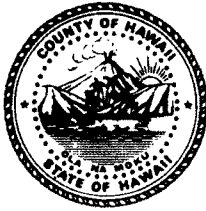


Harry Kim
Mayor



Roy Takemoto
Managing Director

Barbara J. Kossow
Deputy Managing Director

County of Hawai'i Office of the Mayor

25 Aupuni Street, Suite 2603 • Hilo, Hawai'i 96720 • (808) 961-8211 • Fax (808) 961-6553
KONA: 74-5044 Ane Keohokālole Hwy., Bldg C • Kailua-Kona, Hawai'i 96740
(808) 323-4444 • Fax (808) 323-4440

February 4, 2020

Representative Chris Lee, Chair
Representative Joy A. San Buenaventura, Vice Chair
Committee on Judiciary

Representative Gregg Takayama, Chair
Representative Cedric Asuega Gates, Vice Chair
Committee on Public Safety, Veterans, & Military Affairs
Hawai'i State Legislature

Dear Chairs Lee and Takayama, Vice-Chairs San Buenaventura and Gates, and Committee members:

RE: HB 1733 Relating to Firearms
HB 2744 Relating to Gun Violence Prevention
HB 2631 Relating to Mental Health
HB 1615 Relating to Firearms
HB 2736 Relating to Firearms Ammunition

The First Amendment to the Constitution of the United States provides for freedom of religion, speech, and press; and the right to peaceably assemble and to petition the government. Yet, as fundamental and sacrosanct as those values are to America, few if any would argue that those freedoms are not subject to reasonable restrictions (take the cliché of "yelling 'Fire' in a crowded theater").

Similarly, the Second Amendment guarantees the right to keep and bear arms. This right, too, must be subject to reasonable restrictions, or else we would each be able to have our own machine gun mounted on our mantelpiece or strapped over our shoulders.

So the question comes down to what is reasonable. That should be determined by a free people acting through their elected representatives, in this case our State Legislature. And given the times in which we live, and the carnage that we have witnessed both in our own state and across the country, I thank you for taking on the divisive but crucial task of deciding what reasonable restrictions might be.

You have before you today four bills that impact the right to keep and bear arms: HB 1733 would prohibit the assembly of a gun that would not have a serial number (a "ghost gun") and mandate a serial number for firearms brought into Hawai'i that do not already have one.

HB 1733 Relating to Firearms
HB 2744 Relating to Gun Violence Prevention
HB 2631 Relating to Mental Health
HB 1615 Relating to Firearms
HB 2736 Relating to Firearms Ammunition

February 4, 2020

Page 2

HB 2631 calls for a review of mental health records when issuing a permit to acquire a firearm. While this provision might require some elaboration as to whether it would apply to otherwise confidential medical records, the idea of keeping guns out of the hands of those with mental illness has been endorsed both by gun advocates and opponents.

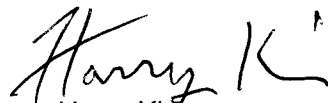
HB 1615 would prohibit possession of a loaded firearm while intoxicated. Is this a difficult issue on which to find common ground?

Fourth, HB 2736 would regulate ammunition the same way firearms are regulated, and require the licensing of sellers of ammunition. It would seem that this proposal would be particularly valuable in the case of a firearm that is lost or stolen, but in any event, I cannot help but think of the slogan that "Guns don't kill people; people kill people." Well, maybe guns don't kill people, but ammunition certainly does.

There is very little in these four bills that would not be a reasonable regulation affecting the right to keep and bear arms, and I support them all. However, I would urge this Committee to address the confidentiality issues in HB 2631 related to mental health records (either by requiring the waiver of confidentiality in order to secure a firearm, or by limiting the records to be reviewed to court and/or public records).

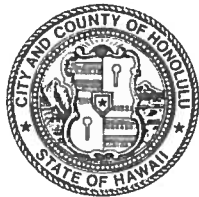
A fifth bill on your agenda is HB 2744. It would not affect the right to keep and bear arms, but simply establish a "gun violence prevention center" at the University. This bill recognizes that research at the national level has largely been stymied by those who anticipate that the results of study will not be favorable to their cause. I believe that public policy thrives when based on good data and research, and I therefore heartily endorse HB 2744. Restricting research should be a cause of national concern, which we can partially overcome by taking on the research task locally.

Respectfully Submitted,


Harry Kim
MAYOR

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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



KIRK CALDWELL
MAYOR

SUSAN BALLARD
CHIEF

JOHN D. McCARTHY
CLYDE K. HO
DEPUTY CHIEFS

OUR REFERENCE DN-DNK

February 6, 2020

The Honorable Gregg Takayama, Chair
and Members
Committee on Public Safety, Veterans, and
Military Affairs
The Honorable Chris Lee, Chair
and Members
Committee on Judiciary
House of Representatives
Hawaii State Capitol, Room 325
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chairs Takayama and Lee and Members:

SUBJECT: House Bill No. 1733, Relating to Firearms

I am David Nilsen, Major of the Records and Identification Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports House Bill No. 1733, Relating to Firearms.

This bill seeks to prevent "ghost guns" from being acquired by Hawaii residents. This bill requires these firearms to be purchased through a registered firearm dealer to ensure that the completed firearm is properly permitted, registered, and engraved with a serial number.

Thank you for the opportunity to testify.

APPROVED:

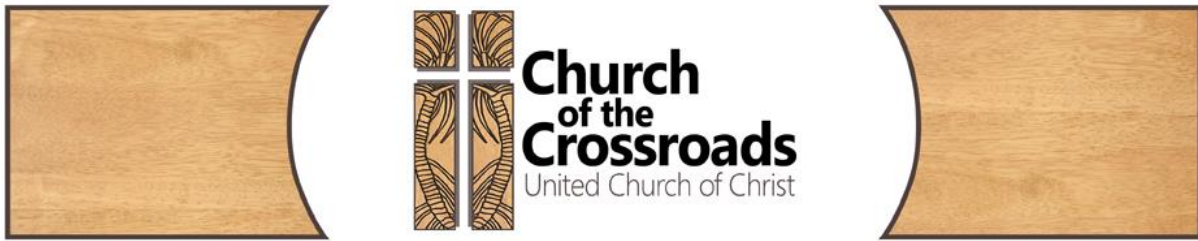
A handwritten signature in cursive script that reads "Susan Ballard".

Susan Ballard
Chief of Police

Sincerely,

A handwritten signature in cursive script that reads "David P. Nilsen".

David P. Nilsen, Major
Records and Identification Division



A Just Peace and Open and Affirming Congregation

Testimony of Church of the Crossroads
IN SUPPORT OF HB 1733
To the House Committees on Public Safety & Judiciary
Date: February 6, 2020, 2:05pm, Conf. Room 325

The Church of the Crossroads was founded in 1922 as Hawaii's first intentionally multiethnic church. We are a Just Peace Church of almost 200 members. **We have voted unanimously to support this bill.**

The State should prohibit the purchase, manufacture, and acquisition of firearm parts for the purpose of assembling firearms having no serial number, as this evades important permit procedures and related background checks that are intended to protect the public prior to anyone acquiring a firearm.

Firearms registration and permit requirements provide essential protections for public safety by requiring criminal background checks, mental health background checks, certain standards for safety training for firearms, and other legal requirements.

"Ghost guns" are assembled from firearm components to create a new firearm that has no registration, serial number, or permit. Printing 3D plastic guns and creating guns from component parts should be prohibited because, having no serial number, those firearms evade the permit and registration process, thus providing no protection for the public as to who can acquire such guns. Moreover, plastic guns are particularly dangerous because they cannot be detected by many existing security screening devices, thereby endangering us all when plastic firearms are brought onto airplanes and other places where firearms are prohibited.

The State has a strong interest in assuring that all firearms are subject to the same stringent requirements for registration, permit and background checks, based on a unique serial number that accurately identifies each firearm in the State. Any efforts to evade those requirements by private manufacture of firearms without serial numbers and without legal permit procedures, should be prohibited.

Thank you for your consideration of this important issue.

Respectfully submitted by Ellen Godbey Carson, for the Church of the Crossroads
February 3, 2020

HB-1733

Submitted on: 2/4/2020 3:05:14 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Cheryl Vasconcellos	Hana Health	Support	No

Comments:



The Honorable Chris Lee, Chair
The Honorable Joy A. San Buenaventura, Vice Chair
House Committee on the Judiciary

The Honorable Gregg Takayama, Chair
The Honorable Cedric Asuega Gates, Vice Chair
House Committee on Public Safety, Veterans, and Military Affairs

State Capitol, Room 325
Honolulu, Hawaii 96813

HEARING: Thursday, February 06, 2020, at 2:05pm

RE: HB1733 Honolulu Police Department Package; Firearms; "Ghost Guns"; Registration

Aloha Members of the Senate Committee,

The Hawaii Firearms Coalition OPPOSES HB1733.

The Hawaii Firearms Coalition opposes this bill due to the following reasons:

1. The wording of this bill is so vague that any aftermarket part could be considered as being part of a "ghost gun". The definition of what is a firearm is narrowly defined for good reason. Firearm receivers are only deemed to be a firearm when it is over the 80% limit. This legislation would include any item that may be used to make a firearm receiver, such as a block of aluminum, a block of plastic, or even a shovel. Clearly the authors of this bill have no clue how firearms are made and thus should not be trying to conceive of laws that would make good people into felons. Even worse, the near incomprehensible wording of this bill would include most unregistered aftermarket parts used by most firearms owners.
2. The right to keep and bear arms very clearly applies to the ability of citizens to manufacture their own arms. If only licensed companies could make firearms, all a tyrannical government would have to do to stop guns from being sold is to suspend the licenses of the manufacturers or make them liable for the actions committed by the end user.

Please vote no or amend this proposed legislation.

For these reasons the Hawaii Firearms Coalition Opposes HB1733. Thank you for your consideration.

Mahalo

Jon Webster Abbott

Director, Hawaii Firearms Coalition

PH. (808) 292-5180

Email: jonwebsterabbott@yahoo.com

LATE

HB-1733

Submitted on: 2/5/2020 8:35:59 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Bill Richter	Lessons in Firearms Education	Oppose	No

Comments:

Re: HB1733

To whom it may concern:

It has always been legal to manufacture a firearm for your personal use. Please name one gun crime in Hawaii committed with a "homemade" gun without a serial number.

Bill Richter, President

Lessons in Firearms Education

NATIONAL RIFLE ASSOCIATION OF AMERICA

INSTITUTE FOR LEGISLATIVE ACTION

11250 WAPLES MILL ROAD

FAIRFAX, VIRGINIA 22030



NRA

LATE

February 6, 2020

The Honorable Gregg Takayama
Chairman, House Committee on Public Safety, Veterans and Military Affairs
Hawaii State Capitol, Room 323
Honolulu, Hawaii 96813

Dear Chairman Takayama:

On behalf our members in Hawaii, I would like to communicate our opposition to the following bills:

House Bill 1733 prohibits the purchase and manufacture of certain firearms parts by private individuals in an effort to ban the longstanding tradition of building a firearm for personal use. Further this vague language subjects individuals to felony penalties for non-compliance.

House Bill 2744HD1 while the NRA is not opposed to objective research involving sound science, we are concerned that this can be misused to advocate for predetermined policy positions and generate anti-gun propaganda.

House Bill 2631 requires the chief of police to attest that a review of an individual's mental health records had been completed prior to issuance of a firearm permit. The legislation is broad in scope, not placing limits on the inquiry to prohibiting factors or adjudications.

House Bill 1615 criminalizes an individual for possession of a loaded firearm on their own property after consuming any alcohol. This bill does not even include a self-defense exception.

House Bill 2736 restricts ammunition purchases and possession to those who provide a proof of firearm registration for the particular caliber of purchase in addition to licensing ammunition sellers.

I urge the committee to uphold the rights of their constituents and join us in opposition to these bills.

Sincerely,

Daniel Reid

NATIONAL RIFLE ASSOCIATION OF AMERICA

INSTITUTE FOR LEGISLATIVE ACTION

11250 WAPLES MILL ROAD

FAIRFAX, VIRGINIA 22030



NRA

Hawaii State Director
NRA-ILA

HB-1733

Submitted on: 2/4/2020 3:52:12 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
hugh jones	Individual	Support	No

Comments:

1. am writing in support of this bill to ban Ghost guns.

Firearms registration and permit requirements provide essential protections for public safety by requiring criminal background checks, mental health background checks, certain standards for safety training for firearms, and other legal requirements.

Printing 3D plastic guns and creating guns from component parts should be prohibited because those firearms have no serial number and evade the permit and registration process, thus providing no protection for the public as to who can acquire such guns. Any efforts to evade those requirements by private manufacture of firearms without serial numbers should be prohibited.

Moreover, plastic guns cannot be detected by many existing security screening devices, thereby endangering us all when plastic firearms are brought onto airplanes and other places where firearms are prohibited.

HB-1733

Submitted on: 2/4/2020 4:09:11 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

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

Comments:

I am writing in support of this bill to ban Ghost guns.

Firearms registration and permit requirements provide essential protections for public safety by requiring criminal background checks, mental health background checks, certain standards for safety training for firearms, and other legal requirements.

Printing 3D plastic guns and creating guns from component parts should be prohibited because those firearms have no serial number and evade the permit and registration process, thus providing no protection for the public as to who can acquire such guns. Any efforts to evade those requirements by private manufacture of firearms without serial numbers should be prohibited.

Moreover, plastic guns cannot be detected by many existing security screening devices, thereby endangering us all when plastic firearms are brought onto airplanes and other places where firearms are prohibited.

HB-1733

Submitted on: 2/4/2020 10:59:34 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

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

Comments:

It is already illegal in the State of Hawaii to possess a firearm that has not been registered with the Honolulu Police Department. This measure literally does not and will NEVER prevent the act of a crime.

Stringent penalties of those convicted of committing firearm-related violence should be the focus of this Legislature.

HB-1733

Submitted on: 2/4/2020 11:02:47 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

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

Comments:

This is an issue for ATF to figure out, as Federal policy has created the problem. Once that has happened, then the problem of partially manufactured firearms can be addressed by Hawaii, if necessary.

HB-1733

Submitted on: 2/4/2020 11:21:25 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

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

Comments:

HB-1733

Submitted on: 2/4/2020 12:36:48 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lyle Hlromoto	Individual	Oppose	No

Comments:

HB-1733

Submitted on: 2/4/2020 12:43:03 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Marcus Tanaka	Individual	Oppose	Yes

Comments:

I oppose this bill.

The first part of the wording is FALSE. It says a person can assemble a firearm and bypass registration and other legal requirements. Once a firearm is started to be made, the owner has 3 days to bring it to HPD to register it. Also there are federal laws about when to add on a serial number. The bill also states with minimal expertise to assemble to gun is needed. That is false. I would say if someone knows how to replace their own alternator in a car, then they would be able to assemble a "ghost gun". How many people do you know that knows how to install their own alternator for their car, or would they take it to a mechanic? Most of us take our cars to the mechanic. Guns with no serial numbers are already illegal under state and federal law.

So this law would do nothing because criminals/felons do not follow the law.

Lets go through why this law is bad. Section 2 (1)-It is already law that all firearm receivers must have a serial number. If there is no serial number, then it is not a "receiver" yet. It's just a chunk of plastic or metal. Is having a block of aluminum going to be needing a serial number? The answer is no. Section 2 (3) Any cobo o fparts of which a firearm can be functional. This refers to any spare parts. Barrels, springs, triggers, slides, pins, butt stocks, etc...All parts which do break on firearms. So this section says that replacement parts for legal firearms are not allowed. So an owner would have to buy an entire new gun instead of just replacing the broken aprt.

To make a firearm, it would cost about \$500-\$600 just in the parts alone. To buy a stolen firearm cost about \$150. Now that \$500 is if the felon makes it. But we also have to add in the cost of all tools needed, so add another \$150 to that \$500 base price. Now if someone else makes it illegally for them, they won't be making it for

free. They're going to mark it up to say \$1,000. So why would a felon who might have to toss the gun spend \$1,000; when they could spend \$150 instead. And also guns not made at a factory are also not as reliable. Which means the gun won't work. So to spend \$1,000 on a not reliable firearm makes no sense.

This bill came across due to the lucky strike shooting. Even in the video, the shooter's gun jammed. Which is the point I bring up above. He also broke many laws already in the books. Laws like having a gun and no CCW permit. Our places to keep law for both guns and ammo. Murder is also illegal. So do you think by having 1 more law, a criminal won't break it? The answer is no. This bill would only make it harder for law-abiding citizens to repair and customize their legal firearms.

HB-1733

Submitted on: 2/4/2020 1:27:11 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

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

Comments:

I support this bill to restrict undetectable and untraceable firearms in our state.

HB-1733

Submitted on: 2/4/2020 3:23:36 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
MORGAN CUIZON	Individual	Oppose	No

Comments:

HB-1733

Submitted on: 2/4/2020 3:26:43 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Megan Takagi	Individual	Support	No

Comments:

I am writing in support of this bill to ban Ghost guns.

Firearms registration and permit requirements provide essential protections for public safety by requiring criminal background checks, mental health background checks, certain standards for safety training for firearms, and other legal requirements.

Printing 3D plastic guns and creating guns from component parts should be prohibited because those firearms have no serial number and evade the permit and registration process, thus providing no protection for the public as to who can acquire such guns. Any efforts to evade those requirements by private manufacture of firearms without serial numbers should be prohibited.

Moreover, plastic guns cannot be detected by many existing security screening devices, thereby endangering us all when plastic firearms are brought onto airplanes and other places where firearms are prohibited.

HB-1733

Submitted on: 2/4/2020 3:49:35 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

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

Comments:

Greetings,

I am opposed to HB 1733. This Bill is a waste of time and effort. It could even make collectors of antiques a felon (many pre- WWII firearms do not have serial numbers). Criminals will not be deterred by this law.

Sincerely,

Kevin J. Cole, Col. USAF ret. Mililani

HB-1733

Submitted on: 2/4/2020 3:52:20 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Vern Hiromoto	Individual	Oppose	No

Comments:

HB-1733

Submitted on: 2/4/2020 6:07:47 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

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

Comments:

I wish to add my voice in strong OPPOSITION to this proposal as it is already against the law in Hawaii to be in possession of an unregistered firearm. In addition, this law would make the possession of "gun parts" a class C felony.

Firearms enthusiasts, much like car enthusiasts, enjoy changing out the many different after market parts that are widely available. Whether it be a heavier barrel for a more precise shot group, or a different hand guard for a more comfortable grip, or to accommodate a disability, a wide range of after market parts are available and are sought out by firearm owners to customize their property. The vagueness of this law, as with so many others, leaves such a broad interpretation that any non-serialized parts would be outlawed. A vast majority of the law abiding firearms community enjoys this aspect of customization. This law will hurt them!

"Manufacturing" firearms has been a central issue to the right to bare arms since it's inception. Courts have long held that as long as the firearm is made for the personal use of the maker and he is qualified to own the firearm (ie, not a felon) that manufacture could not be outlawed.

Firearms laws in Hawaii are already among the strictest in the nation. Owners of firearms are registered with our local police departments and watched under microscopes. We are among the most law-abiding citizens in Hawaii, yet we are held accountable for the actions of the mentally unstable and heinous sociopaths, with the ever constant chipping away of our Constitutional right to bear arms.

Why does the Hawaii Legislature place a higher value on the rights of criminals than those of it's law-abiding citizens??

HB-1733

Submitted on: 2/4/2020 7:18:32 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jacqueline Lee	Individual	Support	No

Comments:

I am writing in support of this bill to ban Ghost guns.

Firearms registration and permit requirements provide essential protections for public safety by requiring criminal background checks, mental health background checks, certain standards for safety training for firearms, and other legal requirements.

Printing 3D plastic guns and creating guns from component parts should be prohibited because those firearms have no serial number and evade the permit and registration process, thus providing no protection for the public as to who can acquire such guns. Any efforts to evade those requirements by private manufacture of firearms without serial numbers should be prohibited.

Moreover, plastic guns cannot be detected by many existing security screening devices, thereby endangering us all when plastic firearms are brought onto airplanes and other places where firearms are prohibited.

HB-1733

Submitted on: 2/4/2020 7:56:51 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Carolyn Pearl	Individual	Support	Yes

Comments:

As a longtime resident of Hawaii, I am proud to live in the state with some of the best common sense gun safety laws in the country. These laws protect us from much of the horrifying gun violence that is so prevalent across the mainland, and our legislature is applauded for making that so.

Unfortunately, there are people who have found a way to circumvent those laws by assembling a guns from purchased or copied parts. This allows people who might not otherwise be able to legally own a gun to possess these “ghost guns” outside the law. This is a loophole that needs to be closed.

Please pass HB 1733, a bill that would make obtaining or manufacturing these “ghost guns” a Class C felony.

Mahalo for your efforts to keep Hawaii safe from gun violence.

Carolyn Pearl

HB-1733

Submitted on: 2/4/2020 7:38:24 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Gerard Silva	Individual	Oppose	No

Comments:

Violation of the 2nd Ammendment. The 2nd Ammendment States THE RIGHT TO KEEP AND BEAR ARMS CAN NOT BE INFRIGED OPON. In plan English this right can not be taken away from any America if you do not like this then it is time to pack your bags and get out of America!!!!

HB-1733

Submitted on: 2/4/2020 8:46:19 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Robin Hart	Individual	Support	No

Comments:

I am writing in support of HB1733, which would BAN GHOST GUNS.

Firearms registration and permit requirements provide essential protections for public safety by requiring criminal background checks, mental health background checks, certain standards for safety training for firearms, and other legal requirements.

Printing 3D plastic guns and creating guns from component parts should be prohibited because those firearms have no serial number and evade the permit and registration process, thus providing no protection for the public as to who can acquire such guns. Any efforts to evade those requirements by private manufacture of firearms without serial numbers should be prohibited.

HB-1733

Submitted on: 2/4/2020 10:33:36 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

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

Comments:

Aloha,

HB1733 is flawed from top to bottom. It is a literal mess of gibberish. There are so many mistakes and contradictions that it makes this bill unmanageable. As a manufacturer, I can see many areas of the bill where law abiding citizens would be turned into instant criminals with the enacting of this measure. I will attempt to explain some.

Line (3) states " Any combination of parts from which a firearm having no serial number may be readily assembled." This statement would deem any and all spare parts illegal. Reasoning is that even a block of wood can be made into a receiver. If you have a 2x4 and a box of spare parts, that would be a violation under this section.

The measure also attempts to redefine the definition of a firearm by amending HRS134-1 to include a definition for "Firearm Receiver". In one part of the proposed definition it states "part of a firearm that provides housing for the firearm's internal components, such as a hammer, bolt, breechblock, action, or firing mechanism." On a firearm, these items (and many more) are housed in 2 SEPARATE portions of the firearm. By law, on the receiver in long guns and frame in handguns is considered the serialized "firearm". By changing this definition, you make BOTH portions of the completed gun 2 firearms in one.

The 2nd part of the "Firearm Receiver" definition states "The term includes any object or part that is not a firearm frame or receiver in finished form but that is designed or intended to be used for that purpose and may readily be made into a firearm frame or receiver through milling or other means." This also poses an issue in that, as previously mentioned, a block of wood and be made into a firearm. So can a block of aluminum, sheet metal, or even a shovel from Home Depot. The word "intended" is very subjective when it comes to defining what a gun truly is. As such, I recommend that you remove the definition of "Firearms Receiver" and stick to the legal and industry standard definition as set by the BATFE.

Lastly, in section (b) of the proposed statute, any person who completes or acquires a 80% frame or receiver with the intent of manufacturing a firearm must have the frame or receiver engraved with the registration number. This poses a major contradiction. Since the measure is basically setting the acquisition process of 80% frames and receivers to

be the same as a complete long gun or handgun, a person wouldn't get a registration number to be engraved until AFTER they brought it in the HPD for registration. Since you need a serial number on a firearm to even BEGIN the permit process, this creates a serious problem.

I hope you all can see where items in this bill can and will create a lot of issues. And these are only the some of the issues I can see in this measure. I am always available for assistance if needed.

Without a SERIOUS AMOUNT of amendments, I urge the committee to defer this measure. Thank you.

Devin Sasai

Owner Bushido Arms & Ammunition LLC

HB-1733

Submitted on: 2/4/2020 10:38:16 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

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

Comments:

This bill aims to ban home-built firearms, known as "Ghost guns" Firearms that are manufactured by a person for their own personal use.

The common misconception with "Ghost guns" is that you just order them online and assemble them like lego, When in fact, the reality is it's more like ice carving. You buy your block of ice and using special tools, and you start to cut away the ice until you are left with a work of art.

"Ghost guns" aren't new, and if it weren't for the fact that a manufacturing company filed a lawsuit against the Department of State,(C) you probably wouldn't be hearing about them now. They are the new Teflon coated bullet. Something that somebody read about on the internet or seen in a movie and started yelling the sky is falling.

The ability to manufacture a firearm for ones own personal use must be at the heart of the Second Amendment. The fact that technology and materials have changed should have no bearing on that ability. To give the government the ability to prohibit the building of arms and, at the same time, the ability to control import would allow them to effectively cause the right to bear arms to cease to exist.

All firearms in the state are already required to be registered; all firearms are required to have a serial number to be registered. A person can avoid getting a permit by simply purchasing a firearm from out of state and bringing it back to Hawaii or even go to the effort of mailing it. Both of which are cheaper then making a "Ghost Gun", Something that, if not done correctly, could be catastrophic or even deadly to the user.

We have spoken to more than a dozen police officers past and present, and not one of them has ever come across a homemade firearm, let alone come across one in a crime. In fact, most firearms that they do come in contact with are stolen and have had the serial numbers removed, two things that are already illegal in Hawaii.

HB-1733

Submitted on: 2/4/2020 11:11:34 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Benel Piros	Individual	Oppose	No

Comments:

I oppose this Bill due to the fact that its already illegal to possess a firearm without a serial number. Creating such a Bill again will do nothing to what is already illegal to begin with and again will not prevent any criminal from obtain a firearm regardless if its registered or not.

HB-1733

Submitted on: 2/4/2020 11:30:09 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Joseph P. Picon	Individual	Oppose	No

Comments:

-My name is Joseph Paez Picon, a registered voter and citizen of Hawaii.

-I oppose HB1733. It infringes on my right to keep and bear arms. It limits, undermines and encroaches on my Second Amendment rights, which is illegal for this state's legislature to do.

-This bill makes it illegal to manufacture a firearm for your own personal use and solves a problem that does not exist.

-This bill does not stipulate when or whether I shall have intended to manufacture a firearm from parts on the day I obtain them or 20 years after the day I obtain them.

-Possession of a firearm without a serial number in Hawaii is already a crime. Every firearm is required to be registered and as such requires a serial number to be engraved into the receiver. Criminals in the state of Hawaii have been found to be largely in the possession of stolen firearms and when a serial number is not present on the firearm, it is due to its having been removed.

What you fail to recognize is that prohibited persons already cannot lawfully possess any firearm, whether home built or produced by a licensed manufacturer.

-Please vote down HB1733.

HB-1733

Submitted on: 2/5/2020 6:19:46 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

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

Comments:

I am writing this testimony in opposition of ALL THESE ANTI GUN BILLS.

How Can there be a law making a part, a piece of metal, or plastic illegal? How can you define an incomplete part of something that could possibly be produced into a firearm? Will hardware stores need to become firearm dealers to prevent pipes and bolt from becoming a firearm?

The ONLY thing this law will do is turn hundreds of thousands of LEGAL gun owners into defacto criminals overnight. and is a violation of the 2nd Amendment!

Did any of YOU politicians come up with any bills to stop criminals, or at least curb their criminal behavior? Or are YOU just going to concentrate on making LAW ABIDING CITIZENS exercising their RIGHTS into criminals?

Is lying, stealing, and cheating a way of life for career politicians? YOU rob and steal from us 'legally', and whatever is left YOU leave to the other criminals to steal and kill us. Furthermore, with these bills, you do not care that we will not be able to defend ourselves from either.

Do you all have any integrity? I took an oath, similar to the oath you take, you all need to follow that oath.

"I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States, and the Constitution of the State of Hawaii, and that I will faithfully discharge my duties as to the best of my ability."

I take my promise and oath VERY SERIOUSLY, if you have any integrity left, you will OPPOSE this legislation.

Very serious VOTER

Brendon Heal

HB-1733

Submitted on: 2/5/2020 7:01:59 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kainoa Kaku	Hawaii Rifle Association	Oppose	Yes

Comments:

The manufacture of firearms for personal use is constitutionally protected. Banning 80% lowers solves nothing, criminals will always be able to get a gun. Registration for 80% lowers is already required, if an individual doesn't follow that, they're already breaking the law.

HB-1733

Submitted on: 2/5/2020 7:52:58 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

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

Comments:

I am writing in support of this bill to ban Ghost guns.

Firearms registration and permit requirements provide essential protections for public safety by requiring criminal background checks, mental health background checks, certain standards for safety training for firearms, and other legal requirements.

Printing 3D plastic guns and creating guns from component parts should be prohibited because those firearms have no serial number and evade the permit and registration process, thus providing no protection for the public as to who can acquire such guns. Any efforts to evade those requirements by private manufacture of firearms without serial numbers should be prohibited.

Moreover, plastic guns cannot be detected by many existing security screening devices, thereby endangering us all when plastic firearms are brought onto airplanes and other places where firearms are prohibited.

HB-1733

Submitted on: 2/5/2020 8:02:56 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Margaret ANN Renick	Individual	Support	No

Comments:

PLEASE BAN GHOST GUNS. ENOUGH IS ENOUGH!

HB-1733

Submitted on: 2/5/2020 8:16:18 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Brandon Allen Kainoa Leong	Hawaii Rifle Association Board Member	Oppose	No

Comments:

I oppose HB1733.

I oppose this bill for the fact that the bill bans the purchase of firearms parts for the use in a so called "Ghost Gun". There are no differences in the parts for commercially manufactured firearms v's "Ghost Guns". Well an overzealous prosecutor or police officer might look at parts that were purchased as replacement parts for a legally owned gun as a part for a "Ghost Gun" and try to charge an innocent person for a crime that they did not or did not intend to commit.

Brandon Leong

Hawaii Rifle Association Board Member

Lessons In Firearms Education Board Member

Certified NRA Firearms Instructor

HB-1733

Submitted on: 2/5/2020 8:24:42 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
steven a kumasaka	Individual	Oppose	Yes

Comments:

this bill makes illegal all parts of a firearm, aftermarket/replacement/repair, because they can be used to complete a firearm that lacks a serial number

"ghost gun" is a made up term, it does not have a legal ATF definition

firearms without serial numbers are already illegal by state and federal law

HB-1733

Submitted on: 2/5/2020 8:45:07 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

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

Comments:

I OPPOSE HB1733. There is no evidence that persons assembling firearms present any danger to citizens of Hawaii. In addition, there are technical issues with the bill:

1. SECTION 3 provides a definition of "ghost gun" but the term is nowhere used in the bill. There is no need for this definition. The definition of "firearm receiver" also uses an undefined term "frame" which seems to be used as an alternative to "receiver". Federal regulations at 27 CFR 478 define

"Firearm frame or receiver. That part of a firearm which provides housing for the hammer, bolt or breechblock, and firing mechanism, and which is usually threaded at its forward portion to receive the barrel."

It's also unclear how the proposed definition would apply to the AR design which involves a so-called upper and lower receiver.

2. SECTION 4, amending Chapt 134-3(a) has nothing to do with assembling firearms. It should be removed to a separate bill where the citizens can better understand the reasons and changes proposed.

3. SECTION 4, amending Chapt 134-3(c) uses the terms "registration number" and "serial number" interchangeably. A "serial number" can not be applied by a federally licensed dealer. It appears from context that "registration number" is what is intended.

4. SECTION 4, amending Chapt 134-3(c) requires, for firearms assembled from parts made on a "3-D printer" that the registration number is engraved on an undefined material "stainless steel". This is probably impractical and I don't see the purpose of specifying the material for just this class of firearms.

HB-1733

Submitted on: 2/5/2020 9:16:56 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Clifford Goo	Hawaii Rifle Association	Oppose	No

Comments:

One of the most rewarding experiences firearms enthusiasts can have is completing a build of their own firearm. Being able to customize your firearm with quality parts and material increases its sentimental value and performance.

We already have current laws that require registration and serial numbers on firearms. 80% receivers which are basically partially milled out and with no serial number assigned are another option for firearms enthusiasts to build their own. There is a certain amount of skill and proper equipment needed to complete this build. They still have to register it and have a serial number put on the firearm.

Lawful abiding folks are again being penalized for the actions of criminals who do not follow laws. For example, not registering or serializing their firearm and using them for crime.

Criminals will and can get their hands on firearms if they want to. Stricter penalties for them is what we need, not more restrictions on law abiding firearms owners.

HB-1733

Submitted on: 2/5/2020 9:28:29 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Austin White	Individual	Oppose	No

Comments:

OPPOSE

SB2943/HB1733 - RELATING TO FIREARMS. Makes it a Class C felony to purchase, manufacture, or otherwise obtain firearm parts for the purpose of assembling a firearm with no serial number. Amends certain requirements relating to firearms registration.

This Bill does nothing to address the crime occurring in our streets. Most firearms are obtained illegally via theft or straw purchase. And in crimes where the firearm has no serial number, it was removed previously, which of itself is a criminal offense. Criminals would rather steal a firearm than go through the detailed and laborious process of manufacturing a firearm. It takes skills and tools to be able to manufacture a safe and reliable firearm. Law abiding citizens want to ensure that they are using something that will not hurt them or the ones around them. Federal law allows individuals to manufacture firearms for their own personal use. And in Hawaii, firearms are already required to be registered. This same requirement would hold true on self made firearms in the same manner as firearms brought in from out of state as stated in HRS 134-3.

The Bill as written would also ban every part for firearms repair or upgrade. Many firearms owners in Hawaii are competitive shooters and purchase parts for their firearms for competition use. Hunters would not be able to acquire replacement parts for their rifles. By banning these parts, they will be unable to repair or upgrade their legally possessed firearms. Parts affected by this ban would be, but are not inclusive of; bolts, upper receivers, slides, barrels, extractors, ejectors, trigger shoes, firing pins, sights, springs and so forth.

By making it illegal to purchase these parts, local firearms shops would lose the largest part of their business, which is accessory sales. This would result in lost tax revenue from lost sales and higher unemployment as shops lay off employees or cut their hours to account for the shortages in income.

To pass this Bill does nothing but place more burdensome restrictions on law abiding citizens who wish nothing more than to exercise their Constitutional right to keep and bear arms as set forth in both the United States and the Hawaii Constitutions.

I urge you to **OPPOSE** this Bill

HB-1733

Submitted on: 2/5/2020 9:46:33 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
David Soon	Individual	Oppose	No

Comments:

Flawed legislation.

The term "Ghost gun" is just a popular catch-all phrase ffrom the internet.

Don't create legislation because of social media hype.

HB-1733

Submitted on: 2/5/2020 10:03:29 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

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

Comments:

Aloha,

I'm a Honolulu resident concerned about the safety of our families. I am writing in strong support of HB 1733 and am asking for your support as well.

Prohibiting the purchase, manufacture, or obtaining of firearm parts for the purpose of assembling a firearm with no serial number, addresses the problem we have of people bypassing background checks, registration, and other legal requirements pertaining to firearms. Our existing laws are effective **when** there are no workarounds. Please support HB 1733.

Thank you for your thoughtful consideration.

Allegra Giacchino

HB-1733

Submitted on: 2/5/2020 10:35:08 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

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

Comments:

Testimony re: HB 1733

I am VERY supportive of passing this important bill to make our beloved state of Hawaii safer. We need to do everything in our power to prevent more gun violence and save lives. Thank you very much for your efforts to close some of these potentially catastrophic loopholes in our state laws.

As a concerned citizen and an active volunteer in the Moms Demand Action for Gun Sense Hawaii chapter, I appreciate your work to prevent gun violence in Hawaii.

HB-1733

Submitted on: 2/5/2020 11:21:36 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
brooks	Hawaii Rifle Association Member	Oppose	No

Comments:

HB-1733

Submitted on: 2/5/2020 12:01:58 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Carol Thomas	Individual	Oppose	No

Comments:

HB-1733

Submitted on: 2/5/2020 12:03:11 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sue Hornik	Individual	Support	No

Comments:

I support passage of HB1733. Ghost guns are being purposefully built to evade our gun laws and this loophole must be closed. Ghost guns allow criminals, felons and other prohibited categories to have guns and are already being used to commit violent crimes. Since ghost guns have no identification numbers, they can't be traced, which is a nightmare for law enforcement and for our safety.

We need a system in place that mandates that every gun must have an identification number. We need to continue to keep guns out of the hands of those intent on violence. We need to tighten the definition of "firearm" to end these attempts to make a mockery of our laws.

It's imperative that the legislature act urgently on this issue before 3D printers are used even more widely.

HB-1733

Submitted on: 2/5/2020 12:09:59 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

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

Comments:

HB-1733

Submitted on: 2/5/2020 12:19:52 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Harvey Gerwig	Individual	Oppose	Yes

Comments:

HB 1733: GHOST GUNS: I STRONGLY OPPOSE THIS MEASURE

The U.S. Constitution guarantees us the right to possess and own firearms and to manufacture firearms for our own use. This bill violates those guaranteed rights and should be DEFERRED immediately.

There are no cases of GHOST GUNS being used for crimes that I am aware of, so why is this even an issue?

Please defer this bad bill.

Thank you,

Harvey Gerwig

HB-1733

Submitted on: 2/5/2020 1:10:32 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

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

Comments:

Overly vague and unworkable.

HB-1733

Submitted on: 2/5/2020 3:17:33 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

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

Comments:

Dear House Members of the Committee on Public Safety, Veterans, and Military Affairs and House Members of the Committee on the Judiciary,

I am writing in support of this bill to ban Ghost guns.

Firearms registration and permit requirements provide essential protections for public safety by requiring criminal background checks, mental health background checks, certain standards for safety training for firearms, and other legal requirements.

Printing 3D plastic guns and creating guns from component parts should be prohibited because those firearms have no serial number and evade the permit and registration process, thus providing no protection for the public as to who can acquire such guns. Any efforts to evade those requirements by private manufacture of firearms without serial numbers should be prohibited.

Moreover, plastic guns cannot be detected by many existing security screening devices, thereby endangering us all when plastic firearms are brought onto airplanes and other places where firearms are prohibited.

Sincerely,

Jenny Silbiger

Email: jennysilbiger@gmail.com

HB-1733

Submitted on: 2/5/2020 3:52:35 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeanne Schultz Afuvai	Individual	Support	No

Comments:

HB-1733

Submitted on: 2/6/2020 7:53:17 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
alice j nagai	Individual	Support	No

Comments:

These plastic guns can not be detected by many detecting devices so extremely dangerous in many areas.

TO: Committee on Public Safety, Veterans, & Military Affairs
State Capitol, 415 South Beretania St.
Thursday, February 6, 2020
2:05pm, Conference Rm 325



From: Kelly Lim

Subject: HB1733, Firearms; "Ghost Guns"; Registration

I strongly oppose HB1733 to purchase, manufacture, or otherwise obtain firearm parts for the purpose of assembling a firearm with no serial number.

Hawaii has "the strongest gun safety laws in the nation," yet law makers have not fully examined the impact that this bill will have on the rights of law-abiding gun owners.

There is ambiguity in the bill referring to "unfinished firearm receiver" and "firearm parts." An unfinished firearm receiver or frame purchased through a federal firearm licensed dealer will have "a serial number and other identification markings." Will be registered in accordance with HRS 134. This type of unfinished firearm receiver or frame assembled into a firearm from parts should be sub-listed for clarity to remove the generality and reference to "ghost guns."

I humbly demand that the Committee on Public Safety, Veterans, & Military Affairs not vote to move HB1733 any further.

Please direct any and all questions to kellylim@hawaii.rr.com.

Very respectfully,
Kelly Lim

TO: Committee on Public Safety, Veterans, & Military Affairs
State Capitol, 415 South Beretania St.
Thursday, February 6, 2020
2:05pm, Conference Rm 325



From: Dwayne Lim

Subject: HB1733, Firearms; Gun Safety; Registration

I strongly oppose HB1733 to require the registration of firearms that are moved out of the State. Hawaii has "the strongest gun safety laws in the nation," yet law makers have not fully examined the impact that this bill will have on the rights of law-abiding gun owners.

Letting the department know a firearm is no longer in the state is not constitutional. And inflicting a penalty is not necessary and overreaching by law makers.

When a person permanently moves a firearm out of the State and informs the Honolulu Police Department's Firearms section that the gun is removed, there is still a permanent record of the registered firearm in the HPD database. The registration record is never destroyed.

I humbly demand that the Committee on Public Safety, Veterans, & Military Affairs not vote to move HB1733 any further.

Please direct any and all questions to dctactical@hawaii.rr.com.

Very respectfully,
Dwayne Lim

HB-1733

Submitted on: 2/6/2020 11:57:01 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
David Fukuzawa	Individual	Oppose	No

Comments:

Dear Honorable Legislative Representatives,

I am in opposition of this bill. Currently Federal Bills in congress will deal with this issue at a federal level.

Sincerely,

David Fukuzawa