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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

10 VIRGINIA DUNCAN, et al.,

11 Plaintiffs,

12 v.

13 XAVIER BECERRA, in his official
capacity as Attorney General of the State
14 of California,

15 Defendant.

Case No: 17-cv-1017-BEN-JLB

**DECLARATION OF RICHARD
FRANCIS TRAVIS IN SUPPORT OF
PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT OR,
ALTERNATIVELY, PARTIAL
SUMMARY JUDGMENT**

Hearing Date: April 30, 2018
Hearing Time: 10:30 a.m.
Judge: Hon. Roger T. Benitez
Courtroom: 5A

DECLARATION OF RICHARD FRANCIS TRAVIS

1
2 1. I, Richard Francis Travis, am the Executive Director of the California
3 Rifle & Pistol Association, Incorporated (CRPA), a plaintiff in the above-entitled
4 action. I make this declaration of my own personal knowledge and, if called as a
5 witness, I could and would testify competently to the truth of the matters set forth
6 herein.

7 2. CRPA is a non-profit membership organization classified under section
8 501(c)(4) of the Internal Revenue Code and incorporated under the laws of California,
9 with headquarters in Fullerton, California.

10 3. Founded in 1875, CRPA seeks to defend the Second Amendment and
11 advance laws that protect the rights of individual citizens. CRPA works to preserve
12 the constitutional and statutory rights of gun ownership, including the right to self-
13 defense, the right to hunt, and the right to keep and bear arms. CRPA is also dedicated
14 to promoting the shooting sports, providing education, training, and organized
15 competition for adult and junior shooters. CRPA's members include law enforcement
16 officers, prosecutors, professionals, firearm experts, and members of the public.

17 4. CRPA's membership includes individuals who do not currently own an
18 ammunition magazine capable of holding more than ten rounds.

19 5. CRPA's membership includes individuals who, due to the current
20 enforcement of California Penal Code section 32310, are prohibited from acquiring or
21 possessing, within the state of California, any magazine capable of holding more than
22 ten rounds that has not been permanently altered so that it cannot accommodate more
23 than ten rounds, is not a .22 caliber tube ammunition feeding device, and is not a
24 tubular magazine that is contained in a lever-action firearm, because they do not
25 qualify for any of the limited exceptions to section 32310's restrictions.

26 6. CRPA's membership includes individuals who, but for the current
27 enforcement of California Penal Code section 32310, would immediately acquire and
28 continuously own a magazine capable of holding more than ten rounds within the state

1 of California to the extent permitted by law for lawful purposes, including for in-home
2 self-defense, hunting, and competing, as well as training for each of these.

3 7. CRPA's membership includes individuals who, if this court declares
4 California Penal Code section 32310 invalid or otherwise enjoins its enforcement, will
5 immediately acquire and continue to possess a magazine capable of holding more than
6 ten rounds within the state of California to the extent permitted by law for lawful
7 purposes, including for in-home self-defense, hunting, and competing, as well as
8 training for each of these.

9 8. CRPA's membership includes individuals who, prior to January 1, 2000,
10 in accordance with state and federal law, lawfully acquired an ammunition feeding
11 device capable of holding more than ten rounds that meets the definition of a "large
12 capacity magazine" under California Penal Code section 16740. These members
13 presently own and use these magazines for lawful purposes, including in-home self-
14 defense, hunting, and competing, as well as training for each of these. Many of these
15 CRPA members do not qualify for any of the exceptions to section 32310's
16 restrictions and will, therefore, be legally required to dispossess themselves of any of
17 their lawfully possessed "large capacity magazines" while within the state of
18 California.

19 9. I know of CRPA members who have stated that, if this Court does not
20 declare California Penal Code section 32310's "large capacity magazine" possession
21 restriction invalid or otherwise enjoin its enforcement, they will immediately
22 dispossess themselves of any "large capacity magazine" they currently lawfully
23 possess while within the State of California.

24 10. I know of CRPA members who have stated that, if this Court declares
25 California Penal Code section 32310's "large capacity magazine" possession
26 restriction invalid or otherwise enjoins its enforcement, they will continue to possess
27 any "large capacity magazine" they currently lawfully possess while within the State
28 of California to the extent permitted by law for lawful purposes, including for in-home

1 self-defense, hunting, and competing, as well as training for each of these.

2 I declare under penalty of perjury that the foregoing is true and correct.

3 Executed within the United States on MARCH 5, 2018.

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6 Richard Francis Travis
7 Declarant
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