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9
10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE SOUTHERN DISTRICT OF CALIFORNIA
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13

14 **VIRGINIA DUNCAN, et al.,**

15 Plaintiffs,

16 v.

17 **XAVIER BECERRA, in his official**
18 **capacity as Attorney General of the**
19 **State of California; et al.,**

20 Defendants.
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17-cv-1017-BEN-JLB

**DECLARATION OF ELIZABETH
TROXEL RE NOTICE OF ORDER**

Judge: Hon. Roger T. Benitez
Courtroom: 5A
Action Filed: May 17, 2017

1 I, Elizabeth Troxel declare:

2 1. I am the Program Manager of the Department of Justice's ("DOJ")
3 Bureau of Criminal Identification & Investigative Services Law Enforcement
4 Support Program. It is part of my responsibility to oversee the sending of notices to
5 law enforcement agencies. I have personal knowledge of the matters stated in this
6 Declaration and if sworn as a witness I could competently testify about them.

7 2. The Command Center operates 24 hours per day, 7 days per week
8 assisting law enforcement agencies with criminal history information and
9 communication. The Center utilizes the California Law Enforcement
10 Telecommunication System as a means of communicating information to California
11 Law Enforcement Agencies. The messages are referred to as California Law
12 Enforcement Network Teletype Relays ("CLENTRs"). CLENTRs reach the
13 following law enforcement agencies: all California sheriff offices, all California
14 local police departments, all California district attorney offices, the California
15 Highway Patrol, and all University of California police departments. It is the usual
16 practice to send notifications of important issues by CLENTR.

17 3. On July 10, 2017, the following statement was given to me for
18 dissemination:

19 **ATTENTION: FEDERAL COURT TEMPORARILY ENJOINS**
20 **IMPLEMENTATION OF LARGE CAPACITY MAGAZINE**
21 **BAN.** On June 29, 2017, a federal court preliminarily enjoined the
22 Attorney General and law enforcement agencies from implementing or
23 enforcing California Penal Code sections 32310 (c) & (d), as enacted by
24 Proposition 63, which, with some exceptions, established a state-wide
25 ban on the possession of large capacity magazines able to hold more
26 than 10 rounds of ammunition. Lawfully possessed large capacity
27 magazines may therefore be retained while this injunction is in effect
28 and until the lawsuit challenging these provisions of Proposition 63, the
Safety for All Act of 2016, is decided (*Virginia Duncan, et al. v. Xavier*
Becerra, et al., United States District Court, Southern District of
California case No. 3:17-cv-1017-BEN).

4. On July 10, 2017, I directed staff to send a CLENTR with the above
statement. This CLENTR was completed on July 11, 2017.

1 5. On July 12, 2017, I directed staff to post the above statement on the
2 California Law Enforcement Website ("CLEW"). CLEW is a secure DOJ website,
3 used by law enforcement personnel, e.g. local police sheriff departments, to access
4 various law enforcement related information, including training manuals, DOJ
5 forms, or other pertinent information that DOJ needs to disseminate to the law
6 enforcement community.

7 6. To the best of my knowledge, notice has now been given to all California
8 sheriff offices, all California local police departments, all California district
9 attorney offices, the California Highway Patrol, and all University of California
10 police departments.

11 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the
12 foregoing is true and correct.

13
14 Executed at Sacramento, California on:
15 July 12, 2017

16
17 
Elizabeth Troxel

CERTIFICATE OF SERVICE

Case Name: **Duncan, Virginia et al v. Xavier Becerra** No. **17-cv-1017-BEN-JLB**

I hereby certify that on July 12, 2017, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

DECLARATION OF ELIZABETH TROXEL RE NOTICE OF ORDER

I certify that **all** participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on July 12, 2017, at San Francisco, California.

N. Newlin

Declarant

/s/ N. Newlin

Signature