

STAND. COM. REP. NO.

3490

Honolulu, Hawaii

APR 08 2016

RE: H.B. No. 625
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 625, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FIREARMS,"

begs leave to report as follows:

The purpose and intent of this measure is to enhance
protections against acts of gun violence committed by individuals
with a history of dangerous behavior by including misdemeanor
harassment by stalking and sexual assault among the offenses that
disqualify a person from owning, possessing, or controlling any
firearm or ammunition.

Your Committee received testimony in support of this measure
from the Department of the Attorney General; Department of the
Prosecuting Attorney, City and County of Honolulu; Police
Department, City and County of Honolulu; Americans for Responsible
Solutions; The Sex Abuse Treatment Center; Ho'omana Pono, LLC; and
five individuals. Your Committee received testimony in opposition
to this measure from the Hawaii Members of the National Rifle
Association of America, Hawaii Rifle Association, Institute for
Rational and Evidence-based Legislation, and twenty-four
individuals.

Your Committee finds that sexual assault in the fourth degree
and harassment by stalking can escalate into more violent conduct
and eventually become lethal, particularly when firearms are
involved. Research indicates a correlation between partner

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stalking, sexual assault, and the propensity for partner stalkers to use firearms against their victims. By restricting individuals with a history of these dangerous behaviors from owning or possessing firearms, this measure contributes to the safety and security of the public.

Your Committee has amended this measure by:

- (1) Clarifying under section 1 that its purpose is to specify, rather than add, misdemeanor harassment by stalking and sexual assault as crimes of violence that disqualify a person from owning, possessing, or controlling any firearm or ammunition;
- (2) Deleting references to offenses under the laws of another jurisdiction that are comparable to sexual assault in the fourth degree and harassment by stalking; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 625, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 625, H.D. 1, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,


GILBERT S.C. KEITH-AGARAN, Chair



