



**WRITTEN TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
THIRTY-FIRST LEGISLATURE, 2021**

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**ON THE FOLLOWING MEASURE:**

H.B. NO. 534, RELATING TO USE OF FORCE IN SELF-PROTECTION.

**BEFORE THE:**

HOUSE COMMITTEE ON PANDEMIC AND DISASTER PREPAREDNESS

**DATE:** Tuesday, February 2, 2021                      **TIME:** 9:45 a.m.

**LOCATION:** State Capitol, Via Videoconference

**TESTIFIER(S):**     **WRITTEN TESTIMONY ONLY.**  
(For more information, contact Landon M.M. Murata,  
Deputy Attorney General, at 586-1049)

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Chair Ichiyama and Members of the Committee:

The Department of the Attorney General has concerns about this bill and provides the following comments.

The purposes of the bill are to (1) establish circumstances under which a person using deadly force has no duty to retreat and has the right to stand the person's ground and (2) repeal statutory wording that permits the person to use deadly force at the person's place of work.

With respect to the first purpose of the bill, the circumstances under which a person using deadly force has no duty to retreat are already set forth in section 703-304 (5)(b)(i), HRS, which states:

The actor is not obliged to retreat from his dwelling or place of work, unless he was the initial aggressor or is assailed in his place of work by another person whose place of work the actor knows it to be[.]

This subparagraph is an exception to the general rule set forth in section 703-304 (5)(b), HRS, that the use of deadly force is not justifiable if "[t]he actor knows that he can avoid the necessity of using such force with complete safety by retreating or by surrendering possession of a thing to a person asserting a claim of right thereto or by complying with a demand that he abstain from any action which he has no duty to take".

At page 2, lines 16 - 21, the bill proposes to add a sentence to subsection (2) of section 703-304, HRS, which would expand the circumstances under which an actor does not have a duty to retreat and establishes a right to stand the actor's ground if the actor (1) is not engaged in criminal activity and (2) is in a place where the actor has a right to be. This new sentence conflicts with the exception to the duty to retreat set forth in section 703-304 (5)(b)(i), HRS, and due to its expansive nature, virtually eliminates the duty to retreat set forth in 703-304 (5)(b), HRS.

If it is the intent of the Legislature to virtually eliminate the duty to retreat in this fashion, the sentence on page 2, lines 16 – 21, should be deleted and the bill should make the following amendment to section 703-304 (5)(b)(i), HRS:

~~The actor is not obliged to retreat from his dwelling or place of work, unless he was the initial aggressor or is assailed in his place of work by another person whose place of work the actor knows it to be and has the right to stand the~~  
actor's ground if the actor is not engaged in criminal activity and is in a place where the actor has a right to be;

This amendment to the bill will address the inconsistency between the new sentence on page 2, lines 16 – 21 of the bill and the current wording of section 703-304 (5)(b)(i), HRS.

The difficulty with this course of action is that it is then in conflict with the second purpose of the bill. While the second purpose of the bill is to repeal statutory language that permits a person to use deadly force at the person's place of work, the new sentence on page 2, lines 16 – 21, expands the exception to the duty to retreat to such an extent that it necessarily includes a person's place of work, which is without question a "place where the actor has a right to be". Regardless of whether the bill keeps the sentence on page 2, lines 16 – 21, as is, or amends the bill using portions of the sentence to amend section 703-304 (5)(b)(i), HRS, the second purpose of the bill will not be achieved.

Given that section 1 of the bill recognizes the importance of residents being "allowed to defend themselves when in their homes, even using deadly force when necessary", and the current statute, 703-304, HRS, already allows residents to do so, it

appears that the amendments in this bill are not necessary. Additionally, the amendments on page 2, lines 16 – 21, appear to be at odds with the wording being repealed on page 4, lines 19-21, and page 5, line 1. As such, the dual purposes of the bill stated in section 1, are not being fulfilled as the bill is currently drafted.

The Department appreciates the opportunity to testify.

# COMMUNITY ALLIANCE ON PRISONS

P.O. Box 37158, Honolulu, HI 96837-0158

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## COMMITTEE ON PANDEMIC & DISASTER PREPAREDNESS

Representative Linda Ichiyama, Chair

Representative Stacylynn Eli, Vice Chair

Tuesday, February 2, 2021

9:45 AM

### **STRONG OPPOSITION TO HB 534 - STAND YOUR GROUND**

Aloha Chair Ichiyama, Vice Chair Eli and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative promoting smart justice policies in Hawai`i for more than two decades. This testimony is respectfully offered on behalf of the more than 4,100 Hawai`i individuals living behind bars or under the "care and custody" of the Department of Public Safety on any given day. We are always mindful that 1,000 of Hawai`i's imprisoned people are serving their sentences abroad thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Kanaka Maoli, far, far from their ancestral lands.

Community Alliance on Prisons is in strong opposition to this measure that would amend the law relating to the use of deadly force in self-defense and to establish the circumstances where a person using deadly force has no duty to retreat and has the right to stand the person's ground. We do not support legislation that is motivated by fear. Last month, we all witnessed what happens when we arm people and stoke their fears. Many have spoken out and researched the impacts of this law.

The ACLU submitted written testimony to the U.S. Senate in 2013<sup>1</sup> and concluded that Stand Your Ground "*laws expand the circumstances in which the state authorizes one person to kill another without any semblance of due process. Also, they exacerbate an existing racial disparity in the success rate of justifiable homicide as a defense whereby a killing is more likely to be deemed "justifiable" if the victim is black and the shooter is not than when the races of the victim and shooter are reversed.*"

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<sup>1</sup> ACLU Testimony before Committee on the Judiciary Subcommittee on the Constitution, Civil Rights and Human Rights Hearing on: "Stand Your Ground" Laws: Civil Rights and Public Safety Implications of the Expanded Use of Deadly Force, Tuesday, October 29, 2013. <https://www.aclu.org/other/aclu-testimony-senate-stand-your-ground-laws-hearing>

RAND updated their study<sup>2</sup> on Stand Your Ground laws in 2020 and reviewed the research done on Stand Your Ground laws and concluded that “there is supportive evidence that stand-your-ground laws may increase firearm homicides.”

Some of the research that RAND reviewed included:

- Cheng and Hoekstra (2013) found that these laws significantly increase homicide rates, but they have uncertain effects on robbery, aggravated assault, and burglary rates.
- McClellan and Tekin (2017) also found significant increases in total homicides associated with the implementation of stand-your-ground laws.
- Webster, Crifasi, and Vernick (2014) found that these laws have an uncertain effect on the total homicide rate.
- Humphreys, Gasparrini, and Wiebe (2017) and Guettabi and Munasib (2018) found significant effects consistent with the law increasing total homicides in Florida after its passage.<sup>3</sup>

These studies draw on two distinct data sources: Federal Bureau of Investigation crime-rate data from the Uniform Crime Reporting Program and the Centers for Disease Control and Prevention's Fatal Injury Reports.

The website Everytown Research and Policy<sup>4</sup> opens with this statement:

*“Stand Your Ground laws give people a license to kill, allowing those who shoot others to obtain immunity, even if they started the confrontation and even when they can safely de-escalate the situation by walking away. Stand Your Ground laws are inherently dangerous because they change the nature of gun violence in a state by encouraging escalations of violence and, according to research, do nothing to deter overall crime.*

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<sup>2</sup> Effects of Stand-Your-Ground Laws on Violent Crime, RAND, Updated April 22, 2020.

<https://www.rand.org/research/gun-policy/analysis/stand-your-ground/violent-crime.html>

<sup>3</sup> Centers for Disease Control and Prevention, “Underlying Cause of Death, 1999–2017,” WONDER data system, undated-a. As of July 6, 2019: <http://wonder.cdc.gov/ucd-icd10.html>

Cheng, Cheng, and Mark Hoekstra, “Does Strengthening Self-Defense Law Deter Crime or Escalate Violence? Evidence from Expansions to Castle Doctrine,” *Journal of Human Resources*, Vol. 48, No. 3, 2013, pp. 821–853.

Crifasi, Cassandra K., Molly Merrill-Francis, Alex McCourt, Jon S. Vernick, Garen J. Wintemute, and Daniel W. Webster, “Association Between Firearm Laws and Homicide in Urban Counties,” *Journal of Urban Health*, Vol. 95, No. 3, 2018b, pp. 383–390.

Guettabi, Mouhcine, and Abdul Munasib, “Stand Your Ground Laws, Homicides and Gun Deaths,” *Regional Studies*, Vol. 52, No. 9, 2018, pp. 1250–1260.

Humphreys, David K., Antonio Gasparrini, and Douglas J. Wiebe, “Evaluating the Impact of Florida’s ‘Stand Your Ground’ Self-Defense Law on Homicide and Suicide by Firearm: An Interrupted Time Series Study,” *JAMA Internal Medicine*, Vol. 177, No. 1, 2017, pp. 44–50.

<sup>4</sup> Everytown Research and Policy - <https://everytownresearch.org/report/stand-your-ground-laws-are-a-license-to-kill/>

*The extensive body of scholarship on Stand Your Ground laws has demonstrated that these laws are associated with increases in firearm homicides. Individuals who invoke Stand Your Ground often have violent histories, and despite initiating altercations, are eventually absolved of responsibility for taking a life. Convictions in Stand Your Ground cases have also skewed unfairly against people of color, with particular bias observed against Black people. In light of the evidence, it is imperative for lawmakers to reject Stand Your Ground proposals and states with Stand Your Ground laws should repeal this dangerous law."*

Former Attorney General Eric Holder said, "...laws like "Stand Your Ground" undermine innocent Americans' safety "by allowing and perhaps encouraging violent situations to escalate in public."

Community Alliance on Prisons agrees with Everytown that traditional self-defense laws are sufficient to allow people to be safe and to value the lives of others, even in potentially dangerous situations. We urge Hawai`i to reject proposals that give people a free license to shoot and kill.

Please don't pass this bill. Let us learn from the senseless violence that took George Floyd, Breonna Taylor, Ahmed Aubrey, as well as so many others. We grieve with their families.

Let us never forget the mob violence we all witnessed on January 6<sup>th</sup> and the violence that has infiltrated peaceful public demonstrations around the United States.

Mahalo for this opportunity to share our research and deep concerns about this and other measures that promote violence.

**HB-534**

Submitted on: 1/30/2021 11:33:07 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

**Comments:**

Honolulu County Republican Party opposes HB-534.

While the purpose of this bill is stated to clarify when force, including deadly force, may be used to protect oneself, one's property, or another person. In fact, the only thing this bill does is remove parts of the castle doctrine we already have.

The bill, as introduced, is deceptively worded to garner support from pro-self-defense and pro-second amendment voters but overall diminishes the right to self-defense. Although the bill implies that you can use self-defense without a duty to retreat, because of the exceptions already in the law and the changes being made in this bill. It would only apply in the home, which is already included.

In fact, the changes REMOVE the ability of citizens to stand their ground in their workplace, instead it requires citizens to surrender their place of business to an attacker. This is the only change in what the bill would do. The stand your ground law in Hawaii would not change other than removing it from the place of work.

Brett Kulbis  
Chairman  
Honolulu County Republican Party

Statement Before The  
**HOUSE COMMITTEE ON PANDEMIC & DISASTER PREPAREDNESS**

Tuesday, February 2, 2021

9:45 AM

Via Video Conference  
Conference Room 309

in consideration of

**HB 534****RELATING TO USE OF FORCE IN SELF-PROTECTION.**

Chair ICHIYAMA, Vice Chair ELI, and Members of the House Pandemic & Disaster Preparedness Committee

Common Cause Hawaii provides written comments in opposition to HB 534, which (1) amends the law relating to the use of deadly force in self-defense to establish the circumstances where a person using deadly force has no duty to retreat and has the right to stand the person's ground and (2) repeals statutory language that permits an actor to use deadly force at the actor's place of work in some circumstances.

Common Cause Hawaii is a nonprofit, nonpartisan, grassroots organization dedicated to strengthening our democracy through a safe society.

Common Cause Hawaii opposes HB 534 because “[t]here is supportive evidence that stand-your-ground laws are associated with increases in firearm homicides and moderate evidence that they increase the total number of homicides. Thus, it is recommended that “[s]tates with stand-your-ground laws should consider repealing them as a strategy for reducing firearm homicides.” See [https://www.rand.org/pubs/research\\_reports/RR2088-1.html](https://www.rand.org/pubs/research_reports/RR2088-1.html); see also <https://everytownresearch.org/report/stand-your-ground-laws-are-a-license-to-kill/#key-findings>.

Thank you for the opportunity to provide written comments in opposition to HB 534. If you have questions of me, please contact me at [sma@commoncause.org](mailto:sma@commoncause.org).

Very respectfully yours,

Sandy Ma  
Executive Director, Common Cause Hawaii





# **HB534**

**Measure Title: RELATING TO USE OF FORCE IN SELF-PROTECTION.**

**Report Title: Self-Defense; Deadly Force; Duty to Retreat**

## **We strongly oppose this bill.**

While the original intent of this bill may have been to strengthen people's right and ability to use lethal force when needed, the bill makes no changes to the law other than to remove the ability to stand your ground in the workplace.

Currently, Hawaii's laws only allow a person to use deadly force under a very stringent set of circumstances and only within the home and place of business. All other locations require a person who is safely able to do so to retreat and surrender the property.

The change in the bill with regards to the home would make no actual change to the current law (other than language).

The requirement to retreat from a place where one is legally able to be, puts people in danger of death or serious bodily injury. This requirement can and does cause people to second guess whether they can use force to defend themselves.

A true stand your ground bill, as described in HB711, is what Hawaii needed. This bill will allow people to use deadly force in any location they are able to be as long as they are not the aggressor or committing a crime. The requirement that a fear of death, serious bodily injury, rape, kidnapping, or sodomy are still in place.

We implore you to change the wording of this bill to match that of HB711 and to keep the ability to defend oneself in the workplace.

**Andrew Namiki Roberts**  
**Director Hawaii Firearms Coalition**

**HB-534**

Submitted on: 2/1/2021 9:29:29 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Keith Robinson	Kauai Wildlife Reserve	Oppose	No

Comments:

House Bill Number 534 basically requires honest businessmen, land owners, employees, and workers to abandon their property and/or places of lawful work, and flee, when confronted by thieves, vandals, arsonists, drug-crazed maniacs, and all sorts of other evil-doers.

As such, it vividly illustrates the fact that America's Democrats (especially in states controlled by the Democratic Party) are now far more interested in protecting the health and safety of criminals, than they are in maintaining the rights and freedoms of honest citizens.

Therefore I oppose House Bill Number 534

LATE

**HB-534**

Submitted on: 2/1/2021 11:28:55 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

The NRA opposes HB 534 as this legislation muddies the waters on current self-defense law and threatens the right to self-defense in the work place. During these uncertain times, it's paramount that victims of crime have clear protections under state-law and are not further victimized after utilizing an otherwise lawful means of self-defense.

**HB-534**

Submitted on: 1/30/2021 1:13:12 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

This bill removes the ability to defend oneself in a place of business. With the meteoric rise in crime and inability of authorities due to short staffing issues, I will only support a person being able to defend oneself with lethal force if necessary anywhere, at any time.

**HB-534**

Submitted on: 1/30/2021 1:31:52 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I STRONGLY OPPOSE this bill, because it is written in a misleading manner and removes more of what little right we have to defend ourselves.in this state and removes our ability to defend our place of work against an attacker.

**HB-534**

Submitted on: 1/30/2021 1:33:30 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

Strongly oppose.  
thank you

**HB-534**

Submitted on: 1/30/2021 1:40:28 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Pablo Penaloza	Individual	Oppose	No

Comments:

While I would love to see, stand your ground implemented in Hawaii, these bills DO NOT do that. In fact, the only thing they do is remove part of the castle doctrine we already have.

- This bill removes the castle doctrine in the workplace.
- This bill falsely implies stand your ground (no duty to retreat).
- This bill is worded to mislead people into supporting it.
- This bill should not be supported with its current format/wording.

The bill, as introduced, is cleverly worded to garner support from pro-self-defense and pro-second amendment people but overall diminishes the right to self-defense. **WE OPPOSE THIS BILL AS WRITTEN, but would support the bill if the wording is changed to match introduced bill HB711**

The introduced change to the wording of the bill reads:

*"Subject to the requirements of this section, an actor who uses deadly force in accordance with this subsection does not have a duty to retreat and has the right to stand the actor's ground if the actor using deadly force is not engaged in criminal activity and is in a place where the actor has a right to be."*

*The key sentence to this wording is "**Subject to the requirements of this section,**"* The bill later clarifies that

"(5) The use of deadly force is not justifiable under this section if:"

(b) "The actor knows that [~~he~~] the actor can avoid the necessity of using [~~such~~] deadly force with complete safety by retreating or by surrendering possession of a thing to a person asserting a claim of right thereto or by complying with a demand that [~~he~~] the actor abstain from any action [~~which he~~] that the actor has no duty to take, [~~except~~]; provided that:"

(i) The actor is not obliged to retreat from [~~his~~] the actor's dwelling [~~or place of work~~], unless [~~he~~] the actor was the initial aggressor [~~or is assailed in his place of work by another person whose place of work the actor knows it to be~~];

(additions are underlined, subtractions are struck through)

So what this means is that although the initial change implies that you can use self-defense without a duty to retreat. But because of the exceptions already in the law and the changes being made in the proposed bill. It would only apply in the home. Something that is already included in the bill.

In fact, the change REMOVES the ability to stand your ground in your workplace, instead it requires you to surrender your place of business to an attacker. This is the only change in what the bill would do. The stand your ground law in Hawaii would not change other than removing it from your place of work.

For this bill to make any sense and provide people in Hawaii with a true **stand-your-ground** law, it would need to be changed to match the wording of HB711. This would allow a person to use Self-defense without a duty to retreat any place they can legally be in possession of a firearm.

**ONLY IF THIS CHANGE IS MADE CAN WE SUPPORT THIS BILL.**



**HB-534**

Submitted on: 1/30/2021 1:48:56 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

Oppose.

**HB-534**

Submitted on: 1/30/2021 1:52:52 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

**WE OPPOSE THIS BILL AS WRITTEN, but would support the bill if the wording is changed to match introduced bill HB711.**

**Mahalo,**

**Samuel Levitz**

**HB-534**

Submitted on: 1/30/2021 2:03:08 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

## Comments:

I oppose this bill as it is currently written. This bill removes the castle doctrine in the workplace, falsely implies stand your ground (no duty to retreat), is worded to mislead people into supporting it, and should not be supported with it's current format/wording. I would support this bill if the wording is changed to match introduced bill HB711. Only if this change is made can I support this bill.

**HB-534**

Submitted on: 1/30/2021 2:14:10 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

Please support HB711 for real self defense laws

[https://www.capitol.hawaii.gov/session2021/bills/HB711\\_.htm](https://www.capitol.hawaii.gov/session2021/bills/HB711_.htm)

**HB-534**

Submitted on: 1/30/2021 2:29:20 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I Do not support this bill goes against a persons right to defend themself from a life or death situation.

**HB-534**

Submitted on: 1/30/2021 2:36:17 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I oppose repealing statutory language that permits an actor to use deadly force at the actor's place of work. I OPPOSE THIS BILL AS WRITTEN, but would support the bill if the wording is changed to match introduced bill HB711.

**HB-534**

Submitted on: 1/30/2021 4:28:21 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I am absolutely against this bill. This bill does NOTHING to protect the INNOCENT people from threats and people looking to harm/terrorize INNOCENT people. This ONLY helps people willing to steal, break in and attack law abiding people. With all the recent crimes and people being attacked WHILE AT HOME, and tied up while in their home while the burglar' shave GUN's and WEAPONS of their own. You want us to dismiss everything to defend our property, no use of any deadly force when they are attacking OUR property. This bill is 1000% backwards and ONLY helps CRIMINALS.

I, as well as many other law abiding citizen's want to PROTECT our property. And oppose this ludicrous bill.

Thank you for taking the LAW ABIDING CITIZENS OF HAWAII into concern,

Byron Chong

**HB-534**

Submitted on: 1/30/2021 4:46:40 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Louis Prescott II	Individual	Oppose	No

Comments:

TESTIMONY FOR HB534 : I STRONGLY OPPOSE THIS BILL.

This year we have seen several Pro-Second Amendment bills added to the legislative session. Among these are some bills that are titled "Self-Protection; Public Safety; Lethal Force"

While I would love to see, stand your ground implemented in Hawaii, these bills DO NOT do that. In fact, the only thing they do is remove part of the castle doctrine we already have.

- This bill removes the castle doctrine in the workplace.
- This bill falsely implies stand your ground (no duty to retreat).
- This bill is worded to mislead people into supporting it.
- This bill should not be supported with its current format/wording.

The bill, as introduced, is cleverly worded to garner support from pro-self-defense and pro-second amendment people but in actuality diminishes the right to self-defense overall.

I OPPOSE THIS BILL AS WRITTEN, but would support the bill if the wording is changed to match introduced bill HB711

The introduced change to the wording of the bill reads:

"Subject to the requirements of this section, an actor who uses deadly force in accordance with this subsection does not have a duty to retreat and has the right to stand the actor's ground if the actor using deadly force is not engaged in criminal activity and is in a place where the actor has a right to be."

The key sentence to this wording is "Subject to the requirements of this section," The bill later clarifies that

"(5) The use of deadly force is not justifiable under this section if:"

(b) "The actor knows that [he] the actor can avoid the necessity of using [such] deadly force with complete safety by retreating or by surrendering possession of a thing to a



person asserting a claim of right thereto or by complying with a demand that [he] the actor abstain from any action [which he] that the actor has no duty to take, [except]; provided that:"

(i) The actor is not obliged to retreat from [his] the actor's dwelling [or place of work], unless [he] the actor was the initial aggressor [or is assailed in his place of work by another person whose place of work the actor knows it to be]"

So what this means is that although the initial change implies that you can use self-defense without a duty to retreat. But because of the exceptions already in the law and the changes being made in the proposed bill. It would only apply in the home. Something that is already included in the bill.

In fact, the change REMOVES the ability to stand your ground in your workplace, instead it requires you to surrender your place of business to an attacker. This is the only change in what the bill would do. The stand your ground law in Hawaii would not change other than removing it from your place of work.

For this bill to make any sense and provide people in Hawaii with a true stand-your-ground law, it would need to be changed to match the wording of HB711. This would allow a person to use Self-defense without a duty to retreat any place they can legally be in possession of a firearm.

ONLY IF THIS CHANGE IS MADE CAN I THEN SUPPORT THIS BILL.

I STRONGLY OPPOSE THIS BILL.

**HB-534**

Submitted on: 1/30/2021 4:52:07 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

Aloha,

I am a retired military service member with two deployments to Iraq. This is not a satisfactory self defense law. Please rewrite and make it echo our constitutional right to protect ourself. This is still the same as the abandoned castle doctrine only worded to sound satisfying and it gives lawyers to make an arguement in court.

Mahalo,

Ray Bragado

**HB-534**

Submitted on: 1/30/2021 4:57:07 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I strongly oppose this bill ...

January 30, 2021

Good Afternoon ,

I am writing to comment on bill HB534 and to say I OPPOSE THIS BILL AS WRITTEN, but I would support the bill if the wording is changed to match introduced bill HB711.

My opposition is as follows:

- 1) This bill removes the castle doctrine in the workplace.
- 2) This bill falsely implies stand your ground (no duty to retreat).
- 3) This bill is worded to mislead people into supporting it.
- 4) This bill should not be supported with its current format/wording.

The introduced change to the wording of the bill reads:

"Subject to the requirements of this section, an actor who uses deadly force in accordance with this subsection does not have a duty to retreat and has the right to stand the actor's ground if the actor using deadly force is not engaged in criminal activity and is in a place where the actor has a right to be."

The key sentence to this wording is "Subject to the requirements of this section," The bill later clarifies that

"(5) The use of deadly force is not justifiable under this section if:"

(b) "The actor knows that ~~[he]~~ the actor can avoid the necessity of using ~~[such]~~ deadly force with complete safety by retreating or by surrendering possession of a thing to a person asserting a claim of right thereto or by complying with a demand that ~~[he]~~ the actor abstain from any action ~~[which he]~~ that the actor has no duty to take, ~~[except]~~; provided that:"

(i) The actor is not obliged to retreat from ~~[his]~~ the actor's dwelling ~~[or place of work]~~, unless ~~[he]~~ the actor was the initial aggressor ~~[or is assailed in his place of work by another person whose place of work the actor knows it to be]~~;

(additions are underlined, subtractions are struck through)

So what this means is that although the initial change implies that you can use self-defense without a duty to retreat. But because of the exceptions already in the law and the changes being made in the proposed bill. It would only apply in the home. Something that is already included in the bill.

In fact, the change REMOVES the ability to stand your ground in your workplace, instead it requires you to surrender your place of business to an attacker.

For this bill to make any sense and provide people in Hawaii with a true stand-your-ground law, it would need to be changed to match the wording of HB711.

Thank you and your staff for your service to our Waikiki community.

Please stay safe and healthy,

Jason Moore

808-391-7768

234 Ohua Avenue, Unit 122

Honolulu, Hawaii 96815

Jasonohua@yahoo.com

**HB-534**

Submitted on: 1/30/2021 8:17:41 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

Hi,

I am writing today to share my concerns about the proposed bill HB534. I strongly feel that with my line of work within the firearm industry, and others within our state in general who are working in various positions and for varying businesses will be effectively put at unnecessary risk and be unable to protect their life if the worst case situation were to arise. I have worked tirelessly to develop my business for the last year and am applying to become a federally licensed gunsmith and firearms dealer here in Hawaii. I have established my business already as a firearm accessory component supplier and likely have products that would be tempting to a criminal who would clearly have ill intentions if they were there to assault or rob someone like myself at my place of business. I would not ever hope for a day where I would need to defend myself from an attacker but every day in which I am working by myself with firearms in my workspace, I thank God for the fact that I have the ability to ensure that I will return home to my son and wife and will be safe. This is a right that our constitution and even Hawaii state elected officials understood when allowing workers to be armed while at their place of business, with permission from land owners and abiding by all other state and federal laws. As of right now, I will and do bring my firearm with me to my facility for work and I do this for my protection and to ensure others are safe as well. I have not ever used my firearm for intimidation and wholeheartedly disapprove of any such actions. I would not even consider selling ammunition or firearm components without being armed, as it is obviously a higher security risk for myself and all citizens on island if the product were to be stolen by criminals. This bill is removing the right to self defense at my workplace, and effectively forcing me to have to give firearm components such as ammunition, barrels, magazines, and more to a criminal who was willing to harm someone to get it. This is not a good idea for my safety, the community or even the criminals who will be emboldened when notified that they cannot be harmed for robberies from the most secure places, such as a firearm company. I also should note that at times I will have personal firearms to use as examples of how parts will fit and they will be present at my location on occasion and although secured and locked, if I were to be robbed they would be able to be used by another with obvious ill intent. This public showcasing of product and access to my facilities allows for me to be put at hightened risk and would be absolutely unnerving to think to have to do this work without the ability to protect ones self. This should be concerning to all residents of Hawaii and I hope you can hear my concern and evaluate this properly and completely deny any such bill.

I am actively involved with training citizens of Hawaii for firearm safety and have a passion for this. When teaching I do not focus on when to shoot, we focus on mainly when not to shoot and that is far greater than when it would be required to ensure one's safety while under assault. I believe this type of law causes individuals to make drastic decisions that could put more people at risk. If they know that they will face legal trouble for self defense it is not guaranteed to prevent or even likely to prevent said person from choosing an illegal action solely out of self preservation and fear for their safety. The use of a firearm in a violent attack, robbery or situation where one's safety is put at risk by another actively pursuing harm, should not be given to only police officers and this right is completely and clearly understood by those who founded this nation. No man has the right to tell another man to sit idly and be harmed and I feel this is something that those voting on this bill should truly consider. This is wrong no matter how you word it and effectively will create criminals from previously law abiding citizens and is highly likely to increase violent crimes in Hawaii.

I actually just finished with a private lesson with a person in Maui where firearm training has effectively been prevented due to Covid unless I offer it individually, not as a service and out of my own generosity and with hopes to help impact our community in a positive way, all while following safety protocols for the virus we are all dealing with. I am actively helping to ensure safety of Hawaii citizens and work to follow our state laws and I hope with the deepest sincerity for you all to consider those who you will effectively be putting on the firing line. I ask you for my son's sake, my wife's sake, my father and mother and brothers sake, please do not take away my right to self defense while I am working to provide for my family.

The time I have to spend each year defending my business, my freedoms and my basic rights to self defense seems like it is ever growing and consuming my work hours and if appears to be a coordinated assault from a group of people with opposing ideals who want to cause as much chaos in the industry and community as possible to disrupt any positive momentum for the firearm advocates of Hawaii. This needs to stop and we the people deserve to not be constantly harassed by bills like this and the many others submitted each year. I respectfully ask that this be denied and that all elected officials speaking on my behalf vote NO.

It seems to me the intent of any gun control measure should be to prevent firearms from getting into the hands of those who would use them maliciously, for crime, for harm and so forth. I believe such gun control, purely for the purpose of preventing such criminal access and use of firearms could be reasonable, however should be carefully tested against the standard of maintaining and protecting our constitutional rights. Any other reason for gun control measures is simply not being considered for the good of our society but in fact, for the undermining of the constitution and elimination of our constitutional rights. This is something that no American should support.

This is my biggest issue and I will end with this: If this bill were to pass, and if that person who was with me today tried to harm me and take any of the firearms in my possession while doing so, I would have had to give them up willingly or risk facing legal

trouble if I chose to defend myself and had no where to retreat and if we were at my place of business. What good did this do for citizens of Hawaii in that scenario? There are a few factors that make this situation different from my future concerns but this should be evaluated as well. Why does the state feel I have the right to self protection at home if unable to retreat and yet not when working? Are we only allowed that level of security at home? Why is that so? The meeting today was on my private property, so it would not have been effected by this bill and I would be able to actually protect myself there. I plan to relocate to a larger storefront location this year where I would have much higher foot traffic and would effectively be putting my life at risk if I chose to do so if the bill passes and I ask you all to consider this fact when placing your vote. I would like to be able to ensure that I go home from work everyday; that is all I am asking to maintain and it should be noted that I currently I have this right and feel safer as the result. As a citizen of Hawaii, I feel that my opinion and feelings on this bill should matter and I hope you are all able to understand the effect of what this proposed bill would actually be for citizens like myself. I appreciate your time and consideration and thank you for reading my testimony.

Respectfully,

Chase Cavitt

[pac808info@gmail.com](mailto:pac808info@gmail.com)

Founding member of the Maui Firearm Community



**HB-534**

Submitted on: 1/30/2021 8:45:38 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

Aloha, this is my first time ever trying this. I believe in the United States of America. I believe in the State of Hawaii. I believe and have fought to defend our country, it's Constitution, and it's Laws. Laws and regulations are a must for a civil society. I believe in respecting others, doing unto others as I would like others to do unto me. One must obey the Laws and norms of the society that one lives in. However, there are times when others do not treat one with the respect and dignity that our Constitution and laws require, and there is no way to avoid the situation. I believe in Stand Your Ground, when required to

protect your loved ones and yourself as a last resort. Please carefully consider the intent of our Constitution, and the right to defend ones self, family, and property.

Thank you for your time and patience in this important matter. William George

**HB-534**

Submitted on: 1/30/2021 9:18:10 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I OPPOSE DUE TO THE REPEAL of the ability to defend yourself

at work or place of business. I feel that Mcdermotts HB711 makes more sense. So please do not pass this.

**HB-534**

Submitted on: 1/30/2021 9:19:29 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I strongly oppose this bill. It purports to strengthen stand your ground protections, but the way it is written, it actually curtails them.

**HB-534**

Submitted on: 1/30/2021 9:36:42 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

This Bill is misleading in its description and working, it is designed to fool people into supporting it.

This Bill removes part of the castle doctrine we already have. It would serious undermine peoples right to defend themselves in a "life or death' situation.

I strongly oppsoe this bill and all bills related to it

**HB-534**

Submitted on: 1/30/2021 10:04:09 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I oppose Bill HB534, this Bill does not strengthen law abiding citizens rights or protection it stripes law abiding citizens of protection from existing laws by taking away our ability to protect ourselves in our work place. This is a terrible law for law abiding citizens and is a great law for criminals. Please use your common sense and protect your law abiding citizens from upside down broken laws that benefit CRIMINALS and penalize law abiding citizens. Please oppose Bill HB534.

TThank you.

**HB-534**

Submitted on: 1/30/2021 11:01:21 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

As a private citizen, I must oppose all bills and/legislation that violates the constitution of the United States of America. Hawaii gun laws are all unconstitutional where they violate the 2nd Amendment. Shall not be infringed was not a suggestion but a directive. No government entity has the right or power to restrict a CITIZENS ability to possess or bare(which means to carry or brandish) any firearm or equipment that assists in the operation of, for self protection.

**HB-534**

Submitted on: 1/30/2021 11:08:48 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

language seems vague and misleading. Please clarify what the bill is supposed to do. It removes rights from lawful business owners or employees.

**HB-534**

Submitted on: 1/31/2021 12:03:14 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

## Comments:

Aloha, the law as it stands has been successful and does not have to be changed. I submit that these changes to law iare a waste of time and taxpayer money. It does not help the safety of law abiding citizens. It does help the criminals society. And makes it easier to put law abiding citizens in jail. And opens up civil lawsuits against citizens that were trying to defend their own lives, the lives of others, property, and businesses. Please move on to other business facing our great state. Leave this law, as it stands.

Thank you for your time.

Sincerely, Mark Wales



**HB-534**

Submitted on: 1/31/2021 5:51:38 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Elijah Kim	Individual	Oppose	No

Comments:

**OPPOSE THIS BILL AS WRITTEN, but would support the bill if the wording is changed to match introduced bill HB711.** The bill, as introduced, is cleverly worded to garner support from pro-self-defense and pro-second amendment people but overall diminishes the right to self-defense. The change REMOVES the ability to stand your ground in your workplace, instead it requires you to surrender your place of business to an attacker.

**HB-534**

Submitted on: 1/31/2021 8:17:12 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I oppose SB534 for the following reasons: (1) SB534 removes the castle doctrine in the workplace. (2) SB534 falsely implies stand your ground (no duty to retreat). (3) SB534 is worded to mislead people into supporting it. (4) SB534 should not be supported with its current format/wording.

SB534, as introduced, is worded to garner support from pro-self-defense and pro-second amendment people but overall diminishes the right to self-defense. I OPPOSE THIS BILL AS WRITTEN, but would support the bill if the wording is changed to match introduced bill HB711

For this bill to make any sense and provide people in Hawaii with a true stand-your-ground law, it would need to be changed to match the wording of HB711. This would allow a person to use self-defense without a duty to retreat any place they can legally be in possession of a firearm.

Thank you for your consideration.

**HB-534**

Submitted on: 1/31/2021 8:39:13 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dr Marion Ceruti	Individual	Oppose	No

Comments:

I strongly oppose HB534. This bill has a nice name but it will lead to awful consequences for anyone who is facing a criminal attack. HB534 removes the castle doctrine in the workplace, which makes potential victims of violence less safe than they are now. This bill falsely implies that law-abiding citizens can stand their ground with no duty to retreat because the wording is misleading. It is misleading because it is based on false assumptions. It further victimizes people who are under attack by helping criminals win. There are only two choices for this bill. Either modify it, or better yet, get rid of it.

The following is an example of an especially misleading section of the bill.

(5)(b) “The use of deadly force is not justifiable under this section if:

The actor knows that [he] the actor can avoid the necessity of using [such] deadly force with complete safety by retreating or by surrendering possession of a thing to a person asserting a claim of right thereto or by complying with a demand that [he] the actor abstain from any action [which he] that the actor has no duty to take, [except]; provided that...section (5)(i): The actor is not obliged to retreat from [his] the actor's dwelling...”

The following is an analysis of the fatal flaws of this bill:

1. The bill fails to define the term of “complete safety.” No one can be completely safe when faced with a criminal attack in which he or she fears for his or her life. It an absurd concept that has no place in legislation. No one has “complete safety” anywhere, even when not under attack.
2. Even if a course of action, other than the threat or application of deadly force in self defense or the defense of other innocents, may be available that would result in maximum safety, a potential victim who fears a fatal attack has seconds to evaluate the situation, decide what to do, and defend himself or herself or a loved one. No one under the threat of deadly force will have the time or presence of mind to evaluate the pros and cons of this or that course of action. Hesitation and inaction can get you killed or can result in the death of a family member.
3. No law should impose a “duty to retreat” on any potential victim of a criminal attack because the act of retreating puts the potential victim further into harm’s way. Retreating options may include turning away from the attacker and running. This is not safe because victims with their backs to their attackers are more vulnerable. Maybe victims cannot run. Attack victims who are old, handicapped, or slower than the attacker are put in greater danger by a legal (and potentially lethal) “duty to retreat.” Another retreat

option is to back away from the attacker. The advantage is that the victim can watch the attacker, but the victim could stumble and fall down. Most people cannot run backward as fast as they can run forward. No matter how a potential victim tries to retreat, the retreat itself will make the victim more vulnerable to attack. If you weaken the victim you will strengthen the criminal.

4. No one will “know that [he] the actor can avoid the necessity of using [such] deadly force” a priori because every situation is different. Imposing this requirement on potential victims is unreasonable on its face, makes victims more vulnerable, and should never be codified into law. Remember, hesitation and inaction can get you killed. You may have only seconds to defend yourself when you fear for your life or the lives of other innocent victims.

5. Why should the potential victim be obliged to retreat from his or her place of work? Potential victims who are in places where they are required to be and have a legal right to be, should not be forced to retreat. The initial aggressor should have to retreat and the law should protect and back up the victims, not further threaten the victims by protecting the criminals.

6. The phrase, “by surrendering possession of a thing to a person asserting a claim of right thereto or by complying with a demand...” is a gift to criminals and does not work in real-life situations. The wording of the bill implies that “possession of a thing” is easy to surrender. This is a wrong assumption. Suppose the criminal demands that the victim surrender a ring and the victim cannot physically remove it from his or her finger? Suppose the criminal demands the surrender of prescription medication, without which the victim will either die or suffer great bodily harm? Suppose a criminal demands the surrender of something that the victim does not possess? A victim simply cannot satisfy unreasonable demands, and no law can force a criminal to confine his or her demands to the realm of sensibility or even possibility.

7. The phrase “complying with a demand” is legally equivalent to “complying with a long list of demands” because one demand can be followed by another, and yet another after that, with no legal way to limit the demands. Furthermore, no victim can know when the criminal will be satisfied. Criminals lie and complying with one demand may not be enough to satisfy the criminal, who may recursively demand more and more until the victim has no opportunity for self defense. The objective of the criminal may change during the course of the attack, such that the criminal may not know of every possible demand initially. Suppose “complying with a demand” means that the victim must disrobe completely or perform some other action that will make the victim more vulnerable? Does this sound reasonable to you even in theory? If you were the victim you would not believe that this is a reasonable condition to avoid using deadly force to defend life and/or limb. When faced with a criminal attack, potential victims must act quickly from a position of strength, and NOT comply with the demand of a criminal whose objective is to make the victim as helpless as possible. Complying with the demand of a criminal can be very dangerous. It should never be codified into law. Compliance with a criminal can get you killed.

Criminals fear armed victims more than they fear police. Society is safer when criminals know that the law supports the victim, not the attacker. Hawai'i needs a true stand-your-

ground law that strengthens potential victims, not requires that potential victims retreat and/or comply with multiple unreasonable demands of criminals.

The change imposed by HB534 REMOVES the ability of potential victims to stand their ground in their places of work. Instead, it requires potential victims to surrender their place of business to an attacker. Please, kokua, vote NO on HB534.

**HB-534**

Submitted on: 1/31/2021 9:12:07 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jon Abbott	Individual	Oppose	No

Comments:

Aloha Members of the PDP Committee,

I OPPOSE HB534 as written.

While I would love to see, stand your ground implemented in Hawaii, this bill DOES NOT do that. In fact, the only thing it does is to remove part of the castle doctrine we already have.

- This bill removes the castle doctrine in the workplace.
- This bill falsely implies stand your ground (no duty to retreat).
- This bill is worded to mislead people into supporting it.
- This bill should not be supported with its current format/wording.

The bill, as introduced, is cleverly worded to garner support from pro-self-defense and pro-second amendment people but overall diminishes the right to self-defense. **I OPPOSE THIS BILL AS WRITTEN, but would support the bill if the wording is changed to match introduced bill HB711.**

Mahalo for your time,

Jon Abbott

## **HB-534**

Submitted on: 1/31/2021 9:48:34 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Amy C. Patterson	Individual	Oppose	No

Comments:

While we would love to see, stand your ground implemented in Hawaii, these bills DO NOT do that. In fact, the only thing they do is remove part of the castle doctrine we already have.

- This bill removes the castle doctrine in the workplace.
- This bill falsely implies stand your ground (no duty to retreat).
- This bill is worded to mislead people into supporting it.
- This bill should not be supported with its current format/wording.

The bill, as introduced, is cleverly worded to garner support from pro-self-defense and pro-second amendment people but overall diminishes the right to self-defense. **WE OPPOSE THIS BILL AS WRITTEN, but would support the bill if the wording is changed to match introduced bill HB711**

The introduced change to the wording of the bill reads:

*"Subject to the requirements of this section, an actor who uses deadly force in accordance with this subsection does not have a duty to retreat and has the right to stand the actor's ground if the actor using deadly force is not engaged in criminal activity and is in a place where the actor has a right to be."*

*The key sentence to this wording is "**Subject to the requirements of this section,**"* The bill later clarifies that

"(5) The use of deadly force is not justifiable under this section if:"

(b) "The actor knows that [~~he~~] the actor can avoid the necessity of using [~~such~~] deadly force with complete safety by retreating or by surrendering possession of a thing to a person asserting a claim of right thereto or by complying with a demand that [~~he~~] the actor abstain from any action [~~which he~~] that the actor has no duty to take, [~~except~~]; provided that:"

(i) The actor is not obliged to retreat from [~~his~~] the actor's dwelling [~~or place of work~~], unless [~~he~~] the actor was the initial aggressor [~~or is assailed in his place of work by another person whose place of work the actor knows it to be~~];

(additions are underlined, subtractions are struck through)

So what this means is that although the initial change implies that you can use self-defense without a duty to retreat. But because of the exceptions already in the law and the changes being made in the proposed bill. It would only apply in the home. Something that is already included in the bill.

In fact, the change REMOVES the ability to stand your ground in your workplace, instead it requires you to surrender your place of business to an attacker. This is the only change in what the bill would do. The stand your ground law in Hawaii would not change other than removing it from your place of work.

For this bill to make any sense and provide people in Hawaii with a true **stand-your-ground** law, it would need to be changed to match the wording of HB711. This would allow a person to use Self-defense without a duty to retreat any place they can legally be in possession of a firearm.

**ONLY IF THIS CHANGE IS MADE CAN WE SUPPORT THIS BILL.**



**HB-534**

Submitted on: 1/31/2021 10:54:26 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

As a private citizen I oppose this bill as currently written. In it's currently written state, it REMOVES protections for law-abiding citizens such as in the workplace. Why is it that criminals or those that intend to do harm or violate my rights are given more protections than me? Having a "DUTY" to someone who is attempting to commit a criminal act is insulting. Where are my rights? My protections?

Instead of protecting law-abiding citizens, it appears that our current legislators are more interested in protecting the rights of criminals.

**HB-534**

Submitted on: 1/31/2021 11:35:34 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I oppose this bill unless the wording get changed especially with the rise of home break in the the Kahala area where I live with my wife and daughter. No way would I ever not defend my family.

**HB-534**

Submitted on: 1/31/2021 11:49:22 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

**I am a strong opposition of this bill HB534.** Especially that Hawaii's democrat politicians **would intentionally try to deceive the public** with such language as to make them think that this is in support of the people while telling them that they have NO right to protect themselves at the workplace. I have seen coworkers on two occasions here in Honolulu try to "take others hostage" and both times I was able to intervene and assist, but what if I wasn't? Would you, Hawaii's Democratic politicians be there to protect them?

And for Hawaii law makers to go even further as to "falsely" imply that HB534 advocates for "stand your ground" is insulting the people of the state. **And for the politicians who are going to ignore this**, as you always do, I have two words for you, "**Byron Uesugi.**" The Xerox shooter of 1999, who shot and killed seven of his innocent coworkers in in Honolulu. Or perhaps you have overlooked the increase in violent crime including the number of brasen home invasions or even number victims that of fallen prey to the violence of Mike Miske, and his organized crime ring alone. And yet Hawaii's Democratic politicians such as Karl Rhoads & Jarret Keohokalole desperately want to ensure that by any means necessary, even wording the bill in such a way that it would deceive the public is "fair game". You know, "by any means necessary." It's always been very clear that Sen. Karl Rhoads has always had his own agenda. And has been relentless in his pursuit of making the citizens of the state potential victims.

No matter what you say, Crime is up, police chief Ballard has recently asked for as much as \$8 million additionally to combat violent crime that is on the rise in Hawaii. None of Hawaii's politicians have never stopped to take a look at the large number of undiagnosed mental illness that seems to be rampant in Hawaii. And now, combine that with the out-of-control drug use, specifically the epidemic of methamphetamine which is rampant in the islands, and you want to make sure that those of us who go to work every day, pay our taxes, that we are the most vulnerable. One of my own friends, former news anchor John Nolan was murdered in Chinatown and didn't have the right to defend himself. Did you protect him? Did the Honolulu Police Department? And with a large number of police corruption cases (one that I was actually an expert witness on) you expect us to trust the police? I guess the politicians of Hawaii, the strong democratic contagion is becoming more intent to make sure that the Hawaiian people are completely helpless and dependent on their democratic politicians who don't have to live by the same rules as the rest of us. And yet all it takes is a simple look at the overall

statistics were places like Utah, Texas, Florida allow citizens the right to protect themselves to see that it works. And yet you're in the game is to make sure that everyone of us is vulnerable. What a shame that throughout the past 124 years of Hawaii's history, politicians in Hawaii have not changed. And especially, what a shame that Jarrett Keohokalole, a Hawaiian is now playing the same game against the people of the state.

**HB-534**

Submitted on: 1/31/2021 11:59:41 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I oppose this bill HB534. It is taking out part of the Castle Doctrine that we already have in regards to your work place. The majority of shootings are at the work place. Why would you not include the work place??? Both the home and work place is where you spend most of your time. Why would you make your work place less safe??? Wording of this bill should be changed to HB711.

Please oppose this Bill HB534.

Sincerely,

Dan Goo - Retired Detective HPD - Currently with US Marshal Service

Judy Goo - Gun Owner

Sean Goo - Gun Owner

Elisha Goo - Gun Owner

**HB-534**

Submitted on: 1/31/2021 12:09:05 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

Dear Representatives,

**I oppose this bill HB534.** As a women and gun owner, I need all the protection I can get in order to protect my children and family. We need to strengthen our current Castle Doctrine, not diminish it. The majority of shootings are at the work place. Why would you not include the work place??? Both the home and work place is where you spend most of your time. Why would you make your work place less safe??? Wording of this bill should be changed to HB711.

Please oppose this Bill HB534.

Sincerely,

**Judy Goo - Gun Owner**

Sean Goo - Gun Owner

Elisha Goo - Gun Owner

Dan Goo - Retired HPD, currently with US Marshals Service

**HB-534**

Submitted on: 1/31/2021 12:17:43 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sean C Goo	Individual	Oppose	No

Comments:

Dear Representatives,

***I oppose this bill HB534.*** It is taking out part of the Castle Doctrine that we already have in regards to your work place. The majority of shootings are at the work place. **I spend at least 40 hours and my work place, most times I am alone in the warehouse. Why would you not include the work place???** Both the home and work place is where you spend most of your time. Why would you make your work place less safe???. Wording of this bill should be changed to HB711.

Please oppose this Bill HB534.

Sincerely,

**Sean Goo - Gun Owner**

Judy Goo - Gun Owner

Elisha Goo - Gun Owner

Dan Goo - Retired Detective HPD - Currently with US Marshal Service

**HB-534**

Submitted on: 1/31/2021 1:08:18 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I am a veteran, a small business owner, a husband and father. I have been to 70+ countries and served in war zones. I have faced evil directly. I understand what self protection is all about and yet once again I find myself submitting testimony to the state legislature on something that should be a settled issue.

HB534 is once again trying to make victims of law abiding citizens and providing protection to criminals and allow them to continue to prey upon the fine citizens of Hawaii.

Your bill removing the CASTLE DOCTRINE is abhorrent and you should be disgusted that you would try to victimize citizens in this manner.

Your bill is intentionally using misleading language in the hopes that your fellow legislators may not fully read it or you will garner public support. We are on to you. Now you are attempting to make me a victim at my business. I carry at my business due to the numerous issues I have had in Kalihi and the location of my business with no ability to exit the building or parking lot other than the only access. I have been threatened and assaulted. I have had our business vandalized numerous times. I will not be a victim at my place of business and then revictimized by the state of Hawaii if I were to ever have to use deadly force.

PULL THIS BILL and SHREAD IT.



**HB-534**

Submitted on: 1/31/2021 1:37:17 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I don't believe HB534 is necessary to modify existing legislation for self protection. I therefore oppose this bill. It is just adding more confusion. Self preservation actions will prevail over any absurd laws that may exist.

**HB-534**

Submitted on: 1/31/2021 1:48:42 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

Aloha,

I am opposed to this bill as written, but I would support the bill if the wording is changed to match introduced bill HB711. My hope is that a person is able to use a firearm for self-defense without a duty to retreat any place they can legally be in possession of a firearm. Please change the wording of HB534 to match that of 534.

Although I appreciate the need for safety, I strongly feel that they need for protection and self-defense is necessary and proper.

Mahalo,

Kaala Kawai

**HB-534**

Submitted on: 1/31/2021 2:21:40 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I do not support this bill because it does not give us law abiding citizens the right to defend ourselves or our family it takes our right away here in Hawaii with violent crimes on a major rise we need to be able to legally defend ourselves we desperately need a stand your ground law to protect honest citizens and our family from harm without being in fear of using our GOD given rights AND our constitutional rights THANK YOU

**HB-534**

Submitted on: 1/31/2021 2:53:45 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

This bill is misleading and worded to give criminals more rights. What a clever way to strip more protection from law abiding citizens and further enable criminals to continue their career criminal lifestyles. So disappointed in the way this state defends criminals and punishes law abiding, hard working, tax paying citizens! Unreal...

**HB-534**

Submitted on: 1/31/2021 4:53:07 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

## Comments:

I oppose this bill because it removes a law abiding citizens ability to defend themselves. What it does is allow criminala to act with more violence and they know 1 cannot defend themselves if their life is in danger and must first flee. This will give criminals the upperhand.

**HB-534**

Submitted on: 1/31/2021 6:05:49 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lionel Delos Santos	Individual	Oppose	No

Comments:

Dear legislature, i strongly oppose this bill because it doesnt say that the people can defend yourself ,but let criminals get away on hurting or bodily harm or death without putting up to defends yourself.

thank you lionel

**HB-534**

Submitted on: 1/31/2021 6:12:17 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
B. Flower	Individual	Oppose	No

Comments:

I do not support HB534. The bill is heaps an onerous burden on the firearm owner in their home and ir place if business. In a defensive situation options are needed not restrictions favoring the perpetrators. Standing your ground may be your only option particularly if there ither people unable to defend themselves. True stand your your ground legislation does not create a greater threat to the firearm owner or to the justice system. It provides a much needed option

HB534 is a troubling attempt by the State to confuse, burden, and limit firearm owners from adequately protecting their homes, businesses and more importantly their lives. The conflicting language if the bill which says it provides a path fir standing your ground then guts that path in the detailed stipulations. Forcing a business owner to fleet their business will only emboldened criminal activities. Homeowners are already severely hampered by the existing laws. The constitutionality of those laws is another debate.

I truly beluve this a legitimate attempt to confuse and miskead voters. Shame on the State for this. These types of actions create distrust among voters and elected officials. This bill must be struck down and clearer more dict bill that truly, honestly and openly supports stand your ground must be submitted.

**HB-534**

Submitted on: 1/31/2021 6:50:17 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

Vote NO on this bill.

These is no reason a person should be denied the right to stand one's ground in any location or cricumstance, including a work location.

Vote NO on this bill.



**HB-534**

Submitted on: 1/31/2021 7:59:34 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I oppose this bill, this only takes away our right to protect ourself at our work place. Imagine you are a gun store owner, now if someone commits an armed robbery at your place of work and demands guns, and you are unarmed, are you supposed to give up your guns that you are trying to sell to law abiding citizens? If this bill becomes law, there will be stolen guns on the street in the hands of criminals who don't get background checks, don't register firearms, and then causing more crime. We must remember that criminals don't follow the law.

**HB-534**

Submitted on: 1/31/2021 8:24:06 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I oppose this bill because it will remove my ability to defend myself at my place of work.

**HB-534**

Submitted on: 1/31/2021 8:50:22 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

As a female, I am not strong enough to use non lethal force to defend myself. I am at work more than I am home, and I also go to multiple businesses in one day. Sometimes I am on a hotel property all day until night time. I do not know where every properties exits are. So to flee would be more difficult. Due to old sports injuries, I am not able to run as fast as someone who could be on drugs or a male. It would not be fair to let my coworkers die and not try to help save them if i was armed with a firearm and run and save myself instead

**HB-534**

Submitted on: 1/31/2021 8:56:04 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I oppose HB534

There are two problems with HB534.

1. Section (2) has a stand your ground clause added to it for deadly force against the listed violent crimes. However it conflicts with (5)(b) which still has the original wording "...safely by retreating or by surrendering possession...." So the second part nullifies the first part. Not sure if intentional or an error.

2. Section (5) (B) (i) removes "castle doctrine" in the workplace, requiring you to retreat if possible.

**HB-534**

Submitted on: 1/31/2021 9:14:08 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I OPPOSE HB534,

I do support stand your ground laws, but this bill is worded in a way that does not change Hawaii's already weak personal protection laws. Castle Doctrine laws should apply to workplaces that allow their employees to protect themselves.

regards,

Mitchell Weber

**HB-534**

Submitted on: 1/31/2021 9:18:09 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

To Whom It May Concern,

I writing to you to let you know that I oppose the way this bill and the way it is written. In a self defense situation you can not always retreat when you are in your home. By retreating it would mean that you would have to abandon your family such as an infant, elderly, and handy cap family member. To retreat and leave your family behind is a ridiculous bill. The people writing this type of bills need more commonsense. They need to put themselves into a home invasion situation where they have a wheelchair bound family member. Would they let the intruder just rape and murder their family member while they runaway and climb out the back window, or stand their ground and defend their family. If they chose to run they have some serious mental issues going on.

**HB-534**

Submitted on: 1/31/2021 9:27:55 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Feena Bonoan	Individual	Support	No

Comments:

I support this bill.

**HB-534**

Submitted on: 1/31/2021 9:32:42 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

This is not a stand your ground bill. Violent criminals already feel empowered to break into peoples houses and businesses because they know a lot of times they will get let right back out again if they ever get caught at all. We need a real deterrent to make them think twice, and legislation that makes law abiding gun owners hesitate only encourages violent criminals.



**HB-534**

Submitted on: 1/31/2021 10:04:58 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

HB534 has conflicting sections regarding the right to stand ones ground in their home and the conditions in which is lawful to do so.

Section 4.b. Remains unchanged and appears to conflict with the changes made to sections 1 & 2.

additionally, an actor should maintain the Right to stand their ground in the workplace if threatened with death or serious bodily harm by the intruding party. Hawaii has numerous family owned and run businesses that should be safe spaces for owners and employees. An owner nor employee should not be legally required to retreat to a bathroom or storage closet in the case of a violent robbery or active shooter. They should the Constitutional Right to protect themselves and others.

though home invasions have become a growing problem, many violent encounters do take place in the workplace.

based on these flaws in the Bill as written, I must oppose the passing of HB 534.

Representative Linda Ichiyama, Chair  
Representative Stacelynn K.M. Eli, Vice Chair  
Committee on Pandemic & Disaster Preparedness  
HEARING: Tuesday, February 02, 2021, at 9:45am  
Regarding: **HB 534 Relating to Use of Force in Self-Protection**  
**Position: OPPOSITION**

Representatives of the Pandemic & Disaster Preparedness Committee,

I wanted to express my **opposition** to HB 534 because its content places the Hawaii's business owners and employees at a grave risk of bodily harm and even death at the hands of criminals. The introduction of the bill reveals that an increase of criminal activity corresponds with the economic hardships imposed upon Hawaii's residents due to the ongoing Coronavirus-19 (COVID-19) disease that plagues the entire globe. With this reality in mind, criminal actors seeking to harm innocent citizens will not limit their area of operations to a citizen's household. Criminals can always target citizens of interest at their respective workplace where they are likely to be vulnerable to attack. With this reality, it is not realistic to restrict a citizen's ability to defend themselves at their workplace. The use of force, deadly or by lesser means, arguably requires constraints as current law stipulates. However, if a citizen's life is in danger while at the workplace, the citizen should be afforded every avenue available to them in order to preserve their own life. When confronted by a criminal, a citizen's life and overall safety cannot be absolutely guaranteed, especially in the absence of law enforcement personnel. With respect to the intent of the bill to address an increase of crime, better efforts can be taken to provide funding and increasing the frequency of law enforcement patrols that will effectively mitigate criminal activity. Rather than proceed with HB 534 in its current form, the Legislature can focus its efforts on securing the safety of Hawaii's citizens by passing **HB 711 Relating to Self-Defense** instead.

I continue my **opposition** to HB 534 because it fails to address the root cause of problems involving criminal activity. Criminal activity proliferates in the absence of law enforcement activity. For that reason, the best way to counteract this problem is by investing in an increase of law enforcement patrols. Research concerning crime reduction strategies reveals that increased police efforts at crime hotspots effectively prevents crime from occurring in the first place (Braga et al., 2019, pp. 305–306). Accordingly, I re-emphasize the importance of ensuring that Hawaii's citizens can protect their own lives by exhausting all means necessary at any place they have a right to be.

Thank you for taking the time to review this testimony.

Respectfully,

Ryan Tinajero

## Reference

Braga, A. A., Turchan, B. S., Papachristos, A. V., & Hureau, D. M. (2019). Hot spots policing and crime reduction: An update of an ongoing systematic review and meta-analysis. *Journal of Experimental Criminology*, 15(3), 289–311.

<http://dx.doi.org.proxy.library.georgetown.edu/10.1007/s11292-019-09372-3>

**HB-534**

Submitted on: 1/31/2021 10:21:52 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

Aloha Chair Ichiyama, Vice Chair Eli and Members of the Committee,

I am writing to strongly oppose HB534 which, in amending the law on the use of deadly force in self-defense, establishes the circumstances in which a person using deadly force has no duty to retreat, but rather is able to stand their ground.

Research shows that in other jurisdictions, as the result of passage of stand-your-ground laws, homicide rates increased significantly. HB534 is essentially a license to kill and would be tragic for Hawaii. Please oppose HB534.

Mahalo for your consideration.

Diana Bethel

**HB-534**

Submitted on: 1/31/2021 10:24:23 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

Good morning to the committee,

I would like to express my opposition to SB534 due to the way the SB is currently written: Section (2) conflicts with (5)(b) "...safely by retreating or by surrendering possession...." As a result, the second part nullifies the first part. In addition, Section (5) (B) (i) I disagree with removing "castle doctrine" in the workplace.

Respectfully,

B. Davis

**HB-534**

Submitted on: 1/31/2021 10:33:11 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I oppose the bill as written. It should be amended to match HB 711.

- This bill removes the castle doctrine in the workplace.
- This bill falsely implies stand your ground (no duty to retreat).
- This bill is worded to mislead people into supporting it.
- This bill should not be supported with its current format/wording.

The bill, as introduced, is cleverly worded to garner support from pro-self-defense and pro-second amendment people but overall diminishes the right to self-defense.

**HB-534**

Submitted on: 1/31/2021 10:35:50 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I oppose bill HB534.

**HB-534**

Submitted on: 1/31/2021 10:55:13 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
David Harwood-Tappe	Individual	Oppose	No

Comments:

Slowly but surely the traitors within our own government have been influencing public opinion using emotional manipulation and propaganda instead of facts and logic when it comes to our Second Amendment right and firearms.

With the help of our CIA infiltrated, Project Mockingbird, news media, these so called "representatives" have used horrifying events such as the Sandy Hook and Las Vegas shootings to get people to react emotionally with fear and anger to pass illegitimate gin-control legislation.

These same traitors manipulate us to believe it's the weapons fault, an inanimate object, instead of a mentally ill person to blame. Someone who most likely is a byproduct of our sick and immoral society that has been socially engineered to be weak, depressed and apathetic.

These representatives pose as wolves in sheep's clothing chipping away at our Constitutional right to keep and bear arms one piece at a time. There is a long game being played by these traitors who influence our politicians to eventually make our Second Amendment right disappear.

It was made very clear by our founding fathers: because the militia is necessary to the security of a free state (from enemies both foreign and domestic!), the right of the people to keep and bear arms shall NOT be infringed. And that pertains to any aspect of firearms. We're not talking about bazookas, tanks or missiles for God's sake! Properly understood, it is clear that anyone who tries to limit our right to bear and keep arms is a traitor to this country and should be found to be such by their peers!

By voting yes for this bill and others like it, of which infringe upon the Second Amendment, you are demonstrating that you and our government is no longer for the people, nor by the people, and that you do not represent us truly.

I stand in opposition to this bill because it removes the castle doctrine in the workplace. And as a private business owner having petty cash on site daily, it is most important that I be able to protect myself when my life is threatened without government restricting me to do so. I have a God-given right to defend my life in the pursuit of life, liberty and happiness!



In addition, this bill falsely implies stand your ground (no duty to retreat). This bill is worded to mislead people into supporting it and this bill should not be supported with its current format/wording by anyone in congress!

Your Nay on this vote is necessary to the protection and defense of our Constitution. Please vote "NO" on this bill. Thank you!

**HB-534**

Submitted on: 1/31/2021 10:56:56 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

Aloha,

I Kimo Galon oppose HB534. We as citizens have the right to self defense in and out of the home. Many crimes are happening out in the streets and we need to defend ourselves and loved ones. The people have a right to have a true stand your ground law.

**I OPPOSE THIS BILL AS WRITTEN, but would support the bill if the wording is changed to match introduced bill HB711**

**Mahalo**

**Kimo Galon**

## **HB-534**

Submitted on: 2/1/2021 12:25:02 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

Hello,

I am writing in to oppose HB534 as written, but with some suggested corrections.

While we would love to see, stand your ground implemented in Hawaii, these bills DO NOT do that. In fact, the only thing they do is remove part of the castle doctrine we already have.

- This bill removes the castle doctrine in the workplace.
- This bill falsely implies stand your ground (no duty to retreat).
- This bill is worded to mislead people into supporting it.
- This bill should not be supported with its current format/wording.

The bill, as introduced, is cleverly worded to garner support from pro-self-defense and pro-second amendment people but overall diminishes the right to self-defense. **WE OPPOSE THIS BILL AS WRITTEN, but would support the bill if the wording is changed to match introduced bill HB711**

The introduced change to the wording of the bill reads:

*"Subject to the requirements of this section, an actor who uses deadly force in accordance with this subsection does not have a duty to retreat and has the right to stand the actor's ground if the actor using deadly force is not engaged in criminal activity and is in a place where the actor has a right to be."*

*The key sentence to this wording is "**Subject to the requirements of this section,**"* The bill later clarifies that

"(5) The use of deadly force is not justifiable under this section if:"

(b) "The actor knows that [~~he~~] the actor can avoid the necessity of using [~~such~~] deadly force with complete safety by retreating or by surrendering possession of a thing to a person asserting a claim of right thereto or by complying with a demand that [~~he~~] the actor abstain from any action [~~which he~~] that the actor has no duty to take, [~~except~~]; provided that:"

(i) The actor is not obliged to retreat from [his] the actor's dwelling ~~[or place of work]~~, unless ~~[he]~~ the actor was the initial aggressor ~~[or is assailed in his place of work by another person whose place of work the actor knows it to be]~~;

(additions are underlined, subtractions are struck through)

So what this means is that although the initial change implies that you can use self-defense without a duty to retreat. But because of the exceptions already in the law and the changes being made in the proposed bill. It would only apply in the home. Something that is already included in the bill.

In fact, the change REMOVES the ability to stand your ground in your workplace, instead it requires you to surrender your place of business to an attacker. This is the only change in what the bill would do. The stand your ground law in Hawaii would not change other than removing it from your place of work.

For this bill to make any sense and provide people in Hawaii with a true **stand-your-ground** law, it would need to be changed to match the wording of HB711. This would allow a person to use Self-defense without a duty to retreat any place they can legally be in possession of a firearm.

**ONLY IF THIS CHANGE IS MADE CAN WE SUPPORT THIS BILL.**

Thank you for your consideration,

Ian Bishop

**HB-534**

Submitted on: 2/1/2021 4:27:29 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mery Ann Luna	Individual	Oppose	No

Comments:

I strongly oppose HB534!!! I am an Asian female (small to medium size body type) and this bill will stop me from defending myself in my workplace/business. I have the right to defend myself from deadly force anywhere I am/stand at anytime!!! Removing the ability to defend oneself from deadly force in the workplace is basically allowing oneself to be a target for deadly force!! Also, my husband and family members have jobs that deals with the possibility of deadly force in the workplace and this bill will not allow them to defend themselves. Please do not pass this bill, if you are my size and have family members that have high risk jobs, we should have the right to defend ourselves against deadly force in the workplace so that we can fight to live another day!

**HB-534**

Submitted on: 2/1/2021 5:26:00 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

**WE OPPOSE THIS BILL AS WRITTEN, but would support the bill if the wording is changed to match introduced bill HB711**

**HB-534**

Submitted on: 2/1/2021 5:47:19 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I respectfully request the following to be taken in to account in opposition of proposed bill HB534 as currently written.

Removing the equal right to protect ones workplace could place undue hardships on the numerous small business owners. Please afford them the right to protect their hard earned business and its properties as they may their own homes. Requiring giving up possessions and retreating would give criminals the upper hand in any confrontation.

The prelude to the bill acknowledges increase of criminal activity. With the increased threat I feel this bill should actually be expanded in definitions to allow for equal uses of lethal force in any location a person can legally be located and also possess the force to do so. People are on hard times and the food and possessions on personal properties not within the home or workplace could be equally devastating to individuals in our community.

Please take this into account and afford our lawful citizens the right to protect all their property from the criminals and please don't enact law that will give criminals more freedoms in their illegal activity.

**HB-534**

Submitted on: 2/1/2021 6:20:44 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

**STRONGLY OPPOSE THIS BILL AS WRITTEN**

- This bill removes the castle doctrine in the workplace.
- This bill falsely implies stand your ground (no duty to retreat).
- This bill is worded to mislead people into supporting it.
- This bill should not be supported with its current format/wording.

The bill, as introduced, is cleverly worded to garner support from pro-self-defense and pro-second amendment people but overall diminishes the right to self-defense.

WE OPPOSE THIS BILL AS WRITTEN, but would support the bill if the wording is changed to match introduced bill HB711

The introduced change to the wording of the bill reads:

“Subject to the requirements of this section, an actor who uses deadly force in accordance with this subsection does not have a duty to retreat and has the right to stand the actor’s ground if the actor using deadly force is not engaged in criminal activity and is in a place where the actor has a right to be.”

The key sentence to this wording is “Subject to the requirements of this section,” The bill later clarifies that

“(5) The use of deadly force is not justifiable under this section if:”

(b) “The actor knows that [he] the actor can avoid the necessity of using [such] deadly force with complete safety by retreating or by surrendering possession of a thing to a person asserting a claim of right thereto or by complying with a demand that [he] the actor abstain from any action [which he] that the actor has no duty to take, [except]; provided that:”

(i) The actor is not obliged to retreat from [his] the actor’s dwelling [or place of work], unless [he] the actor was the initial aggressor [or is assailed in his place of work by another person whose place of work the actor knows it to be];

So what this means is that although the initial change implies that you can use self-



defense without a duty to retreat. But because of the exceptions already in the law and the changes being made in the proposed bill. It would only apply in the home. Something that is already included in the bill.

In fact, the change REMOVES the ability to stand your ground in your workplace, instead it requires you to surrender your place of business to an attacker. This is the only change in what the bill would do. The stand your ground law in Hawaii would not change other than removing it from your place of work.

For this bill to make any sense and provide people in Hawaii with a true stand-your-ground law, it would need to be changed to match the wording of HB711. This would allow a person to use Self-defense without a duty to retreat any place they can legally be in possession of a firearm.

ONLY IF THIS CHANGE IS MADE CAN I SUPPORT THIS BILL.

I STRONGLY OPPOSE THIS BILL.

Changes made to bar the public from in person testimony and monitoring, of the process of government, is yet another travesty marring the citizens trust of the government, and spit in the face of transparency and democracy.

Any and all laws passed while behind closed and locked doors are suspect, and should be, by any side of the political spectrum.

Thank you for your consideration  
Brendon Heal

**HB-534**

Submitted on: 2/1/2021 7:23:48 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

Stand your ground laws have been used across the country against innocent people-- often minorities. Such a law has no place in Hawaii (or anywhere else, for that matter). Please do not support this bill.

**HB-534**

Submitted on: 2/1/2021 7:51:11 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ricky Ferreira Jr	Individual	Oppose	No

Comments:

I strongly oppose this bill.

**HB-534**

Submitted on: 2/1/2021 7:56:13 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I would like to oppose the bill due to it further restricting the safety of those that may need to use deadly force for self defense. Especially for the safety of my family and I in our own home.

**HB-534**

Submitted on: 2/1/2021 8:11:07 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joseph T Bussen	Individual	Oppose	No

Comments:

HB 534

I could make all the arguments you have heard before. I could say the numbers do not match the feelings of the heart. I could speak of rights. But in my experience, over my 50 years, none of that matters. Politicians do not listen to science or analyze facts.

A retired police captain I know, claimed to be in the room when laws like these were being passed. He stated that they were not constitutional and was told by legislators that the public could sue. I am stating that I have no reason to believe my legislators will enact the will of the people and am therefore asking that this bill be rejected and instead let the question be placed on the ballot for the people to decide.

Just as you do not trust your fellow citizen to do what is right with a firearm, I do not trust my politicians to do the same. Thank you for your time. Aloha Joe B.

**HB-534**

Submitted on: 2/1/2021 8:13:09 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I oppose this bill because its actual text is misleading when compared to its title headline

**HB-534**

Submitted on: 2/1/2021 8:16:45 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

i oppose this bill. does not make sense.

**HB-534**

Submitted on: 2/1/2021 8:17:39 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I oppose HB534.

This bill punishes good people and protects criminals. Change it so it protects the good and punishes the bad

As a former police officer, retired veteran, and firearms instructor, I know that this bill is a tragedy in the making for the good people in Hawaii. I object to the wording in section 5 b i requires you to retreat first if you can do so safely when faced with an attacker intending to do things like murder, rape, and brutally attacking you. I also object to the removal of protections in the workplace.

This places the burden on the good people, asking them to risk their life to protect the criminals. Any police officer(who already have Stand Your Ground), know that things go very fast in a confrontation and hesitation can get you in the hospital or morgue. You also don't know anything about who you're facing. Are they mentally ill? How fast can they run? Will they beat or stab you for the fun of it? You can't predict what's going to happen and it's your life on the line. You didn't go into a confrontation by choice, the criminal forced you into it.

Restore the people's rights to defend themselves at any place and anytime. I support the language in HB711 which is a true all encompassing "Stand Your Ground" bill to protect the community against the criminals.

I oppose HB534.

Todd Yukutake

todd.yukutake@gmail.com

Resident, house district 33





**HB-534**

Submitted on: 2/1/2021 8:27:07 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I oppose this bill because of 2 reasons:

1. Section (2) has a stand your ground clause added to it for deadly force against the listed violent crimes. However it conflicts with (5)(b) which still has the original wording "...safely by retreating or by surrendering possession...." So the second part nullifies the first part. Not sure if intentional or an error.
2. Section (5) (B) (i) removes "castle doctrine" in the workplace, requiring you to retreat if possible.

Fix these problems than I should support it.

**HB-534**

Submitted on: 2/1/2021 8:27:46 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

oppose HB534. it is poorly written on 2 accounts:

OPPOSE it due to two problems with HB534.

1. Section (2) has a stand your ground clause added to it for deadly force against the listed violent crimes. However it conflicts with (5)(b) which still has the original wording "...safely by retreating or by surrendering possession...." So the second part nullifies the first part.

2. Section (5) (B) (i) removes "castle doctrine" in the workplace, requiring you to retreat if possible.

sincerely,

Gavin Lohmeier

**HB-534**

Submitted on: 2/1/2021 8:35:54 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Bruce B Robinson	Individual	Oppose	No

Comments:

Unconstitutional to citizen and small businesses.

**HB-534**

Submitted on: 2/1/2021 8:39:13 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

While I would love to see, stand your ground implemented in Hawaii, these bills **DO NOT** do that. In fact, the only thing they do is remove part of the castle doctrine we already have.

This bill removes the castle doctrine in the workplace.

This bill falsely implies stand your ground (no duty to retreat).

This bill is worded to mislead people into supporting it.

This bill should not be supported with its current format/wording.

The bill, as introduced, is cleverly worded to garner support from pro-self-defense and pro-second amendment people but overall diminishes the right to self-defense.

The as written Bill **REMOVES** the ability to stand your ground in your workplace, instead it requires you to surrender your place of business to an attacker. This is the only change in what the bill would do. The stand your ground law in Hawaii would not change other than removing it from your place of work.

For this bill to make any sense and provide people in Hawaii with a true stand-your-ground law, it would need to be changed to match the wording of HB711. This would allow a person to use Self-defense without a duty to retreat any place they can legally be in possession of a firearm.

**ONLY IF THIS CHANGE IS MADE WILL I SUPPORT THIS BILL.**

**HB-534**

Submitted on: 2/1/2021 8:48:51 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

The verbiage of this bill contradicts the title of it. It is not meant to allow Hawaii citizens to protect themselves or their families. Rather it still sets requirements to retreat within their own homes when invaded. Hawaii lawmakers are continually favoring the action of the criminal and not protecting the victim. This is shown to be true in this bill. Not only are they trying to protect the actions of the criminal, but attempting to mislead the voter in supporting a bill based on the title and not the content of it.

I oppose HB534.

**HB-534**

Submitted on: 2/1/2021 8:49:27 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

Aloha Members,

I oppose HB534 as written as this removes protections for violence in the workplace. I would like to note that just this weekend with employees and customers at a major store being pepper sprayed to commit a crime...this just shows the continued escalation in violence that the state is going thru. It is worded in a misleading manner that that falsely implies stand your ground. This bill needs to be worded like HB711

**HB-534**

Submitted on: 2/1/2021 8:59:55 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

Stand your ground laws would be a great thing for Hawaii, but these bills DO NOT do that. In fact, the only thing they do is remove part of the castle doctrine we already have.

This bill removes the castle doctrine in the workplace.

This bill falsely implies stand your ground (no duty to retreat).

This bill is worded to mislead people into supporting it.

This bill should not be supported with its current format/wording.

The bill, as introduced, is cleverly worded to garner support from pro-self-defense and pro-second amendment people but overall diminishes the right to self-defense. I

OPPOSE THIS BILL AS WRITTEN, but would support the bill if the wording is changed to match introduced bill HB711



**HB-534**

Submitted on: 2/1/2021 9:09:53 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

As a law-abiding citizen of the State of Hawaii and the United States of America, I strongly disagree with this measure. The purpose of government and law is to create a framework supportive of justice for all law-abiding citizens and to protect those citizens from harm by those who are not law abiding. In the case of this measure however, the effect is to put a law-abiding citizen in a position of risk at their workplace if a non law-abiding citizen or other individual with nefarious intent were to threaten them with harm or worse. Under the provisions of this law, the individual who is abiding by the law is forced to make a decision which could cost them their life, in order to protect an individual who is breaking the law and, in fact, perpetrating the entire scenario. This is exactly opposite of the purpose of law and government which is justice and protection of law-abiding citizens.

The result of measures such as this are, instead of a framework supportive of justice for all law-abiding citizens and to protect those citizens from harm by those who are not law abiding, is in fact to remove the protection and rights of law-abiding citizens, the unalienable rights of life, liberty and the pursuit of happiness, and to extend those privileges to those who are breaking the law.

I ask you, our representatives, to faithfully represent those who work, create businesses and generally try to live in our society without victimizing others, without trying to take what is not ours and to live peaceably and safely with others. Theirs is the side of justice. The interests of such law-abiding citizens are in stark contrast to those who are not law abiding and are in fact, seeking to take what is not theirs or harm others. Theirs is contrary to the side of justice. You must make a choice. Please choose justice.

**HB-534**

Submitted on: 2/1/2021 9:37:27 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

February 1, 2021

Mrs. Ichyyama,

As a former Hawaii Public Safety Department Corrections division staff members and a current security officer for a federal campus on Maui I am familiar with the dangers that come with duty. We are always on duty for our communities whether we are on the clock or not. Many people with criminal backgrounds or that have been incarcerated have made threats to us personally or our families when either inmates or students do not abide by our rules and regulations and we have to enforce and or discipline. I have had co-workers that literally had inmates come to their houses with threats of violence because we are doing our jobs. We see former inmates all the time in public as these are isLand and inmates are released at some point and we will encounter them all the time and the last thing we need is not being able to protect ourselves or loved ones. If you have not been on the frontlines as we have then you may not have any idea what it's like to always be vigilant over your loved ones or community once outside the safety of our homes. Our families pay the price sometimes but most civilians don't not understand that it only takes a few seconds for a situation to turn violent or deadly. By that time calling the police is useless. Put yourself in an imaginary situation out in public and you are not allowed to protect your loved ones should someone that is under the influence of drugs or vendetta and comes after yours? Are you willing to risk a life to wait for law enforce to arrive 10-15 minutes later? I oppose HB534. Thank you very much for your time and good day to you.

LATE

**HB-534**

Submitted on: 2/1/2021 10:04:44 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dylan J Bodnar	Individual	Oppose	No

Comments:

Aloha,

My name is Dylan Bodnar and I am writing to submit a testimony in opposition of HB534 for the specific reasons of the wording. I don't believe it is the intent of the 2nd Amendment for me to prioritize the intents of an aggressors or persons who have I'll intent over the safety of my family. In the act of their aggressions why should the safety of someone who is committed to acting against myself or my family and potentially harm them be prioritized, and even protected under this bill? I think it is wrong and should be changed to support the victims ability to stand their ground against an aggressive perpetrator rather than have their safety be a "priority" when deciding to protect my family.

LATE

**HB-534**

Submitted on: 2/1/2021 10:07:22 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I oppose this bill because the bill is misleading.

LATE

**HB-534**

Submitted on: 2/1/2021 10:21:20 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Donna P. Van Osdol	Individual	Oppose	No

Comments:

I oppose this bill because it is a shady stand yur ground bill as it requires you to retreat if you can safely do so and give up possessions to avoid using deadly force, if possible. It also removes the current "castle doctrine" from the workplace.

LATE

**HB-534**

Submitted on: 2/1/2021 12:22:34 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

Hello Hawaii State Legislature,

I humbly ask that you DO NOT HB534 to pass. In section 5 many words have been struck that could make situations worse. Duty to retreat in the workplace for example, that opportunity may never come. Also Stand your Ground is mentioned. I may be wrong but I believe Hawaii is NOT a Stand Your Ground state. We should be. Thank you

LATE

**HB-534**

Submitted on: 2/1/2021 12:56:55 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

**I OPPOSE THIS BILL AS WRITTEN, but would support the bill if the wording is changed to match introduced bill HB711.**

LATE

**HB-534**

Submitted on: 2/1/2021 1:15:11 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

The bill, as introduced, is worded in a way that STILL infringes on ones 2A right of self-defense. I AM OPPOSED TO THIS BILL AS WRITTEN, but would support the bill if the wording is changed to match introduced bill HB711.

Mahalo for your serious consideration in this matter.



LATE

**HB-534**

Submitted on: 2/1/2021 1:18:05 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I strongly oppose HB53 and quote the Everytown Research and Policy website: "Stand Your Ground laws give people a license to kill, allowing those who shoot others to obtain immunity, even if they started the confrontation and even when they can safely de-escalate the situation by walking away. Stand Your Ground laws are inherently dangerous because they change the nature of gun violence in a state by encouraging escalations of violence and, according to research, do nothing to deter overall crime. Please do not support this bill.

LATE

**HB-534**

Submitted on: 2/1/2021 1:29:03 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I strongly oppose HB534 as written, I am a retired Deputy Sheriff with the State of Hawaii and came in contact with career criminals on a daily basis. This bill as written will give criminals the go ahead to steal, damage and destroy personal property without fear of repercussions.

The past year has seen rioting in many major cities across the United States, and in many of those cities the local Law Enforcement was overwhelmed and did nothing to stop the rampant destruction of businesses and neighborhoods. Many of those small businesses were mom and pop stores that they sunk their life saving in, work long hours to make a better life for themselves were destroyed. The Law Enforcement that they paid taxes to protect them from the criminal never showed up, and many were left to fend for themselves.

This bill as written will give the criminals the ability to walk into your home, steal your belongs and if you make any attempt to stop, you the law abiding home owner will be charged with a crime.

Again I strongly OPPOSE this bill

Submitted By Richard W. Adams

Credit for the complete Narrative must go to: Hawaii Firearms Coalition

They have researched and provide "common language" that I understand and Support

LATE

## **I OPPOSE THIS BILL AS WRITTEN, but would support the bill if the wording is changed to match introduced bill HB711**

The introduced change to the wording of the bill reads:

*"Subject to the requirements of this section, an actor who uses deadly force in accordance with this subsection does not have a duty to retreat and has the right to stand the actor's ground if the actor using deadly force is not engaged in criminal activity and is in a place where the actor has a right to be."*

The key sentence to this wording is **"Subject to the requirements of this section,"** The bill later clarifies that

"(5) The use of deadly force is not justifiable under this section if:"

(b) "The actor knows that ~~he~~ the actor can avoid the necessity of using ~~such~~ deadly force with complete safety by retreating or by surrendering possession of a thing to a person asserting a claim of right thereto or by complying with a demand that ~~he~~ the actor abstain from any action ~~which he~~ that the actor has no duty to take, ~~except~~; provided that:"

(i) The actor is not obliged to retreat from his the actor's dwelling ~~or place of work~~, unless ~~he~~ the actor was the initial aggressor ~~or is assailed in his place of work by another person whose place of work the actor knows it to be~~;

(additions are underlined, subtractions are struck through)

So what this means is that although the initial change implies that you can use self-defense without a duty to retreat. But because of the exceptions already in the law and the changes being made in the proposed bill. It would only apply in the home. Something that is already included in the bill.

In fact, the change REMOVES the ability to stand your ground in your workplace, instead it requires you to surrender your place of business to an attacker. This is the only change in what the bill would do. The stand your ground law in Hawaii would not change other than removing it from your place of work.

For this bill to make any sense and provide people in Hawaii with a true **stand-your-ground** law, it would need to be **changed to match the wording of HB711. This would allow a person to use Self-defense without a duty to retreat any place they can legally be in possession of a firearm. ONLY IF THIS CHANGE IS MADE CAN I SUPPORT THIS BILL.**

LATE

**HB-534**

Submitted on: 2/1/2021 4:06:34 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Elisha Goo	Individual	Oppose	No

Comments:

I oppose this bill HB534. It is taking out part of the Castle Doctrine that we already have in regards to your work place. The majority of shootings are at the work place. Why would you not include the work place??? Both the home and work place is where you spend most of your time. Why would you make your work place less safe??? Wording of this bill should be changed to HB711.

Please oppose this Bill HB534.

Sincerely,

Elisha Goo - Gun Owner

Sean Goo - Gun Owner

Judy Goo - Gun Owner

Dan Goo - Retired Detective HPD - Currently with US Marshal Service

LATE

**HB-534**

Submitted on: 2/1/2021 5:08:20 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I oppose Bill HB 534

LATE

**HB-534**

Submitted on: 2/1/2021 6:12:19 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I OPPOSE HB534

This Bill needs to be changed to match the wording of HB711.

Until changes to match the wording of HB 711 - I OPPOSE HB534

Thank you

LATE

**HB-534**

Submitted on: 2/1/2021 7:19:14 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
PHILIP LAPID	Individual	Oppose	No

Comments:

It is never the intention of a good person to do crime at home with family, but to love, cherish, and protect them. It is never in the mindset of a good citizen to do crime in the workplace but to earn for a living and feed the family.

When a normal person that is a law abiding citizen use force, it only means it is for self-protection and protection for the loved ones. Is it not already the justification?

Now the mindset of a criminal is to cause pain, loss, anger, and altogether destruction of peace of a normal person that is a law abiding citizen as well as the society and the community.

A person of crime does NOT care at all about any of these bills in the house or senate. They do not need to write any testimonials.

Please create more bills against the citizens of which the way of living is to cause pain, loss of properties, anger, and suffering towards the good citizens.

I do not support this bill because it is against a good tax payer person that is acting in accordance with a situation that needs self-protection, love ones, hard earned properties, and livelihood.

LATE

**HB-534**

Submitted on: 2/1/2021 7:37:08 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I STRONGLY OPPOSE THIS BILL AS WRITTEN, but would support the bill if the wording is changed to match introduced bill HB711. Here's why:

Stand your ground laws would be a great thing for Hawaii, but these bills DO NOT do that. In fact, the only thing they do is remove part of the castle doctrine we already have.

This bill removes the castle doctrine in the workplace.

This bill falsely implies stand your ground (no duty to retreat).

This bill is worded to mislead people into supporting it.

This bill should not be supported with its current format/wording.

The bill, as introduced, is cleverly worded to garner support from pro-self-defense and pro-second amendment people but overall diminishes the right to self-defense. I

OPPOSE THIS BILL AS WRITTEN, but would support the bill if the wording is changed to match introduced bill HB711



LATE

**HB-534**

Submitted on: 2/1/2021 9:10:20 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I strongly Oppose this bill

LATE

**HB-534**

Submitted on: 2/1/2021 10:00:10 PM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

I strongly OPPOSE this Bill, HB534. The wording is not clear. It doesn't make sense. Also, it is not stating we can stand our ground, but only the opposite. Please revise to clearly state STAND YOUR GOUND at home and in your workplace when your life is obviously being threatened.

LATE

**HB-534**

Submitted on: 2/2/2021 2:37:26 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jon Fia	Individual	Support	No

Comments:

I support this bill. I should be able to defend myself and my family in my home.

LATE

**HB-534**

Submitted on: 2/2/2021 2:58:45 AM

Testimony for PDP on 2/2/2021 9:45:00 AM

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

Comments:

My testimony is in opposition to yet another flawed bill that does nothing but make law abiding citizens more of an easy target for criminals. This bill further infringes on the constitutionally protected right of self defense of law abiding citizens.