

Kevin Gerard O'Grady
Law Office of Kevin O'Grady, LLC
1164 Bishop Street, Suite 1605
Honolulu, Hawaii 96813
(808) 521-3367
Hawaii Bar No. 8817
Kevin@KevinOGradyLaw.Com

Alan Alexander Beck
Law Office of Alan Beck
2692 Harcourt Drive
San Diego, CA 92123
(619) 905-9105
Hawaii Bar No. 9145
Alan.alexander.beck@gmail.com

Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII**

| | | |
|---------------------------------|---|------------------------|
| JASON WOLFORD, ALISON WOLFORD, |) | |
| ATOM KASPRZYCKI, HAWAII |) | |
| FIREARMS COALITION |) | |
| |) | |
| Plaintiffs, |) | |
| |) | Civil Action No. _____ |
| v. |) | |
| |) | |
| ANNE E. LOPEZ, IN HER OFFICIAL |) | |
| CAPACITY AS THE ATTORNEY |) | |
| GENERAL OF THE STATE OF HAWAII. |) | |
| MAUI COUNTY, |) | |
| |) | |
| |) | |
| Defendants |) | |
| _____ |) | |

DECLARATION OF PLAINTIFF JASON WOLFORD

COMES NOW, Jason Wolford, and states as follows:

1. I am a natural person, an adult male, United States of America citizen, resident of the State of Hawaii, Maui county and I reside in Lahaina and am competent to provide this declaration. If called as a witness in this matter, I would provide the following testimony and I make this declaration based on personal knowledge, except where otherwise stated;
2. All statements made about me in the complaint in this action are true and accurate;
3. I am a member of the Hawaii firearms Coalition (HIFICO);
4. I am a law abiding citizen;
5. I am not legally prohibited from acquiring, owning, possessing, carrying¹ or lawfully using arms including firearms under current Hawaii and federal law and also under the proposed SB1230 HRS enactments;

¹ Except as indicated here specifically with regard not to me, but to the places I intend to carry concealed with a permit and activities I intend to perform but for the enactment of SB1230.

6. I own several firearms, lawfully, and I am familiar with firearms and have the following training: USCCA Instructor- Training Counselor. Concealed Carry and Home Defense Fundamentals, Countering the Mass Shooter Threat, Emergency First Aid, Defensive Shooting Fundamentals (DSF) level 1, NRA Instructor-Pistol; Rifle; Shotgun; Chief Range Safety Officer, SASS Range Safety Officer; SABRE Civilian Pepper Spray Instructor;
7. I have a concealed carry permit issued from the county of Maui in 2022, a redacted copy of which is appended to this declaration, and will renew that one and will obtain another concealed carry permit once SB1230's concealed carry permit laws go into effect in January 2024, and I have been, am and expect to be fully qualified to obtain another concealed carry permit and have not been, am not now, nor do I expect to be disqualified from owning, possessing or carrying arms nor from obtaining a renewed or new concealed carry permit in the state of Hawaii or elsewhere ;
8. I have in the past regularly frequented the following beaches listed below, and have, as a carry concealed license holder since 2022, and will in the future, own, possess, and carry a firearm with my concealed carry permit. I have every intention and desire to continue to carry my personal firearm in and at all these locations in the future, and places like them, but I will

decline to do so because of the credible fear of arrest and prosecution after July 1, 2023, the effective date of SB1230. I intend to and will use his carry concealed permit to carry arms concealed in the locations referenced herein, but for the implementation and enactment of SB1230;

A) I frequent Kahana Bay which is only a few hundred yards from where I live, and I have frequented it about once a month in the past while carrying a concealed weapon and my permit. Kahana bay is a moderately frequented beach and moderately populated, in front of condominiums and near residential areas. I will and would continue to frequent this beach in the future armed with a concealed firearm and with my concealed carry permit but for the enactment of SB1230 and the likely criminal prosecution;

B) I frequent Kaanapali Beach which is approximately 4 miles from my house and I have, in the past, frequented this beach about two times a month while carrying a concealed weapon and my carry concealed weapon permit. Kaanapali beach is a very populated large beach in front of many resorts. I will and would continue to frequent Kaanapali beach while armed with a concealed firearm and with my concealed firearm permit but for the enactment of SB1230 and the likely criminal prosecution;

C) I frequent Kapalua beach which is only 1.7 miles from where I live, and I have frequented it about once every two months in the past while carrying a concealed weapon and my permit. Kapalua bay is a very populated and frequented beach with a mixture of locals and tourists. I will and would continue to frequent this beach in the future armed with a concealed firearm and with my concealed carry permit but for the enactment of SB1230 and the likely criminal prosecution;

D) I frequent Napili bay which is about a mile or so from where I live, and I have frequented it about once every two months in the past while carrying a concealed weapon and my permit. Napili bay is a moderately frequented beach and moderately populated, in front of condominiums and near residential areas. I will and would continue to frequent this beach in the future armed with a concealed firearm and with my concealed carry permit but for the enactment of SB1230 and the likely criminal prosecution;

E) I frequent Launipoko Beach park which is about nine miles from where I live, and I have frequented it about twice a year and for special occasions in the past while carrying a concealed weapon and my permit. Launipoko Beach park is a very popular and populated beach. I will and would continue to frequent this beach in the future

armed with a concealed firearm and with my concealed carry permit but for the enactment of SB1230 and the likely criminal prosecution;

9. I have in the past regularly frequented the following areas which are listed as a “park”, has in the past, as a carry concealed license holder since 2022, carried concealed with his permit in these areas listed herein, and fully intends to in the future, own, possess, and carry a firearm with my concealed carry permit in these locations. I have every intention and desire to continue to carry my personal firearm in and at all these locations, and locations like them, with a permit, in the future but he will decline to do so because of the credible fear of arrest and prosecution after July1, 2023, the effective date of SB1230;

A) I frequent Launipoko Beach park which is about nine miles from where I live, and I have frequented it about twice a year and for special occasions in the past while carrying a concealed weapon and my permit. Launipoko Beach park is a very popular and populated beach. I will and would continue to frequent this beach in the future armed with a concealed firearm and with my concealed carry permit but for the enactment of SB1230 and the likely criminal prosecution. I go to this park, beach park, for water sports and for special occasions;

B) I frequent Kahekili Beach park which is about three miles from where I live, and I have frequented it about once a month and for exercise, family time, special occasions and water sports in the past while carrying a concealed weapon and my permit. Kahekili Beach park is a very popular and busy park and beach, with a boardwalk and behind local resorts. I will and would continue to frequent this beach in the future armed with a concealed firearm and with my concealed carry permit but for the enactment of SB1230 and the likely criminal prosecution;

10. I have in the past regularly frequented the following areas which are, according to information and belief, restaurants that serves alcohol or intoxicating liquor as defined in section 281-1 for consumption on the premises, and I have, in the past carried a concealed arm with my permit in the locations referenced herein, and I intend to, as a carry concealed license holder since 2022, in the future, own, possess, and carry a firearm with my concealed carry permit in these locations and locations like them. I have every intention and desire to continue to carry my personal firearm in and at all these locations, and locations like them, in the future but I will decline to do so because of the credible fear of

arrest and prosecution after July 1, 2023, the effective date of SB1230;

A) I frequent Monkey Pod restaurant in Kaanapali about once every three months, and I have frequented it in the past, about once every three months, while carrying a concealed weapon and my permit. Monkey pod, I believe, sells liquor, though I do not consume any while carrying a weapon. I will and would continue to frequent this restaurant in the future armed with a concealed firearm and with my concealed carry permit but for the enactment of SB1230 and the likely criminal prosecution;

B) I frequent Ruth's Chris restaurant about once a year for special occasions, and I have frequented it in the past, while carrying a concealed weapon and my permit. Ruth's Chris, I believe sells liquor, though I do not consume any while carrying a weapon. I will and would continue to frequent this restaurant in the future armed with a concealed firearm and with my concealed carry permit but for the enactment of SB1230 and the likely criminal prosecution;

C) I frequent Miko's restaurant in Wailuku about every two months, and I have frequented it in the past, while carrying a concealed weapon and my permit. Miko's, I believe, sells liquor, though I do not

consume any while carrying a weapon. I will and would continue to frequent this restaurant in the future armed with a concealed firearm and with my concealed carry permit but for the enactment of SB1230 and the likely criminal prosecution;

11. I have in the past regularly frequented the following areas which are, according to information and belief, banks or financial institutions as defined in section 211D-1, and have in the past carried a concealed arm with my permit and intend to, as a carry concealed license holder since 2022, in the future, own, possess, and carry a firearm with my concealed carry permit in these locations and locations like them. I have every intention and desire to continue to carry my personal firearm and permit in and at all these locations, and locations like them, in the future but I will decline to do so because of the credible fear of arrest and prosecution after July 1, 2023, the effective date of SB1230;

A) I have regularly in the past about two times per month gone to First Hawaiian Bank, including specifically, but not limited to the branches at Kahana, Lahaina and Kahului including the parking lot and adjacent areas. I will and would continue to frequent this bank in the future armed with a concealed firearm and with my concealed carry permit but

for the enactment of SB1230 and the likely criminal prosecution;

B) I have regularly in the past about two times per month gone to Bank of Hawaii, including specifically, but not limited to the branches at Kahana, Lahaina and Kahului including the parking lot and adjacent areas. I will and would continue to frequent this bank in the future armed with a concealed firearm and with my concealed carry permit but for the enactment of SB1230 and the likely criminal prosecution;

12. I have in the past regularly frequented the following areas which are, according to information and belief, all other locations considered private property, not covered otherwise by HRS 134-A(a) but specifically covered under HRS 134-E that requires private property owners to “opt-in” and post signage allowing the exercise of the Second Amendment right to carry an arm for self- defense or in case of confrontation, and I have carried a concealed arm with a permit in the past and I intend to, as a carry concealed license holder since 2022, in the future, own, possess, and carry a firearm with my concealed carry permit in these locations and similar locations. I have every intention and desire to continue to carry my personal firearm and permit in and at all these locations, and locations like them, in the future but I will decline to do so because of the credible fear of arrest and prosecution

after July 1, 2023, the effective date of SB1230;

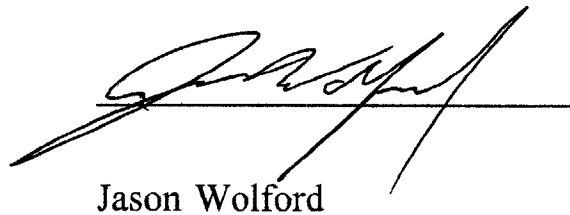
- A) I have regularly in the past about two times per week gone to one of these locations- Safeway, Island Grocery, Foodland Farms, all in Lahaina and Costco in Kahului, ABC stores in Honokowai, Whaler's Village in Kahana, Circle K in Maalaea, Ace Hardware, Ross Stores, Zippy's and Chick-Fil-A, including the parking lot and adjacent areas, and I note that Ace Hardware and Ross Stores share a parking lot with the Maui County Satellite DMV at the Lahaina gateway Center, with a concealed weapon and my concealed carry permit. I will and would continue to frequent these locations in the future armed with a concealed firearm and with my concealed carry permit but for the enactment of SB1230 and the likely criminal prosecution;
13. I have in the past regularly frequented adjacent properties and parking lots of all of the above locations with a firearm concealed with my concealed carry permit and fully intend to do so again, but for the enactment of SB1230. Additionally, I have in the past regularly frequented adjacent properties and parking lots while not going to any of the above locations, such as a beach or park or bank or restaurant, but the other location shares an adjacent property or parking lot, and I have carried a concealed weapon with

my concealed carry permit and I fully intend to do so again in the future, but for the enactment of SB1230.

FURTHER, DECLARANT SAYETH NAUGHT.

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

Executed on June 22, 2022.

A handwritten signature in black ink, appearing to read 'Jason Wolford', is written over a horizontal line. The signature is stylized with a large, sweeping 'J' and a long, horizontal stroke extending to the right.

Jason Wolford




COUNTY OF MAUI
Maui Police Department
CONCEALED WEAPON LICENSE
WOLFORD, JASON T.

| Race | Sex | Height | Weight | Hair | Eyes | DOB |
|------------|-----|------------|------------|------------|------------|------------|
| [REDACTED] | M | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |

License # [REDACTED] Issues Date: [REDACTED]/2022 Expiration Date: 12/[REDACTED]/2023

I HEREBY CERTIFY THAT THE PERSON DESCRIBED HEREON HAS BEEN GRANTED THE PRIVILEGE OF CARRYING A CONCEALED WEAPON IN COMPLIANCE WITH SECTION 134-9 HRS


Chief of Police

The licensee identified on the front of this card is hereby authorized to carry the following firearm therefor concealed on the person in

Maui County:

Make _____ Model _____ Caliber _____

Action _____ Serial No. _____

Upon contact with a Law Enforcement Officer, you must immediately announce that you are a CCW licensee and that you are ARMED.

This license must be at your possession while carrying a concealed firearm and must be presented to a Law Enforcement Officer upon request.

This license DOES NOT authorize you to carry or possess any weapon prohibited by State and Federal law.

This license DOES NOT authorize you to carry your firearm in a vehicle or establishments that prohibit weapons on the premises.

This license must be presented with an official form of photo identification (State-issued Driver's license, State Identification Card, Military ID, or U.S. Passport).