

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 8:42 AM
To: PSMTestimony
Cc: joel@prymis.com
Subject: Submitted testimony for SB898 on Feb 2, 2017 13:15PM

SB898

Submitted on: 2/2/2017

Testimony for PSM on Feb 2, 2017 13:15PM in Conference Room 229

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

Comments: Unconstitutional. Rights stripped away with no due process. Punishment without conviction.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 7:07 AM
To: PSMTestimony
Cc: pitahui@yahoo.com
Subject: Submitted testimony for SB898 on Feb 2, 2017 13:15PM

SB898

Submitted on: 2/2/2017

Testimony for PSM on Feb 2, 2017 13:15PM in Conference Room 229

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

Comments: I am in opposition to this bill as it sets to ignore the normal rules of criminal procedure in order to promote the anti-gun agenda of the political elites and others.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 6:21 AM
To: PSMTestimony
Cc: rgklapp@yahoo.com
Subject: Submitted testimony for SB898 on Feb 2, 2017 13:15PM

SB898

Submitted on: 2/2/2017

Testimony for PSM on Feb 2, 2017 13:15PM in Conference Room 229

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

Comments: I oppose because the officers are in no position to make the determination that someone poses a serious risk. This needs to be determined by a professional. If the officer believes there's a risk, then the owner should be arrested, not stripped of their Constitutional right.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov



Lessons In Firearms Education

P.O. Box 25271
Honolulu, Hawaii 96825

February 1, 2017

Re: SB 898

Dear Chair Nishihara and Vice Chair Wakai,

This bill would permanently strip an individual of their Second Amendment rights, not based on a criminal conviction or mental adjudication, but based on a quasi criminal proceeding. The bill allows for firearms to be seized based on an ex-parte warrant application based on the low evidentiary standard of probable cause. An individual is entitled to a hearing, however that hearing may not take place for up to 30 days. At the hearing, the seized firearms can be retained and a permanent firearm prohibition can be put in place, not because of a disqualifying offense but merely the risk of one.

No one wants dangerous individuals to have access to firearms, however this is not about dangerous people. This bill sets to ignore the normal rules of criminal procedure in order to promote the anti-gun agenda of the political elites and others.

We urge you NOT to pass this bill.

Thank you.

Very kind regards,

Bill Richter, President
Lessons in Firearms Education

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 9:20 AM
To: PSMTestimony
Cc: heatherwalker8@yahoo.com
Subject: Submitted testimony for SB898 on Feb 2, 2017 13:15PM

SB898

Submitted on: 2/2/2017

Testimony for PSM on Feb 2, 2017 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Heather Walker	Individual	Oppose	No

Comments: I oppose this bill as it could permanently strip an individual of their second amendment rights, based on quasi criminal proceeding, not based on a criminal conviction or mental adjudication. This bill allows for firearms to be seized based on an ex-parte warrant application based on the low evidentiary standard of probable cause. This bill would ignore the normal rules of criminal procedure in order and should be thrown out.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 1, 2017 11:30 PM
To: PSMTestimony
Cc: koryohly@outlook.com
Subject: Submitted testimony for SB898 on Feb 2, 2017 13:15PM

SB898

Submitted on: 2/1/2017

Testimony for PSM on Feb 2, 2017 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Kory Ohly	Individual	Oppose	No

Comments: You say these people are so dangerous they can't be trusted with a firearm - why don't you lock them up? Can they be trusted to get drunk? Own a kitchen knife? A tire iron? A cast iron pipe from Home Depot? Are these people angry, and skilled at fighting? On the philosophical, moral side, I oppose this bill because it is another attempt to end-run around due process and strip away 2nd amendment rights from a free citizen, possibly due to a one-sided view of firearms that only sees them as a danger to others, rather than a tool for self-defense. On the practical side, it will not do what it pretends to want to do, which is protect the innocent. Taking away a legally owned firearm is not an effective way to prevent a violent crime. People who commit illegal acts such as attempted murder don't do so because they think the act is legal. They do so in spite of laws, because they are out to do evil. And, sadly, increasing illegalities will not stop them. They can acquire an illegal firearm, or use other means to perpetrate violence. They can be prosecuted after, but only distance, restraint, or defensive strength can stop them before or during their attempt at violence. So, please stop trying to strip law-abiding free people of their rights with the pretense of protecting the innocent. Consider allowing law-abiding innocent citizens more rights to self-defense, so that persons considering breaking the law and imposing violence know they will be resisted.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 1, 2017 10:24 PM
To: PSMTestimony
Cc: refrey2001@yahoo.com
Subject: *Submitted testimony for SB898 on Feb 2, 2017 13:15PM*

SB898

Submitted on: 2/1/2017

Testimony for PSM on Feb 2, 2017 13:15PM in Conference Room 229

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

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 1, 2017 10:00 PM
To: PSMTestimony
Cc: haha@hawaii.rr.com
Subject: Submitted testimony for SB898 on Feb 2, 2017 13:15PM

SB898

Submitted on: 2/1/2017

Testimony for PSM on Feb 2, 2017 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Caroline Kong	Individual	Oppose	No

Comments: Aloha. I will be tracking this bill if it makes it past this hearing. I strongly OPPOSE SB898 Mahalo nui.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 1, 2017 9:57 PM
To: PSMTestimony
Cc: toddyukutake@gmail.com
Subject: Submitted testimony for SB898 on Feb 2, 2017 13:15PM

SB898

Submitted on: 2/1/2017

Testimony for PSM on Feb 2, 2017 13:15PM in Conference Room 229

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

Comments: I oppose SB898

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 1, 2017 8:12 PM
To: PSMTestimony
Cc: campodpi@hawaiiantel.net
Subject: Submitted testimony for SB898 on Feb 2, 2017 13:15PM

SB898

Submitted on: 2/1/2017

Testimony for PSM on Feb 2, 2017 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Gary Smith	Individual	Oppose	No

Comments: Please oppose SB 898 which would permanently strip an individual of their Second Amendment rights, not based on a criminal conviction or mental adjudication, but based on a quasi criminal proceeding. The bill allows for firearms to be seized based on an ex-parte warrant application based on the low evidentiary standard of probable cause. An individual is entitled to a hearing, however that hearing may not take place for up to 30 days. At the hearing, the seized firearms can be retained and a permanent firearm prohibition can be put in place, not because of a disqualifying offense but merely the risk of one. No one wants dangerous individuals to have access to firearms, however this is not about dangerous people. This bill sets to ignore the normal rules of criminal procedure in order to promote the anti-gun agenda of the political elites and others. Thank you Gary Smith

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 1, 2017 7:45 PM
To: PSMTestimony
Cc: oldmanbru@gmail.com
Subject: *Submitted testimony for SB898 on Feb 2, 2017 13:15PM*

SB898

Submitted on: 2/1/2017

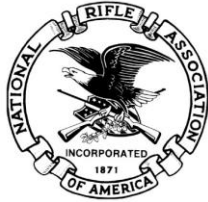
Testimony for PSM on Feb 2, 2017 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Bruce F Braun	Individual	Oppose	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov



NATIONAL RIFLE ASSOCIATION OF AMERICA
INSTITUTE FOR LEGISLATIVE ACTION
(916) 446-2455 voice ▪ (703) 267-3976 fax
www.nraila.org

STATE & LOCAL AFFAIRS DIVISION
DANIEL REID, HAWAII STATE LIAISON

February 1, 2017

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

Re: Senate Bill 898 – OPPOSE

Dear Chairman Nishihara:

On behalf of the Hawaii members of the National Rifle Association, we strongly oppose Senate Bill 898.

SB 898 could permanently strip an individual of their second amendment rights, not based on a criminal conviction, mental adjudication, or other disqualifying offense, but merely the risk of one. SB 898 allows firearms and ammunition to be seized through an ex parte hearing, with the ability to attach a permanent prohibition at a subsequent hearing. The evidentiary standard at both hearings falls well below the threshold required for criminal cases, ignoring the normal rules of criminal procedure, in denying a person their constitutionally protected rights.

The initial hearing is to obtain a confiscation warrant. This warrant allows law enforcement to search any place where firearms and ammunition may be located for the purpose of seizure. The confiscation warrant is issued through an ex parte application to the court with the very low evidentiary standard of probable cause. The person subject to this warrant is not provided notice and will simply be greeted by law enforcement at their door, subjecting them to embarrassment and confusion based on their new status as a temporarily prohibited person, guilty until proven innocent.

Within 30 days of the issuance of the confiscation warrant, a court shall conduct a hearing to determine whether to return the firearms or permanently disqualify the person from exercising their second amendment rights. The court is required to consider six enumerated factors along with “any other pertinent factors” in making their determination, giving unlimited discretion for what is to be considered. The evidentiary standard for this hearing falls well below the criminal standard of, “beyond and reasonable doubt”, and instead sets the standard as “clear and convincing”, a standard generally used in civil cases. If the court determines that the evidentiary standard has been met, the person is permanently barred from exercising their rights.

No one wants dangerous people to have access to firearms; however this bill is not about dangerous people. This bill ignores the normal rules of criminal procedure allowing for confiscation of lawfully owned and possessed firearms based on accusations and “risk”, allowing an infinite scope of factors and subjective determinations to permanently deprive a person their rights.

Thank you for your attention and I ask that you oppose this bill for the reasons presented in addition to the serious constitutional issues it presents.

Cordially,

A handwritten signature in black ink, appearing to read "Daniel S. Reid". The signature is fluid and cursive, with the first name "Daniel" being more prominent.

Daniel S. Reid
State Liaison

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 1, 2017 7:11 PM
To: PSMTestimony
Cc: mauiarms@maui.net
Subject: Submitted testimony for SB898 on Feb 2, 2017 13:15PM

SB898

Submitted on: 2/1/2017

Testimony for PSM on Feb 2, 2017 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Mark Genovese	Individual	Oppose	No

Comments: Please no more anti gun bills, we have enough.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 1, 2017 7:01 PM
To: PSMTestimony
Cc: pwegesen@hawaii.edu
Subject: Submitted testimony for SB898 on Feb 2, 2017 13:15PM

SB898

Submitted on: 2/1/2017

Testimony for PSM on Feb 2, 2017 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Pablo Wegesend	Individual	Comments Only	No

Comments: Please ensure that due process is implemented for every legal procedure. Due process shouldn't be eliminated just because you want to be seen as someone "who does something about gun violence".

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 1, 2017 7:00 PM
To: PSMTestimony
Cc: orrm002@hawaii.rr.com
Subject: Submitted testimony for SB898 on Feb 2, 2017 13:15PM

SB898

Submitted on: 2/1/2017

Testimony for PSM on Feb 2, 2017 13:15PM in Conference Room 229

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

Comments: I strongly urge you to oppose this bill.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 1, 2017 6:44 PM
To: PSMTestimony
Cc: mimiface@aol.com
Subject: Submitted testimony for SB898 on Feb 2, 2017 13:15PM

SB898

Submitted on: 2/1/2017

Testimony for PSM on Feb 2, 2017 13:15PM in Conference Room 229

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

Comments: I strongly urge you to oppose this bill

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 1, 2017 5:49 PM
To: PSMTestimony
Cc: onederful100@aol.com
Subject: Submitted testimony for SB898 on Feb 2, 2017 13:15PM

SB898

Submitted on: 2/1/2017

Testimony for PSM on Feb 2, 2017 13:15PM in Conference Room 229

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

Comments: SB898 would permanently strip an individual of their Second Amendment rights, not based on a criminal conviction or mental adjudication, but based on a quasi criminal proceeding. The bill allows for firearms to be seized based on an ex-parte warrant application based on the low evidentiary standard of probable cause. An individual is entitled to a hearing, however that hearing may not take place for up to 30 days. At the hearing, the seized firearms can be retained and a permanent firearm prohibition can be put in place, not because of a disqualifying offense but merely the risk of one. I am strongly opposed. No one wants dangerous individuals to have access to firearms, however this is not about dangerous people. This bill sets to ignore the normal rules of criminal procedure in order to promote the anti-gun agenda of the political elites and others.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

Andrew Namiki Roberts
3018 Hinano St
Honolulu, HI 96815

My Name is Andrew Namiki Roberts and I have been a resident in the state of Hawaii now for 10 years. As time progresses I see more and more gun laws come into effect with zero impact on the levels of crime happening within the state. I am testifying today in Opposition to SB898

This Bill is written in violation of the Constitution and will have ZERO effect on criminal matters within the state of Hawaii. It is written in violation of the 2nd, 4th, 5th and 14th amendments, it denies a person their right to bear arms, their right to due process and their right to be secure in their persons and property. The only action this bill will bring is a lengthy and expensive legal suit that neither the city's, county's or state can afford.

Thanks
Andrew Namiki Roberts

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 5:07 PM
To: PSMTestimony
Cc: paul.bueltmann@gmail.com
Subject: Submitted testimony for SB898 on Feb 2, 2017 13:15PM

SB898

Submitted on: 2/2/2017

Testimony for PSM on Feb 2, 2017 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Paul Bueltmann	Individual	Oppose	No

Comments: Aloha, I oppose this bill it is against our very bill of rights. Our own citizens are deprived of due process is political ineptitude. Mahalo

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 3:20 PM
To: PSMTestimony
Cc: edeliogerola@gmail.com
Subject: Submitted testimony for SB898 on Feb 2, 2017 13:15PM

SB898

Submitted on: 2/2/2017

Testimony for PSM on Feb 2, 2017 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Edelio Gerola	Individual	Oppose	No

Comments: Aloha! I oppose this bill. This is restrictive of the citizen's right to due process. This is indeed repugnant to the Constitution of the United States. Mahalo, Edelio

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 12:53 PM
To: PSMTestimony
Cc: mlopes@hscadv.org
Subject: *Submitted testimony for SB898 on Feb 2, 2017 13:15PM*

SB898

Submitted on: 2/2/2017

Testimony for PSM on Feb 2, 2017 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Marci Lopes	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 12:23 PM
To: PSMTestimony
Cc: ceruti@earthlink.net
Subject: Submitted testimony for SB898 on Feb 2, 2017 13:15PM

SB898

Submitted on: 2/2/2017

Testimony for PSM on Feb 2, 2017 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Dr Marion Ceruti	Individual	Oppose	No

Comments: SB898 is unconstitutional because it would deprive an individual, possibly permanently, of his or her Second Amendment rights, not based on a criminal conviction or mental adjudication, but based on probable cause, with no proof of guilt required whatsoever. The bill permits firearms to be seized based on an ex-parte warrant application involving probable cause. This low standard is not used today because would result in too many citizens being deprived of their constitutional rights. It is too error prone. An individual is entitled to a hearing. However that hearing may not take place for up to 30 days. Meanwhile, the individual, who has not been proven guilty, would be deprived of precious Second Amendment rights. At the hearing, the seized firearms can be retained and a permanent firearm prohibition can be put in place, not because of a disqualifying offense but merely based on the risk of one. This bill is not about proven dangerous people. This bill allows the government to ignore the normal rules of criminal procedure to promote the anti-gun agenda of the political elites and others. Neither due process nor is the presumption of innocence served by SB898. It is a giant step backward into the tyranny from which our forefathers escaped during the American Revolution of 1776.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 11:47 AM
To: PSMTestimony
Cc: Ryanmyam@gmail.com
Subject: Submitted testimony for SB898 on Feb 2, 2017 13:15PM

SB898

Submitted on: 2/2/2017

Testimony for PSM on Feb 2, 2017 13:15PM in Conference Room 229

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

Comments: I oppose SB 898 because it seeks to change due process to make it easier to take away a person's 2nd Amendment rights. This bill is all about a gun grab no justice for anyone.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 11:07 AM
To: PSMTestimony
Cc: HGHAWAII@GMAIL.COM
Subject: Submitted testimony for SB898 on Feb 2, 2017 13:15PM

SB898

Submitted on: 2/2/2017

Testimony for PSM on Feb 2, 2017 13:15PM in Conference Room 229

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

Comments: The Hawaii Rifle Association along with the National Rifle Association STRONGLY OPPOSES this measure. This bill could permanently strip an individual of their Second Amendment rights for merely being referenced as having a risk committing a harmful act. This being done without the rights or process guaranteed by our Constitution, and without any of the disqualifying elements, such as: a criminal conviction, a mental deficiency adjudication, being convicted of a drug offense, being a fugitive from justice, having a TRO placed on them, being an illegal alien, renouncing their citizenship, or being convicted of domestic violence. This measure clearly DOES NOT conform to the rights spelled out in the Constitution and should be abandoned. Thank you, Harvey Gerwig, HRA President

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

MITCHELL D. ROTH
PROSECUTING ATTORNEY

DALE A. ROSS
FIRST DEPUTY
PROSECUTING ATTORNEY



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

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

OFFICE OF THE PROSECUTING ATTORNEY

TESTIMONY IN SUPPORT OF SENATE BILL 898

A BILL FOR AN ACT RELATING TO FIREARMS OWNED, POSSESSED, OR CONTROLLED BY PERSONS WHO POSE A SERIOUS RISK OF VIOLENCE OR HARM TO PUBLIC SAFETY

COMMITTEE ON PUBLIC SAFETY,
INTERGOVERNMENTAL, AND MILITARY AFFAIRS
Sen. Clarence K. Nishihara, Chair
Sen. Glenn Wakai, Vice Chair

Thursday, February 2, 2017, 1:15 P.M.
State Capitol, Conference Room 229

Honorable Chair Nishihara, Vice-Chair Wakai, and Members of the Committee on Public Safety, Intergovernmental, and Military Affairs, the Office of the Prosecuting Attorney, County of Hawai'i submits the following testimony in support of Senate Bill No. 898.

This measure, upon application, allows law enforcement to seize and retain firearms or ammunition owned, possessed, or controlled by a person who poses a serious risk of violence or harm to public safety, pursuant to court order.

This office recognizes the need to further safety measures in order to protect our citizens and visitors from harm through the violent use of firearms. This bill would allow law enforcement, through upon a showing of clear and convincing evidence, and upon a court order, to be proactive in the seizing and retaining of firearms from persons who are a danger to themselves or others.

The Office of the Prosecuting Attorney, County of Hawai'i supports the passage of Senate Bill No. 898. Thank you for the opportunity to testify on this matter.

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 11:42 PM
To: PSMTestimony
Cc: bkulbis@reagan.com
Subject: Submitted testimony for SB898 on Feb 2, 2017 13:15PM

SB898

Submitted on: 2/2/2017

Testimony for PSM on Feb 2, 2017 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Brett Kulbis	Individual	Oppose	No

Comments: As a fellow resident of Hawaii, I ask you to please oppose both Senate Bill 898. SB 898 would permanently strip an individual of their second amendment rights, not based on a criminal conviction or mental adjudication, but based on quasi criminal proceeding that would allow for a court to essentially consider any factors that come before it. The bill allows for firearms to be seized based on an ex-parte warrant application based on the low evidentiary standard of probable cause. An individual is entitled to a hearing, however that hearing may not take place for up to 30 days. At the hearing the seized firearms can be retained and a permanent firearm prohibition can be put in place not because of a disqualifying offense but merely the risk of one. This bill sets to ignore the normal rules of criminal procedure in order to promote the anti-gun agenda of the political elites and others. Once again, I ask you to please oppose SB 898. Mahalo.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 10:17 PM
To: PSMTestimony
Cc: geli.bean@yahoo.com
Subject: Submitted testimony for SB898 on Feb 2, 2017 13:15PM



SB898

Submitted on: 2/2/2017

Testimony for PSM on Feb 2, 2017 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Linda Castro	Individual	Oppose	No

Comments: I strongly oppose SB898. Dangerous people should not have access to firearms, however this bill ignores the normal rules of criminal procedure allowing for confiscation of lawfully owned and possessed firearms based on accusations and "risk", allowing an infinite scope of factors and subjective determinations to permanently deprive a person their rights. SB 898 could permanently strip an individual of their second amendment rights, not based on a criminal conviction, mental adjudication, or other disqualifying offense, but merely the risk of one. Therefore, I ask that you oppose SB898. Sincerely, Linda Castro

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov