

C.D. Michel – SBN 144258
cmichel@michellawyers.com
 Joshua Robert Dale – SBN 209942
jdale@michellawyers.com
 Alexander A. Frank – SBN 311718
afrank@michellawyers.com
 Konstadinos T. Moros – SBN 306610
kmoros@michellawyers.com
 MICHEL & ASSOCIATES, P.C.
 180 E. Ocean Boulevard, Suite 200
 Long Beach, CA 90802
 Telephone: (562) 216-4444
 Facsimile: (562) 216-4445

Attorneys for Plaintiffs Lance Boland, Mario Santellan, Reno May, Jerome Schammel, and California Rifle & Pistol Association, Incorporated

**UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA
 SOUTHERN DIVISION**

LANCE BOLAND, an individual;
 MARIO SANTELLAN, an individual;
 RENO MAY, an individual; JEROME
 SCHAMMEL, an individual; and
 CALIFORNIA RIFLE & PISTOL
 ASSOCIATION, INCORPORATED, a
 California corporation,

Plaintiffs,

v.

ROBERT BONTA, in his official
 capacity as Attorney General of the State
 of California; and DOES 1-10,

Defendants.

CASE NO.: 8:22-cv-01421-CJC(ADSx)

**DECLARATION OF RICHARD
 MINNICH OF CALIFORNIA RIFLE
 & PISTOL ASSOCIATION,
 INCORPORATED IN SUPPORT OF
 PLAINTIFFS' MOTION FOR
 PRELIMINARY INJUNCTION**

Hearing Date: December 19, 2022

Hearing Time: 1:30 p.m.

Courtroom: 6B

Judge: Honorable Cormac J. Carney

1. I, Richard Minnich, am the Treasurer of the California Rifle & Pistol Association, Incorporated ("CRPA"), a plaintiff in the above-entitled action. I make this declaration of my own personal knowledge and, if called as a witness, I could and would testify competently to the truth of the matters set forth herein.

2. CRPA is a non-profit membership organization classified under Section

1 501(c)(4) of the Internal Revenue Code and incorporated under the laws of California,
2 with headquarters in Fullerton, California.

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

10 4. I have been a member of CRPA for 25 years. I have served as Treasurer for
11 7 years. I have been a member of the Board of Directors of CRPA for 9 years. In my
12 long and varied leadership role with CRPA, I have had the opportunity to speak with or
13 correspond with hundreds of other CRPA Directors, officers, and members regarding
14 what aspects of firearms they enjoy and how they utilize their firearms, including those
15 who utilize or see their firearm as primarily a self-defense tool.

16 5. Based on these years of interactions, I am aware that CRPA's membership
17 includes individuals who do not currently own an Off-Roster handgun and who want to
18 purchase one or more models of off-roster firearms for the purpose of self-defense and
19 other lawful purposes such as concealed carry, target practice, and competitive
20 marksmanship.

21 6. CRPA's membership includes individuals who would seek to purchase Off-
22 Roster firearms because they are left-handed, like myself, and want an off-roster pistol
23 that can be configured for a left-handed operator. They would immediately purchase any
24 one of many popular Off-Roster semiautomatic handguns, at regular market prices if
25 given the opportunity, and use those pistols for self-defense and other lawful purposes.

26 7. I have personally spoken to several members of CRPA who are left-handed
27 and face the same issues I do when operating a handgun. They have described to me how
28 frustrating and difficult it can be to operate a semi-automatic pistol when the safety

1 switch, magazine release button, and slide-release are in standard right-hand optimized
2 configuration. They have expressed to me that they would like to purchase newer models
3 of pistols that have ambidextrous or left-handed safety switch, slide release, and
4 magazine release features. They have also expressed to me that they would feel safer and
5 more confident firing their firearm, particularly in a tense, self defense scenario, if their
6 firearm had these features on the side of the pistol opposite their firing hand, where it is
7 easier to see them and easier to access them.

8 8. I own pistols and have personally fired them many times. And as a left-
9 handed shooter, I am acutely aware of the ergonomic challenges that left-handed shooters
10 face when operating handguns designed and configured for right-handed shooters. When
11 normally operating a safety switch on a pistol, my experience is that a right-handed
12 shooter will use the thumb of their firing hand to toggle the safety switch which will
13 naturally be placed just above their thumb when gripping a handgun. This allows the
14 shooter to switch the firearm from the safe to fire position, overlay their support-hand on
15 top of the firing hand that is controlling the trigger, and steady the firearm to ensure
16 target accuracy and maintain control under fire when the slide of the pistol cycles and
17 recoils backward toward the shooter. In my experience as a left-handed shooter, with the
18 safety safety switch normally on the side of the handgun opposite my firing hand thumb,
19 I need to loosen my firing hand from a position steadying the grip of the pistol, and move
20 my thumb around the rear of the pistol to activate the safety switch. This scenario is
21 awkward and uncomfortable to do one-handed. Alternatively, I can remove my support
22 hand from the handgun, and then use my support hand thumb to activate the safety
23 switch. Either of these scenarios require a left-handed shooter to lose target acquisition,
24 may result in unintentionally pointing the firearm somewhere other than at the target, and
25 cost additional time that should not have to be wasted in a self-defense scenario.

26 9. As left-handed shooters do, I encounter a similar ergonomic problem when
27 trying to activate the magazine release button on a handgun designed and configured for a
28 right-handed shooter. Normally, a right-handed shooter will use their firing hand thumb

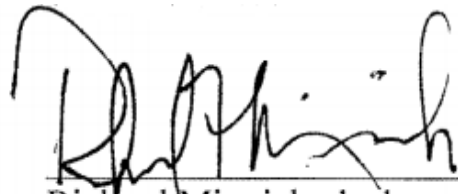
1 to depress the magazine release button (unless they have unusually small hands and can't
2 reach it) while their support hand retrieves and inserts a new magazine. Alternatively, a
3 right-handed shooter can break their support hand grip, use their support hand thumb to
4 depress the magazine release button, and then retrieve a new magazine. When I shoot a
5 pistol that has a magazine release setup for a right-handed shooter, I will remove my
6 finger from the trigger guard, rotate my grip rearward, and try to actuate the magazine
7 release button with my index finger. This allows me to keep the firearm pointed at the
8 target with my left shooting hand, catch the ejecting magazine with my support hand,
9 stow it, then retrieve a fresh magazine, insert the fresh magazine, and re-aim the pistol.
10 But if the magazine release button is stiff and cannot be actuated with my firing hand
11 index finger, then I will break both of my grips so I can transfer the firearm to my right
12 support hand, use my right-hand thumb to acuate the magazine release as a right-handed
13 shooter would, then transfer the pistol back to my left firing hand. This takes time, and
14 under pressure, is a lot of fine motor movement to execute without error. It also enhances
15 the risk of "flagging" someone, i.e., pointing the firearm in an unsafe direction.

16 10. And, as left-handed shooters do, I also encounter a similar ergonomic
17 problem when trying to activate the slide release on a handgun designed and configured
18 for a right-handed shooter. When using a handgun with the slide release configured for a
19 right-handed shooter, I have to remove my firing hand index finger from the trigger
20 guard, and then awkwardly try to push down the slide release with enough force to
21 release the slide. Alternatively, I can move my right support hand underneath the pistol
22 and try to actuate the slide release with my support hand index finger, or I can move my
23 right support hand over the top of the pistol and try to actuate it with my right thumb. I
24 could also transfer the gun to my right hand and use my right thumb, which would then
25 require transferring the loaded gun back to my right hand. These are all far more complex
26 motor movements than a right-handed shooter needs to do to acuate the slide release. A
27 right-handed shooter can simply activate the slide release with their right-hand thumb if
28 they can reach it, or with their support hand thumb, which will be readily positioned to do

1 so upon insertion of a fresh magazine.

2 I declare under penalty of perjury of the laws of the State of California and the
3 United States that the foregoing is true and correct. Executed within in the United States
4 on November 15, 2022.

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



Richard Minnich, declarant