

The Honorable Ronald B. Leighton

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DANIEL MITCHELL, ROBIN BALL, LUKE
RETTMER, NATHANIEL CASEY,
MATTHEW WALD, SECOND AMENDMENT
FOUNDATION, and NATIONAL RIFLE
ASSOCIATION,

Plaintiffs,

v.

CHUCK ATKINS, in his official capacity as
the Sheriff of Clark County, Washington,
CRAIG MEIDL, in his official capacity as
the Chief of Police of Spokane, Washington,
and TERESA BERNTSEN, in her official
capacity as the director of the Washington
State Department of Licensing,

Defendants,

and

SAFE SCHOOLS SAFE COMMUNITIES,

Intervenor-Defendant.

NO. 3:19-CV-05106-RBL

**DECLARATION OF
BONNIE E. MACNAUGHTON
IN SUPPORT OF BRIEF OF
AMICI CURIAE GIFFORDS
LAW CENTER TO PREVENT
GUN VIOLENCE AND BRADY
IN SUPPORT OF
DEFENDANTS AND
INTERVENOR-DEFENDANT'S
CROSS-MOTION FOR
SUMMARY JUDGMENT AND
OPPOSITION TO
PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT**

I, Bonnie E. MacNaughton, declare:

1. I am a member of the bars of the State of Washington and this Court, and am a partner in the firm of Davis Wright Tremaine LLP, attorney for *amici curiae* Giffords Law Center

1 to Prevent Gun Violence (“Giffords Law Center”) and Brady. I submit this Declaration in support
2 of Giffords Law Center and Brady’s *amicus* Brief in Support of Defendants and Intervenor-
3 Defendant’s Cross-Motion for Summary Judgment and Opposition to Plaintiffs’ Motion for
4 Summary Judgment. I have personal knowledge of the facts set forth in this Declaration and, if
5 called as a witness, I would testify competently thereto.

6 2. Attached as **Exhibit 1** is a true and correct copy of Joseph O’Sullivan, *Washington*
7 *state voters approved new gun regulations in I-1639. Here’s what the law will do*, Seattle Times,
8 Nov. 8, 2018, [https://www.seattletimes.com/seattle-news/politics/washington-state-voters-](https://www.seattletimes.com/seattle-news/politics/washington-state-voters-approved-new-gun-regulations-in-i-1639-heres-what-the-law-will-do/)
9 [approved-new-gun-regulations-in-i-1639-heres-what-the-law-will-do/](https://www.seattletimes.com/seattle-news/politics/washington-state-voters-approved-new-gun-regulations-in-i-1639-heres-what-the-law-will-do/).

10 3. Attached as **Exhibit 2** is a true and correct copy of *Washington party shooting*
11 *suspect read AR-15 gun manual right before attack*, The Guardian, Aug. 1, 2016,
12 [https://www.theguardian.com/us-news/2016/aug/01/washington-shooting-suspect-allen-ivanov-](https://www.theguardian.com/us-news/2016/aug/01/washington-shooting-suspect-allen-ivanov-ar-15-gun-manual)
13 [ar-15-gun-manual](https://www.theguardian.com/us-news/2016/aug/01/washington-shooting-suspect-allen-ivanov-ar-15-gun-manual).

14 4. Attached as **Exhibit 3** is a true and correct copy of excerpts of RAND Corporation,
15 *The Science of Gun Policy: A Critical Synthesis of Research Evidence on the Effects of Gun*
16 *Policies in the United States* (2018).

17 5. Attached as **Exhibit 4** is a true and correct copy of Tomáš Paus et al., *Why do many*
18 *psychiatric disorders emerge during adolescence?*, 9 Nature Reviews Neuroscience 947 (2008).

19 6. Attached as **Exhibit 5** is a true and correct copy of *Mental Health Disorder*
20 *Statistics*, Johns Hopkins Medicine (2020), [https://www.hopkinsmedicine.org/health/wellness-](https://www.hopkinsmedicine.org/health/wellness-and-prevention/mental-health-disorder-statistics)
21 [and-prevention/mental-health-disorder-statistics](https://www.hopkinsmedicine.org/health/wellness-and-prevention/mental-health-disorder-statistics).

22 7. Attached as **Exhibit 6** is a true and correct copy of Merete Nordentoft et al.,
23 *Absolute Risk of Suicide after First Hospital Contact in Mental Disorder*, 68 Archives of General
24 Psychiatry 1058 (2011).

25 8. Attached as **Exhibit 7** is a true and correct copy of American Public Health
26 Association, *Reducing Suicides by Firearms* (2018), <https://www.apha.org/policies-and->
27

1 advocacy/public-health-policy-statements/policy-database/2019/01/28/reducing-suicides-by-
2 firearms.

3 9. Attached as **Exhibit 8** is a true and correct copy of J. Michael Bostwick et al.,
4 *Suicide Attempt as a Risk Factor for Completed Suicide: Even More Lethal Than We Knew*, 173
5 Am. J. of Psychiatry 1094 (2016).

6 10. Attached as **Exhibit 9** is a true and correct copy of Jane E. Brody, *After a Suicide*
7 *Attempt, the Risk of Another Try*, N.Y. Times, Nov. 7, 2016, [https://www.nytimes.com/](https://www.nytimes.com/2016/11/08/well/live/after-a-suicide-attempt-the-risk-of-another-try.html)
8 [2016/11/08/well/live/after-a-suicide-attempt-the-risk-of-another-try.html](https://www.nytimes.com/2016/11/08/well/live/after-a-suicide-attempt-the-risk-of-another-try.html).

9 11. Attached as **Exhibit 10** is a true and correct copy of Thomas J. Hanlon et al., *Type*
10 *of Firearm Used in Suicides: Findings from 13 States in the National Violent Death Reporting*
11 *System, 2005–2015*, 65 J. Adolescent Health 366 (2019).

12 12. Attached as **Exhibit 11** is a true and correct copy of Daniel W. Webster et al.,
13 *Association Between Youth-Focused Firearm Laws and Youth Suicides*, 292 JAMA 594 (2004).

14 13. Attached as **Exhibit 12** is a true and correct copy of Monika K. Goyal et al., *State*
15 *Gun Laws and Pediatric Firearm-Related Mortality*, 144 No. 2 Pediatrics (2019).

16 14. Attached as **Exhibit 13** is a true and correct copy of Sriraman Madhavan et al.,
17 *Firearm Legislation Stringency and Firearm-Related Fatalities Among Children in the US*, 229 J.
18 Am. College Surgeons 150 (2019).

19 15. Attached as **Exhibit 14** is a true and correct copy of excerpts of Jillian K. Peterson
20 & James Densley, *Database of Mass Shootings in the United States*, The Violence Project (Nov.
21 2019), [https://www.theviolenceproject.org/wp-content/uploads/2019/11/TVP-Mass-Shooter-](https://www.theviolenceproject.org/wp-content/uploads/2019/11/TVP-Mass-Shooter-Database-Report-Final-compressed.pdf)
22 [Database-Report-Final-compressed.pdf](https://www.theviolenceproject.org/wp-content/uploads/2019/11/TVP-Mass-Shooter-Database-Report-Final-compressed.pdf).

23 16. Attached as **Exhibit 15** is a true and correct copy of Jillian Peterson & James
24 Densley, *School shooters usually show these signs of distress long before they open fire, our*
25 *database shows*, The Conversation, Feb. 8, 2019, [https://theconversation.com/school-shooters-](https://theconversation.com/school-shooters-usually-show-these-signs-of-distress-long-before-they-open-fire-our-database-shows-111242)
26 [usually-show-these-signs-of-distress-long-before-they-open-fire-our-database-shows-111242](https://theconversation.com/school-shooters-usually-show-these-signs-of-distress-long-before-they-open-fire-our-database-shows-111242).

1 17. Attached as **Exhibit 16** is a true and correct copy of *Active Shooter: Shooter's Age*,
2 K-12 School Shooting Database, Center for Homeland Defense and Security,
3 <https://www.chds.us/ssdb/active-shooter-shooters-age/>.

4 18. Attached as **Exhibit 17** is a true and correct copy of excerpts of Adam Lankford &
5 James Silver, *Why Have Public Mass Shootings Become More Deadly? Assessing how*
6 *Perpetrators' Motives and Methods Have Changed Over Time*, 19 *Criminology & Public Policy*
7 37 (2020).

8 19. Attached as **Exhibit 18** is a true and correct copy of *Percentage of the population*
9 *3 to 34 years old enrolled in school, by age group: selected years, 1940 through 2018*, National
10 Center for Education Statistics, available at [https://nces.ed.gov/programs/digest/d19/](https://nces.ed.gov/programs/digest/d19/tables/dt19_103.20.asp?current=yes)
11 [tables/dt19_103.20.asp?current=yes](https://nces.ed.gov/programs/digest/d19/tables/dt19_103.20.asp?current=yes).

12 20. Attached as **Exhibit 19** is a true and correct copy of excerpts of Eboni Morris, *Youth*
13 *Violence: Implications for Posttraumatic Stress Disorder in Urban Youth*, National Urban League
14 Policy Institute (2009).

15 21. Attached as **Exhibit 20** is a true and correct copy of excerpts of U.S. Census
16 Bureau, *Current Population Reports, Population Projections of the United States by Age, Sex,*
17 *Race, and Hispanic Origin: 1995 to 2050* (1996), available at
18 <https://www.census.gov/library/publications/1996/demo/p25-1130.html>.

19 22. Attached as **Exhibit 21** is a true and correct copy of Glenn D. Braunstein, *Violent*
20 *Events Have Long-Term Effects on Children*, Huffington Post, Sept. 24, 2012,
21 https://www.huffingtonpost.com/glenn-d-braunstein-md/childrenptsd_b_1901651.html.

22 23. Attached as **Exhibit 22** is a true and correct copy of Jared Keller, *The Psychological*
23 *Aftermath of Surviving School Shootings*, Pacific Standard, Mar. 25, 2019,
24 <https://psmag.com/education/the-psychological-aftermath-of-surviving-school-shootings>.

25 24. Attached as **Exhibit 23** is a true and correct copy of Elzerie de Jager et al., *Lethality*
26 *of Civilian Active Shooter Incidents with and Without Semiautomatic Rifles in the United States*,

1 320 JAMA 1034 (2018).

2 25. Attached as **Exhibit 24** is a true and correct copy of Heather Sher, *What I Saw*
3 *Treating the Victims from Parkland Should Change the Debate on Guns*, The Atlantic, Feb. 22,
4 2018, [https://www.theatlantic.com/politics/archive/2018/02/what-i-saw-treating-the-victimsfrom-](https://www.theatlantic.com/politics/archive/2018/02/what-i-saw-treating-the-victimsfrom-parkland-should-change-the-debate-on-guns/553937/)
5 [parkland-should-change-the-debate-on-guns/553937/](https://www.theatlantic.com/politics/archive/2018/02/what-i-saw-treating-the-victimsfrom-parkland-should-change-the-debate-on-guns/553937/).

6 26. Attached as **Exhibit 25** is a true and correct copy of Melvin D. Livingston et. al, *A*
7 *Descriptive Analysis of School and School Shooter Characteristics and the Severity of School*
8 *Shootings in the United States, 1999–2018*, 64 J. of Adolescent Health 797 (2019).

9 27. Attached as **Exhibit 26** is a true and correct copy of Joshua D. Brown & Amie J.
10 Goodin, *Mass Casualty Shooting Venues, Types of Firearms, and Age of Perpetrators in the United*
11 *States, 1982–2018*, 108 Am. J. Pub. Health 1385 (2018).

12 28. Attached as **Exhibit 27** is a true and correct copy of Jeremy White, *When*
13 *Lawmakers Try to Ban Assault Weapons, Gunmakers Adapt*, N.Y. Times, July 31, 2019,
14 <https://www.nytimes.com/interactive/2019/07/31/us/assault-weapons-ban.html>.

15 29. Attached as **Exhibit 28** is a true and correct copy of Zusha Elinson & Cameron
16 McWhirter, *Gun Makers Adjust Rifles to Skirt Bans*, Wall St. J., June 21, 2019,
17 <https://www.wsj.com/articles/gun-makers-adjust-rifles-to-skirt-bans-11561109521>.

18 30. Attached as **Exhibit 29** is a true and correct copy of *Initiative Measure No. 1639*,
19 November 6, 2018 General Election Results, Secretary of State (Nov. 27, 2018), *available at*
20 [https://results.vote.wa.gov/results/20181106/State-Measures-Initiative-Measure-No-1639-](https://results.vote.wa.gov/results/20181106/State-Measures-Initiative-Measure-No-1639-Initiative-Measure-No-1639-concerns-firearms_ByCounty.html)
21 [Initiative-Measure-No-1639-concerns-firearms_ByCounty.html](https://results.vote.wa.gov/results/20181106/State-Measures-Initiative-Measure-No-1639-Initiative-Measure-No-1639-concerns-firearms_ByCounty.html).

22 I declare under penalty of perjury under the laws of the State of Washington and the
23 United States that the foregoing is true and correct.

24 DATED this 1st day of July 2020, at Seattle, Washington.

25
26 s/ Bonnie E. MacNaughton
Bonnie E. MacNaughton, WSBA #36110

CERTIFICATE OF SERVICE

I hereby certify that on July 1, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to those attorneys of record registered on the CM/ECF system. All other parties (if any) shall be served in accordance with the Federal Rules of Civil Procedure.

s/ Bonnie E. MacNaughton
Bonnie E. MacNaughton, WSBA #36110

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