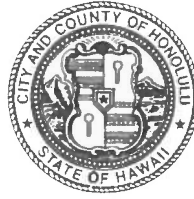


POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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



KIRK CALDWELL
MAYOR

LOUIS M. KEALOHA
CHIEF

MARIE A. McCAULEY
CARY OKIMOTO
DEPUTY CHIEFS

OUR REFERENCE RR-JH

February 10, 2016

The Honorable Della Au Belatti, Chair
and Members
Committee on Health
House of Representatives
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Della Au Belatti and Members:

SUBJECT: House Bill No. 2632, 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 strongly supports House Bill No. 2632, Relating to Firearms.

Currently, even in the most volatile situations, county police officers are prohibited from immediately seizing 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 changes would allow a police officer to immediately seize the firearm of an owner who is suffering from a mental health issue. The seizure would 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.

This change will allow time 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 HPD urges you to support House Bill No. 2632, Relating to Firearms.

Thank you for the opportunity to testify.

APPROVED:

Sincerely,

Handwritten signature of Louis M. Kealoha in black ink.

Louis M. Kealoha
Chief of Police

Handwritten signature of Richard C. Robinson in black ink.

FOR Richard C. Robinson, Major
Records and Identification Division

Serving and Protecting With Aloha

HLTtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 09, 2016 4:59 PM
To: HLTtestimony
Cc: dreid@nrahq.org
Subject: Submitted testimony for HB2632 on Feb 10, 2016 10:00AM

HB2632

Submitted on: 2/9/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
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.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 08, 2016 9:36 PM
To: HLTtestimony
Cc: jonagustine_lim@yahoo.com
Subject: Submitted testimony for HB2632 on Feb 10, 2016 10:00AM

HB2632

Submitted on: 2/8/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

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

Comments: I strongly oppose this bill. It is too broad. Residents with drunk driving arrests or those disqualified because of the recent Kaiser/Straub/HPD firearms permitting fiasco will have their firearms seized immediately. Please amend or kill this bill. Thank you!

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Sent: Monday, February 08, 2016 7:46 PM
To: HLTtestimony
Cc: mamaupin@hotmail.com
Subject: *Submitted testimony for HB2632 on Feb 10, 2016 10:00AM*

HB2632

Submitted on: 2/8/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Margaret Maupin	Individual	Support	No

Comments:

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Sent: Monday, February 08, 2016 3:23 PM
To: HLTtestimony
Cc: david@kingdonconsulting.com
Subject: Submitted testimony for HB2632 on Feb 10, 2016 10:00AM

HB2632

Submitted on: 2/8/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
David Kingdon	Individual	Support	No

Comments: As a paramedic and injury prevention specialist, I support any reasonable initiative to prevent injury and/or violence. This proposed legislation appears to fall into this category and thus merits strong consideration.

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Sent: Monday, February 08, 2016 9:55 AM
To: HLTtestimony
Cc: susan.wurtzburg@gmail.com
Subject: *Submitted testimony for HB2632 on Feb 10, 2016 10:00AM*

HB2632

Submitted on: 2/8/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Susan J. Wurtzburg	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 09, 2016 8:42 AM
To: HLTtestimony
Cc: a_roberts_84@yahoo.co.uk
Subject: Submitted testimony for HB2632 on Feb 10, 2016 10:00AM

HB2632

Submitted on: 2/9/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Andrew Namiki Roberts	Individual	Oppose	No

Comments: This Bill is very over reaching. This Bill would lead to warrantless seizures and destruction of property by our police department without due process and appeal. Our current laws allow 30 day for the owner to surrender or transfer (to whom they would like) their firearms, This would time frame is very important as it would allow for the person to seek assistance and appeal in the case of an error being made either by their medical provider or the police department.

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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: Tuesday, February 09, 2016 7:05 AM
To: HLTtestimony
Cc: macsak@gmail.com
Subject: Submitted testimony for HB2632 on Feb 10, 2016 10:00AM

HB2632

Submitted on: 2/9/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

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

Comments: bill is overly broad in december, tens of thousands of kaiser and straub patients potentially could have been caught up in this due to a procedural issue between HPD and the insurance carriers that caused many people to have their permits denied many of these people would have potentially had their firearms/ammunition seized according to this bill as written

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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) with only the merest nod to due process, and with essentially no avenue to get that right reinstated. Given the wording of HRS 134-7(c) (the referenced section for reasons for disqualification to possess firearms/ammunition), someone could seek a no-contact order against another individual out of vengeance or spite with no real supporting evidence, and the subject of that order would be required to IMMEDIATELY surrender all firearms and ammunition with no chance to dispute the order whatsoever, and the process to have lawfully owned firearms returned once seized is murky at best.

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.

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 09, 2016 5:20 AM
To: HLTtestimony
Cc: oldskipper1@hotmail.com
Subject: Submitted testimony for HB2632 on Feb 10, 2016 10:00AM

HB2632

Submitted on: 2/9/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

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

Comments: Good morning! I'm submitting this testimony in opposition to this bill. As written it is too broad in scope, especially as it confers confiscation powers to the police, and in light of recent issues regarding medical clearances.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 09, 2016 1:13 AM
To: HLTtestimony
Cc: achilles.kealoha@gmail.com
Subject: Submitted testimony for HB2632 on Feb 10, 2016 10:00AM

HB2632

Submitted on: 2/9/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Quentin Kealoha	Individual	Oppose	No

Comments: First, allow me to express my gratitude for allowing me to submit a testimony with regards to Senate Bill 2632. However, my gratitude ends there with regards to this specific bill, which seeks to deprive law abiding citizens of their constitutional right, a constitutional right which is consistently and constantly under attack by the Hawaii legislature in what seems to be every legislative session. SB2632 wishes to reclassify the process to which individuals disqualified from owning or possessing firearms in the State of Hawaii for reasons of mental health. Rather than voluntarily relinquishing control of firearms unto the chief of police or legally transferring firearms to an individual who may legally purchase firearms, this bill enacts a form of confiscation, in which the individual will have no choice but to immediately relinquish control and ownership of their firearms to the chief of police, upon disqualification. There are numerous reasons as to why this bill is not only illegal under the constitution of both the State of Hawaii and the United States, but also immoral and an avenue toward abuse as well. The bill, as it stands, is too ambiguous and does not clarify those instances in which an individual may have overcome their mental defects or illness, and is now deemed fit to possess and own firearms by their medical healthcare professional. One particular demographic I am specifically worried about are those individuals who serve or have served in the military, or those who have experienced some sort of serious traumatic event, thus resulting in the effects of PTSD and various other diagnoses which may be classified as 'mental disorders' that fit the description of this bill. Thousands of individuals throughout the State of Hawaii and the United States suffer from some sort of mental illness brought on by specific tragic events; illnesses which may have classified them as unsafe to themselves and/or others. Yet it is within this same community that many individuals have learned to overcome their illnesses and problems, and become functioning citizens in society once again. What this bill would do, then, is punish these people for seeking the necessary and needed treatment, in order to overcome their problems. Furthers till, it would essentially punish them for overcoming obstacles in their life that may have been significantly impacting their ability to function in society and just plain live happily, all because the senator who introduced this bill left it so ambiguous. Are we to deprive the constitutional right to self-protection and the security of our free state to military service members because they

have been affected by the tragedies of war, yet have learned to cope with and overcome their problems? Are we to deprive a mother the ability to protect her family simply because she developed symptoms of PTSD and anxiety after being raped, yet is now in a stable mindset and condition? Will the Hawaii legislature continue the war on veterans by denying them one of the same constitutional right that they served for, fought for, and watched friends and fellow service members die for, all because Hawaii politicians have a grotesque obsession with demonizing the 2nd amendment, rather than focusing on the true problem, being mental health reform? I would hope not. I would like to remind Hawaii politicians that all citizens are afforded due process, under both the State of Hawaii and the United States of America. What this bill does, in essence, is deprive individuals of the right to due process, and essentially declares them guilty by a specific group of individuals, and not by a jury of peers. How any politician would think this is remotely legal or constitutional is beyond many in the community. It is my hope that those who introduced this bill and/or those who support this bill reconsider their stance and withdraw the bill from circulation, pending review and revision. As it stands, the bill is too ambiguous and dangerous, and would only serve to disarm numerous law abiding citizens for no apparent reason other than Hawaii politicians doing everything they can do disarm the public.

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Hawaii State Legislature
State House of Representatives
Committee on Health

State Representative Della Au Belatti, Chair
State Representative Richard P. Creagan, Vice Chair
Committee on Health

Wednesday, February 10, 2016, 10:00 a.m. Room 329
House Bill 2632 Relating to Firearms

Honorable Chair Della Au Belatti, Vice Chair Richard P. Creagan, and
members of the House Committee on Health,

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 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.

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.

Jason T Wolford

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 08, 2016 11:33 PM
To: HLTtestimony
Cc: jake@thearkcc.com
Subject: Submitted testimony for HB2632 on Feb 10, 2016 10:00AM

HB2632

Submitted on: 2/8/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Jacob Stewart	Individual	Oppose	No

Comments: Aloha, I would like to submit testimony in STRONG OPPOSITION to this bill! Although, on the surface, this bill seems to make sense being that we do not want to have the mentally ill having unrestricted access to firearms, I believe the reach, scope, and details of this bill are very poorly designed. It is my strong belief that even if a person's mental faculties are compromised, any legally purchased firearms should not be confiscated unilaterally. As these are items of value, not unlike a car or other real property, firearms should not be seized as something dissimilar to other real property of value. Certainly, the firearms should not go into the possession of the Chief of Police. First of all, Due Process should ALWAYS be unwaveringly allowed. Secondly, any real property (including firearms) should be able to be transferred to another party, of the subject's choosing, legally able to own and possess firearms. Additionally, said firearms should be able to be transferred back to the original owner if/when they are declared of sound mind to be in possession of firearms once again. This would not happen at all if the Chief of Police took possession of the property. We do not need more government seizures or control regarding matters such as these. Common sense, and proper legal paperwork should prevail with due process. DO NOT PASS THIS BILL! Passionately and Sincerely, Jacob Stewart

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 08, 2016 11:14 PM
To: HLTtestimony
Cc: christon_ruff@hotmail.com
Subject: Submitted testimony for HB2632 on Feb 10, 2016 10:00AM

HB2632

Submitted on: 2/8/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Christon Ruff	Individual	Oppose	No

Comments: I think that people that have been diagnosed to have mental illness should have an extended background check, and possibly be barred from ownership of firearms. But there must be strict guidelines such as only being diagnosed by a psychologist and not a regular care physician. I also think that firearms should not be seized byt rather the purchase of firearms should be stopped, until an individual can gain a mental health clearance. The bill as it stands is too vague and must be refined it has the very real possibilty of being abused. Thank you for your time and for considering the testimony of a responsible and reasonable firearm owner.

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Sent: Monday, February 08, 2016 11:09 PM
To: HLTtestimony
Cc: heaviescc@gmail.com
Subject: Submitted testimony for HB2632 on Feb 10, 2016 10:00AM

HB2632

Submitted on: 2/8/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
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.

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Sent: Monday, February 08, 2016 9:46 PM
To: HLTtestimony
Cc: ling0821@hotmail.com
Subject: Submitted testimony for HB2632 on Feb 10, 2016 10:00AM

HB2632

Submitted on: 2/8/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

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

Comments: Strongly oppose

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Sent: Monday, February 08, 2016 2:21 PM
To: HLTtestimony
Cc: bisaacso@hawaii.edu
Subject: Submitted testimony for HB2632 on Feb 10, 2016 10:00AM

HB2632

Submitted on: 2/8/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
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. This bill should not be passe without revision.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 08, 2016 2:02 PM
To: HLTtestimony
Cc: rhacker@aloha.net
Subject: Submitted testimony for HB2632 on Feb 10, 2016 10:00AM

HB2632

Submitted on: 2/8/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

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

Comments: I oppose this bill. The (enforcement) cost to the tax payers is not worth any possible benefits. I urge Lawmakers to apply the "risk vs. utility" analysis. A reasonable person would see that HB 2632 should be defeated.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 09, 2016 9:32 AM
To: HLTtestimony
Cc: ptong8@sbcglobal.net
Subject: Submitted testimony for HB2632 on Feb 10, 2016 10:00AM

HB2632

Submitted on: 2/9/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

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

Comments: Nay. Too broad, overreaching and lacks due process.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 09, 2016 9:15 AM
To: HLTtestimony
Cc: robert.mc@att.net
Subject: Submitted testimony for HB2632 on Feb 10, 2016 10:00AM

HB2632

Submitted on: 2/9/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

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

Comments: I oppose this as far too broad and vague. Too many could easily be swept up due to clerical or other errors.

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Testimony on HB2632

I oppose this bill. The recent situation at Honolulu Police Department concerning denied permits based on an illegal policy is a good example of why this is a bad bill. Many permit applicants were summarily denied simply because Kaise and Straub HMOs were unable or unwilling to comply with changes in the mental health evaluations of their members. In response, applicants were mandated by HPD to seek outside medical professionals to obtain a letter stating they are NO LONGER suffering or being treated for the addiction, mental illness or disease causing the denial.

The denials were an administrative issue. None of the denials were based on any mental illnesses, current or in the past. Yet, had this bill been law, every one of the applicants' guns would have been confiscated, and a court order would have to be obtained to return them.

The bill does not apply to only the guns owned or accessible by the applicant, but applies to ALL GUNS IN THE RESIDENCE. That portion in itself is unconstitutional. You can not disarm American citizens because someone they live with has been diagnosed with mental illness. Reasonable measures can be taken to secure firearms in the residence. If the applicant lives alone, firearms can be stored with family or friends. Confiscating a person's legally owned property is not the correct action in all cases. This bill offers no other alternatives.

This bill is overly broad, applies to more than those firearms owned by the applicant, does not provide relief in cases of administrative errors, does not protect against changes in HPD firearms acquisition policies, nor does it allow for the temporary transfer and storage by a trusted party.

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 09, 2016 8:57 AM
To: HLTtestimony
Cc: scott_shimoda@hotmail.com
Subject: Submitted testimony for HB2632 on Feb 10, 2016 10:00AM

HB2632

Submitted on: 2/9/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
scott shimoda	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.

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To Whom It May Concern:

Re: HB2632

I am writing in opposition of HB2632. Please do not allow this to go any further and stop it here. By allowing this bill to continue, we are putting at risk those that have put their lives on the line to defend this country and our way of life. By saying that a person that was under evaluation of mental illness, takes those that have had symptoms of PTSD, depression and other forms but never fully effected by them, that they can no longer own and poses firearms and ammunition. Even our police officers in some cases would be subject to this bill. These same men and women are the ones that protect our communities and have help to keep them safe for their entire careers could have that taken from them. Thank you for your time and consideration in this matter.

Sincerely,

Davin Asato

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 09, 2016 10:00 AM
To: HLTtestimony
Cc: darwinmfajardo@Gmail.com
Subject: Submitted testimony for HB2632 on Feb 10, 2016 10:00AM

HB2632

Submitted on: 2/9/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Darwin Fajardo	Individual	Oppose	No

Comments: I oppose HB2632. due process is required.

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HLTtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 09, 2016 12:31 AM
To: HLTtestimony
Cc: Jason@jasonwolford.com
Subject: Submitted testimony for HB2632 on Feb 10, 2016 10:00AM
Attachments: icon.png

HB2632

Submitted on: 2/9/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
jason wolford	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. Jason T Wolford

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 09, 2016 10:39 AM
To: HLTtestimony
Cc: atanaka808@yahoo.com
Subject: *Submitted testimony for HB2632 on Feb 10, 2016 10:00AM*

HB2632

Submitted on: 2/9/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

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

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 09, 2016 12:10 PM
To: HLTtestimony
Cc: HGHAWAII@GMAIL.COM
Subject: Submitted testimony for HB2632 on Feb 10, 2016 10:00AM

HB2632

Submitted on: 2/9/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Harvey Gerwig	Hawaii Rifle Association	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 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 MH1's to authorized confiscation. Another step must be implemented to allow for confiscation of firearms

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 09, 2016 12:16 PM
To: HLTtestimony
Cc: jjhan808@yahoo.com
Subject: Submitted testimony for HB2632 on Feb 10, 2016 10:00AM

HB2632

Submitted on: 2/9/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Jacob Han	Individual	Oppose	No

Comments: Dear Chair Belatti and members of the House Committee on Health, I am strongly opposed to this bill. Forcing someone to surrender their firearms before given the opportunity for a thorough investigation is a policy ripe for abuse. The laws as they are currently written are more than sufficient and any further restrictions to our 2nd amendment rights are draconian and completely unnecessary. Mahalo for your consideration, Jacob Han

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Sent: Tuesday, February 09, 2016 1:56 PM
To: HLTtestimony
Cc: da92sho@hotmail.com
Subject: Submitted testimony for HB2632 on Feb 10, 2016 10:00AM

HB2632

Submitted on: 2/9/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Windsor	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 certain healthcare providers 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.

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HLTtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 09, 2016 7:56 PM
To: HLTtestimony
Cc: chinooker@gmail.com
Subject: *Submitted testimony for HB2632 on Feb 10, 2016 10:00AM*

HB2632

Submitted on: 2/9/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel Alvarez	Individual	Oppose	No

Comments:

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HLTtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 09, 2016 4:59 PM
To: HLTtestimony
Cc: dreid@nrahq.org
Subject: Submitted testimony for HB2632 on Feb 10, 2016 10:00AM

HB2632

Submitted on: 2/9/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
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.

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HLTtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 09, 2016 11:55 PM
To: HLTtestimony
Cc: flashg7@hotmail.com
Subject: Submitted testimony for HB2632 on Feb 10, 2016 10:00AM

HB2632

Submitted on: 2/9/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

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

Comments: Hi, I strongly oppose HB2632. There is NO due process and therefore it is unconstitutional. Government interferes too much in citizens' personal affairs! You are potentially interfering with honest, law-abiding citizens' ability to defend themselves. In fact, when are YOU going to make Hawaii a Shall Issue state for Concealed Carry? I will be keeping track of who votes in favor of this bill, and will actively campaign against Anyone who votes in favor of it. Thank you for reading my testimony. Aloha, Gordon Caluya

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HLTtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 09, 2016 8:59 PM
To: HLTtestimony
Cc: mauifarrier@gmail.com
Subject: Submitted testimony for HB2632 on Feb 10, 2016 10:00AM

HB2632

Submitted on: 2/9/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Gretchen Cardoso	Individual	Oppose	No

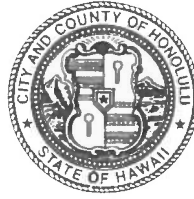
Comments: This measure was designed with "good intentions" but is so poorly written and vague that I must strongly oppose it. Current law already allows the chief of police to provide written notice to a person and they have 30 days to transfer ownership of their firearms or forfeit them willingly. A forced seizure of a person's firearms based on a vague, mistaken, or open-ended label of "mental illness" is unfair and will not be effective. Bad guys and crazy people can and do break the law to acquire guns. This measure will further stigmatize treatment of mental illness. Please work on helping people with their health, not demonize them and scaring them away with threatened forfeiture. Can you imagine how many good citizens, retired law enforcement, and military personnel this would affect? Their firearms are valuable for self defense and have significant monetary value. You can not seize them with no notice. It's just awful and will have terrible ramifications. You want to stop bad guys with guns? Allow the responsible citizens concealed carry licenses. Change Hawaii's "may-issue" to "shall-issue". That would be much more beneficial to our safety as a community. It's a national trend amongst the states to issue concealed carry licenses. Hawaii needs to join them in the 21st century.

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POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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



KIRK CALDWELL
MAYOR

LOUIS M. KEALOHA
CHIEF

MARIE A. McCAULEY
CARY OKIMOTO
DEPUTY CHIEFS

OUR REFERENCE RR-JH

February 10, 2016

The Honorable Della Au Belatti, Chair
and Members
Committee on Health
House of Representatives
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Della Au Belatti and Members:

SUBJECT: House Bill No. 2632, 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 strongly supports House Bill No. 2632, Relating to Firearms.

Currently, even in the most volatile situations, county police officers are prohibited from immediately seizing 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 changes would allow a police officer to immediately seize the firearm of an owner who is suffering from a mental health issue. The seizure would 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.

This change will allow time 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 HPD urges you to support House Bill No. 2632, Relating to Firearms.

Thank you for the opportunity to testify.

APPROVED:

Handwritten signature of Louis M. Kealoha in black ink.

Louis M. Kealoha
Chief of Police

Sincerely,

Handwritten signature of Richard C. Robinson in black ink.

FOR Richard C. Robinson, Major
Records and Identification Division

Serving and Protecting With Aloha

HLTtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 09, 2016 9:04 PM
To: HLTtestimony
Cc: punx8o8@gmail.com
Subject: *Submitted testimony for HB2632 on Feb 10, 2016 10:00AM*

HB2632

Submitted on: 2/9/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

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

Comments:

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HLTtestimony

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Sent: Tuesday, February 09, 2016 8:25 PM
To: HLTtestimony
Cc: racerja@me.com
Subject: *Submitted testimony for HB2632 on Feb 10, 2016 10:00AM*

HB2632

Submitted on: 2/9/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

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

Comments:

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HLTtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 09, 2016 8:33 PM
To: HLTtestimony
Cc: wangj003@hawaii.rr.com
Subject: *Submitted testimony for HB2632 on Feb 10, 2016 10:00AM*

HB2632

Submitted on: 2/9/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Jeffrey Wang	Individual	Oppose	No

Comments:

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HLTtestimony

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Sent: Tuesday, February 09, 2016 10:18 PM
To: HLTtestimony
Cc: powerten@aol.com
Subject: *Submitted testimony for HB2632 on Feb 10, 2016 10:00AM*

HB2632

Submitted on: 2/9/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

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

Comments:

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HLTtestimony

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Sent: Tuesday, February 09, 2016 7:34 PM
To: HLTtestimony
Cc: kelika@hawaii.rr.com
Subject: Submitted testimony for HB2632 on Feb 10, 2016 10:00AM

HB2632

Submitted on: 2/9/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Kelika Ragragola	Individual	Oppose	No

Comments: I oppose this bill as it is too vague and could entrap a person who has suffered something as common as diabetic shock to loose their 2nd amendment rights.

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HLTtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 10, 2016 8:28 AM
To: HLTtestimony
Cc: mimiface@aol.com
Subject: Submitted testimony for HB2632 on Feb 10, 2016 10:00AM

HB2632

Submitted on: 2/10/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

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

Comments: 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, without due process of the law, simply for receiving care. Please rewrite this portion of the bill to list specific circumstances under which firearms are permitted to be confiscated. Vague laws are BAD LAWS as they leave wide latitude for interpretation. This is a BAD LAW

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HLTtestimony

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Sent: Tuesday, February 09, 2016 6:59 PM
To: HLTtestimony
Cc: russell.takata@yahoo.com
Subject: Submitted testimony for HB2632 on Feb 10, 2016 10:00AM

HB2632

Submitted on: 2/9/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

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

Comments: I strongly OPPOSE this measure. The term, "emergency hospitalization," is extremely vague, and could include a medical condition that is not mental health related. The proposal essentially removes an individual's Second Amendment right without due process.

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HLTtestimony

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Sent: Tuesday, February 09, 2016 8:07 PM
To: HLTtestimony
Cc: tom1.galli@gmail.com
Subject: *Submitted testimony for HB2632 on Feb 10, 2016 10:00AM*

HB2632

Submitted on: 2/9/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

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

Comments:

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HLTtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 09, 2016 9:25 PM
To: HLTtestimony
Cc: weekendhobby@hawaii.rr.com
Subject: Submitted testimony for HB2632 on Feb 10, 2016 10:00AM

HB2632

Submitted on: 2/9/2016

Testimony for HLT on Feb 10, 2016 10:00AM in Conference Room 329

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

Comments: Bill is too broad as written.

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