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

8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

10
11 CALIFORNIA RIFLE & PISTOL
ASSOCIATION, INCORPORATED;
12 THE SECOND AMENDMENT
FOUNDATION; GUN OWNERS OF
13 AMERICA, INC.; GUN OWNERS
FOUNDATION; GUN OWNERS OF
14 CALIFORNIA INC.; ERICK
VELASQUEZ, an individual; CHARLES
15 MESSEL, an individual; BRIAN
WEIMER, an individual; CLARENCE
16 RIGALI, an individual; KEITH
REEVES, an individual; CYNTHIA
17 GABALDON, an individual; and
STEPHEN HOOVER, an individual,

18 Plaintiffs,

19 v.

20
21 LOS ANGELES COUNTY SHERIFF'S
DEPARTMENT; SHERIFF ROBERT
LUNA in his official capacity; LA
22 VERNE POLICE DEPARTMENT; LA
VERNE CHIEF OF POLICE COLLEEN
23 FLORES, in her official capacity;
ROBERT BONTE, in his official
24 capacity as Attorney General of the State
of California; and DOES 1-10,

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

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

**DECLARATION OF ACTING CHIEF
SAM GONZALEZ IN SUPPORT OF
DEFENDANTS CITY OF LA VERNE
AND LA VERNE CHIEF OF POLICE
COLLEEN FLORES' OPPOSITION
TO PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

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

DECLARATION OF ACTING CHIEF SAM GONZALEZ

I, Captain Sam Gonzalez, declare as follows,

1. I am an adult and I am employed by the City of La Verne as Acting Chief of Police of the La Verne Police Department (“LVPD”). I make this declaration in support of Defendants City of La Verne (“City”) and La Verne Chief of Police Colleen Flores’ Opposition to Plaintiffs’ Motion for Preliminary Injunction based on my own personal knowledge, except where I indicate that such knowledge is based on information and belief. If called upon to testify, I could and would truthfully testify to the following based on my personal knowledge.

2. I was very involved in the formulation of the concealed carry weapon (“CCW”) permit application process on behalf of the City of La Verne, Chief Colleen Flores and the LVPD. I submitted the proposed CCW permit program fee structure to the City Council of the City of La Verne for approval in March, 2023, which the Council voted to approve on March 3, 2023.

3. One of the major concerns of the LVPD and Chief Flores was that the processing of the applications for CCW permits by the LVPD would divert the LVPD’s already thin staffing away from necessary duties to handle the applications that we anticipated receiving, while likely costing the applicant more than using a qualified outside vendor to process the CCW permit applications. Because of this concern, the decision was made to contract with a vendor that provides the service of processing CCW permit applications, MyCCW. This vendor charges the City a flat fee of \$398 per application, which the City passes on directly to the applicant without adding any fee or charge to the \$398 fee MyCCW charges the City.

4. For its fee, MyCCW processes the applications, runs the background investigations using certified background investigators, performs the initial interview of the applicant, schedules the psychological exam, refers the applicants to an approved vendor for the firearms training and qualifications, and completes a comprehensive report for review by the Department. Police Department staff still have to do things

1 relating to the processing of the applications, including conducting a records check,
2 reviewing the MyCCW report, the Chief performs a final interview of the applicant and
3 staff issues the CCW permit if all criteria are met. Our analysis of the manhours for a
4 records clerk, the records supervisor and the Chief of Police to perform the necessary
5 work for permit review in conjunction with MyCCW was approximately one hour and
6 forty-five minutes or \$136.53 (records clerk .5 hours x \$27.45/hour; supervisor .25
7 hours x \$38.02/hour; and Chief 1 hour x \$115.20.)

8 5. An analysis of the relative manhours and expense that would be incurred
9 if LVPD staff were to process an initial application without MyCCW involved shows
10 the fees set forth in paragraph 4 for the City for the manhours would still apply, plus an
11 additional 15 hours at \$65.26/hour or \$978.90 for an LVPD sergeant to perform the
12 work of MyCCW.

13 6. Processing renewal applications without MyCCW was calculated to take
14 the same time for a records clerk, records supervisor and the Chief as the initial
15 application, but with the additional need for 10 hours of sergeant time at \$65.26/hour
16 or \$652.60, compared to \$348 charged by MyCCW for processing a renewal
17 application.

18 7. Not only is use of MyCCW far cheaper than performing the work in house,
19 but because the LVPD uses MyCCW, the average time to process a CCW permit
20 application made to the LVPD is approximately three months, compared to the over one
21 year it takes other agencies to process CCW permit applications.

22 8. I understand that the plaintiffs in this lawsuit allege that the fees for
23 processing an application charged by LVPD are “exorbitant.” Of the total cost to an
24 individual (other than the cost of purchasing firearms), the fees actually charged by the
25 LVPD for its own services amount to just \$190, which consists of the application review
26 and processing fee (\$150), a fingerprinting fee (\$20), and the CCW card fee (\$20). The
27 LVPD’s charge of \$190 for its services is not “exorbitant.”

28 9. The remaining costs included in the total are amounts charged by the State

1 and the outside vendors utilized in the process. The State Department of Justice
2 (“DOJ”) charge for the applicant is \$93 for the LiveScan, and MyCCW charges the City
3 \$398 for its application processing services. The psychological examination fee of \$150
4 is paid directly by the applicant to the vendor who performs the exam. The firearms
5 training course required by Penal Code sec. 26165 is also paid directly by the applicant
6 to the training facility and is usually \$250. These charges, which are not LVPD charges,
7 total \$891. It is only by adding these outside costs, over which La Verne has no control,
8 that the total cost is \$936 for the initial application.

9 10. It should be noted that the psychological examination actually costs \$300,
10 of which the City pays half, or \$150. Thus, the City actually receives net application
11 fees of \$40 from each applicant due to paying \$150 per exam.

12 11. Though the limit of a \$150 charge to the applicant for the psychological
13 examination was dropped by the State as of January 1, 2024, the City and LVPD have
14 no plans to raise the price that applicants must pay for the exam. The LVPD is in the
15 process of preparing and issuing a Request for Proposal to various psychological centers
16 to keep the cost of the examinations down.

17 12. The two-year renewal application cost total is less than the initial
18 application cost. It is \$620, of which \$45 is the LVPD application fee of \$25 and the
19 new CCW card fee of \$20. The remainder of the costs, outside of La Verne’s control,
20 is for the DOJ fee of \$52, MyCCW charges \$348 to process the renewal application
21 and the firearms retraining course of \$175 required by Penal Code sec. 26165(d).
22 Again, the applicant pays for the firearms retraining course directly to the provider, not
23 to LVPD.

24 13. I have reviewed the fees charged by many of the other cities in Los Angeles
25 County for processing CCW permit applications. I had a member of my staff, Lt. Chris
26 Dransfeldt, research the fees charged by other Los Angeles County cities as listed on
27 their websites. Where the fee information was not listed on a city’s website, Lt.
28 Dransfeldt was directed to call the city and inquire what their CCW permit application

1 fees were at the time. Lt. Dransfeldt created a list of the cities and their CCW permit
2 fee charges on the L.A. County CCW Fee Matrix, which I have reviewed. (A true and
3 correct copy of the Fee Matrix is attached to my declaration as Exhibit 1.)

4 14. From my review of the Fee Matrix, I have information that a dozen cities'
5 CCW permit application costs are more than all of the combined outside costs and fees
6 of the LVPD, with Santa Monica being the highest, at \$1,281. Palos Verdes costs are
7 \$1,259 and Southgate, Alhambra, Hawthorne and Baldwin Park all cost more than
8 \$1,000 for CCW permit applications. Bell Gardens costs are \$960 and Claremont,
9 Signal Hill, Downey, El Segundo and San Gabriel all total \$941 for CCW permit
10 applications.

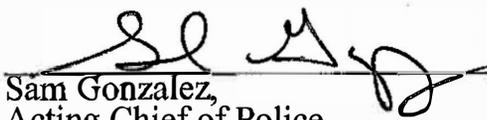
11 15. The LVPD is following the law mandated by the State of California with
12 respect to CCW permit requirements. The law requires that a licensing agency such as
13 the LVPD determine that the CCW permit applicant is not disqualified before issuing a
14 CCW permit. This requires a background check; confirming that the applicant is the
15 record owner of the firearm, a resident of the City, and at least 21 years of age;
16 determining that the applicant is not a danger to themselves, others or the community at
17 large; and ensuring that the applicant has successfully completed the firearms safety
18 course required by the State.

19 16. The LVPD uses MyCCW to expedite the application process. I am aware
20 from my review of their website that San Fernando does their CCW permit application
21 processing in house and charges a fee of \$970 for the labor involved in doing so. I can
22 state unequivocally that the LVPD CCW permit processing fee would be quite higher
23 than it is if the LVPD were to perform all of the additional processing and review in
24 house that MyCCW undertakes, based on the information that I received from the Chief
25 of San Fernando's Police Department, Fabian Valdez, regarding their expense for
26 processing CCW permit applications in house.

27 17. The LVPD is following State-mandated law by following the legal
28 requirements for issuance of CCW permits to applicants. Its fees for doing so are not

1 “exorbitant,” as they are based on the City’s actual and reasonable costs for processing
2 CCW permit applications.

3 I declare under the penalty of perjury, under the laws of the United States of
4 America and the State of California, that the foregoing is true and correct, as executed
5 this 16th day of February 2024, at La Verne, California.

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8 Sam Gonzalez,
Acting Chief of Police

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