

Harry Kim
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April 2, 2018

Representative Scott Y. Nishimoto, Chair
Committee on Judiciary
Hawai'i State Capitol, Room 325
Honolulu, HI 96813

Representative Joy A. San Buenaventura, Vice-Chair
Committee on Judiciary
Hawai'i State Capitol, Room 325
Honolulu, HI 96813

Dear Chair Nishimoto, Vice-Chair San Buenaventura, and Committee Members:

Re: SB 2436, SD 1 Relating to Voluntary Surrender of Firearms
Hearing Date: 04/04/2018 – 2:00 pm; House Conference Room 325

I support SB 2436, SD 1. The time immediately after a person is disqualified from possessing a firearm can be stressful and hazardous, and therefore I agree that surrender time should be shortened.

Requiring that all firearms be turned in even faster than seven days may be too controversial to survive the legislative process, and perhaps this grace period is necessary. However, it would seem that the greatest risk exists at the time when disqualification occurs. Emotions are presumably at their highest right then, and it would be best to act quickly to avoid danger to self and others. If the Legislature were willing to impose a 48-hour limit, I would applaud you.

Some argue that there is a problem when it comes to surrendering what is valuable property. Therefore, as a separate but related matter, in reviewing Chapter 134, HRS, it might be recognized that there is a discrepancy that could be addressed in this bill to ease one of the opponents' concerns. Although I know better than to think it would win you any friends or reduce the opposition, I offer the following thought:

Section 134-7.3 provides explicitly that firearms surrendered under subsection (c) "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 transferred or sold by the owner." For subsections 134-7.3 (a) and (b), there is no comparable direction to the chief to hold the weapons, even though the disqualifications under (a) and (b) may not be permanent (for example, a person may be convicted of a crime but the conviction is later reversed). It seems to me that our statute ought to provide that in every case of firearm surrender or seizure (whether under (a) or (b) or (c)), the weapons will be held in custody while the owner pursues his or her legal options to recover, transfer, or sell those firearms. This is probably already done, but it ought to be an explicit part of the law.

Respectfully submitted,

Harry Kim
Mayor, County of Hawai'i

SB-2436-SD-2

Submitted on: 4/2/2018 4:04:09 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Vivian Chang	Moms Demand Action	Support	Yes

Comments:

This bill will simply shorten the time for prohibited users to surrender their firearms from thirty days to seven days. Hawaii should pass this bill to ensure that we continue to lead the nation in sensible gun legislation.

SB-2436-SD-2

Submitted on: 4/2/2018 6:07:45 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Patty Sulzbach	Moms Demand Action	Support	No

Comments:

Aloha,

My name is Patty Sulzbach and I live in Kailua with my husband and twin 7 year old boys. I am in support of bill SB2436. I have always been a registered voter and have voted, but I have never been politically involved, submitted testimony, lobbied, emailed congress, marched in protest... until Feb. 14, 2018. This was the date that a former student shot and killed 17 others at Stoneman Douglas High School. Since then I have joined Moms Demand Action, lobbied at the capitol, and marched at the March for Our Lives event and now submitting testimony. I have always been sickened by unnecessary deaths by guns in the US. After each one, especially Sandy Hook, I thought surely that gun laws would be changed. But they haven't. I am sick and tired of people dying to gun violence in the US. I have decided that I am no longer accepting the things that I cannot change, I am CHANGING the things I cannot accept.

This bill is common sense. Guns are deadly. Plain and simple. The intent of this bill is to take deadly weapons away from the people who have been disqualified by the law to no longer own them or the ammunition. To shorten the time domestic abusers can have their guns after convicted. This will save lives.

Thank you for listening.

Patty Sulzbach

To: House Judiciary Committee

Hon. Rep. Scott Nishimoto, Chair

Rep. Joy A. San Buenaventura, Vice Chair

From:

Debra J. Billings

Makawao HI 96768

818.391.9332

Teachesteem2@aol.com

Hawaii Chapter of Moms Demand Action for Gun Sense in America

RE: **SB2436**; Relating to Firearms; **In Support**

Tuesday, April 4, 2018, 2PM

My name is Debra Billings .I am a mother/ father/ grandparent/ student/ survivor who lives in Makawao HI. I am writing in **strong SUPPORT of SB 2436** and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our state. Hawaii is already a national leader in gun safety legislation. We have some of the strongest common-sense gun laws in the country, and now we have an opportunity to show our leadership once again.

It is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. Yet, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to a month before law enforcement is authorized to intervene. This creates a dangerous gap that can have devastating consequences, particularly in domestic violence situations. Research shows that requiring domestic abusers to relinquish firearms reduces intimate partner homicide and that it is important to require relinquishment immediately. Research has found that there is a critical window where an abusers' access to firearms can decide the difference between life and death for the victim.

Mahalo for your consideration of SB2436. Closing this loophole will protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

Moms Demand Action for Gun Sense in America
PO Box 4184
New York, NY 10022
United States

SB-2436-SD-2

Submitted on: 4/2/2018 10:09:30 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Donna Arany	Moms Demand Action	Support	Yes

Comments:

Dear Representatives of the House Judiciary Committee,

I had never thought I would have to become an activist on issues that seem to be so simple for legislators to adopt into law. Gun safety should be everyone's concern: this is a nonpartisan issue. This is a common sense change to a law that makes everyone's lives safer. It has no prejudice. It helps young, old, male, female, rich and poor. NOT removing the ownership privilege from someone convicted of a crime as soon as possible seems like a diaster waiting to happen, and for 12% of women abused by their partners it means a death sentence. Surrendering the guns and ammunition is the only sure solution that they won't be used in a fit of rage against the victims of their crimes. I can no longer sit by and continue to think that someone else will make the effort to help adjust the laws to protect us all, but I and many others need those of you who are reading this to respond and act by helping this bill become law. Your action will save lives, and create a Hawaii that we can continue to proudly hold up as an example for the rest of the country.

Aloha

Donna Arany

Honolulu - Moms Demand Action

SB-2436-SD-2

Submitted on: 4/2/2018 11:18:34 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Laura Ficenec	Moms Demand Action	Support	No

Comments:

Aloha! My name is Laura Ficenec, I'm 24 years old, and I'm the Oahu Lead for Moms Demand Action For Gun Sense In America. I've submitted testimony for this bill in its earlier stages and have contacted all of our local Representatives this past weekend to push this bill through to a hearing in hopes of passing it. I strongly support SB 2436 as it has the ability to save lives and keep our community safe.

In 2014, I was a student at Santa Barbara City College living in Isla Vista when there was a shooting that killed six people and injured fourteen others. The shooter, Elliot Roger, was diagnosed as mentally ill and had a history of violent tendencies. If there had been a law at that time that prevented a person with a history like Elliot's from having legal ownership of guns, then those six kids, as well as a vast amount of others across the state, would maybe still be with us today. SB 2436 has the ability of to prevent incidents such as this from happening here in Hawaii.

Last Saturday, we marched with millions of people across the world for gun violence prevention, including 5,000 people here in Honolulu. And right now, if we pass this bill, Hawaii can continue to be seen as a leader in sensible gun laws. We will support continue to support the local politicians who represent what We The People are asking for. Mahalo for your consideration!

SB-2436-SD-2

Submitted on: 4/2/2018 3:38:35 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

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

Comments:

i oppose SN2436 because it is impractical for me

and I am quite sure HPD could not handle me in one week.

if this were to occur,it would leave no time to defend myself.

SB-2436-SD-2

Submitted on: 4/2/2018 3:41:05 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ellen Godbey Carson	Individual	Support	No

Comments:

Please approve SB2436, we need this important safeguard to protect our children, youth and ohana from gun violence. We do not want another mass shooting or further gun violence in Hawaii, and we need your help to stop it. **The period of time to surrender should be even shorter than 7 days, preferably just 2 days, as the person will already have been declared ineligible/too dangerous to possess weapons.**

Please listen to the thousands of students who engaged in the Walkouts against gun violence on March 14, and the many students and adults who participated in the March for Our Lives on March 24.

- On an “average” day, 96 Americans are killed with guns.
- On an “average” day, 7 children and teens are killed with guns in the US.
- In an average month, 50 women are shot to death by intimate partners in the US.
- On average, there are nearly 13,000 gun homicides a year in the US.

Please help us STOP this gun violence. Mahalo.

Ellen Godbe Carson

SB-2436-SD-2

Submitted on: 4/2/2018 4:35:43 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ron Klapperich	Individual	Oppose	No

Comments:

I oppose this bill because 7 days is not long enough to fix any administrative problems that might occur causing an innocent owner from possessing the firearms they already own. Although the 7 days is better than the original 4 hours, this is still not reasonable. I feel that the purpose of this requirement is to make it more difficult for law abiding citizens from owning firearms.

SB-2436-SD-2

Submitted on: 4/2/2018 4:44:34 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Peter Thoenen	Individual	Oppose	No

Comments:

Respectfully I ask this bill be rejected. Nothing has been provided nor shown where a decrease from thirty days to seven days will actually decrease gun violence in any statistically significant way whereas you are further depriving a person of their US Constitutional rights and as such, given strict scrutiny in cases like this, this bill should be rejected.

Lastly a minor point but depending on how the disqualification is notified, seven days might be infeasible and will simply lead to an increased risk of confrontation between a gun owner and the police which is in nobody's best interest. A person may not get the notice during that short period as they may be slow on checking their mail, on holiday, be unable to get off work that fast (many places of employment require two weeks notification and the person would need to get off during the day given HPD's hours of operations). Reducing this to seven days will simply increase the risk to police officers and increase the risk to public for no concrete reason. Public policy should be made with the goal of the public best interest, not virtue signaling putting them in harm.

SB-2436-SD-2

Submitted on: 4/2/2018 5:43:44 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Fred Delosantos	Individual	Oppose	No

Comments:

Please OPPOSE SB2436, which is capricious and arbitrary. We have all seen how (un)ethical our police dept is, e.g. "mail box" surveillance, The Police Chief using the specialized unit at his beck & call for personal vendetta. This will only provide more opportunities for our undisciplined and uncontrolled police force to violate and abuse law-abiding Hawaii citizens without Due Process.

This bill does not provide sufficient property protections to the law-abiding gun owner, nor does it insure sufficient burden of proof by a legitimate complainant, reviewed by a non-kangaroo court judicial process. It also does not provide for expeditious return of property upon satisfactory closure of due process (also not defined).

This is not a good idea. It violates all Due Process, which by the way, is the 5th Amendment embedded in the Bill Of Rights (which happens to also include the 2nd Amendment).

Why is Hawaii so disrespectful of the Bill of Rights? Are we really trying that hard to not be American? and yet, we want to make Hawaii a Sanctuary State so illegal aliens are protected? perhaps more so than actual Citizens of the United States?

Something is wrong here. Please OPPOSE this SB2436.

SB-2436-SD-2

Submitted on: 4/2/2018 7:42:49 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
John Kawamoto	Individual	Support	No

Comments:

Hawaii has strong gun control laws, which have minimized gun violence. However, these laws can be improved. SB 2436 SD 2 closes a loophole in current law that allows those with dangerous histories to keep possession of their firearms for too long after they are convicted. I support SB 2436 SD 2 and urge the committee to pass the bill.

SB-2436-SD-2

Submitted on: 4/2/2018 8:05:16 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jonathan Boyne	Individual	Support	No

Comments:

I am writing in **strong SUPPORT of SB 2436** and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our state. Hawaii is already a national leader in gun safety legislation. We have some of the strongest common-sense gun laws in the country, and now we have an opportunity to show our leadership once again.

It is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. Yet, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to a month before law enforcement is authorized to intervene. This creates a dangerous gap that can have devastating consequences, particularly in domestic violence situations. Research shows that requiring domestic abusers to relinquish firearms reduces intimate partner homicide and that it is important to require relinquishment immediately. Research has found that there is a critical window where an abusers' access to firearms can decide the difference between life and death for the victim.

Mahalo for your consideration of SB2436. Closing this loophole will protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

SB-2436-SD-2

Submitted on: 4/2/2018 8:13:44 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeannette P Hereniko	Individual	Support	No

Comments:

I strongly urge you to support Senate Bill 2436 to prevent domestic abusers, convicted felons and other prohibited persons from illegally keeping guns.

Thank you so much for your consideration of my support.

Jeannette Paulson Hereniko

SB-2436-SD-2

Submitted on: 4/2/2018 8:17:03 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kaulana Dameg	Individual	Support	No

Comments:

To: House Judiciary Committee

Hon. Rep. Scott Nishimoto, Chair

Rep. Joy A. San Buenaventura, Vice Chair

From:

Kaulana Dameg

Kurtistown, HI

kaulanad@gmail.com

Hawaii Chapter of Moms Demand Action for Gun Sense in America

RE: **SB2436 SD2**; Relating to Firearms; **In Support**

[Tuesday, April 4, 2018, 2PM](#)

My name is Kaulana Dameg, I am a mother who lives in Kurtistown. I am writing in **strong SUPPORT of SB 2436 SD2** and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our state. Hawaii is already a national leader in gun safety legislation. We have some of the strongest common-sense gun laws in the country, and now we have an opportunity to show our leadership once again.

It is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. Yet, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to a month before law enforcement is authorized to intervene. This creates a dangerous gap that can have devastating consequences, particularly in domestic violence situations. Research shows that requiring domestic abusers to relinquish firearms reduces intimate partner homicide and that it is important to require relinquishment immediately.

Research has found that there is a critical window where an abusers' access to firearms can decide the difference between life and death for the victim.

Mahalo for your consideration of SB2436 SD2. Closing this loophole will protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

SB-2436-SD-2

Submitted on: 4/2/2018 8:18:12 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kathy Shimata	Individual	Support	No

Comments:

It is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. Yet, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to a month before law enforcement is authorized to intervene. This creates a dangerous gap that can have devastating consequences, particularly in domestic violence situations. Research shows that requiring domestic abusers to relinquish firearms reduces intimate partner homicide and that it is important to require relinquishment immediately.

Mahalo for your consideration of SB2436. Closing this loophole will protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

SB-2436-SD-2

Submitted on: 4/2/2018 8:19:15 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Shay Chan Hodges	Individual	Support	No

Comments:

My name is Shay Chan Hodges and I live in Haiku, Maui.

I am writing in **strong SUPPORT of SB 2436** and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our state. Hawaii is already a national leader in gun safety legislation. We have some of the strongest common-sense gun laws in the country, and now we have an opportunity to show our leadership once again.

It is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. Yet, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to a month before law enforcement is authorized to intervene. This creates a dangerous gap that can have devastating consequences, particularly in domestic violence situations. Research shows that requiring domestic abusers to relinquish firearms reduces intimate partner homicide and that it is important to require relinquishment immediately. Research has found that there is a critical window where an abusers' access to firearms can decide the difference between life and death for the victim.

Mahalo for your consideration of SB2436. Closing this loophole will protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

SB-2436-SD-2

Submitted on: 4/2/2018 8:39:44 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Judith White	Individual	Support	No

Comments:

As a mental health provider for over 25 years; as a parent; as a grandparent; and as a concerned community member, I strongly support SB2436. This measure can be lifesaving. Please pass it!

Judith C. White, Psy.D.

Kapaa

SB-2436-SD-2

Submitted on: 4/2/2018 8:40:48 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

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

Comments:

SB-2436-SD-2

Submitted on: 4/2/2018 8:55:54 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Patricia Blair	Individual	Support	No

Comments:

SB-2436-SD-2

Submitted on: 4/2/2018 8:59:24 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Justice	Individual	Support	No

Comments:

Hi, my name is Mary Justice. I'm a mother of two daughters and I live in Ewa Beach. I'm also a proud advocate with Moms Demand Action for Gun Sense in America. I'm writing to you in support of this bill #2436. I feel very strongly that the gun law can be improved to shorten the time period that a criminal or abuser has to turn in their firearms. 30 days is too long in critical and high stress situations. I'm very proud to call Hawai'i home and appreciate this state leading the way in tough gun laws to keep citizens safer from gun violence. Mahalo for your consideration.

SB-2436-SD-2

Submitted on: 4/2/2018 9:13:03 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
John Nix	Individual	Support	No

Comments:

Debra and Dr. John Nix, Kihei, HI, info@lifeislight.com

Hawaii Chapter of Moms Demand Action for Gun Sense in America

RE: **SB2436**; Relating to Firearms; **In Support**

Tuesday, April 4, 2018, 2PM

Dr. John and Debra, are survivors who lives in Kihei We are writing in **strong SUPPORT of SB 2436** and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our state. Hawaii is already a national leader in gun safety legislation. We have some of the strongest common-sense gun laws in the country, and now we have an opportunity to show our leadership once again.

It is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. Yet, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to a month before law enforcement is authorized to intervene. This creates a dangerous gap that can have devastating consequences, particularly in domestic violence situations. Research shows that requiring domestic abusers to relinquish firearms reduces intimate partner homicide and that it is important to require relinquishment immediately. Research has found that there is a critical window where an abusers' access to firearms can decide the difference between life and death for the victim.

Mahalo for your consideration of SB2436. Closing this loophole will protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

SB-2436-SD-2

Submitted on: 4/2/2018 9:24:21 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Bruce Anderson	Individual	Support	No

Comments:

I support this Bill, and would have preferred to shorten the period even more, to one or two days. Just after when a person is disqualified from owning a gun is one of the times when he or she is most likely to use it.

As a registered voter from the island of Oahu, I am very concerned about gun safety. I respectfully request your support in favor of passing SB 2436.

As I am sure you are aware, this bill is a step in the right direction toward better gun safety for our community. It would shorten the time prohibited users would be allowed to keep their guns, as it would reduce the time period in which guns are surrendered from convicted owners from 30 days to 7 days. Even 7 days seems too long and I believe 48 hours would be a far better timeframe. However, 7 days is much more sensible than the current very long 30 day timeframe.

This bill makes good sense. My family, friends and community are becoming more and more concerned about the issue of gun violence and we look to our elected representatives to help keep us and our children safe.

I recently joined a group dedicated to better gun sense laws. As a member of Moms Demand Action, I am very impressed with the caliber of the members and their genuine dedication to this cause. We are growing in size nationwide, including here at home in the Islands. I have no doubt that our group, along with several other like-minded respected organizations, will be more and more vocal about these important issues as the number of citizens who are very concerned about these issues increases.

Thank you in advance for your consideration of this request.

SB-2436-SD-2

Submitted on: 4/2/2018 9:38:20 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Doris Segal Matsunaga	Individual	Support	No

Comments:

SB-2436-SD-2

Submitted on: 4/2/2018 10:18:51 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Judith Ann Armstrong	Individual	Support	No

Comments:

To: House Judiciary Committee

Hon. Rep. Scott Nishimoto, Chair

Rep. Joy A. San Buenaventura, Vice Chair

From: Judith Ann Armstrong

Honolulu, 96815

jaapfg@twc.com

RE: **SB2436**; Relating to Firearms; **In Support**

Tuesday, April 4, 2018, 2PM

My name is Judith Ann Armstrong I am a concerned citizen who lives in Honolulu. I am writing in **strong SUPPORT of SB 2436** and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our state. Hawaii is already a national leader in gun safety legislation. We have some of the strongest common-sense gun laws in the country, and now we have an opportunity to show our leadership once again.

It is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. Yet, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to a month before law enforcement is authorized to intervene. This creates a dangerous gap that can have devastating consequences, particularly in domestic violence situations. Research shows that requiring domestic abusers to relinquish firearms reduces intimate partner homicide and that it is important to require relinquishment immediately. Research has found that there is a critical window where an abusers' access to firearms can decide the difference between life and death for the victim.

Mahalo for your consideration of SB2436. Closing this loophole will protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

April 2, 2018

House Committee on Judiciary
Representative Scott Y. Nishimoto, Chair
Representative Joy A. San Buenaventura, Vice Chair

RE: SB 2436

Dear Committee on Judiciary,

Thank you for granting this hearing. I am in strong support of SB2436 to protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

While it is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to a month before law enforcement is authorized to intervene. I am concerned with the potential homicide that may occur within this month, particularly in domestic violence situations. Research shows that requiring domestic abusers to relinquish firearms reduces intimate partner homicide and that it is important to require relinquishment immediately.

Please support SB2436 and help Hawaii continue to strengthen its gun laws and maintain its national leadership in gun safety legislation. Thank you for the opportunity to submit testimony.

Sincerely,
Jill Yoshicedo

SB-2436-SD-2

Submitted on: 4/2/2018 10:34:23 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Matthew Swalinkavich	Individual	Support	No

Comments:

I think this will further curtail incidents of domestic violence, it is a no brainer. Shorter time the better!

SB-2436-SD-2

Submitted on: 4/2/2018 11:02:07 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Allegra Giacchino	Individual	Support	No

Comments:

I strongly support SB2436 SD2 reducing the time period disqualified persons can possess a firearm. As a social worker I have worked with violent abusers and convicted felons. These individuals have been disqualified from owning or possessing a gun for good reason. If the law states they are prohibited from having a firearm, why on earth would they be allowed 30 days to hold onto it?

Shortening the time period from 30 days to 7 days, as many states have already done, shrinks a loophole and can prevent murder. The Honolulu Police Department supports this bill. Let's be sensible and proactive in preventing gun violence in our community.

Respectfully,

Allegra Giacchino, MSW

4009 Black Point Rd

Honolulu, Hi 96816

SB-2436-SD-2

Submitted on: 4/2/2018 11:11:01 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

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

Comments:

SB-2436-SD-2

Submitted on: 4/2/2018 11:46:08 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Judith Michaels	Individual	Support	No

Comments:

My name is Judith Michaels. I am a mother and grandparent who lives in Kihei, Maui. I am writing in **strong SUPPORT of SB 2436** and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our state. Hawaii is already a national leader in gun safety legislation. We have some of the strongest common-sense gun laws in the country, and now we have an opportunity to show our leadership once again.

It is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. Yet, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to a month before law enforcement is authorized to intervene. This creates a dangerous gap that can have devastating consequences, particularly in domestic violence situations. Research shows that requiring domestic abusers to relinquish firearms reduces intimate partner homicide and that it is important to require relinquishment immediately. Research has found that there is a critical window where an abusers' access to firearms can decide the difference between life and death for the victim.

Mahalo for your consideration of SB2436. Closing this loophole will protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

Judith Michaels

4850 Makena Alanui B108

Kihei, Hi 96753

808-879-9341

SB-2436-SD-2

Submitted on: 4/3/2018 12:08:45 AM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Erica Yamauchi	Individual	Support	Yes

Comments:

Erica Yamauchi, Kaimuki/Wilhelmina Rise, testimony in SUPPORT of SB 2436/HB 2228

Email: aloha@ericayamauchi.com

My name is Erica Yamauchi. I am a mother to two young girls, and I consider myself a survivor of gun violence as my best friend was killed by another friend in high school due to a quick temper made deadly by an unsecured gun in the home.

I am writing in STRONG SUPPORT of SB2436/HB 2228 and urge you to pass this bill in order to prevent domestic abusers from illegally keeping guns in Hawaii.

It is illegal for certain people with dangerous criminal histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. However, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to 30 days before law enforcement is allowed to intervene. This creates a time gap that can have devastating consequences, particularly in domestic violence situations. Hawaii should pass legislation to close this loophole and ensure that domestic abusers and other people who are prohibited from having guns relinquish their firearms right away.

Giving domestic abusers and other prohibited people 30 days to relinquish their guns makes Hawaii an extreme outlier in the national context—and is also out of sync with other parts of Hawaii law. Nationwide, when domestic abusers are required to turn in their firearms, most states specify that they must do so within 24 hours, if not sooner.

Mahalo nui for your consideration. Closing this loophole will protect women and children, and their families, in Hawaii by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

SB-2436-SD-2

Submitted on: 4/3/2018 12:22:20 AM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
tia pearson	Individual	Support	No

Comments:

I am writing in **strong SUPPORT of SB 2436** and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our state. I had to deal with a mentally unstable stalker who had threatened to pull a gun on me. Hawaii is already a national leader in gun safety legislation. We have some of the strongest common-sense gun laws in the country, and now we have an opportunity to show our leadership once again.

It is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. Yet, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to a month before law enforcement is authorized to intervene. This creates a dangerous gap that can have devastating consequences, particularly in domestic violence situations. Research shows that requiring domestic abusers to relinquish firearms reduces intimate partner homicide and that it is important to require relinquishment immediately. Research has found that there is a critical window where an abusers' access to firearms can decide the difference between life and death for the victim.

Mahalo for your consideration of SB2436. Closing this loophole will protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

SB-2436-SD-2

Submitted on: 4/3/2018 3:24:08 AM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Carolyn Pearl	Individual	Support	No

Comments:

To: House Judiciary Committee

Hon. Rep. Scott Nishimoto, Chair

Rep. Joy A. San Buenaventura, Vice Chair

I'm a registered voter in Hawaii and a member of Moms Demand Action for Gun Sense in America, an organization dedicated to sensible gun laws. I appreciate the House Judiciary Committee holding this hearing on SB 2436 SD2 and strongly urge the passage of this measure.

With some of the strongest common-sense gun laws in the country, Hawaii has provided a shining example to the rest of the United States. We now have an opportunity to show our leadership once again.

SB 2436 SD closes a loophole in existing law (HRS 134-7.3) by shortening the current 30-day time frame that prohibited users, such as domestic abusers, are granted to turn in or otherwise dispose of their guns.

There is no logical reason that gun owners who have been disqualified by law from having access to firearms and ammunition should need a full month to relinquish possession of them. In fact, the very nature of such disqualifications alone should support more immediate surrender of such weapons. Easy access to a firearm can lead to a fatal outcome in a domestic abuse situation.

Please take this necessary step and pass SB 2436 SD2, making Hawaii a safer place to live.

SB-2436-SD-2

Submitted on: 4/3/2018 4:39:05 AM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Pete Wilson	Individual	Support	No

Comments:

My name is Pete Wilson I live in Pahoia I am writing in **strong SUPPORT of SB 2436** and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our state. Hawaii is already a national leader in gun safety legislation. We have some of the strongest common-sense gun laws in the country, and now we have an opportunity to show our leadership once again.

It is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. Yet, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to a month before law enforcement is authorized to intervene. This creates a dangerous gap that can have devastating consequences, particularly in domestic violence situations. Research shows that requiring domestic abusers to relinquish firearms reduces intimate partner homicide and that it is important to require relinquishment immediately. Research has found that there is a critical window where an abusers' access to firearms can decide the difference between life and death for the victim.

Mahalo for your consideration of SB2436. Closing this loophole will protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

SB-2436-SD-2

Submitted on: 4/3/2018 6:11:21 AM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Linda Tsai	Individual	Support	Yes

Comments:

I STRONGLY support SB2436.

I live in Honolulu and have 3 daughters.

My best friend, Kristine Cass and her 13 year old daughter Saundra were murdered by Clay Conelly on 8/20/10 in Honolulu. Clay was previously convicted of domestic abuse and should never have been allowed to live in a home with a firearm. Apparently he used his adult son's gun.

Kristine was going to get a TRO the next day. If Clay did not have quick and easy access to that gun, I am convinced my friend and her child would be alive today. She broke up with him and he was angry about that.

Time is of the essence and the removal of firearms more quickly from those with a proven propensity for domestic violence will save lives.

Linda Tsai

I am a registered voter, concerned about gun safety and protecting women and children most at risk for violence.

As a domestic abuse survivor, I am a strong advocate for SB 2436 and I believe it is a step in the right direction towards improved gun safety for our community.

According to the National Violence Against Women Survey, it shows that 22.1% of women surveyed experience partner violence by a current or former spouse or cohabitating partner compared to the 7.4% by men.

According to the National Coalition Against Domestic Violence, about 1 in 3 female homicides in the U.S. are committed by intimate/domestic partners of the victims, and in the majority of cases of intimate partner/domestic violence fatalities (70-80%), no matter which partner was killed, the man physically abused the woman prior to the homicide.

The Violence Policy Center states that when men murder women, 93% are killed by someone they know. The presence of a firearm can turn domestic violence into domestic homicide.

VICTIM/OFFENDER RELATIONSHIP

- 1,686 females were murdered by males in the United States in 2015
- The homicide rate among females murdered by males in the United States was 1.12 per 100,000 in 2015.
- For homicides in which the victim to offender relationship could be identified, 93 percent of female victims (1,450 out of 1,551) were murdered by someone they knew. There were 101 female victims killed by strangers.
- Of the victims who knew their offenders, 64 percent (928 victims) were wives, common-law wives, ex-wives, or girlfriends of the offenders.
- Among the female intimates who were murdered, 58 percent (538 victims) were killed with guns; 71 percent of these (384 victims) were shot and killed with handguns.
- In addition to the noted above, in many of these cases, there were children in the family unit.

I would like to see SB 2436 put into law to protect innocent women and children. As history has shown us, many women who have left abusive relationships, fear for their safety. One study that examined the risk factors of violent death for women in the home in three United States counties found that when there were one or more guns in the home, the risk of homicide increased more than three times. The increased risk of homicide associated with firearms was attributable to homicides at the hands of a spouse, intimate acquaintance, or close relative.

Guns are deadly, especially in the hands of angry criminals and domestic abusers. Let's remove the risk. Thank you for hearing my concerns.

SB-2436-SD-2

Submitted on: 4/3/2018 7:57:02 AM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Robert A Marks	Individual	Support	No

Comments:

Chair and members - This is a common sense provision that is overdue. Thank you for tightening our gun laws and protecting us from those who need to be separated from their guns and ammunition.

Robert Marks

SB-2436-SD-2

Submitted on: 4/3/2018 8:02:10 AM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Molly Oliver	Individual	Support	No

Comments:

To: House Judiciary Committee

Hon. Rep. Scott Nishimoto, Chair

Rep. Joy A. San Buenaventura, Vice Chair

From:

Molly Oliver, Princeville, mollymoliver@gmail.com

Hawaii Chapter of Moms Demand Action for Gun Sense in America

RE: **SB2436**; Relating to Firearms; **In Support**

Wednesday, April 4, 2018, 2PM

My name is Molly Oliver. I am a mother who lives in Princeville. I am writing in **strong SUPPORT of SB 2436** and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our state. Hawaii is already a national leader in gun safety legislation. We have some of the strongest common-sense gun laws in the country, and now we have an opportunity to show our leadership once again.

It is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. Yet, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to a month before law enforcement is authorized to intervene. This creates a dangerous gap that can have devastating consequences, particularly in domestic violence situations.

Research shows that requiring domestic abusers to relinquish firearms reduces intimate partner homicide and that it is important to require relinquishment immediately. Research has found that there is a critical window where an abusers' access to firearms can decide the difference between life and death for the victim.

Mahalo for your consideration of SB2436. Closing this loophole will protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

Molly Oliver

SB-2436-SD-2

Submitted on: 4/3/2018 8:09:51 AM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Joan Stewart	Individual	Support	No

Comments:

My name is Joan Stewart and I am a mother residing in Hilo. I am writing in **strong SUPPORT of SB 2436** and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our state. Hawaii is already a national leader in gun safety legislation. We have some of the strongest common-sense gun laws in the country, and now we have an opportunity to show our leadership once again.

It is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. Yet, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to a month before law enforcement is authorized to intervene. This creates a dangerous gap that can have devastating consequences, particularly in domestic violence situations. Research shows that requiring domestic abusers to relinquish firearms reduces intimate partner homicide and that it is important to require relinquishment immediately. Research has found that there is a critical window where an abusers' access to firearms can decide the difference between life and death for the victim.

Mahalo for your consideration of SB2436. Closing this loophole will protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

SB-2436-SD-2

Submitted on: 4/3/2018 8:19:21 AM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Scott Meehan	Individual	Support	Yes

Comments:

Dear Representatives of the House Judiciary Committee,

Like most Americans, I've been shocked at the repeated gun violence in this country. Like most Americans I'm even more shocked every time a school is a target, or children are involved. We are living in a fear-based society, like we've never seen before. And yet I hear that "guns are not the problem." The solution should be "more guns...in the home, and in the schools." Sometimes I think I'm insane: am I the only one that thinks this is CRAZY??

No, I'm not. The legislators of this great state have seen what works. We have high gun ownership in Hawaii, due to the high population of military. We are a culture of hunters. And yet our strict gun laws, and our low rate of gun-related deaths, indicate that we are onto something. Common sense gun laws SAVE LIVES.

SB2436 should not even be an issue. OF COURSE we want to take the guns out of the hands of the people who have already been disqualified from owning them. This is not a partisan issue. We aren't asking to take guns away from law abiding citizens. That's not even a long term goal. We just want a safer community, and getting the guns out of the hands of criminals seems like a reasonable first step.

Thank you for helping to keep my community safe. I am proud to live in a state that has been an example to the rest of the country. We can show everyone that common sense gun laws work. Let's close this loophole now, and continue to carry that torch.

Mahalo,

Scott Meehan

Art Director, Hawaii Five-0

CBS Television/Eye Productions

Honolulu, Hawaii

SB-2436-SD-2

Submitted on: 4/3/2018 8:42:52 AM

Testimony for JUD on 4/4/2018 2:00:00 PM

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

Comments:

I **OPPOSE** this bill. Seven days is not enough time to legally transfer ownership of a firearm, given the existing application process and 14 day waiting period. A disqualified person may want to transfer firearms to persons other than a dealer/existing FFL holder.. The current 30 day requirement is barely enough time to accomplish that. Firearm owners who must "dispose" of their property should have a chance to receive fair compensation.

SB-2436-SD-2

Submitted on: 4/3/2018 8:58:49 AM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Carolyn Adams	Individual	Support	No

Comments:

My name is Carolyn Brandee Adams. I am a mother and wife living in Honolulu. I am writing in STRONG SUPPORT of SB 2436 and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our state. Hawaii is already a national leader in gun safety legislation. We have some of the strongest common-sense gun laws in the country, and now we have an opportunity to show our leadership once again.

It is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. Yet, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to a month before law enforcement is authorized to intervene. This creates a dangerous gap that can have devastating consequences, particularly in domestic violence situations. Research shows that requiring domestic abusers to relinquish firearms reduces intimate partner homicide and that it is important to require relinquishment immediately. Research has found that there is a critical window where an abusers' access to firearms can decide the difference between life and death for the victim.

Mahalo for your consideration of SB2436. Closing this loophole will protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

SB-2436-SD-2

Submitted on: 4/3/2018 9:20:36 AM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Katherine	Individual	Support	No

Comments:

I live in Wailuku & strongly support SB2436 SD2 & urge you to pass into law to prevent domestic abusers from illegally keeping guns here in our state. It is already illegal for certain people with dangerous histories, convicted felons & domestic abusers to buy or possess guns in HI. The loophole enables these prohibited people to keep guns up to a month before law enforcement can intervene. The **Gap creates devastating** consequences particularly in the case of domestic violence. Research shows that when domestic abusers relinquish firearms it reduces intimate partner homicide. Its important to be immediate relinquishment. The Critical window where abusers access to firearms can decide the difference of life or death for victims.

Close the loophole to protect HI families by preventing those with damerious, abusvie histories & conficted felons from keeping guns in their posession. Help law enforcement do their job.

Hawaii has become a standard for gun safety. Lets keep up the gold standard of safety.

SB-2436-SD-2

Submitted on: 4/3/2018 10:33:21 AM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

SB-2436-SD-2

Submitted on: 4/3/2018 10:43:45 AM

Testimony for JUD on 4/4/2018 2:00:00 PM

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

Comments:

I oppose SB2436. I feel any person should be given the opportunity to legally sell their firearms or ammunition. 7 days would not allow enough time to legally sell a firearm here in Hawaii. Please leave the current laws in place.

SB-2436-SD-2

Submitted on: 4/3/2018 10:44:39 AM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jamie Despres	Individual	Support	No

Comments:

To: House Judiciary Committee

Hon. Rep. Scott Nishimoto, Chair

Rep. Joy A. San Buenaventura, Vice Chair

From: Jamie Lynn Despres, Honolulu, HI, jamielynndee@gmail.com

Hawaii Chapter of Moms Demand Action for Gun Sense in America

RE: SB2436; Relating to Firearms; In Support

Tuesday, April 4, 2018, 2PM

My name is Jamie Despres and I am a mother and survivor who lives in Honolulu. I am writing in strong SUPPORT of SB 2436 and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our state. Hawaii is already a national leader in gun safety legislation. We have some of the strongest common-sense gun laws in the country, and now we have an opportunity to show our leadership once again.

It is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. Yet, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to a month before law enforcement is authorized to intervene. This creates a dangerous gap that can have devastating consequences, particularly in domestic violence situations.

As a survivor of both domestic violence and gun violence, I know first hand how potentially devastating this loophole can be. The time is now to tighten up legislation to protect our citizens and prevent them from experiencing this type of trauma.

Mahalo for your consideration of SB2436. I ask you to please close this loophole in order to protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

SB-2436-SD-2

Submitted on: 4/3/2018 10:46:36 AM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kathleen Elliott	Individual	Support	No

Comments:

I have lived in Honolulu since 1974 and I work in the health care field as a Physician Assistant. I strongly encourage you to **pass SB2436**. Please help to pass this bill and decrease the amount of time a convicted felon and domestic abuser have to relinquish their weapons. This is not coming as a surprise to them! This has been a process and they are aware that they will need to give up their guns. There is no reason to wait THIRTY days, or even 7 days, to turn in their weapons. Please help keep us safe in Hawai'i and decrease the amount of time allowed to turn in their weapons. Thank you.

Kathleen Elliott, RN, PA-C.

Honolulu

SB-2436-SD-2

Submitted on: 4/3/2018 11:07:22 AM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mary	Individual	Support	No

Comments:

Please pass this bill. Even 7 days is more time than necessary without proof of absence from the State. Passing this bill is the minimum change that should be made. Please do it now.

I grew up in Hawaii and am now in my 60s. Let's go back to the Hawaii where we didn't have to worry about firearms.

Mahalo.

Mary Spadaro

SB-2436-SD-2

Submitted on: 4/3/2018 11:13:31 AM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Kimura	Healthy Mothers Healthy Babies	Support	No

Comments:

Dear Rep. Scott Nishimoto, Chair and Rep. Joy A. San Buenaventura, Vice Chair, and members of the committee:

My name is Lisa Kimura and I am a mother of three children, and the executive director of Healthy Mothers Healthy Babies, an organization devoted to protecting the health needs of our most vulnerable populations.

Many of the women we work with are survivors of domestic and intimate partner violence, and live with the fear that the abuser will commit further harm. We work with partners across the state to help ensure programs and legislation support and protect families.

I am writing in **strong SUPPORT of SB 2436** and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our state. Hawaii is already a national leader in gun safety legislation. We have some of the strongest common-sense gun laws in the country, and now we have an opportunity to show our leadership once again.

It is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. Yet, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to a month before law enforcement is authorized to intervene. This creates a dangerous gap that can have devastating consequences, particularly in domestic violence situations.

Research shows that requiring domestic abusers to relinquish firearms reduces intimate partner homicide and that it is important to require relinquishment immediately. Research has found that there is a critical window where an abusers' access to firearms can decide the difference between life and death for the victim.

Mahalo for your consideration of SB2436. Closing this loophole will protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

SB-2436-SD-2

Submitted on: 4/3/2018 11:19:20 AM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Joan Gannon	Individual	Support	No

Comments:

SB-2436-SD-2

Submitted on: 4/3/2018 11:26:32 AM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nohealani Tak	Individual	Support	No

Comments:

There is no need for an individual who is disqualified from firearm ownership to hold on to their firearms for longer than 7 days. 7 days is a reasonable amount of time to surrender arms to ensure that the firearms is in a safe and secure environment.

SB-2436-SD-2

Submitted on: 4/3/2018 11:35:56 AM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Claire Taylor	Oahu Chapter of Moms Demand Action	Support	No

Comments:

The Declaration of Independence states:

'That they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.' I believe the Founding Fathers who wrote those words would be distressed and disappointed at the current situation that we now find ourselves in. How can our children embrace those three fundamental values of American life if their very existence is overshadowed by the scourge of firearms?

Our children should be allowed to study and grow without the continuing fear that their safety is compromised by an Amendment to the Constitution that has been constantly manipulated and re-interpreted for individual gain.

I grew up in a country where it only took one school shooting, Dunblane in 1996 for the law to be changed and stricter gun control enforced.

I am appealing to your love of family and freedom to grow up without fear, to ensure that this legislation is passed.

Thank you for taking the time to read my statement.

Kind regards Claire Taylor

SB-2436-SD-2

Submitted on: 4/3/2018 11:44:34 AM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Maria Pena	Individual	Support	No

Comments:

Dear Representatives of the House Judiciary Committee,

My name is Maria Peña and I stand in strong support of SB2436 and ask that you vote in support of this bill.

In November of 2016, I was serving as board President to my community homeowners association. At the conclusion of a community event my husband and I were physically assaulted by a disgruntled resident. Unprovoked, the homeowner became enraged at a direct answer I provided and began beating my husband first (since he was closest to me and trying to protect me) and then turned his rage on me by punching and throwing me to the ground. Bystanders were able to interrupt his attack and the homeowner left the premises only to return holding his waistband and claiming he would "take care of us and kill us" signifying he had a weapon on him. My husband and I interpreted the assertion as a threat on our lives and I can't begin to express the depth of our terror. Both my husband and I feared for our lives unequivocally and thought we had met our demise. Luckily police arrived on the scene.

My story is not unlike many others who find themselves in harms way. A seemingly normal day turned into a persons worst nightmare. We are still awaiting a court date to prosecute the case, however, in the meantime we are somewhat reassured knowing that this man is unable to access his weapon until the charges against him are adjudicated, which is the reason for my testimony. This man should be disqualified from owning a firearm if he is found guilty and it is terrifying to think that people like him are walking around with access to a weapon. If a congenial discussion can set off a person with such rage, what would happen if he had a weapon accessible in that moment on his person? I think about that day every day and worry for myself and my family should our case not be adjudicated in our favor. We know first hand what this man is capable of and despite his guilt or innocence this man has access to a firearm. This fact should horrify and frighten everyone because his inability to handle life could be someone's fate some day.

Although my family specifically would benefit from this legislation (subject to adjudication) it benefits society as a whole. The purpose of government has always been to protect the public and most vulnerable in society. As lawmakers, you are being entrusted by the people of Hawaii to make decisions that benefit and secure their

futures. I urge this committee to be positive stewards of our futures by voting in favor of SB2436 for the benefit of the people of Hawaii who deserve to be safe and protected.

Humbly,

Maria Peña

Kapolei Resident

SB-2436-SD-2

Submitted on: 4/3/2018 11:53:54 AM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Trina Kudlacek	Individual	Support	No

Comments:

I am a registered voter, concerned about gun safety and protecting women and children most at risk for violence.

SB 2436 is a step in the right direction towards greater gun safety for our community. I would like to see this bill put into law as it makes no sense for a disqualified gun owner to keep his gun and ammunition for 30 days after conviction. This seems like a disaster waiting to happen. Guns are deadly, especially in the hands of angry criminals and domestic abusers. Let's remove the risk.

Thank you for hearing my concerns.

Trina L. Kudlacek



Institute for Rational and Evidence-based Legislation

P. O. Box 41

Mountain View, Hawaii 96771

April 3, 2018

COMMITTEE ON JUDICIARY

Rep. Scott Y. Nishimoto, Chair

Rep. Joy A. San Buenaventura, Vice Chair

Members:

Rep. Tom Brower

Rep. Gregg Takayama

Rep. Chris Lee

Rep. Bob McDermott

Rep. Dee Morikawa

Rep. Cynthia Thielen

DATE: Wednesday, April 4, 2018

TIME: 2 p.m.

PLACE: Conference Room 325

State Capitol

415 South Beretania Street

Re: SB2436 SD2

Opposed, unless amended to conform with reality.

Chair, Vice-chair, and members,

Please vote NO on SB2436, SD2 unless you amend it to conform with reality.

This bill will confiscate firearms from any person determined by any of various means to be ineligible to possess firearms. The only reason to confiscate firearms from anyone is because it has been determined, at least temporarily, that said person is “a danger”.

The obvious flaw in this bill, no matter what length of time is assigned between adjudication of “danger” and confiscation of firearms, is that the person adjudicated “dangerous” has access not only to firearms, but to any and all other weapons during the “grace period”, and is often free to roam around in public despite being “dangerous”. And then, at the end of the “grace period”, once the firearms are confiscated, the dangerous person still has access to every other single thing that can be used as a dangerous weapon other than firearms.

I submit this makes no sense at all. If someone is too dangerous to possess firearms, how are they NOT too dangerous to possess a motor vehicle, or access to gasoline and matches, or knives, or hammers, or metal pipes, or rocks, or poisons, etc.?

It's an obvious contradiction, as here voiced by journalist David Codrea:

“Anyone who can't be trusted with a gun can't be trusted without a custodian” is a maxim I've been using for years because it's true. Recalling that the three greatest mass murders in U.S. history were *reportedly* initiated with utility knives, fuel oil and fertilizer, and gasoline and a match, and how many homicides are committed with blunt or sharp objects or even with hands and feet, why would you want to give a “prohibited person” access to those along with the freedom to move among the rest of us?

In addition, let's look at some of the Bloomberg-funded astroturf nearly-identical dozen or so testimonies submitted previously by claimed members of “Hawaii Chapter of Moms Demand Action for Gun Sense in America“. One of them (submitted by “Katherine”), includes this claim:

“Research shows that relinquishment of firearms reduced intimate partner homicide and the importance of firearm relinquishment being *immediate!* ***The first 24 hour period*** [emphasis added] can decide life or death to the victim. The individuals have already lost the "right" to possess [sic] guns.”

Since no references nor citations are provided by any of the testifiers making that claim, I haven't bothered to attempt to confirm either the claim nor the quality of any “research” that may have reached such a conclusion. But, IF, and it's a big IF, there is any validity to the claim, then any time period at all between adjudication of “danger” and allowing said dangerous person to have access to firearms would obviously be misguided, if not asking for tragic consequences. The current (SD2) “7 days” could be tragic, as would have the original “24 hours” version, if the above testimony is to be believed.

Another issue that is avoided or intentionally ignored is that the greatest number of domestic violence total injuries and homicides are the result of using the “weapons” of “hands and feet”. So even if you were to IMMEDIATELY confiscate not only the firearms from the “dangerous” person upon them being declared “dangerous”, and even if the confiscation order was for any and all weapons that could be used to inflict harm on themselves and/or others, that is, any motor vehicles, knives, blunt objects, poisons, etc., etc., etc., that dangerous person would still have the most commonly used domestic violence tool at their command: their hands and feet. If you want to allow them to roam free in public then perhaps you should require that they be foot-shackled and that their hands be handcuffed behind their back? I suspect even then some of them would find a way to hurt someone they wanted to hurt.

Obviously, the only way to deal with dangerous people, is not to selectively remove some particular **portion** of the weapons available to them, but instead to incarcerate the person legally deemed

“dangerous” until they are further tried in a court of law with full legal representation to determine to what degree they are a danger and how long will be necessary to incarcerate the dangerous person to prevent them from harming anyone anywhere at any time using any weapon, even their hands and feet.

Please, use some commonsense here and defeat this bill and in its place submit one that would be the only effective way to prevent a dangerous person from harming anyone, by incarcerating them until they are deemed no longer a threat.

Of course you will have to assure the citizens of this state that full due process guarantees will be in place, as per the Constitution, so that any determination of adjudicated “danger” preserves any and all rights of the accused.

Thank you,

George Pace

SB-2436-SD-2

Submitted on: 4/3/2018 12:33:11 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeffrey Dean	Individual	Support	No

Comments:

Dear Honorable Legislators,

I am in full support of SB2436. Reducing the period that a convicted felon or domestic abuser can possess a firearm from 30 days to 7 days is a great first step. Just as you'd remand a person to a bailliff after conviction, so should their firearms be remanded. You wouldn't convict someone n then let them have 30 days of free time before they start their sentence. It's time for common sense gun laws that protect our citizens. Thank you.



April 3, 2018

To: Committee on Judiciary
The Honorable Chair Rep. Scott Y. Nishimoto
The Honorable Vice Chair Rep. Joy A. San Buenaventura

From: Everytown for Gun Safety
Emily Walton; Regional Director of State Affairs; Melissa Pavlicek; President, Hawai'i
Public Policy Advocates

RE: SB 2436 SD2; Relating to Firearms; **In Support**
April 4, 2018; Room 325

Thank you for the opportunity to submit testimony today in strong support of SB 2436 SD2.

In many ways, Hawaii is proudly leading the nation in low rates of gun violence ([link](#)). Across the state, it is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns. But this law contains a dangerous loophole that can have tragic consequences, especially in situations of domestic violence.

Under current law, individuals who become prohibited from owning guns - like felons and domestic abusers - can generally hold onto their firearms for up to a month before law enforcement has the authority to intervene. For a victim of domestic abuse, that window of time can mean the difference between life and death.

The legislation before you today would close this loophole by requiring people to sell or transfer their firearms within seven days of becoming prohibited. We support this bill, but respectfully ask that it be amended from seven days to 48 hours. This shortened time frame empowers law enforcement to act quickly to keep guns out of the hands of domestic abusers and other high-risk people, protecting women and children across the state.

We know that this is a policy that saves lives. States with laws that require abusers to relinquish their firearms see a 14% lower rate of intimate partner firearm homicide, and a 10% lower rate of total intimate partner homicide. And across the nation, the majority of states that require domestic abusers to relinquish their firearms mandate that they do so within 24 hours or less.

Thank you for your support of SB 2436 SD2.

SB-2436-SD-2

Submitted on: 4/3/2018 1:08:35 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

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

Comments:

7 days is too short. Remember the "medical marijuana letter"? Imagine if hundreds of gun owners went down to HPD that only has 1 window to surrender all firearms. So 7 days, and of those 7, 2 are going to be a weekend when HPD firearms are closed. So it's really 5 days, and that doesn't include if they fall on a holiday also. The Chief of Police Ballard took back all those letters that went out after 2 weeks (14 days).

The current law gives 30 days which is sufficient time.

PLEASE STOP TRYING TO GRAB OUR GUNS. The 2nd amendment is the only right that is under constant attack.

To: House Judiciary Committee

From: Vanessa Ito, LSW Honolulu, Hawaii (vanessamalie@gmail.com)

Re: **Senate Bill 2436**; Relating to Firearms; **IN SUPPORT**

Tuesday, April 4th, 2018 2:00 PM

Dear Chair Nishimoto and Members of the Judiciary Committee,

Thank you for scheduling a hearing this session on this important issue. **I write in strong support of Senate Bill 2436.**

My name is Vanessa Ito and I am a State of Hawaii licensed Social Worker and a brand new volunteer with the Hawaii State Chapter of Moms Demand Action for Gun Sense in America. I attended my first Chapter meeting last month, as volumes of other citizens and parents across the nation have, in hopes of mobilizing support for common sense gun laws in our local communities. What the United States has done so far to address the epidemic of gun violence is not working. However, despite congressional indifference and lack of action, committed citizens are asking for change at state and local levels to keep our communities safer.

As a former ER Social Worker, I am very aware of the dynamics of domestic violence and the necessity of thorough safety planning in addition to seeking a protective order. According to research done by Campbell, Webster and Koziol-Mclain in the American Journal of Public Health (2003), "the presence of a gun in domestic violence situations increases the risk of homicide for women by 500 percent. More than half of women murdered with guns are killed by family members or intimate partners." Being served with a protection order is often the first indicator for an abuser that the victim plans to leave. It is estimated that when violent abusers are served with a protection order that this dramatically escalates abuse including threatening their victims with firearms violence. In other words, the time in which a victim seeks and receives a protection order is often the most dangerous time.

Hawaii Revised Statutes Section 134-7 already identifies those who are considered ineligible or disqualified from possessing firearms or ammunition. The current relinquishment period of 30 days is a substantial time for abusers to continue to threaten and control their victims with potential violence with a firearm or to commit a violent act. Senate Bill 2436 significantly reduces this time period, and **I am in strong support of shortening the time period from 30 days to 24 hours.**

The Americans for Responsible Solutions (ARS), founded by Gabrielle Giffords and Captain Mark Kelly, and the National Domestic Violence Hotline have created a report and toolkit, Saving

Women's Lives, specifically to serve as a resource for state and local leaders to adopt best practices that will help protect domestic violence victims from gun violence.

http://www.thehotline.org/wp-content/uploads/sites/3/2014/07/ARS_Toolkit.pdf

In this toolkit, they outline the role state courts and legislatures can play in developing effective protocols to protect victims from firearms violence. These protocols include: "Order the offender to turn over all firearms and ammunition to local law enforcement within 24 hours of the issuance of the order."

Thank you for your consideration of SB2436. I believe it is a common sense bill that will save lives.

SB-2436-SD-2

Submitted on: 4/3/2018 1:30:14 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Gabriela Cajandig	Individual	Support	No

Comments:

Hawaii (O'ahu) Chapter of Moms Demand Action for Gun Sense in America

RE: **SB2436**; Relating to Firearms; **In Support**

Aloha,

My name is Gabriela Cajandig, citizen of Hawai'i and currently living in Waialua. I am writing in **strong SUPPORT of SB 2436** and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our state. Hawaii is already a national leader in gun safety legislation. We have some of the strongest common-sense gun laws in the country, and now we have the opportunity to show our leadership once again.

It is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. Yet, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to a month before law enforcement is authorized to intervene. This creates a dangerous gap that can have devastating consequences, particularly in domestic violence situations. It is crucial for this temporal gap to be lessened to 48 hours.

Mahalo for your consideration of SB2436. Closing this loophole will protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

SB-2436-SD-2

Submitted on: 4/3/2018 1:33:51 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

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

Comments:

I strongly OPPOSE SB2436

Description: Shortens the time period for voluntary surrender of firearms and ammunition upon disqualification from ownership, possession, or control from 30 days to 7 days. Effective 7/1/2050. (SD2)

Comments:

The standard for buying guns in Hawaii is a 2 week waiting period, yet we only have a week to dispose of them if someone declares us ineligible.

So instead of being able to sell them to a third party we are forced to give them to the Police department where sometimes extremely valuable and historical weapons will be abused, neglected, and it will also require the inconvenience and expense of obtaining a court order to get them back from HPD based on the past experience of others who were falsely accused and had to go through this.

The period should be at least 30 days to contest the whatever accusations are being leveled, or at least to find a buyer if one decides not to contest it, since that's what it takes to make the sale and go through the application process.

Also:

Restraining orders are regularly abused by clients at the behest of their divorce lawyers, and we should be holding accusers to a higher standard when it comes to violating someone's constitutional and property rights.

One common tactic is to take out a TRO and then immediately withdraw it once the desired concessions are made in family/divorce court. Meanwhile one of the main reasons domestic violence is such a huge issue here is that police often will let it continue because they know the abuser or simply don't want to get involved.

If there were a rash of killings by previously-legal firearms owners once they received a TRO then this measure would be justified, but has anyone heard of a single case where this has happened? Instead of encouraging vindictive parties to bring false charges against legal gun owners with no repercussions we should directly address the causes of domestic violence. Of course that is assuming Public Safety is indeed the goal here.

Respectfully,

Jacob Holcomb
Hawaii Rifle Association Member



92-954 Makakilo Dr. #71, Kapolei, HI 96707 Email: RainbowFamily808@gmail.com Ph: (808) 779-9078 Fax: (808) 672-6347

April 3, 2018

The Honorable Scott Nishimoto, Chair with Joy San Buenaventura Vice-Chair
and Members on the House Judiciary Committee

RE: SB 2436 – STRONG SUPPORT OF BAN for DM situations

Rainbow Family 808, 1,000 voices strong, are strongly supporting SB 2436 for a Ban on Guns for Domestic Violence situations. Our Rainbow Family 808 stands up for support of the many families in Hawaii and their rights to live lives free of assaults, persecution, fear and intimidation.

As a retired Social Worker with a Masters Degree, I know as the Social Work Community knows that the most dangerous situation is when the Survivors of Domestic Violence file any legal stand to protect themselves is the time that the mostly male perpetrators are in a rage and will do anything to take back their rights to destroy their female partners, spouses, girl friends and the families involved. This has to stop.

Rainbow Family 808 respectfully requests that SB 2436 be passed to establish protection of the lives of the women and the children's lives. This is not a 2nd Amendment issue. Who wants to keep their guns in this volatile situation needs a psychological evaluation and needs to be put in custody until the women and their children and families are able to be relocated out of reach of the perpetrator of the Domestic Violence.

One of my cases, disrupted the family so that the children could not eat any meal in fear of the male would return and beat the mother. One night he beat her so badly that her front teeth were shoved up into the roof of her mouth. No one deserves to live or die like this.

Thank you for the opportunity to provide our support for our families with SB 2436 because our society needs to protect all our families. Someone has to protect them when NRA guns up their members to fight inspite of these domestic violence harassment, bodily injury and death from guns in the wrong place, in the wrong place! Please pass SB2436 with a shortened time limit that once the judge grants the Protective Court Document!

Sincerely,

Carolyn Martinez Golojuch
President and Co-Founder
Rainbow Family 808

SB-2436-SD-2

Submitted on: 4/3/2018 1:36:03 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Linda A. S. Day	Individual	Support	No

Comments:

It seems to me that the law as it stands actually could CREATE a dangerous situation: a person who just has been disqualified from owning a gun (such as someone convicted of domestic violence) and who has been instructed to surrender his/her firearm and ammunition within 30 days MAY BE SPURRED BY THE IMMINENT LOSS OF POSSESSION OF THE WEAPON TO USE IT WHILE S/HE STILL CAN. When I told a friend of mine who is a victim of spouse abuse about the current law, she said, "Oh, great -- I know how these guys think -- they won't say, 'Gee, I guess I shouldn't have beaten up my wife so badly, because now I'm gonna lose my gun' -- no, they're gonna say, 'That b***** -- she made me beat her up and now it's HER FAULT that I'm losing my gun!'" Shortening the time period for surrendering the weapon to 7 days certainly would increase the chance of a potential victim's safety, and so I am in full support of this bill. For the record, however, it is my opinion that as soon as an individual has been disqualified from owning a gun, s/he should be required to surrender his/her firearm IMMEDIATELY -- a sheriff should accompany the individual to wherever the weapon is kept and all registered and illegal firearms should be confiscated. Why wait and gamble with a potential victim's life?

SB-2436-SD-2

Submitted on: 4/3/2018 1:39:39 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	the Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i	Support	No

Comments:

Dear Representatives of the House Judiciary Committee,

When a gun is present in an incident of domestic violence, it increases the risk of the woman will be killed by 5 times.¹ In addition, in an average month, 50 women are shot to death by their intimate partners.² This data is shocking, but these studies mentioned only account for gun related fatalities. For every one person killed with guns, two more are injured.³ 30 days is huge amount of time when you are the victim in an unsafe home or relationship. SB 2436 would make a strong impact on the lives of countless people. It is a common sense change that strengthens our laws and our safety.

The data is clear, the impact is great, and change is small. As a woman, as a mother, and as a resident of Hawaii, I ask you to take the action needed to make our state a safer place. Other states are watching, and we can show them that common sense gun reform is possible and happening.

Aloha,

Ashley Smith

Honolulu – Mom's Demand Action

¹ Jacqueline C. Campbell, Daniel Webster, and Jane Koziol-McLain, "Risk Factors for Femicide in Abusive Relationships: Results from a Multisite Case Control Study," American Journal of Public Health 93, no. 7 (June 2003): <http://1.usa.gov/1osjCet>

² Federal Bureau of Investigation, Supplementary Homicide Reports, 2010-14, available at <http://bit.ly/1yVxm4K>.

³ "Non-Fatal Injury Reports," Injury Prevention & Control: Data & Statistics (WISQARS), accessed December 23, 2017 <http://1.usa.gov/1qo12RL>.

SB-2436-SD-2

Submitted on: 4/3/2018 1:45:33 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sylvia Makk	Individual	Support	No

Comments:

SB 2436

I am a registered voter, concerned about gun safety and protecting women and children most at risk for violence.

SB 2436 is a step in the right direction towards greater gun safety for our community. I would like to see this bill put into law as it makes no sense for a disqualified gun owner to keep his gun and ammunition for 30 days after conviction. This seems like a disaster waiting to happen. Guns are deadly, especially in the hands of angry criminals and domestic abusers. Let's remove the risk.

Thank you for hearing my concerns.

Sylvia Makk

April 3, 2018

SB-2436-SD-2

Submitted on: 4/3/2018 1:49:35 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Angela Tierra	Mom's Demand Action	Support	Yes

Comments:

Dear Representatives of the House Judiciary Committee,

I was shocked the other day to hear the statistic that half of all female homicide victims are killed by an intimate partner. The time is now for common sense gun laws like SB 2436. It helps young, old, male, female, rich and poor. Not removing the ownership privilege from someone convicted of a crime as soon as possible seems like a disaster waiting to happen, and for 12% of women abused by their partners it means a death sentence.

Your action will save lives, and create a Hawaii that we can continue to proudly hold up as an example for the rest of the country.

Aloha,

Angela Tierra

Honolulu- Moms Demand Action

SB-2436-SD-2

Submitted on: 4/3/2018 1:57:56 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Cora Speck	Individual	Support	No

Comments:

As a mother, citizen, and registered voter, I am concerned about gun safety and support legislation that will reduce the risks of serious injury and/or death to innocent people at the hands of someone who most would agree should not have access to firearms.

SB 2436 is a small step in the right direction towards greater safety in our communities. I would prefer that the original language of the bill was put into law, changing the timeframe for a disqualified gun owner to keep firearms to just 24 hours (instead of 30 days, which is the current law; or 7 days, which is the amended version of this proposed bill).

In the hands of irate, irrational criminals, guns have the power to indiscriminately end many innocent lives. Let's reduce this risk while we still can. Thank you.

LATE

SB-2436-SD-2

Submitted on: 4/3/2018 2:00:28 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

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

Comments:

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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

LATE

KIRK CALDWELL
MAYOR



SUSAN BALLARD
CHIEF

JOHN D. McCARTHY
JONATHAN GREMS
DEPUTY CHIEFS

OUR REFERENCE DN-DNK

April 4, 2018

The Honorable Scott Y. Nishimoto, Chair
and Members
Committee on Judiciary
State Senate
Hawaii State Capitol
415 South Beretania Street, Room 325
Honolulu, Hawaii 96813

Dear Chair Nishimoto and Members:

SUBJECT: Senate Bill No. 2436, SD2, Relating to Firearms

I am Lieutenant Hunter Ah Loo, Acting Captain of the Records and Identification Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports Senate Bill No. 2436, SD2, Relating to Firearms, as it will shorten the time period that a disqualified firearms owner has to voluntarily turn in their firearms.

This bill amends subsection (b) of Hawaii Revised Statutes Section 134-7.3 by shortening the time period for the voluntary surrender of firearms and ammunition upon disqualification from ownership, possession, or control of firearms and ammunition from 30 days to 7 days. The HPD urges that these changes also be made to subsection (a) to allow uniformity and consistency throughout the entire section.

The HPD supports Senate Bill No. 2436, SD2, Relating to Firearms.

Thank you for the opportunity to testify.

APPROVED:

Handwritten signature of Susan Ballard in black ink.

Susan Ballard
Chief of Police

Sincerely,

Handwritten signature of Hunter Ah Loo in black ink.

Hunter Ah Loo, Acting Captain
Records and Identification Division

LATE

SB-2436-SD-2

Submitted on: 4/3/2018 3:02:46 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Meagan Ostrem	Individual	Support	No

Comments:

I strongly support the measure to reduce the number of days an individual has to surrender their fire arms. This is another important step in making the state of Hawaii safer. When still feel that 7 days istoo long, it is a step in the right direction towards protecting the public from unnecessary risk. For example, when an individual chooses to drink and drive their right to drive is removed. They are not provided multiple days to give up their license. Activities with greater risk assume greater responsibility. The second amendment right is by no means an unlimited right and please vote yes on this bill.

Mahalo, Meagan Ostrem

LATE

SB-2436-SD-2

Submitted on: 4/3/2018 3:49:10 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Patricia Boland	Individual	Support	No

Comments:

Please show that you represent the people and not the NRA.

Pass this common sense bill!

LATE

SB-2436-SD-2

Submitted on: 4/3/2018 3:49:18 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Golojuch Jr	LGBT Caucus of the Democratic Party of Hawaii	Support	Yes

Comments:

LATE

SB-2436-SD-2

Submitted on: 4/3/2018 4:10:12 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Charlie Bass	Individual	Support	No

Comments:

Every day matters when a gun is in irresponsible hands.

LATE

SB-2436-SD-2

Submitted on: 4/3/2018 4:29:58 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Joel Berg	Individual	Oppose	No

Comments:

I oppose SB2436 on the grounds that it denies sufficient time for a individual to seek due process to defend themselves against the infringement of an individuals constitutional rights. Last year we experienced a misguided attempt from HPD to confiscate firearms from individuals with medical marijuana cards. Had this bill been law we would have seen numerous law abiding Hawaii State Residents stripped of their rights and personal property. Regarding gun control laws in general, please do not provide or police force already overburdened with property crime additional busiwork with no statistical evidence to suggest it prevents crime. Particularly when it opens our state to lawsuits for violating the Bill of Rights and then sticking the tax payers such as myself with the bill.

I appreciate that you all have difficult jobs and appreciate that you must make hard decisions to improve the welfare of our state however I strongly encourage you to reconsider this bill.

Captain Joel Berg

94-124 Anania Dr. Apt. 201

Mililani, HI 96789

To: Representative Scott Nishimoto, Chair- House Judiciary Committee;
Representative Joy San Bueanventura, Vice Chair; and members of the Committee

From: Nonohe Botelho, Parents of Murdered Children

Date: Wednesday, April 4,2018

Re: SB 2436, "A BILL FOR AN ACT RELATING TO FIREARMS"

LATE

My name is Nonohe Botelho. I am affiliated with the National Organization of Parents of Murdered Children. I became involved with Parents of Murdered Children after my son, Joel Botelho, was shot and killed in front my home in Kaneohe in 2011. My son was fatally murdered after a single gunshot to his chest. He died instantly.

Several weeks after the my son died we were informed that the shooter had previously threatened to shoot his girlfriend and himself. The police were called, but the gun was never retrieved. Had the gun been retrieved my son may have never been shot. We will never know if retrieving the gun at that time could have been the difference between life and death.

I am writing in strong support of SB2436, A Measure to shorten the time period for voluntary surrender of firearms and ammunition upon disqualification from ownership, possession, or control from 30 days to 24 hours.

Hawaii currently requires that people who become prohibited from having firearms must sell their guns or transfer them to local law enforcement; however it generally gives them 30 days to do so before law enforcement is authorized to intervene. A lot can happen in 30 days, and guns in the hands of domestic abusers can turn abuse into murder. Giving domestic abusers and other prohibited people 30 days to relinquish their guns makes Hawaii an extreme outlier in the national context and is also out of sync with other parts of Hawaii law. Nationwide, when domestic abusers are required to turn in their firearms, most states specify that they must do so within 24 hours, if not sooner.

Moms Demand Action supports common sense, evidence based policies and practices that help reduce gun violence in America and with passage HB 2228 Hawaii can continue to lead the way. Research has found that there is a 24 hour period where an abusers' access to firearms can decide the difference between life and death for the victim.

Proposed SB 2436 would shorten the existing timeframe and empower law enforcement to act quickly to keep guns out of the hands of domestic abusers and other high risk people. I believe that shortening the existing timeframe will be the difference between life and death.

Thank you for your time and consideration of this important matter.

LATE

SB-2436-SD-2

Submitted on: 4/3/2018 7:09:07 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
maralie S cleaver	Moms Demand Action For Gun Sense in America	Support	No

Comments:

Please consider passing this bill that will shorten the time for domestic abusers and other prohibited users to turn in their weapons.

It is just too easy for this weapon to be used in a fit of rage, and as a teacher, I have had students murdered at the hands of their abusers during domestic disbutes.

In my own family, I have witnessed devastating results of family members mishandling these deadly weapons.

It just makes sense to legally shorten the time limit for turning in weapons and ammunition, from those legally disqualified to own guns. It is my hope that more family members and others, such as police officers who might have to become involved in domestic situations, would be able to deal with disputes not involving these deadly weapons at the hands of the abusers and/or criminals.

Thank you for your consideration of this very important step towards safer gun laws.

LATE

SB-2436-SD-2

Submitted on: 4/3/2018 7:26:53 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lea Minton	Individual	Support	No

Comments:

I strongly support SB2436SD2 as we need to close the loophole allowing people to keep their guns for up to a month when they are prohibited from having a firearm before relinquishing their guns.

This loophole puts peoples lives at risk. Let's strengthen our gun laws in Hawaii and protect those most vulnerable to death or disability from a weapon.

Thank you for this opportunity to testify.

LATE

SB-2436-SD-2

Submitted on: 4/3/2018 7:33:56 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Alyce Dodge	Individual	Support	No

Comments:

I am a lifelong Hawaii resident and a registered voter. I am concerned about gun safety and protecting women and children most endangered by violence. SB 2436 SD2 is a step in the right direction towards greater gun safety in our community. I would like to see this bill put into law, preferably with the original 24 hour time frame, and effective much sooner than 2050. It makes no sense for a disqualified gun owner to keep firearms and ammunition for 30 days past conviction. This is simple common sense - guns are deadly, especially in the hands of domestic abusers and criminals. Let's remove this risk. Mahalo for hearing my concerns.

LATE

SB-2436-SD-2

Submitted on: 4/3/2018 9:12:38 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Peter Gellatly	Individual	Support	No

Comments:

Aloha Chair Nishimoto, Vice Chair San Buenaventura and members of the committee,

Thank you so much for considering this important bill, yet one more way that Hawaii can grow safer. If it is not too late, I urge you to address the issue of timing with experts who can tell us whether 24 hours is too short for this purpose, or seven days is too long. The HPD suggested 48 hours, which seems about right, but surely there is definitive data from which to make a thoroughly informed decision.

Again, mahalo.

aloha, Peter Gellatly

LATE

SB-2436-SD-2

Submitted on: 4/3/2018 9:16:52 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Peggy ONeal	Individual	Support	No

Comments:

To: House Judiciary Committee

Hon. Rep. Scott Nishimoto, Chair

Rep. Joy A. San Buenaventura, Vice Chair

Hawaii Chapter of Moms Demand Action for Gun Sense in America

RE: SB2436; Relating to Firearms; In Support

Tuesday, April 4, 2018, 2PM

My name is Peggy ONeal who lives in Hilo. I am writing in strong SUPPORT of SB 2436 and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our state. Hawaii is already a national leader in gun safety legislation. We have some of the strongest common-sense gun laws in the country, and now we have an opportunity to show our leadership once again.

It is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. Yet, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to a month before law enforcement is authorized to intervene. This creates a dangerous gap that can have devastating consequences, particularly in domestic violence situations. Research shows that requiring domestic abusers to relinquish firearms reduces intimate partner homicide and that it is important to require relinquishment immediately. Research has found that there is a critical window where an abusers' access to firearms can decide the difference between life and death for the victim.

Mahalo for your consideration of SB2436. Closing this loophole will protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

LATE

SB-2436-SD-2

Submitted on: 4/3/2018 9:25:24 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jessica Taylor Spurrier	Individual	Support	No

Comments:

Committee Members,

This measure serves to protect those most at risk for gun violence without infringing on the rights of law abiding gun owners. Please support this incredibly important legislation.

Mahalo,

Jessica Taylor Spurrier (Kaneohe)

LATE

SB-2436-SD-2

Submitted on: 4/3/2018 10:10:31 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Cory Harden	Individual	Support	No

Comments:

Aloha legislators,

Please support taking firearms away from dangerous people as fast as possible. No-brainer!

mahalo,

Cory Harden

LATE

Marcella Alohalani Boido, M. A.
Hawaii Judiciary Certified Spanish Court Interpreter, Tier 4
Resident, House District 21, Moili'ili, Honolulu, Hawai'i 96826

To: Rep. Scott Y. Nishimoto, Chair; Rep. Joy A. San Buenaventura, Vice-Chair;
Members, House Committee on Judiciary

Date: Wednesday, April 4, 2018, 2:00 p.m., Room 325

Re: **SB 2436, SD 2, SUPPORT**

Chair Nishimoto, Vice-Chair San Buenaventura, and Members of this Committee, thank you for hearing this bill.

Currently I am the president of Hawaii Interpreter Action Network, a professional association of interpreters and translators. This testimony is offered in my capacity as a private individual. Much of it is as much for general readers as for the members of this Committee, who undoubtedly are well-versed in the legal details of Hawaii's gun laws.

On my father's side of the family, there is a tradition of hunting with rifles that goes back over a hundred years and covers multiple generations in both the US and Mexico. One of my relatives, now deceased, was a championship sharpshooter. My father's military training included firearms. The same is true for my brother-in-law. Several members of my 'ohana have been police officers. One of my relatives is a hunting guide, leading tours in both the US and Mexico. Pictures of various relatives next to large, dead animals are on the internet.¹ When I was growing up on Kauai, there were quite a few people who hunted in order to put food on the table. They were also helpful in keeping down the populations of feral pigs and goats.

I am not anti-gun, per se. What I do support is rational legislation to keep Hawaii safe. This bill looks to me like a good idea.

In previous testimony from others against this measure, several logistical obstacles have been described. Here are solutions, based on consultation with an expert.

Obstacle: Not enough time to take in a large collection of guns.

Solution: Police can be contacted to come and pick up the guns and ammunition.

Obstacle: Police availability for turning in guns is limited to weekdays and certain hours.

Solution: Police stations are open 24/7, 365. Arrangements can be made to bring in the guns and ammunition.

¹ They eat them, I assume, since my family members are not inclined to be wasteful.

The ATF list of 116 federally licensed firearms dealers in Hawaii can be downloaded from the ATF web site. There are firearms dealers on every inhabited island except Niihau. Some of these dealers have limited hours. There is a simple, local-style solution for this: call up a gun dealer and ask for help and understanding. The firearms owners probably know at least one gun dealer. The worst that can happen is that a gun dealer is not available, or says “no.” People who look for a legal way to solve their problem will find one. “Cool head, main t’ing.”

James Fallows is writing a column on firearms and related issues in *The Atlantic*, called “Notes: First Drafts, Conversations, Stories in Progress.”² The entry for March 25, 2018, is “Gun Safety: The Importance of Technology, the Legacy of Slavery.”³ The section called “‘Militia’ and Slavery” is well worth reading. Some excerpts:

The Second Amendment exists to protect the rights of slaveholders.

Slaveholding states considered the Federal government an existential threat. Turns out they weren’t wrong about that. The Second Amendment, in somewhat equivocal language that was necessary to not overstate its obvious intent, was included as a bar against the Federal government’s perceived and real ability to disrupt and finally end the slave trade.

This has nothing to do with citizens performing civic duties. This has to do with the armed camp that was the South where more than one half of the human population was held in bondage, whipped, chained and treated as sub-human property.

For those who wish to perform their civic duty, we have the National Guard, as well as branches of the armed forces. Enlisted members are provided with both firearms and ammunition.

A historic winter in Valley Forge ended a long time ago. Slavery has been abolished. Nobody needs to keep a musket, powder horn, powder, patch, flint, bullet molds, lead for the bullet molds, and related supplies, at home any longer.⁴ It is difficult to visualize how these weapons, or any guns, would defend against an atomic bomb.

Times do change. Our laws and our understanding of them should change, too. Those changes should be based on solid scholarship.

Respectfully, I ask that this Committee pass this bill. Thank you.

² There is a list of the entries to date at the bottom of the page.

³ Accessed 4/3/18. <https://www.theatlantic.com/notes/2018/03/gun-safety-the-importance-of-technology-the-legacy-of-slavery/556484/>

⁴ If a person is into recreating historic guns, there are suppliers. This one, for example: <https://www.trackofthewolf.com/List/Category.aspx/125>. Accessed 4/3/18.

LATE

SB-2436-SD-2

Submitted on: 4/4/2018 6:04:31 AM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Todd Yukutake	Individual	Comments	No

Comments:

Comments only, request amendment.

Please amend the bill to keep firearm permit denials at 30 days so the accused has time to fix errors or remove it from the firearm surrender law. There are due process violations where rights are being taken away without a court order and there is no evidence of an immediate threat.

Permit denials can occur for many innocent reasons such as errors and incidents that have since been cleared, such as childhood disorders like bedwetting. Wrongly confiscating firearms can lead to lost time and money of the accused getting their firearms back along with possible damage to the firearm while in police custody.

There is no imminent threat to justify firearm surrender for permit denials. The accused already has possession of firearms.

LATE

SB-2436-SD-2

Submitted on: 4/4/2018 8:38:00 AM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Dau	Keiki Injury Prevention Coalition	Support	No

Comments:

Keiki Injury Prevention Coalition supports SB2436

Thank you

Lisa Dau, RN
Keiki Injury Prevention Coalition

LATE



Wednesday, April 4, 2018

Representative Scott Y Nishimoto, Chair
Representative Joy A. San Buenaventura, Vice Chair
Committee on Judiciary

Subject: **Support SB2436, SD2, Relating to Firearms**

Dear Representative Nishimoto and Members of the Committee on Judiciary:

The Injury Prevention Advisory Committee **supports SB2436, SD2** that shortens the time period from the current 30 days to 24 hours for voluntary surrender of firearms when deemed disqualified from firearm ownership, possession or control.

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 the eight leading areas of injury, including violence and abuse.

Hawaii has one of the lowest firearm-related fatality rates in the nation because there are comprehensive firearm laws in place. The shorter time period proposed in SB2436 closes the loophole on Hawaii's strong gun laws. In supporting this bill, Hawaii will join the majority of other states requiring domestic abusers to give up their firearms within 24 hours or less, thereby reducing the potential for firearm-related violence and death.

We urge you to support SB2436, SD2 to help ensure the safety of Hawai'i residents and visitors.

Thank you for the opportunity to testify.

Sincerely,

Deborah Goebert, DrPH
Chair, IPAC

LATE

SB-2436-SD-2

Submitted on: 4/4/2018 9:48:44 AM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Charla Teves	Individual	Support	Yes

Comments:

SB-2436-SD-2

Submitted on: 4/4/2018 3:33:28 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Karin Nomura	Individual	Support	No

Comments:

A lot can happen in 30 days, even in 7 days...especially if someone is forced to relinquish their rights...which in some cases is over a TRO or criminal activity, so feel the shorter the time frame the better.

LATE

SB-2436-SD-2

Submitted on: 4/4/2018 4:01:02 PM

Testimony for JUD on 4/4/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Russell F. Jones	Individual	Support	No

Comments: