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LA VERNE POLICE DEPARTMENT, LA VERNE
CHIEF OF POLICE COLLEEN FLORES

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

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

Plaintiffs,

v.

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

Defendants.

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'
SUPPLEMENTAL OBJECTIONS
TO EVIDENCE SUBMITTED IN
SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY
INJUNCTION**

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 (“City”) and LA VERNE
3 CHIEF OF POLICE COLLEEN FLORES hereby submit the following supplemental
4 objections to the following evidence submitted in support of Plaintiffs’ Motion for
5 Preliminary Injunction, on the grounds set forth below:

6 • Cumberland County, Pennsylvania License to Carry Firearms Webpage,
7 attached as Exhibit A to Plaintiffs’ Request for Judicial Notice (“RJN”) in Support of
8 Plaintiffs’ Motion for Preliminary Injunction;

9 • Arizona Department of Public Safety Concealed Weapons and Permits
10 Webpage, attached as Exhibit C to Plaintiffs’ RJN in Support of Plaintiffs’ Motion for
11 Preliminary Injunction;

12 • Texas Department of Public Safety, License to Carry (LTC) Fee Table,
13 attached as Exhibit D to Plaintiffs’ RJN in Support of Plaintiffs’ Motion for Preliminary
14 Injunction;

15 • Utah Department of Public Safety – “How do I apply for a Concealed
16 Firearm Permit?” Webpage, attached as Exhibit E to Plaintiffs’ RJN in Support of
17 Plaintiffs’ Motion for Preliminary Injunction;

18 • Washington Department of Licensing – Fees, Firearm Dealers Webpage,
19 attached as Exhibit F to Plaintiffs’ RJN in Support of Plaintiffs’ Motion for Preliminary
20 Injunction;

21 • Los Angeles County Sheriff’s Department Concealed Carry Weapon
22 License, Permitium, attached as Exhibit G to Plaintiffs’ RJN in Support of Plaintiffs’
23 Motion for Preliminary Injunction;

24 • Glendora Police Department License to Carry a Concealed Weapon,
25 Permitium, attached as Exhibit H to Plaintiffs’ RJN in Support of Plaintiffs’ Motion for
26 Preliminary Injunction;

27 • Fred L. Button, ed., General Municipal Ordinances of the City of Oakland,
28 California (Oakland, CA; Enquirer, 1895), p. 218, Sec. 1, An Ordinance to Prohibit the

Carrying of Concealed Weapons, No. 1141, attached as Exhibit J to Plaintiffs' RJN in Support of Plaintiffs' Motion for Preliminary Injunction;

- Prohibiting the Carrying of Concealed Deadly Weapons, Ordinance no. 84, Charter and Ordinances of the City of Sacramento (1876), attached as Exhibit K to Plaintiffs' RJN in Support of Plaintiffs' Motion for Preliminary Injunction;

- Florida Department of Agriculture and Consumer Services Acceptable Firearms Training Documentation Webpage, attached as Exhibit L to Plaintiffs' Supplemental Request for Judicial Notice in Support of Plaintiffs' Motion for Preliminary Injunction;

- Florida Department of Agriculture and Consumer Services Eligibility Requirements for a Florida Concealed Weapon License Webpage, attached as Exhibit M to Plaintiffs' Supplemental Request for Judicial Notice in Support of Plaintiffs' Motion for Preliminary Injunction;

- Riverside County Sheriff's Department Concealed Carry License Webpage, Permitium, attached as Exhibit N to Plaintiffs' Supplemental Request for Judicial Notice in Support of Plaintiffs' Motion for Preliminary Injunction; and

- San Bernardino County Sheriff's Department Concealed Carry License Webpage, Permitium, attached as Exhibit O to Plaintiffs' Supplemental Request for Judicial Notice in Support of Plaintiffs' Motion for Preliminary Injunction.

<u>Material objected to:</u>	<u>Objections:</u>	<u>Ruling on Objection</u>
29. Cumberland County, Pennsylvania License to Carry Firearms Webpage, attached as Exhibit A to Plaintiffs' Request for Judicial Notice in	<ul style="list-style-type: none"> <u>Not relevant (FRE 401)</u>: Another jurisdiction's concealed carry weapon ("CCW") permit requirements are irrelevant to the determination of the reasonableness of the City's CCW permitting process. <u>Hearsay (FRE 801, 802)</u>: The summary of the contents of the psychological 	<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled

<u>Material objected to:</u>	<u>Objections:</u>	<u>Ruling on Objection</u>
Support of Plaintiffs' Motion for Preliminary Injunction ("Plaintiffs' RJN")	<p>examination constitutes inadmissible hearsay.</p> <ul style="list-style-type: none"> • <u>Probative value outweighed by prejudicial effect (FRE 403)</u>: The probative value of the proffered evidence is substantially outweighed by a danger of unfair prejudice and confusing the issues. 	
30. Arizona Department of Public Safety Concealed Weapons and Permits Webpage, attached as Exhibit C to Plaintiffs' RJN.	<ul style="list-style-type: none"> • <u>Not relevant (FRE 401)</u>: Another jurisdiction's concealed carry weapon ("CCW") permit requirements are irrelevant to the determination of the reasonableness of the City's CCW permitting process. • <u>Hearsay (FRE 801, 802)</u>: The summary of the contents of the psychological examination constitutes inadmissible hearsay. • <u>Probative value outweighed by prejudicial effect (FRE 403)</u>: The probative value of the proffered evidence is substantially outweighed by a danger of unfair prejudice and confusing the issues. 	<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled
31. Texas Department of Public Safety, License to Carry (LTC) Fee Table, attached as Exhibit D to Plaintiffs'	<ul style="list-style-type: none"> • <u>Not relevant (FRE 401)</u>: Another jurisdiction's concealed carry weapon ("CCW") permit requirements are irrelevant to the determination of the reasonableness of the City's CCW permitting process. 	<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled

<u>Material objected to:</u>	<u>Objections:</u>	<u>Ruling on Objection</u>
RJN.	<p>California law explicitly allows issuing authorities to charge reasonable fees associated with processing CCW applications and allow issuing authorities to require that an applicant pass a psychological test before issuing a CCW permit. See Cal. Pen. Code §§ 26190(c), (e).</p> <ul style="list-style-type: none"> • <u>Hearsay (FRE 801, 802)</u>: The summary of the contents of the psychological examination constitutes inadmissible hearsay. • <u>Probative value outweighed by prejudicial effect (FRE 403)</u>: The probative value of the proffered evidence is substantially outweighed by a danger of unfair prejudice and confusing the issues. 	
32. Utah Department of Public Safety – “How do I apply for a Concealed Firearm Permit?” Webpage, attached as Exhibit E to Plaintiffs’ RJN.	<ul style="list-style-type: none"> • <u>Not relevant (FRE 401)</u>: Another jurisdiction’s concealed carry weapon (“CCW”) permit requirements are irrelevant to the determination of the reasonableness of the City’s CCW permitting process. • <u>Hearsay (FRE 801, 802)</u>: The summary of the contents of the psychological examination constitutes inadmissible hearsay. • <u>Probative value outweighed by</u> 	<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled

<u>Material objected to:</u>	<u>Objections:</u>	<u>Ruling on Objection</u>
	<u>prejudicial effect (FRE 403)</u> : The probative value of the proffered evidence is substantially outweighed by a danger of unfair prejudice and confusing the issues.	
33. Washington Department of Licensing – Fees, Firearm Dealers Webpage, attached as Exhibit F to Plaintiffs’ RJN.	<ul style="list-style-type: none"> • <u>Not relevant (FRE 401)</u>: Another jurisdiction’s concealed carry weapon (“CCW”) permit requirements are irrelevant to the determination of the reasonableness of the City’s CCW permitting process. California law explicitly allows issuing authorities to charge reasonable fees associated with processing CCW applications and allow issuing authorities to require that an applicant pass a psychological test before issuing a CCW permit. See Cal. Pen. Code §§ 26190(c), (e). • <u>Hearsay (FRE 801, 802)</u>: The summary of the contents of the psychological examination constitutes inadmissible hearsay. • <u>Probative value outweighed by prejudicial effect (FRE 403)</u>: The probative value of the proffered evidence is substantially outweighed by a danger of unfair prejudice and confusing the issues. 	<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled
34. Los Angeles	<ul style="list-style-type: none"> • <u>Not relevant (FRE 401)</u>: Another 	<input type="checkbox"/> Sustained

<u>Material objected to:</u>	<u>Objections:</u>	<u>Ruling on Objection</u>
<p>County Sheriff's Department Concealed Carry Weapon License, Permitium, attached as Exhibit G to Plaintiffs' RJN.</p>	<p>jurisdiction's concealed carry weapon ("CCW") permit requirements are irrelevant to the determination of the reasonableness of the City's CCW permitting process.</p> <ul style="list-style-type: none"> • <u>Hearsay (FRE 801, 802)</u>: The summary of the contents of the psychological examination constitutes inadmissible hearsay. • <u>Probative value outweighed by prejudicial effect (FRE 403)</u>: The probative value of the proffered evidence is substantially outweighed by a danger of unfair prejudice and confusing the issues. 	<p><input type="checkbox"/> Overruled</p>
<p>35. Glendora Police Department License to Carry a Concealed Weapon, Permitium, attached as Exhibit H to Plaintiffs' RJN.</p>	<p>jurisdiction's concealed carry weapon ("CCW") permit requirements are irrelevant to the determination of the reasonableness of the City's CCW permitting process.</p> <ul style="list-style-type: none"> • <u>Hearsay (FRE 801, 802)</u>: The summary of the contents of the psychological examination constitutes inadmissible hearsay. • <u>Probative value outweighed by prejudicial effect (FRE 403)</u>: The probative value of the proffered evidence is substantially outweighed by a danger of 	<p><input type="checkbox"/> Sustained <input type="checkbox"/> Overruled</p>

<u>Material objected to:</u>	<u>Objections:</u>	<u>Ruling on Objection</u>
	unfair prejudice and confusing the issues.	
36. Fred L. Button, ed., General Municipal Ordinances of the City of Oakland, California (Oakland, CA; Enquirer, 1895), p. 218, Sec. 1, An Ordinance to Prohibit the Carrying of Concealed Weapons, No. 1141, attached as Exhibit J to Plaintiffs' RJN.	<ul style="list-style-type: none"> • <u>Not relevant (FRE 401)</u>: Another jurisdiction's concealed carry weapon ("CCW") permit requirements are irrelevant to the determination of the reasonableness of the City's CCW permitting process. • <u>Hearsay (FRE 801, 802)</u>: The summary of the contents of the psychological examination constitutes inadmissible hearsay. • <u>Probative value outweighed by prejudicial effect (FRE 403)</u>: The probative value of the proffered evidence is substantially outweighed by a danger of unfair prejudice and confusing the issues. 	<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled
37. Prohibiting the Carrying of Concealed Deadly Weapons, Ordinance no. 84, Charter and Ordinances of the City of Sacramento (1876), attached as Exhibit K to Plaintiffs' RJN.	<ul style="list-style-type: none"> • <u>Not relevant (FRE 401)</u>: Another jurisdiction's concealed carry weapon ("CCW") permit requirements are irrelevant to the determination of the reasonableness of the City's CCW permitting process. • <u>Hearsay (FRE 801, 802)</u>: The summary of the contents of the psychological examination constitutes inadmissible hearsay. • <u>Probative value outweighed by prejudicial effect (FRE 403)</u>: The probative 	<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled

<u>Material objected to:</u>	<u>Objections:</u>	<u>Ruling on Objection</u>
	value of the proffered evidence is substantially outweighed by a danger of unfair prejudice and confusing the issues.	
38. Florida Department of Agriculture and Consumer Services Acceptable Firearms Training Documentation Webpage, attached as Exhibit L to Plaintiffs' Supplemental Request for Judicial Notice in Support of Plaintiffs' Motion for Preliminary Injunction ("Plaintiffs' Supplemental RJN").	<ul style="list-style-type: none"> • <u>Not relevant (FRE 401)</u>: Another jurisdiction's concealed carry weapon ("CCW") permit requirements are irrelevant to the determination of the reasonableness of the City's CCW permitting process. • <u>Hearsay (FRE 801, 802)</u>: The summary of the contents of the psychological examination constitutes inadmissible hearsay. • <u>Probative value outweighed by prejudicial effect (FRE 403)</u>: The probative value of the proffered evidence is substantially outweighed by a danger of unfair prejudice and confusing the issues. 	<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled
39. Florida Department of Agriculture and Consumer Services Eligibility Requirements for a Florida Concealed Weapon License Webpage, attached as Exhibit M to Plaintiffs'	<ul style="list-style-type: none"> • <u>Not relevant (FRE 401)</u>: Another jurisdiction's concealed carry weapon ("CCW") permit requirements are irrelevant to the determination of the reasonableness of the City's CCW permitting process. • <u>Hearsay (FRE 801, 802)</u>: The summary of the contents of the psychological examination constitutes inadmissible hearsay. 	<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled

<u>Material objected to:</u>	<u>Objections:</u>	<u>Ruling on Objection</u>
Supplemental RJN.	<ul style="list-style-type: none"> • <u>Probative value outweighed by prejudicial effect (FRE 403)</u>: The probative value of the proffered evidence is substantially outweighed by a danger of unfair prejudice and confusing the issues. 	
40. Riverside County Sheriff's Department Concealed Carry License Webpage, Permitium, attached as Exhibit N to Plaintiffs' Supplemental RJN.	<ul style="list-style-type: none"> • <u>Not relevant (FRE 401)</u>: Another jurisdiction's concealed carry weapon ("CCW") permit requirements are irrelevant to the determination of the reasonableness of the City's CCW permitting process. • <u>Hearsay (FRE 801, 802)</u>: The summary of the contents of the psychological examination constitutes inadmissible hearsay. • <u>Probative value outweighed by prejudicial effect (FRE 403)</u>: The probative value of the proffered evidence is substantially outweighed by a danger of unfair prejudice and confusing the issues. 	<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled
41. San Bernardino County Sheriff's Department Concealed Carry License Webpage, Permitium, attached as Exhibit O to Plaintiffs' Supplemental	<ul style="list-style-type: none"> • <u>Not relevant (FRE 401)</u>: Another jurisdiction's concealed carry weapon ("CCW") permit requirements are irrelevant to the determination of the reasonableness of the City's CCW permitting process. • <u>Hearsay (FRE 801, 802)</u>: The summary of the contents of the psychological 	<input type="checkbox"/> Sustained <input type="checkbox"/> Overruled

<u>Material objected to:</u>	<u>Objections:</u>	<u>Ruling on Objection</u>
RJN.	<p>examination constitutes inadmissible hearsay.</p> <ul style="list-style-type: none"> • <u>Probative value outweighed by prejudicial effect (FRE 403):</u> The probative value of the proffered evidence is substantially outweighed by a danger of unfair prejudice and confusing the issues. 	

Dated: March 4, 2024

JONES MAYER

By: /s/Bruce A. Lindsay

Bruce A. Lindsay
Monica Choi Arredondo
Attorneys for Defendants,
LA VERNE POLICE DEPARTMENT, LA
VERNE CHIEF OF POLICE COLLEEN
FLORES