domestic violence, home invasion, robbery, etc.);
 - 12 • Whether the defender had a concealed-carry permit;
 - 13 • Whether there were multiple assailants;
 - 14 • Whether shots were fired; and
 - 15 • Firearm type (handgun, shotgun, rifle, pellet rifle, long gun, or
16 unknown).³⁸

17 27. I performed an analysis of all 2,714 incidents in the Heritage DGU
18 Database as of October 7, 2022 to determine what number and percent of the
19 incidents involved a rifle. I found there were 51 incidents indicating a rifle was
20 involved. These 51 incidents represent 2% of all incidents in the database and 4%

21 ³³ “Defensive Gun Uses in the U.S.,” *The Heritage Foundation*.

22 ³⁴ “Defensive Gun Uses in the U.S.,” *The Heritage Foundation*.

23 ³⁵ Note that a review of the news stories cited in the database indicates that a
24 number of the incidents may not involve individuals defending themselves. For
25 example, in one incident (“Two Burglary Suspects Caught By Victim’s Brother
26 And Friend, Held At Gunpoint For Police,” *5NewsOnline*, February 11, 2019), a
27 homeowner’s brother and friend appear to have found and apprehended burglars on
28 the roadside.

³⁶ “Defensive Gun Uses in the U.S.,” *The Heritage Foundation*.

³⁷ “Defensive Gun Uses in the U.S.,” *The Heritage Foundation*.

³⁸ A review of the data and linked news stories from the Heritage DGU
Database indicates that the firearm type corresponds to the firearm associated with
the defender.

of incidents with a known gun type.³⁹ The table below shows the breakdown of incidents by coded firearm type for the 2,714 incidents.

The Heritage Foundation Defensive Gun Use Database			
Firearm Type	Incidents¹	% of Total	% of Known
(1)	(2)	(3)	(4)
Handgun	1,113	41%	90%
Shotgun	78	3%	6%
Rifle	51	2%	4%
Long Gun	1	0%	0%
Pellet Rifle	1	0%	0%
Unknown	1,473	54%	
Total known:	1,241		
Total:	2,714		
Source:			
"Defensive Gun Uses in the U.S.," <i>The Heritage Foundation</i> .			
Data as of October 7, 2022.			
¹ Note that three incidents are coded as having more than one firearm type and thus the sum by firearm type is larger than the total number of incidents.			

28. I conducted the same analysis of the Heritage DGU Database excluding incidents that occurred in states that have restrictions on assault weapons. In particular, I excluded incidents in California, Connecticut, Hawaii, Maryland, Massachusetts, New Jersey, and New York, as well as Washington D.C.⁴⁰ In states

³⁹ This analysis is based on The Heritage Foundation's coding of these incidents. We have not independently verified the coding of these incidents.

⁴⁰ See, "Assault Weapons," *Giffords Law Center*, <https://giffords.org/lawcenter/gun-laws/policy-areas/hardware-ammunition/assault-weapons/>. Delaware is not excluded since restrictions in Delaware were enacted in June 2022. See, "Governor Carney Signs Package of Gun Safety Legislation," *Delaware.gov*, June 30, 2022, <https://news.delaware.gov/2022/06/30/governor-carney-signs-package-of-gun-safety-legislation/>.

without assault weapons restrictions, the Heritage DGU Database has 48 incidents indicating a rifle was involved. These 48 incidents represent 2% of incidents in these states and 4% of incidents with a known gun type in these states. The table below shows the breakdown of incidents by coded firearm type for states that do not restrict assault weapons.

The Heritage Foundation Defensive Gun Use Database States Without Assault Weapon Restrictions			
Firearm Type	Incidents¹	% of Total	% of Known
(1)	(2)	(3)	(4)
Handgun	1,033	41%	90%
Shotgun	63	3%	6%
Rifle	48	2%	4%
Long Gun	0	0%	0%
Pellet Rifle	1	0%	0%
Unknown	1,357	54%	
Total known:	1,142		
Total:	2,499		

Source:

"Defensive Gun Uses in the U.S.," *The Heritage Foundation*. Data as of October 7, 2022. Excludes the following states with assault weapon restrictions: California, Connecticut, Hawaii, Maryland, Massachusetts, New Jersey, and New York as well as Washington D.C. Classification from Giffords Law Center. Incidents in Delaware not excluded as restrictions were enacted in June 2022.

¹ Note that three incidents are coded as having more than one firearm type and thus the sum by firearm type is larger than the total number of incidents.

B. Public Mass Shootings

29. We analyzed the use of Assault Weapons and large-capacity magazines in public mass shootings using four sources for identifying public mass shootings: Mother Jones,⁴¹ the Citizens Crime Commission of New York City,⁴² the Washington Post⁴³ and the Violence Project.^{44, 45} The analysis focused on public mass shootings because it is my understanding that the state of California is concerned about public mass shootings and enacted the challenged law, in part, to address the problem of public mass shootings.

⁴¹ “US Mass Shootings, 1982-2022: Data From Mother Jones’ Investigation,” Mother Jones, updated November 23, 2022, <http://www.motherjones.com/politics/2012/12/mass-shootings-mother-jones-full-data>.

⁴² “Mayhem Multiplied: Mass Shooters and Assault Weapons,” Citizens Crime Commission of New York City, February 2018 update. Additional details on the mass shootings were obtained from an earlier source by the Citizens Crime Commission. “Mass Shooting Incidents in America (1984-2012),” Citizens Crime Commission of New York City, <http://www.nycrimecommission.org/mass-shooting-incidents-america.php>, accessed June 1, 2017.

⁴³ “The terrible numbers that grow with each mass shooting,” The Washington Post, updated May 12, 2021.

⁴⁴ “Mass Shooter Database,” The Violence Project, <https://www.theviolenceproject.org/mass-shooter-database/>, updated May 14, 2022.

⁴⁵ When I began research in 2013 on mass shootings, I found Mother Jones and Citizens Crime Commission to maintain the most comprehensive lists of relevant mass shootings. More recently, two additional sources, the Washington Post and The Violence Project, have compiled lists of public mass shootings. The Violence Project began work on its mass shootings database in September 2017 and its database first went online in November 2019, while the Washington Post first published its mass shootings database in February 14, 2018. There is substantial overlap between the mass shootings in all four sources. For example, the Mother Jones data contains 93% of the mass shootings in the Citizens Crime Commission data for the years covered by both data sources, 1984 to 2016, while the Washington Post contains 94% of the mass shootings in The Violence Project data for the years covered by both data sources, 1966 to 2019.

1 30. The type of incident considered a mass shooting is generally consistent
2 across the four sources. In particular, all four sources consider an event a mass
3 shooting if four or more people were killed in a public place in one incident, and
4 exclude incidents involving other criminal activity such as a robbery.⁴⁶

5 ⁴⁶ Citizen Crime Commission describes a mass shooting as “four or more
6 victims killed” in “a public place” that were “unrelated to another crime (e.g.,
7 robbery, domestic violence).” Citizen Crime notes that its sources include “news
8 reports and lists created by government entities and advocacy groups.” “Mayhem
9 Multiplied: Mass Shooters and Assault Weapons,” Citizens Crime Commission of
New York City, February 2018 update.

10 Mother Jones describes a mass shooting as “indiscriminate rampages in
11 public places resulting in four or more victims killed by the attacker,” excluding
12 “shootings stemming from more conventionally motivated crimes such as armed
13 robbery or gang violence.” Although in January 2013 Mother Jones changed its
14 definition of mass shooting to include instances when three or more people were
15 killed, for this declaration we only analyzed mass shootings where four or more
16 were killed to be consistent with the definition of the other three sources. “A Guide
17 to Mass Shootings in America,” Mother Jones, updated November 23, 2022,
18 <http://www.motherjones.com/politics/2012/07/mass-shootings-map>. See also,
19 “What Exactly is a Mass Shooting,” Mother Jones, August 24, 2012,
20 <http://www.motherjones.com/mojo/2012/08/what-is-a-mass-shooting>.

21 The Washington Post source describes a mass shooting as “four or more
22 people were killed, usually by a lone shooter” excluding “shootings tied to
23 robberies that went awry” and “domestic shootings that took place exclusively in
24 private homes.” A The Washington Post notes that its sources include “Grant
25 Duwe, author of ‘Mass Murder in the United States: A History,’ Mother Jones and
26 Washington Post research,” as well as “Violence Policy Center, Gun Violence
27 Archive; FBI 2014 Study of Active Shooter Incidents; published reports.” “The
28 terrible numbers that grow with each mass shooting,”
The Washington Post, updated May 12,
2021, <https://www.washingtonpost.com/graphics/2018/national/mass-shootings-in-america/>.

29 The Violence Project indicates that it uses the Congressional Research
30 Service definition of a mass shooting: “a multiple homicide incident in which four
31 or more victims are murdered with firearms—not including the offender(s)—within
32 one event, and at least some of the murders occurred in a public location or
33 locations in close geographical proximity (e.g., a workplace, school, restaurant, or
(continued...)

31. Each of the four sources contains data on mass shootings covering different time periods. The Mother Jones data covers 112 mass shootings from 1982 to October 13, 2022,⁴⁷ the Citizens Crime Commission data covers 80 mass shootings from 1984 to February 2018,⁴⁸ the Washington Post data covers 185 mass shootings from 1966 to May 12, 2021,⁴⁹ and The Violence Project data covers 182 mass shootings from 1966 to May 14, 2022.^{50, 51}

other public settings), and the murders are not attributable to any other underlying criminal activity or commonplace circumstance (armed robbery, criminal competition, insurance fraud, argument, or romantic triangle).” The Violence Project notes that its sources include “Primary Sources: Written journals / manifestos / suicide notes etc., Social media and blog posts, Audio and video recordings, Interview transcripts, Personal correspondence with perpetrators” as well as “Secondary Sources (all publicly available): Media (television, newspapers, magazines), Documentary films, Biographies, Monographs, Peer-reviewed journal articles, Court transcripts, Law Enforcement records, Medical records, School records, Autopsy reports.” “Mass Shooter Database,” The Violence Project, <https://www.theviolenceproject.org/methodology/>, accessed January 17, 2020.

⁴⁷ “A Guide to Mass Shootings in America,” Mother Jones, updated November 23, 2022, <http://www.motherjones.com/politics/2012/07/mass-shootings-map>. Excludes mass shootings where only three people were killed. Note this analysis of the Mother Jones data may not match other analyses because Mother Jones periodically updates its historical data.

⁴⁸ “Mayhem Multiplied: Mass Shooters and Assault Weapons,” *Citizens Crime Commission of New York City*, February 2018 update.

⁴⁹ “The terrible numbers that grow with each mass shooting,” *The Washington Post*, updated May 12, 2021, <https://www.washingtonpost.com/graphics/2018/national/mass-shootings-in-america/>.

⁵⁰ “Mass Shooter Database,” *The Violence Project* <https://www.theviolenceproject.org/mass-shooter-database/>, updated May 14, 2022.

⁵¹ Note that I have updated this mass shooting analysis to include more recent incidents, as well as more recently available details. In my 2017 declaration in *Virginia Duncan et al. v. California Attorney General*, I included data on mass shootings through April 2017. In my 2018 declaration in *Rupp v. California* (continued...)

32. Note that the two more recently compiled sources of mass shootings, the Washington Post and The Violence Project, include additional mass shootings that were not covered by either Mother Jones or Citizens Crime Commission. In general, we found that these additional mass shootings were less covered by the media and involved fewer fatalities and/or injuries than the ones previously identified by Mother Jones or Citizens Crime Commission. For example, using the mass shooting data for the period 1982 through 2019, we found that the median number of news stories for a mass shooting included in Mother Jones and/or Citizen Crime Commission was 317, while the median for the additional mass shootings identified in the Washington Post and/or The Violence Project was 28.⁵² In addition, using the mass shooting data through 2019, we found an average of 21 fatalities or injuries for a mass shooting included in Mother Jones and/or Citizen Crime Commission, while only 6 fatalities or injuries for the additional mass shootings identified in the Washington Post and/or The Violence Project.

Attorney General, I updated the analysis to include data on mass shootings through September 2018. The analyses in both of these declarations included mass shootings only from Mother Jones and the Citizen Crime Commission. In my 2020 declaration in *James Miller et al. v. California Attorney General*, I updated the analysis to include mass shootings through December 2019 and added mass shootings from two more sources, the Washington Post and the Violence Project. The number of mass shootings, as well as some details about the shootings, are not identical across these declarations for three main reasons. First, I have updated the analysis to include more recent incidents as well as more recently available details. Second, starting in 2020, I added two more sources (Washington Post and Violence Project), which include additional mass shootings and details not included in the initial sources. Third, even though Mother Jones included instances when three or more people were killed, for my declarations and reports starting in 2020, I only included mass shootings where four or more were killed to be consistent with the definition of the other three sources.

⁵² The search was conducted over all published news stories on Factiva. The search was based on the shooter's name and the location of the incident over the period from one week prior to three months following each mass shooting.

33. We combined the data from the four sources for the period 1982 through October 2022, and searched news stories on each mass shooting to obtain additional details on the types of weapons used as well as data on shots fired where available. We compared the details on the weapons used in each shooting to the list of prohibited firearms and features specified in California law to identify, based on this publicly available information, which mass shootings involved the use of Assault Weapons or more specifically Assault Rifles. In addition, we identified, based on this publicly available information, which mass shootings involved the use of large-capacity magazines. See attached Exhibit B for a summary of the combined data, and Exhibit C for a summary of the weapons used in each public mass shooting based on Mother Jones, Citizens Crime Commission, the Washington Post, the Violence Project, and news reports.⁵³

1. Use of Assault Weapons in public mass shootings

34. Based on the 179 mass shootings through October 2022, we found that Assault Weapons are often used in public mass shootings. Whether an Assault Weapon was used in a mass shooting can be determined in 153 out of the 179 incidents (85%) considered in this analysis. Out of these 153 mass shootings, 36 (or 24%) involved Assault Weapons. Even assuming the mass shootings where it is not known whether an Assault Weapon was used *all* did not involve an Assault Weapon, 36 out of 179 mass shootings, or 20%, involved Assault Weapons.

35. In addition, in 32 of the 36 mass shootings that involved an Assault Weapon (89%), the Assault Weapon used was an Assault Rifle (rather than a pistol or shotgun). In all, an Assault Rifle was used in 32 (or 18%) of the 179 public mass shootings analyzed.

⁵³ Note that the Citizens Crime Commission data was last updated in February 2018 and the Washington Post was last updated in May 2021.

1 36. Based on our analysis, casualties were higher in the mass shootings
2 that involved Assault Weapons than in other mass shootings. In particular, we
3 found an average number of fatalities or injuries of 36 per mass shooting with an
4 Assault Weapon versus 10 for those without. Focusing on just fatalities, we found
5 an average number of fatalities of 12 per mass shooting with an Assault Weapon
6 versus 6 for those without. (See table below.)

7 37. We also found that casualties were higher in public mass shootings
8 that involved Assault *Rifles* than in mass shootings not involving any kind of
9 Assault Weapon. In particular, we found an average number of fatalities or injuries
10 of 38 per mass shooting that involved Assault Rifles versus 10 for those that did not
11 involve any kind of Assault Weapon. Focusing on just fatalities, we found an
12 average number of fatalities of 12 per mass shooting with an Assault Rifle versus 6
13 for those that did not involve any kind of Assault Weapon. (See table below.)

14 **2. Use of large-capacity magazines in public mass shootings**

15 38. Based on the 179 mass shootings through October 2022, we found that
16 large-capacity magazines (those with a capacity to hold more than 10 rounds of
17 ammunition) are often used in public mass shootings. Magazine capacity is known
18 in 115 out of the 179 mass shootings (or 64%) considered in this analysis. Out of
19 the 115 mass shootings with known magazine capacity, 73 (or 63%) involved large-
20 capacity magazines. Even assuming the mass shootings with unknown magazine
21 capacity *all* did not involve large-capacity magazines, 73 out of 179 mass shootings
22 or 41% of mass shootings involved large capacity magazines. (See table below.)

23 39. Based on our analysis, casualties were higher in the mass shootings
24 that involved weapons with large-capacity magazines than in other mass shootings.
25 In particular, we found an average number of fatalities or injuries of 25 per mass
26 shooting with a large-capacity magazine versus 9 for those without. Focusing on
27 just fatalities, we found an average number of fatalities of 10 per mass shooting
28 with a large-capacity magazine versus 6 for those without. (See table below.)

1 40. In addition, we found that casualties were higher in the mass shootings
2 that involved both Assault Weapons *and* large-capacity magazines. In particular,
3 we found an average number of fatalities or injuries of 40 per mass shooting with
4 both an Assault Weapon and a large-capacity magazine versus 8 for those without
5 either. Focusing on just fatalities, we found an average number of fatalities of 13
6 per mass shooting with both an Assault Weapon and a large-capacity magazine
7 versus 6 for those without either. (See table below.)

8 41. For mass shootings that involved both Assault *Rifles* and large-
9 capacity magazines, we found an average number of fatalities or injuries of 43 per
10 mass shooting with both an Assault Rifle and a large-capacity magazine versus 8
11 for mass shootings without either. Focusing on just fatalities, we found an average
12 number of fatalities of 13 per mass shooting with both versus 6 for those without
13 either. (See table below.)
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**Numbers of Fatalities and Injuries in Public Mass Shootings
1982 - October 2022**

Weapon Used	# of Incidents	Average # of		
		Fatalities	Injuries	Total
Assault Weapon	36	12	24	36
<i>Assault Rifle</i>	32	12	26	38
No Assault Weapon	117	6	4	10
Unknown	26	5	3	9
Large-Cap. Mag.	73	10	16	25
No Large-Cap. Mag.	42	6	3	9
Unknown	64	5	3	7
Assault Weapon & Large-Cap. Mag.	31	13	27	40
<i>Assault Rifle & Large-Cap. Mag.</i>	27	13	30	43
Large-Cap. Mag. Only ¹	36	8	7	15
No Assault Weapon or Large-Cap. Mag. ²	41	6	3	8
Unknown ³	71	5	3	8

Notes and Sources:

Casualty figures exclude the shooter. Assault Weapon, Assault Rifle and large-capacity magazine classification and casualties updated based on review of stories from Factiva/Google searches.

¹ Shootings involving large-capacity magazine and no Assault Weapon.

² Shootings involving neither a large-capacity magazine nor Assault Weapon.

³ Shootings where it is either unknown whether a large-capacity magazine was involved or unknown whether an Assault Weapon was involved.

42. Our results are consistent with those of other studies that have analyzed mass shootings. Note that although the other studies are based on alternate sets of mass shootings, including covering different years and defining mass shootings somewhat differently, the results are similar in finding that fatalities and injuries are larger in mass shootings in which large capacity magazines and assault we are involved. A 2019 academic article published in the *American Journal of Public Health* by Klarevas et al. found that “[a]ttacks involving LCMs resulted in a

1 62% higher mean average death toll.”⁵⁴ This study found an average number of
2 fatalities of 11.8 per mass shooting with a large-capacity magazine versus 7.3 for
3 those without. The results in this study were based on 69 mass shootings between
4 1990 and 2017.⁵⁵ An analysis of the mass shootings detailed in a 2016 article by
5 Gary Kleck yielded similar results (21 average fatalities or injuries in mass
6 shootings involving large-capacity magazines versus 8 for those without).⁵⁶ The
7 Kleck study covered 88 mass shooting incidents between 1994 and 2013.⁵⁷ In a
8 2018 study, Koper et al. found that mass shootings involving assault weapons and
9 large-capacity magazines resulted in an average of 13.7 victims versus 5.2 for other
10 cases.⁵⁸ The Koper et al. study covered 145 mass shootings between 2009 and
11 2015.⁵⁹ The table below summarizes their results.

12
13
14 ⁵⁴ Louis Klarevas, Andrew Conner, and David Hemenway, “The Effect of
15 Large-Capacity Magazine Bans on High-Fatality Mass Shootings, 1990–2017,”
American Journal of Public Health (2019).

16 ⁵⁵ The Klarevas et al. study defines mass shootings as “intentional crimes of
17 gun violence with 6 or more victims shot to death, not including the perpetrators”
18 and, unlike my analysis, does not exclude incidents in private places or incidents
involving other criminal activity such as robbery.

19 ⁵⁶ Kleck, Gary, “Large-Capacity Magazines and the Casualty Counts in Mass
20 Shootings: The Plausibility of Linkages,” 17 *Justice Research and Policy* 28
(2016).

21 ⁵⁷ The Kleck study defines a mass shooting as “one in which more than six
22 people were shot, either fatally or nonfatally, in a single incident.” See, Kleck,
23 Gary, “Large-Capacity Magazines and the Casualty Counts in Mass Shootings: The
Plausibility of Linkages,” 17 *Justice Research and Policy* 28 (2016).

24 ⁵⁸ Koper et al., “Criminal Use of Assault Weapons and High-Capacity
25 Semiautomatic Firearms: an Updated Examination of Local and National Sources,”
Journal of Urban Health (2018).

26 ⁵⁹ The Koper et al. study defined mass shooting as “incidents in which four or
27 more people were murdered with a firearm, not including the death of the shooter if
28 applicable and irrespective of the number of additional victims shot but not killed.”

Comparison of Studies on the Use of Large-Capacity Magazines in Mass Shootings						
Source	# Victims	Criteria Other Criteria	Time Period	# of Incidents	Avg. # of Fatalities + Injuries / Fatalities	
(1)	(2)	(3)	(4)	(5)	With LCM	Without LCM
Allen (2020) ¹	at least 4 <u>killed</u> ²	Includes shootings "in a public place in one incident, and exclude[s] incidents involving other criminal activity such as a robbery"	1982-2019	161	27 / 10	9 / 6
Kleck et al. (2016) ³	at least 6 <u>shot</u>	Excludes "spree shootings" and includes shootings in both "public" and "private" places	1994-2013	88	21 / n/a	8 / n/a
Klarevas et al. (2019) ⁴	at least 6 <u>killed</u> ²	Includes "intentional crimes of gun violence"	1990-2017	69	n/a / 12	n/a / 7
Koper et al. (2018) ⁵	at least 4 <u>killed</u> ²	Includes shootings in both public and private places	2009-2015	145	14 / n/a	5 / n/a
Notes and Sources: ¹ Declaration of Lucy P. Allen in Support of Defendants' Opposition to Motion for Preliminary Injunction in <i>James Miller et al. v. Xavier Becerra et al.</i> , dated January 23, 2020. ² Excluding shooter. ³ Kleck, Gary, "Large-Capacity Magazines and the Casualty Counts in Mass Shootings: The Plausibility of Linkages," 17 Justice Research and Policy 28 (2016). ⁴ Klarevas et al., "The Effect of Large-Capacity Magazine Bans on High-Fatality Mass Shootings 1990-2017," American Journal of Public Health (2019). ⁵ Koper et al., "Criminal Use of Assault Weapons and High-Capacity Semiautomatic Firearms: an Updated Examination of Local and National Sources," Journal of Urban Health (2018). Note that the Koper et al study includes shootings involving both LCM and assault weapons.						

3. Number of rounds fired in public mass shootings with Assault Weapons or large-capacity magazines

43. The data on public mass shootings indicates that it is common for offenders to fire more than ten rounds when using an Assault Weapon. Of the 36 mass shootings we analyzed through October 2022 that are known to have involved an Assault Weapon, there are 24 in which the number of shots fired is known. Shooters fired more than ten rounds in *all* 24 incidents, and the average number of shots fired was 149.

44. In addition, the data indicates that it is common for offenders to fire more than ten rounds when using a gun with a large-capacity magazine in mass shootings. Of the 73 mass shootings that are known to have involved a large-capacity magazine, there are 49 in which the number of shots fired is known.

1 Shooters fired more than ten rounds in 46 of the 49 incidents, and the average
2 number of shots fired was 99.

3 **4. Percent of mass shooters' guns legally obtained**

4 45. The data on public mass shootings indicates that the majority of guns
5 used in these mass shootings were obtained legally.⁶⁰ Of the 179 mass shootings
6 analyzed through October 2022, there are 112 where it can be determined whether
7 the gun was obtained legally. According to the data, shooters in 79% of mass
8 shootings obtained their guns legally (89 of the 112 mass shootings) and 80% of the
9 guns used in these 112 mass shootings were obtained legally (202 of the 252 guns).
10 (Note that even if one assumes that *all* of the mass shootings where it is not known
11 were assumed to be illegally obtained, then one would find 50% of the mass
12 shootings and 62% of the guns were obtained legally.)

13
14 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the
15 laws of the United States of America that the foregoing is true and correct.

16 Executed on January 6, 2023, at New York, New York.

17
18 
19 _____
20 Lucy P. Allen

21
22
23
24
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27 _____
28 ⁶⁰ The determination of whether guns were obtained legally is based on
Mother Jones and Washington Post reporting.



Lucy P. Allen
Managing Director

NERA Economic Consulting
1166 Avenue of the Americas
New York, New York 10036
Tel: +1 212 345 5913 Fax: +1 212 345 4650
lucy.allen@nera.com
www.nera.com

Exhibit A

LUCY P. ALLEN MANAGING DIRECTOR

Education

YALE UNIVERSITY

M.Phil., Economics, 1990

M.A., Economics, 1989

M.B.A., 1986

STANFORD UNIVERSITY

A.B., Human Biology, 1981

Professional Experience

1994-Present

National Economic Research Associates, Inc.

Managing Director. Responsible for economic analysis in the areas of securities, finance and environmental and tort economics.

Senior Vice President (2003-2016).

Vice President (1999-2003).

Senior Consultant (1994-1999).

1992-1993

Council of Economic Advisers, Executive Office of the President

Staff Economist. Provided economic analysis on regulatory and health care issues to Council Members and interagency groups. Shared responsibility for regulation and health care chapters of the *Economic Report of the President, 1993*. Working Group member of the President's National Health Care Reform Task Force.

1986-1988

Ayers, Whitmore & Company (General Management Consultants)

1983-1984

Senior Associate. Formulated marketing, organization, and overall business strategies including:

Plan to improve profitability of chemical process equipment manufacturer.

Merger analysis and integration plan of two equipment manufacturers.

Evaluation of Korean competition to a U.S. manufacturer.

Diagnostic survey for auto parts manufacturer on growth obstacles.

Marketing plan to increase international market share for major accounting firm.

Summer 1985

WNET/Channel Thirteen, Strategic Planning Department

Associate. Assisted in development of company's first long-term strategic plan. Analyzed relationship between programming and viewer support.

1981-1983

Arthur Andersen & Company

Consultant. Designed, programmed and installed management information systems. Participated in redesign/conversion of New York State's accounting system. Developed municipal bond fund management system, successfully marketed to brokers. Participated in President's Private Sector Survey on Cost Control (Grace Commission). Designed customized tracking and accounting system for shipping company.

Teaching

1989- 1992

Teaching Fellow, Yale University

Honors Econometrics

Intermediate Microeconomics

Competitive Strategies

Probability and Game Theory

Marketing Strategy

Economic Analysis

Publications

"Snapshot of Recent Trends in Asbestos Litigation: 2022 Update," (co-author), NERA Report, 2022.

"Snapshot of Recent Trends in Asbestos Litigation: 2021 Update," (co-author), NERA Report, 2021.

"The Short-Term Effect of Goodwill Impairment Announcements on Companies' Stock Prices" (co-author), *International Journal of Business, Accounting and Finance*, Volume 14, Number 2, Fall 2020.

"Snapshot of Recent Trends in Asbestos Litigation: 2020 Update," (co-author), NERA Report, 2020.

"Snapshot of Recent Trends in Asbestos Litigation: 2019 Update," (co-author), NERA Report, 2019.

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“Trends and the Economic Effect of Asbestos Bans and Decline in Asbestos Consumption and Production Worldwide,” (co-author), *International Journal of Environmental Research and Public Health*, 15(3), 531, 2018.

“Snapshot of Recent Trends in Asbestos Litigation: 2017 Update,” (co-author), NERA Report, 2017.

“Asbestos: Economic Assessment of Bans and Declining Production and Consumption,” World Health Organization, 2017.

“Snapshot of Recent Trends in Asbestos Litigation: 2016 Update,” (co-author), NERA Report, 2016.

“Snapshot of Recent Trends in Asbestos Litigation: 2015 Update,” (co-author), NERA Report, 2015.

“Snapshot of Recent Trends in Asbestos Litigation: 2014 Update,” (co-author), NERA Report, 2014.

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“Asbestos Payments per Resolved Claim Increased 75% in the Past Year – Is This Increase as Dramatic as it Sounds? Snapshot of Recent Trends in Asbestos Litigation: 2012 Update,” (co-author), NERA Report, 2012.

“Snapshot of Recent Trends in Asbestos Litigation: 2011 Update,” (co-author), NERA White Paper, 2011.

“Snapshot of Recent Trends in Asbestos Litigation: 2010 Update,” (co-author), NERA White Paper, 2010.

“Settlement Trends and Tactics” presented at Securities Litigation During the Financial Crisis: Current Development & Strategies, hosted by the New York City Bar, New York, New York, 2009.

“Snapshot of Recent Trends in Asbestos Litigation,” (co-author), NERA White Paper, 2009.

“China Product Recalls: What’s at Stake and What’s Next,” (co-author), NERA Working Paper, 2008.

“Forecasting Product Liability by Understanding the Driving Forces,” (co-author), *The International Comparative Legal Guide to Product Liability*, 2006.

“Securities Litigation Reform: Problems and Progress,” *Viewpoint*, November 1999, Issue No. 2 (co-authored).

“Trends in Securities Litigation and the Impact of the PSLRA,” Class Actions & Derivative Suits, American Bar Association Litigation Section, Vol. 9, No. 3, Summer 1999 (co-authored).

“Random Taxes, Random Claims,” Regulation, Winter 1997, pp. 6-7 (co-authored).

Depositions & Testimony (4 years)

Deposition Testimony before the United States District Court for the District of Harris County, Texas in *Boxer Property Management Corp. et al. v. Illinois Union Ins. Co. et al.*, 2022.

Supplemental Declaration before the United States District Court, Southern District of California, in *Virginia Duncan, et al. v. Rob Bonta, et al.*, 2022.

Declaration before the United States District Court, Eastern District of Washington, in *Michael Scott Brumback, et al. v. Robert W. Ferguson, et al.*, 2022.

Trial Testimony before the Supreme Court of the State of New York, County of New York, in *MUFG Union Bank, N.A. (f/k/a Union Bank, N.A.) v. Axos Bank (f/k/a Bank of Internet USA), et al.*, 2022.

Supplemental Declaration before the United States District Court, Southern District of California, in *James Miller et al. v. California Attorney General et al.*, 2022.

Declaration before the United States District Court, Northern District of Texas, Dallas Division, in *Samir Ali Cherif Benouis v. Match Group, Inc., et al.*, 2022.

Deposition Testimony before the United States District Court for the Eastern District of Virginia, in *Plymouth County Retirement System, et al. v. Evolent Health, Inc., et al.*, 2022.

Deposition Testimony before the United States District Court for the Northern District of Georgia, in *Public Employees’ Retirement System of Mississippi v. Mohawk Industries, Inc., et al.*, 2022.

Deposition Testimony before the United States District Court for the Southern District of New York, in *SEC v. AT&T, Inc. et al.*, 2022.

Deposition Testimony before the Superior Court of New Jersey, Hudson County, in *Oklahoma Firefighters Pension and Retirement System vs. Newell Brands Inc., et al.*, 2022.

Deposition Testimony before the United States District Court for the District of Pennsylvania, in *Allegheny County Employees, et al. v. Energy Transfer LP., et al.*, 2022.

Deposition Testimony before the United States District Court, District of Tennessee, in *St. Clair County Employees' Retirement System v. Smith & Acadia Healthcare Company, Inc., et al.*, 2022.

Deposition Testimony before the United States District Court, District of Colorado, in *Cipriano Correa, et al. v. Liberty Oilfield Services Inc., et al.*, 2022.

Deposition Testimony before the Superior Court of New Jersey, Hudson County, in *Oklahoma Firefighters Pension and Retirement System vs. Newell Brands Inc., et al.*, 2021.

Deposition Testimony before the Superior Court of New Jersey, Middlesex County, in *Dana Transport, Inc. et al., vs. PNC Bank et al.*, 2021.

Deposition Testimony before the United States District Court, Western District of North Carolina, in *Cheyenne Jones and Sara J. Gast v. Coca-Cola Consolidated Inc., et al.*, 2021.

Testimony and Deposition Testimony before the Court of Chancery of the State of Delaware in *Bardy Diagnostics Inc. v. Hill-Rom, Inc. et al.*, 2021.

Deposition Testimony before the United States Bankruptcy Court, Southern District of Texas, Houston Division, in *Natixis Funding Corporation v. Genon Mid-Atlantic, LLC*, 2021.

Testimony and Deposition Testimony before the United States District Court, Southern District of California, in *James Miller et al. v. Xavier Becerra et al.*, 2021.

Deposition Testimony before the Court of Chancery of the State of Delaware in *Arkansas Teacher Retirement System v. Alon USA Energy, Inc., et al.*, 2021.

Deposition Testimony before the United States District Court, Western District of Oklahoma, in *Kathleen J. Myers v. Administrative Committee, Seventy Seven Energy, Inc. Retirement & Savings Plan, et al.*, 2020.

Deposition Testimony before the United States District Court, Middle District of Tennessee, in *Nikki Bollinger Grae v. Corrections Corporation of America, et al.*, 2020.

Deposition Testimony before the Supreme Court of the State of New York, County of New York, in *MUFG Union Bank, N.A. (f/k/a Union Bank, N.A.) v. Axos Bank (f/k/a Bank of Internet USA), et al.*, 2020.

Declaration before the United States District Court for the Northern District of Georgia, in *Sunil Amin et al. v. Mercedes-Benz USA, LLC and Daimler AG*, 2020.

Deposition Testimony before the United States District Court, Western District of Washington at Seattle, in *In re Zillow Group, Inc. Securities Litigation*, 2020.

Declaration before the United States District Court for the Southern District of California in *James Miller et al. v. Xavier Becerra et al.*, 2020.

Deposition Testimony before the United States District Court, Middle District of Tennessee, in *Zwick Partners LP and Aparna Rao v. Quorum Health Corporation*, 2019.

Testimony and Declaration before the United States District Court, Southern District of Iowa, in *Mahaska Bottling Company, Inc., et al. v. PepsiCo, Inc. and Bottling Group, LLC*, 2019.

Declaration before the United States District Court Western District of Oklahoma in *In re: Samsung Top-Load Washing Machine Marketing, Sales Practices and Products Liability Litigation*, 2019.

Testimony before the United States District Court, Southern District of New York, in *Chicago Bridge & Iron Company N.V. Securities Litigation*, 2019.

Deposition Testimony before the United States District Court, Middle District of Florida, in *Jacob J. Beckel v. Fagron Holdings USA, LLC et al.*, 2019.

Exhibit B

Public Mass Shootings Data
1982 – October 2022

Case	Location	Date	Source	Large Capacity Mag.? ^a	Assault Weapon? ^b	Assault Rifle? ^b	Fatalities ^c	Injuries ^c	Total Fatalities & Injuries ^c	Shots Fired ^d	Gun(s) Obtained Legally? ^c	Offender(s) Number of Guns
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
1. Raleigh spree shooting	Heddingham, NC	10/13/22	MJ	-	-	No	5	2	7	-	-	2
2. Highland Park July 4 parade shooting	Highland Park, IL	7/4/22	MJ	Yes	-	-	7	48	55	83 ^{ba}	Yes	1
3. Tulsa medical center shooting	Tulsa, OK	6/1/22	MJ	-	-	-	4	9 ^{bb}	13 ^{bb}	37 ^{bc}	Yes	2
4. Robb Elementary School massacre	Uvalde, TX	5/24/22	MJ	Yes	Yes	Yes	21	17	38	164 ^{bd}	Yes	1 ^{be}
5. Buffalo supermarket massacre	Buffalo, NY	5/14/22	MJ/VP	Yes	Yes	Yes	10	3	13	60 ^{bf}	Yes	1
6. Sacramento County church shooting	Sacramento, CA	2/28/22	MJ	Yes	-	-	4	0	4	-	Yes ^{bg}	1
7. Oxford High School shooting	Oxford, MI	11/30/21	MJ/VP	Yes	No	No	4	7	11	30 ^{bh}	Yes ^{bi}	1
8. San Jose VTA shooting	San Jose, CA	5/26/21	MJ/VP	Yes	No	No	9	0	9	39 ^{bj}	Yes ^{bk}	3
9. Canterbury Mobile Home Park shooting	Colorado Springs, CO	5/9/21	WaPo	Yes	-	No	6	0	6	17 ^{bl}	-	1
10. FedEx warehouse shooting	Indianapolis, IN	4/15/21	MJ/VP/WaPo	Yes	Yes	Yes	8	7	15	-	Yes	2 ^{bm}
11. Orange office complex shooting	Orange, CA	3/31/21	MJ/VP/WaPo	-	-	No	4	1	5	-	-	1
12. Essex Royal Farms shooting	Baltimore County, MD	3/28/21	WaPo	-	-	-	4	1	5	-	Yes ^{bn}	1
13. King Soopers supermarket shooting	Boulder, CO	3/22/21	MJ/VP/WaPo	Yes	Yes	No	10	0	10	-	Yes	2
14. Atlanta massage parlor shootings	Atlanta, GA	3/16/21	MJ/VP/WaPo	Yes	-	No	8	1	9	-	Yes ^{bo}	1
15. Hyde Park shooting	Chicago, IL	1/9/21	WaPo	-	-	No	5	2	7	-	-	1
16. Englewood block party shooting	Chicago, IL	7/4/20	WaPo	-	-	-	4	4	8	-	-	-
17. Springfield convenience store shooting	Springfield, MO	3/15/20	MJ/VP/WaPo	-	-	-	4	2	6	-	Yes ^{bp}	2
18. Molson Coors shooting	Milwaukee, WI	2/26/20	MJ/VP/WaPo	-	-	No	5	0	5	12 ^{bq}	-	2 ^{br}
19. Jersey City Kosher Supermarket	Jersey City, NJ	12/10/19	MJ/VP/WaPo	-	No	No	4	3	7	-	Yes	5
20. Football-watching party	Fresno, CA	11/17/19	WaPo	-	No	No	4	6	10	-	-	2
21. Halloween Party	Orinda, CA	11/1/19	WaPo	-	-	-	5	0	5	-	-	1
22. Tequila KC bar	Kansas City, KS	10/6/19	WaPo	-	No	No	4	5	9	-	No	2
23. Midland-Odessa Highways	Odessa, TX	8/31/19	MJ/VP/WaPo	-	Yes	Yes	7	25	32	-	No	1
24. Dayton	Dayton, OH	8/4/19	MJ/VP/WaPo	Yes	Yes	No	9	27	36	41 ^f	Yes	1/2
25. El Paso Walmart	El Paso, TX	8/3/19	MJ/VP/WaPo	Yes	Yes	Yes	22	26	48	-	Yes	1
26. Casa Grande Senior Mobile Estates	Santa Maria, CA	6/19/19	WaPo	-	-	-	4	0	4	-	-	1
27. Virginia Beach Municipal Center	Virginia Beach, VA	5/31/19	MJ/VP/WaPo	Yes	No	No	12	4	16	-	Yes	2
28. Henry Pratt Co.	Aurora, IL	2/15/19	MJ/VP/WaPo	-	No	No	5	6	11	-	No	1
29. SunTrust Bank	Sebring, FL	1/23/19	MJ/VP/WaPo	-	No	No	5	0	5	-	Yes	1
30. Borderline Bar & Grill	Thousand Oaks, CA	11/7/18	MJ/VP/WaPo	Yes	No	No	12	1	13	50 ^g	Yes	1
31. Tree of Life Synagogue	Pittsburgh, PA	10/27/18	MJ/VP/WaPo	-	Yes	Yes	11	6	17	-	Yes	4
32. T&T Trucking	Bakersfield, CA	9/12/18	MJ/VP/WaPo	No	No	No	5	0	5	-	-	1
33. Capital Gazette	Annapolis, MD	6/28/18	MJ/VP/WaPo	-	No	No	5	2	7	-	Yes	1

Exhibit B

**Public Mass Shootings Data
1982 – October 2022**

Case	Location	Date	Source	Large Capacity Mag.? ^a	Assault Weapon? ^b	Assault Rifle? ^b	Fatalities ^c	Injuries ^c	Total Fatalities & Injuries ^c	Shots Fired ^d	Gun(s) Obtained Legally? ^c	Offender(s)' Number of Guns
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
34. Santa Fe High School	Santa Fe, TX	5/18/18	MJ/VP/WaPo	No	No	No	10	13	23	-	-	2
35. Waffle House	Nashville, TN	4/22/18	MJ/VP/WaPo	-	Yes	Yes	4	4	8	-	Yes	1
36. Detroit	Detroit, MI	2/26/18	VP	-	No	No	4	0	4	-	-	-
37. Stoneman Douglas HS	Parkland, FL	2/14/18	CC/MJ/VP/WaPo	Yes	No	No	17	17	34	-	Yes	1
38. Pennsylvania Carwash	Melcroft, PA	1/28/18	MJ/VP/WaPo	-	-	-	4	1	5	-	-	3 h
39. Rancho Tehama	Rancho Tehama, CA	11/14/17	MJ/VP/WaPo	Yes	Yes	Yes	4	10	14	30 ⁱ	No	2
40. Texas First Baptist Church	Sutherland Springs, TX	11/5/17	CC/MJ/VP/WaPo	Yes	Yes	Yes	26	20	46	450 ^j	Yes	1
41. Las Vegas Strip	Las Vegas, NV	10/1/17	CC/MJ/VP/WaPo	Yes	Yes	Yes	58	422	480	1100 ^k	Yes	23
42. Taos and Rio Arriba counties	Abiquiu, NM	6/15/17	WaPo	No	No	No	5	0	5	-	-	1
43. Fiamma Workplace	Orlando, FL	6/5/17	CC/MJ/VP/WaPo	No	No	No	5	0	5	-	-	1
44. Marathon Savings Bank	Rothschild, WI	3/22/17	VP/WaPo	-	No	No	4	0	4	-	-	2
45. Club 66	Yazoo City, MS	2/6/17	VP/WaPo	-	-	-	4	0	4	-	-	1
46. Fort Lauderdale Airport	Fort Lauderdale, FL	1/6/17	CC/MJ/VP/WaPo	No	No	No	5	6	11	15 ^l	Yes	1
47. Cascade Mall	Burlington, WA	9/23/16	CC/MJ/VP/WaPo	Yes	No	No	5	0	5	-	-	1
48. Dallas Police	Dallas, TX	7/7/16	CC/MJ/VP/WaPo	Yes	Yes	Yes	5	11	16	-	Yes	3
49. Walgreens Parking Lot	Las Vegas, NV	6/29/16	WaPo	-	-	-	4	0	4	-	-	1
50. Orlando Nightclub	Orlando, FL	6/12/16	CC/MJ/VP/WaPo	Yes	Yes	Yes	49	53	102	110 ^m	Yes	2
51. Franklin Avenue Cookout	Wilkinsburg, PA	3/9/16	VP/WaPo	Yes	Yes	Yes	6	3	9	48 ⁿ	No	2
52. Kalamazoo	Kalamazoo County, MI	2/20/16	MJ/VP/WaPo	Yes	No	No	6	2	8	-	Yes	1
53. San Bernardino	San Bernardino, CA	12/2/15	CC/MJ/VP/WaPo	Yes	Yes	Yes	14	22	36	150 ^o	Yes	4
54. Tennessee Colony campsite	Anderson County, TX	11/15/15	VP/WaPo	-	-	-	6	0	6	-	-	1
55. Umpqua Community College	Roseburg, OR	10/1/15	CC/MJ/VP/WaPo	-	No	No	9	9	18	-	Yes	6
56. Chattanooga Military Center	Chattanooga, TN	7/16/15	CC/MJ/VP/WaPo	Yes	Yes	Yes	5	2	7	-	Yes	3
57. Charleston Church	Charleston, SC	6/17/15	CC/MJ/VP/WaPo	Yes	No	No	9	3	12	-	Yes	1
58. Marysville High School	Marysville, WA	10/24/14	CC/MJ/VP/WaPo	Yes	No	No	4	1	5	-	No	1
59. Isla Vista	Santa Barbara, CA	5/23/14	MJ/VP/WaPo	No	No	No	6	13	19	50 ^p	Yes	3
60. Alturas Tribal	Alturas, CA	2/20/14	MJ/VP/WaPo	-	No	No	4	2	6	-	-	2
61. Washington Navy Yard	Washington, D.C.	9/16/13	CC/MJ/VP/WaPo	No	No	No	12	8	20	-	Yes	2
62. Hialeah	Hialeah, FL	7/26/13	CC/MJ/VP/WaPo	Yes	No	No	6	0	6	10 ^q	Yes	1
63. Santa Monica	Santa Monica, CA	6/7/13	CC/MJ/VP/WaPo	Yes	Yes	Yes	5	3	8	70 ^r	Yes	2
64. Federal Way	Federal Way, WA	4/21/13	MJ/VP/WaPo	-	No	No	4	0	4	-	Yes	2
65. Upstate New York	Herkimer County, NY	3/13/13	MJ/VP/WaPo	-	No	No	4	2	6	-	Yes	1
66. Newtown School	Newtown, CT	12/14/12	CC/MJ/VP/WaPo	Yes	Yes	Yes	27	2	29	154	No	4/3

Exhibit B

**Public Mass Shootings Data
1982 – October 2022**

Case	Location	Date	Source	Large Capacity Mag. ^a	Assault Weapon ^b	Assault Rifle ^b	Fatalities ^c	Injuries ^c	Total Fatalities & Injuries ^c	Shots Fired ^d	Gun(s) Obtained Legally ^e	Offender(s) Number of Guns
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
67. Accent Signage Systems	Minneapolis, MN	9/27/12	CC/MJ/VP/WaPo	Yes	No	No	6	2	8	46	Yes	1
68. Sikh Temple	Oak Creek, WI	8/5/12	CC/MJ/VP/WaPo	Yes	No	No	6	4	10	-	Yes	1
69. Aurora Movie Theater	Aurora, CO	7/20/12	CC/MJ/VP/WaPo	Yes	Yes	Yes	12	70	82	80	Yes	4
70. Seattle Café	Seattle, WA	5/30/12	CC/MJ/VP/WaPo	No	No	No	5	1	6	-	Yes	2
71. Oikos University	Oakland, CA	4/2/12	CC/MJ/VP/WaPo	No	No	No	7	3	10	-	Yes	1
72. Su Jung Health Sauna	Norcross, GA	2/22/12	MJ/WaPo	-	No	No	4	0	4	-	Yes	1
73. Seal Beach	Seal Beach, CA	10/14/11	CC/MJ/VP/WaPo	No	No	No	8	1	9	-	Yes	3
74. IHOP	Carson City, NV	9/6/11	CC/MJ/VP/WaPo	Yes	Yes	Yes	4	7	11	-	Yes	3
75. Akron	Akron, OH	8/7/11	VP	No	No	No	7	2	9	21 ^s	-	-
76. Forum Roller World	Grand Prairie, TX	7/23/11	WaPo	-	No	No	5	4	9	-	-	1
77. Grand Rapids	Grand Rapids, MI	7/7/11	CC	Yes	No	No	7	2	9	10	-	1
78. Family law practice	Yuma, AZ	6/2/11	WaPo	-	-	-	5	1	6	-	-	1
79. Tucson	Tucson, AZ	1/8/11	CC/MJ/VP/WaPo	Yes	No	No	6	13	19	33	Yes	1
80. Jackson	Jackson, KY	9/11/10	VP	No	No	No	5	0	5	12 ^t	-	-
81. City Grill	Buffalo, NY	8/14/10	VP/WaPo	-	No	No	4	4	8	10 ^u	-	1
82. Hartford Beer Distributor	Manchester, CT	8/3/10	CC/MJ/VP/WaPo	Yes	No	No	8	2	10	11	Yes	2
83. Yoyito Café	Hialeah, FL	6/6/10	CC/VP/WaPo	No	No	No	4	3	7	9 ^v	-	-
84. Hot Spot Café	Los Angeles, CA	4/3/10	VP/WaPo	-	No	No	4	2	6	50 ^w	-	1
85. Coffee Shop Police	Parkland, WA	11/29/09	CC/MJ/VP/WaPo	No	No	No	4	0	4	-	No	2
86. Fort Hood	Fort Hood, TX	11/5/09	CC/MJ/VP/WaPo	Yes	No	No	13	32	45	214	Yes	1
87. Worth Street	Mount Airy, NC	11/1/09	VP/WaPo	-	Yes	Yes	4	0	4	16 ^x	No	1
88. Binghamton	Binghamton, NY	4/3/09	CC/MJ/VP/WaPo	Yes	No	No	13	4	17	99	Yes	2
89. Carthage Nursing Home	Carthage, NC	3/29/09	CC/MJ/VP/WaPo	No	No	No	8	2	10	-	Yes	2
90. Skagit County	Alger, WA	9/2/08	VP/WaPo	-	No	No	6	4	10	-	No	2
91. Atlantis Plastics	Henderson, KY	6/25/08	CC/MJ/VP/WaPo	No	No	No	5	1	6	-	Yes	1
92. Black Road Auto	Santa Maria, CA	3/18/08	VP/WaPo	-	No	No	4	0	4	17 ^y	-	1
93. Northern Illinois University	DeKalb, IL	2/14/08	CC/MJ/VP/WaPo	Yes	No	No	5	21	26	54	Yes	4
94. Kirkwood City Council	Kirkwood, MO	2/7/08	CC/MJ/VP/WaPo	No	No	No	6	1	7	-	No	2
95. Youth With a Mission and New Life Church	Colorado Springs, CO	12/9/07	VP/WaPo	Yes	Yes	Yes	4	5	9	25 ^z	-	3
96. Westroads Mall	Omaha, NE	12/5/07	CC/MJ/VP/WaPo	Yes	Yes	Yes	8	5	13	14	No	1
97. Crandon	Crandon, WI	10/7/07	CC/MJ/WaPo	Yes	-	-	6	1	7	30 ^{aa}	Yes	1
98. Virginia Tech	Blacksburg, VA	4/16/07	CC/MJ/VP/WaPo	Yes	No	No	32	17	49	176	Yes	2
99. Trolley Square	Salt Lake City, UT	2/12/07	CC/MJ/VP/WaPo	No	No	No	5	4	9	-	No	2

Exhibit B

**Public Mass Shootings Data
1982 – October 2022**

Case	Location	Date	Source	Large Capacity Mag.? ^a	Assault Weapon? ^b	Assault Rifle? ^b	Fatalities ^c	Injuries ^c	Total Fatalities & Injuries ^c	Shots Fired ^d	Gun(s) Obtained Legally? ^c	Offender(s) Number of Guns
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
100. Amish School	Lancaster County, PA	10/2/06	CC/MJ/VP/WaPo	No	No	No	5	5	10	-	Yes	3
101. The Ministry of Jesus Christ	Baton Rouge, LA	5/21/06	VP/WaPo	-	No	No	5	1	6	-	-	1
102. Capitol Hill	Seattle, WA	3/25/06	CC/MJ/VP/WaPo	Yes	Yes	Yes	6	2	8	-	Yes	4
103. Goleta Postal	Goleta, CA	1/30/06	CC/MJ/VP/WaPo	Yes	No	No	7	0	7	-	Yes	1
104. Sash Assembly of God	Sash, TX	8/29/05	VP/WaPo	-	No	No	4	0	4	-	-	2
105. Red Lake	Red Lake, MN	3/21/05	CC/MJ/VP/WaPo	No	No	No	9	7	16	-	No	3
106. Living Church of God	Brookfield, WI	3/12/05	CC/MJ/VP/WaPo	Yes	No	No	7	4	11	-	Yes	1
107. Fulton County Courthouse	Atlanta, GA	3/11/05	VP/WaPo	-	No	No	4	0	4	-	No	1
108. Damageplan Show	Columbus, OH	12/8/04	CC/MJ/VP/WaPo	No	No	No	4	3	7	15 ^{ab}	Yes	1
109. Hunting Camp	Meteor, WI	11/21/04	CC/VP/WaPo	Yes	Yes	Yes	6	2	8	20	-	1
110. ConAgra Foods Plant	Kansas City, KS	7/3/04	VP/WaPo	-	No	No	6	1	7	10 ^{ac}	-	2
111. Stateline Tavern	Oldtown, ID	10/24/03	VP/WaPo	Yes	No	No	4	0	4	14 ^{ad}	-	1
112. Windy City Warehouse	Chicago, IL	8/27/03	CC/VP/WaPo	No	No	No	6	0	6	-	-	-
113. Lockheed Martin	Meridian, MS	7/8/03	CC/MJ/VP/WaPo	-	No	No	6	8	14	-	Yes	5
114. Labor Ready	Huntsville, AL	2/25/03	VP/WaPo	-	No	No	4	1	5	-	-	1
115. Bertrand Products	South Bend, IN	3/22/02	VP/WaPo	-	No	No	4	2	6	-	-	2
116. Burns International Security	Sacramento, CA	9/10/01	VP/WaPo	Yes	Yes	Yes	5	2	7	200 ^{ae}	-	2
117. Bookcliff RV Park	Rifle, CO	7/3/01	VP/WaPo	No	No	No	4	3	7	6 ^{af}	-	1
118. Navistar	Melrose Park, IL	2/5/01	CC/MJ/VP/WaPo	Yes	No	No	4	4	8	-	Yes	4
119. Houston	Houston, TX	1/9/01	VP	-	No	No	4	0	4	-	-	-
120. Wakefield	Wakefield, MA	12/26/00	CC/MJ/VP/WaPo	Yes	-	-	7	0	7	37	Yes	3
121. Mount Lebanon	Pittsburgh, PA	4/28/00	VP/WaPo	No	No	No	5	1	6	-	Yes	1
122. Mi-T-Fine Car Wash	Irving, TX	3/20/00	VP/WaPo	-	No	No	5	1	6	-	-	-
123. Hotel	Tampa, FL	12/30/99	CC/MJ/VP/WaPo	No	No	No	5	3	8	-	Yes	2
124. Xerox	Honolulu, HI	11/2/99	CC/MJ/VP/WaPo	Yes	No	No	7	0	7	28	Yes	1
125. Wedgwood Baptist Church	Fort Worth, TX	9/15/99	CC/MJ/VP/WaPo	Yes	No	No	7	7	14	30	Yes	2
126. Atlanta Day Trading	Atlanta, GA	7/29/99	MJ/VP/WaPo	-	No	No	9	13	22	-	Yes	4
127. Albertson's Supermarket	Las Vegas, NV	6/3/99	VP/WaPo	-	No	No	4	1	5	-	-	1
128. Columbine High School	Littleton, CO	4/20/99	CC/MJ/VP/WaPo	Yes	Yes	Yes	13	23	36	188	No	4
129. New St. John Fellowship Baptist Church	Gonzalez, LA	3/10/99	VP/WaPo	-	No	No	4	4	8	-	-	1
130. Thurston High School	Springfield, OR	5/21/98	CC/MJ/VP/WaPo	Yes	No	No	4	25	29	50	No	3
131. Westside Middle School	Jonesboro, AR	3/24/98	CC/MJ/VP/WaPo	Yes	No	No	5	10	15	26	No	9/10
132. Connecticut Lottery	Newington, CT	3/6/98	CC/MJ/VP/WaPo	Yes	No	No	4	0	4	5	Yes	1

Exhibit B

**Public Mass Shootings Data
1982 – October 2022**

Case	Location	Date	Source	Large Capacity Mag.? ^a	Assault Weapon? ^b	Assault Rifle? ^b	Fatalities ^c	Injuries ^c	Total Fatalities & Injuries ^c	Shots Fired ^d	Gun(s) Obtained Legally? ^c	Offender(s) Number of Guns
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
133. Caltrans Maintenance Yard	Orange, CA	12/18/97	CC/MJ/VP/WaPo	Yes	Yes	Yes	4	2	6	144	Yes	1
134. Erie Manufacturing	Bartow, FL	12/3/97	VP	-	No	No	4	0	4	12 ^{ag}	-	-
135. R.E. Phelon Company	Aiken, SC	9/15/97	CC/MJ/VP/WaPo	No	No	No	4	3	7	-	No	1
136. News and Sentinel	Colebrook, NH	8/20/97	VP/WaPo	-	Yes	Yes	4	4	8	-	-	2
137. Fire Station	Jackson, MS	4/25/96	VP/WaPo	-	No	No	5	3	8	-	-	3
138. Fort Lauderdale	Fort Lauderdale, FL	2/9/96	CC/MJ/VP/WaPo	No	No	No	5	1	6	14 ^{ah}	Yes	2
139. Little Chester Shoes	New York, NY	12/19/95	VP/WaPo	Yes	No	No	5	3	8	-	-	1
140. Piper Technical Center	Los Angeles, CA	7/19/95	CC/VP/WaPo	Yes	No	No	4	0	4	-	-	-
141. Walter Rossler Company	Corpus Christi, TX	4/3/95	CC/MJ/VP/WaPo	No	No	No	5	0	5	-	Yes	2
142. Puppy creek	Hoke County, NC	12/31/94	VP	-	-	-	5	1	6	-	-	-
143. Air Force Base	Fairchild Base, WA	6/20/94	CC/MJ/VP/WaPo	Yes	Yes	Yes	4	23	27	50 ^{ai}	Yes	1
144. Chuck E. Cheese	Aurora, CO	12/14/93	CC/MJ/VP/WaPo	No	No	No	4	1	5	-	-	1
145. Long Island Railroad	Garden City, NY	12/7/93	CC/MJ/VP/WaPo	Yes	No	No	6	19	25	30	Yes	1
146. Unemployment Office	Oxnard, CA	12/2/93	VP/WaPo	-	-	-	4	4	8	-	-	-
147. Family Fitness Club	El Cajon, CA	10/14/93	VP/WaPo	-	No	No	4	0	4	-	Yes	1
148. Luigi's Restaurant	Fayetteville, NC	8/6/93	CC/MJ/VP/WaPo	No	No	No	4	8	12	-	Yes	3
149. Washington County Bar	Jackson, MS	7/8/93	WaPo	-	-	-	5	0	5	-	-	1
150. 101 California Street	San Francisco, CA	7/1/93	CC/MJ/VP/WaPo	Yes	Yes	No	8	6	14	75	No	3
151. Card club	Paso Robles, CA	11/8/92	VP/WaPo	-	No	No	6	1	7	-	-	1
152. Watkins Glen	Watkins Glen, NY	10/15/92	CC/MJ/VP/WaPo	No	No	No	4	0	4	-	Yes	1
153. Lindhurst High School	Olivehurst, CA	5/1/92	CC/MJ/VP/WaPo	No	No	No	4	10	14	-	Yes	2
154. Phoenix	Phoenix, AZ	3/15/92	VP	-	-	-	4	0	4	-	-	-
155. Royal Oak Postal	Royal Oak, MI	11/14/91	CC/MJ/VP/WaPo	Yes	No	No	4	4	8	-	Yes	1
156. Restaurant	Harrodsburg, KY	11/10/91	VP/WaPo	No	No	No	4	0	4	6 ^{aj}	No	1
157. University of Iowa	Iowa City, IA	11/1/91	CC/MJ/VP/WaPo	No	No	No	5	1	6	-	Yes	1
158. Luby's Cafeteria	Killeen, TX	10/16/91	CC/MJ/VP/WaPo	Yes	No	No	23	20	43	100	Yes	2
159. Post office	Ridgewood, NJ	10/10/91	VP/WaPo	Yes	Yes	No	4	0	4	-	-	2
160. GMAC	Jacksonville, FL	6/18/90	CC/MJ/VP/WaPo	Yes	No	No	9	4	13	14	Yes	2
161. Standard Gravure Corporation	Louisville, KY	9/14/89	CC/MJ/VP/WaPo	Yes	Yes	Yes	8	12	20	21	Yes	5
162. Stockton Schoolyard	Stockton, CA	1/17/89	CC/MJ/VP/WaPo	Yes	Yes	Yes	5	29	34	106	Yes	2
163. Montefiore School	Chicago, IL	9/22/88	VP/WaPo	No	No	No	4	2	6	-	-	1
164. Old Salisbury Road	Winston-Salem, NC	7/17/88	VP/WaPo	-	No	No	4	5	9	-	-	1
165. ESL	Sunnyvale, CA	2/16/88	CC/MJ/VP/WaPo	No	No	No	7	4	11	-	Yes	7

Exhibit B

Public Mass Shootings Data
1982 – October 2022

Case	Location	Date	Source	Large Capacity Mag. ^a	Assault Weapon ^b	Assault Rifle ^b	Fatalities ^c	Injuries ^c	Total Fatalities & Injuries ^c	Shots Fired ^d	Gun(s) Obtained Legally ^e	Offender(s)' Number of Guns
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
166. Shopping Centers	Palm Bay, FL	4/23/87	CC/MJ/VP/WaPo	Yes	No	No	6	14	20	40 ^{ak}	Yes	3
167. United States Postal Service	Edmond, OK	8/20/86	CC/MJ/VP/WaPo	No	-	No	14	6	20	-	Yes	3
168. Anchor Glass Container Corporation	South Connellsville, PA	3/16/85	VP/WaPo	No	No	No	4	1	5	-	-	1
169. Other Place Lounge	Hot Springs, AR	7/24/84	VP/WaPo	No	No	No	4	1	5	-	-	1
170. San Ysidro McDonald's	San Ysidro, CA	7/18/84	CC/MJ/VP/WaPo	Yes	Yes	Yes	21	19	40	257	Yes	3
171. Dallas Nightclub	Dallas, TX	6/29/84	CC/MJ/VP/WaPo	Yes	No	No	6	1	7	-	No	1
172. Alaska Mining Town	Manley Hot Springs, AK	5/17/84	VP/WaPo	No	No	No	7	0	7	-	-	1
173. College Station	Collge Station, TX	10/11/83	VP	-	No	No	6	0	6	-	-	-
174. Alaska Back-County	McCarthy, AK	3/1/83	VP/WaPo	-	No	No	6	2	8	-	-	2
175. Upper West Side Hotel	New York, NY	2/3/83	VP	No	No	No	4	1	5	-	-	1
176. The Investor	Noyes Island, AK	9/6/82	WaPo	-	No	No	8	0	8	-	-	1
177. Welding Shop	Miami, FL	8/20/82	MJ/VP/WaPo	No	No	No	8	3	11	-	Yes	1
178. Western Transfer Co.	Grand Prairie, TX	8/9/82	VP/WaPo	-	No	No	6	4	10	-	-	3
179. Russian Jack Springs Park	Anchorage, AK	5/3/82	VP/WaPo	-	No	No	4	0	4	-	No	1
Large-Capacity Magazine Average:								10	16	25	99	
Non-Large-Capacity Magazine Average:								6	3	9	16	
Assault Weapon Average:								12	24	36	149	
Non-Assault Weapon Average:								6	4	10	38	

Notes and Sources:

Public Mass Shootings from Mother Jones ("US Mass Shootings, 1982-2022: Data from Mother Jones' Investigation," updated November 23, 2022). MJ indicates a mass shooting identified by Mother Jones.

The Citizens Crime Commission of New York City ("Mayhem Multiplied: Mass Shooters and Assault Weapons," February 2018 update, and "Citizens Crime Commission of New York City, Mass Shooting Incidents in America (1984-2012)," accessed June 1, 2017). CC indicates a mass shooting identified by Citizens Crime Commission of New York City data.

The Washington Post ("The Terrible Numbers That Grow With Each Mass Shooting," updated May 12, 2021). WaPo indicates a mass shooting identified by The Washington Post.

The Violence Project ("Mass Shooter Database," updated May 14, 2022). VP indicates a mass shooting identified by the Violence Project.

^a Large capacity magazines are those with a capacity to hold more than 10 rounds of ammunition. Stories from Factiva and Google searches reviewed to determine whether an LCM was involved.

^b See Exhibit C for details.

^c Offender(s) are not included in counts of fatalities and injuries. Stories from Factiva and Google searches reviewed to determine number of fatalities and injuries.

^d Except where noted, all data on shots fired obtained from CC.

^e The determination of whether guns were obtained legally is based on Mother Jones and Washington Post reporting.

^{ba} "This is the norm in our country': Highland Park Mayor speaks to Senate committee about gun violence," *CBS Chicago*, July 20, 2022.

Exhibit B

**Public Mass Shootings Data
1982 – October 2022**

Case	Location	Date	Source	Large Capacity Mag.? ^a	Assault Weapon? ^b	Assault Rifle? ^b	Fatalities ^c	Injuries ^c	Total Fatalities & Injuries ^c	Shots Fired ^d	Gun(s) Obtained Legally? ^c	Offender(s) Number of Guns
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)

bb MJ reported "fewer than 10" injuries for this incident.

bc "Update: Man among those killed held door to allow others to escape, Tulsa police chief says," *TulsaWorld*, June 2, 2022.

bd "The gunman in Uvalde carried more ammunition into Robb Elementary School than a U.S. soldier carries into combat," CBS News, May 27, 2022. Note the number of shots fired has been updated since Allen 2022 in Duncan v. Rob Bonta which listed 315 shots fired based on the number of rounds found at the school.

be "Uvalde gunman legally bought AR rifles days before shooting, law enforcement says," *The Texas Tribune*, May 25, 2022.

bf "Buffalo shooting suspect says his motive was to prevent 'eliminating the white race'," *NPR*, June 16, 2022.

bg "Sacramento Church Mass Shooting Follows Disturbing Trend of Domestic Violence, Mass Shooting Connection; Rise of Ghost Guns," *Everytown*, March 7, 2022.

bh "Oxford High School shooter fired 30 rounds, had 18 more when arrested, sheriff says," *Fox2Detroit*, December 1, 2021.

bi "Father of suspected Oxford High School shooter bought gun 4 days before shooting," *Fox 2 Detroit*, December 1, 2021.

bj "VTA shooter fired 39 rounds during attack; carried 32 high-capacity magazines," *KTVU Fox 2*, May 27, 2021.

bk "Sam Cassidy legally owned guns used in San Jose VTA shooting: Sheriff," *Kron4*, May 28, 2021.

bl "Colorado Springs shooter who killed 6 at party had "displayed power and control issues," police say," *The Denver Post*, May 11, 2021.

bm "Indianapolis FedEx Shooter Who Killed 4 Sikhs Was Not Racially Motivated, Police Say," *NPR*, July 28, 2021.

bn "Police Investigate Three Separate Fatal Shooting Incidents In Baltimore County," *Baltimore County Government Website*, March 29, 2021.

bo "Atlanta Shooting Suspect Bought Gun on Day of Rampage," *Courthouse News*, March 26, 2021.

bp "Search warrant reveals new information in Springfield Kum & Go shooting," *Springfield News-Leader*, April 8, 2020.

bq "'There was no warning this was going to happen,' Miller shooting witnesses told investigators," *WISN 12 News*, November 24, 2020.

br "Milwaukee Miller brewery shooting: Six Molson Coors workers, including shooter, dead in rampage," *Milwaukee Journal Sentinel*, February 26, 2020.

f "The Dayton gunman killed 9 people by firing 41 shots in 30 seconds. A high-capacity rifle helped enable that speed," *CNN*, August 5, 2019.

g "Authorities Describe 'Confusion And Chaos' At Borderline Bar Shooting In California," *NPR*, November 28, 2018.

h "Suspect in quadruple killing at car wash dies," *CNN*, January 30, 2018.

i "California gunman fired 30 rounds at elementary school, left when he couldn't get inside," *ABC News*, November 15, 2017.

j "'Be quiet! It's him!' Survivors say shooter walked pew by pew looking for people to shoot," *CNN*, November 9, 2017.

k "Sheriff Says More than 1,100 Rounds Fired in Las Vegas," *Las Vegas Review Journal*, November 22, 2017

l "Fort Lauderdale Shooting Suspect Appears in Court, Ordered Held Without Bond," *Washington Post*, January 9, 2017.

Exhibit B

Public Mass Shootings Data 1982 – October 2022

Case	Location	Date	Source	Large Capacity Mag. ^a	Assault Weapon? ^b	Assault Rifle? ^b	Fatalities ^c	Injuries ^c	Total Fatalities & Injuries ^c	Shots Fired ^d	Gun(s) Obtained Legally? ^c	Offender(s) Number of Guns
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
^m	"We Thought It Was Part of the Music': How the Pulse Nightclub Massacre Unfolded in Orlando," <i>The Telegraph</i> , June 13, 2016.											
ⁿ	"Two men charged with homicide in connection with Wilksburg backyard ambush," <i>Pittsburgh's Action News</i> , June 24, 2016.											
^o	"San Bernardino Suspects Left Trail of Clues, but No Clear Motive," <i>New York Times</i> , December 3, 2015.											
^p	"Sheriff: Elliot Rodger Fired 50-plus Times in Isle Vista Rampage," <i>Los Angeles Times</i> , June 4, 2014.											
^q	"Shooter Set \$10,000 on Fire in Hialeah Shooting Rampage," <i>NBC News</i> , July 28, 2013.											
^r	"Police Call Santa Monica Gunman 'Ready for Battle,'" <i>New York Times</i> , June 8, 2013.											
^s	"Questions linger in slayings; investigation continues in rampage as community searches for answers on why gunman shot eight people," <i>The Beacon Journal</i> , August 14, 2011.											
^t	"Kentucky Tragedy: Man Kills Wife, Five Others, in Rampage Over Cold Eggs, Say Cops," <i>CBS News</i> , September 13, 2010.											
^u	"Ex-gang member guilty of shooting 5 in deadly 17-second rampage," <i>NBC</i> , April 1, 2011.											
^v	"Hialeah Gunman's Rage Over Estranged Wife Leaved 5 Dead," <i>Sun-Sentinel</i> , June 7, 2010.											
^w	"Man convicted of killing 4 at Los Angeles restaurant," <i>Associated Press</i> , March 15, 2016.											
^x	"4 Victims In Mount Airy Shooting Related, Police Say," <i>WXII 12 News</i> , November 2, 2009.											
^y	"Arrested suspect might have warned of Santa Maria shooting," <i>Associated Press</i> , March 20, 2008.											
^z	"Profile: New information released on Matthew Murray, gunman in church-related shootings in Colorado; Larry Bourbannais, wounded in one of the shootings, discusses his experience," <i>NBC News</i> , December 11, 2007.											
^{aa}	"Small Town Grieves for 6, and the Killer," <i>Los Angeles Times</i> , October 9, 2007.											
^{ab}	"National Briefing Midwest: Ohio: Shooter At Club May Have Reloaded," <i>New York Times</i> , January 15, 2005.											
^{ac}	"Sixth person dies of injuries from shooting at Kansas meatpacking plant," <i>Associated Press</i> , July 3, 2004.											
^{ad}	"Four Killed In Oldtown Shooting," <i>The Miner</i> , October 30, 2003.											
^{ae}	"Sacramento shooter unscathed before killing self, autopsy shows," <i>Associated Press</i> , September 14, 2001.											
^{af}	"Gunman kills 3, wounds 4 in Rifle rampage; mental patient is arrested," <i>The Denver Post</i> , April 2, 2015.											
^{ag}	"Unfinished business," <i>Dateline NBC</i> , December 21, 2006.											
^{ah}	"5 Beach Workers in Florida are Slain by Ex-Colleague," <i>New York Times</i> , February 10, 1996.											
^{ai}	"Man Bent On Revenge Kills 4, Hurts 23 -- Psychiatrist Is First Slain In Rampage At Fairchild Air Force Base," <i>The Seattle Times</i> , June 21, 1994.											
^{aj}	"Man Killed Estranged Wife, Three Others as They Drove to Dinner," <i>Associated Press</i> , November 11, 1991.											
^{ak}	"6 Dead in Florida Sniper Siege; Police Seize Suspect in Massacre," <i>Chicago Tribune</i> , April 25, 1987.											

#1525 C

**List of Firearms Used in Public Mass Shootings
1982 – October 2022**

Case	Location	Date	Weapon Description From			Assault Weapon? ^d	Assault Rifle? ^d
			Citizens Crime Commission ^a	Mother Jones ^b	Washington Post ^c		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1. Raleigh spree shooting	Heddingham, NC	10/13/22		shotgun, semiautomatic handgun		-	No
2. Highland Park July 4 parade shooting	Highland Park, IL	7/4/22		AR-15 style rifle, possibly modified for rapid fire		-	-
3. Tulsa medical center shooting	Tulsa, OK	6/1/22		AR-15 style rifle		-	-
4. Robb Elementary School massacre	Uvalde, TX	5/24/22		semiautomatic rifles		Yes ^{ca}	Yes ^{ca}
5. Buffalo supermarket massacre	Buffalo, NY	5/14/22		Bushmaster XM-15 semiautomatic rifle		Yes	Yes
6. Sacramento County church shooting	Sacramento, CA	2/28/22		AR-15-style "ghost gun"		-	-
7. Oxford High School shooting	Oxford, MI	11/30/21		Sig Sauer 9mm pistol		No ^{cb}	No
8. San Jose VTA shooting	San Jose, CA	5/26/21		semiautomatic handguns		No ^{cc}	No
9. Canterbury Mobile Home Park shooting	Colorado Springs, CO	5/9/21			Smith & Wesson handgun	-	No
10. FedEx warehouse shooting	Indianapolis, IN	4/15/21		semiautomatic rifle	Ruger AR 556, HM Defense HM15F Rifle	Yes ^{cd}	Yes ^{cd}
11. Orange office complex shooting	Orange, CA	3/31/21		semiautomatic handgun	Glock semiautomatic handgun	-	No
12. Essex Royal Farms shooting	Baltimore County, MD	3/28/21			-	-	-
13. King Soopers supermarket shooting	Boulder, CO	3/22/21		Ruger AR-556	Ruger AR 556 pistol , 9mm pistol	Yes ^{ce}	No
14. Atlanta massage parlor shootings	Atlanta, GA	3/16/21		semiautomatic handgun	9mm handgun	-	No
15. Hyde Park shooting	Chicago, IL	1/9/21			.45-caliber pistol	-	No
16. Englewood block party shooting	Chicago, IL	7/4/20			-	-	-
17. Springfield convenience store shooting	Springfield, MO	3/15/20		SKS 7.62-caliber rifle; Glock 9mm	Glock 9mm, SKS 7.62-caliber rifle	-	-
18. Molson Coors shooting	Milwaukee, WI	2/26/20		semiautomatic handgun	Handgun	-	No
19. Jersey City Kosher Supermarket	Jersey City, NJ	12/10/19	-	-	mossberg 12-gauge; .22-caliber ruger Mark IV; AR-15-style rifle; Ruger 9mm semiautomatic pistol; 9mm glock 17	No	No
20. Football-watching party	Fresno, CA	11/17/19	-	-	two semiautomatic handguns	No	No
21. Halloween Party	Orinda, CA	11/1/19	-	-	-	-	-
22. Tequila KC bar	Kansas City, KS	10/6/19	-	-	Handgun	No	No
23. Midland-Odessa Highways	Odessa, TX	8/31/19	-	semiautomatic rifle	AR-style rifle	Yes ^e	Yes
24. Dayton	Dayton, OH	8/4/19	-	AR-15-style rifle , with a 100-round capacity ammunition drum	23 caliber anderson AM-15 pistol modified to function like an AR-15 rifle , shotgun	Yes ^{cf}	No
25. El Paso Walmart	El Paso, TX	8/3/19	-	AK-47-style rifle , per authorities	7.62 caliber AK-47 style rifle	Yes	Yes
26. Casa Grande Senior Mobile Estates	Santa Maria, CA	6/19/19	-	-	-	-	-
27. Virginia Beach Municipal Center	Virginia Beach, VA	5/31/19	-	.45-caliber handguns; noise suppressor (silencer); several high-capacity magazines	.45 caliber handgun with noise suppressor, .45 caliber handgun	No	No
28. Henry Pratt Co.	Aurora, IL	2/15/19	-	Smith & Wesson handgun, with a green sighting laser	.40-caliber Smith & Wesson semiautomatic handgun	No	No
29. SunTrust Bank	Sebring, FL	1/23/19	-	9 mm handgun	9mm semiautomatic handgun	No	No
30. Borderline Bar & Grill	Thousand Oaks, CA	11/7/18	-	Glock 21, .45 caliber; high-capacity magazine	Glock 21 .45-caliber handgun	No	No
31. Tree of Life Synagogue	Pittsburgh, PA	10/27/18	-	AR-15 ; Glock .357	Colt AR-15 semiautomatic rifle ; three glock .357 pistols	Yes ^f	Yes

#1528 C

**List of Firearms Used in Public Mass Shootings
1982 – October 2022**

Case	Location	Date	Weapon Description From			Assault Weapon? ^d	Assault Rifle? ^d
			Citizens Crime Commission ^a	Mother Jones ^b	Washington Post ^c		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
32. T&T Trucking	Bakersfield, CA	9/12/18	-	-	.50-caliber Smith & Wesson 500	No ^g	No
33. Capital Gazette	Annapolis, MD	6/28/18	-	12-gauge pump-action shotgun	2 gauge shotgun	No	No
34. Santa Fe High School	Santa Fe, TX	5/18/18	-	shotgun; .38 revolver	.38 caliber revolver, shotgun	No	No
35. Waffle House	Nashville, TN	4/22/18	-	AR-15	AR-15-style semiautomatic rifle	Yes ^h	Yes
36. Detroit	Detroit, MI	2/26/18	-	-	-	No	No
37. Stoneman Douglas HS	Parkland, FL	2/14/18	-	AR-15	.223 caliber smith & wesson M&P 15 semiautomatic ar 15 rifle	No ⁱ	No
38. Pennsylvania Carwash	Melcroft, PA	1/28/18	-	semiautomatic rifle and semiautomatic handgun	AR-15 .223-caliber semiautomatic rifle; 9mm handgun	- ^j	-
39. Rancho Tehama	Rancho Tehama, CA	11/14/17	-	Two illegally modified rifles	two semiautomatic rifles ; two handguns	Yes ^k	Yes
40. Texas First Baptist Church	Sutherland Springs, TX	11/5/17	-	Ruger AR-556 ; Kelley also possessed semiautomatic handguns	9mm Glock pistol; Ruger .22-caliber; Ruger AR-556	Yes ^l	Yes
41. Las Vegas Strip	Las Vegas, NV	10/1/17	-	AR-15-style and AK-47-style rifles and "a large cache of ammunition"; four Daniel Defense DDM4 rifles , three FN-15s and other rifles made by Sig Sauer .	-	Yes ^m	Yes
42. Taos and Rio Arriba counties	Abiquiu, NM	6/15/17	-	-	.38 caliber revolver	No	No
43. Fiamma Workplace	Orlando, FL	6/5/17	-	semiautomatic handgun	semiautomatic rifle (2); handgun (2)	No	No
44. Marathon Savings Bank	Rothschild, WI	3/22/17	-	-	Rifle, handgun	No	No
45. Club 66	Yazoo City, MS	2/6/17	-	-	-	-	-
46. Fort Lauderdale Airport	Fort Lauderdale, FL	1/6/17	-	Walther 9mm semi-automatic pistol	9mm semiautomatic handgun	No	No
47. Cascade Mall	Burlington, WA	9/23/16	-	Ruger .22-caliber	Ruger .22-caliber rifle	No ⁿ	No
48. Dallas Police	Dallas, TX	7/7/16	-	Izhmash-Saiga 5.45mm (AK-style) semiautomatic rifle with large capacity magazines; Glock 9mm handgun, .25-caliber semiautomatic handgun	SKS-type semiautomatic rifle	Yes ^o	Yes
49. Walgreens Parking Lot	Las Vegas, NV	6/29/16	-	-	-	-	-
50. Orlando Nightclub	Orlando, FL	6/12/16	-	Sig Sauer MCX rifle , Glock 17 9mm; high-capacity magazines (30 rounds)	.223-caliber Sig Sauer MCX semiautomatic rifle ; 9mm semiautomatic glock 17 pistol	Yes ^p	Yes
51. Franklin Avenue Cookout	Wilksburg, PA	3/9/16	-	-	AK-47-style rifle , .40-caliber handgun	Yes	Yes
52. Kalamazoo	Kalamazoo County, MI	2/20/16	-	9 mm handgun (ammo used unclear)	Walther P-99 9mm semiautomatic handgun	No	No

Exhibit C

**List of Firearms Used in Public Mass Shootings
1982 – October 2022**

Case	Location	Date	Weapon Description From			Assault Weapon? ^d	Assault Rifle? ^d
			Citizens Crime Commission ^a	Mother Jones ^b	Washington Post ^c		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
53. San Bernardino	San Bernardino, CA	12/2/15	-	Two semiautomatic AR-15-style rifles—one a DPMS A-15, the other a Smith & Wesson M&P15, both with .223 calibre ammunition. Two 9mm semiautomatic handguns. High capacity magazines.	DPMS AR-15-style rifle; Smith & Wesson M&P AR-15-style rifle; Llama semiautomatic 9mm pistol; Smith & Wesson semiautomatic 9mm pistol	Yes ^q	Yes
54. Tennessee Colony campsite	Anderson County, TX	11/15/15	-	-	-	-	-
55. Umpqua Community College	Roseburg, OR	10/1/15	-	9 mm Glock pistol, .40 caliber Smith & Wesson, .40 caliber Taurus pistol, .556 caliber Del-Ton; (ammo details unclear)	rifle; five pistols	No ^r	No
56. Chattanooga Military Center	Chattanooga, TN	7/16/15	-	AK-47, AR-15, and 30-round magazines; 9mm handgun	AR-15-style semiautomatic rifle; 9mm pistol; AK-47-type semiautomatic rifle	Yes ^s	Yes
57. Charleston Church	Charleston, SC	6/17/15	-	.45-caliber Glock (model 41, with 13-round capacity magazine)	.45-caliber glock 41 pistol	No	No
58. Marysville High School	Marysville, WA	10/24/14	-	Beretta .40-caliber handgun	.40-caliber beretta pistol	No	No
59. Isla Vista	Santa Barbara, CA	5/23/14	-	Two Sig Sauer P226 semiautomatic pistols and Glock 34 pistol, and hundreds of rounds of ammo. A 6- inchand 8-inch “SRK” and “Boar Hunter” hunting knives.	Sig Sauer P226s pistol; Glock 34 pistol; Sig Sauer P226s pistol	No	No
60. Alturas Tribal	Alturas, CA	2/20/14	-	9mm semi-automatic handgun	Unknown	No	No
61. Washington Navy Yard	Washington, D.C.	9/16/13	-	Remington 870 Express 12-gauge shotgun; Beretta handgun	beretta pistol; Remington 970 Express 12-gauge shotgun	No	No
62. Hialeah	Hialeah, FL	7/26/13	-	Glock 17	Glock 17 pistol	No	No
63. Santa Monica	Santa Monica, CA	6/7/13	-	.223-caliber semi-automatic assault rifle , about 40 high capacity magazines, "black powder" handgun (likely antique)	Black powder .33-caliber handgun; AR-15 type .223-caliber semiautomatic rifle	Yes ^t	Yes
64. Federal Way	Federal Way, WA	4/21/13	-	.40 caliber semi-automatic handgun, pistol grip shotgun	.40 caliber semiautomatic pistol; pistol grip shotgun	No ^u	No
65. Upstate New York	Herkimer County, NY	3/13/13	-	Unknown	Unknown	No ^v	No
66. Newtown School	Newtown, CT	12/14/12	An unknown make and model .22-caliber rifle, a Bushmaster XM15 .223-caliber semiautomatic assault rifle equipped with a 30-round large capacity ammunition magazine, and a GLOCK 10mm handgun were used. According to the Danbury State's Attorney, police also recovered in Lanza's possession a SIG SAUER P226 9mm handgun and three loaded 30-round large capacity ammunition magazines for the Bushmaster. Six additional 30-round large capacity ammunition magazines were recovered at the scene. A loaded unknown make and model 12-gauge shotgun was found in the passenger compartment of the car (later moved to the trunk by police). All of the guns used in the shooting were purchased by Lanza's mother.	10mm Glock, 9mm SIG Sauer P226 semiautomatic handguns; .223 Bushmaster XM15-E2S semiautomatic rifle ; Izhmash Saiga-12 12-gauge semiautomatic shotgun	9mm SIG Sauer P226 pistol ;Savage Mark II bolt-action .22-caliber rifle; .223 Bushmaster XM15-E2S semiautomatic rifle ; izhmash Saiga 12-gauge semiautomatic shotgun; 10mm Glock pistol	Yes ^w	Yes

Exhibit C

List of Firearms Used in Public Mass Shootings 1982 – October 2022

Case	Location	Date	Weapon Description From			Assault Weapon? ^d	Assault Rifle? ^d
			Citizens Crime Commission ^a	Mother Jones ^b	Washington Post ^c		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
67. Accent Signage Systems	Minneapolis, MN	9/27/12	GLOCK 19 9mm semiautomatic pistol equipped with a 15-round large capacity ammunition magazine. Engeldinger purchased the firearm one year before the shooting at KGS Guns and Ammo in Minneapolis after passing a background check and obtaining a permit to purchase. Police reportedly found packaging for 10,000 rounds of ammunition and another handgun in Engeldinger's home.	9mm Glock semiautomatic handgun	9mm glock pistol	No	No
68. Sikh Temple	Oak Creek, WI	8/5/12	Springfield Armory XD(M) 9mm semiautomatic handgun equipped with a 19-round large capacity ammunition magazine. Weeks before the shooting, Wade legally purchased the handgun and three 19-round large capacity ammunition magazines from a federal firearms licensed dealer in nearby West Allis, WI. According to media reports, Wade served in the U.S. Army from 1992 until 1998, when he was given an other-than-honorable discharge or general discharge. In 1994, while stationed at Fort Bliss in Texas, he was arrested by El Paso police, and pled guilty to a misdemeanor charge of criminal mischief. Federal law does not prohibit persons with convictions for misdemeanors other than domestic violence misdemeanors or persons who have been discharged from the military for reasons other than "dishonorably" from purchasing firearms.	9mm Springfield Armory XDM semiautomatic handgun	9mm springfield armory XDM pistol	No	No
69. Aurora Movie Theater	Aurora, CO	7/20/12	A Smith & Wesson M&P15 assault rifle equipped with a 100-round drum large capacity ammunition magazine, a Remington Model 870 12-gauge pump shotgun, and two GLOCK .40 caliber handguns, were recovered at the scene by police. In the months leading to the shooting, Holmes purchased the weapons and 6,000-rounds of ammunition at gun shops and over the Internet. In addition to the weapons used in the shooting, Holmes booby-trapped his apartment, rigging trip wire to detonate 30 plastic shells stuffed with gunpowder, several glass jars filled with gasoline and gunpowder, and 10 gallons of gasoline in canisters.	Two .40-caliber Glock semiautomatic handguns; .223-caliber Smith & Wesson M&P15 semiautomatic rifle; 12-gauge Remington 870 pump-action shotgun	.40-caliber glock pistol; 12-gauge pump-action Remington 870 shotgun; .223-caliber Smith & Wesson M&P15 semiautomatic AR-15-style rifle	Yes ^x	Yes
70. Seattle Café	Seattle, WA	5/30/12	-	Two .45-caliber semiautomatic handguns	.45-caliber pistol (2)	No	No
71. Oikos University	Oakland, CA	4/2/12	-	.45-caliber semiautomatic handgun	.45-caliber pistol	No	No
72. Su Jung Health Sauna	Norcross, GA	2/22/12	-	.45-caliber semiautomatic handgun	-	No	No
73. Seal Beach	Seal Beach, CA	10/14/11	-	.45-caliber Heckler & Koch, 9mm Springfield semiautomatic handguns; .44 Magnum Smith & Wesson revolver	-	No	No
74. IHOP	Carson City, NV	9/6/11	AK-47 type assault rifle equipped with a 30-round large capacity ammunition magazine. Two additional guns and two more magazines were found in his vehicle.	AK-47 Norinco Arms variant, AK-47 Romarm Cugir variant rifles; .38-caliber Colt revolver	AK-47 variant semiautomatic rifle	Yes ^y	Yes
75. Akron	Akron, OH	8/7/11	-	-	-	No ^z	No

#1529 C

**List of Firearms Used in Public Mass Shootings
1982 – October 2022**

Case	Location	Date	Weapon Description From			Assault Weapon? ^d	Assault Rifle? ^d
			Citizens Crime Commission ^a	Mother Jones ^b	Washington Post ^c		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
76. Forum Roller World	Grand Prairie, TX	7/23/11	-	-	-	No ^{aa}	No
77. Grand Rapids	Grand Rapids, MI	7/7/11	GLOCK 9mm semiautomatic pistol (unknown model) equipped with a 30-round large capacity ammunition magazine.	-	-	No	No
78. Family law practice	Yuma, AZ	6/2/11	-	-	-	-	-
79. Tucson	Tucson, AZ	1/8/11	GLOCK 19 9mm semiautomatic pistol equipped with a 33-round large capacity ammunition magazine. Loughner was also carrying two 15-round large capacity ammunition magazines, and a knife. The ATF determined Loughner legally purchased the GLOCK pistol with an extended magazine and one box of Winchester ammunition on November 30, 2010, from Sportsman's Warehouse in Tucson.	9mm Glock 19 semiautomatic handgun	9mm glock 19 pistol	No	No
80. Jackson	Jackson, KY	9/11/10	-	-	-	No ^{ab}	No
81. City Grill	Buffalo, NY	8/14/10	-	-	9mm pistol	No	No
82. Hartford Beer Distributor	Manchester, CT	8/3/10	Two Ruger SR9 9mm semiautomatic pistols equipped with 17-round magazines. Thornton purchased both firearms legally from an East Windsor, CT gun dealer.	Two 9mm Ruger SR9 semiautomatic handguns	9mm Ruger SR9 pistol (2)	No	No
83. Yoyito Café	Hialeah, FL	6/6/10	-	-	.45-caliber Glock pistol	No ^{ac}	No
84. Hot Spot Café	Los Angeles, CA	4/3/10	-	-	-	No ^{ad}	No
85. Coffee Shop Police	Parkland, WA	11/29/09	-	9mm Glock 17 semiautomatic handgun; .38-caliber Smith & Wesson revolver	.38-caliber Smith & Wesson revolver; 9mm Glock 17 pistol	No	No
86. Fort Hood	Fort Hood, TX	11/5/09	FN Herstal 5.7 Tactical Pistol equipped with 20-round large capacity ammunition magazine. When Hasan was apprehended, investigators found in his possession 177-rounds in 30-round and 20-round large capacity ammunition magazines, another handgun, a revolver, and two gunsights (for different lighting conditions). Hasan purchased the FN Herstal 5.7 Tactical Pistol legally at Guns Galore, a shop in Killeen, TX	FN Five-seven semiautomatic handgun	FN Five-seven pistol	No	No
87. Worth Street	Mount Airy, NC	11/1/09	-	-	High-powered assault-style rifle	Yes	Yes
88. Binghamton	Binghamton, NY	4/3/09	Beretta .45-caliber semiautomatic pistol, Beretta 9mm semiautomatic pistol (models unknown), and two 30-round large capacity ammunition magazines and two 15-round large capacity ammunition magazines.	9mm Beretta, .45-caliber Springfield semiautomatic handguns	9mm Beretta pistol; .45-caliber Springfield pistol	No	No
89. Carthage Nursing Home	Carthage, NC	3/29/09	-	Winchester 1300 pump-action shotgun; .357 Magnum revolver	.357 magnum revolver; Winchester 1300 pump-action shotgun	No	No
90. Skagit County	Alger, WA	9/2/08	-	-	lever-action winchester rifle, handgun	No	No
91. Atlantis Plastics	Henderson, KY	6/25/08	-	.45-caliber Hi-Point semiautomatic handgun	.45-caliber Hi-Point pistol	No	No
92. Black Road Auto	Santa Maria, CA	3/18/08	-	-	semiautomatic handgun	No	No

#1500 C

**List of Firearms Used in Public Mass Shootings
1982 – October 2022**

Case	Location	Date	Weapon Description From			Assault Weapon? ^d	Assault Rifle? ^d
			Citizens Crime Commission ^a	Mother Jones ^b	Washington Post ^c		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
93. Northern Illinois University	DeKalb, IL	2/14/08	SIG SAUER Kurz 9mm semiautomatic pistol, Hi-Point CF380 .380 caliber semiautomatic pistol, GLOCK 19 9mm semiautomatic pistol, Remington Sportsman 48 12-gauge shotgun, and 33-round and 15-round large capacity ammunition magazines. Kazmierczak purchased all four weapons from Tony's Gun & Ammo in Champaign, IL between August 3, 2007 and February 9, 2008. Kazmierczak also purchased gun accessories from a website operated by TGSCOM, Inc., the same company patronized by the VA Tech shooter.	9mm Glock 19, Hi-Point CF380, 9mm Kurz SIG Sauer P232 semiautomatic handguns; 12-gauge Remington Sportsman 48 sawed-off shotgun	12-gauge Remington Sportsman 48 sawed-off shotgun; 9mm glock 19 pistol; 9mm Kurz SIG Sauer P232 pistol; Hi-Point CF380 pistol	No ^{ac}	No
94. Kirkwood City Council	Kirkwood, MO	2/7/08	-	.40-caliber Smith & Wesson semiautomatic handgun; .44 Magnum Smith & Wesson Model 29 revolver	.40-caliber Smith & Wesson pistol; .44 Magnum Smith & Wesson Model 29 revolver	No	No
95. Youth With a Mission and New Life Church	Colorado Springs, CO	12/9/07	-	-	A pistol, .223-caliber Bushmaster XM16 rifle , .40-caliber Beretta pistol	Yes	Yes
96. Westroads Mall	Omaha, NE	12/5/07	WASR-10 semiautomatic assault rifle and two 30-round large capacity ammunition magazines.	WASR-10 Century Arms semiautomatic rifle	WASR-10 Century Arms semiautomatic rifle	Yes ^{af}	Yes
97. Crandon	Crandon, WI	10/7/07	-	AR-15 SWAT semiautomatic rifle	AR-15-style semiautomatic rifle	- ^{ag}	-
98. Virginia Tech	Blacksburg, VA	4/16/07	GLOCK 19 9mm semiautomatic pistol and Walther P22 .22-caliber semiautomatic pistol. Investigators found a total of 17 empty magazines at the scene of the shooting, a mix of several 15-round, and 10-round magazines loaded with hollow-point rounds (bullets with the tip hollowed out, designed to expand upon impact). He possessed over 400 rounds of ammunition. Cho ordered the Walther P22 from a website operated by TGSCOM, Inc. Kazmierczak patronized the same company before the NIU shooting. On February 9, 2007, Cho picked up the pistol from J-N-D Pawn-brokers, located across the street from the VA Tech campus. In compliance with the state law limiting handgun purchases to one every 30 days, Cho purchased the GLOCK 19 on March 13, 2007. He also purchased five 10-round magazines from eBay in March. Cho's purchase of these firearms was in violation of federal law; he was disqualified from purchasing or possessing a firearm and ammunition, because a special justice of the Montgomery County General District Court had found him to be a danger to himself on December 14, 2005.	9mm Glock 19, .22-caliber Walther P22 semiautomatic handguns	.22-caliber Walther P22 pistol; 9mm Glock 19 pistol	No	No
99. Trolley Square	Salt Lake City, UT	2/12/07	-	Mossberg Maverick 88 Field shotgun; .38-caliber Smith & Wesson M36 revolver	.38-caliber Smith & Wesson M36 revolver; Mossberg Maverick 88 Field shotgun	No	No
100. Amish School	Lancaster County, PA	10/2/06	-	Springfield semiautomatic handgun; .30-06 Ruger bolt-action rifle; 12-gauge Browning pump-action shotgun	12-gauge Browning pump-action shotgun; .30-06 Ruger bolt-action rifle; Springfield 9mm semiautomatic handgun	No ^{ah}	No
101. The Ministry of Jesus Christ	Baton Rouge, LA	5/21/06	-	-	-	No ^{ai}	No

Exhibit C

**List of Firearms Used in Public Mass Shootings
1982 – October 2022**

Case	Location	Date	Weapon Description From			Assault Weapon? ^d	Assault Rifle? ^d
			Citizens Crime Commission ^a	Mother Jones ^b	Washington Post ^c		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
102. Capitol Hill	Seattle, WA	3/25/06	-	.40-caliber Ruger, one other semiautomatic handgun; Bushmaster XM15 E2S semiautomatic rifle ; 12-gauge Winchester Defender pump-action shotgun with extended tube and pistol grip	12-gauge pump-action Winchester Defender shotgun; .40-caliber Ruger pistol	Yes ^{aj}	Yes
103. Goleta Postal	Goleta, CA	1/30/06	Smith & Wesson 915 9mm semiautomatic handgun equipped with a 15-round large capacity ammunition magazine. San Marco purchased the firearm at a pawn shop in New Mexico in August 2005.	9mm Smith & Wesson 915 semiautomatic handgun	9mm Smith & Wesson 915 pistol	No	No
104. Sash Assembly of God	Sash, TX	8/29/05	-	-	9mm semiautomatic pistol, .38-caliber revolver	No	No
105. Red Lake	Red Lake, MN	3/21/05	-	.40-caliber Glock 23, .22-caliber Ruger semiautomatic handguns; 12-gauge Remington 870 shotgun	.22-caliber Ruger pistol (2); 12-gauge Remington 870 shotgun	No	No
106. Living Church of God	Brookfield, WI	3/12/05	-	9mm Beretta semiautomatic handgun	9mm beretta pistol	No	No
107. Fulton County Courthouse	Atlanta, GA	3/11/05	-	-	9mm pistol	No	No
108. Damageplan Show	Columbus, OH	12/8/04	-	9mm Beretta 92FS semiautomatic handgun	9mm beretta 92FS pistol	No	No
109. Hunting Camp	Meteor, WI	11/21/04	SKS 7.62mm semiautomatic assault rifle equipped with a 20-round large capacity ammunition magazine.	-	7.62mm SKS semiautomatic rifle	Yes ^{ak}	Yes
110. ConAgra Foods Plant	Kansas City, KS	7/3/04	-	-	9mm pistol, revolver	No	No
111. Stateline Tavern	Oldtown, ID	10/24/03	-	-	semiautomatic pistol	No	No
112. Windy City Warehouse	Chicago, IL	8/27/03	-	-	.38-caliber Walther pistol	No ^{al}	No
113. Lockheed Martin	Meridian, MS	7/8/03	-	.45-caliber Ruger P90 semiautomatic handgun; .22-caliber rifle with scope, .223-caliber Ruger Mini-14 rifle; 12-gauge Winchester 1300 shotgun; .22 Magnum derringer	.223-caliber Ruger Mini-14 rifle; 12-gauge Winchester 1300 shotgun	No ^{am}	No
114. Labor Ready	Huntsville, AL	2/25/03	-	-	semiautomatic 9mm pistol	No	No
115. Bertrand Products	South Bend, IN	3/22/02	-	-	.22-caliber rifle, sawed-off shotgun	No	No
116. Burns International Security	Sacramento, CA	9/10/01	-	-	AK-47-type semiautomatic rifle , 9mm pistol	Yes ^{an}	Yes
117. Bookcliff RV Park	Rifle, CO	7/3/01	-	-	.38 caliber Charter Arms revolver	No	No
118. Navistar	Melrose Park, IL	2/5/01	-	SKS 1954R, .30-caliber Winchester rifles; 12-gauge Remington pump-action shotgun; .38-caliber revolver	12-gauge Remington pump-action shotgun; SKS 1954R rifle; .30-caliber Winchester rifle; .38-caliber revolver;	No ^{ao}	No
119. Houston	Houston, TX	1/9/01	-	-	-	No ^{ap}	No

#1501 C

**List of Firearms Used in Public Mass Shootings
1982 – October 2022**

Case	Location	Date	Weapon Description From			Assault Weapon? ^d	Assault Rifle? ^d
			Citizens Crime Commission ^a	Mother Jones ^b	Washington Post ^c		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
120. Wakefield	Wakefield, MA	12/26/00	AK-47-type semiautomatic assault rifle , unknown make and model 12-gauge shotgun, unknown make and model .32-caliber semiautomatic pistol, and 60-round large capacity ammunition magazine.	.32-caliber Retolaza semiautomatic handgun; AK-47 variant semiautomatic rifle ; 12-gauge Winchester 1300 pump-action shotgun	.32-caliber Retolaza pistol; AK-47 variant semiautomatic rifle; 12-gauge Winchester 1300 pump-action shotgun	- ^{aq}	-
121. Mount Lebanon	Pittsburgh, PA	4/28/00	-	-	.357 Magnum revolver	No	No
122. Mi-T-Fine Car Wash	Irving, TX	3/20/00	-	-	semiautomatic .9mm pistol	No	No
123. Hotel	Tampa, FL	12/30/99	-	9mm Lorcin semiautomatic handgun; .38-caliber Charter Arms revolver	.38-caliber Charter Arms revolver; 9mm Lorcin pistol	No	No
124. Xerox	Honolulu, HI	11/2/99	GLOCK 17 9mm semiautomatic pistol and three 17-round large capacity ammunition magazines, loaded with hollow point bullets (bullets with the tip hollowed out, designed to expand upon impact). Uyesugi legally purchased the GLOCK in 1989.	9mm Glock 17 semiautomatic handgun	9mm Glock 17 pistol	No	No
125. Wedgwood Baptist Church	Fort Worth, TX	9/15/99	Ruger P85 9mm semiautomatic pistol, unknown make and model .380 caliber semiautomatic pistol, and three 15-round large capacity ammunition magazines. Ashbrook legally acquired both weapons from federally licensed firearms dealers in 1992.	.380-caliber, 9mm Ruger P85 semiautomatic handguns	.380-caliber revolver; 9mm Ruger P85 pistol	No	No
126. Atlanta Day Trading	Atlanta, GA	7/29/99	-	.45-caliber Colt 1911-A1, 9mm Glock 17, .25-caliber Raven Arms MP-25 semiautomatic handguns; .22-caliber Harrington & Richardson revolver	.45-caliber Colt 1911-A1 pistol; .22-caliber Harrington & Richardson revolver; .25-caliber Raven Arms Mp-25 pistol; 9mm Glock 17 pistol	No	No
127. Albertson's Supermarket	Las Vegas, NV	6/3/99	-	-	12-gauge pump-action shotgun	No	No
128. Columbine High School	Littleton, CO	4/20/99	Savage Springfield 67H 12-gauge pump-action shotgun, Savage Stevens 311D 12-gauge sawedoff shotgun, Hi-Point 995 9mm semiautomatic rifle, INTRATEC TEC-DC9 9mm semiautomatic pistol, and thirteen 10-round magazines, one 52-, one 32-, one 28-round large capacity ammunition magazines. Harris and Klebold illegally acquired the shotguns and Hi-Point rifle through a "straw purchase" (a transaction in which a legal buyer makes a purchase for someone who cannot legally purchase the firearm). Their friend, Robyn Anderson, purchased the three firearms at the Tanner Gun Show from unlicensed sellers in December of 1998. A pizza shop employee, Mark Manes, illegally sold them the INTRATEC TEC-DC9.	9mm Intratec DC-9 semiautomatic handgun; 9mm Hi-Point 995 carbine rifle ; 12-gauge sawed-off Savage Stevens 311D, 12-gauge sawed-off Savage Springfield 67H pump-action shotguns	9mm Hi-Point 995 carbine ; 12-gauge sawed-off Savage Stevens 311D shotgun; 12-gauge sawed-off Savage Springfield 67H pump-action shotgun; 9mm Intratec DC-9 machine pistol	Yes ^{ar}	Yes
129. New St. John Fellowship Baptist Church	Gonzalez, LA	3/10/99	-	-	semiautomatic pistol	No	No
130. Thurston High School	Springfield, OR	5/21/98	GLOCK 19 9mm semiautomatic pistol, Ruger (unknown model) .22-caliber semiautomatic pistol, Ruger (unknown model) .22-caliber rifle, and a 50-round large capacity ammunition magazine. The GLOCK and rifle were legally purchased by Kinkel's father.	9mm Glock, .22-caliber Ruger semiautomatic handguns, .22-caliber Ruger rifle	9mm Glock pistol; .22-caliber Ruger pistol; .22-caliber Ruger rifle	No ^{as}	No

#1508 C

**List of Firearms Used in Public Mass Shootings
1982 – October 2022**

Case	Location	Date	Weapon Description From			Assault Weapon? ^d	Assault Rifle? ^d
			Citizens Crime Commission ^a	Mother Jones ^b	Washington Post ^c		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
131. Westside Middle School	Jonesboro, AR	3/24/98	Universal M1 Carbine .30-caliber replica, Davis Industries .38-caliber two-shot derringer, Double Deuce Buddie .22-caliber two-shot derringer, Charter Arms .38-caliber revolver, Star .380-caliber pistol, FIE .380-caliber pistol, Ruger Security Six .357-caliber revolver, Ruger .44 magnum rifle, Smith & Wesson .38-caliber revolver, Remington 742 .30-06-caliber rifle, 15-round large capacity ammunition magazines, three 30-round large capacity ammunition magazines, and over 150-rounds of ammunition.	FIE 380, .380-caliber Star semiautomatic handguns; .44 Magnum Ruger, .30-06 Remington 742, .30-caliber Universal M-1 carbine replica rifles; .38-caliber Charter Arms, .357-caliber Ruger Security Six, .38-caliber Smith & Wesson revolvers; .22-caliber Double Deuce Buddie two-shot, .38-caliber Davis Industries two-shot derringers	.22-caliber Double Deuce revolver; .380-caliber Star pistol; .357-caliber Ruger Security six revolver; .44 Magnum Ruger revolver; .30-caliber Universal M-1 carbine; .38-caliber Charter Arms revolver; .38-caliber Smith & Wesson revolver; FIE 380 pistol; .30-06 Remington 742 rifle	No ^{at}	No
132. Connecticut Lottery	Newington, CT	3/6/98	GLOCK model unknown 9mm semiautomatic pistol equipped with a 19-round large capacity ammunition magazine. Beck had a permit for the 9mm pistol used in the shooting.	9mm semiautomatic handgun	9mm pistol	No	No
133. Caltrans Maintenance Yard	Orange, CA	12/18/97	Chinese-made AK-47-type 7.62mm semiautomatic assault rifle and five 30-round large capacity ammunition magazines. Torres legally purchased the rifle on April 30, 1988, from B&B Gun Sales in Orange County, CA.	7.62mm AK-47 Chinese variant semiautomatic rifle	7.62mm AK-47 Chinese variant semiautomatic rifle	Yes	Yes
134. Erie Manufacturing	Bartow, FL	12/3/97	-	-	-	No ^{au}	No
135. R.E. Phelon Company	Aiken, SC	9/15/97	-	9mm semiautomatic handgun	9mm pistol	No	No
136. News and Sentinel	Colebrook, NH	8/20/97	-	-	9mm pistol, AR-15-style rifle	Yes ^{av}	Yes
137. Fire Station	Jackson, MS	4/25/96	-	-	Mac 11 machine pistol, Tec 9 automatic pistol, .45-caliber semiautomatic handgun	No	No
138. Fort Lauderdale	Fort Lauderdale, FL	2/9/96	-	9mm Glock semiautomatic handgun; .32-caliber revolver	9mm Glock pistol; .32-caliber revolver	No	No
139. Little Chester Shoes	New York, NY	12/19/95	-	-	.9mm semiautomatic pistol	No	No
140. Piper Technical Center	Los Angeles, CA	7/19/95	-	-	Glock semiautomatic pistol	No ^{aw}	No
141. Walter Rossler Company	Corpus Christi, TX	4/3/95	-	9mm Ruger semiautomatic handgun; .32-caliber revolver	.32-caliber revolver; 9mm Ruger pistol	No	No
142. Puppy creek	Hoke County, NC	12/31/94	-	-	-	-	-
143. Air Force Base	Fairchild Base, WA	6/20/94	Chinese-made Mak-90 semiautomatic assault rifle equipped with a 75-round drum large capacity ammunition magazine. He purchased the assault rifle on June 15, 1994, five days before the shooting, and the following day purchased 80 rounds of 7.62x39mm ammunition and a 75-round drum large capacity ammunition magazine.	MAK-90 semiautomatic rifle	MAK-90 semiautomatic AK-style rifle	Yes ^{ax}	Yes
144. Chuck E. Cheese	Aurora, CO	12/14/93	-	.25-caliber semiautomatic handgun	.25-caliber pistol	No	No
145. Long Island Railroad	Garden City, NY	12/7/93	Ruger P89 9mm semiautomatic pistol and four 15-round large capacity ammunition magazines. Ferguson legally acquired the weapon in California at an outlet of Turner's Outdoorsman.	9mm Ruger P89 semiautomatic handgun	9mm Ruger P89 pistol	No	No
146. Unemployment Office	Oxnard, CA	12/2/93	-	-	Rifle	-	-
147. Family Fitness Club	El Cajon, CA	10/14/93	-	-	12-gauge shotgun	No	No

#1501 C

**List of Firearms Used in Public Mass Shootings
1982 – October 2022**

Case	Location	Date	Weapon Description From			Assault Weapon? ^d	Assault Rifle? ^d
			Citizens Crime Commission ^a	Mother Jones ^b	Washington Post ^c		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
148. Luigi's Restaurant	Fayetteville, NC	8/6/93	-	.22-caliber rifle; two 12-gauge shotguns	12-gauge shotgun (2); .22-caliber rifle	No ^{ay}	No
149. Washington County Bar	Jackson, MS	7/8/93	-	-	-	-	-
150. 101 California Street	San Francisco, CA	7/1/93	Two INTRATEC TEC-DC9 semiautomatic pistols , Colt (unknown model), .45-caliber semiautomatic pistol, and 40-round and 50-round large capacity ammunition magazines loaded with a mix of Black Talon and standard ammunition. According to the Las Vegas Metropolitan Police Department, Ferri purchased the pistols from two stores in Las Vegas: Super Pawn and Pacific Tactical Weapons.	Two Intratec DC-9 , .45-caliber Colt semiautomatic handguns	.45-caliber Colt pistol; Intratec DC-9 machine pistols	Yes ^{az}	No
151. Card club	Paso Robles, CA	11/8/92	-	-	-	No ^{ba}	No
152. Watkins Glen	Watkins Glen, NY	10/15/92	-	9mm Llama semiautomatic handgun	9mm Llama pistol	No	No
153. Lindhurst High School	Olivehurst, CA	5/1/92	-	.22-caliber sawed-off rifle; 12-gauge pump-action shotgun	.22-caliber sawed-off rifle; 12-gauge pump-action shotgun	No ^{bb}	No
154. Phoenix	Phoenix, AZ	3/15/92	-	-	-	-	-
155. Royal Oak Postal	Royal Oak, MI	11/14/91	-	.22-caliber Ruger sawed-off semiautomatic rifle	.22-caliber Ruger sawed-off semiautomatic rifle	No ^{bc}	No
156. Restaurant	Harrodsburg, KY	11/10/91	-	-	.357 Magnum	No	No
157. University of Iowa	Iowa City, IA	11/1/91	-	.38-caliber Taurus revolver	.38-caliber Taurus revolver	No	No
158. Luby's Cafeteria	Killeen, TX	10/16/91	GLOCK 17 9mm semiautomatic pistol, Ruger P89 semiautomatic pistol, and 17-round and 15- round large capacity ammunition magazines. Hennard legally purchased the weapons from Mike's Gun Shop in Henderson, NV, in February and March of 1991.	9mm Glock 17, 9mm Ruger P89 semiautomatic handguns	9mm Glock 17 pistol; 9mm Ruger P89 pistol	No	No
159. Post office	Ridgewood, NJ	10/10/91	-	-	9mm Uzi machine pistol , .22-caliber machine gun	Yes ^{br}	No
160. GMAC	Jacksonville, FL	6/18/90	Universal M1 .30-caliber semiautomatic assault rifle, unknown make and model .38-caliber revolver, and a 30-round large capacity ammunition magazine.	.30-caliber Universal M1 carbine rifle; .38-caliber revolver	.30-caliber Universal M1 carbine; .38-caliber revolver	No ^{bd}	No
161. Standard Gravure Corporation	Louisville, KY	9/14/89	Chinese-made AK-47-type semiautomatic assault rifle , two INTRATEC MAC-11 semiautomatic assault pistols, SIG SAUER unknown model 9mm semiautomatic pistol, unknown make and model .38-caliber revolver, and 30-round large capacity ammunition magazines. Wesbecker legally purchased the AK-47-type assault rifle from Tilford's Gun Sales in Louisville.	Two Intratec MAC-11, 9mm SIG Sauer semiautomatic handguns; AK-47 Chinese variant semiautomatic rifle ; .38-caliber revolver	9mm SIG Sauer pistol; AK-47 Chinese variant semiautomatic rifle ; Intratec MAC-11 machine pistol; .38-caliber revolver; 9mm SIG Sauer pistol	Yes	Yes
162. Stockton Schoolyard	Stockton, CA	1/17/89	Chinese-made AK-47-type semiautomatic assault rifle , Taurus unknown model 9mm semiautomatic pistol, a 75-round large capacity ammunition drum magazine, a 75-round large capacity ammunition rotary magazine, and four 35-round large capacity ammunition banana magazines. Purdy legally purchased the AK-47-type rifle at Sandy Trading Post, in Sandy, OR on August 3, 1988, and the Taurus 9mm pistol at Hunter Loan and Jewelry Co. in Stockton, CA on December 28, 1988.	9mm Taurus semiautomatic handgun; AK-47 Chinese variant semiautomatic rifle	9mm Taurus pistol; AK-47 Chinese variant semiautomatic rifle	Yes	Yes

#1505 C

**List of Firearms Used in Public Mass Shootings
1982 – October 2022**

Case	Location	Date	Weapon Description From			Assault Weapon? ^d	Assault Rifle? ^d
			Citizens Crime Commission ^a	Mother Jones ^b	Washington Post ^c		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
163. Montefiore School	Chicago, IL	9/22/88	-	-	.38-caliber revolver	No	No
164. Old Salisbury Road	Winston-Salem, NC	7/17/88	-	-	.22-caliber rifle	No	No
165. ESL	Sunnyvale, CA	2/16/88	-	.380 ACP Browning, 9mm Smith & Wesson semiautomatic handguns; Ruger M-77 .22-250 bolt-action rifle with scope; Mossberg 12-gauge pump-action, 12-gauge Benelli semiautomatic shotguns; .357 Magnum Smith & Wesson, .22 Sentinel WMR revolvers	.22 Sentinel WMR revolver; 9mm Smith & Wesson pistol; Mossberg 12-gauge pump-action shotgun; Ruger M-77 .22-250 bolt-action rifle with scope; .380 AP Browning pistol; 12-gauge Benelli semiautomatic shotgun; .357 Magnum Smith & Wesson revolver;	No ^{be}	No
166. Shopping Centers	Palm Bay, FL	4/23/87	Strum, Ruger Mini-14 semiautomatic assault rifle equipped with a 30-round large capacity ammunition magazine, five 30-round large capacity ammunition magazines, 180 rounds of ammunition, a shotgun (unknown make and model), and a pistol (unknown make and model). Cruse ordered the assault rifle on March 21, 1987. On April 17, 1987, he purchased 100-rounds of ammunition and six 30-round large capacity ammunition magazines.	Sturn, Ruger Mini-14 semiautomatic rifle; 20-gauge Winchester pump-action shotgun; .357 Ruger Blackhawk revolver	.357 Ruger Blackhawk revolver; Ruger Mini-14 semiautomatic rifle; Sturn; 20-gauge Winchester pump-action	No ^{bf}	No
167. United States Postal Service	Edmond, OK	8/20/86	-	.22-caliber, two .45-caliber Colt Model 1911-A1 semiautomatic handguns	.45-caliber Colt Model 1911-A1 pistol; .45-caliber Colt Model 1911-A1 pistol; .22-caliber pistol	- ^{bg}	No
168. Anchor Glass Container Corporation	South Connellsville, PA	3/16/85	-	-	.38-caliber snub-nosed revolver	No	No
169. Other Place Lounge	Hot Springs, AR	7/24/84	-	-	.45-caliber semiautomatic pistol	No	No
170. San Ysidro McDonald's	San Ysidro, CA	7/18/84	-	9mm Browning P35 Hi-Power semiautomatic handgun; 9mm Israeli Military Industries Uzi Model A carbine semiautomatic rifle ; 12-gauge Winchester 1200 pump-action shotgun	9mm Israeli Military industries Uzi Model A machine pistol , 12-gauge Winchester 1200 pump-action shotgun, 9mm Browning P35 Hi-Power pistol	Yes	Yes
171. Dallas Nightclub	Dallas, TX	6/29/84	-	9mm Smith & Wesson 459 semiautomatic handgun	9mm Smith & Wesson 459 pistol	No ^{bh}	No
172. Alaska Mining Town	Manley Hot Springs, AK	5/17/84	-	-	.30-06-caliber Ruger single-shot rifle	No	No
173. College Station	College Station, TX	10/11/83	-	-	-	No ^{bi}	No
174. Alaska Back-County	McCarthy, AK	3/1/83	-	-	.223-caliber Ruger Mini-14 semiautomatic rifle, .22-caliber pistol	No	No
175. Upper West Side Hotel	New York, NY	2/3/83	-	-	-	No ^{bj}	No
176. The Investor	Noyes Island, AK	9/6/82	-	-	.22-caliber	No	No
177. Welding Shop	Miami, FL	8/20/82	-	Mossberg 500 Persuader pump-action shotgun with pistol grip	12-gauge shotgun	No	No
178. Western Transfer Co.	Grand Prairie, TX	8/9/82	-	-	.38-caliber revolver, .25-caliber semiautomatic pistol, carbine rifle	No	No
179. Russian Jack Springs Park	Anchorage, AK	5/3/82	-	-	.38-caliber pistol	No	No

#1500 C

List of Firearms Used in Public Mass Shootings 1982 – October 2022

Case	Location	Date	Weapon Description From			Assault Weapon? ^d	Assault Rifle? ^d
			Citizens Crime Commission ^a	Mother Jones ^b	Washington Post ^c		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Notes and Sources:							
Public Mass Shootings from Mother Jones ("US Mass Shootings, 1982-2022: Data from Mother Jones' Investigation," updated November 23, 2022), the Citizens Crime Commission of New York City ("Mayhem Multiplied: Mass Shooters and Assault Weapons," February 2018 update, and "Citizens Crime Commission of New York City, Mass Shooting Incidents in America (1984-2012)," accessed June 1, 2017), Washington Post ("The Terrible Numbers That Grow With Each Mass Shooting," updated May 12, 2021) and The Violence Project ("Mass Shooter Database," updated May 14, 2022). Identified Assault Weapons are in bold.							
^a Description of weapons from "Citizens Crime Commission of New York City, Mass Shooting Incidents in America (1984-2012)," accessed June 1, 2017,							
^b Description of weapons from Mother Jones ("US Mass Shootings, 1982-2022: Data from Mother Jones' Investigation," updated November 23, 2022).							
^c Description of weapons from Washington Post ("The Terrible Numbers That Grow With Each Mass Shooting," updated May 12, 2021).							
^d California Penal Code sections 30510 and 30515 and California Code of Regulations, title 11, section 5499.							
^{ca} "House Investigative Committee on the Robb Elementary Shooting Texas House of Representatives Interim Report 2022," July 17, 2022; "DDM4 V7", <i>Daniel Defense</i> , https://danieldefense.com/ddm4-v7.html , accessed January 4, 2023.							
^{cb} "Sheriff: Oxford High School shooter used 9 mm pistol recently purchased by father," <i>ClickOnDetroit</i> , December 1, 2021; "SP2022 Nitron Carry," <i>Sig Sauer</i> , https://www.sigsauer.com/sp2022-nitron-carry-size.html , accessed January 4, 2023.							
^{cc} "The San Jose gunman appeared to specifically target his victims, sheriff says", <i>CNN</i> , May 28, 2021.							
^{cd} "HM DEFENSE HM15F-MB-556 DEFENDER M5 223 REM,5.56X45MM NATO 16" 30+1 BLACK HARD COAT ANODIZED BLACK MIL-SPEC HM STOCK," <i>Carter's Country</i> , https://www.carterscountry.com/product/hm-defense-defender-m5-223-rem5.56-nato-16-301-black-hard-coat-anodized-mil-spec-hm-stock , accessed January 5, 2023.							
^{ce} "Instruction Manual for Ruger AR-556 Pistol," https://ruger-docs.s3.amazonaws.com/_manuals/AR-556_Pistol-K94Vg4d.pdf .							
^e "From Midland to Odessa, shooter cut a 64-minute path of terror," <i>Houston Chronicle</i> , September 8, 2019.							
^{cf} "The Pistol That Looks Like A Rifle: The Dayton Shooter's Gun," <i>npr</i> , August 8, 2019.							
^f "11 Killed in Synagogue Massacre; Suspect Charged With 29 Counts," <i>New York Times</i> , October 27, 2018.							
^g "Bakersfield mass shooting 'very calculated,' came after ugly divorce, officials say," <i>Los Angeles Times</i> , September 14, 2018; "Model S&W500," Smith & Wesson, https://www.smith-wesson.com/firearms/model-sw500-0 , accessed September 25, 2018.							
^h "Authorities seized Waffle House shooting suspect's AR-15 after arrest, dad gave them back," <i>The Mercury News</i> , April 23, 2018; "Family of murder victim sues Waffle House suspect and his father for \$100 million," <i>CBSWJTV</i> , July 11, 2018; "Family of Waffle House victim in Nashville sues accused shooter's father," Reuters, May 15, 2018.							
ⁱ "Florida shooting suspect bought gun legally, authorities say," <i>USA Today</i> , February 15, 2018; "Florida school shooter's AR-15 may have jammed, saving lives, report says," <i>Miami Herald</i> , February 27, 2018.							
^j "Suspect in quadruple killing at car wash dies," <i>CNN</i> , January 30, 2018.							
^k "California mass shooter made his own rifles," <i>NBC News</i> , November 16, 2017; "California shooter built his own illegal guns, officials say," <i>USA Today</i> , November 15, 2017.							
^l "What we know about the rifle used in the Texas church massacre," <i>CNN</i> , November 6, 2017; "The Latest: 2 men who pursued gunman attend shooting vigil," <i>The Associated Press</i> , November 6, 2017; "Ruger AR-556," <i>Ruger</i> , https://ruger.com/products/ar556/specSheets/8500.html , accessed October 22, 2018.							
^m "List: Guns and evidence from Las Vegas shooter Stephen Paddock," <i>KTNV</i> , January 19, 2018; "47 guns, loaded high-capacity magazines found in Vegas shooter's hotel suite and Nevada home," <i>ABC News</i> , October 4, 2017; "The 'tricked out' guns Las Vegas shooter used in massacre," <i>New York Post</i> , October 3, 2017.							
ⁿ "Washington shooting victims ranged in age from 16 to 95, coroners say," <i>CNN</i> , September 27, 2016; Brown, Jason, "What You Should Know About .22 Rimfire," NRA, August 16, 2017; Ruger Homepage, https://ruger.com/ , accessed October 24, 2018.							
^o "Exclusive: Photo of the Saiga AK-74 Rifle Used at Dallas Shooting," <i>Law Officer</i> , July 10, 2016.							
^p "Sig MCX Owners Manual: Handling & Safety Instructions," <i>Sig Sauer</i> , https://www.sigsauer.com/wp-content/uploads/2016/07/MCX.pdf , accessed October 23, 2018; Sig Sauer website, https://www.sigsauer.com/products/firearms/rifles/?state_compliant=1103 , accessed October 24, 2018.							

#1501 C

**List of Firearms Used in Public Mass Shootings
1982 – October 2022**

Case	Location	Date	Weapon Description From			Assault Weapon? ^d	Assault Rifle? ^d
			Citizens Crime Commission ^a	Mother Jones ^b	Washington Post ^c		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
q			"San Bernardino Guns Originally Bought Legally, Later Modified," <i>The Wall Street Journal</i> , December 4, 2015.				
r			"Umpqua Community College 2015 shooting report: What we've learned," <i>The Oregonian</i> , September 8, 2017.				
s			"Chattanooga Shooting Reignites Gun Control Debate After Mohammad Youssef Abdulazeed Used AK-47 Assault Weapon To Kill Marines," <i>International Business Times</i> , July 17, 2015; "Purple Hearts just approved for Marines and sailor targeted in Chattanooga attack," <i>The Washington Post</i> , December 17, 2015.				
t			"John Zawahri, suspected gunman in deadly Santa Monica shooting, left farewell note, police say," <i>CBS News</i> , June 14, 2013.				
u			"Names of victims emerge after deadly Federal Way shooting," <i>Federal Way Mirror</i> , April 24, 2013.				
v			"Upstate New York Shooting Update: Kurt Myers, suspected gunman, killed by police in shootout," <i>CBS News</i> , March 14, 2013.				
w			"Fate of Sandy Hook lawsuit against gun maker could be decided by a slingshot," <i>NBC News</i> , November 14, 2017; "Embargo firing a run on Russian-made guns: Added restrictions put arms in short supply," <i>San Antonio Express-News</i> , August 11, 2014.				
x			"Aurora Gunman's Arsenal: Shotgun, Semiautomatic Rifle and, at the End, a Pistol," <i>New York Times</i> , July 24, 2012; "M&P15 Centerfire Rifles Safety & Instruction Manual," <i>Smith & Wesson</i> , https://www.smith-wesson.com/sites/default/files/owners-manuals/M%26P15_CF_Rifle_Manual_10-20-15.pdf , accessed October 25, 2018.				
y			"IHOP gunman used illegally altered AK-47, sheriff says," <i>Las Vegas Review-Journal</i> , October 5, 2011.				
z			"The mass killer, the cop and the armed citizen.(THE AYOOB FILES)," <i>The American Handgunner</i> , November 1, 2013.				
aa			"6 Killed In Grand Prairie Roller Rink Shooting," <i>CBS DFW</i> , July 23, 2011.				
ab			"Kentucky Tragedy: Man Kills Wife, Five Others, in Rampage Over Cold Eggs, Say Cops," <i>CBS News</i> , September 13, 2010.				
ac			"Hialeah: Only the Latest Mass Shooting by a Concealed Carry Killer," Huffington Post, July 30, 2013; "Hialeah gunman's rage over estranged wife leaves 5 dead," <i>Sun Sentinel</i> , June 7, 2010.				
ad			"Man convicted of killing 4 at Los Angeles restaurant," <i>Associated Press</i> , March 15, 2016.				
ae			"Instructions for Operation and Care of the Remington Model 11-48, Sportsman-48 Autoloading Shotguns," https://www.remington.com/sites/default/files/Model%2011-48.pdf , accessed October 24, 2018.				
af			"Images, suicide note released in mall massacre," <i>Nation World News</i> , December 7, 2007; "Romanian Kalashnikov Rifles," guns.net , accessed at http://www.gunsnet.net/Linx310/model.htm on July 28, 2005 via the Internet Archive WayBack Machine (accessed September 26, 2018).				
ag			"What happened in Crandon on Oct. 7," <i>Los Angeles Times</i> , June 8, 2008.				
ah			"Firearms Tutorial: Terminology," https://library.med.utah.edu/WebPath/TUTORIAL/GUNS/GUNTERM.html , accessed October 24, 2018.				
ai			"5 Dead After Louisiana Church Shooting," <i>New York Times</i> , May 21, 2006.				
aj			"Police: Seattle shooter said 'plenty for everyone'," <i>NBC News</i> , March 27, 2006.				
ak			"Both sides cite anger, hostility in killings; Hearings begin with law officers' testimony, grisly images," <i>Pioneer Press</i> , September 11, 2005.				
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#1508 C

**List of Firearms Used in Public Mass Shootings
1982 – October 2022**

Case	Location	Date	Weapon Description From			Assault Weapon? ^d	Assault Rifle? ^d
			Citizens Crime Commission ^a	Mother Jones ^b	Washington Post ^c		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
			http://pdf.textfiles.com/manuals/FIREARMS/sks_56.pdf, accessed October 24, 2018; "Why .30-30 Winchester Will Never Die," <i>NRA</i> , February 2, 2016; "Firearms Tutorial: Terminology,"				
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aq			"Man Charged in Killings Evaded Strict Gun Laws," <i>New York Times</i> , December 28, 2000.				
ar			"How they were equipped that day," <i>Jefferson County Sheriff</i> , http://www.cnn.com/SPECIALS/2000/columbine.cd/Pages/EQUIPMENT_TEXT.htm, accessed September 26, 2018.				
as			"What You Should Know About .22 Rimfire," <i>NRA</i> , August 16, 2017, Kipland Philip Kinkel v. Rob Persson, 13C13698;A155449 (2018); Ruger Homepage, https://ruger.com/, accessed October 24, 2018.				
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au			"Unfinished business," <i>Dateline NBC</i> , December 21, 2006.				
av			"Explosive hoarded by killed of 4," <i>Chicago Tribune</i> , August 21, 1997				
aw			"High-Capacity Ammunition Magazines are the Common Thread Running Through Most Mass Shootings in the United States," <i>Violence Policy Center</i> , accessed September 9, 2018.				
ax			"An Airman's Revenge: 5 Minutes of Terror," <i>The New York Times</i> , June 22, 1994.				
ay			"Soldier from Pasco held in N.C. killings," St. Petersburg Times, August 8, 1993; "What You Should Know About .22 Rimfire," <i>NRA</i> , August 16, 2017.				
az			"San Francisco massacre prompts families' suits," <i>The Las Vegas Review-Journal</i> , May 19, 1994; "Death Over the Counter," <i>The Washington Post</i> , July 27, 1993; "TEC-DC9 Manual," Intratec Firearms,				
			http://pdf.textfiles.com/manuals/FIREARMS/intratec_tec_dc9.pdf, accessed October 22, 2018.				
ba			"Morro Bay changed forever by killings," <i>The Fresno Bee</i> , November 10, 1992				
bb			"Gunman may have blamed teacher who flunked him," <i>Houston Chronicle</i> , May 3, 1992; "What You Should Know About .22 Rimfire," <i>NRA</i> , August 16, 2017.				
bc			"3 Killed, 8 Injured in Shooting Rampage at Post Office Crime," <i>Los Angeles Times</i> , November 15, 1991; "A 'Primer' About Rimfire Vs. Centerfire Ammunition," <i>NRA</i> , November 21, 2017; Ruger Homepage, https://ruger.com/, accessed October 24, 2018.				
br			"Four Killed in Post Office, Home; Ex-Postal Employee In Custody," <i>AP News</i> , October 10, 1991.				
bd			"Post WWII Commercially Manufactured M1 Carbines," <i>Universal Firearms</i> , http://www.m1carbinesinc.com/carbine_universal.html, accessed September 26, 2018.				
be			"Firearms Tutorial: Terminology," https://library.med.utah.edu/WebPath/TUTORIAL/GUNS/GUNTERM.html, accessed October 24, 2018.				
bf			"Sales Of Exotic Weapons Are Mostly Cash And Carry," <i>Orlando Sentinel</i> , May 18, 1987; "Instruction Manuals & Product History," <i>Ruger</i> , https://ruger.com/service/productHistory.html, accessed October 23, 2018; and Ruger Mini-14 manuals,				
bg			https://ruger-docs.s3.amazonaws.com/_manuals/mini14-180.pdf, https://ruger-docs.s3.amazonaws.com/_manuals/mini14-181-186.pdf; https://ruger-docs.s3.amazonaws.com/_manuals/mini14-580.pdf, accessed October 23, 2018.				
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bj			"Gunman kills four and wounds a fifth at west side hotel," <i>The New York Times</i> , February 4, 1983.				

CERTIFICATE OF SERVICE
IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

Case Name: *Rupp, et al. v. Bonta*
Case No.: 8:17-cv-00746-JLS-JDE

IT IS HEREBY CERTIFIED THAT:

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 180 East Ocean Boulevard, Suite 200, Long Beach, California 90802.

I am not a party to the above-entitled action. I have caused service of:

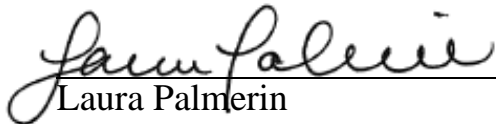
**DECLARATION OF SEAN A. BRADY IN SUPPORT OF PLAINTIFFS'
MOTION TO EXCLUDE THE TESTIMONY OF DEFENDANT'S EXPERT
WITNESS LUCY ALLEN UNDER FEDERAL RULE OF EVIDENCE 702**

on the following party by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them.

Xavier Becerra
Attorney General of California
Anna Ferrari
Deputy Attorney General
Email: anna.ferrari@doj.ca.gov
Christina R.B. Lopez
Email: christina.lopez@doj.ca.gov
John D. Echeverria
Email: john.echeverria@doj.ca.gov
455 Golden Gate Ave., Suite 11000
San Francisco, CA 94102

I declare under penalty of perjury that the foregoing is true and correct.

Executed March 24, 2023.



Laura Palmerin