

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

JEAN BATTY; EDWARD RUSSO; MATT)	
WOLF; PAUL P. BARNETT; CRAIG VACCA;)	
and COMMONWEALTH SECOND)	
AMENDMENT, INC.,)	
)	CIVIL ACTION NO.
)	1:15-cv-10238-FDS
)	
)	
Plaintiffs,)	
)	
-against-)	
)	
)	
KEN ALBERTELLI, in his official Capacity as)	
Chief of the Winchester Police Department; and)	
WILLIAM TAYLOR, in his Official Capacity as)	
Superintendent of the Lowell Police Department,)	
)	
)	
Defendants.)	

DECLARATION OF JEAN BATTY

I, Jean Batty, declare as follows:

1. I am a Plaintiff in this action. I am over 18 and competent to testify on my own behalf.
2. I am married and have three children.
3. I work at MassHealth as a Disability Accommodation Ombudsman.
4. I currently live in Scituate, Massachusetts. I previously lived in Winchester, Massachusetts.
5. I applied for an LTC from personnel at the Winchester Police Department on March 24, 2013, when I lived in Winchester.
6. The document attached as Exhibit 1 is a true and correct copy of the LTC application I submitted to the Winchester Police Department.

7. I met all applicable requirements for issuance of an LTC.
8. On the portion of Exhibit 1 that requests “Reason(s) for requesting the issuance of a card or license,” I wrote, “All lawful purposes. Personal protection and self defense.”
9. The Winchester Police Department issued me a “Class A” LTC that carried no restrictions on June 5, 2013. A true and correct copy of this LTC is attached as Exhibit 2.
10. In approximately January 2015, I received a telephone call from a secretary or assistant of the Winchester Police Chief. The secretary or assistant told me that the Police Department had tried to deliver a letter to me, and that I would need to surrender my LTC and receive an LTC with a “Target & Hunting” restriction.
11. The document attached as Exhibit 3 is a true and correct copy of a letter I received from the Winchester Police Department in the latter part of January 2015.
12. The letter attached as Exhibit 3 states that my LTC “was issued without the approved Target and Hunting Restriction as originally directed by the Chief of Police.” The letter directed me to return my original LTC and pick up a restricted LTC.
13. On January 21, 2015 my husband (D. Scott Batty, MD) submitted a letter to Chief Albertelli requesting that he (Chief Albertelli) issue unrestricted LTC’s to both of us. A true and correct copy of this letter is attached as Exhibit 4.
14. As indicated in Exhibit 4, my husband’s letter advised Chief Albertelli of specific reasons that both my husband and I had to be concerned for our safety. Among

other things, I have had concerns with specific distraught and/or confrontational individuals that I have encountered through my work at MassHealth.

15. After we submitted Exhibit 4, Chief Albertelli's office contacted my husband and I and advised us that he was denying our requests for unrestricted LTC's.
16. My husband exchanged both of our unrestricted LTC's for LTC's with a "Target & Hunting" restriction on January 26, 2015. A true and correct copy of the restricted LTC's is attached as Exhibit 5.
17. From the time I first applied for an LTC through the present, my desire has been to obtain whatever license is necessary to allow me the option of carrying a functional handgun for the protection of myself and my family while away from our home.
18. After the Winchester Police Department re-issued my LTC with a restriction, I did not attempt to apply for another LTC in Scituate because I understood that the Scituate Police Department could not issue me another LTC while my current LTC was still in force.
19. I also did not request that the Winchester Police Chief reconsider his decision. My husband was also re-issued a restricted LTC, and when he requested reconsideration the Police Chief denied his request.
20. As a result of the Winchester Police Chief's decision to re-issue my LTC with a "Target & Hunting" restriction, I do not carry a handgun for protection, nor do I have the option of doing so. Had the Chief not re-issued my LTC with this restriction, I would have purchased a firearm and become proficient in its use.

21. I would complete reasonable additional training in order to obtain an unrestricted LTC.

I affirm all of the foregoing statements under penalty of perjury under the laws of the United States of America.

Dated: July 7, 2016



Jean Batty