

Exhibit 19
to
Plaintiffs' Cross-Motion for Summary Judgment
and
Opposition to Defendants' Motion for Summary
Judgment

In The Matter Of:

Shawn J. Tardy, et al. vs.

Martin J. O'Malley, et al.

Marcus L Brown

Vol. 1

December 18, 2013

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1 Q Does your department keep any data on that
2 sort of thing?

3 A No.

4 Q All right. And would I be safe in saying
5 that the majority of people who possess semi-automatic
6 handguns in Maryland are responsible law-abiding
7 citizens like myself and you, sir?

8 A Yes.

9 Q And that it is only a relatively small
10 number of our population who are criminals and use
11 these guns for criminal acts, correct?

12 A That's correct.

13 Q All right. Do you have any way of
14 estimating those numbers, how small that percentage is?

15 A I do not, no.

16 Q Does it seem a shame to you, sir, that we
17 have to limit the rights of our citizens in order to
18 restrict behavior of a small number of our population
19 who might use these firearms for criminal acts?

20 A No, I don't think so. I think the,
21 although there may be a small, a small number of people

1 call a mass shooting in Maryland, correct?

2 A We've had shootings where multiple people
3 have been shot, but not, not to what, you know, when we
4 talk nationally about mass shootings, no, we have not.

5 Q All right. Can you recall specific
6 incidents in Maryland where the banned assault rifles
7 have been used in shootings?

8 A Sort of the public ones that come to mind
9 are obviously Joseph Palczynski, the standoff there
10 where I believe four people were shot.

11 The D.C. sniper case was a case in which a,
12 one of the banned weapons was used. I know, you know,
13 just, I know there were multiple ones there have been
14 in the city.

15 The one that comes to mind for me is the
16 one that occurred in, probably the mid 2000s where a
17 person was shot with an AK47 in one of what we had
18 called a safe zone in the city, areas that we had tried
19 to add additional law enforcement into an area to make
20 it safe for the community.

21 I believe it was an AK47 that was used in

1 that incident to kill someone.

2 Q Would you agree with me that the handguns
3 are used in the overwhelming number of criminal acts
4 involving firearms in Maryland?

5 A That's correct. I would agree.

6 Q And that long guns of any sort are a very,
7 very small percent of the firearms used, long guns of
8 any kind are a very, very small percent of the firearms
9 used in criminal acts in Maryland?

10 A That's true.

11 Q And that, of the long guns used in criminal
12 acts, the banned assault long guns are themselves a
13 small number of those long guns used in criminal acts?

14 A That's correct.

15 Q So, we're talking about a small number of a
16 very, very small number of firearms used in criminal
17 acts in Maryland that are the subject of this ban, am I
18 correct?

19 A That's correct.

20 (A short break was taken.)

21 Q If I understand the legislation that's been