

**SB-2436**

Submitted on: 1/29/2018 12:25:52 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Victor K. Ramos	Maui Police Department	Support	No

Comments:

Harry Kim  
Mayor



Wil Okabe  
Managing Director

Barbara J. Kossow  
Deputy Managing Director

County of Hawai'i  
Office of the Mayor

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January 30, 2018

Senator Clarence K. Nishihara, Chair  
Senate Committee on Public Safety, Intergovernmental, and Military Affairs  
Hawai'i State Capitol, Room 229  
Honolulu, HI 96813

Dear Chair Nishihara and Committee Members:

**Re: SB 2436 Voluntary surrender of firearms**  
**Hearing Date: 02/01/18 – 1:35 pm; Conference Room 229**

I support SB 2436. 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.

However, requiring that all firearms be turned in within a matter of hours may be too controversial to survive the legislative process. The grace period of 30 days, from disqualification to surrender, has apparently been with us for a substantial period of time. Rather than risk that no progress will be the result of too strong a stand, I would suggest that shortening the period from 30 to 15 days would be a worthwhile step forward.

Respectfully submitted,

Harry Kim  
Mayor, County of Hawai'i

**SB-2436**

Submitted on: 1/31/2018 10:46:48 AM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Richard K. Minatoya	Maui Department of the Prosecuting Attorney	Comments	No

Comments:

The Department of the Prosecuting Attorney, County of Maui provides the following comment to SB 2436: The number of hours within which a person is required to dispose of firearms and ammunition after disqualification should be explicitly set forth in the measure.

Thank you very much for the opportunity to provide this comment.

**SB-2436**

Submitted on: 1/29/2018 6:24:07 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ron Klapperich	ASSE	Oppose	No

Comments:

I oppose this bill because it assumes that everyone who disqualifies for ownership is an immediate danger to society. Usually, someone becomes disqualified because of some technical error and not because they have been deemed mentally incompetent. If that's the case, then court order should include the HPD confiscating the weapons right away and not in an undefined number of hours. Otherwise, 30 days is needed for the gun owner to straighten out whatever issue that has occurred.



February 1, 2018

To: The Honorable Chair Clarence Nishihara  
Senate Committee on Public Safety, Intergovernmental, and Military Affairs

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

RE: SB 2436; Relating to Firearms; **In Support**  
February 1, 2018; Conference Room 229

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

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 24 hours of becoming prohibited. 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.

**SB-2436**

Submitted on: 1/30/2018 7:10:03 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tony Sylvester	Hawaii Sportsmen's Alliance	Oppose	No

Comments:

**SB-2436**

Submitted on: 1/30/2018 6:35:08 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

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

Comments:

My name is Laura Ficenec, I'm 24 years old living in Aiea, Hawaii, and I am writing in **strong SUPPORT of SB2436/HB 2228** and urge you to pass it to prevent domestic abusers from illegally keeping guns here in Hawaii.

In 2014, I was a student at Santa Barbara City College and living Isla Vista when there was a mass shooting that killed six people and injured fourteen others. The shooter, Elliot Rodger, was diagnosed as mentally ill and had 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 people, as well as a vast amount of others across the state, would maybe still be with us today. Isla Vista was my home, and now my home is in Aiea. I will do everything in my power to prevent an event like this from happening to my community and me ever again.

Hawaii needs to do what it can to prevent gun violence, and passing legislation to ensure that domestic abusers and other people who are prohibited from having guns relinquish their firearms within 24 hours could save lives. 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.

Closing this loophole will many people in Hawaii by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession. Thank you for your consideration, and I hope my story and testimony will make a difference.

Bennett Cale, Kula, Maui, testimony in SUPPORT of SB2436/ HB2228  
[Hawaii@momschapterleaders.org](mailto:Hawaii@momschapterleaders.org)

My name is Bennett Cale. I am a dad of two and the Hawaii Chapter Lead of Moms Demand Action for Gun Sense in America. I am writing in strong **SUPPORT of SB2436/ HB 2228** and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our beautiful state.

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. 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.

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 legislation would close this dangerous loophole and empower law enforcement to better protect public safety. The proposed bill would require people to sell or transfer their guns within 24 hours of becoming prohibited from having them, shortening the existing timeframe and empowering law enforcement to act quickly to keep guns out of the hands of domestic abusers and other high-risk people.

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

Bennett Cale  
808.268.5068





NATIONAL RIFLE ASSOCIATION OF AMERICA  
INSTITUTE FOR LEGISLATIVE ACTION  
(916) 446-2455 voice ▪ (703) 267-3976 fax  
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STATE & LOCAL AFFAIRS DIVISION  
DANIEL REID, HAWAII STATE LIAISON

January 31, 2018

The Honorable Clarence Nishihara  
Chair, House Committee on Public Safety, Intergovernmental, and Military Affairs  
Sent Via Email

Re: Senate Bill 2436 – OPPOSE

Dear Chairman Nishihara:

On behalf of the Hawaii members of the National Rifle Association, we oppose Senate Bill 2436.

SB 2436 would drastically shorten the time period a prohibited person, whether temporarily or permanently prohibited, has to comply with the current requirement to surrender their firearms from 30 days to an unspecified number of hours. This expedited time period could subject an individual, who may have nothing more than allegations as the basis for the prohibition, to an unfettered search of their home and/or business within hours of being accused; all this without taking into account the many issues surrounding “surrender statutes” in general, including possible violations of an individual’s right against self-incrimination.

Thank you for your attention and I ask that you oppose this legislation.

Cordially,

Daniel S. Reid  
State Liaison



**TO: Chair Nishihara, Vice Chair Wakai, and Members of the Senate Committee on Public Safety, Intergovernmental, and Military Affairs**

**FROM: Ryan Kusumoto, President & CEO of Parents And Children Together (PACT)**

**DATE/LOCATION: February 1, 2018; 1:35 p.m., Conference Room 229**

**RE: TESTIMONY IN SUPPORT OF SB 2436– RELATING TO FIREARMS**

**We urge you to support SB 2436– Relating to the time period for voluntary surrender of firearms and ammunition upon disqualification from ownership.** We support this bill which would close a loophole in our current law that allows those with dangerous histories possession of their firearms even after they are convicted. This bill will help keep Hawaii safe and protect victims of abuse and trauma by preventing their perpetrators from illegally keeping firearms in their possession and using them to cause further threat or harm. We support the nationwide trend of having those who are prohibited from possessing firearms to relinquish them right away—within 24 hours.

Although we have a high percentage of gun ownership, Hawaii has, by far, the lowest gun homicide rate in the nation and we intend to keep it that way. Our State is earning a national reputation as a leader in gun violence prevention and this law would further help to keep guns out of the hands of abusers and criminals. In other states, laws require abusers and felons to relinquish their firearms within 24 hours and we would encourage the same for Hawaii. As a provider of domestic violence prevention and support services, we are extremely aware of the overwhelming number of crimes related to domestic abuse and the high risk of repeated abuse and violence by offenders. The more we can do to protect individuals, especially children, from abuse encourages them to feel safe and confident enough to thrive after trauma.

Founded in 1968, Parents And Children Together (PACT) is one of Hawaii’s not-for-profit organizations providing a wide array of innovative and educational social services to families in need. Assisting more than 18,000 people across the state annually, PACT helps families identify, address and successfully resolve challenges through its 16 programs. Among its services are: early education programs, domestic violence prevention and intervention programs, child abuse prevention and intervention programs, child and adolescent behavioral health programs, sex trafficking intervention, and community building programs.

A 24-hour time frame for SB 2436 would align well with current Hawaii firearm's laws and continue to prevent gun violence in our state. Thank you for the opportunity to testify in **support of SB 2436**, please contact me at (808) 847-3285 or [rkusumoto@pacthawaii.org](mailto:rkusumoto@pacthawaii.org) if you have any questions.

**SB-2436**

Submitted on: 1/31/2018 12:08:58 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Erica Yamauchi	Project Kealahou	Support	No

Comments:

**Erica Yamauchi, testimony in SUPPORT of SB 2436/HB 2228** I am a mother and consider myself a survivor of gun violence as my best friend was kirdered involving gun violence as a high-schooler. I am writing in **strong SUPPORT of SB2436/HB 2228** and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our beautiful state.

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 30 days before law enforcement is authorized to intervene. A lot can happen [in 30 days](#). This creates a dangerous 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 – within 24 hours.

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.

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



**SB-2436**

Submitted on: 1/30/2018 8:33:56 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kathleen Elliott		Support	No

Comments:

My name is Kathleen Elliott. I am a mother and a health care provider in Hawai'i. I am writing in **strong SUPPORT of SB2436/HB 2228** and urge you to pass it to prevent domestic abusers from illegally keeping guns here in Hawai'i. I'm so pleased that Hawai'i passed the bill that will not allow convicted felons, domestic abusers, and people with severe mental illnesses to possess guns but we need them to relinquish the guns immediately to protect people. I've seen the effects of domestic violence in my medical practice, and guns can make a dangerous situation deadly.

Please pass this bill. Aloha, Kathleen Elliott, PA-C

**SB-2436**

Submitted on: 1/30/2018 9:21:29 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

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

Comments:

My name is Gabriela Cajandig, I'm 24 years old living in Waiialua, Hawaii, and I am writing in **strong SUPPORT of SB2436/HB 2228** and urge you to pass it to prevent domestic abusers from illegally keeping guns here in Hawaii.

In 2014, I was a student at Santa Barbara City College and living Isla Vista when there was a mass shooting that killed six people and injured fourteen others. The shooter, Elliot Rodger, was diagnosed as mentally ill and had 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, those six people, as well as a vast amount of others across the state who have been fatally affected by gun violence, would most likely still be with us today. My twin sister was living in Isla Vista and was scarily close to multiple locations where Elliot Rodger killed our fellow friends and colleagues. I cannot imagine the loss of my sister if it had been her life taken that night. Since then, there is always a sliver of terror to think that what we have already experienced once could very easily happen again, if legislation such as this does not pass. Isla Vista was my home, and now my home is in Waiialua. I will do everything in my power to prevent an event like this from happening to my community, these islands, and throughout the United States.

Hawaii needs to do what it can to prevent gun violence, and passing legislation to ensure that domestic abusers and other people who are prohibited from having guns relinquish their firearms within 24 hours could save lives. 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.

Closing this loophole will save many people in Hawaii by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession. Mahalo Nui Loa for your consideration, and I hope my story and testimony will make a difference in your decision.

**SB-2436**

Submitted on: 1/30/2018 9:35:30 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mary True		Support	No

Comments:

Domestic violence and guns are a potentially deadly mix. Abusers need to be seperated from their guns as soon as possible. Please close this loop hole.



**SB-2436**

Submitted on: 1/31/2018 8:44:33 AM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marjorie Bonar		Support	No

Comments:

This is a common sense approach to curtail abuse. Please remove guns from the hands of those likely to abuse them.

Marjorie Bonar, Pukalani.

**SB-2436**

Submitted on: 1/31/2018 11:42:22 AM

Testimony for PSM on 2/1/2018 1:35:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Bo Breda		Support	No

Comments:

My name is Bo Breda I am a survivor. I am writing in **strong SUPPORT of SB2436/HB 2228** and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our beautiful state.

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 30 days before law enforcement is authorized to intervene. A lot can happen in 30 days. This creates a dangerous 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 – within 24 hours.

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.

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

**SB-2436**

Submitted on: 1/31/2018 12:15:09 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Linda Eger		Support	No

Comments:

**Linda Lei Eger,Kihei, HI , testimony in SUPPORT of SB 2436/HB 2228**

My name is Linda Eger. I am a mother. I am writing in **strong SUPPORT of SB2436/HB 2228** and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our beautiful state.

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 30 days before law enforcement is authorized to intervene. A lot can happen in 30 days. This creates a dangerous 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 – within 24 hours.

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.

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

**SB-2436**

Submitted on: 1/31/2018 12:48:39 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Katherine		Support	No

Comments:

My name is Katherine Wood. I am a grandparent & writing in STRONG support of SB2436 & HB2228. I urge you to close the loophole that allows 30 days before law enforcement is authorized to intervene when a domestic abuser does not relinquish guns. Domestic abuse is one of the areas of gun violence that happens in heightened emotional circumstances. Prevent the devastating consequences to women & children under these condition.

Thank you for your consideration in closing the loophole. It is already illegal for the domestic abused to possess the guns, close the loophole allowing law enforcement to intervene as soon as possible.

**From:** [Marcy W](#)  
**To:** [PSMTestimony](#)  
**Subject:** SUPPORT SB 2436  
**Date:** Wednesday, January 31, 2018 6:23:30 AM

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Marcy Wilhelm, testimony in SUPPORT of SB 2436/HB 2228

My name is Marcy Wilhelm. I'm a mother of two and lifelong resident of Hawaii and I believe strongly that we must **SUPPORT** SB2436/HB 2228. It is imperative that we support this bill that will prevent domestic abusers from keeping guns in our beloved Aloha State.

It is illegal for certain dangerous people, including felons and domestic abusers, to buy or possess guns in Hawaii, and I'm proud of the fact that we have some of the strongest gun laws in the nation. However, a loophole in the law exists that allows prohibited people up to 30 days to relinquish any firearms they may possess. This can be a very dangerous time for victims of domestic abuse, and we must close this gap in Hawaii's otherwise common-sense gun laws. Prohibited people must be required to relinquish their guns immediately, at the very least within 24 hours.

Mahalo for the work you do to keep families safe from gun violence. This bill will go a long way toward keeping our keiki, and all citizens of this beautiful state safe from dangerous people who may take advantage of this loophole.

**SB-2436**

Submitted on: 1/30/2018 7:15:18 AM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jon Abbott		Oppose	Yes

Comments:

Aloha,

I strongly urge you as our elected representatives to oppose this legislation. A civil society is based on the laws that form it. Due process under the law is one of the cornerstones of any fair and just legal system.

This legislation fails to provide this cornerstone of due process by creating a nebulous time in which someone who has lost their right to keep a firearm has to dispossess themselves of said firearm(s). Let us keep in mind that this loss of rights may be temporary, such as the case of a TRO or medical condition.

It is in the best interest of the public that the timeframe for removing of firearms from a disqualified person's possession be clear and reasonable. Because this legislation fails to meet both of these criteria I strongly urge you to oppose this legislation and any like it.

**SB-2436**

Submitted on: 1/30/2018 11:49:14 AM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
steven a kumasaka		Oppose	Yes

Comments:

i oppose this bill

**SB-2436**

Submitted on: 1/31/2018 9:31:22 AM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Barry P Fitzgerald	Mr	Oppose	Yes

Comments:

Logistically problematic. Not enough time to dispose of property



**SB-2436**

Submitted on: 1/29/2018 12:41:21 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kainoa Kaku		Oppose	No

Comments:

I oppose this measure. If legislators want to propose laws they should be specific.

**SB-2436**

Submitted on: 1/29/2018 12:43:08 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Allan Bacon		Oppose	No

Comments:

This bill is intentionally and unreasonably vague as to the time to turn in items. It would be used to justify attacks on 2nd amendment rights of citizens without allowing them a reasonable time period to respond.

**SB-2436**

Submitted on: 1/29/2018 4:05:41 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Edward Hampton		Oppose	No

Comments:

While I can appreciate the thought behind this bill, the is wording is vague, and once again lazy. I can see giving the judge in the case some leeway in cases where there is obviously intent to commit harm, but to do this as wriiten, especially with no specified time period, is inviting problems and potentially making criminals out of otherwise law abiding citizens. We all know the TRO system is abused, many times simply out of spite. That's bad enough, but to possibly make a criminal out of someone that doesn't deserve it is simply wrong. I suggest you go back to the drawing board and put a little more effort into this. Act like the "Professionals" you purport yourselves to be.

**SB-2436**

Submitted on: 1/29/2018 5:13:54 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

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

## Comments:

Adequate time should be given to an individual who appears to be disqualified to possess firearms to seek legal assistance, otherwise due process will not be observed. The time period allowed should not be too short to seek the necessary legal assistance required.

**SB-2436**

Submitted on: 1/29/2018 5:44:22 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ryan Arakawa		Oppose	No

Comments:

**I strongly oppose SB2436.** It is unrealistic to expect an individual to be able to turn-in all of their firearms and ammunition to HPD or a licensed firearms dealer within a matter of hours. 30 days is reasonable.

**SB-2436**

Submitted on: 1/29/2018 6:53:02 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

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

Comments:

**SB-2436**

Submitted on: 1/29/2018 7:44:45 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
William Carroll		Oppose	No

Comments:

I oppose SB2436 because the term "within hours" is arbitrary and capricious, and given the poor internal communications and bureaucracy of HPD, the left hand frequently not knowing what the right hand is doing (or, more probable, looking the other way), and the recent Kealoha incident where HPD's "finest" abuse their police powers, this legislation will most certainly be abused and has no checks and balances to protect the rights of law-abiding citizens.

**SB-2436**

Submitted on: 1/29/2018 10:07:49 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

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

Comments:

"Within hours" leaves very little room for compliance. Furthermore there is no chance to appeal the decision to revoke an individual's firearm rights.



**SB-2436**

Submitted on: 1/29/2018 9:06:23 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

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

Comments:

I oppose this measure due to lack of due process.

It is also nearly impossible to enforce.

**SB-2436**

Submitted on: 1/30/2018 8:50:45 AM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
scott shimoda		Oppose	No

Comments:

Please oppose SB 2436. You cannot perform these actions if you are hospitalized or not on the island.

Thank you,

Scott Shimoda

**SB-2436**

Submitted on: 1/30/2018 10:56:00 AM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Austin White		Oppose	No

Comments:

Re: SB2436

Aloha

I wish to express my opposition to SB2436 and the reduction in time from 30 days to an undetermined number of hours for surrendering firearms and ammunition or disposing of said firearms and ammunition. To enact this change to HRS 134-7 places undue hardship upon the owner of the firearms to dispose of the firearms to other parties within the state of Hawaii due to current regulations for the obtaining of permits to acquire. The current permit process (HRS 134-2) requires 14 days to be approved or denied, thus not allowing sufficient time for the owner to dispose of the firearms & ammunition. Because of this minimum waiting period, it would tangibly be assumed that the Chief of Police would automatically seize said firearms and ammunition, depriving the firearms owner any recourse to transfer the firearms and when the person can again become qualified, cannot have their firearms returned.

I urge the members of the legislature to oppose SB2436 as it removes due process and rights afforded the citizens of the State of Hawaii in regards to this matter.

Mahalo

Austin White

Mililani, Hi

**SB-2436**

Submitted on: 1/30/2018 11:00:38 AM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Layne Hazama		Oppose	No

Comments:

Strongly oppose SB2436. The unspecified number of hours is not reasonable in terms of compliance as well as enforcement.

**SB-2436**

Submitted on: 1/30/2018 11:38:48 AM

Testimony for PSM on 2/1/2018 1:35:00 PM

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

Comments:

How is it even possible for our legislators to submit an open-ended bill. You have failed to specified the "number of hours" you are proposing into law. Please do your job as elected officials and specify. Better yet, are we having a problem with the current 30 days?

**SB-2436**

Submitted on: 1/30/2018 12:15:08 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

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

Comments:

Existing rule of 30 days is sufficient.

**SB-2436**

Submitted on: 1/30/2018 12:56:40 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sheldon Miyakado		Oppose	No

Comments:

If you are going to enforce such a policy I think that you need to give that individual more time than just hours. Giving someone hours to forfeit firearms and ammo is not a reasonable amount of time. This bill is just unreasonable and the person who wrote it should not be re-elected to office as they are not reasonable nor do they have any common sense. People will abide by the rules and policies if they are given a reasonable amount of time.

mahalo, resident and registered voter

Sheldon Miyakado

**SB-2436**

Submitted on: 1/30/2018 1:47:25 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

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

Comments:

I strongly oppose this bill.



**SB-2436**

Submitted on: 1/30/2018 5:29:21 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

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

Comments:

**SB-2436**

Submitted on: 1/30/2018 6:26:10 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

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

Comments:

**SB-2436**

Submitted on: 1/30/2018 6:32:24 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
D. H. Kondo		Oppose	No

Comments:

I oppose this bill.

**SB-2436**

Submitted on: 1/30/2018 7:32:48 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

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

Comments:

I strongly oppose this bill. The prohibition on the adjustment/replacement of triggers does not enhance safety in our community. Triggers are adjusted or replaced routinely to improve firearm safety preventing unwanted discharge. Whether the change is made by the manufacturer, owner, or gunsmith, it is inappropriate to make it a criminal offense. We also have competitors in our State who participate in nationally-sanctioned rifle and pistol matches here and on the mainland using firearms with after market triggers or customized triggers to improve performance and accuracy. These are law-abiding citizens not criminals!

The issue on bump stocks should be addressed by ATF, not our State Legislature.

The language in this bill is quite vague and can easily be misinterpreted. Instead of enhancing safety in our State, the bill as written can make law-abiding citizens criminals. The bill should be deferred.

**SB-2436**

Submitted on: 1/30/2018 7:45:22 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kenneth Kelson		Oppose	No

Comments:

Shortening the VOLUNTARY surrender time does nothing but make the volunteer a criminal. Poorly thought out bill and it should not be passed.

**SB-2436**

Submitted on: 1/30/2018 7:53:54 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kevin J. Cole		Oppose	No

Comments:

Aloha,

I wish to express my strong opposition of SB 2436. This proposal is problematic. Given the logistic and transformational issues in this state, let alone the rigmarole that people go thru in trying to comply with the myriad of rules and regulations already imposed on the them, this law would only make matters worse for law abiding citizens. This arbitrary nature of SB 2436 is rife with potential abuse and would open the State up for law suits. This measure should not be passed.

Mahalo,

Kevin J. Cole, Col USAF ret.

Mililani HI.

**SB-2436**

Submitted on: 1/30/2018 8:13:09 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

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

Comments:

Strongly oppose this bill.

**SB-2436**

Submitted on: 1/30/2018 8:21:20 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sean Mattimoe	Mr.	Oppose	No

Comments:

This expedited time period could subject an individual, who may have nothing more than allegations as the basis for the prohibition, to an unfettered search of their home and/or business within hours of being accused; all this without taking into account the many issues surrounding "surrender statutes" in general, including possible violations of an individual's right against self-incrimination. Please do not erode the U.S Constitution that I support and defend (22 years, Hawaii Air National Guard) by supporting the passage of this bill.

Mahalo,

Sean Mattimoe



**SB-2436**

Submitted on: 1/30/2018 8:47:29 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kory Ohly		Oppose	No

Comments:

I oppose this bill. It attempts to put into writing as law which is an INCOMPLETE SENTENCE!

No, really! It says instead of 30 days, which is 760\* hours, law-abiding citizens will have " " hours.

Only there are no quotation marks, just an awkward space. Are you serious? I've heard of "we'll have to pass the law to see what's in it..." but come on! It's currently 760 hours and you want to shorten it, but you won't say by how much? Come up with a number besides 760 and try again. In case you don't understand the concept, you should be thinking of a number between 1 and 759. Also, you should think about explaining your purpose, why you are dissatisfied with the current number of hours.

\*Forgive me if my math is off, not stopping to pick up a calculator...(24 + 24 + 24 and a zero)

**SB-2436**

Submitted on: 1/30/2018 9:10:29 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

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

Comments:

It's a thing of due process, gentlemen, due process. Did we forget this?

**SB-2436**

Submitted on: 1/30/2018 9:15:10 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mario C Yano		Oppose	No

Comments:

**SB-2436**

Submitted on: 1/30/2018 9:45:09 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

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

Comments:

Honorable Senator,

I am writing this message to express my alarm and concern over SB 2436.

This bill seeks to change the amount of time that a person disqualified from ownership of arms and ammunition, is allowed to effect disposal of such property, from 30 days to an unspecified number of HOURS.

Such a short time frame is completely unreasonable, and amounts to State seizure of personal property, without any possibility of just compensation.

Given that fact that persons may be disqualified from ownership of firearms for any number of reasons, many of them unrelated to violent behavior or the possibility of such, it is outrageous to apply such draconian measures as a default response. Especially given the fact that the inevitable confiscation would amount to the imposition of an unwarranted financial hardship, on top of the emotional and social stress that would be the likely result.

Such measures would seem to be the act of a totalitarian form of government, rather than that of a representative democracy, such as what we profess to practice in the United States.

Please vote to reject SB 2436.

Sincerely,

Russell Price  
1707 Bertram St.  
Honolulu, HI 96816  
808-763-9653

**SB-2436**

Submitted on: 1/30/2018 10:15:43 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Todd Yukutake		Oppose	No

Comments:

I oppose SB2436.

The current 30 day limit for a person to voluntarily transfer firearms is necessary for 2 reasons. It allows a firearms owner to appeal or correct mistakes for the disqualification. For example, some firearms owners are affected by mistaken findings of mental illness. Others may have had problems in the past but have been since cured. Both instances need to allow a person time to coordinate with their medical provider and police department to correct the problem.

Please oppose SB2436

Mahalo

Todd Yukutake

Ph 808-255-3066

**SB-2436**

Submitted on: 1/30/2018 10:41:19 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
stuart saito		Oppose	No

Comments:

strongly oppose you messing with my constitutional rights

January 30, 2018

ATTN: Senator Clarence K. Nishihara, Chair, Senate Committee on  
Public Safety, Intergovernmental and Military Affairs

From:

Robert F. Kay  
3663 Lilinoe Place  
Honolulu, HI 96816

RE: SB 2436

My name is Robert F. Kay and I am a member of the Hawaii Rifle Association. I am submitting this testimony in opposition to SB 2436.

This bill seeks to change the amount of time that a person disqualified from ownership of arms and ammunition, to dispose of the property, from 30 days to an unspecified number of hours.

To legislate this onerous law smacks of a police state. It is in effect seizure of personal property, without possibility of just compensation.

Please vote to reject SB 2436.

Thank you for the opportunity to comment on this bill.

Respectfully yours,

Robert F. Kay

**SB-2436**

Submitted on: 1/31/2018 7:22:17 AM

Testimony for PSM on 2/1/2018 1:35:00 PM

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

Comments:

I strongly oppose this bill because it violates Constitutional principles of due process.



**SB-2436**

Submitted on: 1/31/2018 8:18:17 AM

Testimony for PSM on 2/1/2018 1:35:00 PM

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

Comments:

I strongly oppose SB 2436 as it does not even specify the time required to turn in ones firearms upon disqualification of owning them. While the purpose of the bill is understandable, the time period to comply with the law must be reasonable. There are many reasons that an individual can become disqualified. And if such event takes place, said person would be pre-occupied with other things to take care of further adding on to their list of problems.

SB 2436 will result in an unfair treatment many individuals.

Thank you for taking the time to consider my position.

**SB-2436**

Submitted on: 1/31/2018 8:20:39 AM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Walter Kanemori		Oppose	No

Comments:

Need 30 days to find and lawfully transfer a gun collection to a Federal Firearm Licensed person/business. Police confiscation will damage a fine/valuable collection.

**SB-2436**

Submitted on: 1/31/2018 8:35:16 AM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brandon Allen Kainoa Leong	Mr.	Oppose	No

Comments:

I strongly oppose SB2436.

Thanks,

Brandon Leong

**SB-2436**

Submitted on: 1/31/2018 8:39:06 AM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Malia Kaku		Oppose	No

Comments:

**SB-2436**

Submitted on: 1/31/2018 9:06:09 AM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michael W Sawamoto		Oppose	No

Comments:

**SB-2436**

Submitted on: 1/31/2018 9:34:43 AM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Matthew E. Sutton		Oppose	No

Comments:

Voluntary versus a punitive surrender of firearms should allow the owner to legally transfer them to another owner by sale or other legal transfer. A thirty day time period is reasonable. A voluntary surrender is an act of good faith.

**SB-2436**

Submitted on: 1/31/2018 9:56:32 AM

Testimony for PSM on 2/1/2018 1:35:00 PM

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

Comments:

Aloha,

Thank you for your time and for your service. I am writing you in OPPOSITION of SB2436. While I can understand that we all want to keep firearms out of the hands of those who shouldn't be in possession of them, the enforcement of SB2436 is both problematic and unconstitutional.

The biggest flaw in this Bill is right in the description. "Shortens the time period for voluntary surrender of firearms and ammunition upon disqualification from ownership, possession, or control from 30 days to an unspecified number of hours." Unspecified number of hours? It is unrealistic to believe that the person would be able to "dispose" of their firearms within hours of receiving written notification, as stated in HRS134-7.3(a). It has not been outlined in the proposed bill how the notification will take place. In HRS134-7.3(a), the clock starts "...from the date notice was mailed." How is someone supposed to give up ownership? Turn in guns to HPD or have HPD come to the gunowner's home? This Bill sure seems like its in violation of the 4th, 5th, and 14th Amendments.

I strongly recommend that you vote against this Bill. Thank you for your time and consideration.

Robert

**SB-2436**

Submitted on: 1/31/2018 10:58:00 AM

Testimony for PSM on 2/1/2018 1:35:00 PM

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

Comments:

This does not give a person time to dispose of a firearm under Hawaii law. There is a mandatory two week waiting period for a handgun permit, for example. I understand the intent, but there could be a substantial firearms collection involved and much money.



**SB-2436**

Submitted on: 1/31/2018 11:03:51 AM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lyle Hlromoto		Oppose	No

Comments:

**SB-2436**

Submitted on: 1/31/2018 12:18:20 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Julie Folk		Oppose	No

Comments:

**SB-2436**

Submitted on: 1/31/2018 10:23:49 AM

Testimony for PSM on 2/1/2018 1:35:00 PM

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

Comments: