

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
IN AND FOR THE THIRD APPELLATE DISTRICT

DAVID GENTRY; JAMES PARKER;
MARK MIDLAM; JAMES BASS; AND
CALGUNS SHOOTING SPORTS
ASSOCIATION,

Case No. C089655

PLAINTIFFS AND APPELLANTS,

v.

XAVIER BECERRA, IN HIS OFFICIAL
CAPACITY AS ATTORNEY GENERAL FOR
THE STATE OF CALIFORNIA; STEPHEN
LINDLEY, IN HIS OFFICIAL CAPACITY AS
ACTING CHIEF OF THE CALIFORNIA
DEPARTMENT OF JUSTICE; BETTY T.
YEE, IN HER OFFICIAL CAPACITY AS
STATE CONTROLLER; AND DOES 1-10,

DEFENDANTS AND RESPONDENTS.

**APPELLANTS' APPENDIX
VOLUME IX OF XVI
(Pages 2163 to 2435 of 4059)**

Superior Court of California, County of Sacramento
Case No. 34-2013-80001667
Honorable Judge Richard K. Sueyoshi

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO

DAVID GENTRY, JAMES PARKER,
MARK MIDLAM, JAMES BASS, and
CALGUNS SHOOTING SPORTS
ASSOCIATION,

Plaintiffs and Petitioners,

v.

XAVIER BECERRA, in His Official
Capacity as Attorney General for the State
of California; STEPHEN LINDLEY, in
His Official Capacity as Acting Chief for
the California Department of Justice,
BETTY YEE, in Her Official Capacity as
State Controller, and DOES 1 - 10,

Defendants and Respondents.

Case No. 34-2013-80001667

**MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT OF
PLAINTIFFS' OPPOSITION TO
DEFENDANTS' MOTION FOR SUMMARY
ADJUDICATION AS TO THE FIFTH AND
NINTH CAUSES OF ACTION**

**[Filed Concurrently with Plaintiffs' Separate
Statement in Opposition to Defendants' Motion
for Summary Adjudication and Plaintiffs'
Evidence in Opposition to Defendants' Motion
for Summary Adjudication]**

Date: August 4, 2017
Time: 9:00 a.m.
Dept.: 31
Judge: Hon. Michael P. Kenny
Action Filed: October 16, 2013

FILED
ENDORSED

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GDSSC COURTHOUSE
SUPERIOR COURT
OF CALIFORNIA
SACRAMENTO COUNTY

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1 MEMORANDUM OF POINTS AND AUTHORITIES

2 **I. INTRODUCTION**

3 Here, the law and the facts are plainly in Plaintiffs’ favor. Faced with this reality,
4 Defendants offer this Court a position based on legal arguments that ignore the determinative
5 statutory language. Under any standard, Defendants’ motion¹ is legally unsound and fails to meet
6 Defendants’ burden as the moving party. Accordingly, the motion should be denied.

7 **II. ARGUMENT**

8 **A. The Department’s Claims of Untimeliness are without Merit: It Cannot**
9 **Chose to Ignore the Continuous Accrual Doctrine, the Impact of SB 819, and**
10 **the Abandonment of the 2010 Rulemaking**

11 Defendants allege that the Fifth Cause of Action is barred either by a three-year statute of
12 limitations (per Code of Civil Procedure section 338(a)(1)) or laches. (Defs.’ Mot. at § 2.) But
13 this claim is based on a false predicate, i.e., that the action being challenged here is the 2004
14 decision to increase the amount charged for the Dealers’ Record of Sale (“DROS”) fee (“Fee”)
15 from \$14.00 to \$19.00. (*Id.* at 17.) Conspicuously, the argument fails to cite the operative
16 complaint—which does not include any allegation that the 2004 change was improper. Here is
17 what the operative complaint actually says:

18 The DROS Fee is *currently imposed* by DOJ Defendants on Plaintiffs and
19 other firearm purchasers at \$19 per firearm transaction, plus \$15 per each
20 additional handgun.

21 Since the year 2004, the DROS Special Account, despite expenditures
22 therefrom having been made on unauthorized activities, has accumulated
23 an approximately \$35 million surplus.

24 Most, if not all, of the approximately \$35 million in surplus revenues in
25 the DROS Special Account was generated by payers, including Plaintiffs,
26 of the DROS Fee.

26 ¹ The motion casts the matter before the Court as one of summary adjudication; Plaintiffs,
27 however, contend the hearing of August 4, 2017, was intended to be akin to a bench trial on two
28 bifurcated issues. Nonetheless, Plaintiffs believe the summary adjudication standards stated in
Section I of the motion are properly stated to the extent this Court chooses to treat the motion as a
motion for summary adjudication.

1 Despite amassing a multi-million-dollar surplus, DOJ Defendants have
2 failed to properly review the amount of the DROS Fee to ensure that the
3 amount is “no more than is necessary to fund” the activities enumerated at
4 Penal Code section 28225(b)(1)-(11) [12076(e)(1)-(10)].

5 DOJ Defendants *are* not complying with their duty to tailor the amount of
6 the DROS Fee to DOJ’s actual costs in administering the DROS program.

7 . . .

8 PLAINTIFFS have been and *continuously are irreparably injured* by
9 DOJ Defendants’ imposing the DROS Fee at an amount that accrues a
10 multi-million-dollar surplus without tying such amount to DOJ’s actual
11 costs for administering the DROS program.²

12 (FAC at ¶¶ 92-98, emphasis added.) Plaintiffs allege an ongoing duty, and a current and ongoing
13 violation of that duty. Even assuming arguendo that the 2004 decision to raise the Fee was
14 justified (and it was not, due to the use of the “Macro Review Process” discussed extensively in
15 Plaintiffs’ contemporaneously filed Motion for Adjudication), that would not be determinative as
16 to claims of an *ongoing* failure to properly review the amount of the Fee. Clearly, Defendants
17 would rather rely on a manufactured gravamen—which, not coincidentally, occurred many years
18 ago—than deal with the actual gravamen of the Fifth Cause of Action. But Defendants cannot
19 change what the Fifth Cause of Action alleges, and the relevant facts are fatal to Defendants’
20 time-bar defenses.

21 **1. The Continuous Accrual Doctrine Bars Any Time-Based Argument**

22 “The common law theory of continuous accrual posits that a cause of action challenging a
23 recurring wrong may accrue not once but each time a new wrong is committed.” *Aryeh v. Cannon*
24 *Bus. Solutions, Inc.*, 55 Cal. 4th 1185, 1189 (2013). The doctrine is really just the normal
25 application of the general rules of accrual in a specific type of factual scenario, e.g., where
26 repeated or ongoing actions result in accruals related to such actions occurring on a continuous
27 basis. *Id.* The doctrine is broadly applicable, and has been applied in cases concerning ongoing

28 ² The relevant emergency rulemaking was effectively complete in 2004, but it was not finalized until 2005. (Additional Material Fact [“AMF”] # 1). For consistency’s sake only, the rulemaking is referred to herein as being completed in 2004.

1 collection of allegedly illegal taxes and fees. *See Howard Jarvis Taxpayers Ass'n v. City of La*
2 *Habra*, 25 Cal. 4th 809, 821 (2001), as modified (July 18, 2001) (“we conclude that if, as alleged,
3 the tax is illegal, its continued imposition and collection is an ongoing violation, upon which the
4 limitations period begins anew with each collection.”); *see also Andal v. City of Stockton*, 137
5 Cal. App. 4th 86, 93 (2006) (applying *La Habra* regarding a dispute over ongoing collection of a
6 fee, and noting that equitable and writ relief is available “to prevent further illegal tax
7 collection.”); *Aryeh*, 55 Cal. 4th at 1198-99 (stating that, in *La Habra*, even where “the
8 limitations has run on any direct challenge to the validity of the ordinance imposing the tax,” the
9 California Supreme Court nonetheless “concluded suit was still permissible because the
10 continuing monthly collection of the tax represented an alleged ongoing breach of state law”).³

11 The application of the continuous accrual doctrine is simple here, and based on undisputed
12 facts. Within the year prior of this action being filed, Plaintiffs paid, and expect to continue
13 paying, the Fee. (FAC ¶¶ 20-24.) Because accrual of a challenge to the Fee occurs *when it is*
14 *collected*, and not when the amount of the Fee was last set, accrual of the Plaintiffs’ claims
15 happened well within the three-year period prescribed by Code of Civil Procedure section
16 338(a)(1). *See La Habra*, 25 Cal. 4th at 821. Thus, Defendants’ statute of limitations claim fails.

17 **2. The Department Admits SB 819 Changes the Way the Fee Is**
18 **Calculated, a Material Change that Shows Why the Gravamen of the**
19 **Fifth Cause of Action Is Not the 2004 Rulemaking**

20 Defendants’ time-based defenses also ignore that that the accrual of claims based on the
21 impact of SB 819 could not have accrued until *after* SB 819 became law on October 9, 2011.
22 2010 Cal. Stat. Ch. 743. “A cause of action accrues ‘when [it] is complete with all of its
23 elements’—those elements being wrongdoing, harm, and causation.” *Poosh v. Philip Morris*
24 *USA, Inc.*, 51 Cal. 4th 788, 797 (2011). Notwithstanding the Department’s express pre-adoption
25 assertions that SB 819 *would not* result in the Fee being increased (AMF # 2), the Department

26 ³ For the purpose of responding to Defendants’ motion, Plaintiffs only discuss the continuous
27 accrual doctrine, and not the continuing violation doctrine. *See Aryeh*, at 55 Cal. 4th at 1197-99
28 (explaining the distinction between the two “main branches” of “continuing-wrong accrual
analysis [.]”) The distinction is not relevant at this stage of the proceedings, but should it become
relevant in establishing the proper scope of relief, Plaintiffs note that they do not currently
concede that the continuing violation doctrine is inapplicable.

1 now contends that it *can* raise the Fee based on costs related to APPS-based law enforcement
2 activities (AMF # 3.) Thus, because section 28225⁴ requires the Fee be set on an ongoing basis in
3 only the amount “necessary” to fund the activities listed in section 28225(b), and because the
4 Department itself states that, post SB 819, there is a new activity to be considered as part of that
5 list (i.e., APPS-based law enforcement activities) (AMF # 3), the accrual of a claim based on this
6 change could not have been brought prior to SB 819’s enactment. That is, the wrongdoing
7 element could not have been met prior to the passage of SB 819. Paragraph 99 of the operative
8 complaint, concerning the Departments’ failure to reassess the amount being charged for the Fee
9 in light of the passage of SB 819, did not exist prior to SB 819’s adoption. Considering that SB
10 819 became law on October 9, 2011, and that this action was filed less than three years later (on
11 October 16, 2013), the three-year limitations period Defendants attempt to rely on does not bar
12 Plaintiffs’ claims.

13 **3. The Complaint Was Filed within Three Years of the Date the**
14 **Department (Secretly) Abandoned the 2010 Rulemaking**

15 The Department’s claim that the Fifth Cause of Action accrued in 2004 fails for another
16 reason: if the completion of rulemaking to raise the Fee triggers an accrual date, it logically
17 follows that the abandonment of a similar Fee-adjustment rulemaking would also trigger an
18 accrual date. Thus, even setting aside the continuous accrual here, the Department specifically
19 abandoned the 2010 rulemaking in October 2011, and Plaintiffs’ action was filed less than three
20 years later. So even if the Fifth Cause of Action is framed as a challenge to the abandonment of
21 the 2010 rulemaking, that challenge is still timely under Code of Civil Procedure section
22 338(a)(1).

23 **4. Defendants Fail to Articulate the “Unusual Circumstances” Required**
24 **for their Laches Defense**

25 Finally, as to Defendants’ laches claim, it is grounded in an alleged “prejudice” that is not
26 an improper prejudice at all. When reviewing the applicable burden and Defendants’ claimed
27 “prejudice,” it becomes obvious that Defendants’ laches argument falls woefully short.

28 ⁴ All statutory references herein are to the Penal Code unless otherwise stated.

1 “[T]he affirmative defense of laches requires unreasonable delay in bringing suit ‘plus
2 either acquiescence in the act about which plaintiff complains or prejudice to the defendant
3 resulting from the delay.’ [citation] Prejudice is never presumed; rather it must be affirmatively
4 demonstrated by the defendant in order to sustain his burdens of proof and the production of
5 evidence on the issue.” *Miller v. Eisenhower Med. Ctr.*, 27 Cal. 3d 614, 624 (1980). And as is
6 relevant hereto, “absent unusual circumstances,” a delay that does not violate the applicable
7 statute of limitations does justify the application of the doctrine of laches. *Utica Mut. Ins. Co. v.*
8 *Monarch Ins. Co. of Ohio*, 250 Cal. App. 2d 538, 543 (1967); *Telink, Inc. v. United States*, 24
9 F.3d 42, 46 (9th Cir. 1994) (“if action is brought before end of analogous limitations period, delay
10 is presumptively reasonable and ‘[o]nly rarely should laches bar a case before the analogous
11 statute has run”).

12 Defendants do not discuss the issue of acquiescence at all, focusing only on a claimed
13 prejudice. But Defendants’ prejudice claim fails on its face: in determining whether laches bars a
14 claim, the courts consider “prejudice to the defendant **resulting from the delay**” (*Miller*, 27 Cal.
15 3d at 624 [emphasis added])—not the “prejudice” that results from a Plaintiff obtaining the relief
16 prayed for. *See In re Marriage of Park*, 27 Cal. 3d 337, 345 (1980) (holding that “no claim of
17 prejudice ha[d] been articulated” notwithstanding the additional costs that would be incurred if
18 the moving party’s motion was granted). The only “prejudice” Defendants claim is the
19 “considerable amount of time, money, and other resources defendants will have to expend if they
20 are directed to ‘review’ the amount of the . . . Fee—” i.e., that Defendants will be “prejudiced” if
21 Plaintiffs are granted the relief sought. (Defs.’ Mot. at 17:11-28.) Because “no claim of prejudices
22 has been articulated” by Defendants (*Park*, 27 Cal. 3d at 345), and especially as they have not
23 shown “unusual circumstances” (*Utica*, 250 Cal. App. 2d at 543), Defendants cannot meet their
24 burden and their laches defense fails.

25 **B. Section 28225 Creates a Ministerial Duty as to How the Fee “Shall” Be Set,
26 and only Provides Discretion as to Line-item Cost Estimates—Estimates the
Department Never Made**

27 To establish a right to relief under section 1085, a petitioner must show “(1) A clear,
28 present and usually ministerial duty on the part of the respondent . . . ; and (2) a clear, present and

1 beneficial right in the petitioner to the performance of that duty[.]” *Santa Clara Cnty. Counsel*
2 *Attys. Ass’n v. Woodside*, 7 Cal. 4th 525, 539-40 (1994). “A ministerial duty is one that is
3 *required* to be performed in a prescribed manner under the mandate of legal authority without the
4 exercise of discretion or judgment.” *Cape Concord Homeowners Ass’n v. City of Escondido*, 7
5 Cal. App. 5th 180, 189, 212 (2017) (italics added). “Thus, [w]here a statute or ordinance clearly
6 defines the specific duties or course of conduct that a governing body must take, that course of
7 conduct becomes mandatory and eliminates any element of discretion.” *Id.*

8 Distinguishing between matters of discretion and ministerial duty is not an inquiry subject
9 to rigid and formulaic standards. The California Supreme Court has expressed its position on this
10 topic as follows:

11 We follow . . . sound precedent . . . in rejecting the [defendant’s] invitation
12 to enmesh ourselves deeply in the semantic thicket of attempting to
13 determine, as a purely literal matter, “where the ministerial and imperative
14 duties end and the discretionary powers begin. (It would be difficult to
15 conceive of any official act, no matter how directly ministerial, that did
not admit of some discretion in the manner of its performance, even if it
involved only the driving of a nail.”

16 *Johnson v. State*, 69 Cal. 2d 782, 788 (1968). “A mandatory duty . . . is mandated . . . to the extent
17 of the enactment’s precise formulation.” *State Dep’t of State Hosps. v. Super. Ct.*, 61 Cal. 4th 339,
18 350 (2015), *reh’g denied* (July 22, 2015). In the context of fee setting authority, the Courts look to
19 the text of the authorization itself to determine what elements of the authorization are mandatory,
20 and what elements entail discretion. *See Cal. Pub. Records Research, Inc. v. Cnty. of Yolo*, 4 Cal.
21 App. 5th 150, 174, 178 (2016) (noting that, even where a statute provides broad discretion as to
22 how a fee can be set by a county, compliance with the terms of the statute itself is still
23 “required[.]” i.e., compliance with the limitations of the statute is a mandatory duty.); *accord Cal.*
24 *Pub. Records Research, Inc. v. Cnty. of Stanislaus*, 246 Cal. App. 4th 1432 (2016) (holding that
25 although Government Code section 27366 “grants . . . some discretionary authority when setting a
26 particular] fee[, t]hat discretion, however, is limited by the” restrictions stated in the statute).⁵

27 _____
28 ⁵ The two *Cal. Pub.* cases are relevant because they show how, in the context of fee setting
authority, a statute can have both ministerial and discretionary elements. The *Cal. Pub.* cases are,

1 “Whether a particular statute is intended to impose a mandatory duty, rather than a mere
2 obligation to perform a discretionary function, is a question of statutory interpretation for the
3 courts.” *Guzman v. Cty. of Monterey*, 46 Cal. 4th 887, 898 (2009). The courts “examine the
4 ‘language, function and apparent purpose’ of each cited enactment to determine if any or each
5 creates a mandatory duty designed to protect against the injury allegedly suffered by plaintiff.” *Id.*

6 And lastly, it must be noted that agency discretion does not extend to the interpretation of
7 the scope of such discretion: an agency’s belief as to the scope of its discretion has little, if any,
8 relevance. *See Ctr. for Biological Diversity v. Cal. Dep’t of Fish & Wildlife*, 62 Cal. 4th 204, 236
9 (2015), *as modified on denial of reh’g* (Feb. 17, 2016) (“deference to an agency’s statutory
10 interpretation is limited; determining statutes’ meaning and effect is a matter ‘lying within the
11 constitutional domain of the courts’”); *Yamaha Corp. of Am. v. State Bd. of Equalization*, 19 Cal.
12 4th 1, 7 (1998); *San Francisco Fire Fighters Local 798 v. City & County of San Francisco*, 38
13 Cal. 4th 653, 671 (2006) (stating, in dicta, that “[I]f it can be discerned that the[law] gives . . .
14 very little discretion to determine what is necessary. . . , then some kind of more rigorous
15 independent review would be required . . . to prevent the circumventi[on of] what was intended to
16 be a strict limitation”).

17 **1. No Matter How Much the Department Tries to Prop Up the Results of**
18 **the Macro Review Process, the Process Is Unauthorized, and the**
19 **Results Are Insufficient**

20 The Department claims that “Section 28225 does not impose a ministerial duty on
21 defendants” based primarily on three arguments. First, the Department states that section 28225
22 does not “speak in terms of any ‘reassessment’ being required upon any kind of change in
23 circumstances, or a ‘review’ of whether the use of DROS fee revenues on an authorized program
24 amounts to a ‘tax.’” (Defs.’ Mot. at 19:1-3.)⁶ Second, that “[s]ection 28225 does not even require

25 however, distinguishable from the instant matter is one important respect. The *Cal. Pub.* cases
26 both concern Government Code section 27366, and the grant of authority therein is broad and
27 simple, expressed in a single sentence. Here, section 28225 has multiple subsections, includes
28 eleven specifically described cost categories, and even specifies cost estimates must nonetheless
be “reasonable.” Penal Code § 28225. The level of detail provided by the legislature in section
28225 indicates that, unlike Government Code section 27366, the legislature was very concerned
about setting forth the method used to set the Fee. (*See also* discussion *infra* at § II.B.1.iii.)

⁶ If the Fee is being unreasonably overcharged to obtain revenue, then the analysis of what is

1 the imposition of a fee in the first instance[.]” (*Id.* 19:4-6.) And third, the Department’s main
2 argument—although it is never succinctly stated—is that section 28225 grants the Department the
3 ability to set the Fee based on the condition of the DROS Special Account and its estimated *total*
4 revenue and expenditures, *without* any consideration of the specific actual and estimated costs
5 listed in section 28225. (*Id.* at 19:4-20:10.)

6 **i. Section 28225 Reflects a Legislative Intent that the Department**
7 **Periodically Review the Amount Being Charged for the Fee**

8 In raising the first argument, the Department is speaking out of both side of its mouth. The
9 Department’s motion dedicates *pages* to the “reassessment” and “review” of the amount being
10 charged for the Fee. (*Id.* at 9:18-12:4.) For example, the Department specifically alleges “[t]he
11 Legislature . . . allowed the Department to increase the fee by regulation to account for
12 inflation.”⁷ (*Id.* at 11:3-4.) It is disingenuous for the Department to argue that that section 28225
13 does not contemplate “reassessment” and “review” of the amount of the Fee being *reduced*, while
14 in the very same brief admitting that, when it comes to *raising* the amount of the Fee, the
15 Department has “adopted regulations adjusting the” Fee. (*Id.* at 11:23-24.) Unless the Department
16 is willing to admit that it “adjusts” the Fee without “reassessment” and “review,” the
17 Department’s conduct proves that section 28225 is properly interpreted as including a
18 requirement that the amount charged for the Fee should be subject to ongoing monitoring by the
19 Department. Cal. Penal Code § 28225.

20 The need for reassessment is obvious based on the statute itself, which refers to “actual”
21 and “estimated” costs *in the present tense*. *Id.* Costs can and do change. The Department’s
22 interpretation would ignore that reality and lead to absurd results, e.g., that the Fee would be
23 based on cost data from a fixed point in time in the past, notwithstanding what costs are currently

24
25 “necessary” is substantially the same as the analysis used to determine whether an alleged
26 regulatory fee is actually a disguised tax. *See, e.g., Sinclair Paint Co. v. State Bd. of Equalization*,
27 15 Cal. 4th 866, 878 (1997) (“to show a fee is a regulatory fee and not a special tax, the
28 government should prove[,inter alia,] that charges allocated to a payor bear a fair or reasonable
relationship to the payor’s burdens on or benefits from the regulatory activity.”)

⁷ Plaintiffs do not concede that the purpose of the relevant authority was to “account for
inflation.”

1 being incurred. Adopting the Department’s interpretation would be inconsistent with longstanding
2 principles of statutory interpretation. *See, e.g., Wilcox v. Birtwhistle*, 21 Cal. 4th 973, 977–78
3 (1999) (“we must select the construction that comports most closely with the apparent intent of
4 the Legislature, with a view to promoting rather than defeating the general purpose of the statute,
5 and avoid an interpretation that would lead to absurd consequences”); *accord In re Oliver*, 21
6 Cal. 415, 418 (1863). Because section 28225 plainly includes a reassessment aspect in the setting
7 of the Fee, the Department’s argument here should be ignored.

8
9 **ii. The Department Cannot Selectively Decide Which Portions of
Section 28225 Affect the Scope of Its Fee-setting Authority**

10 The Department’s second argument can be disposed of quickly. It is often the case that a
11 particular decision by a governmental entity is discretionary, but the implementation of such
12 decision is ministerial. *See e.g., Johnson v. State*, 69 Cal. 2d 782, 788-90 (1968) (holding that,
13 notwithstanding the initial discretionary decision to place minor on parole, a ministerial duty was
14 violated in the implementation of that decision when the minor was placed in foster home without
15 giving a warning that minor was potentially dangerous). And regardless, adopting the
16 Department’s position would, once again, go against a well-established maxim of statutory
17 interpretation; i.e., “courts should give meaning to every word of a statute and should avoid
18 constructions that would render any word or provision surplusage.” *Tuolumne Jobs & Small Bus.*
19 *All. v. Super. Ct.*, 59 Cal. 4th 1029, 1038 (2014). The fact that the decision to charge the Fee is
20 within the Department’s discretion does not somehow erase all of the instructions the legislature
21 provided for the Department in section 28225 as to how the Fee shall be set. Accordingly,
22 although section 28225 does include some discretionary authority, that authority is part of a
23 statutory scheme that also includes mandatory limits, and this Court should not accept the
24 Department’s attempt to ignore the impact of the mandatory restrictions at the heart of this action.

25 **iii. The Department Incorrectly Conflates Its Discretionary
26 Authority as to Estimating Costs with Its Ministerial Duty to
Set the Fee Based on Specific Cost Categories**

27 Defendants are simply wrong in claiming “[t]he precise manner in which the amount of
28 the DROS fee is settled upon is not stated” in section 28225. (Defs.’ Mot. at 19:9.) Section 28225

1 states the “manner” of how the Fee shall be set, including the specific requirements (e.g., “actual”
2 or “estimated reasonable”) for each of the eleven cost categories referred to in that section. That
3 the Department has discretion in how it determines reasonable estimates for certain cost
4 categories under section 28225(c) does not, and cannot, change the manner in which the amount
5 of the Fee is actually calculated. In mathematical terms, the Department has discretion as to what
6 some of the variables will be, but it has no discretion to change the equation set by the
7 Legislature.

8 The Department cites case law concerning judicial review of actions taken pursuant to a
9 clear and simple grant of discretionary authority,⁸ but those cases are not particularly helpful here,
10 where the scope of the authority granted is itself what is in dispute. The issue here is, first and
11 foremost, “whether the agency exercised its . . . authority within the bounds of the statutory
12 mandate.” *Yamaha*, 19 Cal. 4th at 16 (J. Mosk, concurring) (brackets and internal quotation marks
13 omitted). “[T]he [authorizing] provision may define the scope of the [authorized entity]’s
14 discretion, and this in turn shapes . . . what is to be reviewed[.]” *S.F. Fire Fighters*, 38 Cal. 4th at
15 670. Here, the scope of the discretion is set by section 28225, which plainly shows the
16 Department does not have discretion in the manner the Fee is assessed beyond the Department’s
17 completion of the required reasonable estimates. Cal. Penal Code § 28225.

18 Plaintiffs contend section 28225 includes a mandatory duty whereby the Department must
19 set the Fee based on specific cost calculations, and the Department contends—relatively
20 obliquely—that that the entirety of the Fee setting process is discretionary, irrespective of the
21 specific cost categories listed in section 28225. The Department claims:

22 Section 28225 does not impose a ministerial duty to calculate, review, or reassess
23 the amount of the DROS fee at the time, in the manner, or under the
circumstances that plaintiffs contend. On the contrary, the Legislature left those

24 ⁸ *Watson v. Cnty. of Merced*, 274 Cal. App. 2d 263,265-66 (1969) (interpreting the following
25 grant of authority: “local authorities . . . , within the reasonable exercise of their police powers[,
26 may] require a permit therefor commensurate with the cost of enforcing this part and local
27 ordinance with reference to the use of mobilehomes”); *Urban v. Riley*, 21 Cal. 2d 232, 236 (1942)
28 (confirming that, in general—but without any reference to a particular statutory grant of
authority—license fees can be set “at a sum sufficient to cover all expenses which may be
reasonably anticipated” even if the expenses anticipated are not the exact expenses ultimately
incurred).

1 particulars to the discretion of the Department and other public agencies
2 mentioned in the statute.

3 Def.’ Mot. at 20:1-4 (citing and quoting *Women Organized for Employment v. Stein*, 114 Cal.
4 App. 3d 133, 140 (1980) [“The Legislature’s silence as to method necessarily imports that each
5 of these officers is invested with discretion in selecting and taking administrative action pursuant
6 to the statutes reaching him.”] and *Brandt v. Bd. of Supervisors* 84 Cal. App. 3d 598, 601 (1978)
7 [“the writ will not be issued to compel the performance of a duty in a particular way”].) In
8 making the forgoing contention, the Department does not cite the most important source of
9 authority: section 28225. Section 28225 states what is mandatory (“[t]he fee . . . shall be no more
10 than is necessary to fund the following”), and it lists eleven specific cost categories and then
11 provides instructions in the instances where discretion is to be employed, e.g.: “the *estimated*
12 *reasonable* costs of department firearms-related regulatory and enforcement activities related to
13 the sale, purchase, possession, loan, or transfer of firearms[.]” Cal. Penal Code § 28225(c).

14 Furthermore, the cases cited by the Department do not support its position. For example,
15 the Department’s selective quotation of *Women Organized* omits the sentence prior to the quoted
16 material, a sentence that confirms a legally relevant distinction between the instant matter and
17 *Women Organized*. In that case, the court noted that, as to certain statutory duties stated in
18 Government Code section 13979, “[t]he ‘duties’ are nevertheless defined in the broadest of terms,
19 and the Legislature has not specified any procedures to be employed in their performance.”
20 *Women Organized*, 114 Cal. App. 3d at 139-40. When the grant of discretionary authority
21 discussed in *Women Organized* is compared to section 28225—where the legislature *has*
22 “specified . . . procedures to be employed in” the setting of the Fee—it further proves section
23 28225’s “no more than necessary” provision creates a mandatory and ministerial duty, not a broad
24 discretionary power. The Department’s citation of *Brandt* is also not helpful to the Department. It
25 is undisputed that, as *Brandt* holds, the courts cannot compel performance of a *discretionary* duty
26 in a particular way. *Brandt*, 84 Cal. App. 3d at 601. But this proposition has no relevance to the
27 salient issue of whether setting the Fee is at least in part a *ministerial* duty.

28 ///

1 The Department’s attempt to expand its very narrow ambit of discretion falls flat in light
2 of the detailed limitations stated in section 28225. Interestingly, the Department is claiming a
3 wide discretionary berth while at the same time refusing to exercise the discretion actually
4 granted as to calculating the estimates required under section 28225(c). (Defs.’ Mot. at 17:12-21.)
5 Because section 28225 requires that the Department set and monitor the Fee by using a specific,
6 non-discretionary method, the Fee-setting process at issue is a ministerial duty and the Court
7 should disregard claims to the contrary.

8 **iv. Even If the Department’s Fee-Setting Authority Is Not**
9 **Ministerial, the Use of the Macro Review Process Is an Abuse of**
10 **Discretion Justifying a Writ**

11 Defendants claim they have discharged any ministerial duty created by section 28225.
12 (Defs. Mot. at 20:13-14; 21:17-18.) Importantly, however, the Department never actually opines
13 as to what that duty entails. (*Id.* 20:13-21:18.) The Department avoids doing so because it would
14 highlight that the process actually used has little in common with what the legislature requires.
15 The Department’s presumes, without analysis, that a macro analysis of the DROS Fund can be
16 sufficient to meet the Department’s duty under section 28225, which then allows the Department
17 to claim its Macro Review Process was sufficient under the manufactured standard. (*Id.*) But it is
18 not. The legislature plainly wanted the Department to calculate actual and reasonable estimates, as
19 the use of the terms “necessary” and “estimated reasonable costs” show. Cal. Penal Code
20 § 28225. The Macro Review Process does the exact opposite; it makes it impossible to tell if: (1)
21 the cost of listed activities are inflated, and (2) whether the Department is using the DROS Fund
22 to address costs not listed in section 28225. Because the insufficiency of the Macro Review
23 Process is fully discussed in Section III.B.2.a. of Plaintiffs Motion for Adjudication, Plaintiffs
24 will not repeat that discussion here. But it suffices to say that the Macro Review Process is
25 insufficient to meet the Department’s section 28225 duty because it can—and does—prevent
26 outside review of whether the Fee is being charged beyond what is statutorily authorized.

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1 **C. The Department’s Interpretation of Section 28225’s Use of the Word**
2 **“Possession” Is Not Only Wrong, It Is Troubling**

3 SB 819 plainly states the legislature’s intention that SB 819 be limited to authorizing the
4 use of the DROS Fund for the “limited purpose of funding enforcement of” APPS. 2011 Cal.
5 Stat., ch. 743 § 1(g); *see also Carter v. Cal. Dep’t of Veterans Affairs*, 38 Cal. 4th 914, 925-26
6 (2006) (“[a]n uncodified section is part of the statutory law”). Undaunted, the Department claims
7 that, even though the legislature expressly stated its intent, that the legislature’s real intent was to
8 fund activities concerning “the illegal possession of firearms in general, not just APPS.” (Defs.’
9 Mot. at 23:1-13). But of course, this interpretation violates yet another maxim of statutory
10 interpretation, i.e., “[i]f the statutory language is clear and unambiguous [the] inquiry ends.”
11 *Murphy v. Kenneth Cole Prods., Inc.* 40 Cal. 4th 1094, 1103 (2007).

12 The Department offers various statements in SB 819 and its legislative history that refer to
13 concerns over illegal possession of firearms in general as support for its interpretation. (Defs.’
14 Mot. 23:3-26.) But none of the statements offered are inconsistent with SB 819 being limited as
15 described in Section 1(g) thereof. The Department is basically arguing that, because the problem
16 of illegal possession of firearms is greater than just what APPS-based law enforcement can cover,
17 the Legislature’s *express* limitation language should be ignored so the scope of funding
18 authorized by SB 819 matches the scope of “the Legislature’s overarching concern[.]” (Defs.’
19 Mot. at 23:6-9.) There is no basis for that position in logic or the law. *See Tuolumne Jobs*, 59 Cal.
20 4th 1029; *Wilcox*, 21 Cal. 4th at 977–78.

21 Defendants tread on very thin ice here: they know that, while SB 819 was under
22 consideration by the Legislature, its author “added declarations and findings to make it clear that
23 [SB 819 wa]s intended to address the APPS enforcement issue.” (AMF # 4.) SB 819’s author
24 literally changed SB 819 so that it would not mean what Defendants now claims it does, a fact
25 Defendants outright ignore. Defendants even go so far to claim that “adhering to plaintiffs’
26 reading of the word ‘possession’ defeats the general purpose of [SB 819]” (Defs. Mot. at 23:27-
27 28) even though SB 819 and its legislative history say otherwise. SB 819 is clear, as is its
28

1 legislative history: the bill was only intended to provide a funding source for APPS-based law
2 enforcement activities. The term “possession” in section 28225 is a limited one, and the
3 Department’s machinations to create an argument to the contrary should be ignored.

4 **D. The Department’s “Duty for Public Safety” Argument Is an Unfounded and**
5 **Impermissible Assertion that the Ends Justify Statutorily Unauthorized**
6 **Means**

7 The Department, after various less-than-forthright discovery responses, finally admitted
8 during a recent deposition that it is funding non-APPS based law enforcement activities based on
9 the contention that SB 819’s revision of section 28225 authorized such expenditures. (AMF # 5.)
10 Forced to explain this unauthorized usage, the Department offers little more than a claim that the
11 ends justify the means. That is, the Department claims it “has a duty for public safety to follow up
12 on” information it gets about any illegal firearm possession, which supposedly then nullifies the
13 limitation explicitly placed in SB 819. (Defs.’ Mot. at 24:3-9.) Similarly, rather than admitting it
14 is section 28225 that limits the Department’s access to DROS Fund money, the Department
15 deflects and tries to blame Plaintiffs for seeking to enforce the limits the legislature set. (*Id.*)

16 Even assuming arguendo the Department has a public safety duty,⁹ that duty does not
17 trump other express provisions of law: “[t]he odious doctrine that the end justifies the means does
18 not prevail in our system for the administration of justice.” *In re Buchman’s Estate*, 123 Cal. App.
19 2d 546, 560 (1954); *see also Wirin v. Horrall*, 85 Cal. App. 2d 497, 505, 193 P.2d 470, 474
20 (1948) (“acts of executive and administrative officials are not given validity on the theory that
21 ‘the end justifies the means’”); *City of Bellflower v. Cohen*, 245 Cal. App. 4th 438, 454 (2016).
22 Further, the Department implies that its duty is to actually investigate illegal firearm possession
23 tips, as opposed to simply turning the information over to the appropriate local law enforcement
24 agency. (Defs.’ Mot. at 24:5-12). Interestingly, in the course of sponsoring SB 819, the
25 Department made repeated representations that SB 819 money was needed to pay for APPS-based
26 law enforcement activities performed by both the Department and local law enforcement

27 ⁹ A deposition statement that the department has a particular “duty for public safety” (Defs.’
28 Mot. at 24:3-9; Defendants’ Undisputed Material Facts No. 15) is not sufficient to confirm the
existence of such a duty. Defendants cite no authority identifying the basis for this claimed duty.

1 agencies. (AMF # 6.) For example, in one communication from the Department to a member of
2 Senator Leno's staff dated February 16, 2011, the department claimed would use \$1.5-2.5 million
3 of money obtained via (what would later be named) SB 819 to reimburse local law enforcement,
4 and \$1 million a year to pay for the Department's employees to perform APPS-based law
5 enforcement activities. (AMF # 6.) As of 2017, local law enforcement has not been paid any
6 money related to its APPS-based law enforcement work (AMF # 7), whereas the Department has
7 spent tens of millions of dollars pursuant to SB 819 in the last six years. (AMF # 8.)

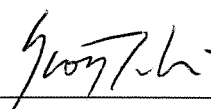
8 The Department has not used any SB 819 money to fund local law enforcement; SB 819
9 money is being used to increase the size of the Department's Bureau of Firearms. If SB 819 itself
10 withstands legal challenge, then that expansion—to the extent it is used for APPS-based law
11 enforcement activities—is at least arguably authorized. But what the Department proposes herein
12 is a bridge too far: neither SB 819, nor any other law, made the Department a state-wide law
13 enforcement agency with a duty to respond to *all* firearms-related complaints or tips. This Court
14 should reject the Department's thinly veiled ends-based contentions and confirm that section
15 28225's reference to "possession" refers only to possession by those on the APPS list.

16 **III. CONCLUSION**

17 SB 819 was enacted for a specific purpose, a purpose the Department was well aware of
18 as the sponsor and primary proponent of SB 819. Defendants should not now be allowed to ignore
19 the specific limitations that were included in SB 819, limitations specifically added because of
20 concerns that the Department's original version of SB 819 was too vague and broad. Both law
21 and equity weigh heavily against Defendant's motion from being granted. Thus, Plaintiffs
22 respectfully request the Court deny Defendants' motion in full.

23
24 Dated: June 30, 2017

MICHEL & ASSOCIATES, P.C.

25 

26 _____
27 Scott M. Franklin
28 Attorneys for Plaintiffs/Petitioners

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA
3 COUNTY OF LOS ANGELES

4 I, Laura Palmerin, am employed in the City of Long Beach, Los Angeles County,
5 California. I am over the age eighteen (18) years and am not a party to the within action. My
6 business address is 180 East Ocean Boulevard, Suite 200, Long Beach, California 90802.

7 On June 30, 2017, I served the foregoing document(s) described as

8 **MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF**
9 **PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY**
10 **ADJUDICATION AS TO THE FIFTH AND NINTH CAUSES OF ACTION**

11 on the interested parties in this action by placing

- 12 [] the original
13 [X] a true and correct copy

14 thereof by the following means, addressed as follows:

15 Office of the Attorney General
16 Anthony Hakl, Deputy Attorney General
17 1300 I Street, Suite 1101
18 Sacramento, CA 95814
19 Anthony.Hakl@doj.ca.gov

20 X (BY OVERNIGHT MAIL) As follows: I am "readily familiar" with the firm's practice of
21 collection and processing correspondence for overnight delivery by UPS/FED-EX. Under
22 the practice it would be deposited with a facility regularly maintained by UPS/FED-EX
23 for receipt on the same day in the ordinary course of business. Such envelope was sealed
24 and placed for collection and delivery by UPS/FED-EX with delivery fees paid or
25 provided for in accordance with ordinary business practices.
26 Executed on June 30, 2017, at Long Beach, California.

27 X (BY ELECTRONIC MAIL) As follows: I served a true and correct copy by electronic
28 transmission. Said transmission was reported and completed without error.
Executed on June 30, 2017, at Long Beach, California.

X (STATE) I declare under penalty of perjury under the laws of the State of California that
the foregoing is true and correct.


LAURA PALMERIN

BY FAX

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Attorneys for Plaintiffs/Petitioners

FILED
ENDORSED

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GDSSC COURTHOUSE
SUPERIOR COURT
OF CALIFORNIA
SACRAMENTO COUNTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO

DAVID GENTRY, JAMES PARKER,
MARK MIDLAM, JAMES BASS, and
CALGUNS SHOOTING SPORTS
ASSOCIATION,

Plaintiffs and Petitioners,

v.

XAVIER BECERRA, in His Official
Capacity as Attorney General for the State
of California; STEPHEN LINDLEY, in
His Official Capacity as Acting Chief for
the California Department of Justice,
BETTY YEE, in Her Official Capacity as
State Controller, and DOES 1 - 10,

Defendants and Respondents.

Case No. 34-2013-80001667

**PLAINTIFFS' SEPARATE STATEMENT IN
OPPOSITION TO DEFENDANTS' MOTION
FOR SUMMARY ADJUDICATION**

[Filed concurrently with the Memorandum of Points
and Authorities in Support Thereof; Plaintiffs'
Evidence in Opposition to Defendants' Motion for
Summary Adjudication: Declaration of Scott M.
Franklin in Support of Plaintiffs' Opposition to
Defendants' Motion for Summary Adjudication]

Date: August 4, 2017
Time: 9:00 a.m.
Dept.: 31
Judge: Hon. Michael P. Kenny
Action Filed: October 16, 2013

Plaintiffs David Gentry, James Parker, Mark Midlam, James Bass, and CalGuns Shooting
Sports Association hereby submit this Separate Statement in Opposition to Defendants' Motion
for Summary Adjudication.

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Defendants' Undisputed Material Facts and Supporting Evidence	Plaintiffs' Responses
<p>No. 1: The Legislature first authorized DOJ to charge a DROS fee in 1982 and DOJ first set the DROS fee at \$2.25.</p> <p>Evidence: Stats. 1982, ch. 327, § 129, p. 1473; Haki Decl., Ex. B [Bates no. AGIC007].</p>	<p><i>Undisputed.</i></p>
<p>No. 2: In 1991 the Department set the DROS fee at \$14.00.</p> <p>Evidence: Haki Decl., Ex. B [Bates no. AGIC007].</p>	<p><i>Undisputed.</i></p>
<p>No. 3: In 1995 the Legislature capped the DROS fee at \$14.00 subject to increases to account for inflation.</p> <p>Evidence: Stats. 1995, ch. 901, § 1, pp. 6883-6884.</p>	<p><i>Undisputed</i> that there was a \$14.00 limit included in the relevant statutory change, disputed as to the immaterial legal allegations that the \$14.00 limit was solely meant to account for inflation, or that the statutory change allowed the relevant fee to be charged pursuant to the consumer price index in an amount more than necessary to fund the relevant costs.</p>
<p>No. 4: In 2004 DOJ raised the DROS fee to \$19.00 – its current amount – to account for inflation.</p> <p>Evidence: Cal. Code. Regs. tit. 11, § 4001; Haki Decl., Ex. E [<i>Bauer</i> Bates no. AG-00250].</p>	<p><i>Undisputed</i> that a \$19.00 limit was included in the relevant regulatory change, <i>disputed</i> as to the immaterial factual allegation that the fee amount was changed from \$14.00 to \$19.00 to account for inflation.</p>
<p>No. 5: Plaintiffs filed this suit on October, 16, 2013.</p> <p>Evidence: Complaint for Declaratory and Injunctive Relief and Petition for Writ of Mandamus.</p>	<p><i>Undisputed.</i></p>

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Defendants’ Undisputed Material Facts and Supporting Evidence	Plaintiffs’ Responses
<p>No. 6: If the DROS fee were to be calculated in the manner plaintiffs contend, “it would cost a whole lot more money in order to operate that program which would be passed along to the DROS fee.”</p> <p>Evidence: Depo. of Stephen Lindley (“Lindley Depo.”) at 64:22-25.</p>	<p><i>Disputed</i>, but immaterial. There is no foundation laid for this vague claim or as to how the deponent is qualified to give either the legal and factual opinions herein. Further, even if it was true that calculating the Fee as required by law—as opposed to how it is calculated now—would cost more, that would have no bearing on the issues currently before the Court.</p>
<p>No. 7: In 2004, the Department engaged in a lengthy rulemaking process, as required by the law, resulting in the regulation setting the DROS fee at \$19.00, where it remains today.</p> <p>Evidence: Hakl Decl., Ex. E.</p>	<p><i>Undisputed</i> that the Department engaged in a rulemaking process in 2014 to increase the Fee to \$19.00, its current amount, <i>disputed</i> as the irrelevant and immaterial issues of whether the process was “lengthy” (i.e., it was <i>emergency</i> rulemaking) or the legal assertion that the process performed was that which is “required by the law[.]”</p>
<p>No. 8: Without the 2004 cost of living adjustment the Dealer’s Record of Sale Special Account was projected to run out of the cash needed to support the firearms regulatory and enforcement programs mandated by law.</p> <p>Evidence: Hakl Decl., Ex. E [<i>Bauer Bates</i> no. AG-00250].)</p>	<p><i>Disputed</i> but immaterial. It is undisputed that the Department believed the DROS Fund was likely to run out of money in the near future in 2004. But the Department’s own internal analysis shows that cost cutting was proposed, but rejected, as a way to deal with the dwindling amount of money in the DROS Fund. That is, increasing the Fee was not the sole way to address the problem under discussion, which is what Defendants imply. Further, it is disputed that the 2004 adjustment was a “cost of living adjustment[.]” the document cited provides no comparative data wherein the same specific operations were costing more due to inflation.</p>
<p>No. 9: A series of 2004 reports (and draft reports) prepared by the Department’s Budget Office reflect further analysis by the Department supporting the increase of the DROS fee to \$19.00.</p> <p>Evidence: Hakl Decl., Ex. B.</p>	<p><i>Disputed</i> but immaterial; the documents cited do not “support[] the increase of the DROS fee to \$19.00[.]” More accurately, the documents cited reflect that raising the fee to \$19.00 was one option to deal with the anticipated shortfall, and option that was not recommended by the specific entity that authored the reports.</p>

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Defendants’ Undisputed Material Facts and Supporting Evidence	Plaintiffs’ Responses
<p>No. 10: The number of programs funded from DROS fee revenues (i.e., the costs specified in the statute) had grown before the Department revised the DROS fee rate in 2004 and has grown further since then.</p> <p>Evidence: <i>Compare</i> Stats. 1995, ch. 901, § 1, pp. 6883-6884 [the law in 1995] <i>with</i> former § 12076, as amended (Stats. 2003, ch. 754, § 2 [the law in effect as of the 2004 fee setting] <i>and with</i> § 28225 [effective today].</p>	<p><i>Undisputed</i> but immaterial.</p>
<p>No. 11: In 1995 the Legislature enacted Senate Bill 670 and codified the \$14.00 figure that was later adjusted to \$19 in 2004. At that time (i.e., in 1995) the Legislature recognized the Department’s explanation that \$14.00 was “sufficient to fund the existing authorized programs.”</p> <p>Evidence: Assem. Com. on Appropriations, Analysis of Senate Bill No. 670 (1995–1996 Reg. Sess.) Aug. 23, 1995; Sen. Third Reading, Analysis of Senate Bill No. 670 (1995–1996 Reg. Sess.) Aug. 29, 1995.</p>	<p>Sentence 1: <i>undisputed</i>. Sentence 2: <i>disputed</i> and immaterial. (1) Whether or not the legislature recognize a particular fee amount as “sufficient” does not provide a factual basis that the fee amount was proper, and the Department has produced no direct evidence as to that issue, (2) this case is not about whether a decision over twenty years ago was financially justified, and (3) this case is not about whether the amount of a fee is “sufficient[.]” it is about whether the fee currently being charged is <i>excessive</i>, and “proof” that it sufficient sheds no light on whether it was excessive in 1995.</p>

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Defendants’ Undisputed Material Facts and Supporting Evidence	Plaintiffs’ Responses
<p>No. 12: The Department regularly monitors the number of firearms transactions in California; the amount of DROS fee revenues being generated; the condition of the Dealer’s Record of Sale Special Account; the annual state budget process, particularly as it impacts the Department, and the resulting appropriations by the Legislature; each and every expenditure by the Department to ensure that it is authorized by law; and the anticipated future needs of the Department based on myriad policy and legal considerations.</p> <p>Evidence: See, e.g., Lindley Depo. at pp. 64:9-65:65-10; 72:3-73:15; 74:2-79:25 [Hakl Decl., Ex M]; Depo. of David Harper at pp. 54:14-55:17; 58:24-59:20; 60:6-61:24; 63:5-64:8; 65:2-67:23 [Hakl Decl., Ex N].</p>	<p>Disputed as to the claim that the Department “regularly monitors . . . each and every expenditure by the Department to ensure that it is authorized by law[;]” the documents cited do not support this, and as was confirmed during the deposition of Stephen Lindley, the Department does not consider the “nitty gritty” specific cost classes identified in Penal Code section 28225, which means the Department is not actually considering whether “each and every” cost within those categories are appropriately being funded pursuant to section 28225. Undisputed as to the remainder, which is immaterial.</p>
<p>No. 13: Chief Lindley has testified regarding APPS that “95% of the of the cases that we work would be system-generated cases,” meaning that “[t]he APPS system generated the hit . . . identifying the person as being armed prohibited. Analysts confirm that, agents confirm that, and they go out into the field and investigate that individual.”</p> <p>Evidence: Lindley Depo. at pp. 26:23-27:10.</p>	<p>Though Plaintiffs have no independent verification of the claim that approximately 95% of the relevant investigations are based on information obtained from “hits” generated by the APPS system, in light of Defendants’ steadfast claim that information related to specific “APPS cases” is confidential. Nonetheless, it is Undisputed that the 95% estimate is the estimate made by Stephen Lindley in this action, and that Plaintiffs assume it to be true for the purpose of Defendants’ Motion.</p>

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Defendants’ Undisputed Material Facts and Supporting Evidence	Plaintiffs’ Responses
<p>No. 14: The “vast majority” of APPS enforcement efforts by the Department fall within a category of enforcement with which plaintiffs take no issue.</p> <p>Evidence: Lindley Depo. at p. 17:25.</p>	<p><i>Disputed.</i> Even if Mr. Lindley’s approximation is correct that approximately 95% of the relevant cases are based on data generated by APPS, there is no evidence presented that there APPS-based and non-APPS cases, on average, require the same level of “enforcement efforts[.]” For example, it is reasonable to assume that information taken from the APPS list will include contact information, whereas, in matters where the Department is following up on a vague tip, finding the relevant individual may require an exponential amount of work.</p>
<p>No. 15: With respect to the five percent of APPS cases plaintiffs challenge (i.e., cases that are not “true” APPS-list cases), Chief Lindley testified about a typical example. He explained that on occasion the Department might “get a call from a citizen, an ex-wife, sometimes, you know, family members about an individual who is now prohibited for one reason or another and that they have firearms that the department might not necessarily know about.” In that instance the Department has “a duty for public safety” to follow up on that call.</p> <p>Evidence: Lindley Depo. at p. 18:9-18.</p>	<p><i>Undisputed</i> that the example provided is an example of a non-APPS case the Department is funding with DROS Fund money. <i>Disputed</i> as to whether it is “typical” because the Department refuses to provide information about its investigations based on, inter alia, a law enforcement privilege claim. Also <i>disputed</i> as to the claim that the Department has a duty for public safety to investigate non-APPS matters within the jurisdiction of local law enforcement. No statute or other law is cited by the Department for this proposition, and the deponent’s speculation is insufficient evidence to support the claim.</p>

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Plaintiffs’ Additional Material Facts	Defendants’ Response
<p>Additional Material Fact (“AMF”) No. 1: The relevant emergency rulemaking was effectively complete in 2004, but it was not finalized until 2005.</p> <p>Evidence: Declaration of Scott M. Franklin in Support of Plaintiffs’ Separate Statement in Opposition to Defendants’ Motion for Summary Adjudication (“Franklin Decl. ISO Opp.”) at Exhibit 1 (AGRFP000380, AGRFP000390).</p>	
<p>AMF No. 2: Prior to the adoption of SB 819 the Department expressly asserted that SB 819 would not result in the DROS Fee being increased.</p> <p>Evidence: GENT124 (Part of Exhibit 14 to the Declaration of Scott M. Franklin in Support of Plaintiffs’ Motion for Adjudication of Plaintiffs’ Fifth and Ninth Causes of Action Pursuant to the Bifurcation Order of November 4, 2016 [“Franklin Decl.”])</p>	
<p>AMF No. 3: The Department now contends that it can raise the Fee based on costs related to APPS-based law enforcement activities.</p> <p>Evidence: Franklin Decl. ISO Opp. at Exhibits 2 & 3 (GENT157-62).</p>	
<p>AMF No. 4: The Department was involved in the revision of SB 819 when it the new Section 1 was added, so the Department knew SB 819 was being revised to include a specific limitation on SB 819’s scope.</p> <p>Evidence: GENT125-27 (part of Exhibit 15 to the Franklin Decl.)</p>	

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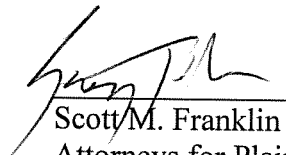
Plaintiffs' Additional Material Facts	Defendants' Response
<p>AMF No. 5: During a recent deposition, the Department, for the first time, clearly admitted that it is funding non-APPS based law enforcement activities out of the DROS Fund based on the contention that SB 819's revision of section 28225 authorized such expenditures.</p> <p>Evidence: GENT069-71; GENT077 (part of Exhibit 9 to the Franklin Decl.)</p>	
<p>AMF No. 6: In the course of sponsoring SB 819, the Department made repeated representations that SB 819 money was needed to pay for APPS-based law enforcement activities performed by both the Department and local law enforcement agencies. For example, in one communication from the Department to a member of Senator Leno's staff dated February 16, 2011, the department claimed would use \$1.5-2.5 million of money obtained via (what would later be named) SB 819 to reimburse local law enforcement, and \$1 million a year to pay for the Department's employees to perform APPS-based law enforcement activities.</p> <p>Evidence: GENT124 (Exhibit 14 to the Franklin Decl.); see also GENT 128-130 (Exhibit 16 to the Franklin Decl.), Franklin Decl. ISO Opp. at Exhibit 4 (GENT163-64).</p>	
<p>AMF No. 7: As of 2017, the Department has not paid local law enforcement any money out of the DROS Fund to local law enforcement regarding its APPS-based law enforcement work.</p> <p>Evidence: GENT072 (part of Exhibit 9 to the Franklin Decl.)</p>	

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Plaintiffs' Additional Material Facts	Defendants' Response
AMF No. 8: The Department has spent tens of millions of dollars pursuant to SB 819 in the last six years. Evidence: Franklin Decl. ISO Opp. at Exhibit 5 (GENT165-167).	

Dated: June 30, 2017

MICHEL & ASSOCIATES, P.C.



Scott M. Franklin
Attorneys for Plaintiffs/Petitioners

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA
3 COUNTY OF LOS ANGELES

4 I, Laura Palmerin, am employed in the City of Long Beach, Los Angeles County,
5 California. I am over the age eighteen (18) years and am not a party to the within action. My
6 business address is 180 East Ocean Boulevard, Suite 200, Long Beach, California 90802.

7 On June 30, 2017, I served the foregoing document(s) described as

8 **PLAINTIFFS' SEPARATE STATEMENT IN OPPOSITION TO DEFENDANTS'
9 MOTION FOR SUMMARY ADJUDICATION**

10 on the interested parties in this action by placing

- 11 [] the original
12 [X] a true and correct copy

13 thereof by the following means, addressed as follows:

14 Office of the Attorney General
15 Anthony Hakl, Deputy Attorney General
16 1300 I Street, Suite 1101
17 Sacramento, CA 95814
18 Anthony.Hakl@doj.ca.gov

19 X (BY OVERNIGHT MAIL) As follows: I am "readily familiar" with the firm's practice of
20 collection and processing correspondence for overnight delivery by UPS/FED-EX. Under
21 the practice it would be deposited with a facility regularly maintained by UPS/FED-EX
22 for receipt on the same day in the ordinary course of business. Such envelope was sealed
23 and placed for collection and delivery by UPS/FED-EX with delivery fees paid or
24 provided for in accordance with ordinary business practices.
25 Executed on June 30, 2017, at Long Beach, California.

26 X (BY ELECTRONIC MAIL) As follows: I served a true and correct copy by electronic
27 transmission. Said transmission was reported and completed without error.
28 Executed on June 30, 2017, at Long Beach, California.

X (STATE) I declare under penalty of perjury under the laws of the State of California that
the foregoing is true and correct.


LAURA PALMERIN

BY FAX

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C. D. Michel - S.B.N. 144258
Scott M. Franklin - S.B.N. 240254
MICHEL & ASSOCIATES, P.C.
180 East Ocean Blvd., Suite 200
Long Beach, CA 90802
Telephone: (562) 216-4444
Facsimile: (562) 216-4445
Email: cmichel@michellawyers.com

Attorney for Plaintiffs/Petitioners

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO

DAVID GENTRY, JAMES PARKER,
MARK MIDLAM, JAMES BASS, and
CALGUNS SHOOTING SPORTS
ASSOCIATION,

Plaintiffs and Petitioners,

vs.

XAVIER BECCERA, in his Official
Capacity as Attorney General for the State
of California; STEPHEN LINDLEY, in His
Official Capacity as Acting Chief for the
California Department of Justice, BETTY
YEE, in her official capacity as State
Controller for the State of California, and
DOES 1-10.

Defendants and Respondents.

CASE NO. 34-2013-80001667

**PLAINTIFFS' EVIDENCE IN OPPOSITION
TO DEFENDANTS' MOTION FOR
SUMMARY ADJUDICATION:
DECLARATION OF SCOTT M. FRANKLIN
IN SUPPORT OF PLAINTIFFS'
OPPOSITION TO DEFENDANTS' MOTION
FOR SUMMARY ADJUDICATION**

[Filed concurrently with the Memorandum of
Points and Authorities in Support Thereof; and
Plaintiffs' Separate Statement in Opposition to
Defendants' Motion for Summary Adjudication]

Date: August 4, 2017
Time: 9:00 a.m.
Dept.: 31
Judge: Hon. Michael P. Kenny
Action filed: 10/16/13

FILED
ENDORSE

2017 JUN 30 PM 3:

GDSSC COURTHOUSE
SUPERIOR COURT
OF CALIFORNIA
SACRAMENTO COUNTY

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DECLARATION OF SCOTT M. FRANKLIN

I, Scott M. Franklin, declare:

1. I am an attorney at law admitted to practice before all courts of the state of California. I have personal knowledge of each matter and the facts stated herein as a result of my employment with Michel & Associates, P.C., attorneys for Plaintiffs/Petitioners (“Plaintiffs”), and if called upon and sworn as a witness, I could and would testify competently thereto.

2. Exhibit 1 (AGRFP000380, AGFRP00390) is a true and correct copy of excerpts of the rulemaking file produced by Defendants herein concerning the increase of the Dealers’ Record of Sale Fee from \$14.00 to \$19.00.

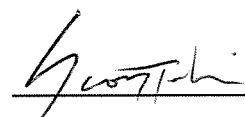
3. Exhibit 2 (GENT157-GENT159) is a true and correct copy of excerpts of the transcript of the Deposition of Stephen Lindley, such deposition being taken in this matter.

4. Exhibit 3 (GENT160-GENT162) is a true and correct copy of excerpts of the transcript of the Deposition of David S. Harper, such deposition being taken in this matter.

5. Exhibit 4 (GENT163-GENT164) is a true and correct copy of a memo found in Senator Mark Leno’s unrestricted files regarding Senate Bill (“SB”) 819 (Leno, 2011).

6. Exhibit 5 (GENT165-GENT167) is a true and correct copy of a publicly available letter that then-Attorney General Kamala Harris sent to the legislature concerning the fact that the \$24 million allocation of DROS Special Account funds obtained as a result of SB 819 was not sufficient to support the Department’s ongoing law enforcement activities performed and funded pursuant to SB 819 (or the Department’s interpretation thereof).

I declare under penalty of perjury under the laws of California that the foregoing is true and correct, and that this Declaration was executed on June 30, 2017, at Long Beach, California.



Scott M. Franklin, Declarant

EXHIBIT 1

STATE OF CALIFORNIA
OFFICE OF ADMINISTRATIVE LAW

In re:

DEPARTMENT OF JUSTICE

REGULATORY ACTION:

Adopt sections 4001, 4002, 4003, 4004, 4005, 4006

Amend sections 984.1

NOTICE OF APPROVAL OF CERTIFICATE OF
COMPLIANCE

Government Code Section 11349.6

OAL File No. 05-0301-04 C

This Certificate of Compliance adopts and amends fees for the Dealer Record of Sale (DROS) account. (Previous OAL file # 04-1025-01E)

OAL approves this regulatory action pursuant to section 11349.1 of the Government Code.

DATE: 04/11/05


KATHLEEN EDDY
Staff Counsel

for: WILLIAM L. GAUSEWITZ
Director

Original: Bill Lockyer, Attorney General

cc: Mike Small

NOTICE PUBLICATION/REGULATIONS SUBMISSION

EMERGENCY

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. '4-99)

OAL FILE NUMBERS	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
	Z-		04-1025-01E

For use by Office of Administrative Law (OAL) only

NOTICE	REGULATIONS
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ENDORSED FILED IN THE OFFICE OF

2004 NOV -1 PM 2:09

Kevin Shelley
KEVIN SHELLEY
SECRETARY OF STATE

AGENCY WITH RULEMAKING AUTHORITY Department of Justice Firearms Division	AGENCY FILE NUMBER (if any)
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A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER ()	FAX NUMBER (Optional) ()
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Firearms Division Fees	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics-related)	
SECTION(S) AFFECTED (List all section number(s) individually)	ADOPT Division 5, Chapter 1, sections 4001, 4002, 4003, 4004, 4005 and 4006
	AMEND Division 1, Chapter 13, section 984.1
TITLE(S) 11	REPEAL

3. TYPE OF FILING

Regular Rulemaking (Gov. Code, § 11346)

Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code, §§ 11349.3, 11349.4)

Emergency (Gov. Code, § 11346.1(b))

Emergency Readopt (Gov. Code, § 11346.1(h))

Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, § 11346.1)

Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Government Code §§ 11346.2 - 11346.9 prior to, or within 120 days of, the effective date of the regulations listed above.

Print Only

Changes Without Regulatory Effect (Cal. Code Regs., title 1, § 100)

Other (specify)

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §§ 44 and 46)

5. EFFECTIVE DATE OF REGULATORY CHANGES (Gov. Code, §§ 11343.4, 11346.1(d))

Effective 30th day after filing with Secretary of State

Effective on filing with Secretary of State

Effective other (Specify) November 1, 2004

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

Department of Finance (Form STD. 399) (SAM §8660)

Fair Political Practices Commission

State Fire Marshal

Other (Specify)

7. CONTACT PERSON Jeff Amador	TELEPHONE NUMBER (916) 227-3661	FAX NUMBER (Optional) (916) 227-3700	E-MAIL ADDRESS (Optional) jeff.amador@doj.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE 	DATE 10-25-04
TYPED NAME AND TITLE OF SIGNATORY Steve Coony, Chief Deputy for Administration and Policy	

EXHIBIT 2

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 FOR THE COUNTY OF SACRAMENTO

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4 DAVID GENTRY, JAMES
5 PARKER, MARK MIDLAM,
6 JAMES BASS, and CALGUNS
7 SHOOTING SPORTS
8 ASSOCIATION,

9 Plaintiffs and
10 Petitioners,

11 vs.

12 Case No. 34-2013-80001667

13 KAMALA HARRIS, in Her
14 Official Capacity as
15 Attorney General for the
16 State of California;
17 STEPHEN LINDLEY, in His
18 Official Capacity as
19 Acting Chief for the
20 California Department of
21 Justice, BETTY YEE, in
22 Her Official Capacity as
23 State Controller for the
24 State of California and
25 DOES 1-10,

Defendants and
Respondents.

_____/

DEPOSITION OF

STEPHEN J. LINDLEY

May 24, 2017

9:52 a.m.

1300 I Street
Sacramento, California

LAURIE D. LERDA, CSR No. 3649

1 BY MR. FRANKLIN:

2 Q. After Senate Bill 819 became law, did the
3 way in which the amount of the DROS fee is analyzed
4 by the department change in any way?

5 A. I think you have to talk about time frame.
6 Initially, no, it did not.

7 Q. And then after initially?

8 A. Yes. Because there's now a cost associated
9 from the Armed Prohibitive Person System that are
10 being paid for out of the DROS fee.

11 Q. And as of yet that hasn't led to an
12 increase in the DROS fee?

13 A. Not as of yet, no.

14 Q. Based on your understanding of how the
15 DROS fee is to be calculated at this point in time,
16 is it possible that the DROS fee could be increased
17 due to the costs of APPS-based law enforcement?

18 A. I would say it a different way.

19 I wouldn't just blame it on the cost of
20 APPS enforcement, but the last time it was -- the
21 DROS fee was raised was, you know, 13 years ago. So,
22 costs have increased since then over the department
23 including the bureau.

24 So, unless there's another revenue source
25 that comes in, eventually all fees will be increased

1 including the DROS fee.

2 When that happens I have no idea.

3 Q. So, is it fair to state that the amount of
4 the money being spent on APPS-based law enforcement
5 activities is a consideration when the department
6 analyzes the propriety of the DROS fee being
7 charged?

8 A. I would use a different word than propriety.

9 But is that a calculation in the costs that
10 is covered by the DROS fee, yes.

11 Q. And that's new at some point after
12 Senate Bill 819 became law, correct?

13 A. Not necessarily.

14 So we had an APPS program before 819.

15 819 just allowed the expansion of that fee
16 to cover possession that deals a lot with the APPS
17 program. And, yes, it's covered under that.

18 Some of that change in the budget was done
19 at the Governor's level not at the department level.

20 And then recently other parts of the
21 APPS program had been moved in part to other
22 funding sources besides DROS.

23 Q. Well, since SB 819 became law, does the
24 department consider anything about the specific
25 individuals paying the DROS fee when looking at what

EXHIBIT 3

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 FOR THE COUNTY OF SACRAMENTO

3 --o0o--

4 DAVID GENTRY, JAMES
5 PARKER, MARK MIDLAM,
6 JAMES BASS, and CALGUNS
7 SHOOTING SPORTS
8 ASSOCIATION,

9 Plaintiffs and
10 Petitioners,

11 vs.

12 Case No. 34-2013-80001667

13 KAMALA HARRIS, in Her
14 Official Capacity as
15 Attorney General for the
16 State of California;
17 STEPHEN LINDLEY, in His
18 Official Capacity as
19 Acting Chief for the
20 California Department of
21 Justice, BETTY YEE, in
22 Her Official Capacity as
23 State Controller for the
24 State of California and
25 DOES 1-10,

Defendants and
Respondents.

DEPOSITION OF

DAVID SCOTT HARPER

January 30, 2017

8:46 a.m.

1300 I Street
Sacramento, California

LAURIE D. LERDA, CSR No. 3649

1 going to raise the fee \$5, provide all that money for
2 more enforcement. That's not something we would do.

3 We could raise the fee theoretically.

4 That doesn't mean we're going to get
5 additional spending authority to spend that extra
6 revenue. So, the two kind of are hand-in-hand.

7 Conversely, if there's an initiative to
8 expand enforcement in the APPS program say an
9 internal initiative by the Attorney General, we may
10 be able to redirect agents from other programs into
11 the APPS program provided we can create the savings
12 elsewhere in the DROS Fund from our existing
13 appropriation to fund those expanded enforcement
14 activities.

15 So, there's no one answer to your question.

16 It's simply what do you want to achieve, and
17 then knowing what you want to achieve, what is
18 the I'm not going to say what is the best, what are
19 the options to achieve that.

20 And the options may be what are the quickest
21 options. What are the best long-term options.

22 It's -- so there's a lot of factors that go into
23 determining something like that like what you asked.

24 BY MR. FRANKLIN:

25 Q. So, I'll try and make a more simple

1 question. Assuming all other revenue and expenditure
2 amounts are consistent, if the department has an
3 increase in costs related to APPS-based law
4 enforcement, is it your understanding that the
5 department could increase the amount of the fee
6 because of that increase in APPS-based law
7 enforcement costs?

8 MR. HAKL: Objection. Vague as to
9 APPS-based law enforcement costs, but you can answer.

10 THE WITNESS: So my understanding would be
11 yes. If the department chose to expand the APPS
12 unit, the enforcement unit, that they could choose to
13 increase the fee to pay for that expansion provided
14 the legislature provided the additional spending
15 authority to go along with the fee increase.

16 BY MR. FRANKLIN:

17 Q. And the spending authority would be in the
18 Budget Act?

19 A. Correct.

20 Q. And I think you've already answered this
21 question. Looking at total revenue and expenditures
22 going in and out of the DROS Special Account, is that
23 the method used for monitoring the amount of reserve
24 in that account?

25 A. That's a component of it, yes.

EXHIBIT 4

Memo

To: ML
From: London
Date: February 23, 2011
Re: Update and Talking Points on the AG's Firearms Proposal

I have spoken with Deputy Attorney General Jessica Devencenzi on their efforts to obtain a Republican author for the Armed Prohibited Persons System (APPS) enforcement proposal. So far, they have approached Senators Blakeslee and Huff who have both turned down the proposal. They have also approached Assemblyman Cook and are still awaiting a decision.

The AG's office would very much appreciate any assistance you could provide in getting the proposal in front of Senator Canella for consideration. Below you will find a short summary and some of the 'republican friendly' talking points provided to our office by the deputy:

Problem

The Armed Prohibited Person System (APPS) operated by the California Department of Justice has identified more than 18,000 individuals, including convicted felons who are illegally in possession of over 34,000 handguns and as many as 1,590 assault weapons. Unfortunately, the California Penal Code does not provide funding to the department or local agencies to confiscate these unlawfully possessed firearms.

Solution

Attorney General Harris would like to introduce legislation to allow DOJ to use the Dealer Record of Sale (DROS) account to partner with local agencies to provide training on the APPS computer-based program, conduct sweeps of individuals on the APPS list, compensate local jurisdictions on a per transaction basis for firearms confiscated from individuals on the APPS list, and fund additional positions within the department to ensure the investigation of individuals currently in violation.



Highlights

- This legislation will not increase the gun fees, expand the number of people who are subject to having their firearms confiscated, or place any additional limitations on an individual's right to own firearms.
- DOJ has discussed the issue with prominent gun rights advocates including the National Rifle Association, gun dealers, and the Gun Owners of California.
- These gun rights advocates agree that APPS enforcement should be funded. They believe the Legislature should avoid additional gun laws, and instead, enforce those laws already on the books.

Note: There is resistance from the gun lobby on how to fund enforcement efforts and specifically to using the DROS fund for this purpose. Nonetheless, all parties the AG has consulted have committed to a good faith dialogue on the issue.

- The AG is confident the bill will be strongly supported by law enforcement.



EXHIBIT 5



STATE OF CALIFORNIA
OFFICE OF THE ATTORNEY GENERAL
KAMALA D. HARRIS
ATTORNEY GENERAL

January 21, 2016

Members of the California Legislature
State Capitol
10th Street
Sacramento, CA 95814

RE: Armed and Prohibited Persons System (APPS)

Dear Colleagues:

California has some of the strongest gun safety laws and initiatives in the nation. One of the state's most important initiatives is the Department of Justice's ("Department") Armed and Prohibited Persons System ("APPS"), which keeps firearms out of the hands of those prohibited from possessing them due to their criminal history, mental health status, or existence of a restraining order.

At my request, the Governor and Legislature three years ago made a significant – but temporary – investment in APPS (SB 140, Ch. 2, Statutes of 2013). As a result of that investment, my office has made historic reductions in the number of individuals in the APPS database. Over the last 30 months, our APPS enforcement efforts have taken 335 assault weapons, 4,549 handguns, 4,848 long-guns, and 943,246 rounds of ammunition off the streets from those who illegally possessed them.

However, that temporary infusion of financial support expires May 1, 2016. Due to subsequent changes in law that will substantially increase the number of prohibited persons and the real and present danger these individuals pose to public safety, I strongly urge you to make permanent the increased APPS funding you approved three years ago.

Until recently, the APPS database, which went into effect in December of 2006, was based almost exclusively on handgun transaction records, despite the fact that each year approximately half of all California firearm sales involve long-guns. Indeed, between 2007 and 2013 there were 4,157,849 firearm transactions conducted in California (an average of 593,978 per year), split roughly evenly between handgun and long-gun transactions.

Effective January 1, 2014, a new California law mandated for the first time that the Department collect and retain firearm transaction information for all types of guns, including long-guns. By adding the long-gun registration requirement, the number of individuals who may fall into the APPS system has doubled. In 2014, there were 931,037 firearm transactions in California and we expect a similar volume for 2015 and in the years ahead. This new law will add to the APPS those individuals who purchase the hundreds of thousands of long-guns each year who subsequently commit a prohibiting offense. This statutory change alone justifies sustained and enhanced investment in the APPS.

In addition, we anticipate increased workload due to the new Gun Violence Restraining Order (Assembly Bill 1014) law that went into effect on January 1, 2016. This law allows family members who are concerned about the mental stability of a loved one who possesses a firearm to petition a court for a restraining order that would place the individual in the APPS database. We estimate that as many as 3,000 subjects could be added to the APPS database annually through this new law. Current agent staffing levels within the Bureau of Firearms are insufficient to deal with this increase in prohibited offenders.


In May 2013, just months after the horrific tragedy in Sandy Hook, the Legislature passed Senate Bill 140 with strong bipartisan support. SB 140 provided the Attorney General's Office with \$24 million over a three-year period to significantly reduce and eliminate the roughly 20,000 subjects in the APPS database. During the past two and half years, my Special Agents and other Bureau of Firearms staff conducted over 18,608 APPS investigations statewide. This reduced the subjects in the APPS database from a high of 21,357 on November 20, 2013, to 12,691 as of December 31, 2015, the lowest since September 2008.

These historic achievements came despite the addition of the new long-gun registration requirement and the increase in subjects being identified as armed and prohibited. In short, the Department's efforts, made possible by the funding from SB 140, has decreased the number of subjects in the APPS database every day and removed nearly 20,000 armed and prohibited subjects in under two and half years.

The Department needs additional resources to continue our successful work on the APPS and adequately address the public safety threat these individuals present to California. To achieve these goals, I respectfully request that the Legislature make permanent the temporary funding it has previously authorized in order to allow the Department to continue to disarm the people who become prohibited from possessing firearms in California.

The Department has been privileged to receive the Legislature's support and encouragement on this important public safety initiative that can serve as a model for the country. We look forward to continuing this partnership in the years ahead.

Respectfully,



KAMALA D. HARRIS
Attorney General

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA
3 COUNTY OF LOS ANGELES

4 I, Laura Palmerin, am employed in the City of Long Beach, Los Angeles County,
5 California. I am over the age eighteen (18) years and am not a party to the within action. My
6 business address is 180 East Ocean Boulevard, Suite 200, Long Beach, California 90802.

7 On June 30, 2017, I served the foregoing document(s) described as

8 **PLAINTIFFS' EVIDENCE IN OPPOSITION TO DEFENDANTS' MOTION FOR**
9 **SUMMARY ADJUDICATION: DECLARATION OF SCOTT M. FRANKLIN IN**
10 **SUPPORT OF PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION FOR**
11 **SUMMARY ADJUDICATION**

12 on the interested parties in this action by placing

13 [] the original
14 [X] a true and correct copy

15 thereof by the following means, addressed as follows:

16 Office of the Attorney General
17 Anthony Hakl, Deputy Attorney General
18 1300 I Street, Suite 1101
19 Sacramento, CA 95814
20 Anthony.Hakl@doj.ca.gov

21 X (BY OVERNIGHT MAIL) As follows: I am "readily familiar" with the firm's practice of
22 collection and processing correspondence for overnight delivery by UPS/FED-EX. Under
23 the practice it would be deposited with a facility regularly maintained by UPS/FED-EX
24 for receipt on the same day in the ordinary course of business. Such envelope was sealed
25 and placed for collection and delivery by UPS/FED-EX with delivery fees paid or
26 provided for in accordance with ordinary business practices.
27 Executed on June 30, 2017, at Long Beach, California.

28 X (BY ELECTRONIC MAIL) As follows: I served a true and correct copy by electronic
transmission. Said transmission was reported and completed without error.
Executed on June 30, 2017, at Long Beach, California.

X (STATE) I declare under penalty of perjury under the laws of the State of California that
the foregoing is true and correct.


LAURA PALMERIN

1 XAVIER BECERRA
 Attorney General of California
 2 STEPAN A. HAYTAYAN
 Supervising Deputy Attorney General
 3 ANTHONY R. HAKL
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 6 Telephone: (916) 322-9041
 Fax: (916) 324-8835
 7 E-mail: Anthony.Hakl@doj.ca.gov
Attorneys for Defendants and Respondents

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
 9 COUNTY OF SACRAMENTO

10
 11
 12

13 **DAVID GENTRY, JAMES PARKER,**
 14 **MARK MID LAM, JAMES BASS, and**
 15 **CALGUNS SHOOTING SPORTS**
 16 **ASSOCIATION,**

Case No. 34-2013-80001667

Plaintiffs and Petitioners,

**OPPOSITION TO PLAINTIFFS'
 MOTION FOR ADJUDICATION OF
 THE FIFTH AND NINTH CAUSES OF
 ACTION**

v.

18 **XAVIER BECERRA, in his official capacity**
 19 **as Attorney General for the State of**
 20 **California; STEPHEN LINDLEY, in his**
 21 **official capacity as Director of the California**
 22 **Department of Justice Bureau of Firearms;**
 23 **BETTY T. YEE, in her official capacity as**
 24 **State Controller, and DOES 1-10,**

Date: August 4, 2017
 Time: 9:00 a.m.
 Dept: 31
 Judge: The Honorable Michael P.
 Kenny
 Action Filed: October 16, 2013

Defendants and
 Respondents.¹

25
 26

¹ Defendants respectfully request that Stephen Lindley, in his official capacity as Director of the California Department of Justice Bureau of Firearms, be substituted back into this action in the place of his predecessor Martha Supernor. (See Code Civ. Proc., § 368.5.)

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INTRODUCTION

Most of the discussion in plaintiffs’ motion for adjudication of the fifth and ninth causes of action is irrelevant to the discreet legal issues currently before this Court. As a result, plaintiffs have failed to meet their burden to show that the Dealer’s Record of Sale (“DROS”) fee statute (Penal Code, § 28225) imposes on the Department of Justice a ministerial duty to act, and plaintiffs separately have failed to show that they have a clear and beneficial right to the performance of any duty. Plaintiffs argument that the word “possession” in section 28225, subdivision (b)(11) has a special meaning is also unpersuasive. Defining “possession” narrowly like plaintiffs contend is unsupported by the common sense meaning of that word and goes against the public safety purposes of the statute. The Court should deny plaintiffs’ motion.

ARGUMENT

I. ON THE FIFTH CAUSE OF ACTION, PLAINTIFFS HAVE FAILED TO MEET THE REQUIREMENTS FOR WRIT OF MANDATE.

A. Plaintiffs have not met their burden to show that defendants have a clear, present and ministerial duty to act.

The requirements for writ of mandate are well known. The writ “may be issued by any court . . . to compel the performance of an act which the law specifically enjoins, as a duty resulting from an office, trust, or station” (Code Civ. Proc., § 1085, subd. (a).) With respect to this duty, “[t]he *petitioner must demonstrate* the public official or entity had a *ministerial duty* to perform. . . .” (*California Pub. Records Research, Inc. v. Cty. of Yolo* (2016) 4 Cal.App.5th 150, 177, italics added.) In their opening brief, plaintiffs effectively assume the existence of the required duty. But their assumption is unsupported by any argument, which is not surprising because section 28225 simply does not impose a ministerial duty on defendants.

Whether a statute like section 28225 “impose[s] a ministerial duty, for which mandamus will lie, or a mere obligation to perform a discretionary function is a question of statutory interpretation. We examine the language, function and apparent purpose of the statute.” (*California Pub. Records Research, supra*, 4 Cal.App.5th at p. 178, citations and internal quotations omitted.)

1 Section 28225 states that “[t]he Department of Justice may require the dealer to charge each
2 firearm purchaser a fee not to exceed fourteen dollars (\$14), except that the fee may be increased
3 at a rate not to exceed any increase in the California Consumer Price Index,” and if the
4 Department requires dealers to charge a fee, the fee “shall be no more than is necessary to fund”
5 eleven categories of costs listed in the statute. Nothing in the language of section 28225 imposes
6 the duty, or duties (to be precise), plaintiffs inconsistently assert. (Compare Pls.’ Opening Brief
7 at p. 8 [claiming “duty on the Department to consider” whether current fee is “excessive”] with
8 *id.* at p. 19 [“duty to set the Fee” within Department’s statutory authority] and with *id.* at p. 21
9 [“duty to monitor and adjust the amount of the Fee”]; see also Compl. ¶¶ 96, 99 & 100 [varying
10 characterizations of Department’s alleged duty].)² Indeed, plaintiffs’ inability to articulate the
11 precise nature of any duty speaks to the absence of any duty.³

12 Moreover, the Third District Court of Appeal recently concluded that a very similar fee-
13 setting framework regarding copies of documents requested under the Public Records Act does
14 not impose any ministerial duty. (*California Public Records Research, supra*, 4 Cal.App.5th at
15 p. 178.) That framework involved two statutes, although the most pertinent one provided that
16 “[t]he fee . . . shall be set by the board of supervisors in an amount necessary to recover the direct
17 and indirect costs of providing the product or service.” (Gov. Code, § 27366.) In concluding that
18 the statutes did not impose a duty on the county to limit copy fees, the Court of Appeal reasoned
19 that even though the statutes “require the Board to charge and set copy fees, the Board must

20 ² In connection with these inconsistent assertions, plaintiffs continue to repeatedly refer to
21 a DROS fund “surplus,” which plaintiffs describe as “in excess of” or “over” \$14 million. (See
22 Pls.’ Opening Brief at pp. 7, 9, & 12.) To be clear, though, whatever the condition of the relevant
23 fund in the past, there is no DROS “surplus” at this time. According to the January 10, 2017
24 Governor’s Budget, the DROS fund balance for fiscal year 2017-2018 was only \$1.2 million.
(See <http://www.ebudget.ca.gov/2017-18/pdf/GovernorsBudget/0010/0820FCS.pdf> [as of June
29, 2017] [Proposed Budget Detail. Legislative, Judicial, and Executive. Department of Justice.
Fund Condition Statements.]; see also Depo. of Stephen Lindley at pp. 74-77 [discussing need for
“backup” in DROS fund]; Depo. of David Harper at p. 71 [discussing “carry forward balance”].)

25 ³ Even plaintiffs’ proposed remedy misses the mark. (See Pls.’ Opening Brief at p. 23
26 [proposing that the Court “order the Department to individually calculate the incurred and
27 estimated cost categories in section 28225 and to make the documents reflecting such calculations
28 public”].) Such a writ would not track any statutory requirements of section 28225. As
mentioned, a writ of mandate can only require the performance of a ministerial duty. It follows
that such a writ cannot create a duty that is not reflected in statute.

1 exercise significant discretion in deciding how much to charge.” (*California Public Records*
2 *Research*, 4 Cal.App.5th at p. 178.) The court explained: “Neither statute requires the Board to
3 set fees in any particular amount. Rather, section 27366 requires the Board to set fees ‘in an
4 amount necessary to recover the direct and indirect costs of providing the product or service.’”
5 (*Ibid.*) And the court had explained elsewhere in its opinion that the terms “direct costs” and
6 “indirect costs” indicate the Legislature intended for boards of supervisors to consider “a wide
7 range of indirect costs in actually setting copy fees, including overhead and other operating costs
8 not specifically associated with the actual production of copies.” (4 Cal.App.5th at p. 173.)

9 Here, section 28225 is akin to the statute in *California Public Records Research*. The
10 DROS fee statute does not require the Department to set the DROS fee at any particular amount.
11 Rather, if a fee is charged, it is “not to exceed fourteen dollars (\$14),” except that it may be
12 increased to account for inflation. (§ 28225, subd. (a).) In other words, the fee can be non-
13 existent (i.e., \$0.00) or it can fall within the range of \$0.01 up to and including \$14.00, and even
14 beyond in the event of inflation.⁴ Additionally, like the statute in *California Public Records*
15 *Research*, section 28225 authorizes the Department (and other state agencies) to consider a wide
16 range of costs in setting the DROS fee. No less than eleven subdivisions list those costs, but
17 subdivision (b)(11) perhaps illustrates this point the best, considering its broad language
18 encompassing “costs *associated with* funding Department of Justice firearms-*related* regulatory
19 and enforcement activities *related to* the sale, purchase, possession, loan, or transfer of firearms.”
20 Indeed, the statute goes on to say that these costs need only be “the estimated reasonable costs” of
21 the Department. (See Merriam-Webster.com (2017) [https://www.merriam-
23 webster.com/dictionary/estimate](https://www.merriam-
22 webster.com/dictionary/estimate) [as of June 29, 2017] [“to judge tentatively or approximately the
24 value, worth, or significance of”; “to determine roughly the size, extent, or nature of”]; Merriam-
25 Webster.com (2017) <https://www.merriam-webster.com/dictionary/reasonable> [as of June 29,
26 2017] [“not extreme or excessive”; “moderate, fair”].) This language shows that section 28225

27 ⁴ In this regard, the current fee is \$19.00, and it has been that amount since approximately
28 2004.

1 calls for the exercise of significant discretion in deciding the amount of the DROS fee, just like
2 the situation in *California Public Records Research*.

3 Because plaintiffs have not met their burden to show that defendants have a ministerial duty
4 to act, the Court should deny plaintiffs' motion as to the fifth cause action.

5 **B. Plaintiffs have not met their burden to show a beneficial right.**

6 Plaintiffs assert that they are entitled to writ relief because "Defendants have not produced
7 any evidence to dispute Plaintiffs' 'beneficial right.... to the performance of that duty' via past
8 and likely future payment of the Fee." (Pls.' Opening Brief at p. 18.) Yet that is not the
9 applicable legal standard. The law is clear that "[w]hat is required to obtain writ relief is *a*
10 *showing by a petitioner* of '(1) A clear, present and usually ministerial duty on the part of the
11 respondent . . . ; and (2) a clear, present and beneficial right in the petitioner to the performance of
12 that duty" (*Santa Clara Cty. Counsel Attys. Assn. v. Woodside* (1994) 7 Cal.4th 525, 539–
13 40, overruled by statute on other grounds as recognized in *Coachella Valley Mosquito & Vector*
14 *Control Dist. v. California Public Employment Relations Bd.* (2005) 35 Cal.4th 1072, 1077; see
15 *Riverside Sheriff's Ass'n v. Cty. of Riverside*, 106 Cal.App.4th 1285, 1289 ["The petitioner bears
16 the burden of pleading and proving the facts upon which the claim is based"]; *MacLeod v. Long*,
17 110 Cal.App. 334, 339 ["The burden is, therefore, upon the plaintiff to prove the existence of
18 such right rather than upon the defendants to disprove the same."])

19 Moreover, plaintiffs have not even attempted to articulate what their beneficial right might
20 be, much less demonstrated the required "direct" and "substantial" beneficial right. (*Waste*
21 *Management of Alameda County, Inc. v. County of Alameda* (2000) 79 Cal.App.4th 1223, 1233.)
22 And to be sure, a general interest in having the laws of the State upheld is not special or unique.
23 Rather, it is shared by the public at large. Such a broad interest does not amount to a beneficial
24 right. (See *Holbrook v. City of Santa Monica* (2006) 144 Cal.App.4th 1242, 1254 [interests
25 "pertain[ing] to the effective operation of government and the rights of the public, not to specific
26 interests or rights of [the petitioners] individually," are not beneficial interests]; *Braude v. City of*
27 *Los Angeles* (1990) 226 Cal.App.3d 83, 89 [taxpayer's interest in minimizing traffic congestion,
28 though legitimate, was not a beneficial interest "over and above the public at large" because

1 “hundreds of thousands of people” shared the interest].) For this additional reason, the Court
2 should deny plaintiffs’ motion as to the fifth cause action.

3 **II. THE COURT SHOULD REJECT PLAINTIFFS’ NARROW CONSTRUCTION OF**
4 **SECTION 28225 AND DISMISS THE NINTH CAUSE OF ACTION.**

5 Turning to the ninth cause of action defendants agree that the central issue is a matter of
6 statutory interpretation. Yet plaintiffs’ interpretation of the relevant statute fails to adhere to the
7 basic tenets of statutory construction. (See *Elsner v. Uveges* (2004) 34 Cal.4th 915, 920 [courts
8 “begin with the language of the statute” to “ascertain the Legislature’s intent so as to effectuate
9 the purpose of the law”].) Plaintiffs narrowly focus on an isolated phrase in the uncodified
10 language of SB 819 to the exclusion of everything else, including the definition of the word
11 “possession,” the actual statutory term at issue. Plaintiffs do not even address the plain meaning
12 of the word “possession” much less explain how the Department’s common sense interpretation
13 of that word (see Defs.’ Opening Brief at pp. 21-24) is in any way inconsistent with that meaning.
14 For this reason alone, plaintiffs’ argument is unavailing.

15 Nor is it relevant, as plaintiffs contend (see Pls.’ Opening Brief at p. 17), what the
16 Department may have “publicly acknowledged” in the legislative run-up to SB 819. (See *In re*
17 *Marriage of Siller* (1986) 187 Cal.App.3d 36, 46, fn. 6 [declining to consider “two documents
18 from the sponsoring entity, the State Bar of California . . . as they are not cognizable indicia of
19 legislative intent”].) It is not relevant what a staffer of the authoring legislator of the bill might
20 have said during the same period in an alleged informational handout intended for an unknown
21 audience. (See *People v. Garcia* (2002) 28 Cal.4th 1166, 1176, fn. 5 [denying request to take
22 judicial notice of authoring legislator’s press releases and letters, explaining “we do not consider
23 the objective of an authoring legislator when there is no reliable indication that the Legislature as
24 a whole was aware of that objective and believed the language of the proposal would accomplish
25 it”]; see also Decl. of Anthony R. Hakl in Supp. of Defs.’ Mot. for Summ. Adjud. (“Hakl Decl.”),
26 Exh. O at pp. 54-58 [discussing the nature of “Q & A” document relied upon by plaintiffs].)
27 And while courts may consider different versions of a bill as a general matter (see *Quintano v.*
28 *Mercury Cas. Co.* (1995) 11 Cal.4th 1049, 1062, fn. 5 (1995) [taking judicial notice of “various

1 versions” of bill]), none of the versions of SB 819 offered by plaintiffs can change the plain
2 meaning of the word “possession,” which itself appeared in earlier versions of the bill. Indeed, it
3 is hardly inconsistent for the Legislature to have “intended to address the APPS enforcement
4 issue,” as plaintiffs claim (see Pls.’ Opening Brief at p. 17), and also more broadly intend to
5 support “enforcement activities related to *possession*” and reduce the number of illegally
6 possessed firearms that “present[] a substantial danger to public safety,” which the uncodified
7 language of SB 819 emphasized by plaintiffs also states. (Senate Bill 819 (Leno), Stats. 2010, ch.
8 743, § 1(f), italics added.) On the contrary, these intentions are compatible, APPS being a major
9 component of enforcement activities related to possession.

10 Plaintiffs cursory argument in support of the ninth cause fails to persuade. The Court
11 should deny plaintiffs’ motion as to that claim as well.

12 CONCLUSION

13 For the reasons set forth above, the Court should deny plaintiffs’ motion in its entirety.

14 Dated: June 30, 2017

Respectfully Submitted,

15 XAVIER BECERRA
16 Attorney General of California
17 STEPAN A. HAYTAYAN
Supervising Deputy Attorney General

18 
19 ANTHONY R. HAKL
20 Deputy Attorney General
21 *Attorneys for Defendants and Respondents*

22 SA2013113332
12741874.doc

DECLARATION OF SERVICE BY E-MAIL and U.S. Mail

Case Name: **Gentry, David, et al. v. Kamala Harris, et al.**
No.: **34-2013-80001667**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business.

On June 30, 2017, I served the attached **OPPOSITION TO PLAINTIFFS' MOTION FOR ADJUDICATION OF THE FIFTH AND NINTH CAUSES OF ACTION** by transmitting a true copy via electronic mail. In addition, I placed a true copy thereof enclosed in a sealed envelope, in the internal mail system of the Office of the Attorney General, addressed as follows:

Scott Franklin
Michel & Associates, P.C.
180 E. Ocean Boulevard, Suite 200
Long Beach, CA 90802
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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 June 30, 2017, at Sacramento, California.

Tracie L. Campbell
Declarant

Tracie Campbell
Signature

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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
 9 COUNTY OF SACRAMENTO

13 **DAVID GENTRY, JAMES PARKER,**
MARK MID LAM, JAMES BASS, and
CALGUNS SHOOTING SPORTS
ASSOCIATION,
 15 Plaintiffs and Petitioners,
 16
 17 v.
 18 **XAVIER BECERRA, in his official capacity**
as Attorney General for the State of
California; STEPHEN LINDLEY, in his
official capacity as Director of the California
Department of Justice Bureau of Firearms;
BETTY T. YEE, in her official capacity as
State Controller, and DOES 1-10,
 23 Defendants and
 Respondents.

Case No. 34-2013-80001667

**DEFENDANTS' RESPONSE TO
 PLAINTIFFS' SEPARATE STATEMENT
 IN SUPPORT OF MOTION FOR
 ADJUDICATION¹**

Date: August 4, 2017
 Time: 9:00 a.m.
 Dept: 31
 Judge: The Honorable Michael P.
 Kenny
 Action Filed: October 16, 2013

24 ¹ As agreed with plaintiffs, defendants have submitted their own separate statement and
 25 offer this response to plaintiffs' separate statement. Defendants note, though, that such
 26 statements may be of limited utility in assessing plaintiffs' writ of mandate and declaratory relief
 27 claims, which are largely legal claims involving statutory construction. (See, e.g., *Gilbertson v.*
 28 *Osman* (1986) 185 Cal.App.3d 3d 308, 315 [trial court may consider merits of summary judgment
 motion despite absence of separate statement where case involves "a single, simple issue" with
 minimal evidentiary support], disapproved on other grounds in *Woods v. Young* (1991) 53 Cal.3d
 315, 320.)

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<u>No.</u>	<u>PLAINTIFFS' UNDISPUTED FACT</u>	<u>DEFENDANTS' RESPONSES</u>
1	To purchase a firearm in California, qualified individuals must pay a transaction fee known as a Dealer Record of Sale ("DROS") fee ("Fee"). Evidence: GENT002	Undisputed.
2	The California Department of Justice (the "Department") performs extensive "background checks" of all applicants seeking to purchase firearms. Evidence: GENT002	Undisputed.
3	The primary purpose of the "DROS Process" is to ensure that people seeking to purchase firearms in California are not legally prohibited from possessing them. Evidence: GENT002	Undisputed.
4	The Fee was \$2.25 in 1982 when it was statutorily created to cover the costs of background checks. Evidence: AGIC007	Undisputed.
5	In 1990, the amount of the DROS Fee was \$4.25. Evidence: GENT003, AGIC007	Undisputed.

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<u>No.</u>	<u>PLAINTIFFS' UNDISPUTED FACT</u>	<u>DEFENDANTS' RESPONSES</u>
6	In 1995, the legislature capped the DROS Fee at \$14.00, subject to Consumer Price Index adjustment. Evidence: GENT003	Undisputed.
7	In 2004, the Department increased the the DROS fee from \$14 to \$19 for the first handgun or any number of rifles or shotguns in a single transaction. Evidence: GENT003	Undisputed.
8	Section 28225 provides the rules for how the Fee should be set, i.e., that the fee "shall be no more than is necessary to fund the following:" eleven classes of costs, based on what the Department determined to be "actual" or "estimated reasonable" costs to pay for the eleven costs classes identified. Evidence: Penal Code § 28225	Disputed. Plaintiffs' description is not a complete and accurate summary of Penal Code §28225, the text of which speaks for itself. Evidence: Penal Code §28225
9	Penal Code section 28225 places a duty on the Department to consider whether the amount currently being charged for the DROS fee is excessive, and the Department; the Department admits it cannot legally increase the DROS fee to an amount the Department believes to be greater than necessary to fund the costs referred to in Penal Code section 28225. Evidence: GENT009-10; GENT034; AGRFP000399	Disputed. Penal Code §28225, the text of which speaks for itself, does not impose a ministerial duty on the Department. Evidence: Penal Code §28225, GENT009-10, GENT034, AGRFP000399
10	The Department deposits DROS fee monies in the "Dealers' Record of Sale Special Account of the General Fund" ("DROS Fund"). Evidence: GENT004	Undisputed.

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No.	<u>PLAINTIFFS' UNDISPUTED FACT</u>	<u>DEFENDANTS' RESPONSES</u>
11	Revenue from multiple fees is pooled in the DROS Fund. Evidence: GENT051-52	Undisputed.
12	Because of that pooling, however, it is impossible to trace if money paid in via a particular fee is actually used for costs related to that particular cost. For example, it is impossible to determine if a cost listed in Penal Code Section 28225 is funded from DROS fee funds, money from a mix of fee sources, or from fee sources exclusive of the DROS fee. Evidence: GENT035-36; GENT051-952	Disputed, but not material. Plaintiffs' description is not an accurate summary of the evidence cited. Evidence: GENT035-36, GENT051-52
13	The Department has claimed herein that it is "unable to admit or deny" whether DROS fee money constitutes a certain percentage of the money in the DROS Special Account. Evidence: GENT035	Disputed, but not material. The cited document does not stand for the proposition claimed by plaintiffs. Evidence: GENT035
14	Internal Department documents the Department was ordered to produce herein show that DROS fee funds are the primary source of money going into the DROS Special Account. Evidence: AGICO32	Undisputed to the extent that this refers to the circumstances in 2005, which is the date of the cited document. Evidence: AGIC032
15	The Department contends that Per Transaction Cost (i.e., the average cost of performing a given transaction, including a proportional share of overhead costs) of the DROS process is currently at least \$19.00. Evidence: GENT011	Disputed, but not material. The cited document does not support the proposition advanced by plaintiffs. Evidence: GENT011

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No.	<u>PLAINTIFFS' UNDISPUTED FACT</u>	<u>DEFENDANTS' RESPONSES</u>
16	<p>The Department has not provided any basis, however, for that claim. In fact, the Department originally claimed that it would produce a current per transaction cost, but after two years of requests from Plaintiffs herein, the Department repudiated its promise during a meeting in chambers.</p> <p>Evidence: Franklin Decl. ¶ 30</p>	<p>Disputed, but not material. In responding to Request for Admission No. 38 and the accompanying Form Interrogatory 17.1 defendants' explained why they are unable to admit that the average cost to the Department of a DROS transaction is less than \$19.00. Defendants also explained their calculation that for fiscal year 2003-2004 the average DROS transaction cost was \$21.13. Fiscal year 2003-2004 was the fiscal year immediately preceding the fiscal year that the DROS fee was last increased (from \$14.00 to \$19.00).</p> <p>Evidence: GENT141; see also answers to Special Interrogatory Nos. 1 & 2, a true and correct copy of which is attached as Exhibit A to the Hakl declaration filed in connection with defendants' opposition brief.</p>
17	<p>It was only after years of discovery in this action that the Department finally admitted that it does not actually consider any of the specific costs listed in Penal Code section 28225 when evaluating how much should be charged for the DROS Fee.</p> <p>Evidence: GENT080-81; GENT110-111</p>	<p>Disputed, but not material. The cited documents do not support plaintiffs' assertion.</p> <p>Evidence: GENT080-81; GENT110-111</p>

<u>No.</u>	<u>PLAINTIFFS' UNDISPUTED FACT</u>	<u>DEFENDANTS' RESPONSES</u>
18	<p>The process used by the Department for at least the last thirteen years (the "Macro Review Process") consists of the following: occasionally, two people in the Department look at (1) how much money is in the DROS Fund, (2) then they estimate the <i>total</i> amount of money going into and coming out of the DROS Fund in the next year, and (3) as long as the DROS Fund will stay in the black and will have a surplus to cover up to one year's worth of operating expenses, the Fee will not be increased.</p> <p>Evidence: AGIC007-12; GENT033-34; GENT057; GENT079-80; GENT087; GENT108; GENT110-111</p>	<p>Disputed, but not material. The cited documents do not support plaintiffs' assertion.</p> <p>Evidence: AGIC007-12; ;GENT033-34; GENT057; GENT079-80; GENT087; GENT108; GENT110-111</p>
19	<p>The Department does not have protocol for determining when it should examine if the amount currently being charged for the DROS Fee is excessive.</p> <p>Evidence: GENT010; GENT139; GENT078; GENT083</p>	<p>Disputed, but not material. The cited documents do not support plaintiffs' assertion.</p> <p>Evidence: GENT010; GENT139; GENT078; GENT083</p>
20	<p>As to the eleven cost classes referred to in section 28225(b): (1) the Department is unaware of the amount spent yearly for eight of those categories, one of which is the particularly relevant class stated in section 28225(11) (and four of this group concern costs the Department has not been requested to pay since at least 2004), (2) the Department has identified two categories that are funded from a source other than the DROS Special Account, and (3) one is known: the amount spent for electronic information transfer (.83 to 3.53 as of 20 __).</p> <p>Evidence: GENT012-23; GENT043-47</p>	<p>Disputed, but not material. The cited documents do not support plaintiffs' assertion.</p> <p>Evidence: GENT012-23; :GENT043-47</p>

<u>No.</u>	<u>PLAINTIFFS' UNDISPUTED FACT</u>	<u>DEFENDANTS' RESPONSES</u>
21	<p>The Department has previously paid Verizon for costs related to electronic information transfer.</p> <p>Evidence: GENT045</p>	<p>Undisputed.</p>
22	<p>The Department cannot even provide the total amount of section 28225 costs for any year since 2002.</p> <p>Evidence: GENT060A</p>	<p>Disputed, but not material. The cited documents do not support plaintiffs' assertion.</p> <p>Evidence: GENT060A</p>
23	<p>The Department claims its process does contemplate the Fee being reduced.</p> <p>Evidence: GENT081-83</p>	<p>Disputed, but not material. The cited documents do not support plaintiffs' assertion.</p> <p>Evidence: GENT081-83</p>
24	<p>The DROS Fee has never been lowered.</p> <p>Evidence: AGIC007; 11 CCR § 4001</p>	<p>Undisputed.</p>
25	<p>Between 2005 and 2011, the surplus in the DROS Special Account slowly grew to over \$14 million.</p> <p>Evidence: GENT124; AGIC007</p>	<p>Undisputed.</p>
26	<p>It was only when the Department got pressure from the legislature about the size of the surplus that the Department instituted a rulemaking to reduce the Fee.</p> <p>Evidence: GENT084-85; GENT131-134</p>	<p>Disputed, but not material. The cited documents do not support plaintiffs' assertion.</p> <p>Evidence: GENT084-85; GENT131-134</p>
27	<p>The Department abandoned the 2010 rulemaking in secret in October 2011, about two years after David Harper sent his September 9, 2009, letter to then assembly Nielsen.</p> <p>Evidence: GENT031; GENT132-34</p>	<p>Disputed, but not material. The cited documents do not support plaintiffs' assertion.</p> <p>Evidence: GENT031; GENT132-34</p>

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No.	<u>PLAINTIFFS' UNDISPUTED FACT</u>	<u>DEFENDANTS' RESPONSES</u>
28	<p>The amount of the Fee was most recently increased in 2005 via an emergency rulemaking ("2005 Rulemaking") intended to resolve an anticipated negative balance in the DROS Fund.</p> <p>Evidence: 11 CCR § 4001 (emergency regulation permanently instituted on March 1, 2005); AGRFP000391-396</p>	Undisputed.
29	<p>At the time, the Department stated that 2005 increase was "only up to a level to cover actual costs as specified in statute."</p> <p>Evidence: AGRFP000391-396</p>	<p>Undisputed that the phrase "only up to a level to cover actual costs as specified in statute" appears in the cited document.</p> <p>Evidence: AGRFP000393</p>
30	<p>The Department concedes that the cost of APPS was not a cost considered in the calculation to raise the Fee.</p> <p>Evidence: GENT011</p>	<p>Disputed, but not material. The cited document does not contain the admission claimed.</p> <p>Evidence: GENT011</p>
31	<p>The Department claims that it "created a written document that utilized specific cost data to provide an explanation as to why a \$19.00 . . . FEE was appropriate[;]" but the Department refuses to produce such material, claiming it is privileged.</p> <p>Evidence: GENT027; GENT064-65</p>	<p>Disputed, but not material. Defendants produced the relevant 2004 documents, which are Bates stamped AGIC007-020 and AGIC022-031.</p> <p>Evidence: GENT027; GENT064-65</p>
32	<p>Documents ordered produced by this Court over the Department's objections, however, show that the Macro Review Process was used in the 2005 Rulemaking.</p> <p>Evidence: AGIC007-19; AGIC048; AGIC022-36; GENT026-27; GENT033</p>	<p>Disputed, but not material. The cited documents do not support plaintiffs' characterization.</p> <p>Evidence: AGIC007-19; AGIC048; AGIC022-36; GENT026-27; GENT033</p>

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<u>No.</u>	<u>PLAINTIFFS' UNDISPUTED FACT</u>	<u>DEFENDANTS' RESPONSES</u>
33	<p>The Department's own internal audit recommended cost cutting as an element of a solution to the DROS Fund deficit.</p> <p>Evidence: AGIC011-12; AGIC034</p>	<p>Disputed, but not material. The cited documents do not support plaintiffs' characterization.</p> <p>Evidence: AGIC011-12; AGIC034</p>
34	<p>The Department chose to not adopt a cost cutting recommendation as a way deal with the low funds in the DROS Fund, and instead raised the Fee as the only measure to address the deficit.</p> <p>Evidence: 11 C.F.R. § 4001; <i>cf.</i> AGIC0011</p>	<p>Disputed, but not material. The cited documents do not support plaintiffs' characterization.</p> <p>Evidence: 11 C.F.R. § 4001, <i>cf.</i> AGIC0011</p>
35	<p>During the summer of 2009 then-Assemblyman Jim Nielsen contacted the Department about the unchecked growth of the DROS Fund surplus, which was over \$8 million at the time.</p> <p>Evidence: GENT131</p>	<p>Disputed as to "unchecked growth," but not material. The letter from Assemblyman Jim Nielsen is in the record.</p> <p>Evidence: GENT131</p>
36	<p>As of September 2, 2009, the Department knew the then \$10.5 million dollar surplus in the DROS Special Account was more than necessary.</p> <p>Evidence: GENT131</p>	<p>Disputed, but not material. The cited document does not support plaintiffs' assertion.</p> <p>Evidence: GENT131</p>
37	<p>In response to the assemblyman's inquiry, the Department stated that it was "currently exploring numerous administrative and statutory options to reduce the surplus", and that "[s]hould [the Department] decide to pursue statutory changes to reduced the surplus, [the Department would] "welcome an opportunity to meet with [the assemblyman] to discuss the specifics of any proposal."</p> <p>Evidence: GENT131</p>	<p>Disputed, but not material. The cited document does not contain this language.</p> <p>Evidence: GENT131</p>

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<u>No.</u>	<u>PLAINTIFFS' UNDISPUTED FACT</u>	<u>DEFENDANTS' RESPONSES</u>
38	As a result of the pressure from the legislature, on July 9, 2010, the Department formally commenced rulemaking (the "2010 Rulemaking") regarding the possibility of reducing the amount charged for the Fee from \$19.00 to \$14.00. Evidence: GENT84-86	Disputed, but not material. The cited documents do not support plaintiffs' characterization. Evidence: GENT84-86
39	The 2010 Rulemaking was initiated while the Department was headed by Attorney General Jerry Brown. Evidence: GENT005	Undisputed.
40	The Department stated the purpose of the 2010 Rulemaking was to make the amount of the Fee 'commensurate with the actual costs of processing a DROS [application].' Evidence: AGRFP000048-49	Disputed, but not material. The cited documents do not support plaintiffs' characterization. Evidence: AGRFP000048-49
41	The Department did not actually perform an analysis to determine that the proposed \$14.00 DROS Fee would be "commensurate with the actual costs of processing a DROS [application;]" instead, it performed only the Macro Review Process, which necessarily did not include "a specific, more detailed analysis[.]" Evidence: GENT56-57; GENT109-11; AGRGP000048	Disputed, but not material. The cited documents do not support plaintiffs' characterization. Evidence: GENT56-57; GENT109-11; AGRGP000048

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No.	<u>PLAINTIFFS' UNDISPUTED FACT</u>	<u>DEFENDANTS' RESPONSES</u>
42	<p>Defendant Lindley admitted the 2010 Rulemaking was based on a determination that the surplus in the DROS Fund was “excessive[,]” and that, with the “\$19 fee structure . . . there was a surplus at the end of every fiscal year[.]” Similarly, he said “at that point the \$19 was more than what was needed.”</p> <p>Evidence: GENT083; GENT091; GENT132-134; AGRGP000048-49.</p>	<p>Undisputed that Lindley testified that “[a]t one time part of the analysis was we thought we had an excessive amount in there and that led to the 2010 rulemaking process” and that “we saw the \$19 fee structure that the – that there was additional surplus at the end of every fiscal year.” Disputed as to the rest because GENT132-134 and AGRGP000048-49 are not testimony by Lindley.</p> <p>Evidence: GENT083; GENT091</p>
43	<p>The Department claimed (1) that it never made even a preliminary determination that \$19 was excessive, and that (2) at the conclusion of the 2010 Rulemaking, the Department was of the opinion that the total amount collected as a result of the \$19.00 fee was reasonably related to the total amount of costs referred to in section 28225 that were being incurred by the Department at the time.</p> <p>Evidence: GENT 10; GENT025; GENT030; AGRGP000048-49</p>	<p>Disputed, but not material. The cited documents do not support plaintiffs’ characterization. Defendants have admitted, though, subject to various objections the gist of (2): that “at the conclusion of the 2010 rulemaking regarding the possible reduction of the DROS FEE from \$19.00 to \$14.00, CAL DOJ was of the opinion that the total amount collected as a result of the \$19.00 DROS FEE was reasonably related to the total amount of costs referred to in SECTION 28225 that were being incurred by CAL DOJ at the time.”</p> <p>Evidence: GENT 10; GENT025; GENT030; AGRGP000048-49</p>
44	<p>As to the 2010 Rulemaking, the Department held a public hearing, and even created a final statement of reasons.</p> <p>Evidence: AGRFP0000166-174</p>	<p>Undisputed.</p>
45	<p>Notwithstanding that the Department had basically completed the 2010 Rulemaking, the Department sat on the rulemaking until SB 819 passed, and then the rulemaking was abandoned in favor of SB 819, without any explanation to the public.</p> <p>Evidence: AGRFP000174; GENT030-31; GENT050; GENT054-55; GENT120</p>	<p>Disputed, but not material. The cited documents do not support plaintiffs’ characterization.</p> <p>Evidence: AGRFP000174; GENT030-31; GENT050; GENT054-55; GENT120</p>

<u>No.</u>	<u>PLAINTIFFS' UNDISPUTED FACT</u>	<u>DEFENDANTS' RESPONSES</u>
46	<p>When Defendant Lindley was asked in a deposition in a different lawsuit why the rulemaking was abandoned, he said it was because all of the public comment was against it.</p> <p>Evidence: GENT101</p>	<p>Disputed, but not material. The cited documents do not support plaintiffs' characterization.</p> <p>Evidence: GENT101</p>
47	<p>The Calguns Foundation not only stated that it supported a fee reduction, but that it supported an even greater fee reduction than the 2010 Rulemaking proposed.</p> <p>Evidence: AGRFP00176</p>	<p>Disputed, but not material. The cited documents do not support plaintiffs' characterization. For example, the documents show that Calguns "supports the reduction in fees" in general, but opposed the 2010 Rulemaking in particular.</p> <p>Evidence: AGRFP00176</p>
48	<p>When deposed in this matter, however, Defendant Lindley admitted that it was abandoned in favor of SB 819.</p> <p>Evidence: GENT090A</p>	<p>Disputed, but not material. The evidence submitted does not contain a page stamped GENT090A</p>
49	<p>When Defendant Lindley was asked at deposition who made the decision to abandon the 2010 rulemaking, he indicated the decision had been made by then Attorney General Kamala Harris.</p> <p>Evidence: GENT088-90; GENT092</p>	<p>Disputed, but not material. The cited documents do not support plaintiffs' characterization. Lindley testified that "[t]hey wanted to move forward. There was a number -- not many people liked the idea of reducing the DROS fee for one reason or another. There were ideas about using the surplus DROS fee in order to pay for APPS enforcement and that's the way the administration wanted to go."</p> <p>Evidence: GENT090</p>
50	<p>Defendant Lindley stated in a discovery response that he made the decision to abandon the rulemaking.</p> <p>Evidence: GENT055</p>	<p>Undisputed, although defendants note that the Chief (now Director) of the Bureau of Firearms is part of "the administration" referred to the testimony cited immediately above.</p> <p>Evidence: GENT055; GENT090</p>

<u>No.</u>	<u>PLAINTIFFS' UNDISPUTED FACT</u>	<u>DEFENDANTS' RESPONSES</u>
51	<p>The initial statement of reasons for the 2010 Rulemaking literally says the purposes of the proposed fee reduction to "\$14, commensurate with the actual cost of processing a DROS[.]"</p> <p>Evidence: AGRFP000419</p>	<p>Disputed, but not material. The cited document does not appear to contain the quoted phrase.</p> <p>Evidence: AGRFP000419</p>
52	<p>Defendants herein admitted during discovery that the Department initiated the 2010 Rulemaking to reduce the amount of the Fee from \$19 to \$14.</p> <p>Evidence: GENT029</p>	<p>Disputed, but not material. The cited document contains only a denial, no admission.</p> <p>Evidence: GENT029</p>
53	<p>Defendant Lindley claims he does not "think there was an intent to lower it to \$14."</p> <p>Evidence: GENT067-68</p>	<p>Disputed, but not material. The relevant deposition passage reads: "Because I don't think there was an intent to lower it to \$14. I think there was an intent to lower it or to look at the prospects of lowering it in 2010."</p> <p>Evidence: GENT067-68</p>
54	<p>By winter 2010/2011, the DROS Fund surplus was over \$14 million.</p> <p>Evidence: GENT124</p>	<p>Disputed, but not material. The cited email states that "as of January 31, 2011 DROS had a \$14,815,000.00 surplus."</p> <p>Evidence: GENT124</p>
55	<p>In January 2011, newly elected Governor Jerry Brown released his proposed budget, which included almost \$62 million in cuts, over two years, to the Department's Division of Law Enforcement.</p> <p>Evidence: GENT135-136</p>	<p>Undisputed.</p>
56	<p>In August 2011, the legislature enacted the California state budget for 2011-2, which included a \$71.5 million dollar reduction in the Division of Law Enforcement's budget over two years.</p> <p>Evidence: GENT137-38</p>	<p>Disputed, but not material. The cited documents reflect a figure of "\$71.5 million in 2012-13 and ongoing."</p> <p>Evidence: GENT138</p>

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No.	<u>PLAINTIFFS' UNDISPUTED FACT</u>	<u>DEFENDANTS' RESPONSES</u>
57	<p>The intent behind the \$71.5 million cut to the Division of Law Enforcement's budget was to "[e]liminate General Fund from the Division of Law Enforcement[;]" previously, the General Fund was used to pay for the Division of Law Enforcement's APPS-based law enforcement activities, among other things.</p> <p>Evidence: GENT011; GENT40; GENT96-98; GENT137-38</p>	<p>Disputed, but not material. The relevant passage reflects the following "Adopted Solution": "Eliminate General Fund from the Division of Law Enforcement — A reduction of \$36.8 million beginning in 2011-12, and \$71.5 million in 2012-13 and ongoing. General Fund resources have been maintained for the forensic laboratory program, the Armed Prohibited Persons Program, and investigation teams to assist the Department's legal services division."</p> <p>Evidence: GENT138</p>
58	<p>Shortly after Kamala Harris became California's Attorney General, the Department, acting on her specific instruction, brought proposed legislation to Senator Mark Leno that ultimately became Senate Bill 819 (Leno, 2011).</p> <p>Evidence: GENT154A</p>	<p>Disputed, but not material. The cited document does not support plaintiffs' characterization.</p> <p>Evidence: GENT154A</p>
59	<p>The first substantive version of SB 819, introduced March 21, 2011, did nothing other than addition the word "possession" to two passages in section 28225.</p> <p>Evidence: GENT144-146</p>	<p>Disputed, but not material. The cited documents do not support this statement. The documents, with the use of italics and strikethrough, respectively, show other additions and deletions. Also, SB 819 was introduced on February 18, 2011.</p> <p>Evidence: GENT144-146; see http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=sb_819&sess=1112&house=B&author=leno</p>

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No.	<u>PLAINTIFFS' UNDISPUTED FACT</u>	<u>DEFENDANTS' RESPONSES</u>
60	<p>In the opinion of a Department attorney who was involved in the drafting of SB 819, "as the sponsor I think I can say that we felt that it [i.e., adding only the word "possession"] was a sufficient clarification of existing law."</p> <p>Evidence: GENT114-15; GENT119; GENT121-22</p>	<p>Disputed, but not material. The cited documents do not support this statement. The relevant deposition passage is apparently: "I don't remember specific discussions, but we certainly would have talked about whether it addressed the department's -- whether it was a sufficient clarification of the law."</p> <p>Evidence: GENT119</p>
61	<p>On April 14, 2011, Senator Leno introduced a new, and what was ultimately the final, version of SB 819.</p> <p>Evidence: GENT147-53</p>	<p>Undisputed.</p>
62	<p>The April 14, 2011, version of SB 819 included a new section, and specifically the subsection limiting SB 819 to providing a funding source for APPS-based law enforcement activities: Section 1(g).</p> <p>Evidence: GENT147-50</p>	<p>Disputed that the new section was "specifically the subsection limiting SB 819 to providing a funding source for APPS-based law enforcement activities: Section 1(g)." This is a legal argument. The text of SB 819 speaks for itself.</p> <p>Evidence: GENT147-50</p>
63	<p>Senator Leno's "Q&A" packet for SB 189 expressly stated that he "added declarations and findings to make it clear that [SB 819 wa]s intended to address the APPS enforcement issue."</p> <p>Evidence: GENT125-27</p>	<p>Disputed, but not material. Many of the details regarding the cited document are not known, included but not limited to its date, author, and any intended recipients.</p> <p>Evidence: GENT125-27 see also Decl. of Anthony R. Hakl in Supp. of Defs.' Mot. for Summ. Adjud. ("Hakl Decl."), Exh. O at pp. 54-58 [discussing the nature of "Q & A" document relied upon by plaintiffs].)</p>

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<u>No.</u>	<u>PLAINTIFFS' UNDISPUTED FACT</u>	<u>DEFENDANTS' RESPONSES</u>
64	<p>A parenthetical note in the "Q&A" packet also shows that the Department was involved in the revision of SB 819 when it the new Section 1 was added.</p> <p>Evidence: GENT125-27</p>	<p>Disputed, but not material. Many of the details regarding the cited document are not known, included but not limited to its date, author, and any intended recipients.</p> <p>Evidence: GENT125-27 see also Decl. of Anthony R. Hakl in Supp. of Defs.' Mot. for Summ. Adjud. ("Hakl Decl."), Exh. O at pp. 54-58 [discussing the nature of "Q & A" document relied upon by plaintiffs].)</p>
65	<p>AAPS is a system that cross-references (1) firearm purchaser background check records and (2) criminal or other records that indicate if an individual is prohibited from possessing firearms.</p> <p>Evidence: GENT102-03; AGIC0050</p>	<p>Undisputed.</p>
66	<p>If the system produces a "hit" that is later verified by human analysis, it provides a basis for law enforcement to contact the person identified to determine that person is illegally possessing a firearm.</p> <p>Evidence: GENT102-03</p>	<p>Undisputed.</p>
67	<p>Senator Leno and the Department worked together extensively in promoting SB 819.</p> <p>Evidence: GENT154A</p>	<p>Disputed, but not material. The cited document does not support plaintiffs' characterization.</p> <p>Evidence: GENT154A</p>
68	<p>While discussing SB 819 with the legislature and the public, Senator Leno and the Department both made it very clear that SB 819 <i>only</i> applied to funding for AAPS-based law enforcement activities.</p> <p>Evidence: GENT104; GENT125-127; GENT147-150</p>	<p>Disputed, but not material. The cited documents do not support plaintiffs' characterization.</p> <p>Evidence: GENT104; GENT125-127; GENT147-150</p>

No.	<u>PLAINTIFFS' UNDISPUTED FACT</u>	<u>DEFENDANTS' RESPONSES</u>
69	<p>Further, when the Department and Senator Leno were pushed on why SB 819's proposed statutory change was limited to one word—the addition of the word “possession” to section 28225—the response was clear: SB 819's non-codified provisions provide the needed context to understand what “possession” would mean in section 28225 if SB 819 was enacted.</p> <p>Evidence: GENT125-27</p>	<p>Disputed, but not material. The cited documents do not support plaintiffs' characterization.</p> <p>Evidence: GENT125-27 see also Decl. of Anthony R. Hakl in Supp. of Defs.' Mot. for Summ. Adjud. (“Hakl Decl.”), Exh. O at pp. 54-58 [discussing the nature of “Q & A” document relied upon by plaintiffs].)</p>
70	<p>In 2011, the Legislature passed SB 819, which added the word “possession” to Section 28225, with the following uncodified intent language: “it is the intent of the Legislature in enacting this measure to allow the DOJ to utilize the Dealer Record of Sale Account for the additional, <i>limited</i> purpose of funding enforcement of the Armed Prohibited Persons System.”</p> <p>Evidence: GENT151-53</p>	<p>Disputed, but not material. The complete text of section 28225 speaks for itself, and it does not contain any bolded or italicized language as indicated.</p> <p>Evidence: GENT151-53</p>
71	<p>Since 1999, the Department has been using the DROS Fund to pay for attorney services in over 50 cases.</p> <p>Evidence: GENT073-74</p>	<p>Disputed, but not material. The cited deposition testimony refers to a period from “2009,” and the “estimate” is “around 50.”</p> <p>Evidence: GENT073-74</p>
72	<p>In fiscal year 2013/2014, \$181,486.29 of DROS Fund money was spent on attorneys.</p> <p>Evidence: GENT59-60</p>	<p>Undisputed, but to be precise “the total amount of DROS SPECIAL ACCOUNT funds spent on salary for attorneys, limited to money expended during fiscal year 2013/2014” was “[a]pproximately \$181,486.29. This figure includes salary and benefits.”</p> <p>Evidence: GENT59-60</p>

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<u>No.</u>	<u>PLAINTIFFS' UNDISPUTED FACT</u>	<u>DEFENDANTS' RESPONSES</u>
73	<p>The total costs of attorney services paid for out of the DROS Fund is in the millions.</p> <p>Evidence: GENT075</p>	<p>Undisputed, but defendants note that this was an estimate and referring to "the last ten years."</p> <p>Evidence: GENT075</p>
74	<p>Five positions within the Department, but outside the Bureau, were being funded from the DROS Fund.</p> <p>Evidence: AGIC010</p>	<p>Undisputed that this was the case as of May 28, 2004, and that the same document reflects a recommendation to "[m]ove CJIS positions that are funded out of DROS and into the Fingerprint Fee Account."</p> <p>Evidence: AGIC007-011.</p>
75	<p>The State's auditor stated the DROS Fund was a "dubious funding source for these [five abovementioned] positions. While they may somewhat contribute to the goals of the DROS program, an overwhelming majority of their time is spent on non-DROS workload."</p> <p>Evidence: AGIC010</p>	<p>Undisputed that this statement that was made by someone in the Department, likely a budget analyst, in a document dated May 28, 2004, and that the same document reflects a recommendation to "[m]ove CJIS positions that are funded out of DROS and into the Fingerprint Fee Account."</p> <p>Evidence: AGIC007-011.</p>
76	<p>And once SB 819 became law, the Department started to use the DROS Fund not only to fund APPS-based law enforcement actives, it also used DROS Fund money to pay for APPS itself (e.g., generating the APPS list).</p> <p>Evidence: AGRFP0017; GENT041</p>	<p>Disputed, but not material. Defendants have explained that "[t]he APPS program was funded with General Fund monies until approximately 2011 (i.e., the passage of SB 819)." Also, the distinction between "APPS-based law enforcement actives" and "APPS itself" as used here is unclear to defendants.</p> <p>Evidence: AGRFP0017; GENT041</p>

<u>No.</u>	<u>PLAINTIFFS' UNDISPUTED FACT</u>	<u>DEFENDANTS' RESPONSES</u>
77	<p>Once SB 819 became law, the Department started to use the DROS Fund for investigations of people who were <i>not</i> on the APPS list. The Department claims SB 819 authorized DROS Fund money to be spent on law enforcement activities related to removing firearms from the possession of prohibited persons, whereas Plaintiffs contend SB 819 is expressly limited to funding APPS-based law enforcement activities.</p> <p>Evidence: GENT069-71; GENT077 (See also the First Amended Complaint and Answer to the First Amended Complaint.)</p>	<p>Disputed, but not material. The cited documents do not support plaintiffs' characterization in the first sentence. As to the second sentence, it is not a statement of fact, although defendants generally understand the distinction plaintiffs are drawing.</p> <p>Evidence: GENT069-71; GENT077</p>
78	<p>Prior to SB 819, APPS and APPS-based law enforcement activities were funded out of the General Fund.</p> <p>Evidence: GENT40; GENT011; GENT076; GENT095-96; GENT098-99</p>	<p>Undisputed, although it is not entirely clear what plaintiffs mean by "APPS" as opposed to "APPS-based law enforcement activities." Defendants have explained that "[t]he APPS program was funded with General Fund monies until approximately 2011 (i.e., the passage of SB 819)."</p> <p>Evidence: GENT41</p>
79	<p>The list of costs funded from the DROS Fund but not referred to in section 28225 also includes the cost of legislative analysis done by the department.</p> <p>Evidence: GENT076</p>	<p>Disputed, but not material. The relevant deposition testimony is: "So, if there's a legislation that comes through, we have to produce a bill analysis for both entities or both bureau and the division. So, in the Bureau of Firearms we have staff that would work on that and analyze the impact to the department as it relates to the Bureau of Firearms and their work is paid for out of the DROS account."</p> <p>Evidence: GENT076; see also section 28225, subd. (b)(11)</p>

<u>No.</u>	<u>PLAINTIFFS' UNDISPUTED FACT</u>	<u>DEFENDANTS' RESPONSES</u>
80	<p>The list of costs funded from the DROS Fund but not referred to in section 28225 also includes the cost of certain high-level Bureau executives' entire salaries.</p> <p>Evidence: AGROG000016</p>	<p>Disputed, but not material. The cited document does not support plaintiffs' characterization.</p> <p>Evidence: AGROG000016; see also section 28225, subd. (b)(11)</p>
81	<p>The Bureau does not just perform the DROS Process (and the extent relevant, APPS-based law enforcement); it administers over thirty state mandated programs.</p> <p>Evidence: GENT139-143</p>	<p>Undisputed that "[t]he Bureau of Firearms provides oversight, enforcement, education, and regulation of California's firearms/dangerous weapon laws by conducting firearms eligibility background checks and administering over thirty different state-mandated firearms-related programs"</p> <p>Evidence: GENT141</p>
82	<p>Approximately 25% of Defendant Lindley's time as chief of the Bureau was spent working on matters related to APPS.</p> <p>Evidence: GENT074A</p>	<p>Disputed, but not material. The cited document does not indicate this, but GENT094A shows that as of February 14, 2014 the estimate "on a monthly basis" was "25 percent," give or take.</p> <p>Evidence: GENT094A</p>
83	<p>The Department does not separately record expenses for non-APPS-based law enforcement activities and APPS-based law enforcement activities.</p> <p>Evidence: GENT077</p>	<p>Undisputed, but the relevant distinction drawn by plaintiffs' counsel during the deposition was between "the APPS list cases and the similar but not so defined other cases," as opposed to "non-APPS-based law enforcement activities and APPS-based law enforcement activities."</p> <p>Evidence: GENT077</p>
84	<p>Approximately 5% of the "APPS Cases" handled by the Department concern individuals not identified via APPS.</p> <p>Evidence: GENT071-72</p>	<p>Undisputed, but the actual testimony is an estimate that "95% of the case we work would be system generated cases."</p> <p>Evidence: GENT071-72</p>

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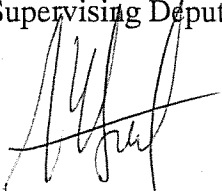
<u>No.</u>	<u>PLAINTIFFS' UNDISPUTED FACT</u>	<u>DEFENDANTS' RESPONSES</u>
85	<p>Based on the Department's own data and estimation, and assuming both kinds of enforcement activities take the same time, the amount spent on non-APPS-based law enforcement activities by the Department is somewhere between \$131,272.16 to 262,859.04 (the total yearly salary for approximately 2.84 special agents)—depending on pay grade—not to mention overtime and support staff (e.g., non-sworn criminal identification specialists).</p> <p>Evidence: GENT154; GENT156</p>	<p>Disputed, but not material. Defendants do not follow this mathematical calculation devised by plaintiffs, which is argumentative. Also, the cited documents do not cite these figures.</p> <p>Evidence: GENT154; GENT156</p>
86	<p>Support staff do a large amount of investigatory work prior to special agents going into the field to contact people who may be armed but legally prohibited from possessing firearms.</p> <p>Evidence: GENT100</p>	<p>Disputed, but not material. The actual testimony is "[c]riminal Identification Specialists, like we said, the ones that are up here in Sacramento, they're the ones that work the triggering events. The intelligence specialists are oftentimes in the field offices, and they assist the Agents in preparing cases to go work. Once an individual is identified as someone that we want to make contact with, we still have a lot of followup to do beforehand to ensure the safety of our Agents, the public and the individual we're going to be contacting, so that we know As much about them as possible."</p> <p>Evidence: GENT100</p>

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Dated: June 30, 2017

Respectfully Submitted,

XAVIER BECERRA
Attorney General of California
STEPAN A. HAYTAYAN
Supervising Deputy Attorney General



ANTHONY R. HAKL
Deputy Attorney General
Attorneys for Defendants and Respondents

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DECLARATION OF SERVICE BY E-MAIL and U.S. Mail

Case Name: **Gentry, David, et al. v. Kamala Harris, et al.**
No.: **34-2013-80001667**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business.

On June 30, 2017, I served the attached **DEFENDANTS' RESPONSE TO PLAINTIFFS' SEPARATE STATEMENT IN SUPPORT OF MOTION FOR ADJUDICATION** by transmitting a true copy via electronic mail. In addition, I placed a true copy thereof enclosed in a sealed envelope, in the internal mail system of the Office of the Attorney General, addressed as follows:

Scott Franklin
Michel & Associates, P.C.
180 E. Ocean Boulevard, Suite 200
Long Beach, CA 90802
E-mail: SFranklin@michellawyers.com

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 June 30, 2017, at Sacramento, California.

Tracie L. Campbell
Declarant

Tracie Campbell
Signature

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1 XAVIER BECERRA
 Attorney General of California
 2 STEPAN A. HAYTAYAN
 Supervising Deputy Attorney General
 3 ANTHONY R. HAKL
 Deputy Attorney General
 4 State Bar No. 197335
 1300 I Street, Suite 125
 5 P.O. Box 944255
 Sacramento, CA 94244-2550
 6 Telephone: (916) 322-9041
 Fax: (916) 324-8835
 7 E-mail: Anthony.Hakl@doj.ca.gov
Attorneys for Defendants and Respondents

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 COUNTY OF SACRAMENTO

13 **DAVID GENTRY, JAMES PARKER,**
 14 **MARK MID LAM, JAMES BASS, and**
 15 **CALGUNS SHOOTING SPORTS**
ASSOCIATION,

16 Plaintiffs and Petitioners,

17 v.

18 **XAVIER BECERRA, in his official capacity**
as Attorney General for the State of
 19 **California; STEPHEN LINDLEY, in his**
official capacity as Director of the California
 20 **Department of Justice Bureau of Firearms;**
 21 **BETTY T. YEE, in her official capacity as**
State Controller, and DOES 1-10,

22 Defendants and
23 Respondents.

Case No. 34-2013-80001667

**DECLARATION OF ANTHONY R.
 HAKL IN SUPPORT OF OPPOSITION
 TO PLAINTIFFS' MOTION FOR
 ADJUDICATION OF THE FIFTH AND
 NINTH CAUSES OF ACTION**

Date: August 4, 2017
 Time: 9:00 a.m.
 Dept: 31
 Judge: The Honorable Michael P.
 Kenny
 Action Filed: October 16, 2013

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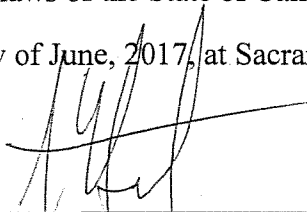
DECLARATION OF ANTHONY R. HAKL

1. I am a Deputy Attorney General for the Office of the Attorney General in the California Department of Justice located in Sacramento, California. I am the attorney of record for defendants in this action. I make this declaration in support of defendants' opposition to plaintiffs' motion for adjudication as to the fifth and ninth causes of action. I have personal knowledge of the facts stated in this declaration, and if called as a witness, I could and would competently testify to them.

2. Attached as Exhibit A is a true and correct copy of Defendants Attorney General Kamala Harris and Bureau of Firearms Chief Stephen Lindley's Responses to Special Interrogatories (Set One);

3. Attached as Exhibits B through L are documents covering fiscal years 2013-2014 through 2003-2004, respectively. They are true and correct copies of the documents produced by defendants to plaintiffs in this litigation and the related federal court litigation regarding the DROS fee (i.e., *Bauer v. Becerra*). The documents provide a summary of funding, per fiscal year, for the Special Funds (including but not limited to the DROS Special Fund) that supported various Programs in the Bureau of Firearms and the Division of Criminal Justice Information Services. In addition, detailed budget reports are included to show where the funds were spent within each program.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Signed this 30th day of June, 2017, at Sacramento, California.



ANTHONY R. HAKL

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DECLARATION OF SERVICE BY E-MAIL and U.S. Mail

Case Name: **Gentry, David, et al. v. Kamala Harris, et al.**
No.: **34-2013-80001667**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business.

On June 30, 2017, I served the attached **DECLARATION OF ANTHONY R. HAKL IN SUPPORT OF OPPOSITION TO MOTION FOR ADJUDICATION** by transmitting a true copy via electronic mail. In addition, I placed a true copy thereof enclosed in a sealed envelope, in the internal mail system of the Office of the Attorney General, addressed as follows:

Scott Franklin
Michel & Associates, P.C.
180 E. Ocean Boulevard, Suite 200
Long Beach, CA 90802
E-mail: SFranklin@michellawyers.com

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 June 30, 2017, at Sacramento, California.

Tracie L. Campbell
Declarant

Tracie Campbell
Signature

Exhibit A

1 KAMALA D. HARRIS
Attorney General of California
2 STEPAN A. HAYTAYAN
Supervising Deputy Attorney General
3 ANTHONY R. HAKL, State Bar No. 197335
Deputy Attorney General
4 1300 I Street, Suite 125
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5 Sacramento, CA 94244-2550
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6 Fax: (916) 324-8835
E-mail: Anthony.Hakl@doj.ca.gov
7 *Attorneys for Defendants and Respondents*

8
9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 COUNTY OF SACRAMENTO
11

12 DAVID GENTRY, JAMES PARKER,
13 MARK MID LAM, JAMES BASS, and
14 CALGUNS SHOOTING SPORTS
ASSOCIATION,

15 Plaintiffs and Petitioners,

16 v.

17 KAMALA HARRIS, in Her Official
18 Capacity as Attorney General for the State
19 of California; STEPHEN LINDLEY, in His
20 Official Capacity as Acting Chief for the
California Department of Justice, JOHN
CHIANG, in his official capacity as State
Controller, and DOES 1-10,

21 Defendants and Respondents.
22

Case No. 34-2013-80001667

DEFENDANTS ATTORNEY GENERAL
KAMALA HARRIS AND BUREAU OF
FIREARMS CHIEF STEPHEN
LINDLEY'S RESPONSES TO SPECIAL
INTERROGATORIES (SET ONE)

23 PROPOUNDING PARTY: PLAINTIFFS

24 RESPONDING PARTY: DEFENDANTS ATTORNEY GENERAL KAMALA
25 HARRIS AND BUREAU OF FIREARMS CHIEF
STEPHEN LINDLEY

26 SET NUMBER: ONE
27
28

RESPONSES TO SPECIAL INTERROGATORIES

INTERROGATORY NO. 1:

State CAL DOJ's (as used herein, "CAL DOJ" refers to the California Department of Justice, including the office of the Attorney General, and all employees and representatives of the California Department of Justice) best estimate as to the average PER TRANSACTION COST (as used herein, "PER TRANSACTION COST" refers to the average cost of performing a given transaction, including a proportional share of overhead costs) to perform the tasks included in the DROS PROCESS (as used herein, "DROS PROCESS" refers to the background check process that occurs when a firearm purchase or transfer occurs in California; CAL DOJ's own usage of "DROS PROCESS" can be found at <http://oag.ca.gov/firearms/pubfaqs>) regarding the purchase of one handgun.

RESPONSE TO INTERROGATORY NO. 1:

Defendants object to the term "DROS PROCESS" as defined to the extent that Plaintiffs' definition does not comport with its reference to the Defendants' usage of that term on its public website at <http://oag.ca.gov/firearms/pubfaqs>. Defendants' use of the term "DROS PROCESS" on that website only refers to the "front-end" portion of a firearms purchase (i.e., where the purchaser visits a firearms dealer to purchase a firearm). Subject to and without waiving this objection, Defendants respond as follows:

Defendants currently do not have the personal knowledge sufficient to respond fully to this interrogatory even after making a reasonable and good faith effort to obtain the information sought.

INTERROGATORY NO. 2:

If CAL DOJ contends that, upon a reasonable and good faith effort, it cannot provide a response to Interrogatory No. 1, please describe, in detail, what barriers, be they financial, factual, or otherwise, prevent the response sought from being provided.

1 **RESPONSE TO INTERROGATORY NO. 2:**

2 While defendants know the approximate number of DROS transactions actually processed
3 per year, defendants are not aware of any calculation showing the total annual cost of the "DROS
4 PROCESS" as defined by plaintiffs.

5 There are a number of barriers to even estimating this cost. For example, the criminal
6 histories of firearms purchasers can fluctuate greatly from purchaser to purchaser. One purchaser
7 may have no criminal history, in which event the approval of the purchase can happen quickly,
8 whereas another purchaser may have an extensive criminal history, requiring considerable time
9 and resources to review and assess.

10 Another example is that the number of DROS transactions to be processed can vary
11 widely over time. Firearms purchasing activity can fluctuate considerably based on a variety of
12 factors, such as the time of year (e.g., holiday season, hunting season) or even certain political
13 events (e.g., elections).

14 Nevertheless, defendants in good faith continue to work with California Department of
15 Justice administrative and program personal to make such an estimate. Defendants will
16 supplement this interrogatory answer accordingly.

17 **INTERROGATORY NO. 3:**

18 List every line item amount, by Object Code, Object Title, or Object Description, that
19 when summed comprised the \$9,204,449 total for Actual Year-End Expenditures for Fiscal Year
20 2011/2012 for the Dealers' Record of Sale program (Unit Code 510).

21 **RESPONSE TO INTERROGATORY NO. 3:**

22 The amounts requested in this interrogatory are listed in the document attached hereto as
23 Exhibit A. Also, note that the correct actual year-end expenditures for the year in question total
24 \$9,292,915.84.

25 **INTERROGATORY NO. 4:**

26 State the Actual Year-End Expenditures for Fiscal Year 2012/2013 for the Dealers'
27 Record of Sale program (Unit Code 510).

1 RESPONSE TO INTERROGATORY NO. 4:

2 \$12,308,671.47.

3 INTERROGATORY NO. 5:

4 List every line item amount, by Object Code, Object Title, or Object Description, that
5 when summed comprised the total for Actual Year-End Expenditures for Fiscal Year 2012/2013
6 for the Dealers' Record of Sale program (Unit Code 510).

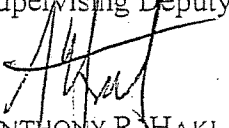
7 RESPONSE TO INTERROGATORY NO. 5:

8 The amounts requested in this interrogatory are listed in the document attached hereto as
9 Exhibit B.

11 Dated: August 1, 2014

Respectfully Submitted,

KAMALA D. HARRIS
Attorney General of California
STEPAN A. HAYTAYAN
Supervising Deputy Attorney General


ANTHONY R. HAKL
Deputy Attorney General
Attorneys for Defendants and Respondents

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Exhibit A

REPORT OF EXPENDITURES AS OF JUN 30, 2014

FOR CLEARING ACCOUNTS

PROGRAM : LAW ENFORCEMENT
ELEMENT : BUREAU OF FIREARMS

COMMENT: DRCS *5100

DESCRIPTION	CURRENT PERIOD EXPENSE	FISCAL YEAR EXPENSE	WORKING APPROPRIATION	TOTAL EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE USED	FCT USED
PERSONAL SERVICES							
003000 CIVIL SVC-PERM-ALLOIME	.00	.00	3,877,000.00	3,650,983.63	.00	226,016.37	94.17
CIVIL SERVICE-PERMANENT	.00	.00	3,877,000.00	3,650,983.63	.00	226,016.37	94.17
033100 TEMP HELP - REGULAR	.00	.00	258,000.00	39,765.14	.00	218,234.86	15.41
033700 TEMP HELP - AGENTS	.00	.00	54,000.00	58,177.75	.00	4,177.75	107.73
CIVIL SERVICE-TEMP HELP	.00	.00	312,000.00	97,942.89	.00	214,057.11	31.39
083100 OVERTIME - REGULAR	.00	.00	309,000.00	424,990.20	.00	115,990.20	137.53
083200 OVERTIME - AGENT	.00	.00	71,000.00	45,515.96	.00	25,484.04	64.10
OVERTIME	.00	.00	380,000.00	470,506.16	.00	90,506.16	123.81
101000 STAFF BENEFITS - ALLOT	.00	.00	1,634,847.00	.00	.00	1,634,847.00	.00
103000 OASDI	.00	.00	.00	112,289.28	.00	112,289.28	.00
105100 HEALTH & WELFARE - REG	.00	.00	.00	616,854.38	.00	616,854.38	.00
105200 HEALTH & WELFARE - AGE	.00	.00	.00	74,367.05	.00	74,367.05	.00
112000 RETIREMENT-REGULAR	.00	.00	.00	522,847.15	.00	522,847.15	.00
116000 RETIREMENT-AGENTS	.00	.00	.00	175,669.06	.00	175,669.06	.00
125100 WORKERS COMP - REGULAR	.00	.00	.00	7,697.53	.00	7,697.53	.00
125200 WORKERS COMP - AGENT	.00	.00	.00	60,124.56	.00	60,124.56	.00
132100 NONINDUSTRIAL LEAVE-RE	.00	.00	.00	7,288.90	.00	7,288.90	.00
133100 UNEMPLOYMENT INS - REG	.00	.00	.00	5,834.00	.00	5,834.00	.00
134000 TRANSIT SUBSIDY	.00	.00	.00	1,348.75	56.00	1,404.75	.00
134100 ADMIN CHARGES	.00	.00	.00	1,501.27	.00	1,501.27	.00
135000 SURVIVOR BENEFITS	.00	.00	.00	2,229.05	.00	2,229.05	.00
STAFF BENEFITS	.00	.00	1,634,847.00	1,588,050.98	56.00	46,740.02	97.14
PERSONAL SERVICES	.00	.00	6,203,847.00	5,807,483.66	56.00	396,307.34	93.61
OPERATING EXP & EQUIP	.00	.00	27,000.00	.00	.00	27,000.00	.00
201000 GENERAL EXPENSE - ALLO	.00	.00	.00	9,679.60	.00	9,679.60	.00
206000 MISC OFFICE SUPPLIES	.00	.00	.00	4,673.13	.00	4,673.13	.00
207000 FREIGHT AND DRAVAGE	.00	.00	.00	.00	.00	.00	.00

FY 2011 CHAPT 0000 FUND 0000000 CROSS-REFERENCE NCA

DATE 7/23/2014

TIME 13:56:44

DEPARTMENT OF JUSTICE

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REPORT OF EXPENDITURES AS OF JUN 30, 2014

FOR CLEARING ACCOUNTS

PROGRAM : LAW ENFORCEMENT
ELEMENT : BUREAU OF FIREARMS

COMPONENT: DROS *5100

DESCRIPTION	CURRENT PERIOD EXPENSE	FISCAL YEAR EXPENSE	WORKING APPROPRIATION	TOTAL EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE USED	PCT USED
215000 ADVERTISING	.00	.00	.00	42.50	.00	42.50	.00
223100 LIBRARY-NEW ACQUISITION	.00	.00	.00	122.65	.00	122.65	.00
223200 UPKEEP - PERIODICALS	.00	.00	.00	2,927.31	.00	2,927.31	.00
223500 UPKEEP-TREATISES/SUP/R	.00	.00	.00	777.57	.00	777.57	.00
226500 MINOR EQUIP < 5K NON IT	.00	.00	.00	4,350.64	.00	4,350.64	.00
227100 OFFICE EQUIPMENT RENNA	.00	.00	.00	563.05	.00	563.05	.00
238100 C S WAREHOUSE SUPPLIES	.00	.00	.00	974.44	.00	974.44	.00
238200 OFFICE MOVES	.00	.00	.00	3,010.51	.00	3,010.51	.00
GENERAL EXPENSE	.00	.00	27,000.00	27,121.40	.00	121.40	100.44
241000 PRINTING - ALLOT	.00	.00	20,000.00	.00	.00	20,000.00	.00
242200 PRINTING INTERNAL OTHE	.00	.00	.00	1,550.40	.00	1,550.40	.00
242400 PRINTING EXTERNAL OTHE	.00	.00	.00	871.55	.00	871.55	.00
243000 PHOTOCOPY PAPER	.00	.00	.00	40.89	.00	40.89	.00
243100 COPY PAPER-CEN SVCS ONLY	.00	.00	.00	8,812.00	.00	8,812.00	.00
244000 OFFICE COPIER CONTRACT	.00	.00	.00	579.51	469.50	1,049.01	.00
245200 EXTERNAL-PRINTED FORMS	.00	.00	.00	9,482.09	.00	9,482.09	.00
PRINTING	.00	.00	20,000.00	21,336.44	469.50	1,805.94	109.02
251000 COMMUNICATIONS - ALLOT	.00	.00	83,000.00	.00	.00	83,000.00	.00
252500 CELL PHONE PDA PAGER	.00	.00	.00	2,131.55	.00	2,131.55	.00
254100 FAX LINES	.00	.00	.00	327.25	.00	327.25	.00
256200 RADIO MODIFICATION	.00	.00	.00	6,658.49	.00	6,658.49	.00
257100 TELEPHONE PURCHASE	.00	.00	.00	44.31	.00	44.31	.00
257700 TELEPHONE SERVICES	.00	.00	.00	65,832.10	5,046.00	70,878.10	.00
258100 TELEPHONE-ADDS & CHANG	.00	.00	.00	5,480.29	.00	5,480.29	.00
COMMUNICATIONS	.00	.00	83,000.00	80,473.99	5,046.00	2,519.99	103.03
261000 POSTAGE - ALLOT	.00	.00	3,000.00	.00	.00	3,000.00	.00
262000 POSTAGE	.00	.00	.00	1,560.00	.00	1,560.00	.00
263000 POSTAGE METER	.00	.00	.00	970.00	.00	970.00	.00
POSTAGE	.00	.00	3,000.00	2,530.00	.00	470.00	84.33
291000 TRAVEL IN STATE-ALLOT	.00	.00	17,000.00	.00	.00	17,000.00	.00
292000 TRAV EXPENSE-PER DIEM	.00	.00	.00	14,159.97	709.00	14,868.97	.00
294000 COMMERCIAL AIR TRNS	.00	.00	.00	5,640.60	377.00	6,017.60	.00
296000 PRIVATE CAR - MILEAGE	.00	.00	.00	3,357.19	125.00	3,482.19	.00

REPORT OF EXPENDITURES AS OF JUN 30, 2014

FOR CLEARING ACCOUNTS

PROGRAM : LAW ENFORCEMENT
ELEMENT : BUREAU OF FIREARMS

COMPONENT: DROS *5100

DESCRIPTION	CURRENT PERIOD EXPENSE	FISCAL YEAR EXPENSE	WORKING APPROPRIATION	TOTAL EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE USED	PCT USED
297000 RENTAL CAR	.00	.00	.00	2,052.29	117.00	2,169.29	.00
303000 OVERTIME MEALS	.00	.00	.00	412.50	.00	412.50	.00
TRAVEL IN-STATE	.00	.00	17,000.00	25,622.55	1,328.00	9,950.55	158.53
311000 TRAVEL O/S - ALLOT	.00	.00	6,000.00	.00	.00	6,000.00	.00
312000 PER DIEM	.00	.00	.00	546.02	.00	546.02	.00
314000 AIR TICKET PURCHASES	.00	.00	.00	2,079.56	.00	2,079.56	.00
317000 RENTAL CARS	.00	.00	.00	148.44	.00	148.44	.00
TRAVEL OUT-OF-STATE	.00	.00	6,000.00	2,774.02	.00	3,225.98	46.23
341000 FACILITIES - ALLOT	.00	.00	539,000.00	.00	.00	539,000.00	.00
342000 RENT - STATE OWNED	.00	.00	.00	172,605.05	.00	172,605.05	.00
343000 RENT - NON-STATE OWNED	.00	.00	.00	336,918.11	.00	336,918.11	.00
345100 SECURITY-NON GEN SVC	.00	.00	.00	8,726.81	.00	8,726.81	.00
346000 RECURRING MAINTENANCE	.00	.00	.00	4,106.53	55.00	4,161.53	.00
347200 DGS LEASE MNGMNT FEES	.00	.00	.00	5,951.94	.00	5,951.94	.00
353000 ALTERATIONS	.00	.00	.00	13,174.38	.00	13,174.38	.00
FACILITIES OPERATION	.00	.00	539,000.00	541,482.82	55.00	2,537.82	100.47
361000 UTILITIES - ALLOTMENT	.00	.00	1,000.00	.00	.00	1,000.00	.00
362000 ELECTRICITY	.00	.00	.00	333.21	.00	333.21	.00
363000 NATURAL GAS	.00	.00	.00	148.28	.00	148.28	.00
UTILITIES	.00	.00	1,000.00	481.49	.00	518.51	48.14
382000 CONSULT INTERDEPT-ALLO	.00	.00	437,000.00	.00	.00	437,000.00	.00
384000 ADMINISTRATIVE	.00	.00	.00	4,001.79	109.00	4,110.79	.00
396000 AG DEPTL LEGAL SERVICE	.00	.00	.00	483,992.93	.00	483,992.93	.00
CONSULTANT & PROFESSIONAL SVCS-I	.00	.00	437,000.00	487,994.72	109.00	51,103.72	111.69
402000 CONSULT EXTERNAL - ALL	.00	.00	896,000.00	.00	.00	896,000.00	.00
404000 ADMINISTRATIVE CONTRAC	.00	.00	.00	787,010.58	12,600.00	799,610.58	.00
CONSULTANT & PROFESSIONAL SVCS-E	.00	.00	896,000.00	787,010.58	12,600.00	96,389.42	89.24

FOR CLEARING ACCOUNTS
 COMPONENT: DRUGS *5100

PROGRAM : LAW ENFORCEMENT
 ELEMENT : BUREAU OF FIREARMS

DESCRIPTION	CURRENT PERIOD EXPENSE	FISCAL YEAR EXPENSE	WORKING APPROPRIATION	TOTAL EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE USED	PCT USED
427000 INDIRECT DISTRIBUTED C	.00	.00	602,000.00	.00	.00	602,000.00	.00
427200 INDIRECT - SPEC PROG	.00	.00	.00	827,724.39	.00	827,724.39	.00
DEPARTMENTAL SERVICES	.00	.00	602,000.00	827,724.39	.00	225,724.39	137.49
431000 INFO TECHNOLOGY ALLOT	.00	.00	55,000.00	.00	.00	55,000.00	.00
435200 IT SOFTWARE MAINTENANCE	.00	.00	.00	21,961.55	.00	21,961.55	.00
435300 IT HARDWARE MAINTENANCE	.00	.00	.00	3,588.00	.00	3,588.00	.00
436100 SUPPLIES - IT RELATED	.00	.00	.00	6,160.46	.00	6,160.46	.00
445100 IT SOFTWARE (COTS)	.00	.00	.00	5,438.14	.00	5,438.14	.00
446100 IT HARDWARE UNDER 5K	.00	.00	.00	74,706.27	.00	74,706.27	.00
447500 DATA COM MAINT/REPAIR-IT	.00	.00	.00	419.02	.00	419.02	.00
448100 INTERNET SVC PROVIDER	.00	.00	.00	422.31	.00	422.31	.00
INFORMATION TECHNOLOGY	.00	.00	55,000.00	112,695.75	.00	57,695.75	204.90
437000 CENTRAL ADMIN SVCS-ALL	.00	.00	473,000.00	.00	.00	473,000.00	.00
438000 PRO RATA	.00	.00	.00	473,151.00	.00	473,151.00	.00
CENTRAL ADMINISTRATIVE SERVICES	.00	.00	473,000.00	473,151.00	.00	151.00	100.03
451000 EQUIPMENT - ALLOT	.00	.00	30,000.00	.00	.00	30,000.00	.00
452000 REPLACEMENT	.00	.00	.00	3,553.50	.00	3,553.50	.00
EQUIPMENT	.00	.00	30,000.00	3,553.50	.00	33,553.50	11.84
501000 OTHER ITEMS OF EXP-ALL	.00	.00	104,000.00	.00	.00	104,000.00	.00
503000 SUBSISTENCE & PERSONAL	.00	.00	.00	2,221.28	.00	2,221.28	.00
522000 LAW ENFORCEMENT MATERI	.00	2,701.47	.00	52,995.07	.00	52,995.07	.00
525000 GASOLINE	.00	.00	.00	23,413.47	.00	23,413.47	.00
527000 OIL AND LUBRICATION	.00	.00	.00	687.35	.00	687.35	.00
532000 TIRES AND TUBES	.00	.00	.00	3,529.55	.00	3,529.55	.00
533000 MAINTENANCE AND REPAIR	.00	38.50	.00	8,185.83	.00	8,185.83	.00
534000 WASHING	.00	.00	.00	161.24	.00	161.24	.00
535000 TOWING	.00	.00	.00	60.00	.00	60.00	.00
536500 MISCELLANEOUS COSTS	.00	.00	.00	371.14	.00	371.14	.00
568100 INFORMERS EVIDENCE	.00	.00	.00	6,961.60	.00	6,961.60	.00
571000 UNALLOCATED	.00	.00	85,264.00	.00	.00	85,264.00	.00
OTHER ITEMS OF EXPENSE	.00	2,739.97	189,264.00	98,586.53	.00	90,677.47	52.08

FY 2011 CHAPT 0000 FUND 0000000 CROSS-REFERENCE NC4 DEPARTMENT OF JUSTICE PAGE 20
 DATE 7/23/2014 REPORT OF EXPENDITURES AS OF JUN 30, 2014
 TIME 13:56:44 FOR CLEARING ACCOUNTS

PROGRAM : LAW ENFORCEMENT
 ELEMENT : BUREAU OF FIREARMS

COMPONENT: DRCS *5100

DESCRIPTION	CURRENT PERIOD EXPENSE	FISCAL YEAR EXPENSE	WORKING APPROPRIATION	TOTAL EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE USED	PCI USED
OPERATING EXP & EXHP	.00	2,739.97	3,378,264.00	3,485,432.18	19,607.50	126,775.68	103.75
TOTAL PERS SERV & O.E.E.	.00	2,739.97	9,582,111.00	9,292,915.84	19,663.50	269,531.66	97.18
GRAND TOTAL	.00	2,739.97	9,582,111.00	9,292,915.84	19,663.50	269,531.66	97.18

Exhibit B

FOR CLEARING ACCOUNTS

PROGRAM : LAW ENFORCEMENT
ELEMENT : BUREAU OF FIREARMS

COMPONENT: DROS *5100

DESCRIPTION	CURRENT PERIOD EXPENSE	FISCAL YEAR EXPENSE	WORKING APPROPRIATION	TOTAL EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE USED	FCT USED
PERSONAL SERVICES							
003000 CIVIL SVC-FERM-ALLOIIME	165.44	12,326.08	4,457,074.00	3,958,278.14	.00	498,795.86	88.80
CIVIL SERVICE-PERMANENT	165.44	12,326.08	4,457,074.00	3,958,278.14	.00	498,795.86	88.80
033100 TEMP HELP - REGULAR	.00	24,101.00	176,000.00	182,592.53	22,978.00	29,570.53	116.80
033700 TEMP HELP - AGENTS	.00	.00	11,000.00	10,618.75	5,689.00	5,307.75	148.25
CIVIL SERVICE-TEMP HELP	.00	24,101.00	187,000.00	193,211.28	28,667.00	34,878.28	118.65
083100 OVERTIME - REGULAR	19.72	111,016.20	665,000.00	813,939.46	208,325.00	357,264.46	153.72
083200 OVERTIME - AGENT	.00	5,615.35	58,000.00	71,178.43	.00	13,178.43	122.72
OVERTIME	19.72	116,631.55	723,000.00	885,117.89	208,325.00	370,442.89	151.23
101000 STAFF BENEFITS - ALLOT	.00	.00	2,020,457.00	.00	.00	2,020,457.00	.00
103000 OASDI	1.22	2,473.33	.00	120,430.27	.00	120,430.27	.00
105100 HEALTH & WELFARE - REG	.29	5,280.18	.00	698,818.43	.00	698,818.43	.00
105200 HEALTH & WELFARE - AGE	.00	156.40	.00	107,759.66	.00	107,759.66	.00
112000 RETIREMENT-REGULAR	.00	836.27	.00	613,848.85	.00	613,848.85	.00
116000 RETIREMENT-AGENTS	.00	1,111.40	.00	209,923.02	.00	209,923.02	.00
125100 WORKERS COMP - REGULAR	.00	.00	.00	6,050.50	.00	6,050.50	.00
125200 WORKERS COMP - AGENT	.00	1.18	.00	91,409.78	.00	91,409.78	.00
132100 NONINDUSTRIAL LEAVE-RE	.00	.00	.00	3,866.21	.00	3,866.21	.00
133100 UNEMPLOYMENT INS - REG	.00	.00	.00	2,092.00	.00	2,092.00	.00
134000 TRANSIT SUBSIDY	.00	.00	.00	836.25	2,629.00	3,465.25	.00
134100 ADMIN CHARGES	.00	8.18	.00	1,572.65	.00	1,572.65	.00
135000 SURVIVOR BENEFITS	.00	2,665.05	.00	2,665.05	.00	2,665.05	.00
STAFF BENEFITS	1.51	12,531.99	2,020,457.00	1,859,272.67	2,629.00	158,555.33	92.15

PERSONAL SERVICES	144.21	165,590.62	7,387,531.00	6,895,879.98	239,621.00	252,030.02	96.58
OPERATING EXP & EQUIP							
201000 GENERAL EXPENSE - ALLO	.00	.00	139,000.00	.00	.00	139,000.00	.00
205200 ADMISSION FEES	.00	.00	.00	9.00	.00	9.00	.00
206000 MISC OFFICE SUPPLIES	.00	.00	.00	29,245.26	7,094.10	36,339.36	.00

FY 2012 CHAPT 0000 FUND 00000000 CROSS-REFERENCE NC4

DATE 7/23/2014

DEPARTMENT OF JUSTICE

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REPORT OF EXPENDITURES AS OF JUN 30, 2014

TIME 14:14:37

FOR
CLEARING ACCOUNTS

PROGRAM : LAW ENFORCEMENT
ELEMENT : BUREAU OF FIREARMS

COMPONENT: DRUG *5100

DESCRIPTION	CURRENT PERIOD EXPENSE	FISCAL YEAR EXPENSE	WORKING APPROPRIATION	TOTAL EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE USED	PCT USED
206200 PHOTOCOPY CHGS-COSTOSU	.00	18.00	.00	18.00	.00	18.00-	.00
207000 FREIGHT AND DRAYAGE	.00	150.52	.00	3,030.83	.00	3,030.83-	.00
215000 ADVERTISING	.00	45.00	.00	90.00	.00	90.00-	.00
223100 LIBRARY-NEW ACQUISITION	.00	.00	.00	22.05	.00	22.05-	.00
223200 UPKEEP - PERIODICALS	.00	.00	.00	2,380.18	.00	2,380.18-	.00
223500 UPKEEP-TREATISES/SOP/R	.00	.00	.00	4,450.00	.00	4,450.00-	.00
223600 UPKEEP - CONTINUATIONS	.00	.00	.00	336.20	.00	336.20-	.00
226500 MINOR EQUIP < 5K NON IT	.00	10,786.00	.00	77,570.11	.00	77,570.11-	.00
227100 OFFICE EQUIPMENT RENTA	.00	.00	.00	2,491.79	.00	2,491.79-	.00
227200 LAB EQUIP RENT MAINT	.00	.00	.00	159.72	.00	159.72-	.00
238100 C S WAREHOUSE SUPPLIES	.00	.00	.00	289.21	.00	289.21-	.00
238200 OFFICE MOVES	.00	.00	.00	15,117.36	.00	15,117.36-	.00
GENERAL EXPENSE	.00	10,999.52	139,000.00	135,209.71	7,094.10	3,303.81-	102.37
241000 PRINTING - ALLOT	.00	.00	19,000.00	.00	.00	19,000.00	.00
242200 PRINTING INTERNAL OTHE	.00	.00	.00	638.00	2,000.00	2,638.00-	.00
242400 PRINTING EXTERNAL OTHE	.00	.00	.00	887.56	.00	887.56-	.00
243000 PHOTOCOPY PAPER	.00	.00	.00	48.69	.00	48.69-	.00
243100 COPY PAPER-CEN SVCS ONLY	.00	.00	.00	9,268.00	.00	9,268.00-	.00
244000 OFFICE COPIER CONTRACT	.00	.00	.00	.00	1,371.00	1,371.00-	.00
245200 EXTERNAL-PRINTED FORMS	.00	1,291.00	.00	2,535.32	490.00	3,025.32-	.00
PRINTING	.00	1,291.00	19,000.00	13,377.57	3,861.00	1,761.43	90.72
251000 COMMUNICATIONS - ALLOT	.00	.00	74,000.00	.00	.00	74,000.00	.00
252500 CELL PHONE PDA PAGER	.00	.00	.00	1,175.25	.00	1,175.25-	.00
256200 RADIO MODIFICATION	.00	1,490.72	.00	4,037.98	.00	4,037.98-	.00
257100 TELEPHONE PURCHASE	.00	.00	.00	11,753.68	.00	11,753.68-	.00
257700 TELEPHONE SERVICES	.00	4,226.01	.00	51,682.70	5,114.00	56,796.70-	.00
258100 TELEPHONE-ADDS & CHANG	.00	.00	.00	5,598.00	.00	5,598.00-	.00
259100 RADIO MAINTENANCE	.00	.00	.00	282.79	.00	282.79-	.00
COMMUNICATIONS	.00	5,716.73	74,000.00	74,530.40	5,114.00	5,644.40-	107.62
261000 POSTAGE - ALLOT	.00	.00	23,000.00	.00	.00	23,000.00	.00
262000 POSTAGE	.00	.00	.00	1,668.00	27,000.00	28,668.00-	.00
263000 POSTAGE METER	.00	.00	.00	1,279.40	.00	1,279.40-	.00
POSTAGE	.00	.00	23,000.00	2,947.40	27,000.00	6,947.40-	130.20

DESCRIPTION	CURRENT PERIOD EXPENSE	FISCAL YEAR EXPENSE	WORKING APPROPRIATION	TOTAL EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE USED	FCT USED
PROGRAM : LAW ENFORCEMENT							
ELEMENT : BUREAU OF FIREARMS							
COMPONENT: DROS							
*5100							
291000 TRAVEL IN STATE-ALLOT	.00	.00	42,000.00	.00	.00	42,000.00	.00
292000 TRAV EXPENSE-PER DIEM	.00	3,938.33	.00	20,583.88	1,981.00	22,564.88	.00
292200 TRAV EXP-TRNG-PER DIEM	.00	.00	.00	665.98	88.00	753.98	.00
294000 COMMERCIAL AIR TRNS	.00	864.27	.00	12,303.09	1,130.00	13,433.09	.00
296000 PRIVATE CAR - MILEAGE	.00	1,640.75	.00	3,733.42	234.00	3,967.42	.00
296200 P C MILEAGE-TRAINING	.00	.00	.00	2.75	.00	2.75	.00
297000 RENTAL CAR	.00	767.22	.00	2,910.95	214.00	3,124.95	.00
303000 OVERTIME MEALS	.00	390.00	.00	907.50	.00	907.50	.00
TRAVEL IN-STATE	.00	7,600.57	42,000.00	41,107.57	3,647.00	2,754.57	106.55
311000 TRAVEL O/S - ALLOT	.00	.00	7,000.00	.00	.00	7,000.00	.00
312000 PER DIEM	.00	.00	.00	1,968.22	.00	1,968.22	.00
TRAVEL OUT-OF-STATE	.00	.00	7,000.00	1,968.22	.00	5,031.78	28.11
331000 TRAINING - ALLOT	.00	.00	5,000.00	.00	.00	5,000.00	.00
TRAINING	.00	.00	5,000.00	.00	.00	5,000.00	.00
341000 FACILITIES - ALLOT	.00	.00	1,056,000.00	.00	.00	1,056,000.00	.00
342000 RENT - STATE OWNED	.00	.00	.00	310,561.73	.00	310,561.73	.00
343000 RENT - NON-STATE OWNED	.00	.00	.00	720,373.11	.00	720,373.11	.00
345100 SECURITY-NCN GEN SVC	.00	54.38	.00	11,424.73	.00	11,424.73	.00
346000 RECURRING MAINTENANCE	.00	496.80	.00	3,691.17	.00	3,691.17	.00
347200 DGS LEASE MGMTNT FEES	.00	941.56	.00	12,259.67	.00	12,259.67	.00
353000 ALTERATIONS	.00	99.84	.00	1,441.89	1,000.00	2,441.89	.00
FACILITIES OPERATION	.00	1,592.58	1,056,000.00	1,059,752.30	1,000.00	4,752.30	100.45
361000 UTILITIES - ALLOTMENT	.00	.00	25,000.00	.00	.00	25,000.00	.00
362000 ELECTRICITY	.00	2,786.45	.00	25,852.93	1,978.00	27,830.93	.00
363000 NATURAL GAS	.00	1.51	.00	171.40	3.02	174.42	.00
UTILITIES	.00	2,787.96	25,000.00	26,024.33	1,981.02	3,005.35	112.02
382000 CONSULT INTERDEPT-ALLO	.00	.00	428,000.00	.00	.00	428,000.00	.00
384000 ADMINISTRATIVE	.00	636.52	.00	4,964.14	113.00	5,077.14	.00
396000 AG DEPTL LEGAL SERVICE	.00	2,963.55	.00	392,855.75	40,000.00	432,855.75	.00
CONSULTANT & PROFESSIONAL SVCS-I	.00	3,600.07	428,000.00	397,819.89	40,113.00	9,932.89	102.32

PROGRAM : LAW ENFORCEMENT ELEMENT : BUREAU OF FIREARMS	COMPONENT: DROS	*5100	REPORT OF EXPENDITURES AS OF JUN 30, 2014					CLEARING ACCOUNTS	
DESCRIPTION	CURRENT PERIOD EXPENSE	FISCAL YEAR EXPENSE	WORKING APPROPRIATION	TOTAL EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE USED	PCT USED		
402000 CONSULT EXTERNAL - ALL	.00	.00	2,798,000.00	.00	.00	2,798,000.00	.00	.00	
404000 ADMINISTRATIVE CONTRAC	.00	234,331.99	.00	1,968,883.00	268.32	1,969,151.32	.00	.00	
CONSULTANT & PROFESSIONAL SVCS-E	.00	234,331.99	2,798,000.00	1,968,883.00	268.32	828,848.68	70.37		
427000 INDIRECT DISTRIBUTED C	10.28-	7,335.47	770,000.00	437,508.96	7,352.32	325,138.72	57.77		
DEPARTMENTAL SERVICES	10.28-	7,335.47	770,000.00	437,508.96	7,352.32	325,138.72	57.77		
431000 INFO TECHNOLOGY ALLOT	.00	.00	166,000.00	.00	.00	166,000.00	.00	.00	
435000 IT HARDWARE MAINTENANCE	.00	4,752.00	.00	7,016.60	1,188.00	8,204.60	.00	.00	
436100 SUPPLIES - IT RELATED	.00	734.56	.00	35,409.79	.00	35,409.79	.00	.00	
445100 IT SOFTWARE (COTS)	.00	.00	.00	29.98	.00	29.98	.00	.00	
445500 IT SOFTWARE (COTS) OVER 5K	249,996.00	279,996.00	.00	279,996.00	.00	279,996.00	.00	.00	
446100 IT HARDWARE UNDER 5K	.00	55,778.67	.00	153,341.39	2,932.29	156,273.68	.00	.00	
446200 IT HARDWARE OVER 5K	.00	119,350.00	.00	119,350.00	250,650.00	370,000.00	.00	.00	
447300 DATA CCM EQUIP UNDER 5K	.00	.00	.00	2,656.80	.00	2,656.80	.00	.00	
449100 ELEC WASTE DISP FEES-MIN	.00	372.00	.00	624.00	96.00	2,720.00	.00	.00	
INFORMATION TECHNOLOGY	249,996.00	460,983.23	166,000.00	598,424.56	254,866.29	687,290.85	514.03		
437000 CENTRAL ADMIN SVCS-ALL	.00	.00	507,000.00	.00	.00	507,000.00	.00	.00	
438000 PRO RATA	.00	.00	.00	507,497.00	.00	507,497.00	.00	.00	
CENTRAL ADMINISTRATIVE SERVICES	.00	.00	507,000.00	507,497.00	.00	497.00	100.09		
452000 REPLACEMENT	.00	.00	.00	23,277.26	.00	23,277.26	.00	.00	
454000 VEHICLE - REPLACEMENT	.00	7,732.00-	.00	13,247.00-	.00	13,247.00	.00	.00	
EQUIPMENT	.00	7,732.00-	.00	36,524.26-	.00	36,524.26	.00	.00	
501000 OTHER ITEMS OF EXP-ALL	.00	.00	247,000.00	.00	.00	247,000.00	.00	.00	
503000 SUBSISTENCE & PERSONAL	.00	3,210.76	.00	6,094.49	5,361.48	11,455.97-	.00	.00	
522000 LAW ENFORCEMENT MATERI	.00	68,530.73	.00	105,270.94	60,551.85	165,822.79-	.00	.00	
525000 GASOLINE	.00	.00	.00	32,804.80	.00	32,804.80-	.00	.00	
527000 OIL AND LUBRICATION	.00	.00	.00	837.20	.00	837.20-	.00	.00	
532000 TIRES AND TUBES	.00	.00	.00	3,067.27	.00	3,067.27-	.00	.00	
533000 MAINTENANCE AND REPAIR	.00	173.01	.00	16,094.22	3,911.62	20,005.84-	.00	.00	
534000 WASHING	.00	.00	.00	382.42	.00	382.42-	.00	.00	
535000 TOWING	.00	.00	.00	1,174.70	.00	1,174.70-	.00	.00	

FY 2012 CHAPT 0000 FUND 0000000 CROSS-REFERENCE NCA DEPARTMENT OF JUSTICE PAGE 20
 DATE 7/23/2014 REPORT OF EXPENDITURES AS OF JUN 30, 2014
 TIME 14:14:37 FOR CLEARING ACCOUNTS

PROGRAM : LAW ENFORCEMENT
 ELEMENT : BUREAU OF FIREARMS
 COMPONENT: DROS *5100

DESCRIPTION	CURRENT PERIOD EXPENSE	FISCAL YEAR EXPENSE	WORKING APPROPRIATION	TOTAL EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE USED	PCT USED
536100 ACCIDENT REPAIRS	.00	.00	.00	659.69	.00	659.69	.00
536500 MISCELLANEOUS COSTS	.00	.00	.00	427.60	.00	427.60	.00
545100 INT PENALTY SMALL BUS	.00	.00	.00	41.60	.00	41.60	.00
568100 INFORMERS EVIDENCE	.00	2,319.45	.00	7,933.91	.00	7,933.91	.00
OTHER ITEMS OF EXPENSE	.00	74,233.95	247,000.00	174,788.84	69,824.95	2,386.21	99.03

OPERATING EXP & EQUIP	249,985.72	802,741.07	6,306,000.00	5,403,315.49	422,122.00	480,562.51	92.37
TOTAL PERS SERV & O.E.E.	249,841.51	968,331.69	13,693,531.00	12,299,195.47	661,743.00	732,592.53	94.65

SPEC ITEMS OF EXPENSE	609000 COURT AWARDED ATINY FE	SPECIAL ITEMS OF EXPENSE
	.00	1,976.00
		9,476.00
		7,500.00
		16,976.00

SPEC ITEMS OF EXPENSE	.00	1,976.00	.00	9,476.00	7,500.00	16,976.00	.00
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GRAND TOTAL 249,841.51 970,307.69 13,693,531.00 12,308,671.47 669,243.00 715,616.53 94.77

VERIFICATION

I, Stephen Lindley, declare

I am the Chief of the Bureau of Firearms of the California Department of Justice. I have read DEFENDANTS ATTORNEY GENERAL KAMALA HARRIS AND BUREAU OF FIREARMS CHIEF STEPHEN LINDLEY'S RESPONSES TO SPECIAL INTERROGATORIES (SET ONE). I know their contents and the same are true to my knowledge, information and belief.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this Verification was executed on August 1, 2014, at San Diego, CA, California.


STEPHEN LINDLEY

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DECLARATION OF SERVICE BY OVERNIGHT COURIER

Case Name: Gentry, David, et al. v. Kamala Harris, et al.

No.: 34-2013-80001667

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter; my business address is: 1300 I Street, Suite 125, P.O. Box 944255, Sacramento, CA 94244-2550.

On August 1, 2014, I served the attached

DEFENDANTS ATTORNEY GENERAL KAMALA HARRIS AND BUREAU OF FIREARMS CHIEF STEPHEN LINDLEY'S RESPONSES TO FORM INTERROGATORIES (SET ONE)

DEFENDANTS ATTORNEY GENERAL KAMALA HARRIS AND BUREAU OF FIREARMS CHIEF STEPHEN LINDLEY'S RESPONSES TO SPECIAL INTERROGATORIES (SET ONE)

DEFENDANTS ATTORNEY GENERAL KAMALA HARRIS AND BUREAU OF FIREARMS CHIEF STEPHEN LINDLEY'S RESPONSES TO REQUESTS FOR ADMISSIONS (SET ONE)

DEFENDANTS ATTORNEY GENERAL KAMALA HARRIS AND BUREAU OF FIREARMS CHIEF STEPHEN LINDLEY'S RESPONSES TO REQUESTS FOR PRODUCTION OF DOCUMENTS (SET ONE)

DEFENDANT STATE CONTROLLER JOHN CHIANG'S RESPONSES TO SPECIAL INTERROGATORIES (SET ONE)

DEFENDANT STATE CONTROLLER JOHN CHIANG'S RESPONSES TO REQUESTS FOR PRODUCTION OF DOCUMENTS (SET ONE)

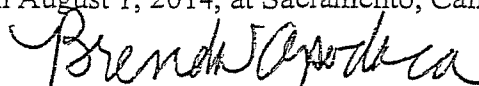
by placing a true copy thereof enclosed in a sealed envelope with the Golden State Overnight courier service, addressed as follows:

C.D. Michel
Glenn S. McRoberts
Sean A. Brady
Michel & Associates, P.C.
180 E. Ocean Boulevard, Suite 200
Long Beach, CA 90802

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 August 1, 2014, at Sacramento, California.

Brenda Apodaca

Declarant



Signature

Exhibit B

DOJ Programs Funded with DROS Special Fund

FY 2013/14

BUREAU OF FIREARMS

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	DROS Funding %
510	Dealers Record of Sale	\$ 13,696,143	\$ 14,302,411 ^{1/}	100%
505	Armed Prohibited	\$ 6,745,965	\$ 5,826,467	100%
823	Gun Show	\$ 757,070	\$ 847,151	100%
930	APPS (SB 140)	\$ 8,000,000	\$ 6,457,616	100%
FIREARMS TOTAL DROS FUNDING		\$ 29,199,178	\$ 27,433,645	

DIVISION OF CRIMINAL JUSTICE INFORMATION SERVICES

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	DROS Funding %
861	Technology Support Bureau	\$ 1,279,000	\$ 1,279,000	2%
795	DROS - Long Gun	\$ 197,203	\$ 195,925	100%
732	Firearms Program - DROS	\$ 316,892	\$ 233,746	100%
700	CJIS Facilities	\$ 2,000	\$ 2,066	0.04%
DCJIS TOTAL DROS FUNDING		\$ 1,795,095	\$ 1,710,737 -	
DOJ TOTAL DROS FUNDING		\$ 30,994,273	\$ 29,144,382	

1/ Actual year-end expenditures include \$784,185 in statewide ProRata charges.

PROGRAM : LAW ENFORCEMENT
 ELEMENT : BUREAU OF FIREARMS
 DEALERS RECORD OF SALE ACT
 COMPONENT: DRUG *5100

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES	734,987.92	.00	0,087,329.73	.00	.00	.00
CIVIL SERVICE-PERMANENT	430,569.82	.00	4,712,132.98	.00	.00	.00
CIVIL SERVICE-TEMP HELP	4,249.46	.00	91,806.69	.00	.00	.00
OVERTIME	83,561.40	.00	1,122,963.53	.00	.00	.00
STAFF BENEFITS	216,607.24	.00	2,160,426.53	.00	.00	.00
PERSONAL SERVICES	734,987.92	.00	0,087,329.73	.00	.00	.00
OPERATING EXP & EQUIP	10,873.52	.00	59,372.34	.00	.00	.00
GENERAL EXPENSE	4,773.00	.00	30,272.17	.00	.00	.00
PRINTING	10,025.51	.00	72,320.70	.00	.00	.00
COMMUNICATIONS	.00	.00	23,765.00	.00	.00	.00
POSTAGE	.00	.00	9,198.61	.00	.00	.00
INSURANCE	7,462.28	.00	66,019.14	.00	.00	.00
TRAVEL IN-STATE	187.44	.00	9,733.86	.00	.00	.00
TRAVEL OUT-OF-STATE	800.00	.00	2,154.00	.00	.00	.00
TRAINING	207,367.94	.00	1,095,112.52	.00	.00	.00
FACILITIES OPERATION	4,640.59	.00	37,747.65	.00	.00	.00
UTILITIES	293,097.46	.00	883,066.97	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-I	72,467.47	.00	1,593,994.86	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-E	93,375.89	.00	993,182.13	.00	.00	.00
DEPARTMENTAL SERVICES	24,051.35	.00	129,715.71	.00	.00	.00
INFORMATION TECHNOLOGY	.00	.00	784,185.00	.00	.00	.00
CENTRAL ADMINISTRATIVE SERVICES	.00	.00	314,230.95	.00	.00	.00
EQUIPMENT	9,307.64	.00	109,039.88	.00	.00	.00
OTHER ITEMS OF EXPENSE	738,430.09	.00	6,213,111.49	.00	.00	.00
OPERATING EXP & EQUIP	738,430.09	.00	6,213,111.49	.00	.00	.00
SPEC ITEMS OF EXPENSE	.00	.00	1,970.00	.00	.00	.00
SPECIAL ITEMS OF EXPENSE	.00	.00	1,970.00	.00	.00	.00
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
INTERNAL COST RECOVERY	.00	.00	.00	.00	.00	.00
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00

FY 2013 CHART 0020 FUND 0460000 CROSS-REFERENCE NC4
 DATE 7/25/2014 DEPARTMENT OF JUSTICE
 TIME 7:31:41 REPORT OF EXPENDITURES AS OF JUN 30, 2014
 FOR

PROGRAM : LAW ENFORCEMENT
 ELEMENT : BUREAU OF FIREARMS
 COMPONENT: DRCS *5100
 DEALERS RECORD OF SALE ACT

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
GRAND TOTAL	1,473,418.01	13,696,143.00	14,302,411.22	.00	606,268.22-	104.42

FY 2013 CHAPT 0020 FUND 0460000 CROSS-REFERENCE NCI
 DATE 7/25/2014 DEPARTMENT OF JUSTICE
 TIME 7:31:41 REPORT OF EXPENDITURES AS OF JUN 30, 2014
 FOR
 DEALERS RECORD OF SALE ACT

PROGRAM : LAW ENFORCEMENT
 ELEMENT : BUREAU OF FIREARMS
 COMPONENT: ARMED PROHIBITED *5050

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES						
CIVIL SERVICE-PERMANENT	252,851.02	.00	2,873,240.80	.00	.00	.00
CIVIL SERVICE-TEMP HELP	.00	.00	152,838.12	.00	.00	.00
OVERTIME	1,728.60	.00	299,406.09	.00	.00	.00
STAFF BENEFITS	134,900.90	.00	1,395,648.82	.00	.00	.00
PERSONAL SERVICES	389,480.52	.00	4,721,133.83	.00	.00	.00
OPERATING EXP & EQUIP						
GENERAL EXPENSE	729.83-	.00	42,391.20	.00	.00	.00
PRINTING	10.00	.00	3,307.26	.00	.00	.00
COMMUNICATIONS	11,542.11	.00	70,455.19	.00	.00	.00
POSTAGE	31.41	.00	2,978.76	.00	.00	.00
INSURANCE	.00	.00	24,967.57	.00	.00	.00
TRAVEL IN-STATE	3,722.16	.00	17,269.05	.00	.00	.00
TRAVEL OUT-OF-STATE	368.58	.00	1,190.46	.00	.00	.00
TRAINING	295.60-	.00	1,163.92	.00	.00	.00
FACILITIES OPERATION	1,619.25	.00	16,343.05	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-I	1,000.37	.00	204,723.98	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-E	1,541.00	.00	41,994.27	.00	.00	.00
DEPARTMENTAL SERVICES	40,132.14	.00	426,861.01	.00	.00	.00
INFORMATION TECHNOLOGY	533.20	.00	18,825.62	.00	.00	.00
EQUIPMENT	.00	.00	8,747.20-	.00	.00	.00
OTHER ITEMS OF EXPENSE	37,170.69	.00	241,608.83	.00	.00	.00
OPERATING EXP & EQUIP	96,645.48	.00	1,105,332.97	.00	.00	.00
SPEC ITEMS OF EXPENSE						
INTERNAL COST RECOVERY	.00	.00	.00	.00	.00	.00
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
GRAND TOTAL	486,126.00	6,745,965.00	5,826,466.80	.00	919,498.20	86.36

FOR
 DEALERS RECORD OF SALE ACT
 COMPONENT: GUN SHOW *8230

PROGRAM : LAW ENFORCEMENT
 ELEMENT : BUREAU OF FIREARMS

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES						
CIVIL SERVICE-PERMANENT	36,918.78	.00	360,679.19	.00	.00	.00
OVERTIME	17,233.54	.00	236,712.02	.00	.00	.00
STAFF BENEFITS	15,660.16	.00	164,908.99	.00	.00	.00
PERSONAL SERVICES	69,812.48	.00	762,300.20	.00	.00	.00
OPERATING EXP & EQUIP						
GENERAL EXPENSE	.00	.00	867.02	.00	.00	.00
PRINTING	20.00	.00	30.00	.00	.00	.00
COMMUNICATIONS	.00	.00	365.00	.00	.00	.00
INSURANCE	.00	.00	5,256.37	.00	.00	.00
TRAVEL IN-STATE	284.97	.00	4,160.75	.00	.00	.00
TRAVEL OUT-OF-STATE	356.07	.00	664.59	.00	.00	.00
TRAINING	.00	.00	1,773.97	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-I	.00	.00	37.23	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-E	41.67	.00	500.04	.00	.00	.00
DEPARTMENTAL SERVICES	4,783.97	.00	50,694.10	.00	.00	.00
INFORMATION TECHNOLOGY	.00	.00	3,479.60	.00	.00	.00
OTHER ITEMS OF EXPENSE	1,691.57	.00	16,831.76	.00	.00	.00
OPERATING EXP & EQUIP	7,178.25	.00	84,850.43	.00	.00	.00
SPEC ITEMS OF EXPENSE						
INTERNAL COST RECOVERY	.00	.00	.00	.00	.00	.00
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
GRAND TOTAL	76,990.73	757,070.00	847,150.63	.00	90,080.63	111.89

DATE 7/25/2014
TIME 10:24:15

REPORT OF EXPENDITURES AS OF JUN 30, 2014
FOR

SPECIAL ACCOUNTS

PROGRAM : SPECIAL FUNDS
ELEMENT : SPECIAL APPROPRIATIONS
TASK : APPS BACKLOG *9300
COMPONENT: DRCS (0460)

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES	344,005.24	.00	2,291,466.99	.00	.00	.00
CIVIL SERVICE-PERMANENT	115,646.66	.00	996,083.93	.00	.00	.00
OVERTIME	147,657.02	.00	1,038,972.25	.00	.00	.00
STAFF BENEFITS						
PERSONAL SERVICES	607,308.92	.00	4,326,523.17	.00	.00	.00
OPERATING EXP & EQUIP						
GENERAL EXPENSE	12,916.37	.00	49,236.24	3,922.44	.00	.00
PRINTING	660.50	.00	2,603.00	.00	.00	.00
COMMUNICATIONS	.00	.00	6,135.86	146.96	.00	.00
POSTAGE	.00	.00	500.00	.00	.00	.00
INSURANCE	.00	.00	47,306.93	.00	.00	.00
TRAVEL IN-STATE	2,969.32	.00	35,588.61	.00	.00	.00
TRAVEL OUT-OF-STATE	.00	.00	1,250.88	.00	.00	.00
TRAINING	295.60	.00	295.60	.00	.00	.00
FACILITIES OPERATION	.00	.00	669,513.19	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-I	1,460.74	.00	11,490.44	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-E	.00	.00	29,496.25	.00	.00	.00
INFORMATION TECHNOLOGY	4,522.94	.00	33,778.17	18,955.98	.00	.00
EQUIPMENT	.00	.00	23,633.48	969,505.37	.00	.00
OTHER ITEMS OF EXPENSE	41,900.55	.00	221,061.38	6,672.30	.00	.00
OPERATING EXP & EQUIP	64,726.02	.00	1,131,890.03	999,203.05	.00	.00
GRAND TOTAL	672,034.94	24,000,000.00	5,458,413.20	999,203.05	17,542,383.75	26.90

PROGRAM : CALIF JUSTICE INFO SERV
 ELEMENT : HAWKINS DATA CENTER

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES						
CIVIL SERVICE-PERMANENT	35,525.07	.00	425,144.46	.00	.00	.00
CIVIL SERVICE-TEMP HELP	1,167.51	.00	20,534.17	.00	.00	.00
OVERTIME	511.80	.00	5,421.19	.00	.00	.00
STAFF BENEFITS	16,601.79	.00	188,185.76	.00	.00	.00
PERSONAL SERVICES	53,806.17	.00	639,285.58	.00	.00	.00
OPERATING EXP & EQUIP						
GENERAL EXPENSE	213.21	.00	1,591.29	.00	.00	.00
PRINTING	4.71	.00	236.82	.00	.00	.00
COMMUNICATIONS	611.28	.00	4,175.59	.00	.00	.00
INSURANCE	.00	.00	94.91	.00	.00	.00
TRAVEL IN-STATE	242.54	.00	1,891.55	.00	.00	.00
TRAVEL OUT-OF-STATE	4.94	.00	65.14	.00	.00	.00
TRAINING	735.25	.00	2,825.28	.00	.00	.00
FACILITIES OPERATION	.00	.00	22.66	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-I	675.16	.00	1,311.96	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-E	2,719.88	.00	95,868.98	.00	.00	.00
DEPARTMENTAL SERVICES	17,286.30	.00	70,027.05	.00	.00	.00
INFORMATION TECHNOLOGY	128,989.43	.00	461,480.71	.00	.00	.00
OTHER ITEMS OF EXPENSE	31.54	.00	167.80	.00	.00	.00
OPERATING EXP & EQUIP	116,941.64	.00	639,714.42	.00	.00	.00
SPEC ITEMS OF EXPENSE						
INTERNAL COST RECOVERY	.00	.00	.00	.00	.00	.00
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
GRAND TOTAL	170,647.81	1,279,000.00	1,279,000.00	.00	.00	100.00

FY 2013 CHAPT 0020 FUND 0460000 CROSS-REFERENCE P37
 DATE 7/25/2014 DEPARTMENT OF JUSTICE
 TIME 7:31:41 REPORT OF EXPENDITURES AS OF JUN 30, 2014

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FOR
 DEALERS RECORD OF SALE ACT
 PROGRAM : CALIF JUSTICE INFO SERV COMPONENT: DROS - LONG GUN *7950
 ELEMENT : BUR OF CRIM INFO & ANALYS

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES	9,548.09	.00	104,601.95	.00	.00	.00
CIVIL SERVICE-PERMANENT	6,714.07	.00	73,418.90	.00	.00	.00
STAFF BENEFITS						
PERSONAL SERVICES	16,262.16	.00	178,020.86	.00	.00	.00
OPERATING EXP & EQUIP						
DEPARTMENTAL SERVICES	1,683.24	.00	17,903.66	.00	.00	.00
OPERATING EXP & EQUIP	1,683.24	.00	17,903.66	.00	.00	.00
SPEC ITEMS OF EXPENSE						
INTERNAL COST RECOVERY	.00	.00	.00	.00	.00	.00
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
GRAND TOTAL	17,945.40	197,203.00	195,924.52	.00	1,278.48	99.35

FOR
 DEALERS RECORD OF SALE ACT
 PROGRAM : CALIF JUSTICE INFO SERV
 ELEMENT : BUR OF CRIM ID & INVEST
 COMPONENT: FIREARMS PCM - DROS*7320

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	FCT USED
PERSONAL SERVICES	9,320.00	.00	93,429.00	.00	.00	.00
CIVIL SERVICE-PERMANENT	.00	.00	30,464.76	.00	.00	.00
CIVIL SERVICE-TEMP HELP	.00	.00	857.88	.00	.00	.00
OVERTIME	3,475.28	.00	55,843.26	.00	.00	.00
STAFF BENEFITS						
PERSONAL SERVICES	12,795.28	.00	180,594.90	.00	.00	.00
OPERATING EXP & EQUIP						
TRAVEL IN-STATE	524.24	.00	2,503.28	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-I	863.45	.00	2,590.35	.00	.00	.00
DEPARTMENTAL SERVICES	4,518.19	.00	48,057.20	.00	.00	.00
OPERATING EXP & EQUIP	5,905.88	.00	53,150.83	.00	.00	.00
SPEC ITEMS OF EXPENSE						
INTERNAL COST RECOVERY	.00	.00	.00	.00	.00	.00
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
GRAND TOTAL	18,701.16	316,892.00	233,745.73	.00	83,146.27	73.76

PROGRAM : CALIF JUSTICE INFO SERV COMPONENT: COSE
 ELEMENT : CJIS OPERATIONAL SUP PRG TASK : CJIS-FAC & COMM *7000

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	ECT USED
OPERATING EXP & EQUIP						
GENERAL EXPENSE	1.10	.00	54.53	.00	.00	.00
PRINTING	.13	.00	.94	.00	.00	.00
COMMUNICATIONS	12.98	.00	85.05	.00	.00	.00
POSTAGE	.00	.00	75.16	.00	.00	.00
TRAVEL IN-STATE	.00	.00	.18	.00	.00	.00
FACILITIES OPERATION	406.00	.00	1,819.14	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-I	6.63	.00	15.03	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-E	.00	.00	6.20	.00	.00	.00
INFORMATION TECHNOLOGY	.00	.00	10.12	.00	.00	.00
OTHER ITEMS OF EXPENSE	.00	.00	.05	.00	.00	.00
=====						
OPERATING EXP & EQUIP	426.58	.00	2,066.40	.00	.00	.00
=====						
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
INTERNAL COST RECOVERY						
=====						
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
=====						
GRAND TOTAL	426.58	2,000.00	2,066.40	.00	66.40	103.32

DOJ Programs Funded with Firearms Safety and Enforcement Special
Fund

FY 2013/14
BUREAU OF FIREARMS

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	1/	FSE Funding %
507	Handgun Safety Certification	\$ 3,465,043	\$ 3,113,441		100%
509	Firearms Safety Account	\$ 51,000	\$ 37,767		13%
FIREARMS TOTAL FSE FUNDING		\$ 3,516,043	\$ 3,151,208		

1/ Actual year-end expenditures include \$193,375 in statewide ProRata charges.

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES						
CIVIL SERVICE-PERMANENT	61,502.09	.00	764,797.80	.00	.00	.00
CIVIL SERVICE-TEMP HELP	.00	.00	36,815.50	.00	.00	.00
OVERTIME	.00	.00	22,707.06	.00	.00	.00
STAFF BENEFITS	33,460.06	.00	371,229.56	.00	.00	.00
PERSONAL SERVICES	94,962.15	.00	1,195,549.92	.00	.00	.00
OPERATING EXP & EQUIP						
GENERAL EXPENSE	1,765.93	.00	23,776.84	.00	.00	.00
PRINTING	80.00	.00	50,404.75	.00	.00	.00
COMMUNICATIONS	782.16	.00	2,490.00	.00	.00	.00
INSURANCE	.00	.00	6,570.45	.00	.00	.00
TRAVEL IN-STATE	4,143.77	.00	35,532.61	.00	.00	.00
FACILITIES OPERATION	215.00	.00	2,470.00	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-I	4,945.42	.00	43,771.63	.00	.00	.00
DEPARTMENTAL SERVICES	41.67	.00	1,412,500.04	.00	.00	.00
INFORMATION TECHNOLOGY	6,821.58	.00	72,556.95	.00	.00	.00
CENTRAL ADMINISTRATIVE SERVICES	.00	.00	2,434.37	.00	.00	.00
OTHER ITEMS OF EXPENSE	5,348.87	.00	193,375.00	.00	.00	.00
OPERATING EXP & EQUIP	24,144.40	.00	1,917,891.16	.00	.00	.00
SPEC ITEMS OF EXPENSE						
INTERNAL COST RECOVERY	.00	.00	.00	.00	.00	.00
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
GRAND TOTAL	119,106.55	3,465,043.00	3,113,441.08	.00	351,601.92	89.85

FOR
 FIREARM SAFETY AND ENFORCEMENT SPECIAL FUND
 COMPONENT: FIREARMS SFTY ACCT *5090

PROGRAM : LAW ENFORCEMENT
 ELEMENT : BUREAU OF FIREARMS

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES						
CIVIL SERVICE-PERMANENT	1,060.64	.00	11,336.96	.00	.00	.00
OVERTIME	58.49	.00	7,627.19	.00	.00	.00
STAFF BENEFITS	343.13	.00	3,766.41	.00	.00	.00
PERSONAL SERVICES	1,462.26	.00	22,730.56	.00	.00	.00
OPERATING EXP & EQUIP						
GENERAL EXPENSE	53.05	.00	107.89	.00	.00	.00
TRAVEL OUT-OF-STATE	345.61	.00	1,132.00	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-I	668.55	.00	3,879.57	.00	.00	.00
DEPARTMENTAL SERVICES	733.92	.00	7,006.27	.00	.00	.00
INFORMATION TECHNOLOGY	.00	.00	6.52	.00	.00	.00
OTHER ITEMS OF EXPENSE	430.60	.00	2,103.93	.00	.00	.00
OPERATING EXP & EQUIP	2,231.73	.00	15,036.18	.00	.00	.00
SPEC ITEMS OF EXPENSE						
INTERNAL COST RECOVERY	.00	.00	.00	.00	.00	.00
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
GRAND TOTAL	3,693.99	51,000.00	37,766.74	.00	13,233.26	74.05

DOJ Programs Funded with Firearms Safety Account Special Fund

FY 2013/14 BUREAU OF FIREARMS

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	FSA Funding %
509	Firearms Safety Account	\$ 343,000	\$ 273,482	1/ 87%
FIREARMS TOTAL FSA FUNDING		\$ 343,000	\$ 273,482	

1/ Actual year-end expenditures include \$19,483 in statewide ProRata charges.

PROGRAM : LAW ENFORCEMENT COMPONENT: FIREARMS SFY ACCT *5090
 ELEMENT : BUREAU OF FIREARMS

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	FCT USED
PERSONAL SERVICES						
CIVIL SERVICE-PERMANENT	7,133.36	.00	76,247.04	.00	.00	.00
OVERTIME	393.36	.00	51,296.70	.00	.00	.00
STAFF BENEFITS	2,307.73	.00	25,330.46	.00	.00	.00
PERSONAL SERVICES	9,834.45	.00	152,874.20	.00	.00	.00
OPERATING EXP & EQUIP						
GENERAL EXPENSE	356.77	.00	725.62	.00	.00	.00
TRAVEL, OUT-OF-STATE	2,324.39	.00	7,613.20	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-I	4,496.31	.00	26,091.89	.00	.00	.00
DEPARTMENTAL SERVICES	4,935.97	.00	52,500.81	.00	.00	.00
INFORMATION TECHNOLOGY	.00	.00	43.88	.00	.00	.00
CENTRAL ADMINISTRATIVE SERVICES	.00	.00	19,483.00	.00	.00	.00
OTHER ITEMS OF EXPENSE	2,896.01	.00	14,149.80	.00	.00	.00
OPERATING EXP & EQUIP	15,009.45	.00	120,608.20	.00	.00	.00
SPEC ITEMS OF EXPENSE						
INTERNAL COST RECOVERY	.00	.00	.00	.00	.00	.00
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
GRAND TOTAL	24,843.90	343,000.00	273,482.40	.00	69,517.60	79.73

Exhibit C

DOJ Programs Funded with DROS Special Fund

FY 2012/13

BUREAU OF FIREARMS

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	DROS Funding %
510	Dealers Record of Sale	\$ 13,693,531	\$ 13,213,470 ^{1/}	100%
505	Armed Prohibited	\$ 6,767,750	\$ 6,607,278	100%
823	Gun Show	\$ 908,744	\$ 904,507	100%
FIREARMS TOTAL DROS FUNDING		\$ 21,370,025	\$ 20,725,254	

DIVISION OF CRIMINAL JUSTICE INFORMATION SERVICES

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	DROS Funding %
861	Technology Support Bureau	\$ 1,152,002	\$ 1,057,966	2%
795	DROS - Long Gun	\$ 183,184	\$ 186,614	100%
732	Firearms Program - DROS	\$ 830,524	\$ 770,166	100%
705	CJIS Facilities	\$ 2,000	\$ 1,839	0.04%
DCJIS TOTAL DROS FUNDING		\$ 2,167,710	\$ 2,016,584	
DOJ TOTAL DROS FUNDING		\$ 23,537,735	\$ 22,741,838	

^{1/} Actual year-end expenditures include \$507,497 in statewide ProRata charges.

PROGRAM : LAW ENFORCEMENT COMPONENT: DRCS *5100
 ELEMENT : BUREAU OF FIREARMS

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES						
CIVIL SERVICE-PERMANENT	339,483.19	.00	3,945,952.06	.00	.00	.00
CIVIL SERVICE-TEMP HELP	6,496.12	.00	197,777.28	.00	.00	.00
OVERTIME	100,699.39	.00	976,811.34	.00	.00	.00
STAFF BENEFITS	165,003.76	.00	1,849,369.68	.00	.00	.00
PERSONAL SERVICES	611,682.46	.00	6,969,910.36	.00	.00	.00
OPERATING EXP & EQUIP						
GENERAL EXPENSE	32,350.99	.00	140,755.29	.00	.00	.00
PRINTING	2,346.19	.00	17,149.57	.00	.00	.00
COMMUNICATIONS	12,997.32	.00	74,059.85	.00	.00	.00
POSTAGE	389.70	.00	29,947.40	.00	.00	.00
TRAVEL IN-STATE	3,144.02	.00	37,154.00	.00	.00	.00
TRAVEL OUT-OF-STATE	317.34	.00	1,968.22	.00	.00	.00
FACILITIES OPERATION	62,755.62	.00	1,059,572.05	.00	.00	.00
UTILITIES	3,094.30	.00	25,217.39	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-I	41,351.27	.00	434,332.82	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-E	249,757.40	.00	2,404,118.05	.00	.00	.00
DEPARTMENTAL SERVICES	184,050.11	.00	430,173.49	.00	.00	.00
INFORMATION TECHNOLOGY	65,796.46	.00	853,294.85	.00	.00	.00
CENTRAL ADMINISTRATIVE SERVICES	.00	.00	507,497.00	.00	.00	.00
EQUIPMENT	16,621.50	.00	28,792.26	.00	.00	.00
OTHER ITEMS OF EXPENSE	9,801.35	.00	242,111.53	.00	.00	.00
OPERATING EXP & EQUIP	283,430.35	.00	6,228,559.25	.00	.00	.00
SPEC ITEMS OF EXPENSE	7,500.00	.00	15,000.00	.00	.00	.00
SPECIAL ITEMS OF EXPENSE	7,500.00	.00	15,000.00	.00	.00	.00
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
SPECIAL ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
INTERNAL COST RECOVERY	.00	.00	.00	.00	.00	.00
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00

FY 2012 CHAPT 0021 FUND 0460000 CROSS-REFERENCE NC4
 DATE 7/23/2013 D E P A R T M E N T O F J U S T I C E
 TIME 13:27:42 REPORT OF EXPENDITURES AS OF JUN 30, 2013
 FOR
 DEALERS RECORD OF SALE ACT

PROGRAM : LAW ENFORCEMENT
 ELEMENT : BUREAU OF FIREARMS

COMPONENT: DRCS *5100

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
GRAND TOTAL	902,612.81	13,693,531.00	13,213,469.61	.00	480,061.39	96.49

FOR
 DEALERS RECORD OF SALE ACT
 COMPONENT: ARMED PROHIBITED *5050

PROGRAM : LAW ENFORCEMENT
 ELEMENT : BUREAU OF FIREARMS

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES	242,618.01	.00	3,215,326.94	.00	.00	.00
CIVIL SERVICE-PERMANENT	.00	.00	475,810.25	.00	.00	.00
CIVIL SERVICE-TEMP HELP	59,748.19	.00	523,591.71	.00	.00	.00
OVERTIME	120,327.04	.00	1,544,043.04	.00	.00	.00
STAFF BENEFITS						
PERSONAL SERVICES	422,694.04	.00	5,758,771.94	.00	.00	.00
OPERATING EXP & EQUIP						
GENERAL EXPENSE	1,187.88	.00	16,519.72	.00	.00	.00
PRINTING	3,360.00	.00	8,837.52	.00	.00	.00
COMMUNICATIONS	4,307.37	.00	43,531.77	.00	.00	.00
POSTAGE	.00	.00	3,456.99	.00	.00	.00
INSURANCE	.00	.00	32,647.04	.00	.00	.00
TRAVEL IN-STATE	3,003.23	.00	13,518.73	.00	.00	.00
TRAVEL OUT-OF-STATE	628.68	.00	3,870.11	.00	.00	.00
TRAINING	.00	.00	195.00	.00	.00	.00
FACILITIES OPERATION	791.27	.00	8,137.48	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-I	5,673.75	.00	31,025.47	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-E	1,000.05	.00	23,342.24	.00	.00	.00
DEPARTMENTAL SERVICES	50,790.13	.00	448,910.90	.00	.00	.00
INFORMATION TECHNOLOGY	765.53	.00	19,458.22	.00	.00	.00
OTHER ITEMS OF EXPENSE	25,305.25	.00	195,055.14	.00	.00	.00
OPERATING EXP & EQUIP	96,813.14	.00	848,506.41	.00	.00	.00
SPEC ITEMS OF EXPENSE						
INTERNAL COST RECOVERY	.00	.00	.00	.00	.00	.00
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
GRAND TOTAL	519,507.18	6,767,750.00	6,607,278.35	.00	160,471.65	97.62

PROGRAM : LAW ENFORCEMENT
 ELEMENT : BUREAU OF FIREARMS
 COMPONENT: GUN SHOW *8230
 DEALERS RECORD OF SALE ACT

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	FCT USED
PERSONAL SERVICES						
CIVIL SERVICE-PERMANENT	32,971.91	.00	392,469.84	.00	.00	.00
OVERTIME	8,397.35	.00	247,133.03	.00	.00	.00
STAFF BENEFITS	15,365.47	.00	181,978.72	.00	.00	.00
PERSONAL SERVICES	56,734.73	.00	821,581.59	.00	.00	.00
OPERATING EXP & EQUIP						
GENERAL EXPENSE	36.00	.00	764.66	.00	.00	.00
TRAVEL IN-STATE	479.00	.00	5,944.06	.00	.00	.00
TRAVEL OUT-OF-STATE	159.67	.00	316.11	.00	.00	.00
TRAINING	.00	.00	390.00	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-I	.00	.00	21.65	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-E	41.67	.00	301.67	.00	.00	.00
DEPARTMENTAL SERVICES	6,231.20	.00	55,074.73	.00	.00	.00
OTHER ITEMS OF EXPENSE	2,127.21	.00	20,112.03	.00	.00	.00
OPERATING EXP & EQUIP	9,074.75	.00	82,924.91	.00	.00	.00
SPEC ITEMS OF EXPENSE						
INTERNAL COST RECOVERY	.00	.00	.00	.00	.00	.00
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
GRAND TOTAL	65,809.48	908,744.00	904,506.50	.00	4,237.50	99.53

PROGRAM : CALIF JUSTICE INFO SERV
 ELEMENT : HAWKINS DATA CENTER

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES						
CIVIL SERVICE-PERMANENT	22,000.69	.00	289,439.13	.00	.00	.00
CIVIL SERVICE-TEMP HELP	290.51	.00	4,778.78	.00	.00	.00
OVERTIME	79.26	.00	1,755.43	.00	.00	.00
STAFF BENEFITS	10,155.57	.00	129,792.70	.00	.00	.00
PERSONAL SERVICES	32,526.03	.00	425,766.04	.00	.00	.00
OPERATING EXP & EQUIP						
GENERAL EXPENSE	236.28	.00	1,064.89	.00	.00	.00
PRINTING	1.94	.00	318.08	.00	.00	.00
COMMUNICATIONS	228.93	.00	2,749.01	.00	.00	.00
INSURANCE	.00	.00	70.05	.00	.00	.00
TRAVEL IN-STATE	89.74	.00	782.13	.00	.00	.00
TRAINING	600.38	.00	5,970.91	.00	.00	.00
FACILITIES OPERATION	.00	.00	899.67	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-I	71.15	.00	395.01	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-E	1,317.26	.00	45,272.45	.00	.00	.00
DEPARTMENTAL SERVICES	19,607.96	.00	173,305.88	.00	.00	.00
INFORMATION TECHNOLOGY	11,332.44	.00	370,099.24	.00	.00	.00
EQUIPMENT	.00	.00	30,329.12	.00	.00	.00
OTHER ITEMS OF EXPENSE	23.77	.00	143.24	.00	.00	.00
OPERATING EXP & EQUIP	33,509.85	.00	632,199.68	.00	.00	.00
SPEC ITEMS OF EXPENSE						
INTERNAL COST RECOVERY	.00	.00	.00	.00	.00	.00
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
GRAND TOTAL	66,035.88	1,152,002.00	1,057,965.72	.00	94,036.28	91.83

PROGRAM : CALIF JUSTICE INFO SERV
 ELEMENT : BUR OF CRIM INFO & ANALYS
 FOR
 DEALERS RECORD OF SALE ACT
 COMPONENT: DRCS - LONG GUN *7950

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES						
CIVIL SERVICE-PERMANENT	8,121.61	.00	98,129.32	.00	.00	.00
OVERTIME	.00	.00	3,233.08	.00	.00	.00
STAFF BENEFITS	5,294.48	.00	65,338.34	.00	.00	.00
PERSONAL SERVICES	13,416.09	.00	166,700.74	.00	.00	.00
OPERATING EXP & EQUIP						
TRAVEL IN-STATE	.00	.00	169.50	.00	.00	.00
DEPARTMENTAL SERVICES	2,233.82	.00	19,743.77	.00	.00	.00
OPERATING EXP & EQUIP	2,233.82	.00	19,913.27	.00	.00	.00
SPEC ITEMS OF EXPENSE						
INTERNAL COST RECOVERY	.00	.00	.00	.00	.00	.00
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
GRAND TOTAL	15,649.91	183,184.00	186,614.01	.00	3,430.01	101.87

PROGRAM : CALIF JUSTICE INFO SERV
 ELEMENT : BUR OF CRIM ID & INVEST
 COMPONENT: FIREARMS PGM - DROS*7320

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES						
CIVIL SERVICE-PERMANENT	8,466.88	.00	144,461.50	.00	.00	.00
OVERTIME	.00	.00	88.86	.00	.00	.00
STAFF BENEFITS	4,509.02	.00	76,541.02	.00	.00	.00
PERSONAL SERVICES	12,975.90	.00	221,091.38	.00	.00	.00
OPERATING EXP & EQUIP						
TRAVEL IN-STATE	125.15-	.00	1,726.54	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-I	.00	.00	2,590.35	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-E	50,560.00	.00	492,800.00	.00	.00	.00
DEPARTMENTAL SERVICES	5,878.49	.00	51,957.29	.00	.00	.00
OPERATING EXP & EQUIP	56,313.34	.00	549,074.18	.00	.00	.00
SPEC ITEMS OF EXPENSE						
INTERNAL COST RECOVERY	.00	.00	.00	.00	.00	.00
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
GRAND TOTAL	69,289.24	830,524.00	770,165.56	.00	60,358.44	92.73

FY 2012 CHRAFT 0021 FUND 0460000 CROSS-REFERENCE P111
 DATE 7/23/2013 DEPARTMENT OF JUSTICE
 TIME 13:27:42 REPORT OF EXPENDITURES AS OF JUN 30, 2013

FOR
 DEALERS RECORD OF SALE ACT

PROGRAM : CALIF JUSTICE INFO SERV COMPONENT: COSP
 ELEMENT : CJIS OPERATIONAL SUP PRG TASK : CJIS-FAC & COMM *7000

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	ECT USED
OPERATING EXP & EQUIP						
GENERAL EXPENSE	.71	.00	18.79	.00	.00	.00
COMMUNICATIONS	7.04	.00	87.53	.00	.00	.00
POSTAGE	.00	.00	46.04	.00	.00	.00
TRAVEL IN-STATE	.17	.00	.17	.00	.00	.00
FACILITIES OPERATION	3.84	.00	1,644.19	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-J	.49	.00	5.69	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-E	.35	.00	8.66	.00	.00	.00
INFORMATION TECHNOLOGY	6.92	.00	26.84	.00	.00	.00
EQUIPMENT	.00	.00	.75	.00	.00	.00
=====						
OPERATING EXP & EQUIP	19.52	.00	1,838.66	.00	.00	.00
SPEC ITEMS OF EXPENSE						
INTERNAL COST RECOVERY	.00	.00	.00	.00	.00	.00
=====						
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
=====						
GRAND TOTAL	19.52	2,000.00	1,838.66	.00	161.34	91.93

DOJ Programs Funded with Firearms Safety and Enforcement Special Fund

**FY 2012/13
BUREAU OF FIREARMS**

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	FSE Funding %
507	Handgun Safety Certification	\$ 3,342,904	\$ 3,123,873	100%
509	Firearms Safety Account	\$ 50,546	\$ 218,055	13%
FIREARMS TOTAL FSE FUNDING		\$ 3,393,450	\$ 3,341,928	

1/ Actual year-end expenditures include \$164,566 in statewide ProRata charges.

FY 2012 CHAPT 0021 FUND 1008000 CROSS-REFERENCE NCZ
 DATE 7/23/2013 DEPARTMENT OF JUSTICE
 TIME 13:27:42 REPORT OF EXPENDITURES AS OF JUN 30, 2013
 FOR
 FIREARM SAFETY AND ENFORCEMENT SPECIAL FUND

PROGRAM : LAW ENFORCEMENT
 ELEMENT : BUREAU OF FIREARMS
 COMPONENT: BASIC FIREARMS SFY*5070

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES						
CIVIL SERVICE-PERMANENT	23,332.99	.00	704,377.26	.00	.00	.00
CIVIL SERVICE-TRMP HELP	.00	.00	80,868.46	.00	.00	.00
OVERTIME	5,085.75	.00	44,313.32	.00	.00	.00
STAFF BENEFITS	24,356.50	.00	382,888.53	.00	.00	.00
PERSONAL SERVICES	52,775.24	.00	1,212,447.57	.00	.00	.00
OPERATING EXP & EQUIP						
GENERAL EXPENSE	3,054.52	.00	40,251.08	.00	.00	.00
PRINTING	9,810.00	.00	75,576.06	.00	.00	.00
COMMUNICATIONS	548.75	.00	2,948.83	.00	.00	.00
INSURANCE	.00	.00	3,808.77	.00	.00	.00
TRAVEL IN-STATE	372.74	.00	16,816.30	.00	.00	.00
TRAVEL OUT-OF-STATE	147.67	.00	304.11	.00	.00	.00
TRAINING	.00	.00	195.00	.00	.00	.00
FACILITIES OPERATION	205.00	.00	2,460.00	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-I	3,742.50	.00	20,326.84	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-E	41.67	.00	1,412,291.67	.00	.00	.00
DEPARTMENTAL SERVICES	8,582.59	.00	75,857.64	.00	.00	.00
INFORMATIONAL TECHNOLOGY	.00	.00	25,342.77	.00	.00	.00
CENTRAL ADMINISTRATIVE SERVICES	.00	.00	164,566.00	.00	.00	.00
OTHER ITEMS OF EXPENSE	10,735.69	.00	70,680.47	.00	.00	.00
OPERATING EXP & EQUIP	37,241.13	.00	1,911,425.54	.00	.00	.00
SPEC ITEMS OF EXPENSE						
INTERNAL COST RECOVERY	.00	.00	.00	.00	.00	.00
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
GRAND TOTAL	90,016.37	3,342,904.00	3,123,873.11	.00	219,030.89	93.44

REPORT OF EXPENDITURES AS OF JUN 30, 2013 FOR FIREARM SAFETY AND ENFORCEMENT SPECIAL FUND

PROGRAM : LAW ENFORCEMENT ELEMENT : BUREAU OF FIREARMS

COMPONENT: FIREARMS SFTY ACCT *5090

TIME 13:27:42

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES						
CIVIL SERVICE-PERMANENT	670.50	.00	7,744.39	.00	.00	.00
OVERTIME	2,285.80	.00	13,051.27	.00	.00	.00
STAFF BENEFITS	255.22	.00	2,789.16	.00	.00	.00
PERSONAL SERVICES	3,211.52	.00	23,584.82	.00	.00	.00
OPERATING EXP & EQUIP						
GENERAL EXPENSE	.00	.00	252.00	.00	.00	.00
PRINTING	23.66	.00	131.65	.00	.00	.00
POSTAGE	131.70	.00	435.35	.00	.00	.00
TRAINING	.00	.00	6.57	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-I	296.12	.00	2,829.78	.00	.00	.00
DEPARTMENTAL SERVICES	178,145.24	.00	165,655.82	.00	.00	.00
INFORMATION TECHNOLOGY	1,342.49	.00	1,342.49	.00	.00	.00
OTHER ITEMS OF EXPENSE	772.45	.00	3,816.25	.00	.00	.00
OPERATING EXP & EQUIP	180,711.66	.00	194,469.91	.00	.00	.00
SPEC ITEMS OF EXPENSE						
INTERNAL COST RECOVERY	.00	.00	.00	.00	.00	.00
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
GRAND TOTAL	183,923.18	50,546.00	218,054.73	.00	167,508.73	431.39

DOJ Programs Funded with Firearms Safety Account Special Fund

FY 2012/13 BUREAU OF FIREARMS

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	FSA Funding %
509	Firearms Safety Account	\$ 333,990	\$ 287,350	1/ 87%
FIREARMS TOTAL FSA FUNDING		\$ 333,990	\$ 287,350	

1/ Actual year-end expenditures include \$17,311 in statewide ProRata charges.

PROGRAM : LAW ENFORCEMENT
 ELEMENT : BUREAU OF FIREARMS
 COMPONENT: FIREARMS SFY ACCT *5090

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	FCT USED
PERSONAL SERVICES						
CIVIL SERVICE-PERMANENT	4,430.42	.00	51,172.07	.00	.00	.00
OVERTIME	15,103.76	.00	86,238.12	.00	.00	.00
STAFF BENEFITS	1,686.49	.00	18,430.29	.00	.00	.00
PERSONAL SERVICES	21,220.67	.00	155,840.48	.00	.00	.00
OPERATING EXP & EQUIP						
GENERAL EXPENSE	.00	.00	1,665.17	.00	.00	.00
PRINTING	156.34	.00	869.85	.00	.00	.00
POSTAGE	870.26	.00	2,876.65	.00	.00	.00
TRAINING	.00	.00	43.43	.00	.00	.00
CONSULTANT & PROFESSIONAL SVCS-I	1,956.66	.00	18,698.17	.00	.00	.00
DEPARTMENTAL SERVICES	6,331.16	.00	55,958.30	.00	.00	.00
INFORMATION TECHNOLOGY	8,870.76	.00	8,870.76	.00	.00	.00
CENTRAL ADMINISTRATIVE SERVICES	.00	.00	17,311.00	.00	.00	.00
OTHER ITEMS OF EXPENSE	5,103.98	.00	25,216.52	.00	.00	.00
OPERATING EXP & EQUIP	23,289.16	.00	131,509.85	.00	.00	.00
SPEC ITEMS OF EXPENSE						
INTERNAL COST RECOVERY	.00	.00	.00	.00	.00	.00
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
GRAND TOTAL	44,509.83	333,990.00	287,350.33	.00	46,639.67	86.03

Exhibit D

DOJ Programs Funded with DROS Special Fund

FY 2011/12

BUREAU OF FIREARMS

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	DROS Funding %
510	Dealers Record of Sale	\$ 9,582,111	\$ 9,204,449 ^{1/}	100%
823	Gun Show	\$ 772,172	\$ 727,250	100%
FIREARMS TOTAL DROS FUNDING		\$ 10,354,283	\$ 9,931,699	

DIVISION OF CRIMINAL JUSTICE INFORMATION SERVICES

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	DROS Funding %
861	Technology Support Bureau	\$ 1,145,000	\$ 1,159,376	5%
795	DROS - Long Gun	\$ 176,319	\$ 185,045	100%
732	Firearms Program - DROS	\$ 369,251	\$ 311,022	100%
DCJIS TOTAL DROS FUNDING		\$ 1,690,570	\$ 1,655,443	
DOJ TOTAL DROS FUNDING		\$ 12,044,853	\$ 11,587,142	

^{1/} Actual year-end expenditures include \$473,151 in statewide ProRata charges.

DATE 11/29/2012
 TIME 13:09:17
 FINAL 11-12 BUDGET REPORT FOR JUNE 2012
 FOR
 CLEARING ACCOUNTS

PROGRAM : LAW ENFORCEMENT
 ELEMENT : BUREAU OF FIREARMS
 COMPONENT: DROS *5100

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES	542,475.27	6,203,847.00	5,714,469.31	29,784.00	459,593.69	92.59
PERSONAL SERVICES	329,180.07	3,877,000.00	3,707,038.53	.00	169,961.47	95.61
CIVIL SERVICE-PERMANENT	2,721.99	312,000.00	37,274.36	3,186.00	271,539.64	12.96
CIVIL SERVICE-TEMP HELP	67,615.93	380,000.00	391,327.33	26,542.00	37,869.33	109.96
OVERTIME	142,957.28	1,634,847.00	1,578,829.09	56.00	55,961.91	96.57
STAFF BENEFITS						
OPERATING EXP & EQUIP	12,309.10	189,264.00	46,567.09	51,616.93	91,079.98	51.87
GENERAL EXPENSE	3,197.57	27,000.00	26,976.61	34.18	10.79	100.03
PRINTING	2,130.00	20,000.00	19,620.80	1,933.37	1,554.17	107.77
COMMUNICATIONS	8,792.08	83,000.00	74,816.35	5,144.43	3,039.22	96.33
POSTAGE	.00	3,000.00	2,530.00	.00	470.00	84.33
TRAVEL IN-STATE	4,919.25	17,000.00	19,953.27	1,328.00	4,281.27	125.18
TRAVEL OUT-OF-STATE	2,079.56	6,000.00	2,079.56	.00	3,920.44	34.65
FACILITIES OPERATION	25,223.25	539,000.00	539,122.18	1,504.25	1,626.43	100.30
UTILITIES	71.57	1,000.00	417.66	.00	582.34	41.76
CONSULTANT & PROFESSIONAL SVCS-I	70,722.04	437,000.00	486,041.63	109.00	49,150.63	111.24
CONSULTANT & PROFESSIONAL SVCS-E	200,595.78	896,000.00	594,399.66	175,651.53	125,948.81	85.94
DEPARTMENTAL SERVICES	307,590.87	602,000.00	827,724.39	.00	225,724.39	137.49
INFORMATION TECHNOLOGY	287.68	55,000.00	48,436.53	50,105.23	43,541.76	179.16
CENTRAL ADMINISTRATIVE SERVICES	.00	473,000.00	473,151.00	.00	151.00	100.03
EQUIPMENT	.00	30,000.00	3,553.50	14,485.05	19,068.45	36.43
OTHER ITEMS OF EXPENSE	12,309.10	189,264.00	46,567.09	51,616.93	91,079.98	51.87
OPERATING EXP & EQUIP	637,918.75	3,378,264.00	3,158,283.23	301,911.97	81,931.20	102.42
GRAND TOTAL	1,180,394.02	9,582,111.00	8,872,752.54	331,695.97	377,662.49	96.05

PROGRAM : LAW ENFORCEMENT COMPONENT: GUN SHOW *8230
 ELEMENT : BUREAU OF FIREARMS

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES	60,344.61	635,647.00	622,818.94	5,296.00	7,532.06	98.81
CIVIL SERVICE-PERMANENT	33,974.22	385,000.00	386,782.99	.00	1,782.99	100.46
OVERTIME	11,966.85	81,000.00	69,522.67	5,296.00	6,181.33	92.36
STAFF BENEFITS	14,403.54	169,647.00	166,513.28	.00	3,133.72	98.15
OPERATING EXP & EQUIP	4,186.13	79,525.00	27,954.17	20.00	51,550.83	35.17
GENERAL EXPENSE	465.18	3,000.00	4,325.44	363.00	1,688.44	156.28
TRAVEL IN-STATE	1,058.32	.00	1,058.32	.00	1,058.32	.00
TRAVEL OUT-OF-STATE	.00	.00	39.10	.00	39.10	.00
CONSULTANT & PROFESSIONAL SVCS-I	8,870.85	53,000.00	54,663.34	10,506.89	12,170.23	122.96
DEPARTMENTAL SERVICES	.00	.00	123.96	.00	123.96	.00
INFORMATION TECHNOLOGY	.00	.00	.00	.00	.00	.00
OTHER ITEMS OF EXPENSE	4,186.13	79,525.00	27,954.17	20.00	51,550.83	35.17
OPERATING EXP & EQUIP	14,580.48	136,525.00	88,245.30	10,889.89	37,389.81	72.61
GRAND TOTAL	74,925.09	772,172.00	711,064.24	16,185.89	44,921.87	94.18

DEPARTMENT OF JUSTICE

DATE 11/29/2012

TIME 13:09:17 FINAL 11-12 BUDGET REPORT FOR JUNE 2012

CLEARING ACCOUNTS

PROGRAM : CALIF JUSTICE INFO SERV COMPONENT: FIREARMS PGM - DROS*7320

ELEMENT : BUR OF CRIM ID & INVEST

DESCRIPTION	CURRENT PERIOD EXPENSE		WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES	8,884.00		167,000.00	139,341.63	.00	27,658.37	83.43
CIVIL SERVICE-PERMANENT	.00		44,000.00	43,494.16	4,243.00	3,737.16-	108.49
CIVIL SERVICE-TEMP HELP	.00		1,000.00	.00	.00	1,000.00	.00
OVERTIME	4,247.22		89,501.00	59,939.24	.00	29,561.76	66.97
STAFF BENEFITS							
PERSONAL SERVICES	13,131.22		301,501.00	242,775.03	4,243.00	54,482.97	81.92
OPERATING EXP & EQUIP							
GENERAL EXPENSE	.00		9,000.00	61.84	.00	8,938.16	.68
CONSULTANT & PROFESSIONAL SVCS-I	.00		2,000.00	2,461.08	.00	461.08-	123.05
DEPARTMENTAL SERVICES	8,368.73		50,000.00	51,569.19	9,912.16	11,481.35-	122.96
OTHER ITEMS OF EXPENSE	.00		6,750.00	.00	.00	6,750.00	.00
OPERATING EXP & EQUIP	8,368.73		67,750.00	54,092.11	9,912.16	3,745.73	94.47
GRAND TOTAL	21,499.95		369,251.00	296,867.14	14,155.16	58,228.70	84.23

DEPARTMENT OF JUSTICE

DATE 11/29/2012

TIME 13:09:17 FINAL 11-12 BUDGET REPORT FOR JUNE 2012
FOR CLEARING ACCOUNTS

PROGRAM : CALIF JUSTICE INFO SERV COMPONENT: DROS & LONG GUN *7950

ELEMENT : BUR OF CRIM INFO & ANALYS

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES						
CIVIL SERVICE-PERMANENT	8,515.00	101,000.00	102,937.43	.00	1,937.43-	101.91
OVERTIME	.00	5,000.00	3,350.49	327.00	1,322.51	73.54
STAFF BENEFITS	5,250.46	50,813.00	55,057.35	.00	4,244.35-	108.35
PERSONAL SERVICES	13,765.46	156,813.00	161,345.27	327.00	4,859.27-	103.09
OPERATING EXP & EQUIP						
PRINTING	.00	.00	10.00	.00	10.00-	.00
DEPARTMENTAL SERVICES	3,180.12	19,000.00	19,596.29	3,766.62	4,362.91-	122.96
OTHER ITEMS OF EXPENSE	.00	506.00	.00	.00	506.00	.00
OPERATING EXP & EQUIP	3,180.12	19,506.00	19,606.29	3,766.62	3,866.91-	119.82
GRAND TOTAL	16,945.58	176,319.00	180,951.56	4,093.62	8,726.18-	104.94

FOR CLEARING ACCOUNTS

PROGRAM : CALIF JUSTICE INFO SERV

ELEMENT : HAWKINS DATA CENTER

COMPONENT: TECH SUPPORT BUR *8610

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES	509,922.40	6,574,000.00	6,360,211.62	.00	213,788.38	96.74
CIVIL SERVICE-PERMANENT	11,434.18	183,000.00	153,797.39	13,097.00	16,105.61	91.19
CIVIL SERVICE-TEMP HELP	2,238.76	33,000.00	27,222.98	2,295.00	3,482.02	89.44
OVERTIME	216,394.80	2,686,069.00	2,583,982.97	500.00	101,586.03	96.21
STAFF BENEFITS						
PERSONAL SERVICES	739,990.14	9,476,069.00	9,125,214.96	15,892.00	334,962.04	96.46
OPERATING EXP & EQUIP						
GENERAL EXPENSE	1,564.87	91,276.00	28,509.56	1,404.95	61,361.49	32.77
PRINTING	1,062.85	25,000.00	11,736.09	10,573.00	2,690.91	89.23
COMMUNICATIONS	3,261.32	93,000.00	46,126.87	3,225.40	43,647.73	53.06
INSURANCE	.00	.00	268.24	.00	268.24	.00
TRAVEL IN-STATE	311.64	12,000.00	3,460.14	96.00	8,443.86	29.63
TRAINING	7,550.00	20,000.00	6,950.00	.00	13,050.00	34.75
FACILITIES OPERATION	2,654.28	3,000.00	2,654.28	.00	345.72	88.47
CONSULTANT & PROFESSIONAL SVCS-I	.00	137,000.00	19,040.00	.00	117,960.00	13.89
CONSULTANT & PROFESSIONAL SVCS-E	108,237.00	1,117,000.00	619,720.00	679,033.05	181,753.05	116.27
DEPARTMENTAL SERVICES	321,853.47	3,809,286.00	3,613,111.51	755,165.12	558,990.63	114.67
INFORMATION TECHNOLOGY	349,355.10	6,735,000.00	4,050,136.05	2,869,357.88	184,493.93	102.73
CENTRAL ADMINISTRATIVE SERVICES	.00	1,095,000.00	1,095,032.00	.00	32.00	100.00
EQUIPMENT	1,353.50	49,000.00	.00	.00	49,000.00	.00
OTHER ITEMS OF EXPENSE	1,235.63	4,000.00	1,224.69	.00	2,775.31	30.61
OPERATING EXP & EQUIP	795,968.40	13,190,562.00	9,497,969.43	4,318,855.40	626,262.83	104.74
GRAND TOTAL	1,535,958.54	22,666,631.00	18,623,184.39	4,334,747.40	291,300.79	101.28

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DOJ Programs Funded with Firearms Safety and Enforcement Special Fund

**FY 2011/12
BUREAU OF FIREARMS**

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	FSE Funding %
507	Handgun Safety Certification	\$ 3,331,603	\$ 3,205,614	100%
FIREARMS TOTAL FSE FUNDING		\$ 3,331,603	\$ 3,205,614	

1/ Actual year-end expenditures include \$160,702 in statewide ProRata charges.

PROGRAM : LAW ENFORCEMENT
 ELEMENT : BUREAU OF FIREARMS
 COMPONENT: BASIC FIREARMS SFY*5070

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	FCT USED
PERSONAL SERVICES						
CIVIL SERVICE-PERMANENT	64,463.65	793,000.00	782,601.22	.00	10,398.78	98.68
CIVIL SERVICE-TEMP HELP	.00	37,000.00	37,501.45	3,658.00	4,159.45	111.24
OVERTIME	1,952.31	47,000.00	17,275.54	1,495.00	28,229.46	39.93
STAFF BENEFITS	37,872.50	357,319.00	358,141.78	.00	822.78	100.23
PERSONAL SERVICES	104,288.46	1,234,319.00	1,195,519.99	5,153.00	33,646.01	97.27
OPERATING EXP & EQUIP						
GENERAL EXPENSE	2,615.66	16,284.00	8,626.87	390.78	7,266.35	55.37
PRINTING	4,667.00	144,000.00	9,482.00	80,903.00	53,615.00	62.76
COMMUNICATIONS	237.65	2,000.00	1,370.83	629.17	.00	100.00
INSURANCE	.00	2,000.00	1,877.74	.00	122.26	93.88
TRAVEL IN-STATE	609.37	16,000.00	7,849.38	684.00	7,466.62	53.33
TRAVEL OUT-OF-STATE	.00	.00	368.92	.00	368.92	.00
FACILITIES OPERATION	205.00	3,000.00	2,460.00	.00	540.00	82.00
CONSULTANT & PROFESSIONAL SVCS-I	1,062.50	25,000.00	7,739.26	92.00	17,168.74	31.32
CONSULTANT & PROFESSIONAL SVCS-E	10,883.91	1,605,000.00	1,594,116.09	.00	10,883.91	99.32
DEPARTMENTAL SERVICES	12,385.72	74,000.00	76,322.40	14,670.00	16,992.40	122.96
INFORMATION TECHNOLOGY	.00	22,000.00	12,267.87	879.00	8,853.13	59.75
CENTRAL ADMINISTRATIVE SERVICES	.00	161,000.00	160,702.00	.00	298.00	99.81
OTHER ITEMS OF EXPENSE	3,088.23	27,000.00	20,164.22	3,345.64	3,490.14	87.07
OPERATING EXP & EQUIP	13,987.22	2,097,284.00	1,903,347.58	101,593.59	92,342.83	95.59
GRAND TOTAL	118,275.68	3,331,603.00	3,098,867.57	106,746.59	125,988.84	96.21

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DOJ Programs Funded with Firearms Safety Account Special Fund

FY 2011/12 BUREAU OF FIREARMS

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	FSA Funding %
509	Firearms Safety Account	\$ 337,367	\$ 306,370	100%
FIREARMS TOTAL FSA FUNDING		\$ 337,367	\$ 306,370	

1/ Actual year-end expenditures include \$15,926 in statewide ProRata charges.

FY 2011 CHAPT 0000 FUND 00000000 CROSS-REFERENCE NC3

DATE 12/17/2012

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FINAL 11-12 BUDGET REPORT FOR JUNE 2012

PAGE 2

CLEARING ACCOUNTS

PROGRAM : LAW ENFORCEMENT
ELEMENT : BUREAU OF FIREARMS

COMPONENT: FIREARMS SFY ACCT *5090

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES						
CIVIL SERVICE-PERMANENT	5,348.00	98,000.00	77,966.61	.00	20,033.39	79.55
OVERTIME	299.78	87,000.00	92,037.95	8,763.00	13,800.95	115.86
STAFF BENEFITS	1,637.27	31,367.00	27,374.49	.00	3,992.51	87.27
PERSONAL SERVICES	7,285.05	216,367.00	197,379.05	8,763.00	10,224.95	.95.27
OPERATING EXP & EQUIP						
GENERAL EXPENSE	800.00	15,000.00	3,479.52	.00	11,520.48	23.19
PRINTING	1,974.25	11,000.00	8,598.34	1,647.26	754.40	93.14
POSTAGE	.00	1,000.00	487.11	971.68	458.79	145.87
TRAVEL IN-STATE	.00	.00	30.00	.00	30.00	.00
FACILITIES OPERATION	.00	1,000.00	999.59	300.00	299.59	129.95
CONSULTANT & PROFESSIONAL SVCS-I	.00	21,000.00	16,206.05	1,218.00	3,575.95	82.97
DEPARTMENTAL SERVICES	2,008.49	12,000.00	12,376.60	2,378.92	2,755.52	122.96
INFORMATION TECHNOLOGY	4,357.41	11,000.00	4,479.32	.00	6,520.68	40.72
CENTRAL ADMINISTRATIVE SERVICES	.00	16,000.00	15,926.00	.00	74.00	99.53
OTHER ITEMS OF EXPENSE	5,822.19	33,000.00	30,429.09	700.00	1,870.91	94.33
OPERATING EXP & EQUIP	14,962.34	121,000.00	93,011.62	7,215.86	20,772.52	82.83
GRAND TOTAL	22,247.39	337,367.00	290,390.67	15,978.86	30,997.47	90.81

Exhibit E

DOJ Programs Funded with DROS Special Fund

FY 2010/11 BUREAU OF FIREARMS

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	DROS Funding %
510	Dealers Record of Sale	\$ 8,778,666	\$ 8,470,616 ^{1/}	100%
823	Gun Show	\$ 547,644	\$ 559,714	100%
FIREARMS TOTAL DROS FUNDING		\$ 9,326,310	\$ 9,030,330	

DIVISION OF CRIMINAL JUSTICE INFORMATION SERVICES

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	DROS Funding %
861	Technology Support Bureau	\$ 747,257	\$ 687,446	4%
795	DROS - Long Gun	\$ 165,164	\$ 165,776	100%
732	Firearms Program - DROS	\$ 381,202	\$ 367,347	100%
700	CJIS Facilities & Communications	\$ 2,000	\$ 1,979	0.04%
DCJIS TOTAL DROS FUNDING		\$ 1,295,623	\$ 1,222,549	
DOJ TOTAL DROS FUNDING		\$ 10,621,933	\$ 10,252,878	

^{1/} Actual year-end expenditures include \$491,886 in statewide ProRata charges.

DATE 11/29/2012
 TIME 13:10:26
 FINAL 10-11 BUDGET REPORT FOR JUNE 2012
 CLEARING ACCOUNTS

PROGRAM : LAW ENFORCEMENT
 ELEMENT : BUREAU OF FIREARMS
 COMPONENT: DRGS *5100

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES						
CIVIL SERVICE-PERMANENT	23.68-	3,704,000.00	3,673,244.91	.00	30,755.09	99.16
CIVIL SERVICE-TEMP HELP	.00	257,000.00	245,359.63	.00	11,640.37	95.47
OVERTIME	.00	306,000.00	331,159.64	.00	25,159.64-	108.22
STAFF BENEFITS	.00	1,559,321.00	1,513,316.87	.00	46,004.13	97.04
PERSONAL SERVICES	23.68-	5,826,321.00	5,763,081.05	.00	63,239.95	98.91
OPERATING EXP & EQUIP						
GENERAL EXPENSE	.00	57,000.00	54,490.27	951.98	1,557.75	97.26
PRINTING	.00	39,000.00	35,947.54	1,074.64	1,977.82	94.92
COMMUNICATIONS	.00	97,000.00	82,354.93	3,699.00	10,946.07	88.71
POSTAGE	.00	2,000.00	938.80	73.00	988.20	50.59
TRAVEL IN-STATE	.00	63,000.00	26,508.65	1,714.00	34,777.35	44.79
TRAVEL OUT-OF-STATE	.00	8,000.00	6,937.49	4,984.20	3,921.69-	149.02
TRAINING	.00	7,000.00	3,581.00	.00	3,419.00	51.15
FACILITIES OPERATION	.00	687,000.00	673,943.55	55.00	13,001.45	98.10
UTILITIES	.00	4,000.00	952.75	138.00	2,909.25	27.26
CONSULTANT & PROFESSIONAL SVCS-I	.00	88,000.00	87,374.94	458.00	167.06	99.81
CONSULTANT & PROFESSIONAL SVCS-E	.00	346,000.00	341,680.70	.00	4,319.30	98.75
DEPARTMENTAL SERVICES	6.19	612,000.00	560,006.20	38,379.43	13,614.37	97.77
INFORMATIONAL TECHNOLOGY	.00	119,000.00	88,583.14	128.93	30,287.93	74.54
CENTRAL ADMINISTRATIVE SERVICES	.00	492,000.00	491,886.00	.00	114.00	99.97
EQUIPMENT	.00	118,000.00	.00	.00	118,000.00	.00
OTHER ITEMS OF EXPENSE	.00	213,345.00	187,363.36	13,329.17	12,652.47	94.06
OPERATING EXP & EQUIP	6.19	2,952,345.00	2,642,549.32	64,985.35	244,810.33	91.70
GRAND TOTAL	17.49-	8,778,666.00	8,405,630.37	64,985.35	308,050.28	96.49

FINAL 10-11 BUDGET REPORT FOR JUNE 2012
 FOR
 CLEARING ACCOUNTS

PROGRAM : LAW ENFORCEMENT COMPONENT: GUN SHOW *8230
 ELEMENT : BUREAU OF FIREARMS

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES						
CIVIL SERVICE-PERMANENT	.00	287,000.00	287,112.46	.00	112.46-	100.03
OVERTIME	.00	46,000.00	50,615.63	.00	4,615.63-	110.03
STAFF BENEFITS	.00	128,644.00	135,635.92	.00	6,991.92-	105.43
=====						
PERSONAL SERVICES	.00	461,644.00	473,364.01	.00	11,720.01-	102.53
=====						
OPERATING EXP & EQUIP						
GENERAL EXPENSE	.00	.00	109.00	.00	109.00-	.00
TRAVEL IN-STATE	.00	1,000.00	2,252.28	.00	1,252.28-	225.22
CONSULTANT & PROFESSIONAL SVCS-I	.00	.00	6.79	.00	6.79-	.00
DEPARTMENTAL SERVICES	.56	55,000.00	50,327.34	3,449.13	1,223.53	97.77
OTHER ITEMS OF EXPENSE	.00	30,000.00	30,205.47	.00	205.47-	100.68
=====						
OPERATING EXP & EQUIP	.56	86,000.00	82,900.88	3,449.13	350.01-	100.40
=====						
GRAND TOTAL	.56	547,644.00	556,264.89	3,449.13	12,070.02-	102.20

PROGRAM : CALIF JUSTICE INFO SERV COMPONENT: FIREARMS PGM - DROS*7320
 ELEMENT : BUR OF CRIM ID & INVEST

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES						
CIVIL SERVICE-PERMANENT	.00	232,000.00	219,952.03	.00	12,047.97	94.80
OVERTIME	.00	.00	440.44	.00	440.44	.00
STAFF BENEFITS	.00	99,074.00	93,094.11	.00	5,979.89	93.96
PERSONAL SERVICES	.00	331,074.00	313,486.58	.00	17,587.42	94.68
OPERATING EXP & EQUIP						
GENERAL EXPENSE	.00	.00	66.14	.00	66.14	.00
TRAVEL IN-STATE	.00	1,000.00	4,285.64	250.00	3,535.64	453.56
CONSULTANT & PROFESSIONAL SVCS-I	.00	1,000.00	2,201.65	.00	1,201.65	220.16
DEPARTMENTAL SERVICES	.49	48,128.00	44,039.19	3,018.18	1,070.63	97.77
OPERATING EXP & EQUIP	.49	50,128.00	50,592.62	3,268.18	3,732.80	107.44
SPEC ITEMS OF EXPENSE						
LOCAL COSTS	76.50	.00	.00	.00	.00	.00
SPEC ITEMS OF EXPENSE	76.50	.00	.00	.00	.00	.00
GRAND TOTAL	76.01	381,202.00	364,079.20	3,268.18	13,854.62	96.36

TIME 13:10:26 FOR CLEARING ACCOUNTS
 PROGRAM : CALIF JUSTICE INFO SERV COMPONENT: DROS & LONG GUN *7950
 ELEMENT : BUR OF CRIM INFO & ANLYS

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES	.00	99,265.00	99,032.88	.00	232.12	99.76
CIVIL SERVICE-PERMANENT	.00	47,455.00	48,709.65	.00	1,254.65-	102.64
STAFF BENEFITS						
PERSONAL SERVICES	.00	146,720.00	147,742.53	.00	1,022.53-	100.69
OPERATING EXP & EQUIP	.19	18,444.00	16,877.06	1,156.65	410.29	97.77
DEPARTMENTAL SERVICES						
OPERATING EXP & EQUIP	.19	18,444.00	16,877.06	1,156.65	410.29	97.77
GRAND TOTAL	.19	165,164.00	164,619.59	1,156.65	612.24-	100.37

TIME 13:10:26

FINAL 10-11 BUDGET REPORT FOR JUNE 2012
FOR
CLEARING ACCOUNTS

PROGRAM : CALIF JUSTICE INFO SERV COMPONENT: TECH SUPPORT BUR *8610
ELEMENT : HAWKINS DATA CENTER

DESCRIPTION	CURRENT PERIOD EXPENSE		WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES	.00	6,370,115.18	6,370,115.18	.00	.00	51,009.82	99.20
CIVIL SERVICE-PERMANENT	.00	177,170.00	177,170.00	164,927.42	.00	12,242.58	93.08
CIVIL SERVICE-TEMP HELP	.00	21,000.00	21,000.00	18,161.61	.00	2,838.39	86.48
OVERTIME	.00	2,629,271.00	2,629,271.00	2,625,393.23	.00	3,877.77	99.85
STAFF BENEFITS	.00						
PERSONAL SERVICES	.00	9,248,566.00	9,248,566.00	9,178,597.44	.00	69,968.56	99.24
OPERATING EXP & EQUIP	.00	53,000.00	53,000.00	51,808.38	4,206.00	3,014.38	105.68
GENERAL EXPENSE	.00	25,000.00	25,000.00	18,441.10	8,011.82	1,452.92	105.81
PRINTING	.00	71,000.00	71,000.00	184,205.18	1,777.74	114,982.92	261.94
COMMUNICATIONS	.00	1,000.00	1,000.00	460.31	.00	539.69	46.03
INSURANCE	.00	10,000.00	10,000.00	1,387.35	52.00	8,560.65	14.39
TRAVEL IN-STATE	.00			10.00	.00	10.00	.00
TRAVEL OUT-OF-STATE	.00	9,000.00	9,000.00	.00	.00	9,000.00	.00
TRAINING	.00	224,000.00	224,000.00	22,907.50	.00	76,092.50	23.13
CONSULTANT & PROFESSIONAL SVCS-I	.00	3,716,434.00	3,716,434.00	199,422.92	.00	24,577.08	89.02
CONSULTANT & PROFESSIONAL SVCS-E	37.61	3,248,000.00	3,248,000.00	2,200,696.22	233,063.10	1,282,674.68	65.48
DEPARTMENTAL SERVICES	.00	913,000.00	913,000.00	912,817.00	48,062.44	56,072.11	98.27
INFORMATION TECHNOLOGY	.00	10,000.00	10,000.00	.00	.00	183.00	99.97
CENTRAL ADMINISTRATIVE SERVICES	.00	5,000.00	5,000.00	3,555.46	.00	10,000.00	.00
EQUIPMENT	.00					1,444.54	71.10
OTHER ITEMS OF EXPENSE	.00						
OPERATING EXP & EQUIP	37.61	8,384,434.00	8,384,434.00	6,739,576.87	295,173.10	1,349,684.03	83.90
GRAND TOTAL	37.61	17,633,000.00	17,633,000.00	15,918,174.31	295,173.10	1,419,652.59	91.94

PROGRAM : CALIF JUSTICE INFO SERV	COMPONENT: COSP	Y-T-D	OUTSTANDING	BALANCE	PCT
ELEMENT : CJIS OPERATIONAL SUP PRG	TASK : CJIS-FAC & COMM *7000	EXPENDITURES	ENCUMBRANCES		USED
DESCRIPTION	WORKING	Y-T-D	ENCUMBRANCES	BALANCE	PCT
	APPROPRIATION	EXPENDITURES	ENCUMBRANCES		USED
	PERIOD EXPENSE	Y-T-D	ENCUMBRANCES	BALANCE	PCT
	CURRENT	EXPENDITURES	ENCUMBRANCES		USED
OPERATING EXP & EQUIP	.00	60,578.45	2,994.77	41,426.78	60.54
GENERAL EXPENSE	.00	5,000.00	.00	4,074.52	18.50
COMMUNICATIONS	.00	54,000.00	.00	106,200.00-	296.66
POSTAGE	.00	4,943,000.00	45,242.87	286,450.44	94.20
FACILITIES OPERATION	.00	20,000.00	1,903.00	7,284.39-	136.42
CONSULTANT & PROFESSIONAL SVCS-I	.00	61,000.00	.00	59,367.99	2.67
CONSULTANT & PROFESSIONAL SVCS-E	.00	72,000.00	1,976.15	34,769.13	51.70
INFORMATION TECHNOLOGY	.00	.00	.00	81.86-	.00
OTHER ITEMS OF EXPENSE	.00	81.86	.00		
OPERATING EXP & EQUIP	.00	5,260,000.00	52,116.79	312,522.61	94.05
GRAND TOTAL	.00	5,260,000.00	52,116.79	312,522.61	94.05

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DOJ Programs Funded with Firearms Safety and Enforcement Special Fund

FY 2010/11 BUREAU OF FIREARMS

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	FSE Funding %
507	Handgun Safety Certification	\$ 3,196,800	\$ 3,071,063	100%
FIREARMS TOTAL FSE FUNDING		\$ 3,196,800	\$ 3,071,063	

1/ Actual year-end expenditures include \$118,741 in statewide ProRata charges.

PROGRAM : LAW ENFORCEMENT COMPONENT: BASIC FIREARMS SFTY*5070
 ELEMENT : BUREAU OF FIREARMS

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	FCT USED
PERSONAL SERVICES	.00	778,000.00	775,640.78	.00	2,359.22	99.69
CIVIL SERVICE-PERMANENT	.00	2,000.00	.00	.00	2,000.00	.00
CIVIL SERVICE-TEMP HELP	.00	57,000.00	50,223.58	.00	6,776.42	88.11
OVERTIME	.00	297,800.00	306,697.05	.00	8,897.05	102.98
STAFF BENEFITS	.00	1,134,800.00	1,132,561.41	.00	2,238.59	99.80
PERSONAL SERVICES	.00	9,000.00	9,179.50	.00	179.50	101.99
OPERATING EXP & EQUIP	.00	32,000.00	19,869.16	.00	12,130.84	62.09
GENERAL EXPENSE	.00	3,000.00	1,207.23	1,065.40	727.37	75.75
PRINTING	.00	1,000.00	.00	.00	1,000.00	.00
COMMUNICATIONS	.00	15,000.00	14,555.31	388.00	56.69	99.62
POSTAGE	.00	3,000.00	1,973.23	.00	1,026.77	65.77
TRAVEL IN-STATE	.00	209,000.00	87,350.70	169.00	121,480.30	41.87
FACILITIES OPERATION	.00	1,553,000.00	1,572,614.90	.00	19,614.90	101.26
CONSULTANT & PROFESSIONAL SVCS-I	.76	75,000.00	68,628.20	4,703.36	1,668.44	97.77
CONSULTANT & PROFESSIONAL SVCS-E	.00	21,000.00	14,944.71	336.00	5,719.29	72.76
DEPARTMENTAL SERVICES	.00	119,000.00	118,741.00	.00	259.00	99.78
INFORMATION TECHNOLOGY	.00	22,000.00	22,706.06	70.00	776.06	103.52
CENTRAL ADMINISTRATIVE SERVICES	.00	2,062,000.00	1,931,770.00	6,731.76	123,498.24	94.01
OTHER ITEMS OF EXPENSE	.76	3,196,800.00	3,064,331.41	6,731.76	125,736.83	96.06
OPERATING EXP & EQUIP	.76	2,062,000.00	1,931,770.00	6,731.76	123,498.24	94.01
GRAND TOTAL	.76	3,196,800.00	3,064,331.41	6,731.76	125,736.83	96.06

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DOJ Programs Funded with Firearms Safety Account Special Fund

FY 2010/11 BUREAU OF FIREARMS

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	FSA Funding %
509	Firearms Safety Account	\$ 335,000	\$ 308,694	100%
FIREARMS TOTAL FSA FUNDING		\$ 335,000	\$ 308,694	

1/ Actual year-end expenditures include \$11,834 in statewide ProRata charges.

PROGRAM : LAW ENFORCEMENT
 ELEMENT : BUREAU OF FIREARMS
 COMPONENT: FIREARMS SFY ACCT *5090

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES						
CIVIL SERVICE-PERMANENT	.00	85,000.00	83,633.82	.00	1,366.18	98.39
OVERTIME	.00	90,000.00	86,123.54	.00	3,876.46	95.69
STAFF BENEFITS	.00	59,000.00	30,152.27	.00	28,847.73	51.10
PERSONAL SERVICES	.00	234,000.00	199,909.63	.00	34,090.37	85.43
OPERATING EXP & EQUIP						
GENERAL EXPENSE	.00	10,000.00	9,979.37	2,980.00	2,959.37-	129.59
PRINTING	.00	10,000.00	10,153.68	.00	153.68-	101.53
POSTAGE	.00	1,000.00	655.48	.00	344.52	65.54
TRAVEL OUT-OF-STATE	.00	20.00	20.00	.00	20.00-	.00
TRAINING	.00	1,000.00	.00	.00	1,000.00	.00
FACILITIES OPERATION	.00	.00	605.12	.00	605.12-	.00
CONSULTANT & PROFESSIONAL SVCS-I	.00	21,000.00	18,953.50	1,122.00	924.50	95.59
DEPARTMENTAL SERVICES	.12	12,000.00	10,980.52	752.54	266.94	97.77
INFORMATION TECHNOLOGY	.00	11,000.00	9,484.74	.00	1,515.26	86.22
CENTRAL ADMINISTRATIVE SERVICES	.00	12,000.00	11,834.00	.00	166.00	98.61
OTHER ITEMS OF EXPENSE	.00	23,000.00	29,875.35	152.99	7,028.34-	130.55
OPERATING EXP & EQUIP	.12	101,000.00	102,541.76	5,007.53	6,549.29-	106.48
SPEC ITEMS OF EXPENSE						
SPECIAL ITEMS OF EXPENSE	.00	.00	1,235.42	.00	1,235.42-	.00
SPEC ITEMS OF EXPENSE	.00	.00	1,235.42	.00	1,235.42-	.00
GRAND TOTAL	.12	335,000.00	303,686.81	5,007.53	26,305.66	92.14

Exhibit F

DOJ Programs Funded with DROS Special Fund

FY 2009/10 BUREAU OF FIREARMS

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	DROS Funding %
510	Dealers Record of Sale	\$ 8,696,016	\$ 8,054,470 ^{1/}	100%
FIREARMS TOTAL DROS FUNDING		\$ 8,696,016	\$ 8,054,470	

DIVISION OF CRIMINAL JUSTICE INFORMATION SERVICES

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	DROS Funding %
861	Technology Support Bureau	\$ 570,733	\$ 553,040	2%
795	DROS - Long Gun	\$ 408,332	\$ 278,657	79%
732	Firearms Program - DROS	\$ 218,000	\$ 254,556	98%
DCJIS TOTAL DROS FUNDING		\$ 1,197,065	\$ 1,086,253	
DOJ TOTAL DROS FUNDING		\$ 9,893,081	\$ 9,140,722	

1/ Actual year-end expenditures include \$276,613 in statewide ProRata charges.

PROGRAM : LAW ENFORCEMENT
 ELEMENT : BUREAU OF FIREARMS
 COMPONENT: DROS *5100

DESCRIPTION	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCE	BALANCE	PCT USED
PERSONAL SERVICES					
CIVIL SERVICE-PERMANENT	3,976,000.00	3,870,806.59	.00	105,193.41	97.35
CIVIL SERVICE-TEMP HELP	169,000.00	157,151.31	.00	11,848.69	92.98
OVERTIME	190,000.00	169,672.58	.00	20,327.42	89.30
STAFF BENEFITS	1,523,016.00	1,431,676.33	.00	91,339.67	94.00
PERSONAL SERVICES	5,858,016.00	5,629,306.81	.00	228,709.19	96.09
OPERATING EXP & EQUIP					
GENERAL EXPENSE	40,000.00	41,293.41	.00	1,293.41-	103.23
PRINTING	116,000.00	38,741.95	.00	77,258.05	33.39
COMMUNICATIONS	76,000.00	83,209.75	.00	7,209.75-	109.48
POSTAGE	5,000.00	2,019.94	.00	2,980.06	40.39
TRAVEL IN-STATE	66,000.00	62,203.08	.00	3,796.92	94.24
TRAVEL OUT-OF-STATE	8,000.00	472.40	.00	7,527.60	5.90
FACILITIES OPERATION	568,000.00	560,206.90	.00	7,793.10	98.62
UTILITIES	3,000.00	1,270.14	.00	1,729.86	42.33
CONSULTANT & PROFESSIONAL SVCS-IN	159,000.00	165,371.35	.00	6,371.35-	104.00
CONSULTANT & PROFESSIONAL SVCS-EX	833,000.00	558,927.19	.00	274,072.81	67.09
DEPARTMENTAL SERVICES	585,000.00	538,069.89	.00	46,930.11	91.97
INFORMATION TECHNOLOGY	40,000.00	36,307.62	.00	3,692.38	90.76
CENTRAL ADMINISTRATIVE SERVICES	277,000.00	276,613.00	.00	387.00	99.86
EQUIPMENT	.00	673.25	.00	673.25-	.00
OTHER ITEMS OF EXPENSE	62,000.00	56,504.89	.00	5,495.11	91.13
OPERATING EXP & EQUIP	2,838,000.00	2,421,884.76	.00	416,115.24	85.33
SPECIAL ITEMS OF EXPENSE	.00	3,278.00	.00	3,278.00-	.00
SPECIAL ITEMS OF EXPENSE	.00	3,278.00	.00	3,278.00-	.00
GRAND TOTAL	8,696,016.00	8,054,469.57	.00	641,546.43	92.62

FY 2009 CHAPT 0000 FUND 0000000
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CROSS-REFERENCE P24

DEPARTMENT OF JUSTICE
 FINAL 09-10 BUDGET REPORT FOR JUNE 2012
 FOR
 CLEARING ACCOUNTS

PROGRAM : CALIF JUSTICE INFO SERV
 ELEMENT : BUR OF CRIM ID & INVEST
 COMPONENT: FIREARMS PGM - DROS*7320

DESCRIPTION	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCE	BALANCE	PCT USED
PERSONAL SERVICES					
CIVIL SERVICE-PERMANENT	140,000.00	167,011.00	.00	27,011.00-	119.29
OVERTIME	.00	251.77	.00	251.77-	.00
STAFF BENEFITS	70,000.00	78,110.83	.00	8,110.83-	111.58
PERSONAL SERVICES	210,000.00	245,373.60	.00	35,373.60-	116.84
OPERATING EXP & EQUIP					
TRAVEL IN-STATE	.00	1,216.49	.00	1,216.49-	.00
CONSULTANT & PROFESSIONAL SVCS-IN	2,000.00	3,438.70	.00	1,438.70-	171.93
DEPARTMENTAL SERVICES	10,000.00	9,197.78	.00	802.22	91.97
OPERATING EXP & EQUIP	12,000.00	13,852.97	.00	1,852.97-	115.44
GRAND TOTAL	222,000.00	259,226.57	.00	37,226.57-	116.76

PROGRAM : CALIF JUSTICE INFO SERV COMPONENT: DROS & LONG GUN *7950
 ELEMENT : BUR OF CRIM INFO & ANLYS

DESCRIPTION	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCE	BALANCE	PCT USED
PERSONAL SERVICES	340,000.00	217,993.04	.00	122,006.96	64.11
CIVIL SERVICE-PERMANENT	108,332.00	70,659.84	.00	37,672.16	65.22
STAFF BENEFITS					
PERSONAL SERVICES	448,332.00	288,652.88	.00	159,679.12	64.38
OPERATING EXP & EQUIP					
GENERAL EXPENSE	.00	157.39	.00	157.39-	.00
TRAVEL IN-STATE	11,000.00	11,567.08	.00	567.08-	105.15
DEPARTMENTAL SERVICES	58,000.00	53,347.09	.00	4,652.91	91.97
OTHER ITEMS OF EXPENSE	1,000.00	.00	.00	1,000.00	.00
OPERATING EXP & EQUIP	70,000.00	65,071.56	.00	4,928.44	92.95
GRAND TOTAL	518,332.00	353,724.44	.00	164,607.56	68.24

PROGRAM : CALIF JUSTICE INFO SERV
ELEMENT : HAWKINS DATA CENTER

COMPONENT: TECH SUPPORT BUR *8610

DESCRIPTION	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCE	BALANCE	PCT USED
PERSONAL SERVICES	16,079,000.00	15,842,724.70	.00	236,275.30	98.53
CIVIL SERVICE-PERMANENT	603,000.00	617,445.46	.00	14,445.46-	102.39
CIVIL SERVICE-TEMP HELP	12,000.00	28,601.57	.00	16,601.57-	238.34
OVERTIME	5,991,992.00	5,977,648.40	.00	14,343.60	99.76
STAFF BENEFITS					
PERSONAL SERVICES	22,685,992.00	22,466,420.13	.00	219,571.87	99.03
OPERATING EXP & EQUIP					
GENERAL EXPENSE	169,000.00	81,439.36	.00	87,560.64	48.18
PRINTING	29,000.00	21,420.88	.00	7,579.12	73.86
COMMUNICATIONS	941,000.00	1,497,054.21	.00	556,054.21-	159.09
INSURANCE	1,000.00	182.24	.00	817.76	18.22
TRAVEL IN-STATE	17,000.00	20,080.06	.00	3,080.06-	118.11
TRAINING	182,000.00	161,298.00	.00	20,702.00	88.62
CONSULTANT & PROFESSIONAL SVCS-IN	140,000.00	40,184.64	.00	99,815.36	28.70
CONSULTANT & PROFESSIONAL SVCS-EX	2,205,000.00	2,022,855.55	.00	182,144.45	91.73
DEPARTMENTAL SERVICES	3,656,295.00	2,662,978.21	.00	993,316.79	72.83
INFORMATION TECHNOLOGY	3,906,000.00	3,869,642.00	.00	36,358.00	99.06
CENTRAL ADMINISTRATIVE SERVICES	709,000.00	708,531.00	.00	469.00	99.93
EQUIPMENT		15,815.42	.00	15,815.42-	.00
OTHER ITEMS OF EXPENSE	3,000.00	2,367.06	.00	632.94	78.90
OPERATING EXP & EQUIP	11,958,295.00	11,103,848.63	.00	854,446.37	92.85
GRAND TOTAL	34,644,287.00	33,570,268.76	.00	1,074,018.24	96.89

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DOJ Programs Funded with Firearms Safety and Enforcement Special Fund

**FY 2009/10
BUREAU OF FIREARMS**

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	FSE Funding %
507	Handgun Safety Certification	\$ 3,247,470	\$ 3,006,131 ^{1/}	100%
FIREARMS TOTAL FSE FUNDING		\$ 3,247,470	\$ 3,006,131	

1/ Actual year-end expenditures include \$75,483 in statewide ProRata charges.

PROGRAM : LAW ENFORCEMENT COMPONENT: BASIC FIREARMS SFY*5070
 ELEMENT : BUREAU OF FIREARMS

DESCRIPTION	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCE	BALANCE	PCT USED
PERSONAL SERVICES					
CIVIL SERVICE-PERMANENT	884,000.00	794,265.76	.00	89,734.24	89.84
CIVIL SERVICE-TEMP HELP	65,000.00	61,496.00	.00	3,504.00	94.60
OVERTIME	35,000.00	27,488.01	.00	7,511.99	78.53
STAFF BENEFITS	334,470.00	296,508.02	.00	37,961.98	88.65
PERSONAL SERVICES	1,318,470.00	1,179,757.79	.00	138,712.21	89.47
OPERATING EXP & EQUIP					
GENERAL EXPENSE	7,000.00	8,319.12	.00	1,319.12-	118.84
PRINTING	51,000.00	43,853.91	.00	7,146.09	85.98
COMMUNICATIONS	43,000.00	25,366.34	.00	17,633.66	58.99
POSTAGE	1,000.00	.00	.00	1,000.00	.00
TRAVEL IN-STATE	23,000.00	19,245.60	.00	3,754.40	83.67
FACILITIES OPERATION	47,000.00	44,461.75	.00	2,538.25	94.59
CONSULTANT & PROFESSIONAL SVCS-IN	273,000.00	117,774.69	.00	155,225.31	43.14
CONSULTANT & PROFESSIONAL SVCS-EX	1,295,000.00	1,389,133.00	.00	94,133.00-	107.26
DEPARTMENTAL SERVICES	74,000.00	68,063.56	.00	5,936.44	91.97
CENTRAL ADMINISTRATIVE SERVICES	75,000.00	75,483.00	.00	.483.00-	100.64
OTHER ITEMS OF EXPENSE	40,000.00	34,672.08	.00	5,327.92	86.68
OPERATING EXP & EQUIP	1,929,000.00	1,826,373.05	.00	102,626.95	94.67
GRAND TOTAL	3,247,470.00	3,006,130.84	.00	241,339.16	92.56

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DOJ Programs Funded with Firearms Safety Account Special Fund

FY 2009/10 BUREAU OF FIREARMS

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	FSA Funding %
509	Firearms Safety Account	\$ 331,000	\$ 282,825 ^{1/}	100%
FIREARMS TOTAL FSA FUNDING		\$ 331,000	\$ 282,825	

1/ Actual year-end expenditures include \$7,624 in statewide ProRata charges.

CLEARING ACCOUNTS

PROGRAM : LAW ENFORCEMENT

ELEMENT : BUREAU OF FIREARMS

DESCRIPTION	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCE	BALANCE	PCT USED
PERSONAL SERVICES					
CIVIL SERVICE-PERMANENT	34,000.00	32,988.84	.00	1,011.16	97.02
OVERTIME	156,000.00	-132,142.16	.00	23,857.84	84.70
STAFF BENEFITS	38,000.00	.15,388.79	.00	22,611.21	40.49
PERSONAL SERVICES	228,000.00	180,519.79	.00	47,480.21	79.17
OPERATING EXP & EQUIP					
GENERAL EXPENSE	38,000.00	33,212.14	.00	4,787.86	87.40
PRINTING	11,000.00	11,363.01	.00	363.01-	103.30
COMMUNICATIONS	.00	1,114.80	.00	1,114.80-	.00
POSTAGE	1,000.00	655.48	.00	344.52	65.54
TRAVEL IN-STATE	3,000.00	284.76	.00	2,715.24	9.49
TRAVEL OUT-OF-STATE	.00	3,171.05	.00	3,171.05-	.00
TRAINING	1,000.00	939.00	.00	61.00	93.90
CONSULTANT & PROFESSIONAL SVCS-IN	3,000.00	325.10	.00	2,674.90	10.83
DEPARTMENTAL SERVICES	12,000.00	11,037.35	.00	962.65	91.97
INFORMATION TECHNOLOGY	8,000.00	9,540.92	.00	1,540.92-	119.26
CENTRAL ADMINISTRATIVE SERVICES	8,000.00	7,624.00	.00	376.00	95.30
OTHER ITEMS OF EXPENSE	18,000.00	23,037.99	.00	5,037.99-	127.98
OPERATING EXP & EQUIP	103,000.00	102,305.60	.00	694.40	99.32
GRAND TOTAL	331,000.00	282,825.39	.00	48,174.61	85.44

Exhibit G

DOJ Programs Funded with DROS Special Fund

FY 2008/09 BUREAU OF FIREARMS

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	DROS Funding %
510	Dealers Record of Sale	\$ 9,615,237	\$ 9,276,312 ^{1/}	99.9%
FIREARMS TOTAL DROS FUNDING		\$ 9,615,237	\$ 9,276,312	

DIVISION OF CRIMINAL JUSTICE INFORMATION SERVICES

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	DROS Funding %
861	Technology Support Bureau	\$ 888,000	\$ 874,668	2.3%
795	DROS - Long Gun	\$ 583,606	\$ 457,978	100%
732	Firearms Program - DROS	\$ 319,581	\$ 199,753	100%
700	CJIS Facilities & Communications	\$ 52,000	\$ 50,676	1.8%
DCJIS TOTAL DROS FUNDING		\$ 1,843,187	\$ 1,583,075	
DOJ TOTAL DROS FUNDING		\$ 11,458,424	\$ 10,859,386	

^{1/} Actual year-end expenditures include \$322,175 in statewide ProRata charges.

PROGRAM : LAW ENFORCEMENT COMPONENT: DROS *5100
 ELEMENT : BUREAU OF FIREARMS

DESCRIPTION	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCE	BALANCE	PCT USED
PERSONAL SERVICES					
CIVIL SERVICE-PERMANENT	3,985,648.00	3,870,023.82	.00	115,624.18	97.09
CIVIL SERVICE-TEMP HELP	36,000.00	120,066.54	.00	84,066.54-	333.51
OVERTIME	110,000.00	251,724.41	.00	141,724.41-	228.84
STAFF BENEFITS	1,293,664.00	1,429,321.92	.00	135,657.92-	110.48
SALARY SAVINGS	425,160.00-	.00	.00	425,160.00-	.00
PERSONAL SERVICES	5,000,152.00	5,671,136.69	.00	670,984.69-	113.41
OPERATING EXP & EQUIP					
GENERAL EXPENSE	412,000.00	209,779.52	.00	202,220.48	50.91
PRINTING	112,000.00	115,868.12	.00	3,868.12-	103.45
COMMUNICATIONS	179,000.00	104,135.51	.00	74,864.49	58.17
POSTAGE	2,000.00	704.96	.00	1,295.04	35.24
INSURANCE	5,500.00	.00	.00	5,500.00	.00
TRAVEL IN-STATE	106,000.00	74,006.87	.00	31,993.13	69.81
TRAVEL OUT-OF-STATE	30,000.00	.00	.00	30,000.00	.00
TRAINING	38,000.00	2,025.00	.00	35,975.00	5.32
FACILITIES OPERATION	488,000.00	746,966.50	.00	258,966.50-	153.06
UTILITIES	2,500.00	5,558.59	.00	3,058.59-	222.34
CONSULTANT & PROFESSIONAL SVCS-IN	846,000.00	24,060.31	.00	821,939.69	2.84
CONSULTANT & PROFESSIONAL SVCS-EX	804,000.00	1,215,245.32	.00	411,245.32-	151.14
DEPARTMENTAL SERVICES	603,000.00	521,752.00	.00	81,248.00	86.52
INFORMATION TECHNOLOGY	211,000.00	124,960.58	.00	86,039.42	59.22
CENTRAL ADMINISTRATIVE SERVICES	322,000.00	322,175.00	.00	175.00-	100.05
EQUIPMENT	351,000.00	85,573.31	.00	265,426.69	24.37
OTHER ITEMS OF EXPENSE	108,000.00	57,105.14	.00	50,894.86	52.87
OPERATING EXP & EQUIP	4,620,000.00	3,609,916.73	.00	1,010,083.27	78.13
GRAND TOTAL	9,620,152.00	9,281,053.42	.00	339,098.58	96.47

FY 2008 CHPT 0000 FUND 0000000
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CROSS-REFERENCE P111
 DEPARTMENT OF JUSTICE
 FINAL 08-09 BUDGET REPORT FOR JUNE 2011
 FOR

PROGRAM : CALIF JUSTICE INFO SERV
 ELEMENT : CJIS OPERATIONAL SUP PRG
 COMPONENT: COSP
 TASK : CJIS-FAC & COMM *7000

CLEARING ACCOUNTS

DESCRIPTION	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCE	BALANCE	PCT. USED
OPERATING EXP & EQUIP	288,000.00	31.76	.00	287,968.24	.01
GENERAL EXPENSE	142,000.00	211,370.59	.00	69,370.59-	148.85
POSTAGE	2,427,000.00	2,564,903.59	.00	137,903.59-	105.68
FACILITIES OPERATION	.00	1,626.57	.00	1,626.57-	.00
CONSULTANT & PROFESSIONAL SVCS-IN	.00	6,258.39	.00	6,258.39-	.00
CONSULTANT & PROFESSIONAL SVCS-EX	.00	58.71	.00	58.71-	.00
OTHER ITEMS OF EXPENSE					
=====	2,857,000.00	2,784,249.61	.00	72,750.39	97.45
OPERATING EXP & EQUIP					
=====					
GRAND TOTAL	2,857,000.00	2,784,249.61	.00	72,750.39	97.45

FY 2008 CHAPT 0000 FUND 00000000

CROSS-REFERENCE P24

DATE 12/13/2012

DEPARTMENT OF JUSTICE

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FINAL 08-09 BUDGET REPORT FOR JUNE 2011
FOR
CLEARING ACCOUNTS

PROGRAM : CALIF JUSTICE INFO SERV
ELEMENT : BUR OF CRIM ID & INVEST

COMPONENT: FIREARMS FGM -- DROS*7320

DESCRIPTION	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCE	BALANCE	FCT USED
PERSONAL SERVICES	271,000.00	125,998.00	.00	145,002.00	46.49
CIVIL SERVICE-PERMANENT	89,960.00	62,144.95	.00	27,815.05	69.08
STAFF BENEFITS	57,000.00-	.00	.00	57,000.00-	.00
SALARY SAVINGS					
PERSONAL SERVICES	303,960.00	188,142.95	.00	115,817.05	61.89
OPERATING EXP & EQUIP					
GENERAL EXPENSE	1,000.00	.00	.00	1,000.00	.00
PRINTING	621.00	.00	.00	621.00	.00
TRAVEL IN-STATE	4,000.00	.00	.00	4,000.00	.00
CONSULTANT & PROFESSIONAL SVCS-IN	.00	2,957.16	.00	2,957.16-	.00
DEPARTMENTAL SERVICES	10,000.00	8,652.62	.00	1,347.38	86.52
OPERATING EXP & EQUIP	15,621.00	11,609.78	.00	4,011.22	74.32
GRAND TOTAL	319,581.00	199,752.73	.00	119,828.27	62.50

PROGRAM : CALIF JUSTICE INFO SERV COMPONENT: DROS & LONG GUN *7950
 ELEMENT : BUR OF CRIM INFO & ANLYS

DESCRIPTION	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCE	BALANCE	PCT USED
CLEARING ACCOUNTS					
PERSONAL SERVICES	67,000.00	303,374.33	.00	236,374.33-	452.79
CIVIL SERVICE-PERMANENT	.00	1,009.41	.00	1,009.41-	.00
OVERTIME	25,905.00	97,938.57	.00	72,033.57-	378.06
STAFF BENEFITS	46,000.00-	.00	.00	46,000.00-	.00
SALARY SAVINGS					
PERSONAL SERVICES	46,905.00	402,322.31	.00	355,417.31-	857.73
OPERATING EXP & EQUIP	452,701.00	.00	.00	452,701.00	.00
GENERAL EXPENSE	1,000.00	.00	.00	1,000.00	.00
PRINTING	4,000.00	.00	.00	4,000.00	.00
POSTAGE	4,000.00	279.37	.00	3,720.63	6.98
TRAVEL IN-STATE	2,000.00	.00	.00	2,000.00	.00
TRAINING	6,000.00	.00	.00	6,000.00	.00
FACILITIES OPERATION	64,000.00	55,376.67	.00	8,623.33	86.52
DEPARTMENTAL SERVICES	3,000.00	.00	.00	3,000.00	.00
INFORMATION TECHNOLOGY					
OPERATING EXP & EQUIP	536,701.00	55,656.04	.00	481,044.96	10.37
GRAND TOTAL	583,606.00	457,978.35	.00	125,627.65	78.47

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FINAL 08-09 BUDGET REPORT FOR JUNE 2011
FOR
CLEARING ACCOUNTS

PROGRAM : CALIF JUSTICE INFO SERV
ELEMENT : HAWKINS DATA CENTER

COMPONENT: TECH SUPPORT BUR *8610

DESCRIPTION	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCE	BALANCE	PCT USED
PERSONAL SERVICES	17,719,324.00	15,391,731.59	.00	2,327,592.41	86.86
CIVIL SERVICE-PERMANENT	23,000.00	543,310.10	.00	520,310.10	362.21
CIVIL SERVICE-TEMP HELP	26,000.00	97,045.51	.00	71,045.51	373.25
OVERTIME	6,379,844.00	5,707,331.85	.00	672,512.15	89.45
STAFF BENEFITS	1,665,000.00	.00	.00	1,665,000.00	.00
SALARY SAVINGS					
PERSONAL SERVICES	22,483,168.00	21,739,419.05	.00	743,748.95	96.69
OPERATING EXP & EQUIP					
GENERAL EXPENSE	1,055,000.00	272,986.11	.00	782,013.89	25.87
PRINTING	61,000.00	28,108.70	.00	32,891.30	46.07
COMMUNICATIONS	2,336,000.00	1,737,352.00	.00	598,648.00	74.37
INSURANCE	1,000.00	549.13	.00	450.87	54.91
TRAVEL IN-STATE	19,000.00	51,249.76	.00	32,249.76	269.73
TRAVEL OUT-OF-STATE	39,000.00	7.70	.00	38,992.30	.01
TRAINING	63,000.00	36,611.26	.00	26,388.74	58.11
FACILITIES OPERATION	1,676,000.00	2,005,203.34	.00	329,203.34	119.64
CONSULTANT & PROFESSIONAL SVCS-IN	342,000.00	165,716.97	.00	176,283.03	48.45
CONSULTANT & PROFESSIONAL SVCS-EX	853,261.00	1,493,382.21	.00	640,121.21	175.02
DEPARTMENTAL SERVICES	3,964,000.00	5,429,203.90	.00	1,465,203.90	136.96
INFORMATION TECHNOLOGY	4,866,000.00	3,942,097.14	.00	923,902.86	81.01
CENTRAL ADMINISTRATIVE SERVICES	746,000.00	745,897.00	.00	103.00	99.98
EQUIPMENT	50,000.00	323,723.91	.00	273,723.91	647.44
OTHER ITEMS OF EXPENSE	.00	4,075.81	.00	4,075.81	.00
OPERATING EXP & EQUIP	16,071,261.00	16,236,164.94	.00	164,903.94	101.02
GRAND TOTAL	38,554,429.00	37,975,583.99	.00	578,845.01	98.49

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DOJ Programs Funded with Firearms Safety and Enforcement Special Fund

FY 2008/09 BUREAU OF FIREARMS

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	FSE Funding %
507	Handgun Safety Certification	\$ 3,183,293	\$ 3,173,249 ^{1/}	100%
FIREARMS TOTAL FSE FUNDING		\$ 3,183,293	\$ 3,173,249	

^{1/} Actual year-end expenditures include \$85,862 in statewide ProRata charges.

FY 2008 CHAPT 0000 FUND 00000000

CROSS-REFERENCE NC2

DATE 12/17/2012

DEPARTMENT OF JUSTICE

PAGE 1

TIME 15:24:16

FINAL 08-09 BUDGET REPORT FOR JUNE 2011
FOR
CLEARING ACCOUNTS

PROGRAM : LAW ENFORCEMENT
ELEMENT : BUREAU OF FIREARMS

COMPONENT: BASIC FIREARMS SFTY*5070

DESCRIPTION	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCE	BALANCE	FCT USED
PERSONAL SERVICES					
CIVIL SERVICE-PERMPENT	926,182.00	896,614.02	.00	29,567.98	96.80
CIVIL SERVICE-TEMP HELP	50,000.00	21,881.85	.00	28,118.15	43.76
OVERTIME	90,000.00	86,831.99	.00	3,168.01	96.47
STAFF BENEFITS	364,101.00	346,364.64	.00	17,736.36	95.12
SALARY SAVINGS	249,000.00-	.00	.00	249,000.00-	.00
PERSONAL SERVICES	1,181,283.00	1,351,692.50	.00	170,409.50-	114.42
OPERATING EXP & EQUIP					
GENERAL EXPENSE	121,000.00	44,830.99	.00	76,169.01	37.05
PRINTING	45,000.00	81,161.72	.00	36,161.72-	180.35
COMMUNICATIONS	55,000.00	32,227.57	.00	22,772.43	58.59
POSTAGE	.00	1,000.00	.00	1,000.00-	.00
TRAVEL IN-STATE	40,000.00	23,089.01	.00	16,910.99	57.72
TRAINING	5,000.00	.00	.00	5,000.00	.00
FACILITIES OPERATION	121,000.00	5,847.00	.00	115,153.00	4.83
CONSULTANT & PROFESSIONAL SVCS-IN	5,000.00	6,472.56	.00	1,472.56-	129.45
CONSULTANT & PROFESSIONAL SVCS-EX	1,404,010.00	1,322,047.35	.00	81,962.65	94.16
DEPARTMENTAL SERVICES	73,000.00	63,164.02	.00	9,835.98	86.52
INFORMATION TECHNOLOGY	5,000.00	5,829.00	.00	829.00-	116.58
CENTRAL ADMINISTRATIVE SERVICES	86,000.00	85,862.00	.00	138.00	99.83
EQUIPMENT	23,000.00	68,894.37	.00	45,894.37-	299.54
OTHER ITEMS OF EXPENSE	19,000.00	81,130.41	.00	62,130.41-	427.00
OPERATING EXP & EQUIP	2,002,010.00	1,821,556.00	.00	180,454.00	90.98
GRAND TOTAL	3,183,293.00	3,173,248.50	.00	10,044.50	99.68

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DOJ Programs Funded with Firearms Safety Account Special Fund

FY 2008/09 BUREAU OF FIREARMS

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	FSA Funding %
509	Firearms Safety Account	\$ 330,982	\$ 219,412 ^{1/}	100%
FIREARMS TOTAL FSA FUNDING		\$ 330,982	\$ 219,412	

1/ Actual year-end expenditures include \$9,201 in statewide ProRata charges.

FY 2008 CHAPT 0000 FUND 0000000
 DATE 12/17/2012
 TIME 15:24:16

CROSS-REFERENCE NC3
 DEPARTMENT OF JUSTICE
 FINAL 08-09 BUDGET REPORT FOR JUNE 2011
 FOR
 CLEARING ACCOUNTS

PROGRAM : LAW ENFORCEMENT
 ELEMENT : BUREAU OF FIREARMS
 COMPONENT: FIREARMS SFTY ACCT *5090

DESCRIPTION	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCE	BALANCE	PCT USED
PERSONAL SERVICES					
CIVIL SERVICE-PERMANENT OVERTIME	32,000.00	33,036.00	.00	1,036.00-	103.23
STAFF BENEFITS	151,000.00	117,055.82	.00	33,944.18	77.52
	83,982.00	12,296.15	.00	71,685.85	14.64
PERSONAL SERVICES	266,982.00	162,387.97	.00	104,594.03	60.82
OPERATING EXP & EQUIP					
GENERAL EXPENSE	12,000.00	2,101.07	.00	9,898.93	17.50
PRINTING	1,000.00	9,381.22	.00	8,381.22-	938.12
COMMUNICATIONS	1,000.00	1,311.60	.00	311.60-	131.16
TRAVEL IN-STATE	.00	2,015.37	.00	2,015.37-	.00
TRAVEL OUT-OF-STATE	9,000.00	.00	.00	9,000.00	.00
TRAINING	1,000.00	50.00	.00	950.00	5.00
FACILITIES OPERATION	6,000.00	.00	.00	6,000.00	.00
CONSULTANT & PROFESSIONAL SVCS-IN	.00	6.64-	.00	6.64	.00
CONSULTANT & PROFESSIONAL SVCS-EX	8,000.00	.00	.00	8,000.00	.00
DEPARTMENTAL SERVICES	12,000.00	10,383.11	.00	1,616.89	86.52
INFORMATION TECHNOLOGY	.00	2,549.19	.00	2,549.19-	.00
CENTRAL ADMINISTRATIVE SERVICES	9,000.00	9,201.00	.00	201.00-	102.23
OTHER ITEMS OF EXPENSE	5,000.00	20,037.70	.00	15,037.70-	400.75
OPERATING EXP & EQUIP	64,000.00	57,023.62	.00	6,976.38	89.09
GRAND TOTAL	330,982.00	219,411.59	.00	111,570.41	66.29

Exhibit H

DOJ Programs Funded with DROS Special Fund

FY 2007/08 BUREAU OF FIREARMS

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	DROS Funding %
510	Dealers Record of Sale	\$ 8,145,004	\$ 7,521,381 ^{1/}	97.31%
FIREARMS TOTAL DROS FUNDING		\$ 8,145,004	\$ 7,521,381	

DIVISION OF CRIMINAL JUSTICE INFORMATION SERVICES

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	DROS Funding %
861	Technology Support Bureau	\$ 876,000	\$ 821,234	1.55%
795	DROS - Long Gun	\$ 193,887	\$ 152,881	100%
732	Firearms Program - DROS	\$ 484,015	\$ 495,132	100%
700	CJIS Facilities & Communications	\$ 51,000	\$ 49,667	1.77%
705	CJIS Executive Office	\$ 219,000	\$ 114,331	5.45%
DCJIS TOTAL DROS FUNDING		\$ 1,823,902	\$ 1,633,245	
DOJ TOTAL DROS FUNDING		\$ 9,968,906	\$ 9,154,626	

^{1/} Actual year-end expenditures include \$270,879 in statewide ProRata charges.

DATE 7/26/2010
 TIME 13:48:50
 REPORT OF EXPENDITURES AS OF JUN 30, 2010
 FOR
 CLEARING ACCOUNTS

PROGRAM : LAW ENFORCEMENT COMPONENT: DROS *5100
 ELEMENT : BUREAU OF FIREARMS

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES	.00	3,864,122.00	3,377,641.47	.00	486,480.53	87.41
CIVIL SERVICE--PERMANENT	.00	30,000.00	106,652.36	8,483.00	85,135.36	383.78
CIVIL SERVICE--TEMP HELP	.00	110,000.00	343,859.18	26,519.00	260,378.18	336.70
OVERTIME	.00	1,606,759.00	1,288,328.56	.994.00	317,436.44	80.24
STAFF BENEFITS--PERMANENT	.00	463,000.00	.00	.00	463,000.00	.00
SALARY SAVINGS	.00					
PERSONAL SERVICES	.00	5,147,881.00	5,116,481.57	35,996.00	4,596.57	100.08
OPERATING EXP & EQUIP	.00	335,000.00	99,530.00	6,243.44	229,226.56	31.57
GENERAL EXPENSE	.00	51,000.00	71,251.74	841.92	21,093.66	141.36
PRINTING	.00	264,000.00	105,500.15	19,396.86	139,102.99	47.30
COMMUNICATIONS	.00	1,000.00	1,133.60	.00	133.60	113.36
POSTAGE	.00					
INSURANCE	.00	102,000.00	5,208.00	.00	5,208.00	.00
TRAVEL: IN-STATE	.00	30,000.00	84,581.10	6,542.00	10,876.90	89.33
TRAVEL: OUT-OF-STATE	.00	12,000.00	1,464.43	.00	28,535.57	4.88
TRAINING	.00	477,000.00	1,329.00	.00	10,671.00	11.07
FACILITIES OPERATION	.00		506,659.34	3,154.00	32,813.34	106.87
UTILITIES	.00		3,657.64	1,960.00	5,617.64	.00
CONSULT & PROF SER - INT	.00	831,000.00	33,407.89	2,251.00	795,341.11	4.29
CONSULT & PROF SER - EXT	.00		793,907.80	54.93	793,962.73	.00
DEPARTMENTAL SERVICES	.00	588,000.00	500,636.57	24,168.31	63,195.12	89.25
INFORMATION TECHNOLOGY	.00	27,000.00	16,787.39	332.17	9,880.44	63.40
CENTRAL ADMIN SERVICES	.00	271,000.00	270,879.00	.00	121.00	99.95
EQUIPMENT	.00		.37,824.50	.00	37,824.50	.00
OTHER ITEMS OF EXPENSE	.00	233,000.00	50,478.19	3,030.30	179,491.51	22.96
OPERATING EXP & EQUIP	.00	3,222,000.00	2,508,587.34	67,974.93	645,437.73	79.96
GRAND TOTAL	.00	8,369,881.00	7,625,068.91	103,970.93	640,841.16	92.34

PROGRAM : CALIF JUSTICE INFO SERV COMPONENT: BCII - DROS FUND
 ELEMENT : BUR OF CRIM IDENT & INFO TASK : DROS & LONG GUN *7950
 TIME 13:48:50 FOR CLEARING ACCOUNTS

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	FCT USED
PERSONAL SERVICES						
CIVIL SERVICE--PERMANENT	.00	139,446.00	86,561.32	.00	52,884.68	62.07
OVERTIME	.00	.00	.00	523.00	523.00-	.00
STAFF BENEFITS-PERMANENT	.00	48,441.00	32,773.71	.00	15,667.29	67.65
SALARY SAVINGS	.00	40,000.00-	.00	.00	40,000.00-	.00
PERSONAL SERVICES	.00	147,887.00	119,335.03	523.00	28,028.97	81.04
OPERATING EXP & EQUIP						
GENERAL EXPENSE	.00	9,000.00	.00	.00	9,000.00	.00
DEPARTMENTAL SERVICES	.00	37,000.00	31,502.65	1,520.79	3,976.56	89.25
OPERATING EXP & EQUIP	.00	46,000.00	31,502.65	1,520.79	12,976.56	71.79
GRAND TOTAL	.00	193,887.00	150,837.68	2,043.79	41,005.53	78.85

FOR CLEARING ACCOUNTS
 PROGRAM : CALIF JUSTICE INFO SERV COMPONENT: CJIS-FAC & COMM *7000
 ELEMENT : CJIS OPERATIONS SUPT BR

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
OPERATING EXP & EQUIP	.00	249,000.00	3,554.33	.00	245,445.67	1.42
GENERAL EXPENSE	.00	.00	50,915.17	.00	50,915.17	.00
COMMUNICATIONS	.00	204,000.00	213,600.00	6,282.00	15,882.00	107.78
POSTAGE	.00	.00	96.00	.00	96.00	.00
TRAVEL: IN-STATE	.00	2,427,000.00	2,427,289.03	.00	289.03	100.01
FACILITIES OPERATION	.00	.00	25,830.30	139.00	25,969.30	.00
CONSULT & PROF SER - INT	.00	.00	22,758.26	6,489.21	29,247.47	.00
CONSULT & PROF SER - EXT	.00	3,000.00	2,554.26	123.31	322.43	89.25
DEPARTMENTAL SERVICES	.00	.00	25,568.24	.00	25,568.24	.00
INFORMATION TECHNOLOGY	.00	.00	22,388.91	.00	22,388.91	.00
EQUIPMENT	.00	.00	69.48	.00	69.48	.00
OTHER ITEMS OF EXPENSE	.00	.00				
OPERATING EXP & EQUIP	.00	2,883,000.00	2,794,623.98	13,033.52	75,342.50	97.38
GRAND TOTAL	.00	2,883,000.00	2,794,623.98	13,033.52	75,342.50	97.38

REPORT OF EXPENDITURES AS OF JUN 30, 2010

CLEARING ACCOUNTS

PROGRAM : CALIF JUSTICE INFO SERV COMPONENT: CJIS-EXECUTIVE
 ELEMENT : CJIS OPERATIONS SUFT BR TASK : CJIS-EXECUTIVE OFF *7050

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES						
CIVIL SERVICE--PERMANENT	.00	2,580,880.00	889,506.02	.00	1,691,373.98	34.46
CIVIL SERVICE--TEMP HELP	.00	18,000.00	33,869.64	1,466.00	17,335.64-	196.30
OVERTIME	.00	.00	1,246.85	147.00	1,393.85-	.00
STAFF BENEFITS--PERMANENT	.00	862,364.00	310,604.69	75.00	551,684.31	36.02
SALARY SAVINGS	.00	578,000.00-	.00	.00	578,000.00-	.00
PERSONAL SERVICES	.00	2,883,244.00	1,235,227.20	1,688.00	1,646,328.80	42.90
OPERATING EXP & EQUIP						
GENERAL EXPENSE	.00	74,000.00	21,266.07	519.86	52,214.07	29.44
PRINTING	.00	10,000.00	3,655.96	594.12	5,749.92	42.50
COMMUNICATIONS	.00	676,000.00	15,832.71	2,538.08	657,629.21	2.71
POSTAGE	.00	1,000.00	.00	.00	1,000.00	.00
INSURANCE	.00	1,000.00	1,052.00	.00	52.00-	105.20
TRAVEL: IN-STATE	.00	76,000.00	2,153.14	306.00	73,540.86	3.23
TRAVEL: OUT-OF-STATE	.00	12,000.00	6,003.93	.00	5,996.07	50.03
TRAINING	.00	35,000.00	1,729.00	.00	33,271.00	4.94
FACILITIES OPERATION	.00	6,000.00	71,339.50	4,497.00	69,836.50-	263.94
CONSULT & PROF SER - INT	.00	.00	7,868.07	512.00	8,380.07-	.00
CONSULT & PROF SER - EXT	.00	3,000.00	.00	.00	3,000.00	.00
DEPARTMENTAL SERVICES	.00	190,000.00	161,770.32	7,809.49	20,420.19	89.25
INFORMATION TECHNOLOGY	.00	51,000.00	550,039.05	598.11	499,637.16-	79.68
OTHER ITEMS OF EXPENSE	.00	.00	766.84	.00	766.84-	.00
OPERATING EXP & EQUIP	.00	1,135,000.00	843,476.59	17,374.66	274,148.75	75.84
GRAND TOTAL	.00	4,018,244.00	2,078,703.79	19,062.66	1,920,477.55	52.20

REPORT OF EXPENDITURES AS OF JUN 30, 2010
 FOR
 CLEARING ACCOUNTS

PROGRAM : CALIF JUSTICE INFO SERV COMPONENT: FIREARMS PGM - DROS*7320
 ELEMENT : BUR OF CRIM INFO & ANLYS

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES						
CIVIL SERVICE--PERMANENT	.00	260,152.00	372,199.40	.00	112,047.40-	143.06
CIVIL SERVICE--TEMP HELP	.00	.00	.00	100.00	100.00-	.00
OVERTIME	.00	.00	133.29	.00	133.29-	.00
STAFF BENEFITS-PERMANENT	.00	117,863.00	107,634.38	.00	10,228.62	91.32
SALARY SAVINGS	.00	7,000.00-	.00	.00	7,000.00-	.00
PERSONAL SERVICES	.00	371,015.00	479,967.07	100.00	109,052.07-	129.39
OPERATING EXP & EQUIP						
GENERAL EXPENSE	.00	16,000.00	521.58	450.94	15,027.48	6.07
PRINTING	.00	7,000.00	.00	400.00	6,600.00	5.71
TRAVEL: IN-STATE	.00	23,000.00	3,377.61	369.00	19,253.39	16.28
TRAINING	.00	3,000.00	.00	.00	3,000.00	.00
CONSULT & PROF SER - INT	.00	.00	962.09	58.00	1,020.09-	.00
CONSULT & PROF SER - EXT	.00	45,000.00	.00	.00	45,000.00	.00
DEPARTMENTAL SERVICES	.00	10,000.00	8,514.24	411.03	1,074.73	89.25
INFORMATION TECHNOLOGY	.00	9,000.00	.00	.00	9,000.00	.00
OPERATING EXP & EQUIP	.00	113,000.00	13,375.52	1,688.97	97,935.51	13.33
GRAND TOTAL	.00	484,015.00	493,342.59	1,788.97	11,116.56-	102.29

PROGRAM : CALIF JUSTICE INFO SERV COMPONENT: HAWKINS DATA CENTER *8610
 ELEMENT : O J HAWKINS DATA CENTER TASK : HDC

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES	75.02-	21,559,108.00	19,019,105.71	.00	2,540,002.29	88.21
CIVIL SERVICE--PERMANENT	.00	178,000.00	908,948.43	65,870.00	796,818.43-	547.65
CIVIL SERVICE--TEMP HELP	.00	327,000.00	210,621.67	16,495.00	99,883.33	69.45
OVERTIME	.00	7,982,305.00	6,902,707.15	1,129.00	1,078,468.85	86.48
STAFF BENEFITS--PERMANENT	.00	1,463,000.00-	.00	.00	1,463,000.00-	.00
SALARY SAVINGS	.00					
PERSONAL SERVICES	75.02-	28,583,413.00	27,041,382.96	83,494.00	1,458,536.04	94.89
OPERATING EXP & EQUIP	.00	1,105,000.00	564,626.36	3,396.55	536,977.09	51.40
GENERAL EXPENSE	.00	74,000.00	37,656.80	13,317.21	23,025.99	68.88
PRINTING	.00	3,274,000.00	2,005,795.51	134,320.12	1,133,884.37	65.36
COMMUNICATIONS	.00	21,000.00	23.42	.00	20,976.58	.11
POSTAGE	.00	1,000.00	501.00	.00	499.00	50.10
INSURANCE	.00	322,000.00	82,224.74	5,730.50	234,044.76	27.31
TRAVEL: IN-STATE	.00	100,000.00	9,407.86	.00	90,592.14	9.40
TRAVEL: OUT-OF-STATE	.00	874,000.00	321,171.61	10,000.00	542,828.39	37.89
FACILITIES OPERATION	.00	1,758,000.00	1,890,650.74	13,188.78	145,839.52-	108.29
CONSULT & PROF SER - INT	.00	145,000.00	409,212.76	84,198.00	348,410.76-	340.28
CONSULT & PROF SER - EXT	.00	6,369,000.00	4,956,857.82	38,212.53	1,373,929.65	78.42
DEPARTMENTAL SERVICES	.00	3,578,208.00	2,360,909.36	154,019.86	1,063,278.78	70.28
INFORMATION TECHNOLOGY	.00	7,803,434.00	11,863,103.92	8,818.81	4,068,488.73-	152.13
CENTRAL ADMIN SERVICES	.00	699,000.00	699,176.00	.00	176.00-	100.02
EQUIPMENT	.00	1,846,000.00	219,734.25	16,102.82	1,610,162.93	12.77
OTHER ITEMS OF EXPENSE	.00	27,000.00	15,484.26	51.00	11,464.74	57.53
OPERATING EXP & EQUIP	.00	27,996,642.00	25,436,536.41	481,356.18	2,078,749.41	92.57

GRAND TOTAL 75.02- 56,580,055.00 52,477,919.37 564,850.18 3,537,285.45 93.74

**DOJ Programs Funded with Firearms Safety and Enforcement Special
Fund**

**FY 2007/08
BUREAU OF FIREARMS**

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	FSE Funding %
507	Handgun Safety Certification	\$ 3,114,118	\$ 2,864,129 ^{1/}	100.00%
FIREARMS TOTAL FSE FUNDING		\$ 3,114,118	\$ 2,864,129	

1/ Actual year-end expenditures include \$100,268 in statewide ProRata charges.

REPORT OF EXPENDITURES AS OF JUN 30, 2010
 FOR
 CLEARING ACCOUNTS

PROGRAM : LAW ENFORCEMENT
 ELEMENT : BUREAU OF FIREARMS

COMPONENT: BASIC FIREARMS SFTY*5070

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES						
CIVIL SERVICE---PERMANENT	.00	866,427.00	714,842.99	.00	151,584.01	82.50
CIVIL SERVICE---TEMP HELP	.00	50,000.00	29,058.68	2,891.00	18,050.32	63.89
OVERTIME	.00	90,000.00	195,656.34	3,760.00	109,416.34	221.57
STAFF BENEFITS-PERMANENT	.00	293,691.00	281,188.15	.00	12,502.85	95.74
SALARY SAVINGS	.00	222,000.00	.00	.00	222,000.00	.00
PERSONAL SERVICES	.00	1,078,118.00	1,220,746.16	6,651.00	149,279.16	113.84
OPERATING EXP & EQUIP						
GENERAL EXPENSE	.00	76,000.00	72,936.41	2,177.38	886.21	98.83
PRINTING	.00	45,000.00	6,668.72	.00	38,331.28	14.81
COMMUNICATIONS	.00	55,000.00	55,000.56	244.26	244.82	100.44
POSTAGE	.00	.00	1,180.00	.00	1,180.00	.00
INSURANCE	.00	.00	2,604.00	.00	2,604.00	.00
TRAVEL: IN-STATE	.00	40,000.00	40,734.74	2,785.00	3,519.74	108.79
TRAVEL: OUT-OF-STATE	.00	.00	874.92	.00	874.92	.00
TRAINING	.00	5,000.00	120.00	.00	4,880.00	2.40
FACILITIES OPERATION	.00	121,000.00	23,836.87	2,567.02	94,596.11	21.82
CONSULT & PROF SER - INT	.00	5,000.00	3,349.67	133.00	1,517.33	69.65
CONSULT & PROF SER - EXT	.00	1,470,000.00	1,131,147.10	.00	338,852.90	76.94
DEPARTMENTAL SERVICES	.00	72,000.00	61,302.45	2,959.38	7,738.17	89.25
INFORMATION TECHNOLOGY	.00	5,000.00	6,303.14	.00	1,303.14	126.06
CENTRAL ADMIN SERVICES	.00	100,000.00	100,268.00	.00	268.00	100.26
EQUIPMENT	.00	23,000.00	60,017.80	.00	37,017.80	260.94
OTHER ITEMS OF EXPENSE	.00	19,000.00	59,521.43	.00	40,521.43	313.27
OPERATING EXP & EQUIP	.00	2,036,000.00	1,625,865.81	10,866.04	399,268.15	80.38

GRAND TOTAL 3,114,118.00 2,846,611.97 17,517.04 249,988.99 91.97

EXHIBIT B

DOJ Programs Funded with Firearms Safety Account Special Fund

FY 2007/08 BUREAU OF FIREARMS

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	FSA Funding %
509	Firearms Safety Account	\$ 330,728	\$ 330,823 ^{1/}	100.00%
FIREARMS TOTAL FSA FUNDING		\$ 330,728	\$ 330,823	

1/ Actual year-end expenditures include \$9,973 in statewide ProRata charges.

DATE 7/26/2010

TIME 13:48:50 REPORT OF EXPENDITURES AS OF JUN 30, 2010 FOR CLEARING ACCOUNTS

PROGRAM : LAW ENFORCEMENT COMPONENT: FIREARMS SFTY ACCT *5090
 ELEMENT : BUREAU OF FIREARMS

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES						
CIVIL SERVICE--PERMANENT	.00	32,111.00	19,875.34	.00	12,235.66	61.89
OVERTIME	.00	159,000.00	132,646.84	11,127.00	15,226.16	90.42
STAFF BENEFITS--PERMANENT	.00	83,617.00	9,773.30	.00	73,843.70	11.68
PERSONAL SERVICES	.00	274,728.00	162,295.48	11,127.00	101,305.52	63.12
OPERATING EXP & EQUIP						
GENERAL EXPENSE	.00	11,000.00	63,119.25	3,251.07	55,370.32	603.36
PRINTING	.00	1,000.00	14,588.60	1,191.43	14,780.03	578.00
COMMUNICATIONS	.00	1,000.00	33,536.33	6,686.18	39,222.51	22.25
POSTAGE	.00	.00	2,488.33	139.00	2,627.33	.00
TRAVEL: IN-STATE	.00	.00	1,763.12	.00	1,763.12	.00
TRAVEL: OUT-OF-STATE	.00	9,000.00	613.70	.00	8,386.30	6.81
TRAINING	.00	1,000.00	2,963.00	.00	1,963.00	296.30
FACILITIES OPERATION	.00	6,000.00	15,004.53	4,094.65	13,099.18	318.31
CONSULT & PROF SER - INT	.00	.00	2,715.03	502.00	3,217.03	.00
DEPARTMENTAL SERVICES	.00	12,000.00	31,502.70	493.23	43,009.47	258.41
INFORMATION TECHNOLOGY	.00	.00	601.46	.00	601.46	.00
CENTRAL ADMIN SERVICES	.00	10,000.00	9,973.00	.00	27.00	99.73
OTHER ITEMS OF EXPENSE	.00	5,000.00	24,543.24	635.57	20,178.81	503.57
OPERATING EXP & EQUIP	.00	56,000.00	140,406.89	16,993.13	101,400.02	281.07
GRAND TOTAL	.00	330,728.00	302,702.37	28,120.13	94.50	100.02

Exhibit I

DOJ Programs Funded with DROS Special Fund

FY 2006/07 BUREAU OF FIREARMS

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	DROS Funding %
510	Dealers Record of Sale	\$ 7,313,491	\$ 6,652,385 ^{1/}	97.05%
FIREARMS TOTAL DROS FUNDING		\$ 7,313,491	\$ 6,652,385	

DIVISION OF CRIMINAL JUSTICE INFORMATION SERVICES

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	DROS Funding %
861	Technology Support Bureau	\$ 847,000	\$ 805,088	1.55%
795	DROS - Long Gun	\$ 190,557	\$ 180,761	100.00%
732	Firearms Program - DROS	\$ 474,169		100.00%
700	CJIS Facilities & Communications	\$ 50,000	\$ 45,723	1.77%
705	CJIS Executive Office	\$ 213,000	\$ 194,911	5.64%
DCJIS TOTAL DROS FUNDING		\$ 1,774,726	\$ 1,226,484	
DOJ TOTAL DROS FUNDING		\$ 9,088,217	\$ 7,878,869	

1/ Actual year-end expenditures include \$258,702 in statewide ProRata charges.

FOR DENIERS RECORD OF SALE ACT

PROGRAM : DIVISION OF FIREARMS
 ELEMENT : IROS 45100

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES						
CIVIL SERVICES--PERMANENT	315,977.86	.00	3,452,500.07	.00	.00	.00
CIVIL SERVICES--TEMP HELP	5,266.43	.00	91,120.44	12,146.95	.00	.00
OVERTIME	763.99	.00	66,779.37	15,061.11	.00	.00
STAFF BENEFITS--PERMANENT	100,303.42	.00	1,233,609.45	2,331.18	.00	.00
PERSONAL SERVICES	422,391.70	.00	4,844,209.33	30,339.24	.00	.00
OPERATING EXP & EQUIP						
GENERAL EXPENSE	311.66	.00	15,133.08	2,769.41	.00	.00
PRINTING	1,145.79	.00	39,378.41	4,460.64	.00	.00
COMMUNICATIONS	9,619.71	.00	93,731.12	18,827.70	.00	.00
POSTAGE	.00	.00	400.43	82.49	.00	.00
INSURANCE	.00	.00	18,654.10	.00	.00	.00
TRAVEL: IN-STATE	12,109.31	.00	91,854.84	12,155.70	.00	.00
TRAVEL: OUT-OF-STATE	84.42	.00	8,978.76	.00	.00	.00
TRAINING	621.13	.00	4,049.48	.00	.00	.00
FACILITIES OPERATION	29,001.84	.00	483,577.18	74,831.43	.00	.00
CONSULT & PROF SER - INT	1,087.05	.00	17,052.43	2,760.14	.00	.00
CONSULT & PROF SER - EXT	19,292.11	.00	293,990.74	121,759.89	.00	.00
DEPARTMENTAL SERVICES	534,728.00	.00	123,905.27	92,625.20	.00	.00
DATA PROCESSING	.00	.00	2,994.15	.00	.00	.00
CENTRAL ADMIN SERVICES	.00	.00	258,702.00	.00	.00	.00
EQUIPMENT	.00	.00	198,515.20	3.14	.00	.00
OTHER ITEMS OF EXPENSE	3,914.77	.00	37,941.89	6,512.16	.00	.00
OPERATING EXP & EQUIP	457,539.41	.00	3,441,048.54	336,787.90	.00	.00
SPEC ITEMS OF EXPENSE						
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
INTERNAL COST RECOVERY	.00	.00	.00	.00	.00	.00
GRAND TOTAL	35,147.71	7,313,491.00	6,285,257.87	367,127.14	661,105.99	90.96

PROGRAM : CALIF JUSTICE INFO SERV COMPONENT: HAWKINS DATA CENTER
 ELEMENT : O J HAWKINS DATA CENTER TASK : HDC *0610

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES						
CIVIL SERVICE--PERMANENT	24,038.95	.00	292,431.82	.00	.00	.00
CIVIL SERVICE--TEMP HELP	649.71	.00	6,903.04	1,242.85	.00	.00
OVERTIME	564.92	.00	4,652.83	1,009.81	.00	.00
STAFF BENEFITS-PERMANENT	8,886.75	.00	103,016.99	456.75	.00	.00
PERSONAL SERVICES	34,140.33	.00	407,004.68	2,709.41	.00	.00
OPERATING EXP & EQUIP						
GENERAL EXPENSE	1,724.58	.00	8,491.34	1,124.75	.00	.00
PRINTING	8.65	.00	415.34	85.92	.00	.00
COMMUNICATIONS	2,221.02	.00	23,019.20	17,457.17	.00	.00
POSTAGE	.00	.00	1.85	.00	.00	.00
INSURANCE	.00	.00	12.71	.00	.00	.00
TRAVEL: IN-STATE	118.84	.00	1,940.49	415.81	.00	.00
TRAVEL: OUT-OF-STATE	60.96	.00	511.04	72.46	.00	.00
TRAINING	2,231.78	.00	5,310.13	5,563.17	.00	.00
FACILITIES OPERATION	361.24	.00	25,850.92	2,292.26	.00	.00
CONSULT & PROF SER - INT	1,378.36	.00	5,110.01	726.54	.00	.00
CONSULT & PROF SER - EXT	6,953.85	.00	44,651.12	21,392.38	.00	.00
DEPARTMENTAL SERVICES	4,282.07	.00	44,410.33	9,051.35	.00	.00
DATA PROCESSING	11,409.16	.00	80,291.53	37,795.44	.00	.00
EQUIPMENT	32,103.24	.00	38,759.56	20,466.19	.00	.00
OTHER ITEMS OF EXPENSE	16.74	.00	139.69	15.54	.00	.00
OPERATING EXP & EQUIP	62,880.49	.00	278,915.26	116,458.98	.00	.00
SPEC ITEMS OF EXPENSE						
INTERNAL COST RECOVERY	.00	.00	.00	.00	.00	.00
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
GRAND TOTAL	97,020.82	847,000.00	685,919.94	119,168.39	41,911.67	95.05

TIME 8:05:34
 FOR
 DEALERS RECORD OF SALE ACT

PROGRAM : CALIF JUSTICE INFO SERV COMPONENT: ICJLI - DRUGS FUND
 ELEMENT : BUR OF CRIM IDENT & INFO TASK : DRUG & LONG GUN *7950

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	FCT USED
PERSONAL SERVICES						
CIVIL SERVICE--PERMANENT	8,659.00	.00	122,711.89	.00	.00	.00
OVERTIME	.00	.00	2,002.69	266.00	.00	.00
STAFF BENEFITS--PERMANENT	3,720.25	.00	46,809.55	.00	.00	.00
PERSONAL SERVICES	12,379.25	.00	171,524.13	266.00	.00	.00
OPERATING EXP & EQUIP						
DEPARTMENTAL SERVICES	24,140.45	.00	2,878.97	6,091.87	.00	.00
OPERATING EXP & EQUIP	24,140.45	.00	2,878.97	6,091.87	.00	.00
SPEC ITEMS OF EXPENSE						
INTERNAL COST RECOVERY	.00	.00	.00	.00	.00	.00
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
GRAND TOTAL	11,761.20	190,557.00	174,403.10	6,357.87	9,796.03	94.85

DATE 8/01/2007
 TIME 8:05:34
 REPORT OF EXPENDITURES AS OF JUN 30, 2007
 FOR
 DEPT/AGENCY RECORD OF SALE ACT

PROGRAM : CALIF JUSTICE INFO SERV
 ELEMENT : BUR OF CRIM INFO & ANALYS
 COMPONENT: FIREARMS RM - DROS*7320

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	PCT USED
PERSONAL SERVICES						
CIVIL SERVICE--PERMANENT	20,926.00	.00	223,236.45	.00	.00	.00
CIVIL SERVICE--TEMP HELP	.00	.00	6,715.41	834.00	.00	.00
STAFF BENEFITS--PERMANENT	10,060.49	.00	92,250.02	1,595.00	.00	.00
PERSONAL SERVICES	30,986.49	.00	322,201.88	2,429.00	.00	.00
OPERATING EXP & EQUIP						
GENERAL EXPENSE	23,746.39	.00	30,520.95	.00	.00	.00
PRINTING	2,596.96	.00	2,596.96	405.00	.00	.00
COMMUNICATIONS	.00	.00	659.21	.00	.00	.00
TRAVEL, IN-STATE	1,656.02	.00	15,003.55	2,366.00	.00	.00
TRAINING	.00	.00	300.00	240.00	.00	.00
CONSULT & PROF SER - INT	20.75	.00	2,225.75	.00	.00	.00
DEPARTMENTAL SERVICES	308,509.41	.00	381,004.02	1,692.19	.00	.00
DATA PROCESSING	.00	.00	104.99	258.54	.00	.00
OPERATING EXP & EQUIP	360,488.49	.00	329,592.61	4,961.73	.00	.00
SPEC ITEMS OF EXPENSE						
INTERNAL COST RECOVERY	.00	.00	.00	.00	.00	.00
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
GRAND TOTAL	329,502.00	474,169.00	7,390.73	7,390.73	474,169.00	.00

PROGRAM : CALIF JUSTICE INFO SERV
 ELEMENT : CJIS OPERATIONS SUPT BR
 COMPONENT: CJIS-FAC & COMM *7000
 DEPARTMENT OF JUSTICE
 REPORT OF EXPENDITURES AS OF JUN 30, 2007
 FOR
 DELETERS RECORD OF SALE ACT

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	FCT USED
OPERATING EXP & EQUIP						
GENERAL EXPENSE	.00	.00	96.03	58.70	.00	.00
POSTAGE	1,909.01	.00	4,880.08	626.61	.00	.00
FACILITIES OPERATION	224.84	.00	39,619.42	.00	.00	.00
CONSULT & PROF SER - INT	12.99	.00	298.05	19.17	.00	.00
CONSULT & PROF SER - EXT	4.27	.00	116.14	171.81	.00	.00
DEPARTMENTAL SERVICES	.00	.00	44.20	9.00	.00	.00
EQUIPMENT	.00	.00	215.94	.00	.00	.00
OPERATING EXP & EQUIP	1,948.10	.00	44,837.98	805.29	.00	.00
SPEC ITEMS OF EXPENSE						
INTERNAL COST RECOVERY	.00	.00	.00	.00	.00	.00
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
GRAND TOTAL	1,948.10	50,000.00	44,837.98	805.29	4,276.73	91.44

REPORT OF EXPENDITURES AS OF JUN 30, 2007
 FOR
 DEALERS RECORD OF SALE ACT

PROGRAM : CALIF JUSTICE INFO SERV
 ELEMENT : CJIS OPERATIONS SUPT BR
 COMPONENT: CJIS-EXECUTIVE

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	FCT USED
PERSONAL SERVICES						
CIVIL SERVICE-PERMANENT	7,010.60	.00	104,972.32	.00	.00	.00
CIVIL SERVICE-TEMP HELP	331.33	.00	12,807.76	2,419.93	.00	.00
OVERTIME	.00	.00	.95	.00	.00	.00
STAFF BENEFITS-PERMANENT	2,353.33	.00	33,368.58	117.84	.00	.00
PERSONAL SERVICES	9,695.34	.00	151,149.61	2,537.77	.00	.00
OPERATING EXP & EQUIP						
GENERAL EXPENSE	415.12	.00	2,672.24	211.17	.00	.00
PRINTING	293.56	.00	1,024.05	233.26	.00	.00
COMMUNICATIONS	149.15	.00	6,039.51	285.05	.00	.00
INSURANCE	.00	.00	85.99	.00	.00	.00
TRAVEL: IN-STATE	1,056.10	.00	7,889.15	1,206.58	.00	.00
TRAVEL: OUT-STATE	52.26	.00	300.28	.00	.00	.00
TRAINING	7.04	.00	123.37	.00	.00	.00
FACILITIES OPERATION	469.67	.00	5,503.68	1,603.33	.00	.00
CONSULT & PROF SER - INT	1,114.11	.00	137.21	.00	.00	.00
CONSULT & PROF SER - EXT	.00	.00	225.55	.00	.00	.00
DEPARTMENTAL SERVICES	15,444.71	.00	7,818.87	1,592.59	.00	.00
DATA PROCESSING	.00	.00	7,791.77	.00	.00	.00
EQUIPMENT	.00	.00	3,145.86	.00	.00	.00
OTHER ITEMS OF EXPENSE	26.47	.00	304.33	29.93	.00	.00
OPERATING EXP & EQUIP	14,087.45	.00	36,061.86	5,161.91	.00	.00
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
INTERNAL COST RECOVERY	.00	.00	.00	.00	.00	.00
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
GRAND TOTAL	4,392.11	213,000.00	187,211.47	7,699.60	16,088.85	91.50

DOJ Programs Funded with Firearms Safety and Enforcement Special Fund

FY 2006/07 BUREAU OF FIREARMS

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	FSE Funding %
507	Handgun Safety Certification	\$ 3,033,341	\$ 2,960,008 ^{1/}	100.00%
FIREARMS TOTAL FSE FUNDING		\$ 3,033,341	\$ 2,960,008	

1/ Actual year-end expenditures include \$109,541 in statewide ProRata charges.

REPORT OF EXPENDITURES AS OF JUN 30, 2007
 FOR
 FIREARM SAFETY AND ENFORCEMENT SPECIAL FUND

PROGRAM : DIVISION OF FIREARMS
 ELEMENT : BASIC FIREARMS SPTV45070

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	ACT USED
PERSONAL SERVICES	92,064.73	.00	1,110,463.32	16,118.00	.00	.00
CIVIL SERVICE--PERMANENT	62,920.64	.00	759,527.93	.00	.00	.00
CIVIL SERVICE--TEMP HELP	2,218.84	.00	23,732.95	2,336.00	.00	.00
OVERTIME	47.22	.00	42,480.72	13,106.00	.00	.00
STAFF BENEFITS--PERMANENT	26,878.03	.00	264,321.72	676.00	.00	.00
OPERATING EXP & EQUIP	86.24	.00	4,078.28	540.00	.00	.00
GENERAL EXPENSE	97.61	.00	37,806.64	20,735.37	.00	.00
PRINTING	1,508.18	.00	28,996.20	3,540.00	.00	.00
COMMUNICATIONS	5,590.22	.00	60,413.40	10,620.00	.00	.00
TRAVEL: IN-STATE	.00	.00	.00	149.15	.00	.00
TRAVEL: OUT-OF-STATE	.00	.00	395.00	.00	.00	.00
TRAINING	.00	.00	472.00	4,528.00	.00	.00
FACILITIES OPERATION	.00	.00	3,124.69	694.00	.00	.00
CONSULT & PROF SER - INT	70.80	.00	1,163,575.10	201,424.90	.00	.00
CONSULT & PROF SER - EXT	86,591.10	.00	57,323.92	11,676.08	.00	.00
DEPARTMENTAL SERVICES	5,536.70	.00	109,541.00	.00	.00	.00
CENTRAL ADMIN SERVICES	.00	.00	95,675.75	9.59	.00	.00
EQUIPMENT	.00	.00	16,355.47	1,801.88	.00	.00
OTHER ITEMS OF EXPENSE	1,132.65	.00	.00	.00	.00	.00
OPERATING EXP & EQUIP	100,613.50	.00	1,577,757.45	255,668.97	.00	.00
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
INTERNAL COST RECOVERY	.00	.00	.00	.00	.00	.00
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
GRAND TOTAL	192,678.23	3,033,341.00	2,688,220.77	271,786.97	73,333.26	97.58

DOJ Programs Funded with Firearms Safety Account Special Fund

FY 2006/07 BUREAU OF FIREARMS

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	FSA Funding %
509	Firearms Safety Account	\$ 328,592	\$ 328,592 ^{1/}	100.00%
FIREARMS TOTAL FSA FUNDING		\$ 328,592	\$ 328,592	

1/ Actual year-end expenditures include \$10,290 in statewide ProRata charges.

DATE 8/01/2007
 TIME 8:05:34

REPORT OF EXPENDITURES AS OF JUN 30, 2007
 FOR
 FIREARM SAFETY ACCOUNT

PROGRAM : DIVISION OF FIREARMS
 ELEMENT : FIREARMS SFTY ACCT #5090

DESCRIPTION	CURRENT PERIOD EXPENSE	WORKING APPROPRIATION	Y-T-D EXPENDITURES	OUTSTANDING ENCUMBRANCES	BALANCE	EXT USED
PERSONAL SERVICES						
CIVIL SERVICE--PERMANENT	.00	.00	17,499.13	.00	.00	.00
OVERTIME	1.87	.00	178,389.12	.00	.00	.00
STAFF BENEFITS--PERMANENT	3.23	.00	10,360.26	.00	.00	.00
PERSONAL SERVICES	5.10	.00	206,248.51	.00	.00	.00
OPERATING EXP & EQUIP						
GENERAL EXPENSE	19,200.71	.00	20,995.54	8,525.18	.00	.00
PRINTING	275.68	.00	1,856.48	3,220.40	.00	.00
COMMUNICATIONS	526.24	.00	9,592.77	250.92	.00	.00
POSTAGE	.00	.00	4,724.23	.00	.00	.00
TRAVEL: IN-STATE	787.98	.00	2,223.49	274.00	.00	.00
TRAINING	450.00	.00	450.00	.00	.00	.00
FACILITIES OPERATION	.00	.00	826.18	.00	.00	.00
CONSULT & PROP SER - EXT	200.18	.00	374.16	550.82	.00	.00
DEPARTMENTAL SERVICES	79,591.21	.00	70,504.74	2,030.62	.00	.00
DATA PROCESSING	9,712.78	.00	11,824.27	4,578.60	.00	.00
CENTRAL ADMIN SERVICES	.00	.00	10,290.00	.00	.00	.00
EQUIPMENT	.00	.00	.00	38,991.10	.00	.00
OTHER ITEMS OF EXPENSE	12,201.18	.00	31,495.80	31,854.47	.00	.00
OPERATING EXP & EQUIP	36,236.46	.00	32,068.18	90,275.31	.00	.00
SPEC ITEMS OF EXPENSE						
INTERNAL COST RECOVERY	.00	.00	.00	.00	.00	.00
SPEC ITEMS OF EXPENSE	.00	.00	.00	.00	.00	.00
GRAND TOTAL	36,231.36	328,592.00	238,316.69	90,275.31	.00	100.00

Exhibit J

DOJ Programs Funded with DROS Special Fund

FY 2005/06 BUREAU OF FIREARMS

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	DROS Funding %
510	Dealers Record of Sale	\$ 6,947,816	\$ 6,947,816 ^{1/}	97.06%
FIREARMS TOTAL DROS FUNDING		\$ 6,947,816	\$ 6,947,816	

DIVISION OF CRIMINAL JUSTICE INFORMATION SERVICES

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	DROS Funding %
861	Technology Support Bureau	\$ 805,000	\$ 897,266	1.66%
795	DROS - Long Gun	\$ 179,000	\$ 193,395	100.00%
732	Firearms Program - DROS	\$ 452,936	\$ 390,481	100.00%
700	CJIS Facilities & Communications	\$ 48,000	\$ 44,242	1.77%
705	CJIS Executive Office	\$ 200,000	\$ 159,552	5.63%
DCJIS TOTAL DROS FUNDING		\$ 1,684,936	\$ 1,684,936	
DOJ TOTAL DROS FUNDING		\$ 8,632,752	\$ 8,632,752	

1/ Actual year-end expenditures include \$279,580 in statewide ProRata charges.

DOJ Programs Funded with Firearms Safety and Enforcement Special Fund

FY 2005/06 BUREAU OF FIREARMS

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	FSE Funding %
507	Handgun Safety Certification	\$ 2,962,340	\$ 2,955,530 ^{1/}	100.00%
FIREARMS TOTAL FSE FUNDING		\$ 2,962,340	\$ 2,955,530	

1/ Actual year-end expenditures include \$185,548 in statewide ProRata charges.

DOJ Programs Funded with Firearms Safety Account Special Fund

FY 2005/06 BUREAU OF FIREARMS

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	FSA Funding %
509	Firearms Safety Account	\$ 323,000	\$ 323,000 ^{1/}	100.00%
FIREARMS TOTAL FSA FUNDING		\$ 323,000	\$ 323,000	

1/ Actual year-end expenditures include \$10,710 in statewide ProRata charges.

Exhibit K

DOJ Programs Funded with DROS Special Fund

FY 2004/05 BUREAU OF FIREARMS

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	DROS Funding %
510	Dealers Record of Sale	\$ 6,955,300	\$ 6,615,900 ^{1/}	93.26%
FIREARMS TOTAL DROS FUNDING		\$ 6,955,300	\$ 6,615,900	

DIVISION OF CRIMINAL JUSTICE INFORMATION SERVICES

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	DROS Funding %
861	Technology Support Bureau	\$ 784,000	\$ 828,004	1.93%
795	DROS - Long Gun	\$ 177,000	\$ 201,093	100.00%
732	Firearms Program - DROS	\$ 448,000	\$ 392,307	85.17%
700	CJIS Facilities & Communications	\$ 51,000	\$ 49,270	1.83%
705	CJIS Executive Office	\$ 198,000	\$ 187,327	5.62%
DCJIS TOTAL DROS FUNDING		\$ 1,658,000	\$ 1,658,000	
DOJ TOTAL DROS FUNDING		\$ 8,613,300	\$ 8,273,900	

1/ Actual year-end expenditures include \$350,628 in statewide ProRata charges.

DOJ Programs Funded with Firearms Safety and Enforcement Special
Fund

FY 2004/05
BUREAU OF FIREARMS

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	FSE Funding %
507	Handgun Safety Certification	\$ 2,924,000	\$ 2,831,561 ^{1/}	100.00%
FIREARMS TOTAL FSE FUNDING		\$ 2,924,000	\$ 2,831,561	

1/ Actual year-end expenditures include \$211,037 in statewide ProRata charges.

DOJ Programs Funded with Firearms Safety Account Special Fund

FY 2004/05 BUREAU OF FIREARMS

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	FSA Funding %
861	Hawkins Data Center	\$ 2,000	\$ 2,000	0.005%
509	Firearms Safety Account	\$ 317,000	\$ 317,000 ^{1/}	100.00%
FIREARMS TOTAL FSA FUNDING		\$ 319,000	\$ 319,000	

1/ Actual year-end expenditures include \$12,928 in statewide ProRata charges.

Exhibit L

DOJ Programs Funded with DROS Special Fund

FY 2003/04 BUREAU OF FIREARMS

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	DROS Funding %
510	Dealers Record of Sale	\$ 7,252,000	\$ 6,462,448 ^v	97.24%
FIREARMS TOTAL DROS FUNDING		\$ 7,252,000	\$ 6,462,448	

DIVISION OF CRIMINAL JUSTICE INFORMATION SERVICES

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	DROS Funding %
861	Technology Support Bureau	\$ 807,000	\$ 845,549	1.86%
795	DROS - Long Gun	\$ 194,000	\$ 213,189	100.00%
732	Firearms Program - DROS	\$ 477,000	\$ 436,049	85.95%
700	CJIS Facilities & Communications	\$ 50,000	\$ 48,813	1.83%
705	CJIS Executive Office	\$ 206,000	\$ 190,400	6.09%
DCJIS TOTAL DROS FUNDING		\$ 1,734,000	\$ 1,734,000	
DOJ TOTAL DROS FUNDING		\$ 8,986,000	\$ 8,196,448	

1/ Actual year-end expenditures include \$299,573 in statewide ProRata charges.

DOJ Programs Funded with Firearms Safety and Enforcement Special
Fund

FY 2003/04
BUREAU OF FIREARMS

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	FSE Funding %
507	Handgun Safety Certification	\$ 2,709,000	\$ 2,473,692 ^{1/}	100.00%
FIREARMS TOTAL FSE FUNDING		\$ 2,709,000	\$ 2,473,692	

1/ Actual year-end expenditures include \$17,312 in statewide ProRata charges.

DOJ Programs Funded with Firearms Safety Account Special Fund

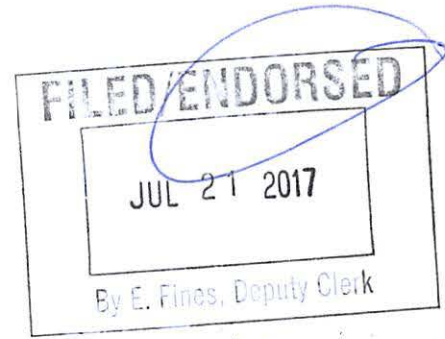
FY 2003/04 BUREAU OF FIREARMS

Unit Code	Program Title	Appropriation	Actual Year-End Expenditures	FSA Funding %
861	Hawkins Data Center	\$ 2,000	\$ 2,000	0.005%
509	Firearms Safety Account	\$ 318,000	\$ 318,000 ^{1/}	100.00%
FIREARMS TOTAL FSA FUNDING		\$ 320,000	\$ 320,000	

1/ Actual year-end expenditures include \$16,450 in statewide ProRata charges.

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO

DAVID GENTRY, JAMES PARKER,
MARK MIDLAM, JAMES BASS, and
CALGUNS SHOOTING SPORTS
ASSOCIATION,

Plaintiffs and Petitioners,

v.

XAVIER BECERRA, in His Official
Capacity as Attorney General For the State
of California; STEPHEN LINDLEY, in
His Official Capacity as Acting Chief for
the California Department of Justice,
BETTY YEE, in Her Official Capacity as
State Controller, and DOES 1 - 10,

Defendants and Respondents.

Case No. 34-2013-80001667

**REPLY IN SUPPORT OF PLAINTIFFS'
MOTION FOR ADJUDICATION OF FIFTH
AND NINTH CAUSES OF ACTION**

Date: August 4, 2017
Time: 9:00 a.m.
Dept.: 31
Judge: Hon. Michael P. Kenny
Action filed: 10/16/13

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1 **I. PLAINTIFFS HAVE MET ALL REQUIREMENTS FOR A WRIT OF MANDATE**

2 **A. The Department Claims No Ministerial Duty Exists—Ignoring the Mandatory**
3 **Nature of the Extensive Limitations Specified in Section 28225—Rather than**
4 **Admit Its Conduct Violated the Duty and Was Also an Abuse of Discretion.**

5 The Opposition relies on a single case to support Defendants’ claim that section 28225¹
6 does not create ministerial duty: *Cal. Pub. Records Research, Inc. v. Cnty. of Yolo*, 4 Cal. App.
7 5th 150, 174 (2016). (Defs. Opp. at 5:14-8:4.) Plaintiffs discussed that case, and the similar case
8 *Cal. Pub. Records Research, Inc. v. Cnty. of Stanislaus*, 246 Cal. App. 4th 1432 (2016), in their
9 recently filed Opposition to Defendants’ Motion for Summary Adjudication. (Plfs. Opp. at 12:18-
10 26 & n.5.) Plaintiffs’ Opposition explained the parallels, *and differences*, between the *Cal. Pub.*
11 cases and the matter before the Court. Defendants, however, fail to address the patently relevant
12 distinction that makes the *Cal. Pub.* cases insufficient to support Defendants’ claims.

13 Defendants claim that section 28225 and Government Code section 27366 (the statute
14 primarily at issue in the *Cal. Pub.* cases) include “very similar fee setting framework[s,]” i.e.,
15 Defendants claim “section 28225 is akin to the statute in *California Public Records Research.*”
16 (Defs.’ Opp. at 6:12-17, 7:9.) This claim is without merit. The grant of authority in Government
17 Code section 27366, which concerns setting and charging fees for copying public records, is
18 broad and simple, expressed in a single sentence.² Section 28225, in stark contrast, has multiple
19 subsections, includes eleven specifically described cost categories, and even provides an
20 additional subsection to specify that, inter alia, the statutorily mandated cost estimates to be made
21 by the California Department of Justice (“Department”) must be “reasonable.” Penal Code
22 § 28225. The level of detail provided by the legislature in section 28225 indicates the legislature
23 was very concerned about setting forth the method used to set the Dealers’ Record of Sale
24 (“DROS”) fee (“Fee”). (*See also* Plfs.’ Opp. § II.B.1.iii.) Even a cursory review shows that
25 section 28225 and Government Code section 27366 are not “very similar fee setting
26 framework[s,]” and that the parallel Defendants attempt to draw is illusory.

26 ¹ All statutory references herein are to the Penal Code except where otherwise stated.

27 ² “The fee for any copy of any other record or paper on file in the office of the recorder, when
28 the copy is made by the recorder, shall be set by the board of supervisors in an amount necessary
to recover the direct and indirect costs of providing the product or service or the cost of enforcing
any regulation for which the fee or charge is levied.” Gov’t Code § 27366.

1 Further, Defendants fail to appreciate how their citation to *Cal. Pub. (Cnty. of Yolo)*
2 actually supports Plaintiffs’ interpretation of that case and how it applies here. That is, as
3 Defendants note, *Cal. Pub. (Cnty. of Yolo)* recognizes that the relevant statutes “require the Board
4 to charge and set copy fees[.]” (Defs.’ Opp. at 6:17-7:5 [italics added].) Therefore, even though
5 the *Cal. Pub. (Cnty. of Yolo)* court found that the actual setting of copy fees was a discretionary
6 activity (*Cal. Pub. (Cnty. of Yolo)*, 4 Cal. App. 5th at 179), it still recognized that the overarching
7 duty to set and charge copy fees was statutorily required, i.e., ministerial. *Cnty. of Los Angeles v.*
8 *City of Los Angeles*, 214 Cal. App. 4th 643, 653 (2013) (“A ministerial duty is one which is
9 required by statute.”). The *Cal. Pub. (Cnty. of Stanislaus)* court reached the same conclusion,
10 holding that the relevant law: “grants a board of supervisors some discretionary authority when
11 setting copying fees . . . limited by the phrase ‘direct and indirect costs’ [found in Government
12 Code section 27366.]” *Cal. Pub. v. Cnty. of Stanislaus*, 246 Cal. App. 4th at 1454 (2016),

13 That a ministerial duty can include discretionary aspects is not a revolutionary legal
14 concept. In 1871 the California Supreme Court recognized the “large class of cases in which an
15 inferior tribunal acts in a twofold capacity[;]” i.e., acts where both ministerial and discretionary
16 elements are present. *Tilden v. Bd. of Sup’rs of Sacramento Cnty.*, 41 Cal. 68, 76 (1871). And
17 since then, the courts have consistently recognized that “[t]o the extent that [a duty’s]
18 performance is unqualifiedly *required*, it is not discretionary, even though the manner of its
19 performance may be discretionary.”³ Because the Court would have to disregard multiple
20 provisions in section 28225 to hold that section 28225 does not include a ministerial duty, the
21 Court should ignore Defendants’ strained interpretation. *Tuolumne Jobs & Small Bus. All. v.*
22 *Super. Ct.*, 59 Cal. 4th 1029, 1038 (2014) (“courts should give meaning to every word of a statute
23 and should avoid constructions that would render any word or provision surplusage”).

24 ///

25 ///

26 _____
27 ³ See, e.g., *Ham v. Los Angeles Cnty.*, 46 Cal. App. 148, 162 (1920) (italics added); *Johnson v.*
28 *State*, 69 Cal. 2d 782, 788 (1968) (citing *Ham*); *Redwood Coast Watersheds All. v. State Bd. of*
Forestry & Fire Prot., 70 Cal. App. 4th 962, 970 (1999) (citing *Ham*); *Cotta v. Cty. of Kings*, No.
1:13-CV-00359-LJO, 2013 WL 3213075, at *17 (E.D. Cal. June 24, 2013) (citing *Ham*).

1 **1. Defendants provide no substantive response in support of the Macro Review**
2 **Process, the use of which exceeds any discretion the Department has under**
3 **section 28225.**

4 Defendants claim that “[t]he requirements for writ of mandate are well known[, including
5 that] the petitioner *must demonstrate* the public official or entity had a *ministerial duty* to
6 perform[.]” (Defs.’ Opp. at 5:15-20.) This claim is wrong; *Cal. Pub. (Cnty. of Yolo)* plainly states
7 that mandamus is *also* available “to correct the exercise of discretionary legislative power . . .
8 where the action amounts to an abuse of discretion[.]” *Cal. Pub. (Cnty. of Yolo)*, 4 Cal. App. 5th
9 at 177. The Department’s decision to set the DROS Fee based on a calculation that does not
10 include *any* of the individual statutorily required cost estimations (section 28225(c)) is an abuse
11 of discretion that is subject to mandamus relief even if section 28225 does not create a mandatory
12 duty per se. *Id.*; (*cf.* Plfs.’ Mot. § B at n.7 and accompanying text.).

13 In Section III.B.2.a.i-ii. of Plaintiffs’ Motion, Plaintiffs detail the process the Department
14 uses to set the DROS Fee, i.e., the Macro Review Process, and how it is not only prone to
15 obfuscating overspending in legitimate areas of spending, but that it also expressly considers
16 costs that are not authorized under section 28225. In short, Plaintiffs allege the Department is
17 exceeding the scope of authority granted in section 28225 by using the Macro Review Process.
18 Defendants provide no substantive argument in response; they only dispute facts that, pursuant to
19 Defendants’ discovery responses, should have been undisputed.⁴ Regardless, this omission is
20 telling, and confirms that Defendants cannot provide a rational explanation as to how the Macro
21 Review Process comports with the requirements of section 28225. In light of the foregoing, the
22 Court should grant a writ ordering the Department to perform a review—based on the specific
23 requirements stated in section 28225—of the amount currently being charged for the DROS Fee.

24 ///

25

26 ⁴ Within one business day of having received Defendants’ Opposition to Plaintiffs’ Separate
27 Statement of Undisputed Facts, Plaintiffs served discovery—requests for admissions and
28 contention interrogatories—on Defendants. The discovery is limited to instances where
 Defendants disputed a fact herein notwithstanding the issue having been (at least in Plaintiffs’
 view) resolved, often by a request for admission response. To the extent the Court’s tentative
 ruling depends on Defendants disputing a fact that Plaintiffs contend is being disputed without
 justification, Plaintiffs plan to request the Court allow Plaintiff to file Defendants’ responses to
 the relevant discovery prior to the Court issuing its final ruling on the parties’ cross-motions.

1 **2. The Department should not be allowed to rely on ambiguities, latent or**
2 **otherwise, that it knowingly helped create.**

3 As described in Section II.C. of Plaintiffs’ Opposition to Defendants’ Motion for
4 Summary Adjudication, Senate Bill (“SB”) 819 (Leno, 2011) was revised, with the Department’s
5 involvement, specifically to make it clear that SB 819’s addition of the word “possession” to
6 section 28225 was a narrow amendment—a fact Defendants now unflinchingly ignore. In Section
7 I.A. of Defendants’ Opposition, Defendants again try to convince the Court that vague codified
8 language—language that the Department surely helped draft—should be given a broad
9 interpretation notwithstanding a clear intent that the relevant provision be interpreted narrowly.

10 Specifically, in an attempt to support Defendants’ claim that discretion “to consider a
11 wide range of costs in setting the DROS fee” negates the mandatory aspects of how that fee shall
12 be set, Defendants make the following statement: “[S]ubdivision (b)(11) perhaps illustrates this
13 point the best, considering its broad language encompassing ‘costs associated *with* funding
14 Department of Justice firearms-*related* regulatory and enforcement activities *related to* the sale,
15 purchase, possession, loan, or transfer of firearms.” (Defs.’ Opp. at 7:14-19.) To understand why
16 the quoted provision is not as broad as Defendants claim, one must look at two previous bills,
17 Assembly Bill (“AB”) 2080 (2002, Steinberg) and AB 161 (Steinberg, 2003).

18 *a. AB 2080 allows certain licensing-related costs to be funded out of the*
19 *DROS Fund, though not from Fee money.*

20 AB 2080, the Firearms Trafficking Prevention Act of 2002 (2002 Cal. Stat. ch. 909, § 1,
21 provided, inter alia, that money in the DROS Special Account of the General Fund (“DROS
22 Fund”) could be appropriated for a new purpose: “to offset the costs incurred for the verification
23 of [certain] licensure provisions[.]” Legis. Counsel’s Dig., Assem. Bill No. 2080 (2001-2002 Reg.
24 Sess.) 2002 Cal.Stat. 909 (concerning change in former section 12076(g) identified at 2002 Cal.
25 Stat. 909 § 2). Though AB 2080 resulted in the revision of former section 12076(g) (now section
26 28235), AB 2080 did not modify former section 12076(e) (now located at section 28225(a)-(c)),
27 which provided how the Fee was to be set. This distinction was seized upon by then-Senator Bill
28 Morrow, who asked the Legislative Counsel of California (“Legislative Counsel”) if AB 2080

1 actually authorized Fee money—as opposed to money in the DROS Fund from other sources—to
2 be spent on the relevant licensure provisions. (Supplemental Declaration of Scott M. Franklin in
3 Support of Plaintiffs’ Motion [“Sup. Franklin Decl.”] at Ex. 1.)

4 Legislative Counsel found that AB 2080’s amendment of former section 12076(g) did
5 allow the Department to use the DROS Fund money for the relevant licensing costs, but that AB
6 2080 did not amend former 12076(e) (now 28225(b)). (*Id.* at 4.) Accordingly, Legislative Counsel
7 determined that AB 2080 did not modify the way the Fee was set or spent, so AB 2080’s new
8 authority only applied to money in the DROS Fund that was not obtained via the Fee. (*Id.* at 5.)

9 ***b. The Department tried to get unprecedented DROS Fund spending***
10 ***“flexibility” via AB 161, but it eventually conceded AB 161’s limits.***

11 In response to the Legislative Counsel’s determinations discussed above, the Department
12 sponsored AB 161 (Steinberg, 2003), seeking to have the following additional cost category
13 added to the list that is now located at section 28225(b): “the costs associated with funding
14 Department of Justice firearms-related regulatory and enforcement activities related to the sale,
15 purchase, loan, or transfer of firearms pursuant to this chapter.” In support of the bill, the
16 Department expressed its position thusly:

17 Unfortunately, because of a recent legislative counsel opinion, the Department of
18 Justice feels strongly that clarification of enforcement activity and the use of the
19 DROS account to fund it is of extreme importance. At issue is whether or not the
20 DROS fee (which makes up more than 80% of the DROS Fund) can be used to fund
21 DOJ enforcement of the gun laws.

22 (Sup. Franklin Decl. at p. 7 of Ex. 2.) The Senate Public Safety Commission (“Public Safety”),
23 however, saw through the proposed “clarification[.]” Public Safety noted that AB 161 was an
24 attempt to use the ambiguity in AB 2080 to drastically increase what the Department could use
25 Fee money for. (*Id.* at 9-10.)

26 In response, the Department claimed that AB 161 would not expand the use of Fee money,
27 but clarify how it could be used, asserting that AB 161 would “not authorize DOJ to spend DROS
28 fees for purposes other than what the Legislature has already approved through Budget Act
appropriations” and two other bills in the 2003-04 Budget Bill that the legislature planned to fund
from the DROS Fund. *Id.* at 10. Further, the Department’s post-AB 161, *pre-litigation*

1 interpretation of the subsection added via AB 161 removes any doubt as to the narrow scope of
2 that subsection. In 2010, when the Department published a (never adopted) proposed regulation
3 that would have reduced the Fee from \$19 to \$15, the Department made the following pertinent
4 statement in response to a formal comment on that rulemaking: “The Department is not
5 authorized to use DROS funds . . . to notify new gun buyers of their duties and responsibilities”
6 in the formal comment. (Declaration of Scott M. Franklin in Support of Plaintiffs’ Motion
7 [“Franklin Decl.”], at AGRFP00178 in Ex. 28.) That the Department recognized there was no
8 authority to fund this activity out of the DROS fund even though the activity seems to be a
9 “firearms-related regulatory . . . activit[y] related to the sale . . . of firearms” is strong evidence
10 that AB 161 was not intended to address “a wide range of costs[.]”

11 At least in the case of AB 161 and SB 819, it is clear that the Department initially sought
12 to drastically increase its access to the DROS Fund (and Fee money specifically), but ultimately
13 conceded that the relevant bills, if enacted, would provide a funding source for much narrower
14 purposes. It is disconcerting to think that the Department has a practice interpreting Department-
15 sponsored legislation in one manner prior to adoption, and a completely contrary manner after the
16 legislation becomes law. As the California Supreme Court stated in *Yamaha Corp. of Am. v. State*
17 *Bd. of Equalization*, 19 Cal. 4th 1, 7 (1998), “[t]he degree of respect accorded the agency’s
18 interpretation is not susceptible of precise formulation, . . . but is situational[, e.g.,] *a vacillating*
19 *position . . . is entitled to no deference.*” (Quotation marks and brackets omitted, italics added).
20 Nonetheless, if the Court grants any deference to the Department’s interpretations of SB 819 or
21 AB 161, it should be granted as to the interpretations the Department publicly offered at the time
22 those bills were being debated, and not the Department’s current claims, which lack “the
23 appearance of impartiality necessary to justify any reliance by the [C]ourt.” *Carmona v. Div. of*
24 *Indus. Safety*, 13 Cal. 3d 303, 312 (1975).

25 **B. Plaintiffs’ Beneficial Right Is Obvious Here, but to (Again) Sidestep an**
26 **Admission Detrimental to their case, Defendants Pretend Otherwise.**

27 Defendants first appear to be making a hyper-technical claim that “plaintiffs have not even
28 attempted to articulate what their beneficial right must be[.]” and thus, Plaintiffs have supposedly

1 failed to meet the “beneficial right” element required for writ relief. (Defs.’ Opp. 8:5-9:2). If this
2 argument is based on the fact that the First Amended Complaint does not literally state “Plaintiffs
3 have a beneficial right to not be charged the DROS Fee in an unauthorized amount” or something
4 similar, such omission is surely immaterial and without legal effect,⁵ as the Department clearly
5 understands the gravamen of Plaintiffs’ claims and the rights implicated thereby, and the
6 Department has never attempted to dispute that the individual plaintiffs have paid the DROS Fee
7 and that they expect to pay it in the future.

8 Defendants’ substantive argument fairs no better. They argue, somewhat obliquely, that
9 Plaintiffs’ claim is based on “a general interest in having the laws of the State upheld[,]” an
10 interest “shared by the public at large” and therefore, that “broad interest does not amount to a
11 beneficial right.” (Defs.’ Opp. at 8:22-24). This is a false premise, one that cannot be reasonably
12 made where the relevant complaint specifically identifies the individual plaintiffs as Fee payers
13 who, inter alia, pray “[f]or a peremptory writ of mandate ordering . . . Defendants . . . to review
14 the DROS Fee as currently imposed to determine whether the amount is “no more than is
15 necessary[.]” (First Am. Compl. at p. 25:7-10.) Nonetheless, by wrongly characterizing Plaintiffs’
16 right, the Department can then attack that straw man with what is actually inapplicable case law.

17 For example, Defendants cite *Holbrook v. City of Santa Monica*, 144 Cal. App. 4th 1242,
18 1254 (2006), for the proposition that “interests ‘pertain[ing] to the effective operation of
19 government and the rights of the public, not to specific interests or rights of [the petitioners]
20 individually,’ are not beneficial interests[.]” (Defs.’ Opp. at 8:24-26.) In that case, the Court
21 expressly found that the plaintiffs’ allegations therein primarily concerned how late-night city
22 council meetings were “a subversion of the public’s right to be heard[.]” a right that was not
23 specific to the plaintiffs, who were city councilmembers. *Id.* at 1254. Importantly, *Holbrook*
24 specially notes that if the plaintiffs there “[w]ere subject to particular liabilities by virtue of their
25 membership on the City Council, the beneficial interest analysis might well be different.” *Id.* at
26 n.5. Thus, *Holbrook* is legally distinguishable from the instant case because the *Holbrook*

27 _____
28 ⁵ *Genger v. Albers*, 90 Cal. App. 2d 52, 55 (1949) (“Where the variance is not misleading, the
court may find the facts according to the evidence or may order an immediate amendment.”)

1 plaintiffs failed to allege an interest that was not held by the rest of the public, whereas the
2 individual plaintiffs herein all allege payment of a fee that distinguishes them from the rest of the
3 public, who do not pay such fee.

4 Similarly, Defendants cite *Braude v. City of Los Angeles*, 226 Cal. App. 3d 83, 89 (1990),
5 for the proposition that a “taxpayer’s interest in minimizing traffic congestion, though legitimate,
6 was not a beneficial interest ‘over and above the public at large’ because ‘hundreds of thousands
7 of people’ shared the interest[.]” (Defs.’ Opp. at 8:26-9:2.) In *Braude*, a city councilmember who
8 was outvoted 14 to 1 regarding the approval of an ordinance related to a construction project
9 thereafter sought a “writ of mandate to, inter alia, command respondents to set aside their
10 adoption of the ordinance and to comply with [CEQA] concerning proper building density and
11 traffic flow.” *Id.* at 86. *Braude* specifically notes that “cases applying the ‘beneficial interest’
12 standard tend toward a common sense rather than a merely technical approach. The standing
13 determination appears to rest on the particular facts of the case.” *Id.* at 88. Here, Plaintiffs are
14 DROS Fee payers, and Defendants offer no logical allegation or actual evidence that the “public
15 at large” is burdened by an unnecessarily high DROS Fee. This type of distinction was absent in
16 *Braude*, which makes Defendants’ reliance thereon unjustified.

17 Further, Defendants do not discuss the California Supreme Court’s more recent opinions
18 dealing with the “over and above” standard, e.g., *Save the Plastic Bag Coal. v. City of Manhattan*
19 *Beach*, 52 Cal. 4th 155, 165 (2011). *Save the Plastic Bag* provides how the “over and above”
20 standard works in practice: “One who is in fact adversely affected by governmental action should
21 have standing to challenge that action if it is judicially reviewable.” *Id.* Plaintiffs are “in fact
22 adversely affected by” the Department’s overcharging of the DROS Fee; thus, they “have
23 standing to challenge” the Department’s decision to charge an amount without the proper
24 statutorily required analysis having been performed.

25 **II. THE NINTH CAUSE OF ACTION IS BASED ON THE TEXT OF SB 819, WHICH**
26 **INCLUDES A PELLUCID STATEMENT OF LEGISLATIVE INTENT**

27 Defendants claim that “none of the versions of SB 819 offered by plaintiffs can change the
28 plain meaning of the word ‘possession,’ which itself appeared in earlier versions of the bill.”

1 (Def.'s Opp. at 9:27-10:2.) That statement is somewhat of a ruse: the question here is not whether
2 the "plain meaning" of a word used in draft and final legislation has changed, but what the
3 legislative intent was behind the final use of the word. But because a "plain meaning"
4 interpretation inures to the Department's interests, Defendants argue their interpretation of SB
5 819 be adopted even though it is patently in conflict with SB 819's express legislative intent.

6 Defendants raise two arguments to support their position. First, Defendants ask the Court
7 to disregard the relevant and specific uncodified intent language in favor of either general
8 language or a "common sense" and non-contextual interpretation of the word "possession."
9 (Def.'s Opp. at 9:5-13; 10:2-9.) As discussed thoroughly *supra* and in Plaintiffs' Motion for
10 Adjudication, section (1)(g) of SB 819 expressly states a legislative intent that DROS Fund
11 money be used for the "limited purpose" of funding APPS-based law enforcement activities. S.B.
12 819, 2011-2012 Reg. Sess. (Cal. 2011) (enacted). Senator Leno specifically amended SB 819 to
13 make this fact clear. (Franklin Decl. at GENT127 in Ex. 15.) Defendants attempt to downplay the
14 legislature's statement of intent as an "isolated phrase" that should not trump Defendants'
15 "common sense interpretation" (Def.'s Opp. at 9:9-11), but that canard is exposed when the
16 entirety of SB 819 is considered.

17 "The Codes of this state are simply a part of the statutory law of this state[; t]hey have no
18 higher standing or sanctity than any other statute regularly passed by the Legislature." *Los*
19 *Angeles Cnty. v. Payne*, 8 Cal. 2d 563, 574 (1937). "An uncodified section is part of the statutory
20 law[;]" thus, "[i]n considering the purpose of legislation, statements of the intent of the enacting
21 body contained in a preamble, while not conclusive, are entitled to consideration." *Carter v. Cal.*
22 *Dep't of Veterans Affairs*, 38 Cal. 4th 914, 925-6 (2006). Because section 1(g) of SB 819 is a
23 direct and unequivocal expression of legislative intent, it, and not the Department's so-called
24 "common sense interpretation[;]" nor the more general subsections of SB 819, section (1) (Def.'s
25 Opp. at 10:2-9),⁶ sets the scope of what the legislature intended when it added the word
26 "possession" to section 28225 via SB 819.

27 _____
28 ⁶ Cal. Civ. Proc. Code § 1859 ("In the construction of a statute the intention of the
Legislature, . . . when a general and particular provision are inconsistent, the latter is paramount

1 Defendants claim Plaintiffs focus on section 1(g) of SB 819 “to the exclusion of
2 everything else” (Defs.’ Opp. at 9:9-14), which is apparently a backhanded way of arguing that
3 the Court should ignore the legislature’s express, but uncodified, statement of intent in favor of
4 the Department’s “common sense interpretation” of a single codified word taken out of context.
5 Under *Payne* and *Carter*, it is clear that section 1(g) of SB 819 will be part of the Court’s analysis
6 of how section 28225’s use of the word “possession” should be interpreted. Because Defendants’
7 “common sense interpretation” plainly contradicts with a specific provision providing a statement
8 of intent language for SB 819—the provision Plaintiffs’ interpretation is literally based
9 on—Plaintiffs’ interpretation should be adopted by this Court. *Cal. Mfrs. Ass’n v. Pub. Utilities*
10 *Comm’n.*, 24 Cal. 3d 836, 844 (1979) (“Where a statute is theoretically capable of more than one
11 construction we choose that which most comports with the intent of the Legislature.”).

12 And to be clear, the Department’s attempt to paint its interpretation as reasonable and one
13 of “common sense” does not matter, as courts do not adopt “common sense,” “plain language,” or
14 “plain meaning” interpretations when the legislature has spoken on how a relevant provision is to
15 be interpreted. *See Collection Bureau of San Jose v. Rumsey*, 24 Cal. 4th 301, 310 (2000)
16 (“*Absent a compelling reason to do otherwise*, we strive to construe each statute in accordance
17 with its plain language.”) (Emphasis added.) Even if it is true that Defendants’ “common sense
18 interpretation” is reasonable, that is irrelevant to the extent that Plaintiffs’ interpretation is the one
19 that “most comports with the intent of the legislature.” *Cal. Mfrs. Ass’n v. Pub. Utilities*
20 *Comm’n.*, 24 Cal. 3d at 844.

21 **III. CONCLUSION**

22 Plaintiffs’ Motion should be granted for the reasons stated herein and in the Motion.

23
24 Dated: July 21, 2017

MICHEL & ASSOCIATES, P.C.



25
26 Scott M. Franklin
27 Attorneys for Plaintiffs/Petitioners

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PROOF OF SERVICE

STATE OF CALIFORNIA
COUNTY OF FRESNO

I, Laura Palmerin, am employed in the City of Long Beach, Los Angeles County, California. I am over the age eighteen (18) years and am not a party to the within action. My business address is 180 East Ocean Boulevard, Suite 200, Long Beach, California 90802.

On July 21, 2017, I served the foregoing document(s) described as

REPLY IN SUPPORT OF PLAINTIFFS' MOTION FOR ADJUDICATION OF FIFTH AND NINTH CAUSES OF ACTION

on the interested parties in this action by placing
[] the original
[X] a true and correct copy

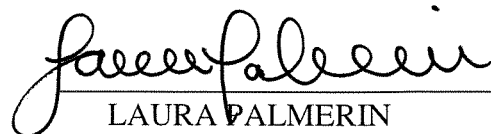
thereof by the following means, addressed as follows:

Office of the Attorney General
Anthony Hakl, Deputy Attorney General
1300 I Street, Suite 1101
Sacramento, CA 95814
Anthony.Hakl@doj.ca.gov

X (BY OVERNIGHT MAIL) As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for overnight delivery by UPS/FED-EX. Under the practice it would be deposited with a facility regularly maintained by UPS/FED-EX for receipt on the same day in the ordinary course of business. Such envelope was sealed and placed for collection and delivery by UPS/FED-EX with delivery fees paid or provided for in accordance with ordinary business practices.
Executed on July 21, 2017, at Long Beach, California.

X (BY ELECTRONIC MAIL) As follows: I served a true and correct copy by electronic transmission. Said transmission was reported and completed without error.
Executed on July 21, 2017, at Long Beach, California.

X (STATE) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.


LAURA PALMERIN

FILED/ENDORSED
JUL 21 2017
By E. Fines, Deputy Clerk

1 C. D. Michel - S.B.N. 144258
2 Scott M. Franklin - S.B.N. 240254
3 MICHEL & ASSOCIATES, P.C.
4 180 East Ocean Blvd., Suite 200
5 Long Beach, CA 90802
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9 Attorneys for Plaintiffs/Petitioners

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO

11 DAVID GENTRY, JAMES PARKER,
12 MARK MIDLAM, JAMES BASS, and
13 CALGUNS SHOOTING SPORTS
14 ASSOCIATION,

15 Plaintiffs and Petitioners,

16 vs.

17 XAVIER BECERRA, in His Official
18 Capacity as Attorney General for the State
19 of California; STEPHEN LINDLEY, in His
20 Official Capacity as Acting Chief for the
21 California Department of Justice, BETTY
22 YEE, in her official capacity as State
23 Controller for the State of California, and
24 DOES 1-10.

25 Defendants and Respondents.

CASE NO. 34-2013-80001667

**REQUEST FOR JUDICIAL NOTICE IN
SUPPORT OF PLAINTIFFS' MOTION
FOR ADJUDICATION OF FIFTH AND
NINTH CAUSES OF ACTION**

Date: August 4, 2017
Time: 9: 00 a.m.
Dept.: 31
Judge: Hon. Michael P. Kenny
Action filed: 10/16/13

22 Plaintiffs hereby request that the following facts be judicially noticed pursuant to Evidence
23 Code sections 452, subdivision (h), and 453. Legislative committee reports are properly
24 the subject of judicial notice. *Hutnick v. United States Fidelity & Guaranty Co.*, 47 Cal.1.3d
25 456, 465, n.7 (1988).

27 The contents of the Senate Public Safety report regarding Assembly Bill 161 (Steinberg,
28 2003), dated of July 8, 2003. S. 2003-2004 Sess., at 7 (Cal. 2003). A copy of the report is

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attached as Exhibit 2 to the Declaration of Scott M. Franklin filed contemporaneously
herewith.

Dated: July 21, 2017

MICHEL & ASSOCIATES, P.C.



Scott M. Franklin
Attorneys for the Plaintiffs/Petitioners

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA
3 COUNTY OF FRESNO

4 I, Laura Palmerin, am employed in the City of Long Beach, Los Angeles County,
5 California. I am over the age eighteen (18) years and am not a party to the within action. My
6 business address is 180 East Ocean Boulevard, Suite 200, Long Beach, California 90802.

7 On July 21, 2017, I served the foregoing document(s) described as

8 **REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF PLAINTIFFS' MOTION
9 FOR ADJUDICATION OF FIFTH AND NINTH CAUSES OF ACTION**

10 on the interested parties in this action by placing

- 11 [] the original
12 [X] a true and correct copy

13 thereof by the following means, addressed as follows:

14 Office of the Attorney General
15 Anthony Hakl, Deputy Attorney General
16 1300 I Street, Suite 1101
17 Sacramento, CA 95814
18 Anthony.Hakl@doj.ca.gov

19 X (BY OVERNIGHT MAIL) As follows: I am "readily familiar" with the firm's practice of
20 collection and processing correspondence for overnight delivery by UPS/FED-EX. Under
21 the practice it would be deposited with a facility regularly maintained by UPS/FED-EX
22 for receipt on the same day in the ordinary course of business. Such envelope was sealed
23 and placed for collection and delivery by UPS/FED-EX with delivery fees paid or
24 provided for in accordance with ordinary business practices.
25 Executed on July 21, 2017, at Long Beach, California.

26 X (BY ELECTRONIC MAIL) As follows: I served a true and correct copy by electronic
27 transmission. Said transmission was reported and completed without error.
28 Executed on July 21, 2017, at Long Beach, California.

X (STATE) I declare under penalty of perjury under the laws of the State of California that
the foregoing is true and correct.


LAURA PALMERIN

PROOF OF ELECTRONIC SERVICE

Case Name: *Gentry, et al. v. Becerra, et al.*
Court of Appeal Case No.: C089655
Superior Court Case No.: 34-2013-80001667

I, Sean A. Brady, am employed in the City of Long Beach, Los Angeles County, California. I am over the age eighteen (18) years and am not a party to the within action. My business address is 180 East Ocean Boulevard, Suite 200, Long Beach, California 90802.

On February 7, 2020, I served a copy of the foregoing document(s) described as: **APPELLANTS' APPENDIX, VOLUME IX OF XVI, (Pages 2163 to 2435 of 4059)**, by electronic transmission as follows:

Robert E. Asperger
bob.asperger@doj.ca.gov
1300 I Street
Sacramento, CA 95814
Attorneys for Defendants and Respondents Xavier Becerra, et al.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on February 7, 2020, at Long Beach, California.

s/ Sean A. Brady _____
Sean A. Brady
Declarant