



The Judiciary, State of Hawai‘i

Testimony to the Senate Committee on Judiciary

Senator Karl Rhoads, Chair
Senator Glenn Wakai, Vice Chair

Friday, February 22, 2019, 9:00 am
State Capitol, Conference Room 016

By

Christine E. Kuriyama
Deputy Chief Judge, Senior Family Judge
Family Court of the First Circuit

WRITTEN TESTIMONY ONLY

Bill No. and Title: Senate Bill No. 1466, S.D.1, Relating to Gun Violence Protective Orders Act

Purpose: Establishes a process by which a law enforcement officer or family or household member may obtain a court order to prevent a person from accessing firearms and ammunition when the person poses a danger of causing bodily injury to oneself or another. Takes effect 7/1/2050. (SD1)

Judiciary's Position:

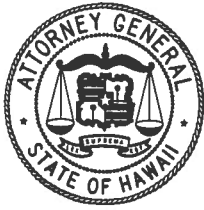
The Judiciary thanks the Committee on Public Safety, Intergovernmental and Military Affairs for its efforts with respect to this bill and appreciates the revisions included in SD1. Notwithstanding said revisions, the Judiciary respectfully suggests that the Legislature request an analysis of this bill by the Legislative Reference Bureau (“LRB”) so that a workable strategy can be developed. The Judiciary offers the following comments to address efficiency and cost concerns:

1. The Judiciary will incur significant additional costs in order to process and adjudicate Gun Violence Protective Order (“GVPO”) cases. These costs would be over and above our current budget.



2. The increase will be caused by: (1) providing Petitioners help with filing the petition (§134-C(a)); (2) researching and verifying any existing order(s) (§134-C(b) and §134-E(1)&(2)); (3) reviewing and processing of petitions; (4) holding a hearing at the ex parte stage (§134-D(c)) in lieu of allowing the court to issue a decision based upon the written petition/motion (as currently allowed in Domestic Abuse Protective Orders (“DAPOs”), HRS Chapter 586 cases); (5) holding a further hearing within fourteen days on the issue of the one-year GVPO and hearing any subsequent motions to extend or dissolve the GVPO (§134-F); and (6) mandatory reporting to the Hawaii Criminal Justice Data Center (§134-I).
3. Subsection 134-D(c) requires the court to hold an oral hearing when a temporary restraining order (“TRO”) is requested. This Committee should consider whether such a requirement is necessary based upon the following reasons: (1) all facts and circumstances would be contained in the petition and the petitioner is attesting to said facts under the penalty of perjury; (2) the inconvenience to the petitioner, i.e., waiting for a courtroom and a judge to become available to hear the same facts and circumstances orally; (3) there is no requirement for an oral hearing at the ex parte TRO stage DAPOs; and (4) the additional costs that would be incurred as a result of this requirement.
4. Subsection 134-E(b)(1) and (2) requires that the court conduct research regarding the respondent. With regard to determining whether the respondent owns any firearms, the court does not have access to such information. In light of this constraint, the court would be proceeding on the petitioner’s sworn statement that the respondent owns or is in possession of firearms. With regard to §134-E(b)(2), the court does not have access to mental health records of a respondent and as the neutral third-party decision maker, it may not be prudent or fair to the parties for the court to conduct its own research prior to a hearing.
5. As stated above, please consider whether this bill should be submitted to the LRB for further study. It should be noted that HB 1543 which is very similar to the instant bill, was deferred on February 13, 2019. It may be the case where the GVPO requirements and procedures are modeled after the DAPO statutes. This would promote public accessibility and reduce financial costs to the State.

Thank you for the opportunity to testify on this measure.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTIETH LEGISLATURE, 2019**

ON THE FOLLOWING MEASURE:

S.B. NO. 1466, S.D. 1, RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

BEFORE THE:

SENATE COMMITTEE ON JUDICIARY

DATE: Friday, February 22, 2019

TIME: 9:00 a.m.

LOCATION: State Capitol, Room 016

TESTIFIER(S): Clare E. Connors, Attorney General, or
Lance M. Goto, Deputy Attorney General, or
Amy Murakami, Deputy Attorney General

Chair Rhoads and Members of the Committee:

The Department of the Attorney General (Department) offers comments on and proposes amendments to this bill.

The purpose of this bill is to create a process for a law enforcement officer or family or household member to obtain a court order preventing a person from accessing firearms when the person poses a threat of bodily harm to the person or others. The bill also requires the issuance, service, renewal, dissolution, and termination of the protective order to be reported to the Hawai'i Criminal Justice Data Center (HCJDC) and for HCJDC to maintain a searchable database of that information.

The Department is proposing amendments to clarify how this information is transmitted to HCJDC.

In section 2 of the bill, at page 20, lines 15-17, the bill requires the police officer who serves the gun violence protective order to submit the proof of service to HCJDC. A proof of service must be filed with the court that issued the gun violence protective order. HCJDC and the courts already have in place an interface that transmits information from the courts to HCJDC regarding the issuance, service, renewal, and termination of restraining and protective orders issued by the Family and District Courts. This interface would be used to transmit information regarding gun violence protection orders. Therefore, the fact that service had been made would be transmitted through

the interface to HCJDC. To streamline the process, the Department recommends that the court be responsible for transmitting to HCJDC the proof of service information instead of the serving officer.

In section 2 of the bill, at page 21, lines 1-6, the bill requires HCJDC to immediately make information about the gun violence protective order available to the National Instant Criminal Background Check System (NICS). On receipt of the information from the court, HCJDC must enter the information into NICS. While HCJDC makes such entries a priority, the entries are not instantaneous. The Department recommends that the time frame to make the information available be set at one business day, instead of "immediately".

In support of its recommendations above, the Department proposes the following amendments to section 2, starting at page 20, line 4 (Additions are underlined. Deletions are bracketed and stricken.):

§134-I Reporting of order to Hawaii criminal justice data center. (a) The court shall notify the Hawaii criminal justice data center no later than one business day after issuing, renewing, dissolving, or terminating an ex parte or one-year gun violence protective order under this part and after receiving notice of service of such an order.

(b) The information required to be submitted to the Hawaii criminal justice data center pursuant to this section shall include identifying information about the petitioner and respondent and the date the order was issued, order served, renewed, dissolved, or terminated. In the case of a one-year order, the court shall include the date the order is set to expire.

~~[(c) Within one business day of service, a police officer who serves a gun violence protective order shall submit the proof of service to the Hawaii criminal justice data center.]~~

(d) (c) The Hawaii criminal justice data center shall maintain a searchable database of the information it receives under this section and make the information available to law enforcement agencies upon request.

~~[(e)]~~ (d) The Hawaii criminal justice data center shall ~~[immediately]~~ within one business day make information about an ex parte or one-year gun violence protective order issued, served, renewed, dissolved, or terminated pursuant to this part available to the National Instant Criminal Background Check System for the purposes of firearm purchaser background checks.

To clarify that the officer serving the ex parte gun violence protective order shall file the proof of service within one business day of service, the Department proposes the following amendment to section 2, page 10, line 11:

§134-D Ex parte gun violence protective order. . . .

(h) An ex parte gun violence protective order issued pursuant to this section shall be personally served on the respondent by an officer of the appropriate county police department. The officer shall file the proof of service with the court within one business day of service.

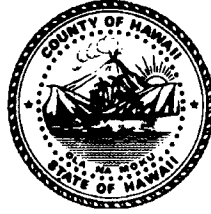
To clarify that the officer serving the one-year gun violence protective order shall file the proof of service within one business day of service, the Department proposes the following amendment to section 2, page 13, line 16:

§134-E One-year gun violence protective order issued after notice and hearing. . . .

(f) If the respondent fails to appear at the hearing, a one-year gun violence protective order issued pursuant to this section shall be personally served on the respondent by an officer of the appropriate county police department. The officer shall file the proof of service with the court within one business day of service.

The Department appreciates the opportunity to provide comments on this bill.

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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February 19, 2019

Senator Karl Rhoads, Chair
Committee on Judiciary

Senator Glenn Wakai, Vice Chair
Committee on Judiciary

Dear Chair Rhoads, Vice Chair Wakai and Committee Members:

RE: SB 1466, SD1 Relating to Gun Violence Protective Orders

You have three bills on today's agenda dealing with gun rights and gun safety. I thank you for scheduling them for hearing, and hope you will be able to approve them all. But of the three, I think SB 1466, SD1 is the most important and has the greatest likelihood of saving lives.

SB 1466, SD1 would provide for protective orders, a concept that has gotten much national attention in recent months. The idea has grown out of the need to curb the gun violence that has become so prevalent in the United States, and to which Hawai'i is not immune. While there are details in SB 1466, SD1 that are beyond my expertise, it appears to me that the authors have drawn a fair and proper balance between the rights of gun owners and society's interest in safety.

I defer to your wisdom with respect to exact provisions, but strongly urge approval of some version of gun violence protective orders.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Harry Kim", written in a cursive style.

Harry Kim
MAYOR

SB-1466-SD-1

Submitted on: 2/17/2019 9:03:33 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Patty Sulzbach	Testifying for Moms Demand Action	Support	Yes

Comments:

Hello. My name is Patty Sulzbach. I'm a volunteer with the Honolulu chapter of Moms Demand Action for Gun Sense in America, a grassroots movement of Americans fighting for public safety measures that protect people from gun violence. I am writing in support of bill SB 1466. I am a mom of two boys in elementary school. I worry every day about my children's safety at school. There have been so many mass shootings at schools in recent years. Just like in Tucson, Aurora and Parkland, there are often warning signs that someone may pose a threat to themselves or others. Red Flag Laws allow family members and law enforcement to ask a judge to temporarily suspend a person's access to guns if there is evidence they may try to hurt themselves or others. We can't prevent every tragedy, but when a person is in crisis, temporarily removing guns from a dangerous situation could save their life or the lives of others. A nationwide study of mass shootings from 2009 to 2017 showed that in nearly half of those incidents, there is documentation that the attacker exhibited dangerous warning signs before the shooting. If this bill is passed I feel that America's children will be safer. It will ease some of my fears when I send my children off to school every morning.

SB-1466-SD-1

Submitted on: 2/17/2019 9:05:20 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeff Sulzbach	Testifying for Moms Demand Action	Support	No

Comments:

My name is Jeff Sulzbach. I'm a volunteer with the Honolulu chapter of Moms Demand Action for Gun Sense in America, a grassroots movement of Americans fighting for public safety measures that protect people from gun violence. I am in support of bill SB 1466. I am concerned with the rates of suicides in this country by guns. Tragically, two-thirds of gun deaths are suicides. Someone who died by gun suicide or shot and killed himself/herself is a victim of gun violence too. A neighbor in my neighborhood died by suicide a few years back. It was such a tragic loss for his family, friends, school, church and neighborhood. A bright life in a moment of despair tragically ended by the pull of a trigger. His family was concerned about him and even called the police a couple of times. I truly believe he would be with us here today if a red flag bill was in effect.



Institute for Rational and Evidence-based Legislation

P. O. Box 41

Mountain View, Hawaii 96771

February 18, 2019

COMMITTEE ON JUDICIARY

Chair, Vice Chair, and Committee Members,

Please vote NO on SB1466.

The problems with this bill are many, and no one can spell them out more clearly than the American Civil Liberties Union (ACLU), whose analysis of a virtually identical law proposed in another state follows. Please note that the ACLU has no problem at all supporting nearly all other variants of laws that violate the pre-existing natural God-given fundamental individual enumerated constitutionally-protected civil rights to keep and bear arms, however in this case, even the very heavily left-leaning ACLU believes the government goes too far. Here is their disclaimer from the analysis below: “... **we have not opposed efforts to restrict the types of weapons available for purchase, or many other gun control measures that have been introduced in the past.**”

I'm just emphasizing this point to indicate that with this proposed law, HB1543, even an organization that supports virtually every other manner of restricting the rights of firearms owners cannot support laws such as this. The ACLU concludes bills such as HB1543 must be defeated in order to “...safeguard robust due process procedures before granting the courts and law enforcement agencies potentially intrusive powers over the liberty of individuals charged with no crime.” And further, that such a law would criminalize behavior “*Minority Report*-like, at the expense of basic due process for individuals whose crimes are speculative, not real. The precedent it creates could reverberate in unexpected and distressing ways in years to come.”

I'd say that's a condemnation of the first order of magnitude.

Besides the obvious violations of Constitutionally-protected rights, this bill also has absolutely no basis in evidence that it actually would enhance public safety. To quote the summary conclusion of the research article included below, **Do Red Flag Laws Save Lives or Reduce Crime?**, “Red flag laws had no significant effect on murder, suicide, the number of people killed in mass public shootings, robbery, aggravated assault, or burglary. There is some evidence that rape rates rise. These laws apparently do not save lives.”

Vote NO on SB1466.

Thank you,

George Pace

American Civil Liberties Union

www.riaclu.org | info@riaclu.org

AN ANALYSIS RELATING TO EXTREME RISK PROTECTIVE ORDERS MARCH 2018

SUMMARY

This pending legislation would allow family members and law enforcement officers to petition a judge to issue an “extreme risk protective order” (ERPO) against an individual who legally owns firearms but who is alleged to pose a “significant danger of causing personal injury to self or others.”

While the ACLU of Rhode Island recognizes the bill’s laudable goal, we are deeply concerned about its breadth, its impact on civil liberties, and the precedent it sets for the use of coercive measures against individuals not because they are alleged to have committed any crime, but because somebody believes they might, someday, commit one.

- * The court order authorized by this legislation could be issued without any indication that the person poses an imminent threat to others.
- * The order could be issued without any evidence that the person ever committed, or has even threatened to commit, an act of violence with a firearm.
- * The court order would require the confiscation for at least a year of any firearms lawfully owned by the person and place the burden on him or her to prove by clear and convincing evidence that they should be returned after that time. If denied, the person would have to wait another year to petition for return of his or her property.
- * The person could be subjected to a coerced mental health evaluation, and the court decision on that and all these other matters would be made at a hearing where the person would not be entitled to appointed counsel.
- * With the issuance of an order, police would have broad authority to search the person’s property.
- * The standard for seeking and issuing an order is so broad it could routinely be used against people who engage in “overblown political rhetoric” on social media or against alleged gang members when police want to find a shortcut to seize lawfully-owned weapons from them.

* Even before a court hearing was held, and a decision was made, on a petition for an ERPO, police could be required to warn potentially hundreds of people that the individual might pose a significant danger to them.

* Without the presence of counsel, individuals who have no intent to commit violent crimes could nonetheless unwittingly incriminate themselves regarding lesser offenses. The heart of the legislation's ERPO process requires speculation – on the part of both the petitioner and judges - about an individual's risk of possible violence. But psychiatry and the medical sciences have not succeeded in this realm, and there is no basis for believing courts will do any better. The result will likely be a significant impact on the rights of many innocent individuals in the hope of preventing a tragedy.

Any legislation should focus on addressing serious imminent threats to the public safety while safeguarding robust due process procedures before granting the courts and law enforcement agencies potentially intrusive powers over the liberty of individuals charged with no crime.

AN ANALYSIS OF EXTREME RISK PROTECTIVE ORDERS

A number of bills have been, and will be, proposed this year to address the serious problem of gun violence, and particularly the scourge of mass shootings taking place around the country. The ACLU of Rhode Island believes that there are many ways that the state can try to address this issue through the regulation of firearms without infringing on the constitutional rights of residents to bear arms. For example, we have not opposed efforts to restrict the types of weapons available for purchase, or many other gun control measures that have been introduced in the past and that courts have found to be reasonable regulation of Second Amendment rights.

At the same time, attempts to regulate the possession of firearms can implicate other constitutional rights, including rights to privacy and due process. That is the case with H-7688/S-2492 and their proposal to allow for the issuance of "extreme risk protective orders." These are orders that could be issued by a judge to, in the words of the legislative news release announcing the introduction of the House bill, "disarm people whose behavior is believed by authorities to pose a serious threat to others or themselves." One cannot argue with the goal, but the ACLU of Rhode Island is deeply concerned about the breadth of this legislation, its impact on civil liberties, and the precedent it sets for the use of coercive measures against individuals not because they are alleged to have committed any crime, but because somebody believes they might, someday, commit one. Before going through the bill in detail, it is worth emphasizing that last point. The legislation allows a court to intervene in potentially major and intrusive ways on a person's liberty and property interests without any indication, much less suggestion, that the person

has engaged in any criminal conduct – or even that he or she may do so imminently. In that

regard, the bill places judges in the unenviable – indeed, impossible – position of trying to predict who may and may not become a mass murderer. Psychiatry and the medical sciences have not succeeded in this realm, and there is no basis for believing courts will do any better. The result will likely be a significant impact on the rights of many innocent individuals in the hope of preventing a tragedy.

It is also worth emphasizing that while a seeming urgent need for the bill derives from recent egregious and deadly mass shootings, the bill's reach goes far beyond any efforts to address such extraordinary incidents. As written, a person could be subject to an extreme risk protective order (ERPO) without ever having committed, or even having threatened to commit, an act of violence with a firearm. While aimed at responding to “red flags,” the bill sets a low threshold for judicial intervention, particularly when one compares it to the myriad and blatant “red flag” warnings that the Parkland shooter left but that were ignored by law enforcement agencies. And, contrary to popular belief, the bill is not limited to addressing people who pose an immediate threat of harm. In short, there is a great disparity between whom the bill actually affects and the high-profile shooting incidents that make passage of legislation like this seem so pressing.

The potential impact on individuals subject to an ERPO also involves much more than a long-term seizure of lawfully owned firearms. Without a right to appointed counsel, respondents¹ can be forced to submit to a mental health evaluation, be the subject of fairly widespread “danger” notifications even before a court order has been issued against them, face contempt proceedings and prison for failing to abide by any part of an ERPO, and

¹ In accordance with the bill's terminology, this memo will generally refer to the person seeking an ERPO the “petitioner” and the person to whom it applies the “respondent.”

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unwittingly place themselves in jeopardy of criminal charges in the absence of the advice of counsel.

We recognize that this legislation is based, in part, on statutes enacted thus far by five other states. Those laws suffer many of the same defects we outline here, although in a few instances, some of them contain a few modest safeguards missing from H-7688/S-2492.² It is one thing to craft focused legislation aimed at disarming people who are credibly deemed to be an *imminent* danger; it is another to adopt procedures, as H-7688/S-2492 do, that cover much more speculative fears of danger. While a carefully and narrowly crafted bill aimed at stopping imminent threats might address many of the civil liberties concerns raised in this analysis, the problems with the proposed legislation, as we attempt to document below, are pervasive and deep.

“RED FLAG” STANDARDS

Two key elements of the legislation are the standard for filing a petition for an extreme risk protective order (ERPO) and the criteria to be used by a judge in determining whether to grant one. Both of these elements are, in our view, extremely flawed.

The bill grants “family or household members,” local law enforcement officers, and the Attorney General the power to file an ERPO petition. The petition must allege, with

specific facts, “that the respondent poses a significant danger of causing personal injury to self or others by having in their custody or control, purchasing, possessing, or receiving a firearm.” [Page 2, lines 24-26.]

² For example, Connecticut’s “red flag” law – the first in the country to be enacted – is limited to situations where a person “poses a risk of imminent personal injury” and an independent determination has concluded there is “no reasonable alternative” to confiscating their firearms in order to prevent the person from causing imminent harm to him- or herself with the firearms he or she possesses. Sec. 29-38c. California’s statute similarly requires a consideration of “less restrictive alternatives.”

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There are a number of points to be made about this standard. First, it makes no attempt to define what constitutes a “significant danger,” nor does it impose any sort of temporal limitation on that anticipated danger. In contrast to a separate provision in the bill authorizing ex parte orders when the danger is “imminent” [see Page 5, §8-8.3-5], the alleged danger posed by respondents can be anytime in the indefinite future. Further, the purported danger need not be to more than one person, nor does the potential harm even need to be a threat of *serious* personal injury – any type of possible injury will suffice to trigger the possible issuance of an ERPO.³

Indeed, the way the bill is worded, one does not even have to claim that the feared injury is likely to be caused by a firearm; only that the person’s possession of one creates a significant danger of inflicting some type of injury. We are sure that evidence could be garnered that the mere possession of firearms poses a “significant danger of causing personal injury to self or others,” leaving the scope of the bill’s use to the mercy and good faith of those making use of the powers granted by the legislation.

We point out these distinctions not to diminish the seriousness of a person’s alleged plan to injure only one person, rather than dozens, or to only slightly harm people, rather than kill them, but instead to note how much the actual language of the bill veers from its purported aim at mass shooters.

Since the Attorney General and local police departments have the independent power to seek these orders without the request of any family members [Page 2, lines 18-19], one can easily imagine this bill’s petitioning authority being used in scenarios far outside the context that has prompted it. For example, almost by definition, individuals

³ The state’s assault and other criminal statutes often differentiate between the level of injury in determining the severity of criminal penalties to be imposed.

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targeted by police as gang members – who, it is worth noting, are most often people of color – would fit the statute’s amorphous standard of potentially posing a “significant danger” of injury to others by “having in their custody” a firearm. What is to stop police from using this law to file petitions against them in order to seize any lawfully owned firearms they have? Filing, and being granted, such a petition has the additional bonus of serving as a general search warrant that could conveniently allow police to “stumble across” evidence of unrelated illegal activity, because the bill allows police officers granted an ERPO to “conduct any search permitted by law” at a respondent’s residence in order to

search for firearms. [Page 9, lines 33-34.] Similarly, the increased practice of law enforcement trolling of social media for “harmful” or “threatening” posts could vastly increase the use of a bill like this against innocent people who engage in overblown political rhetoric.⁴

These are hardly far-fetched scenarios. If there is anything we have learned over the decades, it is that law enforcement-related legislation enacted to address specific and serious crimes often is expanded for uses well beyond the initial intent. After all, who would have acknowledged that a law specifically aimed at mobsters – the Racketeer Influenced and Corrupt Organizations Act – would one day be used to go after anti-abortion protesters?⁵ Who would have predicted that expanded “civil asset forfeiture” laws – initially aimed at major drug dealers – would one day be so routinely used against innocent parties to take houses, cars, money and other property away without any criminal charges,

⁴ For an older but still very relevant offline example, see, e.g., <http://riaclu.org/news/post/aclu-responds-to-secret-service-investigation-of-student-essay/>

⁵ *Scheidler v. National Organization for Women*, 547 U.S. 9 (2006)

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much less criminal convictions, involved?⁶

An ERPO petition has a wide-scale impact on presumptively innocent individuals even before a judge considers the request. If the petition is being initiated by law enforcement, the police agency must first make a good faith effort to notify family and household members and “any known third party who may be at risk of violence.” [Page 3, lines 6-12.] This is required even if the danger is not considered imminent, and must take place before a judge has even reviewed the petition. When dealing with an alleged prospective mass shooter, whom do the police notify? To be on the safe side, isn’t it likely that every known family member will be apprised? Will every school within reasonable driving distance be subject to notification? What about the respondent’s employer?

Overnotification is inevitable, especially when tied to the broad standard for petitioning described above. The consequences for the individual, even if an ERPO is never issued, could be enormous.

A second major concern with the legislation involves the wide range of criteria a judge is given to consider in deciding whether to issue an ERPO. [Page 4, lines 12-31.] We do not object to the lengthy list per se, but we do question the weight some of those factors may be given and the lack of any prioritization. For example, it seems axiomatic that the granting of an ERPO should be premised on allegations of recent acts of violence or threats of violence by the respondent. But that is *not* required under this bill. The judge can consider those factors, which one would presume exist, but they do not need to be present or even a critical consideration in order to issue an ERPO. Further, even if there have been

⁶ See, e.g., “Policing for Profit: The Abuse of Civil Asset Forfeiture,” Cato Institute, March 2010; “Guilty Property: How Law Enforcement Takes \$1 Million in Cash from Innocent Philadelphians Every Year — and Gets Away with It,” ACLU of Pennsylvania, June 2015, available at: https://www.aclupa.org/index.php/download_file/view/2322/888/

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past threats or acts of violence by the respondent, they need not be connected to firearms in any way. Instead, a court can, in theory, rely solely on a person's mental health, drug abuse or felony crime history – outside any context of violence, much less firearm violence – in issuing an order. In light of the stakes involved, it is not unreasonable to assume that the courts' default, once presented with a petition, will be to find grounds for sustaining the petition even when the evidence presented is less than compelling.

Another disconcerting aspect of the court's powers under the bill is that, in addition to confiscating any firearms, the judge can order a mental health or substance abuse evaluation, presumably against the respondent's will and upon contempt of court if he or she fails to comply. [Page 5, lines 6-7; Page 12, lines 25-27.] An ERPO petition can thus function as an end-run around the state's mental health statutes, which have very detailed standards before compelling a person's participation in the mental health system.

The length of time an ERPO is in effect once issued is also troubling. It remains in effect for at least one year before the respondent can challenge it. [Page 4, line 10; Page 8, lines 20-22]. This is a long time to maintain the property of a person who has not been charged with, much less convicted of, a crime. The time period for renewal of an ERPO should be shorter.⁷

Just as problematic is the method the bill provides to a respondent to secure return of any lawfully owned firearm confiscated through an ERPO and to have the order terminated. After a year has passed, the burden is on the respondent to prove by clear and convincing evidence that he or she is no longer a danger. [Page 8, lines 28-32.] How does one prove this negative, and how does one do it with such a high burden of proof? He or

⁷ At least one "red flag" state – Indiana – authorizes respondents to file a petition for a firearm's return 180 days after the order has been entered. IC 35-47-14-8.

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she can't even necessarily rely on the fact that they have committed no violence in the year, since the Catch-22 response from the state can be that it was only because of the ERPO that the respondent did not engage in violent conduct. Whatever timeframe is used for renewal of an ERPO, the burden should be on the petitioner to prove by clear and convincing evidence that it should remain in effect, not on the respondent to halt its continued imposition.

The bill establishes a separate, though related, time-compressed ex parte procedure for "imminent" threats, and that is where we believe the focus of any legislative effort like this should be. If there is no reason to believe a threat is imminent, why not go through regular investigatory steps to examine the allegations rather than establish a process like this, with all of its potential ramifications for innocent people or for people targeted by police for reasons unrelated to mass shooting fears?⁸

THE COURT PROCESS

While this is a civil proceeding where respondents have no clear constitutional right to counsel, there are potentially significant consequences to an ERPO respondent beyond

losing possession of lawfully owned weapons. Those consequences, we believe, militate in favor of requiring the state to provide counsel. The respondent can be put under oath by the court [Page 4, lines 32-33], and the lack of an attorney under such circumstances can cause a respondent great harm. That is so in light of the potentially serious consequences emanating from a hearing like this. For example, the allegations against him or her may

⁸ While it might be unfair to call it a bait-and-switch, some proponents of “red flag” legislation cite a recent study suggesting that Connecticut’s “red flag” law has averted some suicides. Without being able to address the methodology or validity of that study, issued only last year, we note that this justification is a far cry from the incidents that have generated the support for this type of legislation and its coercive powers.

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very well implicate criminal statutes relating to threats or other offenses, but no attorney will be around to advise the respondent on exercising his or her Fifth Amendment rights. And precisely because the alleged harm is speculative, an attorney is in a much better position than a layperson to question the validity and weight of the evidence against the respondent.

The respondent also faces contempt charges for failing to comply with any obligations imposed under the ERPO and, as noted previously, he or she potentially must submit to, upon contempt of court, a mandatory mental health examination. Under all the circumstances, we believe respondents should be entitled to appointed counsel at the hearing if they cannot afford one.

Relatedly, the ERPOs issued by a court are required to indicate that the respondent “may seek the advice of an attorney.” [Page 5, lines 25-26; Page 6, lines 31-32.] But that advice is given *after* an ERPO has been issued, and after the respondent has been barred for at least a year from having firearms. In the short period of time between the filing of a petition and the court hearing, most respondents are unlikely to be able to find, or to afford, an attorney for the hearing itself, at a time when the critical decisions on whether to issue the protective order or to mandate a mental health evaluation are being made by the judge.

Finally, as noted earlier, the bill provides that in effectuating an ERPO, the police “shall conduct any search permitted by law” to find firearms. [Page 9, lines 33-34.] This can only encourage police to engage in extremely invasive searches of respondents’ residences with the potential for turning those searches into fishing expeditions for other potential contraband (e.g., drugs).

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ADDITIONAL CONCERNS

We believe the legislation raises a number of other miscellaneous concerns, and they are summarized below.

* The definition of “family or household member” follows that of the state’s domestic violence laws. [Page 1, lines 11-14.] While the relatively expansive definition in those laws makes sense in the domestic violence context, it may be unnecessarily broad

here where individuals who may have grudges or ulterior motives can allege non-criminal conduct that does not affect them, but that will lead to serious hardships to respondents. Once one accepts such a broad definition, it becomes too easy to expand it in the future to allow neighbors, colleagues and others the same ability to file petitions.

* The petitioner is authorized to omit his or her address if the petition “states” that disclosure of the address would risk harm to the petitioner or family members. [Page 3, lines 13-18.] We believe that a court should make an independent determination about that, rather than rely solely on the petitioner’s statement. Like empaneling anonymous juries, the mere fact that the address is withheld seems to lend more credence to the allegations – rightly or wrongly.

* While the bill seems to establish a clear and automatic process for returning weapons once an ERPO has terminated [Page 11, lines 16-23], it also commands the State Police to develop rules and procedures pertaining to the return of firearms. [Page 11, lines 11-12.] Having had to sue police departments a number of times over their seizure of firearms and then their failure to timely return them once an investigation has been

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concluded,⁹ we are wary of what such a procedure might look like. To avoid any confusion, we would urge that the “rules and procedures” language make an explicit reference to the section following it (Section 8-8.3-10) that provides for automatic return of the firearms.

* ERPOs are entered into police databases, and the bill makes provision for removing that information once an ERPO is terminated. [Page 12, lines 8-9, 21-23.] However, ERPOs are also entered into a public judicial database [Page 11, lines 28-30], but there does not appear to be a comparable requirement for removing terminated ERPOs from that system. A publicly accessible record showing that a person once had their gun rights taken away based on being an “extreme risk” could erect barriers for them for decades when they undergo a background check for employment or housing, and could end up being just as harmful as if they had actually been convicted of a violent felony offense.

* If a bill like this is to be enacted, we urge the inclusion of an annual reporting requirement to provide indications to policy-makers of how the statute is operating. Among other things, the report could indicate the number of petitions filed and orders granted or denied; the number of requests for renewal or termination of orders and their outcome, etc. As a corollary to that, the General Assembly should also consider including a sunset clause. This would allow for an examination of the law’s effectiveness and its impact after a certain period of time, including a review of research conducted on other states’ “red flag” laws, and a consideration of the efficacy of alternative gun control measures in addressing the issue.

⁹ See, e.g., *Richer v. Parmalee*, 2016 WL 2094487 (D.R.I. 2016).

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CONCLUSION

People who are not alleged to have committed a crime should not be subject to severe deprivations of liberty interests, and deprivations for lengthy periods of time, in the absence of a clear, compelling and immediate showing of need. As well-intentioned as this legislation is, its breadth and its lenient standards for both applying for and granting an ERPO are cause for great concern.

The ACLU urges legislators to focus bills like these on addressing serious imminent threats to the public safety while safeguarding robust due process procedures before granting the courts and law enforcement agencies potentially intrusive powers over the liberty of individuals charged with no crime. A narrower bill with basic due process protections can provide the proper balance in promoting both public safety and constitutional safeguards.

Gun violence is a deeply serious problem deserving of a legislative response, but not, *Minority Report*-like, at the expense of basic due process for individuals whose crimes are speculative, not real. The precedent it creates could reverberate in unexpected and distressing ways in years to come.

Do Red Flag Laws Save Lives or Reduce Crime?

John R. Lott, Jr.
President
Crime Prevention Research Center

Carlisle E. Moody College of
William and Mary and
Crime Prevention Research Center

December 28, 2018

Abstract

Red flag laws had no significant effect on murder, suicide, the number of people killed in mass public shootings, robbery, aggravated assault, or burglary. There is some evidence that rape rates rise. These laws apparently do not save lives.

I. Introduction

By the end of 2018, thirteen states have passed Red Flag or Extreme Risk Protection Order (ERPO) laws which allow police or family members or those living in the same residence to file a petition for a court order temporarily seizing the firearms of persons accused to be a danger to themselves or others (Devos et al., 2018). Using the most recent data, we investigate the effect of Red Flag laws on murder, suicide, and deaths due to multiple victim public shootings. We use murder rather than firearm homicide and suicide rather than firearm suicide because there may be substitution and homicide includes justified homicides and homicides committed in the line of duty by police officers. Four of these states implemented this policy before the end of 2017: California (2016), Connecticut (1999), Indiana (2005), and Washington (2016). We will study these laws being in effect for a combined total of 36 years.

The basic idea is that some individuals who pose a danger to themselves and others and that danger is magnified by the presence of firearms. Therefore, any policy that can effectively remove the firearms, if only temporarily, from such individuals could save lives either through the reduction of homicide or by making the completion of a suicide attempt more difficult. However, it is possible that these laws could increase homicide or suicide. In the absence of a Red Flag law, a person contemplating homicide or suicide might speak to a family member and, as a result, be dissuaded from that course of action. If the same person is aware of the existence of a Red Flag law, then he or she may well not approach a family member or anyone else who might initiate an ERPO. The result could be that such individuals go on to kill themselves or others.

These laws are not specifically limited to people who are mentally ill, as there are already options to commit those posing a danger to themselves or others. No specific guidelines for identifying people are given, ERPO are meant to let people determine on their own whether someone is dangerous. Discussions before the Uniform State Law Commission indicate that those making these decisions rely on a variety of factors in predicting future behavior, such as a history of violent behavior, gender, and age. So while there are already laws that ban felons or those with some types of misdemeanors from owning guns, ERPOs allow people to take into account arrests that didn't result in a conviction or simply complaints.

While mass public shootings have served as the instigation for ERPO laws, this is the first panel analysis that looks at death rates from mass public shootings and suicides or changes in violent crime rates, including murder.

II. Results

The basic model is a fixed effects regression model for all 50 states and DC from 1970 to 2017 in which the natural log of the murder and suicide rates and the number of people killed in mass public shootings are the dependent variables (suicide is available only up to 2016, mass shootings are available from 1977). We use a standard difference-in-differences dummy variable

model as well as a spline model and a combination dummy-spline “hybrid” model to determine the effects of the Red Flag law.

Following the specifications used in Moody and Marvell (2010), in addition to lagged endogenous variables, the initial specifications also included: Population density, Crack epidemic measure, Arrest rate for violent crime, Prison population per capita, lagged Executions, Truth in sentencing, Real income per capita, Poverty rate, Unemployment rate, Total employment, Military employment per capita, Construction employment per capita, and demographics (percent of the population that is black and age distribution by five year age intervals from 15 to 64 and those 65 and older). The gun control laws accounted for: Three strikes, Right to carry, Castle doctrine, Stand your ground, Use a gun go to jail, Waiting period, Background check, private sale Background check, Safe storage law, Juvenile gun ban, One gun per month, and Saturday night special bans.

We use a general-to-specific modeling approach (Moody and Marvell 2010), where we dropped all variables with t-ratios less than one in absolute value and then subjected them to an F-test for joint significance. In all cases, the tests we did were not significant at the .05 level, indicating that we were justified in our model reductions. The full estimates with all the variables produced even less significant results for the Red Flag laws. We report the results of the expanded models, all the estimated control variables, all the other specifications discussed below that are not reported in the tables, as well as provide the data in the robustness section of the online appendix (<https://tinyurl.com/y6vnljwt>).

The results with respect to the murder rate are presented in Table 1A. The coefficients, standard errors and t-ratios are conventional, but the p-values for the policy variables are generated by a placebo law exercise, the need for which is due to the small number of policy changes. Since there are only four states that have adopted Red Flag laws in our sample period, the standard errors are underestimated (Conley and Tabor 2011). In our placebo law exercise we replace the four “treated” states with randomly chosen states with imaginary placebo laws for the same years as the laws in the treated states. We then re-estimate the model. We repeat this 1000 times to generate distributions of outcomes centered on zero, the true value of the coefficients on the policy variables for those states that did not adopt a Red Flag law. From these distributions (for which we know that the null hypothesis of no effect is true) we can find the number of times the placebo laws generated t-ratios greater, in absolute value, than the t-ratios generated by the actual treated states. These are divided by 1000 to generate the p-values.

Perusal of Table 1 reveals that, despite the apparently significant t-statistics, the laws have had no significant effect on either murder at the .05 significance level based on the placebo law p-values. In fact, none of the policy variables are significant at the .10 level.¹ In addition, if

¹ The p-values for the policy variables are as follows: hybrid model, dummy .245, spline .212; dummy only .178; spline only .132.

individual state trends are excluded, the results are not statistically significant at even the traditional levels.

The corresponding results for suicide are presented in Table 1B. Again, the apparently significant policy variables turn out to be insignificant when using the placebo law p-values.² The coefficients are also economically very small. In the first specification, a Red Flag law initially increases the suicide rate by 0.02 percent, and that effect is reduced to zero by the fourth year that it is in effect.

The results with respect to deaths due to mass public shootings are shown in Table 2. We follow the traditional FBI definition that was used for 30 years until 2013 of four or more people killed in a public place that did not involve some other crime such as gang fights or robberies. Since the dependent variable is the number of people killed, we used the fixed effects negative binomial model. We followed the same general to specific modeling approach used in the first two tables. Since the policy variables are not significant in these results, we do not need to use placebo law p-values. The results are consistent with those of murder and suicide, the coefficients on the policy variables are not significantly different from zero. The coefficients imply a small initial increase in deaths from mass public shootings of between 0.1 and 0.2 per year.

Finally, Table 3 investigates the impact of ERPO laws on other crime rates using specifications that correspond to those shown in Table 1, and with the exception of one specification showing an increase in rape rates (specification 2), none of the coefficients are statistically significant at the .05 level. At the .10 level, the first specification also shows an increase in rape rates. In both cases, the results imply about a four percent increase in rape rates.

We conducted a number of robustness checks. Connecticut increased the number of gun seizures tenfold in 2007 from 10 to 100 in 2007 and over 700 by 2013 (Swanson et al. 2016, p.8). Consequently, we re-estimated the models using 2007 as the implementation date for Connecticut. The results were unchanged. We also estimated models for murder and suicide using pre- and post-law dummy variables, one for each two-year period. We found, for both murder and suicide, that none of the post-law dummies were significantly different from zero using placebo law p-values. Similarly, there was no significant difference between the means of the pre-law and post-law dummies.

III. Conclusion

Red flag laws had no significant effect on murder, suicide, the number of people killed in mass public shootings, robbery, aggravated assault, or burglary. There is some evidence that rape rates rise. These laws apparently do not save lives.

² The p-values for the policy variables are: hybrid model dummy .188, spline .131; dummy only .457; spline only .212.

References

Conley, T.G and Tabor, C.R. 2011. Inferences with “difference in differences” with a small number of policy changes. *Review of Economics and Statistics* 93: 113-125.

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Swanson, J.W. et al. 2016 Implementation and effectiveness of Connecticut’s risk-based gun removal law: does it prevent suicides? *Law and Contemporary Problems*. Forthcoming.
<https://lcp.law.duke.edu/article/implementation-and-effectiveness-of-connecticuts-risk-basedgun-removal-law-swanson-vol80-iss2/>

Table 1: Examining the impact of Extreme Risk Protection Orders on Murder and Suicide

A) Natural Log of the Murder Rate (Including state and year fixed effects and individual state time trends)

Variable	Coefficient (1)	T-ratio	Coefficient (2)	T-ratio	Coefficient (3)	T-ratio
ERPO dummy variable	-5.983	2.47	-7.016	2.71		
ERPO spline variable	-0.669	2.43			-0.991	3.24
N	1,977		1,977		1,977	

B) Natural Log of the Suicide (Including state and year fixed effects and individual state time trends)

Variable	Coefficient (1)	T-ratio	Coefficient (2)	T-ratio	Coefficient (3)	T-ratio
ERPO dummy variable	0.017	2.32	0.012	1.25		
ERPO spline variable	-0.005	3.63			-0.004	2.92
N	1,734		1,734		1,734	

Notes: * $p < 0.05$; ** $p < 0.01$; the Red Flag law dummy and spline variables were not significant using placebo law values; regressions are weighted by state population; standard errors are clustered on states; coefficients on the individual state trends, state, and year dummies are suppressed to conserve space; complete results for other control variables are available here <https://tinyurl.com/y6vnljwt>.

Table 2: Examining the impact of Extreme Risk Protection Orders on the number deaths from Multiple Victim Public Shootings (Negative binomial regressions)

Variable	Coeff (1)	T-ratio	Coeff (2)	T-ratio	Coeff (3)	T-ratio
ERPO dummy variable	0.189	0.17	0.111	0.14		
ERPO spline variable	-0.020	0.09			0.006	0.04
<i>N</i>	1,476		1,476		1,476	

Note: * $p < 0.05$; ** $p < 0.01$; fixed effects negative binomial model; coefficients are incident rate ratios; p-values for policy variables are not adjusted using placebo law methods; complete results for other control variables are available here <https://tinyurl.com/y6vnljwv>.

Table 3: Examining the impact of Extreme Risk Protection Orders on the Natural Log of other Crime Rates that correspond to the estimates provided in Table 1 (Including state and year fixed effects and individual state time trends)

Variable	Rape	Robbery	Assault	Burglary
(1) Dummy and Spline Model				
ERPO dummy variable	4.419 (3.45)	-22.716 (1.78)	0.781 (0.71)	-0.313 (0.25)
ERPO spline variable	-0.076 (0.21)	0.973 (0.93)	0.556 (1.52)	0.120 (0.48)
(2) Dummy Only				
ERPO dummy variable	4.283 (4.72)*	-20.971 (1.66)	1.781 (1.13)	-0.094 (0.10)
(3) Spline Only				
ERPO spline variable	0.142 (0.39)	-0.150 (0.31)	0.595 (1.52)	0.105 (0.49)
<i>N</i>	1,928	1,928	1,928	1,928

Notes: T-ratios in parentheses; * $p < 0.05$; ** $p < 0.01$, using placebo law p-values; regressions include state and year dummies and individual state trends; regressions are weighted by state population; standard errors are clustered on states; complete results for other control variables are available here <https://tinyurl.com/y6vnljwjt>.

SB-1466-SD-1

Submitted on: 2/18/2019 12:43:06 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Gail P. Gnazzo	Testifying for Moms Demand Action	Support	No

Comments:

Kimberly McEvoy

1740 Kokomo Rd.

Haiku, Maui, Hi.

Testimony in Support of SB 1466

I moved to Maui at the age of four. I attended St. Anthony's Schools, The University of Hawaii at Manoa and the University of Massachusetts from which I received a BFA. I am married and we have two daughters, fifteen and twelve next week. The oldest is a freshman at King Kekaulike and the younger is at Carden Academy. We have chosen to raise our children here where I grew up.

My husband's family of eight siblings, including the girls, are hunters and therefore gun owners. I respect their right to own guns for sport. Our family life is filled with activities in school and community—both girls do well academically and participate in extra-curricular activities including gymnastics/cheer team, tennis, cross country, surfing, ukulele and performing arts. Our focus is on a safe healthy, nurturing family and community which is why I support the passage of a red flag law in Hawaii.

I was born in Connecticut not far from the Sandy Hook School where a young man murdered children and school personnel on the school campus and in the classrooms. He had exhibited serious behavioral and social problems throughout his adolescence

and early adulthood in school and community. Had there been a red flag law in place concerned teachers, counselors, neighbors, and police might have been able to safely avail themselves of the court process to, at least temporarily, limit his access to firearms and ammunition.

I do not want my children and their friends to live under the threat of violence while in school, at the movies and other activities like open air music at the MACC, and shopping centers in our community; children and families have enough going on in their lives without added fear. Please add a red flag law to Hawaii's exemplary gun safety legislation to reduce the potential for gun violence in our Hawaii Nei. Mahalo nui loa.

SB-1466-SD-1

Submitted on: 2/19/2019 12:29:57 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Betsey Strauss	Testifying for Mom's Demand Action Hawaii	Support	No

Comments:

Aloha, my name is Betsey Strauss. I'm a volunteer with the Hawaii Chapter of Moms Demand

Action for Gun Sense in America. We are part of a larger grassroots movement of Americans

fighting for public safety measures to protect citizens from gun violence. I'm writing to urge you

to support SB 1466 SD1, the Gun Violence Protection Order, which could save lives by creating

a way for family members and law enforcement to act before warning signs from individuals

escalate into tragedies.

I have three young children in school on Oahu. Even before my eldest started school five years

ago, my spouse and I were alarmed by the number of shootings that have taken place in

America, especially school shootings. At the time of the Sandy Hook shooting, we were living

in Australia, and our Australian friends were asking us questions about what happened. They

were in disbelief that something so horrible could happen in America. My husband and I were

shocked as well. Such horrible acts as these rarely occur in other high-income countries, where

they have more sensible laws in support of gun safety.

I'll never forget the first time our daughter came home from kindergarten and told us they had

to do a "Lock Down Drill" at school. Not knowing what this was, she explained to us that they

shut all the windows of the classroom and had to practice staying very quiet in the event that a

"scary person came to their classroom." Her words brought tears to my eyes, that this was

becoming a regular drill for her and her classmates, as well as many other schools in our

country. Seeing as this has become a prominent issue facing our country, I've become

determined to do what I can to make schools and our communities as safe as possible for our

keiki to grow up in.

Mass shooters often display warning signs before committing violent acts. A nationwide study

between 2009-2017 revealed that in half of mass shootings, the shooter exhibited dangerous warning signs before the shooting. If loved ones or law

enforcement were able to petition the court for a Gun Violence Protection Order, this could

help to decrease the amount of firearm related injuries and deaths by a person in crisis, that

could be either self-inflicted or against others.

With the growing rate of gun related violence in our country, it is as important as ever to enact

gun sense laws to keep Hawaii as safe as possible from acts of violence. I encourage you to

support SB 1466 SD1. Mahalo.

SB-1466-SD-1

Submitted on: 2/20/2019 9:04:18 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Carolyn Pearl	Testifying for Moms Demand Action for Gun Sense in Hawaii	Support	Yes

Comments:

Senator Karl Rhoads, Chair

Senator Glenn Wakai, Vice Chair

Senate Committee on Judiciary

Friday, February 22, 2019

Support for S.B. 1466 SD1– RELATING TO GUN VIOLENCE PROTECTIVE ORDERS

My name is Carolyn Pearl, and I am a long time resident of Hawaii. I'm also a volunteer with Moms Demand Action for Gun Sense in Hawaii, the local chapter of a nationwide grassroots organization of people – moms and others – who are seeking to make life safer for ourselves and our families through sensible firearm safety laws and regulations. We stand in strong support of SB 1466, and we thank you for hearing this measure.

Senseless acts of gun violence, including mass shootings and gun suicides, are becoming alarmingly commonplace, when so many of them could be prevented. Such tragedies are often preceded by red flags - threats of violence, dangerous behavior, and other indications that a person is a danger to themselves and others. Analysis of such mass shootings from 2009 to 2017 revealed that in 51 percent of incidents the shooter exhibited warning signs that they posed a danger to themselves or others before the shooting. As noted in SB 1466, a classic example of this occurred last year in Parkland, Florida. Had there been a red flag law in place in Florida at the time, that massacre may have been prevented - and 17 lives spared. Shortly afterwards, Florida joined 12 other states in enacting such a law. It shouldn't take a massive tragedy to move lawmakers to pass safety provisions.

I applaud the Hawaii legislature for its efforts over the years to enact a body of common sense gun safety laws, and I'm proud that those efforts have made ours one of the safest states in the USA. Let us not grow complacent in that achievement, however. Hawaii is not immune to both gun violence against others and suicide by gun.

The people of Hawaii need an effective tool to help ensure public safety when family members or law enforcement see clear signs that an individual poses a mortal threat to others or themselves. While Hawaii law currently prohibits people from having guns if they have been convicted of certain crimes, people who don't fall into prohibited categories can still have guns, even if they make violent threats or display other dangerous warning signs. This is a loophole that needs to be closed.

The legislation before you – SB 1466 - can help to save lives by creating a way to act before warning signs escalate into tragedies. This measure will allow loved ones or law enforcement — the people who are most likely to see and recognize the warning signs—to seek a Gun Violence Protective Order, a court order temporarily removing guns from a person in crisis. If the court finds that a person poses a significant risk of injuring themselves or others with a firearm, that person would be temporarily prohibited from purchasing and possessing guns and required to turn over their guns while the order is in effect.

This neither impedes nor threatens a responsible gun owner's rights. It provides an additional measure of safety for our families, by temporarily removing guns from those people who show intent to do harm with them. Are peace of mind - and perhaps our very lives - worth it? The answer should be an unequivocal YES.

We urge the committee to please pass SB 1466 SD1, to provide this additional measure of safety for our families in Hawaii.

Thank you for this opportunity to testify.

Carolyn Pearl

Senate District 15

SB-1466-SD-1

Submitted on: 2/20/2019 9:32:32 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Scott Meehan	Individual	Support	No

Comments:

My name is Scott Meehan, and I am a resident of Honolulu, HI. I am writing in strong SUPPORT of SB 1466, and urge you to pass it to help prevent persons who have been deemed a danger to themselves (or others) from accessing firearms and ammunition.

Hawaii is already considered a national leader in gun safety legislation. And though we have some of the strongest common-sense gun laws in the country, there are already 13 states with Gun Violence Protective Orders in place. 29 other states considered similar bills last year, including Hawaii. Now we have an opportunity to show our leadership once again.

We cannot take our relatively safe community for granted. Please consider moving SB 1466 along, so that we have a chance to prevent gun violence before it happens. We have not had a mass shooting in this state for 20 years. I would like to think that we can prevent the gun violence that we have become accustomed to seeing on the mainland.

Mahalo for your consideration.

Scott Meehan, Art Director

HAWAII FIVE-0

CBS Television/ Eye Productions, Inc.



The Honorable Karl Rhoads, Chair
The Honorable Glenn Wakai
Senate Judiciary Committee
State Capitol, Room 016
Honolulu, Hawaii 96813

HEARING: Friday, February 22, 2019, at 9:00am

RE: SB1466 Relating to Gun Violence Protection Orders

Aloha Members of the Senate Committee,

The Hawaii Firearms Coalition STRONGLY OPPOSES SB1466

This bill makes the assertion that mass shootings are a crisis in the country and that this bill would greatly reduce such shootings in the state by allowing a petitioner to have a court remove the rights of an individual to possess guns or ammunition for one year. This assertion is false, since the VAST MAJORITY of these shootings were either drug or gang related. This bill and others like it, would do nothing to remove the guns from the hands of criminals. Take the case of Bronson Gouveia, who attempted to murder his girlfriend with a firearm on December 23, 2018. Gouveia, a convicted felon, was not supposed to own firearms but somehow obtained them despite some of the strictest gun laws in the country. The bill also mentions the tragic shooting at Southerland Springs. This is a primary example of why laws like this fail, for the shooter should have been disqualified from owning firearms in the first place do to a domestic violence conviction while in the Air Force. The Air Force failed to report the conviction to the FBI Database. What we need is an enforcement of existing laws and allowing good citizens to carry firearms in the self defense and in the defense of others. After all, the person who stopped the Southerland Springs massacre was stopped by former NRA instructor Stephen Willeford with his AR15 rifle.

Legislation such as SB 1466 does nothing to curb violence, gun related or otherwise. What these "Red Flag Laws" do establish is a dangerous precedent that removes due process from an individual who has committed no crime.

The core of this bill allows a petitioner to have the court issue a "gun violence protection order" against an individual *ex parte*. This means the individual accused has no knowledge of this proceeding nor the ability to contest the hearing before summary judgment is passed. While well intended, this bill, if passed into law, can and will be used by anyone with a grudge against another individual and NOT for its intended purpose. This will cause great harm to the civil liberties of the person accused. The justice system in the United

States is based upon the Presumption of Innocence. If there is truly a concern about the potential violent intentions of the individual then it is incumbent on the accuser and the State to PROVE there is sufficient evidence for removing a civil liberty and one's personal property.

Hawaii Firearms Coalition is STRONGLY OPPOSED to this bill because it seeks to violate Constitutional protections of the individual to due process and equal treatment under the law.

Mahalo,

Jon Abbott
Director, Hawaii Firearms Coalition
Ph. (808)292-5180
Email: jonwebsterabbott@yahoo.com

SB-1466-SD-1

Submitted on: 2/21/2019 8:27:53 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:

SB-1466-SD-1

Submitted on: 2/21/2019 8:51:50 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Harvey Gerwig	Testifying for Hawaii Rifle Association	Oppose	No

Comments:

The Hawaii Rifle Association STRONGLY OPPOSES this bill for the following reasons:

- * This bill bypasses all the "DUE PROCESS" requirements to deny a person of a Constitutional Right.
- * The subject person can have their firearms confiscated by the Swat Team over a mere accusation by a third party with no substantial evidence, no crime committed, nor any conviction of a crime.

Please DO NOT pass this bill.

Thank you, Harvey Gerwig, President, Hawaii Rifle Association



LATE

NATIONAL RIFLE ASSOCIATION OF AMERICA
INSTITUTE FOR LEGISLATIVE ACTION
555 CAPITOL MALL, STE 625
SACRAMENTO, CA 95814

STATE & LOCAL AFFAIRS DIVISION
DANIEL REID, WESTERN REGIONAL DIRECTOR

February 21, 2019

The Honorable Karl Rhoads
Chair, Senate Committee on Judiciary
Sent Via Email

Re: **Senate Bill 1466 - OPPOSE**

Dear Chairman Rhoads:

On behalf of the Hawaii members of the National Rifle Association, we oppose Senate Bill 1466.

SB 1466 would allow for certain protective orders to remove your Second Amendment rights - not because of a criminal conviction or mental adjudication, but based on third party allegations and evidentiary standards below those normally required for removing constitutional rights. Additionally, these protective orders lack due process as firearms and ammunition are required to be surrendered well before a hearing may take place.

Constitutional rights are generally restricted only upon conviction of a felony. The reasons for this are two-fold. It limits restrictions on constitutional rights to only the most serious offenses, and, perhaps more importantly, felony convictions provide greater procedural protections to the accused, which results in more reliable convictions. The Right to Keep and Bear Arms should not be treated as a second-class right and should be restricted only upon conviction of a felony like other rights.

If an individual is truly dangerous, existing law already provides a variety of mechanisms to deal with the individual, all of which can lead to firearm prohibitions in appropriate cases. The issuance of a protective order does nothing to deal with the underlying cause of dangerousness, nor does it subject the person to any actual physical restraint, ongoing reporting or monitoring requirements, or treatment for any underlying mental health condition.

Further, this law is limited to firearms and ignores the fact that individuals can use other types of deadly weapons to inflict harm. No law can give police, or even family members, increased insight into human behavior and motivation.

For the foregoing reasons, we urge your opposition to SB 1466.

Sincerely,

Daniel Reid
Western Regional Director

SB-1466-SD-1

Submitted on: 2/20/2019 8:19:26 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Elizabeth Luff	Testifying for Moms Demand Action Oahu Chapter	Support	No

Comments:

Dear Legislators,

My name is Elizabeth Luff. I live in Kailua with my husband and two daughters and am a Hawaii volunteer with Moms Demand Action. I wanted to write to you in support of SB 1466. After the tragic murders at Sandy Hook Elementary and the unbelievable silence on gun safety legislation that has followed, I was sickened to see our country in such a state of partisan inaction. When my girls entered school with all the excitement and innocence of their years, I couldn't stop thinking about their safety while they were away from home or how I could imagine living without them if their lives were cut short. It became clear to me that my own inaction on this important issue contributed to the crisis in gun violence that continues to plague our country today.

Like too many others, gun violence has touched my life as well. On my 12th birthday, my Uncle Tug shot himself in the head after heated argument with my Aunt. He died immediately. In high school, I remember calling the police in the middle of the night when my neighbor confronted her husband about cheating on her. She chased him up the street shooting a handgun multiple times. As a small child playing in the woods near my house I was fired on by homeless men living in the forest. My friend's head was grazed by the bullet that almost killed him. Recently, a man I worked with told me that he kept loaded guns in his home but "his kids knew that they weren't allowed to touch them". When this coworker was let go under contentious circumstances, I spent many hours at work wondering if he would come into the office and start shooting. I learned later that his wife had to flee the state with their kids to get away from him. I do not think my experiences are unusual.

I am so grateful that you are considering SB 1466. I fully support these bills and am especially happy to see that they strengthen the abilities of law enforcement and families to act in our community's best interests. Laws like this that support our community are crucial for the health of our communities.

LATE

SB-1466-SD-1

Submitted on: 2/21/2019 5:12:00 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nonohe Botelho	Individual	Support	No

Comments:

To: SENATE COMMITTEE ON JUDICIARY

Senator: Karl Rhoads, Chair

Senator: Glenn Waki, Vice Chair; and members of the Committee

From: Nonohe Botelho, Parent of a Murdered Child

Date: Friday, Feb 22, 2019

Re: SB 1466, "RELATING TO GUN VIOLENCE PROTECTIVE ORDERS"



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 my son's death we were informed that the defendant in our case had previously threatened to shoot his girlfriend and himself. The police were called, but the defendant had already fled the scene and the gun was never retrieved. If the police had a legal means in which they could have obtained a protective order to temporarily remove the firearm from a person who clearly posed an immediate threat to himself and others, my son may have never been shot. Sadly, 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 SB 1466, RELATING TO GUN VIOLENCE PROTECTIVE ORDERS, which *establishes a process allowing law enforcement officers and family or household members to obtain a court order to prevent a person from accessing firearms and ammunition where the person poses a danger of causing bodily injury to oneself or another.*

SB 1466 mentions two cases of gun violence in Hawaii, including the Xerox shootings in 1999, (*State vs. Brian Uyesugi*) and H-1 shootings in 2011 (*State vs. Tobey Stangel*). Another high profile case not mentioned is the 1996 Honolulu Hostage Crisis which occurred in Sand Island. The suspect, John Miranda, took hostages at the Seal Masters of Hawaii building, his former place of employment. During the hostage crisis, two hostages were injured, one seriously. Live news coverage also showed that Miranda held a sawed-off gun to one of the hostages. Several weeks later Miranda was found to have murdered his former girlfriend prior to the crisis.

Other notable cases include the shooting of Royal Kaukani (*State vs. Toi Nofoa, 2009*). Nafoa admitted to family members that he shot Kaukani in the head while she was sitting in her car. Kaukani was scheduled to testify against Nofoa for charges that he kidnapped and threatened to kill her. Most recently, Bronson Gouveia was apprehended after shooting his girlfriend in Kahaluu. Sources said drugs and weapons were found in the home where he was staying. It was reported that Gouveia has 54 prior arrests; about half of those were felonies, and more than 20 convictions.

With this in mind I implore this committee to PASS SB 1466, because like myself, these victims and their families will never know if these crimes could have been prevented IF the law allowed "*law enforcement officers and family or household members to obtain a court order to prevent a person from accessing firearms and ammunition where the person poses a danger of causing bodily injury to oneself or another.*" **We will never know if law enforcement intervention could have made the difference between Life and Death.**

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

Sincerely,

Nonohe Botelho

LATE

SB-1466-SD-1

Submitted on: 2/21/2019 8:21:38 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ann Cobain	Testifying for Moms Demand Action	Support	No

Comments:

Good Morning. My name is Ann Cobain. I live on Maui and I'm a volunteer with the Hawaii chapter of Moms Demand Action for Gun Sense in America, a grassroots movement of Americans fighting for public safety measures that protect people from gun violence. I'm writing today to urge you to support gun violence protection orders proposed in bill SB1466, a red flag law.

I want to tell you why this bill is important for our community and me personally.

As a Licensed Marriage and Family Therapist in Hawaii, I'm all too aware of the suicide rates in our beautiful state and the 18% rise from 1996-2016 according to the Centers for Disease Control. I work with clients and families who struggle with mental health issues and suicidal ideation daily. I've had numerous clients whom were suicidal and thanks to safety plans and additional support can recover and heal. However, this isn't always the case and when suicidal people have access to firearms their risk skyrockets. Access to a gun is associated with a significant increase in risk of suicide, and a review of fourteen studies found that household gun access can triple the risk of death by suicide. On average, one Hawaiian dies by firearm suicide every 11 days. There's no question that keeping guns out of the hands of people who are feeling suicidal can save lives. A recent study showed Indiana's Red Flag Law was associated with a significant drop in firearm suicides in the state in the first 10 years the law was in effect. A 2017 study of Connecticut's red flag law found that the law averted an estimated 72 or more suicides. Thirteen states have enacted Red Flag laws and Hawaii needs to be next. We need SB 1466 to protect our community and those in crisis.

Personally, I've had a friend who died by firearm suicide. Brett had started out my older brother's friend but became more of a hanai brother. I remember him teaching me to drive and spending many afternoons snowboarding and hanging out. Brett also suffered from mental health issues. He was seeking treatment and had potential for recovering. Unfortunately, a mental health crisis and access to a firearm ended his life at 25. His experiences motivated my career in the mental health field and beliefs that we need to do more for those in crisis. SB1466 could have saved him and his family from losing a life that was just beginning.

As a Mother in our community, I'm also concerned with the safety in our schools and want to protect our keiki from experiencing gun violence. My daughter recently entered preschool and the reality of her having to do lock down drills and practice hiding from an active shooter is heartbreaking. I understand the need for this and feel we as parents need to do more to solve the problem and keep kids safe. Research proves that shooters often display warning signs before committing violent acts. SB1466 is part of the solution in that it empowers family members and law enforcement to act on these red flags before they turn to tragedy. As of recently, Hawaii hasn't directly experienced a mass shooting, now is the time for prevention. SB1466 will help us do this, we can save lives and make Hawaii a safer place for everyone.

Thank you for supporting SB1466.

Aloha

Ann Cobain, LMFT

SB-1466-SD-1

Submitted on: 2/15/2019 5:23:39 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Isaacson	Individual	Oppose	No

Comments:

The danger with measures like this is the arbitrary nature of some accusations which would cause an individual to lose their rights. Sufficient safeguards are not in place in this measure.

SB-1466-SD-1

Submitted on: 2/16/2019 10:13:06 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

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

Comments:

I oppose SB1466. It violates a person's constitutional right without due process. SB1466 in essence presumes guilt, until proven not guilty. This violates one of the fundamental precepts that this country was founded upon, innocent until proven guilty. You're penalizing a person, depriving them of their constitutional rights, and then placing the burden of proving innocence on the person. This isn't right. People could see their guns seized over grudges between family members or neighbors. It's incredibly dangerous because it opens the door for vindictiveness and revenge.

SB-1466-SD-1

Submitted on: 2/15/2019 6:40:25 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

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

Comments:

I urge the committee to vote in favor of this bill for Gun Violence Protective Orders. We could save so many lives if the police and family members could petition the courts to help prevent gun violence by persons who are suicidal, severely depressed, or having mental illness problems that endanger themselves or others. This bill provides reasonable safeguards for due process as well as protections for the public.

Thank you.

Ellen Carson

SB-1466-SD-1

Submitted on: 2/16/2019 1:36:21 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

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

Comments:

I oppose this bill which lacks accountability and can be easily missused by anyone who claims to have a relationship with the legal firearm owner and make unfounded accusations. Yes safety is of utmost importance but so is due process and freedom from false accusations. It takes time to figure this out without criminalizing innocent people because they own a firearm.

SB-1466-SD-1

Submitted on: 2/16/2019 3:57:23 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

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

Comments:

NO DUE PROCESS, violates civil rights of the accused

SB-1466-SD-1

Submitted on: 2/16/2019 5:40:44 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kalei Chong	Individual	Oppose	No

Comments:

How's about allowing anyone to file for a court order to seize a persons driver's license or vehicle if we observe the "warning signs" that someone is going to drive under the influence. The legislature could find that the State has a miserable DUI conviction rate. Nationwide, DUI drivers inflict great harm by killing or injuring innocent persons sometimes in mass DUI incidents!

Either it be firearms or DUIs this ex-parte filing (without due process) is presumptuous at best.

SB-1466-SD-1

Submitted on: 2/16/2019 6:52:21 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dara Carlin, M.A.	Individual	Support	No

Comments:

SB-1466-SD-1

Submitted on: 2/16/2019 8:45:24 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
mitchell weber	Individual	Oppose	No

Comments:

I strongly OPPOSE SB1466

This unconstitutional law will allow law enforcement to violate multiple civil rights of the accused. These rights are granted to us by the US constitution and any lawsuit brought up by the accused will most certainly win in a fair court. Criminals do not follow gun registration laws, criminals aren't allowed to possess firearms. The states domestic violence laws clearly outline a valid way for anyone worried about a firearms owner who is a danger to them or the accused without violating the constitution.

Mahalo,

Mitchell Weber

SB-1466-SD-1

Submitted on: 2/17/2019 12:15:40 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mele Stokesberry	Individual	Support	No

Comments:

I am writing in support of SB 1466, RELATING TO GUN VIOLENCE PROTECTIVE ORDERS, the “Red Flag Law.”

Tragic acts of gun violence, including mass shootings and gun suicides, are often preceded by red flags such as threats of violence, dangerous behavior, and other indications that a person is a danger to themselves and others. Red Flag Laws enable family members and law enforcement—the people most likely to see these warning signs—to seek a Gun Violence Protective Order, a court order temporarily removing guns from a person in crisis. This legislation can help save lives by creating a way to act before warning signs escalate into tragedies.

SB-1466-SD-1

Submitted on: 2/17/2019 1:25:06 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

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

Comments:

This law is a "red flag" law and takes away the 5th amendment and 14th amendment right (Due Process). But what amazes me is most active shootings happen in "Gun free zones". FBI statistics estimate about 96% of active shooters are in these zones. Look at the examples on the bill, Vegas shooting, Florida school shooting, San Bernandido Pulse Night Club shooting.

It also makes HPD's job more danerous because other states have tried it and a gun fight broke out. Again rights were denied (Due Process), so the person being served put up a fight to protect their rights from being served an illegal consfication.

There are many Sheriffs in Washington state that wrote letters saying they will not enforce a law that violates the 5th and 14th amendment (DUE PROCCCESS).

What if an angry exgf wanted to file a false report? I've had friends who this has happened to. Luckily, they were on vacation and out of town when their exgfs claimed they were assaulted by them. So when they go tthe call, they told HPD "I'm in Vegas right now" and the charges were dropped.

Testimony for **SB1466 SD1**

Please pass this bill to make Hawaii safer for our families. I support SB 1466 SD1. Please pass this bill.

Kai Duponte
2694 Kamelani Loop
Makawao, HI 96768

SB-1466-SD-1

Submitted on: 2/17/2019 2:27:15 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

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

Comments:

This bill infringes on citizens rights to due process

SB-1466-SD-1

Submitted on: 2/17/2019 2:34:10 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Brendon Heal	Individual	Oppose	No

Comments:

I strongly oppose any law that removes due process, and removes fact and evidence based judgment on any law abiding citizen.

Removing ones rights require a person to face accusers, and a judge, and be able to plead their case.

One cannot remove one rights or freedom by mere accusation in the United States of America!

I am a voter, and I promise you, no gun control and anti-Constitution legislator will never get another vote from me, or from those who would defend freedom.

SB-1466-SD-1

Submitted on: 2/17/2019 3:54:12 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Justin Enos	Individual	Oppose	No

Comments:

This bill chips away at innocent citizens' right to due process. While the intent of the bill is good, I'm afraid that the bill will have too many unforeseen negative externalities because of its reliance on third party, uncorroborated, accounts. The bill turns "innocent until proven guilty" on its head, forcing the accused to prove their innocence before they are permitted to access their firearms. The bill contains far too low evidentiary standards for me, and because of that I must voice my strong opposition to it.

I think the spirit of the bill has some merit, but enforcing the bill as written circumvents many legal protections we are afforded in the United States. If there were much higher standards of evidence, and less reliance on third party accounts, I may be able to get behind this bill.

SB-1466-SD-1

Submitted on: 2/17/2019 6:14:40 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

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

Comments:

This law is clearly unconstitutional! Citizens cannot be penalized and have their rights infringed upon based on an accusation of a potential crime! Our justice system allows for due process.

SB-1466-SD-1

Submitted on: 2/17/2019 6:33:49 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Carlo Barbasa	Individual	Oppose	No

Comments:

SB-1466-SD-1

Submitted on: 2/17/2019 7:37:15 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kathleen Tennison	Individual	Support	Yes

Comments:

Hello. My name is Kathleen Tennison. I live in Kailua with my grandkids. I am writing in support of bill SB1466. I worry every day about my 7 grandkids safety at school. Red Flag Laws allow family members and law enforcement to ask a judge to temporarily suspend a person's access to guns if there is evidence they may try to hurt themselves or others. I believe the 17 innocent lives that were murdered at the Parkland, Florida high school could have been prevented if FL had this law in place. The shooter's parents called the police on him but nothing was done. I want my grandchildren to be safe. I know this law would help.

SB-1466-SD-1

Submitted on: 2/17/2019 8:06:27 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

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

Comments:

Please oppose this bill. This bill does not allow for "Due Process" and strips a person of their property and the ability to exercise their rights without first being found guilty of a crime.

SB-1466-SD-1

Submitted on: 2/18/2019 7:20:58 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Steven Yip	Individual	Oppose	No

Comments:

This testimony is in OPPOSITION of bill SB. I oppose this bill because law enforcement officers, family or household member are not mental health professionals that can clearly assess the mental state and health of an individual. Due to this fact, the individual who is being accused is denied due process before his 2nd amendment constitutional rights get violated. There is too great of a risk that an accused individual can get accessed incorrectly which would result in their rights being violated.

Respectfully,

Steven Yip

SB-1466-SD-1

Submitted on: 2/18/2019 8:24:49 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

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

Comments:

I strongly oppose this bill. This bill does not allow for due process as garentted by the constitution.

SB-1466-SD-1

Submitted on: 2/18/2019 8:42:41 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

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

Comments:

I oppose bill SB1466 SD1.

Law abiding citizens should not be deprived of their constitutional right to bear arms simply because someone claims they are a threat to themselves or others, with no absolute proof or justification of the accusation. All men and women should be considered innocent until proven guilty in a COURT OF LAW (not by law enforcement officers) and treated as such; especially when in relation to their constitutional rights.

SB-1466-SD-1

Submitted on: 2/18/2019 9:44:02 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

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

Comments:

I strongly oppose bill SB1466.

This bill removes due process from the accused who have no say in the hearing to determine the granting of a court order against them. It will deny them a fundamental right without any legal representation.

Also opens up the individual to false accusations that they cannot defend themselves against.

It will also place undue financial burden on the individual requiring them the expense of a lawyer to represent them after a possible false accusation.

Thank You,
Robert Hechtman

SB-1466-SD-1

Submitted on: 2/18/2019 11:07:52 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Craig Kashiwai	Individual	Oppose	No

Comments:

SB-1466-SD-1

Submitted on: 2/18/2019 11:15:31 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

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

Comments:

I think this bill has very good intentions but the implementation has a few problems. The first key issue is the level of proof required. Probable cause is too low a level of proof to take away someones constitutional rights for an extended period of time. Please consider a higher level of proof, at the very minimum I would suggest the level of "proponderance of the evidence". In law enforcement probable cause only justifies an initial arrest of a suspect and they have to be charged within 48 hours with enough evidence for the prosecutor to think they have proof beyond a reasonable doubt.

What other constitutional right can be revoked on probable cause alone? Probable can sometimes can exist from an allegation alone.

The second and smaller issue I have is that 14 days is a bit long for a person to wait to appeal. I think one week is about the most a person should have to wait before they get their right to appeal. Perhaps if necessary there can be a provision for an extension in certian unique circumstances.

SB-1466-SD-1

Submitted on: 2/18/2019 11:32:01 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
RICHARD ARGUELLES	Individual	Oppose	No

Comments:

SB-1466-SD-1

Submitted on: 2/18/2019 1:10:26 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lana Ululani Robbins	Individual	Oppose	No

Comments:

SB 1466 SD1 presumes our guilt instead of our innocence and that of the mentally ill. Furthermore the proposed bill is not objective but a subjective one which leaves it to a law enforcement officer, family or household member to decide someone's mental health which is beyond the scope of their expertise. A better solution is to create a better mental health system to prevent gun violence which is a source of such violence. Mahalo.

SB-1466-SD-1

Submitted on: 2/18/2019 4:57:58 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin J. Cole	Individual	Oppose	No

Comments:

Aloha,

I am opposed to SB1466. Although this Bill has noble intentions, it has many potential pitfalls. If this Bill becomes law, people could and would use it to exact revenge on a person. Think of this as a form of "SWATing." I personally know of a woman whose ex-husband tried a similar tactic against her after their divorce. She was in the clear but his actions abused the system and caused her undo emotional and financial stress. Also what safeguards will be in place to prevent abuse by state and local agencies? (Quis custodiet ipsos custodes?)

I can easily foresee a myriad of law suits against the State if such a Bill is passed. There are already enough statutes in place to prevent such incidents from occurring.

Mahalo,

Kevin J. Cole, Col USAF (Ret)

Mililani, HI

SB-1466-SD-1

Submitted on: 2/18/2019 7:54:52 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

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

Comments:

SB-1466-SD-1

Submitted on: 2/18/2019 8:31:15 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
C. Pang	Individual	Oppose	No

Comments:

I oppose SB1466 as proposed because I believe it to be unbalanced and biased toward the petitioner, thus depriving the respondent of constitutional rights without due process.

I read that SB1466 would amend HRS Chapter 134, section 134-D(a) to allow the petitioner to request a GVPO **without** notice to the respondent. This would seem to allow an accusation to be made without the accused's knowledge, which smacks of the secret trials we see the bad guys use in movies, not in the American judicial system.

Further, while the amendment enjoins the court to consider all relevant facts provided by the petitioner (*only*) and to consider facts relevant to the respondent's past and present behavior, the amendment in 134-D(b) requires the court to issue the GVPO **on the same day it is requested**, therefore denying the court the opportunity to do a thorough review and consideration of any facts per 134-D(c).

This headlong rush to issue a GVPO based on solely the petitioner's claim (albeit sworn) would seem to open the State to many lawsuits by sharp lawyers. As a taxpayer, I do not want to pay for that, nor do I in the first place think it is right to deny due process and constitutional rights. **I oppose SB1466 and ask that you do not advance it.**

SB-1466-SD-1

Submitted on: 2/18/2019 8:21:01 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Scott Kesaji	Individual	Oppose	No

Comments:

SB-1466-SD-1

Submitted on: 2/18/2019 9:12:05 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

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

Comments:

SB-1466-SD-1

Submitted on: 2/18/2019 9:34:59 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Peter J Long III	Individual	Oppose	No

Comments:

I submit this testimony in OPPOSITION to SB1466

Due Process is a CONERSTONE of the Rule of Law that governs our great country! A man (or woman) is considered INNOCENT UNTIL PROVEN GUILY. Where is the Due Process in this legislation? How is it that we can so quickly deprive a citizen of their personal property, or ability to protect themselves in the name of a process so riddled with failure? How often has it been the case that good people have been accused of horrible actions out of spike or animosity? How many times have the wrong names been on some government watch list or the wrong people confused with the right name?

We are talking about a Constitutional Right here, it should NOT be stripped away without a most thorough vetting process.

Thank you for your time,

PJ Long III

Thank you for your time,

PJ Long III

SB-1466-SD-1

Submitted on: 2/18/2019 9:39:17 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Matt	Individual	Oppose	Yes

Comments:

I Oppose SB466 on the grounds that it opens the door to abuse by vindictive people seeking to lash out at legal law abiding gun owners simply because they don't think anyone should have the right to own one.

No one and especially gun owners want to see violence but we also have processes in place to prevent these.

I have already heard people say they would claim they were threatened by a gun owner even if they were not just so they could make trouble and harass them knowing the police and even the courts in this state would take the side of the false claims and therefore this law would embolden people pile that even more.

Please have the courage to recognize that existing laws will resolve this without further trampling on Constitutional rights of those legally owning a firearm.

SB-1466-SD-1

Submitted on: 2/18/2019 10:13:39 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

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

Comments:

I oppose this legislation. Stop trying to deny fundamental rights by circumventing due process with convoluted measures.

If there is such a strong belief that an individual is going to harm with a firearm, why is the knee-jerk reaction to take away their firearm?

Take away the person!

Then, deal with their mental health problems, or punish them for threatening behavior.

SB-1466-SD-1

Submitted on: 2/18/2019 10:31:59 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

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

Comments:

I oppose bill SB1466SD1. This bill does not allow for due process and may be abused.

SB-1466-SD-1

Submitted on: 2/18/2019 11:53:01 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

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

Comments:

Removes due process. This law is Unconstitutional and will result in legal action against the state. Don't waste the tax payers money.

SB-1466-SD-1

Submitted on: 2/19/2019 8:52:50 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

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

Comments:

I strongly OPPOSE this bill. It is lacking of due process, has minimum evidenciary requirements, and has great potential for misuse. The loss of a constitutional right must be preceded by an arrest, trial, and conviction. This measure is a "rush to judgement" possibly based on hearsay, emotional revenge, or non-professional opinions. It sets a dangerous precedent. It punishes a person for what they "might" do. Do not approve this bill.

SB-1466-SD-1

Submitted on: 2/19/2019 7:12:37 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

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

Comments:

To Whom it may concern:

I strongly oppose SB1466. it is unconstitutional and does not provide due process. it is a violation of one's individual rights.

sincerely,

Gavin Lohmeier

SB-1466-SD-1

Submitted on: 2/19/2019 9:20:36 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

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

Comments:

Section 134-7(f), Hawaii Revised Statutes, which is already unconstitutional, should be repealed, not made worse by bills like this one. The Law Center to Prevent Gun Violence should never be used as a standard for protecting gun rights or any other constitutional rights. Rather, the constitution of the United States as well as the constitution of the State of Hawai'i should be the standard for supporting and protecting the rights and freedoms of the people. SB 1466 SD1 violates the protection of due process because the respondent is not represented in ex parte proceedings.

Subsection 134-C (b) provides that a petition for a "gun violence" protective order or ex parte motion may be granted regardless of whether there is a pending action between the parties. Thus, if a divorce is pending and one spouse is awarded the piano, the other spouse can exact revenge by fabricating a lie that he or she saw "clear and convincing signs" of a plan to use violence with guns. "Clear and convincing" is so subjective that it could mean anything the petitioner wants it to mean. The "penalty of perjury" seems to protect gun owners but it won't do that. To enforce that, would require the respondent to prove that the petitioner saw no "clear and convincing signs" of a plan to commit violence. Thus, the respondent would have to convince a jury beyond a reasonable doubt that the petitioner committed perjury, but the petitioner seeking revenge would have almost no incentive to be truthful.

One gun owner is already dead because of laws like this. He was not expecting visitors at 5 AM. Police shot him as he defended his home against an intruder. The only reason police were there was because of "red flag" laws. We should never copy failed states like California.

In short, this bill is not only unconstitutional but it also could be dangerous. Vote NO on SB1466 SD1.

SB-1466-SD-1

Submitted on: 2/19/2019 9:21:18 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kerry Nagai	Individual	Oppose	No

Comments:

SB-1466-SD-1

Submitted on: 2/19/2019 10:03:03 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Brandon Allen Kainoa Leong	Individual	Oppose	No

Comments:

Oppose

SB-1466-SD-1

Submitted on: 2/19/2019 10:08:14 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

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

Comments:

STRONG SUPPORT of SB1466. As a health care provider and a mother, I strongly support this bill. Deaths by gun violence - whether homicide or suicide - are often preceded by behavior that worries the person's friends or family or colleagues. Access to guns amplifies the possibility of Gun Violence death. This bill may allow the person to cool down, or receive help. Please pass this bill. aloha, Kathleen Elliott, PA-C, Physician Assistant, Honolulu

SB-1466-SD-1

Submitted on: 2/19/2019 10:10:45 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
David Jones, MD	Individual	Support	No

Comments:

STONG SUPPORT of SB1466.

As a physician in Hawai'i, I strongly support this bill. We need to be able to limit an individual's access to firearms when they have presented with dangerous homicidal or suicidal statements. Please pass this bill.

Sincerely, David R Jones, MD

SB-1466-SD-1

Submitted on: 2/19/2019 10:28:58 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Cate Waidyatileka	Individual	Support	No

Comments:

I lost a loved one to suicide by gun. It could have been prevented. There were signs. If we have a Red Flag law, we can help those who need rather than mourn their death. Thank you.

SB-1466-SD-1

Submitted on: 2/19/2019 11:02:15 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Allegra Giacchino	Individual	Support	Yes

Comments:

Dear Chair Nishihara, Vice Chair Wakai, and Members of the Committee,

Aloha, my name is Allegra Giacchino and I am a resident of Hawaii (live in Kahala). I am writing in **strong support for SB 1466**, allowing a process for preventing gun deaths. Over and over the community despairs at the tragic loss of life from gun homicides and suicides.

Shooters often display warning signs before committing violent acts. And people that are suicidal often display warning signs as well.

It is our public health obligation to take sensible action and intervene **before** tragedy occurs, instead of wringing our hands afterwards.

I am passionate about making meaningful progress in the area of gun death prevention. I work as a crisis counselor for the Crisis Text Line and sadly, every week, I hear from many people considering suicide. There are people on the brink of taking their lives, 24 hours a day, seven days a week. Many of them are young people. Thankfully, many respond to attempts to de-escalate, and the lowest moment of their life passes and they move on.

Research shows reducing a suicidal person's access to a firearm can save their life. Nine out of ten people who attempt suicide and survive will **not** eventually die by suicide!

But a devastating 90% of suicide attempts with a gun result in death.

We are not immune, even in beautiful Hawaii. It is shocking that on average, one Hawaii resident dies by firearm suicide every 11 days.

It does not have to be this way. SB 1466 will allow family and household members and law enforcement -- the people most likely to see the warning signs of imminent risk -- to seek a Gun Violence Protection Order, temporarily removing guns from a person in crisis. This is not done casually, as SB 1466 states the person seeking the GVPO does so under penalty of perjury, and the court requires a preponderance of evidence.

I urge you to please pass SB 1466, so we can improve public health and safety.

Sincerely,

Allegra Giacchino, MSW

SB-1466-SD-1

Submitted on: 2/19/2019 12:06:09 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin Mulkern	Individual	Oppose	No

Comments:

SB-1466-SD-1

Submitted on: 2/19/2019 12:09:35 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Shaheen Mulkern	Individual	Oppose	No

Comments:

SB-1466-SD-1

Submitted on: 2/19/2019 12:30:27 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Stefani jeremiah	Individual	Oppose	No

Comments:

SB-1466-SD-1

Submitted on: 2/19/2019 1:14:39 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Randall Nishimura	Individual	Oppose	No

Comments:

SB-1466-SD-1

Submitted on: 2/19/2019 3:07:01 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Gena Whitten	Individual	Support	No

Comments:

I urge the Senate to pass the "Red Flag" to protect all of us in the public from people who have guns in their possession who could be a danger to themselves or other. States who have passed similar legislation have seen a significant reduction in gun deaths per capita. Victims of domestic violence are particularly at risk if a spouse has a gun. Hawaii is fortunate to have a low rate of gun violence. However, it is increasing. This is an important piece of legislation to law enforcement and our citizens. Thank you

SB-1466-SD-1

Submitted on: 2/19/2019 3:22:35 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
stuart saito	Individual	Oppose	No

Comments:

This legislation lacks strong due process protections, contains low evidentiary standards, and falls well below the norm for removing fundamental, constitutional rights.

SB-1466-SD-1

Submitted on: 2/19/2019 6:15:37 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Gomes	Individual	Support	No

Comments:

My name is Barbara Gomes. I am a resident of Oahu and I submit this request in support of the Gun Violence Protective Order bill SB 1466.

I volunteer for the Oahu chapter of Moms Demand Action for Gun Sense and I have researched how Hawaii gun laws compare with other states. Although we do have many sensible gun laws, there is certainly room for improvement to make our state safer. We are fortunate to live in a relatively safe state that has experienced less gun violence than some other states, but we certainly are not exempt from the potential for gun violence here in the Islands. My hope is that we can strengthen our gun laws to make Hawaii as safe as possible so we might be able to avoid horrific mass shootings that we have become used to hearing about on the Mainland.

Some think of Hawaii as a model of gun safety for other states. In fact, there are already 13 states with red flag laws and at least 29 states considered red flag legislation in 2018.

Many mass shooters show warning signs beforehand. In half of mass shootings from 2009 to 2017, the shooter exhibited warning signs indicating that they posed a danger to themselves or others before the shooting. If Florida had enacted a law such as this one, it's very possible the Parkland shooting could have been avoided. The Parkland shooter displayed warning signs and his mother had contacted law enforcement on multiple occasions, but sadly, nothing was done without a law such as this in Florida. Florida has since passed a red flag law, but unfortunately, it was too late for the 17 people who died and 17 people who were injured in the Parkland shooting.

As a teacher, I have huddled under small desks with young children during "active shooter" lockdown drills. The idea of ever experiencing a real lockdown is simply unimaginable to most people, and yet it is entirely possible, even in our precious state of Hawaii.

We cannot take our relatively safe community for granted. With a large number of gun owners in Hawaii, and no legal process for helping ensure our community's safety from gun owners who have exhibited warning signs, please consider moving this bill along to become law as soon as possible. We do not want to wait until we experience more gun violence in Hawaii and only then decide to take action to prevent more tragedies.

Mahalo nui for your careful consideration of this very important bill.

SB-1466-SD-1

Submitted on: 2/19/2019 6:58:24 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Christy Kajiwara Gusman	Individual	Oppose	No

Comments:

I Oppose this bill

SB-1466-SD-1

Submitted on: 2/19/2019 8:06:48 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Byon Nakasone	Individual	Oppose	No

Comments:

SB-1466-SD-1

Submitted on: 2/20/2019 8:30:42 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

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

Comments:

Sir -

As a US Navy Veteran living in Hilo, Hawaii, I strongly OPPOSE this and any Bill that promotes gun control and the disarming of any law-abiding American citizen.

Just like all of you, I took an Oath to defend the US Constitution against all enemies, foreign and domestic, and so I am writing you today in the hope you will reconsider YOUR oaths, and to encourage you to do the right thing... which is NOT disarming American citizens.

Hawaii is already in violation of the US Constitution and the Hawaii State Constitution when it comes to the Second Amendment and our ability to openly carry firearms for the purpose of self defense. Disarming the law-abiding does not protect the law-abiding. It only encourages and emboldens criminals, thieves, rapists and murderers.

I do not support gun control. I support criminal control. Period.

Respectfully,

Peter Jones

SB-1466-SD-1

Submitted on: 2/20/2019 12:00:13 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Keith Kawai	Individual	Oppose	No

Comments:

I oppose this bill

SB-1466-SD-1

Submitted on: 2/20/2019 12:05:59 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Layne Hazama	Individual	Oppose	No

Comments:

Oppose SB1466.

SB-1466-SD-1

Submitted on: 2/20/2019 1:39:21 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mona Chang Vierra	Individual	Support	No

Comments:

As an educator, I strongly support the passage of SB1466SD1. We must do this for the sake of the safety of our children and the community at large.

SB-1466-SD-1

Submitted on: 2/20/2019 2:43:07 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

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

Comments:

I strongly oppose this bill. I used to work in Family Law and it's common knowledge that judges rarely deny TROs "just in case" something might happen and this bill would allow the same abuse. I've seen plenty of good parents fall victim to TROs out of spite, and because the Opposing Party knew that it boosts their claim for custody.

This bill would allow for the same type of abuse of the legal system. This bill hurts legal and lawful gun owners who haven't actually done anything wrong. Please consider the reality that this law, like others, may be abused at the expense of law abiding citizens.

SB-1466-SD-1

Submitted on: 2/20/2019 3:30:07 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

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

Comments:

As a mother of two young daughters who has personal experience with a multitude of mental health issues and domestic violence tragedies in my own network of friends and family, I strongly support this bill to help prevent gun violence tragedies for other families into the future. I urge you to please pass this common-sense gun safety bill this session to save precious lives.

SB-1466-SD-1

Submitted on: 2/20/2019 4:37:57 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

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

Comments:

I OPPOSE SB1466. This bill dangerously allows those who lack the expertise or training (i.e., the ability to correctly diagnose whether a person poses a danger of causing bodily injury to oneself or another) to infringe on the second amendment right of others.

SB-1466-SD-1

Submitted on: 2/20/2019 4:03:44 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Terence Lee	Individual	Support	Yes

Comments:

Senator Karl Rhoads, Chair

Senator Glen Wakai, Vice Chair

COMITTEE ON JUDICIARY

SB1466SD1- RELATING TO GUN VIOLENCE PROTECTIVE ORDERS

My name is Terence Lee and I am in support of SB1466SD1. I am a survivor of gun violence. I have suffered an attack from a man that should not have been able to have a gun. I did not know the signs or behaviors associated with people shooting other people, but I have been reading about it for 27 years now. When they profile a shooter in the news today, I too often tell myself "That is exactly what my shooter said or did before he shot me."

This bill could save a lives. A life. This bill could save a life. It may cause a responsible gun owner some hardship. A judicial system some extra work in application. I am familiar with the many fears of this bill "going wrong."But, all of that versus a human life. I would be saddened to think the issue needs further study.

Thank you for taking the time to read my testimony.

SB-1466-SD-1

Submitted on: 2/20/2019 4:38:52 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeanelle Miller	Individual	Support	No

Comments:

Aloha, my name is Jeanelle Miller. I am a law student, mother of two, and a domestic violence survivor and I very strongly support protecting our most vulnerable populations through adoption of SB1466.

When I left my DV relationship, I was in Washington state. I remember calling the police when he attempted suicide and telling them he had guns, not knowing if he would use them or if the officer would have to use his.

There were many nights over the following years that I would wake up in the night panicking and thinking about how he still had guns and knew where I lived. There were times when I was so worried that he would show up, that I would have to call friends, family, or hotlines for support. That fear was real and it was one of the most intense experiences I have ever had. I didn't seek an order to restrict his access to guns, but if I had, I wonder if I would have slept better and felt less fear in my daily life.

SB1466 gives law enforcement, the judiciary, and families a temporary tool to keep citizens safe.

It is ludicrous to think that, using similar methods, we can restrict physical access from abusers and take away the liberty of an individual engaged in self harm, but in either scenario they could buy a gun and commit their acts of violence. SB1466 isn't overburdensome because imminent harm is a high threshold, there is a hearing process, and the order is temporary. This bill doesn't violate due process, nor does it violate the Second Amendment, but it will help keep people safe.

Two thirds of gun deaths are from suicides, most of which could be avoided with intervention of friends and family with the tool this bill provides.

Another significant amount of intentional homicides are domestic partners. A restraining order won't prevent a disgruntled abuser, stalker, or unrequited lover from buying a gun and exacting their revenge, but this bill can.

Without guns, people may still try to do the acts of violence they were intending, but they will be a lot less effective at it and maybe, just maybe, 47 children and 342 adults won't be shot every day.

Please support SB1466.

Mahalo for this opportunity to testify.

SB-1466-SD-1

Submitted on: 2/20/2019 4:52:26 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dan Goo	Individual	Oppose	Yes

Comments:

We oppose SB1466. What protections do you have for the person who is accused wrongfully.

SB-1466-SD-1

Submitted on: 2/20/2019 4:55:20 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Judy Goo	Individual	Oppose	Yes

Comments:

We oppose this bill, there is no due process for the wrongfully accused. Are we to believe everyone?

SB-1466-SD-1

Submitted on: 2/20/2019 5:34:29 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

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

Comments:

Aloha

Again another bill in good faithi just feel there are still some holes in the bill. We need a clear path so someone that finds themselves in a situation that isnt warranted can start a process of getting their rights and property back. We need to protect the public but not at the cost of individuals. we can not have it so that someone can get a hearing and just give baseless accusations and someone loses their rights cause of it. We already know the courts are going to side on the side of sfatey so we need better language in the bill. We have already seen how this goes wrong in California. other points is I have an FFL and we have seen some of the firearms the HPD had confiscated under protection orders. These firearms are stored like shit. There is no concern of an individuals property. some of these firearms are heirlooms and they are trashed when they are returned.

Respectfully,

Jad Doherty

Rook Customs

SB-1466-SD-1

Submitted on: 2/20/2019 6:12:54 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Victor Ferrer	Individual	Oppose	No

Comments:

I OPPOSE SB1321. As a Hawaii resident, I urge you to please oppose Senate Bill 1321.

SB-1466-SD-1

Submitted on: 2/20/2019 6:59:26 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Janie Bryan	Individual	Support	No

Comments:

February 20, 2019

**JUDICIARY
COMMITTEE
Karl Rhodes,
Chair
Waikai, Vice Chair**

**Senator
Senator Glenn**

RE: Support for Senate Bill 1466 SD1

Dear Chairman Rhodes and Vice Chair Waikai,

Thirteen states have already enacted “Red Flag Laws” and many more are considering Red Flag legislation. I am happy that Hawaii is considering such legislation and hope that the State of Hawaii becomes a Red Flag state in 2019. I am in support of Senate Bill 1466-SD1 and wish to provide my written testimony to encourage the passage of this bill.

When a loved one poses a threat to themselves or others, evidence shows that temporally removing firearms can save a life or maybe more. To allow a mechanism for family members, who see the warning signs of violence develop and hear the threats, to seek a Gun Violence Protective Order through the courts would head off a crisis before it escalates into an irrevocable tragedy!

The fear that ex-spouses or former intimate partners holding a grudge from years back will use this law for revenge in the present did not stop other states from moving forward to provide this additional “Red Flag” protection to those under threat and in real danger. For a woman leaving an abusive situation, even with a TRO in place, loads of research shows this to be a very dangerous time for her safety and well being. With the passage of this bill, I feel that the officers and/or the courts called in will be savvy enough to not allow a frivolous charge made out of revenge for a long past relationship to be utilized.

Hawaii tends to generally be a safe state and we have good gun sense laws on our books. We can not rest on that alone and must continue to be progressive in

our protection of our family, friends and neighbors. I think we can all agree that there have been increased gun incidents in our news of late and that we can do more to preserve the safety of our citizens. What is not in the news is that one Hawaii resident dies by firearm suicide every 11 days—it's an epidemic! Reducing a suicidal person's access to a firearm increases the likelihood of saving their life and reduces that impact on loved ones.

In most cases of violence, shooters demonstrate warning signs and the passage of this bill would give family members and law enforcement a way to act on these warning signs before a life is lost and others are terrified. It is a powerful tool to have access to in the throes of a crisis. It is not an easy path as some will say, since law enforcement and the courts would need to act as well, but with this as a law, then that avenue can be taken in those dangerous situations.

I am sure you are going to hear from others that this is an affront to gun owners but it is in fact a needed precaution so that responsible gun possession is insured and danger is avoided.

Take Florida for example which did not have a “Red Flag Law” in place in February 2018, but did pass bipartisan legislation the very next month last year. We all know about the Parkland shooting which happened just one year ago on February 14 with 17 people killed and 17 more injured and hundreds traumatized for life. That shooter displayed numerous red flags but there was no recourse in place until too late.

Let's not let Hawaii even come close to such an incident. Let's let Hawaii be proactive and alert to the reality of our country where mass shootings are a regular occurrence in all sorts of places from churches to concerts to movies to places of work.

I encourage you to pass Senate Bill 1466 SD1 and take another step toward our state remaining a safe place to live and raise our families! We need this extra tool added to our already good laws to avert even the loss of one life!

Thank you for reading my testimony!

**With
aloha,
Janie
Bryan
Resident since 1988**

A

SB-1466-SD-1

Submitted on: 2/20/2019 8:26:47 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

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

Comments:

I oppose SB1466 SD1

I appreciate the intent of SB1466 however I feel it is a violation of due process, can be abused, and this bill could do more harm than good.

This bill would remove people's right to "keep and bear arms" without a trial or conviction for something that has a remote chance of happening in the future. The 2nd amendment is not a second class right, it is a right equal to all others. Even worse, the protective order can continue indefinitely through renewals without a person ever being convicted of a crime.

This bill can be abused. Allegations can be made for retribution or blackmail purposes. Something as little as holding a firearm for an innocuous purpose can be seen as threatening to some people. For example competition shooters will "dryfire" their firearm for practice inside of the home. This is where they practice holding an unloaded gun and pressing the trigger at a target to practice muscle memory and aiming skills. People who don't own firearms will see this as unusual and possibly threatening. The burden is on the firearm owner to prove his innocence.

Lastly this bill forms a false sense of security. If a person is such an imminent threat to society that their civil right of owning a firearm is infringed, then that person should be removed from society and placed into treatment or arrested. That person is still able to use their hands, knives, cars, and other methods to harm people.

Oppose SB1466 SD1

Todd Yukutake
toddykutake@gmail.com

SB-1466-SD-1

Submitted on: 2/20/2019 8:07:04 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mark Yokota	Individual	Oppose	Yes

Comments:

I oppose this bill because it deprives the accused of due process which is guaranteed under the 5th and 14th amendments to the US Constitution. I do not want my words or testimony to be interpreted as being "pro domestic abuser" or condoning domestic violence. We need to come up with a better process that protects victims, with balancing the rights of the accused.

Victims do need to be protect, there is not argument about that. I can not recall the case by name, but a woman in Kailua was beaten to death by her ex after she had gotten a restraining order. Strangers on the street came to her aid, and they got beaten too. What could we have done? How could we have better protected her? He didn't use a gun, knife, or club so this law wouldn't have mattered. I believe strongly in a person's right to self-preservation in situations like this one, and would argue that she should have had more choices. She should have been able to make the choice between arming herself in public, or to rely on the police and the courts. You may think I don't know what I'm talking about but I do. I volunteered 2 years of my time at a shelter for abused women and children and experienced first hand 3 "Code Blacks" a procedure pre-Columbine where the entire facility went into immediate lockdown when an unauthorized person was on property. I saw the dread, fear, and feeling of helplessness.

On the opposite hand, we have the Constitution. The most revered piece of parchment in American history rivaled only by the Declaration of Independence. This is the founding document upon which both the Federal government and our local governance is built on and modeled after. While we may argue over the interpretation of the document at times, no one can argue against its importance. What if the accuser is lying? Has it happened, yes. Is every accuser a liar? Of course not. But what about those that are falsely accused? How are their rights protected? I would urge you to call Chief Ballard and ask her this hypothetical question, "What would happen if I was accused of DV, and had my firearms taken away? What would be the process of getting them back? How long would it take? How would I know I had been the subject of a protective order aside from uniformed officers showing up at my door asking to take my property?"

So what do we do? How do we reconcile both? As our elected officials you have the unenviable task of deciding that, but I would urge you to vote now until a better solution can be found.

SB-1466-SD-1

Submitted on: 2/20/2019 9:17:33 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mackenna Cady	Individual	Support	No

Comments:

SB-1466-SD-1

Submitted on: 2/20/2019 9:31:00 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Donna Arany	Individual	Support	Yes

Comments:

My name is Donna Arany and I am a resident of Honolulu. I am wanting to submit testimony in support of SB 1466. I believe that putting this bill into law will positively empower the ability of HPD and family to remove weapons from a person displaying aggressive threatening behavior, before a tragic shooting can happen. So often we hear of events leading up to a shooting that go unchecked because of fear and retaliation.

This law will also help persons who are threatening suicide, if they have access to a handgun or weapon, they will most likely succeed in killing themselves. By enacting this law, it removes the weapon from their possession so that the situation can deescalate. Hopefully cooler heads will prevail without the power of a gun.

Please consider moving this bill forward, to keep our community as safe as it has been for the last 20 years.

Aloha, Donna Arany

SB-1466-SD-1

Submitted on: 2/20/2019 8:50:13 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Donald A Salvador	Individual	Oppose	No

Comments:

SB1466 intends to deprive someone of their constitutionally enshrined right to keep and bear arms. The person so accused has committed no crime. It is not illegal to be angry. It is not illegal to be a hold disagreeable belief. Greater specify and protections for the accused are required – as the accused has committed no crime at all.

A person falsely or maliciously claiming that a firearms owner ‘may’ pose a danger to the public faces only a misdemeanor. A false claim of this kind is perjury and it should be penalized as a Class C felony like other perjury –as it can affect the future 2nd amendment rights of the firearms owner without even the benefit of a criminal trial. The penalties for a false accusation are not high enough, and will not deter an angry, malicious spouse or family member from simply using this law to hurt the accused firearms owner.

SB-1466-SD-1

Submitted on: 2/21/2019 7:44:54 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Gregory Friel	Individual	Oppose	No

Comments:

LATE

SB-1466-SD-1

Submitted on: 2/21/2019 10:03:29 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
elizabeth boykin	Individual	Support	No

Comments:

Aloha Senators and Judiciary -

As a mother and member of our community on Maui - I ask you to please support this legislation. I believe it will help keep our families safer.

Mahalo - Liz Boykin

LATE

SB-1466-SD-1

Submitted on: 2/21/2019 10:09:40 AM
Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Oscar Boykin	Individual	Support	No

Comments:

Dear Committee Members,

I support SB 1466. This bill will reduce senseless violence and make our families safer.

Thank you for your work on behalf of our communities.

Oscar Boykin, Maui resident and father

SB-1466-SD-1

Submitted on: 2/21/2019 10:12:26 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Sarah Branon	Individual	Support	No

Comments:

Please support SB 1466. This is a bill that will make Hawaii safer.

Sincerely, Sally Branon

LATE

SB-1466-SD-1

Submitted on: 2/21/2019 10:50:03 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sara Lynn Shisler Goff	Individual	Support	No

Comments:

I was a junior in high school the year Columbine happened. Going to school the next day, my friends and I had a sense of fear as we entered our the building and went about our day. Threats of copycat shooters had been made and everyone was experiencing a feeling that would tragically become familiar over the following years-- the terror of knowing that at any moment, someone could walk into school with a gun or semi-automatic weapon and going on a murder spree. These days I am a school chaplain teaching middle school and high school students. Every day, we all come to school with the underlying fear that today, we could be the next victims of the next school shooting. Many of my students are angry that our lawmakers continue to fail them but not enacting laws that could save their lives.

As a teacher, faith leader, godmother and human being, I am begging you pass SB 1466 and dedicate your public service to creating a safer world for our children, and all of us. I have preached countless sermons in the wake of mass shootings--the Sunday after Newtown, Orlando/Pulse, Parkland. I pray every day that I never again have to preach one of these sermons, that I never again have to sit at the bedside of a gunshot victim and comfort their family after their death, that I never again have to worry when I send my spouse to work as a psychiatrist, that one of their patients suffering from mental illness will come in with a gun and shoot up the hospital where they work.

The passage of SB 1466 would allow loved ones and law enforcement-- who are often the people who see the first signs that someone presents a potential threat-- to petition the court for a Gun Violence Protective Order. Polls show that the majority of your constituents, including myself, strongly support these and other comprehensive gun safety laws. Please act in accordance with the trust we have put in you to represent us and protect us by supporting SB 1466.

SB-1466-SD-1

Submitted on: 2/21/2019 10:17:21 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Meshay Christiansen	Individual	Support	No

Comments:

Hello Senators and Committee Members,

I am a mother of two on Maui and a survivor of gun violence. My grandfather took his own life with a gun in our home during dinner. He suffered from depression. I believe that a bill like SB 1466 could have allowed our family to act to save his life. Please support SB 1466 and other common-sense, gun violence prevention legislation.

Mahalo- Meshay Christiansen

LATE

SB-1466-SD-1

Submitted on: 2/21/2019 10:56:22 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Devin Sasai	Individual	Oppose	Yes

Comments:

SB-1466-SD-1

Submitted on: 2/21/2019 11:33:32 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

LATE

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

Comments:

I am Linda Eger, a Hawaii Resident and parent. I live on S. Alaniu Place in Kihei, Maui HI.

By this written testimony, I am asking that our legislators in Hawaii support S.B. 1466.

In the past, I have not been active in various issues and causes but in recent years, have been very distressed to see case after case of gun violence across our country devastating families and communities. It is simply heartbreaking - not only for the victims who have lost loved ones but also to the family of the person who has committed the act of violence.

Like others, I've sent up thoughts and prayers for all victims but there is a point where this is not enough. Laws are a huge component (if not the major one) of what can truly effect change - thus I ask that our legislators enact S.B. 1466 which will be a significant part of the overall solution to reducing acts of gun violence.

It was an eye-opener to learn that Hawaii residents are about 3 times more likely to die by firearm suicide than by firearm homicide. It brings to mind a friend of mine whose husband died by shooting himself about 1 year ago. She had seen the signs of his mental health and addiction issues to the point of separating from him to protect herself. At the same time, she still cared about him and his welfare. If Hawaii were to have had a Red Flag law in place, she may have felt she could have taken some action to help him stop from hurting himself or others.

Thank you.

SB-1466-SD-1

Submitted on: 2/21/2019 12:56:22 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Vanessa Ito	Individual	Support	No

Comments:

I am respectfully supporting SB 1466.

Gun violence has become a public health crisis in our nation and as a community we need to continue to come together to look at ways that we can limit the purchase and possession of firearms by persons who pose a threat to others or themselves. According to the Giffords Law Center, "extreme risk protection orders (ERPO) are designed to keep guns away from people who are at a high risk of committing violence temporarily." This measure will allow loved ones or law enforcement who witness red flags/warning signs in an individual who is at risk of harming themselves or others to have a mechanism to temporarily restrict their access to firearms. ERPO laws are being used to prevent mass shootings, suicides and other types of gun violence.

Thank you for your partnership as we work together here in Hawaii to identify workable and fair solutions to avoid the heartwrenching gun violence that other communities have endured. Let's remove the variable of guns from dangerous situations to keep our keiki and families safer. Thank you for the opportunity to voice my support for SB 1466.

Respectfully,

Vanessa Ito, LSW

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill sb466

Travis Koki

96744

travisk5966@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB466.

Isaac Lee

96826

ilee0154@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I strongly oppose bill SB466 as it is not written fairly to accommodate real situations

Stephen Theodore

98045

steve.theodore@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE this bill on the grounds that it does not allow for due process. Any accusation, warranted or not, may strip someone of their Rights.

Marc Kawakami

96789

mkawakami@tpi-tec.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB466 as this process can be used by people with vendettas and personal bias.

Robert Sanchez

96797

bsanchez68@hotmail.com

Senate Committee on Judiciary
HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB466. This should be revised to add more detail.

Christine Lindsey
96744
kananilindsey808@gmail.com

Senate Committee on Judiciary
HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Oppose. Verbiage in this bill is too vague.

Thomas Flach
96813
flach.thomas@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

"I OPPOSE SB466. The Senate Bill tries to infer that our strict anti-gun laws are to be credited for our low firearm crime rate, but numerous studies show that there is little correlation between the two. The law is redundant: Federal law already requires that those deemed mentally incompetent must be reported, and Temporary Restraining Orders are already available for cases where household members feel threatened. While the bill has a provision to charge someone with a misdemeanor for falsely filing for a court order, it is still likely this proposed law will be wrongfully weaponized. A 2011 Stop Abusive and Violent Environments report found that courts issue 1.5 million false or trivial temporary restraining orders every year. In half of those cases, no physical violence actually occurs. This makes up about 70% of the total number of restraining order courts issue every year. The cost to the taxpayer in each case is approximately \$2,000 to issue, serve, and adjudicate the order. (<https://www.aggressivelegalservices.com/false-allegations-of-domestic-violence/>)"

Nathan Abele

96706

nate68elky@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB466 as to rightfully acquire a firearm in this state we already had to get a doctors clearance.

Thomas Osborne

96789

nktrnl@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

OPPOSE

SB466 if guilty why not, but if you just a victim that's not right let the judge decide what to do.

John Eric Valledor

96797

hsl.h09@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

OPPOSE bill SB466

Gregory Shiwota

96743

orca@orcaindustries.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Paul D Sismar

PAUL SISMAR

96706

psismar@hawaii.rr.com

Senate Committee on Judiciary
HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB466. Someone could be falsely and maliciously accuse the firearms owner. It is also against the constitution (due process, ex parte).

Francis Corpuz
96819
blastoff747@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB466.I believe it to be to vague in its requirements. How does it prevent false allegations against a person? People with mental conditions should be evaluated by professionals with the training and knowledge to make that determination.

Ryan Chong

96701

rchong1@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

i OPPOSE bill SB466..... why? Because in this "Me Too" world we live in, it would be a case of my word vs yours.....WITHOUT proof of due process.

Teina Anthony

96815

TacTeina@gmail.com

Senate Committee on Judiciary
HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose

SHAO KANG Sun
96813
sunleo4022@yahoo.com

Senate Committee on Judiciary
HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose this bill. This bill leaves it up to interpretation and gives Law enforcement basically the right to confiscate a firearm at any time.

Hyrum Nihipali
96744
hnihipali@gmail.com

Senate Committee on Judiciary
HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE SB466. As a Hawaii resident, I urge you to please oppose Senate Bill 466.

Victor Ferrer
96707
bulldogvf@gmail.com

Senate Committee on Judiciary
HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE SB466. As a Hawaii resident, I urge you to please oppose Senate Bill 466.

Lorraine Ferrer
96707
shedevillf@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose this bill SB1466.

Rob Kauhane

96744

rlk105mm@gmail.com

Senate Committee on Judiciary
HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB 1466. This does not allow the defendant the opportunity to contest the unilateral decision.

Scott Shimoda
92782
scott_shimoda@hotmail.com

Senate Committee on Judiciary
HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Oppose bill SB466

Carl Oliver
96756
kawikao@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466 because this takes away the 5th and 14th amendment right which is DUE PROCESS.

Cheryl Tanaka

Zip code : 96815

E-mail : localaznchick05@aol.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB 1466 because this would allow someone to prevent a firearm owner access to their property without due process. It opens the door for potential witch hunt conditions with firearm owners being the persecuted party. A firearm owner wouldn't have to do anything wrong and their property could be taken away.

Jordan Au

Zip code : 96826

E-mail : jordan-726@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

What would the circumstances be? This is opening a door to a slippery slope of confiscation of legal firearms by U.S. Citizens.

judy Taggerty-onaga

Zip code : 96740

E-mail : kjtagon19@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE SB1466

Desirae McBarnet

Zip code : 96819

E-mail : dez.a@usa.net

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466. I think using a 3rd party allegations to punish a lawful gun owner is ridiculous. Someone could make a bogus claim and turn that lawful gun owners life upside down. You have a jilted X wife, Girlfriend or lover or Ex friend that decides "' Hey he said or she was going to commit this act with his or her gun" No proof just take someones word, like nobody has ever lied before seriously? While this individual needs to clear their name, and suffer the possibility they could lose their legally registered firearms.

Keoni Tamashiro

Zip code : 96817

E-mail : kt96817@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466. No court order should prevent a law abiding citizen from protecting themselves.

Daylan Sugiyama

Zip code : 96720

E-mail : dsugiyama556@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE SB1466 as we already have background checks and a release from a doctor to either confirm or deny a person the right to own a firearm. It is an American Citizens right to own and bear a firearm and to put a law into motion that allows a person to deny another person their right is unconstitutional. Law is there to Support and Defend the Constitution, not overrule it. I strongly OPPOSE bill SB466.

Kelly Pasa

Zip code : 96792

E-mail : gameless808@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB1466 because it denies due process to gun owners and treats a blind accusation as sufficient cause for the denial of a constitutional right. No other constitutional right is under such grievous attack as is the private possession of firearms. Due process must be adhered to when seeking to deprive one of their liberty and property and SB466 ignores this component of our constitution.

Martin Humpert

Zip code : 96793

E-mail : 777arty.H@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466 for several reasons. First this bill has insufficient due process for the person accused of "clear and convincing" signs of committing violent acts using firearms. If the signs are clear and convincing then they must be clearly and convincingly stated in the law in addition to the other "relevant evidence" indicated in 134-D section (d). The word "may" is the problem. Numerous people "may" pose a danger to others, including the mentally ill, drug addicted, and the homeless "yet it is not illegal to be in any of those conditions and none of those conditions results in them being deprived of their constitutional rights (although they may be ineligible for firearms possession for other reasons).

Section 334-1, Hawaii Revised Statutes was recently amended to read "'Imminently dangerous to self or others" means that, without intervention, the person will likely become dangerous to self or dangerous to others within the next ninety days." The phrase "clear and convincing" in SB466 needs to be very specific. Section 334-1 results in the involuntary commitment of mentally individuals to a state facility.

Furthermore "Recent acquisition of firearms, ammunition, or other deadly weapons." In an of itself is an insufficient criteria to disqualify someone from owning firearms. I have recently purchased a new handgun. Does this begin to send me down the road of showing "clear and convincing" signs of violence? How recent is recent? How many firearms? How much ammunition? Furthermore, the entire point of the 14 day waiting period for permits to acquire firearms in Hawaii, and the burdensome requirement to register firearms within 5 calendar days of purchase is to reduce the chance of violence. If the 14 day waiting period and 5 day registration is not sufficient to prevent violence "then I would welcome the Senate and House to eliminate this law and replace it with SB1466 with some modifications.

Simply stating that recent acquisition of firearms, ammunition may be used as evidence to enforce a protective order is a direct affront to the 2nd amendment. In order to personally exercise the 2nd amendment "you have to acquire a firearm and ammunition. (ie. Keep and Bear Arms). By the logic of SB1466 we are providing grounds for that right to be restrained.

SB466 intends to deprive someone of their constitutionally enshrined right to keep and bear arms. The person so accused has committed no crime. It is not illegal to be angry. It is not illegal to be a hold disagreeable belief. Greater specify and protections for the accused are required "as the accused has committed no crime at all.

A person falsely or maliciously claiming that a firearms owner "may" pose a danger to the public faces only a misdemeanor. A false claim of this kind is perjury and it should be penalized as a Class C felony like other perjury "as it can affect the future 2nd amendment rights of the firearms owner without even the benefit of a criminal trial. The penalties for a false accusation are not high enough, and will not deter an angry, malicious spouse or family member from simply using this law to hurt the accused firearms owner.

SB1466 section 134-G (e) stating that the county police department may charge the respondent a fee not to exceed the reasonable and actual costs incurred by the department for storing a firearm or ammunition surrendered is fraught with danger of abuse. The reasonable and actual costs may be significant if the accused has a large collection of firearms and ammunition. The actual costs must be explored and made public, especially if the police are ill equipped to store a significant volume of firearms and ammunition. This fee is being levied on the accused firearms owner without the benefit of a criminal trial. If anything, the state should shoulder the burden of the costs of storage on behalf of the counties " as a public service for enacting such an odious law.

I close with other issues with SB1466 which has to do with the introduction of the bill " which reveals the fallacies and prejudices inherent in the bill.

A) Hawaii already has strong gun control laws. It also has the 2nd lowest per capita of gun deaths (as opposed to murder " a crime)

B) The Pulse Night Club shooting would not have been prevented by this bill. Omar Mateen's parents did not inform law enforcement of his intent. Seddique Mateen, Omar's father was an FBI informant for 11 years and this did not stop the shooting. Omar Mateen has been under suspicion and investigation since 2013 after which the FBI concluded its terrorism assessment of Mateen prior to his heinous act. Only the FBI could have prevented this heinous crime " and it failed to develop a sufficient case despite having an informant. Furthermore Mateen's wife was charged with and acquitted of aiding and abetting, as well as obstruction of justice related to the killings. The federal government lost its terrorism case because the jury found that Omar Mateen's wife was unaware of his planned activities. SB1466 is utterly ineffective in this case.

C) The Sutherland Springs Church shooting is another inappropriate example cited in the bill, and it is another, in this case explicit example of law enforcement failure. Devin Patrick Kelley was not eligible to purchase firearms under federal law (Lautenberg amendment) due to his military courts martial conviction for domestic violence. The U.S. Air Force failed to document this conviction in the FBI run NCIC database which would have resulted in him not being able to purchase the firearms he used in the crime. Kelley exhibited strange behavior that might apply in SB1466 " but with a properly documented courts martial conviction " the issue is moot

D) The Las Vegas massacre perpetrated by Stephen Paddock. The provisions of SB1466 would be utterly ineffective in this case. “ Stephen Paddock had few people life that would even be in the position to file the complaint that would begin the process of establishing the protective order to deprive him of his firearms. The Las Vegas Sherriff’s department and the FBI have found no motive for his actions. His girlfriend, one of the few close relations he had no inclination of what was about to take place in las vegas. Only his mass purchase of firearms in September 2016 would raise any suspicion “ but SB1466 would not be the appropriate detector of this behavior.

For these reasons and more, I oppose SB1466 “ it is too vague, does not provide sufficient due process, it does not protect the rights of the accused, and it would be completely ineffective against the kinds of mass shootings cited by the bill’s authors.

Niel Kaneshiro

Zip code : 96814

E-mail : nkbuymail-1@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466

Thomas Lee

Zip code : 96732

E-mail : mauitommylee@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466. This law has the potential for abuse. You cannot penalize someone for a potential crime. Due process must be followed in cases like this.

jorge gonzalez

Zip code : 96734

E-mail : fury64@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Dear Senators and Representatives,

Ikaika Kang. Arrested on July 8, 2017, Schofield Barracks soldier. Arrested for aligning himself with the terrorist group ISIS.

He was plotting to kill innocent civilians on Oahu. Target areas mentioned were Waikiki and Ala Moana.

Home invasion in Waianae on February 3, 2019. A older woman and young child were assaulted by 2 people with a baseball bat. Many home invasions occur in Hawaii. How are people to protect themselves in their own home if you take away their guns. Put yourself in their position. What would you do? Think about it.

Criminals will not follow any laws made. Only good citizens will be punished and hurt by your gun laws.

SB1466 is unconstitutional and a violation of the 2nd Amendment. Citizens have a right to bear arms, to protect themselves.

You cannot limit how a person can protect themselves or the number or rounds a rifle or pistol can contain. I watch the news, when home invasions occur, there is always more than 1 person. It usually is a group of thieves. Why limit the number of rounds a person can have to protect themselves.

These laws were brought about due to news constantly reporting criminals committing shootings. Those individuals are criminals, there is no logical reasoning that criminals will follow any laws you create. Why punish the many non-criminals when a minority of criminals commit a crime. There is no sound reasoning to this. Every time a criminal commits a crime, it's the good citizen that is punished, you have the victim, then the public.

I will take legal action if my rights are violated and so will many others. This is a violation of my constitutional rights and there will be no compensation for my property. How am I to defend myself, how are elders and the weak to defend themselves against criminals? Have you given any thought of this?

All you are doing is punishing good people.

These lawsuits will cost tax payers. The constituents will blame you for bringing this about.

Sincerely,

Ed

Ed Au

Zip code : 96701

E-mail : edau@live.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE SB1466. The Senate Bill tries to infer that our strict anti-gun laws are to be credited for our low firearm crime rate, but numerous studies show that there is little correlation between the two. The law is redundant: Federal law already requires that those deemed mentally incompetent must be reported, and Temporary Restraining Orders are already available for cases where household members feel threatened. While the bill has a provision to charge someone with a misdemeanor for falsely filing for a court order, it is still likely this proposed law will be wrongfully weaponized. A 2011 Stop Abusive and Violent Environments report found that courts issue 1.5 million false or trivial temporary restraining orders every year. In half of those cases, no physical violence actually occurs. This makes up about 70% of the total number of restraining order courts issue every year. The cost to the taxpayer in each case is approximately \$2,000 to issue, serve, and adjudicate the order. (<https://www.aggressivelegalservices.com/false-allegations-of-domestic-violence/>)

David Jones

Zip code : 0

E-mail : ambubadger@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I Oppose SB1466 for the simple fact in the ambiguity of this bill , the person obtaining a court order based upon who? and how can it verified because it is subject to abuse or misuse as someone can file a false report out of revenge.

Glen Escobido

Zip code : 96797

E-mail : faithware@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose this bill, could lead to a lot of false accusations.

Kameron Lau

Zip code : 96791

E-mail : kameronasalaulau@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bills SB1466.

James Robello

Zip code : 96768

E-mail : robelloj@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466 on the grounds that it infringes on my and my families rights and freedom to bear arms. I am a law abiding citizen and do not need laws that further target citizens rights with more cumbersome laws and bureaucracy.

There should be no laws that prevent a person from accessing their firearms and ammunition furthermore, We do not need a subjective process by which a law enforcement officer or family or household member may request infringement of the right to bear.

Scott Miller

Zip code : 96782

E-mail : 808oyabun@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE of bill SB1466

Edward Call

Zip code : 96813

E-mail : edwardskater@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE BILL SB1466

Zachary k Tianio

Zip code : 96732

E-mail : ztianio@Gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466.

Sean Marion

Zip code : 96744

E-mail : seanmarion808@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB1466 base on the lack of Due Process afforded the accused. There is no other class of citizen who loses a constitutional right based on an accusation. This bill does nothing to address the mental health problems our community faces. This bill would allow a vindictive spouse or other household member to strip someone of their firearms based solely on accusations. It seems every legislative session We The People of this State must hold onto two things, our wallets and our firearms because the Legislature is coming for both every session. Please stop and address the real issues plaguing our community: homeless; crumbling infrastructure; unfunded pension liability;etc. Leave law abiding gun owners alone.

Robert Thurston

Zip code : 96712

E-mail : thurstonr001@hawaii.rr.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

OPPOSE bill SB1466 on the grounds that while detailed allegations under penalty of perjury must be made by the petitioner, no minimum level of pertinent evidence is established, giving petitioners carte blanche to detail any and all of a respondents activities in an attempt to proscribe a respondent's rights. As far as the public knows, "plays violent video games" will be given the same weight as "has recently threatened the petitioner's life."

Skye Kahoali'i

Zip code : 96793

E-mail : skyekahoalii@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE SB1466 as due process of the accused is completely disregarded here and there are no provisions for those PROVEN to be a danger to be further investigated. Even if someone is PROVEN to be a danger, this bill only removes firearms yet the individual could easily obtain another weapon or steal a firearm from someone else to commit a crime.

Klinton Kacatin

Zip code : 96782

E-mail : klinton.kacatin@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I Ed Oppose bill SB1466

Ed Roger Dela cruz-cabato

Zip code : 96786

E-mail : subiejunkie808@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466 because it essentially makes your rights removable without due process. Law enforcement and family/household members are not experts in the field of mental health, and therefore should not have to power to strip someone of their rights based on a hunch. Due process is a fundamental constitutional right that cannot be relinquished.

Sandra Van

Zip code : 96792

E-mail : sandy@prpacific.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466

Cruz Call

Zip code : 96813

E-mail : cruzcall@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466 because it essentially makes your rights removable without due process. Law enforcement and family/household members are not experts in the field of mental health, and therefore should not have to power to strip someone of their rights based on a hunch.

Jeremy Van

Zip code : 96792

E-mail : jvanrp@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466 because there could be any reason for someone to say. Is it clear what the process is? You cannot have a bill if a process is not in place.

Norberto Dumo

Zip code : 96760

E-mail : ndumo@aol.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Vote NO! Do not attempt compromise our 2nd amendment rights.

Gregory Gerard

Zip code : 96704

E-mail : gmg@hawaii.rr.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466.

As a Veteran, I swore to defend the Constitution of The United States of America which includes the Second Amendment. The intent of this bill is to revoke the Rights of People with nothing but hearsay, suspicion, prejudice, preconception, and/or slander.

The revocation of a Right requires significantly higher standards. Current law requires CONVICTION of a felony for one. The massive potential for abuse of a law such as outlined by this bill is so overwhelmingly large that it should never be considered in any way.

Rather than spending time coming up with laws that create a burden on law abiding people while simultaneously doing little to nothing to prevent illegal acts, concentrate on enforcing existing laws and creating solutions that can mitigate and/or counter illegal activity.

Chad Inamasu

Zip code : 96782

E-mail : FalkenHawke@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466. Where is the DUE PROCESS in this?

Trevor Tamura

Zip code : 96732

E-mail : trendsetters6566@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

OPPOSE SB 1466 There has to be due process of the law and respect for individuals constitutional rights under the law

David Huddleston

Zip code : 96740

E-mail : ddukehud@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

If there is evidence of said person and not just word of mouth doing this is an infringement of the right to bear arms.

Avery Fujie

Zip code : 96720

E-mail : ave.808@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

OPPOSE bill SB1466

Without Due Process, you have NO LEGAL system. How many innocent, harmless men and women will be subjected to losing their rights due to a malicious family member, or someone opposed to gun making a false statement JUST to render someone unable to defend themselves? How many estranged spouses will testify that their husband/wife is a danger, only to have that person stripped of their rights, leaving them as a sitting duck for a violent crime? How will these innocent people get their rights back once taken? How much will it cost them to restore their rights when they have done NOTHING wrong, committed NO CRIME? Who pays their legal bills? What happens to the person that makes a false report? Who exactly is it that will determine that someone is a danger if they are not afforded the opportunity to defend themselves against an allegation? Red Flag Laws are UNCONSTITUTIONAL and anyone voting for, or supporting them is guilty of violating their oath of office and should be immediately removed and prosecuted for violating the citizens civil rights.

Frank Johnson

Zip code : 13733

E-mail : Overbuilt2000@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466 because it directly violates my rights as an American citizen

Aaron Ashcraft

Zip code : 96707

E-mail : apaani808@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Considering the high divorce rate in the nation, this sounds like a great opportunity for abuse by disgruntled spouses.

James Grell

Zip code : 96743

E-mail : jamesgrell@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Oppose bill SB1466

Sanoe Sakata

Zip code : 96750

E-mail : sakatalcain@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466. How do we protect law abiding citizens from family/household members with a grudge? What if a family member/household member has a problem with the firearm owner, can they just report it and have their legally owned firearms confiscated? Safeguards need to be put into place to protect the firearm owner.

Ryan Matsumoto

Zip code : 96797

E-mail : ryanm.matsumoto@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB1466. These laws are riddled with issues such as ignoring due process.

Any individual should not be prohibited from legal ownership before they have a court date.

Michael Ratican

Zip code : 47929

E-mail : michaelhratican@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Again.. the language of this bill could potentially affect a law abiding citizen to be searched and property seized without due process. Do constitutional rights mean anything any more?

Eric Agrigado

Zip code : 96778

E-mail : eric-agrigado@hawaii.rr.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB1466.

Who determines the criteria!?

Thomas Breeze

Zip code : 98204

E-mail : breeze160@aol.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466

this law enables court to remove legally owned property without due process.

Colin Young

Zip code : 96821

E-mail : colinyo@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466. This is far too open to interpretation and a means for someone to strip someone of their rights just based off of suspicion.

Chris Olivas

Zip code : 97206

E-mail : chris_olivas@Hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Oppose

Steven Durr

Zip code : 33981

E-mail : sdurr7@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Red flag laws are unconstitutional and a violation of the fifth amendment.

Joshua Supnick

Zip code : 85383

E-mail : joshua.supnick@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose this because you don't know if the person is a real threat unless you have them
medical un set to own them I oppose

Derek Streeter

Zip code : 83704

E-mail : dacso@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I STRONGLY OPPOSE SB1466 as it forgoes due process and violates the rights of firearm owners who may have been unjustly accused or a target of heresay. There is no notice of the accusation and the firearm owner does not have an opportunity to defend themselves in front of a judge and the first notice that an accused firearm owner has is illegal confiscation by law enforcement of their property.

Please vote NO against this bill as it is a violation of due process and individual rights.

Jonagustine Lim

Zip code : 96818

E-mail : jonagustine_lim@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466 because anyone could make a false claim ! We need due process to prove innocent or guilty! Mahalo

Darrell Rapozo

Zip code : 96746

E-mail : drapozo@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466

James Revells

Zip code : 96790

E-mail : kimo501999@aol.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill sb1466 because it's just absolutely insane. I can accuse someone of something and have their rights taken away without due process? What country is this?

Buddy Dane

Zip code : 29414

E-mail : ldane@boeing-sc.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466 because it is a flawed bill to begin with. All it takes is for someone to say that they feel threatened and it automatically puts you in a situation where you will lose your 2nd amendment right not to mention your firearms and maybe even jail time or institutionalized. A black mark will be placed on you for the rest of your life if you are not cleared. I believe if undeniable proof is established then it is lawful but like I said there are too many flaws in this bill to be even considered.

Clarence Ongory

Zip code : 96817

E-mail : clarenceongory@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

OPPOSE bill SB1466. Isn't there already a Federal Law for this? Lautenburg Act? What is the process? He said/She said?

Thomas Brown

Zip code : 96815

E-mail : tcpyro6@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Oppose bill SB466

Kekoa Aana

Zip code : 96796

E-mail : kekoaana@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill sb1466

Ryan Hasting

Zip code : 45246

E-mail : rhasting25@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Dear members of the Judiciary Committee,

I am opposed to SB1466. If this bill becomes law, it will be easily abused. One will simply have to accuse someone poses a danger to oneself or others, and lose their 2nd amendment rights. This very bill states that Hawaii has some of the strongest gun safety laws in the nation. Hawaii also has some of the lowest gun crime in the nation. These 2 statistics go hand in hand. The reason why gun crime is so low is because the people who are most likely to pose a danger to others don't get their hands on guns in the first place. This bill does not increase safety. We're already safe. What it does do is make it easier for an angry ex-spouse or overzealous police officer to completely strip someone on their Constitutional rights. And what is the process and costs of someone who was falsely accused to get their firearms/rights back? Is the State going to bear the cost? Kill this bill. There are many other measures already in place in Hawaii that sufficiently prevent gun violence.

Thank you,

Daniel Kalama

Daniel Kalama

Zip code : 96768

E-mail : dkalama199@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466.

Chris Yumul

Zip code : 89183

E-mail : flippride702@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466

Martha Greenwell

Zip code : 96704

E-mail : kinuemeg@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466 because it could be used maliciously against law abiding gun owners who pose no threat to themselves or others.

Dustin Jones

Zip code : 33458

E-mail : dmjones74@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose this red flag laws are illegal without due process

Stephen Fralick

Zip code : 96818

E-mail : ninerminer81@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose this bill

Zack zimmer

Zip code : 96813

E-mail : zack.zimmer@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466. The way in which an individual is deemed to pose a threat to themselves or others is too arbitrary and pervades our rights as private citizens.

Erik Castaldo

Zip code : 96707

E-mail : erikcastaldo@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466.

Honorable Committee Members,

Thank you for the opportunity to comment and submit testimony for SB1466.

As a lifelong liberal I'm sure it will come to a shock to many committee members that I and my wife are in opposition to this proposed bill. We are both technology professionals and many times find ourselves partnered with legal team members navigating through legal wrangling while attempting to implement technology advancements that might carry disruptive, both socio-economic and established regulations, consequences.

The "heart" behind this bill is intended for the good of public safety, but we feel SB1466 misses the mark. "Red Flag" laws are very often misused for nefarious or retaliatory reasons. Additionally, "Young vs. HI" has already noted, law enforcement officers to not have the legal ground to deny a person their constitutional civil right.

As racial and socio-economic tensions have been on the rise with the current presidential administration, statistically laws like those proposed in SB1466 tend to disproportionately impact minorities. Often lower tier infractions are exacerbated and have a ripple effect on low income communities. Distrust with police in those communities runs high, and additional indictment fodder will not help rebuild it.

Oppose bill SB1466.

Thanks you for your time and consideration,

Chris & Amanda Yates

96816

Chris Yates

Zip code : 96816

E-mail : buick231@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

This is a very spooky idea! This basically allows police to act as gestapos and gives family members with a grudge a tool to harm their gun owning family members in a dispute. No one should have to lose their 2nd amendment right merely due to a hunch or an opinion!!! NEVER!
This is downright unconstitutional!

Michael Broyles

Zip code : 96765

E-mail : crackshotmb@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE THIS BILL

Allen Jeffrey

Zip code : 96707

E-mail : dash8_pilot@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose

Bennett Takeuchi

Zip code : 96816

E-mail : Eastsydhale@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466 This would create a very slippery slope, whereas family members/household members that may be angry, for any reason unrelated, creating a false report of another family member that may not be posing a danger to self or others.

Jimmy Hill

Zip code : 96706

E-mail : groovidad@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466 because the "process" is open to misuse and allows the state to determine how the "process" will be determined and used .

Bernard Geiger

Zip code : 96720

E-mail : berniegeiger1937@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Oppose bill sb1466

Michael Gutierre

Zip code : 96790

E-mail : magpul0@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB1466.

William Kostakis

Zip code : 65754

E-mail : wkostakis@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466 and feel that little effort was put into this bill to reach the goals that both parties want. This is authority given to unknown individuals to limit constitutional freedom. More thought has to be put into this bill

Marcus Young

Zip code : 96817

E-mail : MarcusYo@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466.

Alan Tagama

Zip code : 96819

E-mail : griztagama@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466 because it again infringes on the right of an individual by taking away their liberty without their consent. This also opens up massive opportunity for government abuse of power, fraud and physical and mental abuse to otherwise law-abiding citizens by those seeking to take advantage of yet another poorly proposed restriction on our liberty.

John Heideman

Zip code : 96707

E-mail : concreteformsolutions@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

OPPOSE SB1466. There is already a process by which law enforcement or family member can express their concerns. There is always the possibility the claims are in retribution and the court will rubber stamp them without due process. A person is supposed to be innocent until proven guilty - not alleged guilty.

fred fogel

Zip code : 96785

E-mail : trifox3@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Oppose bill sb1466

Dave Rodio

Zip code : 2920

E-mail : dlr2234@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

OPPOSE bill SB1466

Ramiro Noguerol

Zip code : 96708

E-mail : ramironoguerol@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose this bill.

Kelly Lai

Zip code : 96793

E-mail : klai3535@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466 due to the fact that it circumvents due process, and strips a person of their constitutional rights solely on an accusation.

Renyn Shinn

Zip code : 96701

E-mail : smashpwnage@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466

There already is a clause in court issued protective orders that the respondent has to submit any and all firearms and ammunition in their possession when served.

This proposed bill will make it easier for someone with a grudge against a firearm owner, to file a false report. It will also affect a law enforcement officer who performed their duty and the suspect or arrestee will file a false report against the officer.

As a law enforcement officer, I have had false complaints filed against me because someone wanted to get out of a ticket or a DUI arrest.

Please OPPOSE.

Barry Aoki

Lahaina, Maui, HI

Barry Aoki

Zip code : 96761

E-mail : barry.aoki@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466 as it is an end run around due process.

Laws such as these undermine the legitimacy of the American Judicial system. A Gun Violence Protective Order would be issued, not because a person has been convicted of a crime or adjudicated mentally ill, but instead on third party allegations. This legislation lacks strong due process protections, contains low evidentiary standards, and falls well below the norm for removing fundamental, constitutional rights.

Michael Riley

Zip code : 96793

E-mail : mamalukino@msn.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466..any bill which infringes on my right to bear arms as it was written by the founding fathers i will oppose!!..

Damen Makua

Zip code : 96792

E-mail : kealiiok@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB1466 as its unconstitutional and obstructs my ability to exercise my rights and our 2nd ammendment

David Hayashi

Zip code : 96817

E-mail : Davemodz@gunfuofficial.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB1466 unless the court order results from a hearing

Scott Crosier

Zip code : 96740

E-mail : classickona@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466.

Gener Macaraeg

GENER MACARAEG

Zip code : 96793

E-mail : RAMBOMACK@AOL.COM

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466

This concept is rife with problems and highly susceptible to abuse. Especially with disgruntled family members, and medical professionals unwilling to risk their reputation and practice. Family members or LEO's can abuse these laws for vengeful or hurtful purposes, and most will never be trained to properly identify true risks.

kent kurihara

Zip code : 96819

E-mail : kentkurihara@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466 because one could lose their constitutional rights based purely on accusations by others without any evidence. It also puts the burden of proof of innocence on the accused instead of the accuser...essentially making one guilty until proven innocent robbing them of due process.

Marc Shimatsu

Zip code : 96744

E-mail : tazman_269@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I STRONGLY OPPOSE this bill due to the language contained within.

Harold Pang

Zip code : 96817

E-mail : poiboy87@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE this bill because it can easily be mis-used by a vindictive person because you got into an argument. It can also be used against you because a wife, girlfriend, or anybody has a hate for you. This proposed bill lacks due process for the firearm owner just because someone says heâ€™s a danger.

Erwin C. Baguio

Zip code : 96819

E-mail : ebaguio969@hawaii.rr.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466...

Again, while this on the surface seems to be a simple step towards safety, it allows for abuse. Anyone, such as scorned husband or wife could make false accusations that are difficult to assess and infringes upon individual rights. While the spirit of the law is certainly appropriate. The ability to to abuse this new law for spite or malice is high.

Cass Nakasone M.D.

Zip code : 96817

E-mail : onohunter@icloud.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE SB1466

No person should ever have their rights stripped from them by a secret court order, and no mechanism for recovering firearms and no penalties for false statements

Austin White

Zip code : 96789

E-mail : austinowhite@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB1466.

Keith Nakanishi

Zip code : 96818

E-mail : Keith_Nakanishi@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB1466

Alfred Pestrello

Zip code : 96720

E-mail : addecus@aol.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB1466

Peter Alu

Zip code : 96750

E-mail : Peteralu0714@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466!

Carl Wenke

Zip code : 96825

E-mail : iproahu@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466. This Bill takes away an individuals right of due process. All law abiding citizens should be allowed due process to dispute the court order.

Robert Arnott

Zip code : 96725

E-mail : arnottbob@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB1466. Citizens should be proactive and report suspicious activities. Any person reported or accused should be allowed due process before removal of firearms happens.

Lance Sugimoto. Waipio, HI

Lance Sugimoto

Zip code : 96797

E-mail : sugimotol002@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

This is not necessary. There are already laws on the books which restrict gun ownership of persons which are found to be mentally ill. This broadens the scope to allow ANYONE to claim that someone in their home is a "danger" without due process? This is a clear violation of the Second Amendment by eliminating due process from restriction of gun ownership. If a person is a danger, then have the concerned member call the police and let the police do their job. If they don't find the person to be a danger, then they bear the liability if something happens.

Frank Dugger

Zip code : 96816

E-mail : frank@preihawaii.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

OPPOSE BILL SB1466

I "PETER J CHASE" OPPOSE BILL SB1466

LET THE FREE AND LAW ABIDING CITIZEN DECIDE WHAT TO DO WITH PRIVATE POSSESSIONS, WHETHER IT BE FIREARM OR OTHER.

PETER CHASE

Zip code : 96816

E-mail : PETERCHASE36@GMAIL.COM

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466

Robert L. Bates

Zip code : 96740

E-mail : bpb@aloha.net

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE Bill SB1466

Martin Dixon

Zip code : 96744

E-mail : martin.dixon13@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

OPPOSE Bill SB1466. No due process and no crime has been committed.

David Parrish

Zip code : 96825

E-mail : whiterook808@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose Senate Bill SB1466, as it turns the presumption of innocence on its head, curtails the due process rights of the accused, and creates an incentive for some to falsely accuse firearms owners of being a danger in order to settle scores, to leverage a divorce action, or even to advance their anti-gun politics.

James O'Keefe

Zip code : 96720

E-mail : jaz.okeefe@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466

Steve Haney

Zip code : 96740

E-mail : sjhaney01@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE SB1466

Although this can be a good idea, it has so many drawbacks that can greatly affect a law abiding and sane person. Someone could have a bad day, and report to authorities that a person poses a danger to himself or others. It would destroy a persons life.

Tad Araki

Zip code : 96720

E-mail : lv2hnt808@hawaii.rr.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466 because this is ridiculous. I could be reported by my ex wife or anyone who has a grudge with me. They take my weapons and I lose my job or am attack in a home invasion with no way to defend myself. All because someone doesn't like me?

Walter Philbrook

Zip code : 96793

E-mail : philbrookwalter@juno.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466, please stand with law-abiding citizens in support of the Second Amendment and oppose this gun control agenda that includes misguided efforts such as banning commonly owned firearms, discriminating against young adults by denying them their Second Amendment rights, and trying to legislate one-size-fits-all solutions to matters of personal responsibility. Punishing law-abiding gun owners for the acts of criminals is flat out wrong and won't solve any of the mental health and behavioral problems that we desperately need to do something about.

Again, please oppose all of the gun control bills being brought before your committee. Thank you.

Jayce Shigaki

Zip code : 96797

E-mail : marche41@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE SB 486 and urge you to vote against this measure.

Jon Abbott

Zip code : 96822

E-mail : jonwebsterabbott@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466

Brett Iwanuma

Zip code : 96822

E-mail : b_iwanuma@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

To: Honorable members of the Legislative Committee

Aloha Pumehana,

Re: SB1466

OPPOSE

Vague an overbroad.

TRO's are already used in the State and have specific requirements for filing and the process is already in place.

Aloha and best wishes,

Glennon T. Gingo

Holualoa (Island of Hawaii)

Firearm Safety Trainer and Chief Range Safety Officer.

Member, Board of Directors

Hawaii Rifle Association

Glennon Gingo

Zip code : 96725

E-mail : Freediving@earthlink.net

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I Oppose bill SB1466, Establishes a process by which a law enforcement officer or family or household member may obtain a court order to prevent a person from accessing firearms and ammunition when the person poses a danger of causing bodily injury to oneself or another. this is also an interesting bill which I agree on, or at least portion fo if it. a governing body must decide at which point a person poses a danger of causing bodily injury to oneself or others.

martin barrozo

Zip code : 96706

E-mail : mbarrozo_5@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE SB1466.

It would violate individual's rights to due process and could be used abusively by individuals who could maliciously make false accusations.

PLEASE DON'T PASS SB466.

Steven Lee

Zip code : 96734

E-mail : stevenleebiz@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I Oppose Bill SB1466: Do we not have statutes in place already to prevent this from Happening....creating more laws on top of what we already have. Why not enforce what we have on the books already!

Gordon Olayvar

Zip code : 96782

E-mail : golayvar@hawaii.rr.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466....this bill would allow people with an agenda against an individual to act in a retaliatory manner against that individual and justify it under false pretenses...

Constante G Azares

Zip code : 96766

E-mail : tazares@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose this bill. Who will determine if a citizen is unfit to make those conscious decisions? A doctor or trained psychologist? Or a bureaucrat? Where is the due process? Doesn't this violate our constitutional right? This has the possibility to turn into a hows is allowed to have what? Stripping a citizen right to self determination. What happens afterwards? This would put an unrealistic burden on the law abiding citizen to go through the process to get his property back.

HIPPA? Where is ones protections to they health privacy? Completely violating.

Mitchell Hokoana

Zip code : 96732

E-mail : mkhokoana@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I Oppose bill SB1466. This is a very dangerous law. This law violates due process. But here's the thing: what's to stop someone from abusing the law? Can you imagine calling in someone just because they pissed you off then having the police show up and possibly shooting an innocent person because they broke down his door to take his guns?

Jeffrey Juntilla

Zip code : 96819

E-mail : j5_jeffrocks@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466 for the reason that talk is cheap and means nothing without proof. This would open the door for law enforcement to disarm the general public without sufficient proof of the accusations. A TRO is already on the books as a law disarming individuals. You must remember a firearm is simple to obtain on the streets by a criminal and this law would only hurt law abiding citizens of Hawaii.

JAMES ROSA

Zip code : 96746

E-mail : rosasarmsllc@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466. This bill does not allow for due process and may be abused.

Eric Akiyama

Zip code : 96819

E-mail : eric1991j@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466. This law would most likely be abused, and preference would be to take someone gun based on their own perception, not facts.

Todd Miller

Zip code : 96813

E-mail : sicinchawaii@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

This not a good idea. If someone wants to cause a problem, the that all the person has to do get a court order and turn the other person life upside down with this. And it will cost a lot of money to fix it. Do not pass this bill SB1466..... Thank you.

Douglas E Jensen

Zip code : 96768

E-mail : djensen270@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE this bill SB4166 because what if some one does not like who you are as a person and make up a false story that he or she is dangerous. I STRONGLY OPPOSE this bill SB466!!!!

John Guillermo

Zip code : 96819

E-mail : cornbeef07@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

OPPOSE BILL SB1466. THERE ALREADY A PROCESS IN WHICH THIS CAN BE DONE. THIS SOUNDS LIKE GUN GRABBING WHICH WILL CAUSE CONFLICTS AND ALLOW FOR ONE FAMILY MEMBER TO GO AFTER ANOTHER BECAUSE THEY ARE PISSED OFF ABOUT SOMETHING. WHY DON'T YOU GET A COUPLE OF LONG TIME GUN OWNERS WHO ARE RETIRED LAW-ENFORCEMENT TO DRAFT UP A 'GOOD' LAW PERTAINING TO THIS SUBJECT.

HENRY SILVA

Zip code : 96725

E-mail : SILVAHJRM@YAHOO.COM

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I submit this testimony in OPPOSITION to SB1466

Due Process is a CONERSTONE of the Rule of Law that governs our great country! A man (or woman) is considered INNOCENT UNTIL PROVEN GUILY. Where is the Due Process in this legislation? How is it that we can so quickly deprive a citizen of their personal property, or ability to protect themselves in the name of a process so riddled with failure? How often has it been the case that good people have been accused of horrible actions out of spike or animosity? How many times have the wrong names been on some government watch list or the wrong people confused with the right name?

We are talking about a Constitutional Right here, it should NOT be stripped away without a most thorough vetting process.

Thank you for your time,

PJ Long III

PJ Long III

Zip code : 96817

E-mail : Pj3467@aol.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I Oppose SB1466 on the grounds that it opens the door to abuse by vindictive people seeking to lash out at legal law abiding gun owners simply because they don't think anyone should have the right to own one.

No one and especially gun owners want to see violence but we also have processes in place to prevent these.

I have already heard people say they would claim they were threatened by a gun owner even if they were not just so they could make trouble and harass them knowing the police and even the courts in this state would take the side of the false claims and therefore this law would embolden people pile that even more.

Please have the courage to recognize that existing laws will resolve this without further trampling on Constitutional rights of those legally owning a firearm.

James Smith

Zip code : 96813

E-mail : matthew56@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Oppose

Absalon Velasco

Zip code : 96793

E-mail : asvp091003.av@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466.

Skylar Decker

Zip code : 96793

E-mail : packman96793@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill Sb1466 as a medical professional should evaluate such person if a crime is committed. Innocent until proven guilty.

Lindsay Willocks

Zip code : 98682

E-mail : willocks03@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB1466.

I oppose SB466 because it seeks to subvert due process and revoke a constitutional right. A person accused of being a danger to himself or others should receive their day in court to defend themselves against their accusers. A individuals guaranteed rights should not be revoked at the the whim of a spurned spouse or a disgruntled family member with an ax to grind.

Joel Berg

Zip code : 96789

E-mail : d2bergler@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466

How does the process prevent a FALSE Accusation?

I like the idea - BUT - persons can get petty, spiteful, and wrong - and just "throw it out" that the firearm owner is a danger to cause bodily injury to oneself or another, when there is no factual basis. False Accusations can ruin a person's character and life, especially when no apology of "wrong doing" and no compensation is given when the falsely accused has been wronged. And the Accuser is not punished or held accountable for their false accusations.

I Strongly OPPOSE bill SB1466

Herbert Nishii

Zip code : 96744

E-mail : LngBdr50@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill sb1466

This bill makes people guilty until proven innocent.

Peter Roa

Zip code : 96759

E-mail : daveselectric808@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466.

Jaelynn Call

Zip code : 96813

E-mail : jaekdcall@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB1466. The lack of due process is abysmal. "Any" law enforcement officer or family or household member who holds a grudge, who has a misunderstanding, or who presents a non politically correct opinion or behavior would be denied a constitutional right.

Peter Long Jr

Zip code : 96744

E-mail : jlong@hawaii.rr.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466

Ricky Ferreira Jr

Zip code : 96727

E-mail : jrrudeboy@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB 1466 on the basis of orders could be generated over minor disputes or simple disagreements, including political disagreements or differences in ideology, with no opportunity for respondent to be heard for up to a year, and will be abused by proponents of gun control.

Alan Koahou

Zip code : 96773

E-mail : amkoa2305@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Dear Senators and Representatives,

Did you watch the news about the home invasion in Waianae on February 3, 2019? A older woman and young child were assaulted by 2 people with a baseball bat. Many home invasions occur in Hawaii. How are people to protect themselves in their own home if you take away their guns. Put yourself in their position. What would you do? Think about it.

Criminals will not follow any laws made. Only good citizens will be punished and hurt by your gun laws.

SB1466 is unconstitutional and a violation of the 2nd Amendment. Citizens have a right to bear arms, to protect themselves.

You cannot limit how a person can protect themselves or the number or rounds a rifle or pistol can contain. I watch the news, when home invasions occur, there is always more than 1 person. It usually is a group of thieves. Why limit the number of rounds a person can have to protect themselves.

These laws were brought about due to news constantly reporting criminals committing shootings. Those individuals are criminals, there is no logical reasoning that criminals will follow any laws you create. Why punish the many non-criminals when a minority of criminals commit a crime. There is no sound reasoning to this. Every time a criminal commits a crime, it's the good citizen that is punished, you have the victim, then the public.

I will take legal action if my rights are violated and so will many others. This is a violation of my constitutional rights and there will be no compensation for my property. How am I to defend myself, how are elders and the weak to defend themselves against criminals? Have you given any thought of this?

All you are doing is punishing good people.

These lawsuits will cost tax payers. The constituents will blame you for bringing this about.

Sincerely,

Ed

Ed Au

Zip code : 96701

E-mail : edau@live.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Start with i OPPOSE bill SB1466.

There is no due process before someone has their rights taken away. We don't want the wrong people to have firearms; but this makes it too easy for someone that is vindictive to hurt an otherwise law bidding citizen.

Gerald Kraesig

Zip code : 96797

E-mail : kraesigj001@hawaii.rr.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466

Erik Walter

Zip code : 96740

E-mail : emanwalter@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466. Please perform your duty and uphold the federal and state constitutions by not infringing upon the rights of law abiding gun owners any further. Hawaii has infringed on our rights ENOUGH already. This bill, in addition to taking guns from law abiding citizens does it without due process! Unacceptable.

Richard Stueber

Richard Stueber

Zip code : 96720

E-mail : seanstueber@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose this bill. I believe YOU THE POLITICIANS MAKING THIS BILL will pass it so I ain't going to elaborate on it. but I can't wait for this law to be taken in front of the supreme court. At that time this law will be found unconstitutional in more ways than one.

Alvin Rodrigues

Zip code : 96797

E-mail : al_bkk@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB466, we are really going to take an opinion over a medical professional? Can I take facebook seriously? Believeing this I hope someone who wrongfully accuses on of being irrispondsible or a danger to themself, can and will sue not only the person but the entire state. I also hope that person garners enough support to take these lawsuites to the federal level.

Taylor Sumida

Zip code : 96720

E-mail : meedolly@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose this bill a need for due process as written in the Constitution

michael taketa

Zip code : 96753

E-mail : miketaketa@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466 This is an attack to our Constitutional Right the 2nd Amendment.

Raymund Bragado

Zip code : 96797

E-mail : ray729man@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466 as the measure infringes upon an American's rights without due process. It infringes upon an American's rights who has committed no crime relies upon unqualified and possibly biased vindictive opinion.

It creates a means to harm an individual without recourse against unwarranted malicious complaints.

Mike K

Zip code : 96744

E-mail : bigair39@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466 as it directly conflicts with our Amendment 2 rights to bare arms.

Luke Wright

Zip code : 96786

E-mail : lukedw808@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466. If the person in question is not a felon or has not been shown to be mentally unfit, there is no excuse to do away with DUE PROCESS. This is a basic right.

William Carreira

Zip code : 96797

E-mail : will.carreira@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1446

Shane Black

Zip code : 96749

E-mail : shaneblack808@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466 there is no due process in this and a persons firearms can be confiscated on hearsay evidence.

ERMIN FERGERSTROM

Zip code : 96784

E-mail : BASEYARDMARINE@MSN.COM

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Inexcusable that the legislature ignore the voice of its constituents. Their sole purpose is to represent the people's true interests especially if it involves their Constitutional rights. These Bill's should be deferred due to the improper handling and neglect of this current legislature.

Curtis Vana

Zip code : 96721

E-mail : curtisvana@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill sb1466. Who makes the decision of who is safe and not. Why should we have to surrender our weapons and have to fight to get them back?

Millicent Domae

Zip code : 96782

E-mail : greenwolf88@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466, first of all what constitutes danger, causing bodily injury? Unless your a physician or professional accredited person to determine this what makes a regular person qualified to make this decision? Unless he has an actual weapon in his hand and is acting out violence, there is no pose of danger. If this is the case people can just accuse anyone just for the hell of it because of just not liking a person with no evidence. C°mon Senate!!!! We expect more thought into this from you guys.

Kevin Louis

Zip code : 96707

E-mail : kawailehua25@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I Oppose SB 1466

Joy Schoenecker

Zip code : 96825

E-mail : joy.schoenecker@hawaiiantel.net

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Please kill this bill!

Michael Orr

Zip code : 96761

E-mail : mimiface@aol.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I appose bill SB1466

Leonard Haberman

Zip code : 96737

E-mail : jackrussellman2@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I Teresa L. Nakama hereby strongly oppose SB621 the State of Hawaii has always had the strongest gun safety laws as stated in this bill. Which also states the second lowest gun-death per capita? There is no statistic here in Hawaii to support this bill. It is erroneous to use other nation data when facts show that Hawaii already has the strongest gun safety laws. I also concur that these bills be deferred due to mishandling of testimonies by the PSM committee.

Teresa Nakama

Zip code : 96740

E-mail : teresanakama51@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose this bill because the government has not shown me they are trustworthy. I can see so many ways they can use this to take anyone's fire arm.

Greg Barber

Zip code : 96727

E-mail : amosdad@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466 as an blatant infringement of a person's 2nd Amendment rights without due process. Due process is guaranteed under the 5th and 14th amendments. This bill is an attempt to circumvent the Constitution by reducing the standard with which a persons rights may be withheld, even if it is only temporary.

Jeffery Campbell

Zip code : 96746

E-mail : jefferya_campbell@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB 1466. This would give people the power to take away my constitutional rights without due process. If I have not committed a firearms-related crime how can you justify or even determine if I "pose a danger" to myself or another person? This would be similar to taking away someone's car if someone else suspects that the person might possibly drive while intoxicated. I believe it is unconstitutional to deprive someone of their legal property if that person has not committed any crimes with said property.

Thank you.

Jon Chung

Zip code : 96822

E-mail : jonchung808@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466. What happens when someone files a false accusation report out of spite or revenge? What happens next?

Fabrin Estrada

Zip code : 96783

E-mail : fabebren@msn.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose this bill due to the fact that we already have the strictest gun laws and you are basically accusing someone to be dangerous by someone elses own opinion.

Robert Nago

Zip code : 96720

E-mail : mago@live.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I strongly oppose SB1466. Due process ?

Bruce Braun

Zip code : 96753

E-mail : oldmanbru@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE SB1466 stop with the anti gun bills

Mark Genovese

Zip code : 96708

E-mail : mauiarmsltd@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I appose SB1466 a person is innocent until proven guilty

Peter Moracco

Zip code : 96733

E-mail : pmoracco57@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB 1466 . I do not feel that someone's word that might be false to get back at a person for whatever reason justifies taking away someone's property without a hearing first. I have seen some family arguments that spill over to threaten a family member who owns a firearm to call the police and say that person threatened him or her. The firearm owner did nothing wrong.

William Hopkins

Zip code : 96778

E-mail : rachs@earthlink.net

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SN1466. I believe that taking someone's right to bear arms WITHOUT finding this person guilty of a crime is exactly what infringing upon our Constitutional right to bear arms is about! Again, we already have laws that prevent possession and ownership of guns WHEN a person is found to have mental disorders, criminal past and/or a guilty of violence. Removing guns prior to being guilty can and will be abused by the anyone(ex wife, children pissed with parents, etc....)

Aaron Ishimine

Zip code : 96789

E-mail : gotttrd808@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466

Andrew Lee

Zip code : 96789

E-mail : a.lee1968@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466

Jason Naha

Zip code : 96761

E-mail : prskiller@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Senators,

I oppose this bill because it allows someone who has a grudge against another person to prevent him

from owning a firearm just because they do not like the person for personal reasons.

Please kill bill SB1466

Jerry Nishek

Zip code : 96716

E-mail : jerrynishek@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466

Nathan Okamura

Zip code : 96789

E-mail : nateo@hawaii.rr.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

OPPOSED THIS BILL

MANNY PASCUAL

Zip code : 96707

E-mail : manny@amermach.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466

Ron Knopp

Zip code : 96754

E-mail : ronalaska@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose this bill as it give too much power to other individuals to disarm whom they please

Kody Edwards

Zip code : 96768

E-mail : kody56789@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466

Tom Jeffrey Magbual

Zip code : 96768

E-mail : teejaymagbual73@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Â IÂ OPPOSE bill SB600 because it infringed on anyone's Second Amendment Right.

Ray Logan

Zip code : 60440

E-mail : raygan@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose this bill. L

Joseph Passmore

Zip code : 96749

E-mail : weedwacker33@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466 , I feel that it infringes on a persons 2nd amendment rights.

Arthur Hong

Zip code : 96817

E-mail : hongga350@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I have those bill SB 1466 Because it is unconstitutional

chad mata

Zip code : 96726

E-mail : chadmata84@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose Bill SB1466 as this bill

There are already laws established to address this.

Tim Snelling

Zip code : 96755

E-mail : tsnelling@msn.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill sb1466 because it violates my rights as an American citizen and those of my fellow Americans. My rights and those of fellow Americans should never be violated based on hearsay. Substantial evidence and testimony should be gathered first.

Aaron Slutter

Zip code : 96706

E-mail : bigbunny808@live.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

SB1466: Please defer due to mishandling of testimonies by the PSM committee. The public and concerned citizens have to the right to be heard and to testify, this SB is too broad in language and could have unintended consequences to the law abiding innocent citizen, who has not broken the law.

felipe san nicolas

Zip code : 96744

E-mail : mrskipyster@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE Bill SB 1466... the reason can be a person to retaliate against gun owner just because of hear say... people not wanting for you to have your guns.. throwing up that red flag.. ex spouse can be one of them..

Stephen Medeiros

Zip code : 96822

E-mail : dragon4sgtmed@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Iâ€™m a shooter and I will opposed this bill

Luisito Tadeo

Zip code : 96797

E-mail : uiuol808@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill sb1466 this only hindering law abiding citizens. These bills have no correlation in reductions in gun crime.

James Philson

Zip code : 96819

E-mail : punx8o8@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466

Mike Hasbrouck

Zip code : 96740

E-mail : captainmikehasbrouck@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466

RICHARD ARGUELLES

Zip code : 96782

E-mail : hibattledroidz@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Oppose

Steven Hurt

Zip code : 96749

E-mail : CHURKEL@MSN.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466.

This sort of law reeks of Soviet eral reporting on your neighbor for anti-regime thoughts and statements.

Of course, the outrageous usurpation of the right to face your accuser is only outweighed by allowing vindictive "reporting" by hostile and un-named accusers for personal reasons.

There are current laws that address the issue of mentally unbalanced people without trampling thier rights.

Robert McCarthy

Zip code : 96740

E-mail : robert.mc@att.net

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

i OPPOSE bill SB1466 . Needs to be clarified .

Harry Shigeura

Zip code : 96720

E-mail : goyuha@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB1466. It is a useless bill which has no merit.

LESLIE TAM

Zip code : 0

E-mail : LESLIETAM@AOL.COM

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466,

Hear/say is not a valid argument in court, this (Red Flag) bill dose not give and individual right to due process. A person is innocent until PROVEN guilty, removing ones personal belongings/property BEFORE giving them the right to defend themselves is against the law.

S R

Zip code : 96720

E-mail : sbreegan@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB1466 because it violates our constitutional right to due process. Before any constitutional right is taken a hearing should be held to determine the credibility of the charges. With this law anyone would be able to file a report to strip the firearm owner of their constitutional right by falsifying a charge. Unless it has been proven true, no accusation should carry any merit enough to have a firearm owner stripped of their rights. Again I oppose SB1466.

Miles Higa

Zip code : 96797

E-mail : miles.higa@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466.

Phillip Root

Zip code : 96706

E-mail : ej031166@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466. Procedures are in place to deem one's psychological state. Anyone legal to own a firearm should be allowed to do so.

Carlton Ho

Zip code : 96782

E-mail : cho73297@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466.

This bill is also ethically wrong. There is no due process and violates the the 6th amemdment.

I am for public safety, but not at the cost of undermining The Constitution and The Amendments.

A biased accusation will automatically violate a person's 2nd amemdment right and right to own property without a trial.

I oppose this bill.

Matthew Dasalla

Zip code : 96797

E-mail : dasa3055@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE BILL SB466

Philip Tong

Zip code : 96738

E-mail : ptong8@sbcglobal.net

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

IÂ OPPOSE bill SB1466, I believe it goes against what I believe in and the constitution. I also feel I should not be penalized for someone else's mistake, whether they purchased their guns legally or illegally, mentally health or unhealthy, criminal or law abiding citizen. There has been more death by law officials with use of firearms than by citizens in the past few years. Even the people trained to use firearms make mistakes, banning guns or assault weapons is not the answer. People will still be able to get their hands on guns wether it's banned or not. The only difference is you can't track it once it's banned. Just like people decide to smuggle in everything else that is banned.

michael jumalon

Zip code : 96720

E-mail : Shawnak_66@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466 an individual should not be stripped of their rights before due process.

Jason De Ponte

Zip code : 96720

E-mail : JSKD06@GMAIL.COM

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB1466

"A well regulated militia being necessary for the security of a free state, THE RIGHT OF THE PEOPLE TO KEEP AND BARE ARMS SHALL NOT BE INFRINGED"

Byron Young

Zip code : 96727

E-mail : Young.75thranger@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I strongly oppose bill SB1466

Anthony Smith

Zip code : 0

E-mail : tjunebug77@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466

Jarek de Vera

Zip code : 96707

E-mail : jarekdevera@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB466. Please oppose bill SB466 for the simple fact that you are infringing on my second amendment. Who are you to make these choices for law abiding citizens, responsible adults, tax payers and voters. You take away the freedom that built this country because of criminals who use any means possible to cause harm. You tie my hands to defend my family and home from criminals and you want to put restrictions on the very people that voted you in. Whereâ€™s the common sense.

Eric Watanabe

Zip code : 96720

E-mail : 808tats@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I Oppose Bill SB1466

George D. Carvalho

Zip code : 96743

E-mail : puhionui@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466. We already have sufficient system in place. A restraining order could be used to prevent ones access.

Landon Kim

Zip code : 96717

E-mail : landonmkim@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB466. This bill violate the due process standard and may lead to the disarming and victimization of the law abiding Citizen by bad actor family members or Law Enforcement personnel. Abused spouses may be disarmed by their abusers using this bill.

Jerry Yuen

Jerry Yuen

Zip code : 96822

E-mail : j_teichi_y@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB1466. Due process needs to be done, firearms is a 2nd Amendment right.

Mariah Goo

Zip code : 96816

E-mail : goo.mariah@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE SB1466. This bill is overly broad in scope and would allow virtually any person to level claims without due process.

Edward Meckley

Zip code : 96772

E-mail : edward.meckley@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

i OPPOSE bill SB1466 which denies due process to the accused.

Ryan Arakawa

Zip code : 96701

E-mail : ryana@hawaii.rr.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

We oppose SB1466.

Elisha Goo

Zip code : 96816

E-mail : elisha.goo@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I STRONGLY Oppose SB1466 as it denies due process. This bill is unconstitutional and you folks are going down a slippery slope towards tearing apart our Constitution.

Tito Castillo

Zip code : 96815

E-mail : barefootnative2@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I am writing to OPPOSE SB1466, In regards to a law enforcement officer or family or household member being able to obtain a court order to prevent a person from accessing firearms and ammunition when the person poses a danger of causing bodily injury to oneself or another. This is a governmental overreach that can easily be misused or cause more harm than good in my opinion. Those who are not in sound mind and judgment shouldn't be allowed to have access to firearms but this is a very tricky thing to prove. A person with no medical reports or legal issues can be just as dangerous, if not more than another who was wrongly diagnosed or accused. Under current laws in the state, if an individual had mental issues, they would not be granted permission from the police department to own a firearm. So being that these people will still have access on occasion, since many are not legally declared "unstable or a danger/threat to society" I ask what would allow a court to determine them unfit to own a firearm? Would this not be the same court ruling banning them from owning a firearm in the first place within current laws? I do not agree that family members or household members should be able to have a say in this beyond what our current laws allow. They should have to report any illegal, unsafe activity to the authorities and should require temporary restraining orders and other court ordered material that is available now in order for a legal gun owner to have their license revoked. This seems like an easy way to target certain individuals and I fear this is not the regulation needed to stop those from harming others. If the restraining orders or arrest of an individual is not enough, or the fact that someone is court orders medical assistance then the failure lies within those systems to get the people help and blame should not be placed onto the legal gun owner without proof. This seems like a situation where someone is guilty until proven innocent and is very concerning to myself and many others.

Chase Cavitt

Zip code : 96753

E-mail : wolfpacsniper@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

We oppose SB1466. Only on the words of someone can a persons right be taken away??? This is a 2nd Amendment right, not a privilege like drivers license.

Sean Goo

Zip code : 96816

E-mail : sean.goo23@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I strongly oppose bill SB1466.

This bill removes due process from the accused who have no say in the hearing to determine the granting of a court order against them. It will deny them a fundamental right without any legal representation.

Also opens up the individual to false accusations that they cannot defend themselves against.

It will also place undue financial burden on the individual requiring them the expense of a lawyer to represent them after a possible false accusation.

Thank You,

Robert Hechtman

Robert Hechtman

Zip code : 96706

E-mail : hechtmanr@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

We oppose SB1466. There needs to be due process and a legitimate hearing before this can take place.

Judy Goo

Zip code : 96816

E-mail : judyg@djspec.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose this bill. There is no due process for said accused person.

Conrad Nakoa

Zip code : 96782

E-mail : conrad.iwttr@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose.

Mikhael Kobayashi

Zip code : 96817

E-mail : mikhaelkobayashi@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466 because This is unconstitutional and does not let there be do process!
There must be evidence of a person wrong doing. There are already laws in place to prevent this
from happening when you try to acquire a firearms in Hawaii! This over step the judiciary
system that is protects everyone in the United States

Nicholas Moniz -Teves

Zip code : 96744

E-mail : tevesnick@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

We oppose SB 1466. Anyone can say that you are in danger of yourself and others and their due process????? What on earth. Firearms is a 2nd Amendment right! Even driving is a privilege. Shall we take away possible DUI driver's cars reported by bars and night clubs?

Dan Goo

Zip code : 96816

E-mail : dgoo@djspec.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose this bill as this can be easily misused. We do not need MORE laws. Hawai'i has among the strictest gun laws out of any state.

alyn wijnveldt

Zip code : 96701

E-mail : highrevvinitb@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

This law lacks due process and will be costly when it is drawn out in

Court

Chris Culp

Zip code : 96738

E-mail : chrisdculp1@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose Bill SB1466. It is unfair that people could have their firearms taken away without due process.

Dubin Whitaker

Zip code : 96740

E-mail : audioafx@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

sB 1466 - I Oppose this bill

Kyle Gusman

Zip code : 96793

E-mail : kimokg3@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

OPPOSE bill SB1466

At a minimum, due process needs to come before confiscation. Hawaii is the most oppressive state in the United States already. By it's own On Line reporting, no Conceal Carry Permits have been issued for at least 15 years. Hawaii lost in the 9th Circuit in Baker v. Hawaii and again in the 9th Circuit within the last year to the gentleman on the Big Island in Young v. Hawaii. Both cases instructed Hawaii that citizens must be permitted to carry firearms in some manner outside the home for self defense. So far, all citizens are prohibited from doing so. Rather than confiscating firearms without due process, please consider instituting a non-discretionary conceal and carry program. Each State that has done so has immediately experienced a drop in violent crime (murder, assault, rape and home invasion) according to FBI crime statistics. If your goal is to make Hawaii less violent and safer, enact a non-discretionary conceal and carry program. Concern that permit holders would engage in gun crimes are contradicted by the statistics that show CCW permit holders are much less likely to commit gun crimes than police officers. Police officers are much less likely to commit gun crimes than the average citizen. Citizens willing to submit themselves to the scrutiny established in non-discretionary conceal and carry programs have now been shown to be the most law abiding group that has been studied. Your goal should be to have them armed rather than disarmed without due process.

George LISEHORA

Zip code : 96734

E-mail : LisehoraG001@Hawaii.rr.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE SB1466 as it does not provide sufficient safeguards to prevent the filing of false statements or "revenge" complaints against a firearms owner. Lacks due process.

Tony Frascarelli

Zip code : 96825

E-mail : tfras89012@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE This is unconstitutional no due process or right to face accusers. 4th 5th and 12th amendment violation.

Jason Wolford

Zip code : 96761

E-mail : captjason@hawaii.rr.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466

Darren Chang

Zip code : 96814

E-mail : dschang808@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I disagree with this bill (SB466) because it clearly allows confiscation of firearms from someone merely on the basis of a person making an allegation against a firearm owner that they were threatened, etc. This is a violation of the law which requires due process for someone to be acted against by law enforcement. This would be similar to me saying that so-and-so threatened to run me over with his vehicle so you would just go over and impound this person's vehicle. This is so wrong in so many ways. As stated so often, Hawaii has NOT had this sort of occurrences because of the very highly restrictive firearms laws in this state. The FACT that the police do NOT issue concealed carry permits to non-LEO or non-politically connected civilians show that NONE OF US have our firearms outside of our homes (except to go to a shooting range, gunsmith, etc.) We obey the laws, so why are you folks "coming after us"? I think it's far overdue for you people to focus on things that will actually SOLVE problems instead of trying to criminalize all of us who are law-abiding. Focus on the real problems like mental health issues, checking on known ex-cons and felons to see if they possess firearms which they're not allowed to have, etc. When they do, lock them up forever!

Gary Fuchikami

Zip code : 96706

E-mail : micronpcowner@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466.

So if a law enforcement officer or a family or household member has a problem with you , they can make a claim against you and very likely your 2nd amendment right will be taken away. As we all know that itâ€™s the Officers word against ours and the Judge will always take the officers side just because. No no no . We all know that law enforcement is very capable of fabricating stories and falsifying reports . Our police departments and Prosecutors INTEGRITY has been tarnished which makes this bill SB1466 very very very bad for law abiding citizens..

Keola Picerno

Zip code : 96766

E-mail : picernok@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I strongly oppose SB1466. This bill would essentially allow anyone to obtain a court order to prevent a person from accessing firearms and ammunition without any proof or due process that he/she poses a danger to oneself or causing bodily injury to others.

Goldie Cross

Zip code : 96766

E-mail : goldiecross@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466. I do not agree with firearm confiscation without due process.

Silas Decker

Zip code : 96732

E-mail : stdecker@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466. If passed, the potential for abuse of this law is ripe. There is not enough due process and opportunity for the accused to counter the accusation that they are a threat before their rights are stripped away. There is already the TRO which takes guns away and is abused by jolted exâ€™s to harass their former partners. This would make that abuse all the more prevalent and easy. The burden of proof must be very high before one should be deprived of their rights. I urge you to vote NO on SB466.

Zon Sullenberger

Zip code : 96740

E-mail : zon@zonarch.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE BILL SB1466

Calvin Flores

Zip code : 96761

E-mail : kaleimon@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466 because it can allow for the prohibition of someone from using his own firearms without due process unless the court proceedings are substantiated by a medical professional.

Brian Nakashima

Zip code : 0

E-mail : bnakashima@hawaii.rr.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose this bill SB1466 because any person who would have an issue with me could abuse this measure if passed, just like a woman who says that she was assaulted sexually, or domestically. This state does not give people the benefit of doubt and a chance for one to defend ones self when wrongfully accused. The accuser always seems to have more bearing on enforcement than the one being accused. For this reason, this measure is wrong.

Wyatt Lee

Zip code : 96789

E-mail : aliinui10@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466 no person or persons should regulate how much ammo a person can buy.

Matthew Hofbauer

Zip code : 96701

E-mail : hofbauermatt@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Whereâ€™s the due process here? THERE IS NONE! Someone can falsely accuse a law-abiding/responsible gun owner of being a threat to her/himself and then that gives the government the right to return around and seize their guns? Does the accused get to face her/his accuser??? I donâ€™t believe they would. Who would be the person to make this decision? Some judge or other person who knows almost nothing about the accused other than what EVERYONE OTHER THAN THE ACCUSED has to say about the issue. You people are attempting to make certain rights completely null and void. This is a serious travesty. I wonder how you folks would react if bills were introduced that severely limited peopleâ€™s right to free speech? I bet you all would be singing a different tune then. I oppose this bill.

murvyn lewis

Zip code : 96819

E-mail : murvg81@live.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466 - the right of the people to keep and bear Arms shall not be infringed

Faren Motz

Zip code : 96708

E-mail : zatare@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466.

APOLONIO DULATRE

Zip code : 96792

E-mail : apolonio.dulatre@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill sb1466

Leland Jardine

Zip code : 96727

E-mail : leland_2008@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

If you can prove that it true than get your order

Myrle Francis

Zip code : 1902

E-mail : JCSmyrle@aol.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466 because who is to say the person poses a threat? If they truly cared for that person, they should seek mental health assistance for them rather than taking away their belongings which might make the situation worse!

Courtney Kealohapauole

Zip code : 96753

E-mail : c.kealohapauole@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Aloha,

I am writing to go on the record and OPPOSE SB1466. These so-called, "red flag" laws do nothing other than infringe on the second amendment as well as circumvent the fifth amendment of the Constitution of the United States. To provide no recourse for individuals who may be mistakenly or maliciously targeted through misuse of such legislation described in SB466 is ineffective and unnecessary. Setting about to strip a person of a right merely because "he/she said" is unequivocally wrong. I therefore urge you to OPPOSE SB466.

Mahalo,

-James P.

James Palicte

Zip code : 96744

E-mail : dewd019@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB 1466

Keith Kawai

Zip code : 96825

E-mail : keith.kawai01@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

OPPOSE Bill SB1466. As determined by who and for what reason?. All it takes is a family conflict to allow one family member to falsely make this claim and the firearm owner would be forced to prove their own innocence based on a false allegation

Joel Jenkins

Zip code : 96706

E-mail : Jenkins785@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466. We cant punish people for what they might do. There is no way to stop the false accusations of people just out to accuse others just cause they can. People crying wolf.

Kawika Freitas

Zip code : 96825

E-mail : david.freitas82@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466 as it is subjective and may prevent a non-violent, law abiding citizen from otherwise obtaining a firearm, which is a constitutional right.

Alan Koons

Zip code : 96740

E-mail : koons.alan@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

OPPOSE bill SB1466

Shayne Veriato

Zip code : 96720

E-mail : apeaila@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

OPPOSE bill SB1466

US Citizens have US Constitution 2nd Amendment Rights - SHALL NOT BE INFRINGED

Hawaii Citizens have State of Hawaii 2nd Amendment Rights - SHALL NOT BE INFRINGED

Hawaii 2nd Amendment reads exactly as the US Constitution 2nd Amendment

Uphold your oath of office and defend my rights as a citizen of the United States of American
and The State of Hawaii.

You work for me public servant - stop usurping us and tell us to submit to unconstitutional law

Kenneth Proctor

Zip code : 96793

E-mail : aka333@hawaii.rr.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466. The lack of governmental procedure with the handling of my previous letter is criminal. When would you like to start regulating freedom of speech? This is a slippery slope and this government is reflecting fascist policies from the last 100 years. Way to move forward.

Ben Sasaki

Zip code : 96706

E-mail : ben.sasaki@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB1466 as it unfairly discriminates against gun owners without due process. This is a perfect way for the state to confiscate weapons on a whim.

William Florig

Zip code : 96797

E-mail : billflorig@icloud.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466

Deven English

Zip code : 96797

E-mail : kamea6@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose this because tro process already covers this and will not reduce crime

mike taketa

Zip code : 96753

E-mail : miketaketa@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466

Byon Nakasone

Zip code : 96793

E-mail : info@roby-inc.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466 due to the fact that this bill removes due process and one of the great things about our nation that you are innocent until proven guilty by due process and the ability for someone accused of something to defend themselves against the accusations.

Kyle Murray

Zip code : 96782

E-mail : bs63366@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB1466 as it infringes upon a person's due process and presumption of innocence before being proven guilty

Sean Langley

Zip code : 96701

E-mail : viper2681@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Oppose SB1466

Stanley Mendes

Zip code : 96776

E-mail : bhunter808@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill sb1466. I am a law abiding citizen that pay my taxes and deserve the right for my 2nd amendment. This is a unfair law in which can result in persons to make false claims.

Danny Yamada

Zip code : 96797

E-mail : d808yamada@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466. I am a lifelong resident of Hawaii and a registered voter.

This bill does nothing to provide due process, which all U.S. citizens have a right to. A false accusation by a malicious individual can lead to confiscation of firearms.

Mahalo for your consideration.

Jeffrey Fujimoto

Zip code : 96734

E-mail : jefffujimoto@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

oppose

andy lee

Zip code : 96789

E-mail : andylee_md@msn.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

If the person commits a felony, then he/ she would get their 2nd amendments right taken away. But, a court order should not be a venue to do the same as the above mentioned....our right to bear arms is what makes Americans free and it's what we are fighting for....

Ricky Carvalho

Zip code : 96720

E-mail : oaktree@sandwichisles.net

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466. I understand the well intentions of this bill to prevent guns being used illegally. However, this bill would remove due process and potentially stripping anyone of their rights at any given time. Hawaii already has one of the lowest gun deaths in the nation as it says in the bill. So passing more restrictive bills such as this is unnecessary.

Please oppose this bill.

Marc Miyaki

Zip code : 96782

E-mail : law@hanabada.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466

John Cavaco

Zip code : 96744

E-mail : toejam59@live.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466 wholeheartedly because of safety for those under this age and their family and the agreement of the second amendment. If you begin to change and alter, pick and choose what you want to use from the United States constitution, whatâ€™s to stop you from creating an even more evil agenda. One befitting for Places such as China, North Korea, Russia, where you have no say. I say NO to bill SB1466!!!

Kamakani De Dely

Zip code : 96792

E-mail : kamakaniolu@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB1466.

Misae Wela

Zip code : 96720

E-mail : kamehonu@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB1466

Christy Gusman

Zip code : 96784

E-mail : ckgusman@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Oppose

Trevor Child

Zip code : 96743

E-mail : t.child26@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

As a resident of Hawai'i, I strongly oppose SS1466 and ask you to oppose also.

I am a firm believer in due process and the presumption of innocence until proven guilty in a court of law. SB1466 removes this and strips someone of their rights without even having able to defend themselves against their accusers. There is no crime committed, yet they are presumed guilty and stripped of their rights. The first time they will find out about it is when the police is serving them at their door with the warrant.

This makes me think of a law you might hear some other Country would implement. Maybe it would remind one of Orwell's "1984" where someone could be arrested by the "Thought Police" and taken to room 101... But not here, The United States of America would never have a law on the books like this. Even the most basic high school dropout that probably cruised through Civics class could see how this proposed law treads on the Bill of Rights and the Constitution.

I ask you again to please oppose SB1466.

Thank you,

Seth Addison

Seth Addison

Zip code : 96706

E-mail : sethaddison@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466 because all it takes is a vindictive spouse, family, cop to falsely accuse you without due process. Then it becomes a long and possibly permanent process to gain back your firearms if you did no wrong.

Paul Kaneshiro

Zip code : 96782

E-mail : papioboy@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bil SB 1466 that Establishes a process by which a law enforcement officer or family or household member may obtain a court order to prevent a person from accessing firearms and ammunition when the person poses a danger of causing bodily injury to oneself or another. *

Walter Child

Zip code : 96743

E-mail : wcinkona@usa.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Ii OPPOSE bill SB1466

thomas galli

Zip code : 96816

E-mail : tom1.galli@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466

Brice Toyama

Zip code : 96720

E-mail : gohon83@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466. Some one could make a false claim against me, or a family member or ex wife ex girlfriend could take revenge and make false claims. This will cause me to lose my legally obtained private property. We all know what happened with the mail box.

Charles Ferrer

Zip code : 96782

E-mail : cferrer@hawaii.edu

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466.

This bill accomplishes nothing more than relieving the state of the burden of due process.

It relies on hearsay evidence to remove a Constitutionally protected right.

There have already been a number of unnecessary deaths attributed to "Red Flag" laws just like this. There is also precious little evidence such laws have their intended effect, while there is evidence that they are abused by people intent on vindictiveness and mischief.

There is no such thing as "Pre Crime".

You cannot prosecute or persecute a person for something they have yet to do.

It's Unconstitutional.

Edward Hampton

Zip code : 96825

E-mail : oldskipper1@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB1466 in every aspect. It violates the second amendment!

Gil Frank

Zip code : 96789

E-mail : taiboku@hawaaii.rr.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB1466

Joshua Yamashiro

Zip code : 96706

E-mail : jyamashiro@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB1466

Jacob Bruhn

Zip code : 96744

E-mail : Rockpounda@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I strongly OPPOSE bill SB1466. Totally unconstitutional. What happened to innocent until proven guilty? This is a travesty like restraining orders. Anyone can show up lie and get a TRO then someone loses their rights until they have a chance to talk to a judge. This will be another abuse of power

Brian Ley

Zip code : 96778

E-mail : brianLey0522@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

oppose

Catherine Lee

Zip code : 96789

E-mail : cathrinelee0414@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

oppose this bill

tony Lee

Zip code : 96789

E-mail : ling0821@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I strongly oppose SB 1466.

There are already mechanisms to remove firearms and ammunition from people deemed to be dangerous, it is through the courts allowing for due process, why do we need more laws.

Edward Sosta

Zip code : 96792

E-mail : dustoff003@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPSE SB1466,

This law violates the civil rights of the accused. We already have laws on the books for people to report dangerous individuals. This bill is reminiscent of communist Russia where good little communists reported dissenters to the government for re-education.

This bill is too overreaching, you cannot punish people for crimes they have yet to commit. Are gun owners in Hawaii guilty until proven innocent?

Mitchell Weber

Zip code : 96789

E-mail : Mdotweber@icloud.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466 due to not having safeguards of this process to be open to abuse. Until safeguards can be assured, a person making a claim could have their own motivation to make claim. For example, an angry ex or family member. As for law enforcement, without safeguards, it opens for this to be an abusive tool on someone who is not a risk. The phrase, "Shall Not Be Infringed" also comes to mind.

Bruce Hirakawa

Zip code : 96782

E-mail : soulman1437@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I Oppose bill SB1466. This proposed bill is unconstitutional, it takes away a persons right. Anyone could make an act a false accusation against another person. The legislation that is in place for a mental evaluation is enough ...

Michelle Beeson

Zip code : 96722

E-mail : beesons4@hawaii.rr.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB1466 because it doesn't give a person the constitutional rights to due process. A person has the right to there day in court before his constitutional rights are taken away from him

Robert Martin

Zip code : 96825

E-mail : boalou@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I strongly OPPOSE bill sb1466.

I am a Kailua resident & registered voter

Jake Hanawahine

Jake Hanawahine

Zip code : 0

E-mail : da808rock@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466, this and other 'Red Flag' laws are open to abuse and deny any due process, and once you're 'in the system' it's nearly impossible to get out of it. On the mainland a man was killed by police serving one of these court orders. They came at 5 in the morning unannounced and he answered the door armed. It was later revealed that a family member (that did NOT live with them) got into an argument about politics, and in a moment of petty vengeance filled a false report saying that 'he threatened me, I fear for my life, he has guns'.

Michael Rice

Zip code : 0

E-mail : generalikaika@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466 on the grounds that it is unconstitutional for the state Or any person to infringe on the 2nd Amendment right to bear arms of anyone else. The determination of danger to cause bodily injury to oneself or another is ill-defined and subjective. The reality is that if we begin treating people who haven't committed crimes as if they are criminals, it's a very dangerous path to facism and loss of personal freedoms at the governments discretion. I certainly don't need the governments protection if i am allowed to protect myself.

Joshua Nelson

Zip code : 96816

E-mail : josh.teamnelson@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466 as this bill will not deter criminals nor will it prevent any gun violence as criminals do not follow laws and will continue to break them. This bill will only make it more difficult for the law abiding gun owner.

Danny Tran

Zip code : 96707

E-mail : Syntheticllc@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB1466. "Shall not be infringed".

Brandon Thompson

Zip code : 96789

E-mail : branz95@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I strongly OPPOSITE SB1466 as it infringes on our right to due process and sets an extremely low evidentiary standard to do so. It forces the accused to prove their innocence, flipping "innocent until proven guilty" on its head. We would presume someone to be guilty based on nothing but third party reports.

Justin Enos

Zip code : 96813

E-mail : jdkenos@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill sb1466. A person who owns firearms should be able to defend themselves and demonstrate that they are responsible to handle their firearms safely before they get taken away based on what someone else says about them.

Brandon Weeks

Zip code : 96778

E-mail : wrxtremeracersti@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466.

Sincerely,

Ray Bala

Ray Bala

Zip code : 96817

E-mail : blackeyepro@sbcglobal.net

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill sb1466

A law enforcement officer can already disarm a person deemed dangerous. There will be no recourse for a person falsely accused by a vengeful individual. Poorly written law.

Walter Kanemori

Zip code : 96786

E-mail : weekendhobby@hawaii.rr.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466. Such a court order would deprive a person of their property without due process. If property could be seized and their possessions could be searched on such a low standard of proof, why not just imprison people based on a court order? Those things are both defended equally by the 5th amendment. Such a law would only waste tax money in the courts.

Ross Mukai

Zip code : 96822

E-mail : rossmukai@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB 1466 ... this bill violates everyone rights without due process. So in example! If I donâ€™t like John for any reason because we donâ€™t get along. I can go get a court order and ban him from his constitutional rights just because I was being childish and wanted to mess with him. Even tho he has done nothing illegal at all..

Aaron Pule

Zip code : 96706

E-mail : aaronpule@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE SB 1466

violates due process

no right to face your accuser

denies right to a fair hearing

opens the State of HI up to HUGE lawsuits

steven kumasaka

Zip code : 96821

E-mail : macsak@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466 because we already have restraining orders so this is totally unnecessary. Why did this get proposed at the same time as about ten other anti-gun laws? Hawaii has basically no gun crime, so who is this aimed at? Why are we criminalizing gun owners instead of talking about mental health, talking about helping people find meaning in life or get the care they need? Why are we spending money on witch hunts for gun owners instead of helping all the people living on the street right now?

Katherine Neal

Zip code : 96820

E-mail : spaceyacht@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I Ed, Oppose bill SB1466

Ed Roger Dela Cruz-Cabato

Zip code : 96786

E-mail : subiejunkie808@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I strongly oppose bill SB1466 due process is key to our Constitutional Republic. This bill goes against all our republic stands for.

Carl Jellings

Zip code : 96792

E-mail : carl_jellings@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill SB1466. A founding principle of our legal system is innocent until proven guilty. This bill proposes seizure of legal property when no law has been broken, no arrest has been made, and no charges have been filed. Sounds like illegal seizure of property to me. Recently, someone was accused of shooting their girlfriend in the head. The suspect has 22 prior convictions! Please focus on getting known (convicted!!) criminals off the street instead of seizing the property of those who have committed no crime. Additionally, this opens a very scary door that allows someone to ruin someone else's life and reputation without any evidence. All it takes is an angry person willing to lie. That is not sufficient grounds for action of any kind, especially actions ignoring due process.

Harold Snyder

Zip code : 96704

E-mail : halsnyder@mac.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Aloha, I OPPOSE bill SB1466, because it is redundant, solves no problems or crimes. There is already a way to obtain a court order to prevent someone from accessing firearms and ammunition. It is called a Temporary Restraining Order. This new proposed law does nothing new and is just a duplication of services that already exists within our past laws. I am a former police officer and current investigator and from experience I can say that we the people would be better served if you were better able to deal with the mentally ill and provide for services for them. Aside from law enforcement experience, I am also a firearms instructor and hold a federal firearms license. I am very aware of the firearms laws of this state and can assure you that they are already quite strict when compared to the rest of the country. Please focus your efforts on more important and crucial matters like easing our tax burdens or helping the homeless. Mahalo for your time.

Shane Gali

Zip code : 96720

E-mail : sgali@netzero.net

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose this Bill SB1466. This is embarrassing to these United States that we are now at a place to be guilty until proven innocent! I grew up in a country where you were innocent until proven guilty not the opposite. This gives way for anybody to make false accusations for the purposes of revenge retaliation discrimination just plain hatred of a law-abiding citizen to have their rights taken away and their Time money and reputation to be thrown away at someone else's expense for an accusation. This is just plain wrong

Ananda beeson

Zip code : 96754

E-mail : anandab@hawaii.rr.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Oppose. 5th amendment right to due process says the government can't take my property unless I have the ability to defend my innocence in a court of law. You are basically treating all law abiding gun owners as criminals for anyone who may have a grudge against them.

Wayne Berdon

Zip code : 96826

E-mail : islandromeo81@aol.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I am a lifelong resident of Hawaii, a high school teacher and a VOTER, I oppose SB466.

Len Ferguson

Zip code : 96797

E-mail : lenferguson@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE SB1466 on the precedence that similar HOUSE BILL HB792 was deferred during this 2019 session. SB1466 does NOT allow for due process.

Kevin Kacatin

Zip code : 96782

E-mail : ukazzh@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Dear Senators and Representatives,

Did you watch the news about the home invasion in Waianae on February 3, 2019? A older woman and young child were assaulted by 2 people with a baseball bat. Many home invasions occur in Hawaii. How are people to protect themselves in their own home if you take away their guns. Put yourself in their position. What would you do? Think about it.

Criminals will not follow any laws made. Only good citizens will be punished and hurt by your gun laws.

SB466 is unconstitutional and a violation of the 2nd Amendment. Citizens have a right to bear arms, to protect themselves.

You cannot limit how a person can protect themselves or the number or rounds a rifle or pistol can contain. I watch the news, when home invasions occur, there is always more than 1 person. It usually is a group of thieves. Why limit the number of rounds a person can have to protect themselves.

These laws were brought about due to news constantly reporting criminals committing shootings. Those individuals are criminals, there is no logical reasoning that criminals will follow any laws you create. Why punish the many non-criminals when a minority of criminals commit a crime. There is no sound reasoning to this. Every time a criminal commits a crime, it's the good citizen that is punished, you have the victim, then the public.

I will take legal action if my rights are violated and so will many others. This is a violation of my constitutional rights and there will be no compensation for my property. How am I to defend myself, how are elders and the weak to defend themselves against criminals? Have you given any thought of this?

All you are doing is punishing good people.

These lawsuits will cost tax payers. The constituents will blame you for bringing this about.

Sincerely,

Ed

Ed Au

Zip code : 96701

E-mail : edau@live.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

Again... due process... 1st amendment, 2nd amendment, 4th and 5th Amendments... again, no justifications for such dramatic result which again comes about without proper process and protections of ones rights and privileges..... Number one, if you feel someone is a threat, get a court order or whatever you need to get that person evaluated first by a doctor of his/her choice, not a rubber stamp for ideological premise.

Tom Lodge

Zip code : 96749

E-mail : hawaiihuntingassociation@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466.

Edsel Gum

Zip code : 96817

E-mail : edgum@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose SB1466. So, if I think you're a danger to yourself or others, I can go have your rights restricted, no matter what you say?

Scott Grohpwski

Zip code : 96744

E-mail : scottgrohowski@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I strongly oppose any law that removes due process, and removes fact and evidence based judgment on any law abiding citizen.

Removing ones rights require a person to face accusers, and a judge, and be able to plead their case.Â

One cannot remove one rights or freedom by mere accusation in the United States of America!

This is a complete waste of taxpayer dollars.Â Gun violence is a NON issue in Hawaii, compared to ALL the other problems that need IMMEDIATE ATTENTION in this State.

Do not waste time on these anti gun agenda bills.Â They go against the Constitution of the United States, the constitution of Hawaii, AND are in contrary to your sworn oaths when you took office!

I am a voter, and I promise you, no gun control and anti-Constitution legislator will never get another vote from me, or from those who would defend freedom.

Brendon Heal

Zip code : 96707

E-mail : heaviescc@gmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE Bill SB1466.

Apolonio Dulatre

Zip code : 96792

E-mail : apolonio.dulatre@yahoo.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I OPPOSE bill SB1466

Cory Yuh

Zip code : 96706

E-mail : cyuh2@hotmail.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

OPPOSE bill SB1466

Sheldon Miyakado

Zip code : 96817

E-mail : sheldon@hawaii.rr.com

Senate Committee on Judiciary

HEARING: Friday, February 22, 2019 9:00am

RE: SB 1466 : RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

Testimony in OPPOSITION

I oppose bill sb1466.

Sean Everett

Zip code : 0

E-mail : sgemaui@yahoo.com

SB-1466-SD-1

Submitted on: 2/21/2019 5:37:23 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Philip T. Rapoza	Individual	Oppose	No

Comments:

LATE

SB-1466-SD-1

Submitted on: 2/21/2019 9:21:53 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

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

Comments: