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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 CLARENCE
RIGALI 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 CLARENCE RIGALI

1. I, Clarence Rigali, am 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. I am a current resident of Los Angeles County, California and reside within the City of La Verne.

3. I am a law-abiding adult who is not prohibited from owning firearms under the laws of the United States of America or the state of California. I am a member of the California Rifle & Pistol Association, another plaintiff in this matter.

4. I am sixty years of age and disabled. I worked as a Union Millwright from 1981 until 2003, when I was injured in a serious power plant accident causing my disability.

5. I possess a Utah CCW permit, which required a background check and a safety course to obtain.

6. I live in a senior citizen mobile home park on a fixed income. Because of this, the total expense of getting a CCW permit from the La Verne Police Department, which is somewhere between \$900-\$1100 depending on the cost of the training course, is out of the question for me. I have been priced out of my constitutional right to bear arms.

7. I also object to the psychological exam La Verne requires, which is an unconstitutional suitability determination. Part of the reason for my objection is my terrible prior experience with psychologists.

8. When I sustained my work-related injury in 2003, I had between 240 – 480 volts of electricity enter my left forearm and exit both sides of my head, melting the metal fillings in my teeth as it passed through. A protracted lawsuit ensued following that injury, and I was sent to several antagonistic psychologists for examination as the defense tried to disprove his injuries.

9. That horrible experience has made me especially apprehensive about

1 subjecting myself to another such exam, let alone as a precondition to exercising an
2 enumerated constitutional right.

3 10. Further, La Verne requires that applicants undergo psychological exams not
4 locally, but in San Bernardino, 35 miles away. Such a travel requirement to be
5 issued a permit to exercise a right represents an infringement of the right to bear
6 arms that would be permitted in no other constitutional context, particularly given
7 my disability.

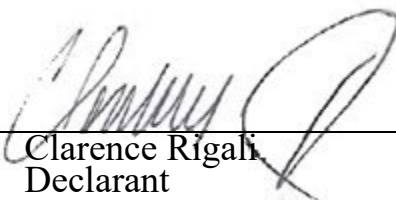
8 11. To make matters worse, I understand that due to a recent change in
9 California law “uncapping” the prior \$150 maximum that may be charged for the
10 psychological exam, La Verne is rumored to be raising the price of the exam by an
11 additional \$250, putting the total expense of obtaining a permit at around \$1,200 or
12 more, depending on the cost of the training course.

13 12. I pray this Court will help me and others in similar situations. La Verne
14 should either be ordered to lower its fees dramatically, or alternatively, this Court
15 should force California to honor my Utah CCW permit.

16
17 I declare under penalty of perjury that the foregoing is true and correct.

18 Executed within the United States on January 12, 2024.

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Clarence Rigali
Declarant

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

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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 CLARENCE RIGALI 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:

Dawyn R. Harrison, County Counsel
Caroline Shahinian, Deputy County Counsel
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mca@jones-mayer.com

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

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

Executed January 26, 2024


Christina Castron

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