

From: [Russell Price](#)
To: [JDL Testimony](#)
Subject: Please Reject SB 898
Date: Wednesday, February 22, 2017 10:12:52 PM

Honorable Senator,

I am writing this message to express my deepest alarm and concern over SB 898.

The legal process proposed by SB 898 should not be considered, even for a moment, as a viable instrument to be employed by the agents of a representative democracy such as what we have in the United States.

Citizens of the United States are all endowed with certain inalienable rights. Our Constitution spells out, in clear language, that the Government may not infringe or deprive any Citizen of those rights without due process.

Under due process, the Government is not allowed to refuse any Citizen accused or even suspected of a crime, to rights such as that of a fair and speedy trial; the right to face an accuser; the right to be judged by a jury of peers.

SB 898 would seek to deny a Citizen all of these rights and more, placing the Citizen at the mercy of a Government official, and based only on the testimony of agents of law enforcement. No due process. No jury. No day in court. Guilt by accusation.

I have a great deal of respect for our law enforcement and Judiciary. They carry out a difficult, often dangerous task, and by-and-large do an excellent job. But mistakes can be made in the heat of the moment. Emotions can cloud judgement. Events misunderstood. Political viewpoints can and do sometimes replace objectivity. For these reasons and many others we have a legal system that seeks to emphasize openness and rationality. A system that, at its best, provides the accused a fair opportunity to hear evidence against them, pick that evidence over, and present their case to an impartial jury of peers.

SB 898, in one stroke, eliminates all of this. In place of the rights guaranteed by our Constitution, it proposes a jury of 1: a judge. In place of witnesses for the prosecution and for the defense, it proposes a single accuser. Based on the decision of one person, and evidence provided only by one witness for the prosecution, the 2nd, 4th, 5th, 6th, 7th and 8th Constitutional amendments may be instantly suspended for the accused. Not open. Not fair.

No person, and especially no law abiding firearms owner, wants to see firearms in the hands of a criminal, or a mentally unstable, drug addled, or habitually violent person. But this terrible bill is not the way to address such a situation. It does not align with our Constitution, or our legal traditions.

Please vote to reject SB 898.

Sincerely,

Russell Price

From: mailinglist@capitol.hawaii.gov
To: [JDL Testimony](#)
Cc:
Subject: *Submitted testimony for SB898 on Feb 23, 2017 09:15AM*
Date: Wednesday, February 22, 2017 6:34:59 PM

SB898

Submitted on: 2/22/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Philip T. Rapoza	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.

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LATE TESTIMONY

From: mailinglist@capitol.hawaii.gov
To: [JDL Testimony](#)
Cc:
Subject: Submitted testimony for SB898 on Feb 23, 2017 09:15AM
Date: Wednesday, February 22, 2017 8:43:40 PM

SB898

Submitted on: 2/22/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
peter ma	Individual	Oppose	No

Comments: This bill sets to ignore the normal rules of criminal procedure in order to promote the anti-gun agenda of the political elites and others

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Lessons In Firearms Education

P.O. Box 25271
Honolulu, Hawaii 96825

LATE TESTIMONY

February 22, 2017

Re: SB 898

Honorable Chair Keith-Agaran and Vice Chair Rhoads,

Lessons in Firearms Education opposes this bill.

SB 898 allows for firearms to be seized based on an ex-parte warrant application based on the low evidentiary standard of probable cause. An individual is entitled to a hearing, however that hearing may not take place for up to 30 days. At the hearing, the seized firearms can be retained and a permanent firearm prohibition can be put in place, not because of a disqualifying offense but merely the risk of one. No one wants dangerous individuals to have access to firearms, however this is not about dangerous people. This bill sets to ignore the normal rules of criminal procedure in order to promote the anti-gun agenda of the political elites and others.

Ask yourselves one question: would you even entertain this bill if the subject rights involved were the First, Fourth or Fifth amendments? I'm pretty sure you wouldn't even consider passing a bill that on the low evidentiary standard of probable cause denied a citizen their right to vote, to assemble peaceably, be free from unreasonable searches or their right to freedom of religion.

We respectfully ask that you do not pass this bill out of your committee.

Very kind regards,

Bill Richter, President
Lessons in Firearms Education

From: mailinglist@capitol.hawaii.gov
To: [JDL Testimony](#)
Cc:
Subject: Submitted testimony for SB898 on Feb 23, 2017 09:15AM
Date: Wednesday, February 22, 2017 4:19:47 PM

SB898

Submitted on: 2/22/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

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

Comments: This is an important measure to improve both officer and public safety through the court ordered removal of firearms in extraordinary situations.

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Cc:
Subject: Submitted testimony for SB898 on Feb 23, 2017 09:15AM
Date: Wednesday, February 22, 2017 2:43:35 PM

SB898

Submitted on: 2/22/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

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

Comments: The Hawaii Rifle Association is **STRONGLY OPPOSED** to this bill. It fails to even meet the very lowest minimum of Constitutionally mandated protection from suffering the loss of a core Constitutional right, in this case that of the Second Amendment and rights to firearms. This bill offers absolutely no reasonable level of DUE PROCESS and will be abused in the same manner that the Temporary Restraining Orders are used in domestic squabbles to leverage a domestic partner with threats of losing firearms rights. We strongly urge you to defer this bill in the interest of fairness to the law abiding citizens of Hawaii. Thank you, Harvey Gerwig President, Hawaii Rifle Association

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From: mailinglist@capitol.hawaii.gov
To: [JDL Testimony](#)
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Subject: *Submitted testimony for SB898 on Feb 23, 2017 09:15AM*
Date: Wednesday, February 22, 2017 7:22:03 PM

SB898

Submitted on: 2/22/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Glenn Tamayori	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: JDL Testimony
Cc:
Subject: Submitted testimony for SB898 on Feb 23, 2017 09:15AM
Date: Wednesday, February 22, 2017 12:51:08 PM

SB898

Submitted on: 2/22/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

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

Comments: I strongly oppose this, SB898. SB 898 allows for firearms to be seized based on an ex-parte warrant application based on the low evidentiary standard of probable cause. An individual is entitled to a hearing, however that hearing may not take place for up to 30 days. At the hearing, the seized firearms can be retained and a permanent firearm prohibition can be put in place, not because of a disqualifying offense but merely the risk of one. No one wants dangerous individuals to have access to firearms, however this is not about dangerous people. This bill sets to ignore the normal rules of criminal procedure in order to promote the anti-gun agenda of the political elites and others. citizens of Hawaii deserve due process, this is not due process. please do not pass SB898.

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From: mailinglist@capitol.hawaii.gov
To: [JDL Testimony](#)
Cc:
Subject: Submitted testimony for SB898 on Feb 23, 2017 09:15AM
Date: Wednesday, February 22, 2017 9:09:42 PM

SB898

Submitted on: 2/22/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
fang wang	Individual	Oppose	No

Comments: remember our 2A is to legal the citizen to carry FIREARM. if the government trying to disarm the people or abolish the 2A. which means the government is trying copy the communist. The politicos who is trying to ban the firearm shell consider a gang member of communist party

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SB898

Submitted on: 2/22/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

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

Comments: I am opposed to SB898. This bill does not allow me due process and threatens a substantial investment.

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SB898

Submitted on: 2/22/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Ed Schiek	Individual	Oppose	No

Comments: Please do not vote to support this Bill it infringes on my second amendment right to bear arms. Although it has a good intent to promote fire arm safety it is very poorly written and should be thrown out completely.

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Date: Wednesday, February 22, 2017 1:44:42 PM

SB898

Submitted on: 2/22/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

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

Comments:

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Date: Thursday, February 23, 2017 10:23:03 AM

SB898

Submitted on: 2/23/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Clifford Wright	Individual	Oppose	No

Comments:

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