IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK WHITE PLAINS DIVISION

ALAN KACHALSKY, et al.,

Case No. 10-CV-05413-CS

Plaintiffs,

DECLARATION OF ERIC DETMER

v.

SUSAN CACACE,

Defendants.

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DECLARATION OF ERIC DETMER

I, Eric Detmer, am competent to state and declare the following based on my personal knowledge:

- 1. I reside in Westchester County. I am over 21 years old, of good moral character, have never been convicted of a felony or serious crime, have never been mentally ill or confined to any institution, have never had a firearms license revoked or been the subject of a family court order, and have been honorably discharged from the Coast Guard, where I received extensive firearms training and qualification.
- I serve in the United States Coast Guard Reserve, for one weekend each month and two full weeks each year. Since 2004, I have been a qualified Boarding Team Member. Although lacking authority to arrest, I carry a .40 caliber handgun while on duty with the Coast Guard, which I surrender each time upon leaving duty. I qualify semi-annually with my handgun, regularly taking a non-firing judgmental pistol course, a firing tactical pistol course, and use-of-force training.

- 3. I am licensed to have a private handgun for the limited purposes of target shooting and hunting. I applied to have this license amended to "full carry" pursuant to New York Penal Code § 400.00.
- 4. A true and correct copy of the Westchester County Police Department recommendation that my application be denied is attached hereto as Exhibit C.
- 5. A true and correct copy of Defendant Albert Lorenzo's decision denying my carry permit amendment application is attached hereto as Exhibit D.
- 6. I would reapply for a handgun carry license, but I refrain from doing so because in all likelihood I cannot satisfy the "proper cause" standard of Penal Code § 400.00(2)(f).
- 7. I would carry a functional handgun in public for self-defense, but refrain from doing so because I fear arrest, prosecution, fine, and imprisonment for lack of a license to carry a handgun.

I declare under penalty of perjury that the foregoing is true and correct.

This the day of January, 2011.

Eric Detmer