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8
9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE CENTRAL DISTRICT OF CALIFORNIA
11

12
13 **LANCE BOLAND, ET AL.,**

14 Plaintiffs,

15 v.

16 **ROB BONTA, IN HIS OFFICIAL**
17 **CAPACITY AS ATTORNEY GENERAL OF**
18 **THE STATE OF CALIFORNIA, ET AL.,**

19 Defendants.
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Case No. 8:22-cv-01421-DFM

**DECLARATION OF SALVADOR
GONZALEZ IN SUPPORT OF
DEFENDANT'S OPPOSITION TO
MOTION FOR PRELIMINARY
INJUNCTION**

Date: January 23, 2023
Time: 9:00 a.m.
Courtroom: 6B
Judge: Hon. Cormac J. Carney
Trial Date: None set
Action Filed: August 3, 2022

1 I, Salvador Gonzalez, declare under penalty of perjury that:

2 1. I am over the age of 18 years and competent to make this declaration,
3 which is based on my personal knowledge.

4 2. I am a Special Agent Supervisor for the California Department of Justice
5 (“CA DOJ”), Bureau of Firearms (“BOF”).

6 3. My curriculum vitae is attached hereto as **Exhibit A**. It contains a true
7 and correct description of my educational background, professional achievements,
8 and qualifications.

9 4. In May 2005, I received a Bachelor of Science degree in Criminal
10 Justice, and a Bachelor of Arts degree in Ethnic Studies, from the California State
11 University, Sacramento.

12 5. I have worked as a Special Agent Supervisor with CA DOJ for
13 approximately three years. I started working at CA DOJ approximately eight years
14 ago and approximately seven of my eight years have been at BOF. I am assigned to
15 the Division of Law Enforcement, BOF. BOF serves the people of California
16 through education, regulation, and enforcement actions regarding the manufacture,
17 sale, ownership, safety training, and transfer of firearms.

18 6. My current job responsibilities at CA DOJ BOF involve the recovery,
19 investigation, and identification of firearms. In addition, over the past eight years, I
20 have handled semiautomatic handguns that are compliant with California law,
21 including, specifically, handguns that contain a chamber load indicator and a a
22 magazine disconnect mechanism. Over the course of my career, I have become
23 proficient in the use and disassembly of various firearms, including the various
24 structural components of firearms, and how they work together.

25 7. For approximately the past two and a half years, I have overseen CA
26 DOJ’s Roster of Certified Handguns (the “Roster”) approved for manufacture or
27 sale in California, which involves determining whether handguns submitted by
28 manufacturers contain the safety features required under California law. Through

1 this process, I have become familiar with the components of numerous handguns
2 currently and previously on the Roster.

3 8. Based on my experience with firearms, education, formal trainings, and
4 work at CA DOJ, I am knowledgeable about the requirements of California's
5 Unsafe Handgun Act, Penal Code §§ 31900–32110 (“UHA”), among other laws. I
6 am also able to inspect and determine whether a semiautomatic handgun complies
7 with the UHA's requirements.

8 9. I am aware that, for a new semiautomatic pistol model to be approved to
9 CA DOJ's Roster of UHA-compliant handguns that may be sold or made in
10 California, it must undergo laboratory testing and, among other things, include a
11 chamber load indicator, a magazine disconnect mechanism, and microstamping
12 capability. Penal Code § 32010, subd. (d).

13 10. A chamber load indicator's intended function is to alert the handgun user
14 as to whether the handgun is loaded with a cartridge in the firing chamber. A
15 device qualifies as a chamber load indicator under the UHA if it is readily visible
16 and contains explanatory text and/or graphics, and is designed and intended to
17 indicate to a user from the pistol itself whether there is a cartridge in the firing
18 chamber. See Penal Code § 16380.

19 11. Chamber load indicators are an important firearm feature that increases
20 safety. By quickly and clearly informing a firearm user whether a handgun is
21 loaded, chamber load indicators help prevent accidental discharges that can result in
22 serious injury and death. Accidental discharges may occur in a variety of contexts,
23 for example, when a user cleans their firearm or when an unfamiliar user handles a
24 firearm.

25 12. A magazine disconnect mechanism prevents the handgun from
26 discharging while a detachable magazine is removed from the handgun. A
27 mechanism qualifies as a magazine disconnect under the UHA if it prevents a
28 semiautomatic pistol that has a detachable magazine from operating to strike the

1 primer of ammunition in the firing chamber when a detachable magazine is not
2 inserted. See Penal Code § 16900. Generally, a magazine disconnect mechanism is
3 a component of the frame that looks like a small lever, which functions to impede
4 the operation of the firearm.

5 13. The purpose of a magazine disconnect mechanism is to prevent
6 accidental discharges, and the resulting risk of serious injury and death, that can
7 occur when a handgun is still loaded despite the magazine having been removed by
8 the user. Such accidental discharges can happen in a variety of contexts, such as
9 when a user is cleaning their handgun or when a child accesses and handles a
10 handgun. Magazine disconnect mechanisms are designed to increase the safety of
11 both the firearm user and people in the user's vicinity.

12 14. The absence of a chamber load indicator or a magazine disconnect
13 mechanism in a semiautomatic pistol increases the risk of accidental discharge and
14 injury to Californians from use of these handguns.

15 15. I am also aware that for a new semiautomatic pistol model to be
16 approved to CA DOJ's Roster of UHA-compliant handguns that may be sold or
17 made in California, in addition to containing a chamber load indicator, a magazine
18 disconnect mechanism and microstamping capability, the handgun must pass
19 "firing" and "drop safety" tests. Penal Code § 31910, subd. (b)(2) & (3). This
20 testing must take place at a DOJ-approved lab testing facility. The firing test
21 ensures that handguns do not malfunction upon firing. The drop safety test ensures
22 that safety features prevent the handgun from discharging when dropped.

23 I declare under penalty of perjury under the laws of the State of California that
24 the foregoing is true and correct and that this declaration was executed on
25 November 30th, 2022, in Sacramento, California.

26
27 
28 SALVADOR GONZALEZ

EXHIBIT A

Curriculum Vitae

Special Agent Supervisor Salvador Gonzalez
California Department of Justice
Bureau of Firearms

EDUCATION:

05/2005, Bachelor of Science Degree, Criminal Justice, California State University Sacramento.
05/2005, Bachelor of Arts Degree, Ethnic Studies, California State University Sacramento.

EMPLOYMENT:

08/2006 to 09/2014, Investigator, California (CA) Department of Motor Vehicles (DMV). I conducted criminal and administrative investigations including consumer, & licensee fraud. I provided expertise in auto theft, counterfeit documents, identity theft & performed undercover investigations. I provided technical expertise to allied agencies.

09/2014 to 07/2018, Special Agent, California Department of Justice (DOJ), Bureau of Firearms (BOF). I conducted investigations on Armed & Prohibited Persons that resulted in the seizure of weapons & the prevention of illegal firearms trafficking. I conducted firearms dealer investigations in regards to firearm law compliance or illegal firearm transactions. I provided firearm training & expertise to allied agencies. I enforced regulations regarding the manufacture, sale, ownership & transfer of firearms and various violations occurring at California gun shows.

07/2018 to 8/2019, Special Agent, California Department of Justice (DOJ), Bureau of Gambling Control (BGC). I conducted investigations regarding gambling crimes in the state of California. I conducted investigations in California cardrooms and casinos involving money laundering, drugs, illegal bookmaking, and other illegal gambling activities.

8/2019 to present, Special Agent Supervisor, California Department of Justice (DOJ), Bureau of Firearms (BOF). In my career I have attended at least 10 gun shows and have become familiar with current laws pertaining to the sales of firearms in the State of California. The California Department of Justice, Bureau of Firearms, maintains the State Assault Weapon Registry. If a person with registered assault weapons or other firearms becomes prohibited from possessing firearms I have been assigned to recover the firearms. Special Agents within the CA DOJ BOF are frequently assigned to give assault weapons training to other law enforcement agencies and to help assist in identifying such firearms.

TRAINING:

On 08/7/2006, I completed an excess of 640 hours of Peace Officer Standards and Training (POST) at a recognized Basic Specialized Investigator Academy at the Golden West College in Huntington Beach, CA.

On 09/25/2014, I attended an assault weapons familiarization training class for law enforcement and I received four (4) hours of formal training on firearms / assault weapons. I have also received formal and informal training from other experienced BOF agents regarding firearms violations.

On 02/25/2016, I attended a firearms investigation and identification training class for law enforcement and I received ten (10) hours of formal training on firearms / assault weapons.

On 08/31/2016, I attended the California Department of Justice Advanced Training Center Submachine Gun Operator Course and I received twenty-four (24) hours of formal training on the proper use and deployment of a submachine gun.

On 11/29/2018, I attended the Glock Armorer's Course and I received eight (8) hours of formal training on how to safely use and maintain your weapon.

On 09/20/2019, I completed a 40 hour California Peace Officer Standards and Training (POST) approved Firearms Instructor/Range Master School. This class was offered by the American River College/Los Rios Community College District.

On 10/22/2019, I attended the Alcohol Tobacco and Firearms Crime Gun Seminar and I received four (4) hours of training on the successful use of the National Integrated Ballistic Information Network (NIBN).

On 12/18/2019, I attended the National Center for Biomedical Research and Training Academy of Counter-terrorist Education Course for Law Enforcement Active Shooter Emergency Response Performance Level and I received twenty-four (24) hours of training on the successful use of active shooter emergency response.

On 12/19/2019, I attended the National Center for Biomedical Research and Training Academy of Counter-terrorist Education Course for Law Enforcement Active Shooter Emergency Response Performance Level Train-the-Trainer and I received eight (8) hours of training in order to train officers on active shooter emergency response.

On 08/19/2020, I attended the California Department of Justice Advanced Training Center Less Lethal Munitions User's Course and I received four (4) hours of formal training on the proper use and deployment of a less lethal munition.

On 08/19/2020, I attended the California Department of Justice Advanced Training Center Distraction Device User's Course and I received four (4) hours of formal training on the proper use and deployment of a distraction device.

On 6/16/2021, I attended the Alcohol Tobacco and Firearms Privately Made Firearms Training and I received eight (8) hours of training on the identification of a privately made firearm (PMF).

On 11/2/2021, I attended the Law Enforcement & Military Colt M16 / AR-15 Rifle Armorer's Course and I received twenty-four (24) hours of formal training on how to safely use and maintain your weapon. This class was offered by Colt.

During the course of my career I have become semi-proficient in the use and disassembly of various revolvers, semi-automatic pistols, submachine guns, shotguns, and various rifles. I have made or assisted in the arrest of at least 100 persons for violations involving illegal weapons possession. In the course of my employment I have participated in an excess of 30 search warrants which involved the illegal possession of firearms.

CERTIFICATE OF SERVICE

Case Name: **Boland, Lance, et al. v. Robert
Bonta, et al.**

No. **8:22-cv-01421-DFM**

I hereby certify that on December 5, 2022, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

- **Defendant's Opposition to Motion for Preliminary Injunction**
- **Objections to Plaintiffs' Evidence in Support of Motion for Preliminary Injunction**
- **Declaration of Salvador Gonzalez in Support of Defendant's Opposition to Motion for Preliminary Injunction**

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

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on December 5, 2022, at Sacramento, California.

Ritta Mashriqi
Declarant

/s/Ritta Mashriqi
Signature