

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CHRISTOPHER DAVIS; WILLIAM J.
THOMPSON, JR.; RANDY COLE, JR.; WILSON
LOBAO; ROBERT CAPONE; RYAN
SHAUGHNESSY; and COMMONWEALTH
SECOND AMENDMENT, INC.,
Plaintiffs,

-against-

RICHARD C. GRIMES, in his Official Capacity as
Chief of the Weymouth Police Department; NEIL
F. OULLETTE, in his Official Capacity as Chief of
the Danvers Police Department; ROBERT L.
CHAMPAGNE, in his Official Capacity as Chief of
the Peabody Police Department; and GARY J.
GEMME, in his Official Capacity as Chief of the
Worcester Police Department,
Defendants.

CIVIL ACTION NO. 1:13-cv-10246

AFFIDAVIT OF MICHAEL CRANE
IN SUPPORT OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

I, Michael Crane, hereby state as follows:

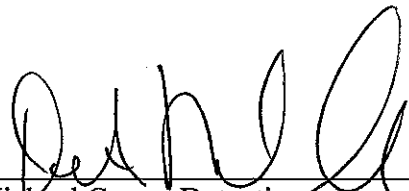
1. I am a Detective in the Peabody Police Department. Currently, I am assigned as the Firearm Licensing Designee, appointed per Chief Robert L. Champagne, responsible for reviewing gun license applications on behalf of the Chief of Police. I have been assigned within this capacity for approximately eight years. This Affidavit is submitted in response to certain statements contained in the Affidavit of Robert Capone.

2. On or about December 6, 2012, I had a telephone conversation with Mr. Robert Capone. The purpose of the call, initiated by me, was to discuss and explain the "Target & Hunting" restriction attached to his Class A License to Carry Firearms. Mr. Capone previously inquired in reference to this matter via email on December 6, 2012. During the conversation, I

reiterated and further elaborated the Department's current policy for issuing an unrestricted Class A License to Carry Firearms to first time applicants. Specifically, I discussed the term of "Business Owner" as used in our review and consideration of requests for an unrestricted Class A License To Carry. Basically, if an applicant is engaged in a primarily cash business or barter/retails items of significant value/interest and provides me with documentation to substantiate his/her business, then an unrestricted Class A License may be issued to a first time applicant. Mr. Capone owns a Landscaping business. This type of business is not typically known to be cash paid at the time of services rendered. Still, I offered Mr. Capone the opportunity to present documentation that his Landscaping business generated large amounts of cash payments. I told Mr. Capone that a letter authored from his accountant or customer testimonials would be acceptable and, if he provided this documentation, the restriction on his Class A License To Carry would be removed. Mr. Capone did not provide any documentation or maintain further contact.

Signed under the penalties of perjury:

Dated: 7/11/13



Michael Crane, Detective
Peabody Police Department

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document filed through the Electronic Case Filing System, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and that a paper copy shall be served upon those indicated as non-registered participants on July 31, 2013.

/s/ Adam Simms
Adam Simms