

EXHIBIT B

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
DICK ANTHONY HELLER, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	Civil Action No. 08-01289 (JEB)
v.)	
)	
DISTRICT OF COLUMBIA, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

DECLARATION OF LIEUTENANT JON SHELTON

Pursuant to 28 U.S.C. § 1746, I, Jon Shelton, declare and state as follows:

1. I am over the age of eighteen (18) years, competent to testify to the matters contained herein, and testify based on my personal knowledge and information.
2. I provided sworn responses to some of Plaintiffs’ First Set of Interrogatories in this matter, and was deposed by opposing counsel on July 29, 2013.
3. I have been employed by the Metropolitan Police Department since 1988, and began work at the Security Officers Management Branch (“SOMB”) in 1994. I was promoted to the rank of Lieutenant in 2001. I am in charge of several units within the SOMB, including the Firearms Registration Section, the Gun Control Section, and the Civilian Fingerprint Section. The Firearms Registration Section is responsible for processing applications for registering firearms. The Gun Control Section deals with illegal firearms, helping to trace those firearms recovered from crime scenes brought in by one of the numerous law enforcement agencies in the District. The Civilian Fingerprint Section helps process fingerprint applications from citizens for a variety of reasons, such as government employment. Finally, the SOMB licenses and regulates the almost 400 private security firms in the District, including those who register firearms.

4. These units, collectively, employ about 27 people. My work involves regular encounters with many of the other law enforcement agencies in the District, including the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives, and the United States Park Police.

5. The District amended its laws in July 2008, to facilitate registration of firearms after the Supreme Court's decision in *District of Columbia v. Heller*, 544 U.S. 570 (2008). Since then, as of the end of August, 2013, there have been 5,675 firearms-registration applications disseminated to the public, with 3,748 total firearms registered. There have been 2,477 applications submitted for handgun registration, 2,453 handguns registered, 365 revolvers registered, and 2,088 semi-automatic handguns registered. Sixty-six handgun-registration applications have been denied. There have been 1,307 applications submitted to register long guns (*i.e.*, rifles or shotguns), 1,295 long guns registered (1,070 non-semi-automatic and 225 semi-automatic), and 17 long gun applications denied.

6. These numbers do not include those guns "grandfathered" since 1976, at the passage of the Firearms Control Regulations Act of 1975, D.C. Law 1-85, 23 D.C. Reg. 2464 (Sept. 24, 1976), *codified as amended at* D.C. Official Code §§ 7-2501.01 *et seq.* (2012 Supp.).

7. Currently, including firearms registered to security companies and off-duty law-enforcement officers, there are over 56,000 handguns registered in the District, almost 12,000 rifles, and almost 16,000 shotguns.

8. In my experience, the vast majority of applicants to register firearms are law-abiding people with no disqualifying factors. Currently, MPD charges \$35 to take and process an applicant's fingerprints, and \$13 per firearm for the registration itself.

9. Under District law, MPD is responsible for processing and issuing firearms registrations, and for verifying that applicants are eligible to register firearms. I have been closely involved

with MPD's implementation of a firearms-registration system since *Heller*. MPD, essentially, had to start from the beginning, to create a system from scratch, including developing a computer database to allow us to track and process applications.

10. I and my staff worked with MPD's information-technology personnel on the development of the database for many months, repeatedly revising and fine-tuning it to incorporate existing records, and accommodate current and possible future needs. MPD ran many tests on the database before it went "live," and continues to do so, to ensure that the data it contains are complete, accurate, and reliable. The database must be reliable, as MPD officers under my command are required to testify under oath about the accuracy of the records contained there.

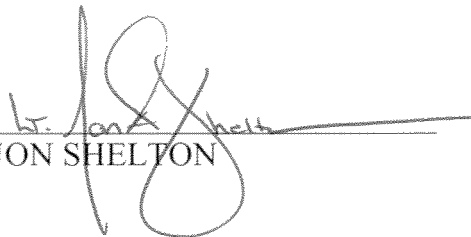
11. To register a firearm in the District, an applicant must be fingerprinted. MPD currently uses the "LiveScan" system, a device that can scan a person's fingerprints and send them electronically to the FBI in West Virginia. We typically receive a return from the FBI on a criminal background check on a set of fingerprints in about 15 minutes. By contrast, the old ink-and-paper system could take up to 4 months.

12. As part of the background check for registering a firearm, the MPD conducts a check of applicants against a number of databases, including the Washington Area Law Enforcement System ("WALES") and the National Criminal Information Center ("NCIC"). WALES contains criminal background information, including outstanding warrants and protective or restraining orders, from local law-enforcement agencies, while the NCIC contains similar information on a national basis. MPD also checks information it receives periodically from the D.C. Superior Court, *i.e.*, information on mental-health commitments and domestic-violence convictions.

13. MPD has determined that personally identifiable information provided by applicants on firearms-registration forms is exempt from disclosure to the public pursuant to D.C. Official Code § 2-534(a)(2), as a clearly unwarranted invasion of personal privacy. The MPD's firearms-registration database can only be accessed by authorized personnel within the Firearms Registration Section; it cannot be accessed through MPD's intranet or the Internet.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on 10-8-2013


Lt. Jon Shelton
JON SHELTON