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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 JIM
CARLSON 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 JIM CARLSON

I, Jim Carlson, declare as follows:

1. I am a resident of Los Angeles County, California, and make this Declaration stating my personal knowledge of the following set forth herein.

2. 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, a plaintiff in this matter.

3. I applied for and received a CCW permit from the La Verne Police Department. I write this declaration to summarize my experience with the psychological examination portion of the process.

4. The examination is administered at a facility in San Bernardino, and it took me driving over an hour each way to get to the exam facility. The exam is only offered on weekdays, making traffic difficult.

5. The facility is set up for interviewing and testing people applying for roles in law enforcement, not civilians exercising their right to carry.

6. Next, the exam is over 100 questions long, it is a multiple-choice type test that repeats similar questions with different wording, asking questions about the desire to be high, drunk, or out of control, and if you like drugs or have addiction type tendencies.

7. The questions also ask if you want to hurt yourself or other people, and how often you feel that way. The exam never asks questions about whether you would feel safer if you had a side arm, or what you might do in a situation where you had to use it, or what help might be available if you have negative emotions from any self-defense situations.

8. The test is then handed in, and you are interviewed. The interviewer asks general questions about how you are and your history.

9. The process took me over three hours, not including the drive each way. All in all, I lost the better part of the day to take this exam.

1 10. In my opinion, this exam is not reasonable at all as a prerequisite for
2 exercising a constitutional right. Even if some psychological exam could be
3 acceptable, and I don't think the constitution allows for that, *this* exam is beyond
4 the pale. Both in terms of how it is conducted, and the circumstances around it (the
5 length of time it takes and only being available a long distance away, on weekdays,
6 and for an extra \$150 in expense).

7 11. While I forced myself through it in order to be able to exercise my
8 right to carry, others should not have to do so. I hope this Court rules for the
9 Plaintiffs. Aside from the abuses of the psychological examination, the expense was
10 also completely unreasonable. Counting all expenses, I paid approximately \$1,200
11 to get my CCW permit. This is supposed to be a constitutional right. While I could
12 afford it, certainly many people are not so fortunate.

13
14 I declare under penalty of perjury that the foregoing is true and correct.
15 Executed within the United States on January 15, 2024.

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18 _____
19 Jim Carlson
20 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 JIM CARLSON 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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I declare under penalty of perjury that the foregoing is true and correct.

Executed January 26, 2024


Christina Castron