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11 Attorneys for Plaintiffs

12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**

14 CALIFORNIA RIFLE & PISTOL
ASSOCIATION, INCORPORATED; THE
15 SECOND AMENDMENT FOUNDATION;
GUN OWNERS OF AMERICA, INC.;
16 GUN OWNERS FOUNDATION; GUN
OWNERS OF CALIFORNIA, INC.;
17 ERICK VELASQUEZ, an individual;
CHARLES MESSEL, an individual;
18 BRIAN WEIMER, an individual;
CLARENCE RIGALI, an individual;
19 KEITH REEVES, an individual, CYNTHIA
GABALDON, an individual; and
20 STEPHEN HOOVER, an individual,

21 Plaintiffs,

22 v.

23 LOS ANGELES COUNTY SHERIFF’S
DEPARTMENT; SHERIFF ROBERT
LUNA, in his official capacity; LA VERNE
24 POLICE DEPARTMENT; LA VERNE
CHIEF OF POLICE COLLEEN FLORES,
25 in her official capacity; ROBERT BONTA,
in his official capacity as Attorney General
26 of the State of California; and DOES 1-10,

27 Defendants.
28

Case No.: 8:23-cv-10169-SPG
(ADSx)

**DECLARATION OF RICHARD
MINNICH IN SUPPORT OF
PLAINTIFFS’ MOTION FOR
PRELIMINARY INJUNCTION**

42 U.S.C. §§ 1983 & 1988

Hearing Date: March 13, 2024
Hearing Time: 1:30 p.m.
Courtroom: 5C
Judge: Hon. Sherilyn Peace Garnett

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DECLARATION OF RICHARD MINNICH

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

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

4. CRPA’s membership includes thousands of individuals who possess current and valid California issued CCW licenses to carry a concealed firearm in public, as well as thousands more in the process of applying for such licenses.

5. Ever since the Supreme Court’s landmark ruling in *Bruen*, CRPA has worked with many Sheriffs and Police Chiefs to make their CCW permitting systems comply with the ruling. A major trouble spot is extremely long wait times. Under state law, there is a 120-day time limit to grant or deny a CCW permit application (previously 90 days before January 1, 2024). Even though many counties had wait times far in excess of 120 days in the wake of *Bruen*, CRPA understood that it would take time for departments to make adjustments and held off on litigation. With CRPA prodding, many departments did indeed improve with time and have seen their permit application procedures improve and gradually speed up.

1 6. But some have not improved, and instead have gotten worse, leaving CRPA
2 with no choice but litigation to vindicate our members’ rights. One of these is the
3 Los Angeles County Sheriff’s Department. I know from dozens of our members, a
4 couple of whom are Plaintiffs in this lawsuit, that LASD currently takes over 18
5 months to process CCW permit applications.

6 7. Indeed, in December of 2023, after this lawsuit was filed, LASD contacted
7 many CRPA members and informed them their scheduled interviews were being
8 delayed an additional *six months*, and that LASD is still working on applications
9 from 2022. Here is an excerpt from that email that has been shared with CRPA:

10
11 If you did not initiate an appointment reschedule
12 and you are receiving this email, you currently
13 have a scheduled interview in the first quarter of
14 2024.

15 Due to unforeseen circumstances, your CCW
16 Interview appointment has been rescheduled for
17 **October 29, 2024 8:00:00 AM PDT.**

18 There are no appointments available prior to July
19 2024.

20 Please note the CCW Unit has been working
21 diligently to process and issue CCW licenses.
22 We apologize for any inconvenience this may
23 cause. We are currently working on our backlog
24 from 2022.

25 8. In *Bruen*, the Supreme Court very clearly stated that lengthy wait times are
26 unconstitutional, and by any reasonable standard, 18 months is far too long. Be it
27 malice, incompetence, or lack of funding from the county, LASD is violating the
28 constitutional rights of CRPA members by taking so long to process CCW permit
applications.

9. Another trouble spot in CCW permit issuance is the issue of exorbitant fees.
California in general has a much more expensive permit process than that of other

1 states, which typically cost under \$100 in fees (though like California several also
2 requiring training, which the applicant pays for).¹ While LASD is extraordinary in
3 its wait times, it is about average in terms of fees, charging applicants a \$43 initial
4 fee, and a \$173 issuance fee. Applicants must also pay for their own livescan
5 service, which is roughly \$100, and also the cost of their training course, which
6 usually ranges between \$150 and \$400, depending on the course. The average
7 applicant will thus pay around \$450-\$600 for their CCW permit application process
8 with LASD.

9 10. While CRPA believes that LASD’s expenses are far too high for the exercise
10 of a constitutional right, they are sadly not the worst offender. In early 2023, CRPA
11 receive many complaints from its members about the City of La Verne and its
12 ridiculous CCW permit application fees. After we discovered the over \$1,000 in
13 expense applicants face, we directed our lawyers to contact the City to attempt to
14 persuade it to reduce its fees. It ultimately did, but only by a negligible amount.
15 Today, La Verne charges \$398 for “processing”, \$100 for “administrative”, \$93 for
16 the DOJ’s licensing fee, \$20 for fingerprinting, \$150 for a mandatory psychological
17 review, and \$175 as the estimated cost of the training course. That puts the City’s
18 total cost at over \$900. We have heard from several of our members, including
19 some plaintiffs in this lawsuit, that they cannot afford these fees and it has stopped
20 them from exercising their rights.

21 11. This situation is likely about to get even worse, because the psychological
22 exam La Verne requires was previously capped at \$150 under California law, with
23 the City having to pay for any cost above that if it decided to mandate a
24 psychological exam. But under new law that took effect on January 1, 2024, the
25 City can now force applicants to foot the entire psychological exam expense
26

27 ¹ Most other states typically have five-year renewal cycles, while California
28 requires renewal every two years. This is another factor that makes California more
expensive.

1 themselves. We have heard at least some members tell us La Verne plans to raise
2 the psychological exam fee to around \$400, further worsening an already expensive
3 application process. We are working to confirm whether or not that is true.

4 12. Many CRPA members, including some Plaintiffs in this lawsuit, object on
5 principle to subjecting themselves to a psychological exam in order to exercise a
6 constitutional right. Most issuing authorities in California do not require a
7 psychological exam, La Verne is one of the few jurisdictions that require one.

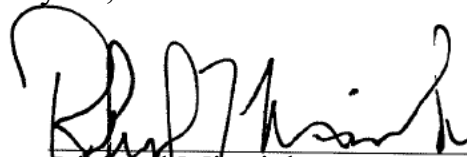
8 13. CRPA considers psychological exams an unconstitutional “suitability”
9 determination of the kind that the Supreme Court has already rejected. Similarly,
10 CRPA has heard that LASD, while it has no psychological exam requirement, also
11 engages in forbidden suitability determinations. We have had complaints from
12 members who have been denied for being the victims of a crime, such as one of the
13 Plaintiffs in this lawsuit. Other CRPA members have been denied because of prior
14 arrests that resulted in no convictions, and still others have been denied because a
15 temporary restraining order was issued against them, even though such orders were
16 ultimately dissolved. Worse yet, CRPA members who have been denied by LASD
17 are told that there is no appeals process, denying them due process.

18 14. Finally, given how many CRPA members reside outside of California, a
19 frequent complaint we receive from our members is regarding California’s refusal
20 to honor the CCW permits of other states, even other states like Arizona and Utah
21 which like California, require a training course and fingerprinting prior to a permit
22 being issued. This is also a problem for CRPA members who live in California and
23 have CCW permits from other states, as they would prefer to use those permits
24 rather than pay exorbitant fees or deal with lengthy wait times. CRPA believes
25 constitutional rights do not end at state lines, yet the right to carry currently does.
26 Even if someone from another state wanted to subject themselves to California’s
27 costly and time-consuming application process, they are forbidden from doing so,
28 and have no right to carry in this state.

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I declare under penalty of perjury that the foregoing is true and correct.

Executed within the United States on January 15, 2024.



Richard Minnich
Declarant

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CERTIFICATE OF SERVICE
IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Case Name: *California Rifle and Pistol Association, et al., v. Los Angeles County Sheriff's Dept., et al.*

Case No.: 8:23-cv-10169-SPG (ADSx)

IT IS HEREBY CERTIFIED THAT:

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 180 East Ocean Boulevard, Suite 200, Long Beach, California 90802.

I am not a party to the above-entitled action. I have caused service of:

DECLARATION OF RICHARD MINNICH IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION

on the following parties, as follows:

Mark R Beckington
Jane E. Reilley
Christina R.B. Lopez, Deputy Attorney General
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Attorney for Defendants

by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them.

Additionally, the following parties were served by transmitting a true copy via electronic mail as follows:

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Attorneys for Defendants La Verne Police Department and La Verne Chief of Police Colleen Flores

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I declare under penalty of perjury that the foregoing is true and correct.

Executed January 26, 2024


Christina Castron