

**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-EIGHTH LEGISLATURE, 2016**

LATE

ON THE FOLLOWING MEASURE:

H.B. NO. 2629, H.D. 1, RELATING TO CRIMINAL HISTORY RECORD CHECKS

BEFORE THE:

HOUSE COMMITTEE ON JUDICIARY

DATE: Tuesday, March 1, 2016

TIME: 2:00 p.m.

LOCATION: State Capitol, Room 325

TESTIFIER(S): Douglas S. Chin, Attorney General, or
Liane Moriyama, Administrator, Hawaii Criminal Justice Data Center

Chair Rhoads and Members of the Committee:

The Department of the Attorney General supports this bill.

This bill authorizes the county police departments in Hawaii to enroll firearm applicants and individuals who are registering their firearms into the rap back system.

To facilitate state and federal criminal history background checks, the Hawaii Criminal Justice Data Center has developed a standard protocol, which has been approved by the Federal Bureau of Investigation to ensure that there are no questions as to the authority for these checks.

As such, we recommend the following amendments to section 134-2, Hawaii Revised Statutes (HRS), and section 134-3, HRS, also be included in this bill.

Section 134-2, HRS, subsections (e) (in pertinent parts) and (i) should be amended to read as follows:

“(e) . . . The issuing authority shall perform an inquiry on an applicant [~~who is a citizen of the United States by using the National Instant Criminal Background Check System~~] using the International Justice and Public Safety Network including the United States Immigration and Customs Enforcement query therein, the National Crime Information Center, and the National Instant Criminal Background Check System, and conduct criminal history record checks in accordance with section 846-2.7 before any determination to issue a permit or to deny an application is made. [~~If the applicant is not a citizen of the United States and may be eligible to acquire a firearm under this chapter, the issuing authority shall perform an inquiry on the applicant, by using the National Instant Criminal Background Check System, to include a check~~”

~~of the Immigration and Customs Enforcement databases, before any determination to issue a permit or to deny an application is made.]”~~

“(i) No fee shall be charged for permits, or applications for permits, under this section, except for a single fee chargeable by and payable to the issuing county, for individuals applying for their first permit, in an amount equal to the fee [actually] charged by the [~~Federal Bureau of Investigation to the issuing police department for a fingerprint check in connection with that application or permit.~~] Hawaii criminal justice data center pursuant to section 846-2.7. In the case of a joint application, the fee provided for in this section may be charged to each person to whom no previous permit has been issued.”

Section 134-3, Hawaii Revised Statutes, subsections (a) (in pertinent part) and (e) should be amended to read as follows:

“(a) [Last sentence] . . . The police department shall perform an inquiry on the person by using [~~the National Instant Criminal Background Check System~~] the International Justice and Public Safety Network including the United States Immigration and Customs Enforcement query therein, the National Crime Information Center and, the National Instant Criminal Background Check System, and conduct criminal history record checks in accordance with section 846-2.7 before any determination to register a firearm is made.”

“(e) 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.~~] Hawaii criminal justice data center pursuant to section 846-2.7. In the case of a joint registration, the fee provided for in this section may be charged to each person.”

We urge the committee to pass this bill with the noted amendments. Thank you for the opportunity to testify.

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

ALII PLACE
1060 RICHARDS STREET • HONOLULU, HAWAII 96813
PHONE: (808) 547-7400 • FAX: (808) 547-7515

KEITH M. KANESHIRO
PROSECUTING ATTORNEY

ARMINA A. CHING
FIRST DEPUTY PROSECUTING ATTORNEY



**THE HONORABLE KARL RHOADS, CHAIR
HOUSE COMMITTEE ON JUDICIARY
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawai'i**

March 1, 2016

RE: H.B. 2629, H.D. 1; RELATING TO CRIMINAL HISTORY RECORD CHECKS.

Chair Rhoads, Vice-Chair San Buenaventura and members of the House Committee on Judiciary, the Department of the Prosecuting Attorney of the City and County of Honolulu ("Department") supports H.B. 2629, H.D. 1.

The purpose of H.B. 2629, H.D. 1 is to provide safety for the community by authorizing county police departments to enroll registered firearm owners and applicants of firearm permits in a system that monitors an individual's criminal record.

This bill utilizes the Federal Bureau of Investigation's Rap Back service which provides a new response system for authorized agencies regarding notification of criminal, and in limited situations, civil activity regarding individuals registered with the service. Allowing our county police departments to enroll applicants and registered firearm owners to the rap back system would – among other goals achieved – allow these agencies to close a loophole regarding criminal offenses committed in other jurisdictions, which would otherwise disqualify an individual from owning a firearm permit within the state.

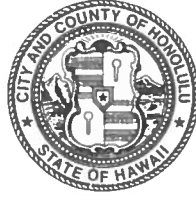
For all the reasons stated above, the Department of the Prosecuting Attorney of the City and County of Honolulu supports H.B. 2629, H.D. 1. Thank you for the opportunity to testify on this matter.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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

LATE

KIRK CALDWELL
MAYOR



LOUIS M. KEALOHA
CHIEF

MARIE A. McCAULEY
CARY OKIMOTO
DEPUTY CHIEFS

OUR REFERENCE RR-DNK

March 1, 2016

The Honorable Karl Rhoads, Chair
and Members
Committee on Judiciary
House of Representatives
Hawaii State Capitol
415 South Beretania Street, Room 325
Honolulu, Hawaii 96813

Dear Chair Rhoads and Members:

SUBJECT: House Bill No. 2629, H.D. 1, Relating to Criminal History Record Checks

I am Richard C. Robinson, Major of the Records and Identification Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD strongly supports House Bill No. 2629, H.D. 1, Relating to Criminal History Record Checks.

Currently, a thorough background check is conducted on all applicants to acquire a firearm. However, once the initial background check has been completed and the permit has been issued, no further checks are conducted on the firearm owner. As a result, the county police departments have no way of knowing if a current Hawaii firearm owner has been convicted of a crime in another state that would prohibit him or her from owning a firearm.

We suggest that an amendment be made on page 11, line 18, to read as follows: "Firearms pursuant to Section 134-2 and Section 134-3; and". The proposed change would allow county police departments to enroll new firearm applicants into the Rap Back program administered by the Federal Bureau of Investigation. The Rap Back program will provide a mechanism to alert the county police departments when the owner of a firearm is arrested for a criminal offense anywhere in the country. In essence, the change will provide an ongoing background check on firearm owners to determine their continued eligibility to own and possess a firearm in our state.

The Honorable Karl Rhoads, Chair
and Members
Committee on Judiciary
March 1, 2016
Page 2

The HPD urges you to support House Bill No. 2629, H.D. 1, Relating to Criminal History Record Checks.

Thank you for the opportunity to testify.

Sincerely,

Richard C. Robinson
for Richard C. Robinson, Major
Records and Identification Division

APPROVED:

Louis M. Kealoha

Louis M. Kealoha
Chief of Police

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 29, 2016 3:32 PM
To: JUDtestimony
Cc: dreid@nrahq.org
Subject: Submitted testimony for HB2629 on Mar 1, 2016 14:00PM

HB2629

Submitted on: 2/29/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

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

Comments: The NRA opposes this measure because it expands upon the existing registration requirements to implement a federal biometric registry of Hawaii gun owners. Positive hits in this system have not necessarily been adjudicated and could cause issues with the an individual's ability to exercise their constitutional rights.

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Cc: breaking-the-silence@hotmail.com
Subject: *Submitted testimony for HB2629 on Mar 1, 2016 14:00PM*

HB2629

Submitted on: 2/26/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dara Carlin, M.A.	Individual	Support	No

Comments:

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Subject: *Submitted testimony for HB2629 on Mar 1, 2016 14:00PM*

HB2629

Submitted on: 2/29/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jonagustine Lim	Individual	Oppose	No

Comments:

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HB2629

Submitted on: 2/29/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
steven a kumasaka	Individual	Oppose	No

Comments:

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Cc: kjcole52@yahoo.com
Subject: Submitted testimony for HB2629 on Mar 1, 2016 14:00PM

HB2629

Submitted on: 2/29/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

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

Comments: Aloha, I oppose HB2629. Just using "arrest" alone as a criteria is far too restrictive. Someone who arrested under mistaken identity, or for having one too many traffic tickets when they were in school could lead to a case of a person being denied their constitutional rights. By using conviction as the discriminating criteria vice that of just arrest, the gist of the Bill can be met. Kevin J. Cole, Col USAF Ret. Mililani

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Cc: surfgeorge@yahoo.com
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HB2629

Submitted on: 2/29/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
George Pace	Individual	Oppose	No

Comments:

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Cc: koryohly@outlook.com
Subject: Submitted testimony for HB2629 on Mar 1, 2016 14:00PM

HB2629

Submitted on: 2/29/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Kory Ohly	Individual	Oppose	No

Comments: I oppose HB2629. Please remember that an arrest alone should not be used to deny a permit to acquire a firearm. Presumption of innocence....

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To: JUDtestimony
Cc: ncote@hawaii.rr.com
Subject: Submitted testimony for HB2629 on Mar 1, 2016 14:00PM

HB2629

Submitted on: 2/28/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Normand A Cote	Individual	Oppose	No

Comments: Dear JUD Committee, I oppose HB 2629 which implements the federal "Rapback" system in Hawaii. Authorizes county police departments to enroll firearms applicants and individuals who are registering their firearms into a criminal record monitoring service used to alert police when an individual is arrested for a criminal offense anywhere in the country. Unless the bill is amended to include language that county police departments shall not use arrests alone to deny permits, only bound over for trial, indictment, or conviction for crimes that disable firearms possession in Hawaii. Respectfully, Normand A Cote Law Abiding Citizen

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To: JUDtestimony
Cc: danmorris@outlook.com
Subject: *Submitted testimony for HB2629 on Mar 1, 2016 14:00PM*

HB2629

Submitted on: 2/28/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dan Morris	Individual	Support	No

Comments:

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To: JUDtestimony
Cc: racerja@me.com
Subject: *Submitted testimony for HB2629 on Mar 1, 2016 14:00PM*

HB2629

Submitted on: 2/28/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
jason shin	Individual	Oppose	No

Comments:

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Cc: Freediving@earthlink.net
Subject: Submitted testimony for HB2629 on Mar 1, 2016 14:00PM

HB2629

Submitted on: 2/28/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Glennon T. Gingo	Individual	Comments Only	No

Comments: Respectfully request consideration to modify language that county police departments shall not use arrests alone to deny permits, only bound over for trial, indictment, or conviction for crimes that disable firearms possession in Hawaii. Thank you for your consideration.

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Sent: Sunday, February 28, 2016 12:32 AM
To: JUDtestimony
Cc: robert@okudametal.com
Subject: *Submitted testimony for HB2629 on Mar 1, 2016 14:00PM*

HB2629

Submitted on: 2/28/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Okuda	Individual	Oppose	No

Comments:

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To: JUDtestimony
Cc: davebrilliant@gmail.com
Subject: *Submitted testimony for HB2629 on Mar 1, 2016 14:00PM*

HB2629

Submitted on: 2/27/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
David Brilliant	Individual	Oppose	No

Comments:

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Cc: scott_shimoda@hotmail.com
Subject: *Submitted testimony for HB2629 on Mar 1, 2016 14:00PM*

HB2629

Submitted on: 2/27/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
scott shimoda	Individual	Oppose	No

Comments:

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Subject: Submitted testimony for HB2629 on Mar 1, 2016 14:00PM

HB2629

Submitted on: 2/27/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Philip Tong	Individual	Oppose	No

Comments: OPPOSE UNLESS AMENDED to include language that county police departments shall not use arrests alone to deny permits, only bound over for trial, indictment, or conviction for crimes that disable firearms possession in Hawaii.

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HB2629

Submitted on: 2/27/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

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

Comments:

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Cc: Dnrhand@aol.com
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HB2629

Submitted on: 2/27/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
David Soon	Individual	Oppose	No

Comments:

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Cc: mamalukino@msn.com
Subject: Submitted testimony for HB2629 on Mar 1, 2016 14:00PM

HB2629

Submitted on: 2/27/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Riley	Individual	Oppose	No

Comments: I OPPOSE UNLESS AMENDED to include language that county police departments shall not use arrests alone to deny permits, only bound over for trial, indictment, or conviction for crimes that disable firearms possession in Hawaii. Thank you, Michael Riley

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HB2629

Submitted on: 2/27/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
joshua	Individual	Oppose	No

Comments:

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HB2629

Submitted on: 2/26/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Brendon Heal	Individual	Oppose	No

Comments: The law already requires that a convicted felon surrender all firearms or have them confiscated. Police departments have access to such knowledge and should be using such public databases to do their background checks and process. Thus, keeping weapons out of the hands of criminals. Databasing private firearms owners, who have no criminal record, nor conviction of felonious activities, should not be treated as a criminal. Logging and data basing, of law abiding citizens, on the grounds of 'being a gun owner' is a huge infringement of said law abiding citizen's privacy, is VERY unconstitutional. Please focus laws on catching, prosecuting, and punishing CRIMINALS, not the law abiding gun owners. I STRONGLY OPPOSE THIS LEGISLATION. Thank You

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HB2629

Submitted on: 2/26/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jay	Individual	Oppose	No

Comments:

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HB2629

Submitted on: 2/26/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Walter Kanemori	Individual	Oppose	No

Comments:

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Subject: Submitted testimony for HB2629 on Mar 1, 2016 14:00PM

HB2629

Submitted on: 2/26/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
William R Smith	Individual	Oppose	No

Comments: I oppose this bill. FBI description of the rap back system indicates it reports arrests for misdemeanors and even some civil charges. This Bill language should be amended to add prohibiting use of reports unless an arrest is made for a disqualifying charge under HRS and the person has been arraigned, bound over for trial, or convicted. Without this wording of an arrest for a disqualifying charge under HRS AND the person has been arraigned, bound over for trial, or convicted, the bill should not be passed. The firearms community agreed in the past to fingerprinting charges, but asking law-abiding gun owners to pay a fee to be registered in this system is an additional burden, for a system not normally used for background checks on firearms applicants, which should be covered by the requesting agency.

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HB2629

Submitted on: 2/26/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Nancy Davlantes	Individual	Support	No

Comments:

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HB2629

Submitted on: 2/26/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

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

Comments: Background checks should certainly be done to determine if an individual is not disqualified to own a firearm. However, given that this is providing a social benefit, the applicant should not pay for additional data searches, but such searches should be paid out of general funds. To do otherwise would be to place an obstacle in the way of the exercise of a Constitutionally enumerated right, and could be argued to have a chilling effect for those who wish to exercise that right.

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To: JUDtestimony
Cc: refrey2001@yahoo.com
Subject: *Submitted testimony for HB2629 on Mar 1, 2016 14:00PM*

HB2629

Submitted on: 2/26/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Frey	Individual	Oppose	No

Comments:

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To: JUDtestimony
Cc: gkaiiasing@hotmail.com
Subject: Submitted testimony for HB2629 on Mar 1, 2016 14:00PM

HB2629

Submitted on: 2/29/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
G Asi	Individual	Oppose	No

Comments: I OPPOSE UNLESS AMENDED to include language that county police departments shall not use arrests alone to deny permits, only bound over for trial, indictment, or conviction for crimes that disable firearms possession in Hawaii.

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To: JUDtestimony
Cc: macooper.1941@gmail.com
Subject: *Submitted testimony for HB2629 on Mar 1, 2016 14:00PM*

HB2629

Submitted on: 2/29/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Max Cooper	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 29, 2016 8:59 AM
To: JUDtestimony
Cc: ehkaneshiro@gmail.com
Subject: Submitted testimony for HB2629 on Mar 1, 2016 14:00PM

HB2629

Submitted on: 2/29/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Eric Kaneshiro	Individual	Oppose	No

Comments: OPPOSE UNLESS AMENDED to include language that county police departments shall not use arrests alone to deny permits, only bound over for trial, indictment, or conviction for crimes that disable firearms possession in Hawaii.

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To: JUDtestimony
Cc: jonagustine_lim@yahoo.com
Subject: *Submitted testimony for HB2629 on Mar 1, 2016 14:00PM*

HB2629

Submitted on: 2/29/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jonagustine Lim	Individual	Oppose	No

Comments:

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To: JUDtestimony
Cc: laughlin@hawaii.rr.com
Subject: Submitted testimony for HB2629 on Mar 1, 2016 14:00PM

HB2629

Submitted on: 2/27/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Laughlin Tanaka	Individual	Oppose	No

Comments: . OPPOSE UNLESS AMENDED to include language that county police departments shall not use arrests alone to deny permits, only bound over for trial, indictment, or conviction for crimes that disable firearms possession in Hawaii.

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Cc: onederful100@aol.com
Subject: *Submitted testimony for HB2629 on Mar 1, 2016 14:00PM*

HB2629

Submitted on: 2/27/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Gavin Lohmeier	Individual	Oppose	No

Comments:

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Cc: tom1.galli@gmail.com
Subject: *Submitted testimony for HB2629 on Mar 1, 2016 14:00PM*

HB2629

Submitted on: 2/27/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Tom Galli	Individual	Oppose	No

Comments:

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Sent: Saturday, February 27, 2016 5:02 PM
To: JUDtestimony
Cc: boobobear26@gmail.com
Subject: *Submitted testimony for HB2629 on Mar 1, 2016 14:00PM*

HB2629

Submitted on: 2/27/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Debbie Okamura	Individual	Oppose	No

Comments:

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HB2629

Submitted on: 2/27/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Vernon Okamura	Individual	Oppose	No

Comments: I Oppose this bill AS Written

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Sent: Saturday, February 27, 2016 2:59 PM
To: JUDtestimony
Cc: sthazam@yahoo.com
Subject: Submitted testimony for HB2629 on Mar 1, 2016 14:00PM

HB2629

Submitted on: 2/27/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Stephen T Hazam	Individual	Oppose	No

Comments: Please OPPOSE UNLESS AMMENDED to include language that arrests alone shall not be used to deny permits; only bound over for trial, indictment or conviction of crimes that disable firearms possession in Hawaii.

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Sent: Saturday, February 27, 2016 2:14 PM
To: JUDtestimony
Cc: thebowen@hawaiiantel.net
Subject: Submitted testimony for HB2629 on Mar 1, 2016 14:00PM

HB2629

Submitted on: 2/27/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Bowen Dickinson	Individual	Oppose	No

Comments: I OPPOSE this measure for the following reasons: (1) It enters law abiding gun owners in a criminal data base. (2) Positive hits in this system are not necessarily adjudicated when placed in the system. (3) If hits are properly indicated as "held over", "arraigned", or "convicted" and the crime is a disqualifier under HRS 134, then and ONLY THEN should the persons Second Amendment Rights be withheld (4) I highly recommend that there be a DEFERRED status added to this bill to accommodate a questionable entry in the system. This would prevent the confiscation of a law abiding citizens firearms for an error in the new system or a questionable situation. This will also avoid unnecessary lawsuits. (5) NO FEES should be charged to applicants for Permits to Acquire. This is a core constitutional right and fees charged to exercise those rights should not be allowed. Thank You Bowen Dickinson

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 29, 2016 6:05 PM
To: JUDtestimony
Cc: williamrandysmith@gmail.com
Subject: Submitted testimony for HB2629 on Mar 1, 2016 14:00PM



HB2629

Submitted on: 2/29/2016

Testimony for JUD on Mar 1, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
William R Smith	Individual	Oppose	No

Comments: I opposes this bill because it expands upon the existing registration requirements to implement a federal biometric registry of Hawaii gun owners. Positive hits in this system have not necessarily been adjudicated, and could cause issues with the an individual's ability to exercise their constitutional rights.

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