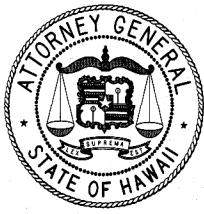




HB2629 HD2

Measure Title:	RELATING TO CRIMINAL HISTORY RECORD CHECKS.
Report Title:	Criminal History Record Checks; Police; Permits to Acquire Firearms; Firearm Registration; Rapback System
Description:	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 owner of a firearm is arrested for a criminal offense anywhere in the country. (HB2629 HD2)
Companion:	
Package:	None
Current Referral:	PSM, JDL
Introducer(s):	TAKAYAMA



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

ON THE FOLLOWING MEASURE:

H.B. NO. 2629, H.D. 2, RELATING TO CRIMINAL HISTORY RECORD CHECKS.

BEFORE THE:

SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND
MILITARY AFFAIRS

DATE: Tuesday, March 15, 2016

TIME: 1:20 p.m.

LOCATION: State Capitol, Room 229

TESTIFIER(S): Douglas S. Chin, Attorney General, or
Lauren Uwaine, Assistant Administrator, Hawaii Criminal Justice Data Center

Chair Nishihara 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” program.

The checks performed by the county police departments for firearms permitting and registration purposes include inquiries not part of the criminal background check conducted through the Hawaii Criminal Justice Data Center (HCJDC) and the Federal Bureau of Investigation (FBI), pursuant to section 846-2.7, Hawaii Revised Statutes.

As such, we recommend the following amendments to this bill:

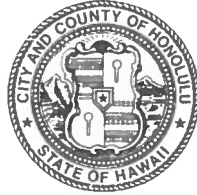
We recommend that page 3, lines 7-15, should be amended to read, “authority shall perform an inquiry on an applicant [~~who is a citizen of the United States~~] by using the International Justice and Public Safety Network, including the United States Immigration and Customs Enforcement query, the National Crime Information Center, and the National Instant Criminal Background Check System, and conduct a criminal history record check pursuant to section 846-2.7 before any determination to issue a permit or to deny an application is made.”

We recommend that page 6, lines 3-9, should be amended to read, “perform an inquiry on the person by using the International Justice and Public Safety Network, including the United States Immigration and Customs Enforcement query, the National Crime Information Center, and the National Instant Criminal Background Check System, and conduct a criminal history record check pursuant to section 846.2.7 before any determination to register a firearm is made.”

We urge the Committee to pass this bill with the recommended amendments. Thank you for the opportunity to testify.

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

MARIE A. McCAULEY
CARY OKIMOTO
DEPUTY CHIEFS

OUR REFERENCE RR-DNK

March 15, 2016

The Honorable Clarence K. Nishihara, Chair
and Members
Committee on Public Safety, Intergovernmental,
and Military Affairs
State Senate
Hawaii State Capitol
415 South Beretania Street, Room 229
Honolulu, Hawaii 96813

Dear Chair Nishihara and Members:

SUBJECT: House Bill No. 2629, H.D. 2, 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 supports House Bill No. 2629, H.D. 2, 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.

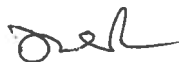
We suggest that the following amendment be made on page 3, line 13, to read as follows: Instant criminal background check system, and conduct a criminal history record check pursuant to Section 846-27. Page 6, line 8, to read as follows: Instant criminal background check system, and conduct a criminal history record check pursuant to Section 846-2.7. The proposed changes 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 Clarence K. Nishihara, Chair
and Members
Committee on Public Safety, Intergovernmental,
and Military Affairs
March 15, 2016
Page 2

The HPD urges you to support House Bill No. 2629, H.D. 2, Relating to Criminal History Record Checks.

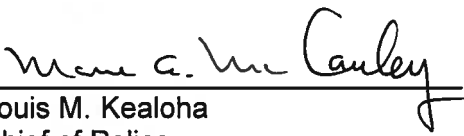
Thank you for the opportunity to testify.

Sincerely,



Richard C. Robinson, Major
Records and Identification Division

APPROVED:


for Louis M. Kealoha
Chief of Police

From: mailinglist@capitol.hawaii.gov
To: [PSMTestimony](#)
Cc: kimo501999@aol.com
Subject: *Submitted testimony for HB2629 on Mar 15, 2016 13:20PM*
Date: Sunday, March 13, 2016 7:48:42 PM

HB2629

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
James Revells	Valley Isle Sport Shooters	Oppose	No

Comments:

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Subject: Submitted testimony for HB2629 on Mar 15, 2016 13:20PM
Date: Monday, March 14, 2016 12:54:26 PM

HB2629

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

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

Comments: NRA opposes HB 2629 because it would expand the existing registration requirement 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 an individual's ability to exercise their constitutional rights. Additionally, this could result in a potential fee increase and cost gun owners more than what is already required in Hawaii due to the cost associated with adding individuals into this biometric registry.

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HB2629

Submitted on: 3/15/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Harvey Gerwig	Hawaii Rifle Association	Oppose	Yes

Comments: No other State uses this system for firearms registration. The fee proposed is a tax on a Constitutional Right. It creates an illegal, permanent Federal list of firearm owners

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Subject: Submitted testimony for HB2629 on Mar 15, 2016 13:20PM
Date: Friday, March 11, 2016 3:27:39 PM

HB2629

Submitted on: 3/11/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Moran	Individual	Support	No

Comments: Sure good to know if an individual is arrested if he/she has legal right to be carrying a firearm. Please support Mike Moran Kihei, Maui

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Date: Sunday, March 13, 2016 8:59:35 PM

HB2629

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
joycelyn iyo	Individual	Support	No

Comments:

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Date: Friday, March 11, 2016 2:31:56 PM

HB2629

Submitted on: 3/11/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

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

Comments: If the Rapback system will be useful for winnowing out those who should not have a firearm, all well and good, and have the taxpayers foot the bill. If, however, law abiding gun owners are required to pay to enroll, while criminals who use guns don't have to enroll or pay, and those gun owners who aren't going to register another firearm aren't enrolled, we seem to have an "equal protection under the law" problem. On a practical note, the least likely people to have a negative report from the system - those who are registering a firearm - will be the only ones in the system. Criminals and those who don't register because they know they have a problem get a pass, so the honest gun owner pays money for nothing while the criminals can ignore the whole thing. This seems stupid - defer the bill.

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HB2629

Submitted on: 3/12/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

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

Comments: I OPPOSE this bill.

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Cc: rennchee@gmail.com
Subject: *Submitted testimony for HB2629 on Mar 15, 2016 13:20PM*
Date: Saturday, March 12, 2016 8:02:24 AM

HB2629

Submitted on: 3/12/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

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

Comments:

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Date: Saturday, March 12, 2016 9:01:42 AM

HB2629

Submitted on: 3/12/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

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: 3/12/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Ryan Arakawa	Individual	Oppose	No

Comments:

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HB2629

Submitted on: 3/12/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

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

Comments:

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Date: Saturday, March 12, 2016 11:35:41 AM

HB2629

Submitted on: 3/12/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

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

Comments:

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Subject: Submitted testimony for HB2629 on Mar 15, 2016 13:20PM
Date: Saturday, March 12, 2016 2:05:22 PM

HB2629

Submitted on: 3/12/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

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

Comments: Restrictions and back ground only restrict law abiding gun owners.
Criminals done register their guns.

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Date: Saturday, March 12, 2016 2:59:07 PM

HB2629

Submitted on: 3/12/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

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

Comments: I strongly OPPOSE HB2629. We should not be creating a permanent federal list of citizens exercising a right that is guaranteed by the US Constitution. Charging a fee constitutes another infringement upon a right guaranteed by the US Constitution. We should not be creating lists of citizens who have committed no crime. I OPPOSE HB2629.

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Cc: thebowen@hawaiiantel.net
Subject: Submitted testimony for HB2629 on Mar 15, 2016 13:20PM
Date: Saturday, March 12, 2016 3:25:02 PM

HB2629

Submitted on: 3/12/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

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. It creates a permanent federal list of firearms owners and charges a fee of \$50 for exercising a civil right. NO FEES should be charged to applicants for Permits to Acquire. No state currently uses it for firearms acquisitions. 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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HB2629

Submitted on: 3/12/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Edwin J. Colon	Individual	Oppose	No

Comments:

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Date: Saturday, March 12, 2016 4:44:04 PM

HB2629

Submitted on: 3/12/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

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

Comments: I wish there was a "Vehemently Oppose" button. First of all, we are not criminals, therefore we shouldn't registered into any law enforcement database as if we were. Second, the SCOTUS has already decided on the matter of charging fees for exercising a Constitutionally protected right in *Murdock v Pennsylvania-319us105*. Should you decide to pass this bill into law I can promise you that I will be the first in line to challenge it legally, and there will be many others.

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Date: Saturday, March 12, 2016 6:50:15 PM

HB2629

Submitted on: 3/12/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Gregory Arianoff	Individual	Oppose	No

Comments: In regards to HB2629 which would require the county police to enroll all gun permit applicants and those registering firearms in "Rap Back," a FBI data base of individuals arrested anywhere in the US, including on misdemeanor and even some civil charges. 1. Gun Permit applications are unconstitutional. 2. The system is used now to screen job applicants for sensitive jobs, like foster parents, etc. No state currently uses it for firearms acquisitions. It creates a permanent federal list of firearms owners, which we are all well aware that such lists contain countless mistakes and incorrect information, as well as infringe on privacy. 3. A fee of approximately \$50 will be charged for exercising a civil right. The question that you need to ask yourself is, "Would you be able to charge a fee for an individual to exercise their 1st Amendment right to free speech; 4th Amendment right; 6th Amendment Right; or any other unalienable right?" The answer is simply no, because that would be illegal and unconstitutional. Please remember the oath you took stands to protect the constitution of the United States of America. You must therefore oppose such legislation.

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HB2629

Submitted on: 3/12/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
stuart saito	Individual	Oppose	No

Comments:

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Date: Saturday, March 12, 2016 9:50:56 PM

HB2629

Submitted on: 3/12/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

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

Comments: This bill creates a permanent federal list of firearms owners and charges a fee for exercising a civil right.

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HB2629

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

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

Comments:

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Date: Sunday, March 13, 2016 12:08:50 PM

HB2629

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Heiko Sacher	Individual	Oppose	No

Comments:

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HB2629

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Mark Genovese	Individual	Oppose	No

Comments: Please no more off the wall gun bills

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Subject: *Submitted testimony for HB2629 on Mar 15, 2016 13:20PM*
Date: Sunday, March 13, 2016 2:27:29 PM

HB2629

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

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

Comments:

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Subject: *Submitted testimony for HB2629 on Mar 15, 2016 13:20PM*
Date: Sunday, March 13, 2016 2:33:03 PM

HB2629

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin Mulhern	Individual	Oppose	No

Comments:

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HB2629

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
John J Anselm	Individual	Oppose	No

Comments: It is my right to posses firearms without any infringements. It's nobody's business if I do own firearms.

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HB2629

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

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

Comments:

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Cc: sandybrodie@gmail.com
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HB2629

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Alexander C. "Sandy" Brodie	Individual	Oppose	No

Comments: A further intrusion on an individual's 2nd Amendment rights by placing his or her name on a registry and charges a fee for exercising civil rights.

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HB2629

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Gordon Kitsuya	Individual	Oppose	No

Comments: This is a bad bill because it does 2 things: 1) Putting gun permit applicants onto a list of criminals teaches disrespect for the law. 2) Stretches the FBI too thin. For example the FBI lacked the time to investigate the Boston Bomber brothers and the San Bernardino terrorists before they attacked. Who was the FBI investigating back then--gun owners, returning veterans?

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HB2629

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Brandon Elizares	Individual	Oppose	No

Comments:

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Subject: *Submitted testimony for HB2629 on Mar 15, 2016 13:20PM*
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HB2629

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Aaron Asuncion	Individual	Oppose	No

Comments:

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Subject: *Submitted testimony for HB2629 on Mar 15, 2016 13:20PM*
Date: Sunday, March 13, 2016 5:17:48 PM

HB2629

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

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

Comments:

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HB2629

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Brad Pocock	Individual	Oppose	No

Comments: I Strongly Opposed

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HB2629

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Yvette Makahanaloa	Individual	Oppose	No

Comments: I Strongly Opposed

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Cc: cvaldez001@hawaiiintel.net
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HB2629

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Cory Lee Valdez	Individual	Oppose	No

Comments: I strongly oppose !!!!!

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Cc: russell.takata@yahoo.com
Subject: Submitted testimony for HB2629 on Mar 15, 2016 13:20PM
Date: Sunday, March 13, 2016 6:32:55 PM

HB2629

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Russell Takata	Individual	Oppose	No

Comments: I strongly OPPOSE this bill. This measure essentially places firearms permit applicants and firearm owners on a permanent federal list that can be easily misused and abused.

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HB2629

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
aaron shefte	Individual	Oppose	No

Comments: i am testifying in opposition to this bill. as you are well aware that the right of the people to keep and bare arms shall not be infringed. i expect you to uphold the law of the land the constitution. anything less than that is unacceptable. thank you for you kind attention.

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HB2629

Submitted on: 3/13/2016

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

Comments:

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HB2629

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

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

Comments:

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Cc: d.benjamin.reeder@gmail.com
Subject: Submitted testimony for HB2629 on Mar 15, 2016 13:20PM
Date: Sunday, March 13, 2016 10:42:21 PM

HB2629

Submitted on: 3/13/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Davis Benjamin Reeder	Individual	Oppose	No

Comments: This effectively creates a permanent federal list of firearms owners and charges a fee for exercising a civil right, infringing citizens' rights and privacy.

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According to a 2009 report on facial recognition technology authored by Helen Nissenbaum and Lucas Introna, the Next Generation Identification (NGI) project aggressively being pushed by the FBI actually hinders intelligence by creating false positives and wasting resources on needless investigations. The rap-back scheme is a way of implementing NGI for the non-criminal population, which inefficiently attempts to find “needles in the haystack” by piling more hay on the stack.

It also has devastating consequences for privacy and civil liberties, but here my main concern is with biometric technology that can never hope to keep up with such a huge often-homogeneous data set. I already have one doppelganger on the North Shore that I know about. Lucky for me he's a good guy, and lucky for him so am I but if one of us did get into trouble and had our facial features scanned by a NGI-connected camera then the other could be investigated and possibly prosecuted for crimes they did not commit. All this because one of us was 'voluntarily' signed up to be scanned into machines that have no business sifting through the facial geometries of 300,000,000 people.

You may think I'm exaggerating, but do your own research through the Electronic Frontier Foundation instead of browsing the latest promotional material from FBI that gives itself glowing reviews while ignoring the consequences. What if this system ever falls into the wrong hands? What if you, in your duties as a government official, are forced to make a choice between your constituents and an all-powerful oligarchy that knows everything about you? That's pretty much the antithesis of democracy and the death of the republic.

If you haven't seen the movie Brazil by Terry Gilliam then I suggest you watch the opening scene where a machine makes an error, changing the last name on an arrest warrant from Mr. Tuttle to Mr. Buttle. This results in an innocent family man getting ambushed by a militarized police force, extraordinarily renditioned, indefinitely detained with enhanced interrogation, and finally targeted for assassination as an enemy combatant. It most definitely CAN happen here, and your recent familiarity with those specific terms means you are aware that it's been happening for a while now.

Rap-back is a waste of resources that puts us all in danger. In the end there is no substitute for good

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Cc: scott_shimoda@hotmail.com
Subject: Submitted testimony for HB2629 on Mar 15, 2016 13:20PM
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HB2629

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

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

Comments: Support if 4th degree stalking removed.

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HB2629

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

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

Comments: I oppose this measure. Stop wasting taxpayer monies by monitoring those who have not been convicted of any crime.

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Date: Monday, March 14, 2016 6:48:02 AM

HB2629

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

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

Comments:

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HB2629

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

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

Comments:

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HB2629

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Dr Marion Ceruti	Individual	Oppose	No

Comments: What problem is HB 2629 supposed to solve? Once again, the legislature continues its relentless attack on our precious and sacred God-given right to keep and bear arms. No other right is so disparaged to the point where any law-abiding citizen who exercises this right is treated automatically like a criminal, with a priori mens rea. Thus, even before any crime is committed, the assumption of the authors of this bill is, obviously, that anyone who wants a gun must be a criminal and therefore needs to be tracked for efficient future apprehension. Recently, Hillary Rodham Clinton has said, "It's not much of a right if it's totally limited and constrained." Of course, she was referring to abortion, which is not any "right" that is enumerated in either the US Bill of Rights or the Constitution of the State of Hawai'i. Statistics in other states where guns are acquired more easily show that the vast majority of gun owners do not initiate attacks on others or use their guns to commit crimes. Guns are used more often in self defense than in the commission of crimes. You will not hear about most of these legal self-defense incidents in the vast majority of cases because either they are not reported or because no one dies. These incidents do not receive the attention of the biased news media because they do not further the anti-gun agenda of the liberal left. This bill is foolish for practical reasons. Even other states that harbor considerable hostility to our fundamental gun rights are finding that maintaining anti-gun databases is an inefficient waste of government resources, a waste of the tax-payers money, and a source of errors that potentially could ruin innocent lives for no reason. For example, after 15-years and millions of wasted tax-payer dollars, even the gun-hostile State of Maryland has discontinued its shell-casing handgun "fingerprint" database because it was a total failure. This useless database was not shown to have helped solve one single criminal case during its entire existence. An FBI law-enforcement database should be focused on criminals. There is no sense in cluttering it with a vast amount of information regarding law-abiding citizens. This could make more work for government database administrators and other IT professionals who are already overworked. This bill could be construed to establish an unfunded mandate imposed by a state on the Federal Government. How constitutional is that? How much more tax-payer money needs to be dedicated to useless efforts? How many more examples of waste and abuse do we need? This bill further vilifies and insults the gun applicant and registrant in an unconstitutional way by charging additional money to exercise a constitutional right.

Imagine the outrage if we had to pay \$50 before we were allowed to make a political speech. Imagine how shocked we would be to learn that we had to pay \$50 to buy a prayer book! In conclusion, I strongly oppose HB 2629. Please withdraw this bill and stop introducing bills like it.

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Testimony on HB2629

Before PBS 10am, Rm 309, Feb 11, 2016

IN OPPOSITION

FBI description of the rap back system indicates it report arrests for misdemeanors and even some civil charges. Bill language should be added 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.

The firearms community agreed in the past to fingerprinting charges, but asking law-abiding gun owners to pay a fee to be registered is 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.

Mahalo,

Dr. Maxwell Cooper

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HB2629

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Michael A. Wee	Individual	Oppose	No

Comments: Having law-abiding gun owners entered into another government database? NO, thank you! I strongly OPPOSE this bill.

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HB2629

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Mariner Revell	Individual	Oppose	No

Comments: This bill creates a permanent federal list of firearms owners and charges a fee for exercising a civil right. Civil rights are FREE this bill is unconstitutional I oppose this bill.

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HB2629

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

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

Comments:

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Hawaii State Legislature
State Senate
Committee on Public Safety, Intergovernmental and Military Affairs

State Senator Clarence K. Nishihara, Chair
State Senator Will Espero, Vice Chair
Committee on Public Safety, Intergovernmental and Military Affairs

Wednesday, March 15, 1:20 p.m. Room 229
House Bill 2629 HD 1 Relating to Criminal History Records Checks

Honorable Chair Clarence K. Nishihara, Vice Chair Will Espero, and members of the Senate Committee on Public Safety, Intergovernmental and Military Affairs,

My name is Russel Yamashita and appreciate the opportunity to testify in opposition to House Bill 2629 HD 1 Relating to Criminal History Records Checks. As well intentioned as the purpose of this legislation creates a number of liability issues which neither the proponents of this legislation may have anticipated or foreseen.

In a nutshell, this bill creates a big liability for the State and City should any of the information passed on to the Federal government “RAP BACK” system ever get hacked. Will the State Legislature indemnify the Counties for any liability created should the information the police departments passes on the Federal data banks become disclosed through a computer hacker?

If the State Legislature confident that the Federal Government data banks are going to be immune from hackers publishing confidential information of gun owners, then who is liable when that information is used to break in to private owners’ homes in search of legally registered firearms? Currently, the list of registered firearms owners in the State of Hawaii are considered confidential and not subject to the public records disclosure laws.

Just for your information, July 2015 the Federal Office of Personnel Management was “hacked” and 22.5 million individual records were stolen. See:
<http://www.cnn.com/2015/07/09/politics/office-of-personnel-management-data-breach-20-million/>
Last month, 100,000 tax returns were “hacked” in the Internal Revenue Service, one of many successful attempts in the last decade. See:
<http://www.usnews.com/news/articles/2016-02-16/why-the-irs-was-hacked-again-and-what-the-feds-can-do-about-it>

Therefore, I would strongly request that this committee hold this bill until such time as the State Legislature can guarantee that such information being given to the Federal government will be secure and protected.

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Cc: arniemaui@yahoo.com
Subject: *Submitted testimony for HB2629 on Mar 15, 2016 13:20PM*
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HB2629

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Chris Arnold	Individual	Oppose	No

Comments:

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Carl Sobrado, R.N.
105 Lilioukalani Lane
Hilo, HI 96720
(808) 769-1021

14 March 2016

Honorable Representatives:

My name is Carl Sobrado, and I am a constituent of Hilo, Hawai'i. I would like to take this opportunity to rise in opposition to HB2629.

I would like to take this opportunity to vociferously oppose HB2629 which would require the county police to enroll all gun permit applicants and those registering firearms in "Rap Back," a FBI data base of individuals arrested anywhere in the US, including on misdemeanor and even some civil charges.

The 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."

The key phrase, for both the state militia (national guards) and individuals, is "shall not be infringed."

Registries are used now to screen job applicants for sensitive jobs, like foster parents, etc. No state currently uses it for firearms acquisitions. It creates a permanent federal list of firearms owners, which we are all well aware that such lists contain countless mistakes and incorrect information, as well as infringe on privacy.

This fee of approximately \$50 will be charged for exercising a civil right. The question that you need to ask yourself is, "Would you be able to charge a fee for an individual to exercise their 1st Amendment right to free speech; 4th Amendment right; 6th Amendment Right; or any other unalienable right? The answer is simply no, because that would be illegal and unconstitutional.

Please remember the oath you took stands to protect the constitution of the United States of America. You must therefore oppose such legislation.

Respectfully submitted,

Carl Sobrado

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Cc: itsmeksn@gmail.com
Subject: *Submitted testimony for HB2629 on Mar 15, 2016 13:20PM*
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HB2629

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Kerry Nagai	Individual	Oppose	No

Comments:

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Subject: Submitted testimony for HB2629 on Mar 15, 2016 13:20PM
Date: Monday, March 14, 2016 12:49:38 PM

HB2629

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

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

Comments: I strongly oppose this bill.

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To: [PSMTestimony](#)
Cc: rglivinghi@aol.com
Subject: Submitted testimony for HB2629 on Mar 15, 2016 13:20PM
Date: Monday, March 14, 2016 12:51:25 PM

HB2629

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

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

Comments: Totally bad idea.

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Cc: powerten@aol.com
Subject: Submitted testimony for HB2629 on Mar 15, 2016 13:20PM
Date: Monday, March 14, 2016 12:57:19 PM

HB2629

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
John W. Roberts	Individual	Oppose	No

Comments: I view this bill as a threat to my constitutional rights. Please oppose it.

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To: [PSMTestimony](#)
Cc: alexandermeimer@gmail.com
Subject: Submitted testimony for HB2629 on Mar 15, 2016 13:20PM
Date: Monday, March 14, 2016 1:04:48 PM

HB2629

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Alexander Meimer	Individual	Oppose	No

Comments: It looks like it will create a permanent federal list of firearms owners and charges a fee for exercising a basic civil right.

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To: [PSMTestimony](#)
Cc: tish@thepetdepothawaii.com
Subject: *Submitted testimony for HB2629 on Mar 15, 2016 13:20PM*
Date: Monday, March 14, 2016 1:04:48 PM

HB2629

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Tish Rothwell	Individual	Oppose	No

Comments:

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Cc: jwmorrow@att.net
Subject: Submitted testimony for HB2629 on Mar 15, 2016 13:20PM
Date: Monday, March 14, 2016 1:08:33 PM

HB2629

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. J. W. Morrow	Individual	Oppose	No

Comments: The proposed bill simply further burdens honest citizens and is one more step in the ongoing process of treating innocent citizens as if they were already or about to be criminals. Arbitrarily adding firearm owners names to another government black list is outrageous.

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To: [PSMTestimony](#)
Cc: ginoaki@hotmail.com
Subject: Submitted testimony for HB2629 on Mar 15, 2016 13:20PM
Date: Monday, March 14, 2016 1:18:11 PM

HB2629

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Eugene Aki	Individual	Oppose	No

Comments: I oppose any measure which seeks to start charging for exercising U.S. and Hawaii Constitutional Rights.

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To: [PSMTestimony](#)
Cc: robert@okudametal.com
Subject: *Submitted testimony for HB2629 on Mar 15, 2016 13:20PM*
Date: Monday, March 14, 2016 1:36:11 PM

HB2629

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

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

Comments:

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Cc: campodpi@hawaiiintel.net
Subject: Submitted testimony for HB2629 on Mar 15, 2016 13:20PM
Date: Monday, March 14, 2016 4:42:26 PM

HB2629

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

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

Comments: I oppose HB2629 which will require the county police to enroll all gun permit applicants and those registering firearms in "Rap Back," a FBI data base of individuals arrested anywhere in the US, including on misdemeanor and even some civil charges. A fee of approximately \$50 will be charged. The system is used now to screen job applicants for sensitive jobs, like foster parents, etc. No state currently uses it for firearms acquisitions. The \$50 fee to be charged to firearm applicants and registers of firearms is very excessive to say the least. If this bill is implemented, which I hope it's not, there should be no fee to applicants or registrants. Additionally, this bill creates a permanent federal list of firearms owners and charges a fee for exercising a civil right. This is against our Second Amendment rights. Thanks you.
Sincerely, Gary Smith

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To: [PSMTestimony](#)
Cc: MolokaiMAN@basicisp.net
Subject: Submitted testimony for HB2629 on Mar 15, 2016 13:20PM
Date: Monday, March 14, 2016 8:44:13 PM

HB2629

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

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

Comments: House Bill 2629 violates 2nd Amendment; and, it would expand the existing registration requirement 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 an individual's ability to exercise their constitutional rights. Additionally, this could result in a potential fee increase and cost gun owners more than what is already required in Hawaii due to the cost associated with adding individuals into this biometric registry. Who ever supports this bill is violating their Oath of Office to support and defend the Constitution FOR the united States of America. ARREST Barack Obama the usurper of the Office of POTUS, to NDAA Prison, now!

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Cc: kjcole52@yahoo.com
Subject: Submitted testimony for HB2629 on Mar 15, 2016 13:20PM
Date: Monday, March 14, 2016 8:49:35 PM

HB2629

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

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

Comments: Aloha, This bill is too restrictive. No violent/civil offenses should not be included. V/R Kevin J. Cole, Col USAF Ret. Mililani

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Cc: nelsonm808@yahoo.com
Subject: Submitted testimony for HB2629 on Mar 15, 2016 13:20PM
Date: Monday, March 14, 2016 10:12:09 PM

HB2629

Submitted on: 3/14/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

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

Comments: Citizens rights are not to be infringed unless CONVICTED of a crime. An Arrest can and does happen to completely innocent people that do not deserve to have their lives disturbed any more that they already have been.

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Cc: aliomanual@gmail.com
Subject: Submitted testimony for HB2629 on Mar 15, 2016 13:20PM
Date: Tuesday, March 15, 2016 5:23:42 AM

HB2629

Submitted on: 3/15/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Albert Morgan	Individual	Oppose	No

Comments: This bill burdens lawful gun ownership and could cause issues with an individual's ability to exercise their constitutional right.

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To: [PSMTestimony](#)
Cc: indrasenadas@yahoo.com
Subject: Submitted testimony for HB2629 on Mar 15, 2016 13:20PM
Date: Tuesday, March 15, 2016 7:52:04 AM

HB2629

Submitted on: 3/15/2016

Testimony for PSM on Mar 15, 2016 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
isaac pinkney	Individual	Oppose	No

Comments: Also HB625, HB626 ... OPOSE

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