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8 *Attorneys for Defendant Rob Bonta,*  
*In his official capacity as Attorney*

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

12 **VIRGINIA DUNCAN et al.,**  
13  
14 Plaintiffs,  
15  
16 **v.**  
17 **ROB BONTA, in his official capacity**  
**as Attorney General of the State of**  
**California,**  
18 Defendant.

Case No. 3:17-cv-01017-BEN-JLB

**DECLARATION OF JOHN D.  
ECHEVERRIA RE SUBMISSION  
OF SURVEYS IN RESPONSE TO  
THE COURT'S ORDER ENTERED  
ON DECEMBER 15, 2022**

Dept: 5A  
Judge: Hon. Roger T. Benitez

Action Filed: May 17, 2017

19 I, John D. Echeverria, declare as follows:

20 1. I am a Deputy Attorney General with the California Department of  
21 Justice and serve as counsel to Defendant Rob Bonta, in his official capacity as  
22 Attorney General of the State of California ("Defendant"), in the above-captioned  
23 matter. Except as otherwise stated, I have personal knowledge of the facts set forth  
24 in this declaration, and if called upon as a witness I could testify competently as to  
25 those facts.

26 2. On December 15, 2022, the Court entered an Order providing that  
27 "[t]he state defendants shall create, and the plaintiffs shall meet and confer  
28

1 regarding, a survey or spreadsheet of relevant statutes, laws, or regulations in  
2 chronological order.” Dkt. 134. The Order provides:

3 The listing shall begin at the time of the adoption of the Second  
4 Amendment and continue through twenty years after the Fourteenth  
5 Amendment. For each cited statute/law/regulation, the survey shall  
6 provide: (a) the date of enactment; (b) the enacting state, territory, or  
7 locality; (c) a description of what was restricted (e.g., dirks, daggers,  
8 metal knuckles, storage of gunpowder or cartridges, or use regulations);  
9 (d) what it was that the law or regulation restricted; (e) what type of  
10 weapon was being restricted (e.g., knife, Bowie Knife, stiletto, metal  
11 knuckles, pistols, rifles); (f) if and when the law was repealed and  
12 whether it was replaced; (g) whether the regulation was reviewed by a  
13 court and the outcome of the courts review (with case citation).  
14 Defendants may create a second survey covering a time period following  
15 that of the first list. If opposing parties cannot agree on the inclusion of a  
16 particular entry on the survey, the disagreement shall be indicated and  
17 described on a separate list.

18 3. The parties have met and conferred by email, as required by the  
19 December 15 Order. In compliance with the Court’s Order, Defendant is hereby  
20 submitting Defendant’s two surveys of relevant laws with a separate list of  
21 Plaintiffs’ disagreements about the relevance of those laws.

22 4. Attached hereto as **Exhibit 1** is a true and correct copy of Defendant’s  
23 Survey of Relevant Statutes (Pre-Founding – 1888).

24 5. Attached hereto as **Exhibit 2** is a true and correct copy of Defendant’s  
25 Survey of Relevant Statutes (1889 – 1930s).

26 6. Attached hereto as **Exhibit 3** is a separate list of Plaintiffs’  
27 Disagreements re Defendant’s Survey of Relevant Statutes (Pre-Founding – 1930s).

28 7. The surveys have been filed in compliance with the Court’s Order  
directing the parties to identify all relevant laws, statutes, and regulations from the  
time of the Second Amendment to twenty years after adoption of the Fourteenth  
Amendment. In compliance with that Order and in recognition of the historical  
inquiry mandated by *Bruen*, the spreadsheets identify hundreds of relevant firearms  
laws, some of which were drafted well before the Thirteenth Amendment’s  
abolition of slavery and the Fourteenth Amendment’s Equal Protection  
Clause. While our subsequent briefing, as ordered by the Court, will explain in

1 more detail the historical context and relevance of such laws, the Attorney General  
2 emphasizes his strong disagreement with racial and other improper discrimination  
3 that existed in some such laws, and which stand in stark contrast to California's  
4 commonsense firearm laws, which are designed to justly and equitably protect all  
5 Californians. The listing of such racist and discriminatory statutes should in no  
6 way be construed as an endorsement of such laws by the Attorney General or his  
7 counsel in this matter.

8 I declare under penalty of perjury under the laws of the United States of  
9 America that the foregoing is true and correct. Executed on January 11, 2023, at  
10 San Francisco, California.

11 *s/ John D. Echeverria*

12 John D. Echeverria  
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