

1 Bruce A. Lindsay, Esq., SBN 102794  
bal@jones-mayer.com  
2 Monica Choi Arredondo, Esq., SBN 215847  
mca@jones-mayer.com  
3 JONES MAYER  
3777 North Harbor Boulevard  
4 Fullerton, CA 92835  
Telephone: (714) 446-1400  
5 Facsimile: (714) 446-1448

6 Attorneys for Defendants,  
LA VERNE POLICE DEPARTMENT and LA  
7 VERNE CHIEF OF POLICE COLLEEN FLORES

8  
9 UNITED STATES DISTRICT COURT  
10 CENTRAL DISTRICT OF CALIFORNIA  
11

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

19 Plaintiffs,

20 v.

21  
22 LOS ANGELES COUNTY SHERIFF'S  
DEPARTMENT; SHERIFF ROBERT  
LUNA in his official capacity; LA VERNE  
23 POLICE DEPARTMENT; LA VERNE  
CHIEF OF POLICE COLLEEN FLORES,  
24 in her official capacity; ROBERT BONTE,  
in his official capacity as Attorney General  
25 of the State of California; and DOES 1-10,

26 Defendants.  
27  
28

Case No. 2:23-cv-10169-SPG-ADS

*Honorable Sherilyn Peace Garnett  
Magistrate Judge Autumn D. Spaeth*

**DEFENDANTS LA VERNE  
POLICE DEPARTMENT AND LA  
VERNE CHIEF OF POLICE,  
COLLEEN FLORES' NOTICE OF  
AND OPPOSITION TO  
PLAINTIFFS' MOTION FOR  
PRELIMINARY INJUNCTION**

*[Filed concurrently with: Declaration of  
Acting Chief Sam Gonzalez; Declaration  
of Chief Colleen Flores; Declaration of  
Lt. Chris Dransfeldt; and Objections to  
Plaintiffs' Evidence]*

Hearing Date: March 13, 2024  
Hearing Time: 1:30 p.m.  
Courtroom: 5C



1 TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

2 Defendants LA VERNE POLICE DEPARTMENT, LA VERNE CHIEF OF  
3 POLICE COLLEEN FLORES (“La Verne Defendants”) submit this opposition to  
4 Plaintiffs’ Motion for Preliminary Injunction (the “Motion”).

5 The Motion improperly seeks to enjoin the City’s Police Department and its  
6 Police Chief from maintaining and administering a concealed carry weapon (“CCW”)  
7 permit application and approval process that complies in all respects with the permitting  
8 process established by the State of California. In doing so, the Plaintiffs ask this Court  
9 to unilaterally expand the holding of the *Bruen*<sup>1</sup> decision of the United States Supreme  
10 Court far beyond its actual holding, in effect seeking to create new law based on their  
11 misconception of the majority decision in *Bruen*. As such, the Plaintiffs’ case is not  
12 likely to prevail on the merits, and the Plaintiffs will suffer no irreparable harm, making  
13 granting the preliminary injunction legally without merit.

14 This Opposition is based on this Notice; the attached Memorandum of Points and  
15 Authorities; the concurrently submitted Declarations of Chief Flores, Acting Chief  
16 Gonzalez and Lt. Chris Dransfeldt (and exhibit thereto); concurrently submitted  
17 Objections to Plaintiffs’ Evidence; and such arguments as may be presented at the  
18 hearing of the Motion.

19 Thus, the La Verne Defendants respectfully request that the Plaintiffs’ Motion be  
20 denied in its entirety.

21 Dated: February 21, 2024

JONES MAYER

22 By: /s/Bruce A. Lindsay  
23 Bruce A. Lindsay  
24 Monica Choi Arredondo  
25 Attorneys for Defendants,  
26 LA VERNE POLICE DEPARTMENT and  
27 LA VERNE CHIEF OF POLICE  
28 COLLEEN FLORES

<sup>1</sup> *N.Y. State Rifle & Pistol Ass’n v. Bruen* (2022) 597 U.S. 1, 142 S. Ct. 2111, 213 L. Ed. 2d 387. (“*Bruen*”)



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## MEMORANDUM OF POINTS AND AUTHORITIES

### I. INTRODUCTION

When the Los Angeles County Sheriff elected to no longer process concealed carry weapon (“CCW”) permits for County residents that did not live in unincorporated parts of the County, the burden fell on local police departments, including the La Verne Police Department (“LVPD”), to take in applications for and to administer the issuance of CCW permits to qualified applicants. In recognition of this new responsibility, La Verne Police Chief Colleen Flores and her staff studied the legal landscape involved in the CCW permitting process and regulations, including California’s CCW permitting regulations set forth in California Penal Code §§ 26150 *et seq.*, in order to devise a permitting process that complied with California law. The result was a Code-compliant CCW permitting process that fairly meets the requirements of the CCW permitting regulations of the California Penal Code, using a permissible fee structure adopted by the La Verne City Council.

California law requires a Chief of Police, such as the Chief of the LVPD, to issue a CCW permit to any applicant that meets all of the requirements of California Penal Code § 26155.<sup>2</sup> Once the applicant has met the requirements, the LVPD **must issue** the CCW permit to the applicant. Contrary to the claims of the Plaintiffs, the City and LVPD do not have “discretion” to issue the CCW permit once the applicant meets the requirements and pays the legally required fees. The process is a “shall-issue” CCW permit regime, in compliance with California and Federal law, which clearly distinguishes it from the completely discretionary, and arbitrary, CCW permitting process of New York found to be unconstitutional by the Supreme Court in *N.Y. State*

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<sup>2</sup> The requirements to be met by CCW applicants include: 1) they are not disqualified to receive the license, 2) they are at least 21 years old, 3) they are a resident of the city, 4) they have completed the necessary firearms training course; and 5) they are the recorded owner of the firearm for which the permit will be issued. Cal. Pen. Code § 26155(a). In addition, if required by the City, as here, they must pass the required psychological exam. *Id.* § 26190(e).

1 *Rifle & Pistol Ass’n v. Bruen*, 597 U.S. 1, 142 S. Ct. 2111, 213 L. Ed. 2d 387 (2022)  
2 (hereinafter “*Bruen*”), upon which Plaintiffs incorrectly rely in challenging LVPD’s  
3 constitutional CCW permit process.

4 The average processing time for a CCW permit under the LVPD program is  
5 approximately three months, due in large measure to the decision of the LVPD to use  
6 an outside vendor, MyCCW, to facilitate the application process and to reduce the need  
7 for LVPD staff to spend significant time reviewing and processing the applications,  
8 thereby avoiding the additional expense that CCW permit applicants would have to pay.  
9 (Declaration of Acting Chief Sam Gonzalez (“Gonzalez Dec.”), ¶ 7.) As permitted by  
10 California Penal Code § 26190, the City charges CCW applicants \$190, which  
11 represents the reasonable costs that LVPD incurs in the processing of the CCW  
12 application. In addition, applicants must pay: (1) the fee required by the State of  
13 California Department of Justice (“DOJ”) for the LiveScan report (\$93); (2) the cost of  
14 the program administration vendor MyCCW (\$398); (3) the fee for the required third  
15 party firearms training provider (\$250), which is paid directly by the applicant to the  
16 provider; and (4) the psychological examination fee (\$150), which is explicitly  
17 permitted by California Penal Code § 26190(e). As stated in the Declaration of Acting  
18 Chief Gonzalez, the City underwrites half of the \$300 fee for the psychological exam,  
19 such that the cost of the exam to the applicant has not exceeded the \$150 fee that was  
20 previously allowed by section 26190. (Gonzalez Dec., ¶¶ 8-10; Declaration of Chief  
21 Colleen Flores (“Flores Dec.”), ¶¶ 9-10.)

22 Since the City underwrites half of the cost of the psychological examination, it  
23 actually nets only \$40 of the \$190 fee it collects from an applicant, hardly an  
24 “exorbitant” fee, as claimed by Plaintiffs. (Gonzales Dec., ¶ 10.) The other fees do not  
25 go to the City, they go to the DOJ, MyCCW, the psychological examiner and the  
26 firearms training provider.

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1 **II. LEGAL AUTHORITY**

2 **A. Standard for Granting a Preliminary Injunction**

3 Granting a preliminary injunction is “an extraordinary and drastic remedy, one  
4 that should not be granted unless the movant, by a clear showing, carries the burden of  
5 persuasion.” *Mazurek v. Armstrong*, 520 U.S. 968, 972, 117 S. Ct. 1865, 138 L. Ed. 2d  
6 162 (1997). The substantive standard for ruling on a preliminary injunction is the same  
7 as that for ruling on a temporary restraining order.

8 To obtain a preliminary injunction, Plaintiffs must establish all of the following:  
9 (1) that they will likely succeed on the merits, (2) that they will suffer irreparable harm  
10 in the absence of injunctive relief, (3) that the balance of equities weighs in their favor,  
11 and (4) that it is in the public’s interest to grant injunctive relief. *Id.*, 555 U.S. at 20,  
12 129 S. Ct. at 374, 172 L. Ed. 2d at 261.

13 Plaintiffs fail to establish that they are entitled to injunctive relief, as they are not  
14 likely to prevail on the merits; will not suffer irreparable harm by complying with the  
15 LVPD CCW permitting process and paying the reasonable fees that are required; cannot  
16 establish that the balance of equities weighs in their favor; and the City has a strong  
17 public interest in protecting the safety of its residents and community, as shown below.

18 **B. Plaintiffs Have Failed to Establish they Are Likely to Succeed on the**  
19 **Merits**

20 **1. Plaintiffs Grossly Misconstrue the Ruling in *Bruen***

21 As an initial matter, the Plaintiffs are asking this Court to expand *Bruen* far  
22 beyond its holding. The Court in *Bruen* was presented with a challenge to the  
23 constitutionality of New York’s CCW license law, which required the applicant to prove  
24 to the licensing authority (usually a judge or law enforcement officer) that they had  
25 “proper cause” to carry a concealed pistol or revolver outside the home. The term was  
26 not defined, but case law construed “proper cause” to mean a special need for self-  
27 protection distinguishable from that of the general community. Living or working in  
28 an area noted for high criminal activity did not suffice as a proper purpose. *Bruen*, 597

1 U.S. at 11-13, 142 S. Ct. at 2122-23, 213 L. Ed. 2d at 402. Worse, judicial review of the  
2 denial of a license under New York’s CCW scheme was limited, as the courts deferred  
3 to the finding of the licensing authority unless it was found to be arbitrary and  
4 capricious, essentially leaving denied applicants without a remedy. *Id.*

5 The Court deemed the New York CCW scheme to be a “may issue” licensing law  
6 that impermissibly allowed a New York licensing authority to deny a CCW license to  
7 an applicant that otherwise met all of the statutory requirements for the license. *Id.*, 597  
8 U.S. at 13-15, 142 S. Ct. at 2123-24, 213 L. Ed. 2d at 402-403.

9 In doing so, however, the Court acknowledged that “the right secured by the  
10 Second Amendment is not unlimited.” *Id.*, 597 U.S. at 21, 142 S. Ct. at 2128, 213 L.  
11 Ed 2d at 407. The Court explained that “[f]rom Blackstone through the 19th-century  
12 cases, commentators and courts have routinely explained that the right was not a right  
13 to keep and carry any weapon whatsoever in any manner whatsoever and for whatever  
14 purpose.” *Id.* (internal quote and citation omitted.) Hence, the Supreme Court  
15 recognized that certain checks on the right granted by the Second Amendment are  
16 permissible, even desirable.

17 In *Bruen*, the Court found that the petitioners were “ordinary, law-abiding, adult  
18 citizens,” who the Second Amendment gives the right to carry handguns in public for  
19 self-protection. The Court concluded that they were wrongly denied this right by the  
20 New York licensing authorities. *Id.*, 597 U.S. at 31-32, 142 S. Ct. at 2134, 213 L. Ed.  
21 2d at 414. Implicit in this ruling by the Court is the fact that people that are not  
22 “ordinary, law-abiding, adult citizens” are not given the right to carry handguns in  
23 public by the Second Amendment.

24 Because of this, it is incumbent on the licensing authority to determine whether  
25 or not an applicant for a CCW permit or license is an ordinary, law-abiding, adult citizen  
26 before issuing them a CCW permit. It is precisely this duty that California’s CCW  
27 licensing laws of Penal Code §§ 26150 *et seq.*, and the LVPD’s CCW application  
28 process are designed to determine: to prevent dangerous, non-law-abiding people from



1 being given a license or permit to carry concealed guns in public and the potential  
2 danger and tragedy that could very well ensue.

3 It should be noted that following the announcement of the decision in *Bruen*,  
4 California amended its CCW laws such that it is now a “shall issue” license jurisdiction,  
5 not a “may issue” license jurisdiction as before. See Cal. Penal Code § 26155  
6 (providing that upon application for a CCW license “... the chief ... of a municipal  
7 police department of any city ... **shall issue** or renew a [CCW] license to that person  
8 upon proof of all of the following....”) (*emphasis added.*)

9 The *Bruen* Court held, “New York’s proper cause requirement violates the  
10 Fourteenth Amendment in that it prevents law-abiding citizens with self-defense needs  
11 from exercising their right to keep and bear arms.” *Id.*, 597 U.S. at 71, 142 S. Ct.at  
12 2156, 213 L. Ed. 2d at 438. The Court in *Bruen* did not hold, since the issues were not  
13 before it, that a CCW licensing authority could not charge an applicant for the  
14 reasonable cost of processing the application or that the licensing authority could not  
15 require a psychological examination to confirm that the applicant is law-abiding and  
16 not a danger to themselves, to others or the community at large. Nevertheless, Plaintiffs  
17 ask the Court to interpret the *Bruen* Court’s narrow holding to bar reasonable CCW  
18 application fees and psychological examinations altogether.

19 Most importantly, the Supreme Court did not hold that requiring a person to  
20 obtain a license or permit to carry a concealed handgun in public was unconstitutional.  
21 What was unconstitutional about New York’s CCW scheme was the fact that law-  
22 abiding adults that felt a need to carry a handgun in public for self-defense were denied  
23 that right granted by the Second Amendment by the New York authorities even though  
24 they otherwise met the requirements for the license or permit, if they could not  
25 demonstrate a specialized or unique need for self-defense, to the satisfaction of the  
26 licensing authority. That is not the case under California’s CCW licensing  
27 requirements, nor under the LVPD CCW permit process. Neither California’s nor  
28 LVPD’s CCW licensing scheme requires an applicant to demonstrate a specialized or

1 unique need for self-defense, as the New York scheme struck down in *Bruen* did.

2           **2. The LVPD Follows California Law in Administering its CCW**  
3           **Permit Application Process**

4           Cal. Penal Code § 26155 sets forth the requirements to be observed by the LVPD  
5 and its Chief in considering and processing CCW permit applications. In particular,  
6 that section requires the LVPD to issue a CCW permit or “license” to an applicant that  
7 meets all of the criteria, including that: (1) the applicant is not disqualified from having  
8 a CCW permit; (2) the applicant is at least 21 years of age; (3) the applicant is a resident  
9 of the City; (4) the applicant has completed the required firearms training course; and  
10 (5) the applicant is the recorded owner of the firearm for which the permit will be issued.  
11 In addition, State law allows, and the LVPD requires, that the applicant undergo a  
12 psychological examination. See Cal. Pen. Code § 26190(e). Each of these requirements  
13 is necessary and designed to ensure that a CCW applicant is an “ordinary, law-abiding,  
14 adult citizen” for whom the Second Amendment right to carry a concealed handgun in  
15 public exists.

16           **3. The *Bruen* Holding Does Not Invalidate the Fees or the**  
17           **Psychological Examination Requirement of the LVPD CCW**  
18           **Permit Process**

19           As indicated, Plaintiffs seek to expand the holding of *Bruen* beyond the issue that  
20 was actually considered and ruled upon, by (1) latching onto dictum in a footnote  
21 regarding “exorbitant” fees (footnote 9), and (2) mischaracterizing a psychological  
22 examination as an improper exercise of discretion by the LVPD. *Bruen*, 597 U.S. at  
23 133, 142 S. Ct. at 2191, 213 L. Ed. 2d at 478. However, a clear reading of *Bruen*  
24 demonstrates that these issues were not before the Court. There was no discussion of  
25 either issue in the case. The Court in *Bruen* simply did not elucidate what constitutes  
26 an “exorbitant” fee. *Id.* Nor did it hold that a psychological examination of an applicant  
27 using the time-honored and proven Minnesota Multiphasic Personality Inventory  
28 (“MMPI”) personality evaluator is a forbidden violation of an applicant’s Second

1 Amendment rights. In fact, the *Bruen* decision makes absolutely no mention of a  
2 psychological exam component of a CCW permit application.

3 Since the Supreme Court has not decided what constitutes an “exorbitant” fee for  
4 processing a CCW permit application, one can turn to the dictionary for the ordinary  
5 meaning of the word. The Merriam-Webster Dictionary defines it as “exceeding the  
6 customary or appropriate limits in intensity, quality, amount, or size.”<sup>3</sup>

7 Plaintiffs have not explained how charging the actual cost for the LVPD to  
8 process a CCW permit application is somehow exorbitant (i.e., exceeding the customary  
9 or appropriate limits or amount).

10 The LVPD and the City have a foremost concern for the safety of their residents  
11 and community and that involves taking the steps necessary to confirm that CCW permit  
12 applicants are law-abiding citizens that do not pose a danger to themselves, to others or  
13 to the community. At a time when mass shootings have unfortunately become the norm  
14 all across the country, the City has a duty to its residents and community to ensure the  
15 safety of its entire community to the best of its ability. That other agencies choose not  
16 to make the same robust inquiry and determination that applicants are not disqualified  
17 from possessing a CCW permit does not make the fees charged by the LVPD exorbitant  
18 or the requirement of a psychological exam unreasonable. Some of the other agencies  
19 charge less, whether because they are not making a thorough investigation of the key  
20 requirement for the Second Amendment right to apply to applicants at all, in the very  
21 words of the Supreme Court, that the applicants are “ordinary, law-abiding, adult  
22 citizens,” or because they have chosen to subsidize some or all of the costs involved.

23 Others choosing less oversight of the permitting process should not be the  
24 measure of reasonable fees or whether psychological examinations of applicants are  
25 constitutional.

26 ///

27 \_\_\_\_\_  
28 <sup>3</sup> See <https://www.merriam-webster.com/dictionary/exorbitant>.

1                   **4. The Fees Charged by the LVPD Are Not Unreasonable, Let**  
2                   **Alone “Exorbitant”**

3                   The City is not profiting from the CCW permit application process and the fees  
4 that are collected. In reality, the City receives only \$40 of the \$190 in fees that are  
5 charged by the City for the initial permit. This is because the psychological examination  
6 costs \$300 and the applicant pays just \$150 for the exam, with the City underwriting  
7 the remaining \$150 charge. The remaining fees for the application process are charges  
8 by the State DOJ (\$93), the processing and administrative fees of MyCCW (\$398), and  
9 the cost of the required firearms safety training course (\$250). (Gonzalez Dec., ¶¶ 8  
10 and 10.)

11                  The total cost for the initial permit is \$936, of which the City receives a net fee  
12 of \$40 (after paying the \$150 for the psychological exam), as the City simply passes on  
13 the fees of the DOJ and MyCCW. The applicant must pay the \$150 charge for the  
14 psychological exam and the fee for the firearms training course, which fee is paid  
15 directly to the training provider. (*Id.* at ¶¶ 8-10.)

16                  The fees charged by the LVPD are the result of a studied analysis of the  
17 investigation needed to meet the requirements of the State’s CCW permitting laws. In  
18 other words, the City analyzed the time that would be needed for its LVPD staff to  
19 process initial and renewal CCW permit applications and determined that it would cost  
20 the applicants less if the process was performed by an outside vendor, MyCCW, than  
21 by City staff. (*Id.* at ¶¶ 3-6.)

22                  Plaintiffs base their claim that LVPD’s fees are exorbitant by comparing them to  
23 the lesser charges of only five (5) other agencies. (See Plaintiffs’ Brief, at 11:17 to  
24 12:6; Complaint, ¶ 98.)

25                  By comparison, the City’s Acting Chief cited a dozen cities in Los Angeles  
26 County whose CCW permit application costs exceed those of the City of La Verne,  
27 including Santa Monica (\$1,281), Palos Verdes (\$1,259), Southgate (\$1,121),  
28 Alhambra (\$1,096), Hawthorne (\$1,016), Baldwin Park (\$960), Bell Gardens (\$960)

1 and Claremont (\$941), Signal Hill (\$941), Downey (\$941), El Segundo (\$941), and San  
2 Gabriel (\$941) for CCW permit applications. (See Gonzalez Dec., ¶¶ 13-14 & Exh. 1  
3 thereto.) Santa Monica’s cost in particular is \$345 more than LVPD’s. (*Id.* at ¶¶ 8, 13-  
4 14 & Exh. 1 thereto.)

5 Plaintiffs also base their claim that LVPD’s fees are exorbitant by relying on an  
6 **unpublished** decision from the U.S. District Court of the Northern Mariana Islands,  
7 which is neither binding on this Court nor persuasive. *See Murphy v. Guerrero*, 2016  
8 WL 5508998, at \*24 (D. N. Mar. I. Sept. 28, 2016).

9 Charging applicants for the actual costs involved in processing their CCW permit  
10 applications is reasonable and clearly does not “exceed[] customary or appropriate  
11 limits or amounts.” Citing five examples of agencies in Los Angeles County that charge  
12 less than LVPD and an unpublished, non-binding decision from another district court  
13 jurisdiction does not establish that LVPD’s charges are exorbitant.

14 **5. The Psychological Examination Required by the LVPD Does**  
15 **Not Impose a Discretionary Component in the CCW Permit**  
16 **Application and Approval Process**

17 The City requires a psychological examination of applicants as part of its  
18 investigation into their status as law-abiding citizens. The examination utilizes the  
19 MMPI, which is a personality and psychopathology indicator that has been widely used  
20 throughout the nation for decades. The City uses the same contractor to perform the  
21 psychological examinations of CCW applicants that it uses for applicants for  
22 employment with the LVPD. (Flores Dec., ¶ 8.) The goal of the psychological  
23 examinations is to ensure that the applicants are not a danger to themselves, to others  
24 or to the community at large, as required by California Penal Code § 26190. (*Id.* at ¶ 7.)

25 The examination is the City’s tool for determining that applicants who are issued  
26 their CCW permit are ordinary, law-abiding adults who have the right to carry a  
27 concealed handgun, as the Supreme Court made clear in *Bruen*, and as California’s  
28 CCW permit or licensing regulations of California Penal Code § 26150, *et seq.* require.

1 Plaintiffs proffer no evidence that the psychological examination utilizing the  
2 MMPI is a “discretionary tool” used by the LVPD or the City to deny ordinary, law-  
3 abiding adults a permit to carry a concealed handgun. Rather, the MMPI is a  
4 standardized psychometric test of adult personality and psychopathology with an  
5 established rubric. (Flores Dec., ¶¶ 7-8.) Enjoining the City from requiring that CCW  
6 applicants pass a psychological examination would increase the likelihood that  
7 applicants who are not law-abiding, or who are a danger to themselves, to others or to  
8 the community to, will be issued a permit to carry a concealed weapon in public.

9 **C. Plaintiffs Have Failed to Establish They Will Suffer Irreparable Harm**

10 Plaintiffs Gabaldon, Rigali and Reeves’ purported inability to pay the fees  
11 necessary to obtain a CCW permit from the City is not an “irreparable” harm. The  
12 charging of fees required to exercise constitutional rights has been upheld by the  
13 Supreme Court for over 80 years. *See, e.g., Cox v. New Hampshire*, 312 U.S. 569, 577,  
14 61 S. Ct. 762, 85 L. Ed. 1049 (1941) (fees charged to hold rallies or parades  
15 constitutional though affecting First Amendment rights.) Moreover, these Plaintiffs  
16 have only stated in conclusory terms, without any substantive basis, that they cannot  
17 afford the CCW fees. They have not demonstrated how the CCW fees are beyond their  
18 means, as opposed to an expense that they would rather not incur.

19 On the other hand, the City will be irreparably harmed if it is forced to  
20 (1) subsidize an even larger portion of the CCW permit processing costs than it has  
21 already undertaken, (Gonzalez Dec., ¶ 10; Flores Dec., ¶¶ 9-10); and (2) grant CCW  
22 permits to applicants without requiring a psychological examination, which would  
23 potentially result in the issuance of CCW permits to individuals who may present a  
24 danger to themselves, to others, and/or to the community at large.

25 **D. The Public Interest Weighs in Favor of Denying the Preliminary**  
26 **Injunction**

27 With the ever-increasing number of mass shootings across the country, many of  
28 which involve individuals who are clearly dangers to others and to themselves,

1 municipalities such as the City have a strong interest in protecting the safety of their  
2 residents and community. (Flores Dec., ¶ 9.) The public at large stands to benefit from  
3 the LVPD CCW permit application process which seeks to ensure that applicants are  
4 law-abiding adults who do not pose a danger to themselves or others. This public  
5 benefit should not be cast aside by granting an injunction based on Plaintiffs’ unfounded  
6 claims that the LVPD CCW application fees are “exorbitant” or that the psychological  
7 examination based on the MMPI is akin to the completely discretionary, and arbitrary,  
8 CCW permitting system of New York that violated the Federal Constitution.

9 **III. CONCLUSION**

10 Based on the above, the La Verne Defendants respectfully request that Plaintiffs’  
11 Motion for Preliminary Injunction be denied in its entirety.

12 Dated: February 21, 2024

JONES MAYER

13 By: /s/Bruce A. Lindsay

14 Bruce A. Lindsay  
15 Monica Choi Arredondo  
16 Attorneys for Defendants,  
17 LA VERNE POLICE DEPARTMENT and  
18 LA VERNE CHIEF OF POLICE  
19 COLLEEN FLORES