

**TESTIMONY OF THE STATE ATTORNEY GENERAL
TWENTY-FOURTH LEGISLATURE, 2008**

ON THE FOLLOWING MEASURE:

H.B. NO. 2392, RELATING TO AMMUNITION.

BEFORE THE:

HOUSE COMMITTEE ON JUDICIARY

DATE: Friday, February 1, 2008 **TIME:** 4:00 PM

LOCATION: State Capitol, Room 325
Deliver to: Committee Clerk, Room 302, 5 copies

TESTIFIER(S): Mark J. Bennett, Attorney General
or Lance M. Goto, Deputy Attorney General

Dear Chair Waters and Members of the Committee:

The Department of the Attorney General respectfully opposes this measure.

The purpose of this bill is to require all ammunition of specified caliber manufactured or sold in Hawaii that is capable of use in handguns, including assault pistols, to be coded to assist law enforcement in identifying and prosecuting offenders who use firearms in the commission of crimes. The bill also requires the Department of the Attorney General to establish a statewide database to track coded ammunition.

While the concept of maintaining a database to enable law enforcement to trace ammunition used in the commission of heinous crimes back to a certain criminal is a commendable one, we believe there are legal and practical problems presented by this bill that prevent the workable implementation of such a concept. This bill may be an instance where a firearm measure is unduly burdensome. As we understand it, if enacted into law, this bill will require each round of ammunition in Hawaii that is capable of being used in handguns to be imprinted with a code that will theoretically allow a particular round to be traced back to the particular person who owns the round. Implementation is to begin on January 1, 2009, and all non-conforming ammunition in the State is to be disposed of by the

following year, although there appears to be no provision to address noncompliance.

The first potential problem we see with this bill is the legal question of whether the bill violates the Interstate Commerce Clause of the federal Constitution. There are no major ammunition manufacturers in this State. If this bill is enacted into law, the possibility exists that there may be legal challenges from ammunition manufacturers outside this State questioning whether Hawaii has the legal authority to require coding of all handgun ammunition that they seek to market in this State. What the outcome of such litigation would be is uncertain, but what can be said is that the argument that this bill may unduly burden interstate commerce is not a frivolous claim that can be disregarded.

Moreover, for such a coding system to work, the assumption is that each round will always be traceable to the proper person who owns the round. That presumption would not hold up under a number of different scenarios. To begin with, there is the often recurring problem of a burglar breaking into someone's home, and stealing not only the firearms that happen to be in the home, but also any available ammunition. Secondly, the bill does not seem to address instances where transfers of ammunition from one owner to another occur. The bill does not seem to provide for instances where someone gives, shares, or sells ammunition to someone else. A third problem is ammunition that might be smuggled into the State from states that do not have coded ammunition, or uncoded ammunition that may remain in the possession of individuals throughout this State. And finally, a person determined to circumvent the law and who is intent on committing murder would probably not be deterred from somehow obtaining uncoded ammunition or obliterating the coding since to do so only constitutes a misdemeanor.

Another difficulty we see with implementing this bill is that, unless other larger states join Hawaii in implementing such a law, there is no assurance that manufacturers would want to comply with

the law. Manufacturers may simply decide to opt out of doing business in Hawaii. An unknown fact is what the cost of coding the ammunition is. Would manufacturers be able to recover the cost of imprinting each round sold in Hawaii, or, even if it could be done, would the cost of coding be passed on to consumers in Hawaii, so as to make the purchase of such ammunition prohibitive?

Finally, again, because of what may be a relatively small market in Hawaii, there is a danger that the cost of establishing and maintaining the infrastructure for coded ammunition would far outrun the revenues taken in by registering the ammunition, thereby making such a database not cost-effective.

For all of the foregoing reasons, the Department of the Attorney General respectfully requests that this measure be held.

Written Testimony for the Judiciary Committee Public Hearing on February 1, 2008 for HB 2392 relating to ammunition.

To: Members of the Judiciary Committee

From: Ammunition Coding Systems, Briahna Taylor
1201 Pacific Avenue; Tacoma, WA 98401
[REDACTED]

Date: January 31, 2008

Dear Members of the Judiciary Committee,

For the record, I am Briahna Taylor writing on behalf of Ammunition Coding Systems, a leader in the ammunition coding industry. I have worked on ammunition coding legislation throughout the nation, and hope that you will give this bill strong consideration. I apologize for being unable to attend the hearing today, but I hope this written testimony and supporting documents are helpful.

I want to start by thanking the Chair of this committee, Representative Waters, for sponsoring and giving a hearing to House Bill 2392. **I encourage the entire Judiciary committee to support Representative Waters and pass House Bill 2392 out of the committee.** There are currently 9 states considering similar ammunition coding legislation. I am thrilled that Hawaii is one of these states. (Other states hearing legislation include Washington, California, Maryland, Illinois, Indiana, Tennessee, Mississippi, and New York).

House Bill 2392 implements a new technology, ammunition coding. **This technology would provide a vital investigative tool for law enforcement to help solve gun crime.** Right now, when law enforcement arrives at the scene of a gun crime, often times they only have a victim and a bullet, and no leads. This bill would give law enforcement a lead: they would know who purchased the bullet. While knowing who purchased the bullet doesn't provide enough evidence to identify the killer, it gives police a place to start – they now have a general idea of where the bullet was purchased and where that bullet has been. This lead can help solve crimes that would otherwise remain unsolved.

As states from around the country study ammunition coding, it is continually proposed as an ideal compromise in achieving gun control while maintaining individuals' right to bear arms. The California bill passed the Senate unanimously last year with a strong bi-partisan support, including 14 republicans voting in favor of the technology. Ammunition coding allows citizens to continue to purchase, carry, and use guns as they do today, however, allows law enforcement to have a lead in crimes where guns are used.

If there are other concerns you might have, please let me know. They have likely come up in other states, and there is probably a solution or compromise to be reached. I have attached documents elaborating on the technology and costs. You can also get more information at www.ammunitionaccountability.com I strongly urge you to pass the bill out of committee.

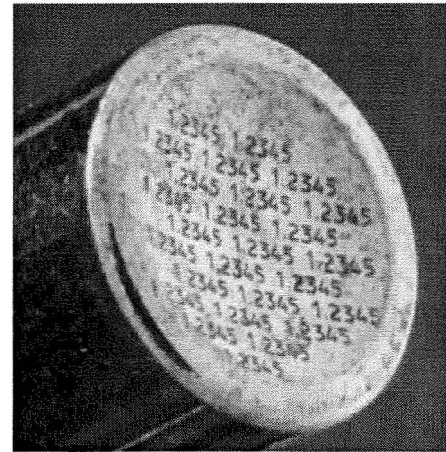
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Ammunition Coding Technology

Bullet Identification Technology: A modern crime fighting tool

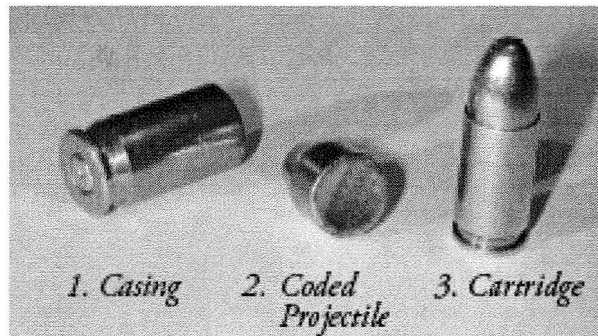
Bullet identification technology, known as an ammunition coding technology, has been developed and will provide law enforcement with modern crime fighting tools. Ammunition coding assigns a unique code to every round of ammunition manufactured, and by recording sales records, law enforcement personnel will be able to easily trace the ammunition involved in a crime and have an avenue to pursue and solve even the most difficult cases.

The unique code is micro-laser engraved on factory-produced ammunition. This laser engraving is etched on both the projectile and the inside of the cartridge casing.



Each code will be common to a single box of cartridges and unique from all other ammunition sold. The unique ammunition codes will be tracked and records maintained to identify individual ammunition purchases. Ammunition coding technology will provide a method for law enforcement personnel to trace ammunition purchases and link bullets and cartridge cases found at crime scenes to the initial retail ammunition purchaser.

This system will not necessarily prove who pulled the trigger, but it will provide law enforcement with a valuable lead and a starting point to quickly begin their investigations. The design of the ammunition coding laser engraving system will allow law enforcement personnel to identify the bullet code in cases where as little as 20% of the bullet base remains intact after recovery. Since bullets are designed to keep the base solid and in its original configuration, the likelihood of codes remaining legible after recovery is very high. Law enforcement testing has already shown a 99% success rate in identifying the code after bullet recovery.



Benefits of Ammunition Coding Technology for Law Enforcement

- Does not require any special training or equipment for law enforcement officials.
- Micro-laser engraved bullet and cartridge-case code provides timely and efficient identification by simply using a good magnifying glass.
- Eliminates subjectivity in identifying the buyer of the round. In many cases a bullet trace can be initiated at the crime scene.
- Code is identifiable in cases where as little as 20% of the base of the bullet is recovered.

Implementation of Ammunition Coding Technology

The implementation of ammunition coding technology will require legislation to establish an ammunition sale database. In those states that have already developed and implemented bar-coding systems that include driver's licenses and other forms of identification, the integration of a database system to record ammunition sales will be relatively simple and inexpensive to implement.

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How will the Ammunition Coding technology process work?

A unique ammunition code will be assigned to each box of new ammunition. Most major ammunition manufacturers already use bar-coding for inventory control and management. Ammunition manufacturers will simply include the code in their current bar coding system. Ammunition retailers will scan the bar code on each box of bullets along with the purchaser's driver's license or state issued ID. The resulting electronic record would be transferred to a secure computer database that would confidentially maintain individual ammunition sales information.

What are the costs to manufacturers?

There are several well known manufacturers currently producing a significant portion of the current commercially available ammunition in the United States. Each ammunition producer would be required to purchase at least one, if not more, laser engraving machines and ammunition material handlers to produce ACS coded ammunition. There are several manufacturers who can design and build this equipment. Reliable estimates for a complete set of engraving/material handling equipment range from \$300,000 to \$500,000 each. A licensing fee for each bullet sold would also be required. However, since approximately 10 billion bullets are sold in the United States alone each year, equipment costs, once amortized over the number of bullets produced and sold are not significant.

What is the impact on retailers and consumers?

Ammunition retailers will also have some minor administrative costs. These costs, like other costs associated with doing business will most likely be passed onto the retailer purchaser. We estimate that the entire ammunition coding process can be implemented without dramatically increasing the purchase price to the end user while maintaining an effective crime fighting system paid for almost exclusively by user fees.

How many unique codes are available?

There are 91 unique characters on a standard computer keyboard. Ammunition coding technology uses these characters in five, six, or seven columns. Typically, ammunition comes in boxes of either 50 or 20, and all bullets in a box will be coded alike. There are 12 common handgun and assault weapon calibers. This means that the technology can accommodate over 21 quadrillion unique bullet codes. Since it is estimated that there are approximately 10 billion bullets sold annually in the United States, and 20-30 billion bullets sold worldwide annually, ammunition coding technology has the capacity to keep pace with the current rate of sales for decades to come.

¹ *FBI, Uniform Crime Reports,*
website: www.fbi.gov/ucr/ucr.htm
Bureau of Justice Statistics, 30th Edition,
Sourcebook of Criminal Justice Statistics,
website: www.albany.edu/sourcebook

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AMMUNITION CODING TECHNOLOGY

The Cost to Manufacturers?

\$0.01 per bullet

In consultation with TRUMPF (world's largest laser manufacturer) and Exatron (automated markings machine manufacturer), ammunition coding technology has determined that claims of exorbitant costs are grossly exaggerated.

ACS – TRUMPF – Exatron Estimates *(see reverse for details)*

Equipment cost per hour: \$30.64

Operating cost per hour: \$1.96

Total cost per hour: \$32.58

An estimated **16,200** bullets can be marked per hour

Therefore, the cost to manufacture each bullet is \$0.0020

The proposed California legislation (SB 997, as passed by the Senate) proposed a charge of \$0.005 per bullet to implement and maintain the statewide database. Anticipated licensing fees and other administrative costs will increase the ***total estimated cost per bullet to \$0.01.***

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CAPITAL EQUIPMENT COSTS	
Shifts per day	2
Hours per shift	8
Days per week	6
Weeks per year	51
Hours per year	4896
Item	Cost
Laser Marker	\$100,000
Integration	\$100,000
Automation Hardware	\$100,000

Total Equipment

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OPERATING COSTS		
Item	Value	Units
Cost of Electricity	\$0.10	dollars / kilowatt hour
Diode Pump Module Cost	\$6,000	dollars
Warranted Diode Module Life MTBF is ~ 11,500 hours	10,000	hours
Estimated Filter Life	2,000	hours
Power Consumption	Value	Units
TRUMPF VectorMark	1.7	Kilowatts
Electrical Cost	Value	Units
Cost per hour	\$0.170	dollars
Diode Pump Module Cost	Value	Units
Number of Diodes Required	2	each
Warranted Diode Module Life	10,000	hours
Total Cost of Diode Modules	\$12,000	dollars
Cost per hour	\$1.20	dollars
Filter Costs	Value	Units
Air Filter	\$26.00	dollars
Deionization filter VMc	\$448.00	dollars
Exhaust Particle Filter	\$233.00	dollars
Pre Filter F5	\$13.00	dollars
Pre Filter F9	\$13.00	dollars
Protective glass	\$422.00	dollars
Total Filter Cost per hour	\$0.58	dollars
Total Operating Cost Per Hour	\$1.95	

TOTAL COST PER BULLET	
Marking Rate (bullets per second)	5
Duty Cycle	0.9
Bullets per hour	16,200
Capital Cost per Hour	\$30.64
Operating Cost per Hour	\$1.95
Total Cost per Hour	\$32.58
Marking Cost per Bullet	\$0.0020

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The following study demonstrates that after shot out of a gun, the code on the bullet is in nearly 100% of the cases still readable.

California Department of Justice, Firearms Division Ammunition Coding Tests

Ballistic Test, Serialized Ammunition							
Caliber	Load	Bullets Fired	Distance	Substance	Thickness	Recovered	Readable
No Jacket 45 APC	250 LRN 5.5 GR	25	10 Yards	Gel	18"	25	25
Jacket 40 S&W	180 GR 5.0 GR	25	10 Yards	Gel	18"	25	25
45 APC Jacket	185 JHP 6.9 GR	30	10 Yards	1/2 plywood R-13 insulation 1/2 sheetrock wall	4 1/2"	29	29
45 APC No Jacket	250 LRN 5.5 GR	30	10 Yards	1/2 plywood R-13 insulation 1/2 sheetrock wall	4 1/2"	29	29
45 APC	185 JHP 6.9 GR	30	5 Yards	1" rubber	1"	28	28
38 Special	158 LRN 4.0 GR	30	10 Yards	GM car door	5"	22	21
9 mm	147 LRN 4.0 GR	30	10 Yards	GM car door	5"	23	23
TOTAL		200				181	180

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Initial Testing Results, November 8, 2003

All testing of the Ammunition Coding System was performed by shooting the coded bullets into a four-foot long tube of chipped tires. The tube was created by taking two five gallon plastic buckets and filling each of them with chipped tires. The bottom of the first bucket was cut off and the bucket was placed inside the mouth of the second bucket.

First Test:

Test date: May 19, 2003	
Caliber tested: .45 cal. with a copper base. The copper base was engraved with the code sequences.	
Distance to target: five feet	
Test 1A	10 shots into chipped tires
Test 1B	10 shots through 3/8-inch pressure treated plywood and then into the chipped tires
Test 1C	10 shots through a 7-inch cardboard box tightly stuffed with newspaper and then into the chipped tires
Test 1D	10 shots through 3/4-inch MDO plywood and then into the chipped tires
Test 1E	10 shots through 3/4-inch pine board and then into the chipped tires
All rounds were recovered and placed into individual bags and labeled according to test material. In 49 of the 50 shots, the code was easily readable. For one bullet in Test 1E the copper jacket separated from the lead. The copper jacket was not recovered.	

<http://www.ammocoding.com/testing.php> - top#top

Second Test:

Test date: November 7, 2003	
Caliber tested: .45 cal. all lead, no jacket, with etching on the base of the lead projectile.	
Distance to target: Five feet	
Test 2A	25 rounds shot into bucket/chipped tire assembly. All rounds were recovered and the codes were readable in all cases.

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Results/Conclusion:

A total of 75 shots were fired and 74 codes were readable for a 98.7% success rate. We are confident that had the stripped off copper jacket been found in Test 1E, it would still carry the code.

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JUDtestimony

From: brian@hcc.hawaii.edu
Sent: Thursday, January 31, 2008 7:47 AM
To: JUDtestimony
Subject: HB2392 testimony

HOUSE COMMITTEE ON JUDICIARY - February 1, 2008, 4 pm - Conference Room
325 - 5 copies.

HB 2392 - OPPOSE The ammunition marking company that would like to see this bill passed is counting on making it's fortune before anyone realizes that marking ammunition is useless in fighting crime and will be massively expensive to implement. Simply put, criminals will not use marked ammunition that is traceable to them. They will steal ammunition or get smuggled ammunition on the black market. In any case, the usual forensic evidence showing the links between the crime, the shooter, the gun, and ammunition will have to be gathered. Criminals will simply take themselves out of the information loop. Criminals may also turn to other weapons, such as short shotguns or rifle caliber short weapons.

Hawaii's 300,000+ gun owners will be required to dispose of an estimated \$60 million worth of ammunition and replace it with ammunition costing much more. Regardless of the assurances of the company touting the marking system, modern ammunition production is highly automated, producing cartridges on lots of tens of thousands, and segregating ammunition in discrete lots of 50 or 20 to be marked and recorded will raise the costs substantially, perhaps two or three times. The public will not be happy with lawmakers who put them in that position, especially when they discover that criminals aren't affected.

Sellers of ammunition will have to have to proper computerized tracking equipment, which will further raise prices. Means for reloading component data to be recorded and sent to the State will have to be implemented, since it is legal to order brass and bullets from out of state.

Interestingly enough, criminals will not have to report, given that they are not required to implicate themselves as per *Haynes vs the United States* by registering firearms, ammunition purchases, etc., again, taking themselves out of the information loop.

The probability is that most legislative bodies will see the fatal flaw in the proposed ammunition scheme, leaving a very small market for marked ammunition for ammunition companies to sell to. They may simply refuse to change production methods to sell to a small market, leaving Hawaii with no ammunition vendors. If that happens, a few companies might make special runs of marked ammunition to sell at very high prices, giving the public and law enforcement agencies no other legal alternatives. Public expenditure for ammunition, both by honest gun owners and law enforcement agencies will have to increase, possibly several hundred percent, with a paradoxical net result of criminal activity increasing.

Just as Prohibition spawned organized crime, the necessity of smuggling in and distributing contraband ammunition will lead to an increase in criminal activity in Hawaii. Property crime will increase as criminals steal what they cannot buy, the net effect being that the honest people of the State wind up spending vast amounts of money while crime actually increases as a result, exactly opposite of the intended effect.

Other technical problems may make any marking scheme ineffective. Bullets with a lead base will be affected by the pressure and impact of unburned powder granules in some loadings. 22 cartridges, probably the most common cartridge that will fit in handguns, have a very small base area for marks and are typically made of soft lead, so that pressure and powder impact may obliterate marking, rendering the money spent on marking wasted.

Although the bill has generous provisions for tax rebates for equipment to mark ammunition, the bullet casters and swagers in the state don't have the large tax burdens that would make the rebate for purchasing marking equipment worthwhile. Thus honest innocent hobbyists would find their activities outlawed. Cartridge collectors would have their collections destroyed or devalued. While metal vapors from bullet marking will be controllable in an industrial environment (further raising the production cost) the

hobbyist may not be able to do so, introducing vaporized lead, copper, tin, and zinc into the atmosphere, albeit in small quantities.

Marked ammunition is not a Magic Bullet, and prosecution of laws already on the books would do much more to curb criminal activity than mandating spending vast amounts of money, public and private, on marking ammunition.
This bill should not be passed.

Brian Isaacson, President
Hawaii Historic Arms Association

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From: Kent K. Yamauchi, President
Kauai Hunting Association
[REDACTED]
Koloa, Hawaii 96756

31 January 2008

To: House Judiciary Chair Waters

We have reviewed your proposal submitted as HB2392 relating to ammunition and are strongly opposed. Although you have cited that eighty percent of ammunition sold in the United States consists of handgun ammunition this is not the situation we face here in Hawaii. I have associated with firearms dealers here on Kauai for over thirty years and they can all confirm that long gun sales and ammunition outnumber handgun sales and ammunition fifty to one. As far as handgun ammunition sales, majority of the sales are to Law Enforcement personnel. L.E. agencies have a armorer of their own that can receive ammunition brought into the state. Will this law apply to all Law Enforcement, Military and Security agencies in the State as well? They do control the vast majority of handgun ammunition within this State.

Our Kauai Hunting Association membership is currently over 300 and can provide you with a list if requested.

Again we are strongly opposed to HB2392.

Sincerely,



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January 31, 2008

TESTIMONY ON SB2392, IN STRONG OPPOSITION
Before the Committee Judiciary,
Honorable Representative Sylvia Luke, Chair
February 1, 2008, Conference Room 325

Sgt-At-Arms please provide 35 copies


Honorable Chair, Co Chair, and Members,

My name is Keith Kawamoto and I am the president of the Mid-Pacific Pistol League. MPPL's members strongly oppose this bill. Our club members participate in the internationally recognized sport of Practical Pistol Shooting (IPSC). We use thousands of loaded cartridges a month to punch holes in cardboard while participating in organized matches. Most of these cartridges are meticulously handloaded (manufactured) by the shooter, in order to get the maximum accuracy obtainable for the specific firearm that it will be used in. This bill, if it becomes a law will make criminals of law-abiding sportsmen who seek nothing else but to perfect their personal performance.

I applaud the representatives attempt to curb crime in Hawaii, but surely legislation directed at the criminal would be more efficient than this bill directed at an inanimate object. We are not criminals, but apparently the authors of this bill view anyone who possesses ammunition (uncoded or otherwise) as a potential criminal; such absolutism offends me.

Please do not allow this bill to pass. The technology has too many flaws and the company itself (ACS of Seattle WA) mentions several ways to circumvent the system on their website. The State is already in a financially unstable situation, let's not throw money at the pseudoscience of coded ammunition.

Thank you for the opportunity to testify.

Keith Kawamoto
Mid-Pacific Pistol League
P.O. Box 283092
Honolulu, HI 96828


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NATIONAL RIFLE ASSOCIATION OF AMERICA
INSTITUTE FOR LEGISLATIVE ACTION
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SACRAMENTO, CALIFORNIA 95814
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STATE & LOCAL AFFAIRS DIVISION
CAROLYN HERBERTSON, HAWAII STATE LIAISON

January 31, 2008

The Honorable Tommy Waters
Chairman, House Judiciary Committee
Hawaii State Capitol, Room 302
415 S. Beretania Street
Honolulu, HI 96813

RE: House Bill 2392 (OPPOSE)

Dear Chairman Waters:

On behalf of the Hawaii members of the National Rifle Association (NRA), I would like to express our strong opposition to HB 2392. The proponents of this concept theorize that such ammunition serialization would allow law enforcement to apprehend persons who use handguns illegally through the matching of serial numbers on spent ammunition components found at crime scenes to a database of ammunition buyers. However, the reality of this theory is that it is wishful thinking, at best, to believe that such a scheme could actually work in the world of real life application. There are simply too many unconsidered and uncontrollable variables that would make it impractical as a tool for purposes of criminal identification.

Some of the real life variables apparently not considered by those pushing the bill include the fact that ammunition often changes hands, in some cases several times, before it is fired. There is no reliable way to track a single round of ammunition from the point of manufacture to the end user. Ammunition is often transferred to another person at such places as estate sales, garage sales, sportsmen's swap meets, fund-raising events or shoots, etc. It is given as gifts, is loaned, and is also stolen during the course of a burglary. There are many other ways serialized ammunition could lawfully and unlawfully change hands, as well.

If enacted, the proposed legislation would quickly become just another poorly thought out law that in reality, only affect law abiding citizens who are not a part of the firearms related crime problem. Criminals would easily find a way around it, just as they do other laws. Those who support this proposal clearly have not considered the total atmosphere in which such legislation

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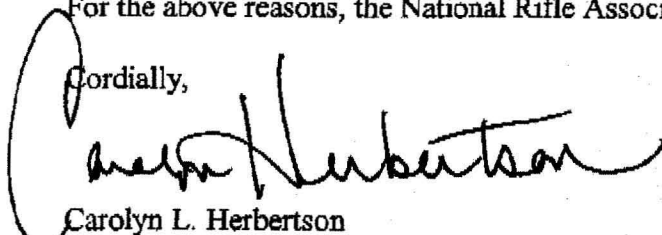
must operate. If they had done so, they would not bring it forward without also addressing the myriad of other issues that must be resolved before any such schemes could possibly hope to be workable.

For example, the ammunition manufacturers, who testified and lobbied against California's effort to serialize ammunition in 2004, pointed out several valid problems such as the safety hazards of introducing a laser into a work environment where gun powder and priming compound are also present. Notwithstanding the practical engineering problems associated with safely and mechanically doing so, this requirement alone could cause a dramatic rise in insurance and workers compensation costs for the affected employers. It could even affect their viability as American businesses who employ thousands of workers. If they cannot successfully operate under the conditions that this proposal would impose, who will supply American law enforcement and the military with ammunition? Will this become yet another industry that is out-sourced to a foreign country where there are fewer burdensome government imposed impediments to manufacturing and where there are lower operating costs? Or, will the ammunition manufacturers, who are largely located outside of the Aloha state, simply solve the manufacturing and safety problems this proposed legislation would create by choosing to abandon the state as a market for their products? These two options are among the many potential disastrous results if HB 2392 is enacted!

In conclusion, this proposal is an idea that may sound good in concept to someone who has not considered all of the relevant factors and issues that are involved. However, an in-depth examination of the details will show that it is not workable and that it would cause more problems than it purportedly would solve.

For the above reasons, the National Rifle Association is opposed to HB 2392.

Cordially,



Carolyn L. Herbertson
State Liaison

Cc: Members, House Judiciary Committee

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NATIONAL SHOOTING SPORTS FOUNDATION, INC.

FLINTLOCK RIDGE OFFICE CENTER • 11 MILE HILL ROAD • NEWTOWN, CT 06470-2359
 TEL (203) 426-1320 • FAX (203) 426-1087 • www.nssf.org

LAWRENCE G. KEANE
 SENIOR VICE PRESIDENT &
 GENERAL COUNSEL

January 31, 2008

Representative Tommy Waters
 Chairman, Committee of Judiciary
 Hawaii State Capitol, Room 302
 415 South Beretania Street
 Honolulu, HI 96813

Position: **Oppose**

Re: HB 2392 Relating to Ammunition (Bullet Serialization)

Dear Chairman Waters:

The National Shooting Sports Foundation (NSSF), the trade association for firearms, ammunition, hunting and recreational shooting sports industry, opposes HB 2392 on several grounds. This piece of legislation is an attempt to implement a flawed, unmanageable, expensive technology that will effect law enforcement, the military, and law-abiding citizens.

You may have received a letter from Sgt. James P. Fuda (ret.) expressing support for bullet serialization – the process by which each individual round of ammunition is identified and marked with a laser engraved serial number. Mr. Fuda is part of a larger disinformation campaign that the Ravensforge Company (a group whose primary product is skateboarding equipment and now named Ammunition Coding Systems) has engaged in, with hopes of lobbying lawmakers by misrepresenting the capabilities of bullet serialization. This follows Ravensforge's involvement and financial ties to an ammunition coding system database.

NSSF certainly understands that in theory it is possible to laser engrave a serial number on metal. No one is arguing this. The problem is that serializing ammunition on a mass production basis is not feasible from a practical standpoint and any legislation mandating such action could rightfully be considered a de facto ban on ammunition.

If manufacturers had to comply with bullet serialization, NSSF estimates that it would take almost three weeks to manufacture what is currently made in a single day. This massive reduction in ammunition would translate into substantially lower sales and profitability and ultimately force major ammunition manufacturers to abandon the market. In turn, there would be a severe shortage of serialized ammunition and all consumers, including federal, state and local law enforcement agencies, would be faced with substantial price increases. Ammunition will go from costing pennies to several dollars per cartridge. The result, already overstretched law enforcement budgets will be stretched even thinner.

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Chairman Waters
January 31, 2008
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The domestic small arms ammunition industry, utilizing modern manufacturing processes and distribution practices, produces *at least 8 billion ammunition cartridges a year* at already low-profit margins. The three largest domestic manufacturers (who collectively account for the vast majority of the market) produce an estimated *15 million rounds of ammunition in a single day*. Ammunition manufacturers could not serialize their product without hundreds of millions of dollars in capital investment to build the new factories that would be needed in order to meet the requirements of bullet serialization. At the same time hundreds of millions of dollars of existing plants and equipment, and decades of manufacturing (cost-saving) efficiencies, would be rendered obsolete.

Bullet serialization would impact law enforcement safety as well. Reducing the availability and affordability of training ammunition would allow for degrading marksmanship. The technical evolution of law enforcement pistol ammunition has progressed exponentially over the past 15 years. For example, NSSF ammunition producers developed bullet-bonding technology to provide law enforcement with products that offer enhanced performance through barriers such as auto glass, steel, and wallboard. Law enforcement will be forced to use lesser quality ammunition, putting officers at risk. And as manufacturers use the same machines and manufacturing processes to make all ammunition, whether it is for the civil, law enforcement or military markets, it would be impossible, as some contend, to merely exempt law-enforcement.

In fact, bullet serialization legislation failed in California after numerous law-enforcement groups including the California Police Chiefs' Association, the California Peace Officers' Association, the Association of Los Angeles Deputy Sheriffs and the Los Angeles Police Protective League urged lawmakers to vote it down. James J. Fotis, Executive Director of the Law Enforcement Alliance of America, went so far as to say, "If passed, this legislation will certainly play out like a horror flick on public safety and law enforcement in California."

Bullet serialization would also have a disastrous impact on the military readiness of our nation's armed forces and on homeland security by threatening the health and readiness of the domestic small arms ammunition industry. Congressman Duncan Hunter, then Chairman of the House Armed Services Committee, expressed such concerns in his April 25, 2005 letter to Governor Schwarzenegger describing bullet serialization as "troubling." The congressman wrote, "... I am strongly opposed to this proposal because of the harmful impact it will have on the manufacturers of ammunition used by our nation's armed services and law enforcement agencies."

While proponents of bullet serialization point to an internal study conducted through a local sheriff's department as demonstrating the efficacy of the technology, there have been no independent, peer-reviewed studies by qualified forensic scientists. Nor has the technology been the subject of any articles in the journal of the Association of Firearm and Toolmark Examiners (AFTE), the relevant professional society.

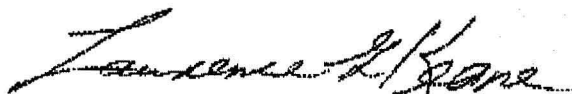
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January 31, 2008
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NSSF and its ammunition manufacturer members are also very concerned about employee safety. To our knowledge, no independent studies have been done to determine the safety implications of firing high speed lasers in the presence of the ammunition components, i.e. primers, propellants, etc. For instance, flash photography is not permitted inside factories because of gunpowder ignition concerns.

Bullet serialization is dangerous and not practical. As legislation that would mandate bullet serialization not only threatens law-abiding gun-owners but our industry's ability to supply the nation's law enforcement officers and military with high quality ammunition, we remain hopeful that you will consider all sides of this issue and contact me with any questions.

Sincerely,



Lawrence G. Keane

000000

JUDtestimony

From: Amoreena Rabago on behalf of Rep. Blake Oshiro

Sent: Friday, February 01, 2008 10:01 AM

To: JUDtestimony

Subject: HB2392

I respectfully urge you to vote no on House Bill 2392, requiring that all handgun ammunition manufactured or sold in Hawaii to be coded with a serialization number, and entered into a statewide database at the time of sale. The bill essentially doesn't address any existing problem and serves no useful purpose. Microstamping of ammunition is an expensive, unproven process and the practical result will be that manufacturers of ammunition will simply not comply and therefore not ship ammunition to Hawaii. This bill would, in effect, create a de-facto gun ban since Hawaii residents would be unable to acquire ammunition. It is all well and good to include a tax-credit to manufacturers to allow a financial incentive to comply, however, there are no ammunition manufacturers here in Hawaii. The bill also does not address hobbyist handloaders who craft there own ammunition for precision shooting.

I respectfully urge you to vote no on this bill. Thank-you.

Rick Bratt

[REDACTED]

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JUDtestimony

From: [REDACTED]
Sent: Wednesday, January 30, 2008 11:36 PM
To: JUDtestimony
Subject: HB 2392

Committee on Judiciary - Rep. Tommy Waters Friday, February 1st, 2008 - 4:00PM HB 2392 -
Relating to ammunition

Testimony of:
Robert Bretschneider
[REDACTED]

Representative Waters and committee -

I would like to voice my strong opposition to HB 2392.
It is a round about way to attack my second amendment rights. I guess I find it hard to believe that you honestly feel that this legislation would help in dealing with the homicide problem in the Unites States.
All it does is impose a burden on law abiding citizens like myself. Let us deal with the criminals in our society.

Thank you for allowing me to submit this testimony

Your truly
Robert Bretschneider

More new features than ever. Check out the new AOL Mail ! - <http://webmail.aol.com>

000101

JUDtestimony

From: Jeff Brown [REDACTED]
Sent: Friday, February 01, 2008 9:56 AM
To: JUDtestimony
Subject: HB 2392
Importance: High

Judiciary Chair Waters,

Please accept this email testimony concerning HB2392. After having carefully read the bill I want to give you my thoughts and concerns. As a former law enforcement officer, Detective and Army Intelligence Officer I can tell you this will not be of any benefit during criminal investigations for the following reasons:

1. Criminals do not comply with laws, only the law abiding sportsmen will be burdened by the high cost of ammunition and they will lose the ability to re-load ammunition which is a hobby of most folks who like to hunt or target practice. The poor folks will not be able to afford factory ammunition for hunting and target practice if reloading is not allowed under your bill.
2. Criminals will just acquire stocks of old ammunition that does not have the tracking numbers or import it from out of state just like they do with Ice and Cocaine right now. – Remember they don't care what laws are on the books.
3. Anyone who currently reloads has bullet molds for making cast lead bullets, so this source of bullets without serial numbers will be available for decades to criminals and others who are intent on circumventing the law.
4. Criminals will obliterate the serial numbers since this is only a misdemeanor under your bill and they are conducting felony crimes with firearms, so why would they give a second thought to the court tacking on a Mickey mouse misdemeanor that will get dropped in the plea bargaining.
5. Fired bullets are hard to do forensics examination anyways due to them being severely deformed and or fragmented if they are even recovered at all during a crime scene examination so this bill does nothing to help Police Evident techs or labs trace the bullet.
6. Hawaii is a military state so there are thousands of rounds of ammunition floating around in folk's garages that will never be traced and the criminals will acquire stocks of this untraceable ammunition. When I was a Detective most ammunition recovered in criminal's firearms was a mixed lot of brands, bullet weights and age as they were all acquired through home burglary and thefts.
7. The only persons burdened by your bill will be the law abiding sportsmen, target shooters, the elderly who purchase firearms for home defense, and retailers who will have extra cost to administrate a program that will not result in the arrest or conviction of any criminals – only the law abiding person who didn't know about the laws will get arrested. So if the intent of your bill is to arrest your law abiding voters, you're on the right track.

000102

2/1/2008

8. If you are really concerned about the criminal use of firearms, increase mandatory jail time for the possession and use of any firearm in the commission of any crime, now that's enforceable by the police and the courts. Bullet tracking is a poorly thought out backdoor attempt to take firearms out of the hands of law abiding folks and does not assist the police at all.

I will be carefully watching this bill and others that you introduce, as I now question your judgment and real intent since this bill is directly aimed at law abiding citizens and voters who put you in office, not the criminals who should be the target of legislation to protect those who are law abiding.

Sincerely,

s/s

Jeff Brown, CPO

Director of Security

Maui High Performance Computing Center

An Air Force Research Laboratory Center

Maui, Hawaii

(808) 879-5077

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000103

2/1/2008

JUDtestimony

From: Jonathan P Carbone [REDACTED]
Sent: Thursday, January 31, 2008 9:39 PM
To: JUDtestimony
Cc: welam001@hawaii.rr.com
Subject: ammunition ban bill HB 2392

To Whom It May Concern:

I am writing to voice my displeasure with and vehemently oppose bill HB 2392 coming before the House Judiciary on February 1st 2008. My name is Jonathan P. Carbone and I am registered gun owner, licensed hunter, resident of the state of Hawaii and a citizen of the United States of America. As such I am exercising what is my birthright, my freedom of speech to express my views on this latest's piece of legislation coming before the House Judiciary.

I oppose this bill that would make it law that all handgun bullets that are manufactured or sold in the state of Hawaii would need to be micro chipped.

This is yet another bill created to slowly and deceptively unarm the American public. I will make this very easy for you to understand; this bill is a violation of the Second Amendment. To the people who have decided to weasel this bill into state law I will remind you of what that Amendment states: A well-regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed. And this bill with all of its misleadingly good intentions attached to it, chips away at this Amendment and in doing so the founding document of this great nation. This bill would act as a de facto ban on all handguns in the State of Hawaii. It will force unnecessary costs upon private business that manufacture and sell ammunition in the state, as well as raise the price of ammunition for the average Hawaii resident.

This bill is yet another masked attack on the freedoms of tax paying law abiding America's citizens, perpetrated by far left elitists who think the people of this country don't know what is good for them. This bill ultimate design is to unwittingly strip citizens of their rights while claiming to be yet another politically-correct law for the 21st century. This an example of how liberal democrats are deliberately trying to force us, the American people, to live the way they see fit. It is not the states, nor the federal government's right, to make laws that will infringe on the Second Amendment (and any other amendment) and ultimately lead to the banning of handguns or any guns for that matter, in the State of Hawaii and the United States of America.

With Regards,

Jonathan P. Carbone

000104

Hung Hei Cheng, U.S. Citizen, Hawaii resident.

Comment on measure to be heard in committee:
COMMITTEE ON JUDICIARY

DATE: Friday, February 1st, 2008

TIME: 4:00pm

PLACE: Conference Room 325, State Capitol, 415 South Beretania Street

Measure number: HB 2392

RELATING TO AMMUNITION.

Requires all ammunition of a specified caliber manufactured or sold in Hawaii that is capable of use in handguns, including assault pistols, to be coded to assist law enforcement in identifying and prosecuting gun crime offenders. Requires attorney general to establish a statewide database to track coded ammunition. Effective 7/1/2008. JUD, FIN

Comments:

My name is Hung Hei Cheng. I reside at [REDACTED], Pauoa Valley, Honolulu. I am 42 years old. I am a recreational gun owner; I only use my guns at the Koko Head shooting complex. While not in use, my firearms are locked in a hidden gun cabinet. I am a responsible gun owner. I follow the laws and feel the current gun laws are adequate with all the registration of all firearms.

I feel that this measure is unnecessary. It would add more cost for me and will not benefit the citizens of the state.

The proposed measure cited that "thirty percent of all homicides committed in the United States that involve a gun go unsolved each year." Of that, how many are from Hawaii? Do we really have that many gun crimes in Hawaii?

We already have laws that require registration and restrict transport and carry. We rarely hear about random shootings in Hawaii. Murders are often committed by a friend or relative. The current registration law is able to help law enforcement find the suspect with its database of gun owners.

We have a ban on assault pistols. So, coding bullets used in guns we don't have in Hawaii sounds ridiculous.

If Hawaii becomes the only state to require coding of bullets, manufacturer will not jump to follow this law. Thus, causing a shortage

000105

of bullets and driving up the cost for me to go to the range. As stated in the measure 80 per cent of ammunitions sold are for pistols. This measure will take away 80 per cent of our supply. This sounds like some kind of ban on ammunition.

There is a shortage of ammunition right now caused by the conflict in the Middle East and the price of ammunition has gone up. The war does not seem to have an ending soon. A recession is forecasted and that's not going to help my pocketbook.

Businesses already have a hard time doing business in Hawaii. Hawaii already has the reputation of a business unfriendly state. This will just add to it.

Don't pass this measure. It's not going to help and it will take away one of my recreational pastimes.

Respectfully

H. Cheng

C20100

A thick black horizontal bar redacting the signature of H. Cheng.

JUDtestimony

From: Brett Colbert [REDACTED]
Sent: Thursday, January 31, 2008 11:11 PM
To: JUDtestimony
Subject: HP2392!

Aloha to all concerned about HP2392 I oppose this proposal because it will bog down unnecessary funds and people! The reason is that the guns that are used to commit these crimes are normally stolen weapons and ammunition in the first place.

The market for stolen guns is and will always be there as long as homes are being burglarized the marking of ammunitions will only get those that go through the process of buying the ammunition in the stores. This also leads to the problem of more theft when those who want ammunition will still get it from someone else's home. This will not slow down the committing of crimes with the use of a hand guns! This will tie up the manufactures money for the marking and distribution and they will pass that on to the consumers. The old ammunition will be very hard to control and I believe that more crimes will be caused by the passing of the proposal then stopped by it. There for I Oppose the passing of HP2392.

Thank you for listening
Mr. Brett Colbert 96734

000107

JUDtestimony

From: thomas cole [REDACTED]
Sent: Thursday, January 31, 2008 11:19 AM
To: JUDtestimony
Subject: HB2392

Sirs/Madams: Please do not pass this onerous and terrible bill. AS a gun owner/target shooter, I have enough bureacratic BS to put up with already. No doubt this bill will drive up the already outrageous cost of ammunition. Most gun owners are law abiding, taxpaying citizens. Enough already with so called gun control laws.

Why not instead, repeal some of our most silly gun laws, bring the gun laws of this state more like Texas, or Virginia for example. Thank you. Can I have a reply?

Thomas Cole. Waianae.

000108

Judiciary Chair Waters:

I write this letter to express my total opposition to this Ammunition Bill #2392 and I so state this for the following reasons:

1. The proposed laser marking of ammunition has been tried in the past and the history of this concept has proven to be a dismal failure. Ballistic experts within the law enforcement field have all concluded that this "tracking system as unworkable and unenforceable". This is aside from the undeniable fact that to initiate this system will be cost prohibitive to both the ammunition industry and the various municipalities throughout the State that will be required to maintain record keeping, data collecting and constant monitoring. All of this in an environment that's already strapped with lack of funds within the States fiscal budget.

2. The vast ammunition industry throughout the world will not want to get involved in such an expensive undertaking as to accommodate this small sales market as they have here in the State of Hawaii. It would be considered bad and unprofitable business sense.

3. The negative impact on the various sporting goods and small local business that rely on both firearm and ammo sales as a main source of their income could cause their businesses to shut down with a greater drain on our State's economy. This would also include sales of all reloading equipment and it's components would be stopped at a great loss of revenue to all involved.

4. What does the law abiding individual that legally target shoots, hunts or collects firearms and ammunition do with the unengraved ammo that he/she has already purchased, not to mention their guns that lack the availability of ammunition? Is it all just thrown away? I think that we need a reality check here!!!

5. And finally we come to the real reason for all of this expense, loss of individual civil rights and loss of local industry.....the elusive criminal. The constant unanswered question in always how many criminals from all crimes use legal firearms or legal identifications in their commission. None!!! They feed off of an underworld market of stolen and illegal weapons that will never trace back to them. So your idea of aiding the police by marking the bullets is a fantasy that will only severely hurt the innocent.

Respectfully,

Alfred F. De Dely

[REDACTED]

Wai'anae, Hawai'i

96792

000100

JUDtestimony

From: Amoreena Rabago on behalf of Rep. Blake Oshiro
Sent: Friday, February 01, 2008 11:24 AM
To: JUDtestimony
Subject: FW: HB2392

The HB2392 bill is no good, is this really going to stop criminals from using guns to commit crimes?. It's just another useless law to make it harder for the legal owners of firearms, if you don't believe me look at the crime stats after guns were outlawed in Australia and England, gun crimes actually went up. Our state needs to quit playing little brother to California, the fruits and nuts state!. Another thing, if serialized bullets are stolen by burglars and then used in a crime, that could get the wrong people in trouble, meaning the law abiding gun owners if this was to happen to them.

Sincerely,

John J. Faris.

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000110

JUDtestimony

From: [REDACTED]
Sent: Friday, February 01, 2008 12:04 AM
To: JUDtestimony
Subject: HB 2392

Aloha,

This letter is to protest the mere notion of HB 2392 as an effective tool for law enforcement, as well as the unfair burden laid on the the law abiding gun owner. The cost of implementing the technology needed for manufacturers to meet the standards of this bill would be exorbitant and passed directly on to law abiding consumers. It would not effect the criminal element from accessing ammunition but would create another lucrative black market. Criminals would simply steal ammunition from legal outlets or citizens to sell to other criminals who will also ignore the ammo law. This bill would also shut down citizens who re-load their own ammunition. There are far more important places to spend the taxpayers' money. I would like to hear Chairman Waters estimate of the cost to implement and examples of this technology being used in other areas and what the results were. Does he have a sound basis in fact on which to propose this bill? Or is he just trying to pass another "feel good" law that will accomplish nothing but create another bloated government office.

Mahalo
Craig Farrar
Lahaina, Maui
NRA Range Safety Officer
NRA Certified Pistol Instructor

000111

2/1/2008

JUDtestimony

From: Gary Fuchikami [REDACTED]
Sent: Wednesday, January 30, 2008 10:22 PM
To: JUDtestimony
Subject: HB 2392 RELATING TO AMMUNITION

To Whom It May Concern:

I'm writing to express my **STRONG OPPOSITION** to HB 2392. It is an effort by the anti-gun forces to basically ban handguns by making it impossible to obtain ammunition for them. The extremely prohibitive cost of laser engraving cartridges will prevent their importation to the state. The ridiculous fines for possession of non-engraved cartridges is pure nonsense! What will it cost for the city and outer island police departments to obtain 9mm and .40 caliber rounds for the officers to use? These agencies are already having difficulty obtaining enough ammunition to use as is.

This is just another foolhardy attempt to make it difficult for law-abiding citizens to protect our families by trying to pass foolish bills that will have no effect on crime because the criminals will still use "illegal" ammo in their unregistered, illegally obtained guns.

Instead of this bill, why don't you (Rep. Waters) pass a "shall-issue" law in Hawaii so that there will be more legal firearms out there with responsible, law-abiding, trained citizens out there that will be a deterrent to the criminal element in our streets? It would be like increasing our police force without having to spend any money for it. Most of the people who would apply for a concealed-carry permit are well-trained in the use of their firearms, and they practice enough to be as accurate or more so than even our police officers in general, who perhaps should spend more time on the firing range.

Every time a bill like this is introduced, it just shows the lack of "common sense" of some of our elected officials. Please try to research the other 40 states that have "shall-issue" laws and you'll see that by **NOT INHIBITING** the law-abiding citizens, crime will go down. The criminal element are more afraid of the armed citizen than they are of the police officers. That's a fact that you should take into consideration whenever you think of more ways to disarm the law-abiding citizens in our state.

Thank you for your time and consideration!

Aloha,

Gary Fuchikami
Ewa Beach, HI
[REDACTED]

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000112

JUDtestimony

From: Reva K Hamilton [REDACTED]
Sent: Friday, February 01, 2008 12:09 AM
To: JUDtestimony
Subject: Please read comments on HB 2392 - bullet serialization. Hearing set for Friday, Feb. 1
Attachments: My Heritage.doc

To the Hawaii House Judiciary Committee Members:

We just received word tonight that you plan to hear House Bill 2392 tomorrow concerning the serialization of handgun bullets. Please consider our thoughts on this issue:

Hawaii already has some of the most restrictive gun laws in the nation - laws which literally deny law abiding Hawaii citizens full second amendment rights. You already have our names and addresses, our pictures and fingerprints, FBI profiles, the serial number for each of our guns, and access to all our medical and mental health records. You require us to participate in handgun training classes.

You have basically denied us the right to protect ourselves, our families, and our property, from those who are not law abiding citizens. Now you seek to add another law that would further infringe upon our constitutional rights, further inject government into our private lives, and considerably increase the already elevated cost of gun ownership and operation in Hawaii.

There are many recent studies which verify handgun ownership by responsible citizens actually deters crime. Gun registration has had little effect on deterrence of criminals. It is highly unlikely that serialized bullets will have much, if any, effect on stopping criminals from using guns and unmarked bullets. Please take the time to review some of the studies. Take a look at those countries that encourage their citizens to be armed and ready. Consider taking some handgun training from a local instructor - the training is very professional, stresses safety, and instills a sense of self-discipline. Include your kids. They'll love it!

You are charged with the responsibility to uphold the Constitution of the United States of America, including the simple, but powerful Second Amendment: ***A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.*** In this crazy, terroristic world, the time may well come when the Governor must call upon Hawaii citizens to defend her existence. Would you prefer the citizenry be armed with sticks - or with well-maintained arms, affordable ammunition, and the knowledge and experience to use them?

Direct your efforts toward enforcing laws against the bad guys – not toward making laws against the good guys - you'll get more votes.

Thank you,
 Don and Reva Hamilton
 Members of NRA and HRA
 "We vote, and we discuss issues with friends who vote"

000113

Where Did They Find The Courage?

by Reva Hamilton

What made them different from you, from me, from all of us today?

Where did they find the courage to act on their beliefs?

Why did they risk everything - their reputations, their property, their wealth, their lives and those of their families?

How did they acquire the wisdom to shape a Nation? The greatest Nation, the most generous Nation, the most erudite and creative, and most productive Nation in the history of man.

Who were these men who had a vision of freedom from tyranny..., who recognized the necessity for autonomy..., who sought solutions..., who committed to action and followed through on their commitments?

They believed 'the people' should determine their own destiny. They believed 'the people' should have freedom of religion, freedom of speech, freedom to gather to decide what was right for their own communities. They believed 'the people' had the right to protect themselves, their families, their neighbors, and their personal property. They believed 'the people' should take action to right a few wrongs.

Well, folks, we have a few 'wrongs.' Many of our cherished American Freedoms are seriously endangered species. With the exception of our brave and dedicated men and women in America's Armed Forces, who among us has the courage today to endeavor to preserve what our Forefathers so fervently believed, the freedoms they purchased with their lives and their fortunes, the system of government they created that has served mankind far above any other?

It seems "We, 'the people'" no longer stand up for what is good and right. We're politically correct, lest we be criticized. We are unable to call a spade a spade. We disengage, rather than take responsibility. When there's a crime in some other neighborhood, we shake our heads and change the channel. If there's a crime in our own neighborhood, we lock our doors and turn out the lights. Why? We have effectively lost our right to defend ourselves. It's dangerous! Who gets sued? Who goes to jail? Yes, it's written right there in the Second Amendment to the Constitution – we have the right to keep and bear arms. But do we? What *really* happens if you defend your life and property – specifically with a gun or defensive weapon? Oh, and did you register that gun with the Authorities? Will they confiscate it when we have a devastating hurricane and there are more thugs and looters than there are police?

I'm tired of saying nothing when there is much to be said; doing nothing when there is much to be done. I challenge myself... I challenge you, to draw upon the courage and wisdom of our Nation's Forefathers and actually rise up to preserve what made this Nation unique among all Nations. Start by joining the Hawaii Rifle Association. Then join the National Rifle Association. Get involved. Vote for those who actively preserve our Constitution and Bill of Rights. Stand together against gang violence. Contest revisionist history. Confront those among us who denigrate this great Nation from a podium built upon the very freedoms they strive to eradicate! Turn off the television. Become fit – mentally and physically – for the many challenges that loom, both nationally and internationally, and then meet them head on.

I don't know why our Founding Fathers were different, or where they found the courage. I do know it is essential that we follow in their footsteps. The time is now.

000114

FROM PAUL HOFFNER
U.S. CITIZEN (FIREARMS)

REF: 2ND AMENDMENT OF UNITED STATES CONSTITUTION
in... BILL of RIGHTS

REF #2 INTRODUCTION OF BILL ON AMMUNITION
REGISTRATION? (DON'T KNOW H.B.#!)

QUESTION: BESIDES OUR (US HAWAII TAXPAYERS)
WHO IS GOING TO PAY FOR THIS BACK
DOOR REGISTRATION / CONFISCATION OF
THE LAW ABIDING CITIZENS! ?

QUESTION: WHO IS GOING TO PAY for the
BUREAUCY to "MAN" (STAFF) this NEW
OFFICE OF HIBATFE besides (US HAWAII TAXPAYERS)?

QUESTION: ARE YOU A GUN OWNER -
I THINK NOT OTHERWISE YOU WOULDN'T
EVEN DREAM of the NIGHTMARE AGAINST
LAW ABIDING CITIZENS.

QUESTION: ARE YOU GOING TO CHECK EVERY
#8 BB in a SHOTGUN SHELL (?) TO FIND OUT IF
THEY ARE "CODED" ?

000125

REP. WATERS, YOU & POLITICIANS (PEOPLE WHO
MOVE THEIR LIPS) LIKE YOU ARE THE MOST
HAIRBRAINED BOZOS WASTING THE OXYGEN NEEDED
BY & FOR THE "GREENY" ECO FREAKS ON THIS PLANET!
This is My Opinion while EXERCISING
MY 1ST AMENDMENT RIGHTS WHICH THE 2ND
AMENDMENT PROTECTS.

CONCERNED CITIZEN
Dan Apple

000110

JUDtestimony

From: Amoreena Rabago on behalf of Rep. Blake Oshiro

Sent: Friday, February 01, 2008 11:26 AM

To: JUDtestimony

Subject: HB2392

Please **oppose** HB2392!

The repercussions for law abiding citizens, hobby reloaders, ammunition manufacturers and retailers are too far reaching. The expense and time involved would be incredible. It would once again heap cost and trouble on a section of society that has done nothing wrong.

Erosion of our 2nd amendment rights comes from many sides and must always be stopped. The solution to gun crime is true, swift and merciless punishment of the persons committing the gun crimes, not attacks on the 2nd amendment and law abiding gun owners.

As always, the criminals are not going to follow these rules any more than they do the others, that is why they are *criminals*. They will find a way around it, either by ignoring it or perhaps by stealing more guns and/or ammunition for their next crime.

This does not just affect Hawaii either, if *any* state passes these kinds of laws others will be emboldened to try it also. Stop this here and now!

Sincerely,
C. Herrin

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TESTIMONY ON HOUSE BILL 2392 RELATING TO AMMUNITION, IN STRONG OPPOSITION

Before the Committee on Judiciary,
 Honorable Representative Tommy Waters, Chair
 February 1st, 2008 @ 4:00pm Conference Room 325.

Sgt-At-Arms please provide 35 Copies

Honorable Chair, Vice-Chair, and Members,

I wish to voice my strong opposition to HB2392. This bill directly affects me as a competitive sport shooter, NRA Certified Basic Pistol Instructor, and a pistol owner in the State of Hawaii. It is my belief that is legislation is flawed in both concept and language.

- This bill is a virtually identical clone of legislation being introduced in multiple other states, for example, in Tennessee as HB3245¹ and SB3395². It appears to be a coordinated effort by Ammunition Coding System or ACS³ to have the use of their patented⁴ encoding system mandated by law. Giving a single company a complete and total monopoly over the ammunition manufacturing industry with the ability to charge unlimited royalties. Manufacturers would be required to either pay these licensing fees or exit from the market. Ultimately, the cost of this system would be passed along to all consumers, including public agencies.
- According to the US Census Bureau⁵, as of 2006, Hawaii represents approximately 4/10th of 1 percent of the population of the United States of America. This makes Hawaii an extremely modest market for manufacturers in all industries. When faced with the expensive equipment, production line retooling time, and licensing fee's that would be mandated by this bill, it is my belief that most ammunition manufacturers would choose to exit the Hawaiian market. Leaving consumers little if any choice at all.
- ACS has published test data⁶ on their website of the "readability" of bullets engraved with their system after having been fired into a test medium. Their stated testing methodology of firing bullets into, and I quote, "chipped tires" is hardly an accurate simulation of terminal ballistics in the human body and in no way conforms to the FBI's "Ammunition Test Protocol". Nor does their test data cover any rimfire ammunition or the rifle cartridges that, so called, "assault pistols" are likely to be chambered for. In particular, the ACS system may be total unworkable for small caliber soft lead rimfire cartridges such as the extremely popular .22 Long Rifle. The .223 Remington or 5.56 NATO cartridge, common in what Hawaii State law refers to as "assault pistols", tends to fragment inside the human body, possibility making a successful reading of an encoded bullet impossible. Nor does their test data cover any shotgun loadings, while there are pistols chambered for many different gauges of shot shells. Further there is no published information on an encoded bullet having ever been successfully recovered and read from a human body. Where is the real world scientific evidence that this system is even workable?

1 <http://www.legislature.state.tn.us/bills/currentga/BILL/HB3245.pdf>

2 <http://www.legislature.state.tn.us/bills/currentga/BILL/SB3395.pdf>

3 <http://www.ammocoding.com/index.php>

4 US Patent #7,143,697

5 <http://quickfacts.census.gov/qfd/states/15000.html>

6 <http://www.ammocoding.com/testing.php>

000118

- I attempted to contact ACS via telephone to ask if any business has ever tried to manufacture encoded bullets on a large scale, as I can find no evidence of anyone having ever tried this. ACS' business front appears to be an answering machine on a residential telephone line that is not answered during business hours, so I am unable to provide an answer to this question. This legislation runs the risk of mandating a completely unproven and untested manufacturing process that may not even be feasible.
- This legislation would appear to completely ban the practice of "hand loading" as laser engraving equipment is prohibitively expensive for private citizens. "Hand loading" or "Reloading" is a common practice in many sport shooting disciplines and for many types of events it is required to be competitive. Most commercially manufactured ammunition is not nearly as accurate as high quality "hand loads". Many competitive shooting sports would suffer under this legislation.

I would like to thank the committee for it's time in reviewing my testimony.

Sincerely,



Joshua Hoblitt

[REDACTED]
Honolulu, HI 96826

000110

JUDtestimony

From: Wayne Holu [REDACTED]
Sent: Friday, February 01, 2008 8:41 AM
To: JUDtestimony
Subject: HB 2392

Chairman Waters,

I am in strong opposition of HB 2392. Currently in Hawaii we have very restrictive Firearms Laws in comparison to other states. I have been a Firearms Instructor for the U.S. Navy's Antiterrorism Program, U.S. Federal Air Marshal, and Armed Airline Pilots. I have had the privilege of training U.S. Army Firearms Instructors, Law Enforcement Personnel, Doctors, Nurses, College Professors, Teachers, Home School Moms, Senior Citizens, Teenagers, Boy Scouts, Engineers and just regular Hawaii Citizens. Passing of this bill shall cease their ability to economically practice and train in their firearms skills, as well as dissolve their 2nd Amendment rights. The bad guys do not care what kind of bill you pass as they do not care about rules and regulations. Our system to deal with chronic criminals is what needs to be fixed.

Thank you very much.

Wayne Holu

Koa Services Inc

66-250 Kamehameha Hwy C-201

Haleiwa, Hawaii 96712

000120

JUDtestimony

From: Mino A Kahananui [REDACTED]
Sent: Friday, February 01, 2008 8:09 AM
To: JUDtestimony
Subject: ammunition ban bill HB 2392

To Whom It May Concern:

I am writing to voice my displeasure with and vehemently oppose bill HB 2392 coming before the House Judiciary on February 1st 2008. My name is Mino'aka Kahananui and I am registered gun owner, resident of the state of Hawaii and a citizen of the United States of America. As such I am exercising what is my birthright, my freedom of speech to express my views on this latest's piece of legislation coming before the House Judiciary. I oppose this bill that would make it law that all handgun bullets that are manufactured or sold in the state of Hawaii would need to be micro chipped. This is yet another bill created to slowly and deceptively unarm the American public. I will make this very easy for you to understand; this bill is a violation of the Second Amendment. To the people who have decided to weasel this bill into state law I will remind you of what that Amendment states: A well-regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed. And this bill with all of its misleadingly good intentions attached to it, chips away at this Amendment and in doing so the founding document of this great nation. This bill would act as a de facto ban on all handguns in the State of Hawaii. It will force unnecessary costs upon private business that manufacture and sell ammunition in the state, as well as raise the price of ammunition for the average Hawaii resident. This bill is yet another masked attack on the freedoms of tax paying law abiding America's citizens, perpetrated by far left elitists who think the people of this country don't know what is good for them. This bill ultimate design is to unwittingly strip citizens of their rights while claiming to be yet another politically-correct law for the 21st century. This an example of how liberal democrats are deliberately trying to force us, the American people, to live the way they see fit. It is not the states, nor the federal government's right, to make laws that will infringe on the Second Amendment (and any other amendment) and ultimately lead to the banning of handguns or any guns for that matter, in the State of Hawaii and the United States of America.

Best Regards,

Mino'aka Kahananui

000121

I Charles A. Kramer, a legal resident of Kauai in the great state of Hawaii am submitting this written testimony in strong opposition to House Bill 2392, relating to ammunition on my own free will.

The passage of this bill would require all handgun ammunition to be serialized after July 1, 2008. This bill is an outrageous attempt by the House to impose a restriction on my constitutional right to bear arms, which includes ammunition without excess regulations. Why is this bill nonsense, simply put that just because bullets are serialized, does not mean all handgun crime in Hawaii will stop. Nor does it mean that just because the bullets are serialized that a criminal with a criminal mind will not steal ammunition along with the handgun to commit a crime. This bill will not prevent murder from happening since people still intending to do vicious harm to another individual will commit the offense anyway.

Ask yourself these questions:

1. Would have serialized handgun bullets prevented the man from beating to death his girl friend with the butt of a shotgun?
2. Would it have prevented Mr. Higa from throwing baby Cyrus from the bridge and killing him?
3. Will the serialization of handgun bullets prevent people from driving drunk and killing innocent people with a car?
4. Will serializing handgun bullets prevent people from stealing handguns and ammunition and using them to commit a crime?
5. Will serializing handgun ammunition prevent road rage from people in Oahu being stuck in massive traffic jams everyday?
6. Will the armed bank robberies decline to zero due to serialization?
7. Will serialization of handgun bullets prevent people from stealing pets and eating them?
8. Will serialization of handgun bullets prevent terrorists from coming to Hawaii and blowing up a building or killing people?
9. Will serialization of handgun bullets stop the illegal sale of Meth or its production of it in Hawaii?
10. Will serialization of handgun bullets stop the import of non-serialized handgun bullets?

I think if you answer all these questions honestly, you will answer NO. This is a useless bill which takes away valuable time to solving more pressing issues concerning our state. Your efforts should be on increasing school funding, making the traffic situation better in Oahu, helping the elderly, protecting children by

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funding services. Solve the drug problem in Hawaii and you won't need legislation on handgun serialization of bullets. Maybe the bill should be serialization of crack pipes since I am sure there are more of those illegal devices than bullets that need to be serialized.

What this does do is make it impossible for law abiding citizens to get ammunition for their handguns since manufactures will most likely not sell small quantities of ammunition which is serialized to the local public.

So if you are a common sense politician, you will agree with me and vote no on this bill which is an attempt by one liberal politician to make themselves look good.

Please vote NO on HB 2392.

Sincerely,
Charles Kramer

000123

JUDtestimony

From: Jim O'Keefe [REDACTED]
Sent: Thursday, January 31, 2008 9:38 AM
To: JUDtestimony
Subject: STRONG OPPOSITION TO HB 2392

Testimony in STRONG OPPOSITION TO HB 2392

submitted to the House Judiciary Committee, Tommy Waters, Chair

please provide the requisite number of copies for each of the committee members and committee clerk (s).

TO: Chairman Tommy Waters
Vice Chairman Blake Oshiro
Rep. Cindy Evans
Rep. Joseph M. Souki
Rep. Josh Green, M.D.
Rep. Clift Tsuji
Rep. Ken Ito
Rep. Ryan I. Yamane
Rep. Sylvia Luke
Rep. Kyle T. Yamashita
Rep. Angus L.K. McKelvey
Rep. Barbara C. Marumoto
Rep. Hermina M. Morita
Rep. Kymberly Marcos Pine
Rep. Alex M. Sonson
Rep. Cynthia Thielen

Ladies and Gentlemen,

I am a 38 year resident of Hawaii, an owner of several business with scores of employees, and a NRA Certified Firearms Instructor and Training Counselor. I've been training civilians, military personnel and law enforcement in the safe and effective handling of firearms for many years here in Hilo. I am also a competitive pistol and rifle shooter. I fire thousands of rounds per year in training courses, practice and competitions. I am a former President of the Big Island Gun Club, Inc, whose membership has comprised over one thousand people over the years I've been involved with it.

I am writing to register my strongest opposition to HB2392. This bill, if enacted, would result in a de facto ammunition ban for all pistol and most rifle ammunition, and in effect a handgun ban by other means. Hawaii's is not a big enough market to cause ammunition manufacturers to invest in hugely expensive production machinery to comply with the law. It would be far cheaper to just abandon the market, which I assure you they will.

If this bill were to become law, I would no longer be able to pursue my avocation here in Hawaii. Hunters would also become an extinct breed in Hawaii, as there are very few rifle cartridges for which there is not a handgun which can chamber and fire that cartridge.

000121

Furthermore, the law would have no effect on the possession of ammunition by criminals who, by definition, don't obey laws. Ammunition doesn't stale, like bread. It lasts decades. I regularly fire Russian ammunition manufactured in the 1940s in one of my rifles. Out of hundreds fired, I've yet to have a round fail to fire. So unserialized ammunition already in Hawaii will be with us for decades to come. Further, sources of ammunition from outside the state will assure that there is never a lack of ammunition for those willing to break the law. And since the police and military are exempted from this law, there is an even more reliable source for unserialized ammunition within the state.


Speaking of exempting law enforcement and the military... Given the number of murderers who've worn, and dishonored, their uniforms, why are they exempted? Shouldn't they be the first to set the example? Or would the requirement make ammunition too expensive, difficult or even impossible to procure?

The answer is obvious and, I think, proves my point.

Please vote against this bill. It penalizes the huge population of law-abiding gun owners with little realistic prospect of solving crimes committed with guns.

Thank you for your respectful consideration of my testimony

James M "Jim" O'Keefe


Hilo, Hawaii



www.okeefebakery.com

000125

JUDtestimony

From: ling0821 [REDACTED]
Sent: Thursday, January 31, 2008 11:14 PM
To: JUDtestimony
Subject: Strongly OPPOSE HB2392

Judiciary Committee Members,

I STRONGLY OPPOSE this bill.

Introduction of this proposed bill, is outright unconstititutional. Serializing ammunition on a mass production basis is not feasible from a practical standpoint and any legislation mandating such action could rightfully be considered a de facto ban on ammunition.

Tony Lee
Mililani HI 96789

Express yourself instantly with MSN Messenger! [MSN Messenger](#)

000120

JUDtestimony

From: Michael Leineweber [mleineweber@durrant.com]
Sent: Thursday, January 31, 2008 6:45 PM
To: JUDtestimony
Cc: repwaters@Capital.hawaii.gov; repboshiro@Capital.hawaii.gov;
repevans@Capital.hawaii.gov; repgreen@Capital.hawaii.gov; repiot@Capital.hawaii.gov;
repluke@Capital.hawaii.gov; repmckelvey@Capital.hawaii.gov;
repmorita@Capital.hawaii.gov; repsonson@Capital.hawaii.gov; repsouki@Capital.hawaii.gov;
reptsuji@Capital.hawaii.gov; repyamane@Capital.hawaii.gov;
repyamashita@Capital.hawaii.gov; repmarumoto@Capital.hawaii.gov;
reppine@Capital.hawaii.gov; repthielen@Capital.hawaii.gov
Subject: Testimony in reference to HB 2392 IN STRONG OPPOSITION

Testimony in reference to HB 2392
IN STRIONG OPPOSITION
House Judiciary Committee
Conference Room 325
State Capitol
1600 Friday 01 February 2008

Mr. Chairman, and Committee Members:

I wish to testify in strong opposition to this bill. This bill will have no impact on public safety. This Bill will have an onerous impact on law abiding citizens and force creation of a new record keeping bureaucracy in the Attorney General's office.

Of the 20 murders most recently committed in the state of Hawaii, only (1) was committed using a handgun.

You can check these facts at the following sites:

Crime in the United States 2005 <<http://www.fbi.gov/ucr/05cius/>> , Department of Justice <<http://www.usdoj.gov/>> - Federal Bureau of Investigation <<http://www.fbi.gov/>>

People like me, who are hunters, recreational, and target shooters, are the most unlikely group of individual to commit a crime with a handgun.

We purchase and resister our firearms with the police, and we strengthen community safety with our ability to safeguard our families and homes.

Criminals are not going to purchase engraved or serialized ammunition.

Criminals are not going to use a firearm registered with police.

If you pass this law, you will ultimately make the use of handguns by law abiding citizens impossible due to the lack of ammunition available to firearms owners. You will likely force many lawful shooting and hunting businesses out of business because of the onerous conditions and draconian penalties that this bill creates.

Please consider the impact that this bill would have on law abiding hunters, target, and recreational shooters. To laser engrave every round of ammunition would be an unreasonable burden on the right to keep and bear arms. I fire hundreds of rounds of .45 caliber ammunition when I practice. To have to laser engrave each one of them is an enormous and unreasonable burden for the hardworking, honest, and law abiding citizens of our state.

Please do something about the repeat criminal offender criminals in our state.

Please do not pass laws that criminalize, and create felons, of the law abiding citizens of our state.

Thank you for considering my strongly held views in this regard.

Dr. Michael James Leineweber, AIA
2366 Liloa Rise
Honolulu HI 96822
TEL 808-524-2040

000127

FAX 808-538-1529
CEL 808-222-9429


000123

JUDtestimony

From: Amoreena Rabago on behalf of Rep. Blake Oshiro
Sent: Friday, February 01, 2008 10:00 AM
To: JUDtestimony
Subject: HB2392

I am against HB2392.
This bill will do nothing to prevent crime and will be expensive to implement.

Sincerely,
Robert Loui


Aiea, HI 96701

000129

JUDtestimony

From: Barry P Fitzgerald [REDACTED]
Sent: Friday, February 01, 2008 9:19 AM
To: JUDtestimony
Subject: Testimony relating to HB2392

Greetings Judiciary Committee members. We would like to submit testimony at this time via email as We could not make it to the legislature at this time. I strongly oppose the measures outlined in HB 2392 ie: relating to the coding of handgun ammunition. This measure serves only to harrass the law abiding citizen and does little to impact Hawaii's criminal element. It diverts valuable resourses of the AGs office and HPD w/time consuming and costly paper work.

It also put an unfair and expensive burden upon the firearm/ammunition retailers. Doing business in Hawaii is already challenging w/out increased legal and economic burdens. This is a bad bill that would be costly, complicated, and ineffective crime control attempt. It's would also in time turn law abiding citizens into criminals and lead to civil disobedience in a large scale.

Please reconsider this bill. It not workable. We strongly oppose.

Thanks you very much

Barry P. Fitzgerald

[REDACTED]
Honolulu, HI. 96817

[REDACTED]

Bert Lum

[REDACTED]
96813

C00110

JUDtestimony

From: christopher mann [REDACTED]
Sent: Friday, February 01, 2008 11:22 AM
To: JUDtestimony
Subject: Questions and comments on H.B.2392

Committee,

Thank you for hearing my questions.

1. How will the State of Hawaii require the ammunition manufacturer's of America to encode their products? Do all the other 49 states agree?
2. The purposed bill will require encoding for all "New ammunition" but does not address existing ammunition, loose bullets and the encoding process. How would this be done? Would we the public be required to pay the state for encoding our private property?

Comment: It is my opinion the H.B. 2392 would do little good in the apprehension of felons as they rarely use firearms registered to themselves let alone encoded ammunition in the commission of a crime. I have yet to see a criminal register a firearm let alone ammunition.

Your bill, while a valiant attempt to help solve firearms crime in Hawaii, does little. I does, however effect thousands of registered firearms owners,elevate the cost of legal ammunition and burden the vendors.

Thank you very much for your time in this matter.

C. Mann

000101

JUDtestimony

From: Robert Manssen [REDACTED]
Sent: Friday, February 01, 2008 9:25 AM
To: JUDtestimony
Subject: ammunition

I oppose this bill for many reasons. When will my rights as a U.S. citizen be upheld? If it isn't Bush trampling on them it's someone else. Thank you. Robert Manssen

000132

JUDtestimony

From: Straykat [REDACTED]
Sent: Thursday, January 31, 2008 7:29 PM
To: JUDtestimony
Subject: Testimony - HB2392 bullet serialization

This is something I think the leaders of our state really need to think twice, and three times about.

The Hawaii House of Representatives' Judiciary Committee will hold a hearing tomorrow, regarding HB2392 that would mandate by January 2009 bullet serialization – the process by which each individual round of ammunition is identified and marked with a laser engraved serial number.

The National Shooting Sports Foundation (NSSF) – the trade association of the firearms and ammunition industry – has made clear that serializing ammunition on a mass production basis is not feasible from a practical standpoint and any legislation mandating such action could rightfully be considered a de facto ban on ammunition!

In addition, this action will GREATLY INCREASE the cost of ammunition by dollars instead of pennies per round! Margins to what few legitimate gun sales stores there are will be eliminated and bring the sale of ammunition to a halt, an indirect ban on ammunition.

Furthermore, this law is entirely unenforcable (like arial fireworks) and carries such minor penalties for owning un-serialized ammunition, this will only encourage Hawaii's already poor population to stock up on large amounts ammunition before the ban takes place.

Additionally, legislation that would mandate bullet serialization hurts law-abiding gun-owners! WHY penalize me, a person who has a perfectly clean record. Why should I have to pay massive prices?

Put the money going to support badly thought out programs like this to support our law enforcement.

Do people really think that bullets with serial numbers will DETER crime? "Oh wait, I better not rob that bank, my bullets have serial numbers on them." This is NOT crime prevention. This does NOT make Hawaii a safer place.

Thank you,
-A LAW ABIDING CITIZEN
Len Matsumoto

000133

JUDtestimony

From: Merrill [REDACTED]
Sent: Thursday, January 31, 2008 12:24 PM
To: JUDtestimony
Cc: Rep. Marcus Oshiro
Subject: HB2392

IN STRONG OPPOSITION this bill.

HB2392 is a thinly veiled method in which to ban handguns in the State Of Hawaii. The bill does not even specify what those methods are that have worked "moderately well" in serial numbering projectiles, as is offered at the beginning of the bill.

I am a gun owner and local law enforcement officer. Passage of this bill would be a logistical nightmare for dealers and gun owners alike. And in the end analysis, would not be effective because of many variables, in the solving of crimes by this methodology.

This bill is a back door attempt to eliminate the right of Hawaii residents to own/possess a firearm for self defense and enjoyment. Bring the debate out into the light if you wish, but don't pass a bill that would not have stood the light of day had it been done in a manner consistent with the procedures of a legislature in a free society.

IN STRONG OPPOSITION to this bill.

Mahalo!

T. Merrill
Wahiawa, Hawaii

000134

JUDtestimony

From: Greg Mescan [REDACTED]
Sent: Thursday, January 31, 2008 7:40 AM
To: JUDtestimony
Subject: HB 2392 Coding Of Handgun Ammunition Testimony

Aloha:

I am in strong opposition of the enactment of House Bill 2392 for the following reasons:

1. Current regulations require all handguns to be registered with the police department and the permit to acquire must be completed and approved by the police department.
2. This proposed bill will only impact law abiding citizens and will have no effect on the criminal population with handguns who most likely will not go through the process required to obtain the handgun.
3. This bill will yet create another large black market for ammunition that is unenforceable; one only has to observe the large number of illegal aerial fireworks throughout the State of Hawaii during the 4th of July, Christmas, and both New Years.
4. This bill will provide yet another unnecessary layer of government bureaucracy that is cumbersome, ineffective, and unnecessary.

Rather than introduce legislation on handgun ammunition, emphasis should be on expedited prosecution of criminals conducting crime with handguns with 20 year non-negotiable minimum sentences. Parties providing illegal handguns to criminals should also be provided with a minimum 10 year non-negotiable minimum sentence. The teeth in legislation needs to be directed to non-law abiding citizens rather than law abiding citizens.

Another way to ensure only those with the proper credentials obtain handgun ammunition simply would be to require persons with handguns who want to purchase handgun ammunition to provide a copy of their permit for the caliber of ammunition they would like to purchase. By doing this, the flow of ammunition into the wrong hands could be minimized.

Gregory J. Mescan
[REDACTED]
Mililani, HI 96789
[REDACTED]

000135

JUDtestimony

From: Amoreena Rabago on behalf of Rep. Blake Oshiro
Sent: Friday, February 01, 2008 10:06 AM
To: JUDtestimony
Subject: Proposed oppressive legislation - H.B. NO. 2392

the purpose of this email is to make you feel VERY guilty should you be foolish enough to support H.B. NO. 2392.

i know that i speak for MANY of my friends, associates, acquaintances and other hawaii residents in voicing the following.

i believe it is deplorable that hawaii has consistently stood out as one of just a few states to repeatedly attempt to deny its citizens their second amendment rights. you will recall that, some years ago, there was legislation proposed aiming to make hawaii the first state in the country to ban all firearms. hawaii has a "may issue" policy regarding concealed carry permits. the fact that the chiefs of police have NEVER found a single law abiding citizen to be qualified or justified to carry a firearm for protection of themselves or their loved ones makes a mockery of the pertinent statute.

the proposed requirement that the state require encoding of ammunition and keep a database of citizens purchasing ammunition is reminiscent of nazi germany and is intolerable.

should this legislation pass, i would personally sooner go to prison as a martyr to point out to the world hawaii's outrageous infringement on its peoples' rights than to comply. furthermore, this legislation would do NOTHING to reduce crime. it is WELL KNOWN that EVERY state that has enacted concealed carry rights for its citizens has enjoyed a reduced rate of major crime. the converse is also true. just look at d.c. which has the highest crime rate in the nation, not in spite of its ban on handguns, but BECAUSE of it! it is well known by interviews with incarcerated criminals that they LOVE to be in locations where law abiding citizens are forbidden to protect themselves and they are the only ones with firearms.

do you REALLY think that, should this legislation pass, a person contemplating a criminal act using a firearm would be foolish enough to use encoded ammunition?!

do you REALLY want to raise ALL of our taxes in order to create the added bureaucracy needed to create and administer a database for ammunition purchases and possession when it would not even accomplish the desired outcome.

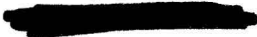

the effect of this legislation would be to create a black market in ammunition whereby criminals and otherwise law abiding citizens would pay large amounts of money to purchase and keep unidentifiable ammunition. that this would occur is GUARANTEED and any fool should be able to anticipate that it would.

the bottom line is that there is no way in hell i would submit to being tracked in such a state administered database. should things ever deteriorate to that level in hawaii, i ASSURE you i will exit this state in a hurry after forty years of residency.

i strongly urge you to consider my input, as well as that of the others who contact you, and to show that you are a clear thinking legislator with a brain who will not be swayed by such extreme anti-gun bias by opposing this legislation. more laws are NOT the solution to the crime problem. more firearms in the hands of law abiding citizens is the answer to a growing crime problem here.

if you wish to discuss this or other second amendment issues with me, i would be delighted.

respectfully,

barry david miller, m.d.



000196

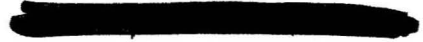
FAX 586-9456

JUDTESTIMONY @capitol.hawaii.gov

HB 2392

I am strongly opposed to this bill. It is a back-door to gun control, which we have enough of now. The bill would make it financially impossible for anyone to own a handgun for sport, practice, or self defense. Criminals pay no attention to these concerns as has been proven over and over again. This bill has no place in our already adequate or restrictive laws.

Herbert Weils


Honolulu, HI. 96816

000137

JUDtestimony

From: Jan Onaga [REDACTED]
Sent: Thursday, January 31, 2008 9:49 PM
To: JUDtestimony
Subject: sb2392

Sirs, i strongly disagree with bill. Thank-you Ian Onaga

000138

JUDtestimony

From: Gerhard Opel [REDACTED]
Sent: Thursday, January 31, 2008 5:42 PM
To: JUDtestimony
Subject: HB2392

Please register my opposition to HB2392.

Report Title:

Ammunition; Identification

Description:

Requires all ammunition of a specified caliber manufactured or sold in Hawaii that is capable of use in handguns, including assault pistols, to be coded to assist law enforcement in identifying and prosecuting gun crime offenders. Requires attorney general to establish a statewide database to track coded ammunition. Effective 7/1/2008.

HB LRB 08-0890.doc

This legislation is totally unworkable for the following reasons:

- 1. Bullets not only tend to deform on impact but the base which presumably contains a serial number is likely to be affected by the extremely high pressure (up to 30.000 psi) and temperature of the propellant charge rendering it at least partially illegible (depending on the design and the material of the bullet).**
- 2. Persons with criminal intent merely need to remove the rifling of the gun barrel to insure the bullet will tumble "keyhole" in flight thereby insuring that any markings on the bullet will most likely be obliterated on impact.**

Therefore the concept:

"Bullet coding is a new and effective way for law enforcement to quickly identify persons of interest in gun crime investigations." is definitely not realistic. HB 2392 cites no tests whatsoever which show statistical results of what percentage and which type of of bullets marked in the manner prescribed by HB 2392 showed indeed legible identification after fired into various substances including human and/or animal tissue.

- 3. Sponsors of this bill should research the enormous amount of ammunition of any kind - including for hand guns - whose disappearance from military institutions**

such as National Guard armories etc. is and remains unaccounted for. Much of it is going into the black market and will certainly not carry any identification whatsoever.

4. "No later than January 1, 2010, all non-coded ammunition for the calibers listed in section 134-A, whether owned by private citizens or retail outlets, shall be disposed of in a manner prescribed by the attorney general through rules adopted pursuant to chapter 91. "

Asides from the dysfunctional basic premise of this legislation there is a constitutional issue involved: Unreasonable search and seizure:

Amendment IV (the Fourth Amendment) to the United States Constitution is one of the provisions included in the Bill of Rights. The Amendment guards against unreasonable searches and seizures, and was originally designed as a response to the controversial writs of assistance (a type of general search warrant), which were a significant factor behind the American Revolution.

It appears to me that the citizens of our State of Hawaii would be better served if the judiciary would find ways to keep habitual criminals off the streets. It is extremely distressing to have to watch reports on the news where violent criminals with 60 or more prior convictions of assaults, robberies, kidnappings etc are turned loose on the public on parole just to continue their socially destructive careers.

Thank you for considering this opinion.

Best Regards,

Gerhard Opel

[Redacted signature block]

000140

JUDtestimony

From: Amoreena Rabago on behalf of Rep. Blake Oshiro
Sent: Friday, February 01, 2008 10:01 AM
To: JUDtestimony
Subject: HB 2392

I just heard about House Bill 2392 that would require all handgun ammunition manufactured or sold in Hawaii to be coded with a serialization number.

The net effect, of course, is that it's a ban on handguns.

This ammo doesn't currently exist, and I can't imagine a circumstance where an ammunition manufacturer is going to go to the trouble to create it for a market the size of Hawai'i.

The unintended consequence may be that even law enforcement will be denied ammo.

And, you've heard it before, only criminals will have guns.

I have no idea how many legal, registered handguns exist in the State, or how many gun owners there are.

Judging by the number of people at the Koko Head Range on an average weekend, it's quite a lot, and they look remarkably like voters and responsible members of the community.

In my opinion, this is simply an ill-conceived piece of legislation that should die in committee.

--

If you have any questions, please don't hesitate to give me a call on my cell.

Kindest regards,

Chuck Painter

[REDACTED]
Honolulu, HI 96825

030141

JUDtestimony

From: John.C.Pang [REDACTED]
Sent: Thursday, January 31, 2008 11:27 AM
To: JUDtestimony
Subject: Testimony against HB 2392

As a responsible and law-abiding handgun owner in Hawaii since 1994 I have to strongly oppose HB 2392 which is nothing more than an anti-gun bill designed to take away gun rights through a "backdoor". Requiring laser engraving of ammunition is not economically feasible or realistic, and will do nothing to curb gun violence in Hawaii, nor will it assist in solving violent crimes, in a nutshell all it accomplishes is to diminish citizens ability to defend themselves, or to make hobby shooting nonviable except to the extremely wealthy. It will only serve to make criminals out of law-abiding gun owners and will fill our landfills with dangerous illegal live ammunition.

As a constituent, I implore you to find better and more effective ways to combat violence and crime. This bill will only serve to make the population of Hawaii even more fearful and vulnerable to victimization by the criminal elements in our communities. Empower the citizens, not the criminals.

Regards
John Pang
Aiea, Hawaii

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1/31/2008

01 February 2008

Page 1 of 1 page

To: Representatives Tommy Waters, Chair and Blake K. Oshiro, Vice-Chair, House Committee on Judiciary

Testimony from: Jack F. Pechous
247 Karsten Drive
Wahiawa, Hawaii 96786
Phone No. 621-7250
Fax No. 622-6119

Regarding House Bill 2392 - Relating to Ammunition

Hearing date: Friday, February 01, 2008 at 4:00 P.M., Room 325 (35 copies of testimony required)

I strongly oppose the passage of House Bill 2392 for the following reasons:

Setting aside the feasibility of the technology to support this bill, I would like to discuss the premise that underlines the bill: Assisting law enforcement in the solving of gun related homicides.

The actual statistics would be easily accessible to you as legislators but I would suppose that the number of homicides by handgun in Hawaii are low. Of this number, the homicides would fall into one of two categories. The first is criminal homicide where a person would be murdered in the commission of a crime and the second would be domestic homicide where the person murdered would be related in some way with their murderer.

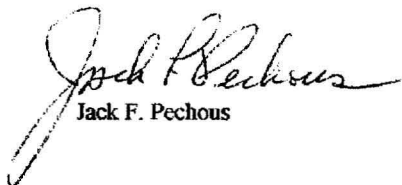
Taking criminal homicide, the criminal by his nature would not abide by laws thus would not be deterred by this one. He would get his ammunition illegally the same way as he gets his weapons and drugs. Or he could buy the ammunition and then easily remove the coding from the bullets with a file.

Regarding domestic homicide, since the murderer and person murdered are usually known to each other, there is a clear connection and motive and it is a relatively easy matter for the police to identify the perpetrator of the crime.

Considering the minimal effect that this bill would have on the solving of homicides in Hawaii, the extensive bureaucracy that would be required to support this bill would be staggering. In our present time of budget tightening, this would be a very expensive and resource eating project both to the government and also to small business. Also, the people who would carry the burden of this bill would be the law-abiding citizens who wish to enjoy their sport of target shooting, or ammunition collecting or ammunition reloading. These people do not represent any risk to the public.

For these reasons I strongly oppose House Bill 2392 and the bullet coding of any firearm ammunition

Thank you for allowing me to present testimony on this bill. This right is the strength of our country.


Jack F. Pechous

000143

JUDtestimony

From: Ward Pirie [redacted]
Sent: Friday, February 01, 2008 9:24 AM
To: JUDtestimony
Subject: HB2392: Opposition.

Members of House Judiciary Committee:

Please accept this testimony in opposition to HB2392, Relating to Ammunition.

This bill, if adopted, will do nothing to catch criminals. It will complicate the lives of law-abiding citizens. It will add expenses to police departments, the budget of the Attorney General and legitimate business owners.

It will make ammunition less available to the many thousands of firearm-owning Hawaii voters. (which, I suspect, is the real intent of this anti-2nd amendment measure).

As a Neighbor Island hunter, US citizen and Hawaii voter, I respectfully urge you to stop HB2392 now.

Please call me with any questions or comments, Ward Pirie at [redacted] Thank you very much.

--

Ward

000144

JUDtestimony

From: Amoreena Rabago on behalf of Rep. Blake Oshiro
Sent: Friday, February 01, 2008 10:00 AM
To: JUDtestimony
Subject: HB2392

I respectfully urge you to protect the Second Amendment rights of Hawaii's law-abiding gun owners by opposing HB2392.

Thank You

Gerald J Post Sr

000145

Honorable Sirs:

The following are comments on HB 2392 RELATING TO AMMUNITION.

I find many things wrong with this bill.

The first is that it is essentially a ban on handgun ammunition in Hawaii because out of state manufacturers are not going to drastically alter their production process to satisfy a small market like Hawaii. The process is also a proprietary process that they would have to pay a lot of money for. Therefore legal gun owners will be unable to obtain ammunition at any reasonable price. This was already defeated in California. One of the reasons was that ammunition manufacturers were going to pull out of California, even though this was a large market.

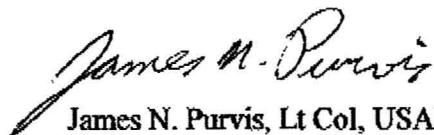
Secondly, I shoot competitively and for sport and manufacture my own ammunition. This would make my bullet manufacturing equipment useless and would essentially end my shooting competitively because it would end the advantage competitive shooters have by making their own ammo that matches their pistol best. It would also cost me the hundreds I have spent on my manufacturing equipment. The estimated \$40,000 for a laser engraver would be prohibitive for me as a retired Air Force Officer.

Thirdly, I have ammunition I have collected for shooting as I find good deals for it at gunshows. It would be very difficult and expensive to use it in order to avoid a \$10,000 fine.

My fourth point is that this would not affect criminals because they could easily circumvent this by acquiring unmarked ammunition. This would greatly affect law abiding citizens like me by making it more difficult, and expensive, if not impossible to sport shoot. Criminals do not follow inconvenient laws, because they are criminals and this law will affect law abiding citizens.

Finally, this law would create a beauracracy that would be inefficient and unnecessary. Hawaii already has some of the most heavy handed gun laws in the nation. Please do not make it harder, if not impossible, for law abiding citizens to practice the sport of shooting.

Thank you,


James N. Purvis, Lt Col, USAF(Ret.)

000140

**Testimony Presented before the
House Committee on Judiciary
Lawrence Sagaysay [REDACTED]**

January 31, 2008

House Bill 2392 RELATING TO AMMUNITION

Good afternoon Chair Waters, Vice-chair B. Oshiro and members of the Committee on Judiciary, my name is Lawrence Sagaysay and I come to this Committee as a private citizen. I am in **STRONG OPPOSITION** of House Bill 2392, Relating to Ammunition.

The reason for my **STRONG OPPOSITION** is it would require law abiding shooting enthusiast to eventually forfeit all non coded ammunition and further denying all abiding citizens the spirit of the shooting sport because of this punitive measure.

People would eventually be required to forfeit all personally-owned non-encoded ammunition. After a certain date, it would be illegal to possess non-encoded ammunition. Gun owners possess hundreds of millions of rounds of ammunition for target shooting and hunting. Consider that American manufacturers produce over 8 billion rounds each year and hundreds of thousands and even millions of rounds of ammunition is imported to the State of Hawaii.

Eventually, reloading (re-using cartridge cases multiple times) would be abolished. Next on this list is making it illegal to possess bullet alloy and even bullet making equipment illegal to possess. There would be no way to correspond serial numbers on cartridge cases, and different sets and quantities of bullets.

Our law abiding citizens in Hawaii would be required to separately register every box of "encoded ammunition." This information would be supplied to the police. Each box of ammunition would have a unique serial number, thus a separate registration and would create an administrative nightmare for government and private citizens.

Private citizens would have to maintain records, if they sold ammunition to anyone, including family members or friends. If this was the case does this mean that citizens have to transfer ammunition as similar to firearms transfers?

The cost of ammunition would definitely soar, for police and private citizens alike. The Sporting Arms and Ammunition Manufacturing Institute estimates it would take three weeks to produce ammunition currently produced in a single day. For reason of cost, manufacturers would produce only ultra-expensive encoded ammunition. Question is, who pays for this procedure...would this somehow cost the taxpayers unreasonable funds?

000147

A tax for ammunition would be imposed on private citizens, not only upon initial sale, but every time the ammunition changes hands thereafter.

Addressing shotgun ammunition, shotgun ammunition cannot be engraved because shotgun pellets are too small to be individually engraved. Also is the case of .22 rimfire


As a closing remark, criminals could beat the system and a very large percentage of criminals' ammunition (and guns) is **STOLEN**.

Thank you Chair Waters and Vice-chair Oshiro for letting me testify against this measure.

000143

Representative Tommy Waters, Chair
Representative Blake K Oshiro, Vice-chair
Committee on Judiciary

Michael W. Sawamoto


Ewa Beach HI 96706

Hearing date: Friday, February 1, 2008

Testimony in Opposition to H.B. No 2392 Relating to Ammunition

I am testifying in opposition to H.B. No. 2392 Relating to Ammunition.

This bill for the “microprinting” of bullets and ammunition is well-intended but impractical and would have no effect on crime.

Those of us who are sports shooters and collectors of firearms and ammunition will bear the brunt of the expense of this measure but we are the least likely to commit the crimes that this measure would supposedly help to solve.

Ammunition and bullets are not only bought from commercial sources but many hobbyists make their own bullets and load their own ammunition.

This is for several reasons:

- (1) Economy – it is often cheaper to reload.
- (2) Special uses – ammunition is often loaded for better accuracy and performance in target shooting and hunting.
- (3) Obsolete cartridges – many old cartridges are not available commercially. Those who like to shoot old collectible firearms or grand dad’s, or even great-grand dad’s, gun often have to produce their own ammunition.

Many guns and ammunition used in crime are illegally obtained by criminals – often stolen. Microprinted bullets and ammunition would do nothing to solve crimes in these cases.

I again state my opposition to H.B. No. 2392.

Thank you for your time and consideration.

Michael W. Sawamoto

0001 0

JUDtestimony

From: Amoreena Rabago on behalf of Rep. Blake Oshiro
Sent: Thursday, January 31, 2008 3:13 PM
To: JUDtestimony
Subject: FW: Bullet Serialization Bill HB2392

-----Original Message-----

From: Karl Schaupp [REDACTED]
Sent: Thursday, January 31, 2008 1:11 PM
To: Rep. Blake Oshiro
Subject: Bullet Serialization Bill HB2392

aloha Rep. Oshiro...

I'll try to be brief, here. I know that you'll be hearing from plenty of people.

Hawaii shouldn't follow the Liberal, Legislative Agenda of California...
They're instituting many new laws that test the Boundaries of Liberty.

Along with these new laws is the Bullet Serialization Bill which is just another serious step in the Erosion of the Second Amendment.
Criminals can circumvent said 'stamping' system... and don't give two hoots about your laws, anyway.

In the end you are just eroding our rights and doing nothing to deter crime!

Hawaii is NOT California and we, the People, don't want California's laws enacted here!

Sincerely,
Karl Schaupp
Ocean View, HI 96737

000150

Dear Representative Waters:

I was just reading HB-2392, about Serialization of ammunition, sold or imported, manufactured in the State of Hawaii.

This ammunition would be registered to the purchaser, Name, date of birth, drivers license number, date of transaction and the serial numbers of the ammunition. This would be written into the record book of the (FFL) federal firearms licensed dealer and checked by you police department.

How many firearms dealers do you have in your state?

In your State, Firearms ownership, restricted, no preemption law, localities may pass their own gun laws.

Right of Self-Defense, no castle doctrine.

Open Carry, prohibited in all public areas.

The bottom line for Hawaii is, that firearms ownership especially by your citizens is difficult, if not impossible.

How do you control the sale of ammunition to your criminal element? How are you going to keep track of the ammunition your police departments use, your National Guard or your personal body guards? What if a criminal gets a hand full of spent brass and plants them after he/she commits a crime? Who is going to manufacture this ammunition for you? I would think that a ammunition manufacturer would stop supplying all ammunition to the State of Hawaii because of the cost. But you would pass a law that your security forces would be exempt from this law.

Then, you would have what you and every anti Second Amendment gun grabber lives for, Totally Disarm All Citizens, and leave them at the mercy of the criminal.

When are you elected officials going to quit this assault on the Second Amendment and The Constitution of the United States, and protect them that brought you to where you are. Remember December 7, 1941, Pearl Harbor.

Sincerely,

Mr. Elmo C Sherman

[REDACTED]
Reynoldsburg, Oh 43068
[REDACTED]

I tried to EMAIL THIS TO YOU, YOUR EMAIL IS NOT WORKING.

000151

JUDtestimony

From: Lesley Spraker [REDACTED]
Sent: Thursday, January 31, 2008 10:53 AM
To: JUDtestimony
Subject: STRONG OPPOSITION TO HB 2392

I am emailing my STRONG OPPOSITION to HB2392.

Ammunition tagging is an immature technology and is not ready for implementation at any level. There are no studies proving this is an effective manner of tracking ammunition used in a crime back to the original purchaser of the ammunition.

Passage of HB2392 will not deter crime, will not assist investigations and will bog our courts trying to prove in a court of law that which has not been proven in the laboratory.

Respectfully,
Lt Col Lesley D. Spraker, USAF
Hawaii Resident

Sent from Lesley's iPhone...

000152

Testimony in reference to HB 2392
IN STRIONG OPPOSITION
House Judiciary Committee
Conference Room 325
State Capitol
1600 Friday 01 February 2008

Mr. Chairman, and Committee Members:

I wish to testify in strong opposition to this bill for the following reasons.

1. The cost in dollars and time to accomplish such an undertaking to both the government and the private sector is unreasonable compared to what is thought to be gained by the Honolulu Police Department. The person in the HPD who proposed this bill needs to have his/her head examined for lack of financial foresight.
2. There is already a means available for determining what firearm fired a round of ammunition called a "ballistics test", and the results of the test can lead to the registered owner of the firearm.
3. If this bill were enacted, criminals would avoid getting caught by simply reloading their own ammunition using fired metal cartridge cases which are routinely discarded by pistol sportsmen at the public shooting ranges, thus leaving a false identity trace code.
4. In order to effectively implement a system which would accomplish the intent of the proposed bill, a unique code for each buyer of the ammunition would have to be applied to each cartridge purchased at the time of purchase to be able to identify that cartridge to the particular buyer. The mechanics of doing this is unreasonable compared to what can be gained. There is no sporting goods store or gun shop in the State of Hawaii that currently has that capability nor will have that capability within the foreseeable future.

What we really need in this State is a smarter Police Department who can more effectively manage and supervise their police officers to catch serious criminals.

Respectfully submitted,

Leslie E.M. Tam

[REDACTED]
Honolulu, HI 96816
[REDACTED]
[REDACTED]
[REDACTED]

Who's never won? Biggest Grammy Award surprises of all time on AOL Music.

000153

JUDtestimony

From: Myles [REDACTED]
Sent: Thursday, January 31, 2008 7:56 PM
To: JUDtestimony
Subject: HB 2392

I am writing you today, to let you know that I strongly oppose HB 2392 relating to ammunition.

As a recreational shooter this bill will infringe on my rights to pursue my hobby as a reloader and target shooter.

Please take into consideration the thousands of shooter/hunters that this bill will affect.

Thank You for your time.

M. Tanabe
[REDACTED]

000151

JUDtestimony

From: Kendall [REDACTED]
Sent: Thursday, January 31, 2008 9:31 PM
To: JUDtestimony
Subject: HB 2392

HB 2392 is just a round about way of reducing handgun sales/ownership in Hawaii.

Tell me. Is unsolved handgun homicides a problem in Hawaii? NO. So why this bill?

Would you like to do something to really save lives in Hawaii? After all, the reason for this is public safety right? Well, first let's ban all automobiles. I don't know the stats but more people die from motor vehicle accidents and auto/pedestrian accidents than from all firearm deaths.

Banning automobiles will instantly save about 35 deaths on the Big Island alone. State wide we'd save over 100 each year. And how many firearm related deaths did we have last year in Hawaii? Nowhere close!!

If lawmakers really cared about public safety they'd ban automobiles but they don't because automobiles are not the problem. It's the drivers that are the problem. So what do we do? We educate the public about safe driving practices (I'm sure you've seen HPD on TV) and DUI stops to get the drunks off the road.

I've never heard anyone blame the automobiles for killing people but yet we're quick to blame guns for murders. When someone purposely drives down a crowded sidewalk and kills innocent people (and you know it's been done), do we ever think of banning the automobile. Of coarse not. Why is that? Same thing, different tool.

I realize HB 2392 is not about banning firearms or handguns but ultimately that is the hidden idea, to reduce/eliminate handgun ownership. Next is all rifle ammunition...

We already have background checks done before you can purchase a firearm so that's good. What would be good is if rechecks were done on a regular basis, say once a year. Crystalmeth being so addicting you never know when someone may get addicted and become desparate.

How about making it a law that anytime someone is found to have psychiatric problems and it's determined by a doctor or Psychiatrist that this person is a treat to himself/herself or to others that police be notified so any firearms can be taken away. This would have prevented the Xerox murders.

Let's tackle the real issues of society. The breakdown of the family unit has lead to an out of control society using drugs and alcohol for instant gratification and the formation of gangs so kids have a place where they "belong and are accepted".

Another problem is the news media. Anytime there's a tragic incident the news media (TV and newspaper) cover the story like a hawk which only promotes copycats. For instance, let's take school shootings. Do you think all these kids had the same idea individually? No, they're just copycats that got the idea from the media. LET'S STOP THIS INSANITY!!

Why don't lawmakers tackle these issues? They don't because they can't fight these big corporate businesses and they can't instill yesteryears values into our society. Besides, today automobile is no longer a luxury but rather a necessity so banning automobiles is out of the question. You can't solve the real problem because it's too hard so you take the next best thing you can. Right, isn't that the truth?

Respectfully submitted,

Kendall Ueda

000155

H.B. NO. 2392

I am **IN STRONG OPPOSITION** to this bill. I'm a member of MPPL (Mid-Pacific Pistol League), and we shoot competitions each month. The majority of the shooters reload their own ammunition. Many reload to save money. For me, I have to reload my own ammunition because there is no commercial ammunition that will function in my competition pistol. The passing of this bill will make my competition pistol useless, since there will be no ammunition to use in it. This also applies to all the shooters that use competition pistols specifically made for shooting competitions only, without reloaded ammo, the competition pistol will not function properly.

Thank you for your time,

Aaron Urasaki
Mid-Pacific Pistol League

000150

JUDtestimony

From: Walls CWO3 James R [REDACTED]
Sent: Thursday, January 31, 2008 1:05 PM
To: JUDtestimony
Subject: Testimony in reference to HB 2392
Signed By: There are problems with the signature. Click the signature button for details.

Mr. Chairman,

Crime in America statistics in 2005 reflects that of the 20 murders committed in the state of Hawaii, only (1) was committed using a handgun. *Crime in the United States 2005* , Department of Justice — Federal Bureau of Investigation , Release Date: September 2006

Honest, hardworking, firearms enthusiasts are the most unlikely group of individual to commit a crime with a handgun. We lawfully purchase and register our firearms with the police, we follow the rules established to defend and safeguard our family and property, if necessary with a firearm.

Do you really think criminals will purchase engraved or serialized ammunition from a registered manufacturer? Do you think a criminal will use or has a weapon that is registered with police? The answer is NO.

By imposing this law, you will ultimately ban the use of handguns due to lack of ammunition available to firearms owners. You will likely force many businesses to close because they rely on ammunition sales as a source of revenue, which generate...State taxes.

As a private citizen and active duty service member, I say NO to this legislation. The costs are unreasonable and the benefit is non-existent.

James Walls
[REDACTED]

Pearl City, HI 96782
[REDACTED]

000157

JUDtestimony

From: Saint Andrew Society of Hawaii [REDACTED]
Sent: Thursday, January 31, 2008 8:18 AM
To: JUDtestimony
Subject: HB 2392

Honorable Sir and Ma'am,

This testimony is in STRONG OPPOSITION to HB 2392

The bill has been written based on misleading statistics, false statements and implications. As a physician, I read research papers everyday and must wade through endless statistics. I have to confirm that what is written is not misleading to prove the writers point. Over half the ammunition produced and purchased is 22 caliber ammunition. This has been added to the 80% of handgun ammunition purchased.

As far as a new and effective way for law enforcement to capture criminals, how can this be true as it has never been available or used to apprehend one criminal.

The term assault pistol is a thinly veiled attempt to demonize handguns as there is no current definition for assault pistol.

As most criminals obtain their guns and ammunition through illegal means, labeled ammunition will not help to determine the actual perpetrator of the crime.

Despite the poor science behind labeling bullets, this bill is a secondary attempt at banning ownership of firearms through banning of ammunition. Yes, you can still purchase ammunition, but at such a great cost, as the technology involved in fulfilling this bill would increase the cost astronomically. I, as well as many other recreational shooters, reload my own ammunition to recycle the cases and components that I can. I would not be able to laser label my bullets, and therefore I would be committing a felony if this bill were to pass.

Please do not pass this ill conceived and biased bill against firearms owners which would not improve law enforcement's ability to capture and prosecute criminals.

Sincerely,
Jeffrey S Wang, MD

000158

JUDtestimony

From: Patrick Watanabe [mailto:patrick.watanabe@hawaii.gov]
Sent: Friday, February 01, 2008 8:28 AM
To: JUDtestimony
Subject: Testimony on HB2392 - Relating to Ammunition

Dear Chairman Waters,

I am in **strong opposition** of HB2392 - Relating to Ammunition.

This bill does nothing to prevent criminals from using firearms to commit their crimes. While I take the time and the expense to follow our permit and registration rules, criminals most certainly do not.

The bill will place unreasonable burdens on law-abiding citizens such as myself. I will not be able to get this ammunition.

The bill essentially would render **legally owned** handguns to become useless. Please remember that responsible armed citizens have intervned during the commission of a crime when there were no police officers around. Their acts have save others from serious bodily harm including death.

Lastly, I am respectfully asking committee members to please support the Second Amendment rights of Hawaii's law-abiding citizens.

Sincerely,

Patrik Watanabe
concerned citizen
Hilo, Hawaii

000150

2/1/2008

JUDtestimony

From: Amoreena Rabago on behalf of Rep. Blake Oshiro
Sent: Friday, February 01, 2008 9:57 AM
To: JUDtestimony
Subject: Opposition to HB 2392

I respectfully ask that you oppose the above referenced bill.

This will make ammunition for handguns expensive and difficult to obtain in a small market such as Hawaii. This will result in a defacto handgun ban.

It will do little to affect criminals as countermeasures are easily implemented.

Handguns are an effective means of self-defense. As Hawaii's population ages why render seniors defenseless. Remember in most cases police presence occurs after an incident has already taken place. In many instances we as citizens need to be responsible for our own self-defense.

Modern firearms are all serial numbered. Has this prevented their use by criminals?

Many citizens use handguns for self-defense, sport and hunting. Competence and skill requires practice and the firing of many rounds. Making ammo more expensive will result in less practice and less competent handgun users.

Thank you for your time and I again ask for your opposition to this bill.

Sincerely,

Daniel Wela
Hilo, Hawaii

000100

JUDtestimony

From: Michael [REDACTED]
Sent: Thursday, January 31, 2008 6:33 AM
To: JUDtestimony
Subject: HB 2392 RELATING TO AMMUNITION

Honorable Sirs anHB 2392 RELATING TO AMMUNITIONd Madams,

I am an activated Army reservist from Pearl City waiting to fly to Iraq from a base on the mainland, but I MUST send in my OPPOSITION to any "laser engraving" or marking of ammunition requirement that might be passed by Hawaii state legislation. [HB 2392 RELATING TO AMMUNITION]

It is not practical nor logical and I hope you get rid of this silly legislation proposal. I am also normally a federal correctional officer at the Federal Detention Center Honolulu. If you want to be tough on crime and criminals, support federal law enforcement agencies and work on convicting the criminals using all of the federal laws in place currently.

Respectfully,
Sergeant/Senior Officer Specialist
Michael J. Woerner

[REDACTED]
Pearl City, HI
[REDACTED]

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000161

JUDtestimony


From: Bruce [wongb050@hawaii.rr.com]
Sent: Friday, February 01, 2008 7:25 AM
To: JUDtestimony
Subject: Bill 2392

Dear Chairman Waters and Rep Oshiro,

I STRONGLY OPPOSE another attack and infringement on the 2nd Amendment in Hawaii!

Once again, you are making law abiding citizens into criminals!

This is just another money grab at the expense of eroding more of our freedoms! It has nothing to do with solving unsolved cases where bullets were fired. That is just a red herring to justify this money grab!

Bruce Wong
Makiki


000162

JUDtestimony

From: Grant [REDACTED]
Sent: Thursday, January 31, 2008 12:18 PM
To: JUDtestimony
Subject: H.B. No. 2392

To Judiciary Chair Tommy Waters, Vice-Chair Blake Oshiro, and members of the Judiciary Committee, I am a small business owner, born and raised in Hawaii. I am writing to you with concerns over H.B. No. 2392, a bill requiring "Bullet Coding" by 2009.

Please do not pass this bill. I appreciate the intentions of helping police investigations but bullet coding would be expensive and time consuming. This would raise the cost of ammunition substantially and at the same time cause a shortage due to prolonged production time. This would not only affect the criminals who you intend to stop, but also the law enforcement agencies who need the same ammunition. The bullets sold at gun stores are the same bullets used by the police.

I personally know many HPD, Corrections, CBP, Sheriffs, and many other law enforcement personnel who often purchase their own ammunition from stores such as Magnum Firearms, Young Guns and Security Equipment Corp. to practice during their own time off duty. These men and women already do not get paid what they deserve; adding the cost of "Bullet coding" would only eat into their personal budgets.

We have all seen news reports of incidents where police were forced to use their weapons and "21 shots fired, the victim was hit 9 times." When most people hear that in the news they think "Wow they shot him 9 times." I always wonder where those other 12 shots went. If police officers cannot practice there will be an even greater chance of innocent bystanders getting shot or killed.

Furthermore, there are no bullet manufacturing plants in Hawaii. Requiring these factories to re-tool their production line for one of the smallest states in the nation is ridiculous. They won't do it and in fact the requirement for "Bullet Coding" may backfire against the police. It would be cheaper for ammunition manufacturers to say they no longer sell to Hawaii rather than changing production for one small state.

California passed a law banning all .50BMG rifles. Barrett, the most popular of all companies who make rifles chambered for .50BMG rounds, supplies many sniper rifles to the military and many law enforcement agencies. They replied with an announcement that they will no longer offer their products to any law enforcement agency in the state of California. Please don't let this happen to our local police force.

Thank you for your time.

Grant Woo

[REDACTED]
Honolulu, Hawaii [REDACTED]

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000160