

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

---

**ON THE FOLLOWING MEASURE:**

H.B. NO. 981, H.D. 1, RELATING TO CRIMINAL HISTORY BACKGROUND CHECKS.

**BEFORE THE:**

SENATE COMMITTEE ON PUBLIC SAFETY AND INTERGOVERNMENTAL AND  
MILITARY AFFAIRS

**DATE:** Monday, March 20, 2023

**TIME:** 3:01 p.m.

**LOCATION:** State Capitol, Room 225

**TESTIFIER(S):** Anne E. Lopez, Attorney General, or  
Amy Murakami, Deputy Attorney General

---

Chair Wakai and Members of the Committee:

The Department strongly supports this bill.

This bill amends sections 134-83 and 846-2.7(43), Hawaii Revised Statutes (HRS), to permit the county police departments to conduct fingerprint-based criminal background checks through the National Crime Information Center (NCIC) on applicants for licenses to sell electric guns. The counties can currently verify an applicant's Hawaii criminal conviction record through the Hawaii Criminal Justice Data Center. Without the ability to conduct NCIC background checks, however, counties cannot readily conduct a search for convictions in other states. This bill will provide the counties with reliable confirmation that the sellers of electric guns do not have disqualifying criminal convictions in other states.

The Department appreciates the opportunity to submit testimony in support of this bill.

**HB-981-HD-1**

Submitted on: 3/18/2023 11:11:47 PM

Testimony for PSM on 3/20/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Michael I Rice	Individual	Oppose	Remotely Via Zoom

Comments:

I stand in opposition to this bill. At a time when violent attacks are increasing and there is a concern about people carrying firearms for self defense the state would be trying to encourage people to purchase less-than-lethal self defense options rather than discouraging them and adding an unneeded nuisance to dealers.

The FBI has already told HPD in no uncertain terms that they cannot use their NICS system to conduct background checks on non-firearms purchases when they tried to do background checks on dealers when tasers were first legalized. To comply with this the Police Departments will have to do a national background check on their own, meaning they will have to dedicate an officer to doing so when we are already short by about 400 officers. I have heard that one officer has even threatened to quit over a heavily increased workload when he was assigned to process Conceal Carry Permits.

This bill is unnecessary, as the vast majority of authorized taser dealers are already Federal Firearms Licensees, a license which you cannot hold if you are a prohibited person. And those who are not FFL holders would already be prohibited by current State law to acquire their stock if they are prohibited persons.

**HB-981-HD-1**

Submitted on: 3/17/2023 3:58:56 PM

Testimony for PSM on 3/20/2023 3:01:00 PM

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

Comments:

I oppose this Bill.

**HB-981-HD-1**

Submitted on: 3/17/2023 3:59:16 PM

Testimony for PSM on 3/20/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

Back Ground Checks are ilegal under the Consitution of America and any type of licens!!!

**HB-981-HD-1**

Submitted on: 3/17/2023 5:33:44 PM

Testimony for PSM on 3/20/2023 3:01:00 PM

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

Comments:

I oppose this bill.

**HB-981-HD-1**

Submitted on: 3/17/2023 6:13:14 PM

Testimony for PSM on 3/20/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

Please support this common sense bill. Mahalo.

**HB-981-HD-1**

Submitted on: 3/18/2023 8:24:03 AM

Testimony for PSM on 3/20/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Samuel Webb	Individual	Oppose	Written Testimony Only

Comments:

This is a waste of HPD resources, buying in a another state and bring back to Hawaii is still legal.

**HB-981-HD-1**

Submitted on: 3/18/2023 9:12:29 AM

Testimony for PSM on 3/20/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Beth Anderson	Individual	Support	Written Testimony Only

Comments:

I support HB981 because it requires background checks and fingerprint-based criminal history checks by the county police departments in order to sell, offer to sell, distribute or otherwise transfer electric guns or cartridges on an annual basis.

Any regulation or law directed toward making it more difficult to sell and distribute guns, makes our community safer. Statistics have proven this over and over. Hawaii has the lowest rate of gun violence in the nation because of our strict gun control laws. Let's keep it that way. Mahalo.



**HB-981-HD-1**

Submitted on: 3/18/2023 6:26:59 PM

Testimony for PSM on 3/20/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Will Caron	Individual	Support	Written Testimony Only

Comments:

Please support HB981 HD1.

**HB-981-HD-1**

Submitted on: 3/18/2023 10:23:56 PM

Testimony for PSM on 3/20/2023 3:01:00 PM

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

Comments:

I do not support legislation that increases fees on business entities and citizens seeking to exercise their right to self-defense.

Mahalo.

**HB-981-HD-1**

Submitted on: 3/19/2023 1:55:02 AM

Testimony for PSM on 3/20/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
tony lee	Individual	Oppose	Written Testimony Only

Comments:

oppuse this bill

**HB-981-HD-1**

Submitted on: 3/19/2023 12:46:22 PM

Testimony for PSM on 3/20/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Marcus Tanaka	Individual	Oppose	Remotely Via Zoom

Comments:

Does HPD have the man power to do this? Also we knowvia UIPA that when HPD tried to to background checks for the sellers , the FBI told them no becuae their system is for guns only.

The AG reported on this.

**HB-981-HD-1**

Submitted on: 3/19/2023 1:33:33 PM

Testimony for PSM on 3/20/2023 3:01:00 PM

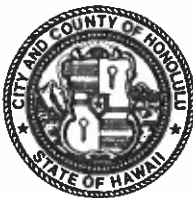
<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Cheryl Tanaka	Individual	Oppose	Written Testimony Only

Comments:

Not necessary and more hassle for people

POLICE DEPARTMENT  
**CITY AND COUNTY OF HONOLULU**

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



RICK BLANGIARDI  
MAYOR

ARTHUR J. LOGAN  
CHIEF

KEITH K. HORIKAWA  
RADE K. VANIC  
DEPUTY CHIEFS

OUR REFERENCE **EY-DNK**

March 20, 2023

The Honorable Glenn Wakai, Chair  
and Members  
Committee on Public Safety and  
Intergovernmental and Military Affairs  
State Senate  
415 South Beretania Street, Room 225  
Honolulu, Hawaii 96813

Dear Chair Wakai and Members:

**SUBJECT: House Bill No. 981, H.D. 1, Relating to Criminal History Background Checks**

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


The HPD supports House Bill No. 981, H.D. 1, Relating to Criminal History Background Checks.

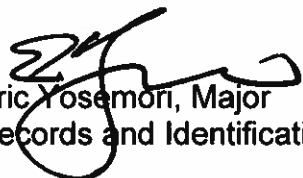
The HPD is currently working with the Department of the Attorney General, State of Hawaii, to ensure the safety of the community by having a proper licensing program for businesses that wish to sell, offer to sell, distribute, or otherwise transfer electric guns or cartridges. With the changes that this bill proposes, it will enable the HPD to conduct a background check for persons seeking to sell, offer to sell, distribute, or otherwise transfer electric guns or cartridges.

The HPD supports House Bill No. 981, H.D. 1, Relating to Criminal History Background Checks, and thanks you for the opportunity to testify.

APPROVED:

Sincerely,

  
#222 Arthur J. Logan  
Chief of Police

  
Eric Yosemite, Major  
Records and Identification Division



Senate Committee on Public Safety and Military Affairs  
HEARING: March 20, 2023 at 3:01pm  
RE: HB981 Relating to Criminal History Background Checks

Hawaii Firearms Coalition **OPPOSES HB981** as it is not necessary for sellers to have background checks to sell electric guns.

In the vast majority of states, electric guns are sold without any requirements and restrictions on sellers or buyers indicating that there are no concerns about their sale. Electric guns can be purchased through mail order and Amazon.com in those states and mailed to a person's home.

Hawaii already implements additional tracking and business permitting requirements by sellers. Requiring background checks is not necessary with these current requirements while having the negative effects of increasing the already high cost of doing business in Hawaii.

Mahalo

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

**HB-981-HD-1**

Submitted on: 3/19/2023 8:29:19 PM

Testimony for PSM on 3/20/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ryan Willis	Individual	Oppose	Written Testimony Only

Comments:

Oppose HB981



**HB-981-HD-1**

Submitted on: 3/19/2023 8:38:12 PM

Testimony for PSM on 3/20/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kanoë Willis	Individual	Oppose	Written Testimony Only

Comments:

Oppose HB981

**HB-981-HD-1**

Submitted on: 3/19/2023 10:59:50 PM

Testimony for PSM on 3/20/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Rodney Rego	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB 981 on the grounds that it is simply unconstitutional as further infringement on our right for a non lethal means of protection. Further more it will clog up HPD resources to perform a meaningless procedure.

**HB-981-HD-1**

Submitted on: 3/19/2023 11:59:33 PM

Testimony for PSM on 3/20/2023 3:01:00 PM

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

Comments:

Honorable Public Safety and Intergovernmental and Military Affairs Committee,

I urge you to please oppose HB981: Relating to Criminal History Background Checks. Would county police departments be responsible for conducting and processing the background checks mentioned in this legislation? Counties seem to have difficulty keeping up with processing firearm registration. Will HB981 increase the manpower of county entities that would need to conduct these background checks? Where would the funding for additional staffing come from?

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

**HB-981-HD-1**

Submitted on: 3/20/2023 1:15:28 AM

Testimony for PSM on 3/20/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dr Marion Ceruti	Individual	Oppose	Written Testimony Only

Comments:

Vote NO on HB981. This bill provides too much government intrusion into business, especially a business involved in helping individuals protect themselves. It is a prime example of over-regulation. It will tie up police resources that could be used to fight crime. Kill this bill now.

**HB-981-HD-1**

Submitted on: 3/20/2023 7:49:48 AM

Testimony for PSM on 3/20/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dirck Sielken	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill as it is an overreach for control and made to prevent people from defending themselves and the ones they love. Electric guns should not require any background check, these are not dangerous weapons. .

**HB-981-HD-1**

Submitted on: 3/20/2023 9:58:12 AM

Testimony for PSM on 3/20/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sean Tiwanak	Individual	Support	Written Testimony Only

Comments:

I support HB 981: RELATING TO CRIMINAL HISTORY BACKGROUND CHECKS. Authorizes a fingerprint-based criminal history record check by the county police departments of applicants for licenses to sell, offer to sell, distribute, or otherwise transfer electric guns or cartridges.

We cannot have criminals or those with ill intent supplying firearms and ammunition to our community. This would pose a public health risk to our community and give way to potential misuse, fraudulently supplying criminals with firearms and falsifying records.

Not everyone who has a criminal conviction has malicious intent, but we need to keep those with criminal intentions and low ethical standards out of the realm of firearm supply.

To keep Hawaii safe, we need to keep firearms out of the hands of criminals and those who could potentially act recklessly, due to criminal history, mental and emotional status or those who pose a risk to harm themselves or others.

Let's keep Hawaii Safe so we don't need to carry firearms to feel safe. We should all be able to walk around in surfer shorts and slippers and feel Pono about living in Paradise. Let ALOHA Reign.

Thank you

Sean Tiwanak