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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 ERICK
VELASQUEZ 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

DECLARATION OF ERICK VELASQUEZ

1
2 1. I, Erick Velasquez, am a plaintiff in the above-entitled action. I make this
3 declaration of my own personal knowledge and, if called as a witness, I could and
4 would testify competently to the truth of the matters set forth herein.

5 2. I am a current resident of Los Angeles County, California.

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

9 4. I formerly held a valid and current California concealed carry weapon
10 (“CCW”) permit issued by the Los Angeles County Sheriff’s Department, and
11 carried a handgun daily for two years, without incident.

12 5. On April 10, 2023, I submitted my CCW permit renewal application with the
13 Los Angeles County Sheriff’s Department, expecting a simple process and quick
14 approval given there had been no issues the last two years.

15 6. Then, on May 3, 2023, I was the victim of a crime. A burglar broke into my
16 vehicle and stole three handguns, along with other valuables. The handguns were
17 stored in a range bag in the locked trunk of my car, in compliance with California
18 Penal Code 25610(a)(1).

19 7. I promptly called the police to report the theft. An officer from the Vernon
20 Police Department arrived at the scene and took a report, which noted that I was
21 eager to have the thief brought to justice. But as of this date, the perpetrator has not
22 been found, which is deeply upsetting to me.

23 8. On August 23, 2023, the Sheriff’s Department denied my CCW permit
24 renewal application. As a reason for the denial, the letter had the box for “other”
25 checked, but provided no further explanation. I called the Department and got in
26 touch with Sergeant Berner, who explained that the theft of my firearms was the
27 reason for the denial. He also informed me that there was no appeal process.

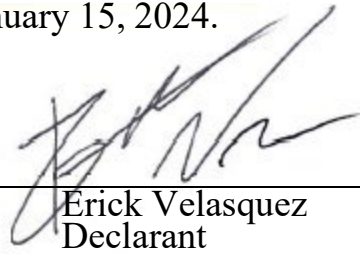
28 9. This is an especially outrageous reason to deny me my CCW permit renewal,

1 because if being the victim of a firearm *theft* is sufficient grounds to disarm me,
2 then many LASD deputies who lost their guns would need to be disarmed too,
3 given that “at least 103 L.A. County Sheriff’s Department guns, ranging from
4 service handguns to shotguns, were lost or stolen [between 2011 and 2016].”¹

5 10. My being a victim of a crime is not a valid reason to deny me a constitutional
6 right, particularly when I quickly complied in good faith with California law in
7 reporting the theft of my firearms, and I had carried for two years without issue. I
8 hope this Court will correct this infringement against my rights.

9
10 I declare under penalty of perjury that the foregoing is true and correct.

11 Executed within the United States on January 15, 2024.

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Erick Velasquez
Declarant

27 ¹ Tony Saavedra, *Police might not know where their guns are, and the law*
28 *says that’s OK*, Orange County Register (September 28, 2016),
<https://www.ocregister.com/2016/09/28/police-might-not-know-where-their-guns-are-and-the-law-says-thats-ok/amp/> (as of September 21, 2023).

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 ERICK VELASQUEZ 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

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

1 Executed January 26, 2024

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3 Christina Castron

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