

Declaration of Lucy P. Allen

Testimony of Lucy P. Allen,

Managing Director,

Chair, Product Liability and Mass Torts Practice,

National Economic Research Associates

Statements Made before United States District Court

District of New Jersey, Trenton Vicinage

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Summary Report Prepared by

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Review of Credentials

Allen's tenure with National Economic Research Associates, known also as NERA Economic Consulting, spanned more than 20 years. In that time, she regularly provided testimony as an expert witness in projects or cases that featured economic and statistical analysis related to guns on the criminal market. Her past experience before National Economic Research Associates included serving on the Council of Economic Advisors for Presidents George H.W. Bush and Bill Clinton.

Overview of Testimony

The data cited was sourced collectively as coming from an investigation from news outlet *Mother Jones* that examined mass shootings occurring between 1982 and 2017 and two studies produced by the Citizens Crime Commission of New York City: "Mayhem Multiplied: Mass Shooters and Assault Weapons" and "Mass Shooting Incidents in America (1984-2012)." The documentation of Allen's testimony made note of the timing of the Las Vegas mass shooting, which occurred on October 1, 2017, a few days before the *Mother Jones* data was used to perform part of this analysis. At the time of access, the *Mother Jones* data set had yet to be updated to fully reflect the full scope of the death toll and injuries from the Las Vegas event, as statistics were at that time preliminary. While that data set has thus since been fully updated to incorporate accurate information, this clarification was made clear.

Of the 96 mass shootings analyzed in the study described by Allen in her testimony that occurred between 1982 and her submission of this statement, the magazine capacity of weapons used in 83 shootings were known. The analysis held that a magazine capable of holding more than 10 rounds of ammunition constituted a large-capacity magazine. Fifty-four of the 83 mass shootings that featured a known magazine capacity involved large-capacity magazines. That equates to large-capacity magazines being utilized in 65% of the qualifying shootings.

If one were to extrapolate the assumption that *all* of the shootings in which the magazine capacity was not in fact known featured magazines that were not large-capacity magazines, that would still nevertheless mean that the majority of mass shootings took place using weapons that accepted and made use of large-capacity magazines: Even with this assumption, 54 out of 96 mass shootings still comprises a 56% majority.

Allen made reference to data sets that showed that mass shooters frequently fired more than 10 rounds when they were discharging a weapon with a large-capacity magazine. She made it a point to emphasize that the 37 mass shootings committed by a gunman who used a weapon

with a large-capacity magazine analyzed for the purposes of these studies and this testimony in which the number of shots fired was known saw an average number of 99 shots fired overall.

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