



**WRITTEN TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
KA 'OIHANA O KA LOIO KUHINA  
THIRTY-SECOND LEGISLATURE, 2024**

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**ON THE FOLLOWING MEASURE:**

H.B. NO. 2342, H.D. 1, S.D. 1, RELATING TO WEAPONS.

**BEFORE THE:**

SENATE COMMITTEE ON JUDICIARY

**DATE:** Tuesday, April 2, 2024

**TIME:** 10:05 a.m.

**LOCATION:** State Capitol, Room 016 and Videoconference

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

(For more information, contact Nicholas M. McLean,  
Deputy Attorney General, at 808-586-1360)

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Chair Rhoads and Members of the Committee:

The Department of the Attorney General (Department) supports this bill and offers the following comments.

The purpose of this bill is to update, clarify, and modernize Hawaii's laws pertaining to weapons.

Under longstanding Hawai'i law, it is a class C felony to "knowingly possess[]" a "pistol" or "other deadly or dangerous weapon" "while engaged in the commission of a crime." Section 134-51, HRS. This bill modernizes and updates that prohibition by creating a separate class C felony offense for carrying a firearm while engaged in the commission of a separate misdemeanor offense. The new section would clarify that this prohibition applies to all firearms, not just pistols, and would clarify that this prohibition covers the armed commission of separate misdemeanor offenses but does not include petty misdemeanors. These revisions are intended to facilitate enforceability and provide improved notice to the public, and protect the public from the serious risks associated with the carrying of firearms in connection with criminal activity.

This bill also revises and updates certain other provisions pertaining to deadly and dangerous weapons. Revisions to section 134-51, HRS, are warranted to protect the public from risks associated with deadly or dangerous weapons, facilitate enforcement, implement the terms of a recent permanent injunction entered by the

federal district court, and provide fair notice to the public. To achieve those goals, section 3 of the bill revises section 134-51, HRS, by:

- Removing a reference to a “slug shot” (also sometimes referred to as a “slungshot”), which was a type of weapon that is essentially obsolete today;
- Clarifying that billies do not fall within the scope of section 134-51, HRS, pursuant to a stipulated final judgment and permanent injunction entered by the federal district court for the District of Hawai‘i in *Yukutake v. Lopez*, 1:22-cv-00323-JAO-WRP (D. Haw. May 23, 2023);
- Clarifying that firearms, switchblade knives, butterfly knives, and electric guns are not covered by section 134-51, HRS, because those weapons are addressed by other statutory provisions;
- Updating section 134-51(a), HRS, to clarify that the focus of the provision is on regulating the concealed carrying of deadly or dangerous weapons outside of the home, as opposed to the simple possession of such weapons; and
- Removing certain obsolete or ambiguous language, to facilitate enforcement and avoid potential legal challenges.

Additionally, the bill amends section 134-51, HRS, to remove pistols and firearms from the ambit of section 134-51, HRS, because firearms are specifically addressed by other provisions in part I of chapter 134, HRS.

Further, the bill amends section 134-52, HRS, regarding switchblade knives, and section 134-53, HRS, regarding butterfly knives, to revise and clarify the scope of those prohibitions. The bill removes prohibitions on “manufactur[ing], sell[ing], transfer[ing], possess[ing], or transport[ing]” switchblade knives and butterfly knives, and creates a more targeted prohibition on the concealed carry of these weapons. This amendment seeks to protect the public while aligning Hawai‘i’s laws with the laws of certain other states—such as Oregon and North Carolina—that prohibit the concealed carrying of weapons such as switchblades. See, e.g., Or. Rev. Stat. § 166.240(1) (prohibiting “carr[ying] concealed upon the person any knife having a blade that projects or swings

into position by force of a spring or by centrifugal force"); N.C. Gen. Stat. § 14-269 (similar).

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We respectfully ask your committee to change the defective effective date to the original effective date of "upon its approval" and otherwise pass this bill in its current form.

Thank you for the opportunity to testify on this bill.

**DEPARTMENT OF THE PROSECUTING ATTORNEY  
KA 'OIHANA O KA LOIO HO'OPI'I  
CITY AND COUNTY OF HONOLULU**

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**THE HONORABLE KARL RHOADS, CHAIR  
THE HONORABLE MIKE GABBARD, VICE CHAIR  
SENATE COMMITTEE ON JUDICIARY  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawai`i**

April 2, 2024

**RE: H.B. 2342, H.D. 1 S.D. 1; RELATING TO WEAPONS.**

Chair Rhoads, Vice Chair Gabbard, and members of the Senate Committee on Judiciary, the Department of the Prosecuting Attorney of the City and County of Honolulu ("Department") **supports** HB 2342 HD1 SD1.

This bill prohibits carrying or using a firearm in the commission of a separate misdemeanor. An analogous statute already prohibits using a firearm in the commission of a separate felony.<sup>1</sup> The Department recognizes that the division between a felony and a misdemeanor often requires drawing fine distinctions between substantially similar conduct. But the introduction of a firearm represents an overwhelming aggravating factor for any crime. When a person uses a gun to commit a crime, the risks to life and property for felonies and misdemeanors are comparable.

This bill fills the current gap in the treatment of crimes committed with a firearm. For instance, attempting to kill a pet dog without the owner's consent or other justification is a felony,<sup>2</sup> while attacking an on-duty service animal is a misdemeanor.<sup>3</sup> Under the current law, the

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<sup>1</sup> HRS § 134-21.

<sup>2</sup> HRS § 711-1108.5(1)(b) ("A person commits the offense of cruelty to animals in the first degree if the person intentionally or knowingly [k]ills or attempts to kill any pet animal belonging to another person, without first obtaining legal authority or the consent of the pet animal's owner.").

<sup>3</sup> HRS § 711-1109.5(1) ("A person commits the offense of intentional interference with the use of a service animal or law enforcement animal if the person, with no legal justification, intentionally or knowingly strikes, beats, kicks, cuts, stabs, shoots, or administers any type of harmful substance or poison to a service animal or law enforcement

carrying or use of the firearm could be charged as a separate felony only in the first case. While there may be sound reasons to grade these offenses differently, the use of a firearm introduces equivalent hazards and consequences that the law should treat equally.

This bill does not criminalize the mere presence of a legal firearm during an unrelated misdemeanor. First, the “knowing” state of mind would apply to every element of the offense.<sup>4</sup> This requires awareness of the attendant circumstance that the person is carrying or immediately controlling a firearm while engaged in the separate misdemeanor.<sup>5</sup> It also requires awareness regarding the results of the conduct.<sup>6</sup> Thus, there must exist some nexus between the carrying of the firearm and the commission of the separate misdemeanor.

This interpretation is further supported by the distinction drawn by the United States Supreme Court between “carrying” a firearm during the commission of an offense and merely “transporting” one. The former implies “personal agency and some degree of possession.”<sup>7</sup> Finally, Hawai‘i enacted a separate statute for possession of a firearm with intent to facilitate the commission of a felony drug offense.<sup>8</sup> This law would have been superfluous if mere coincidental possession already sufficed to charge carrying or using a firearm in the commission of a separate felony.<sup>9</sup> Finally, courts must avoid absurd constructions of a statute.<sup>10</sup> For these reasons, this law would apply only to cases where the carrying or possession of the firearm reasonably related to the predicate crime.

Thank you for the opportunity to present testimony.

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animal while the service animal or law enforcement animal is in the discharge of its duties.”). If the service animal sustains substantial bodily injury or dies, the offense becomes a felony. *See* HRS § 711-1109.4(a).

<sup>4</sup> HRS § 702-207 (“When the definition of an offense specifies the state of mind sufficient for the commission of that offense, without distinguishing among the elements thereof, the specified state of mind shall apply to all elements of the offense, unless a contrary purpose plainly appears.”).

<sup>5</sup> HRS § 702-206(b) (“A person acts knowingly with respect to attendant circumstances when he is aware that such circumstances exist.”).

<sup>6</sup> HRS § 702-206(c) (“A person acts knowingly with respect to a result of his conduct when he is aware that it is practically certain that his conduct will cause such a result.”).

<sup>7</sup> *Muscarello v. United States*, 524 U.S. 125, 134 (1998). *See also State v. Jenkins*, 93 Hawai‘i 87, 112-13, 997 P.2d 13, 38-39 (2000) (similar construction by Hawai‘i Supreme Court).

<sup>8</sup> HRS § 134-22. This law was passed together with the statute prohibiting carrying or use of a firearm in the commission of a separate felony. *See* 2006 Haw. Sess. Laws Act 66, § 1 at 105.

<sup>9</sup> *State v. Taylor*, 49 Haw. 624, 635 n.11, 425 P.2d 1014, 1021 n.11 (1967) (court should avoid interpreting a statute to render it superfluous).

<sup>10</sup> HRS § 1-15(3) (“Every construction which leads to an absurdity shall be rejected.”).

**HB-2342-SD-1**

Submitted on: 3/27/2024 6:19:44 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Marcus Tanaka       | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I oppose this entire bill.

Just change from carry concealed to carry in any way for the butterfly and switchblades.

Delete the portion about misdemeanors as all this is doing is trapping those who have no criminal record.

**HB-2342-SD-1**

Submitted on: 3/27/2024 6:50:46 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Michael I Rice      | Individual          | Oppose                    | Written Testimony Only |

Comments:

I stand in opposition to this bill as it seems redundant. We already have adequate laws regarding firearms and their use in crime, they are either not being enforced or not being prosecuted. How many times do we see that numerous existing gun laws can be leveled against a suspect but usually only catch one charge?

I will use the example of a shooting at Makaha beach that resulted in the death of a 17 year old at the hands of a 16 year old. The 16 year old only received a charge of 'place to keep' in regards to firearms when there are at least 3 other firearms related crimes he could have been charged with and that doesn't include if he was using a stolen weapon, illegal magazines, or illegal firearms parts.

I have a concern that the law can be used to target otherwise law abiding gun owners, where someone with a carry permit can be turned into a felon because now violating one of the new 'Sensitive Places' laws and several other new firearms laws that are not considered petty misdemeanors now elevates such offenses to the level of felony.

I also don't get making it illegal to conceal carry different knives that are more or less made to be carried concealed. Most of these do not have a means to openly carry said knife other than just having it in the hands at all times.

**HB-2342-SD-1**

Submitted on: 3/28/2024 5:39:25 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Ryan Arakawa        | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I OPPOSE this bill. It doesn't make sense to charge a felony just because someone is carrying a firearm and commits a misdemeanor. This bill doesn't do anything to reduce crime.



**HB-2342-SD-1**

Submitted on: 3/28/2024 6:19:13 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Joel Berg           | Individual          | Oppose                    | Written Testimony Only |

Comments:

Having a concealed restriction on carrying one of these extremely useful tools displays a bizarre hysterical cowardice. These knives are legal in almost all states. There is no increased incidence in crimes committed with them. In fact they are cost prohibitive to criminals when you can buy a kitchen knife at Wal-Mart for only a few dollars. Should we legislate folding tree limb saws as well? They're another useful tool looks scary and has NO KNOWN ASSOCIATING with crime. The only thing this law would protect is the legislator's feelings for having spent so much tax payer money in court defending our existing, soon to be overturned, automatic knife law

**HB-2342-SD-1**

Submitted on: 3/28/2024 7:04:54 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Paul Kaneshiro      | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I oppose this bill as the Supreme Court has already ruled in favor of Constitutional Carry.

**HB-2342-SD-1**

Submitted on: 3/28/2024 9:18:40 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Brendan Ajolo       | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

Oppose this bill

**HB-2342-SD-1**

Submitted on: 3/29/2024 6:56:02 AM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Clifford Chee       | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

Please oppose this Bill.

**HB-2342-SD-1**

Submitted on: 3/29/2024 7:07:40 AM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Eric Clark          | Individual          | Oppose                    | Written Testimony Only |

Comments:

I am writing this as a private citizen. I am the CFO of Cycle City as well as past director of the State of Hawaii Aerospace Advisory Cimmittee and current Director of CrimeStoppers Honolulu.

This bill would arbitrarily increase any misdemeanor to a felony for those legally carrying with a CCW license. There is no basis for this. There are so many misdemeanors many of which can be accidental such as jay walking. This is another attempt by politicians such as Rhoads that clearly disagree with the right to legally carry to take away that right arbitrarily. This is also a slippery slope as any group or feature of a person could be used in the future to magically change a misdemeanor to a felony.

I strongly oppose this bill. If it is passed I will contribute to a legal challenge which I am certain will be successful.

**HB-2342-SD-1**

Submitted on: 3/29/2024 9:24:28 AM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Tai Horen           | Individual          | Oppose                    | Written Testimony Only |

Comments:

I oppose hb2342. As stated by the Office Of The Public Defender, this bill is unconstitutional and can and will make law abiding citizens especially citizen that have gone through the rigorous process of legally obtaining their ccw license into felons. Also in section 134-52 as referring to definition

(e) For the purposes of this section, "switchblade knife" means any knife having a blade that opens automatically by:

- (1) Hand pressure applied to a button or other device in the handle of the knife; or
- (2) Operation of inertia, gravity, or both."

Many general purpose Knives use gravity or inertia to open.

One example is the Milwaukee utility knife that is sold in many common hardware stores such as Home Depot. This will again create law abiding citizens whom have bought this knife legally now classified as a "switchblade" into criminals.

Please reconsider this bill thank you.

**HB-2342-SD-1**

Submitted on: 3/29/2024 9:58:19 AM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Steve Robertson     | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

Oppose. This attempts to defeat constitutional rights. Spend your efforts on something meaningful that will hold up in court.

**HB-2342-SD-1**

Submitted on: 3/29/2024 10:20:49 AM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Jacob Holcomb       | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

Oppose

The state is descending into crime and chaos. Playing political games with the People's right to defend themselves seems not only foolish but extremely shortsighted. Taxpayers are footing the bill for your security now, but it's not like that's going to last the rest of your life. Sooner or later you will return to your district as a civilian with exactly the same privileges as the rest of us.



**HB-2342-SD-1**

Submitted on: 3/29/2024 11:32:42 AM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Casey Nakama        | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I oppose !

**HB-2342-SD-1**

Submitted on: 3/29/2024 2:59:27 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Justin h            | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

Unconstitutional

**HB-2342-SD-1**

Submitted on: 3/30/2024 9:49:49 AM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Jennifer Cabjuan    | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

Oppose this bill! This bill is too broad and does not take into consideration different scenarios that would negatively affect Hawaii citizens. Power is still abused in Hawaii, the #1 corrupt state!

**HB-2342-SD-1**

Submitted on: 3/30/2024 10:09:27 AM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| kamakani de dely    | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I oppose this bill!

**HB-2342-SD-1**

Submitted on: 3/30/2024 10:11:49 AM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Mallory De Dely     | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I oppose this bill!

**HB-2342-SD-1**

Submitted on: 3/30/2024 10:13:54 AM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Susan Dedely        | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I oppose this bill!

**HB-2342-SD-1**

Submitted on: 3/30/2024 10:37:43 AM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Deven English       | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I strongly oppose this bill.

**HB-2342-SD-1**

Submitted on: 3/30/2024 12:48:10 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| April Handog        | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

As a minority woman, I feel unsafe with the rising crimes in Hawaii. This bill would rob me of my ability to defend myself from a march larger aggressor. For a party that claims to be for women's rights, the proponents of this bill seem to want me and other women helpless.



**HB-2342-SD-1**

Submitted on: 3/30/2024 1:56:52 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Andrew Crossland    | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I **oppose** this Bill and I urge all committee members to **vote NO**.

**HB-2342-SD-1**

Submitted on: 3/30/2024 2:21:40 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Anne Kamau          | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I oppose this bill. Mahalo.

**HB-2342-SD-1**

Submitted on: 3/30/2024 10:07:30 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| CHESTER LUM         | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

Thank you for allowing me to submit testimony opposing this bill.

1. should be withdrawn.

Once again, thank you for allowing me to submit testimony opposing this bill.

Chester Lum

**HB-2342-SD-1**

Submitted on: 3/30/2024 10:28:57 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Terry Murakami      | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I oppose this bill.

**HB-2342-SD-1**

Submitted on: 3/31/2024 8:41:22 AM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Aaron Kobiella      | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

"Shall Not be Infringed"

Our Bill of Rights, including 2A, is a limitation imposed on Govt. You have no legal authority to violate our rights, to do so is corruption of our legal system and the equivalence of legislative crimes.

**HB-2342-SD-1**

Submitted on: 3/31/2024 9:16:15 AM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Wayne Asam          | Individual          | Oppose                    | Written Testimony Only |

Comments:

I am writing to express my strong opposition to the provisions outlined in the proposed bill that is currently under consideration. While I understand the intention behind the proposed legislation, I believe that the measures it seeks to implement are deeply flawed and could have unintended consequences.

Firstly, the provision that prohibits carrying or using a firearm in the commission of a separate misdemeanor offense is concerning. While I support efforts to prevent unlawful firearm use, this blanket prohibition fails to consider legitimate reasons individuals may have for carrying firearms in certain misdemeanor situations. Such a broad restriction risks unfairly penalizing law-abiding citizens and may hinder their ability to protect themselves in unforeseen circumstances.

Furthermore, the proposed amendments and clarifications regarding deadly or dangerous weapons, switchblade knives, and butterfly knives are overly restrictive. While it is important to address public safety concerns, focusing solely on specific types of weapons neglects the underlying issues that contribute to violence in our communities. Instead of enacting arbitrary prohibitions, I urge you to consider more holistic approaches that address the root causes of violence and provide support to those in need.

Additionally, the clarification of hunter education certificates and other written exemptions regarding permit issuing raises concerns about equity and accessibility. Imposing strict criteria for obtaining permits may disproportionately impact marginalized communities who may face barriers to accessing the necessary resources or education. It is essential that any changes to permit issuance prioritize equity and ensure that all individuals have equal access to firearms for lawful purposes.

In conclusion, I respectfully urge you to reconsider the proposed provisions of the bill and explore alternative solutions that strike a balance between safeguarding individual rights and ensuring community safety. Thank you for considering my concerns.

Sincerely,

Wayne Asam

**HB-2342-SD-1**

Submitted on: 3/31/2024 9:43:25 AM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| David Lau           | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I do not support HB2342. It is unconstitutional and does not follow the law as it relates to the constitution. Strongly oppose!

**HB-2342-SD-1**

Submitted on: 3/31/2024 9:50:58 AM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Richard Domingo     | Individual          | Oppose                    | Written Testimony Only |

Comments:

In regards to HB2342, while I support the intent of the bill, I OPPOSE it due to the language and certain amendments made. The discrepancies are in SS132-51,section A, "Bbilly" is removed while at the same time, in section B, "Billy" remains. That alone gives me mixed signals.

In SS134-52, section E it defines a switchblade as anything that opens automatically. From my understanding, there are a lot of Utility knives that utilizes this specific feature.

with that alone I feel that this bill needs to go back to the drawing board. Again, I OPPOSE.  
Thank you



**HB-2342-SD-1**

Submitted on: 3/31/2024 10:30:38 AM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b>    | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|------------------------|---------------------|---------------------------|---------------------------|
| Christopher Tabangcura | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I oppose

**HB-2342-SD-1**

Submitted on: 3/31/2024 10:53:34 AM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Ray Engel           | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

This bill is unfair and is excessive punishment!! I oppose it!

**HB-2342-SD-1**

Submitted on: 3/31/2024 11:02:41 AM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Kenny Wusstig       | Individual          | Oppose                    | Written Testimony Only |

Comments:

This is one of the biggest farce in the history of travesty in politics. Why do you want criminalize a legal constitutional right ? What good would come of it ? Why nickpick legal constitutional laws over illegal crimes committed in the public ? This bill will only prove that tyranny exists if passed. Our Founding Father's would be deeply ashamed had they been here to witness a farce such as this being put forth as a "legal" law. This like many other past farce bills will only create a deep negative impact towards the safety and citizenry of the people.

**HB-2342-SD-1**

Submitted on: 3/31/2024 11:04:06 AM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| jayson guzman       | Individual          | Oppose                    | Written Testimony Only |

Comments:

Stop criminalizing legal gun owners and those who have legal CCW licenses. Criminals do not follow rules, they will not go and get CCW licenses, they will just break the law. Every law intended to stop criminals doesn't work, as criminals don't follow rules. Stop punishing lawful gun owners.

take a look at how well the aerial fireworks ban worked in Hawaii. All it did was create demand, drive up prices, and create a black market.

punish the true criminals and stop making criminals out of law abiding citizens.

**HB-2342-SD-1**

Submitted on: 3/31/2024 11:27:42 AM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| David Norris        | Individual          | Oppose                    | Written Testimony Only |

Comments:

You are continually making it harder and more expensive for us to protect our selves. Please consider the data that we are the good guys. People doing the already very expensive and time consuming process of classes and permitting are not causing gun crime.

it is making gun ownership hard for low income people and is an unfair discrimination and economic hardships to place on people. Especially when our tax dollars pay for guns to protect y'all.

**HB-2342-SD-1**

Submitted on: 3/31/2024 12:05:45 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Bronson Teixeira    | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I strongly oppose this bill, it would make any misdemeanors instantly a felony and doesn't allow for any judicial discretion.

**HB-2342-SD-1**

Submitted on: 3/31/2024 12:12:19 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Jarek               | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I oppose this bill not only because it infringes upon the Second Amendment, it aims the turn good people, law abiding citizens, into felons for the slightest of things. And on top of that, it aims to sentence supposed offenders with a Jury. Therefore it not only infringes the Second Amendment, it completely disregards the Fifth Amendment.

**HB-2342-SD-1**

Submitted on: 3/31/2024 2:02:32 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Debbie Wyand        | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

Aloha,

i am strongly opposed.

sincerely,

Debbie Wyand



**HB-2342-SD-1**

Submitted on: 3/31/2024 2:10:10 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Duke malczon        | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

Strongly oppose. Criminals don't care about any laws

**HB-2342-SD-1**

Submitted on: 3/31/2024 2:19:46 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Bryson              | Individual          | Oppose                    | Written Testimony Only |

Comments:

I oppose this bill, the punishment is harsh for law abiding citizens. It also goes against the ruling of the Supreme Court that all states can have concealed carry.

**HB-2342-SD-1**

Submitted on: 3/31/2024 5:40:31 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Timothy Miyao       | Individual          | Oppose                    | Written Testimony Only |

Comments:

Honorable House Committee on Judiciary,

Please oppose HB2342. This legislation makes a blanket-all decision that should instead be reserved for a court of law. HB2342 has the potential to infringe on an individual's Eighth Amendment rights.

The US Supreme Court deemed that, under the Eighth Amendment of the Constitution, a penalty must be proportional to the crime that is committed. If an individual commits a misdemeanor while in legal possession of a firearm, with no intent to utilize the firearm in conjunction with the crime committed, he/she would be guilty of a Class C felony under HB2342.

Whether a person intended to utilize a legally possessed firearm to facilitate a crime should be evaluated on a case-by-case basis. Determining mens rea is best reserved for a court of law.

Please oppose HB2342 as determining an individual's intent should be evaluated in court. In this way, the justice system can ensure that the penalty is proportionate to the crime, as guaranteed under the Eighth Amendment of the Constitution.

Thank you for all you do for the people of Hawaii!!

**HB-2342-SD-1**

Submitted on: 3/31/2024 6:01:49 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Lekeli Watanabe     | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I strongly oppose this bill.

To charge someone with a felony for a crime that is normally a misdemeanor is harsh and unjust

**HB-2342-SD-1**

Submitted on: 3/31/2024 6:32:37 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Gavin Heideman      | Individual          | Oppose                    | Written Testimony Only |

Comments:

This measure strips away judiciary examination, someone can be unfairly tried without any consideration. As well as punishing people who excersice their rights more so than the average person. You should not be judged harshly solely for the fact that you carry a firearm. Laws should be equal

**HB-2342-SD-1**

Submitted on: 3/31/2024 7:03:39 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Elmer Domingo       | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I strongly oppose this bill.

**HB-2342-SD-1**

Submitted on: 3/31/2024 7:09:10 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b>   | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|-----------------------|---------------------|---------------------------|---------------------------|
| Wendy D BowlesDomingo | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

i strongly oppose this bill.

**HB-2342-SD-1**

Submitted on: 3/31/2024 7:13:42 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Pacita Domingo      | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

i strongly oppose this bill.



**HB-2342-SD-1**

Submitted on: 3/31/2024 7:43:09 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Reid Oya            | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I oppose this bill.

This bill would turn a misdemeanor into a felony if you are concealed carrying a firearm and have a mandatory 5 year prison sentence.

**HB-2342-SD-1**

Submitted on: 3/31/2024 8:26:54 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Ruben Ongos         | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I STRONGLY OPPOSE this bill!!!

**HB-2342-SD-1**

Submitted on: 3/31/2024 8:49:58 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Robin Gusich-Batara | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I oppose bill HB 2342 as it infringes upon our 2nd amendment Constitutional right to bear arms.

Criminals will not follow such laws, while law abiding citizens will be left defenseless.

Please do not pass this bill.

**HB-2342-SD-1**

Submitted on: 3/31/2024 9:15:17 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Sunshine            | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I strongly oppose this bill!

**HB-2342-SD-1**

Submitted on: 3/31/2024 9:44:17 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Ronnie Gonzales     | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I oppose this bill.

**HB-2342-SD-1**

Submitted on: 3/31/2024 11:41:54 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Magoon Ohana        | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

Oppose, I concur with the Office of Public Defender's testimony. It infringes on the right to bear arms in and outside of the home in addition to the other items they listed. With the increasing crime in our islands, residents may need to defend themselves with these knives if that's all they have.

**HB-2342-SD-1**

Submitted on: 4/1/2024 12:19:48 AM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Barbara Shimei      | Individual          | Support                   | Written Testimony<br>Only |

Comments:

IN SUPPORT

**HB-2342-SD-1**

Submitted on: 4/1/2024 12:54:38 AM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Sherilyn Wells      | Individual          | Oppose                    | Written Testimony Only |

Comments:

A relative, now living in Hawai'i, was a very high-level law enforcement officer on an international border, working with CIA, FBI, etc., to stop drug and human trafficking. If anyone is qualified to comment on how to manage criminal behavior, he is at the top of that pyramid. Even so, his comments to me on this proposed law are unprintable, but they conveyed his contempt for those who seek to make a constitutional right a thing of the past or to complicate the issue by this method of gradually eliminating a constitutional right, accomplished by the "death of a thousand cuts."

The general trend is going vigorously in the opposite direction from the stance adopted by Hawai'i. Recently, a 29th state enacted Constitutional Carry, which means a majority of the states confirm that the only "permit" needed to carry a gun is our 2nd Amendment. When we add the states that only allow open (but not concealed) carry, that total soars to a huge majority of the states. Hawai'i, as usual, seems to have legislators in need of a class on our Constitution.

At minute 4 in this report, you'll hear that a Columbia University Center for Justice report that studied gun violence in Ohio for two years, showed that violence went DOWN in 6 of 8 major cities after Ohio's constitutional carry law was passed (the opposite of the rhetoric we usually hear). <https://rumble.com/v4hp51e-media-blackout-as-56-of-states-enact-constitutional-carry.html>

Here is the link to the Columbia University report, which is also attached: <https://ept.ms/4350SZc>

Hawai'i is veering away from the very right to bear arms that many feel was the single reason our citizens were more protected during the pandemic, as our government, in general, did not engage in outright physical assault. This is contrasted with horrific videos that captured the extremely aggressive behavior by police in countries like Australia, where we witnessed citizens being viciously thrown to the ground, etc., Had that population retained their right to protect themselves, had their founders had the wisdom to follow in the footsteps of our constitutional founders, who SO wisely foresaw the need to constitutionally affirm our right to bear arms, I'm sure the Australian experience - of a fascist lockdown and the beatings meted out to a terrorized public - would have been quite different.



**HB-2342-SD-1**

Submitted on: 4/1/2024 3:15:56 AM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Michael Trejo       | Individual          | Oppose                    | Written Testimony Only |

Comments:

Aloha I am writing this testimony in apposition of sb2342 this will make many law abiding gun owners felons just for something that was a misdemeanor. On top of that there is a mandatory 5 year sentence, no way this is illegal and un just. The criminals carry what ever weapon they want when they want they do not care. I personally saw and witnessed a homeless man pull out a knife on a security guard in town, he threatened to stab the guard just for telling him to leave the property. Do you think that man cared about the laws or where he could or could not carry a large blade. Another example my friends tell me and riders tell me from driving for Uber, that they see certain staff members in bars or night clubs in Honolulu with concealed guns on their bodies in a place that sells alcohol. In ending my point is this if sb2342 is passed a law abiding citizen with a concealed carry permit or just carrying a simple pocket knife will get punished with a felony charge and years in prison for something that used to be a misdemeanor. Come on you all are just looking for excuses to arrest and punish people for exercising their rights and also protecting themselves from the criminals who just do not care about your laws. Please sincerely do not pass sb2342 from this law abiding citizen Mahalo for your time.

**HB-2342-SD-1**

Submitted on: 4/1/2024 6:49:29 AM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| David Williams      | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

Strongly oppose, stop messing with our second amendment rights!

**HB-2342-SD-1**

Submitted on: 4/1/2024 7:39:38 AM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Alice Abellanida    | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I oppose this bill.

**HB-2342-SD-1**

Submitted on: 4/1/2024 8:33:17 AM

Testimony for JDC on 4/2/2024 10:05:00 AM

| Submitted By   | Organization | Testifier Position | Testify                |
|----------------|--------------|--------------------|------------------------|
| Cassidy KOHOUT | Individual   | Oppose             | Written Testimony Only |

Comments:

**Philosophically speaking**, humans have a right to self-defense, with whatever tool may be available. If somebody is on top of you beating you to death, and there is a rock on the ground next to you, you have every right to pick up that weapon and use it against your attacker.

Yet bills like this continue to attempt to dissuade somebody from maintaining access to useful weapons as a contingency in case they're needed. It's not as if we have a right to speak or assemble only during a demonstrably dire situation; why is the right to self-defense treated so differently?

Offensive use or threatening display of weapons is already highly illegal, and rightfully so. Possession and transport of weapons is already highly regulated. Is our justice system so distorted, that the only way to deter dangerous people, is to pass ever-increasingly draconian laws, to ensure that prosecutors maintain the power to coerce the accused into ever-harsher plea deals?

**Practically speaking**, this bill is confusing, and would add another layer onto what's already a messy legal ecosystem.

Under this bill, a person with a firearm who commits a misdemeanor, other than a petty misdemeanor, is now a felon. Even if the firearm was legally possessed, being transported in a legal manner, and was not used in or related to the misdemeanor.

I am a hunter and a target shooter, so I routinely transport legal firearms in legal ways for legal purposes. I can't help but feel this bill goes out of its way to hang a sword of Damocles over my head, and the head of every other gun owner, for having the gall to possess a firearm. (Which is a right legally enumerated in Section 17 of the Hawaii Bill of Rights, as well as elsewhere.)

This bill would also make it illegal to concealed carry a switchblade or butterfly knife, or to even carry such a knife in a "bag or other container".

There are many situations where it is legal to carry even a gun in a container. What logic is there in having more restrictive laws regarding knife transport than firearms transport?

Also, it's not as if there are clear definitions of switchblades or butterfly knives. Hardware stores sell utility knives that are rather switchblade-y. Gerber makes a folding machete that is rather butterfly-knifey. Even more ambiguous is the line between "dirk" and "dive knife" or between "blackjack" and "billy".

The law and justice system should focus on the illegal use of weapons, rather than spilling so much ink trying to define weapons, and rather than trying to perniciously discourage people from practicing their right to self-defense.

The bill would make it a misdemeanor to concealed carry a dirk, dagger, blackjack, or metal knuckles, *but not a billy*. Anybody who uses, possesses, or threatens to use any weapon, *including a billy*, but excluding a firearm, while committing a separate felony or misdemeanor, including a petty misdemeanor, is committing a felony.

So if you're committing a petty misdemeanor with a firearm in your pocket, it's not a felony, but with brass knuckles in your pocket, it is a felony? Is the intention here to advise people that, if you're committing a misdemeanor while you have a weapon in your pocket, you ought as well use it, as it's likely a felony charge either way? And why is there this bizarre fascination with billy clubs?

So much of the language here is nonsensically byzantine. Let people be prosecuted for the crimes they actually commit. Please craft and pass better, sensible legislation.

-Cassidy Kohout, Kihei

**HB-2342-SD-1**

Submitted on: 4/1/2024 8:42:21 AM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b>  | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|----------------------|---------------------|---------------------------|---------------------------|
| Leolani Mahuka iwaki | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I oppose this bill!

**HB-2342-SD-1**

Submitted on: 4/1/2024 10:03:21 AM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Mary Healy          | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I oppose this bill

**HB-2342-SD-1**

Submitted on: 4/1/2024 11:10:41 AM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Todd Yukutake       | Individual          | Oppose                    | Written Testimony Only |

Comments:

I OPPOSE the upgrade of penalties for carrying a gun while committing a misdemeanor offense as it can penalize people for carrying a legal licensed gun when the crime committed is unrelated. For example, playing illegal fireworks on New Years is a misdemeanor for thousands of people. However if they carry a licensed handgun while playing fireworks, that one person gets a felony. This law unfairly targets concealed carry weapons license holders. This doesn't affect criminals since they would receive a felony for hrs 134-25 Place to Keep and 134-7 Prohibited Persons.

The AG previously stated there must be a nexus between the misdemeanor crime and carry of the firearm, however it's not stated anywhere in the law.

This could be resolved with a clarifying amendment requiring the use of the firearm in the misdemeanor crime for this law to take effect.

I SUPPORT the change to allow the carry of batons and knives and other self defense weapons. However I OPPOSE that they must be carried openly and not concealed.

Mahalo

Todd Yukutake

toddykutake@gmail.com



**HB-2342-SD-1**

Submitted on: 4/1/2024 4:53:05 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Terri Yoshinaga     | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I oppose this bill.

**HB-2342-SD-1**

Submitted on: 4/1/2024 8:12:21 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| james pirtle        | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I do not consent

**HB-2342-SD-1**

Submitted on: 4/1/2024 10:54:43 PM

Testimony for JDC on 4/2/2024 10:05:00 AM

| <b>Submitted By</b>       | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------------|---------------------|---------------------------|---------------------------|
| Charles-Michael victorino | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I oppose this bill because simply having a gun if legal should not constitute a felony just for incurring a misdemeanor. It doesn't demonstrate intent to commit a felony just that you where on the wrong sidewalk without proper demarcation lines of property. Also a mandatory sentence takes the choice out of the judges hands and imposes unfair penalties.