

1 C. D. Michel – SBN 144258
Tiffany D. Chevront – SBN 317144
2 MICHEL & ASSOCIATES, P.C.
180 E. Ocean Blvd., Suite 200
3 Long Beach, CA 90802
Telephone: (562) 216-4444
4 Facsimile: (562) 216-4445
cmichel@michellawyers.com
5

6 Attorneys for Plaintiffs Adam Richards, Jeffrey Vandermeulen, Gerald Clark, Jesse
Harris, On Target Indoor Shooting Range, LLC, Gaalswyk Enterprises, Inc.
(D/B/A/ Smokin’ Barrel Firearms), Gun Owners of California, Inc., Gun Owners of
7 America, Inc., Gun Owners Foundation, and California Rifle & Pistol Association,
Incorporated
8

9 Donald Kilmer – SBN 179986
Law Offices of Don Kilmer, APC
14085 Silver Ridge Rd.
10 Caldwell, Idaho 83607
Telephone: (408) 264-8489
11 Don@DKLawOffice.com

12 Attorney for Plaintiff Second Amendment Foundation

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

15 ADAM RICHARDS, an individual;
JEFFREY VANDERMEULEN, an
16 individual; GERALD CLARK, an
individual; JESSE HARRIS, an
17 individual; ON TARGET INDOOR
SHOOTING RANGE, LLC;
18 GAALSWYK ENTERPRISES, INC.
(D/B/A/ SMOKIN’ BARREL
19 FIREARMS); GUN OWNERS OF
CALIFORNIA, INC.; GUN OWNERS
20 OF AMERICA, INC.; GUN OWNERS
FOUNDATION; CALIFORNIA RIFLE
21 & PISTOL ASSOCIATION,
INCORPORATED; and SECOND
22 AMENDMENT FOUNDATION, a
California Corporation,

23 Plaintiffs,

24 v.

25 GAVIN NEWSOM, in his official
26 capacity as Governor of the State of
California; ROBERT BONTA, in his
27 official capacity as Attorney General of
the State of California, and DOES 1-10,
28

Defendants.

Case No.:

**DECLARATION OF RICHARD
MINNICH IN SUPPORT OF
PLAINTIFFS’ COMPLAINT FOR
DECLARATORY AND INJUNCTIVE
RELIEF**

DECLARATION OF RICHARD MINNICH

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

6 2. CRPA is a non-profit membership organization classified under
7 section 501(c)(4) of the Internal Revenue Code and incorporated under the laws of
8 California, with its headquarters in Fullerton, California.

9 3. Founded in 1875, CRPA seeks to defend the Second Amendment and
10 advance laws that protect the rights of individual citizens. CRPA works to preserve
11 the constitutional and statutory rights of gun ownership, including the rights to self-
12 defense, the right to hunt, and the right to keep and bear arms. CRPA is also
13 dedicated to promoting the shooting sports, providing education, training, and
14 organized competition for adult and junior shooters. CRPA works to defeat anti-
15 Second Amendment and hunting legislation and defend against unconstitutional
16 laws in court. CRPA's members include law enforcement officers, prosecutors,
17 professionals, firearm experts, FFLs, attorneys, gun owners, and members of the
18 general public. CRPA accomplishes these goals through educational offerings,
19 publications, member engagement, legislative advocacy, and litigation.

20 4. CRPA has approximately 500 business affiliates that we work with
21 across the state. Many of these business affiliate members are Federal Firearm
22 Licensees.

23 5. CRPA Business Affiliate members have reached out to CRPA through
24 emails and phone calls, expressing concern over what SB 1384 would do to their
25 businesses and customers. SB 1384 is cost prohibitive to many FFL members and
26 would put them out of business, many do not want intrusive recording in their
27 homes and shops, and others are concerned that customers will be kept away by the
28 violation of their privacy.

1 6. CRPA will also be harmed directly. CRPA has field representatives
2 who enter the business affiliate premises to conduct business, update the business
3 affiliates on news and information, distribute literature, and discuss important
4 political and legal challenges in the state. These CRPA materials and discussions
5 that explain what is happening legislatively, politically, and legally in the state are a
6 convenient way for FFLs to in turn provide that information to their customers.
7 Many CRPA members make the decision to sign up as members while in a gun
8 shop or at a gun show so they can continue receiving this type of information. SB
9 1384 may chill their desire to join a group like CRPA if they know the anti-gun
10 government is monitoring that activity. This will affect CRPAs ability to perform
11 our mission, associate with gun owners looking for information, and protect Second
12 Amendment rights in California.

13 7. CRPA trainers, members, FFLs, and class participants would have
14 their constitutional rights violated under SB 1384 (Section 26806) because their
15 private discussions and actions would be recorded, some of which have nothing to
16 do with the purchase of a firearm.

17 8. CRPA has tens of thousands of members and supporters, many of
18 whom, like myself, frequent gun stores and gun shows to engage in lawful
19 purchases, expressive activities with like-minded people, including discussions
20 related to firearms, ammunition, accessories, the shooting sports, politics, and the
21 Second Amendment.

22 9. Because SB 1384 would force the recording of many of these private
23 conversations, CRPA members may be deterred from entering the FFL
24 establishments to conduct these constitutionally protected activities. They would
25 also have to choose between allowing some rights to be violated in order to exercise
26 other rights.

27 10. Under SB 1384, CRPA members who are FFLs would be forced by the
28 government to purchase expensive monitoring equipment, record all activities 24

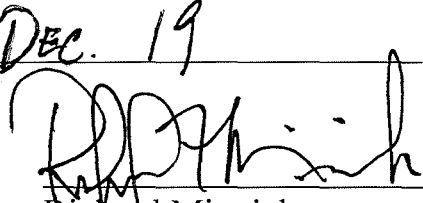
1 hours per day, and record the activities of their customers who may not consent to
2 being recorded, thus opening them up to potential liability for violating customer
3 privacy.

4 11. If SB 1384's recording provisions are allowed to stay in place,
5 CRPA's members' and supporters' constitutional rights will be violated and CRPA
6 will be prevented from carrying out its full mission because of the ever-present
7 government surveillance scheme found in SB 1384.

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

9 Executed within in the United States on Dec. 19, 2023.

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



Richard Minnich
Declarant