

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

---

**ON THE FOLLOWING MEASURE:**  
H.B. NO. 2632, H.D. 1, RELATING TO FIREARMS.

**LATE**

**BEFORE THE:**  
HOUSE COMMITTEE ON JUDICIARY

**DATE:** Tuesday, February 23, 2016 **TIME:** 2:00 p.m.

**LOCATION:** State Capitol, Room 325

**TESTIFIER(S):** Douglas S. Chin, Attorney General, or  
Karen A. Droskoski, Deputy Attorney General

---

Chair Rhoads and Members of the Committee:

The Department of the Attorney General (Department) supports the intent of the measure and provides the following comments and suggested amendments to provide additional clarity.

The purpose of this measure is to require firearm owners who are disqualified from owning, possessing, or controlling firearms and ammunition due to mental illness or other mental health conditions to immediately surrender their firearms or ammunition to the chief of police upon written notice from the chief of police.

We recommend an amendment to clarify that once the chief of police discovers a firearm owner is disqualified, then the chief of police shall issue the notice promptly. Specifically, we recommend the committee reword subsection (c) as follows:

(c) Once the chief of police discovers a firearm owner is disqualified from ownership, possession, or control of firearms and ammunition under section 134-7(c), or who underwent an emergency hospitalization under section 334-59, the chief of police shall promptly issue a notice to the disqualified person to immediately surrender all firearms and ammunition. Notification shall be in writing and shall set forth the reasons for the disqualification and shall state the requirement that the applicant immediately surrender all firearms and ammunition to the chief of police. If any person fails to voluntarily surrender all firearms and ammunition, the chief of police may seize all firearms and ammunition.

Thank you for the opportunity to testify.

**Justin F. Kollar**  
Prosecuting Attorney

**Jennifer S. Winn**  
First Deputy



**Rebecca A. Vogt**  
Second Deputy

**Diana Gausepohl-White**  
Victim/Witness Program Director

**OFFICE OF THE PROSECUTING ATTORNEY**

**County of Kaua'i, State of Hawai'i**

3990 Ka'ana Street, Suite 210, Lihu'e, Hawai'i 96766  
808-241-1888 ~ FAX 808-241-1758  
Victim/Witness Program 808-241-1898 or 800-668-5734

**LATE**

TESTIMONY IN SUPPORT OF  
HB 2632 HD 1 – RELATING TO FIREARMS

Justin F. Kollar, Prosecuting Attorney  
County of Kaua'i

House Committee on Judiciary  
February 23, 2016, 2:00 p.m., Conference Room 325

Chair Rhoads, Vice Chair San Buenaventura, and Members of the Committee:

The County of Kaua'i, Office of the Prosecuting Attorney, SUPPORTS HB 2632 HD 1 – Relating to Firearms.

The purpose of this bill is to keep firearms out of the hands of people who have been disqualified from owning, possessing or controlling a firearm due to mental illness.

This Bill would close a dangerous loophole in the current firearms laws that allows mentally ill individuals to own, possess and control firearms for 30 days even after they have been deemed to be mentally ill. While this Office recognizes and supports the rights of individuals to own firearms, most rational advocates would agree that certain individuals should be considered prohibited possessors. We note that this Bill does not create a new prohibition against any particular individual regarding their rights to possess, it simply imposes a common-sense requirement that those individuals who have already been deemed to be prohibited from possession surrender possession immediately rather than waiting 30 days.

Accordingly, we are in SUPPORT of HB 2632 HD 1. We request that your Committee PASS the Bill.

Thank you very much for the opportunity to provide testimony on this Bill.

**MITCHELL D. ROTH**  
PROSECUTING ATTORNEY

**DALE A. ROSS**  
FIRST DEPUTY  
PROSECUTING ATTORNEY



655 KĪLAUEA AVENUE  
HILO, HAWAII 96720  
PH: (808) 961-0466  
FAX: (808) 961-8908  
(808) 934-3403  
(808) 934-3503

WEST HAWAII UNIT  
81-980 HALEKĪĪ ST, SUITE 150  
KEALAKEKUA, HAWAII 96750  
PH: (808) 322-2552  
FAX: (808) 322-6584

**OFFICE OF THE PROSECUTING ATTORNEY**

TESTIMONY IN SUPPORT OF HOUSE BILL 2632, HD1

A BILL FOR AN ACT RELATING TO FIREARMS

**LATE**

COMMITTEE ON JUDICIARY

Rep. Karl Rhoads, Chair

Rep. Joy A. San Buenaventura, Vice Chair

Tuesday, February 23, 2016, 2:00 p.m.  
State Capitol, House Conference Room 325

Honorable Chair Rhoads, Vice-Chair San Buenaventura, and Members of the Committee on Judiciary, the Office of the Prosecuting Attorney, County of Hawai‘i submits the following testimony in support of House Bill No. 2632, HD1.

This measure requires firearms owners who have been disqualified from owning a firearm and ammunition due to mental illness to immediately surrender their firearm to the Chief of Police.

While this office recognizes and supports the rights of individuals to own firearms, most rational advocates would agree that certain individuals should be considered prohibited possessors. This Bill closes a serious loophole in the current firearms laws that allows mentally ill individuals to own, possess and control firearms for 30 days even after they have been deemed to be mentally ill. Passage of this measure will promote individual and public safety by keeping firearms out of the hands of individuals suffering from mental illness.

The Office of the Prosecuting Attorney, County of Hawai‘i supports the passage of House Bill No. 2632, HD1. Thank you for the opportunity to testify on this matter.

**LATE**

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**

February 23, 2016

**RE: H.B. 2632, H.D. 1; RELATING TO FIREARMS.**

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 submits the following testimony supporting H.B. 2632, H.D. 1.

The purpose of this bill is to remove firearms from owners who have been disqualified from owning, possessing, or controlling a firearm and ammunition due to mental illness.

Currently the procedures set forth in §134-7.3, H.R.S., allows for individuals who have been disqualified from owning, possessing, or controlling a firearm due to mental illness the ability to continue to possess and control a firearm and ammunition for thirty (30) days after initially being disqualified. This unnecessary delay is due to the current statute which requires that the county police department allow an individual thirty (30) days to relinquish any firearms following proper notification.

The proposed changes would allow the county police department the ability to ensure public safety by expeditiously seizing firearms from mentally ill individuals who have been deemed disqualified to possess such firearms. This bill does not create new restrictions on possession of firearms and ammunition, but rather does away with the nonsensical delay attributed to the currently unwarranted mandates in §134-7.3, H.R.S.

For the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu supports H.B. 2632, H.D. 1. Thank you for this opportunity to testify on this matter.

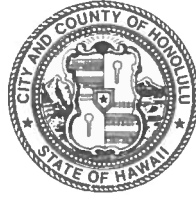


POLICE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

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

**LATE**

KIRK CALDWELL  
MAYOR



LOUIS M. KEALOHA  
CHIEF

MARIE A. McCAULEY  
CARY OKIMOTO  
DEPUTY CHIEFS

OUR REFERENCE RR-DNK

February 23, 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. 2632, H.D. 1, Relating to Firearms

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. 2632, H.D. 1, Relating to Firearms.

Currently, even in the most volatile situations, county police officers are prohibited from immediately recovering a firearm from an owner who is suffering from mental illness. Under current law, the owner of the firearm has to be sent a notification to surrender their firearm via registered mail. The owner then has thirty days to voluntarily surrender or transfer the firearm.

The proposed change does not provide any additional authority to the police; it merely allows the police to take protective action by recovering the firearm immediately instead of having to wait thirty days. The recovery would only be allowed upon notification by the owner's treating physician or upon an emergency mental health hospitalization under Section 334-59 of the Hawaii Revised Statutes (HRS).

Additionally, the amendment would allow for an evaluation to be conducted on the firearm owner to determine their fitness to own and /or possess a firearm. Once the firearm owner is medically cleared, their firearm could be returned to them.

The Honorable Karl Rhoads, Chair  
and Members  
Committee on Judiciary  
February 23, 2016  
Page 2

To clarify the duration of the recovery and to establish that the firearms owner may transfer or sell the firearm while they are in police custody, we suggest the following language be added to page 3, line 16, of the bill:

recover all firearms and ammunition. The firearms and ammunition shall be held in police custody until the person has been medically documented to be no longer adversely affected as provided in Section 134-7 or until disposed of by the owner.

The HPD urges you to support House Bill No. 2632, H.D. 1, Relating to Firearms.

Thank you for the opportunity to testify.

Sincerely,

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

APPROVED:

  
\_\_\_\_\_  
Louis M. Kealoha  
Chief of Police

**LATE**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 3:55 PM  
**To:** JUDtestimony  
**Cc:** dperry@kauai.gov  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/22/2016  
Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Chief of Police Darryl Perry	Kauai Police Department	Support	No

Comments: The Kauai Police Department supports the closure of this loop hole in the law in order to protect our communities from further risk of harm while maintaining the Constitutional Rights of each and every individual.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 21, 2016 9:55 PM  
**To:** JUDtestimony  
**Cc:** hiloprosocial@hotmail.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/21/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Matthew Brittain, LCSW	Effective Change, LLC	Comments Only	No

Comments: I support gun control, but this is the wrong way to do it. Here are the reasons why: As a mental health provider (LCSW), I treat people for substance abuse and mental health conditions. Often times, we front-line clinicians are the only ones who know that a patient is suffering from a diagnosed condition. If this bill becomes law, then we as providers would be mandated to breach patient confidentiality and report to a central State government authority (police dept, probably), the status of our patients. This would SERIOUSLY UNDERMINE THE WILLINGNESS OF PATIENTS TO SEEK PSYCHIATRIC SERVICES. Given that mental health services are one of the main ways to prevent mass-shootings, this bill would be achieving the opposite of its intended outcomes. Also, the term "significant mental disorder" is not defined. In mental health provider terminology, we use the term "severely mentally ill" (SMI), but not "significant". I believe that a better approach to gun control would be to require owners to pass a similar set of requirements as owning a car. Registration, insurance, competency testing, safety inspection, and revocation in terms of certain severe mental health and substance abuse criteria. I DO believe that guns should be seized from patients that have any domestic violence convictions; have repeated substance abuse violations; and, have been determined to be unfit for owning guns for a certain set of severe and persistent mental illnesses. Please change the wording, or pass this bill over.  
Respectfully submitted, Matthew Brittain, LCSW

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 8:43 AM  
**To:** JUDtestimony  
**Cc:** dreid@nrahq.org  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Daniel Reid	NRA	Oppose	No

Comments: The NRA is opposed to HB 2632 due to grave concerns regarding due process rights as well as the expansion of prohibited persons to include anyone who has undergone emergency hospitalization. This expansion for emergency hospitalization is vague and could entrap a person who has suffered something as common as diabetic shock to suddenly lose their Second Amendment rights simply for receiving care.

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](mailto:webmaster@capitol.hawaii.gov)



22 February 2016

The Honorable Representative Karl Rhoads, Chair, Committee on the Judiciary  
The Honorable Representative Joy A. San Buenaventura, Vice Chair, Committee on the Judiciary

Subject: **Support HB 2632, HD1 (HSCR389-16)**

Dear Chair Rhoads,

The Injury Prevention Advisory Committee strongly supports HB 2632, providing law enforcement with the means necessary to compel individuals who are disqualified for firearm ownership due to mental illness to turn in their firearms and ammunition immediately.

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

We strongly support this bill. While the State of Hawaii has a process that obliges individuals who are or become mentally disqualified to possess firearms and ammunition to surrender said weapons, current legislation allows such an individual thirty days before this obligation is enforceable. Nationally, it has become repetitively apparent that gun violence, particularly mass shooting, is often closely linked to mental illness in the shooter. It defies logic that, particularly in the case of demonstrable mental instability, Hawaii law enforcement officers and agencies should have to wait a month before demanding that someone turn in disqualified firearms.

We appreciate the foresight of the introducers of HB 2632 to close this unnecessary and potentially dangerous loophole, and hope that the Judiciary and other committees will continue to advance the bill.

Thank you for the opportunity to testify.

Sincerely,

*David Kingdon*

David Kingdon, MPH, Paramedic  
Co-Chair  
Injury Prevention Advisory Committee

*Deborah Goebert*

Deborah Goebert, Dr.P.H.  
Co-Chair  
Injury Prevention Advisory Committee

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 21, 2016 4:45 PM  
**To:** JUDtestimony  
**Cc:** kimo501999@aol.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/21/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

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

Comments: I oppose this bill as it is too broad and doesn't specifically identify what medical criteria determines true mental illness.

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](mailto:webmaster@capitol.hawaii.gov)





***Hawaii Hunting Association  
To Protect & Promote Sustainable  
Public Hunting in Hawaii***

**HB2632 – HD1**

House of Representatives  
The Twenty Eighth Legislature  
Regular Session of 2016  
February 20, 2016

House Judiciary Committee  
Conference Room 325, 02/23/2016, 2:00 PM

Dear Chair Rhodes, Vice Chair San Buenaventura and Committee Members,

Hawaii Hunting Association **Strongly Opposes with comment HB2632 – HD1.**

We have in America, CONSTITUTIONAL RIGHTS to due process. This bill does not afford due process as it should. Emergency Hospitalization, for example, could be for someone suffering a diabetic episode where they may become confused due to a lack of sugar. This is anything but DUE PROCESS and tramples one's CONSTITUTIONAL RIGHTS.

Hawaii Hunting Association **STONGLY OPPOSES THIS LEGISLATION!**

Much Aloha,

A handwritten signature in black ink that reads "Thomas Lodge". The signature is written in a cursive, flowing style.

Tom Lodge

16-1596 Keaau Paho Road; Keaau, Hi 96749  
hawaiihuntingassociation@hawaiiantel.net  
(808) 982-4747



# Institute for Rational and Evidence-based Legislation

**P. O. Box 41**

**Mountain View, Hawaii 96771**

February 19, \_\_\_\_\_ 2016

Chair, Vice Chair, and Members of the House Committee on Judiciary,

Please permanently defer and defeat HB2632.

As much of the other testimony makes clear, one significant problem with this proposed law is that citizens' rights to due process are not adequately protected. There is no provision that a person is rendered a "prohibited person" via a process that includes the right to legal representation or the determination that a person is "prohibited" "beyond a reasonable doubt". What other rights may be denied law-abiding citizens by such an absence of Constitutional protections? This proposed law fails on those considerations alone.

Further, looking into just a few of the details of the proposed law, one discovers that a person could be denied their Constitutionally-guaranteed rights based solely upon the "oral application of... any state or county employee in the course of employment". Haw. Rev. Stat. § 334-59 as referenced in HB2632. Really? Since when does the county employee at the transfer station telling someone they have to take their old bed frame to the metal recycling bin rather than placing it in the general trash bin have the expertise or requisite training to determine that someone is "obviously ill"? That's preposterous. You may think I am joking or being facetious, but I'm not. I witnessed such an incident at the transfer station just a few days ago, and the "discussion" between the county employee in the course of employment" turned into a rather high volume "argument". Perhaps that "county employee in the course of employment" may have believed at that moment that the citizen was "obviously ill" or perhaps "dangerous to self or others". Would that be sufficient grounds to have a law-abiding citizens firearms confiscated by the government? With no right to legal counsel a judge could issue such a confiscation order based solely upon the county employee's oral recommendation. That would be possible if HB2632 were enacted.

This bill also does not provide for any assurance that once a false or incorrect or mistaken or outdated accusation has resulted in the confiscation of a citizen's firearms and/or ammunition, that upon clearance of the charge that the firearms/ammunition will be returned at all, nor in a timely manner. I refer you to the testimony of the Honolulu Police Department itself submitted to this committee. Note that the language used by Honolulu PD is "Once the firearm owner is medically cleared, their firearm could be returned to them [my emphasis]." Why wouldn't the Honolulu PD write "would be" or "shall be" returned to them? Or better yet "would be returned to them within 24 hours"? One has to wonder about the choice of words given the Honolulu PD's long history of denying law-abiding citizens other rights regarding firearms (zero CCW licenses issued in 16 years, illegal revocation of permit and confiscation of firearm by legal resident alien, etc.).

Finally, please also note that this bill states that "(e) The chief of police of the respective counties shall adopt procedures to implement and administer the provisions of this section by December 31, 2001." "

Given the above, and all the other reasons mentioned in other testimony, please permanently defer and/or defeat HB2632.

Thank you,  
George Pace



**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 10:05 AM  
**To:** JUDtestimony  
**Cc:** HGHAWAII@GMAIL.COM  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Harvey Gerwig	Hawaii Rifle Association	Oppose	Yes

Comments: The Hawaii Rifle Association STRONGLY OPPOSES this measure for the following reasons: (1) It does not meet the due process requirements for loss of Constitutional core rights. (2) A person who is taken to a hospital by police (under an MH1) for involuntary medical evaluation would automatically loose their rights and have their firearms confiscated. A diabetic suffering from hypoglycemia at that moment in time and curable by nothing more than a table spoon of sugar would loose their Constitutional rights. This bill, if passed at all, needs serious work on the safeguards to prevent abuse of our citizens. We are NOT against taking firearms from patients that have certified, disqualifying mental issues, but do not want non-judicial commitment to authorize confiscation. Another judicial step must be implemented to allow for confiscation of firearms.

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](mailto:webmaster@capitol.hawaii.gov)



*25 Years*

TO: Chair Karl Rhoads  
Vice Chair Joy San Buenaventura  
Members of the Committee

FR: Nanci Kreidman, M.A.  
Chief Executive Officer

RE: H.B. 2632

Aloha, and thank you for hearing H.B. 2632 today. It is abundantly clear that possession of firearms by individuals diagnosed as mentally ill holds the potential for great risk.

We are in absolute support of this measure that prohibits such possession and requires surrender of firearms.

The procedures for surrender, and seizure of firearms seems a bit unclear or perhaps, unenforced. It would be our hope that abundance with law and rules to set practice be given serious attention.

Thank you for establishing this dialogue to close any gaps that exist.  
We shall look forward to favorable action on HB 2632.

P. O. Box 3198 Honolulu, HI 96801-3198  
O'ahu Helpline: 808 531-3771 | Toll-free: 800 690-6200 | Administration: 808 534-0040 | Fax 808 531-7228  
dvac@stoptheviolence.org | www.domesticviolenceactioncenter |  
facebook.com/domesticviolenceactioncenterhawaii





---

## Progressive Democrats of Hawai'i

<http://pd-hawaii.com>

1418 Mokuna Pl. Pl, Honolulu, HI 96816

email: [info@pd-hawaii.com](mailto:info@pd-hawaii.com)

tel: 808-542-9084

### COMMITTEE ON JUDICIARY

Rep. Karl Rhoads, Chair

Rep. Joy San Buenaventura, Vice Chair

Tuesday, February 23, 2016

2 pm, Room 325

**LATE**

### HB2632, RELATING TO FIREARMS, IN SUPPORT

Aloha Chair Rhoads, Vice Chair San Buenaventura, and members of the Committee.

My name is Bart Dame and I am testifying on behalf of Progressive Democrats of Hawaii in support of this bill.

On its face, the bill looks noncontroversial, a commonsense proposal to keep guns out of the hands of mentally-ill people in a prompt and timely fashion. Even the NRA, an organization which is sometimes characterized as unwilling to support a reasonable restriction on gun ownership, has often said they agree that mentally ill people should not be allowed to own guns.

But sometimes legislation is more complicated in its impact than a superficial, preliminary glance might reveal. SO I dug into the testimony to see why some people might oppose the bill and I must report I saw no evidence the NRA has a sincere desire to take guns away from mentally ill people. They and those they have mobilized have claimed this bill might cause an otherwise healthy person to have their guns confiscated in the event of an instance of diabetic shock.

Really? Can one of the legislators in favor of this bill address what sounds like an outlandish concern?

I see claims that the bill is overly broad, lacks due process protections and claims that the current process, whereby the police must initiate a process whereby a mentally ill person has 30 days in which to sell or give away their weapons is adequate. Did I miss proposed amendments designed to make the legislation less broad, proposing other ways of getting weapons out of the hands of the mentally ill? Perhaps they are there, but I did not see them.

What I did see was a vision of the world where people believe they are at risk for their personal safety if they do not own firearms. Let me suggest we need to de-escalate the opportunity for violence reduce the number of guns available to people who are angry, jealous or mentally ill and that preventing passage commonsense gunsafety laws to take guns out of the hands of the mentally ill is definitely a step in the wrong direction, creating an even more dangerous world rather than increasing either public OR individual security.

Please pass this bill. Thank you this opportunity to testify.





AMERICANS FOR DEMOCRATIC ACTION

OFFICERS	DIRECTORS			MAILING ADDRESS
John Bickel, President	Guy Archer	Chuck Huxel	George Simson	PO. Box 23404
Marsha Schweitzer, Treasurer	Stanley Chang	Jan Lubin	Emmanuel Zibakalam	Honolulu
Karin Gill, Secretary	Josh Frost	Jenny Nomura		Hawai'i 96823
	Fritz Fritschel	Stephen O'Harrow		

Feb. 23, 2016

**LATE**

TO: Honorable Chair Keith-Agaran and the Judiciary Committee

RE: HB2632 Relating Firearms  
Support

HEARNG DATE: Feb. 23

Americans for Democratic Action is a national organization founded in the 1950s by leading supporters of the New Deal and led by Patsy Mink in the 1970s. We are devoted to the promotion of progressive public policies.

ADA supports HB2632 as it would keep guns out of the hands of people who have been determined to be mentally ill. Prima facie this is common sense. Of course there will be those who will claim that due process has been violated. Yet public safety is a very serious public interest.

If there are problems with the process of determining mental illness, tighten up those requirements, but the thirty-day grace period needs to be eliminated.

Once a person has been determined to be mentally ill by a due process, the firearm should be turned over immediately, not thirty days - or more - later. And that's what the law currently provides for. A mentally ill person with firearms and thirty days can do a huge amount of damage. Blood will be on the hands of those who oppose this necessary change in the law if a person kills people during this unnecessary and unduly long grace period.

Thank you very much for considering the concerns of the Hawaii Chapter of Americans for Democratic Action.

Sincerely,

John Bickel  
President

**LATE**

Thank you, Chairman Rhoads and committee members for allowing me to testify. My name is Nadine Onodera, and I am the founder of our local chapter of Parents of Murdered Children (POMC) and Chair of the Hawaii Firearms Control Coalition.

I am here to testify in support of HB 2632 which would prevent mentally ill people from having access to guns.

My twenty-four-year-old son, Michael, was murdered in our Hawaii Kai home by a former Deputy Attorney General, Jay Woodruff Nelson. Mr. Nelson was under the care of Dr. Richard Markoff who was treating him for a "Disthymic Disorder" and using him as a subject for his head brain chemistry research project at U.H. Manoa. I contacted Dr. Markoff twice to express my concern for Mr. Nelson after repeatedly observing him with a gun to his temple threatening suicide. He also played "Russian Roulette" with his paralyzed mother. Dr. Markoff told me that as a "nosy neighbor" I would not be able to get an ex parte order since it is very difficult for him as a Dr. to get someone committed, but I was welcome to try. I told him that I was concerned about his level of alcohol use with his medications and that he had been threatening himself and his mother with guns and had even fired them in the house. Again he invited me to mind my own business.

It took the police more than three hand trucks loaded to the top to remove the cache of firearms from his house after my son's murder. The only things he has been charged with is not surrendering his guns while under psychiatric care and impersonating a public official for not turning in his ID badge from the A.G.'s office. He used the ID to try to get my new address from the Kaneohe Police Station when he was stalking me.

It is too late to help me or my son, but not those countless others who need your help. Please pass HB 2632 to make our community safer for all.

Thank you.

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 21, 2016 8:52 AM  
**To:** JUDtestimony  
**Cc:** k\_makaiau@hotmail.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/21/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
ka'i	HRA	Oppose	No

Comments: Protect the 2nd Amendment & our Constitutional Rights

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 8:29 AM  
**To:** JUDtestimony  
**Cc:** ceruti@earthlink.net  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dr Marion Ceruti	Individual	Oppose	No

Comments: This measure is unacceptable for the following reasons: (1) It does not meet the due-process requirements for loss of core Constitutional rights. (2) A person who is taken to a hospital by police (under an MH1) for involuntary medical evaluation would automatically lose his or her rights by having his or her firearms confiscated. A diabetic suffering from hypoglycemia at that moment would lose his or her Constitutional rights whereas hypoglycemia in diabetics is treatable by nothing more than a tablespoon of sugar. (3) Not all mental illnesses pose equal dangers to the community. For example, patients with mild and temporary mental illness should not be treated legally the same those with serious mental diseases that result in violence. (4) This measure represents a legal "slippery slope." A financial conflict of interest is evident from the trend toward medically defining more and more mental "illnesses" to include human thoughts and behaviors that previously were considered to be within the normal range. Taken to its extreme, no one would be allowed to have any emotions or express opinions without risking firearm confiscation. For example, oppositional defiant disorder is defined in the Diagnostic and Statistical Manual of Mental Disorders, 4th ed. Now it applies to children. Suppose the age is gradually raised to include adults. Expanded definitions of mental disorders taken together with this measure could provide a legal vehicle whereby anyone could have his or her firearms confiscated for expressing a particular political opinion that differs from that of the ruling party, thus affecting freedom of speech. (5) This measure gives the mental-health industry too much power because does not provide the citizens sufficient protection from a mental-health professional bent on ending private firearm ownership. I oppose non-judicial commitment to authorize confiscation. NO firearms should be confiscated from patients unless they have actual certified, disqualifying mental illnesses and none should be confiscated without due process. Another judicial step must be implemented prior to the confiscation of firearms.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 8:23 AM  
**To:** JUDtestimony  
**Cc:** mhoefer@hawaii.rr.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Myron Hoefler	Individual	Oppose	No

Comments: I oppose this bill as it is written. The underlying statute requires the police to determine who is mentally competent to receive a permit. The police do not have the staff or the expertise to make such determinations. Witness the recent breakdown in cooperation between HPD and Kaiser on reporting and determining mental qualifications as proof of this assertion. Judicial action should be required before denying Constitutional rights to an individual, including their Second Amendment rights.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 8:21 AM  
**To:** JUDtestimony  
**Cc:** williamrandysmith@gmail.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
William R Smith	Individual	Oppose	No

Comments: I strongly oppose this bill.

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](mailto:webmaster@capitol.hawaii.gov)



OPPOSE HB2632

This HB requires the county police to seize all firearms immediately from any person disqualified from possession due to treatment or counseling for addiction to, abuse of, or dependence upon any dangerous, harmful, or detrimental drug, intoxicating compound..., or intoxicating liquor...or has been diagnosed as having a significant behavioral, emotional, or mental disorder....or who underwent an emergency hospitalization for psychiatric reasons.

This could be as little as a DUI arrest or a refusal of an insurer like Kaiser to cooperate with a background check.

Because of this, I STRONGLY OPPOSE this measure for the following reasons: (1) It does not meet the due process requirements for loss of Constitutional core rights. (2) A person who is taken to a hospital by police (under an MH1) for involuntary medical evaluation would automatically lose their rights and have their firearms confiscated. A diabetic suffering from hypoglycemia at that moment in time and curable by nothing more than a table spoon of sugar could loose their Constitutional rights. This bill, if passed at all, needs serious work on the safeguards to prevent abuse of our citizens. I am NOT against taking firearms from patients that have certified, disqualifying mental issues, but I do not want non-judicial committment to authorize confiscation. A judicial step must be guraranteed to allow for confiscation of firearms.

Gary Zukeran

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 7:14 AM  
**To:** JUDtestimony  
**Cc:** lhazama75@yahoo.com  
**Subject:** \*Submitted testimony for HB2632 on Feb 23, 2016 14:00PM\*

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Layne Hazama	Individual	Oppose	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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 6:56 AM  
**To:** JUDtestimony  
**Cc:** dean.shima@gmail.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dean Shimabukuro	Individual	Oppose	No

Comments: I oppose passage of this bill because it does not appear to provide enough due process protection to individuals.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 6:28 AM  
**To:** JUDtestimony  
**Cc:** kento@hawaiiantel.net  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kent K. Yamauchi	Individual	Oppose	No

Comments: I STRONGLY OPPOSES this measure for the following reasons: (1) It does not meet the due process requirements for loss of Constitutional core rights. (2) A person who is taken to a hospital by police (under an MH1) for involuntary medical evaluation would automatically loose their rights and have their firearms confiscated. A diabetic suffering from hypoglycemia at that moment in time and curable by nothing more than a table spoon of sugar would loose their Constitutional rights. This bill, if passed at all, needs serious work on the safeguards to prevent abuse of our citizens. I am NOT against taking firearms from patients that have certified, disqualifying mental issues, but do not want non-judicial commitment to authorize confiscation. Due process is a must. A judicial step must be guaranteed to allow for confiscation of firearms.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 6:23 AM  
**To:** JUDtestimony  
**Cc:** achilles.kealoha@gmail.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Quentin Kealoha	Individual	Oppose	No

Comments: OPPOSE.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 5:22 AM  
**To:** JUDtestimony  
**Cc:** honolua79@gmail.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jason	Individual	Oppose	No

Comments: I oppose this measure for the following reasons: (1) It does not meet the due process requirements for loss of Constitutional core rights. (2) A person who is taken to a hospital by police (under an MH1) for involuntary medical evaluation would auto automatically loose their rights and have their firearms confiscated. A diabetic suffering from hypoglycemia at that moment in time and curable by nothing more than a table spoon of sugar would loose their Constitutional rights. This bill, if passed at all, needs serious work on the safeguards to prevent abuse of our citizens. We are NOT against taking firearms from patients who have certified, disqualifying mental issues, but do not want non-judicial commitment to authorize confiscation. Another judicial step must be implemented to allow for confiscation of firearms.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 21, 2016 11:21 PM  
**To:** JUDtestimony  
**Cc:** thebowen@hawaiiantel.net  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/21/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Bowen Dickinson	Individual	Oppose	No

Comments: I strongly oppose this bill as I do not want non-judicial commitment to authorize confiscation. Another judicial step must be implemented to allow for confiscation of firearms. This bill is too broadly worded and would include too many individuals who pose no threat to anyone.

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](mailto:webmaster@capitol.hawaii.gov)



**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 21, 2016 10:51 PM  
**To:** JUDtestimony  
**Cc:** MolokaiMAN@basicisp.net  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/21/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
George Peabody	Individual	Oppose	No

Comments: If you have any respect for our Constitution FOR the united States of America including the 2nd Amendment, do not pass this HB2632 bill that obviously violates my fundamental individual Right to keep and bear arms! If you are even thinking of passing this anti-gun Rights bill, you are violating your Oath of Office and you are a criminal of the type from whom the 2nd Amendment was designed to give Americans the means of self protection and National Security. What do you not understand about these words of the 2nd Amendment: "...the Right of the People to keep and bear Arms shall not be infringed." Please reply with your confirmation and solemn pledge to oppose this proposed unConstitutional Nazi-style-ObamaDictator facilitating bill. mahalos, George Peabody 10254 Kamehameha V Hwy Kaunakakai, HI 96748 email: MolokaiMAN@basicisp.net PS: instead of considering such bills as this, you as Legislators should be Repealing all of HRS 134. It is in its entirety unConstitutional infringement on my God Given Right to Keep and Bear Arms. The 2nd Amendment is the Supreme Law of the Land, and you have no permission or authority to make any law such violating your Oath.

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:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 21, 2016 10:07 PM  
**To:** JUDtestimony  
**Cc:** c.ku@hotmail.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/21/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Clayton ku	Individual	Oppose	No

Comments: Poorly written and vague. This was not well thought out. This type of Bill seems to single out those who are vets. Strongly oppose.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 21, 2016 9:38 PM  
**To:** JUDtestimony  
**Cc:** b.leong1851@gmail.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/21/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brandon Leong	Individual	Oppose	No

Comments: Late in 2015 and into the 2016 New Year, Straub and Kaiser chose to no longer comment on their patient's mental capacity if asked by HPD because they did not want to be held liable. As such many people were denied their permit regardless of whether they were or were NOT mentally ill. If this bill is passed and signed into law then HPD could seize firearms from a law-abiding citizen whose doctor declines to comment on their mental health status. A patient may not have any mental issues however s/he will be unjustly penalized because of the hospital's lack of response. It is critical to note that those who stipulated they do NOT have a primary care physician (on a permit to acquire a hand gun or long gun application) and their mental health status was not verified received approved decisions. This is NOT right. Benjamin Franklin (a founding father for those of you who may have forgotten) once said, "They that can give up essential liberty to obtain a little temporary safety deserve neither safety nor liberty." I oppose HB2632 HD1.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 21, 2016 9:34 PM  
**To:** JUDtestimony  
**Cc:** jonagustine\_lim@yahoo.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/21/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jonagustine Lim	Individual	Oppose	No

Comments: I strongly oppose this bill as is. There are no safeguards against clerical or administrative errors resulting in illegal seizure of firearms and violation of a constitutional right of those who were caught up in the recent clerical mess between HPD and Kaiser/Straub.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 21, 2016 9:28 PM  
**To:** JUDtestimony  
**Cc:** laub008@hawaii.rr.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/21/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brian Lau	Individual	Oppose	No

Comments: This bill, like so many other firearm-related bills that have been introduced to this body, is far too broad in scope and ambiguous in nature. It would provide too much opportunity for abuse of authority with little recourse for the affected citizen. If this bill becomes law, any law-abiding, firearm owning resident of Hawaii could be stripped of a fundamental human right (the right to self-defense) without due process, and with essentially no avenue to get that right reinstated. This legislation is yet another misguided attempt to strip law abiding citizens of fundamental rights protected by both the U.S. Constitution and the Constitution of the State of Hawaii, and it must be defeated.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 21, 2016 9:28 PM  
**To:** JUDtestimony  
**Cc:** macsak@gmail.com  
**Subject:** \*Submitted testimony for HB2632 on Feb 23, 2016 14:00PM\*

**HB2632**

Submitted on: 2/21/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
steven a kumasaka	Individual	Oppose	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](mailto:webmaster@capitol.hawaii.gov)

I would like to strongly oppose this bill. It is far too overreaching and vague in its scope. This will allow people's rights to be forcefully surrendered with no due process of law. Firearms would be confiscated at the mere arbitrary disqualification. There has been many instances this past year of many people wrongfully disqualified for firearms permits because of a 'misunderstanding' between Kaiser healthcare and HPD. Every one of these people would have to be forced to surrender all firearms and stripped of their rights to self-protection. This is unacceptable. The problem of MENTAL HEALTH needs to be addressed, NOT firearms ownership. Legislators, please work on that issue. Not 2nd Amendment RIGHTS. Thank you.

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 21, 2016 8:12 PM  
**To:** JUDtestimony  
**Cc:** jlong@hawaii.rr.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/21/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Peter J Long Jr	Individual	Oppose	No

Comments: I am aghast at the nonspecificity and lack of due process in this bill by which a basic constitutional right of American citizens could be nullified. I am a West Point graduate and a retired Army infantry officer with 22+ years service to include combat in Vietnam. I have always lived by the West Point motto of "Duty Honor Country". I have been instructed since my plebe days at West Point in the safe handling and usage of firearms; and I have, in turn, instructed soldiers in the safe and effective use of firearms from a pistol to a large crew served weapon. I own and keep firearms, properly registered and maintained in accordance with the law of the State of Hawaii. And yet, I fear for the time when a disgruntled person who may or may not know me may simply make a complaint about my "mental condition" and have my 2d Amendment rights nullified. There is a complete and utter lack of due process in this law - it rests solely on the discretion of unnamed and unaccountable persons. I recognize the need for regulation of firearms for persons who have clearly and unequivocally demonstrated a capability to harm themselves or others; I see no such limitation in this bill. I urge you to scrap this attempt at unconstitutional regulation and re-think it with the advice of qualified constitutional scholars. Thank you for the opportunity to address this bill.

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](mailto:webmaster@capitol.hawaii.gov)



**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 21, 2016 8:03 PM  
**To:** JUDtestimony  
**Cc:** gordyf@hawaii.rr.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/21/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gordon Fowler	Individual	Oppose	No

Comments: While the intent of this bill is probably proper, its execution is far too heavy handed. It seems as if there is a presumption of guilt until proven innocent. This of course is not the American way. It is far too heavy handed. Rights may be curtailed under this bill should it become law without due process and in an arbitrary manner. Firearms may be confiscated prior to adjudication and this is not right. It is common knowledge that once firearms are taken it is a real task to get them back regardless if the confiscation is justified. This bill needs to be thought out better and resubmitted as to pass the due process muster, Thank you and Aloha Gordon Fowler

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:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 8:54 AM  
**To:** JUDtestimony  
**Cc:** nkbuymail-1@yahoo.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Niel Kaneshiro	Individual	Oppose	No

Comments: To Whom It May Concern, I am strongly opposed to the proposed HB2632 HD1 Bill. I agree with the authors of the bill that firearms should not be in the hands of the violently insane, however this bill is overly broad and lacks due process that all people of Hawaii are entitled to. The definition of disqualifying conditions on the basis of mental illness can mean that anything even remotely related to mental health issues can be construed as grounds for firearms seizures. This is too broad. For example: anyone with a temporary condition that affects their behavior – for example someone who has missed a planned dose of medication, someone who is drunk (not necessarily driving), or someone who has a temporary condition that affects their mental health could have their firearms confiscated for something that is easily treated. What safeguards exist for citizens who have easily treated conditions and who are otherwise normal from having their constitutional right to keep and bear arms infringed upon? What due process do they have to determine that their condition is in fact serious mental illness and what due process do they have to prevent their property seized and failing that returned? Anyone, mentally ill or not are entitled to due process of law when being deprived of life, liberty or property. I cannot see how an arbitrary seizure, based on an arbitrary determination is due process. Of anything it should be a criminal charge with a sentence, and an according trial. Non-judicial seizures of property skirt the constitution and make for bad precedent. Furthermore, there are numerous demonstrated cases where medical providers like Kaiser and Straub have not complied with Honolulu Police Department’s request for information for various issues including HIPA and therefore have rendered the applicants for new firearms permits – ineligible through no fault of their own. This process is badly flawed. It does not detect the truly mentally ill and it affects the honest citizen. The state should do three things. First, revise the current laws regarding mental health. Our system of mental health has failed the community. We see it every day when we see the mentally ill homeless walking our streets. Many of the mass shootings that have occurred around the country have been conducted by people who have deep mental illness who were not safe to be left alone and unmediated. Being a danger to the community is not a constitutional right. The state must address mental health issues by making it easier for competent authorities to institutionalize a mentally ill person and to compel treatment. The case of the Xerox

Murders by Brian Uyesugi is a case in point. He was seriously mentally ill but was not being treated and he was not incarcerated. Had intervention occurred earlier in the mental health system he would be deprived of his fire arms under the due process of that system or better yet, treated medically so he would never have committed the crime in the first place. Mental health is not a firearms issue. But it seems that lawmakers want to go for the easier solution – which infringes on honest citizens instead of tackling the big problem of mental health which would also help abate our homelessness crisis in Hawaii. The second thing the state should do is revise the permitting process. The process is much too slow. It needs to be digital, it needs to be secure, and it needs to be faster. Speeding up the process would allow the police firearms units to spend more time on the applications that require more attention – like those dealing with people who have criminal or mental health issues. They would allow more time for applicants and the police to deal with un-cooperative mental health providers. This would facilitate current law. Thirdly, the state should create a standardize form and require mental health providers to provide to law enforcement the mental health status of patients who apply for firearms permits. This would also facilitate current law I applaud the efforts of the legislature to address the possession of firearms by the mentally ill, but I strongly oppose this measure because it is the wrong approach. Very Respectfully, Niel Kaneshiro

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 21, 2016 7:21 PM  
**To:** JUDtestimony  
**Cc:** shreda58@aol.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/21/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Aaron Asuncion	Individual	Oppose	No

Comments: I oppose this measure for the following reasons: (1) It does not meet the due process requirements for loss of Constitutional core rights. (2) A person who is taken to a hospital by police (under an MH1) for involuntary medical evaluation would auto automatically loose their rights and have their firearms confiscated. A diabetic suffering from hypoglycemia at that moment in time and curable by nothing more than a table spoon of sugar would loose their Constitutional rights. This bill, if passed at all, needs serious work on the safeguards to prevent abuse of our citizens. We are NOT against taking firearms from patients who have certified, disqualifying mental issues, but do not want non-judicial commitment to authorize confiscation. Another judicial step must be implemented to allow for confiscation of firearms.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 21, 2016 6:57 PM  
**To:** JUDtestimony  
**Cc:** kelika@hawaii.rr.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/21/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kelika Ragragola	Individual	Oppose	No

Comments: I oppose this house bill. This reaches too far into 2nd amendment rights.

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](mailto:webmaster@capitol.hawaii.gov)

HB2632 2016 Legislative Session

February 21, 2016

Dear Representative Rhoads:

I am writing in opposition to HB2632.

I am opposed to HB2632 for the simple reason that it does not provide for due process. It does not allow for any appeal of what may be a flawed declaration of disqualification, or even a simple mistake of identity.

The verbiage demanding a person to "...immediately surrender..." allows no time for an appeal or to correct any error.

Further, the verbiage "...requiring...voluntarily surrender..." is inherently contradictory. If something is required, then how can it be voluntary?

This act to amend HRS 134-7.3 is flawed and should proceed no further this legislative session.

Better to spend time addressing the ever increasing rail cost which affects every Oahu resident right now rather than something so arcane and unlikely to affect any of us in the future.

Mahalo,  
Courtland Pang  
1213 Komo Mai Drive  
Pearl City, HI 96782

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 21, 2016 5:20 PM  
**To:** JUDtestimony  
**Cc:** w.king14@hawaiiantel.net  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/21/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
William King	Individual	Comments Only	No

Comments: Oppose the measure, it is too easy for government to abuse

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 21, 2016 5:17 PM  
**To:** JUDtestimony  
**Cc:** ramironoguerol@hotmail.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/21/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ramiro Noguerol	Individual	Oppose	No

Comments: I oppose this measure for the following reasons: (1) It does not meet the due process requirements for loss of Constitutional core rights. (2) A person who is taken to a hospital by police (under an MH1) for involuntary medical evaluation would auto automatically loose their rights and have their firearms confiscated. A diabetic suffering from hypoglycemia at that moment in time and curable by nothing more than a table spoon of sugar would loose their Constitutional rights. This bill, if passed at all, needs serious work on the safeguards to prevent abuse of our citizens. We are NOT against taking firearms from patients who have certified, disqualifying mental issues, but do not want non-judicial commitment to authorize confiscation. Another judicial step must be implemented to allow for confiscation of firearms.

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](mailto:webmaster@capitol.hawaii.gov)



**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 21, 2016 4:49 PM  
**To:** JUDtestimony  
**Cc:** paul.tanigawa@hawaiiantel.net  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/21/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Paul T. Tanigawa	Individual	Oppose	No

Comments: Aloha, I oppose HB2632 because as proposed, bill HB2632 does not meet the due process requirements for loss of Constitutional core rights! Involuntary medical evaluation to trigger loss of "all of one's firearms--immediately" is not a well thought out bill! Imagine a law abiding citizen in the emergency room suffering from a diabetic hypoglycemia who just needs a tablespoon of sugar, would loose their Constitutional rights and have "all firearms seized immediately". Please protect my/our citizen rights and require a judicial step to protect a law abiding citizen from non-judicial authorization to confiscate a law abiding citizen right to possess a firearm by rejecting this Bill. Poorly written, even a third party medical facility like Kaiser's failure to cooperate with a background check will affect my rights. As a law abiding citizen and registered voter, I ask your assistance in protecting my/our Constitutional Core Rights! Mahalo, Paul T. Tanigawa.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 21, 2016 4:40 PM  
**To:** JUDtestimony  
**Cc:** oldmanbru@gmail.com  
**Subject:** \*Submitted testimony for HB2632 on Feb 23, 2016 14:00PM\*

**HB2632**

Submitted on: 2/21/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Bruce F Braun	Individual	Oppose	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](mailto:webmaster@capitol.hawaii.gov)

**I am NOT against taking firearms from people who have certified, disqualifying mental issues, but do not want non-judicial commitment to authorize confiscation. Another judicial step must be implemented to allow for confiscation of firearms. Therefore, I oppose this measure as it does not meet the due process requirements for loss of Constitutional core rights. This bill, if passed at all, needs serious work on the safeguards to prevent abuse of our citizens.**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 21, 2016 2:04 PM  
**To:** JUDtestimony  
**Cc:** bpepe@optonline.net  
**Subject:** \*Submitted testimony for HB2632 on Feb 23, 2016 14:00PM\*

**HB2632**

Submitted on: 2/21/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
William Pepe	Individual	Oppose	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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 9:01 AM  
**To:** JUDtestimony  
**Cc:** pitahui@yahoo.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Philip PEarson	Individual	Oppose	No

Comments: I am in opposition to this bill as it is to broad in its definition and can affect people that should not be affected with no recourse

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](mailto:webmaster@capitol.hawaii.gov)

Regarding HB 2632

Dear Representatives,

One of the great things about Hawaii is it's low tolerance for bigotry. It isn't perfect, but is better than other places I have been. In spite of that, I would say that HB 2632 is enshrining some of the ugliest bigotry I have ever seen.

1.) A mental illness implies neither suicidal nor violent tendencies. (Neither does DUI conviction.) Yet this bill has no problem smearing a group of people with an ugly label that I will charitably say is due to ignorance. The other reasons I can think of are far worse. People who suffer from mental illness don't ask for it. Some of them are violent but they are a small minority. Those who have been diagnosed (those persecuted under this bill) are even less likely to be in that small minority since they are receiving medication and/or aids to deal with their illness. Doing what this bill proposes is bigotry. Creating such a monstrosity for political purposes is called fascism.

2.) You cannot deprive a person of property without due process. The same goes for their constitutional rights. If it survives Hawaii courts, it will probably stop at the 9<sup>th</sup> Circuit. Are you not aware of this? If you are, why has the bill gotten this far?

I imagine that some among you think this makes them look like they are fighting gun violence. In fact it reflects to the detriment of their perceived character. Bad solutions aren't solutions at all. If this bill does not qualify as bad, I don't know what would.

Sincerely,  
Stuart Wilson  
Haiku, Hawaii

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 21, 2016 1:19 PM  
**To:** JUDtestimony  
**Cc:** mauka873@msn.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/21/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brad Pocock	Individual	Oppose	No

Comments: I STRONGLY OPPOSES

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](mailto:webmaster@capitol.hawaii.gov)

**Testimony of Stuart I. Kimura  
before the HOUSE OF REPRESENTATIVES**

**TWENTY-EIGHTH LEGISLATURE, 2016**

**STATE OF HAWAII**

**on**

**2632 HD1 (Seizure of Firearms due to Mental Illness)**

**February 20, 2016**

**In opposition to this Bill, I encourage the representatives to vote against this initiative. The current provision in the law already provides for the safety of the community with the 30 day notice of mental illness and incapability of citizens to safely operate firearms.**

**To properly diagnose patients with mental disabilities requires a thorough review using the guidelines provided in the DSM-5. If not, patients will be misdiagnosed with a mental disability and lose their rights and personal property. Emergent situations already are in place to keep dangerous people away from firearms either by detaining in police custody, or admission to a psychiatric care facility.**

**Provided this law is enacted, and patients are subjected to a rapid diagnosis of mental incapability with regards to safety, the police now have the authority to confiscate firearms from said individuals. I would recommend a judicial review with regards to Illegal Search and Seizure before passage of this Bill. Guns are stored on/in owners properties, how and where would the authorities know where to search unless they go through all property owned by the disabled patient. This person has not been convicted of a crime.**

**This Bill creates redundancy and does not improve the safety of the community. the wording of the Bill is vague and provides no check and balance with regard to citizens rights. The mental health of patients under proper care by a qualified physician/psychologist cannot be rushed. The individual will be separated by firearms under emergent situations already in place under current law. If the medical community deems the person unable to function in society, then and only then, shall provisions be acted upon to reduce self harm or harm to others. Anything less subjects the City to legal repercussions.**

**Thank you for your time.**

**Respectfully submitted,**



**Stuart I Kimura**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 21, 2016 8:26 AM  
**To:** JUDtestimony  
**Cc:** elijahmedeiros@yahoo.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/21/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Elijah Medeiros	Individual	Oppose	No

Comments: I am in opposition to this bill due to the fact that it violates our CONSTITUTIONAL RIGHTS as an American citizen!

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 20, 2016 11:45 PM  
**To:** JUDtestimony  
**Cc:** jmlanin@aol.com  
**Subject:** \*Submitted testimony for HB2632 on Feb 23, 2016 14:00PM\*

**HB2632**

Submitted on: 2/20/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
J. Matthew Lanin	Individual	Oppose	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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 21, 2016 10:01 AM  
**To:** JUDtestimony  
**Cc:** jarednakamura@yahoo.com  
**Subject:** \*Submitted testimony for HB2632 on Feb 23, 2016 14:00PM\*

**HB2632**

Submitted on: 2/21/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
jared nakamura	Individual	Oppose	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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 20, 2016 8:38 PM  
**To:** JUDtestimony  
**Cc:** rkailianu57@gmail.com  
**Subject:** \*Submitted testimony for HB2632 on Feb 23, 2016 14:00PM\*

**HB2632**

Submitted on: 2/20/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rachel L. Kailianu	Individual	Support	Yes

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 20, 2016 7:06 PM  
**To:** JUDtestimony  
**Cc:** shyla.moon@ymail.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/20/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shyla Moon	Individual	Oppose	No

Comments: Strongly oppose. Why make more criminals of legal gun owners? Not necessary.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 20, 2016 6:49 PM  
**To:** JUDtestimony  
**Cc:** kabel.g@gmail.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/20/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
kabel gebeke	Individual	Oppose	No

Comments: There needs to be due process before any type of confiscation as we are all innocent until proven guilty beyond any reasonable doubt and we are all entitled to be judged by a jury of our peers.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 20, 2016 5:58 PM  
**To:** JUDtestimony  
**Cc:** evergreen.hawaii@gmail.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/20/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Debra Pompasdur	Individual	Oppose	No

Comments: HB2632 I STRONGLY OPPOSE this measure for the following reasons: (1) In my personal experience, medical service providers and their medical records, and medical databases, can make, and/or contain errors. Fixing these issues can be a major problem for a person to resolve. Combining this problem with non-judicial confiscation of firearms that can be based on incorrect information and is a major burden to resolve. (2) It does not meet the due process requirements for loss of Constitutional core rights. (3) A person who is taken to a hospital by police (under an MH1) for involuntary medical evaluation would automatically lose their rights and have their firearms confiscated. A diabetic suffering from hypoglycemia at that moment in time and curable by nothing more than a table spoon of sugar would lose their Constitutional rights. This bill, if passed at all, needs serious work on the safeguards to prevent abuse of our citizens. I am NOT against the taking firearms from patients that have certified, disqualifying mental issues, but do not want non-judicial commitment to authorize confiscation. A judicial step must be guaranteed to allow for confiscation of firearms.

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](mailto:webmaster@capitol.hawaii.gov)



**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 20, 2016 5:55 PM  
**To:** JUDtestimony  
**Cc:** dean@HawaiiGoesFishing.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/20/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dean Sensui	Individual	Oppose	No

Comments: There is a very broad spectrum of conditions that fall under the category of "mental illness", just as the term, "injury" could mean anything from a minor cut to a missing limb. Because this law doesn't specify the types of mental illnesses nor the degree of incapacitation, I oppose this bill. The intent is good. The potential for unintended consequences are not. Aloha, Dean Sensui.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 20, 2016 5:42 PM  
**To:** JUDtestimony  
**Cc:** evergreen@hawaiiantel.biz  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/20/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jeff Pompadur	Individual	Oppose	No

Comments: HB2632 I STRONGLY OPPOSE this measure for the following reasons: (1) In my personal experience, medical service providers and their medical records, and medical databases, can make, and/or contain errors. Fixing these issues can be a major problem for a person to resolve. Combining this problem with non-judicial confiscation of firearms based on incorrect information is a major unreasonable burden to resolve. (2) It does not meet the due process requirements for loss of Constitutional core rights. (3) A person who is taken to a hospital by police (under an MH1) for involuntary medical evaluation would automatically lose their rights and have their firearms confiscated. A diabetic suffering from hypoglycemia at that moment in time and curable by nothing more than a table spoon of sugar would lose their Constitutional rights. This bill, if passed at all, needs serious work on the safeguards to prevent abuse of our citizens. I am NOT against the taking firearms from patients that have certified, disqualifying mental issues, but do not want non-judicial commitment to authorize confiscation. A judicial step must be guaranteed to allow for confiscation of firearms.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 20, 2016 5:31 PM  
**To:** JUDtestimony  
**Cc:** dgrietow@hawaiiantel.net  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/20/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
David G Rietow	Individual	Oppose	No

Comments: I oppose this bill because it is unconstitutional, very difficult to enforce and questionable in its purpose.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 20, 2016 5:05 PM  
**To:** JUDtestimony  
**Cc:** ncote@hawaii.rr.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/20/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Normand A Cote	Individual	Oppose	No

Comments: Dear Judd Committee, Thank you for your service to our community. I am submitting testimony to STRONGLY OPPOSE this measure. First, there is no due process for loss of Constitutional rights. Second, a person who is taken to a hospital by police for a medical condition would forfeit their constitutional rights and have their firearms confiscated. Wow that is really a stretch. I am diabetic and sometimes suffer from hypoglycemia, so you violate my rights!! I am not against taking firearms from patients that have serious mental issues, but not without judicial steps necessary for confiscation of firearms. Respectfully, Normand A Cote Law Abiding Citizen

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:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 20, 2016 5:00 PM  
**To:** JUDtestimony  
**Cc:** palomared001@hawaii.rr.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/20/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Deborah Palomares	Individual	Oppose	No

Comments: Please do not pass this bill unless major changes are made to it. Along with the Hawaii Rifle Association, I STRONGLY oppose this measure as it is written. A person's right to due process is completely bypassed. County police should not be required to seize all firearms immediately just because someone has a DUI. I do not agree with a non-judicial commitment to authorize confiscation. Confiscation of firearms must only be allowed following the judicial process. Do NOT let anyone's firearms be confiscated without due process.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 20, 2016 3:26 PM  
**To:** JUDtestimony  
**Cc:** brent.uemae@gmail.com  
**Subject:** \*Submitted testimony for HB2632 on Feb 23, 2016 14:00PM\*

**HB2632**

Submitted on: 2/20/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brent Uemae	Individual	Oppose	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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 20, 2016 3:05 PM  
**To:** JUDtestimony  
**Cc:** nanihawaii@aol.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/20/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
nani pogline	Individual	Oppose	No

Comments: I strongly oppose this bill. Please fight for the "Land of the Free," the America we all enjoy and love. Please preserve the due process of the law.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 20, 2016 2:10 PM  
**To:** JUDtestimony  
**Cc:** ktanlim@gmail.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/20/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
kristine	Individual	Oppose	No

Comments: Oppose unless amended.

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](mailto:webmaster@capitol.hawaii.gov)



**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 20, 2016 2:06 PM  
**To:** JUDtestimony  
**Cc:** bhunter808@hotmail.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/20/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Stanley Mendes	Individual	Oppose	No

Comments: Strongly oppose

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 20, 2016 1:39 PM  
**To:** JUDtestimony  
**Cc:** gobowtech2016@gmail.com  
**Subject:** \*Submitted testimony for HB2632 on Feb 23, 2016 14:00PM\*

**HB2632**

Submitted on: 2/20/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
David Barbieto	Individual	Oppose	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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 20, 2016 12:40 PM  
**To:** JUDtestimony  
**Cc:** mooret014@hawaii.rr.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/20/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Terry Moore	Individual	Comments Only	No

Comments: I STRONGLY OPPOSE this measure for the following reasons: (1) Due process requirements are not guaranteed for loss of Constitutional core rights. (2) A person hospitalized by police (under an MH1) for involuntary medical evaluation would automatically loose their rights and have their firearms confiscated. A diabetic suffering from Insulin shock, and curable by nothing more than a cup of orange juice, or a spoonful of sugar, would loose their Constitutional rights. This bill, if passed at all, needs serious work on the safeguards to prevent abuse of our citizens. I am NOT against taking firearms from patients that have certified, disqualifying mental issues, but do not want non-judicial committment to authorize confiscation. A judicial step must be guraranteed to allow for confiscation of firearms.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 20, 2016 11:47 AM  
**To:** JUDtestimony  
**Cc:** hawaii hunting association@hawaiiantel.net  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/20/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tom Lodge	Individual	Oppose	No

Comments: STRONGLY OPPOSE ANY CONFISCATION OF FIREARMS WITHOUT DUE PROCESS!!!

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 20, 2016 11:16 AM  
**To:** JUDtestimony  
**Cc:** rglivinghi@aol.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/20/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ronald G Livingston	Individual	Oppose	No

Comments: There is no do process involved with this bill.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 20, 2016 11:07 AM  
**To:** JUDtestimony  
**Cc:** petermant@hotmail.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/20/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tom Peterman	Individual	Oppose	No

Comments: I have no problem with people with serious mental problems not being allowed to have firearms, but this bill is in violation of a person's rights, since it allows the seizure of weapons without due process. I know policemen that drink - does that allow their removal, or you congressmen? Some of you have drinking problems and have had counseling due to a problem with drugs or alcohol. Are you now required to turn in your weapons? Quite interesting that the Rep Karl Marx judiciary committee is conducting the hearing. Sounds like they are carrying on the communist's method of suppressing the rights of law abiding citizens.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 20, 2016 11:04 AM  
**To:** JUDtestimony  
**Cc:** jake@thearkcc.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/20/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jacob Stewart	Individual	Oppose	No

Comments: Aloha, I am taking time out of my very busy schedule, and life, in order to submit testimony in opposition to this bill. I believe that the intention of the bill MAY have its roots in the sincere desire to protect our community. However, this bill ends up accomplishing that by the extreme violation of an individual's right to due process through an equitable judicial system! I do not believe that this is possibly the right way to approach the concern. I believe it is a severe over-reach by our state government to order the confiscation of valuable, personal property (of any kind) without due process. PLEASE DO NOT PASS THIS BILL! At the very best, this bill is poorly written. At worst, this bill erodes the very foundation upon which our country and it's great Constitution were founded. Do not let this bill, in any form, be passed!!! Sincerely - Jacob Stewart

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 20, 2016 10:28 AM  
**To:** JUDtestimony  
**Cc:** pavkrvic808@gmail.com  
**Subject:** \*Submitted testimony for HB2632 on Feb 23, 2016 14:00PM\*

**HB2632**

Submitted on: 2/20/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Pawel Kryszkiewicz	Individual	Oppose	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](mailto:webmaster@capitol.hawaii.gov)



**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 20, 2016 9:12 AM  
**To:** JUDtestimony  
**Cc:** info@robby-inc.com  
**Subject:** \*Submitted testimony for HB2632 on Feb 23, 2016 14:00PM\*

**HB2632**

Submitted on: 2/20/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Byon Nakasone	Individual	Oppose	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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 20, 2016 8:41 AM  
**To:** JUDtestimony  
**Cc:** jerry-allen@hawaii.rr.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/20/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jerry Allen	Individual	Oppose	No

Comments: I STRONGLY OPPOSES this measure for the following reasons: (1) It does not meet the due process requirements for loss of Constitutional core rights. (2) A person who is taken to a hospital by police (under an MH1) for involuntary medical evaluation would auto automatically loose their rights and have their firearms confiscated. A diabetic suffering from hypoglycemia at that moment in time and curable by nothing more than a table spoon of sugar would loose their Constitutional rights. This bill, if passed at all, needs serious work on the safeguards to prevent abuse of our citizens. We are NOT against taking firearms from patients that have certified, disqualifying mental issues, but do not want non-judicial committment to authorize confiscation. A judicial step must be guararanteed to allow for confiscation of firearms.

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](mailto:webmaster@capitol.hawaii.gov)

To the Congressmen and Congresswomen, Senators, Governor Ige, and Mayor Caldwell of Hawaii,

I am submitting this testimony in regards to House Bill HB2632 that will be heard on February 23, 2016. I strongly oppose this bill. It does not allow for the rule of due process. In the past, many of our Hawaii residents were victim to this type of government overreach. As outlined in the recent Kaiser/HPD issues involving rejected permits to acquire firearms due too many different circumstances. Issues such as, ADHD, diabetes, and minor depression. In each case, due process was not afforded to the individuals affected. I want to urge congress to go back to the drawing board, read the constitution, and revise this bill entirely. I believe in common sense gun laws, many of which are already law in the federal and state books. We need to do a better job enforcing those laws, which will help stop or prevent criminals from committing violent crimes with firearms. Please consider the law abiding citizens' rights to owning firearms and do not consider HB2632 to be passed.

Thank you,

Jason Schick

[Schick.jason.a@gmail.com](mailto:Schick.jason.a@gmail.com)

(808) 554-1397

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 20, 2016 8:31 AM  
**To:** JUDtestimony  
**Cc:** Dnrhand@aol.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/20/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
David Soon	Individual	Oppose	No

Comments: The intent is good. Actual implimentation would be a problem, especially since this would be punishment where no crime was committed. A similar action might be putting an environmental activist in jail because he might stage an illegal protest.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 20, 2016 8:27 AM  
**To:** JUDtestimony  
**Cc:** heaviescc@gmail.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/20/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brendon Heal	Individual	Oppose	No

Comments: I would like to strongly oppose this bill. It is far too overreaching and vague in it's scope. This will allow people's rights to be forcefully surrendered with no due process of law. Firearms would be confiscated at the mere arbitrary disqualification. There has been many instances this past year of many many people wrongfully disqualified for firearms permits because of a 'misunderstanding' between Kaiser healthcare and HPD. Every one of these people would have to be forced to surrender all firearms and stripped of their rights to self protection. This is unacceptable. The problem of MENTAL HEALTH needs to be addressed, NOT firearms ownership. Legislators, please work on that issue. Not 2nd Amendment RIGHTS. Thank you.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 20, 2016 7:44 AM  
**To:** JUDtestimony  
**Cc:** russell.takata@yahoo.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/20/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Russell Takata	Individual	Oppose	No

Comments: I see the intent of this measure. However, the language to authorize confiscation as a result of emergency hospitalization does not provide for due process particularly for non-mental health medical conditions. The measure also leaves open the opportunity for the misuse of authority.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 20, 2016 5:57 AM  
**To:** JUDtestimony  
**Cc:** auscadog@gmail.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/20/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Vernon Okamura	Individual	Support	No

Comments: The wife and I are OPPOSED to HB2632 It Denies a citizen of basic Constitutional DUE PROCESS. It should Never have been considered.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 19, 2016 11:50 PM  
**To:** JUDtestimony  
**Cc:** eyeeatingfish@hotmail.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/19/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Matthew Uchida	Individual	Oppose	No

Comments: I am a law enforcement officer in the state of Hawaii and I wish to voice my opposition to this new law. As a law enforcement officer, sworn to uphold the state and US constitution, the problem in the proposed law make me hesitant to enforce this proposed law change. There are issues with this law that are too vague and that do not offer the right of due process. The way it is written, the revocation of gun right is too broad and could affect a wide swath of firearm owners instead of the intended target. When it comes to the revocation of individuals rights, the government has to be specific and narrow, not broad. Secondly is the lack of any appeals process in this law. It says the chief may immediately seize the individuals firearms but it fails to provide any process for the individual challenge the revocation of his/her rights. On top of that, it does not specify what happens to the firearms once seized. Are they held till the individual is treated, are they held for a time so the individual can appeal the action, or can they immediately be disposed of? Even the revocation of someone's driver's license has an appeals process first. You could not deny the 1st or 4th amendment rights without a chance to appeal. These issues make the proposed change to this law questionable in terms of whether it can pass constitutional muster. Since I, as a law enforcement officer, can be held responsible for enforcing a law that is unconstitutional I am indicating that I may refrain from enforcing this change to the law if passed.

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](mailto:webmaster@capitol.hawaii.gov)



Hawaii State Legislature  
State House of Representatives  
Committee on Judiciary

State Representative Karl Rhoads, Chair  
State Representative Joy A. San Buenaventura, Vice Chair  
Committee on Judiciary

Tuesday, Tuesday 23, 2016, 2:00 p.m. Room 325  
House Bill 2632 HD 1 Relating to Firearms

Honorable Chair Karl Rhoads, Vice Chair Joy A. San Buenaventura and  
members of the House Committee on Judiciary,

My name is Russel Yamashita and I am licensed attorney in private practice. I appreciate the opportunity to testify in opposition of House Bill 2632 HD 1 Relating to Firearms. In reviewing this legislation, there appears to be a fundamental lack of concern for basic constitutional rights.

This proposed law would give the police department the authority to seize firearms for an individual without due process. Though I am not a constitutional lawyer, there seem to be a lack of understanding that any taking of property requires at least a minimal constitutional scrutiny by a court of law to assure that no miscarriage of justice takes place. After all, one of the fundamental reasons the United States fought for independence was to prevent the British from search and seizure of property without a warrant.

Additionally, if the police department were to use as the basis for the seizure of property of any kind the medical opinion of a doctor, the liability of the doctor issuing such an opinion would in question. The doctor could be sued by his patient if another doctor disagreed with the opinion. That liability would extend to the county governments as well, if the seizure is found to be without merit or subject to dispute. So as a suggestion, to prevent any potential liability to any doctor rendering an opinion or the police department making an error, the law should also provide for immunity from civil and criminal liability for them. After all, if the doctor or the police make a mistake, the healthcare industry or the public should not have to pay the price for malpractice or an error in judgment.

In conclusion, I would strongly suggest that this committee hold this bill for its numerous defects and its lack of common sense.

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 19, 2016 9:34 PM  
**To:** JUDtestimony  
**Cc:** pj3467@aol.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/19/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
PJ Long III	Individual	Oppose	No

Comments: Hello, my name is Peter Long, with all due respect, I am writing to express my strong opposition to this bill. I am a voting, law abiding citizen of the City & County Honolulu. Prior to coming here, I gave more than a decade of law enforcement service to my community in Charlotte, NC and have been a proud NRA member for my entire adult life. After moving to Hawaii, I complied with all local firearm laws and regulations and have even gone further to obtain the NRA's Range Safety Officer certification. I believe that firearms ownership is my right, but with that comes a heavy responsibility. I further believe the US Constitution and the Bill of Rights are the Supreme Law of this land. Now, I understand that some of you in the Legislature know better than I, how to live my life and think very little of the 2nd Ammendment of the US Constitution. You are committed to the complete confiscation of all firearms from law abiding citizens and I suppose nothing I could say here would ever stick with you. I am addressing those of you who still respect the idea that a right of The People to arm and protect themselves exists and is Constitutionally protected. My concerns with this proposal are numerous: What Due Process safeguards allow for any recourse for those whose Constitutionally rights are possibly infringed? There are none. The term "Mental Health Issue" is used by HPD in their support for this measure. This is an unbelievably vague and ambiguous term. Does it refer to anyone seeking any type of counseling? The American Psychiatric Association says early warning signs of mental illness can include "problems with concentration and memory" or "increased sensitivity to sights and sounds and the avoidance of over stimulating situations." At what point do these instances become "Mental Health Issues?" What if my medical issuance provider has an extremely progressive worldview and is not inclined to provide the required medical clearance? (But that would never happen, right?) Under this proposal the Chief of Police is required to IMMEDIATELY seize all firearms and ammunition. I certainly understand that there are individuals that have certifiable mental conditions and should not be in the possession of firearms, but there are too many questions left unanswered here. The ambiguity in this bill will only lead to erring on the side of further erosion of constitutional protections. I urge you to OPPOSE this bill, thank you.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 19, 2016 8:47 PM  
**To:** JUDtestimony  
**Cc:** dctactical@hawaii.rr.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/19/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dwayne Lim	Individual	Oppose	No

Comments: I strongly oppose HB2632 because (1) It does not meet the due process requirements for loss of Constitutional core rights. (2) A person who is taken to a hospital by police (under an MH1) for involuntary medical evaluation would automatically loose their rights and have their firearms confiscated. A diabetic suffering from hypoglycemia at that moment in time and curable by nothing more than a table spoon of sugar would loose their Constitutional rights. This bill, if passed at all, needs serious work on the safeguards to prevent abuse of our citizens. We are NOT against taking firearms from patients that have certified, disqualifying mental issues, but do not want non-judicial commitment to authorize confiscation. A judicial step must be guaranteed to allow for confiscation of firearms.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 19, 2016 8:24 PM  
**To:** JUDtestimony  
**Cc:** tom1.galli@gmail.com  
**Subject:** \*Submitted testimony for HB2632 on Feb 23, 2016 14:00PM\*

**HB2632**

Submitted on: 2/19/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tom Galli	Individual	Oppose	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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 19, 2016 7:52 PM  
**To:** JUDtestimony  
**Cc:** sthazam@yahoo.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/19/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Stephen T Hazam	Individual	Oppose	No

Comments: I OPPOSE HB2632 as currently drafted. It does not safeguard citizens against abuse of their rights. It does not allow for due process. I oppose the confiscation of firearms without judicial process. Please OPPOSE HB2632 as currently drafted.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 19, 2016 7:52 PM  
**To:** JUDtestimony  
**Cc:** Jyamashiro@yahoo.com  
**Subject:** \*Submitted testimony for HB2632 on Feb 23, 2016 14:00PM\*

**HB2632**

Submitted on: 2/19/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
joshua	Individual	Oppose	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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 19, 2016 7:48 PM  
**To:** JUDtestimony  
**Cc:** williamrandysmith@gmail.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/19/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
William R Smith	Individual	Oppose	No

Comments: I STRONGLY OPPOSE this bill.

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](mailto:webmaster@capitol.hawaii.gov)



**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 19, 2016 7:31 PM  
**To:** JUDtestimony  
**Cc:** edeliogerola@gmail.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/19/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Edelio Gerola	Individual	Oppose	No

Comments: As a law abiding citizen, I oppose HB2632. Please do not make our unalienable right to protect ourselves a joke!

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 19, 2016 7:06 PM  
**To:** JUDtestimony  
**Cc:** weforster2@hawaii.rr.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/19/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Eileen Forster	Individual	Oppose	No

Comments: I would like to strongly oppose this bill. It is far too overreaching and vague in it's scope. This will allow people's rights to be forcefully surrendered with no due process of law. Firearms would be confiscated at the mere arbitrary disqualification. There has been many instances this past year of many many people wrongfully disqualified for firearms permits because of a 'misunderstanding' between Kaiser healthcare and HPD. Every one of these people would have to be forced to surrender all firearms and stripped of their rights to self protection. This is unacceptable. The problem of MENTAL HEALTH needs to be addressed, NOT firearms ownership. Legislators, please work on that issue. Not 2nd Amendment RIGHTS. Thank you.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 19, 2016 7:05 PM  
**To:** JUDtestimony  
**Cc:** carlo.barbasa@gmail.com  
**Subject:** \*Submitted testimony for HB2632 on Feb 23, 2016 14:00PM\*

**HB2632**

Submitted on: 2/19/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Carlo Barbasa	Individual	Oppose	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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 19, 2016 6:57 PM  
**To:** JUDtestimony  
**Cc:** Captjason@hawaii.rr.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/19/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
jason wolford	Individual	Oppose	No

Comments: I would like to say this bill is good intentions but very poorly thought out. Their is no due process before you strip a citizen constitutional right.ispolice take someone to hospital they could qualify to have thier guns taken not knowing the whole story. It will stop someone from seeking help maybe just for short term like talking to a doctor about the loss of a loved one. A doctor could report them and they lose their rights. How does someone get that right back? Thank you for your time. Jason T Wolford.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 19, 2016 6:55 PM  
**To:** JUDtestimony  
**Cc:** refrey2001@yahoo.com  
**Subject:** \*Submitted testimony for HB2632 on Feb 23, 2016 14:00PM\*

**HB2632**

Submitted on: 2/19/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Richard Frey	Individual	Oppose	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](mailto:webmaster@capitol.hawaii.gov)

I STRONGLY OPPOSE this measure for the following reasons: (1) It does not meet the due process requirements for loss of Constitutional core rights. (2) A person who is taken to a hospital by police (under an MH1) for involuntary medical evaluation would automatically lose their rights and have their firearms confiscated. A diabetic suffering from hypoglycemia at that moment in time and curable by nothing more than a table spoon of sugar would lose their Constitutional rights. This bill, if passed at all, needs serious work on the safeguards to prevent abuse of our citizens. I am NOT against taking firearms from patients that have certified, disqualifying mental issues, but do not want non-judicial commitment to authorize confiscation. A judicial step must be guaranteed to allow for confiscation of firearms.

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 19, 2016 6:23 PM  
**To:** JUDtestimony  
**Cc:** ehkaneshiro@gmail.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/19/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Eric Kaneshiro	Individual	Oppose	No

Comments: The Hawaii Rifle Association STRONGLY OPPOSES this measure for the following reasons: (1) It does not meet the due process requirements for loss of Constitutional core rights. (2) A person who is taken to a hospital by police (under an MH1) for involuntary medical evaluation would auto automatically lose their rights and have their firearms confiscated. A diabetic suffering from hypoglycemia at that moment in time and curable by nothing more than a table spoon of sugar would loose their Constitutional rights. This bill, if passed at all, needs serious work on the safeguards to prevent abuse of our citizens. We are NOT against taking firearms from patients that have certified, disqualifying mental issues, but do not want non-judicial commitment to authorize confiscation. A judicial step must be guaranteed to allow for confiscation of firearms.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 19, 2016 6:17 PM  
**To:** JUDtestimony  
**Cc:** mamalukino@msn.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/19/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michael Riley	Individual	Oppose	No

Comments: I STRONGLY OPPOSES this measure for the following reasons: (1) It does not meet the due process requirements for loss of Constitutional core rights. (2) A person who is taken to a hospital by police (under an MH1) for involuntary medical evaluation would automatically loose their rights and have their firearms confiscated. A diabetic suffering from hypoglycemia at that moment in time and curable by nothing more than a table spoon of sugar would loose their Constitutional rights. This bill, if passed at all, needs serious work on the safeguards to prevent abuse of our citizens. I am NOT against taking firearms from patients that have certified, disqualifying mental issues, but do not want non-judicial commitment to authorize confiscation. Due process is a must. A judicial step must be guaranteed to allow for confiscation of firearms.

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](mailto:webmaster@capitol.hawaii.gov)



**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 19, 2016 5:59 PM  
**To:** JUDtestimony  
**Cc:** bizkellam@gmail.com  
**Subject:** \*Submitted testimony for HB2632 on Feb 23, 2016 14:00PM\*

**HB2632**

Submitted on: 2/19/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Elizabeth Kellam	Individual	Oppose	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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 19, 2016 4:40 PM  
**To:** JUDtestimony  
**Cc:** mike.wee@hawaiiantel.net  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/19/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michael A. Wee	Individual	Oppose	No

Comments: This bill is far too broad and vague in the requirements for firearm surrender and/or confiscation. There is a total lack of due process and appeal. The conditions for a taking of real property and its return should be clearly stated. In addition, a person truly needing legitimate mental help/counseling will not risk a "hair trigger" provision and its consequences.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 19, 2016 2:35 PM  
**To:** JUDtestimony  
**Cc:** tenxhi@yahoo.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/19/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Darryl Y.C. Choy	Individual	Oppose	No

Comments: Please accept my opposition to this bill as written. It is seriously flawed without due process safe guards. Keeping firearms away from certain individuals is noteworthy. However the bill's reference to sec. 134-7(c)HRS is problematic. There is no judicial oversight nor any procedural due process for those falling under 134-7(c)(1) dependency treatment and (3) mental health. This bill must at least require an ex parte application by the police department and a probable cause finding by a judge, followed by a hearing to allow the firearms owner to be heard.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 19, 2016 2:28 PM  
**To:** JUDtestimony  
**Cc:** bisaacso@hawaii.edu  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/19/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brian Isaacson	Individual	Oppose	No

Comments: While keeping mentally ill individuals away from firearms is an admirable idea, someone in that condition is probably in the worst period of their lives, and adding to their burden should be avoided. Arrangements should be able to be made by the individual or those assisting them to dispose of firearms by other means than surrender, given that firearms may have a significant monetary value, and surrender would amount to an involuntary taking without compensation. Surrender would also be inherently unequal, given that one individual may have a single firearm, whereas another may have an extensive collection of high value firearms, so the surrender without alternatives would be an arbitrary fine, in essence, without due process. The mentally ill should be allowed a process to dispose of dangerous items without additional burdens to themselves. Even mentally ill people should be afforded due process, as per the Constitution. This bill should not be passed without revision.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 19, 2016 12:52 PM  
**To:** JUDtestimony  
**Cc:** refrey2001@yahoo.com  
**Subject:** \*Submitted testimony for HB2632 on Feb 23, 2016 14:00PM\*

**HB2632**

Submitted on: 2/19/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Richard Frey	Individual	Oppose	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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 11:05 AM  
**To:** JUDtestimony  
**Cc:** tomitak001@hawaii.rr.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ken Tomita	Individual	Oppose	No

Comments: Oppose. Too much latitude being given to un-elected and non-judiciary persons. There are too many scenarios in which someone can be hospitalized per HRS 334-59. To have that one hospital admission be the ONLY dynamic that triggers confiscation of firearms--is too heavy handed. If the doctor that examines a patient per HRS 334-59, feels that someone should have their firearms taken away, then that doctor should expeditiously apply to a judge for an emergency measure in which to have the police remove someone's firearms. That can be done while the patient is still secured at a facility. This procedure would be akin to an 'Oral Ex Parte' motion, as currently exists. THEN the police can forcibly take someone's firearms on the word of a doctor. There also needs to be in the measure, a built in process in which to later litigate the firearms removal order before the same court that authorized the removal. It is within the realm of human possibility that a doctor may be wrong, or other dynamics come into play, in which the order SHOULD be reversed. This type of oversight and appeal process is one of the cornerstones of the U.S. justice system. Thank you!

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 10:56 AM  
**To:** JUDtestimony  
**Cc:** jan.schwarzenberg01@gmail.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jan Schwearzenberg	Individual	Oppose	No

Comments: Oppose. Too much latitude being given to unelected and non-judiciary persons. There are too many scenarios in which someone can be hospitalized per HRS 334-59. To have that one hospital admission be the ONLY dynamic that triggers confiscation of firearms--is too heavy handed. If the doctor that examines a patient per HRS 334-59, feels that someone should have their firearms taken away, then that doctor should expeditiously apply to a judge for an emergency measure in which to have the police remove someone's firearms. That can be done while the patient is still secured at a facility. This procedure would be akin to an 'Oral Ex Parte' motion, as currently exists. THEN the police can forcibly take someone's firearms on the word of a doctor. There also needs to be in the measure, a built in process in which to later litigate the firearms removal order before the same court that authorized the removal. It is within the realm of human possibility that a doctor may be wrong, or other dynamics come into play, in which the order SHOULD be reversed. This type of oversight and appeal process is one of the cornerstones of the U.S. justice system. Thank you!

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 10:39 AM  
**To:** JUDtestimony  
**Cc:** meedolly@yahoo.com  
**Subject:** \*Submitted testimony for HB2632 on Feb 23, 2016 14:00PM\*

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
taylor sumida	Individual	Oppose	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](mailto:webmaster@capitol.hawaii.gov)



**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 10:23 AM  
**To:** JUDtestimony  
**Cc:** Itsmeksn@gmail.com  
**Subject:** \*Submitted testimony for HB2632 on Feb 23, 2016 14:00PM\*

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kerry Nagai	Individual	Oppose	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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 10:06 AM  
**To:** JUDtestimony  
**Cc:** koakahu@yahoo.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
T. Merrill	Individual	Oppose	No

Comments: Oppose. Too much latitude being given to unelected and non-judiciary persons. There are too many scenarios in which someone can be hospitalized per HRS 334-59. To have that one hospital admission be the ONLY dynamic that triggers confiscation of firearms--is too heavy handed. If the doctor that examines a patient per HRS 334-59, feels that someone should have their firearms taken away, then that doctor should expeditiously apply to a judge for an emergency measure in which to have the police remove someone's firearms. That can be done while the patient is still secured at a facility. This procedure would be akin to an 'Oral Ex Parte' motion, as currently exists. THEN the police can forcibly take someone's firearms on the word of a doctor. There also needs to be in the measure, a built in process in which to later litigate the firearms removal order before the same court that authorized the removal. It is within the realm of human possibility that a doctor may be wrong, or other dynamics come into play, in which the order SHOULD be reversed. This type of oversight and appeal process is one of the cornerstones of the U.S. justice system. Thank you!

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 11:44 AM  
**To:** JUDtestimony  
**Cc:** blpilot1@yahoo.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

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

Comments: If you are going to review our mental state and being gun owners, and take away our guns, then you need to look in the mirror and also start with HPD, especially those who have domestic violence in their households and they own their guns and continue own them. What's good for private gun owners should be equal to HPD for they are human, with stress and anxiety, yet they are allowed to keep their guns. What's good for us is good for them! Those who went through the proper channels, classes and awareness deserve the same rights and police officers. Take away our guns and take away police officer guns for the same reason. No one is better than the other. Thank you.

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](mailto:webmaster@capitol.hawaii.gov)

Oppose.

Too much latitude being given to unelected and non-judiciary persons. There are too many scenarios in which someone can be hospitalized per HRS 334-59. To have that one hospital admission be the ONLY dynamic that triggers confiscation of firearms--is too heavy handed.

If the doctor that examines a patient per HRS 334-59, feels that someone should have their firearms taken away, then that doctor should expeditiously apply to a judge for an emergency measure in which to have the police remove someone's firearms. That can be done while the patient is still secured at a facility. This procedure would be akin to an 'Oral Ex Parte' motion, as currently exists. THEN the police can forcibly take someone's firearms on the word of a doctor.

There also needs to be in the measure, a built in process in which to later litigate the firearms removal order before the same court that authorized the removal. It is within the realm of human possibility that a doctor may be wrong, or other dynamics come into play, in which the order SHOULD be reversed.

This type of oversight and appeal process is one of the cornerstones of the U.S. justice system.

Thank you!

Ken Archer

808-375-3060

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 11:33 AM  
**To:** JUDtestimony  
**Cc:** debrasugimoto@yahoo.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Debra Lee	Individual	Oppose	No

Comments: I wish I had more time to testify in person how crazy this bill is. I believe all those with power in the government, state & city level, need to be more informed, take the gun classes and realize what a law-abiding gun owner goes through to have their second amendment honored. I am totally opposed to this. Please don't strip away our constitutional right! We live in the United States, home of the free and the brave, we will lose all that should you all keep dictating our lives! Thank you for opportunity to express my first amendment right, please let me keep my second amendment!

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 11:28 AM  
**To:** JUDtestimony  
**Cc:** boobobear26@gmail.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Debbie Okamura	Individual	Oppose	No

Comments: This Bill is a wild card that could infringe on our Second Amendment rights unjustifiably. STRONGLY OPPOSE

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 12:03 PM  
**To:** JUDtestimony  
**Cc:** kaneohegs@yahoo.com  
**Subject:** \*Submitted testimony for HB2632 on Feb 23, 2016 14:00PM\*

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Daniel Oshima	Individual	Oppose	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](mailto:webmaster@capitol.hawaii.gov)

February 22, 2016

To the Honorable Karl Rhoads and members of the Judiciary Committee

I am writing concerning HB 2632 relating to firearms. I was denied firearm registration a few years ago here in Hawaii because I was placed in the NICS database for an incident which occurred in 1991 in Los Angeles, California where I used to live. The Brady Bill had not yet been passed by Congress but I was retroactively placed in the NICS database without my knowledge or consent once the bill was passed. A mistake was made by the hospital involved in a psychiatric hospitalization which should have cleared me from any mental issues. The court came into the hospital and decided I should be released prior to certification. The hospital reported to the State of California before and not after my release which was an error. The documentation relating to my release has been lost by the agency responsible for keeping a record of it. I went to great lengths of trying to retrieve it but records for 25 years ago in this case may be lost or removed.

I am unable to defend myself or family with a firearm permanently due to this error. The agency responsible (State of California) for placing me in the NICS database has refused to withdraw my placement on it despite my appeals to them and NICS. This has not only cost me my 2<sup>nd</sup> Amendment rights but prevented me from getting a career in law enforcement. I have been certified by a medical doctor licensed in the State of Hawaii that I have no mental issues. This was not sufficient for the HPD (Honolulu Police Department) firearms registration office to allow me to register a firearm. This bill HB 2632 would continue the unfair and un-Constitutional laws which have been used against me. I am absolutely sure that many others have been unfairly processed in this system as well. This system has not made anyone safer here in Hawaii. It has had the opposite effect instead. People are unable to defend themselves, their homes and businesses, or their families against gangs and criminals. Gangs and criminals do not obey the law. Legislating against everyone does not prevent criminals or gangs from committing crimes. It only prevents law abiding citizens from exercising their Constitutional rights.

This body should not be in the process of incrementally taking rights away from citizens. Is this your purpose? On the face of it the bill seems to make sense but what about situations where people have been victimized by the bureaucratic process? What about cases where a person is healed after having a psychotic incident? What about mistakes made by employees of a hospital or government? Nameless and unelected government officials refuse to correct their mistakes and are unaccountable to the people. Please do not pass this bill. I believe you should make your time worthwhile by repealing bills such as these and implementing the spirit and letter of the law in our US Constitution for the people of Hawaii. Thank you.

Sincerely,

Larry Fenton



**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 12:14 PM  
**To:** JUDtestimony  
**Cc:** horikawaj001@hawaii.rr.com  
**Subject:** \*Submitted testimony for HB2632 on Feb 23, 2016 14:00PM\*

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jolie Horikawa	Individual	Oppose	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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 12:15 PM  
**To:** JUDtestimony  
**Cc:** ptong8@sbcglobal.net  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Philip Tong	Individual	Oppose	No

Comments: I oppose this legislation again it needs to be further scrutinized and include due process so as not to infringe on the 2A and thus be unconstitutional.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 12:26 PM  
**To:** JUDtestimony  
**Cc:** mauiarms@maui.net  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mark Genovese	Individual	Oppose	No

Comments: We don't need any more gun laws.

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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 1:04 PM  
**To:** JUDtestimony  
**Cc:** mauka873@gmail.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Yvette Makahanaloa	Individual	Oppose	No

Comments: I STRONGLY OPPOSES

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](mailto:webmaster@capitol.hawaii.gov)

**TESTIMONY TO THE HOUSE COMMITTEE ON PUBLIC JUDICIARY**

**ON  
H.B. 2632 HD1 Relating to Firearms  
23 February 2016  
2:00 P.M.  
Conference Room 325**

**by  
Scott W. Smart**

**Chairman Rhoads, Vice Chairman San Buenaventura and members of the House Committee on JUD:**

**I am testifying AGAINST H.B. 2632 HD1 as a citizen.**

**New material at section 134-7.3(c) proposes that:**

**"Any person disqualified from ownership, possession, or control of firearms and ammunition under section 134-7(c) ... shall immediately surrender all firearms and ammunition to the chief of police upon written notification from the chief of police."**

**Sec 134-7(c) currently provides that:**

**"No person who: ...**

**(3) Is or has been diagnosed as having a significant behavioral, emotional, or mental disorders as defined by the most current diagnostic manual of the American Psychiatric Association or for treatment for organic brain syndromes;**

**shall own, possess, or control any firearm or ammunition therefor, unless the person has been medically documented to be no longer adversely affected by the addiction, abuse, dependence, mental disease, disorder, or defect."**

**The so-called "current diagnostic manual of the APA" is opinion masquerading as science. The "significance" of any disorder as defined in that manual is nothing more than supposition without factual basis.**

**This bill suggests that the fictional screenplay "Minority Report" is to become a reality in Hawaii. As a fundamental individual right protected by both the**

United States and Hawaii constitutions, the immediate surrender of firearms constitutes a grave impediment. Acting on a mere supposition from a diagnosis is arbitrary and capricious and does not meet the standard for impairment of rights. I see no possible amendment to this language which could cure this defect.

Further, the proposed language does not provide for the ultimate disposition of property seized under this section.

In light of these serious concerns I ask that you VOTE NO on this bill.

Scott W. Smart  
94-210 Kakaili Pl  
Mililani, HI 96789  
(808) 627-1220

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 1:00 PM  
**To:** JUDtestimony  
**Cc:** pitahui@yahoo.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Philip PEarson	Individual	Oppose	No

Comments: I strongly oppose this bill for the following reasons: (1) It does not meet the due process requirements for loss of Constitutional core rights. (2) A person who is taken to a hospital by police (under an MH1) for involuntary medical evaluation would auto automatically loose their rights and have their firearms confiscated. A diabetic suffering from hypoglycemia at that moment in time and curable by nothing more than a table spoon of sugar would loose their Constitutional rights. Something as little as a DUI arrest or a refusal of an insurer like Kaiser to cooperate with a background check could make you loose your Constitutional rights. This bill, if passed at all, needs serious work on the safeguards to prevent abuse of our citizens. I am not against taking firearms from patients that have certified, disqualifying mental issues, but do not want non-judicial commitment to authorize confiscation. A judicial step must be guaranteed to allow for confiscation of firearms.

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](mailto:webmaster@capitol.hawaii.gov)

Testimony on HB2632 HD1 Relating to Firearms

IN STRONG OPPOSITION

Heard in JUD on Tuesday, 02-23-16 2:00PM in House conference room 325.

Hon. Chair, Vice Chair, and Members,

Removing firearms access from individuals with significant psychiatric illness to the degree that they are a danger to themselves or others is a logical, reasonable intent as well as a primary rule of safe gun handling.

This bill, however, intends that the MH1 process for involuntary commitment to a psychiatric unit be utilized toward that purpose, which violates the individual's civil rights. The MH1 process involves a police officer and a psychologist retained by the county police to decide the need for acute psychiatric hospitalization. There is no court order involved in the depriving of the individual of civil rights by seizing firearms. Hawaii Statute prohibits such action:

***§334-61 Presumption; civil rights.*** *No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4. [L 1976, c 130, pt of §4; am L 1977, c 76, pt of §3; am L 1985, c 68, §7]*

Please amend this bill so that a court order is required before seizure. There also should be additional language on how the individual deprived of firearms may have them restored, e.g. by court order or certification of "no longer adversely affected" by a physician.

Respectfully,

Dr. Maxwell A. Cooper, MD

225-6944



**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 12:36 PM  
**To:** JUDtestimony  
**Cc:** geli.bean@yahoo.com  
**Subject:** \*Submitted testimony for HB2632 on Feb 23, 2016 14:00PM\*

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Linda Castro	Individual	Oppose	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](mailto:webmaster@capitol.hawaii.gov)

Committee Chair and Members,

I would like to strongly oppose this bill.

It is far too overreaching and vague in it's scope. This will allow people's rights to be forcefully surrendered with no due process of law. Firearms would be confiscated at the mere arbitrary disqualification.

There has been many instances this past year of many many people wrongfully disqualified for firearms permits because of a 'misunderstanding' between Kaiser healthcare and HPD. Every one of these people would have to be forced to surrender all firearms and stripped of their rights to self protection. This is unacceptable.

The problem of MENTAL HEALTH needs to be addressed, NOT firearms ownership. Legislators, please work on that issue. Not 2nd Amendment RIGHTS.

Thank you.

Brendon Heal  
VOTER  
Law abiding citizen

Eugene K. Aki  
39 Maluhia Drive  
Wailuku HI 96793  
(808) 244-1692

**I oppose this measure because it does not meet the due process requirements for loss of Constitutional core rights. A person who is taken to a hospital by police (under an MH1) for involuntary medical evaluation would automatically lose their rights and have their firearms confiscated. For example, a diabetic suffering from hypoglycemia at that moment in time and curable by nothing more than a table spoon of sugar would lose their Constitutional right to due process and those guaranteed under the 2<sup>nd</sup> Amendment. This bill, if passed at all, needs serious work on the safeguards to prevent abuse of our citizens. I am NOT against having firearms being surrendered from patients who have certified, disqualifying mental issues, but do not want non-judicial commitment to authorize confiscation. Another judicial step must be implemented to allow for confiscation of firearms.**

Eugene K. Aki

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 1:31 PM  
**To:** JUDtestimony  
**Cc:** destined2reign7@aol.com  
**Subject:** \*Submitted testimony for HB2632 on Feb 23, 2016 14:00PM\*

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kimi Valdez	Individual	Oppose	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](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 2:01 PM  
**To:** JUDtestimony  
**Cc:** SoarMaui@hotmail.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Duane A.K. Asami	Individual	Comments Only	No

Comments: I oppose this measure for the following reasons: (1) It does not meet the due process requirements for loss of Constitutional core rights. (2) A person who is taken to a hospital by police (under an MH1) for involuntary medical evaluation would auto automatically loose their rights and have their firearms confiscated. A diabetic suffering from hypoglycemia at that moment in time and curable by nothing more than a table spoon of sugar would loose their Constitutional rights. This bill, if passed at all, needs serious work on the safeguards to prevent abuse of our citizens. We are NOT against taking firearms from patients who have certified, disqualifying mental issues, but do not want non-judicial commitment to authorize confiscation. Another judicial step must be implemented to allow for confiscation of firearms. This is not an issue about guns. It is about upholding the Constitution of the United States, specifically, the Second Amendment of the Bill of Rights.

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](mailto:webmaster@capitol.hawaii.gov)

**LATE**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 3:05 PM  
**To:** JUDtestimony  
**Cc:** christopher.b.lee1@gmail.com  
**Subject:** \*Submitted testimony for HB2632 on Feb 23, 2016 14:00PM\*

**HB2632**

Submitted on: 2/22/2016  
Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Chris Lee	Individual	Oppose	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](mailto:webmaster@capitol.hawaii.gov)

**LATE**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 23, 2016 8:13 AM  
**To:** JUDtestimony  
**Cc:** david.bradyhawaii@gmail.com  
**Subject:** \*Submitted testimony for HB2632 on Feb 23, 2016 14:00PM\*

**HB2632**

Submitted on: 2/23/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
David Bearden	Individual	Support	Yes

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](mailto:webmaster@capitol.hawaii.gov)

**LATE**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 23, 2016 6:38 AM  
**To:** JUDtestimony  
**Cc:** jfarrar001@aol.com  
**Subject:** \*Submitted testimony for HB2632 on Feb 23, 2016 14:00PM\*

**HB2632**

Submitted on: 2/23/2016  
Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
john w farrar	Individual	Oppose	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:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 11:57 PM  
**To:** JUDtestimony  
**Cc:** barbarapolk@hawaiiantel.net  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**LATE**

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Barbara Polk	Individual	Support	No

Comments: It is unthinkable that a person who may be a danger to society should be able to have guns! This bill is carefully tailored to apply when needed rather than across the board to anyone who is mentally ill. But in cases where the person has been disqualified from possessing firearms, leaving that person with firearms for a month after that determination is nonsense! Please pass this bill, for the safety of the community.

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](mailto:webmaster@capitol.hawaii.gov)

**LATE**

Thank you Chairman Rhoads and committee members for allowing me to testify in favor of HB 2632.

I stand in strong support of this bill since my stepson, Michael Onodera, was executed in my home by a neighbor who had previously threatened me and was out of his mind on prescription medications. He was also so drunk that he didn't realize that he had shot our son and not me.

Mike's death and my guilt as a result are something I will always have to live with, but no other family should have to endure what we have for all these years.

I know we cannot prevent every terrible homicide, but we should at least pass this common sense law to prevent people with mental illnesses from having access to firearms.

Thank you.

© 2016 Microsoft Terms Privacy & cookies Developers English (United States)

**LATE**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 4:44 PM  
**To:** JUDtestimony  
**Cc:** kevinjmulhern@gmail.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kevin Mulhern	Individual	Oppose	No

Comments: I strongly oppose this bill as It does not meet the due process requirements for loss of constitutional rights. The wording is such that a person taken to a hospital by police for involuntary medical evaluation would automatically loose his/her rights and have their firearms confiscated. For instance, a diabetic suffering from hypoglycemia could loose his/her constitutional rights. I am not against taking firearms from patients that have certified, disqualifying mental issues but do not want non-judicial commitment to authorize confiscation. A judicial step must be guaranteed to allow for confiscation of firearms.

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](mailto:webmaster@capitol.hawaii.gov)

**LATE**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 22, 2016 4:42 PM  
**To:** JUDtestimony  
**Cc:** susan.mulkern@gmail.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/22/2016

Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Susan Shaheen Mulkern	Individual	Oppose	No

Comments: I strongly oppose this bill as It does not meet the due process requirements for loss of constitutional rights. The wording is such that a person taken to a hospital by police for involuntary medical evaluation would automatically loose his/her rights and have their firearms confiscated. For instance, a diabetic suffering from hypoglycemia could loose his/her constitutional rights. I am not against taking firearms from patients that have certified, disqualifying mental issues but do not want non-judicial commitment to authorize confiscation. A judicial step must be guaranteed to allow for confiscation of firearms.

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](mailto:webmaster@capitol.hawaii.gov)

**LATE**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 23, 2016 11:05 AM  
**To:** JUDtestimony  
**Cc:** gotfishmaui@gmail.com  
**Subject:** Submitted testimony for HB2632 on Feb 23, 2016 14:00PM

**HB2632**

Submitted on: 2/23/2016  
Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
james patch	Individual	Oppose	No

Comments: Please Oppose this Bill! It will be a wrong, and people will avoid getting help!

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](mailto:webmaster@capitol.hawaii.gov)

To: Representative Karl Rhodes, Chair- House Committee on Judiciary;  
Representative Joy San Buenaventura, Vice Chair; and members of the Committee



From: **Nonohe Botelho**, Parents of Murdered Children

Date: Tuesday, February 23, 2016

Re: **House Bill 2632: Requires firearm owners who have been disqualified from owning a firearm and ammunition due to mental illness to immediately surrender their firearm to the Chief of Police**

---

Aloha, my name is Nonohe Botelho. I am currently the Contact Person for Parents of Murdered Children (POMC). I became affiliated with POMC after my son was brutally shot and killed in front of our home in Kaneohe.

I am writing to say that I am in strong support the of **House Bill 2632, which: Requires firearm owners who have been disqualified from owning a firearm and ammunition due to mental illness to immediately surrender their firearm to the Chief of Police.**

Thank you for your time and consideration

**LATE**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 23, 2016 10:58 AM  
**To:** JUDtestimony  
**Cc:** blockard@iname.com  
**Subject:** \*Submitted testimony for HB2632 on Feb 23, 2016 14:00PM\*

**HB2632**

Submitted on: 2/23/2016  
Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brodie Lockard	Individual	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](mailto:webmaster@capitol.hawaii.gov)

**LATE**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 23, 2016 12:29 PM  
**To:** JUDtestimony  
**Cc:** hisurfdog@yahoo.com  
**Subject:** \*Submitted testimony for HB2632 on Feb 23, 2016 14:00PM\*

**HB2632**

Submitted on: 2/23/2016  
Testimony for JUD on Feb 23, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jeff Ball	Individual	Oppose	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](mailto:webmaster@capitol.hawaii.gov)



## LATE TESTIMONY

Thank you Chairman Rhoads and Committee Members for allowing me to submit testimony in strong support of HB 2632.

My older brother, Mike, was murdered in our living room when I was a teenager. Our neighbor shot Mike in the head while he was lying on the couch. I still live in the house in Hawaii Kai. It makes me feel close to my brother to be in the home we both grew up in, but I miss him so very much.

I'm grateful the crazy neighbor is no longer around, but I know there are plenty of nut cases in our midst who should not have guns.

There's nothing I can say to really tell you what our family has been through. I truly hope you will pass this Bill with all of us in mind. Please do this for the sake for all the other families.

Thank you,

David Onodera

**HAWAII RIFLE ASSOCIATION**

P.O. BOX 543, KAILUA, HAWAII 96734

Phone: (808) 306-7194

February 22, 2016

**SUPPLEMENTARY TESTIMONY**

Testimony in **STRONG OPPOSITION** to ( HB2632 HD1 )

The following Hawaii Statute clearly disallows the concepts proposed in HB2632 HD1

§334-61 Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4. [L 1976, c 130, pt of §4; am L 1977, c 76, pt of §3; am L 1985, c 68, §7]

Submitted by: Harvey F. Gerwig, President

Hawaii Rifle Association

HRA Legislative Liaison

Cell Phone: (808) 306-7194

Email: ( HGHAWAII@GMAIL.COM )