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**(EXEMPT FROM FILING
FEES [Gov. Code, § 6103].)**

6 Attorneys for Respondents County of Ventura,
Ventura County Sheriff's Office and
7 Bob Brooks, in his individual and official
capacity as former Ventura County Sheriff
8

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 FOR THE COUNTY OF VENTURA

11 CALGUNS FOUNDATION, INC.,	)	No. 56-2010-00383664-CU-WM-VTA
12 Plaintiff/Petitioner,	)	DECLARATION OF JAMES
13 vs.	)	BULLINGTON IN SUPPORT OF
14	)	OPPOSITION BY RESPONDENTS
15 COUNTY OF VENTURA; VENTURA	)	COUNTY OF VENTURA, VENTURA
COUNTY SHERIFF'S DEPARTMENT,	)	COUNTY SHERIFF'S OFFICE, AND BOB
16 BOB BROOKS, in his individual	)	BROOKS TO PETITION FOR WRIT OF
capacity and official capacity as Ventura	)	MANDATE
17 County Sheriff, and DOES I through 10,	)	Hearing Date: May 6, 2011
inclusive,	)	Time: 8:30 a.m.
18 Defendants/Respondents.	)	Dept.: 42
_____		Petition filed: October 15, 2010

19
20 I, James Bullington, declare:

21 1. I have been a Deputy Sheriff with the Ventura County Sheriff's Office for 27
22 years. I was hired in 1984, promoted to Senior Deputy in 1989, and promoted to Sergeant
23 in 1998. While employed for the Ventura County Sheriff's Office, my major professional
24 assignments have included: Narcotics Investigator, Major Crimes Forgery
25 Fraud/Homicide Investigator, Detective Sergeant for the City of Moorpark, Sheriff's
26 Academy Coordinator for the Ventura County Criminal Justice Training Center, and most
27 recently, Detective Sergeant for the Camarillo Special Enforcement Detail. I have

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1 personal knowledge of the facts stated herein, and if called and sworn as a witness, could
2 and would testify competently hereto.

3 2. I have worked as a part time firearms instructor for the Sheriff's Office since
4 1989 (the Sheriff's Office has no full-time instructors) and was a member of Sheriff's
5 SWAT team. I have instructed over 30 basic recruit academy classes in firearms, and
6 served as an instructor for the Patrol Rifle Class since 1998. I have also conducted
7 training for the Less Lethal Bean Bag Class, Tactical Shotgun Training and Concealed
8 Weapons Permits Training. I have served as a member of the Sheriff's Firearms
9 Committee since 1994. I have received over 800 hours of formal firearms training during
10 my law enforcement career from the following training sources (partial list): Federal
11 Bureau of Investigation, National Rifle Association, Gunsite Training Center, Los
12 Angeles Police Department, Los Angeles County Sheriff's Office, Orange County
13 Sheriff's Office, Glock Firearms Training Division, Colt Law Enforcement Training,
14 National Tactical Training Seminars, National Tactical Officers Association, Morrigan
15 Consulting, and Front Sight Training Center.

16 3. Based on my training and experience, in my opinion, public dissemination of
17 pages 11 and 13 of the Carry Concealed Weapon ("CCW") application and public
18 dissemination of CCW licenses issued by the Ventura County Sheriff's Office would
19 place the safety and security of Ventura County citizens in peril for the reasons set forth
20 below.

21 4. I am aware, through training and experience, that targeted attacks of
22 individuals usually occur at the individual's home, place of business, or on the
23 individual's regular route between those two locations. I am also aware, through training
24 and experience, that all else being equal, an individual is more vulnerable to attack at
25 home, due to a natural tendency to treat the home as a place of repose. Public
26 dissemination of page 11 of CCW applications and CCW licenses containing home and
27 business address information would enable criminals to easily locate their intended
28 victims and plan their time and place of attack for maximum effectiveness.

1 5. Members of southern California criminal gangs, including the Mob Piru Crips,
2 have been known to specifically target the homes of law enforcement personnel for
3 burglary in the effort to steal firearms. Public dissemination of page 11 of the approved
4 CCW application (containing address information) of the issued CCW licenses
5 (containing address information) would provide criminals with a convenient roster of
6 home and business addresses likely to contain firearms should they be burglarized. Public
7 dissemination of page 11 of the CCW application and the issued CCW licenses would let
8 criminals looking for guns know where to find them and increase the risk of burglary for
9 home and business addresses listed on the approved CCW applications and CCW
10 licenses.

11 6. Public dissemination of telephone contact information contained in CCW
12 applications and licensees would assist criminals in determining the precise whereabouts
13 of the victim so that they could select an opportune time and place for their intended
14 attack.

15 7. Public dissemination of pages 11 and 13 of the CCW application and the issued
16 CCW licenses would tend to increase the chance of violence. CCW holders are
17 identified, along with the reason that they need a CCW, and the applications indicate
18 when the license holders are likely to be carrying a firearm. Criminals planning a
19 burglary, robbery or assault would know when the victim should be armed. Knowing an
20 intended victim is armed, it is reasonable to think that the criminals would plan for this,
21 increasing the likelihood for violence.

22 8. The public dissemination of pages 11 and 13 of the CCW application and
23 CCW licenses would generate crimes of opportunity that would not otherwise occur. The
24 public dissemination of names combined with detailed CCW good cause statements and
25 locational information would create a list of new possible victims for criminals.
26 Criminals may read in good cause statements why a person needs to carry a firearm. The
27 CCW license holder may be business owner carrying valuables or cash, traveling to
28 remote locations or making regular scheduled bank or business appointments. That

1 information may not have been known to many, but is now public information to be
2 mined by criminals and makes CCW license holders an easier target.

3 9. The public dissemination of pages 11 and 13 of the CCW application could lead
4 to crimes of vengeance that would not otherwise occur. Applicants in good cause
5 statements who are worried about stalkers, domestic abuse or terrorist threats may have
6 candidly described persons viewed as threats in very unflattering and negative terms.
7 With widespread public dissemination of such information, the victim's candid
8 assessment could be read by the person viewed as a threat and instigate vengeful conduct.

9 10. Public dissemination of spouse name and address information found on page
10 11 of CCW applications may endanger the safety of spouses and family members for
11 those persons concerned about stalkers and terrorist threats.

12 11. Public dissemination of information in CCW licenses regarding the
13 manufacturer, serial number, caliber and model of weapons authorized to be carried is of
14 tactical advantage to criminals and places the safety of CCW licensees in additional peril.
15 I am aware, through training and experience, that it is possible to determine whether a
16 person is armed with a concealed weapon by careful observation. If the observer knows
17 what type of firearm is being carried by the person, that information will simplify the
18 determination of whether the person is armed and where the firearm is concealed. For
19 example, if an attacker knows the target is only licensed to carry a large-framed automatic
20 pistol, but the target is wearing no loose garments and carrying no bag, then the attacker
21 may assume his target is not carrying a firearm. The attacker may then optimize the time
22 of attack to the attacker's advantage.

23 12. I am also aware, through training and experience, that knowing the firearm
24 being carried is also valuable for an attacker to plan his attack and adjust his attack once
25 started. For example, if an attacker knows that the target is carrying a revolver, the
26 attacker will know that the target will have to apply a relatively greater force to the
27 trigger, for a slightly longer period, than would be the case with most semiautomatic
28 pistols. This information would allow an attacker to draw closer to the target, with less

1 fear of being shot, even after the target has drawn his pistol and begun to pull the trigger.
2 Knowledge that the target is carrying a particular model of revolver would also tell the
3 attacker the maximum number of rounds the target could fire before reloading. It is a
4 fundamental rule of armed confrontation that the period during which one's target is
5 reloading his firearm is a key time to move toward that target or resume one's attack.

6 13. Public dissemination of the height, weight, eye color and hair color of CCW
7 license holders would enable criminals to more easily target the named CCW license
8 holder for attack.

9 I declare under penalty of perjury under the laws of the State of California that the
10 foregoing is true and correct. Executed on April 20, 2011.

11
12 By  _____

JAMES BULLINGTON

1 **PROOF OF SERVICE**

2 **STATE OF CALIFORNIA, COUNTY OF VENTURA**

3 The undersigned declares:

4 I am a resident of or employed in the County of Ventura, State of California. I
5 am over the age of 18 and not a party to the within action. My business address is County
6 Counsel's Office, 800 South Victoria Avenue, L/C # 1830, Ventura, California 93009-
7 1830.

8 On April 20, 2011, I served the DECLARATION OF JAMES BULLINGTON IN
9 SUPPORT OF OPPOSITION BY RESPONDENTS COUNTY OF
10 VENTURA, VENTURA COUNTY SHERIFF'S OFFICE, AND BOB BROOKS TO
11 PETITION FOR WRIT OF MANDATE within on:

12 Jason A. Davis
13 Davis & Associates
14 27281 Las Ramblas, Suite 200
15 Mission Viejo, California 92691

16 **by addressing an envelope** to each of the above-named persons as indicated
17 above, and placing in each envelope a true copy of each of said documents, and by
18 then sealing and depositing said envelope, with postage thereon fully prepaid, in
19 the United States mail at Ventura, California, where is located the office of the
20 attorney for the person(s) by and for whom said service was made.

21 **by an express service carrier**(a guaranteed next day delivery service), by placing
22 a true copy of the above-stated document(s) in an envelope or package designated
23 by said carrier and addressing it to the person(s) on whom it is to be served.

24 **by facsimile transmission** of said document(s) from facsimile number (805) 654-
25 2185 to:

26 Name:
27 Fax No.:
28 Time of Transmission:

by personal service by delivering said document(s) by hand to the above-named
person(s) as indicated above in the manner provided in Code of Civil Procedure
section 1011 or the Federal Rules of Civil Procedure, rule 5(b).

(STATE) I declare under penalty of perjury under the laws of the State of
California that the foregoing is true and correct. Executed on April 20, 2011, at
Ventura, California.

(FEDERAL) I declare under penalty of perjury that I am employed in the office of
the member of the bar of this court at whose direction the service was made.
Executed on , at Ventura, California.


MILANE ACEVEDO