



**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**
KA 'OIHANA HO'OMOHALA PĀ'OIHANA, 'IMI WAIWAI
A HO'OMĀKA'IKA'I

JOSH GREEN, M.D.
GOVERNOR

CHRIS J. SADAYASU
DIRECTOR

DANE K. WICKER
DEPUTY DIRECTOR

No. 1 Capitol District Building, 250 South Hotel Street, 5th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804
Web site: dbedt.hawaii.gov

Telephone: (808) 586-2355
Fax: (808) 586-2377

Statement of
CHRIS J. SADAYASU
Director
Department of Business, Economic Development, and Tourism
before the
SENATE COMMITTEE ON JUDICIARY

Wednesday, March 1, 2023
9:30 AM
State Capitol, Conference Room 016

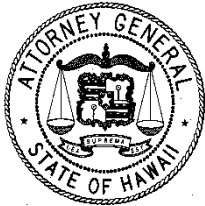
In consideration of
SB1230, SD1
RELATING TO FIREARMS.

Chair Rhoads, Vice Chair Gabbard, and Members of the Committee.

The Department of Business, Economic Development and Tourism (DBEDT) **supports** SB1230, SD1, which establishes the criminal offense of carrying a firearm in a sensitive location; prohibits issuing authorities from issuing permits to acquire the ownership of a firearm to any person where the issuance would not be in the interest of the public health, safety, or welfare because the person is found to be lacking the essential character or temperament necessary to be entrusted with a firearm; requires issuing authorities to consider the risks associated with firearms in the home and consider the likelihood an applicant would bring the firearm outside of the home to engage in violence or carry unlawfully in public; sets minimum requirements for an applicant for a license to carry a concealed firearm; and increases requirements for applicants seeking a license to carry a concealed firearm.

The Department supports the intent of this measure which seeks to protect public health, safety, and welfare from the serious hazards associated with firearms and gun violence. The Department is in support of protecting areas such as schools, government buildings, polling places, and other analogous locations from the potential dangers related to firearms and gun violence.

Thank you for the opportunity to testify in support of this measure.



**WRITTEN TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-SECOND LEGISLATURE, 2023**

ON THE FOLLOWING MEASURE:

S.B. NO. 1230, S.D. 1, RELATING TO FIREARMS.

BEFORE THE:

SENATE COMMITTEE ON JUDICIARY

DATE: Wednesday, March 1, 2023

TIME: 9:30 a.m.

LOCATION: State Capitol, Room 016

TESTIFIER(S): **WRITTEN TESTIMONY ONLY.**

(For more information, contact Dave Day,
Special Assistant to the Attorney General, at (808) 586-1284)

Chair Rhoads and Members of the Committee:

The Department of the Attorney General (Department) strongly supports this bill. Gun violence represents an urgent public-health and public-safety issue, and Senate Bill No. 1230, S.D. 1, would play an important role in clarifying, revising, and updating Hawaii's firearms laws—addressing the serious hazards to public health, safety, and welfare posed by firearms and gun violence while respecting individual rights.

For 170 years—since 1852—Hawai'i has protected public health and safety by carefully limiting who may carry guns in public. For decades, a system of discretionary licensing was used: the police departments would evaluate an applicant and decide whether there was a good reason why that person needed to carry a concealed firearm in public. This policy was preserved and supported across many different administrations and legislative sessions, and it played an important role in helping to reduce the risks of gun violence in our communities. Largely due to Hawaii's system of discretionary licenses, concealed weapons were not commonly carried in public in Hawai'i. Accordingly, there was not as great a need for some of the types of firearms laws that exist in many other states—for example, laws prohibiting carrying firearms in “sensitive places” like schools, playgrounds, and government buildings, or laws prohibiting carrying a firearm in public while intoxicated.

In its June 2022 decision in *New York State Rifle and Pistol Association v. Bruen*, 142 S. Ct. 2111 (2022), the United States Supreme Court held that discretionary licensing systems for carrying guns in public cannot be used going forward. The Supreme Court also stated that the Second Amendment requires that state law must provide clear and objective criteria for when licenses to carry firearms in public will be granted. Moreover, after *Bruen*, the Second Amendment requires that if an applicant meets the statutory criteria that have been established by the state legislature, then a license to carry a concealed weapon in public “shall” be granted.

The Supreme Court’s *Bruen* decision represents a very significant and disruptive change for our State. In the wake of *Bruen*, many more people are applying for licenses to carry a firearm. Under *Bruen*, those licenses shall be granted unless there is an objective statutory basis requiring denial. This will result in a significant increase in the presence of firearms in public, with more individuals carrying concealed weapons in Hawai’i than ever before in our State’s history. This presents serious challenges for public health and safety. This bill is an effort to address these challenges in the post-*Bruen* legal landscape.

Even after the Supreme Court’s decision in *Bruen*, there are still a number of important tools available to address the serious and increasing risks posed by firearms and gun violence. States have the authority to enact “a ‘variety’ of gun regulations,” *Bruen*, 142 S. Ct. at 2162 (Kavanaugh, J., concurring), such as prohibiting the carrying of firearms in sensitive locations and adopting laws to ensure that those who carry firearms are “law-abiding, responsible citizens,” *id.* at 2133, 2138.

This bill would, among other things, amend chapter 134, part I, Hawaii Revised Statutes (HRS), to: (1) establish an offense of carrying a firearm in certain “sensitive” locations or on the private property of another person without authorization; (2) require the Attorney General to publish an annual report on licenses to carry firearms; (3) prohibit issuing authorities from issuing permits, under section 134-2, HRS, to a person who is found to be lacking the essential character or temperament necessary to be entrusted with a firearm; (4) require issuing authorities to consider certain factors related to the risk of misuse by an applicant when issuing permits under section 134-2, HRS;

(5) define the term “enclosed container” in section 134-1, HRS; (6) set forth requirements, qualifications, and procedures for an applicant seeking a license to carry a pistol or revolver; (7) require a license issued under part I of chapter 134, to be revoked under certain circumstances; (8) require firearms to be kept in a locked container and placed out of plain view when left in an unattended vehicle; (9) establish a duty to maintain possession of a license while carrying a firearm; (10) require that when a person carrying a firearm is stopped by a law enforcement officer or is a driver or passenger in a vehicle stopped by a law enforcement officer, the person shall immediately disclose to the law enforcement officer that the person is carrying a firearm and, upon request, identify the specific location of the firearm and present to the law enforcement officer a license or credentials to carry a firearm; (11) amend the definition of "crime of violence" in section 134-1, HRS; (12) require a person carrying a firearm in public pursuant to a license to maintain insurance coverage; and (13) clarify and amend section 846-2.7, HRS, to provide that county police departments may conduct criminal history record checks for licenses to carry a pistol or revolver and ammunition.

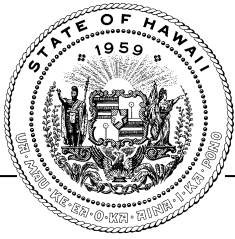
* * *

The Department notes that proposed section 134-C, HRS, in the bill would require insurance coverage for those who engage in the licensed public carry of firearms (Section 2, section 134-C, HRS, page 11, line 12, through page 12, line 12). In particular, section 134-C would require that, effective January 1, 2025, every person who carries a firearm in public pursuant to a license maintain insurance coverage insuring against loss resulting from liability imposed by law for bodily injury, death, and property damage arising out of the ownership, maintenance, operation, or use of a firearm carried in public. The Department believes that firearms insurance represents a promising policy tool that warrants strong consideration. Several jurisdictions—including the State of New Jersey and the City of San Jose—have adopted similar measures in recent months. However, the Department also recognizes that there are a number of areas of uncertainty that presently exist in this area. To that end, the Committee could consider deleting the proposed section 134-C (page 11, line 12, through page 12, line 12) from the bill and instead requesting the Legislative Reference

Bureau to conduct a study analyzing the use and effectiveness of systems of insurance and other financial responsibility requirements associated with the public carry of firearms.

* * *

As outlined above, the Department strongly supports this bill. Thank you for your consideration of this important measure.



**STATE OF HAWAII
OFFICE OF PLANNING
& SUSTAINABLE DEVELOPMENT**

JOSH GREEN, M.D.
GOVERNOR

SCOTT J. GLENN
DIRECTOR

235 South Beretania Street, 6th Floor, Honolulu, Hawai'i 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawai'i 96804

Telephone: (808) 587-2846
Fax: (808) 587-2824
Web: <https://planning.hawaii.gov/>

Statement of
SCOTT GLENN, Director

before the
SENATE COMMITTEE ON JUDICIARY
Wednesday, March 1, 2023, 9:30 AM
State Capitol, Conference Room 016

in consideration of
SB 1230 SD1
RELATING TO FIREARMS

Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Committee on Judiciary.

The Office of Planning and Sustainable Development (OPSD) **strongly supports** SB 1230 SD1, which prohibits issuance of firearms to any person where the issuance would not be in the interest of public health, safety, or welfare and prohibits the carrying of firearms in sensitive places and other provisions to protect the safety of the public.

OPSD **strongly supports** this measure as a way to keep the public and state employees safe in public spaces and public work places. Members of the public and public servants want to reduce the chance of active shooter events in public spaces and places of work. Active shooter training cannot guarantee safety when persons intent on killing other people are allowed to carry firearms into public buildings and gathering places.

Thank you for the opportunity to testify on this measure.

JOSH GREEN, M.D.
GOVERNOR



TESTIMONY BY:
EDWIN H. SNIFFEN
DIRECTOR

Deputy Directors
DREANALEE K. KALILI
TAMMY L. LEE
ROBIN K. SHISHIDO
JAMES KUNANE TOKIOKA

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

March 1, 2023
9:30 A.M.
State Capitol, Teleconference

S.B. 1230 SD1
RELATING TO FIREARMS

Senate Committee on Judiciary

The Department of Transportation (DOT) **supports** S.B. 1230 SD1 which prohibits carrying a concealed firearm in a sensitive location.

The Transportation Security Administration (TSA) screens passengers and their baggage at the five major Hawaii Airports. The TSA follows Federal rules and regulations regarding the carrying and/or transport of firearms on aircraft. This bill will provide additional protection against concealed firearms at the airport terminals and surrounding airport property.

Thank you for the opportunity to provide testimony.



UNIVERSITY OF HAWAII SYSTEM

‘ŌNAEHANA KULANUI O HAWAII

Legislative Testimony

Hō'ike Mana'o I Mua O Ka 'Aha'ōlelo

Testimony Presented Before the
Senate Committee on Judiciary
March 1, 2023 at 9:30 a.m.

By

Michael Bruno, Provost, University of Hawai'i at Mānoa

Bonnie Irwin, Chancellor, University of Hawai'i at Hilo

Maenette Benham, Chancellor University of Hawai'i at West O'ahu

Michael Unebasami, Associate Vice President for Administrative Affairs, Community Colleges
Della Teraoka, Interim Associate Vice President for Academic Affairs, Community Colleges

SB 1230 SD1 – RELATING TO FIREARMS

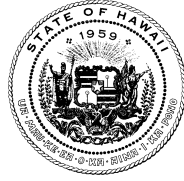
Chair Rhoads, Vice Chair Gabbard, and Members of the Committee:

Thank you for the opportunity to testify on SB 1230 SD1, which, among other things, prohibits the carrying or possessing a firearm in certain locations and premises, including any public or private community college, college, or university, and adjacent parking areas, including but not limited to buildings, classrooms, laboratories, artistic venues, athletic fields or venues. In light of the frequency of mass shootings, increasing reports of gunshots, and the availability of guns that heighten the risk for suicide on college campuses across the U.S., the risk and scope of gun violence has taken an enormous toll on students and employees sense of safety of campus. The University of Hawai'i (UH) supports the intent of SB 1230 SD1 and this provision in particular. UH respectfully requests the following amendment.

UH recommends an amendment to Section 2 of the measure which identifies certain locations and premises where the possession of a firearm is prohibited. On page 6 subparagraph (2), the UH requests that “**research facilities**” also be added to the prohibited areas at any university or college.

UH has educational, research and cooperative extension locations across the state which are not physically located or adjacent to a campus but provide a wide array of research and education to UH students as well as the general public. We believe that these facilities should also be free from firearms.

Thank you for the opportunity to submit testimony on this issue.



STATE OF HAWAII
HAWAII STATE PUBLIC LIBRARY SYSTEM
'OIHANA HALE WAIHONA PUKE AUPUNI O KA MOKU'ĀINA O HAWAII'
OFFICE OF THE STATE LIBRARIAN
44 MERCHANT STREET
HONOLULU, HAWAII 96813

SENATE COMMITTEE ON JUDICIARY
Wednesday, March 1, 2023
Conference Room 016
9:30 AM

By Stacey A. Aldrich
State Librarian

S.B. 1230 S.D.1 RELATING TO FIREARMS

To: Sen. Karl Rhoads, Chair
Sen. Mike Gabbard, Vice Chair
Members of the Senate Committee on Judiciary

The Hawaii State Public Library System (HSPLS) **supports** S.B. 1230 S.D.1 which clarifies, revises and reframes Hawaii's firearms laws to mitigate serious hazards to public health, safety and welfare associated with firearms and gun violence. Specifically, this measure outlines, defines and identifies State requirements for the carrying of firearms in sensitive locations, including libraries.

The HSPLS respectfully requests that the reference to libraries in paragraph (i)(6), as a sensitive location, be clarified to include all HSPLS facilities and adjacent grounds and parking areas. Currently, not all spaces used, operated and managed by HSPLS would be included in the term "library" as set forth in (i)(6). An example includes our logistical delivery hub on Oahu, which operates out of a separate building, away from the other libraries.

Thank you for the opportunity to provide comments on S.B.1230 S.D.1.



Testimony in Support of SB 1230
Before the Senate Committee on Judiciary

February 28, 2023

Dear Chair Rhoads, Vice Chair Gabbard and Members of the Senate Committee on Judiciary,

I am Deb Nehmad, Chapter Lead of Brady Hawaii. I live in Hawaii Kai.

In furtherance of BradyUnited's goal to reduce firearm violence across Hawaii, the Hawaii Chapter of the Brady Campaign to Prevent Gun Violence is proud to support the passage of SB 1230.

For decades, Hawaii leaders have prioritized the safety and well-being of the people of Hawaii by enacting and implementing proactive, research-informed policy solutions that prevent gun violence, save lives, and spare entire communities from loss, trauma and cycles of violence. However, the latest data from the Centers for Disease Control and Prevention is disturbing:

- Every year, 34 people in Hawaii die by firearm suicide.
- Every year, 15 people in Hawaii are victims of firearm homicide.
- On average, 55 people in Hawaii are killed by gun violence each year and an average of 30 of those deaths occur in Honolulu County.
- Every 7 days, someone in Hawaii is shot and killed.

It's clear that work remains to be done, and in the wake of the Supreme Court's (SCOTUS) decision in *NYSRPA v. Bruen*, which invalidated parts of Hawaii's concealed carry licensing provision, it is imperative that action be taken. The passage of SB 1230 is a significant step in the right direction to ensure the safety of Hawaii's residents and visitors.

Why This Bill is Needed

As of December 22, 2022, over 600 applications for concealed carry permits had been submitted following the release of the *Bruen* decision in June. As of February 17, anywhere from 20-30 licenses have been issued with no limits in place on where guns cannot be carried. We can only expect thousands more applications statewide. In a State that had not issued any concealed carry

permits for decades, this is a jarring number and absent action, those living and visiting Hawaii will be faced with a reality where guns are everywhere.

Research shows that if Hawaii does not act immediately to implement comprehensive and robust provisions to enhance its concealed carry permitting system, its citizens will face higher risks of homicide, gun theft, and gun violence. A rigorous study of concealed carry laws found that in states with weak concealed carry laws, violent crime rates rose 13% to 15% after ten years. A recent study conducted by the Center for Gun Violence Solutions analyzed the impact of weakened conceal carry permitting systems on violent crimes. The study found that states that loosened their concealed carry permitting systems (and failed to enact the very licensing requirements that Hawaii seeks to introduce in SB 1230) saw a 9.5% increase in firearm related assaults over a decade. In the interest of protecting its citizens, passage of SB1230 will ensure the entire State has a standardized and robust concealed carry permitting system.

The Supreme Court in *Bruen* leaves it up to State and local legislatures to restrict the use of firearms in certain “sensitive places,” including schools and government buildings. SB 1230 is consistent with SCOTUS case law. Passage of the bill will continue to make Hawaii one of the safest states in the country by ensuring that the State enhances and standardizes its concealed carry licensing requirements and broadens its sensitive place restrictions.

What The Bill Does

SB 1230 ensures that those who are carrying firearms in public have proper licensing, adequate training, and are not at risk of harming themselves or others. It maintains Hawaii’s requirement for comprehensive background checks for applicants for concealed carry licenses. Under this bill, an applicant could not qualify for a license to carry a firearm if they have any history of threats or acts of violence by the applicant directed toward themselves or others. Further, the bill prohibits the issuing authority from issuing a license where the issuance would not be in the interest of public health, safety, or welfare because the person is found to be lacking the essential character or temperament necessary to be entrusted with a firearm and establishes objective criteria for making that assessment. Additionally, the bill introduces a training requirement that involves live-fire instruction and demonstration of safe handling of, and shooting proficiency with, each firearm the applicant is applying to be licensed to carry.

SB 1230 further outlines “sensitive places” where firearms cannot be carried, including childcare facilities and other places frequented by children, city-owned buildings or offices, all forms of public transportation (except as provided for by State or federal law), voter service centers, and first amendment expressive spaces, like rallies and marches. Within this legislation, each sensitive place has been evaluated in terms of their individual characteristics. The nature of the activities taking place in each of these locations as well as the presence of certain vulnerable populations warrant each location’s classification as a sensitive place. It would be illogical to deem a swath of locations “not sensitive,” simply because the list seems too long. These are all areas where restricting the concealed carry of firearms only serves to benefit the health and safety of those living in and visiting Hawaii.

These essential safety measures –improvement to the concealed carry permitting system and the creation of sensitive place restrictions – pass constitutional muster. The Supreme Court in *Bruen* made clear that its holding was “neither a regulatory straitjacket nor a regulatory blank check,” and that restrictions on guns in sensitive places are still permissible, so long as they are objective.

Conclusion

The provisions of SB 1230 are consistent with *Bruen* and pass constitutional muster. Considering the SCOTUS decision, immediate action must be taken in Hawaii to enhance the concealed carry licensing system. By implementing comprehensive provisions that will prevent reckless and dangerous people from carrying concealed firearms and designating safe spaces where concealed carry will not be allowed, Hawaii will keep its public spaces safe from the threat of senseless firearm violence. **For these reasons, Brady Hawaii strongly encourages the Committee on Judiciary to vote YES on SB 1230.**

Sincerely,

Deb Nehmad
President, Brady Hawaii
The Brady Campaign to Prevent Gun Violence
dnehmada@bradyunited.org

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 11:04:20 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Brian Ley	Testifying for Hawaii County GMAC	Oppose	Written Testimony Only

Comments:

Aloha

Brian Ley, vice chairman County GMAC.

we strongly oppose SB 1230. Besides being unconstitutional, it's wrong to penalize the most law abiding citizens of the state. Statistically concealed carry people commit less crimes than police officers. Uninsured motorists kill and maim more people than concealed carry people in Hawaii. More laws are not the answer, criminals don't follow the laws. All you are doing is making more criminals.

once again Brian Ley, vice chairman of GMAC strongly opposing SB 1230

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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

LATE

RICK BLANGIARDI
MAYOR



ARTHUR J. LOGAN
CHIEF

KEITH K. HORIKAWA
RADE K. VANIC
DEPUTY CHIEFS

OUR REFERENCE JAT-DNK

March 1, 2023

The Honorable Karl Rhoads, Chair
and Members
Committee on Judiciary
State Senate
415 South Beretania Street, Room 016
Honolulu, Hawaii 96813

Dear Chair Rhoads and Members:

SUBJECT: Senate Bill No. 1230, S.D. 1, Relating to Firearms

I am Joseph A. Trinidad, Major of the Records and Identification Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD appreciates the intent of Senate Bill No. 1230, S.D. 1, Relating to Firearms, and submits the following comments and concerns.

This bill proposes to prohibit a person with a license to carry a concealed firearm under Section 134-9 of the Hawaii Revised Statutes or in accordance with a Title 18 United States Code Section 926B or 926C from a list of sensitive places and private property of another person. We suggest that this section be revised from "concealed firearm" to "firearm," which would apply to both concealed and unconcealed firearms.

We also suggest removing the prohibition on those covered under Title 18 United States Code Section 926B or 926C, as these are government law enforcement officers and retired law enforcement officers.

As the section of this bill is written, it is too broad and would be difficult to enforce. This bill proposes to prohibit firearms on private property of another person without authorization. The concern is with places with multiple businesses such as a shopping center, which an individual business may allow firearms on their premises.

The Honorable Karl Rhoads, Chair
and Members
March 1, 2023
Page 2

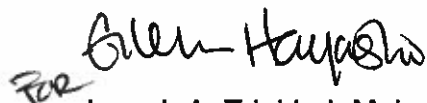
Another concern is the request for the applicant to provide four references. We believe that these references would be overly biased and subjective in favor of the applicant. One to four references would not outweigh a decision to deny an applicant a license to carry for disqualifying reasons. The objectivity of a person's mental health and criminal background check provide specific and articulable indicia whether or not a person is suitable to carry a firearm in public. The references would not aid in the decision of approving or denying an application.

Additionally, we are concerned that in-person interviews would cause significant delays in the application process. Currently, the applicant provides and declares to all required information that is used to conduct a thorough background check by completing an application and all the required forms. An in-person interview would not provide any additional specific and clear indicia whether or not a person is suitable to carry a firearm in public.

Lastly, we suggest that the \$10 licensing fee be changed to an application fee. Currently, all applications are reviewed and processed and only approved applications are charged a licensing fee. Prior to 2022, the HPD received a mere 10 to 20 license to carry applications a year. Since the Supreme Court of the United States ruling for *New York State Rifle and Pistol Association v. Bruen*, the HPD has received approximately 700 applications within the last two months. The fee would be used to offset the administrative costs associated with the processing of application packets. An application fee versus a licensing fee would ensure a fair and equitable collection of the fee regardless if the application was approved or denied.


The HPD appreciates the committee's consideration of our comments and concerns regarding Senate Bill No. 1230, S.D. 1, Relating to Firearms, and thanks you for the opportunity to testify.

Sincerely,

For *Allen Hayashi*

Joseph A. Trinidad, Major
Records and Identification Division

APPROVED:


Arthur J. Logan
Chief of Police



SanHi

GOVERNMENT STRATEGIES

A LIMITED LIABILITY LAW PARTNERSHIP

DATE: February 28, 2023

TO: Senator Karl Rhoads
Chair, Committee on Judiciary

FROM: Mihoko E. Ito / Tiffany Yajima

RE: **S.B. 1230, S.D. 1, Relating to Firearms**
Hearing Date: March 01, 2023 at 9:30 a.m.
Conference Room 016 & Videoconference

Dear Chair Rhoads and Members of Committee on Judiciary:

We submit this testimony on behalf of the Hawaii Bankers Association (HBA). HBA represents seven Hawai'i banks and one bank from the continent with a branch in Hawai'i.

HBA submits this testimony in **support** of S.B.1230, S.D. 1, which, among other things, establishes the crime of carrying a firearm in a sensitive location and defines a list of sensitive places.

In June 2022, the U.S. Supreme Court decision in *New York State Rifle & Pistol Association v. Bruen* impacted many conceal carry laws by opening the door for municipalities and states to define sensitive places where concealed weapons could be prohibited. Since this decision, many municipalities and states have been deliberating over and passing legislation to prohibit concealed firearms in sensitive locations.

We support the inclusion of financial institutions defined under HRS 211D-1 as one of the sensitive locations where concealed carry weapons would be prohibited in this bill. Given the elevated risk of danger in bank crimes that involve firearms, it makes good policy sense and is appropriate to restrict concealed firearms on bank premises.

We are happy to answer any questions, and appreciate the opportunity to testify in support of this bill.

SB-1230-SD-1

Submitted on: 2/28/2023 7:29:24 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jerry Yuen	Testifying for Pu'uloa Rifle and Pistol Club	Oppose	Written Testimony Only

Comments:

I strongly oppose SB 1230 SD1. This bill is unconstitutional and a blatant attempt to rewrite the HRS 134. It contains measures that are subjective, unenforceable, vague, and does nothing to enhance public safety.

Many of the sensitive places recommended for prohibited carry of firearms are grossly beyond the traditional. Parks, bus stops, public transportation, commercial and public buildings are places where individuals will need the means to protect themselves.

Linda Johnson was beaten to death in the Kapolei Police parking lot by Michael Johnson, a known felon that was released after being arrested for assaulting a police officer. If lawmakers want to make the community safer, then they should incarcerate the criminals and allow the citizens the means to defend themselves.

SB-1230-SD-1

Submitted on: 2/28/2023 8:05:57 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Chris Marvin	Testifying for Everytown Veterans Advisory Council	Support	Written Testimony Only

Comments:

Aloha, I am Captain Chris Marvin, US Army retired, submitting testimony in support of SB 1230, relating to firearms and sensitive locations. I am a Honolulu resident, a combat wounded veteran of the war in Afghanistan, and an expert on gun safety.

As a consultant, I lead the veteran engagement strategy for the nation’s largest gun violence prevention organization, Everytown for Gun Safety. I also lead the Everytown Veteran Advisory Council, a national group of veterans who advise the organization on gun safety measures. The organization, council, and I all strongly support this bill.

I will begin by noting, as I did in previous testimony for SB 1230, that no matter what the Supreme Court has decided or what laws this legislature creates, there will always be places on this island where no individual has the discretion to carry a personal firearm. These include Schofield Barracks, Joint Base Pearl-Harbor Hickam, Marine Corps Base Hawai’i, and every other military installation in the state.

In the military, we treat our bases and posts as the ultimate “sensitive locations”, where the only place you’ll find loaded weapons are on shooting ranges and carried by military police and sentries on duty. We do this because we are a profession of arms, and better than anyone else in this country, we understand the danger of having weapons in the wrong hands, at the wrong time, or in the wrong place.

In the military, we have a weapons culture built on three pillars: training, safety, and accountability. Every service member is vigorously trained before possessing a firearm, safety is paramount at all times, and all members of the chain of command—up to the generals and admirals—are responsible for what the lowest ranking military member might do with his or her weapon. For these reasons, and to protect our own, the military has the strictest prohibitions on carrying personal firearms.

Hawai’i must follow the military’s lead to keep our citizens safe the same way military leaders protect their service members. In this state, we are lucky to have a legislature that has continuously passed gun safety laws that keep our citizens from harm. Because we live on islands, we lack the terrestrial interstate gun trafficking that plagues other states. As a result, we have the lowest gun violence rates in the nation.

Now that the Supreme Court has stripped away this legislature's steadfast attempts to make our own laws for Hawai'i and keep the people of this great state safe from a nation-wide gun violence epidemic, we must take further action.

SB1230 is that needed action. By identifying sensitive places where gun consumers and licensed gun carriers are prohibited from carrying a firearm, we can put off the carnage and death that we see in virtually every other state.

Vocal opponents of this bill from gun rights groups will tell you that they can be trusted to carry a gun in public because they are responsible gunowners—they are likely right. The very loud and vocal minority of Hawai'i residents who oppose gun safety measures do so with only their own individual rights in mind. They complain about having how inconvenient it is for them to fill out paperwork, sit for interviews, or pass background checks. They conclude that these onerous tasks should not apply to them, because they are trained, responsible gun owners.

However, laws are not made to only protect the public from gun experts. Laws are made to protect the public from the least common denominator—the bad actors that try to possess a gun. This legislative body doesn't have the privilege to only act in concert with the rights of an individual or a small group, this legislature makes laws for all Hawai'i residents.

Ask these gun rights advocates if they believe that every potential gun consumer in Hawai'i is as safe, experienced, and responsible as they are. They will tell you no. That is why we need to make sure our laws cover those people with less experience who may be less safe and less responsible. Our community deserves as much.

To illustrate further, we all may agree that a professional racecar driver could drive 100 mph on H-1 without injuring anyone. After all, he's a professional with years of experience. But we would never raise the speed limit to 100, just because that racecar driver wants it that way and is qualified to drive that fast. We create speed limits that will keep all drivers safe, even those with less skill. The same must be true of our limits on carrying firearms.

In addition, HPD has previously testified on SB 1230 that they may not be able to monitor all of the sensitive locations, because of the sheer number of them. This argument contains a logical fallacy. The more locations that are considered "sensitive locations," the easier it will be for police to determine and enforce where guns cannot be possessed. Making private businesses sensitive places by default will ease the burden on law enforcement.

Furthermore, how much more manpower will HPD require for each and every shooting that occurs? Data from other states tells us unquestionably that the increase in guns in Hawai'i and the increase in guns in public will lead to an increase in gun violence, gun injuries, and gun death. And even a justified shooting will require orders of magnitude more police intervention and tax payer dollars than would simply monitoring sensitive places.

Moreover, if the gun rights advocates who oppose this bill are to be believed, the reason they want to carry a firearm is to "protect" themselves and those around them by exacting some form of extra-judicial killing—i.e. the myth of the "good guy with a gun." This is no more than

vigilante justice undertaken by a group of people who not law enforcement officers and who aren't trained in the use of guns to a standard agreed upon by the very public they claim to defend. The idea that we would allow citizens to behave as judge, jury, and executioner for any perceived crime they stumble upon is ludicrous and antithetical to the values we hold here in the Aloha State.

Most importantly, because this bill creates a default for business owners that guns are not allowed inside their place of business (unless they explicitly welcome them) this bill is pro-business, especially small businesses. Can you imagine how many mom-and-pop shops will be relieved not to have to confront a man with a gun who they don't want in their corner store? How many teenage restaurant workers will not be forced to ask if the patron who just entered with a pistol is licensed or not? Keep the burden off of these hard-working folks by making sure our laws are water tight.

Opponents of this bill talk a lot of rights and freedom. SB 1230, gives the right to all people in Hawai'i to not live in fear of gun violence. It gives small business owners the freedom to run their shops the way they want to. And it gives this legislature the autonomy to govern our state in a way that we all believe will keep us safe.

Dear Members of the Senate Judiciary Committee:

I'm writing to ask you to support **SB 1230**. Hawaii's strong gun laws have kept gun violence low, but now that the Supreme Court has forced Hawaii to grant more concealed carry permits, we need you to act.

People should not be eligible to carry a gun if they've had a recent history of violence or threatening behavior, and we need to require that anyone with a permit gets training on how to safely use their gun.

If more people will be allowed to carry guns in Hawaii, we need to have clear rules about where guns are off-limits. Guns don't belong at playgrounds, parks, or schools, but without this bill, anyone who gets a concealed carry permit can bring hidden guns into those places. I don't want to wonder whether someone is carrying a gun every time I go to a restaurant, store, or even my doctor's office. When I take my family to the beach, a park, or playground, I want to feel as safe as I used to, and the idea that concealed guns could be in these places makes me feel less safe.

Please vote yes on SB 1230.

Thank you,

Annabe Murray, Kailua, 96734

Dear Members of the Senate Judiciary Committee:

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Please vote yes on SB 1230.

Thank you,

WILL Brown, Honolulu, 96826

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Please vote yes on SB 1230.

Thank you,

Paul Soluri, Honolulu, 96821

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Please vote yes on SB 1230.

Thank you,

Kelley Lau, Honolulu, 96822

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Please vote yes on SB 1230.

Thank you,

Alison Yokouchi, Honolulu, 96814

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Please vote yes on SB 1230.

Thank you,

Shannon Gay, Honolulu, 96817

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Please vote yes on SB 1230.

Thank you,

Alyssa Lloyd, Kaneohe, 96744

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Please vote yes on SB 1230.

Thank you,

Baily Miller, Baily.m.jones@gmail.com, 96734

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Please vote yes on SB 1230.

Thank you,

Maureen Whittemore, Kaunakakai, 96748

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Please vote yes on SB 1230.

Thank you,

Kristina Steuer, Kailua Kona, 96740

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Thank you,

Ami Stepanian, Kailua, 96734

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Please vote yes on SB 1230.

Thank you,

Ramsey Wilson, Laie, 96762

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Please vote yes on SB 1230.

Thank you,

Lora Lee Moriyama, Aiea, 96701

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Please vote yes on SB 1230.

Thank you,

Rhiannon Taylor, Honolulu, 96818

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Thank you,

Lauren Yee, Honolulu, 96818

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Please vote yes on SB 1230.

Thank you,

Elizabeth O'Connor, Honolulu, 96815

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Thank you,

Leah McRae, Honolulu, 96819

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Please vote yes on SB 1230.

Thank you,

Cameron Frithsen, Honolulu, 96822

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Please vote yes on SB 1230.

Thank you,

Scott Meehan, Honolulu, 96815

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Thank you,

Lara O'Connor, Honolulu, 96815

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Thank you,

Constance Pappas, Kilauea, 96754

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Thank you,

Keith Richmond, Kailua, 96734

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Thank you,

Crystal Okamoto, Kapaa, 96746

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Thank you,

Peter Anderson, Honolulu, 96825

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Thank you,

Cate Waidyatilleka, Honolulu, 96821

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Juana A Tabali-Weir, Honolulu, 96825

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Thank you,

Miriam Kotubetey, Kaneohe, 96744

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Thank you,

Aljane Benito, Honolulu, 96815

Dear Members of the Senate Judiciary Committee:

I'm writing to ask you to support **SB 1230**. Hawaii's strong gun laws have kept gun violence low, but now that the Supreme Court has forced Hawaii to grant more concealed carry permits, we need you to act.

People should not be eligible to carry a gun if they've had a recent history of violence or threatening behavior, and we need to require that anyone with a permit gets training on how to safely use their gun.

If more people will be allowed to carry guns in Hawaii, we need to have clear rules about where guns are off-limits. Guns don't belong at playgrounds, parks, or schools, but without this bill, anyone who gets a concealed carry permit can bring hidden guns into those places. I don't want to wonder whether someone is carrying a gun every time I go to a restaurant, store, or even my doctor's office. When I take my family to the beach, a park, or playground, I want to feel as safe as I used to, and the idea that concealed guns could be in these places makes me feel less safe.

Please vote yes on SB 1230.

Thank you,

Michelle Tomas, Kailua Kona, 96745

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Please vote yes on SB 1230.

Thank you,

Janis Smith, Kailua Kona, 96745

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Please vote yes on SB 1230.

Thank you,

Jenny Rasmussen, Kailua Kona, 96740

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Thank you,

Jen Magoon, Waikoloa, 96738

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Please vote yes on SB 1230.

Thank you,

Abby Santos, Hanapepe, 96716

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Please vote yes on SB 1230.

Thank you,

Oliver Bordallo, Honolulu, 96822

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Thank you,

Kennedy Neubauer, Honolulu, 96822

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Please vote yes on SB 1230.

Thank you,

Christopher Stevens, Waipahu, 96797

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Thank you,

Laura Nicholl, Honolulu, 96821

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Thank you,

Andrea Marie Janas, Kailua, 96734

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Thank you,

Madison Byrum, Honolulu, 96818

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Thank you,

Niki Rogerson, KANEOHE, 96744

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Thank you,

Mary Fisher, Mililani, 96789

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Thank you,

Elizabeth Arch, Kailua, 96734

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Thank you,

Fredrick Sands, Wailuku, 96793

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Thank you,

Paige Senerius, Ewa beach, 96706

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Thank you,

Jacqui Skill, Lahaina, 96761

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Sierra Jeong, Honolulu, 96814

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Thank you,

Serge Magloire, MILILANI, 96789

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Thank you,

Joanna Staniszewski, Holualoa, 96740

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Thank you,

Corina Scoggins, Kalaheo, 96741

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Thank you,

Shaye Jackson, Kilauea, 96754

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Thank you,

Katie Tulley, Kapaa, 96746

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Thank you,

Maria Pev~~ta~~, Ewa Beach, 96706

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Thank you,

Suher Rasid, Kihei, 96753

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Thank you,

Jessie Hopper, Kihei, 96753

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Thank you,

Jessica Hogan, Mililani, 96789

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Thank you,

Diane MendiolaGoya, Mililani, 96789

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Thank you,

Pumehana Palmer, Kapolei, 96707

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Thank you,

Kelsea Rock, Honolulu, 96816

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Please vote yes on SB 1230.

Thank you,

Adriana Jimenez, Waikoloa, 96738

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Thank you,

Cherisse Cabrinha, Kaneohe, 96744

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Thank you,

Jana Purington, Kailua, 96734

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Thank you,

Zaheva Knowles, Kamuela, 96743

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Thank you,

andrea suzuki, Honolulu, 96813

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Thank you,

Jess Logan, Honolulu, 96825

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Thank you,

Kristen Lau-Grover, Honolulu, 96816

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Thank you,

Maria Dripps, Honolulu, 96825

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Thank you,

Heather Cutts, Honolulu, 96825

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Christopher Edwards, Honolulu, 96822

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Thank you,

Jay Franzone, Kilauea, 96754

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Thank you,

Cynthia Mckean, Captain Cook, 96704

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Thank you,

Shawn Ravazzano, Kihei, 96753

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Thank you,

Jasmine Beavins, Naalehu, 96772

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Thank you,

Jennifer Armstrong, Kapolei, 96707

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Thank you,

Jennifer Neely, Honolulu, 96826

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Thank you,

Katharine Conway, Koloa, 96756

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Thank you,

Ronessa Yamase, Lihue, 96766

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Thank you,

Dayna Schultz, Ewa beach, 96706

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Thank you,

joan selix Selix berman, Kula, 96790

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Thank you,

Gabrielle Davidson, Kapaa, 96746

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Thank you,

Sue Hornik, Honolulu, 96815

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Michael Delara, Honolulu, 96815

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Thank you,

Louise Thael, Kailua-Kona, 96740

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DENIS GUERET, Kapaa, 96746

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Thank you,

Krystal Jo, Mililani, 96789

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Ashley Esperante, Kapolei, 96707

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Thank you,

Martha Harkey, Kilauea, 96754

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Thank you,

Paul Grable, Kailua, 96734

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Buffy Whiteman, Mililani, 96789

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Please vote yes on SB 1230.

Thank you,

deborah Boltz, Kaneohe, 96744

Dear Members of the Senate Judiciary Committee:

I'm writing to ask you to support **SB 1230**. Hawaii's strong gun laws have kept gun violence low, but now that the Supreme Court has forced Hawaii to grant more concealed carry permits, we need you to act.

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Please vote yes on SB 1230.

Thank you,

Joy Hohnstine, Volcano, 96785

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Please vote yes on SB 1230.

Thank you,

Natalie Aurio, Mililani, 96789

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Please vote yes on SB 1230.

Thank you,

Kai Steuer, Kona, 96744

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Please vote yes on SB 1230.

Thank you,

Halley Prestage, Lahaina, 96761

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Please vote yes on SB 1230.

Thank you,

McKenzie Johnson, Koloa, 96756

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Thank you,

Amy Short, Makawao, 96768

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Thank you,

Kelsey Marsh, Kapolei, 96707

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Please vote yes on SB 1230.

Thank you,

Charlene Flanter, Honolulu, 96816

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Cari White, Kapolei, 96707

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Thank you,

Thomas Rau, Kaneohe, 96744

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Please vote yes on SB 1230.

Thank you,

Tia Pearson, Wahiawa, 96786

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Please vote yes on SB 1230.

Thank you,

Rukiyah Walker, Honolulu, 96816

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Please vote yes on SB 1230.

Thank you,

Ana Baldinger, Kahuku, 96731

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Thank you,

Lori Green, Hilo, 96720

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Thank you,

GAYE CHAN, Kaneohe, 96744

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Please vote yes on SB 1230.

Thank you,

Sara Wood, Kailua, 96734

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Thank you,

Pele Bennett, Honolulu, 96821

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Thank you,

ERVIN PIGAO, Kahului, 96732

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Thank you,

Veronica Echeverria, Ewa Beach, 96706

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Thank you,

Lindy Martin, Kailua, 96734

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Thank you,

Pamela Welch, Makawao, 96768

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Thank you,

Zachary Kruk, Honolulu, 96822

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Thank you,

David Lewis, Honolulu, 96813

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Monica Shook, Kaneohe, 96744

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Ashley Lindquist, Koloa, 96756

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Thank you,

Kellianne Cadavona, Eleele, 96705

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Thank you,

LAURA MARGULIES, Honolulu, 96821

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Thank you,

Deborah Nehmad, Honolulu, 96825

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Thank you,

Louise Thael, Kailua-Kona, 96740

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Please vote yes on SB 1230.

Thank you,

Phaedra Robinson, Kailua, 96734

Dear Members of the Senate Judiciary Committee:

I'm writing to ask you to support **SB 1230**. Hawaii's strong gun laws have kept gun violence low, but now that the Supreme Court has forced Hawaii to grant more concealed carry permits, we need you to act.

People should not be eligible to carry a gun if they've had a recent history of violence or threatening behavior, and we need to require that anyone with a permit gets training on how to safely use their gun.

If more people will be allowed to carry guns in Hawaii, we need to have clear rules about where guns are off-limits. Guns don't belong at playgrounds, parks, or schools, but without this bill, anyone who gets a concealed carry permit can bring hidden guns into those places. I don't want to wonder whether someone is carrying a gun every time I go to a restaurant, store, or even my doctor's office. When I take my family to the beach, a park, or playground, I want to feel as safe as I used to, and the idea that concealed guns could be in these places makes me feel less safe.

Please vote yes on SB 1230.

Thank you,

Tara Whalen, Honolulu, 96814

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Thank you,

Margaret Serain, Hilo, 96720

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Thank you,

Katie Robinson, Honolulu, 96817

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Thank you,

Kylee Jarvis, Honolulu, 96825

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Thank you,

Delphine Homerowski, Kailua, 96734

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Thank you,

Camryn Leddy, Honolulu, 96826

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Thank you,

Carmen Jimenez, Ha'iku, 96708

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Hana Fulghum, Honolulu, 96822

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Thank you,

Nancy S. S. Young, Honolulu, 96819

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Thank you,

Erik Birkholm, Keaau, 96749

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Thank you,

Cheyenne Harlacher, Koloa, 96756

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Thank you,

Kathleen Golden, Volcano, 96785

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Thank you,

Ryan Berg, Wailuku, 96793

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Thank you,

Jessica Lynham, Honolulu, 96825

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Thank you,

Mara Hanson, Kapolei, 96707

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Thank you,

Angela Yee, Kapaa, 96746

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Thank you,

AnavØs Fry, Laie, 96762

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Adrianna Phillips, Kailua, 96734

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Thank you,

andrew sheinis, kamuela, 96743

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Alaina Craft, Haiku, 96708

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Janie Bryan, Honolulu, 96816

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Thank you,

Patricia Walker, Waikoloa, 96738

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Michael Costa, Hilo, 96720

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Kelley Sutherland, Pahoa, 96778

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Jess Ellis, Kamuela, 96743

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Thank you,

PATRICIA Mullen, Captain Cook, 96704

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Thank you,

James Cooley, Kekaha, 96752

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Please vote yes on SB 1230.

Thank you,

Marissa Baptista, Honolulu, 96818

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Thank you,

Pua Akaka, Kapolei, 96707

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Thank you,

Sandra Loomis, Honolulu, 96821

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Susan Palmore, Honolulu, 96822

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Thank you,

Kortnie Cruz, Haiku, 96708

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Thank you,

Brittney Driggs, Haleiwa, 96712

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Thank you,

Tania Lynch, Kailua, 96734

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Thank you,

Griffith Stecyk, Honolulu, 96814

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Thank you,

Kate Keilman, Kailua, 96734

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Thank you,

Andrea Birmingham, Paia, 96779

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Thank you,

Helen Felsing, Makawao, 96768

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Thank you,

Jennifer McFarland, Kailua, 96734

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Thank you,

Linda Gill, Honolulu, 96825

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Thank you,

Tim Morehouse, Honolulu, 96815

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Thank you,

Stacey Morimoto, Honolulu, 96816

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Thank you,

William Cote, Haiku, 96708

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Thank you,

Vicky Robbins, Pahoa, 96778

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Thank you,

Stephanie Oakley, Honolulu, 96821

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April Ching, Honolulu, 96822

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Phillip Pollman, Honolulu, 96815

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Dafna Epstein-baruch, Haleiwa, 96712

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Thank you,

Callen Bracken, Koloa, 96756

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Thank you,

Danette Kong, Kula, 96790

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Thank you,

Jane Hong, Honolulu, 96814

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Kristine Chung, Honolulu, 96813

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Thank you,

Kerrie Urosevich, Kaneohe, 96744

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Elia Herman, Honolulu, 96821

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Thank you,

Sheila Colon, Kailua Kona, 96740

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Thank you,

Katherine Seiler, Honolulu, 96826

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Thank you,

Sean Nakata, Honolulu, 96814

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Thank you,

Cecily Kimura, Kamuela, 96743

Dear Members of the Senate Judiciary Committee:

I'm writing to ask you to support **SB 1230**. Hawaii's strong gun laws have kept gun violence low, but now that the Supreme Court has forced Hawaii to grant more concealed carry permits, we need you to act.

People should not be eligible to carry a gun if they've had a recent history of violence or threatening behavior, and we need to require that anyone with a permit gets training on how to safely use their gun.

If more people will be allowed to carry guns in Hawaii, we need to have clear rules about where guns are off-limits. Guns don't belong at playgrounds, parks, or schools, but without this bill, anyone who gets a concealed carry permit can bring hidden guns into those places. I don't want to wonder whether someone is carrying a gun every time I go to a restaurant, store, or even my doctor's office. When I take my family to the beach, a park, or playground, I want to feel as safe as I used to, and the idea that concealed guns could be in these places makes me feel less safe.

Please vote yes on SB 1230.

Thank you,

Rosalie Char, Kaneohe, 96744

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Thank you,

Erin Henderschedt, Honolulu, 96818

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Thank you,

Nicole Buckingham, Ka,Äôa,Äôawa, 96730

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Thank you,

Travis Armstrong, Kapolei, 96707

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Thank you,

Catherine Tenn, Honolulu, 96826

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Thank you,

Alyce Dodge, Honolulu, 96816

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Thank you,

Jill Coombs, Kualapuu, 96757

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Thank you,

Jennifer McGinnis, Honolulu, 96825

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Thank you,

May Cazimero, Honolulu, 96821

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Thank you,

Catherine Cooper, Princeville, 96722

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Thank you,

Erin Smith, Honolulu, 96825

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Thank you,

Alexandra Palumbo, Waimanlo, 96795

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Thank you,

Joy Vogelgesang, Kailua Kona, 96740

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Thank you,

Alexandra Martella, Kihei, 96753

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Thank you,

Ashtin Hart, Hawi, 96719

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Thank you,

Lindsey Dugas, Honolulu, 96815

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Thank you,

Jan Lubin, Honolulu, 96826

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Thank you,

melinda caroll, kula, 96790

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Thank you,

Thomas Bonar, Kekaha, 96752

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Thank you,

Amy Odom, Honolulu, 96814

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Thank you,

Jeanne Schultz Afuvai, Kailua, 96734

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jules l, kailua, 96734

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Thank you,

Darcy Bartoletti, Kapaa, 96746

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Jenny Silbiger, Honolulu, 96814

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Thank you,

Nita Tomaszewski, Pahoa, 96778

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Thank you,

Yvonne Eugenio, Mililani, 96789

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Jan Furuuchi, Honolulu, 96826

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Please vote yes on SB 1230.

Thank you,

Leone McPhee-White, Kaneohe, 96744

SB-1230-SD-1

Submitted on: 2/27/2023 5:31:28 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Barbara Shimei	Testifying for Indivisible Hawaii	Support	Written Testimony Only

Comments:

IN SUPPORT.

Indivisible Hawaii supports passage of SB1230 SD1.

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 11:21:50 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
lance nash	Testifying for forourrights.com	Oppose	Written Testimony Only

Comments:

The 2nd Amendment was ratified on December 15th 1791 along with nine other articles of the Bill of Rights.

A well regulated Militia being necessary to the security of a Free State, the right of people to keep and bear arms, shall not be infringed, it protects an individuals right to posses a fire arm unconnected with service in a Militia and to use that arm for traditionally lawful purposes, such as self- defense within the home.

US Constitution 2nd Amendment cannot be legally changed.



**Testimony to the Senate Committee on Judiciary
Wednesday, March 1, 2023; 9:30 a.m.
State Capitol, Conference Room 016
Via Videoconference**

RE: SENATE BILL NO. 1230, SENATE DRAFT 1, RELATING TO FIREARMS.

Chair Rhoads, Vice Chair Gabbard, and Members of the Committee:

The Hawaii Primary Care Association (HPCA) is a 501(c)(3) organization established to advocate for, expand access to, and sustain high quality care through the statewide network of Community Health Centers throughout the State of Hawaii. The HPCA offers **COMMENTS** on Senate Bill No. 1230, Senate Draft 1, RELATING TO FIREARMS.

By way of background, the HPCA represents Hawaii's Federally Qualified Health Centers (FQHCs). FQHCs provide desperately needed medical services at the frontlines to over 150,000 patients each year who live in rural and underserved communities. Long considered champions for creating a more sustainable, integrated, and wellness-oriented system of health, FQHCs provide a more efficient, more effective and more comprehensive system of healthcare.

The bill, as received by your Committee, seeks to address the United States Supreme Court's ruling in *New York State Rifle & Pistol Association, Inc. v. Bruen*, No. 20-843 (S. Ct. 2022), which overturned New York's gun safety law requiring a license to carry concealed weapons in public places. The New York statute that was stricken provided authorities with the discretion to deny concealed-carry licenses even when the applicant satisfies the statutory criteria because the applicant has not demonstrated cause or suitability for the relevant license. (**See**, *New York State Rifle & Pistol Association, Inc. v Bruen*, supra, at 5.) Aside from New York, only California, the District of Columbia, Hawaii, Maryland, Massachusetts, and New Jersey have analogues to the "proper clause" standard. (**See**, *Bruen*, ibid., at 5 and 6.)

In our testimony on this bill to the Senate Committee on Public Safety and Intergovernmental and Military Affairs dated Monday, February 6, 2023, we raised serious concerns on the potential liability placed on health care professionals who are asked to perform a mental health assessment on a patient's fitness to obtain a firearms permit or license. (**See**, attached.) For your reference, we attach this statement for your review.

Testimony on Senate Bill No. 1230, Senate Draft 1
Wednesday, March 1, 2023; 9:30 a.m.
Page 2

We stated these same concerns to the House Committee on Judiciary and Hawaiian Affairs (JHA) when they heard House Bill No. 0984 on Tuesday, February 14, 2023. In response, JHA amended the bill by, among other things, adding a new SECTION 11 to the bill that appears to adequately address our concern. To wit, starting on page 56, line 8. SECTION 11 of House Bill No. 0984, House Draft 1, states:

"SECTION 11. Section 134-18, Hawaii Revised Statutes, is amended to read as follows:

"§134-18 Qualified immunity for physicians, psychologists, ~~[or]~~ psychiatrists, physician assistants, or advanced practice registered nurses who provide information on permit or license applicants. There shall be no civil liability for any physician, psychologist, ~~[or]~~ psychiatrist, physician assistant, or advanced practice registered nurse who provides information or renders an opinion in response to an inquiry made for purposes of issuing a firearm permit under section 134-2, issuing or renewing a license under section 134-9, or ~~[for purposes of]~~ investigating the continuing mental health of the holder of a valid firearm permit or license; provided that the physician, psychologist, ~~[or]~~ psychiatrist, physician assistant, or advanced practice registered nurse acted without malice."

We believe that if this language was added to Senate Bill No. 1230, House Draft 1, our concerns on potential liability exposure for health care providers would adequately be addressed.

Thank you for the opportunity to testify. Should you have any questions, please do not hesitate to contact Public Affairs and Policy Director Erik K. Abe at 536-8442, or eabe@hawaiiipca.net.



**Testimony to the Senate Committee on Public Safety and Intergovernmental and
Military Affairs
Monday, February 6, 2023; 3:00 p.m.
State Capitol, Conference Room 225**

RE: SENATE BILL NO. 1230, RELATING TO FIREARMS.

Chair Wakai, Vice Chair Elefante, and Members of the Committee:

The Hawaii Primary Care Association (HPCA) is a 501(c)(3) organization established to advocate for, expand access to, and sustain high quality care through the statewide network of Community Health Centers throughout the State of Hawaii. The HPCA respectfully offers these **COMMENTS** on Senate Bill No. 1230, RELATING TO FIREARMS.

By way of background, the HPCA represents Hawaii's FQHCs. FQHCs provide desperately needed medical services at the frontlines in rural and underserved communities. Long considered champions for creating a more sustainable, integrated, and wellness-oriented system of health, FQHCs provide a more efficient, more effective and more comprehensive system of healthcare.

The bill, as received by your Committee, seeks to address the United States Supreme Court's ruling in *New York State Rifle & Pistol Association, Inc. v. Bruen*, No. 20-843 (S. Ct. 2022), which overturned New York's gun safety law requiring a license to carry concealed weapons in public places. The New York statute that was stricken provided authorities with the discretion to deny concealed-carry licenses even when the applicant satisfies the statutory criteria because the applicant has not demonstrated cause or suitability for the relevant license. (**See**, *New York State Rifle & Pistol Association, Inc. v Bruen*, supra, at 5.) Aside from New York, only California, the District of Columbia, Hawaii, Maryland, Massachusetts, and New Jersey have analogues to the "proper clause" standard. (**See**, *Bruen*, ibid., at 5 and 6.)

Because the Court determined that the "proper-clause" requirement violated the Fourteenth Amendment by preventing law-abiding citizens with ordinary self-defense needs from exercising their Second Amendment right to keep and bear arms in public for self defense, it would appear that this bill would clarify the circumstances under which a concealed-carry license may be issued.

Testimony on Senate Bill No. 1230
Monday, February 6, 2023; 3:00 p.m.
Page 2

Without discussing the merits or faults of the larger issue of gun control, the HPCA brings to your attention what we believe are serious concerns on how this bill will set forth the process and criteria (including testing, training, and background check requirements) for applicants to obtain licenses to carry firearms outside the home, whether concealed or unconcealed.

Among other things, SECTION 2 of the bill would require the Chief of Police of each county to adopt procedures to determine whether an applicant has "been adjudged insane or not appear to be mentally deranged". To determine this, SECTION 2 further clarifies that a person who does "not appear to be mentally deranged" means that the applicant does not exhibit specific and articulable indicia that would objectively indicate to a reasonable observer that the applicant is not capable of being a suitable, responsible, and law-abiding user of firearms. Such specific and articulable indicia may include suicidal ideations, homicidal ideations, or potentially dangerousness, including a violent animus toward one or more groups based on race, color, national origin, ancestry, sex, gender, gender expression, sexual orientation, age, disability, religion, or other characteristic, such that a reasonable person would conclude that the applicant harbored an intention to use a firearm in public to attack others rather than for self-defense.

This standard would then be used by the Chief of Police in the Chief's review of the application and all other documentation that would be required pursuant to rules adopted by the Police Departments and the Department of the Attorney General concerning background checks and mental health screening. If all conditions are satisfied, the license would be issued.

We question how the Chief of Police would come to this determination -- whether the Chief would utilize a medical professional employed by the Police Department or by private health care providers via an application process.

If it is the Legislature's intention that private health care providers be utilized, the HPCA is concerned that the expertise needed by a health care professional to determine whether a person does not "appear to be mentally deranged" is quite specialized. Mental health has become so prevalent and nuanced that a primary care physician, registered nurse, or other frontline professional may not have the expertise nor a sufficient amount of time with a patient to correctly identify the severity of a patient's mental health to the degree necessary for a sound determination of a patient's fitness to receive a firearm license. For FQHCs and all health care facilities throughout the State, there is a severe shortage of mental health professionals -- the kind of personnel with the expertise needed for this very important responsibility.

FQHCs are able to provide primary care services in rural and underserved areas in large part because the liability incurred by our staff is covered under the Federal Tort Claims Act (FTCA). It is unclear at this time whether the FTCA would cover any liability that might be attributed to an incorrect assessment made by the health care professional for the purpose of facilitating a firearms license application and how that liability would extend to an FQHC.

Also, the statute does not state whether a health care professional may decline a patient's request for the mental health assessment. Arguably, if an FQHC as an organizational policy, or if staff on their own accord, refuses to conduct the requested mental health assessment, arguably, the FQHC or staff might be subject to a Section 1983 claim for violating the civil rights of the patient. As such, without further clarification on the expectations placed on health care providers, this bill might create a "lose-lose" situation regardless of the action or inaction taken by the health care professional.

In light of the foregoing, the HPCA and its member FQHCs assert that more work is needed legislatively to determine how a firearm license law would be administered.

Lastly, we note that on September 30, 2022, Mayor Rick Blangiardi submitted to the Honolulu City Council a bill substantively similar to Senate Bill No. 1230, that would address the *Bruen* Decision by protecting "sensitive areas" that have been traditionally subject to firearm restrictions. This approach is also similar to a recently enacted law in New York that sought to greatly restrict the areas that licensed firearms may be carried. However, it should also be noted that the New York State Rifle & Pistol Association, Inc., filed suit to invalidate the new law citing *Bruen*, supra, at 22:

". . . But expanding the category of 'sensitive places' simply to all places of public congregation that are not isolated from law enforcement defines the category of 'sensitive places' far too broadly. . . [This argument] . . . would in effect exempt cities from the Second Amendment and would eviscerate the general right to publicly carry arms for self-defense. . ."

Thank you for the opportunity to testify. Should you have any questions, please do not hesitate to contact Public Affairs and Policy Director Erik K. Abe at 536-8442, or eabe@hawaiiipca.net.

SB-1230-SD-1

Submitted on: 2/25/2023 4:08:01 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Russell Ruderman	Testifying for Island Naturals Markets	Support	Written Testimony Only

Comments:

Aloha Chairs and Legislators,

I write in support of SB 1230 with comments.

Thank you for this measure, which I support as currently written.

I urge you to include maximum restrictions on where and how firearms can be carried. Please prohibit firearm carry in places open to the public, including retail stores or businesses. Such carry should be prohibited unless the establishment specifically welcomes such carry. As I understand it, the current bill does this.

I own three grocery stores on the Big Island, with 200 employees and over a thousand customers per day. I believe I speak for the concerns of many places of businesses.

Many of those who want to walk around with guns are compensating for something. Protect my staff, customers and myself from them. Please protect our public spaces and our sense of Aloha.

While you are protecting the rights of those who want to carry, please also protect the rights of the rest of us by imposing broad restrictions on where and when they can be carried.

The Aloha State has been mostly without private firearm carry until now, and as a result we have among the lowest firearm violence rate in the nation. The supreme court decision to which you are responding is flawed and may well be overturned. It allows restrictions, so go slow in this drastic change to our society by placing all the restrictions you legally can. Tread carefully, not recklessly, with our safety. You can always loosen the restrictions in future if there's a reason to. Meanwhile, be careful. The responsible thing to do is to restrict where guns can be carried to the fullest extent possible.

The second amendment is about 'well-regulated militia,' and in the loosest interpretation may include self defense. It is not about wanting to be a gun carrying hero in private life. No one needs a gun for self defense, or militia-related purposes, in a store or office.

Please consider this robbery scenario, if private firearms carry is allowed in public business.

Our policy is, if threatened, give any money demanded and get away. Most places will do the same. So, if an armed gunman enters the store there is no reason for him to fire and endanger anyone; staff, customers, or our children or kupuna.

But, if an armed private citizen was present, that person might well engage the robber, while imagining himself to be a hero. Then we have gunshots, crossfire, chaos and severe danger. All because he was allowed to enter the store with a gun.

This 'good guy with a gun' imagines himself to be a hero when he is in fact the most dangerous element in the scenario.

Of course, if there were a robbery, our only hope is that no one is hurt. My only fear for our safety would result from this Legislature allowing private carry in our store.

Do not allow this dangerous situation in our state, please.

In my grocery stores, we have never had an armed robbery. Indeed, they are rare on our island. That's 17,000 store/days of operating our business without any firearms events in any of our stores. We are fine so far; Please don't change our culture and risk our safety with gun carry in our stores.

Our policy will be to refuse to serve a private citizen carrying a gun. I am not compelled to serve anyone. We can deny service for any reason or for no reason. We are operating on private property under our rules, and we have a legal right to do so. I can refuse someone without shoes or a bad attitude; surely I can refuse someone with a gun.

I would not feel safe and would not operate my business if I knew a private citizen was carrying a firearm in the store. I have the responsibility to operate my store in a safe manner for my staff and customers. We will not work around armed civilians; If we know someone is armed we will walk away and refuse service. I realize some gun carriers will be 'triggered' by such an action, and it will be unsafe. You can prevent such dangerous confrontations by clearly prohibiting gun carry in our stores. We will not welcome private gun carriers.

Please do not allow private gun carry in stores or businesses unless specifically welcomed in that business.

Thank you for the opportunity to testify.

Russell Ruderman

President, Island Naturals Markets

808-443-1703

russell@islandnaturals.com

SB-1230-SD-1

Submitted on: 2/26/2023 12:30:43 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Golojuch Jr	Testifying for Stonewall Caucus of the Democratic Party of Hawaii	Support	Written Testimony Only

Comments:

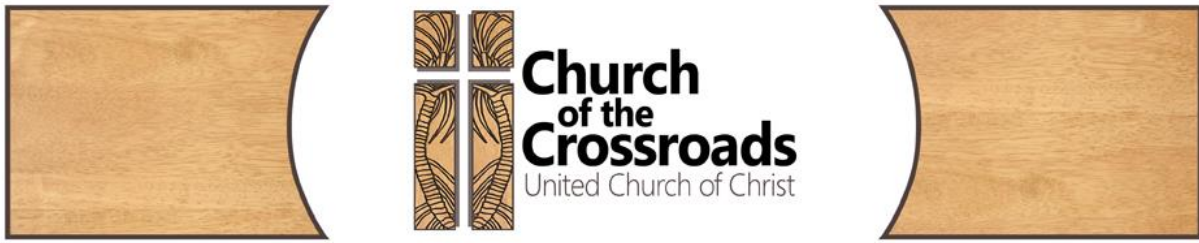
Aloha Senators,

The Stonewall Caucus of the Democratic Party of Hawai‘i; Hawai‘i’s oldest and largest policy and political LGBTQIA+ focused organization fully supports SB 1230 SD 1.

We hope you all will support this important piece of legislation.

Mahalo nui loa,

Michael Golojuch, Jr.
Chair and SCC Representative
Stonewall Caucus for the DPH



A Just Peace and Open and Affirming Congregation

THE CHURCH OF THE CROSSROADS TESTIMONY IN SUPPORT OF BILL SB 1230

The Church of the Crossroads celebrates 100 years of being Hawaii's first intentionally multiethnic church, dedicated to missions of peace, justice, and stewardship of the environment.

The Church of the Crossroads supports SB 1230, with a request for amendments to strengthen the bill.

In January 2023, our church congregation voted unanimously to advocate for stronger gun safety measures, including requiring thorough background checks of criminal and mental health history, robust safety training for all firearms permits, transfers and licenses, and prohibiting firearms from Sensitive Places, including homeless shelters.

We support SB 1230 because it creates numerous measures to better protect our community, while complying the unfortunate US Supreme Court's mandate that public carry permits be allowed. **We request the following amendments to more effectively meet our community's safety needs:**

A. In HRS 134-A(i) also include as "sensitive places" adult homeless shelters and programs serving adults involved in our corrections system, operated by a government entity or a charitable organization. This would mirror the provision for sensitive places for minors. Many of the adults In these settings experience mental illness and/or substance abuse addiction where any presence of a firearm creates an unreasonable and imminent danger to all.

B. In HRS 134-A(i), require a "clear and conspicuous posting at all public entrances to the property," for owners of private property who permit firearms to be carried on the property, instead of allowing it only as an alternative to express consent by the owner. This is the only fair way to provide notice to all persons who may otherwise wish to enter or patronize those locations, that firearms may be present on the property. This will allow us all to make our own reasonable choices for self-protection.

(18) Private property, including but not limited to residential, commercial, industrial, agricultural, institutional, or undeveloped property, unless the owner has provided express consent and clearly and conspicuously posts a sign at all public entrances of the building or on the premises indicating that license holders are permitted to carry firearms on the property.

C. Mental health background checks cannot be effective unless pertinent data bases are searched, disclosures are required, and HIPAA-authorizations are provided, so that information can be obtained from health care providers, health plans and governmental sources. One of the most comprehensive sources of health care information (diagnoses, treatment and services) is the individual's health care plan (HMSA, Kaiser, etc) that pays for virtually all health care rendered to the person. Thus, in section 134-9(d)(5), include "health care plan" so as to read "applicant shall also complete any forms required by the applicant's health care provider, **health care plan** or relevant government entity for release of mental health information;"

D. In HRS 134-9(b)(5), include a past perspective to the "mentally deranged" inquiry, so that it will be clear that "to not appear mentally deranged" at the current moment is not adequate where there is history of being mentally deranged in the past.

(5) Not have been adjudged insane or not appear to be mentally deranged. **Being a person who does "not appear to mentally deranged" means that the applicant has not exhibited specific and articulable indicia that would objectively indicate to a reasonable observer that the applicant is not capable of being a reasonable and law-abiding user of firearms. ...**

Thank you for consideration of our testimony and helping protect the safety of our community.

Submitted by Ellen Godbey Carson on behalf of the Church of the Crossroads

Email: office@churchofthecrossroadshawaii.org



March 1, 2023 at 9:30 am
Conference Room 016

Senate Committee on Judiciary

To: Chair Karl Rhoads
Vice Chair Mike Gabbard

From: Paige Heckathorn Choy
Associate Vice President, Government Affairs
Healthcare Association of Hawaii

Re: **Support**
SB 1230 SD 1, Relating to Firearms

The Healthcare Association of Hawaii (HAH), established in 1939, serves as the leading voice of healthcare on behalf of 170 member organizations who represent almost every aspect of the health care continuum in Hawaii. Members include acute care hospitals, skilled nursing facilities, home health agencies, hospices, assisted living facilities and durable medical equipment suppliers. In addition to providing access to appropriate, affordable, high-quality care to all of Hawaii's residents, our members contribute significantly to Hawaii's economy by employing over 30,000 people statewide.

Thank you for the opportunity to provide **support** for this measure, specifically in identifying healthcare facilities as a sensitive space. Healthcare providers hold a unique space in our society—they are called upon to treat those who are victims of violence, while also ensuring that their premises are kept safe from those who wish to do harm.

We have heard stories from our members over the years about their need to increase security on their campuses to ensure that dangerous weapons are not brought in to cause harm. This takes an incredible amount of resources and vigilance. It is also not foolproof—we have seen in many states the tragic consequences of weapons such as firearms being brought into hospitals and nursing homes, with some documented cases of providers being killed while on the job.

The legislature's efforts to protect Hawaii residents with regard to recent legal rulings is deeply appreciated, and protecting our healthcare workers and patients must remain a top priority in any legislation to identify sensitive places.

Thank you for the opportunity to provide our support for this measure.



Submitted via web portal

RE: SB 1230 (Wakai): Relating to Firearms - SUPPORT

Dear Chair Rhoads, Vice Chair Gabbard and Members of the Committee:

Everytown for Gun Safety, Moms Demand Action for Gun Sense in America, and Students Demand Action for Gun Sense in America are writing in strong support of SB 1230.

Everytown is the largest gun violence prevention organization in the country with nearly 10 million supporters including moms, mayors, survivors and everyday Americans who are fighting for public safety measures that respect the Second Amendment and help save lives. At the core of Everytown are Mayors Against Illegal Guns, Moms Demand Action for Gun Sense in America and the Everytown Survivor Network.

Moms Demand Action for Gun Sense in America is a grassroots movement of Americans fighting for public safety measures that respect the Second Amendment and protect people from gun violence. Moms Demand Action campaigns for new and stronger solutions to lax gun laws and loopholes that jeopardize the safety of our children and families. Since its inception after the tragedy at Sandy Hook School, Moms Demand Action has established a chapter in every state of the country, including Hawai'i.

The Supreme Court's June 2022 decision in [*New York State Rifle and Pistol Association v. Bruen*](#) invalidated New York's requirement that applicants seeking a license to carry a concealed handgun in public show "proper cause"—jeopardizing public safety in Hawai'i and other states with similar laws. The Court's decision is wrong, dangerous, and completely out of step with centuries of history and fundamental constitutional principles.

With a rate of 3.8 deaths per 100,000 people, Hawai'i has [one of the lowest rates of gun deaths](#) in the U.S. This is no accident—Hawai'i has the [third strongest set of gun safety laws in the country](#). Hawai'i is a national leader in gun violence prevention policy and has a long history of passing common-sense gun laws.

However, the Court's decision risks compromising those hard-won gains by making it easier for more people to carry concealed guns in Hawai'i communities and likely leading to significantly more guns in public places. In the first three months after the Court's decision, [more than 500 people](#) across the state had applied for permits. Data out of Maryland, which is similarly affected by the *Bruen* decision, shows that from June 23-July 11, people submitted 5,314 new applications for wear and carry permits—a 772.6% increase from the same time the prior year. As our nation continues to experience horrific mass shootings, an onslaught of daily gun violence, and a spike in hateful armed extremism, more people carrying guns in public is the absolute last thing we need.

Let's be clear—strong concealed carry permit systems save lives. A growing body of research shows that when states weaken law enforcement's authority to deny permits to people who pose a danger, violent crime rates rise by 13 to 15 percent over what would have been expected without the change¹ and firearm homicides increase by 7 percent in urban counties.² Adopting a shall-issue law in general is associated with a 9.5% increase in the rate of firearm assaults. States that have shall-issue laws without any provisions such as violent misdemeanor prohibitions, live fire requirements, suitability requirements, or dangerousness prohibitions in their shall-issue concealed carry permitting laws see rates of firearm assault and firearm homicide that are 22% and 30% higher than would be expected with these provisions.³

By requiring Hawai'i to eliminate its "exceptional case" standard for concealed carry permitting, *Bruen* completely upended centuries of precedent and made all Hawai'i residents less safe in the process. Thankfully, the Court made clear that states are still allowed to require a license to carry a firearm in public, and expressly declined to interfere with the public carry regimes of the overwhelming majority of states—including those that require firearm training and deny permits to applicants who officials find pose a danger to public safety. The Court also reaffirmed that the exercise of discretion by licensing authorities in order to deny licenses to those who might pose a risk to public safety is permissible, so long as the law provides narrow, objective, and definite standards to guide licensing officials in determining whether an applicant is responsible and not dangerous.

SB 1230 will strengthen Hawai'i's concealed carry license system in a number of key ways in response to the Court's decision. It will ensure that licenses to carry a loaded gun in public are not granted to people who are determined to be a danger to self or others based on a thorough background check and will prohibit guns from sensitive areas where they don't belong. It will also improve training requirements for concealed carry to ensure license-holders can properly handle, store, and transport a firearm, and know where guns are not allowed.

For these reasons listed above, Everytown for Gun Safety, Moms Demand Action for Gun Sense in America, and Students Demand Action for Gun Sense in America strongly support SB 1230.

Sincerely,

Krystal LoPilato
Policy Counsel
Everytown for Gun Safety, Moms Demand Action & Students Demand Action
450 Lexington Ave.
New York, NY 10163
klopilato@everytown.org

¹ John J. Donohue, Abhay Aneja, and Kyle D. Weber, "Right-to-carry Laws and Violent Crime: A Comprehensive Assessment Using Panel Data and a State-Level Synthetic Control Analysis," *Journal of Empirical Legal Studies* 16, no. 2 (2019): 198-247.

² Cassandra K. Crifasi, et al, "Correction to: Association Between Firearm Laws and Homicide in Urban Counties," *Journal of Urban Health* 95, no. 5 (2018): 773-76.

³ Mitchell L Doucette, Alexander D McCourt, Cassandra K Crifasi, and Daniel W Webster, "Impact of Changes to Concealed Carry Weapons Laws on Fatal and Nonfatal Violent Crime, 1980-2019", *American Journal of Epidemiology*, 2022;, kwac160, <https://doi.org/10.1093/aje/kwac16>



HAWAII FAMILY SUPPORT INSTITUTE
Making Hawaii's Families Strong

Executive Director

Gail F. Breakey

February 27, 2023

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Re: SB 1230, Relating to Permitting Requirements for Carrying Guns in Public

Dear Senators Rhoades, Gabbard and Senate Judiciary Committee

Consultants

Linda Coble

My name is Gail Breakey; I am the Director of the Hawaii Family Support Institute testifying **in strong support** of SB1230, which will set clear requirements as to who is entitled to carry a gun in public, a verification process and define where carrying a gun is and is not allowed.

The safety and well being of our Hawaii communities depends upon responsible gun ownership and use by people who are well trained and also who are mentally and emotionally stable enough to use guns responsibly.

*Since the Supreme Court decided that Hawaii must allow people to carry concealed guns, it is essential to pass this bill which will set clear requirements on:
---who is, and is not, entitled to carry a gun in public
—how our county chiefs of police can verify people applying to carry a gun in public including a thorough background and mental health review
—where people who get permits to carry guns in public can and can't bring those guns*

SB 1230 establishes a strong framework to accomplish this.

Thank you for the opportunity to testify on this legislation,

Sincerely,

Gail Breakey, RN, MPH Director
Hawaii Family Support Institute

SB-1230-SD-1

Submitted on: 2/27/2023 4:27:58 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lisa H. Gibson	Testifying for Indivisible Hawaii	Support	Written Testimony Only

Comments:

I support this bill as amended

NATIONAL RIFLE ASSOCIATION OF AMERICA

INSTITUTE FOR LEGISLATIVE ACTION

11250 WAPLES MILL ROAD

FAIRFAX, VIRGINIA 22030



NRA

February 28, 2023

The Honorable Karl Rhoads
Chair, Senate Committee on Judiciary
Hawaii State Capitol, Room 228
Honolulu, Hawaii 96813

Dear Chair Rhoads:

On behalf of the members of the National Rifle Association in Hawaii, I would like to communicate our strong opposition to Senate Bill 1230 (SB 1230). This legislation is deeply flawed, and in our opinion, blatantly unconstitutional. This bill runs directly counter to the United States Supreme Court decision in *NYSRPA v. Bruen*.

SB 1230 is similar to legislation that has been passed in New York and New Jersey. Litigation has already ensued, challenging these misguided laws with injunctions being issued by Federal Courts in regards to “sensitive places” and abusive permitting conditions. If passed this legislation will be met with a legal challenge and will likely face a similar fate.

For the foregoing reasons and many more we request your opposition to SB 1230.

Sincerely,

Daniel Reid
Western Regional Director
NRA-ILA

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 12:41:37 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Matt Smith	Testifying for Citizens of the United States who support our Consitution	Oppose	Written Testimony Only

Comments:

These attempts to undermine the rights granted to law abiding citizens is embarrassing and those elected officials who took an oath to uphold the Constiition should step down or set aside their personal fears to recognize that when citizens have the right to defend themselves, crime decreases.

Its been shown time and time again. Criminals do not care what laws you pass, that just makes law abiding citizens more defenseless and we all can read the papers that crime is on the rise and the police are not equipped to stop it.

When seconds matter, the police are minutes away and you should show the courage needed to let citizens not be defenseless victims in an age of growing crime.

SB-1230-SD-1

Submitted on: 3/1/2023 12:03:59 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Rachel Logan	Testifying for Moms Demand Action	Support	Written Testimony Only

Comments:

I support SB1230 in order to keep Hawaii one of the safest states in the nation for gun violence. I believe in the 2nd Amendment, but I do not think guns belong everywhere in our modern society. The US military doesn't allow conceal carry and they have no plans to change that. That gives me pause and I think it should you as well. We have to find a compromise because guns don't make everyone feel safe and it's a big ask to trust a total stranger to be an armed "silent protector" among my young children when we're going to the park or grocery store. I am concerned that the accidents will outnumber the heroics. Will our armed citizens be able to handle things with a cool head during an escalated interaction? We will now be more at risk for gun violence and PTSD simply by their presence in our community, because they're now part of the equation. Please support this bill.

Mahalo nui,

Rachel

SB-1230-SD-1

Submitted on: 3/1/2023 8:25:11 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Barbara Gomes	Testifying for Moms Demand Action for Gun Sense - Hawaii Chapter	Support	Written Testimony Only

Comments:

I am a resident of Oahu. As both a parent and an educator, I have become very concerned about keeping our Hawaii Nei one of the safest states in the country. Please support this bill so we have clear boundaries state-wide. Guns surely do not belong at playgrounds, parks, or schools, but without this bill, anyone who gets a concealed carry permit can bring hidden guns into those places.

Additionally, guns and alcohol should never mix. This bill will make it clear that people carrying guns in public cannot bring their guns to bars or restaurants serving alcohol.

Thank you VERY much for your careful consideration of this important bill.

SB-1230-SD-1

Submitted on: 3/1/2023 8:43:28 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Vanessa Ruderman	Testifying for Mom's Demand Action for Gun Sense	Support	Written Testimony Only

Comments:

My name is Vanessa Ruderman, I live in Kamuela, and thank you for hearing my testimony in support of SB 1230.

Hawai'i, which has been a state with strong gun legislation, needs to act to uphold the protection we were previously ensured. The issue of who is eligible to obtain a permit to conceal carry needs to be carefully evaluated to ensure that Hawai'i, at all times, has the public's safety in mind.

Too often we are stirred up, agitated, or angered, only to find that we need to take time to calm down. Too often we have intense parents and coaches at sporting events. We need to clearly define what our safe places are so that we can frequent schools, parks, hospitals, and churches without worrying about confronting an agitated person with a concealed gun. Our highly trained military has strict rules for gun ownership and storage on bases. We, too, need strong rules for concealed gun permits and gun storage.

The heart of the matter is that gun violence strikes the core of every parent who has read about gun violence shootings from Columbine to Uvalde. As a parent, my role is to protect my children, not from the minor incidents and accidents that are involved with growing up but to keep them alive and safe from guns. To the parents of children killed by gun violence, they have not failed. Rather, we have failed them.

Please help me protect the keiki within our state by passing SB 1230.

Vanessa Ruderman

Moms Demand Action Volunteer

SB-1230-SD-1

Submitted on: 2/27/2023 5:12:41 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Eric Tash	Individual	Support	Written Testimony Only

Comments:

The Honorable Karl Rhoads, Chair, Mike Gabbard, Vice Chair and Members of the Senate Committee on Judiciary,

My wife and I strongly support the passage of SB 1230 SD1.

We have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which we strongly support, SB1230 SD1 addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns denies permits to individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

We urge you to support the passage of SB1230 SD1, which is sensible, reasonable and good public policy.

Mahalo,

Eric Tash and Renee Iijima

SB-1230-SD-1

Submitted on: 2/24/2023 5:30:48 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

Please support this important bill. Mahalo.

SB-1230-SD-1

Submitted on: 2/24/2023 8:14:58 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Normand A Cote	Individual	Oppose	Written Testimony Only

Comments:

Aloha JDC,

I strongly OPPOSE SB1230.

The law abiding citizen is NOT a criminal and should not be lumped into the "Criminal" category.

Please consider: a law abiding citizen is a productive member of society, your neighbor, a son, a father, an uncle, a brother, a co-worker, a friend, a holder of a drivers license, required insurances, safety check, a registered car owner, and on and on. We are not criminals.

Please remeber when you consider this bill.

Respectfully,

Normand A Cote

Law Abiding Citizen

SB-1230-SD-1

Submitted on: 2/25/2023 10:19:17 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael I Rice	Individual	Oppose	Written Testimony Only

Comments:

I stand in **STRONG OPPOSITION** to this bill. It is on its face Unconstitutional and a poor attempt to circumvent the Bruen decision and would not survive a legal challenge. Many of the provisions in this bill have been tried in other states and have been found to be unconstitutional. A legal defense against this law shall have to provide an applicable law from the time of the founding of this nation (the 1790s, to the early 1820s), and there are numerous mainland gun groups just waiting for Hawaii to pass this law so they can bring forth lawsuits. I will be amongst those suing the state should this law pass.

The Supreme Court has already listed down the places that can be deemed sensitive, they were: Public Schools (K-12); Courthouses and Legislative Buildings, not simply any building the government owns; polling places; and prisons and jails. If you want this law to have any hope of passing a constitutional and legal challenge, stick to these places, do not broaden them to include anywhere that's public.

Private Property owners and businesses already have the right to deny entry to anyone for any reason, but those reasons typically require signage to be properly enforced. The government cannot tell businesses that something is the default unless they say otherwise as that would be Compelled Speech and a violation of the first amendment. Not to mention that this doesn't apply to anything else that's a right. We don't make business owners deny people based on their faith, race, or sexual identity and tell them to put up signs saying 'Non-Christians allowed' or 'LGBTQIA+ Permitted'. Even signs that are posted for things that are not right post what is not allowed rather than what is, IE clarifying that Emotional Support Animals are not Certified Service Animals.

This fails to mention that if properly concealed, no one but the owner will know that they have a concealed carry handgun. These sensitive places will be unenforceable unless you have police officers stopping and frisking everyone going into them, and last I checked we were short over 300 police officers in HPD just for their normal duties. In previous testimonies I have heard someone in the opposition say they 'don't want to be burdened with putting up signs disallowing guns'. If they don't want to be burdened with putting up signs they're surely not going to burden

themselves with installing metal detectors and hiring security to make sure no one has a firearm on their business.

The ban on carrying on public transport is also highly unfair to those (such as myself) who rely heavily on public transport. If passed I'll now need to buy a car and never be able to use public transport, those who can't afford that will simply not be able to exercise their 2nd Amendment Right to carry a firearm to defend themselves.

And that goes nothing to say that this bill won't deter criminals at all, who are already carrying weapons in public and without a permit. The 'intent' to make this state safer by passing this law is on its own a bold faced lie. All it will do is attempt to criminalize otherwise law abiding citizens.

The insurance requirement alone is unconstitutional and is an attempt at a poll tax. The insurance wanted simply does not exist. And considering the requirements desired by the state simply will never exist. There is insurance out there that covers legal fees and some liability in the event of legal self defense. It does not cover liability for any event involving a firearm. Insurance by law cannot cover illegal activity. If someone steals my gun and goes on a mass shooting, no insurance in the world will cover the expenses from that.

SB-1230-SD-1

Submitted on: 2/25/2023 4:19:07 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Victor K. Ramos	Individual	Oppose	Written Testimony Only

Comments:

OPPOSE: This bill, as written, is contrary too and in violation of the U.S. Constitution, 2nd Amendment.

SB-1230-SD-1

Submitted on: 2/25/2023 5:14:37 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Will Caron	Individual	Support	Written Testimony Only

Comments:

The right to bear arms is not absolute. Reasonable restrictions to protect the health and safety of the public are appropriate and warranted given the epidemic of mass shootings and alarming growth in gun-related deaths here in Hawai'i, which increased 21% between 2009 and 2018, faster than the national average of 19%.

Despite this growth, Hawai'i still had the 50th lowest per capita gun violence rate over that same period, and this is because of our strict gun laws. Our tight restrictions on gun use have served us well for decades, and many of us grew up with little fear of gun violence suddenly erupting in schools, or churches or government buildings. But times are changing, and the pro-gun movement of the continent has come to Hawai'i. We need to do everything within the power of the state to keep guns well-regulated in Hawai'i, as the 2nd Amendment always intended.

SB-1230-SD-1

Submitted on: 2/26/2023 12:35:12 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Carol Maxym	Individual	Support	Written Testimony Only

Comments:

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, SB1230, CD1, as amended, addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

SB-1230-SD-1

Submitted on: 2/26/2023 12:40:27 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Nancy Taylor	Individual	Support	Written Testimony Only

Comments:

I strongly support SB1230. It is essential that safeguards be enacted to keep Hawaii safe from gun violence.

Thank you for your consideration of my testimony.

SB-1230-SD-1

Submitted on: 2/26/2023 1:26:14 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Joan White	Individual	Support	Written Testimony Only

Comments:

Dear Chair and Vice Chair, Judiciary Committee,

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, SB1230, CD1 as amended addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors. As a result of the aforementioned safety measures, I support SB1230, CD1 as amended and urge you approve it.

Thank you for protecting the citizens of Hawaii.

Sincerely,

Joan P. White

SB-1230-SD-1

Submitted on: 2/26/2023 1:28:24 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jane Davis	Individual	Support	Written Testimony Only

Comments:

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, SB1230, CD1 as amended addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

SB-1230-SD-1

Submitted on: 2/26/2023 1:57:49 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
lynne matusow	Individual	Support	Written Testimony Only

Comments:

I am in full support of this bill. We cannot have people bearing firearms loose on our streets. There must be due consideration of who they are, whether they are qualified to carry the firearms, if they will use them in public, etc.

I notice on pages five and six that "Private property, including but not limited to residential," is included.

I live in a high rise condo in Honolulu, with at least 1,000 residents, infants to centenarians, plus visitors, contractors, workers, passing through daily. I am very concerned about people with firearms transversing the halls and riding the elevators, where we are trapped in transit with other riders. My reading of this is that unless the property allows it, persons carrying guns are not allowed on property. That is important for our safety.

Having seen gun owners whining about the application process and restrictions in the counties, I can only assume you will be assaulted verbally and in writing by these people. If they had their way, there would be no permits required, no restrictions, etc.

The safety and well being of the public is paramount. I urge you to pass this bill, safeguard the public, and not give in to the whining cry babies.

Mahalo.

SB-1230-SD-1

Submitted on: 2/26/2023 2:18:58 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
I. Robert Nehmad	Individual	Support	Written Testimony Only

Comments:

I am a resident of the City and County of Honolulu and support this Bill as amended.

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, SB1230, CD1 as amended addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

SB-1230-SD-1

Submitted on: 2/26/2023 3:28:30 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kaui Lucas	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Vice Chair Gabbard, Committee Members

I support SB1230 as amended

SB1230, CD1 as amended, addresses two areas I feel critical for public safety.

- a licensing procedure for concealed guns which screens out individuals who would be a threat to others or themselves.
- a list of sensitive areas where firearms cannot be carried, comprehensive enough to afford some protection for Hawai'i's residents and visitors.

Please pass this bill.

me ka pono,

Kaui Lucas

SB-1230-SD-1

Submitted on: 2/26/2023 4:15:51 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Estella Berg	Individual	Support	Written Testimony Only

Comments:

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, SB1230, CD1 as amended addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

SB-1230-SD-1

Submitted on: 2/26/2023 4:18:39 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

The 2nd Amendment Cannot be ifriged upon. Look it up. This means you can not Amend the 2nd Amendment or any other Amendment They are the Highs From of the Law. Anyone that Violates the Amendments is sbject to be Charged with a Feloney!!!!!!!!!!!!

SB-1230-SD-1

Submitted on: 2/26/2023 5:11:02 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Bruce Anderson	Individual	Support	Written Testimony Only

Comments:

I support this bill. We must do whatever we can to reduce the amount of gun violence in this state, since the Federal Government seems incapable of doing it.

To: Hawaii State Senate Committee on Judiciary

Hearing Date/Time: Monday, February 28, 2023, 9:30am

Place: Hawaii State Capitol, CR 016 & Videoconference

Re: Judith Ann Armstrong is in support of SB 1230 which would set up clear permitting requirements before someone is allowed to carry a gun in public.

Dear Members of the Judiciary Committee,

I, Judith Ann Armstrong, am in support of SB 1230 Relating to Firearms.

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, SB1230, CD1 as amended addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

Thank you for this opportunity to testify in support of SB1230.

Sincerely,

Judith Ann Armstrong

SB-1230-SD-1

Submitted on: 2/26/2023 9:56:20 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Gaye Chan	Individual	Support	Written Testimony Only

Comments:

The Bruen decision has serious negative impact on the safety of Hawaii's residents and visitors. SB1230 ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried.

SB-1230-SD-1

Submitted on: 2/27/2023 7:54:46 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Alan Urasaki	Individual	Oppose	Written Testimony Only

Comments:

I stand in opposition to this measure. Mahalo.

SB-1230-SD-1

Submitted on: 2/27/2023 8:20:39 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lois Langham	Individual	Support	Written Testimony Only

Comments:

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, SB1230, CD1 as amended addresses two areas of major concern about how our residents and visitors can remain safe: It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

TESTIMONY OF ELLEN GODBEY CARSON IN SUPPORT OF SB 1230, SD1

I write in strong support of SB 1230, with a request for amendments to strengthen the bill.

While I write as an individual, I have served as president of the Hawaii State Bar Association, the Institute for Human Services (IHS) and Hale Kipa Youth Services. In these capacities, I have strived to strike the right balance for safety of our community and protection of individual rights. I believe SB 1230, SD1 strikes that right balance, but would be enhanced by the four amendments below.

I support this bill because it creates numerous measures to better protect our community, while complying the US Supreme Court's mandate that public carry permits be allowed. However, further expansion of the bill's terms would better meet our needs. **Accordingly, I request the amendments described below.**

A. In HRS 134-A(i) also include as "sensitive places" adult homeless shelters and programs serving adults involved in our corrections system, operated by a government entity or a charitable organization. This would mirror the provision for sensitive places for minors. Many of the adults In these settings experience mental illness and/or substance abuse addiction where any presence of a firearm creates an unreasonable and imminent danger to all.

B. In HRS 134-A(i), require a "clear and conspicuous posting at all public entrances to the property," for owners of private property who permit firearms to be carried on the property, instead of allowing it only as an alternative to express consent by the owner. This is the only fair way to provide notice to all persons who may otherwise wish to enter or patronize those locations, that firearms may be present on the property. This will allow us all to make our own reasonable choices for self-protection.

(18) Private property, including but not limited to residential, commercial, industrial, agricultural, institutional, or undeveloped property, unless the owner has provided express consent and clearly and conspicuously posts a sign at all public entrances of the building or on the premises indicating that license holders are permitted to carry firearms on the property.

C. Mental health background checks cannot be effective unless pertinent data bases are searched, disclosures are required, and HIPAA-authorizations are provided, so that information can be obtained from health care providers, health plans and governmental sources. One of the most comprehensive sources of health care information (diagnoses, treatment and services) is the individual's health care plan (HMSA, Kaiser, etc) that pays for virtually all health care rendered to the person. Thus, in section 134-9(d)(5), include "health care plan" so as to read "applicant shall also complete any forms required by the applicant's health care provider, **health care plan** or relevant government entity for release of mental health information;"

D. In HRS 134-9(b)(5), include a past perspective to the “mentally deranged” inquiry, so that it will be clear that not appearing “mentally deranged” at the current moment is not adequate where there is history of being mentally deranged in the past.

[~~(4)~~] (5) Not have been adjudged insane or not appear to be mentally deranged. Being a person who does "not appear to mentally deranged" means that the applicant has not exhibited specific and articulable indicia that would objectively indicate to a reasonable observer that the applicant is not capable of being a reasonable and law-abiding user of firearms. ...

Thank you for your consideration of my testimony and helping protect the safety of our community.

Ellen Godbey Carson
Honolulu, Hawaii

SB-1230-SD-1

Submitted on: 2/27/2023 8:44:41 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Marcus Tanaka	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill and refer to Hawaii Firearms Coalitions reasons why. We have went over this already in the past committee and not much has changed to better protect the 2nd amendment right.

It is clear if this passes and all those who vote to support this that feelings is greater than logic.

SB-1230-SD-1

Submitted on: 2/27/2023 8:45:21 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Matt L	Individual	Support	Written Testimony Only

Comments:

I support SB1230 as amended.

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, SB1230, CD1 as amended addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors. Think of what we need to get a drivers license which considers that a vehicle can kill.

Please please use common sense!!

SB-1230-SD-1

Submitted on: 2/27/2023 9:09:24 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Rodney Salm	Individual	Support	Written Testimony Only

Comments:

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, SB1230, CD1 as amended addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

SB-1230-SD-1

Submitted on: 2/27/2023 9:13:31 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
laurie boyle	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am writing in SUPPORT of SB1230 for the simple and critical reason that the Aloha of Hawai'i will quickly disappear if our people must resign themselves to walk in public, attend church, school or movies, concerts under the powers of the wealthy NRA and side-arm semi-automatic gun-toters who claim FREEDOM without ever considering the non-toters' freedoms to feel secure and peaceful in our own communities.

Mahalo for your time.

SB-1230-SD-1

Submitted on: 2/27/2023 9:18:03 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
scott shimoda	Individual	Oppose	Written Testimony Only

Comments:

Dear Honorable Senators,

I humbly oppose the passing of this bill. This is a violation of our civil rights as show by preliminary injuctions granted in the recent Bruen findings. Criminals do not obey laws.

Mahalo,

Scott Shimoda

SB-1230-SD-1

Submitted on: 2/27/2023 9:18:13 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Donna Carsten	Individual	Support	Written Testimony Only

Comments:

I support SB1230 as amended. The danger of open carry to Hawaii's residents and visitors is very real. This bill would at least address some safety concerns.

SB-1230-SD-1

Submitted on: 2/27/2023 9:19:09 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lynn Otaguro	Individual	Support	Written Testimony Only

Comments:

I support SB1230 SD1. I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, SB1230, SD1 as amended addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried to protect the safety of Hawaii's residents and visitors.

Please support SB1230 SD1.

SB-1230-SD-1

Submitted on: 2/27/2023 9:24:17 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lauren Yamaguchi	Individual	Support	Written Testimony Only

Comments:

I strongly support SB1230 because I know that concealed gun regulations make my community safer. A robust licensing procedure will help to weed out those who may be a threat to others or themselves. A list of sensitive places will ensure the safety of vulnerable communities and vital institutions. I hope that this legislation will be used as a preventative measure toward gun safety and not implemented to further incarcerate over-policed communities. Thank you for your consideration.

SB-1230-SD-1

Submitted on: 2/27/2023 9:25:35 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Stephen Kobayashi	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB1230.

SB-1230-SD-1

Submitted on: 2/27/2023 9:37:46 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kanani Kai	Individual	Support	Written Testimony Only

Comments:

Aloha.

“ I support SB1230 as amended”

Sincerly and Mahalo,

Kanani Kai

SB-1230-SD-1

Submitted on: 2/27/2023 9:43:37 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Darlene	Individual	Support	Written Testimony Only

Comments:

I support

SB1230

as ammended for the safety of myself and fellow citizens of HI.

Guns have killed two members of my family outside of war, which is the only place for them other than police work.

SB-1230-SD-1

Submitted on: 2/27/2023 9:51:05 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Xavier Baker	Individual	Oppose	Written Testimony Only

Comments:

If you claim to be for the people then be for the people, do not let personal emotions and agenda be the reason you deny the people their rights. 3-1 opposed against these unconstitutional bills, that speaks for itself.

SB-1230-SD-1

Submitted on: 2/27/2023 10:05:47 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Gavin Lohmeier	Individual	Oppose	Written Testimony Only

Comments:

oppose SB1230. too restriictive. This could be used unfairly to confiscate ones firearms

sincerely

Gavin Lohmeier

SB-1230-SD-1

Submitted on: 2/27/2023 10:14:09 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Robert Marks	Individual	Support	Written Testimony Only

Comments:

Chair and members -

I strongly support bill as amended,

respectfully submitted,

Robert Marks

SB-1230-SD-1

Submitted on: 2/27/2023 10:16:08 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
PAMELA SUMMERS	Individual	Support	Written Testimony Only

Comments:

I support SB1230 as amended.

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, SB1230 SD1 as amended addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

SB-1230-SD-1

Submitted on: 2/27/2023 10:26:19 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Shannon Rudolph	Individual	Support	Written Testimony Only

Comments:

Support

Aloha,

I am providing written testimony in opposition to SB1230 SD1.

The Supreme Court of the United States (SCOTUS), through the NYSRPA vs. Bruen decision, recently established “text, history, and tradition” as the new standard for jurisprudence regarding the Second Amendment. Any precedent analyzed using the text, history, and tradition method must have its origins rooted near the creation of the Second Amendment in 1791.

In regards to sensitive places, the SCOTUS ruling specifically mentioned polling places, schools, and government buildings as examples of sensitive places that historically prohibited the bearing of arms. Additional proposed locations noted in SB1230 SD1 fail to provide historical context or justification for inclusion on a list of sensitive areas.

New York included all of the sensitive areas defined in SB1230 SD1 in the Concealed Carry Improvement Act (CCIA), which was a response to the SCOTUS decision. U.S. District Court Judge Glenn Suddaby, among other judges, have already ruled large parts of the (CCIA), particularly many of the sensitive locations, are unconstitutional and do not adhere to text, history, and tradition.

Further, U.S. District Court Judge Renee Marie Bumb ruled New Jersey’s list of sensitive locations, which are very similar to New York’s, unconstitutional. Bumb also blocked the enforcement of carrying firearms on private property without the “express consent” of an owner or signage indicating firearms are allowed. The State’s default ban for firearms on private property essentially made a decision for an entire population. SB1230 SD1 aims to replicate the same directive for private property.

U.S. District Judge Glenn Suddaby ruled requiring applicants to submit online account information was unconstitutional, which part of SB1230 SD1 will require (as noted below).

(6) Any other information the county chief of police, or a designated member of the chief of police's staff, may require from the applicant or any other person as the chief of police reasonably deems necessary to conduct the review of the application, including but not limited to publicly available statements posted or published online by the applicant.

SB1230 SD1 provides no validation for the list of sensitive places in accordance with the text, history, and tradition method set forth by SCOTUS. Banning the bearing of arms in various proposed sites, which mimic New York’s CCIA and New Jersey’s sensitive places list, has already been ruled unconstitutional. Numerous testimony alluded to these facts under review of the first version of SB1230, but despite no substantiation to conformance with SCOTUS’s Bruen decision, the State appears poised to pass a law that will not pass constitutional muster.

Thank you.

SB-1230-SD-1

Submitted on: 2/27/2023 10:41:57 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Douglas C. Moose	Individual	Oppose	Written Testimony Only

Comments:

According to the SCOTUS v. Bruen decision, this bill in general is too broad in its definition of "sensitive places."

Quote: Although we have no occasion to comprehensively define “sensitive places” in this case, we do think respondents err in their attempt to characterize New York’s proper-cause requirement as a “sensitive-place” law. In their view, “sensitive places” where the government may lawfully disarm law-abiding citizens include all “places where people typically congregate and where law-enforcement and other public-safety professionals are presumptively available.” Brief for Respondents 34. It is true that people sometimes congregate in “sensitive places,” and it is likewise true that law enforcement professionals are usually presumptively available in those locations. But expanding the category of “sensitive places” simply to all places of public congregation that are not isolated from law enforcement defines the category of “sensitive places” far too broadly. Respondents’ argument would in effect exempt cities from the Second Amendment and would eviscerate the general right to publicly carry arms for self-defense that we discuss in detail below. See Part III–B, *infra*. Put simply, there is no historical basis for New York to effectively declare the island of Manhattan a “sensitive place” simply because it is crowded and protected generally by the New York City Police Department.

Unquote

Specifically, this bill prohibits carrying in a public park, recreational ground, playground, library, museum, carnival, aquarium, zoo, or recreation center, including adjacent grounds and parking areas; also a shelter or residential facility operated by a government entity or a charitable organization serving children, including but not limited to unhoused children and children involved in the juvenile justice system; A bar, restaurant, or establishment issued a license' for on—premise consumption of alcohol pursuant to sections 281431 and 281-32.5, including adjacent' Parking areas; A public gathering, public assembly, or special event conducted on pproperty open to the public, including but not limited to a demonstration, march, rally, vigil, protest, or picketing event, that requires the issuance of a permit from a federal, state, or local government and the sidewalk or street immediately adjacent to the public gathering or special event and within one thousand feet from the event or gathering; provided that there are signs=clearly and conspicuously posted at visible places alonggthe perimeter of the event; A place, conveyance, or vehicle used for public transportation or public transit, including but not limited to: Buses and paratransit vans; Train cars; Ferries; Railroad; and Marine or aviation transportation; A facility used for or in connection with service in the

transportation of passengers, including but not limited to: Bus shelters and terminals; Train stations; Rail stations; and Harbors; A stadium, arena, theater, performance venue, or amusement park, or any place at which a professional, collegiate, high school, amateur, or student sporting event is being held, including adjacent grounds and parking areas; A public or private hospital or hospital affiliate, mental health facility, nursing home, clinic, medical office, urgent care facility, or other place at which medical services are customarily provided, including adjacent grounds and parking areas; A financial institution as defined in section 1 eD—1, including adjacent parking areas.

In effect, it would be unreasonable for the average citizen to carry a concealed weapon at all given the immense number of locations such behavior would be prohibited.

It is a reasonable presumption that law enforcement and/or private security personnel are or may be available at the majority of those sensitive places listed, such as banks, parks, and so on. Therefore, to prohibit concealed carry for self defense in those areas violates Bruen.

There are only two tests SCOTUS allows for constitutionality of a law: (1) does it conform to the text of the Second amendment, and (2) does it have a historical precedence based on laws passed in the timeframe of 1791.

SCOTUS specifically prohibits a "public safety balancing analysis" -- i.e. does the safety of the public outweigh the rights of an individual under the Second Amendment. Trying to justify any of this bill's provisions by claiming that anywhere children or others gather as a "sensitive place" violates this prohibition.

The preamble of this bill states, "The legislature finds that there are compelling interests in protecting public health, safety, and welfare from the serious hazards associated with firearms and gun violence.", and "Accordingly, the purpose of this Act is to clarify, revise, and reframe Hawaii's firearms laws to mitigate the serious hazards to public health, safety, and welfare associated with firearms and gun violence, while respecting and protecting the lawful exercise of individual rights."

Both of these statements is in opposition to the SCOTUS ruling stating public safety can not be used as a subjective test in order to restrict the free exercise of any right including the Second Amendment's right to keep and bear arms in public without an historical precedence for that restriction.

Other states have tried enacting these same provisions, and federal judges have granted a stay from enforcing them. That stay indicates the judges are confident the plaintiff will prevail on the merits of the case brought against the new laws.

I strongly oppose this bill.

SB-1230-SD-1

Submitted on: 2/27/2023 10:44:54 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lori Kizer	Individual	Support	Written Testimony Only

Comments:

I support SB1230 as amended. Mahalo.

SB-1230-SD-1

Submitted on: 2/27/2023 11:04:58 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Scott Landis	Individual	Support	Written Testimony Only

Comments:

As a pastor of a local congregation in Maui I want to do everything possible to ensure the safety of parishioners while in worship, or various gatherings of the church and community. It is essential that the right to carry guns is strictly limited. They should NEVER be permitted on the premises of any property where religious services are conducted. I support any and every measure to limit or eliminate the carrying of guns in our state known for *aloha*.

Sincerely,

The Rev. Dr. Scott Landis

Transitional Pastor - Keawala'i Congregational United Church of Christ, Mākena, Maui

SB-1230-SD-1

Submitted on: 2/27/2023 11:08:26 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Carolyn Lee	Individual	Support	Written Testimony Only

Comments:

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, SB1230, CD1 as amended addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

SB-1230-SD-1

Submitted on: 2/27/2023 11:38:32 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Susan Salm	Individual	Support	Written Testimony Only

Comments:

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, SB1230, CD1 as amended addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

SB-1230-SD-1

Submitted on: 2/27/2023 11:47:52 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael A. Wee	Individual	Oppose	Written Testimony Only

Comments:

I strongly OPPOSE SB1230 SD1. This measure only creates gun-free zones that criminals will exploit. They don't care about "sensitive place" restrictions and will take their guns wherever they want. This measure actually enables criminal behavior, possibly resulting in a successful mass shooting! All you accomplish is to disarm law-biding citizens and leave everybody with no means of self-defense. Put yourself in the shoes of a criminal and you would be happy to see this legislation become law!

SB-1230-SD-1

Submitted on: 2/27/2023 11:52:26 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Galen J. Pao	Individual	Oppose	Written Testimony Only

Comments:

To whom this may concern:

I, Galen J. Pao would like to go on record opposing SB1230. This Bill is unconstitutional.

It seems the Bill is structured to circumvent every intent that the SCOTUS ruling on the Bruen case intended. The ruling states that citizens have the right to carry firearms in public for self defense. This Bill will not afford the law abiding licensed firearm citizen to enjoy the public amenities and therefore are discriminated against just because they chose to exercise their right to carry firearms. Law abiding citizens, whether they choose to carry a firearm or not, are equal and the same. This Bill will put firearm owners in a different class which is unconstitutional.

I ask that this Bill be reviewed and no longer proceed to move forward. I ask that this Bill be structured to co-exist with the Bruen decision set forth by SCOTUS and not be discriminatory. SB1230 specifies almost 100% of public places to be off limits to firearms. Therefore SB1230 is violating the constitutional rights of law abiding citizens to carry firearms in public.

Thank you.

Galen J. Pao

SB-1230-SD-1

Submitted on: 2/27/2023 12:00:10 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Chris Reiner	Individual	Comments	Written Testimony Only

Comments:

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, SB1230, CD1 as amended addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

SB-1230-SD-1

Submitted on: 2/27/2023 12:09:58 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Howard J. Wolff	Individual	Support	Written Testimony Only

Comments:

I support SB1230 as amended. Let's keep our state as safe as possible.

SB-1230-SD-1

Submitted on: 2/27/2023 12:12:38 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Cheryl Tanaka	Individual	Oppose	Written Testimony Only

Comments:

I would like to oppose this bill. This bill makes women more helpless and vulnerable to becoming victims of crime

SB-1230-SD-1

Submitted on: 2/27/2023 12:12:51 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Martha Nakajima	Individual	Support	Written Testimony Only

Comments:

I strongly support SB1230, CD1, as amended. This will enable the licensing procedure for concealed guns to weed out individuals who are dangerous to themselves and/or the community. It also sets forth a comprehensive list of sensitive places where guns need to be prohibited in order to protect the public.

SB-1230-SD-1

Submitted on: 2/27/2023 12:15:55 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Roxanne WhiteLight	Individual	Support	Written Testimony Only

Comments:

In Hawaii we have a much lower incidence of gun violence than any other state. That is in part why I choose to live in Hawaii. I am so grateful for our laws as they existed before the supreme court ravaged them.

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, SB1230, CD1 as amended addresses two areas of major concern about how our residents and visitors can remain safe.

thank you so much for your work to keep our state a safe place for us all to live. We do not need more guns in Hawaii. If you can't go on vacation without your gun, please go to Texas or Florida.

SB-1230-SD-1

Submitted on: 2/27/2023 12:27:50 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jacob Holcomb	Individual	Oppose	Written Testimony Only

Comments:

What will the Chief include in his secret list of disqualifying criteria? Belching? Farting? Stink eye?

The language is so vague and subjective that it's ridiculous, but the worst part is it's completely counterproductive. You just wrote the best sales pitch ever for illegal gun dealers.

The criminals laugh at me for registering. Am I stupid for trying to do the right thing?

SB-1230-SD-1

Submitted on: 2/27/2023 12:31:10 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Constance Perry	Individual	Support	Written Testimony Only

Comments:

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and keiki. Among other important provisions which I strongly support, SB1230, CD1 as amended addresses two areas of major concern about how our residents and keiki can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and keiki.

SB-1230-SD-1

Submitted on: 2/27/2023 12:49:21 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Randy Cheung	Individual	Oppose	Written Testimony Only

Comments:

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

This bill is a failure, please rewrite and submit a bill which does not infringe on the right of the people to keep and bear arms. Thank you.

SB-1230-SD-1

Submitted on: 2/27/2023 1:00:19 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Linda Legrande	Individual	Support	Written Testimony Only

Comments:

SB 1230 as amended ~ Please pass this bill!

Thank you, Linda Legrande

SB-1230-SD-1

Submitted on: 2/27/2023 1:15:55 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Nancy Marker	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Vice Chair Gabbard, and Committee Members:

I support SB 1230 SD 1 that addresses our public health and safety of residents and visitors by establishing sensitive areas where firearms cannot be carried by individuals.

Thank you for your consideration of this bill.

Sincerely,

Nancy Marker

SB-1230-SD-1

Submitted on: 2/27/2023 1:29:13 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sue Hornik	Individual	Support	Written Testimony Only

Comments:

My name is Sue Hornik, I live in Honolulu, and I strongly support SB1230.

We all wish to keep our community as safe as possible and I want to thank Senators for working diligently to carefully limit who may carry a concealed weapon and to clearly define where concealed weapons may not be carried. Keeping a level head amid angry attacks is difficult but the research now overwhelmingly shows the dangers of more guns in public places.

That evidence must carry more weight than gut reactions, misinformed fear or thinly disguised anti-government rhetoric. While there are numerous well-trained, well-meaning gun owners, it's preposterous for anyone to declare that no one now applying for a concealed carry permit will ever snap or get enraged or blind drunk or slide into paranoia and mental illness, which is why concealed carry permits should only be approved after thorough background checks and mental health reviews. It's why locations where people who get permits to carry hidden guns in public must be expansive. As Brian O'Hara, the new Minneapolis Police Chief recently said: "The bottom line is we have to acknowledge that guns are designed to kill people."

What is at issue here today effects every aspect of our daily lives: Should licensed, concealed carry gun owners be allowed to bear hidden weapons on our streets, in our stores and churches, at our kids' schools, which have been so safe, in large part thanks to our earlier restrictions on who may carry a concealed weapon in public? Do we have to worry that someone feeling "threatened" by rowdy teens is going to pull out a gun and shoot one of our kids? Or that a friend could be killed because the gun owner deems them as suspicious and "shifty" as happened in the tragic FL case of teenager Trayvon Martin? Every reputable study shows that more guns on our streets equates to more gun injuries and deaths.

We understand how unique and difficult the gun issue is for both our elected officials and for the moms, dads, teachers, and other advocates of regulation—and it's not because of the Second Amendment: Even our conservative Supreme Court has ruled that gun-carrying may be regulated. Rather, one side of this issue is armed and often angry and the other side is unarmed and often intimidated. So it's particularly inspiring here in Hawaii to see that so many leaders, like the Governor and Mayor and police chief, and so many individuals and groups from every part of our community who represent tens of thousands of citizens – educators, nurses, doctors, faith leaders, business leaders, students – have testified in favor of strong concealed carry and sensitive places bills both at the City Council and the legislature. Our heroes!

We can't let a loud, vocal minority win the day! As a former executive director of States United to Protect Gun Violence, a national umbrella organization for more than 20 state-based organizations including the Hawaii Coalition to Prevent Gun Violence, I saw firsthand how intimidating the pro-gun side could be: Carrying guns into legislative hearings or to gun-safety rallies in states with lax laws, publishing the addresses of gun-safety activists and posting pictures of their children online, and sending threatening messages on social media. A US Representative once told me that he supported a strong federal background check bill but he wouldn't co-sponsor it because he and his staff would receive too many upsetting, nasty phone calls. Hearing about his comment, another member of Congress said, "Well, there's a profile in courage."

We ask all our Senators today to be profiles in courage and keep us as safe from gun violence as possible. Please pass SB1230. Thank you!

Sincerely,
Sue Hornik

SB-1230-SD-1

Submitted on: 2/27/2023 1:32:26 PM

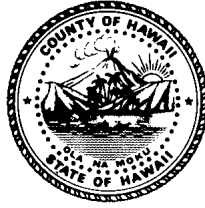
Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Bradd Haituka	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this unconstitutional attack against law abiding firearms owners. Every year politicians think that more laws and rules will prevent criminals from committing firearms crimes, yet every year law abiding citizens get weaker, and criminals get stronger and more emboldened because of laws and bills that don't punish or apply to them because they are **CRIMINALS AND THEREFORE DO NOT FOLLOW THE LAW**. Stop punishing the innocent, and uphold your oaths of office and give the power back to the law abiding, Stop this infringement of the second amendment NOW.

Jennifer Kagiwada
Council Member District 2 South Hilo



Office: (808) 961-8272
jennifer.kagiwada@hawaiicounty.gov

HAWAI'I COUNTY COUNCIL - DISTRICT 2

25 Aupuni Street • Hilo, Hawai'i 96720

DATE: February 27, 2023
TO: Senate Committee on Judiciary
FROM: Jennifer Kagiwada, Council Member
Council District 2
SUBJECT: SB 1230 SD1

Aloha Chair Rhoads, Vice Chair Gabbard, and members of the Committee,

I am writing to you in **strong support of SB 1230 SD1**.

Since the Supreme Court Case last year decreed that Hawaii must allow people to carry concealed guns, it is VITAL to the safety of Hawaii's residents and visitors to pass SB 1230 which sets clear requirements for:

- who is, and is not, eligible to carry a gun in public
- how our county chiefs of police can assure that permits for concealed carry are approved only after a thorough background and mental health review
- locations where those who get permits to carry guns in public can and cannot carry those guns

Our Hawai'i County Council passed a law in response attempting to accomplish these goals and welcomes a State law that will clarify and create standardization as well as hopefully strengthen firearm safety across the Counties.

Thank you for the opportunity to testify in **support of SB 1230**.

Mahalo,

Jenn Kagiwada

SB-1230-SD-1

Submitted on: 2/27/2023 1:53:15 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ryan Bell	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB1230 SD1

SB-1230-SD-1

Submitted on: 2/27/2023 2:01:22 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Frank Schultz	Individual	Oppose	Written Testimony Only

Comments: This is a clear attempt to bypass the U.S. Supreme Court's Bruen ruling from last year that affirmed the right-to-carry. Please

Aloha board members,

Today I am writing in opposition to this bill. This bill would render one's concealed carry permit useless with such broad definitions used. This bill is a copy of other states' bills trying to restrict our right that the US supreme court ruled in the Bruin V.S. New York case this summer said you can not make every area a sensitive place. New Jersey and New York that have tried passing bills like this are now dealing with lawsuits and have been ruled by more than 3 judges unconstitutional and that this does not meet the text and history test the supreme court said must have been in place when the 2nd amendment was written.

This bill will also be in the courts and will not hold up to text and history tests when the 2nd amendment was made law.

Also requiring the police to conduct interviews of a concealed carry license application along with 3 reference people for the police to verify you are a "good person" is an unreasonable task for police departments. They are so understaffed currently here in Maui it takes over 4 months to get a permit approved. Adding more steps will only delay someone's ability to get a permit and could open the county up to lawsuits for constitutional right delayed being a right denied.

There needs to be a timeline for the application to be approved or denied. It take 14day to do a background check to acquire a firearm. It should not take that much longer for a concealed carry license. It also places a huge cost requirement for people to take classes every year and with only a one-year valid license. You must take a class every 8 months so you can turn your paperwork in before your permit expires. I think a more normal time is a 3- or 5-years valid permit like most other states have and a fee of 50 to 60 dollars.

I ask what other constitutional right requires that someone has to take a class and pass a test to exercise that right. Did you take a class to be an elected official and what was your score and how long is your permit valid for and cost? None it is your right as an American to run for office. Many people like to say that you have to take a test to get a driver's license but that is a privilege not a constitutional right.

Mahlo for your time and reading this letter.

Jason T Welford

Any questions about my testimony please don't hesitate to call me 808 870 1796 look very much forward to having a conversation with you about this matter.

SB-1230-SD-1

Submitted on: 2/27/2023 2:07:49 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Beth Anderson	Individual	Support	Written Testimony Only

Comments:

I strongly support SB1230. I have grave concerns since the Bruen case decreed Hawaii must allow people to carry concealed weapons. The Bruen decision endangers lives. Statistics bear this out. States with more guns and less restrictive gun laws, as this case decrees, have higher rates of gun violence. It is as simple as that and for that reason we must do all we can to lessen the impact of the Bruen decision on our state, especially to minimize its threat to the safety of Hawaii residents and visitors.

I strongly support, SB1230, CD1 because as amended, it addresses two major areas of concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to themselves or others. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

As an aside regarding private citizens possessing guns and conceal carry laws, there was a post on the social media site for my community, *My Kailua*, that I found frightening. Upon viewing it, I felt fearful and less safe in my community. I found it extremely shocking and disturbing. It reinforced my opinion that strict gun laws are necessary and that our present gun laws are not even strict enough in Hawaii. The photo posted showed a resident of Kailua out on his balcony with an assortment of about 25 guns surrounding him. The guns ranged from pistols, to large rifles and weaponry that looked like automatic assault weapons. The photo made me wonder how many other residents in Hawaii have similar collections. How do I know that this person's mental health is stable? How do I know whether or not his mental health situation will remain stable? How do I know he won't get so angry over some situation he won't rule out using guns to act on that anger? No one can guarantee this person will always remain mentally sane and stable and never use those guns illegally.

There is a person in my neighborhood with mental health issues that arose out of the blue after a lifetime of stable functioning. This person worked full-time in a profession, and was a functioning, stable member of society. Now, as the expression goes, they are "a loose cannon." It isn't clear whether this is drug induced, crystal meth? issue, but it has turned this resident into a maniac who screams swear words for hours at a time in their home, often in the middle of the night, and the person is also seen hallucinating on the streets of our neighborhood.

How do we know once a person is issued a gun permit, that their mental health status remains stable? In short, we don't. As we have seen with mass shootings, many of the perpetrators

obtained guns legally and had no documented mental health issues. Just like this person in my neighborhood and everyone else, mental health is not static, it is fluid and can change overnight. Issuing gun permits to unsupervised private citizens is unnecessary and too risky to society. Allowing them to carry these guns around concealed in public is an even bigger, very dangerous threat to the safety of other citizens.

Thank you for considering my opinions and concerns.

SB-1230-SD-1

Submitted on: 2/27/2023 2:09:32 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
James Mueller	Individual	Oppose	Written Testimony Only

Comments:

STRONGLY OPPOSE SB1230

SB-1230-SD-1

Submitted on: 2/27/2023 2:14:30 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Justin h	Individual	Oppose	Written Testimony Only

Comments:

Unconstitution

IN STRONG SUPPORT OF SB1230 SD1

My name is Marya Grambs and, while I am testifying as an individual, I was previously Executive Director of Mental Health America of Hawaii, and I am currently President of the Board of Partners in Care's nonprofit arm, member of the Board of Directors of Waikiki Health, and a volunteer with IHS's Women's and Family Homeless Shelter.

If people having guns made us safer – and America now has literally more guns than people – we would not lead the world in mass murders and gun-related homicides and suicides.

I am very grateful at the almost-comprehensive list of so-called “sensitive places” where guns cannot be carried.

- **I humbly request an amendment that would add grocery stores to the list of prohibited spaces. I really don't want to be walking down the produce aisle thinking someone could have a gun. I don't think most people want guns in their grocery stores either!**

Thank you for the opportunity to provide this testimony. I hope you will support SB1230-HD1, with this amendment.

SB-1230-SD-1

Submitted on: 2/27/2023 2:36:20 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Donovan Sun	Individual	Oppose	Written Testimony Only

Comments:

Aloha Senators Wakai, Chang, Rhoads, Shimabukuro, Keohokalole, and Moriwaki,

I oppose the bill SB1230 SDI. This bill is unconstitutional as stated by the US Supreme Court in the NYSRPA v. Bruen case. You have all taken an oath to uphold the constitution. This is America and we have the right to protect ourselves. More than half of the country has constitutional carry rights. When will we get ours? There is no evidence that sensitive carry bills reduce or stop gun crime. Also, this will just add to the distrust of the police. Why are they exempt to carry and protect themselves but not any other law abiding citizen? HPD stated on record that they are short staffed. I saw a woman being assaulted last month and I called HPD. By the time they showed up the perpetrators were gone and took her with them. This was in Chinatown 2 minutes away from the police station and they took 10 minutes to show up. What if that was you or any of your loved ones in that situation? Wouldn't you want them to have a firearm to protect themselves? Thank you for your time.

Mahalo,

Donovan Sun

SB-1230-SD-1

Submitted on: 2/27/2023 2:45:17 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Gary John Kissinger	Individual	Oppose	Written Testimony Only

Comments:

Please do not support this Bill.

SB-1230-SD-1

Submitted on: 2/27/2023 2:56:44 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Nandita Sharma	Individual	Support	Written Testimony Only

Comments:

I support SB1230 as amended, because it addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

SB-1230-SD-1

Submitted on: 2/27/2023 3:02:13 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
tony lee	Individual	Oppose	Written Testimony Only

Comments:

Strongly opposed to this bill. Complete overreach of government!
STRONGLY OPPOSED!

SB-1230-SD-1

Submitted on: 2/27/2023 3:04:20 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Shannon Yamaguchi	Individual	Support	Written Testimony Only

Comments:

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, SB1230, CD1 as amended addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

SB-1230-SD-1

Submitted on: 2/27/2023 3:12:36 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Anthony Fujii	Individual	Oppose	Written Testimony Only

Comments:

Oppose. Overbroad and punitive to law abiding citizens.

Anthony Fujii

SB-1230-SD-1

Submitted on: 2/27/2023 3:18:28 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Stephen T Hazam	Individual	Oppose	Written Testimony Only

Comments:

Please OPPOSE SB1230 SD1. This will not increase public safety and is designed to make the Second Amendment right to carry a firearm impractical in Hawaii. SB1230 allows subjective criteria and imposes financial burdens on those who wish to exercise their Second Amendment right that is guaranteed, not granted, by the US Constitution. Everyday we see media reports of violent crimes in Hawaii, some involving weapons and even illegal firearms. How am I, a 75 year old citizen, supposed to defend myself? Am I simply to hide in my home and never venture out? I do not understand why the government should decide for private property owners that they will deny, by default, the Second Amendment right to all others unless they make the effort to declare otherwise. The default should be that the Second Amendment right is recognized by private property owners. SB1230 is clearly an infringement on this Constitutionally Guaranteed Right. You are distorting the Bruen ruling og SCOTUS. If passed this will be overturned by the courts. Please OPPOSE SB1230 SD1

SB-1230-SD-1

Submitted on: 2/27/2023 3:19:53 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jon Cornforth	Individual	Oppose	Written Testimony Only

Comments:

I am a resident of Hawaii and lawful gun owner.

Over the past decade, support for our Second Amendment gun rights has been growing which the US Supreme Court helped expand further in their recent Bruen decision. Hawaii's lawmakers have decided that they do not like this legal ruling and prefer to double down with additional unconstitutional legislation.

I was recently touring colleges on the mainland with my daughter. During one of our campus visits, a professor was sadly shot and killed by a disgruntled former grad student who was not only banned from campus, but was also prohibited from legally owning a firearm. As we were told that it was safe to leave, I noted how ironic all the "Gun Free Zone" signs were all over that campus. During a visit to another university, we were informed that their dorms had gun safes. I know which one I felt safer visiting.

Criminals will always find a way to commit crimes. Lawful gun owners are not the problem.

I urge you to oppose this legislation.

SB-1230-SD-1

Submitted on: 2/27/2023 3:33:54 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kathleen Sands	Individual	Support	Written Testimony Only

Comments:

To the Hawaii State Senate -

As a concerned citizen, I strongly support this legislation, which sets up at least some places where guns are prohibited and at least some restrictions on who can get a license.

Something is very wrong with our state if we place greater value on the ability to shoot guns (which are hardly ever used for self-defense) than on the innocent lives that are lost every day to gun violence.

SB-1230-SD-1

Submitted on: 2/27/2023 5:58:31 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
William Hawkins	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

SB-1230-SD-1

Submitted on: 2/27/2023 3:37:18 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ryan Fuller	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill because it is unconstitutional. Mass shootings happen in gun free zones! Criminals conduct crime in gun free zones and this bill gives the upper hand to criminals cause they know law abiding citizens will not have a firearm for self defense. A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed. And this bill infringes on our 2A rights.

SB-1230-SD-1

Submitted on: 2/27/2023 3:39:07 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Glenn	Individual	Oppose	Written Testimony Only

Comments:

To our elected leaders and representatives,

There are all kinds of problems with this bill

The biggest problem I see right off the bat is it is applying what is known as "ends-means" scrutiny.

According to NYSRPA v Bruen when it comes to issuances of CCWs, the requirements need to be objective and few. Otherwise, it will should be considered an infringement. If a person is considered a legally permitted individual then they shall be issued a CCW. Trying to introduce subjective standards like checking out ones social media or trying to get family members or friends to suggest reasons why this person may be of unfit character is totally subjective, intrusive and simply an attempt to intrude a "minority report" type of scheme which is simply unacceptable. How can you make a judgement on someone who may commit a crime in the future. That is not how justice works in our country.

There has been a gentleman representing the HPD Records Division who has been at all of the gun law related hearings who has consistently objected on the grounds that the bills if made into law would be unenforcible. They simply lack the man power and the ability to trully fulfilll what they willl be required to do.

The requirement of CCW holders to have some kind of liability insurance to maintain a CCW is unresonable. I object to this because it is an added burden on top of an already burdensome process. While I don't necessarily object to someone having this kind of protection because you never know what may play out in any defensive use scenario, I object to any government authority be it state or county requiring one to have it. It is an infringement.

As far as defining specific locations as sensitive locations they according the NYSRPA v Bruen ruling need to be limited and narrow. The ruling defines 4 places that "can" be considered: polling places, prisons and jails, government buildings but only those places were laws are made and court houses. Schools may be another place but only to restrict students (which are alread prohibited from CCW as if they are under age, but teachers, faculty and other staff should not be restricted.

Thus far what is being listed in this bill as a sensitive places goes far beyond this. The biggest problems with all these other places is that they lack the required historical and traditional analogues of similar types of laws which were present in 1791 until the early 1800s which is the founding period of the Bill of Rights (including the 2nd Amendment and 14th Amendment) and the US Constitution. The evidence simply is not there. There the closest thing that defendants in other jurisdictions have tried to apply are so called shurity laws or the racist laws which were proposed only to limit freed black slaves from possessing firearms for protection of themselves, their families and property after the civil war. I hope you would not consider trying to stretch these types of rulings in this case.

The assistant AG who was present at the last hearing suggested that this understanding of the way the Supreme Court expects future laws to be scrutinized in a post NYSRPA v Bruen world is a misunderstanding. You can look at all the case law that has taken place since NYSRPA v Bruen was passed. It is consistent and simple and in no way can it be misinterpreted.

The other problem with sensitive places also known as gun free zones is that they would only serve to attract criminals or simply the "bad element" in society cause it would embolden them to target such places cause they don't care about laws and are going to take advantage of this type of situation which will swing things in their favor.

Let's say you are able to pass such a bill and have all these designated gun free zones, what are you going to do to ensure the safety of the public. Are you gonna put metal detectors at every entrance in all the malls and or have heightened armed security in all of the malls as well. Are you going to place armed security on every bus and every mass transit station to react to potential threats to follow through with the need to public safety in all these so called gun free zones? Are you gonna have metal detectors in all school building and have armed security on every campus? What about public parks how are you gonna insure the safety of the general public in all these places after you make it easier for criminals and mass shooters to target?

Can you see why there is so much push back from the HPD? You are creating a scenario that is simply unenforceable?

Like it or not, NYSRPA v Bruen has forever, changed the landscape for public carry of firearms in our state. The court simply made right something that was always a God given Right of the People.

Instead, create a cooperative relationship with the law abiding firearms community, provide gun safety classes or seminars for school aged kids and their parents. Those who don't want to have guns for their own protection can choose to do so and not be compelled to do anything they are not comfortable with. But they should not be allowed to hinder the progress of individuals who choose to exercise their right.

Work with the community to open up more shooting ranges on the island where actual gun safety classes can be taught helping anyone who wants to exercise this right to be more safe. Create more opportunities for education and awareness of proper and safe use of firearms. Create more

opportunities for people to know and understand what lethal force is and when it is appropriate to use lethal force in public areas and on private property.

Pass laws, like a more robust stand your ground law which would empower people to stand up to violent criminals who what to steal, kill and harm others. This is a real deterrent to crime because it is a stance for the law abiding community and against criminals.

Don't allow activist judges or DAs to let violent criminals who have past offenses go when they are caught again. Folks like this have proven they are a real danger to society and don't need to be given free reign to commit crime again. Keep them locked up until they face trial, that's true justice.

Hire more judges and prosecutors and DAs so that these individuals can be given a timely access to due process. Make the justice system work.

Hire more ethical police officers and encourage the profession as the honorable profession it is meant to be. It is sad when you have a ton of veteran police officers who don't encourage their kids to follow them into public service. Support our men in blue, have high standards for conduct and accountability but keep the bad guys locked up when they are caught. It is actually pretty simple. Weak men and women who have been placed in authority have unfortunately make the system broken and weak. Restore the honorableness and righteousness to the justice system and truly make it something that works for all people.

Take your oath of office seriously, defend and uphold the Constitution of Hawaii and Constitution of the United States. Don't be clouded by competing ideological views. Do what is pono. That's why you are there.

Please strike this bill down and never bring it back. Enact laws that will work for the people, the lawabiding citizens who elected you. Not laws that empower criminals.

Thanks for hearing us.

Glenn

SB-1230-SD-1

Submitted on: 2/27/2023 3:43:35 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Scott Hawman	Individual	Oppose	Written Testimony Only

Comments:

I am against your efforts to restrict the rights of law abiding citizens. If you are truly worried about public safety, increase bail requirements for criminals, and enhance charges against criminals who use weapons.

SB-1230-SD-1

Submitted on: 2/27/2023 3:46:45 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Samuel M. Aquino Jr.	Individual	Oppose	Written Testimony Only

Comments:

I STRONGLY OPPOSE this bill as "sensitive places" is just another term for "gun-free zones" and is a violation of the SCOTUS ruling in the Bruen case. Sensitive places do NOT prevent criminals from committing their crimes as they do not care about breaking gun laws. Sensitive places only hinder law abiding citizens' abilities to protect themselves in public.

SB-1230-SD-1

Submitted on: 2/27/2023 4:16:05 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Dirck Sielken	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. This bill only negatively affects law abiding cictizen. PLeaase focus on actual criminals. Our law enforcement is already spread pretty thin and their efforts should be put toward catching the real criminals.

SB-1230-SD-1

Submitted on: 2/27/2023 4:17:27 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Doris Segal Matsunaga	Individual	Support	Written Testimony Only

Comments:

I support SB1230 as amended

SB-1230-SD-1

Submitted on: 2/27/2023 4:23:33 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Herbert Nishii	Individual	Oppose	Written Testimony Only

Comments:

Good Afternoon,

My name is Herbert Nishii

I OPPOSE SB 1230

Please keep in mind the Supreme Court Decisions of Caetano v. Massachusetts, McDonald v. Chicago, District of Columbia v. Heller, and New York State Rifle & Pistol Association Inc. v. Bruen. You cannot just ignore these decisions!

Many other States are trying to circumvent these decisions - example: New York, New Jersey, California, Washington, Oregon, etc. These state are being found that their "Bill" passing are unconstitutional, yet they still try to circumvent these Supreme Court Decisions. Therefore Honolulu will be following examples of unconstitutional actions! Why are we going to waste taxpayer money on trying to pass unconstitutional laws! Beware of - Institutional Reform Litigation

The council members who support this SB1230 should focus their efforts on criminals doing crime! NOT law abiding citizens asserting their right to the 2nd Amendment! All of you raised your right hand and swore on a Bible to defend and protect the United States Constitution! Yet here you are picking and choosing what you would like to defend and protect! Shame on you! You are wasting taxpayer time, taxpayer money, and taxpayer respect by rushing into passing Bill's that are unconstitutional - other States are doing the same thing - Honolulu should WAIT - and find out how these States outcomes turn out! Is Honolulu just "Fools Rushing In!" so Honolulu can say we are doing something? Even though this something is wrong? Honolulu has to do the Right Thing - Defend and Protect the United States Constitution! Which ALL elected and appointed officials have sworn to do!

We also have to remember:

The POLICE HAVE NO DUTY TO PROTECT YOU

<https://mises.org/power-market/police-have-no-duty-protect-you-federal-court-affirms-yet-again>

"Common Sense" tells me to protect myself with a "Better Equalizer" than the bad guy!
"POLICE HAVE NO DUTY TO PROTECT YOU" - The "Anti Gun" is always saying that we have protection against the bad guy - But according to this article dated in 2018, that is not the case! <https://mises.org/power-market/police-have-no-duty-protect-you-federal-court-affirms-yet-again> - This confirms the 2A is needed to defend ones family, self, and property! The "Anti Gun" seems to want to make law abiding persons "victims"!

911 does not provide "instant action" when a crime is being committed - information is required, which involves "time", before help can be dispatched - by the time help arrives, the law abiding are victims and the perpetrators are long gone.
I dare you to dispute this!

Please I do not want to be a victim!

I OPPOSE SB 1230.

SB-1230-SD-1

Submitted on: 2/27/2023 4:23:57 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Julie Henig	Individual	Support	Written Testimony Only

Comments:

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, SB1230, CD1 as amended addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors. Mahalo

SB-1230-SD-1

Submitted on: 2/27/2023 4:24:54 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Rodney Rego	Individual	Oppose	Written Testimony Only

Comments:

I oppose Bill 1230 and all its intent to restrict and over reach by the legislature. The bill has no merit no moral compass for law abiding citizens.

SB-1230-SD-1

Submitted on: 2/27/2023 5:12:24 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lyle HIromoto	Individual	Oppose	Written Testimony Only

Comments:

Hi,

I oppose this bill because crime can happen anywhere. This includes just outside of a police station and in Walmart parking lots. This bill will endanger law abiding citizens.

Thank you

SB-1230-SD-1

Submitted on: 2/27/2023 5:37:15 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Casey Nakama	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

SB-1230-SD-1

Submitted on: 2/27/2023 5:59:19 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Brendon Heal	Individual	Oppose	Written Testimony Only

Comments:

These restrictions have already been challenged around the country, and have already had enjoining rulings against them. I can not see Hawaii fairing any better in court if the legislature decides to further infringe on the rights of every law abiding citizen of this city, county, and state.

The SCOTUS has already been clear in many rulings.

This is the right of “THE PEOPLE”, not the city or state.

The right to keep and BEAR arms is a protected RIGHT

It is the burden of the city or state to PROVE the restrictions are backed by historical precedent (up to 1791) if it wishes to restrict such rights.

Please remember your oaths of office, to protect and defend the Constitution of the United States.

To do the opposite, with complete knowledge, is a violation of every citizen’s civil rights.

Below is quote from a recent decision for similar ordinances.

Oppose this bill

Thank you

Brendon Heal

"Surely, Defendants had or should have had-the historical materials and analyses the State relied upon when it began its legislative response to Bruen.

After all, the Supreme Court was clear that in order for any gun control legislation to pass constitutional muster under the Second Amendment, such legislation must be consistent with historical tradition. The State has had six months since Bruen to identify well-established and representative historical analogues."

"the Presiding Officers must keep the litigation progressing on the right track. All agree that violent crimes involving firearms are tragic. But the dictate of Bruen is clear: "legislative interest balancing is understandable--and, elsewhere, appropriate - [but] it is not deference that the Constitution demands here." While the Legislature may disagree with Bruen, it may not disobey it."

Renee Bumb

United States District Judge for the District of New Jersey

SB-1230-SD-1

Submitted on: 2/27/2023 6:19:57 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Laurie L Tanner	Individual	Support	Written Testimony Only

Comments:

Aloha Committee Members, working for the Public Good, regarding SB1230, CD1

Please support this bill for the right of being safe in Hawaii from gunfire since the Bruen decision. Residents and tourists remain concerned! Our state licensing procedure must be as rigorous as possible to disallow those who would be a threat to themselves or others. Please keep in mind that anyone who feels they must, and do, carry a concealed weapon is ready and able to use it, so that IT IS UP TO YOU as public representatives to deeply restrict who, when, where and why gun owners can carry their deadly arms around on our streets in order to keep innocent sane, hardworking people safe from needless suffering and death..... death from a stray bullet, an illegal exploding cop killer bullet, an angry driver, a sick individual with a gun mistakenly identifying someone is their mother, their girlfriend, their boss. DO NOT LET OUR RIGHTS TO SAFE PUBIC INTERACTION become superceded by PERSONS WHO FIND IT DIFFICULT TO DO DAILY LIFE IN HAWAII UNLESS THEY HAVE THEIR GUN, A DEADLY WEAPON, ON THEIR PERSON unless you are absolutely willing to vouch for them. Mental and emotional health is crucially necessary for anyone who has the means (a gun within reach) to kill others within seconds. And I see unhealthy, dangerous actions from strangers/acquaintances more often than healthy, solution oriented behavior displayed in public! PLEASE ENSURE LICENSING REQUIREMENTS AND SENSITIVE AREAS WILL BE NAMED, PUBLICIZED AND ENFORCED; our literal lives depend on it! MAHALO.

SB-1230-SD-1

Submitted on: 2/27/2023 6:21:53 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Norman Akau Jr	Individual	Oppose	Written Testimony Only

Comments:

I , Norman Akau Jr. , am totally opposed to SB1230 because it infringes on my constitutional rights to carry my CCW in places where my family needs protection from criminals. This bill only hurts the good citizens.

SB-1230-SD-1

Submitted on: 2/27/2023 6:30:06 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Stephen Yuen	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill as it further prohibits law abiding citizens from exercising there constitutional right to carry and protect themselves outside their homes. Criminals intent on causing gun related crimes will not obey these laws.

SB-1230-SD-1

Submitted on: 2/27/2023 6:45:59 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Joel Berg	Individual	Oppose	Written Testimony Only

Comments:

Prior to the amendments this bill was a poorly disguised tantrum at getting caught violating civil liberties. Now I see it is attempting to expand what counts as a prohibited person for firearm ownership. If this becomes law and sees an inevitable legal challenge how far back will the courts roll back the list of prohibited persons? Are you ready to see even useful gun control laws burned to ash because you couldn't be honest about what really was "common sense"?

SB-1230-SD-1

Submitted on: 2/27/2023 7:21:43 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Renny Chee	Individual	Oppose	Written Testimony Only

Comments:

This bill is too broad and over reaching. It will turn citizens who simply want protection into criminals.

SB-1230-SD-1

Submitted on: 2/27/2023 7:36:39 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Robert Hechtman	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose bill 1230!

It is obviously designed to discourage/ prevent law abiding citizens from concealed carry of a fire arm for self defense. It is intact a de facto ban and in direct contradiction of both the 2nd amendment and the recent Bruen decision. It will not hinder criminals or deter them from carrying illegally as they don't follow the laws anyway. This bill will not make our communities safer. In fact it will have the opposite effect. Decent people will not be allowed a means to protect themselves and be easy prey to criminals. Look at the recent rise in violent crimes the past few years. Please vote against this bill.

Aloha, Robert Hechtman

SB-1230-SD-1

Submitted on: 2/27/2023 8:05:54 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mary Babcock	Individual	Support	Written Testimony Only

Comments:

I support SB1230 as amended. I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, SB1230, CD1 as amended addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

SB-1230-SD-1

Submitted on: 2/27/2023 8:14:35 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
gabrielle davidson	Individual	Support	Written Testimony Only

Comments:

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, SB1230, CD1 as amended addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

SB-1230-SD-1

Submitted on: 2/27/2023 8:18:38 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Cheryl Bellamy	Individual	Support	Written Testimony Only

Comments:

I support SB1230 as amended.

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, SB1230, CD1 as amended addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors

SB-1230-SD-1

Submitted on: 2/27/2023 8:21:48 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Samuel Webb	Individual	Oppose	Written Testimony Only

Comments:

We already have laws against people bringing firearms out of their homes to engage in violence, but the criminals dot't obey that one either.

SB-1230-SD-1

Submitted on: 2/27/2023 8:31:16 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Wilfred Lum	Individual	Oppose	Written Testimony Only

Comments:

I stand in opposition of SB1230 as it is written due to the fact that it allows very little areas where a lawfully, permitted concealed carry citizen may defend themselves or others. I understand that some areas are without reproach such as the courthouse and airport. However, one cannot deny the fact that crime happens everywhere and can happen at anytime.

Criminals are committing brazen crimes of assault and battery during the daytime knowing full well that their victims cannot defend themselves. If you read the requirements on how someone obtains a permit to conceal carry on Oahu you will see that the only people that will be allowed to get them are citizens who are law abiding. There are a lot of "hoops" that will need to be met and only the ones that pass all of them will be allowed to carry a concealed weapon. Please also note that you also need to be a legally registered handgun owner, which also has certain requirements that need to be met to acquire.

Those who wish to support this bill should read what is required to obtain a handgun in the State of Hawaii, as well as the requirements to obtain a concealed carry permit and then see if having a fellow citizen who is responsible and trained is really a bad thing. The firearm will not be in plain sight, and criminals will now need to decide if committing the crime will be worth it since they won't know who is carrying a firearm or not. Criminals act if there is opportunity and if they feel they can get away with it. If they now question whether or not someone is armed, they may not risk it and not commit their crime. Criminals will also not go through this process and will continue to break the law. Being able to have the means to defend one's self and others will allow citizens the means to survive in the event of a violent act as well as protect others.

SB-1230-SD-1

Submitted on: 2/27/2023 8:38:20 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Markos Cabaong	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill.

It does not stop the problem of a bad person committing a crime. Criminals will not heed this or any law to carry out their bad intentions. It will only hamper and restrict the law abiding citizens from defending their family, friends and loved ones, should they need to... and these are the very ones that this bill will affect. Enforce the laws that are already on the books, restrict those that need to be restricted and stop the violation of our Second Amendment Rights!

Sincerely and Respectfully,

Markos Cabaong

SB-1230-SD-1

Submitted on: 2/27/2023 8:40:22 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
gary post	Individual	Oppose	Written Testimony Only

Comments:

I oppose this legislation.

I feel confident that all supporters of this bill recognize that it is unconstitutional.

if this bill is passed, it will without doubt be challenged and the State of Hawaii will waste a lot of taxpayer dollars on litigation that will overturn SB1230 on constitutional grounds

Every elected official swears an oath, please remember yours.

SB-1230-SD-1

Submitted on: 2/27/2023 8:44:43 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
K Tom	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose SB1230

SB-1230-SD-1

Submitted on: 2/27/2023 8:51:34 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Laura Friedman	Individual	Support	Written Testimony Only

Comments:

I strongly support SB1230 as amended. It is very important for the safety of our people that the legislature act to place reasonable restrictions on carrying concealed guns.

SB-1230-SD-1

Submitted on: 2/27/2023 8:59:05 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Shyla Moon	Individual	Oppose	Written Testimony Only

Comments:

Strongly oppose. How can anyone restrict their own people they represent from protecting themselves and others? This is unconstitutional and disrespectful to all legal registered gun owners, which if you think about it, 50% are women. So you want to make sure women aren't armed to protect themselves? That's ridiculous.

SB-1230-SD-1

Submitted on: 2/27/2023 8:59:59 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Isaac Moon	Individual	Oppose	Written Testimony Only

Comments:

Strongly oppose.

SB-1230-SD-1

Submitted on: 2/27/2023 9:07:23 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Eric Akiyama	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I strongly oppose SB1230. Passing this bill will only limit the law abiding citizens ability to protect themselves. Criminals don't obey laws.

SB-1230-SD-1

Submitted on: 2/27/2023 9:07:26 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Levana Lomma	Individual	Oppose	Written Testimony Only

Comments:

Senate Bill 1230 is an attempt to ignore the U.S. Supreme Court *Bruen* ruling which affirms the people's right to carry firearms. By massively expanding "gun free zones" such legislation will impede rights already protected under the Constitution. This bill must not be passed. I am strongly OPPOSED and hope that you will do the right thing and vote NO on this bill.

SB-1230-SD-1

Submitted on: 2/27/2023 9:16:26 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kevin Kacatin	Individual	Oppose	Written Testimony Only

Comments:

I am in absolute opposition to this measure. It would be irresponsible if the Judiciary committee voted to advance a measure that WILL bring legal challenges in which the State of Hawaii will ultimately lose thus costing taxpayers in the long run. The Senate Judiciary should be well-aware that Senator Glenn Wakai opted to DEFER a very similar measure in the Senate. Senate Bill SB882 was ultimately deferred and Senator Wakai commented on the record stating SB882 is a "solution to a problem that doesnt exist in Hawaii" with regards to its over-bearing proposals. Proposals echoed and taken to the extreme in SD1230 SD1.

SB-1230-SD-1

Submitted on: 2/27/2023 9:26:36 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
sherry fisher	Individual	Support	Written Testimony Only

Comments:

I strongly support, SB1230, CD1 as amended because it addresses two areas of major concern about how our community remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also identifies sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors. Mahalo

SB-1230-SD-1

Submitted on: 2/27/2023 9:28:08 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ted Baldonado	Individual	Oppose	Written Testimony Only

Comments:

No action should be taken on any law that impacts the right to keep and bear arms before a historical analysis has been conducted to make sure said law is in line with the text, history, and traditions of the Second Amendment.

I oppose SB 1230. This bill does nothing except disarm law-abiding, trained, and licensed residents, and does nothing to disarm violent criminals, who already ignore the existing laws and always will. Additionally, this law doesn't prescribe active measures of deterrent, such as metal detectors or guaranteed police presence for any of these "sensitive locations" to ensure that disarmed residents, our keiki and kupuna are kept safe. In Bruen, the Supreme court reaffirmed a citizen's right to bear arms in public and stated that the "sensitive places/locations" doctrine cannot be used as a blanket prohibition on weapons carry. As Justice Thomas has stated in his dissenting opinion on Bruen, "We know of no other constitutional right that an individual may exercise only after demonstrating to government officers some special need. That is not how the First Amendment works when it comes to unpopular speech or the free exercise of religion. It is not how the Sixth Amendment works when it comes to a defendant's right to confront the witnesses against him. And it is not how the Second Amendment works when it comes to public carry for self-defense." Additionally, the bill prohibits issuing authorities from issuing permits to acquire the ownership of a firearm to any person where the issuance would not be in the interest of the public health, safety, or welfare because the person is found to be lacking the essential character or temperament necessary to be entrusted with a firearm. However, other than actual police reports much of the information required is HIPPA restricted or subjective. I OPPOSE this bill.

SB-1230-SD-1

Submitted on: 2/27/2023 9:29:57 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Daisia Day Dorman	Individual	Support	Written Testimony Only

Comments:

I support SB1230 as amended

SB-1230-SD-1

Submitted on: 2/27/2023 10:00:38 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ed Au	Individual	Oppose	Written Testimony Only

Comments:

Oppose this, vote NO. Limiting our 2A right to protect ourselves, family, friends, and people who cannot take care of themselves. Taking away 2A rights for things done in the past does not stop criminals from violent acts.

SB-1230-SD-1

Submitted on: 2/27/2023 10:13:58 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Neal Horimoto	Individual	Oppose	Written Testimony Only

Comments:

Why are these bills always against the law abiding individual who went through stringent background checks, mental stability and hours of training. They are not the criminal. It's the court system that allows repeat criminals back out on the streets. Keep these guys off the streets and we won't feel the need to carry guns. Thank you.

SB-1230-SD-1

Submitted on: 2/27/2023 10:34:20 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Timothy Miyao	Individual	Oppose	Written Testimony Only

Comments:

Honorable Hawaii Senate Judiciary Committee,

I humbly ask that you please oppose SB1230 related to Firearms; Concealed Carry; License to Carry; Sensitive Locations. This legislation has me very concerned. SB1230 is far overreaching and prohibits a citizen from exercising her/his Constitutional right. What is the National historical tradition that would support each regulation in this legislation?

In the Supreme Court decision *New York State Rifle and Pistol Association v. Bruen*, it was determined that regulations, put in place by the government, must adhere to our national historical tradition that is widespread. A state's history is insufficient to be used to justify violations of a Constitutional right. The Supreme Court's opinion included, and I quote, "To justify its regulation, the government may not simply posit that the regulation promotes an important interest. Rather, the government must demonstrate that the regulation is consistent with this Nation's historical tradition of firearms regulation. Only if a firearm regulation is consistent with this Nation's historical tradition may a court conclude that the individual's conduct falls outside of the Second Amendment's "unqualified command"". For your convenience, I attach a link to the US Supreme Court Ruling for *New York State Rifle and Pistol Association v. Bruen*: https://www.supremecourt.gov/opinions/21pdf/20-843_7j80.pdf

In our national history voting service centers and government buildings were places that limited a citizen's constitutional right. These would pass the litmus test of our Nation's historical tradition of firearms regulation.

Many other places in this bill would not adhere to our National historical tradition.

Parks and places where people are assembled for an event do not meet the criteria of National historical tradition. Restaurants that serve alcohol do not meet the criteria of National historical tradition.

Modes of public transportation, such as buses also fail to meet the National historical tradition criteria. Washington DC is being taken to court for prohibiting carry on their Metro system. SB1230 would prohibit a citizen's right to self-defense on buses. What of the people who rely on the city bus? How would they protect themselves walking between the bus stop and their home at night?

Prohibition on the carry of firearms on private property, if determined and advertised by the property owner, meets the criteria of National historical tradition. However, SB1230 inappropriately adds that it is the responsibility of the businesses to post signs saying that "carry is permitted". In most other states businesses are responsible for posting a sign indicating that NO carry is allowed. This would also align with the widespread concept of establishments posting "No shirt, no shoes, no service" and "No food or drinks allowed". Firearm business owners in Hawaii have often been harassed by unsavory members of the public. This harassment would no doubt escalate and include any business that posts a sign that carry is welcome.

When reviewing SB1230 please carefully consider the United States Constitution and Supreme Court ruling in New York State Rifle and Pistol Association v. Bruen. Many components of SB1230 infringe on Constitutional rights without meeting the requirement of National historical tradition. I appreciate your time and all that you do for the people of Hawaii!

SB-1230-SD-1

Submitted on: 2/27/2023 10:42:36 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sean Loo	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill because it infringes on our second amendment rights and inhibits law abiding citizens from defending themselves. Criminals do not follow the law and labeling somewhere as a sensitive place doesn't magically make it safe from criminals or prevent criminals from going to those places. This Bill only makes law abiding citizens more vulnerable to becoming a victim and would further embolden criminal intent in these areas because criminals will know that people in these so called sensitive places will be unarmed and unable to defend themselves.

SB-1230-SD-1

Submitted on: 2/27/2023 11:09:35 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
James Rosa	Individual	Oppose	Written Testimony Only

Comments:

My name is James Rosa, a federal firearms dealer in Hawaii as well as a NRA Certified Chief Range Safety Officer - Instructor. These are a few facts to be considered for those attempting to push this this bill on CCW holders. (1) Criminals don't obey gun laws (2) CCW holders are not criminals (3) Many CCW holders are better trained and shoot more accurately than Patrol Officers who practice and qualify an average of once every year. (4) Law Enforcement will ALWAYS be late to an active shooter situation unless stationed at that location. (5) By taking away the ability of armed citizens to stop an active shooter(s) from killing innocent people, leaving the blood of those dead or injured loved ones on the hands of the politicians and those pushing this bill through, ignoring the true intent of the Second Amendment of the United States of America. Let us not forget those individuals attempting to greatly restrict CCW holders, including all Mayors and elected officials MUST be held to the same standard of not being allowed to carry a firearm in restricted locations and will be under thousands of watchful eyes of the general public, thus be prosecuted under the law and required to step down from their elected position. If this bill passed, those individuals responsible for pushing this bill will have the blood on their hands of loved ones when Law Enforcemnt couldn't get there in time, which we see happening time and time again. Thank You for giving me the opportunity to share my knowledge and PLEASE vote NO on this un constitutional bill, which would continue to leave firearms only in the hands of criminals while in public locations.

SB-1230-SD-1

Submitted on: 2/27/2023 11:12:39 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Leslie Miles	Individual	Oppose	Written Testimony Only

Comments:

Oppose. Unconstitutional and violates several rights.

You are again targeting law-abiding citizens instead of criminals or mentally unstable people.

You are asking non-professional persons to make medical judgements on people and who defines who is “reputable?”

Simply stating an area is a “sensitive area” does not automatically mean it is safe. I work in a “No Guns Allowed” building. There are no metal detectors and no one is checking if anyone has guns. We just had a mentally disturbed person forcibly try to enter our offices and threatened employees because someone looked at him wrong. He was arrested, but obviously let out, because then he returned with a knife and threatened more people. What’s to say he won’t return with a gun next time, because he was let back out after committing two crimes? Criminals don’t care about “sensitive areas.”

More should be done to keep criminals off the streets instead of being lenient and releasing them time and time again. Enforce the laws we have, carry out the sentences, and keep criminals incarcerated. That will make law-abiding citizens safer.

SB-1230-SD-1

Submitted on: 2/27/2023 11:15:20 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Susan Au Doyle	Individual	Support	Written Testimony Only

Comments:

My name is Susan Au Doyle, and I am testifying as an individual today in support of SB1230, SD1. Thank you for your efforts to make Hawaii a safer place for everyone to live, work and play.

People’s views differ widely on whether the designation of sensitive locations will help to improve community safety. However, when I listen to family members who as teachers have been traumatized by “active shooter” training in their schools, it just breaks my heart. I want guns as far away from their classrooms as possible.

Our sense of personal and community safety seems worse today than it was in the 1950s, when we were ducking under our desks doing civil defense drills. Those drills seemed purposeful at the time; training today seems futile in our deeply-divided country, where guns outnumber people and we lead the world in mass murders and gun-related homicides and suicides.

We have to find ways to maximize actual as well as perceived safety in our community. This bill is a step in the right direction.

Thank you for the opportunity to testify.

SB-1230-SD-1

Submitted on: 2/27/2023 11:56:55 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
David R. Hamman	Individual	Oppose	Written Testimony Only

Comments:

What is it about the words "shall not be infringed" that you people do not understand? Bearing a firearm is a God given unalienable right which is reiterated in the US Constitution. End of story. You people continue to think you are some sort of gods that can violate people's rights. You do not have that authority. Even the Supreme Court has made that clear to you, but you continue to scheme and canive in persisting to deprive the good people of Hawaii their rights. You pathetic scum would rather see innocent people annihilated by a psychopath than to exercise their God given right to defend themselves while you hypocrites walk around with government sponsored security protection? You would deprive a sane law abiding individual from defendinding himself and others from a psycho path mass shooter? Or a woman defending herself from a psychotic ex-boy friend or ex-husband from bludgeoning her to death? You think these crazy people don't enter your idiotic "gun free zones"? You think they don't view your imaginary boundary zones as an an opportunity to unleash what ever hellish impulses they desire to carry out with unrestricted inhibition? If you can't understand this basic logic, you are morons or worse; enablers and accomplices in murder and serious permanent bodily injury of those people who you deprive from their right under God protected in the Constitution which allows them an opportunity to defend themselves. Just remember, one day you will answer to Almighty God for every person you turned into a victim. Their blood is on your hands.

SB-1230-SD-1

Submitted on: 2/28/2023 12:49:48 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Rik Rutt	Individual	Oppose	Written Testimony Only

Comments:

I am submitting testimony in strong opposition to the proposed SB1230. First off, we have already seen similar restrictions in the mainland that this is modeled after already beginning to be overturned in the courts. By prohibiting carry by licensed individuals in public areas goes completely against the ruling of the supreme court. Also, only law-abiding individuals will obey (the responsible people that will not be the source of problems) resulting in the rules providing no safety. Another issue with the proposed rules is that on prohibitions on private property. The ruling the courts issues determined that carrying a firearm outside of the home is a constitutionally protected right. That is the default, and if an individual does not want to allow that on their private property it is their right to post such. The default being no carry permitted unless explicitly stated is a blatant disregard of the ruling of the supreme court. The proposed rules are unconstitutional and go against not only the recent supreme court ruling but also other court rulings. Add to that the fact that it will provide absolutely no benefits to public safety (and will actually be detrimental to the it). An added issue is that these rules will be challenged in the courts and as we have seen have precedence to be overturned which will only end up costing the residence and taxpayers of the State of Hawaii through the waste of public funds to fight the challenges to the preposed rules. I hope that the committee uses logic and facts and do not pass this bill, and do right by their constituents.

SB-1230-SD-1

Submitted on: 2/28/2023 2:11:09 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Justin Arnold	Individual	Oppose	Written Testimony Only

Comments:

As a resident of the state of Hawaii, I oppose this bill. Similar versions of this bill are being thrown out and deemed unconstitutional in several states/districts. Why must our state continue to attempt to strip us of our Constitutional rights? Will you not listen to the people, use actual common sense and see that these "laws" will do nothing to stop the criminals from breaking the law. You only empower the criminals but diminishing the ability for good law abiding citizens from defending themselves, pilau. We are smarter than this. Do the right thing. Strike this infringement down before it goes any further. Mahalo

SB-1230-SD-1

Submitted on: 2/28/2023 3:25:11 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
charles Ferrer	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill. It will takeaway the ability for me to protect myself and my family. It will takeaway the right awarded to my by the Supreme Court ruling.

SB-1230-SD-1

Submitted on: 2/28/2023 5:41:25 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sara LaBelle	Individual	Support	Written Testimony Only

Comments:

I am a mother, military spouse, and UH Mānoa graduate student. My family has been stationed in Hawai'i twice. Both times we moved here, I breathed a sigh of relief that we would be safer from guns here than we are on the continent. The *Bruen* decision has been devastating for those feelings of safety. As a lifetime school volunteer, I have been part of active shooter drills in elementary schools. They are terrifying (even for the grownups who know they are simulations) and traumatize our children. My university has to train me to run, hide, or fight (<https://manoa.hawaii.edu/dps/active-shooter/>). I just want to learn and research. Our families should not have to live this way. Concealed carry permits increase our collective risks of experiencing gun violence (Smart, R., 2023, online: <https://www.rand.org/research/gun-policy/analysis/concealed-carry/violent-crime.html>). I urge you to pass SB1230, CD1 to enact all measures possible to reduce the harm of *Bruen* with strict licensing procedures and broad sensitive spaces identification. Please keep us as safe as possible. Thank you for your time.

The Honorable Karl Rhoads, Chairman
The Honorable Mike Gabbard, Vice Chairman
Committee on Executive Matters and Legal Affairs
Hawaii State Capitol
Honolulu, Hawaii 96813

Dear Chairman Santos-Tam; Vice Chairman Cordero,

I am writing to register my STRONG OPPOSITION to Bill SB1230 (all forms put forth to date), the proposed legislation on public carry of firearms.

I oppose this bill for many reasons. To enumerate a few:

- 1) This bill will do nothing to prevent violent criminals from using firearms to commit crimes anywhere in the State. Violent criminals pay no attention to "sensitive place" restrictions, and in fact use the existence of such "gun free zones" as primary targets for attack, simply because violent criminals know that such areas pose the least physical risk to themselves, and are thus more likely to be left to carry out their intended violence without interruption.
- 2) This bill attempts to impose the same punitive measures taken against law-abiding citizens as the legislators and Governors of New York and California, which have in effect denied recent Supreme Court rulings affirming that law-abiding citizens have the individual right to keep and bear arms, and that this right does not stop at the boundaries of the home. This denial takes the form of, in essence, declaring nearly every public place as a "sensitive place", and thus forbidden to citizens bearing arms. The intent, clearly, is to ensure that the bearing of arms outside of the home is made impossible, and/or completely impractical. Such attempts to get around *Heller*, *Bruen*, and like rulings have been expressly forbidden by the Supreme Court. Yet, here we have the same such attempt being made in Hawaii. An attempt that is every bit as Unconstitutional.
- 3) This bill goes further by exempting certain persons from observing "sensitive places", in exercising their right to bear arms. This is, once again, forbidden. The Supreme Court has ruled that the Government cannot restrict the right to bear arms to certain subsets of law-abiding citizens. What's good for one is good for all, otherwise such legislation is Unconstitutional.
- 4) This bill further restricts the 2A right to bear arms as affirmed by *Bruen*, in that it discriminates against people of limited economic means by requiring costly mandatory insurance. The right to keep and bear arms was not, and is not meant only for the rich, but for all law abiding citizens.
- 5) The Supreme Court has affirmed that the 2A right is not a second-class right. Citizens wishing to exercise their right to keep and bear arms have no more need to justify that right to Government authority than they would to exercise their right of free speech. And yet, this bill seeks to impose yet another arbitrary

vetting process in which Government officials will be empowered to deny an otherwise law-abiding citizen their rights. This is blatantly Unconstitutional.

So. PLEASE vote AGAINST this bill. It is not only bad policy, making public places more dangerous for citizens, but it also blatantly violates the supreme law of the land, which is the Bill of Rights as enshrined in The Constitution of the United States.

Thank you.

Sincerely,

Russell Price
831 Lower Kimo Drive
Kula, Hawaii 96790
808-763-9653
rnfrmprice@gmail.com

SB-1230-SD-1

Submitted on: 2/28/2023 6:47:33 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Tai Horen	Individual	Oppose	Written Testimony Only

Comments:

I oppose sb1230SD1

SB-1230-SD-1

Submitted on: 2/28/2023 6:51:50 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Tracy Lawson	Individual	Oppose	Written Testimony Only

Comments:

Please consider the big picture negative impacts when you take away the rights and freedom of citizens under the guise of safety. Our government should be feared when its leaders are focused on taking away or subverting our constitutional rights. Your personal opinions are not what you are here to promote. You are here to uphold our laws. Limiting where people can legally carry a gun, is in essence prohibiting concealed carry. As you know, there are strict limitations on who can carry and qualify for a concealed carry license. You should fear all the criminals on the streets and be focusing on stopping them from committing crimes that make our communities unsafe, rather than taking away rights of people to protect themselves. Limiting where concealed carry can occur in essence makes it impossible to carry. We can see that is the intent of this legislation. Despite the supreme court of this land stating it is a citizens right, and citizens meeting the criteria for a carry license, this legislation clearly seeks to remove that right. I strongly encourage you to uphold legal rulings and stop wasting our tax dollars with what will surely lead to lawsuits and start focusing on your real job, which is fixing the crime in this community.

SB-1230-SD-1

Submitted on: 2/28/2023 7:00:52 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Younghee Overly	Individual	Support	Written Testimony Only

Comments:

I support SB1230 SD1 as amended to keep Hawaii safe. Mahalo.

SB-1230-SD-1

Submitted on: 2/28/2023 7:04:53 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Clifford Chee	Individual	Oppose	Written Testimony Only

Comments:

Please put aside personal feelings and oppose this bill based on the opinion of the Supreme Court's Bruen decision. Please show everyone that you can be unbiased and that the rule of law means something in this country.

Thank you for your public service.

SB-1230-SD-1

Submitted on: 2/28/2023 7:08:35 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Bernardo Soriano	Individual	Oppose	Written Testimony Only

Comments:

I oppose bill SB1230. The bill itself is written in a way that is so confusing that even law enforcement will have a hard time determining when and where a law abiding, tax paying citizen can carry their firearm. Law abiding citizens already undergo a thorough vetting process to purchase and own a firearm, as well as taking the additional steps to obtain a concealed carry permit. We are law abiding, tax paying citizens that have jumped through the hoops established by the city and county. This bill will not deter or prevent violent/deadly crimes from happening. This bill will unfairly turn law abiding, tax paying citizens into criminals, when the sole reason for carrying a firearm is to potentially protect their own life as well as their loved ones. People with concealed carry weapons aren't out in public looking for a reason to shoot someone or take someone's life. Rather, it is to potentially save their own life or a loved one's life from a violent/deadly criminal act. HPD cannot be at all places at all times and cannot prevent deadly/violent crimes from happening; this is a fact. They are also severely understaffed which makes policing law abiding, concealed carry citizens an unnecessary burden as they are not the cause of violent/deadly crimes. Our taxes should be directed towards resources that help deter violent criminals, not unfairly target law abiding citizens from their constitutional right to protect themselves and their loved ones

SB-1230-SD-1

Submitted on: 2/28/2023 7:15:24 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Aimee E McCullough	Individual	Support	Written Testimony Only

Comments:

I have significant concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, SB1230, CD1 as amended addresses two areas of concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns disqualifies the individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

SB-1230-SD-1

Submitted on: 2/28/2023 7:26:47 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
steven a kumasaka	Individual	Oppose	Written Testimony Only

Comments:

STRONGLY OPPOSE this unconstitutional over-reach

please consider that all jurisdictions that have passed similar laws were immediately sued and consequently were placed under restraining orders because the courts recognized that they violated the recent supreme court Bruen decision...

mahalo

steve

SB-1230-SD-1

Submitted on: 2/28/2023 7:36:16 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
tony	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

SB-1230-SD-1

Submitted on: 2/28/2023 7:38:57 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mills-Wong Judith	Individual	Support	Written Testimony Only

Comments:

I support SB1230 as amended.

Hawaii has long been the safest state with respect to gun violence and this is a credit to the laws and restrictions that have been in place thus far. SB1230 establishes a strong framework for keeping Hawaii safe.

This bill identifies who will be and who will not be able to carry a gun in public.

It clearly identifies “sensitive locations” where firearms will be restricted. These include schools, places of government, places of worship and other locations that have sadly been locations of gun violence in other states. This component of the bill helps keep Hawaii’s population safe.

The bill specifies how county chiefs of police shall verify people applying to carry a gun in public including a thorough background review, consideration of character/temperament necessary to be entrusted with a firearm, mental health review.

SB1230 specifies clear and sufficient waiting periods to allow for a ‘cooling off’ period for the purchase of a gun.

The law includes instruction for the safe storage and transport of guns including instructions for securing firearms in locked, secure containers and provides penalties for failing to store a firearm securely. This is a sensible and reasonable requirement.

The law requires applicants for a license to carry a concealed weapon to provide proof of a firearm certification program that includes safe handling of a weapon, knowledge of relevant gun laws including secure storage practices and sensitive location restrictions. This measure helps keep the people of Hawaii safe.

Throughout the bill, provisions are made to allow responsible gun owners the opportunity to use firearms appropriately, such as for hunting, target shooting and self-defense. This law is not unduly onerous to the careful and responsible gun owner.

To summarize, I support SB1230 which will address the issue of the US Supreme Court’s decision while protecting the safety of the people of Hawaii.

SB-1230-SD-1

Submitted on: 2/28/2023 8:51:04 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Bonnie Tokita	Individual	Support	Written Testimony Only

Comments:

People should not be allowed to carry a gun wherever they want, even if they have a permit. I support stricter gun safety laws.

SB-1230-SD-1

Submitted on: 2/28/2023 8:19:14 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Wendy Lynn Myers	Individual	Support	Written Testimony Only

Comments:

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, SB1230, CD1 as amended addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

I feel a thorough background check is necessary for concealed weapons.

Dear Members of the Senate Judiciary Committee:

I'm writing to ask you to support **SB 1230**. Hawaii's strong gun laws have kept gun violence low, but now that the Supreme Court has forced Hawaii to grant more concealed carry permits, we need you to act.

People should not be eligible to carry a gun if they've had a recent history of violence or threatening behavior, and we need to require that anyone with a permit gets training on how to safely use their gun.

If more people will be allowed to carry guns in Hawaii, we need to have clear rules about where guns are off-limits. Guns don't belong at playgrounds, parks, or schools, but without this bill, anyone who gets a concealed carry permit can bring hidden guns into those places. I don't want to wonder whether someone is carrying a gun every time I go to a restaurant, store, or even my doctor's office. When I take my family to the beach, a park, or playground, I want to feel as safe as I used to, and the idea that concealed guns could be in these places makes me feel less safe.

Please vote yes on SB 1230.

Thank you,

Danielle DiMare, Honolulu, 96816

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Please vote yes on SB 1230.

Thank you,

Ivy Castellanos, Kaneohe, 96744

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Thank you,

Shannon Packer, Laie, 96762

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Please vote yes on SB 1230.

Thank you,

Sandra Tadaki, Honolulu, 96818

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Please vote yes on SB 1230.

Thank you,

Mary Ellen Williams, Honolulu, 96813

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Please vote yes on SB 1230.

Thank you,

Isabella McRae, Honolulu, 96819

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Please vote yes on SB 1230.

Thank you,

Ana Bravo, Honolulu, 96825

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Please vote yes on SB 1230.

Thank you,

Dustin Stephens, Honolulu, 96815

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Please vote yes on SB 1230.

Thank you,

Lisa Kimura, Honolulu, 96817

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Please vote yes on SB 1230.

Thank you,

Suzanne Sternlicht, Pepeekeo, 96783

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Thank you,

Kaopuuokaha Weir, Honolulu, 96825

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Please vote yes on SB 1230.

Thank you,

Megan Loomis Powers, Haiku, 96708

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Thank you,

David Santoro, Honolulu, 96817

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Thank you,

Sarah Bissell, Kailua, 96734

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Thank you,

Jill McLean, Kaneohe, 96744

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Thank you,

CS Shizuru, Honolulu, 96816

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Thank you,

Kristen Snowdon, Kapolei, 96707

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Thank you,

Danielle Perez, Honolulu, 96815

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Thank you,

Karen Valasek, Honolulu, 96819

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Thank you,

Kristi Chun, HONOLULU, 96813

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Thank you,

Lauren Rolland, Waialua, 96791

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Thank you,

Wendy Doenges, Maunaloa, 96770

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Thank you,

Taylor Okata, Honolulu, 96822

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Thank you,

Kimmerie Jones, HONOLULU, 96821

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Thank you,

Susan Lord, Honolulu, 96825

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Rachel Logan, Honolulu, 96825

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Thank you,

Paulette Peterson, Kalaheo, 96741

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Thank you,

Nicole Jordan, Waianae, 96792

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Thank you,

Natalie DeBiasi, Honolulu, 96814

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Thank you,

Lisa Steele, Ewa Beach, 96706

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Please vote yes on SB 1230.

Thank you,

Ashley De Coligny, Kaneohe, 96744

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Thank you,

JACQUELINE ZAMBRANO, Haiku, 96708

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Thank you,

Vanessa Barker, Wailuku, 96793

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Thank you,

Barbara Gomes, Kailua, 96734

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Thank you,

Lily Huynh, Honolulu, 96822

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Thank you,

Christina Lee, Honolulu, 96817

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Thank you,

Kaitlyn Lay, Kapolei, 96707

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Thank you,

Peggy Reising, Ewa Beach, 96706

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Thank you,

Marilyn Lopes, Makawao, 96768

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Thank you,

Kate Sweetman, Haleiwa, 96712

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Amy Craig, Kaneohe, 96744

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Thank you,

Ellen Mount, Kailua Kona, 96740

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Thank you,

Joyce Coelho, Honolulu, 96825

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Thank you,

Stacia Sage, Hauula, 96717

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Thank you,

Ruthann Olson-Moore, Keasu, 96749

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Thank you,

Pedro Maynes, Honolulu, 96816

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Kelsey Baehrens, Kailua, 96734

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Thank you,

Dani McBride, Kauai, 96756

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Thank you,

Marie Saunders, Waianae, 96792

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Thank you,

Diane Wernet, Pahoa, 96778

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Erica K Yamauchi, Honolulu, 96816

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Emily Gammon, Honolulu, 96818

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Thank you,

Jamie Silva, Honolulu, 96813

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Sam Colin, Honolulu, 96817

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Emily Meng, Honolulu, 96822

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Thank you,

Maricela Huerta, Kihei, 96753

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Ava Antonio, Honolulu, 96813

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Jayme Barton, Waialua, 96791

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Emma Stern, Kailua-kona, 96740

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If more people will be allowed to carry guns in Hawaii, we need to have clear rules about where guns are off-limits. Guns don't belong at playgrounds, parks, or schools, but without this bill, anyone who gets a concealed carry permit can bring hidden guns into those places. I don't want to wonder whether someone is carrying a gun every time I go to a restaurant, store, or even my doctor's office. When I take my family to the beach, a park, or playground, I want to feel as safe as I used to, and the idea that concealed guns could be in these places makes me feel less safe.

Please vote yes on SB 1230.

Thank you,

Virginia Branco, Hilo, 96720

Dear Members of the Senate Judiciary Committee:

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Please vote yes on SB 1230.

Thank you,

Jane Kocivar MD, Kula, 96790

Dear Members of the Senate Judiciary Committee:

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Please vote yes on SB 1230.

Thank you,

Larisa Majors, Mililani, 96789

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Please vote yes on SB 1230.

Thank you,

Martha Darley, Honolulu, 96818

Dear Members of the Senate Judiciary Committee:

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Please vote yes on SB 1230.

Thank you,

Joannah Thomas, Makawao, 96768

Dear Members of the Senate Judiciary Committee:

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Please vote yes on SB 1230.

Thank you,

Allyson Metzger, Kailua-Kona, 96740

Dear Members of the Senate Judiciary Committee:

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Thank you,

Clarice Smart, Honolulu, 96819

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Thank you,

Larisa Marinas, Hauula, 96717

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Please vote yes on SB 1230.

Thank you,

Andrea De la torre, Kilauea, 96754

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Please vote yes on SB 1230.

Thank you,

Mary Blumenfeld, Kailua, 96734

Dear Members of the Senate Judiciary Committee:

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Please vote yes on SB 1230.

Thank you,

Ana Hernandez, Ewa Beach, 96706

Dear Members of the Senate Judiciary Committee:

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Please vote yes on SB 1230.

Thank you,

Anne Murata, Honolulu, 96825

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Please vote yes on SB 1230.

Thank you,

JenMeryll Lobaton, Aiea, 96701

SB-1230-SD-1

Submitted on: 2/28/2023 9:15:04 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jordan Au	Individual	Oppose	Written Testimony Only

Comments:

To whom it may concern,

I strongly oppose SB1230 SD1. Requiring someone to prove they have the essential character and/or temperament to have firearms violates a persons second amendment rights. Bills like this have already been proposed in New York and were found to be unconstitutional. In addition, a person's rights will be determined by highly subjective standards which should never be done. No other rights are available to you only when someone else says you are fit enough.

Also, the sensitive places listed in this bill would make it illegal to carry a firearm almost everywhere someone can possibly go. Doing this would only make Hawaii more dangerous. Over the years many shootings have taken place in so called sensitive locations. Obviously, making it illegal for people to carry a firearm in certain areas is not effective at keeping anyone safe.

Finally, making insurance mandatory for people with a license to carry a firearm would be the same as requiring insurance to speak in public or having mandatory fees to vote. We should not have mandatory financial burdens on our rights. The points above are just some of the reasons that I oppose SB1230 SD1. I urge you to not pass this bill or any that would infringe on peoples rights.

Thank you

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair
Committee on Judiciary
Hearing: Monday, March 01, 2023, at 9:30 a.m.
Regarding: **SB1230 S.D. 1 (Relating to Firearms)**
Voter Position: OPPOSITION

Senators of the Judiciary Committee,

I express my **opposition** to **SB1230 S.D. 1 (Relating to Firearms)**.

Encroachment of a Right

SB1230 S.D. 1 still grossly abrogates the United States Supreme Court’s decision in *New York State Rifle and Pistol Association (NYSPRA) v. Bruen* by attempting to reduce the capability of a citizen to exercise their Second Amendment right to self-protection. **SB1230 S.D. 1**’s over-expansion of conceal carry weapon (CCW) prohibitions vastly supersedes the Supreme Court’s guidance concerning so-called sensitive places. *NYSPRA v. Bruen* clearly stated:

...expanding the category of “sensitive places” simply to all places of public congregation that are not isolated from law enforcement defines the category of “sensitive places” far too broadly...

It is equally imprudent as well as impractical for the State of Hawaii to artificially prohibit the exercise of Second Amendment rights over broad swathes of supposed “sensitive places” that have no historic analogy with historic firearm carry prohibitions of the United States. A key example would be the inclusion of restaurants that serve alcohol under the proposed **§134-A Prohibition against carrying a firearm in a sensitive location; penalty—Subsection (h)(7)**. CCW license holders may not necessarily consume alcohol at all and will still desire to dine at restaurants that happen to serve alcohol. Just because alcohol has the potential to be served does not guarantee that it will be consumed. Accordingly, it would be imprudent to artificially deny CCW license holders’ entry to a restaurant on the basis of alcohol-prohibition when alcohol consumption is not even desired in the first place. In the event that a restaurant or any other private property owner seeks to restrict entry of CCW license holders, they should be able to do so freely and without coercion. Ironically enough, **§134-A Prohibition against carrying a firearm in a sensitive location; penalty—Subsection (h)(18)** imposes such coercion. By requiring private property holders to provide express consent or posting signage for CCW license holder admittance, the private property owners are forced by the State of Hawaii to voice their independent political views in a public setting.

Rights are Not Revocable Privileges

§134-A Prohibition against carrying a firearm in a sensitive location; penalty—Subsection (g) imposes an exorbitant punishment involving CCW license revocation for suspected violations. In addition to excessive punishment, such revocation of a CCW license constitutes the revocation of a right. A right is no longer a right if it can be easily revoked. A reasonable fine may be acceptable for any suspected violations, but denying exercise of a right is not acceptable under any circumstance.

Loitering Can Mean Almost Anything

Under **§134-A Prohibition against carrying a firearm in a sensitive location; penalty—Subsection (e)**, the use of “loiter” is far too vague and is quintessentially subjective in nature. Hawaii Revised Statutes Chapter (HRS) 711-1101 partially addresses loitering, but not enough to provide a CCW license holder with any affirmative defense of their lawful activities during transit. In addition, **SB1230 S.D. 1’s §134-A Prohibition against carrying a firearm in a sensitive location; penalty—Subsection (e)** fails to clarify what timeline constitutes “longer than necessary” when assessing whether a CCW license holder is clearing a public gathering or special event during their travels. Special events and public gatherings, by their very nature, are designed to engage audiences and pass time. Penalizing a law-abiding CCW license holder for supposed violations due to unanticipated venue exit delays when is unacceptable.

“Essential Character” is a Propagation of “Good Moral Character”

§134-B Annual report on licenses to carry, Section 2—Subsection (e) subtly injects a nefarious way to deny a law-abiding citizen a CCW license based upon subjective criteria such as “essential character” and “temperament” measurements. There is no objective manner to determine what constitutes “essential character” or “temperament” and any proposed measurement thereof will still be subject to the interpretation of the license issuing authority that interprets and reviews such measurements. Such inclusion of “essential character” and “temperament” measurements are no doubt an attempt to re-introduce artificial and subjective barriers to CCW license issuance in a similar manner to previous “good moral character” requirements that were once used by the State of Hawaii in a pre-*NYSPPRA v. Bruen* legal environment. Lacking viable objectivity or ability to be replicated in a systematically scientific manner, the “essential character” or “temperament” requirements should not serve as a basis for issuance or denial of a CCW license.

§134-B Annual report on licenses to carry, Section 2—Subsection (e) additionally places far too much weight upon the CCW license issuing authority’s sole and subjective discretion. In particular, the inclusion of CCW license issue denials based upon “...any other relevant evidence” is far too broad since it does not explicitly identify an objective basis or otherwise defines what would even constitute “relevant evidence.” Anything serving as an evidentiary basis for prospective a CCW license denial should be readily identified in the interest of public trust and transparency.

Focus on Stopping Criminal Activity

I see that the purpose of **SB1230 S.D. 1** is to enhance public safety. A more constructive means of fulfilling this task would be to vote **NO** on **SB1230 S.D. 1** and focus on enforcement actions against criminals that are breaking provisions of HRS Chapter 134 in its current form. **SB1230 S.D. 1**, once enacted, will not affect criminals since criminals will not subject themselves to background checks, participate in license application interviews, complete State mandated firearm training requirements, send in personal reference listings, or respect any public or private property rights whatsoever.

Thank you for taking the time to review this testimony.

Respectfully,

Ryan C. Tinajero

Constituent of **Senate District 23**

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 9:45:52 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Zon Sullenberger	Individual	Oppose	Written Testimony Only

Comments:

Please vote against SB 1230. The measures proposed in this bill result in an undue burden on law abiding citizens and are likely unconstitutional.

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 10:31:27 AM
Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Randy Douglas	Individual	Oppose	Written Testimony Only

Comments:

I am against SB1230 because it creates too many places where conceal carry will be illegal perhaps unknowingly by the licensee. Police officers cannot be everywhere at every moment but citizens are everywhere at every moment and can be heroes if they are allowed to be.

I am in STRONG OPPOSITION to SB1230.

This bill is an attempt by the Hawaii Legislature to do an end around to the *NYSRPA v Bruen* decision which if you have been following the federal cases in New Jersey and New York upon which your bill is a cut and paste. This unconstitutional law will likely see strong federal judge opposition to any so called "Sensitive Places" legislation.

There are five locations that are meeting the text and tradition requirements stated by SCOTUS. These locations as defined in *Bruen* are as follows: Legislative Buildings, Court Houses, Polling places, Schools (public and historically applying to students), Jails and Prisons.

I strongly oppose the patchwork of hopscotch locations that is created with SB1230. This bill is directed at LAW ABIDING gun owners and not the criminal element of Hawaii who on a regular basis violate state and federal gun laws.

Here is a summary of the latest federal court decision regarding "Sensitive Places" I suggest the legislature take heed of the current court rulings and standings on this issue to reformulate a bill to the "Five Locations"... *Segal v Platkin* New Jersey Bill A 4769 for reference.

US District Judge Renee Bumb issues a TRO against this bill

"After all, the Supreme Court was clear that in order for ANY gun control legislation to pass constitutional muster under the Second Amendment, such legislation must be consistent with historical tradition. The State has had six months since *Bruen* to identify well-established and representative historical analogues."

"Certainly, Defendants anticipated challenges to the legislation and should have been better prepared to defend the legislation constitutionality."

"Private property owners have always been able to deny access to people, but to then say as a law abiding person have to ask permission or have the owner give permission every time, is not what the law historically has required."

"And what this does is it restrains the Second Amendment to a right only to carry on public property, which historically is not correct."

US District Court Judge Renee Bumb granted a TRO against the following NJ restrictions:

1. Parks, beaches and recreational facilities
2. Public libraries and museums
3. Bars, restaurants, other places where alcohol is served
4. Entertainment facilities
5. Casinos
6. Private property
7. Carrying of functional firearms in vehicles

"At the same time, the Court implore the Presiding Officers to focus their argument on the legitimate legal issues pending before this Court after the clear dictate from the United States Supreme Court in *NYSRPA v Bruen*."

"But the *Bruen* Court expressly stated that the government may not simply posit that the regulation promotes an important interest" in the Second Amendment context.

Instead, "the government must demonstrate that the regulation is consistent with this Nation's historical tradition of firearm regulation."

"While the legislature may disagree with *Bruen*, it may not disobey it."

– US District Judge Renee Bumb

It is not in the interest of Hawaii to enter into additional litigation upon which the overwhelming results are against the side stepping of *Bruen* by introducing "Sensitive Places" laws.

No other misdemeanor penalty results in the loss of an inalienable individual Constitutionally-guaranteed Natural/God-given civil Right.

I am in **STRONG OPPOSITION** to this and all other bills that attempt to **INFRINGE** upon the 2nd Amendment rights of law abiding citizens.

And ANY requirement by any government agency to file any kind of paperwork (registration, permission to purchase, etc., etc., etc.) are **ALL INFRINGEMENTS**. There are 25 states that already have done away with any such nanny-states unconstitutional infringements and they have no "gun violence" issues above or beyond the authoritarian fascist states like Hawaii, New York, New Jersey, et. al.

Because SB1230 is unequivocally a clear infringement of a Constitutionally-protected right, any legislator who votes for such an infringement is violating their sworn oath of office to defend and uphold the constitutions of both the United States and Hawaii (written almost 200 years later using the exact same words, i.e. "militia", "right", "keep", "bear", "infringed", etc.), and is thus a traitor, by definition.

NO on SB1230!

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 10:45:29 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
steven lee	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE SB 1230.

For many years I worked in an industry that was plagued with crime from common and organized criminals.

I have assisted the Honolulu Police Department in its investigations of crime and criminals. I have been threatened with bodily harm.

I have also been threatened with death. When I received the death threat, I called 911 and an HPD officer responded. He told me that the police couldn't protect me and that I'd have to protect myself. He told me that I should carry a gun in public because the police wouldn't be there to protect me.

There are times and circumstances where a law-abiding citizens should be able to legally protect themselves against criminals.

The United States Constitution and the Second Ammendment guarantee the people's rights to protect themselves.

SB1230 violates these rights that are guaranteed by the Constitution.

Although we may not personally like some of our laws, we should respect and obey them. If you vote in favor of SB1230, it will be a clear sign that you disrespect our Constitutional rights and the highest law of the land. It will send the signal to the public if you knowingly and willingly disregard the law, and that the public can do the same with your laws.

Criminals don't follow the law and will disregard the restrictions in SB1230. These restrictions will only disadvantage the law-abiding citizens. SB1230 will give an unfair advantage to criminals who could more freely victimize our defenseless people.

Please VOTE NO on SB 1230.

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 10:46:52 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael J Crossley	Individual	Oppose	Written Testimony Only

Comments:

I am firmly against SB1230 as it infringes on my second amendment rights to bear firearms, As a law abiding citizen I have the right to protect myself and other innocent citizens from criminals that go unpunished or under punished and prey on innocent individuals.

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 10:59:54 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Eric Hernandez	Individual	Oppose	Written Testimony Only

Comments:

I appose this bill whole heartedly. This bill limits my right as American to bear arms as needed to protect me and my family. You are only giving the criminals who don't follow the laws more advantage over my safety. I am a law abiding citizen who takes firearm ownership very seriously and have done everything i needed to acquire and handle my firearms safely and effectively. Now with your proposed restrictions you will be possibly making many law abiding citizens criminals and possibly putting out lives and families in danger by restricting where we can or cannot carry our firearms.

thank yiu for your consideration in opposition of this bill

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 11:05:41 AM
Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kevin Carney	Individual	Oppose	Written Testimony Only

Comments:

I am a gun owner with over 40 years of experience in the use of handguns, rifles and shotguns and I am opposed to placing restrictions on law abiding citizens licensed to conceal carry. A few exceptions may be acceptable such as carrying while using public transportation, i.e flying. This bill essentially prohibits licensees from leaving their homes with their licensed weapon.

What are we doing to prohibit the criminal element from making ghost guns, obtaining guns and carry guns illegally? This is where the emphasis should be.

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 11:22:01 AM
Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Roy Asher	Individual	Comments	Written Testimony Only

Comments:

Please consider separating Retired in good standing Law Enforcement officers/professionals from the Conceal Carry Weapons permittees. The former are trained and experienced in the operation and carrying of a firearm. They should not be restricted as proposed for CCW.

LATE

My name is Michael Elliott, I'm a retired Naval Officer with multiple combat tours and have been to over 70 countries, Small Business Owner, Husband, father, and grandfather. Life NRA member and Life HIFICO member As a lifelong gun owner and having CCW permits in multiple states, including two right now as Non-Resident CCW permits from Utah and Arizona, I have concealed carried for decades. After living in Hawaii for 20 plus years, I have been denied a CCW permit 5 times under the old rules, But the Bruen decision by the Supreme Court has changed that and I received one in January. Based on statistical data, there could be as many as 60,000 applicants in the near future for all islands. I am in **STRONG OPPOSITION** to SB1230. This bill is an attempt by the State of Hawaii Legislature to do an end around to the NYSRPA v Bruen decision which if you have been following the federal cases in New Jersey and New York upon which your bill is a cut and paste, you will see strong federal judge opposition to any so called "Sensitive Places" legislation. I have previously provided the five locations that are meeting with the historical context and analogous too. These locations as defined in Bruen, Heller Caetano and McDonald are as follows: Legislative Buildings, Court Houses, Polling places, Schools (public and historically applying to students), Jails and Prisons.

MUST WATCH VIDEOS

<https://youtu.be/WWhG0xAJZnI>

<https://youtu.be/wgNIUs0VRjE>

I **strongly oppose** the patchwork of hopscotch locations that is created with SB1230. This bill is directed at LAW ABIDING gun owners and not the criminal element of Hawaii who on a regular basis violate

state and federal gun laws. This is the same

Here is a summary of the latest federal court decision regarding "Sensitive Places" I suggest the legislature take heed of the current court rulings and standings on this issue to reformulate a bill to the "Five Locations"

Case is Segal v Platkin New Jersey Bill A 4769 for reference.

US District Judge Renee Bumb issues a TRO against this bill

"After all, the Supreme Court was clear that in order for ANY gun control legislation to pass constitutional muster under the Second Amendment, such legislation must be consistent with historical tradition. The State has had six months since Bruen to identify well-established and representative historical analogues."

Certainly, Defendants anticipated challenges to the legislation and should have been better prepared to defend the legislation constitutionality"

"Private property owners have always been able to deny access to people, but to then say as a law abiding person have to ask permission or have the owner give permission every time, is not what the law historically has required"

"And what this does is it restrains the Second Amendment to a right only to carry on public property, which historically is not correct"

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1. Parks, beaches and recreational facilities
2. Public libraries and museums
3. Bars, restaurants, other places where alcohol is served
4. Entertainment facilities
5. Casinos
6. Private property
7. Carrying of functional firearms in vehicles

"At the same time, the Court implore the Presiding Officers to focus their argument on the legitimate legal issues pending before this Court after the clear dictate from the United States Supreme Court in NYSRPA v Bruen."

"But the Bruen Court expressly stated that the government may not simply posit that the regulation promotes an important interest" in the

Second Amendment context.

Instead, "the government must demonstrate that the regulation is consistent with this Nation's historical tradition of firearm regulation."

"While the legislature may disagree with Bruen, it may not disobey it."

US District Judge Renee Bumb

It is not in the interest of Hawaii to enter into additional litigation upon which the overwhelming results are against the side stepping of Bruen by introducing "Sensitive Places" laws.

The attempt by the Hawaii Legislature to mandate insurance for the free exercise of a civil right is abhorrent. It doesn't exist as the so called lawyers from the state AG will try to tell you. Insurance at no time would cover illegal conduct. Are you requiring all criminals in Hawaii to get insurance and register with the state? I didn't think so.

Firearms training requirements are beyond the scope of what the legislature is allowed to do. While mandating a hunter safety course and a qualification course for CCW is beyond the norm for most states, you completely fail to mandate a gun safety curriculum in our schools at all levels appropriate to their age. Gun safety leads to responsible gun owners.

Mandating recurrent classroom training is a financial burden in the FREE exercise of a right.

If you want efficiency and standardization you will include the background and mental health checks with a common standard for qualifications for all islands, a five (5) year permit and it will be valid on all islands. No other state has you becoming a felon by going to a different county.

Your "Duty to Inform" is a Forth Amendment violation unless the individual is being detained or arrested for a crime.

Anyone who has not been adjudicated by medical authority cannot be denied based on a non-medical individuals "feelings" Seek medical determination to avoid violating the rights of individuals.

Individuals under TRO who have not be subject to a court proceeding do not have to relinquish firearms without a proper court determination. Get TRO requests and both parties in front of judges immediately so the system is not used a means of one party to get back at another. FACTS MATTER.

HPD cannot "farm out" it's duty to a third party nor make subjective character determinations. Subjective Moral Character standards are another form of MAY ISSUE which was found to be UNCONSTITUTIONAL.

Any denial by a county police chief should be heard by a judge and not right back to the organization that denied the CCW permit.

If you are going to charge someone, charge them, pending charges is not a reason to deny individual rights.

Signage by businesses has been determined to be coerced speech and a First Amendment violation of the business owner. Don't you think

that after the first CCW permits were issued businesses would have put up signs if they wanted too? There are none anywhere. Just as it should be. A CCW holder has a concealed weapon and its use is only in the most dire situations for the protection against death or serious bodily injury, kind of like the Walmart parking lot incident 2 weeks ago.

CCW holders should be allowed to carry any legally owned pistol or revolver they own.

While the intention of this law is to protect public safety, there are several arguments against them: Violation of Second Amendment Rights: Concealed carry sensitive places laws can be seen as a violation of the Second Amendment right to bear arms. Gun owners may argue that they have a right to carry their weapons with them wherever they go, and that these laws unfairly restrict their ability to do so. Ineffectiveness: Concealed carry sensitive places laws may be ineffective in preventing gun violence. Criminals who are intent on committing acts of violence may simply ignore these laws and bring weapons into sensitive places regardless. Meanwhile, law-abiding citizens who have obtained concealed carry permits may be disarmed and left vulnerable in these areas. Potential for Discrimination: Concealed carry sensitive places laws may also have the potential to discriminate against certain groups. For example, if a law prohibits carrying weapons in places of worship, it may disproportionately impact members of certain religions who have a tradition of carrying weapons as part of their religious practice. Inconsistency: Concealed carry sensitive places laws can be inconsistent and confusing. Different states and jurisdictions have varying laws and definitions of sensitive places, making it difficult for gun owners to know where they can and cannot carry their weapons. Unnecessary: Finally, some argue that concealed carry sensitive places laws are simply unnecessary. Many states already have laws that prohibit the carrying of weapons in certain places, such as courthouses and airports. Adding additional restrictions may not significantly improve public safety, while creating additional burdens for law-abiding gun owners. There are several compelling reasons to support the concealed carry of firearms that are worth considering. Self-defense: The primary argument for concealed

carry is that it allows individuals to protect themselves in dangerous situations. In today's world, crime rates are increasing, and individuals can become victims of violent crimes at any time. By carrying a firearm, individuals can increase their chances of defending themselves and their loved ones from harm.

Deterrence: The knowledge that potential victims may be carrying firearms can also act as a deterrent for would-be attackers. Criminals are less likely to target individuals who they believe may be armed, as they fear that their criminal activities could be thwarted by a well-prepared victim. This deterrent effect can help reduce crime rates and improve public safety.

Second Amendment: The right to bear arms is protected by the Second Amendment of the U.S. Constitution. This right ensures that individuals have the ability to defend themselves, their families, and their property from harm. By restricting the right to carry firearms, we would be infringing on this fundamental right.

Responsibility: Many people who choose to carry firearms take their responsibility seriously. They undergo extensive training and education to ensure that they are knowledgeable about firearms safety, and they follow all local and state laws regarding the use and carry of firearms. These responsible individuals can serve as models for others, promoting responsible gun ownership and safe firearm use.

Empowerment: The ability to carry a firearm can also provide individuals with a sense of empowerment. Knowing that they have the means to protect themselves and their loved ones can boost their confidence and help them feel more in control of their lives. This empowerment can have positive effects on mental health and wellbeing.

The Second Amendment of the United States Constitution is considered by many to be an important safeguard of individual freedom for several reasons:

Protection of individual rights: The Second Amendment guarantees the right of individuals to keep and bear arms, which is seen as a fundamental right for self-defense and the protection of individual liberties.

Balancing of power: The Second Amendment serves as a check against potential abuses of power by the government, as it allows citizens to defend themselves and their rights should the government attempt to infringe upon them.

Historical context: The Second Amendment was written at a time when the founding fathers were deeply concerned about the potential for government tyranny and the need to protect individual rights.

Preservation of cultural heritage: For many Americans, the right to own firearms is an important part of their cultural heritage and is seen as a symbol of freedom and independence.

Overall, the Second Amendment is considered by

many to be an essential component of American freedom and a critical part of the framework of individual rights enshrined in the U.S. Constitution. If this bill passes it will be met with an immediate lawsuit seeking a TRO and Honolulu County will be responsible for all legal fees for the plaintiffs. Gun owners would also have cause for a class action suit with damages paid by Honolulu County. It is best to defer this bill, let it die and let gun rights organizations sue the state if they try to pass SB1230 or HB984.

<https://www.uslawshield.com/key-second-amendment-supreme-court-cases/> <https://www.harvard-jlpp.com/attention-originalists-the-second-amendment-was-adopted-in-1791-not-1868-mark-smith/> <https://www.talksonlaw.com/briefs/text-history-tradition-test> <https://fedsoc.org/commentary/publications/bruen-s-preliminary-preservation-of-the-second-amendment>

“To reason by analogy, it is as though [the government] banned all speech, but exempted from this restriction particular people (like current or former political figures), particular places (like private property), and particular situations (like the week before an election). Although these exceptions might preserve small pockets of freedom, they would do little to prevent destruction of the right to free speech as a whole. As the [Supreme] Court has said: “The Second Amendment is no different.” *District of Columbia v. Heller*, 554 U.S. at 635. It too is, in effect, destroyed when exercise of the right is limited to a few people, in a few places, at a few times.”

MUST WATCH VIDEOS

<https://youtu.be/WWhG0xAJZnI>

<https://youtu.be/wgNIUs0VRjE>

I am in **STRONG OPPOSITION** to this and all other bills that attempt to INFRINGE upon the 2nd Amendment rights of law-abiding citizens. Passing of this bill will result in lawsuits by multiple organizations who are watching your actions closely and have been successful on the same issue in NY and NJ.

I am available to further discuss options and remedies to this and other bills proposed this session.

<https://www.uslawshield.com/key-second-amendment-supreme-court-cases/>

<https://www.harvard-jlpp.com/attention-originalists-the-second-amendment-was-adopted-in-1791-not-1868-mark-smith/>

<https://www.talksonlaw.com/briefs/text-history-tradition-test>

<https://fedsoc.org/commentary/publications/bruen-s-preliminary-preservation-of-the-second-amendment>

Michael Elliott

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 12:21:35 PM
Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Donald Correia	Individual	Oppose	Written Testimony Only

Comments:

Does nothing about safety, all about government overreach

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 12:23:28 PM
Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Raymond Lara	Individual	Oppose	Written Testimony Only

Comments:

I was born on Oahu in 1953 and now reside on the big island.
I am retired from local 675 Plumbers and Fitters Union.
I was in the Hawaii National Guard, 1970-1976

I am a non smoker, non drinker, don't use any illegal substances/drugs, pay my taxes, don't gamble and trying to live properly as an upstanding citizen. I am currently taking care of my 95 year old mother in law.
Why you would consider infringing on my constitutional rights when I am not a criminal? Your actions are directed against the law abiding citizens. Have you forgotten about your pledge to uphold the Constitution of the United States?
If you truly want to make a difference in our society and nation, prosecute crimes in a timely manner, not years later. This pertains to citizen law breakers who commit grievous acts against law abiding citizens, AND those who are supposed to be SERVING the people instead of trying to control us. I will not mention the names of those who are supposed to be working for the people and have behaved dishonorably. You already know who they are.
Society is disintegrating horribly. My own mother in law's sister was killed by a driver who got away scott free. Protect the good people, not protect the bad ones. I am losing faith in the political system. Locally and nationally. People are not as gullible as the administration would like to believe. The lies and falsehoods are appalling. We are not being fooled.
Law abiding citizens have the right to protect themselves and their families. Plain and simple.



LATE

Feb. 28, 2023

Aloha, Chair Rhoads, Vice Chair Gabbard, and Committee Members:

My name is Erica Yamauchi, and I live and work in the Kaimukī area. As a gun violence survivor, business owner, mother of two children in public schools, and adjunct faculty member at the University of Hawai'i, **I'm writing today in strong support of Senate Bill 1230.**

I don't want to wonder whether someone is carrying a gun when they come into our family's business, every time I go into a boutique or restaurant on Wai'alae Avenue, or when we take our children to the beach. The idea that concealed guns could be in these places makes me feel less safe in our community.

Our low incidence of gun violence here in the islands hasn't been by accident.

Here in Hawai'i, we had a strong law in place to make sure people weren't carrying firearms in public unless they had a specific need to do so. Our state law used to require that people had to prove they had an "exceptional" reason to fear injury to themselves or their property before they could get a license to carry a gun in public. Because of this state law, we haven't had guns in public places – which means we've had far lower risk of tense situations escalating into gunfire and fewer risks of guns being used for intimidation, or accidentally being fired, in public spaces.

When the Supreme Court struck down a New York law that was like Hawai'i's law, we no longer have that protective measure in place, and unfortunately, we can expect to see more guns in more places very soon.

The Supreme Court's Bruen decision opened up the floodgates for the possibility that more people will be carrying more guns all around Hawai'i. Hawai'i urgently needs to address this risk by passing a new laws that set clear requirements on *who* is, and is not, qualified to carry a gun in public; *how* our county chiefs of police can vet people applying to carry a gun in public; and *where* people who get permits to carry guns in public can and can't bring those guns.

For example, we need to make sure we don't let people carry guns in public if they've had a recent history of violent and/or threatening behavior, or have been recently cited for being reckless with firearms.

We need to require that people carrying guns in public must have been trained on the specific types of issues that come up when carrying a gun outside the home. This should include how to store their guns safely in cars so more stolen guns don't end up on the street, where they can and can't carry their guns, and when they can and can't legally use lethal force in self-defense.

We need to make sure law enforcement has the right information and authority to identify and deny public carry permits to people who pose a heightened public safety risk.

People applying for carry permits should be carefully evaluated based on objective criteria to ensure fairness and uniformity in the process. With more people now eligible to get permits to carry guns in public, we need to set clear boundaries on where they can and can't bring those guns.

Guns don't belong at playgrounds, parks nor schools, but without this bill, anyone who gets a concealed carry permit can currently bring hidden guns into those places.

Furthermore, it's common sense that guns and alcohol should never mix. This bill will make it clear that people carrying guns in public cannot bring their guns to bars or restaurants serving alcohol.

Thank you for the opportunity to testify.

A handwritten signature in cursive script that reads "Erica Yamauchi".

Erica Yamauchi
Statewide Co-Lead, Hawai'i Chapter

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 12:32:47 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Breitwish Sr.	Individual	Oppose	Written Testimony Only

Comments:

Please do not pass SB 1230. It is another encroachment on our right to bear arms. It will not make Hawaii a safer place. It will not deter crime. Criminals will not follow this bill any more than other law already in place. It will only make law abiding citizens a greater target in the rural areas due to response times that are too long for the average citizen to rely only on police protection of our lives.

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 12:54:37 PM
Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Austin White	Individual	Oppose	Written Testimony Only

Comments:

It is painfully and blatantly obvious that the Legislators, Governor, Lt. Governor, Mayors, Police Chiefs and other “government officials” have zero intent to protect and uphold the rights of the citizens of Hawaii as outlined in both the Federal and State Constitutions regarding firearms. We are all tired of holding our breath waiting for you to uphold your sworn duty. You don’t care, and never will. You spread misinformation, spin half-truths and make up “facts” to suit your own purposes. I would dare to find but few of you who can tell the difference between a clip or magazine, bullet or cartridge, semi-automatic or automatic. It may behoove you to actually learn something about firearms and even use one before you make laws and regulations surrounding them. Take the requisite firearms training class to see what is required of those who wish to own and/or carry firearms in this state. I am confident that most of the local firearms instructors in Hawaii would be happy to give any of you a lesson in the use of them. You may learn something.

The plain verbiage of the 2nd Amendment of the United States and Article 1, Section 17 of the State of Hawaii Constitution is clear. SHALL NOT is a legal term of which it seems none of you have the want, intent or fortitude to uphold. Nowhere does it mention in the respective Constitutions that these can be set aside due to feelings or in matters of sensitivity, inclusion, diversity, etc.. Please go read the NYSRPA v Bruen response for details. The 14th Amendment of the United States also makes clear that States shall not make or enforce any laws violating the citizens rights and privileges.

All of you have abdicated your duty to the people of Hawaii by failing uphold your oath of office. I have included the appropriate text for you. Perhaps you may need to read these sections again to refresh your collective memories. But then again, you have no interest in actually representing your constituents. ALL your constituents, even the ones you disagree with.

HAWAII CONSTITUTION

OATH OF OFFICE

Article XVII, Section 4. All eligible public officers, before entering upon the duties of their respective offices, shall take and subscribe to the following oath or affirmation: "I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States, and the Constitution of the State of Hawaii, and that I will faithfully discharge my duties as to the best of my ability." As used in this section, "eligible public officers"

means the governor, the lieutenant governor, the members of both houses of the legislature, the members of the board of education, the members of the national guard, State or county employees who possess police powers, district court judges, and all those whose appointment requires the consent of the senate. [Ren and am Const Con 1978 and election Nov 7, 1978; am SB 1440 (1992) and election Nov 3, 1992]

RIGHT TO BEAR ARMS

Article I, Section 17. A well regulated militia being necessary to the security of a free state, *the right of the people to keep and bear arms shall not be infringed.* [Ren Const Con 1978 and election Nov 7, 1978]

UNITED STATES CONSTITUTION – BILL OF RIGHTS

RIGHT TO BEAR ARMS

Amendment II. A well regulated Militia, being necessary to the security of a free State, *the right of the people to keep and bear Arms, shall not be infringed.*

DUE PROCESS & EQUAL PROTECTION

Amendment XIV. Section 1: All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. *No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States;* nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws. (if any have issues remembering the applicability of the 14th Amendment, please go read the decision in Obergefell v. Hodges and substitute same-sex marriage for ownership and carrying of firearms)

DEFINITIONS

Shall: Shall is an imperative command, usually indicating that certain actions are mandatory, and not permissive. This contrasts with the word “may,” which is generally used to indicate a permissive provision, ordinarily implying some degree of discretion.

May: The word “may” is an expression of possibility, a permissive choice to act or not, and ordinarily implies some degree of discretion. This contrasts with the word “shall,” which is generally used to indicate a mandatory provision.

The meaning of the phrase "well-regulated" in the 2nd amendment

From: Brian T. Halonen <halonen@csd.uwm.edu>

The following are taken from the *Oxford English Dictionary*, and bracket in time the writing of the 2nd amendment:

1709: "If a liberal Education has formed in us **well-regulated** Appetites and worthy Inclinations."

1714: "The practice of all **well-regulated** courts of justice in the world."

1812: "The equation of time ... is the adjustment of the difference of time as shown by a **well-regulated** clock and a true sun dial."

1848: "A remissness for which I am sure every **well-regulated** person will blame the Mayor."

1862: "It appeared to her **well-regulated** mind, like a clandestine proceeding."

1894: "The newspaper, a never wanting adjunct to every **well-regulated** American embryo city."

The phrase "well-regulated" was in common use long before 1789, and remained so for a century thereafter. It referred to the property of something being in proper working order. Something that was well-regulated was calibrated correctly, functioning as expected. Establishing government oversight of the people's arms was not only not the intent in using the phrase in the 2nd amendment, it was precisely to render the government powerless to do so that the founders

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 12:58:55 PM
Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
G. Richard Schuman	Individual	Oppose	Written Testimony Only

Comments:

Aloha All

Thank you for allowing us to make comments. I understand this is very polarizing topic.

From a common sense point of view, I think we can all agree that criminals will not pay any attention to the "Safe Zones" so only criminals will have weapons in those "safe zones" that could kill may innocent people before the police arrive. If there is just one chance to safe a few people, like your family in a situation like that, wouldn't you want to have someone who is trained, passes tests to include a background in a position to help, just one person?

I think you would be very appreciative to someone who saved your family from a criminal intent on doing harm.

Please let this one go, you can always come back to it another time

Thank you

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 1:22:55 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Standish Van Voorhis	Individual	Oppose	Written Testimony Only

Comments:

SB1230

I oppose SB 1230. This bill infringes on the second amendment. Gun free zones are an advertisement to criminals that they will encounter little resistance if their intent is to murder people. Instead of limiting law abiding citizens and their God given right to self defense, the legislature should focus on enforcing the laws on the books and holding criminals accountable. The legislature should facilitate law abiding CCW permit holding citizens who want to reduce crimes such as mass shootings and save lives by not creating gun free zones. Criminals by definition do not obey laws, SB1230 will only embolden them.

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 1:27:09 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sam Cavitt	Individual	Oppose	Written Testimony Only

Comments:

I am a citizen of USA and Hawaii resident and law abiding firearms owner. I own firearms as a hobbyist, admirer of the technology and sportsman all of which fall under my unalienable right as an American of the pursuit of happiness and as an American with the constitutional second amendment right to do so. This bill is in direct conflict with my right to privacy and also my right to due process as it disregards these rights in order for me to pursue the previously stated rights of pursuit of happiness and my second amendment rights. All of these fundamental American principles must be upheld.

This bill unilaterally disregards the rights of a significant portion of our country in favor of the convenience and expediency of another segment's ideology. No American individual or agency should have the power to exercise that type of authority without due process. As such, this bill if passed will undoubtedly be overturned on constitutional grounds. Rendering this entire process an irresponsible waste of time and resources as well as a harassment as noted above.

Thank you.

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 1:39:59 PM
Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
George B Lisehora	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose provisions in SB1230 that render the community less safe.

"Sensitive Places" : Areas where concealed carry is prohibited, in the absence of controlled entrance involving metal detectors or body search for weapons to gain entry, increases the incidence of violent crime in those areas rather than decreasing it. Criminals are emboldened knowing that law abiding citizens will not be armed in these areas. Conversely, enactment of concealed carry authorization in the same type of areas such as public parks, buses, schools, campuses, shopping malls and public transportation reduces violent crime. The reduction is mostly due to deterrence of the initiation of the crime by the criminal. While some violent crimes are foiled by the presentation of the legally carried concealed firearm, or more rarely the firing of the legally carried firearm these do not account for the marked drop in violent crime rates seen in all States that enacted non-discretionary conceal carry legislation. The drop in violent crime rates as reported by FBI crime statistics is mostly due to criminals deciding that it is not worth the risk of being shot by a legally carrying victim. Violent crime goes down and non confrontational crime rates go up when rates just prior to CCW initiation and rates measured a year or two after initiation are compared. This has been true in all 43 "shall issue" States.

HB984 Prohibits a trained, tested and licensed individual from carrying in "sensitive places". Criminals will select these areas to commit unopposed crimes. Mass shooters leave a paper trail, diary or manifesto that includes a description of how they selected the site of their crime. Most acknowledge the status of the target area as a gun free zone where minimal resistance is anticipated.

The Crime Prevention Research Center testified recently in Maryland's Senate Judicial Committee hearing on considering a similar bill to SB1230. The text with hyperlinks is available at this web address: [Maryland SB1 proposes to ban \(crimeresearch.org\)](http://Maryland SB1 proposes to ban (crimeresearch.org)) The text without hyperlinks is pasted below: Note the list of references at the end includes corrections of other presentations that have incorrectly interpreted data. For example, #13, refers to FBI statistics on active shooter incidents. Previously it was reported that 4.4% of active shooters were stopped by private citizens. When each case in the data base was reviewed in detail, it reveals over 34% were stopped by private citizens. Since 2020, 94% of mass shootings occurred in gun free zones. When you limit analysis to mas shootings in areas where private citizens could legally carry guns, over 50% were stopped by private citizens. They are often stopped in

less than one minute of starting. HB984 expands gun free zones and will result in increased loss of life and life altering injuries.

Proponents for SB1230 have expressed concern that CCW license holders will become lawless and commit crimes themselves since they now can legally carry a concealed firearm with them. This has been studied more than once. Dr. Lott references the most recent study in his testimony below in which the rate at which CCW licensees engaged in any crime related to firearms was one twelfth the rate of firearms crimes enacted by police officers. Police officers as a group, showed a much lower incidence than the general population. CCW permit holders were the most law abiding group. Crimes by licensees were typically mild and non violent such as carrying into a "sensitive place" unwittingly or forgetting to have the permit in hand while carrying. With education, proponents of SB1230 may realize that being surrounded by armed license holders makes them safer. Once the truth is understood, everyone except violent criminals will oppose SB1230

Bottom line: Hawaii has enacted a thorough vetting process that requires applicants to take specified training in firearms Hawaii State law, use of deadly force, potential criminal and civil consequences of using a firearm even if it was needed to save innocent life, and demonstrating this knowledge in written examination and marksmanship testing. Permit holders undergo background checks in search of criminal history, medical or psychiatric limitations and are highly scrutinized. Those who succeed in qualifying for the permit should be welcomed almost everywhere with their concealed weapon. The weapon is concealed and no one will even know it is there unless it is truly needed. If parents, teachers and administrators had had the option to be trained and armed in December 2012 in Connecticut, Adam Lanza would have never shot and killed 26 people at Sandy Hook Elementary School. Allow responsible people to carry in nearly all of the places that SB1230 prohibits. We will all be safer. I am not guessing. It has already been demonstrated in 43 States. The same will happen in Hawaii if we follow the examples of other States that have trusted their citizens and their State's credentialing process.

See Below, the testimony given by Dr. Lott in Maryland as their legislators grapple with the same issues:

Testimony before the Maryland State Senate Judiciary Committee on SB1 John R. Lott, Jr.
President Crime Prevention Research Center johnrlott@crimeresearch.org

February 7, 2023

I would like to thank Chairman William Smith, Michael McKay who invited me to testify, and the other distinguished members of the committee for the opportunity to speak to you. SB1 proposes to ban the "transport of a firearm within 100 feet of a place of public accommodation." 1 That is a long list of places, from hotels to restaurants, movie theaters, sports arenas, and retail establishments. The implications of the Supreme Court's Bruen Decision. Take what Justice Thomas wrote in his Bruen decision last June. There are three passages that summarize the issue of sensitive places where concealed handguns can be banned.2 p. 17 -- "The test that we set forth in Heller and apply today requires courts to assess whether modern firearms regulations are consistent with the Second Amendment's text and historical understanding." p. 21 -- "Heller's

discussion of ‘longstanding’ ‘laws forbidding the carrying of firearms in sensitive places such as schools and government buildings.’ 554 U. S., at 626. Although the historical record yields relatively few 18th- and 19th-century ‘sensitive places’ where weapons were altogether prohibited—e.g., legislative assemblies, polling places, and courthouses—we are also aware of no disputes regarding the lawfulness of such prohibitions.” p. 22 -- “expanding the category of ‘sensitive places’ simply to all places of public congregation that are not isolated from law enforcement defines the category of ‘sensitive places’ far too broadly. Respondents’ argument would in effect exempt cities from the Second Amendment and would eviscerate the general right to publicly carry arms for self-defense that we discuss in detail below. See Part III–B, *infra*. Put simply, there is no historical basis for New York to effectively declare the island of Manhattan a ‘sensitive place’ simply because it is crowded and protected generally by the New York City Police Department.” The bottom line is clear. If the text of the Amendment or the debate over it isn’t clear, the courts should look at the laws in common use (not a few outliers) at the time of adoption for the 2nd or 14th Amendments. Thomas noted that sensitive places during those earlier periods were common for “legislative assemblies, polling places, and courthouses.” While Thomas seemed open to historical evidence on other places that banned carrying guns, the list of places provided in SB1 clearly bans guns in any place where the public congregates, which is explicitly what the Bruen decision indicates would be struck down. Nor has this extensive list of gun-free zones even been observed in any state laws until recently, so proponents for the gun-free zones can’t even point to these prohibitions being in common use no. Indeed, the seven May-Issue states, of which Maryland had been one up until the Bruen decision, had relatively few gun free-zones. But New Jersey’s new law now bans permitted concealed handguns in public places.³ New York’s new law is much more restrictive than its previous list of sensitive locations.⁴ But even New York’s law doesn’t go as far as SB1. For example, instead of banning guns in all restaurants, it limits the ban to places that serve alcohol. In 2021, 16 states banned guns in bars, and no states had a blanket ban in restaurants that served alcohol.⁵ While California’s Governor Gavin Newsom is calling to change the state’s law so that carrying guns would now be banned in churches, public libraries, zoos, amusement parks, playgrounds, banks and other privately-owned businesses, the legislation has yet to be passed.⁶ Will Gun-free Zones increase Public Safety? Maryland is moving to create more gun-free zones, though relatively few people in the state have a concealed handgun permit. By the end of 2022, there were 85,266 permits – one permit holder for every 55 adults.⁷ By comparison, there is one permit holder for every nine people in the 43 right-to-carry states. ⁸ Permit holders are extremely law-abiding and lose their permits for any firearms related violations at thousandths or tens of thousandths of one percent.⁹ Permit holders are convicted of firearms-related violations at 1/12th the rate of police officers. ¹⁰ Also relevant is that while the revocation rate for permit holders is low in all states, it is actually lower for Right-to-Carry states than for May-Issues states such as Maryland.¹¹ Unsurprisingly, concealed handgun permit holders don’t stop mass public shootings in states such as Maryland or California or other very restrictive states. But they do make a difference in the 43 states where there are a lot of permit holders. Indeed, people legally carrying guns stopped at least 31 mass public shootings since 2020. ¹² And when Americans are allowed to legally carry concealed handguns, they stop about half the active shooting attacks in the US. ¹³ It is hard to ignore that these mass public shooters purposefully pick targets where they know their victims cannot protect themselves. Yet, the media refuses to discuss that these mass murderers often discuss in their diaries and manifestos how they pick their targets. For example, the Buffalo mass murderer last year wrote in his manifesto explaining why he chose the target that he did: “Areas

where CCW are outlawed or prohibited may be good areas of attack” and “Areas with strict gun laws are also great places of attack.”¹⁴ That is a common theme among mass murderers.¹⁵ These killers may be crazy, but they aren’t stupid. Their goal is to get media coverage, and they know that the more people they kill, the more media attention they will receive. And if they go to a place where their victims are defenseless, they will be able to kill more people. Even if an officer is in the right place at the right time, a single uniformed police officer has an almost impossible job in stopping mass public shootings. An officer’s uniform is a neon sign saying, “Shoot me first.” Once the murderer kills the officer, the attacker has free rein to go after others. But where concealed carry is allowed, the attacker will have to worry that someone behind him is also armed. Take school shootings: Twenty states, with thousands of schools, have armed teachers and staff. There has not been one attack at any of these schools during school hours since at least 2000 where anyone has been killed or wounded. ¹⁶ All the attacks where people have been killed or wounded occurred in schools where teachers and staff can’t have guns. Newsom’s approach contrasts sharply with another country that faces constant terrorist attacks. After a Jan. 27 mass public shooting in Israel left seven people dead, Israel Prime Minister Benjamin Netanyahu declared: “Firearm licensing will be expedited and expanded in order to enable thousands of additional citizens to carry weapons.”¹⁷ Unfortunately, Maryland’s strict gun control laws create fertile ground for successful mass public shootings. But the new push for more gun-free zones is guaranteed to give mass murderers and other criminals even more hunting grounds. Many promised that Maryland’s 2013 Firearms Safety Act would lower the state’s crime rates. Take the pre-pandemic data. The act instituted handgun licensing and training requirements that added hundreds of dollars and months of delay to a purchase, and handgun sales in the state plummeted by 36% from 2012 to 2019. Meanwhile, between 2012 and 2019, Maryland’s murder rate rose three times faster than the national rate and four times faster than in neighboring states.¹⁸ The state’s robbery rate also got much worse relative to either the national or neighboring rates. Conclusion. Criminals like to attack defenseless victims and they are attracted to gun-free zones. Indeed, 94% of mass public shootings occur in places where guns are banned. ¹⁹ But the legislature has to also consider what the courts are likely to decide after the Supreme Court’s Bruen decision this past June, and the Supreme Court Endnotes

Vote No to SB 1230

SB-1230-SD-1

Submitted on: 2/28/2023 1:53:28 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

LATE

Submitted By	Organization	Testifier Position	Testify
Terry Donaghy	Individual	Oppose	Written Testimony Only

Comments:

As a citizen of the United States I oppose SB 1230. The government has no right to continue to put restrictions on our right to protect ourselves from unlawful people and criminals who pay no attention to the law or have any regard for a working persons right to defend themselves. I have been an upstanding citizen for 50 years. I abide by the laws and expect each citizen to do the same.

Do not take my rights away!!

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 1:56:33 PM
Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
D Nautu	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am against this bill. Citizens have a right under the constitution to bear arms. Every citizen has a right to protect property and oneself from harm. Frankly, with all the bad police coverage and attacks on police officers, police response is not quick. By the time police shows up the victim is dead. Gun protection protects victims from harm and abuse.

Mahalo.

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 3:16:34 PM
Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Steve Skipper	Individual	Oppose	Written Testimony Only

Comments:

SB1230 Relating to Firearms is a direct form of resistance to recent SCOTUS decisions affirming the inalienable rights of law abiding citizens to bear arms for personal protection. Rather than cracking down on methamphetamine/opiod abuse and criminal activity, the legislature has chosen to penalize those law abiding citizens whose Constitutional rights rights have recently been returned to them.

Additionally, requiring insurance and restricting access to formerly common open areas is discriminatory in several ways, both economic and personal. Law abiding citizens are involved in less than 1 % of any and all gun crimes nationally. The legislature is playing political cat and mouse games here with the Bill of Rights and attempting to penalize the law abiding while seemingly ignoring the drug and crime problems being acted out daily by illegal criminal elements on all of our islands. This is shameful and reprehensible in the light of the expanding opiod/meth epidemic and related criminal activities.

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 3:28:30 PM
Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ramiro Noguerol	Individual	Oppose	Written Testimony Only

Comments:

oppose because this is extreme government overreach and it is against the constitutional right to keep and bear arms.

SB-1230-SD-1

Submitted on: 2/28/2023 3:50:52 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

LATE

Submitted By	Organization	Testifier Position	Testify
Cyrus Kodani	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to this bill. How can a elected public servant ignore a ruling of the Supreme Court or the US Constitution?

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 3:53:36 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jowell Rivera	Individual	Oppose	Written Testimony Only

Comments:

I am in total opposition to this unconstitutional bill. For many decades, Hawaii has made the right to carry a concealed firearm impossible. The Supreme Court Case NYRSPA vS. Breun proved that Hawaii for decades have violated our 2nd A rights. Now this legislature (and the City of Honolulu) are trying to circumvent this right by placing burdensome, restrictive and onerous laws that are just as unconstitutional as no carry at all. This a complete overreach and shameful act by this committee and legislature are a whole a complete totalitarian move to continue the petulant ideas of the leftist agenda.

At best. The legislature should do nothing until the current Supreme Court Case is heard again in the **sensitive place issue** that is now being challenged again in N.Y.

If this committee and legislature as a whole pass this bill, chances are it will be knocked down by the Supreme Court again and Hawaii will find itself in legal battles, spending more tax payer dollars and making the process even lengthier.

Having legal firearms in public places does not make it less safe. Contrary, criminals already have guns and law abiding citizens and veterans as myself will make the public square a safer place. History and statistics prove this.

Its time this legislature stop with all the left wing agenda to take away the God given rights that are ours and not taken away by some power driven legislature. Enough!

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 3:24:15 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jon Abbott	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose SB1230.

As the fourth person to receive a concealed carry license in Honolulu County I find it appalling that this bill seeks to prevent law abiding citizens from being able to carry firearms in the very places they will most likely be attacked.

SB1230 also adds a moral character component to the application process - this is nothing more than another framing of the 'good cause' requirement that was previously used to prevent citizens from receiving their licenses to concealed carry. The Bruen decision affirmed that carrying a firearm for self defense outside the home is a right and a such every person has the right to get a license unless their actions have proven them disqualified.

The only aspect of the proposed bill I support is to allow concealed carry holders a legal means to store a firearm in a locked container in their vehicle.

Otherwise, I urge the committee to strike down this flawed legislation.

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 4:24:12 PM
Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
LEE JEAL	Individual	Oppose	Written Testimony Only

Comments:

For decades the language of Hawaii's concealed carry laws had not changed, and was felt by the legislature to be adequate in ensuring the safety of the people of Hawaii, this was because the County Police Chiefs automatically denied all requests for concealed carry in the state.

After the United States Supreme Court ruled in the Bruen decision that this conduct was **unconstitutional**, members of the Hawaii legislature are now trying through Bill 1230 to effectively remove the right of law abiding citizens, who have already passed a background check, and mental health check to carry a firearm in the pursuit of self defense, by limiting where they may legally carry, leaving them only their house, their car, and the sidewalk as lawful areas.

The United States supreme Court has ruled, and you swore an oath to protect and defend the constitution of the United States & the State of Hawaii, not to single out a group of law abiding citizens whose only failing is to reside in a State where their rights are deemed invalid.

Where will it end, which rights under the constitution do you want to restrict & remove next. Let us not go down this slippery slope, please vote against this bill.

SB-1230-SD-1

Submitted on: 2/28/2023 4:17:09 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

LATE

Submitted By	Organization	Testifier Position	Testify
Barry Aoki	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE SB1230 in its entirety. All the introducers of this bill continues to be anti-gun and continues every year to place extraordinary restrictions on lawful firearms ownership and possession. The insurance requirement to exercise a constitutional right is outrageous. There are no insurance requirements for other constitutional rights. The indicated sensitive areas are historically the places where criminals target. This bill treats all lawful firearms owners as potential criminals when they actually may be the ones who save an innocent life. The Police will respond but have no duty to protect an officer individual and having been in law enforcement, the Police almost always arrive too late. Please OPPOSE this entire bill.

Barry Aoki of Lahaina, Maui, HI

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 4:56:11 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Phillip Paranada	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 4:57:38 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Pablo Wegesend	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB1230 as it is a de facto gun ban meant to treat all gun owners as guilty until proven innocent. The restrictions on where people can carry guns are too restrictive. People are vulnerable to physical attacks in unsecured places like public parks and public transit, and people should have the right to armed self-defense in such places. Also, when people are carrying a weapon to a "sensitive place" like a mall or a museum, their main concern is self-defense when they're ON THE WAY to those "sensitive places". They don't plan to shoot someone at a mall or a museum, they carry the gun in case they're confronted while on the way going to and from those places. For example, a person might be carrying a gun not because they're afraid of their workplace, but because of potential dangers when going TO and FROM the workplace. They're worried about getting mugged on the way home from work.

Forcing people to pay expensive insurance in order to have a gun also treats them as guilty until proven innocent. This insurance requirement infringes in our natural rights to self-defense.

The only people who benefit from SB 1230 are those who are either genetically blessed to be of big size or those who are blessed to hang out with other dangerous people who can continue to harass people knowing they can't fight back. Big bullies are extremely grateful for gun restrictions because they leave potential victims defenseless!

As long as the person has no convictions of an unprovoked violent crime or no restraining orders, then that person should be treated as INNOCENT UNTIL PROVEN GUILTY and be allowed to carry a gun for self-defense.

In conclusion, please vote against SB 1230 and any other bills that treats gun owners as guilty until proven innocent

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 6:34:57 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Steven Fukuhara	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppse this bill!

Please dont let this bill pass.

Thank You

Steven Fukuhara

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 5:31:51 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Atom Kasprzycki	Individual	Oppose	Written Testimony Only

Comments:

This proposed bill is unconstitutional, and anti-America in its nature and intent. The drafters and sponsors of this bill are either ignorant of the Constitution and our rights as Americans, or they are knowingly attempting to violate the rights of American citizens. Either way they are unfit to serve in the best interest of our state and our country.

Bill drafters and supporters: Direct your efforts toward improving any of Hawaii's actual problems like our homeless epidemic, overdevelopment, or fighting to help keep home prices affordable for our local residents and their children in the future.

SB-1230-SD-1

Submitted on: 2/28/2023 6:35:22 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

LATE

Submitted By	Organization	Testifier Position	Testify
Peter Chirico	Individual	Oppose	Written Testimony Only

Comments:

Please oppose this unconstitutional bill. It would leave people with nothing to defend themselves with in you so called gun free or more appropriated called govemement inposed murder zones. This is not the protections that our consitution and forefathers gave us. Please use common sense and oppose this rediculas bill that will only murder more people becasure will be unable to defend themselfves.If you vote for this bill their blood will be on your hanhs.

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 6:39:31 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
GENER MACARAEG	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I oppose and against SB1230 . I ask that you to please oppose SB1230 and do not pass this bill.

This bill goes against The Second Amendment which grants citizens the right to self protection anywhere at any time. The right of the people to keep and bear Arms, shall not be infringed.

This bill massively expands “gun-free zones” where law-abiding citizens are left defenseless and also prohibits carrying firearms on private property unless the owner gives affirmative permission. Citizens who carry firearms are required to maintain insurance coverage of at least \$100,000 per person and \$300,000 per incident and carry proof of insurance which make it unattainable to citizens where we live in one of the highest cost of living areas in the country. In addition, it creates new subjective criteria for the issuance of carry permits to allow authorities to arbitrarily deny applicants.

This bill will leave law-abiding citizens defenseless, and unable to protect themselves at any given place where crime can occur. It will help criminals instead of helping defenseless law abiding citizens. This bill will not help or prevent crimes from criminals. Criminals will likely commit crimes against citizens in these so called "sensitive areas", since criminals know that citizens will be easy targets and the Police will likely not going to be there to protect them before the crime happens.

Thank you,

Gener Macaraeg

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 7:15:49 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
chad maeda	Individual	Oppose	Written Testimony Only

Comments:

i strongly oppse sb 1230

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 8:25:40 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Mitchener	Individual	Oppose	Written Testimony Only

Comments:

This bill infringes on constitutional rights recently established/reiterated by Supreme Court rulings. A good number of law abiding citizens have gone to great effort to jump through the numerous hoops lawmakers and law enforcement have created to allow them to use a right that should be freely given as written in the 2nd amendment. It's a farse to issue permits just to feign compliance with federal law and then all but invalidate them through subsequent unconstitutional legislation. Ultimately, this bill only seeks to delay the inevitable. Rather than wasting the time and resources of both legislators and tax payers, we should seek to spend time adapting to a reality where exercising our rights, responsibly, is accepted and encouraged.

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 9:42:11 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ryan Willis	Individual	Oppose	Written Testimony Only

Comments:

This type of “sensitive place” prohibition has already been ruled unconstitutional in U.S. District Court for the Northern District of New York by Judge Suddaby in Antonyuk v. Nigrelli. Examples of "sensitive place" destination not keeping criminals from doing criminal activity. Times Square is determined a “sensitive place” by the state of New York. They have had a stabbing at an arcade in MAY2022, Stabbing during New Year’s Eve festivities on 31DEC2022 with heightened police presence, and just a deadly shooting on 10FEB2023.

Locally, 13FEB2023, HONOLULU (KHON2) – “There have been more than 700 crime incidents reported to Honolulu Police (HPD) within the past seven days.” Clearly HPD is not equipped to protect everyone at the same time and as ruled by the Supreme Court police departments have no duty to protect the public and only enforce laws, we need to have to option to protect ourselves.

Would we ever think about this type of prohibitions in respect to any other right of The People? Are the people’s rights limited in “sensitive places” when it comes to freedom of religion, speech, press, assembly as protected by the First amendment? Schools have been a federal “sensitive place” since 1994, criminals target these places because they are a soft target and low to no resistance. Criminals will continue to do criminal acts, while law abiding citizens must abide the law.

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 9:52:51 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kanoe Willis	Individual	Oppose	Written Testimony Only

Comments:

This type of “sensitive place” prohibition has already been ruled unconstitutional in U.S. District Court for the Northern District of New York by Judge Suddaby in Antonyuk v. Nigrelli. Examples of "sensitive place" destination not keeping criminals from doing criminal activity. Times Square is determined a “sensitive place” by the state of New York. They have had a stabbing at an arcade in MAY2022, Stabbing during New Year’s Eve festivities on 31DEC2022 with heightened police presence, and just a deadly shooting on 10FEB2023.

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LATE

SB-1230-SD-1

Submitted on: 2/28/2023 10:37:24 PM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Laetitia Thibault Santoro	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is Laetitia Thibault Santoro.

I live un Honolulu Downtown. I am a wife, a mom and a retail worker.

I am writing to give my support to SB 1230.

I read the bill and I think it make sense and is very reasonable.

This bill will help making our community and our keikis safer.

I want my representative to vote "yes" to SB 1230.

Thank you very much in advance.

Best regards,

Laetitia Thibault Santoro.

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 10:05:59 PM
Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Evelyn Aczon Hao	Individual	Support	Written Testimony Only

Comments:

I support SB1230 as amended. It covers two areas that are vital to the safety of innocent citizens: *licensing procedure* for concealed guns and *comprehensive enough list* of sensitive places where firearms are restricted. Please, please, please put innocent citizens' right to safety and life at the forefront of considerations.

Thank you

LATE

SB-1230-SD-1

Submitted on: 2/28/2023 10:39:13 PM
Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
NOAH DRAZKOWSKI	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill as only prevents law abiding citizens from exercising their constitution rights.

SB-1230-SD-1

Submitted on: 3/1/2023 7:33:15 AM

Testimony for JDC on 3/1/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Charlene Dierking	Individual	Oppose	Written Testimony Only

Comments:

This bill is very radical, exhibits lack of trust in the background check system to acquire a firearm, county chief of police judgement to approve permits to carry and thousands of firearms owners in Hawaii who have never broken any laws!

It reads as if law abiding citizens that have firearms legally, are considered a criminal. I don't understand your illogic of restrictions.

Thank you,

C Dierking

Senate Committee on Judiciary
HEARING: March 1, 2023 at 9:30am
RE: SB1230 Firearms

I OPPOSE HB984.

I oppose SB1230 as it is unconstitutional, restrict places where licensed people may carry a handgun, and has burdensome requirements and restrictions to Concealed Carry Weapons(CCW) licenses and Permit to Acquire Firearms. This bill appears to be created out of fear and panic, rather than facts and research, and does not have the text, history, and tradition evidence present as required by the US Supreme Court.

The US Supreme Court 2A Standard

The US Supreme Court ruled in NYSRPA v Bruen last June that the Government has the burden of showing the text, history and tradition supports the firearm restriction, or in other words that similar laws were generally in place in the states around the time of the US Constitution ratification in 1791. There are no historical analogues provided with this bill and they should be researched and provided prior to voting on this bill.

In the post-Bruen lawsuits, New York's Antonyuk v Bruen, which is similar to HB984, the Federal district judge granted an injunction due to the historical laws provided were not relevant, not near the time of ratification, applied to territories and not states, or affected a very small population such as a small town. New Jersey's law was stopped due to not providing any precedent with the judge stating that the historical evidence should have been researched prior to the law passing.

Sensitive Places

The long list of sensitive places are unconstitutional and make no sense, except having the goal to reduce the lawful carry of guns for self-protection. There is no reason for banning CCW licensees from parks, museums, stores, parking lots, public transportation, etc. Criminals will still enter these places with or without a "sensitive places" designation and commit harm while CCW licensees will be defenseless.

The US Supreme Court did provide references to firearms restrictions in sensitive places: government buildings, courthouses, legislative assemblies, polling places, and school buildings. If you restrict firearms in these places, please ensure exceptions are provided for employees, parents picking up children from school, college students living in dorms, and private schools.

Significant issues I oppose in this bill include:

- Banning firearms possession for minor crimes, examples of such are a push or shove under Harassment, excessive speeding for Reckless Endangering, registering firearms late. These crimes should not be done, but they are not uncommon does not justify revoking a person's civil rights and confiscating their firearms.
- The use of essential character and temperament standard to deny firearms possession and carry, which can be vague and subjective compared to using indictments and convictions.

- Banning CCW from private property open to the public is a drastic way in how we do things, with the only purpose of making it difficult for licensees to carry firearms. This is considered compelling speech, a 1st amendment violation, where property owners are being defaulted to a ban.

I do support the changes allowing licensees to store their firearm in their vehicles. However this should allow for storage of loaded firearms for safety. Under the current wording, a person will have to unholster their firearm and unload it in public which may be visible to others and criminals. Basically unnecessary handling of the gun. On the mainland, most people will just store the holstered loaded gun which is quicker and more discrete.

I'm available for any questions.

Mahalo

Todd Yukutake

PH. (808) 255-3066

Email: todd@hifico.org

References

New Jersey Koons v Reynolds opinion: <https://law.justia.com/cases/federal/district-courts/new-jersey/njdce/1:2022cv07464/506033/34/>

Page 19: “That Defendants dedicate a significant portion of their argument discussing the benefits of the firearms regulations and not evidence of historical analogues is quite telling. And although Defendants represent that the “State will offer ample evidence that Chapter 131 is constitutional,” [State’s Br. at 2], they do not adequately explain why—if such evidence was critical to the passage of the legislation that would pass constitutional muster post-Bruen and available to the Legislature as set forth in Section 1(g) of the statute—they have not introduced such evidence here. Certainly, Defendants anticipated challenges to the legislation and should have been better prepared to defend the legislation’s constitutionality. Plaintiffs implore this Court to consider the only reasonable conclusion from Defendants’ posturing: their dragging of feet is evidence that no such historical tradition and evidence exists. Perhaps. At this juncture, there is no bona fide basis for this Court to withhold its ruling because the State says it needs more time to come forward with historical evidence that the Legislature represented it had at the time of the law’s passage. The Court will therefore proceed to consider the evidence and argument the parties have presented.”

New York Antonyuk (GOA) v Bruen decision: <https://michellawyers.com/wp-content/uploads/2022/09/2022-08-31-Decision-Order-on-MPI.pdf>

Page 71: “Although Defendant cites some historical analogs for restricting firearms at some of the above-listed locations, he often ignores the fact that vast majority of the other states (of which there were 14 in 1791 and 37 in 1868) did not have statutes restricting firearms at those very locations (suggesting that Defendant’s “historical analogs” might represent exceptions to a tradition more than a tradition), and that some of the states even had contrary statutes (for example, statutes regarding carrying in places of worship and educational institutions). In any event, and more importantly, he does not cite any historical analogs for restricting firearms at all of the above-listed locations. IN short, the CCIA’s list of “sensitive locations” is not deeply rooted in the Nation’s historical tradition of firearm regulation.

US Supreme Court statement: https://www.supremecourt.gov/opinions/22pdf/22a557_0pm1.pdf

“I understand the Court’s denial today to reflect respect for the Second Circuit’s procedures in managing its own docket, rather than expressing any view on the merits of the case. Applicants should not be deterred by today’s order from again seeking relief if the Second Circuit does not, within a reasonable time, provide an explanation for its stay order or expedite consideration of the appeal”