

Exhibit 3

In The Matter Of:

*Shawn J. Tardy, et al. vs.
Martin J. O'Malley, et al.*

Chief James Johnson

Vol. 1

December 17, 2013

Gore Brothers Reporting & Videoconferencing

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1 A I am not a ballistics expert.

2 Q All right. And what is the basis for
3 your opinion on the penetration force of the banned
4 firearms in a home situation?

5 A I understand the high velocity capability
6 of many assault weapons. I've made a conscious
7 choice to select a certain type of round, 223 round,
8 for my Tactical Team use, to minimize the potential
9 that that weapon would exit the body of the
10 adversary.

11 Q And would you agree with me that there
12 are similar rifles out there, for instance, the AR10
13 with a higher caliber, a more powerful cartridge
14 load, and greater body and building penetration
15 capability?

16 A I'm not a ballistics experts, but I would
17 accept that there are likely other rounds and
18 weapons that would achieve the same velocity.

19 Q In fact, the firearms that are banned, by
20 and large, are what would be considered a medium
21 power load for long guns, correct?