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6 Attorneys for Defendants  
7 County of Los Angeles, Sheriff Alex Villanueva, and Barbara Ferrer

8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**

11 ADAM BRANDY, an individual;  
12 JONAH MARTINEZ, an individual;  
13 DAEMION GARRO, an individual;  
14 DG 2A ENTERPRISES INC., d.b.a.  
15 GUN WORLD; JASON MONTES,  
16 an individual; WEYLAND-YUTANI  
17 LLC, d.b.a. MATCH GRADE  
18 GUNSMITHS; ALAN KUSHNER,  
19 an individual; THE TARGET  
20 RANGE; TOM WATT, an  
21 individual; A PLACE TO SHOOT,  
22 INC.; SECOND AMENDMENT  
23 FOUNDATION; CALIFORNIA  
24 GUN RIGHTS FOUNDATION;  
25 NATIONAL RIFLE ASSOCIATION  
26 OF AMERICA; and FIREARMS  
27 POLICY COALITION, INC.,

28 Plaintiffs,

vs.

22 ALEX VILLANUEVA, in his  
23 official capacity as Sheriff of Los  
24 Angeles County, California, and in  
25 his capacity as the Director of  
26 Emergency Operations; GAVIN  
27 NEWSOM, in his official capacity as  
28 Governor and Commander in Chief  
of the State of California; SONIA Y.  
ANGELL, in her official capacity as  
California Public Health Officer;  
BARBARA FERRER, in her official  
capacity as Director of Los Angeles  
County Department of Public Health;

Case No. 2:20-cv-02874-AB-SK  
Honorable Andre Birotte, Jr.

**DECLARATION OF SHERIFF  
ALEX VILLANUEVA**





1 of Non-Essential Businesses and Areas). In short, the Safer at Home Order  
2 restricts public movement (i.e., social distancing) and restricts the operations of  
3 all but nonessential businesses.

4 10. On March 19, 2020, Governor Newsom issued Executive Order N-  
5 33-20.

6 11. On March 20, 2020, Governor Newsom issued Executive Order N-  
7 34-20.

8 12. On March 21, 2020, the County's Department of Public Health  
9 issued a revised version of the Safer At Home Order for Control of COVID-19  
10 (Temporary Prohibition of Events and Gatherings of 10 Persons or More/Closure  
11 of Non-Essential Businesses and Areas). In short, the Safer at Home Order  
12 restricts public movement (i.e., social distancing) and restricts of operations of all  
13 but nonessential businesses.

14 13. On March 21, 2020, the Governor issued Executive Order N-35-20.

15 14. On March 24, 2020, the Governor issued Executive Order N-36-20.

16 15. On March 25, 2020, the County's Department of Public Health  
17 issued its Health Officer Order for the Control of COVID-19 (Public Health  
18 Emergency Quarantine Order), requiring the self-quarantining of those diagnosed  
19 with or likely to have COVID-19. Also on March 25, 2020, Governor Newsom  
20 publicly stated that he deferred to local sheriffs as to whether local gun operations  
21 should be considered essential businesses under his Executive Orders.

22 16. Given the discretion accorded by the Governor to California sheriffs,  
23 on Thursday March 26, 2020, I issued an order that gun and ammunition stores  
24 were not considered essential businesses and must close to the general public, in  
25 compliance with the Governor's Executive Order N-33 and the County of Los  
26 Angeles Safer at Home Order for Control of COVID-19. I also made exceptions  
27 that allowed for the sale of ammunition to security guard companies and for those  
28

1 who had already purchased a firearm, possessed a valid California Firearms  
2 Safety certificate, and simply needed to take possession of their firearm.

3 17. On March 27, 2020, the County's Department of Public Health  
4 issued its Addendum to Safer At Home Order for Control of COVID-19,  
5 regarding the temporary closure of public trails and trailheads, beaches, piers,  
6 beach bike paths and beach access points.

7 18. On March 27, 2020, the Governor issued Executive Orders N-37-20  
8 and N-38-20.

9 19. On Sunday March 28, 2020, the United States Department of  
10 Homeland Security published an Advisory Memorandum on Identification of  
11 Essential Critical Infrastructure Workers During COVID-19 Response. Although  
12 explicitly advisory in nature, the federal memorandum is persuasive given its  
13 national scope to this on-going emergency. The Department of Homeland  
14 Security included in its list of essential critical infrastructure workers those  
15 workers supporting the operation of firearm or ammunition product  
16 manufacturers, retailers, importers, distributors, and shooting ranges.

17 20. Therefore, based on the additional and latest information from the  
18 federal government, on Monday March 30, 2020, I publicly announced that the  
19 Los Angeles County Sheriff's Department will not order or recommend closure of  
20 businesses that sell or repair firearms, or sell ammunition. I have not changed  
21 this position, and consistent with the recommendation of the Department of  
22 Homeland Security, I will treat those businesses in the firearms industry (which  
23 includes Plaintiffs) as essential businesses under the pending public health orders  
24 applicable to COVID-19.

25 21. Of course, I do not know, nor would it be appropriate to speculate,  
26 how in the future the COVID-19 crisis is going to impact the County that I am  
27 sworn to protect. However, at this time, I have no intention of, and do not  
28 reasonably foresee, changing my position concerning the treatment of members of

1 the firearms industry as essential businesses for purposes of public health orders  
2 governing COVID-19.

3 I declare under penalty of perjury under the laws of the United States of  
4 America that the foregoing is true and correct.

5 Executed on April 1, 2020, at Los Angeles, California.

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Sheriff Alex Villanueva

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