



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

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**ON THE FOLLOWING MEASURE:**

H.B. NO. 950, RELATING TO THE LAW ENFORCEMENT OFFICERS SAFETY ACT.

**BEFORE THE:**

HOUSE COMMITTEE ON PUBLIC SAFETY, VETERANS, AND MILITARY AFFAIRS

**DATE:** Wednesday, February 05, 2019      **TIME:** 10:00 a.m.

**LOCATION:** State Capitol, Room 430

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

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Chair Takayama and Members of the Committee:

The Department of the Attorney General (Department) supports this bill.

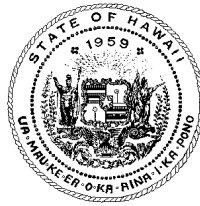
The purpose of this bill is to amend chapter 28, Hawaii Revised Statutes, by adding to part I a new section to establish in the Department a program responsible for issuing credentials to qualified retired law enforcement officers pursuant to the federal Law Enforcement Officers Safety Act, as amended (LEOSA or "Act").

The Department's intent is to create a uniform statewide program that would be well regulated and operated with public safety as a priority, while also streamlining multi-island travel by retired law enforcement officers. Under the LEOSA certification program, retired officers may be certified only if they pass standardized firearms qualification testing, a medical exam every two years, and a mental health clearance every year.

This bill will give the Department statutory authority and ability to promulgate rules to ensure qualified retired law enforcement officers are properly certified to carry concealed firearms safely, and clarifies that the Department is the agency responsible for issuing credentials pursuant to LEOSA requirements.

We respectfully ask the Committee to pass this bill.

DAVID Y. IGE  
GOVERNOR



STATE OF HAWAII  
**DEPARTMENT OF PUBLIC SAFETY**  
919 Ala Moana Boulevard, 4th Floor  
Honolulu, Hawaii 96814

**NOLAN P. ESPINDA**  
DIRECTOR

**Maria C. Cook**  
Deputy Director  
Administration

**Jodie F. Maesaka-Hirata**  
Deputy Director  
Corrections

**Renee R. Sonobe Hong**  
Deputy Director  
Law Enforcement

No. \_\_\_\_\_

TESTIMONY ON HOUSE BILL 950  
RELATING TO THE LAW ENFORCEMENT OFFICERS SAFETY ACT.

by  
Nolan P. Espinda, Director  
Department of Public Safety

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

Wednesday, February 13, 2019; 10:00 a.m.  
State Capitol, Conference Room 430

Chair Takayama, Vice Chair Gates, and Members of the Committee:

The Department of Public Safety (PSD) supports House Bill (HB) 950, which would establish within the Department of the Attorney General a program responsible for issuing credentials to qualified law enforcement officers pursuant to the federal Law Enforcement Officers Safety Act, as amended ("LEOSA"). PSD supports a uniformed statewide program that is well regulated and operated with public safety as a priority.

Thank you for the opportunity to present this testimony.



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

State Capitol, Room 430  
Honolulu, Hawaii 96813

HEARING: Wednesday, February 13, 2019, at 10:00am

RE: HB950 Relating to the Law Enforcement Officers Safety Act

Aloha Members of the House Committee,

The Hawaii Firearms Coalition OPPOSES HB950.

We support the intent of HB950 to place more law-abiding gun owners in public to keep the peace and defend themselves, and others, against criminals. However the Hawaii Firearms Coalition opposes this bill because we feel every law-abiding person must have the option of carrying a handgun for self-defense, not just former law enforcement. In fact former law enforcement personnel would benefit should the legislature pass a "shall issue" or "constitutional carry" for the public in Hawaii with reciprocity agreements to carry in other states. This would relieve former law enforcement of LEOSA's overly burdensome training and administrative requirements.

49 other states observe the right of the public to carry concealed handguns for self-defense. 14 of those states observe constitutional carry where the law abiding can carry handguns in public without any permits. Hawaii is the lone exception whereas permitting is allowed by law (HRS 134-9), but police departments do not issue any permits and therefore no law-abiding member of the public is allowed to carry a handgun to protect themselves. Please pass "shall issue" or "constitutional carry" for concealed carry weapons.

For these reasons the Hawaii Firearms Coalition Opposes HB950. Thank you for your consideration.

Mahalo

Todd Yukutake  
Director, Hawaii Firearms Coalition  
PH. (808) 255-3066  
Email: todd@hifico.org

**HB-950**

Submitted on: 2/12/2019 5:46:26 AM

Testimony for PVM on 2/13/2019 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brett Kulbis	Honolulu County Republican Party	Support	No

Comments:

**HB-950**

Submitted on: 2/9/2019 2:24:58 PM

Testimony for PVM on 2/13/2019 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alan Urasaki	Individual	Support	No

Comments:

**HB-950**

Submitted on: 2/9/2019 3:09:28 PM

Testimony for PVM on 2/13/2019 10:00:00 AM

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

Comments:

Having former law enforcement officers able to assist the police (and be able to protect themselves and others) by being able to carry concealed is a great idea and has worked in other venues.



# Institute for Rational and Evidence-based Legislation

P. O. Box 41

Mountain View, Hawaii 96771

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February 9, 2019

COMMITTEE ON PUBLIC SAFETY, VETERANS, & MILITARY AFFAIRS

Chair, Vice Chair, and Members,

Please vote NO on HB950.

There should be no special class of specially-privileged individuals who are granted by the state the ability to exercise certain Constitutionally-protect rights while the mass of literally ALL other citizens of the state, commonly known as “typical law-abiding citizens” in Judge O'Scannlain's terminology, are denied the exercise of the same rights and subject to arrest, prosecution and incarceration for exercising those rights.

The right thing to do here is gut and amend this bill to become the “TLCSA” (Typical Law-abiding Citizen Safety Act), which would grant all citizens the ability to bear arms openly and concealed without any need to seek approval of any kind from any government agency. This is known as “permitless carry” or “constitutional carry” or “Vermont carry” (because the state of Vermont has NEVER had any requirement for any kind of permitting or licensing to carry firearms outside the home either openly or concealed). Fourteen states currently have such laws. There is absolutely NO evidence that the hoplophobic predictions (like those of several current Hawaii state legislature members) of a “Wild, Wild West” have occurred in any of those states. Three more states are attempting to pass legislation this year to also become permitless. If a retired cop can carry a gun, why can't a “typical law-abiding citizen”? Show me the evidence (which, by the way, actually shows that people that obtain licenses to carry, where necessary, are actually MORE law-abiding than cops) that typical law-abiding citizens, who are obviously not prohibited persons, who would apply for and receive a license to carry, or carry permitless, are more inclined to commit crime than cops.

NO special class. NO privileged elite. EQUAL RIGHTS FOR ALL.

Stop this nonsense.

Vote NO on HB950.

Thank you,

George Pace

**HB-950**

Submitted on: 2/10/2019 2:41:28 PM

Testimony for PVM on 2/13/2019 10:00:00 AM

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

Comments:

As a citizen, I oppose due to HB950 effecting ONE class of people and not the general public.



**HB-950**

Submitted on: 2/10/2019 5:53:24 PM

Testimony for PVM on 2/13/2019 10:00:00 AM

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

Comments:

I oppose this bill

**HB-950**

Submitted on: 2/10/2019 5:55:18 PM

Testimony for PVM on 2/13/2019 10:00:00 AM

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

Comments:

I strongly oppose this bill.

**HB-950**

Submitted on: 2/11/2019 8:31:06 AM

Testimony for PVM on 2/13/2019 10:00:00 AM

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

## Comments:

I strongly oppose any law that elevates law enforcement officers to a special class of citizen. Firearms restrictions that apply to citizens should be equally applied to law enforcement. With that availability of an entire police department for backup and there is no reason that officers should be permitted special privileges beyond an ordinary citizen for personal defense. There is nothing inherently special about being a police officer that would make an individual more likely to obey laws nor less susceptible to unlawful behavior.

**HB-950**

Submitted on: 2/11/2019 1:46:24 PM

Testimony for PVM on 2/13/2019 10:00:00 AM

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

Comments:

I oppose HB950. We don't need to add another layer of red tape for something that should be default allowed.

**HB-950**

Submitted on: 2/11/2019 6:31:32 PM

Testimony for PVM on 2/13/2019 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
mitchell weber	Individual	Support	Yes

Comments:

Retired law enforcement as well as all law abiding private citizens have a right to self defense outside of their homes under the Second Amendment reaffirmed by the Ninth circuit in 2018. 3.2-16.5% of active shootings stopped by a citizen with a (concealed) firearms license - Real Clear Politics 10/18

**HB-950**

Submitted on: 2/12/2019 7:19:02 AM

Testimony for PVM on 2/13/2019 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
steven a kumasaka	Individual	Oppose	No

Comments:

LEOSA is a federal regulation and should be SHALL ISSUE. Hawaii already is likely in violation of LEOSA rules and this would make it worse.

and ccw/open carry should also be SHALL ISSUE in the state.

**HB-950**

Submitted on: 2/12/2019 10:26:58 AM

Testimony for PVM on 2/13/2019 10:00:00 AM

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

Comments:

To Whom It May Concer,

Please oppose HB950. To have the process of retired LEO's submit applications and paperwork to a single person for approval for them to continue to protect themselves after serving their communities and to give the authority for a single person to change reuquirements, rules and regulations at will without the input of those that it will affect, is incredibly foolish and unfair to those that have put their lives and the lives of their families at risk while serving the public. While our LEO's will still need to testify in cases even after retirement, and not being able to protect themselves while they wait for an approval or added documentation does not show the attitude of gratefulness that our LEO's deserve.

Please oppose HB950.

Thank you,

Davin Asato

**HB-950**

Submitted on: 2/12/2019 10:47:21 AM

Testimony for PVM on 2/13/2019 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brandon Allen Kainoa Leong	Individual	Support	No

Comments:

Support



**HB-950**

Submitted on: 2/12/2019 12:12:45 PM

Testimony for PVM on 2/13/2019 10:00:00 AM

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

Comments:

I oppose this bill. This bill only wastes more tax payer money by setting up a useless task force.

**LATE**

**HB-950**

Submitted on: 2/12/2019 2:49:17 PM

Testimony for PVM on 2/13/2019 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Devin Sasai	Individual	Oppose	Yes

Comments:

**LATE**

**HB-950**

Submitted on: 2/12/2019 6:28:20 PM

Testimony for PVM on 2/13/2019 10:00:00 AM

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

Comments:

I oppose bill HB950

**LATE**

**HB-950**

Submitted on: 2/12/2019 6:57:28 PM

Testimony for PVM on 2/13/2019 10:00:00 AM

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

Comments:

I oppose this for 2 reasons. 1. Police, once retired, are private citizens. Private citizens are told by HPD that it is HPDs responsibility to protect us. We have NO reason to protect ourselves. 2. There is already a path for private citizens who have a need to conceal carry. They can apply for a ccw permit with the Chief of Police like every private citizen here in Hawaii.

**LATE**

**HB-950**

Submitted on: 2/12/2019 7:27:56 PM

Testimony for PVM on 2/13/2019 10:00:00 AM

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

Comments:

**I strongly oppose this bill.** Leosa is a right given to law enforcement or retirees. an individual who qualifies under LEOSA does not require a state-issued [permit for carrying](#) a concealed firearm in any state, including that person's home state. This is because LEOSA, by its terms, provides in its introductory paragraphs (Sections 926B(a) and Section 926C(a)) that notwithstanding the law of "any State" a person who qualifies under LEOSA is not subject to the [concealed carry](#) laws of any state.

**HB-950**

Submitted on: 2/12/2019 10:30:50 PM

Testimony for PVM on 2/13/2019 10:00:00 AM

**LATE**

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

Comments:

**LATE**

**HB-950**

Submitted on: 2/13/2019 7:45:37 AM

Testimony for PVM on 2/13/2019 10:00:00 AM

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

Comments:

This makes a lot of sense. I approve.