

**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.
Plaintiffs,	)	1:15-cv-10238-FDS
	)	
-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 EDWARD RUSSO**

I, Edward Russo, 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 retired. I have 3 children and 8 grandchildren.
3. I currently live in South Yarmouth, Massachusetts. I previously lived in Winchester, Massachusetts.
4. I applied for an LTC from personnel at the Winchester Police Department on March 20, 2013, when I lived in Winchester.
5. The document attached as Exhibit 1 is a true and correct copy of the LTC application I submitted to the Winchester Police Department.
6. I met all applicable requirements for issuance of an LTC.

7. On the portion of Exhibit 1 that requests “Reason(s) for requesting the issuance of a card or license,” I wrote, “all lawful purpose personal protection.”

8. The Winchester Police Department issued me a “Class A” LTC that carried no restrictions on June 5, 2013. The document attached as Exhibit 2 includes a true and correct copy of this LTC.

9. The document attached as Exhibit 3 is a true and correct copy of a letter I received from the Winchester Police Department in approximately January 2015.

10. 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.

11. I exchanged my unrestricted LTC for an LTC with a “Target & Hunting” restriction on February 5, 2015. A true and correct copy of my restricted LTC is attached as Exhibit 4.

12. 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.

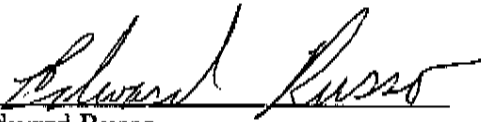
13. As a result of the Winchester Police Chief’s decision to re-issue my LTC with a “Target & Hunting” restriction, I do not carry a handgun for protection, nor do I have the option of doing so.

14. Very recently, I purchased a .40-caliber Beretta handgun. I had not previously owned a gun. I would have purchased a gun sooner and become proficient in its use, had Chief Albertelli not re-issued my LTC with this restriction.

15. 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 8, 2016

  
Edward Russo