



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-SEVENTH LEGISLATURE, 2014**

ON THE FOLLOWING MEASURE:

S.B. 2938 S.D. 2, RELATING TO FIREARMS REGISTRATION.

BEFORE THE:

HOUSE COMMITTEE ON PUBLIC SAFETY

DATE: Thursday, March 13, 2014

TIME: 10:00 a.m.

LOCATION: State Capitol, Room 309

TESTIFIER(S): David M. Louie, Attorney General, or
Laura Maeshiro, Deputy Attorney General

Chair Aquino and Members of the Committee:

The Department of the Attorney General (Department) appreciates the intent of this measure, but respectfully submits testimony in opposition.

This bill requires the Department, in collaboration with the county police departments, to establish a statewide online firearms registration process, to be fully implemented by July 1, 2015. The intended purpose of this bill is to streamline the registration process for firearm owners and registration officials, and to provide a more efficient registration process.

At this juncture, we believe that it is impractical for the State and counties to develop, implement, and operate an online firearm registration process. Issues of primary concern involve whether an online firearm registration process would allow for proper verification of the applicant, firearm identity, and relevant information. The importance of these issues cannot be overstated. The registration process does, and must continue to, ensure that only qualified and law abiding persons are granted ownership of a firearm, and that the gun registration data that our police departments collect are accurate. Identity theft and computer security must always be considered when dealing with any online system. Allowing any of these steps to be completed through online registration may compromise the integrity of the process and could result in unqualified persons being able to purchase a firearm, register a firearm, or submit inaccurate information into our databases.

Currently, at the Honolulu Police Department, applicants are able to download their applications online and fill them out prior to going to the police department. In addition, applicants are able to obtain their approved permits via certified mail.

Accordingly, the Department of the Attorney General requests that this measure be held.



ALAN M. ARAKAWA
MAYOR

OUR REFERENCE
YOUR REFERENCE

POLICE DEPARTMENT

COUNTY OF MAUI

55 MAHALANI STREET
WAILUKU, HAWAII 96793
(808) 244-6400
FAX (808) 244-6411



GARY A. YABUTA
CHIEF OF POLICE

CLAYTON N.Y.W. TOM
DEPUTY CHIEF OF POLICE

March 10, 2014

The Honorable Representative Henry J.C. Aquino, Chair
And Members of the Committee on Public Safety
House of Representatives
State Capitol
Honolulu, HI 96813

RE: Senate Bill No. 2938, SD2 – Relating to Firearms Registration

Dear Chair Ige and Members of the Committee:

The Maui Police Department is in opposition of SB No. 2938, SD2. This bill requires the department of the attorney general, in collaboration with the county police departments, to establish a statewide online firearms registration process, to be fully implemented by July 1, 2015. It also appropriates funds for the establishment and implementation of a statewide online firearms registration process.

The Maui Police Department is concerned with the costs of a new system and the security issues associated with implementing a data base that the public will access for firearm registration information. This proposed system will also prevent the verification of serial numbers of firearms inputted online.

The Maui Police Department asks your committee to oppose S.B. No. 2938, SD2.

Thank you for the opportunity to testify.

Sincerely,

GARY A. YABUTA
Chief of Police

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu.org

KIRK CALDWELL
MAYOR



LOUIS M. KEALOHA
CHIEF

DAVE M. KAJIHIRO
MARIE A. MCCAULEY
DEPUTY CHIEFS

OUR REFERENCE TN-DNK

March 13, 2014

The Honorable Henry J. C. Aquino, Chair
and Members
Committee on Public Safety
House of Representatives
Hawaii State Capitol, Room 309
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Aquino and Members:

SUBJECT: Senate Bill No. 2938, SD 2, Relating to Firearms Registration

I am Major Thomas Nitta of the Records and Identification Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD opposes Senate Bill No. 2938, SD 2, Relating to Firearms Registration. The registration of firearms is a state function regulated by the Hawaii Revised Statutes (HRS), with the registration forms prescribed by the attorney general.

The HPD concurs with the idea of a single, statewide firearms registration system operated by the Department of the Attorney General.


However, the HPD does not receive any form of compensation from the state nor is any form of reparation made in the firearms registration process. All fees collected for fingerprint checks are charged by and turned over to the Federal Bureau of Investigation.

The current registration process is determined by the HRS and requires only three visits to the respective county police station. The HPD currently may require only two visits if the applicant chooses to bring a postal-certified, self-addressed envelope to have the permit mailed.

The Honorable Henry J. C. Aquino, Chair
and Members
Committee on Public Safety
March 13, 2014
Page 2

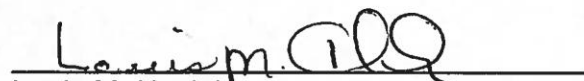
Thank you for the opportunity to testify.

Sincerely,



Thomas T. Nitta, Major
Records and Identification Division

APPROVED:



Louis M. Kealoha
Chief of Police



Thursday, March 13, 2014

Rep. Henry J.C. Aquino, Chair
Rep. Kaniela Ing, Vice Chair
Committee on Public Safety

Subject: **Oppose SB 2938, SD2**

Dear Chair Aquino, Vice Chair Ing and Members of the Committee on Public Safety,

The Injury Prevention Advisory Committee strongly opposes SB 2938, SD2 that would require the department of the attorney general, in collaboration with county police departments, to establish an on-line firearms registration process. The bill also appropriates funds to county police departments to implement this measure.

Established in 1990, the Injury Prevention Advisory Committee (IPAC) is an advocacy group committed to preventing and reducing injuries in Hawaii. IPAC members include representatives from public and private agencies, physicians and professionals working together to address the eight leading areas of injury, including violence prevention.

The current gun registration law helps ensure that people who apply for guns are legally entitled to own them. In person registration helps ensure a better level of protection than the on-line registration proposed in this bill where there are many opportunities to circumvent the system. Concerns with an on-line registration system include the difficulty of ensuring that the person who registers on-line is actually the individual who owns the firearm and needs to register it.

Under the current registration system, it's important that individuals register in person so that police can determine that the safety requirements for each individual are met, including criminal and mental health background checks. The current registration system is thorough and effective and does not need to be streamlined through an on-line registration process that would be subject to misuse.

Hawaii has one of the lowest violent crime rates and gun firearm homicide rates in the nation because there are comprehensive firearm laws in place, including the current gun registration system that works effectively. Why take the risk of changing it and risking the safety of Hawaii's people.

We urge you to oppose SB 2938, SD2, to help ensure the safety of Hawai'i residents and visitors.

Thank you for the opportunity to testify.

Sincerely,

Deborah Goebert, Chair

Injury Prevention Advisory Committee



AMERICANS FOR DEMOCRATIC ACTION

OFFICERS	DIRECTORS		MAILING
ADDRESS			
John Bickel, President	Guy Archer	Brien Hallett	PO. Box23404
Barbara Polk, Vice-President	Juliet Begley	Jan Lubin	Honolulu
Fritz Fritschel, Treasurer	Josh Frost	Stephen O'Harrow	Hawai'i 96823
Chuck Huxel, Secretary	Karin Gill	Jim Olson	Marsha Schweitzer (Alt)

March 11, 2014

TO: Chair Henry Aquino, Vice Chair Kaniela Ing
Members of the House Committee on Public Safety

FROM: John Bickel, President
Americans for Democratic Action/Hawai'i

RE: Opposition and Comments on SB 2938 SD2 Relating to Firearms Registration

Americans for Democratic Action/Hawaii oppose SB 2938 SD 2. This bill would replace in person registration with an online system. As the latter would border on being anonymous, it would not provide the same level of protection as the current system that does require a series of in-person visits to a government office. This bill seems to make it easier for criminals to register guns to people who are not the real owner of the gun. As it seems dangerous, we recommend not passing this bill.

ing2-Travis

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 11, 2014 5:48 PM
To: pbstestimony
Cc: susan@mulkernlandscaping.com
Subject: *Submitted testimony for SB2938 on Mar 13, 2014 10:00AM*

SB2938

Submitted on: 3/11/2014

Testimony for PBS on Mar 13, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin J Mulkern	Mulkern Landscaping & Nursery	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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ing2-Travis

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 10, 2014 8:57 PM
To: pbstestimony
Cc: pastordennisjr@gmail.com
Subject: Submitted testimony for SB2938 on Mar 13, 2014 10:00AM

SB2938

Submitted on: 3/10/2014

Testimony for PBS on Mar 13, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
dennis martin	Individual	Support	No

Comments: Please support and pass SB2938. Any shorter time to register firearms for legal gun owners is a welcome relief for us. Thank you, Pastor Dennis Martin kamuela Hawaii

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ing2-Travis

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 11, 2014 10:35 AM
To: pbstestimony
Cc: kohatsu_ryan@hotmail.com
Subject: *Submitted testimony for SB2938 on Mar 13, 2014 10:00AM*

SB2938

Submitted on: 3/11/2014

Testimony for PBS on Mar 13, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Ryan Kohatsu	Individual	Support	No

Comments:

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ing2-Travis

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 11, 2014 6:48 AM
To: pbstestimony
Cc: oldskipper1@hotmail.com
Subject: Submitted testimony for SB2938 on Mar 13, 2014 10:00AM

SB2938

Submitted on: 3/11/2014

Testimony for PBS on Mar 13, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Edward Hampton	Individual	Support	No

Comments: As the current firearms registration system discourages firearms ownership because of it's time consuming and inefficient process I'm testifying in favor of this bill. Streamlining of the registration process is long overdue and online registration should be practical and efficient for the State as well as the public However, the current "effective date" of 7/1/2050 is ludicrous. That some of the lawmakers responsible for this found it "amusing", is a direct slap in the face to the citizens they are sworn to serve. I respectfully request the effective date be changed to no later than 7/1/2016 to more readily reflect the intent of the measure.

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From: George Pace <surfgeorge@yahoo.com>
Sent: Monday, March 10, 2014 9:59 PM
To: pbstestimony
Subject: Amend SB 2938

March 10, 2014

To: House Committee on Public Safety

Chair Aquino, Vice Chair Ing, and Members,

Thank you for considering my testimony re SB2938 (SSCR2782).

I support SB2938 with reservations and suggestions for amendment.

The Hawaii state laws requiring three trips to the police station and a waiting period of 14 to 20 days to acquire a handgun are the most extreme and burdensome state laws in the entire United States. The idea of eliminating one of those trips to the police station, during Monday through Friday working hours only, would be a first step bringing some common sense into the process.

One concern about any online transaction however, is that the information about the person acquiring the firearm and the firearm itself would be subject to hacking, and that information could be used for nefarious purposes, not the least of which is to target such firearm owner addresses for burglaries. Since I don't know to what extent the current firearms ownership registration records are computerized and subject to hacking, there is no way for me to determine if this new process would create more of a risk for firearm owners than already exists.

The real problem with “registration” is that there is no basis in any empirical evidence that will withstand critical scrutiny that it serves any “public safety” function at all. None.

Most other states have no form of state registration at all, and there is clearly no evidence that those states have any higher rates of crime or unsolved crime than Hawaii, or the other localities that have registration (Washington, D.C. is the only other similar jurisdiction that has full registration of all firearms and clearly their crime rate is worse than virtually all the non-registration states).

Not only is registration useless to solve crimes or protect the public in any way, but it actually jeopardizes firearm owners by making all such information available to criminals via computer hacking or other forms of information theft.

Eliminating one trip to the police station with the potential wait in line for hours, and the requirement that one must take time off work to do so during the only available hours, would be a tiny step toward a rational public policy regarding firearm acquisition and ownership.

The clear evidence-based public policy, were it to actually be based upon the effects on “public safety”, would be to eliminate firearm registration altogether. In those states that have no registration requirements the BATFE has access to records of retail purchases available from FFL holders should need arise for that information in a criminal investigation.

No Constitutionally-legal purpose is served by firearm registration as currently embodied in Hawaii statutes. No “public safety” interest is served by the current Hawaii firearms registration statutes. Please look at the evidence. Please use logic and reason to

establish a rational public policy and statutes. Please amend SB2938 to end firearm registration in Hawaii.

Thank you,
George Pace
Mountain View, HI 96771

From: George Pace <surfgeorge@yahoo.com>
Sent: Tuesday, March 11, 2014 6:36 AM
To: pbstestimony
Subject: Additional Testimony on SB2938

March 11, 2014

Chair Aquino, Vice Chair Ing, and Members,

Please allow me to submit one additional comment to my testimony submitted yesterday.

I resent being treated like a criminal in order to exercise my natural, civil, and Constitutionally-guaranteed right to keep arms.

This registration process is really the "registration" of me, as a person, in addition to "registration" of the firearm. I have to be fingerprinted, photographed and sign away my rights to all my privacy regarding my health records and relinquish any and all doctor-patient privacy rights in order to exercise a Constitutionally-protected right.

Who else has to be fingerprinted and photographed and have their name added to a "registry"? That's right, convicted criminals. Specifically convicted criminals known as "sexual offenders". The sex offender "registry" is less intrusive than the firearm owner registry in that at least convicted sex offenders don't have to sign away their medical privacy rights.

Why should I, as a law-abiding citizen, be treated more harshly than convicted criminals simply to exercise a right protected by the founding document of our country?

It makes no sense whatsoever. There is no evidence that "registration" serves any useful purpose. Please ask "law enforcement", under oath, to provide specific examples and details of exactly when, where and how registration information solved crimes that were otherwise unsolvable. And there is certainly no evidence that such a process of treating law-abiding citizens as criminals by "registering" them abides by the Constitutionally guaranteed right to keep and bear arms. In fact, it's an outrageous violation of my civil rights, and I resent it.

Please amend SB2938 to end the unconstitutional infringement of law-abiding citizens civil rights by ending "registration" in Hawaii.

thank you,
George Pace
Mountain View, HI 96771

ing2-Travis

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 10, 2014 11:34 PM
To: pbstestimony
Cc: paakahili@yahoo.com
Subject: Submitted testimony for SB2938 on Mar 13, 2014 10:00AM

SB2938

Submitted on: 3/10/2014

Testimony for PBS on Mar 13, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
T. Merrill	Individual	Support	No

Comments: Please pass this bill into law. Thank you!

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 10, 2014 11:11 PM
To: pbstestimony
Cc: bizkellam@gmail.com
Subject: *Submitted testimony for SB2938 on Mar 13, 2014 10:00AM*

SB2938

Submitted on: 3/10/2014

Testimony for PBS on Mar 13, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Elizabeth Kellam	Individual	Support	No

Comments:

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ing2-Travis

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 10, 2014 9:30 PM
To: pbstestimony
Cc: kjcole52@yahoo.com
Subject: Submitted testimony for SB2938 on Mar 13, 2014 10:00AM

SB2938

Submitted on: 3/10/2014

Testimony for PBS on Mar 13, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin J. Cole	Individual	Support	No

Comments: Aloha, I wish to submit my support of Bill 2938. An online registration is a timely idea which will only benefit the shooting sports community and law enforcement. I have spent many hours standing in line with my firearms waiting to register them. I have often had to take days off from work to comply with the process. My father lives in Washington state which has a form on online registration. There the purchaser can complete every necessary process at the store or dealer and leave the establishment in complete compliance. No time wasted taking the item to the police station, no time lost by the police, and no hassles for the store. Please support this bill as it is a winning proposal for all involved. Mahalo, Kevin J. Cole Col USAF Ret Mililani

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ing2-Travis

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 10, 2014 8:24 PM
To: pbstestimony
Cc: LING0821@HOTMAIL.COM
Subject: Submitted testimony for SB2938 on Mar 13, 2014 10:00AM

SB2938

Submitted on: 3/10/2014

Testimony for PBS on Mar 13, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
tony lee	Individual	Comments Only	No

Comments: END firearms registration completely... Most States do not require registration of any type of firearms.... NO FEES shall be collected!

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ing2-Travis

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 11, 2014 1:33 PM
To: pbstestimony
Cc: jan.schwarzenberg01@gmail.com
Subject: *Submitted testimony for SB2938 on Mar 13, 2014 10:00AM*

SB2938

Submitted on: 3/11/2014

Testimony for PBS on Mar 13, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Jan Schwarzenberg	Individual	Support	No

Comments:

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ing2-Travis

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 11, 2014 4:49 PM
To: pbstestimony
Cc: jbedient@gmail.com
Subject: Submitted testimony for SB2938 on Mar 13, 2014 10:00AM

SB2938

Submitted on: 3/11/2014

Testimony for PBS on Mar 13, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
James Bedient	Individual	Support	No

Comments: This bill makes great sense, and should be enacted as law as soon as possible.

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ing2-Travis

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 11, 2014 3:15 PM
To: pbstestimony
Cc: bisaacso@hawaii.edu
Subject: Submitted testimony for SB2938 on Mar 13, 2014 10:00AM

SB2938

Submitted on: 3/11/2014

Testimony for PBS on Mar 13, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Isaacson	Individual	Support	No

Comments: Assuming that firearms registration is useful (and history shows that it isn't) there should be no reason why Hawaii citizens shouldn't be able to register electronically. Given that this will lessen the costs of the process, no increase in fees should be imposed. After all, this is a modern electronic world and almost anything else can be accomplished via the net, so why not firearms registration? The big savings will be in the elimination of travel time to the registration site, which is a huge waste of time that honest gun owners can ill afford.

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ing2-Travis

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 11, 2014 5:41 PM
To: pbstestimony
Cc: susan@mulkernlandscaping.com
Subject: *Submitted testimony for SB2938 on Mar 13, 2014 10:00AM*

SB2938

Submitted on: 3/11/2014

Testimony for PBS on Mar 13, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Shaheen Mulkern	Individual	Support	No

Comments:

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ing2-Travis

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 11, 2014 5:58 PM
To: pbstestimony
Cc: dmmacha@gmail.com
Subject: Submitted testimony for SB2938 on Mar 13, 2014 10:00AM

SB2938

Submitted on: 3/11/2014

Testimony for PBS on Mar 13, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
DARRYL MACHA	Individual	Support	No

Comments: Honorable Chair Aquino and Members of the Public Safety Committee, I would like to state my SUPPORT for Bill SB 2938 SD2. Many agree that the current process is inefficient and burdensome on the state, counties, and it's citizens. Please pass this bill. I appreciate the opportunity to testify. Thank you, Darryl Macha

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ing2-Travis

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 11, 2014 12:15 PM
To: pbstestimony
Cc: refrey2001@yahoo.com
Subject: *Submitted testimony for SB2938 on Mar 13, 2014 10:00AM*

SB2938

Submitted on: 3/11/2014

Testimony for PBS on Mar 13, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
	Individual	Support	No

Comments:

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ing2-Travis

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 11, 2014 6:06 PM
To: pbstestimony
Cc: tomitak001@hawaii.rr.com
Subject: *Submitted testimony for SB2938 on Mar 13, 2014 10:00AM*

SB2938

Submitted on: 3/11/2014

Testimony for PBS on Mar 13, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Ken Tomita	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 12, 2014 3:31 AM
To: pbstestimony
Cc: kaneohegs@aol.com
Subject: *Submitted testimony for SB2938 on Mar 13, 2014 10:00AM*

SB2938

Submitted on: 3/12/2014

Testimony for PBS on Mar 13, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
daniel oshima	Individual	Support	No

Comments:

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ing2-Travis

From: Stephen T. Hazam <sthazam@yahoo.com>
Sent: Tuesday, March 11, 2014 7:07 PM
To: pbstestimony
Subject: Please support SB2938, SD2

Please support SB2938, SD2. Online registration of firearms is a WIN - WIN for the state and its citizens. Online registration will require fewer resources for state government which means state agencies and taxpayers will be happy. Citizens wishing to exercise their Second Amendment rights, will have to spend fewer resources in time and money: therefore, voters are happy. Please support SB22938, SD1.

Thank you for the opportunity to submit testimony.

Mahalo,

Stephen T. Hazam
1288 Kapiolani Blvd., #1104
Honolulu, HI 96814-2867
Tel: 808-593-2798
<http://www.linkedin.com/in/stephenhazam>

An online firearm transaction interface could streamline data entry processes on the county's side, but would not have an impact on the number of trips a gun owner would need to make to the PDs.

SB 2938 is inadequate in that it lumps 3 separate functions, all requiring a separate trip to a PD, under the single label of "firearm **registration**"

The three distinct functions/steps in lawful gun acquisition and ownership in Hawaii are independent of each other and are as follows:

1. Going in person to the PD to apply for a permit to acquire a firearm, **(trip no. 1)** bringing proof of identity, age, and citizenship. This involves the completion of 3 forms, the application, questionnaire, and mental health information release waiver. These forms could be filled out via an online interface, printed by the applicant, and then brought in for final signature in front of a firearm official. This is the **application** process, and is independent of the registration process.
2. Upon review (verification of firearm eligibility under HRS and FBI/NICS), the permit must be issued (signed by the official) and delivered in person to the person identified on the application. This can only be done in person, with proper identification. Permit issuance is also independent of "registration". **(trip no. 2)**
3. After the approved applicant acquires his/her firearm(s), the final step is to bring those firearms in for inspection and be issued a **registration** for each within 5 days of acquisition. The actual "registration" of a firearm occurs in **one** unavoidable step. **(trip no. 3)**

Even if an individual brings a firearm already owned by him/her into the State, bypassing the in-state acquisition process, the registration requirement still exists. The half-sheet registration form could be pre-filled out using an online format and printed, however, due to the fact that most gun owners are not trained in firearm verification, we may spend more time correcting their form to include the mandated info. This may not save us time at all, but rather increase the time it takes to verify and issue a correct and accurate registration.

Either way, there would be no decrease in the amount of trips to the PDs unless the registration requirement was scrapped all together. Using an online format would benefit the counties if the 3 forms necessary in step 1 (application) were available online. It would save officials some time in the completion of those forms, but it would not decrease the number of trips necessary for a gun owner to legally acquire and register a firearm.

Also, the counties do not charge for firearm registration (per statute). Only fingerprinting fees are collected for first-time gun owners, and those fees are forwarded to HCJDC and not retained by the counties. We would not be able to use any "registration fees" in order to offset any costs, since there are no fees collected.

I believe the legislature should hold off on the bill as written until the actual concepts/components of legal gun ownership in Hawaii is fully understood.

March 13, 2014

S.B. No 2938 would require each county to establish an online registration process for registering firearms. There are several points of confusion in the language of this bill. Clarification of these points and the individual processes involved may markedly influence a yeay or nay vote on the measure. I address these points individually below.

*Lines 2 – 5, Section 1 of SB-2938 states, “The registration process is necessary **for public safety to insure that a firearm is properly registered**”*

1. It is unclear if the proposed online registration process calls for direct data input by private citizens, or by a trained firearm registration official(s). If the bill calls for private citizens to fill out an online form in order to populate a county-wide database of registered firearms, many inaccuracies in the data may occur. The accurate recording of firearm descriptors and classifications as prescribed by ATF regulations and by our own Hawaii Revised Statutes would be greatly compromised if this task is placed in the hands of individuals not trained to verify a firearm. While several states in the U.S. do not mandate firearm registration, **no states in the U.S. that do require firearm registration allow it to be done via an online platform**. Canada does allow a form of online firearm registration, but only with the use of sworn or civilian certified firearm verifiers. The Royal Canadian Mounted Police [website](#) states that “Firearm verification is an important tool that contributes to correct firearm classification and overall integrity, completeness and accuracy of information in the [Canadian Firearms Information System](#) database. To attempt to populate a firearm registration database by bypassing the verification process would be irresponsible to the mission of public safety. Law enforcement officers would not have a validated database in which to conduct accurate criminal investigations in the pursuit of justice.

*Lines 2 – 5, Section 1 of SB-2938 states, “The registration process is necessary for public safety to insure that a firearm is properly registered to **an individual who is qualified and capable of owning firearms**” However, the legislature finds that the current **firearms registration process** is inefficient and requires excessive visits to a county police station, wasting time and money.”* The underlined clauses represent two completely separate functions.

2. The 3-step process for lawful gun acquisition and ownership in Hawaii as mandated in HRS Chapter 134 seems to have been incorrectly labeled as a singular process of “registration” within the language of the bill. The determination of a citizen’s eligibility to own a firearm under Federal and State law in Hawaii is a multi-step process that is entirely independent and separate from the subsequent registration of an acquired firearm. Hawaii is one of the 13 states in the U.S. that is responsible to conduct National Instant Criminal Background Checks (NICS) on all firearm acquisition applications. The process is detailed, takes between 14-20 days to complete for each applicant, and is mandated by §HRS 134-2 and the Brady Handgun Violence Prevention Act of 1993. We must not, and may not attempt to shorten this process in any way. In order to legally acquire a firearm in Hawaii, an individual must first apply for a Permit to Acquire. This must be done in person so as to verify U.S. citizenship, age, identity, and other information required by the FBI and HRS. This requires a trip to the police station when applying, and another to pick up the application in person (with identification) upon its approval.

After acquiring the firearm from a licensed dealer or individual, the firearm must be registered at the police station within 5 days (trip #3). The law does not stipulate calendar or business days. The actual registration of a firearm involves a single trip and the inspection and verification of certain identifiers. HRS requires the verification of “the name of the manufacturer and importer; model; type of action; caliber and gauge; serial number; and source from which receipt was obtained, including the name and address of the prior registrant.” *HRS §134-3(b)*. Seven (7) identifiers need to be verified as well as the new registrant’s information.

In addition, and in accordance with HRS §134-3(b), every firearm registered in our state must have a serial number. During an in-person inspection of a firearm, if none exists, statute mandates that the applicant’s permit number be engraved on the receiver of the firearm. How are authorities to enforce this law if the firearms are not brought in for physical inspection?

Actual firearm registration is the final step in lawful firearm acquisition or ownership in Hawaii, it is not the entire process. If revisions in our State’s process are to be made to streamline the entire firearm acquisition and registration process, a better idea may be to have more firearm transaction sites available throughout the state. Having more venues to accomplish the necessary steps may assist responsible gun owners in fulfilling these requirements.

Proposed clause lines 8-10, HRS §134-3(c); “Any funds received from county firearm registration fees shall be used to pay for online registration processing costs”.

HRS §134-3(e), states “No fee shall be charged for the registration of a firearm under this section, except for a fee chargeable by and payable to the registering county for persons registering a firearm under subsection (a), in an amount equal to the fee actually charged by the Federal Bureau of Investigation to the registering police department for a fingerprint check in connection with the registration.”

Currently, fees collected for the digital fingerprint (LiveScan) check for persons registering firearms under subsection (a) are forwarded to the Hawaii Criminal Justice Data Center and not retained by the individual counties.

As a majority of firearm registrations are processed in accordance with subsection (b) (local acquisitions), no fees are collected during the normal registration process and therefore would not be available to offset any online registration processing costs.

Finally, if the language in SB-2938, page 4, lines 5-10 was meant to indicate that each county shall establish *and operate* an online database in which to enter all firearm registration information received from in-person inspection of firearms for registration, then the bill does have some merit. A state-wide, single-entry database interface would seem more cost effective and efficient than individual county databases that must then share data with each other. We should not, however, in any way, attempt to shorten the process of determining firearm eligibility under Federal and State law. As stated earlier, firearm registration (verification) ensures the integrity, accuracy and completeness of a validated information database that will serve both law enforcement purposes, and our State’s responsibility to public safety.

In conclusion, if one wishes to purchase a vehicle, insure it, acquire a safety check, and register the vehicle, it is his/her right to do so. The process involves many steps and each step has a specific purpose. Reciprocally, if one wishes to legally purchase and own a firearm, it is his/her right to do so, and there are mandated steps involved. Each of those steps also has a specific purpose. Cutting corners on the steps to legal firearm ownership would be synonymous with streamlining the requirements for legal vehicle ownership in Hawaii. There could be far-reaching repercussions for both.

It is my opinion that the streamlining of either should be done only if the integrity of the associated informational databases used for law enforcement purposes and other government functions remain undiminished. Public safety should never be compromised in the interest of cost, time, or convenience.

This bill is incomplete in that it does not demonstrate a comprehensive understanding of the current associated statutes and the logistics and/or reasons involved in the operational compliance of those statutes. Furthermore, there are conflicting statements within the language, occurring even within the same sections. It would seem more prudent for a further review of actual statewide firearm transaction practices to occur and for the true reason for the current mandates to be researched and understood before SB-2938 receives any further support.

ing2-Travis

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 12, 2014 10:20 AM
To: pbstestimony
Cc: dreid@nrahq.org
Subject: *Submitted testimony for SB2938 on Mar 13, 2014 10:00AM*

SB2938

Submitted on: 3/12/2014

Testimony for PBS on Mar 13, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel Reid	NRA	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: C. R. [<mailto:creekmoon@me.com>]
Sent: Wednesday, March 12, 2014 2:53 PM
To: Rep. Henry J.C. Aquino
Subject: Please Support SB 2938...

Aloha Representative Aquino,

Senate Bill 2938, with amendment SD2, passed in the Hawaii Senate last week.

As amended, SB 2938, sponsored by state Senator Will Espero, would require each county to establish an online firearms registration process to be fully implemented by July 1, 2015.

This will help streamline the process by limiting the number of trips a firearm owner would have to make to comply with current registration requirements, saving both time and money.

SB 2938 is a vast improvement over existing registration requirements and will make the entire process more efficient for residents of the Aloha State.

SB 2938 has been sent to the state House of Representatives and is scheduled for a hearing in the House Public Safety Committee today, at 10:00 a.m., in room 309 of the state Capitol.

Please Support SB 2938...

Sincerely,

Dr. J. Zender