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 12 **UNITED STATES DISTRICT COURT**  
 13 **SOUTHERN DISTRICT OF CALIFORNIA**  
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15 EDWARD PERUTA, MICHELLE  
 LAXSON, JAMES DODD, DR.  
 16 LESLIE BUNCHER, MARK  
 17 CLEARY, and CALIFORNIA RIFLE )  
 AND PISTOL ASSOCIATION )  
 FOUNDATION )

**CASE NO: 09-CV-2371 IEG (BGS)**  
**DECLARATION OF GARY MAUSER**  
**IN SUPPORT OF PLAINTIFFS'**  
**OPPOSITION TO DEFENDANT'S**  
**MOTION FOR SUMMARY**  
**JUDGMENT**

18 Plaintiffs,

19 v.

20 COUNTY OF SAN DIEGO,  
 21 WILLIAM D. GORE,  
 22 INDIVIDUALLY AND IN HIS  
 CAPACITY AS SHERIFF,

23 Defendants.  
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1 DECLARATION OF GARY MAUSER

2 I, Gary Mauser, declare as follows:

3 1. I am a Canadian criminologist recently retired after teaching since  
4 1975 at Simon Fraser University in British Columbia. I received my doctorate from  
5 the University of California, Irvine (1970). My publications concerning the  
6 criminology of firearms include: "A Comparison of Canadian and American  
7 Attitudes Toward Firearms," Canadian J. of Criminology, Vol. 32, pp. 573-589  
8 (1990); "Gun Control in the United States," CRIMINAL LAW FORUM, Vol. 3, No. 1  
9 (1992), pp. 147-159; "The Politics of Gun Control: Comparing Canadian and  
10 American Patterns," GOVERNMENT AND POLICY, Vol. 10, pp. 189-209 (1992);  
11 "Evaluating the 1977 Canadian Firearms Control Legislation: An Econometric  
12 Approach," 16 EVALUATION REVIEW, pp. 603-617 (1993); "Do Canadians Use  
13 Firearms in Self-protection?" 37 CANADIAN JOURNAL OF CRIMINOLOGY, October  
14 1995, pp. 556- 61; "Armed Self Defense: the Canadian Case," JOURNAL OF  
15 CRIMINAL JUSTICE, Vol. 24, No. 5, 1996, pp. 393-406; "On Defensive Gun Use  
16 Statistics," CHANCE, AMERICAN STATISTICAL ASSOCIATION, Vol. 13, No. 1, Winter  
17 2000, pp. 3-4; "An Evaluation of the 1977 Canadian Firearms Legislation: Robbery  
18 Involving a Firearm," APPLIED ECONOMICS, Vol. 35, pp. 423-436, (2003); and  
19 "Would Banning Firearms Reduce Murder and Suicide: A Review of International  
20 Evidence," 30 HARVARD JOURNAL OF LAW & PUBLIC POLICY, pp. 651-694 (2007).  
21 I should note that many of these articles were co-authored with other scholars.

22 2. I have read the respective declarations of Professors Frank Zimring  
23 and Carl Moody submitted in this case. I entirely concur in Prof. Moody's  
24 observations.

25 3. Prof. Zimring's observations are generally correct, but omit a crucial  
26 fact: Serious criminal violence with firearms is almost exclusively committed by  
27 people (criminals) with histories of previous crime or, occasionally, by people who  
28 are seriously mentally disturbed.

1           4.     This is a point as to which Prof. Zimring has often been criticized. I  
2 can do no better than to quote from a more than ten year old article by Prof. Elliott  
3 critiquing prior expressions by Prof. Zimring: "Contrary to the assertions made by  
4 Zimring and Hawkins, the use of life-threatening violence in this country is, in fact,  
5 largely restricted to a criminal class and embedded in a general pattern of criminal  
6 behavior. [citations] ... The view presented [Zimring] that many or most persons  
7 involved in life-threatening violence have no prior or current involvement in other  
8 forms of crime -- is simply unsupportable.... virtually all individuals who become  
9 involved in life-threatening violent crime have prior involvement in many types of  
10 minor (and not so minor) offenses. (Delbert S. Elliott, "Life Threatening Violence  
11 is Primarily a Crime Problem: A Focus on Prevention," 69 COLO. L. REV. 1081,  
12 1081-1098.

13           5.     This omission is critical because it makes Prof. Zimring's views  
14 irrelevant in a case like the present. I am informed that neither juveniles  
15 nor people with crime records or mental deviancy records are eligible for  
16 concealed weapon licenses. These are the people who commit serious violent  
17 crime. And they are irrelevant to the issuance of such licenses because they  
18 are ineligible for such licenses in any event.

19  
20           I declare under penalty of perjury, under the laws of the United States of  
21 America, that the foregoing is true and correct.

22 Executed in Cogitlam, Canada on October 13, 2010.

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25 Gary Mauser

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**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

EDWARD PERUTA,  
MICHELLE LAXSON, JAMES  
DODD, DR. LESLIE  
BUNCHER, MARK CLEARY,  
and CALIFORNIA RIFLE AND  
PISTOL ASSOCIATION  
FOUNDATION

**CASE NO. 09-CV-2371 IEG (BGS)  
CERTIFICATE OF SERVICE**

Plaintiffs,

v.

COUNTY OF SAN DIEGO,  
WILLIAM D. GORE,  
INDIVIDUALLY AND IN HIS  
CAPACITY AS SHERIFF,

Defendants.

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 E. Ocean Blvd., Suite 200, Long Beach, California, 90802.

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

**DECLARATION OF GARY MAUSER  
IN SUPPORT OF PLAINTIFFS' OPPOSITION TO DEFENDANT'S  
MOTION FOR SUMMARY JUDGMENT**

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

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pneuharth@sbcglobal.net

I declare under penalty of perjury that the foregoing is true and correct.  
Executed on October 18, 2010.

/s/ C.D. Michel  
C. D. Michel  
Attorney for Plaintiffs