

RESPONSE PROCEDURE TO GRAND JURY REPORTS

The governance of responses to Grand Jury Final Report is contained in Penal Code § 933 and § 933.05. Responses must be submitted within 60 or 90 days. Elected officials must respond within sixty (60) days. Governing bodies (for example: the Board of Supervisors) must respond within ninety (90) days. Please submit all responses in writing and digital format to the Presiding Judge, the Grand jury Foreperson and the CEO's office.

Report Title : Ricochet Bullets-No Problem

Report Date : 2/19/2011

Larry Bates, President

Response by : Ukiah Gun Club

Title : John Holder, Rangemaster

Findings

☒ I (we) agree with the findings numbered:

7, 8, 10, 13-15, 17-19, 23

☒ I (we) disagree wholly or partially with the Findings numbered:

1-3, 6, 9, 11, 20-22, +24-25

(attach a statement specifying any portions of the Findings that are disputed; include an explanation of the reasons therefore.)

Recommendations

☐ Recommendations numbered: _____

have been implemented. (attach a summary describing the implemented actions.)

☐ Recommendations numbered: _____

have not yet been implemented, but will be implemented in the future.

(attach a time frame for implementation)

☐ Recommendations numbered: _____

require further analysis. (attach an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer and/or director of the agency or department being investigated or reviewed; including the governing body of the public agency when applicable. This time frame shall not exceed six (6) months from the date of publication of the Grand Jury Report)

☒ Recommendations numbered: 1 - 8

will not be implemented because they are not warranted and/or are not reasonable. (attach an explanation.)

Date: 6/20/2011 Signed: _____

Total number of pages attached: _____

**ATTACHMENTS TO THE RESPONSE BY THE UKIAH GUN CLUB IN
RESPONSE TO:**

GRAND JURY REPORT dated February 19, 2011 entitled:

“Ricochets Bullets – No Problem!”

“Public Safety Apparently Not a Concern to City or County:

RICOCHETING BULLETS ARE PURE MYTH

UKIAH GUN CLUB’S RESPONSE TO FINDINGS:

1. Disagrees with this finding. The Ukiah Gun Club only uses 25 acres and any property beyond the 25 acre boundaries are fenced and not used by the Club. The remainder is for the sole use of the City of Ukiah. Letter from Charles L. Rough, Sr., Ukiah City Manager dated October 6, 1993, written to Selzer Realty acknowledges that of the 98.6 acres, the Ukiah Gun Club retains only 20 – 25 acres. The remainder of the land was intended by the City of Ukiah as a “buffer” zone separating it from the dump. (Copy of this letter is attached as **Exhibit 1** and incorporated as though full set forth herein) Therefore, the Ukiah Gun Club interprets the lease for only 25 acres and has restricted its activities within these 25 acres.
2. Agrees to this finding only to the extent that the Mendocino County Sheriff’s Office has recently been allowed to use the facilities as guests of the Club and is currently allowed to do so. Due to the severe county budget constraints, the Club has allowed the Sheriff’s Office to use its ranges for no charge. Since the Sheriff’s Office along with other law enforcement agencies uses the club’s ranges is proof that no danger exists because they would not use them if they thought that any type of hazard existed on the club’s premises.
3. Disagrees with this finding because the Ukiah Gun Club has a lease with the City of Ukiah and the Ukiah Police Department is a department or subdivision of the City. Because the City of Ukiah is the lessor; thus the Ukiah Police Department falls under the umbrella of the existing lease. Some of Ukiah Police Officers are certified range masters and are members of the Ukiah Gun Club. The City of Ukiah pays for their membership. For these reasons, no additional, formal use agreement is necessary with respect to the City of Ukiah. Further, the fact that the City of Ukiah formally pays membership dues for some of its officer’s goes against the notion that any real or bona fide hazard exists anywhere in the club including all shooting equipment used therein.
5. The Ukiah Gun Club currently has no knowledge of the truth of the facts as stated in Grand Jury’s finding number 5. However, the 1993 appraised value may be too high at current real estate market given that real estate values have been declining in the past

several years. Therefore, the dollar figures in this finding may no longer be accurate but may be artificially high.

6. Disagrees with this finding because, as stated in Response to Finding No. 1, the Ukiah Gun Club effectively only leases 25 acres.
7. Agrees with this finding with the following caveat that, again, the Ukiah Gun Club only effectively leases 25 acres and the lease agreement states that lessor pays all real property taxes of the land.
8. Agrees with this finding.
9. Disagrees with this finding. The lease says that the lessor (the City of Ukiah) pays all property taxes. The Ukiah Gun Club is only responsible for paying possessory taxes for personal property on the Club's premises.
10. Agrees with this finding.
11. Disagrees with this finding because due to the Sheriff's economic budget situation, the Ukiah Gun Club has recently and currently allows the Sheriff to use the facilities without charge and waives all fees to help relieve the economic stress to the County.
13. Agrees with this finding.
14. Agrees with this finding but it should be noted the Ukiah Gun Club has all necessary permits and is in compliance with all relevant regulations. The septic tank on the Club's premises is no different than those used by the hundreds of residential systems in place throughout this county. Therefore, it should be treated no differently.
15. Agrees with this finding but it needs to be noted that Public Health Officials have already inspected and passed the kitchen and restroom facilities. Further, none are used for commercial purposes; therefore, the kitchen and restroom facilities are beyond the jurisdiction of the Department of Public Health.
17. Agrees with this finding but the application for this permit was voluntarily withdrawn by the Ukiah's Gun Club's President, Willard Carlstedt.
18. Agrees with this finding but see response to number 17.
19. Agrees with this finding.
20. Strongly disagrees with this finding. The soil is composed of clay and is covered heavily with dense vegetation. The pistol range has a berm and a backstop and the targets on the rifle range are installed in dug out clay dirt. No rocks or stones are located thereon or nearby.

21. Disagrees with this finding. The Ukiah Gun Club has been in existence and active for approximately 66 years. No one at the Club, including the "old timers", knows of any incident of someone receiving a gunshot wound while using the club's facilities.

Newspaper articles are not considered legal evidence in a court of law and newspapers have been known to be inaccurate at times. **The law requires that all gunshot wounds be report to law enforcement whether caused by accident or not.** (See Penal Code section 11160(b)(1)). Once so notified, law enforcement files a report and the Grand Jury has legal access to all such reports. Apparently, the Grand Jury doesn't have any official reports; therefore, their finding on this point is suspect if they are basing it on a newspaper article.

Further, is there a medical record of that gunshot wound? The only gunshot wound claimed comes from some unidentified newspaper. This is not documentation in a legal sense nor does it support a negative finding against a Club that has been in operation for approximately 66 years without problems or incidents. Further, if a problem of ricocheting bullets did in fact exist, the neighboring Vichy Springs subdivision of homes would be voicing numerous complaints. Instead, no proof exists that would negate the stellar reputation of the Ukiah Gun Club

The fact is that no complaints of ricochets have been reported by the Vichy Springs Homeowners Association as evidenced by a member of their Board of Directors. The Vichy Springs Subdivision of homes is located directly across the road from the Ukiah Gun Club. If a problem of ricochets truly exists, the shooters themselves are at greatest risk next would be the residents of Vichy Springs Estates; because they are directly across from the Club.

If there was any hint of truth to the Grand Jury's findings one would expect the existence of numerous complaints and formal reports to the appropriate government agencies from those residents. For the years since this subdivision has been in existence, no complaint of a ricochet was ever made. Several police officers and sheriff's deputies reside in this subdivision. Those officers would be duty bound to take law enforcement action if these ricochet allegations were in fact true. Therefore, reams of reports would exist and be available to the Grand Jury but they fail to mention the existence of any official investigation reports on this subject.

To the contrary, the residents of the Vichy Springs Subdivision have experienced no problems with ricochets otherwise as evidenced by a letter from a long time Director of the Vichy Springs Homeowners Association, vouching for the fact that no one has ever made of mention of any such concerns during their regular homeowners meetings. (See Letter of John Scheuller, Director of the Vichy Springs Homes Owners Association that is attached at **Exhibit 2** and is incorporated as though fully set forth herein.). **Because the Grand Jury did not request a response from the Vichy Springs Home Owners**

Association, the Ukiah Gun Club asks that John Scheuller's letter be accepted as their formal response to the Grand Jury's Report.

22. Disagrees with this finding. The quote from the newsletter was taken out of context. The Club's Board of Directors decided to put wide layer of dense, heavy sand on its pistol range purely for preventive measures against possible ricochets from possibly happening. The Club's Board acted purely out of an abundance of safety and caution. No actual ricochet was known or brought to the Board's attention when this decision was made.

Further, Condiotti Enterprises (the co-developers of the Vichy Springs Estates subdivision project located next to the Ukiah Gun Club) hired the appropriate experts to investigate and study this issue before it committed its finances to develop this subdivision and risk liability for selling homes to people who might get hurt from a ricochet bullet coming from the neighboring gun club. Their conclusion was that no genuine or real threat of ricochets coming from the Ukiah Gun Club exists. The danger of ricochets is non-existent absent some strange act of God. It was only after this study when Condiotti decided to invest in and undertake the housing development project on Vichy Springs Road. (See Letter from Glenn Reindahl, a former employee of Condiotti Enterprises attached as **Exhibit 3** and incorporated as though fully set forth herein). The letters from Glenn Reindahl and John Scheuller conclusively disproves that a ricochet problem exists.

Again, those at greater risk of harmful ricochets are the shooters, themselves and the residents of the Vichy Springs Homes. Yet, after 66 years of operation no ricochet hits have been reported to the appropriate authorities.

The absence of such evidence negates the truth of the Grand Jury's finding.

The physical layout of the Ukiah Gun Club's facilities leads to the conclusion that ricochets traveling across the road and landing somewhere on the Vichy Springs Estates is not possible. The sturdy wooden structures located directly behind the ranges effectively block any bullets from bouncing back and going through the thick wood and the dense trees on the club's premises. Those provide an effective barrier and separate the range from Vichy Springs Road and Vichy Springs Estates. No ricochet can pass through the aforementioned man made and natural barriers. **Further, no bullet holes are to be found on any of the wooden barriers located behind the firing line.**

As to Vichy Springs Resorts, this resort is located approximately one half mile away from the gun club. This distance coupled with the hills, trees, and vegetation separating and blocking it from the Ukiah Gun Club makes it impossible for ricocheting bullets to ever reach Vichy Springs Resorts. Vichy Springs Resorts stands a greater danger of bullets coming from guns fired by hunters and other shooters from neighboring public lands managed by the Bureau of Land Management rather than from the Ukiah Gun Club.

23. Agrees with this finding but it needs to be noted that the majority of this traffic is due to the residents of Vichy Springs Subdivision and not the Ukiah Gun Club.
24. Given the length of time, the current members of the Ukiah Gun Club's Board of Directors have no personal knowledge of this fact at this time.
25. Disagrees with this finding. The lease permits non-structural alternations that do not exceed \$5,000 in cost. No alterations have been made in violation of lease.
26. Disagrees with this finding because those alterations were non-structural within the meaning of section 13(a) of the lease agreement.

RECOMMENDATIONS:

1. Disagrees with this recommendation. The current lessor/lessee jurisdiction with the City of Ukiah has worked well for decades and no real problem has been established that requires a change in the status quo. This issue has been and remains resolved. **The Grand Jury is acted purely on speculation based on thin evidence.**
- 2.-3. Disagrees with these recommendations. Metal gun targets and frames are made of very hard plate steel designed and made specifically for shooting. If those targets and frames posed a safety hazard those companies would face severe liability under California's draconian product liability laws. For these reasons those companies must use extraordinary caution in designing and engineering to assure their safety to avoid lawsuits.

Copper and lead are much softer metals than the hard armor like steel used in targets and frames. Upon impact, the bullet will immediately lose tremendous speed and velocity. Lead, being a very malleable metal, will immediately flatten on impact against a hard steel plate and will immediately take the shape like a coin and will drop somewhere near the target. The copper jacket is also much softer than the steel used in targets and target frames. The copper coating is paper thin and upon impact, the two metals will separate. Once separated the copper coating is light as a feather, weighing less than one gram. The copper will either disintegrate or fragment into smaller pieces and will likewise drop somewhere near the target.

It is axiomatic that jacketed bullets will drop within a few feet of the targets. It goes against science and physics that fragments carrying such tiny weights and mass will bounce and travel any appreciable distance. For these reasons, 10 yards are considered a safe distance for jacketed hand gun ammunition, 100 yards are considered safe for jacketed rifle ammunition, and 75 yards are considered safe for shotgun slugs. The safety of these distances has been determined by professional shooting organizations such as the International Defensive Pistol Association. (See letter from Lt. Donald Miller, Mendocino County Sheriff, Ret., attached hereto as **Exhibit No. 4** and incorporated as though fully set forth herein.)

Further, five special tactical officers from Sonoma County who are Special Weapons And Tactics (SWAT) who have extensive training and expertise in the use of firearms and ballistics in urban settings can personally attest to the Club's safety precautions and the lack of any danger. They are very familiar with all of the Ukiah Gun Club's facilities and equipment because they train there and some have even joined the Club as regular members. (See attached letter from those 5 officers as **Exhibit 5** and is incorporated as though fully set forth herein)

As to the safety of metal targets and frames, the Redwood Practical Shooters are a gun club located near the coast of Mendocino County. They use far more metal targets and frames than the Ukiah Gun Club. Further, their shooting space is more confined than Ukiah's Club. This means that it is usual for shooters and spectators to stand closer to those targets than members of the Ukiah Gun Club. Yet, after years of operation, no one from the Redwood Practical Shooters has experienced any danger or harm caused by ricochet bullets. Further, many of the members of the coast club have used the facilities of the Ukiah Gun Club and are familiar with the premises and equipment thereon. The Redwood Practical Shooters, as a club, is willing to go on record that the Grand Jury's findings are without merit and that bullets after impacting steel do not travel any significant distance. (See attached letter from the Redwood Practical Shooters as **Exhibit 6** and is incorporated as though fully set forth herein).

Also, the California Highway Patrol Officers and the California Department of Corrections use the Ukiah Gun Club on a regular basis and are likewise familiar with the layout of the ranges and equipment used. The Captain of the Ukiah Division is also willing to go on record negating the Grand Jury's concern of ricochets and the safety precautions employed by the Club. (See attached letter from P. Davis, Captain, of the California Highway Patrol, Commander of the Ukiah area and Letters from two Unit Supervisors and Lead Range Masters (Eric Reid & John McNunn). Those gentlemen have impeccable credentials as to firearms and range safety and the fact that they are willing to stake their good names and reputation vouching for the safety of Ukiah Gun Club's Ranges cannot be glossed over. Further, the same can be said for Captain Davis of the Highway Patrol for having the moral courage to come forward and effectively denounce the findings of the Grand Jury. All three letters are attached as **Exhibit 7** and is incorporated as though fully set forth herein).

It needs to be emphasized that those with the expertise in the area of firearms and bullet ballistics are willing to stake their reputation and go on record vouching for the safety of the Ukiah Gun Club and disagree with the Grand Jury's Report. This fact begs the following question: What are the qualifications and expertise of the members of the Grand Jury on these subjects to support a credible, accurate opinion opposing the aforementioned experts?

This question is especially relevant when, as will be elaborated below, the Grand Jury is recommending that the Board of Supervisors to do something EXTREMELY DANGEROUS: Enacting an ordinance barring the use of jacketed bullets and use only lead bullets for target practice. This is the greatest danger to

public safety and the Board of Supervisors should ban the use of approximately 97% of all ammunition sold in this county and elsewhere.

FOR THESE REASONS THE UKIAH GUN CLUB AND THE SHOOTING COMMUNITY MUST PAY SPECIAL ATTENTION TO THE EXPLANATION GIVEN BELOW ALONG WITH THE ATTACHED DOCUMENTED EVIDENCE.

As stated in the letter of Brad Smith of Pacific Outfitters that sells firearms and ammunition states; “

“Most modern firearms are designed to shoot bullets that are partially to fully copper alloy jacketed. Both hand guns and rifles, with some exception, are designed to function best with cased jacketed bullets. Those designed to shoot uncased lead alloy bullets are generally musket loader loose powder antique replicas.”

“Cased and Jacketed bullets evolved from uncased and unjacketed ones during the late 1800's. Both firearms and ammunition evolved rapidly into the early 1900's. As a consequence, very little unjacketed alloy ammunition are (sic) used to today –mostly in antique firearms. This evolution in ammunition allowed modern firearms to be developed, such as, bolt action, lever, and pump actions.”

“One very probable consequence of restricting the Ukiah Gun Club to lead bullets is the shutting down the pistol and rifle ranges. Shutting down these ranges will in turn have consequences. One such consequence is lowering local retail sales of ammunition . . . That equates to a loss of tax revenue on a quarter of a million dollars in retail sales.” (A true and complete copy of Brad Smith's letter is attached hereto as **Exhibit 8**)

It needs to be underscored that those who are at greatest risk of harm from ricochets are the shooters themselves not neighboring property owners who reside several hundred yards to a half a mile away. It would stand to reason that if ricochets were a genuine threat then there would be scores of documented injuries from range users as is required by law during the 66 years that the Club has been in existence. The fact remains that no reliable proof exists of a ricochet than some vague incident allegedly reported to the press and not to law enforcement.

As stated before, about 97% of factory manufactured ammunition is copper jacketed and modern firearms are designed for use of this type of ammunition. In fact, **using pure lead bullets in many modern firearms presents a real danger.** The lead will immediately foul the gun barrel and will build up and cake inside the barrel, thereby constricting its diameter and caliber. **This fact will cause a real danger of guns exploding and other catastrophic results.**

This danger of using unjacketed bullets is especially true with Glock Pistols, the type most commonly used by law enforcement in this county. Attached as **Exhibit 9** is a letter from the attorney representing the manufacturer of Glock Pistols that letter includes diagrams and pictures. That letter backed with pictures and similar graphics reveal that due to the unique design of Glock's barrels only jacketed rounds are to be used. Otherwise, using this Glock's own words, "could be unsafe for the shooter and those nearby" (A true and complete copy of the detailed letter from Carlos Guevara, General Counsel, along with photos and graphics, is attached hereto as **Exhibit 9**). It needs to be emphasized that Glock pistols are very popular and used extensively by law enforcement in this county as well as shooting enthusiasts. Further, other firearms manufacturers use similar designs in the manufacture of their guns and would experience the same safety issues if the Grand Jury's Recommendation of using lead as opposed to jacketed bullets would be implemented.

As further proof of this fact is that Professional Shooting Academies such as the prestigious Front Sight Gun School in Nevada only uses jacketed ammunition and this school **specifically ban pure lead bullets**. (See Letter of Lt. Donald Miller, Mendocino County Sheriff's Office Retired attached as **Exhibit 4, supra**).

The grand jury's recommendations as to the county enacting ordinances in this regard will likely cause more danger and physical harm to people than the imagination of ricocheting bullets. Because of the real danger of an ordinance requiring the use of "lead only" bullets will in fact cause a clear and present danger, the city and county should expect a flurry of lawsuits challenging such an ordinance if enacted. The Grand Jury will force citizens and shooting organizations to sue this budget strapped county. This County is in no financial shape to bear the expensive cost of litigation that, as will be explained below, in the end the county will likely lose.

The law is clear that the State of California has pre-empted the field of firearms regulation and prohibits counties and municipalities from enacting unique or unusual firearms regulation. This would logically include firearm ammunition. This means that counties and municipalities must stay away from enacting unique or unusual firearms regulations. If the county were to pass such an ordinance, as the Grand Jury recommends, it would be in opposition to state and federal law.

The end result is that the county ordinance will most likely face extensive litigation and the proposed ordinance would most likely be ruled illegal as is evidenced by San Francisco's failed attempt to regulate handguns within its city limits. This budget strapped county cannot afford the luxury of expensive litigation that it would most likely lose if these ammunition regulations were challenged. The two United States Supreme Court decisions of *D.C. v. Heller* and *MacDonald v. The City of Chicago* have greatly fortified the personal rights of gun owners and this protection would logically extend to any regulation pertaining to ammunition because it infringes upon the right to keep and bear arms.

This is especially true in light of aforementioned Supreme Court decisions and recent court decisions throwing out gun and ammunition control laws such as Assembly Bill 969 that attempted to regulate sale of handgun ammunition and San Francisco's fiasco that cost that city approximately \$7 million dollars in attorney's fees.

4. Disagrees with this recommendation. Current safety measures utilized by the Club are more than adequate. The Club has been in existence for about 66 years. If ricochets were a real problem those incidents would have been documented. Further, if the problem is so extensive as the Grand Jury Report implies then reams of such reports should be on file with law enforcement agencies. This is, as the grand jury has most likely discovered, is not the case.

5. Disagrees with this recommendation. No special, "Blue Ribbon" department consisting of members who are totally unfamiliar with the nuances of firearms and shooting needs to be created. The 2010-2011 Grand Jury is proof as to the truth of this fact. The Ukiah Police Department pays membership dues for some of their officers to become range masters and they are duty bound to report to the chief of police if any problems exist. They are the ones with the sophistication, knowledge and expertise in firearms and ballistics to detect real hazards as opposed to imaginary ones advanced by the Grand Jury. Giving this charge to the Ukiah Police Department's specially trained range masters would be more than adequate. Further, the Club has a full time caretaker residing at the Club's premises and he is charged with policing the Club's operations and members to assure that no unsafe activities will occur. The Club's By Laws gives the caretaker the authority to immediately halt any unsafe activity and remove offenders from the premises.

The Grand Jury's method of investigating this matter is proof that creating a special department will not work because of their inexpert method of investigation into the activities of the Club (the facts they overlooked, failure to inquire into the hidden agendas of people feeding them false information, failure to consult with the appropriate experts as to the scientific aspects of these issues, and mis-information they failure to detect & factor in the shadows of "anti-gun politics") **and their faulty findings and their outright dangerous recommendations based thereon are proof** that creation of a special "Blue Ribbon" department is a concept that just will not work. Comparison of the investigation that went in the Grand Jury's Report with the investigation that went into this Response proves that the issues the Grand Jury was grappling with was no place for amateurs.

It must be underscored that law enforcement agencies themselves use the ranges of the Ukiah Gun Club. They are the best inspectors. Surely, they would take law enforcement action if a true hazard of any kind existed. This status quo has existed and worked well for decades. For reasons already stated no purpose exists for changing it. Ukiah's Range Masters can be given this charge. No special bureaucratic department needs to be created.

6. Disagrees with this recommendation. No evidence of violation was detected that would warrant a special inspection
7. Disagrees with this recommendation. Since the kitchen premises are not used for commercial purposes Environmental Health does not have jurisdiction to inspect.
8. Disagrees with this recommendation. No evidence of violation or irregularities were detected that would warrant this special inspection as opposed to those septic systems used through out the county.

EPILOGUE:

The Grand Jury requested responses from the Ukiah Gun Club and Vichy Springs Resort but not from the Vichy Springs Homes Owners Association. **This omission must not be glossed over because Vichy Springs Estates would be facing the greater risk of harm if a threat truly existed.** The absence of this invitation should cause the casual observer to wonder **why omit those who be more likely to be affected were not requested to respond?** For this reason, the reader is requested to accept the letter by John Scheuller, Director of the Vichy Springs Homes Owners Association that is attached hereto as **Exhibit 2** as their official response to the Grand Jury's Report. This omission calls the motivation of and driving force behind the Grand Jury into question.

To find a meaningful answer to this question, one must look to the history of the Ukiah Gun Club and the Vichy Springs Resorts.

Some may try to paint a picture that a quiet community existed before the gun range. This is not so. In fact, all developments on the Vichy Springs Road occurred with full knowledge of the club's existence and that the garbage trucks create an enormous amount of traffic and noise. Therefore, all property owners near the club bought their real estate with their "eyes open" as to the Club's existence and operations.

Mr. Ashoff complains that bullets have gone whizzing by his property and ricochets have occurred. The gun club has never received notice from anyone, other than Mr. Ashoff, that a bullet went whizzing by any person or property.

Mr. Ashoff claimed to have found a bullet in the swimming pool on one occasion and he complained to the City of Ukiah. No evidence existed where the bullet came from. The Club's president, Willard Carlstedt (See Declaration of Willard Carlstedt attached hereto as **Exhibit 10** and incorporated as though fully set forth herein) met with Candice Horsley, Ukiah's City Manager, and she only showed Mr. Carlstedt a picture of the bullet allegedly found in a swimming pool. In fact, Mr. Carlstedt and Penny Mathis, the club's treasurer (who also saw the photograph) contacted the National Rifle Association, requesting that they send an expert to the Ukiah Gun Club for a comprehensive and complete inspection. Penny Mathis and Willard Carlstedt met with the NRA Range

Technician/Ballistics Expert and they spent two days inspecting all of the existing shooting areas, targets, target frames and containment berms surrounding the metal targets and frames. This Expert was extremely diligent asking barrages of questions regarding every shooting aspect of the Club's ranges.

Upon conclusion of his comprehensive inspection and examination, the NRA Range Technician/Ballistics Expert said, in the presence of Penny Mathis and Willard Carlstedt, clearly and unequivocally said that, due to the berms and the direction that the ranges were facing, it was not possible for a bullet to ricochet and travel beyond the Gun Club's premises. (See Declaration of Willard Carlstedt attached hereto as **Exhibit 10** and Declaration of Penny Mathis attached hereto as **Exhibit 11** and incorporated as though fully set forth herein)

Due to Mr. Carlstedt's expertise in firearms he readily noticed that the bullet in the pictures was in pristine condition, with the exception of a small dent on the tip. It did not have the tell tale rifling marks caused by a gun barrel. Rifling marks are caused from gun barrels by carving impressions in the bullet from the grooves and lands built into the rifled barrel. Mr. Carlstedt could readily tell that this bullet was not fired from a gun. Penny Mathis also saw the photographs and came to the same conclusion. The actual bullet was never shown to Mr. Carlstedt or Ms. Mathis. Later on in a letter dated December 21, 1997, Mr. Ashoff then qualified his earlier allegation that the bullet in the pool came from the Ukiah Gun Club. Mr. Ashoff's letter was specifically phrased "**I did not nor do I allege this particular bullet came from your club . . .**" (The Club still has possession of this letter with Mr. Ashoff's phraseology.

Nevertheless, the Club hired an expert from the National Rifle Association to evaluate the Ukiah Gun Club's ranges for the existence of any possible harm to anyone. This expert's conclusion was that given the design of the ranges, the topography of the land especially with respect of its location to Vichy Springs resort the "swimming pool bullet" could not have traveled to Vichy Springs Resort from the Ukiah Gun Club and that the Club's ranges are indeed safe. (See Declaration of Willard Carlstedt and Penny Mathis, the Club's Treasurer attached hereto as **Exhibits 10 & 11**).

Afterwards, the Ukiah City Manager, Candice Horsley, wrote a letter to Mr. Ashoff dated December 5, 1997, that the City was investigating his claim that a bullet landed in his swimming pool. In that same letter, Ms. Horsley reminded Mr. Ashoff that the Declaration of Restrictions recorded on his property by none other than Mr. Ashoff himself and he personally made this Declaration of Restrictions applicable to every property in the Vichy Springs subdivision and made all of them duty bound to resolve any issues with the Ukiah Gun Club informally. (A true and complete copy of Ms. Horsley's letter is attached hereto as **Exhibit 12** and is incorporated as though fully set forth herein.) It was after this letter that Mr. Ashoff "backtracked" from his earlier accusation that the bullet came from the Ukiah Gun Club. (See the exact quotation from his letter above.)

Yet, overtime this single complaint of a single bullet in the bottom of the pool, has been recharacterized as "many ricochets" and bullets whizzing by. As stated before, the only known "real" complaint of a bullet is from Vichy Springs Resort and that complaint turned out to be without merit

As stated before, the Ukiah Gun Club has never received a single complaint from the Vichy Springs Community Homes Owners Association about ricochets or whizzing bullets.

It needs to be underscored that the gun club was in existence and active for years, if not decades, before the subdivision was built. It defies rational explanation why would Mr. Ashoff, who believes that bullets from the Ukiah Gun Club would reach as far as his resort, (which is one half mile away) and would subdivide and build homes directly across from the Club. Further, Mr. Ashoff recorded a covenant not to sue the club for nuisance and made this covenant run with the land of every home in this subdivision. Why would Mr. Ashoff do this if he truly felt a danger existed with respect to ricochet bullets? Mr. Ashoff, as co-developer, made the choice to build homes near the Ukiah Gun Club. The Ukiah Gun Club did not invite this subdivision nor did the Club stand to profit from it. This brings up the question that if the gun club is so offensive then why did Mr. Ashoff invest and build the subdivisions and why would people buy a house if they had a problem with the gun club? They too bought their homes there with their "eyes and ears open."

To repeat, a Declaration of Restrictions that runs with the land is recorded on each house on the subdivision barring the homeowners from bringing nuisance suits against the Ukiah Gun Club.

If Mr. Ashoff, one of the major developers of the subdivision, was truly concerned of harm to people's safety by bullet ricochets coming from the Ukiah Gun Club then why did he record a "Declaration of Restrictions" banning homeowners in the Vichy Springs Subdivision from bringing nuisance suits against the Ukiah Gun Club? As per a letter written to Mr. Ashoff by Ukiah City Manager Candice Horsely dated December 5, 1997, she reminded Mr. Ashoff of the Declaration of Restrictions that was recorded in 1966 (sic) and that it runs with the land. In particular, the letter states:

"[T]he Declarations of Restrictions, which was recorded in 1966 as Book 1549, Page 427, in which you, as the owner of the 110 acre parcel which had the Mendocino Assessor's Parcel Number at that time of 178-210-03, signed and agreed to try to resolve with the Gun Club any problems that may develop concerning the operation of the Gun Club." (See Horsley's letter is attached as Exhibit No. 12 supra)

This declaration was apparently done after the "bullet in the pool incident". This fact makes allegations of dangers and threats of possible ricocheting bullets from the Ukiah Gun Club suspect..

Since the "bullet in the pool" incident in 1997, Mr. Ashoff never approached the Ukiah Gun concerning any problems of ricocheting bullets since then, as Mr. Ashoff was required to do so pursuant to the Declaration of Restrictions that he signed. (See Horsley's Letter attached as Exhibit 12, supra)

It is noteworthy that the Grand Jury missed this important point.

Condiotti Enterprises studied the Gun Club issue beforehand and concluded that no real threat exists. But if Mr. Ashoff believed otherwise then why did they participate in this joint venture to build tracks of residential homes next to the Ukiah Gun Club?

The Ukiah Gun Club conversely is active in community service such as sponsoring shooting events for "Relay for Life" team raising money to fight cancer and sponsors other events and classes such as Refuse to be a Victim, the 4H Program, the Junior Trap Program (that gives children an alternative recreational activity as opposed to destructive behavior such as drugs and delinquency), and safety classes such hunter safety, basic rifle, shotgun, and pistol. The club also sponsors classes required for concealed weapons permits, and allowing law enforcement agencies a convenient location for firearms training thereby honing their shooting skills so as to better protect our community. The convenience of using a nearby shooting range allows officers to practice and qualify while being ready and nearby to respond to emergency calls. This convenience would not exist if those officers and deputies were to go the distance to deep forests for their training and qualification.

Those law enforcement agencies using the Club's ranges report that they have never experienced any problems with ricochets as evidenced in a letter from Captain Davis of the California Highway Patrol, California Department of Corrections, SWAT Officers from Sonoma County, Mendocino County Sheriff's Office, and the Ukiah Police Department. (See previous letters attached as Exhibits herein)

No reliable documentation of injuries exist against the Ukiah Gun Club during their 66 years of operation.

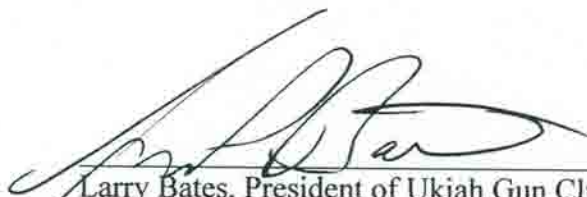
Simply put, the Ukiah Gun Club Serves the Community as evidenced by a letter to the editor in a local newspaper that reads in part:

"To the Editor,

Relay for life team "Top Gun" would like to thank the Ukiah Gun Club for sponsoring a Trap Shooting Event on April 3rd. This amazing event enabled us to give to the American Cancer Society \$3,357....We hope to make this yearly event so we can help the American Cancer

Society fund research that will allow us to save time lives and celebrate more birthdays." Karen Leland (Complete copy of Ms. Leland's letter is attached hereto as Exhibit No. 13)

This said, **the evidence is compelling and the truth is that Ricochets are IN TRUTH "No Problem!"**


Larry Bates, President of Ukiah Gun Club

Respectfully submitted,

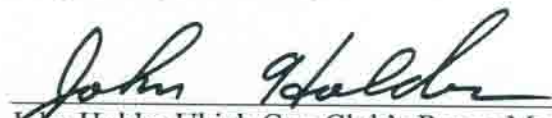

John Holder Ukiah Gun Club's Range Master

EXHIBIT NO. 1



300 SEMINOLE AVE., UKIAH, CA 95482-5400

• ADMIN. 707/463-6200 • PUBLIC SAFETY 463-6242/6274 •
• FAX # 707/463-6204 •

October 6, 1993

Mr. Steve Gomes
Selzer Realty
350 E. Gobbi St.
Ukiah, CA 95482

Dear Steve:

Staff has considered the offer to purchase all of the Franceschi property, except for the 20 - 25 acres the Gun Club would like to retain.

As you know our interest in the property, or any portion thereof, is predicated on the property serving as a buffer strip, or control zone, adjacent to the landfill.

Therefore, we would appreciate your consideration of a counteroffer from the City of Ukiah to only purchase at this time a buffer strip, or control zone, of 100' to 200' that runs the length of the landfill boundary including the area where our most recent monitoring well was drilled. The purchase of such a buffer strip would provide the Gun Club with an adequate down payment with which to purchase the balance of the Franceschi property, and allow the Gun Club to better control its future destiny.

Also, we would also request that the City of Ukiah be granted a first option on the balance of the property in the event all or a portion of it is ever put up for sale by the Gun Club.

We believe our counteroffer is a win-win for both the Gun Club and the City of Ukiah, and we look forward to hearing from their Board of Directors with regards to this counteroffer.

Any final purchase agreement for this property is, of course, contingent upon final approval of the Ukiah City Council.

Sincerely,

Charles L. Rough, Jr.
City Manager

CLR:ky
4:CM:L.Gomes

EXHIBIT NO. 2

2285 Appolinaris Dr.
Ukiah, CA 95482

April 20, 2011

Larry Bates, President
Ukiah Gun Club
P.O. Box 26
Ukiah, CA 95482

RE: Ricocheting Bullets

Dear Mr. Bates:

I was recently made aware of an April 17, 2011 article in the Ukiah Daily Journal regarding a Grand Jury report expressing concern about ricochet bullets from the Ukiah Gun Club (UGC) causing potential danger to the public.

I have lived in the community immediately to the south of the UGC, Vichy Springs Estates, for over six years. In addition, I have been on the Vichy Springs Homes Owners Association Board of Directors beginning in 2005 and have served as board president since 2006. I thank the UGC for allowing the use of its club house for three summer VSBOD meetings.

At every VSBOD meeting there is a Homeowners Forum, an opportunity for residents to bring problems to the attention of the board. During my years on the Vichy Springs board, there has never been a complaint from any homeowner about ricochet bullets from the UGC landing in our neighborhood, neither at any board meeting nor to me at any time. Also, to the best of my knowledge, no such complaint or concern has ever been received by our property manager.

It should be noted that at least six active peace officers live in Vichy Springs. They would be duty bound to take law enforcement action if there were in fact ricochets coming into this community.

Based on the above history, I respectfully disagree with the Grand Jury finding that ricochet bullets are a concern requiring government action.

As a UGC member, an NRA Certified Range Safety Officer and a resident of Vichy Springs Estates, I would be remiss if I did not immediately report any safety concerns to you.

If you have any questions or require any additional information, feel free to contact me at 468-8047.

Sincerely,



John Schueller

EXHIBIT NO. 3

Glenn Reindahl
25040 Robin Circle
Willits, CA 95490
707.459.2912

Larry Bates, President
Ukiah Gun Club
Post Office Box 26
Ukiah, CA 95482

Re: Grand Jury Report - Ricocheting Bullets

Mr. Bates,

I was employed as a draftsman and carpenter by Condiotti Enterprises, the developer of the Vichy Springs Estate's project located directly across the street from the Ukiah Gun Club.

My brother (who was also employed by Condiotti Enterprises) and I were "in the loop" when Condiotti Enterprises was contemplating this development project. Prior to purchasing these properties, Condiotti Enterprises was concerned about feasibility of building homes right across from a gun club. In particular, it was concerned about noise from the firing ranges dissuading home buyers and the liability of ricocheting bullets coming from the gun club. Not only would this make a project impossible to market and sell, the damage from ricochet's and possible injury to the homeowners and their property would have effectively killed the development before the property was purchased let alone commencing with construction activities. Condiotti Enterprises stood to lose a lot if these dangers were real.

Therefore, before Condiotti Enterprises committed to invest millions of dollars in this venture, a complete "due diligence" assay was performed to study everything from utilities, land improvements, sewer and water etc. Particular attention was given to the risks involved with building a project adjacent to a gun range (obviously). Appropriate experts and engineers were consulted to specifically study these issues. Upon completion of that study it was determined that the Ukiah Gun Club's ranges and its location in relationship to the proposed development project. It was conclusively determined that nothing short of an act of God could cause a ricochet to reach the house's, yards or the common areas and that there was absolutely no risk of injury or property damage caused by the normal use of the gun range(s) regardless of caliber. Based on these findings, Condiotti Enterprises decided to make the substantial financial investment to go forward project.

It needs to be emphasized that if Condiotti Enterprises believed that any such threat truly existed, they would not have invested the substantial amount of money in this development. Therefore, based on my unique knowledge of the facts concerning these issues, I can say with confidence that the grand jury's findings on this matter are unfounded and without basis.

Very truly yours,


Glenn Reindahl

4/26/11

EXHIBIT NO. 4

Donald L. Miller, Lt., Ret.

4-30-11

P.O. Box 156

Fort Bragg, Ca.

Dear Members of the Grand Jury:

I would like to make a statement about the recent Grand Jury recommendation regarding shooting jacketed bullets and steel targets and frames. First I would like to introduce myself and tell you a little about my qualifications to speak on this subject.

I served three years with the U.S. Marines in 1969 to 1972 and ended my enlistment with Sharpshooter Rifle badge and an Expert Pistol badge with the rank of Sergeant E-5. I started with the Mendocino County Sheriff's Office in 1973 and retired in 2007 with the rank of Lieutenant. In 1975 I started training Deputies with firearms and in 1978 I started teaching firearms at the local College. I continued as an instructor through the years and then started the current SWAT Team and was their lead instructor until my retirement. I took many instructors shooting classes and taught many more. I am presently a board member with the Redwood Practical Shooters Pistol Club in Fort Bragg which I have been associated with for about the last eight years. I shoot competitively both at the local level and in the Western States Police Fire Games, having won many medals and awards. I have taught many (CCW) Carrying Concealed Weapons classes here in Fort Bragg for the Sheriff since my retirement. I am certified by the National Rifle Association and by the FBI and hold a Teaching Credential with the State of California. I am also a certified instructor for California Fish &

Game as a Hunters Education Instructor. I have given you the above information to show my area of expertise in this subject.

When I instructed with the Sheriff's Office we shot steel targets for many years, all with handgun jacketed bullets. We also shot the steel targets with bird shot and at further ranges, slugs and jacketed rifle cartridges. Our handgun and automatic weapons were all shot with jacketed bullets at steel targets for various reasons, mostly manufacturer's recommendations, reliability and liability reasons. Major training sites like Front Sight in Los Vegas, Nevada require jacketed factory bullets and will not allow lead bullets even though they use metal targets and frames.

My local pistol club (along with the Ukiah Pistol Club) follows the (IDPA) International Defensive Pistol Association rules regarding shooting steel targets. Some of our club's targets are reactionary, which means they "MOVE" when shot. Other metal targets and frames we use are stationary and are specifically manufactured for shooting. They are made out of very hard plate steel. (In the industry they are made of 500 Brinell steel, which is the same hardness as armor plate; they have a hardness rating of AS 500, which is comparable to roughly a 52 on the "Rockwell C Scale). This means that once a jacketed bullet hits such a hard plated target the bullet loses tremendous speed upon impact and the lead will flatten and drop to the ground and the copper (a metal much softer than the steel target) will either disintegrate or break up and will likewise drop. For these reasons, jacketed handgun bullets are considered safe if the shooter stays ten yards away from the target, shotgun slugs are safe from ricochets if the shooter stands more than 75 yards away and jacketed rifle bullets are safe if the shooter stays more than one hundred yards away. As I said before, the steel targets are various sizes and shapes and are made of hard steel. Safety is

always a serious matter and shooters are aware of this. Further, the manufacturers of those targets and metal frames, designed to hold paper targets, have engineered them for safety because they would undoubtedly face possible product liability if they weren't made safe.

Our club uses considerably more steel targets than the Ukiah Gun Club and the enclosure of our shooting area is much smaller than the Ukiah Gun Club. It would be easy to say that I shot and been around millions of rounds fired at steel targets and I have never witnessed anyone injured with a ricochet from the steel targets. Our club shoots monthly and sometimes a couple of times a month.

I have seen the ranges at the Ukiah Gun Club and the steel targets they use. On the rifle range, the closest target is 100 yards. The pistol range has necessary barriers and berms to prevent ricochets. The rifle range is also enclosed in the same manner. The suggestion that a bullet whether jacketed or otherwise can hit a hard metal target or rock and travel the distance beyond the Ukiah Gun Club's facilities and strike the housing subdivision across the road is just not scientifically possible. Further, it is impossible for a bullet, given the topography and geography of the Ukiah Gun Club, to travel and land on Vichy Springs Resort that is approximately a half a mile away. This suggestion goes against common sense.

I hope this letter will dispel any concerns about ricocheting bullets from the Ukiah Gun Club. Thank you for this opportunity.

Sincerely,

A handwritten signature in black ink, appearing to read "D. L. Miller", written in a cursive style.

Lt. Donald Miller, M.C.S.O, Ret.

EXHIBIT NO. 5

Larry Bates, President
Ukiah Gun Club
Post Office Box 26
Ukiah, CA 95482

Re: Ricocheting Bullets

Dear Mr. Bates,

This letter was prepared by individuals who are members of a law enforcement SWAT team's sniper unit within Sonoma County. This letter has been authored in an effort to represent the experiences of these members and is not intended to represent the official position of the city that employs them.

Each person listed at the bottom of this letter is a police officer at a large metropolitan police department within Sonoma County and assigned to its SWAT Team as a tactical operator as well as a member of the sniper unit.

In general, members of law enforcement SWAT teams are tasked with responding to incidents that require Special Weapons And Tactics, thus the name, SWAT. Members of law enforcement SWAT teams receive specialized training in regards to firearms, tactics and other special equipment so they may respond to situations in their communities that the average police officer may not be trained or equipped to deal with.

Like many other law enforcement agencies throughout our state, the department that we work for has been charged with fulfilling its duties with an ever decreasing amount of financial resources. To that end, members of our SWAT team's sniper unit found themselves searching for an adequate training facility. Several other officers from the department were members of the Ukiah Gun Club on their personal time.

Members of our Sniper team toured the Ukiah Gun club facility and were so impressed by the club's facilities and safety precautions that each member of the sniper team joined the club so they could maintain the skills required to adequately fulfill their duties as SWAT snipers. No one on the team would have joined if they had any doubts or concerns that there were any safety hazards on the club's premises.

Members of the sniper team usually train at the club one to two times a month. During that time, no one on the team has ever experienced or heard of any safety issues related to ricochets or damages to vehicles parked in the lots. Furthermore, snipers have often seen staff members at the club walking around in an effort to ensure safety guidelines are being adhered to at all times, even by law enforcement personnel.

Respectfully submitted,

Mike Numainville Tim Hughes Perry Plattus Stephen Bussell Marcus Sprague

EXHIBIT NO. 6



Redwood Practical Shooters, P.O. Box 2021, Fort Bragg, California 95437

Dear Members of The Mendocino County Grand Jury

Our club would like to make a statement about the recent Mendocino County Grand Jury recommendation in reference to the use of steel targets for pistol and rifle shooting competition. First let me give you a brief history of Redwood Practical Shooters as it pertains to the use of steel targets for competitive shooting matches.

Our organization is affiliated with **IDPA, International Defensive Pistol Association** and we abide by their rules and regulations. As this organization is International in scope I think we can agree that their requirements would most certainly meet or exceed any and all safety requirements that would be required by the United States and any other country that they have active organizations functioning in.

The RPSA has been producing and holding matches since **1999**. During this time we have not experienced any injuries or problems from any ricochet off of our steel targets. Our area of competition is enclosed in a much smaller area than you will find at the Ukiah Gun Club. We are all familiar with the facilities at the Ukiah Gun Club and many of us have participated in shooting competition there.

We as an organization find it very difficult to imagine the possibility of a bullet hitting one of the steel targets in use at the Ukiah Gun Club and travelling outside of the area of the Ukiah Gun Club. Given the construction and measures taken during the construction of the Ukiah Gun Club the possibility of a bullet traveling any distance outside of the immediate range area strikes us as virtually impossible.

We hope that this information and input will relieve the Mendocino Grand Jury of any concerns that may have been presented to you about ricocheting bullets. We want to thank you for the opportunity to provide you with this information and if you should have any specific questions please do not hesitate to ask. We are willing to provide more specific information about your concerns.

Thank You

The Redwood Practical Shooters Association

Board of Directors

Don Hooper, *President*
Russell Saari, *Member at Large*
Jerry Beaty, *Member at Large*
Ken Dexter, *Member at Large*

Dick Whetstone, *Vice President*
Rhoda Stoker, *Treasurer / Secretary*
Don Miller, *Member at Large*
Dr. Richard Miller, *Member at Large*

Jan Saari, *Treasurer / Secretary*
Chuck Hathaway, *Member at Large*
Edward Davies, *Member at Large*

EXHIBIT NO. 7

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

540 South Orchard Avenue
Ukiah, CA 95482
(707) 467-4040
(800) 735-2929 (TT/TDD)
(800) 735-2922 (Voice)



May 3, 2011

File No.: 150.11417.12222

Ukiah Rifle and Pistol Club
700 E. Gobbi St. Sp. #128
Ukiah, CA 95482
Attn: Penny Mathis

Dear Ms. Mathis:

This letter is in response to your concern over training at the Ukiah Rifle and Pistol Club. Specifically, you asked if our department had experienced any incidents of ricocheting rounds and if those rounds endangered shooters or bystanders.

Sergeant Dave Tafel, who has been the Ukiah Area's range officer for the last six years, informed me that our department has not had any incidents of ricocheting rounds while utilizing the range. Each year our department shoots approximately 19,000 .40 caliber rounds, 2,500 .223 caliber rounds and 1,150 .00 caliber rounds.

If you have any questions in this matter please feel free to contact Sergeant Dave Tafel at the Ukiah Area CHP office.

Sincerely,

A handwritten signature in black ink, appearing to be "P. Davis", written over a horizontal line.

P. Davis, Captain
Commander
Ukiah Area

DIVISION OF ADULT PAROLE OPERATIONS

Santa Rosa Parole Office
3222 Airway Drive, Suite A
Santa Rosa, CA 95403



June 1, 2011

Ukiah Rifle and Pistol Club
P.O. Box 26
Ukiah, CA 95482

Sirs:

I wish to thank you for allowing the Division of Adult Parole Operations to use your Ukiah Rifle and Pistol Club range property. The training we are able to complete has vastly improved our quarterly qualification. Participating Parole Agents expressed their appreciation that we were able to train in a manner that is both safe and productive. The current physical setup of the range allows excellent safety by capturing all rounds fired down range. Our experience indicates errant rounds are not a factor due to the engineering of the range in a safe and efficient manner. I can state without reservation that after firing thousands of rounds, our agency has never experienced rounds landing anywhere outside of the range area.

Given the reduction in our law enforcement budget and the State direction to cut costs, your fee policy has allowed our unit to save our training budget close to one thousand dollars in range fees. Additional funds are saved by reducing hours of travel time because your facility is in our operational area. The lack of facilities that allow tactical training in a realistic environment is always an issue, and your range has allowed us to close the gap between training and the "real world."

As a direct result of training at the Ukiah club range, our agents are better prepared to deal with the uncertainties of law enforcement work. Loss of the Ukiah range will have a negative effect on both our training budget and officer safety.

It is our hope that we will continue to partnership with you for years to come and use your excellent facilities to provide the type of safe training that allows our law enforcement agency to provide quality service in the Mendocino County area.

Thank you very much for your support.

A handwritten signature in black ink, appearing to read "Ric Reid", is located above the typed name.

Ric Reid
Parole Agent II
Lead Range Master
Parole Region II

DIVISION OF ADULT PAROLE OPERATIONS

Ukiah Parole Office
798 North State Street
Ukiah, CA 95482



June 3, 2011

Ukiah Rifle and Pistol Club
P.O. Box 26
Ukiah, CA 95482

I am a supervisor for the Department of Corrections and Rehabilitation Parole Division. The Parole Agents working under my jurisdiction use the Ukiah Gun Club range for quarterly qualification and for tactical training. As Lead Range Master, I personally conduct the quarterly qualification and tactical training at the Ukiah Gun Club. The physical layout and management of the shooting range creates a safe training facility.

The current physical setup of the range allows excellent safety by capturing all rounds fired down range. Our experience indicates errant rounds are not a factor due to the engineering of the range in a safe and efficient manner. I can state without reservation that after firing thousands of rounds, our agency has never experienced rounds landing anywhere outside of the range area.

As a direct result of training at the Ukiah club range, the Parole Division saves money, allows Parole Agents more time "on the streets" by reducing travel time and affords the Agents more safe and productive training time.

The loss of the Ukiah range will have a negative effect the training budget, Agent access to training facilities and officer safety.

Thank you very much for your support.

A handwritten signature in black ink, appearing to read "John McNunn", is written over a horizontal line.

John McNunn
Parole Agent III
Unit Supervisor
Lead Range Master
Region II, North Bay District

EXHIBIT NO. 8



955 North State Street

1600 Fifth Street

737 "G" Street

Ukiah, California, 95482

Eureka, California, 95501

Arcata, California, 95521

Ph: 707-468-6474

Ph: 707-443-6328

Ph: 707-822-0321

Fx: 707-468-7405

Fx: 707-443-1002

Fx: 707-822-0374

Ukiah Gun Club
c/o Myron Sawicki, Esquire
P.O. Box 1095
Ukiah, CA 95482

In Re: Grand Jury Report

May 10, 2011

Dear Sir,

You requested me to comment on several issues raised by the Grand Jury Report, and I have done as best that I can without going to your range and conducting field surveys. I do have an expertise in firearms and firearm ranges.

Most modern firearms are designed to shoot bullets that are partially to fully copper alloy jacketed. Both handguns and rifles, with some exception, are designed to function best with cased jacketed bullets. Those designed to shoot uncased lead alloy bullets are generally musket loader loose powder antique replicas.

Cased and Jacketed bullets evolved from uncased and unjacketed ones during the late 1800's. Both firearms and ammunition evolved rapidly into the early 1900's. As a consequence, very little unjacketed lead alloy ammunition are used today—mostly in antique firearms. This evolution in ammunition allowed modern actions to be developed, such as, the bolt, lever, and pump actions.

One very probable consequence of restricting the Ukiah Gun Club to lead bullets is the shutting down the pistol and rifle ranges. Shutting down these ranges will in turn have consequences. One such consequence is lowering local retail sales of ammunition. My company in a twelve month period sold \$71,645 in center fire rifle ammunition, \$111,051 in center fire pistol ammunition, and \$23,133 in rim fire ammunition. Other companies also sold ammunition. That equates to a loss of tax revenue on a quarter of a million dollars in retail sales.

Equally important is public safety. The Ukiah Gun Club Range is used by target shooters, hunters, and defensive shooters to improve their skills. Shutting down the range will result in the shooters going somewhere else. That somewhere else could be a vacant field near town, or a spot on Cow Mountain. Wherever, it will not be as safe as a developed range. Needless to say, law enforcement firearms training will take a giant step backwards.

Sincerely,

Brad Smith, Managing Owner

EXHIBIT NO. 9

GLOCK, Inc.

U.S.A.



PERFECTION

GLOCK, Inc. P.O.Box 369
Smyrna, Georgia 30081 U.S.A.

Fax. (770) 437-4714
Tel. (770) 432-1202

Larry Bates
President of the Ukiah Gun Club
c/o Myron Sawicki
P.O. Box 1095
Ukiah, CA 95482

5/10/2011

Dear Mr. Bates,

The California Grand Jury's recommendation to the Mendocino County Board of Supervisors to enact a county ordinance banning the use of jacketed bullets for target practice and to allow only the use of lead bullets is extremely concerning to GLOCK, Inc.

The GLOCK pistol is one of the most reliable, high quality and safe firearms on the market today. In fact, the superb quality and safety of the GLOCK pistol is the very reason that more than 70% of law enforcement agencies prefer GLOCK. As a matter of fact, the Ukiah Police Department and the Mendocino County Sheriff's Department currently issues GLOCK semi-automatic pistols as duty weapons to their officers along with numerous other law enforcement agencies in the state of California.

The banning of jacketed ammunition in favor of lead ammunition could compromise the integrity, performance and safety of the GLOCK pistol. The rifling inside a firearm barrel is provided to spin and stabilize the projectile (bullet); which increases accuracy and range. Traditionally, many manufacturers use a type known as 'land and groove' rifling, whereas GLOCK pistols use polygonal (see attached diagram). Lands are the 'high' points and 'grooves' are the low points inside a barrel. The projectile 'upsets' or expands into the grooves allowing the projectile to 'seal' the barrel to keep the burning gases behind it thereby increasing velocity and accuracy. The combination of lands and grooves serve to 'grip' the projectile as it moves down the barrel.

GLOCK barrels use a different form of rifling known as 'polygonal'. Firearms in .40 caliber and under use a hexagonal or 6-sided pattern. Firearms in .45 caliber use an octagonal or 8-sided pattern (see attached barrel cutaway). GLOCK's advance manufacturing and tighter tolerances allow for a more precise fit between the bullet and the chamber. Please review the attached diagram for a list of advantages of this type rifling as compared to the 'land and groove' version. When using non-jacketed (usually lead) bullets in a GLOCK barrel with polygonal rifling, there are some issues that may occur. Lead projectiles are much softer than jacketed bullets. When firing lead bullet cartridges, some of the lead is deposited inside the barrel due to the high temperatures and deformation that occurs as the projectile moves down the barrel. Each round fired deposits more lead and eventually the bore (barrel) gets a build up which actually can decrease the area the bullet occupies as it moves through and out of the barrel. If this build up continues, it becomes harder and harder to push the projectile down the barrel. This can lead to increased pressures and ultimately to a failure of the steel barrel to contain this over pressure situation.

The exact diameter of barrel and projectile must be matched very carefully. If the projectile is too small and doesn't get the proper 'grip', the burning gases from the powder may 'push by' the sides of the projectile thus disrupting its flight. This will result in a slow and inaccurate projectile. Now, if the projectile is too large, internal pressures may increase to the point of metal failure. Internal, external and terminal ballistics will also be affected in negative ways. For example, 9mm - typical cartridge would have a projectile weighing from about 115 grains to 147 grains. The diameter of the projectile would be approximately .355" and would fit the 9mm barrel snugly. If it is a jacketed projectile (usually some alloy of copper), the bullet base would expand slightly to seal the bore and pressures would be acceptable and safe. SAAMI / NATO specifications for the 9mm load are around 34-38



thousand PSI. GLOCK barrels are proof-tested at approximately 50 thousand PSI and would not be damaged when firing these type loads.

If non-jacketed / lead projectiles are used inside a GLOCK barrel, it's possible the continued build up of that remaining lead would begin making the inside diameter of the barrel smaller and smaller. Eventually, it would get harder and harder to move the projectile through that area leading to increased pressure. In the extreme cases, pressure would get so high that the barrel could be damaged and this could be unsafe for the shooter or those nearby.

For the most part, no major ammunition manufacturer produces non-jacketed ammunition for the vast majority of pistol ammunition chambered in GLOCK pistols. GLOCK, Inc. does not recommend the use of lead ammunition for the reasons outlined above and to ban the use of jacketed ammunition would restrict not only the law enforcement agencies who utilize the Ukiah Gun Club for training/practice, but also those who enjoy the sport of shooting.

Sincerely,
GLOCK, Inc.

Carlos Guevara
General Counsel

Attachments

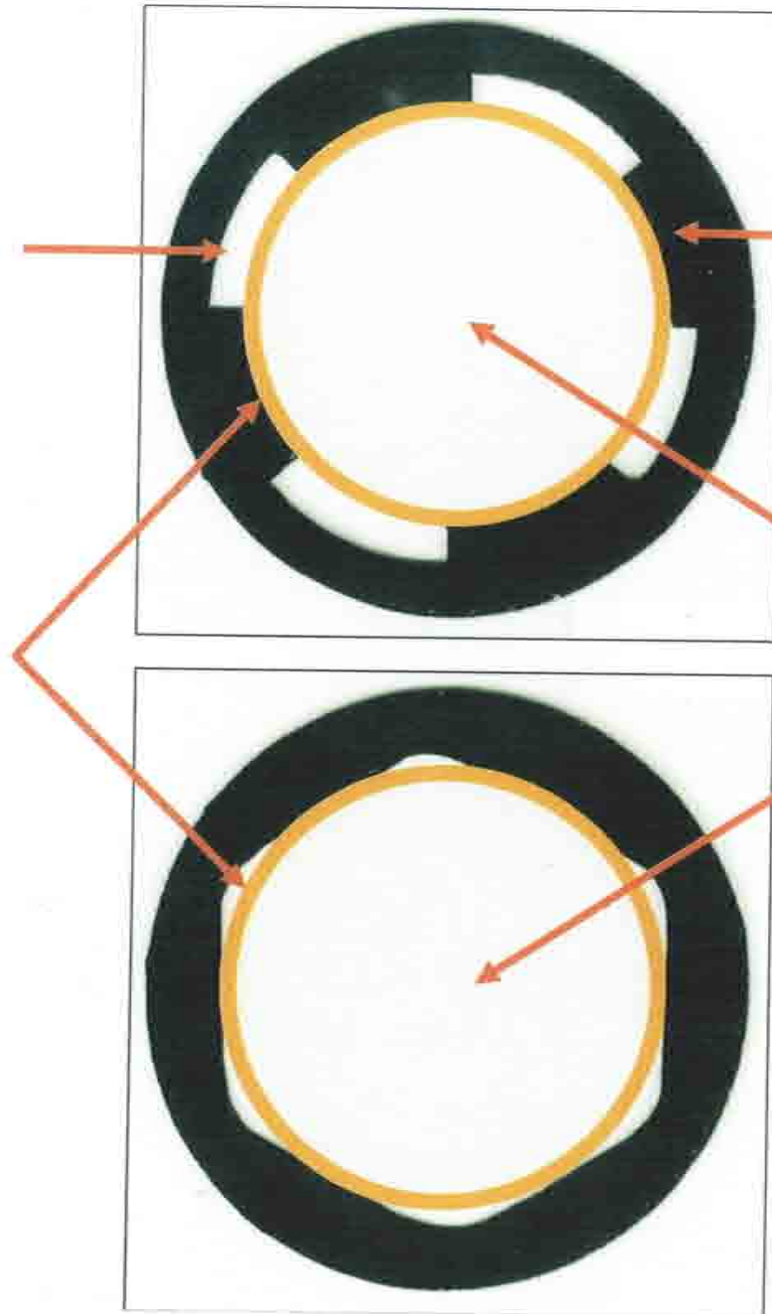
Grooves

Lands

**Projectile
Jacket**

Lead Core

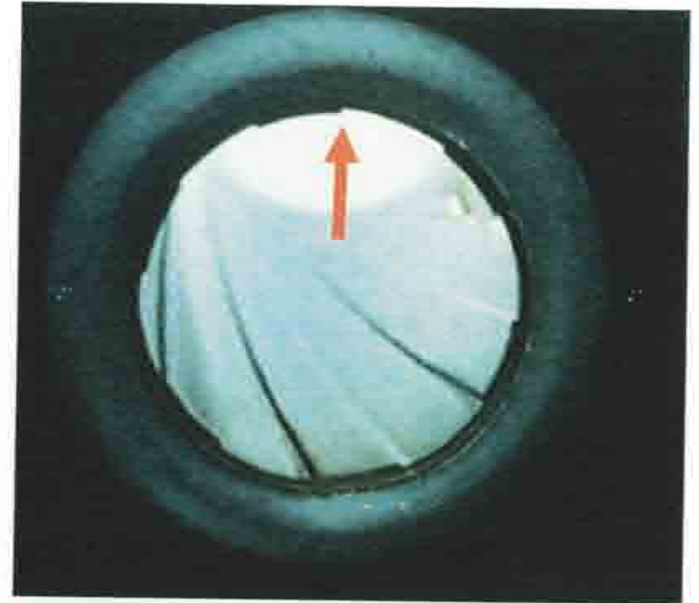
**RIFLING
TYPES**



Rifling

Conventional

- Sharp lands that cut bullet jacket
- Grooves that allow gas to escape
- Areas for powder residue to collect
- Harder to clean



Hexagonal or Octagonal

- Better bullet to barrel fit
- Better gas seal
- Higher, more uniform velocities
- Increased accuracy
- Tenifer protection

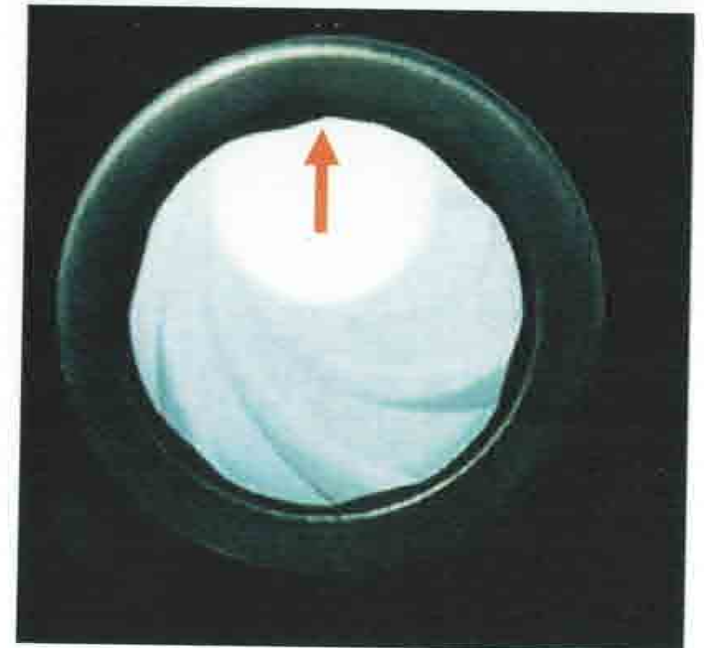


EXHIBIT NO. 10

)
)
State of California) ss.
)
County of Mendocino)

DECLARATION OF
WILLARD CARLSTEDT

I, WILLARD CARLSTEDT, declare as follows:

1. I am a member of the Ukiah Gun Club and have been so for decades. I have been a gun enthusiast for many more. I have extensive experience in the sport and discipline of shooting, firearms, ammunitions, ammunition self-reloading, firearms safety, types of firearms targets, and the science of firearms ballistics. I acquired this expertise through formal education classes and reading numerous literature as well as decades of actual, practical experience. I have served as the Ukiah's Gun Club's President in the 1990's. I have taught gun safety classes and classes required for concealed weapons permit. I am active in "Cowboy Action Shooting" and have participating in that discipline for many years. Steel targets are regularly used for cowboy action shooting and I have never experienced a problem with ricocheting bullets. It needs to be emphasized that, along with the strong wooden structure behind the firing line (with the back stop and side berms that effectively encases the club's ranges), groves of trees located on the Ukiah Gun Club's premises provide an effective barrier against any ricocheting bullets from leaving the gun range and club's premises and reaching the Vichy Springs subdivision located across the road.
2. Sometime during the 1990's, I believe the year was in the neighborhood of the early 1990's to about 1997, I was still the Club's President. I received a complaint from Candice Horsley, the City Manager of Ukiah, that the proprietor of Vichy Springs Resort that his staff found a bullet in the swimming pool.

3. Candice Horsely, the City Manager at the time, came to our club to inspect our ranges to see if any bullets could escape from them. Photos of the bullet found in the pool were mailed to the City of Ukiah. She found that our ranges to be safe. She sent a letter to Mr. Ashoff reminding him of the Declaration of Restrictions pertaining to his property that he must first try to work out issues informally with the club. (A copy of that letter is attached to the Ukiah's Gun Club's Response). I saw the photographs and could tell from them that this bullet was not fired from a firearm because the bullet had no rifling marks. Rifling marks on bullets are caused by the rifling in gun barrels by carving distinctive marks on the bullet as it travels through the gun barrel. It impossible for a bullet to pass through a gun barrel whether it is a handgun or rifle without showing the obvious, tell tale rifling marks. In this case, except for a slight dent on the tip, the bullet was in pristine condition. The bullet in the photograph had no rifling marks. No one produced the actual bullet for my physical inspection. For these reasons, I suspected that someone just pulled a bullet out of its casing and was not fired from a firearm. Therefore, I was suspicious of Mr. Ashoff's accusation against the Club at the time. I know Mr. Ashoff had issues with the Club about noise coming from the Club and interfering with his business but it needs to be emphasized that Mr. Ashoff bought the resort when the Ukiah Gun Club was in existence so he purchased the resort with his "eyes open" that it is located near an active gun club with ranges and a large number of members.

4. I believe it is next to impossible for ricocheting bullets to reach the Vichy Springs subdivision because it is separated by man made and natural barriers such as numerous trees separating the Club from Vichy Springs subdivision. Furthermore, given the

distance and topography with all man made and natural barriers in between, it is also impossible for a bullet to reach Vichy Springs Resort (which is about a half mile away.)

5. At this time, our Club had a Range Official certified by the National Rifle Association to see if it was possible if a bullet could escape from any of our ranges. His findings were negative.

5. As to the Vichy Springs Resorts, it neighbors publicly owned land managed by the Bureau of Land Management. That area is popular with hunters. Even during non-hunting season, some people shoot there either for recreation purposes or illegal poaching. So I seriously doubt that any ricocheting bullets landing on his resort, if such accusation is true, came from the Ukiah Gun Club and not from the land managed by the Bureau of Land Management.

I declare under the penalty of perjury that the foregoing is true and correct except to those matters based on information and belief and, as to those matters, I believe them to be true. Executed in Ukiah, California on the date indicated below.

Date: 5-24-11


WILLARD CARLSTEDT

EXHIBIT NO. 11

DECLARATION OF PENNY MATHIS

I, PENNY MATHIS, declare the following:

I am a member of the Ukiah Rifle & Pistol Club aka; Ukiah Gun Club for the past 18 years. I have resided on the UGC Board for all this time acting as club Treasure, along with Willard Carlstedt; acting at that time as the club President.

On or about in the year of 1997, I remember a complaint made to the Board regarding a bullet found in a swimming pool located at the Vichy Springs Resort. The complaint came from Mr. Gilbert Ashoff the owner of this Resort.

I personally saw a photograph of the alleged bullet, but never the actual bullet itself. The Board had a great concern regarding this accusation and acted on it immediately for all parties involved.

The NRA (National Rifle Association) was contacted a short time after, and a Range Technical Team was sent to the club to inspect the range and conclude it's findings regarding ricochets' leaving the range.

Myself and Willard Carlstedt met with the NRA Range Technician/ Ballistics Expert, spending 2 full days walking about the range inspecting all the existing shooting areas, targets, target frames and containment burms surrounding the metal targets. He was extremely diligent with a barrage of questions regarding every shooting aspect of the club's ranges.

After his visit had concluded, I specifically asked the NRA Range Technician and also in the presence Of Club President Willard Carlstedt; if he felt there were any way possible, a ricocheting bullet could have traveled from the Gun Club's Ranges and land into a swimming pool located within a distance of the resort. His reply was clear and non-equivocally; due to the burms, the direction the ranges were facing, that it was not possible in his mind.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed in Ukiah, California at the date indicated below:

Date: 5.12.2011

Penny Mathis

Penny Mathis, Treasurer

Ukiah Gun Club.

EXHIBIT NO. 12



300 SEMINOLE AVE., UKIAH, CA 95482-5400

• ADMIN. 707/463-6200 • PUBLIC SAFETY 463-6242/6274 •
• FAX # 707/463-6204 •

December 5, 1997

Gilbert Ashoff
Vichy Springs Investor's Group
Vichy Springs Resort
2605 Vichy Springs Road
Ukiah, CA 95482

Re: Complaint Regarding Bullet in Pool

Dear Mr. Ashoff:

I am in receipt of your letter regarding the bullet you found in the swimming pool at your resort. I understand that you believe the bullet ricocheted from the Gun Club property, which is leased by the Ukiah Gun Club from the City of Ukiah. Your letter also indicates that ricochets have landed on your property in the past.

We are investigating the current operations of the Gun Club to determine whether the bullet that you found could have originated on that property. I am also interested in determining whether the improvements on the property and the way the Gun Club operates its facility can be improved to eliminate any possibility of ricochets straying onto your property in the future.

I believe it may be productive to have a meeting between yourself and the officers of the Gun Club so they can hear your concerns directly from you and answer your questions regarding their operation. They would also have an opportunity to examine the bullet that you found and ask you questions about the problems that you have been having. I would be happy to arrange such a meeting. Please feel free to contact me or my assistant, Karen Yoast, at 463-6213, if you would like to participate in such a meeting.

Such a meeting would be in keeping with the Declaration of Restrictions, which was recorded in 1966 at Book 1549, Page 427, in which you, as the owner of the 110 acre parcel which had the Mendocino Assessor's Parcel number at that time of 178-210-03, signed and agreed to try to resolve with the Gun Club any problems that may develop concerning the operation of the Gun Club. I believe this may be a situation which falls within the terms of those Restrictions.

If you have any other questions or need additional information, please feel free to contact me.

Very truly yours,

Candace Horsley, City Manager

CH:ky

EXHIBIT NO. 13



Rusty
Bowl BMX

.....Page A-6

Friday

June 24, 2011

COMMUNITY
Local happenings

.....Page A-3

INSIDE

Obituaries
.....Page A-2



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Mendocino County Newspaper

The Ukiah

DAILY JOURNAL

Mendocino County's
local newspaper



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sunny; H 84° L 50°

Sunday: Sunny
H 84° L 52°

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Ukiah Gun Club's Junior Trap Program creates champion

By Coach Carmen Saye
Special for the Daily Journal

The Ukiah Gun Club is proud to announce that Thomas Miller, 13, won seven shotgun shooting events in the Pacific International Trapshooting Association (PITA) State Shoot, Coon Creek Trap Club, Lincoln, California held on May 27th through May 30th.

In particular, the events where Thomas won were Doubles 2011 Sub Junior, the 19 to 21 yards Handicap (where the contestant must stand farther back when shooting at flying, flying clay targets), the Singles Sub-Junior event, the California State Trapshooting Association (CSTA) High Over All sub-junior event, the CSTA Lost Shooters Singles Sub Junior Event, CSTA PITA Mingoia Handicap Sub Junior Event, the CSTA Ahart Handicap Sub Junior Event, tied for First Place for the High Gun event held on May 28th and won first place for High Gun that was held on May 30th.

The Ukiah Gun Club's sponsor's and encourages participation of juniors to the sport of shotgun shooting at sporting clays, because "it builds character and maturity at a young age," said the Club's President Larry Bates. Thomas Miller's "cleaning up the field" is proof of the truth of this statement. John Buegler, Ukiah Junior Trap Coach, stated that

Thomas was able to maintain his focus and concentration for the entire competition.

The junior trap program provides youths an opportunity to develop skills and abilities that will provide benefits for them later in life. "Shooting at flying clay targets teaches kids intense concentration and focus, skills that will help them in their studies and adult life," says John Holder, the club's official Rangemaster. "Thomas has shown tremendous growth in terms of skill, focus, and discipline. He is championship material," said Carmen Saye, coach of the Junior Trap Program.

The coaching team for the Ukiah Junior Trap Shooters volunteer many dedicated hours training in firearm safety, shooting skills, sportsmanship and giving back to their club and community. The coaching volunteers for the Jr. Trap include Phil Saye, John Buegler, Gary Robinson, Rod Island, and Penny Mathis. Many of the adult members of the Ukiah Gun Club act as mentors, giving much support and knowledge of the sport to the Jr. Shooters.

Thomas' official sponsors include the Ukiah Gun Club, Myron Sawicki, Jack Mathis, Rod Island, Rick Hartje, Larry Griffin, Ben Whitaker, Adam Brandt, Tianne Prather, Jami Miller and Sue Pellascio.



Thomas Miller showing off his trophies

Thank you

To the Editor:

Relay for Life team "Top Gun" would like to thank the Ukiah Gun Club for sponsoring a Trap Shooting Event on April 3rd. This amazing event enabled us to give the American Cancer Society \$3,957.

We want to also thank all the people who made this event possible and the following businesses: Pacific Outfitters, Ferrari Carano Winery, North American Organics, Anytime Fitness, Shady Brady Hats, Rental Solutions, L.M.N.O.P. Nursery, Lillian's Medical Spa, Terri Cook with Hostess, Alisha Kaeser Distributor of Scentsy and everyone else that donated their time and energy.

We hope to make this a yearly event so we can help the American Cancer Society fund research that will allow us to save lives and celebrate more birthdays.

Karen Leland
Redwood Valley