

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

ON THE FOLLOWING MEASURE:

S.B. NO. 3040, RELATING TO FIREARMS REPORTING.

BEFORE THE:

SENATE COMMITTEE ON PUBLIC SAFETY AND INTERGOVERNMENTAL AND
MILITARY AFFAIRS

DATE: Wednesday, February 14, 2024 **TIME:** 3:00 p.m.

LOCATION: State Capitol, Room 225

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Julie Ebato, Administrator, Crime Prevention and Justice
Assistance Division

Chair Wakai and Members of the Committee:

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

This bill amends section 134-9.6, Hawaii Revised Statutes (HRS), relating to annual reporting requirements on licenses to carry firearms concealed. The bill, among other things, deletes the reporting of demographic information of conceal carry license applicants including age, gender, and race; the reasons for revocation and denial; the analysis of denials based upon an applicants' failure to meet standards; recommendations to remedy any disparities in denial rates by age, gender, or race; and the number of violations of section 134-9.1, HRS.

To comply with the current statute, a statewide database would be needed to manage and maintain records related to the conceal carry application, review, and revocation process. The data needed for the annual report under the current statute must be collected at different points in the process—for example, when the application is submitted; when the application is subsequently granted, denied, or vacated; and, if applicable, when it is revoked during the four-year license duration. Because there are no resources to create a statewide database, the current statute creates an overly burdensome data-collection requirement for the county police, and an unattainable sixty-day deadline for the Department to vet the data submitted by the county police for

completeness and accuracy and to publish a report. Without a statewide database, the county police would need to manually enter the data collected twice, initially for their respective county police department purposes and a second time for submittal to the Department.

In addition to the problems associated with collecting the data, the Department does not have the resources to review case-specific narrative information to provide the analysis required under section 134-9.6 (a)(3), HRS. Under the current statute, the Department will be unable to provide an annual report with data that is vetted and complete.

The amendments in the bill will give county police departments more time to provide reportable data without time-consuming analysis of case-level records and will give the Department sufficient time to complete the annual report with its existing resources. An additional advantage to the amendments in the bill is that deleting some of the demographic information from the data to be reported will allow the report to provide data without attaching any unintended stigma to a particular age, gender, or racial group.

The bill also extends the date that the county police departments provide the data to the Attorney General from February 1 to March 31 of each year for the prior calendar year, allowing the county police departments additional time to provide the data to the Department.

Further, the bill deletes the reporting regarding the number of violations of section 134-9.1, HRS, Carrying or Possessing a Firearm in Certain Locations and Premises Prohibited. The report of these violations may require analysis of case-level records because violations of this section may be embedded in the narrative section of the police report. The analysis of case-level records will be overly time-consuming and place additional time and resource constraints on county police departments to complete the report.

We respectfully ask your Committee to pass this bill. Thank you for the opportunity to provide testimony.

POLICE DEPARTMENT
KA 'OIHANA MĀKA'I O HONOLULU
CITY AND COUNTY OF HONOLULU
801 SOUTH BERETANIA STREET • HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 • WEBSITE: www.honoluluupd.org

RICK BLANGIARDI
MAYOR
MEIA



ARTHUR J. LOGAN
CHIEF
KAHU MĀKA'I

KEITH K. HORIKAWA
RADE K. VANIC
DEPUTY CHIEFS
HOPE LUNA NUI MĀKA'I

OUR REFERENCE **CL-DNK**

February 14, 2024

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, Hawai'i 96813

Dear Chair Wakai and Members:

SUBJECT: Senate Bill No. 3040, Relating to Firearms Reporting

I am Carlene Lau, Acting Major of the Records and Identification Division of the Honolulu Police Department (HPD), City and County of Honolulu.

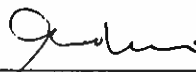
The HPD supports Senate Bill No. 3040, Relating to Firearms Reporting.

The HPD supports the language changes to the annual mandatory report submitted to the Department of the Attorney General, State of Hawai'i. The changes provide a clear method for license to carry data collection across all counties in the state.

The HPD urges you to support Senate Bill No. 3040, Relating to Firearms Reporting. Thank you for the opportunity to testify.

APPROVED:

Sincerely,

fw


Arthur J. Logan
Chief of Police



Carlene Lau, Acting Major
Records and Identification Division

SB-3040

Submitted on: 2/12/2024 5:45:42 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Craig Kashiwai	Testifying for Red Letter Industries	Oppose	Written Testimony Only

Comments:

I oppose this bill as it infringes on my Constitutional rights.

SB-3040

Submitted on: 2/13/2024 2:08:56 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Andrew Namiki Roberts	Testifying for Hawaii Firearms Coalition	Oppose	Remotely Via Zoom

Comments:

I am writing today on behalf of myself, Hawaii Firearms Coalition and its members In opposition to SB 3040.

The changes requested In this bill should not be made. The justification of removing demographic data from the report to protect these individuals is the exact opposite of what will occur

It is extremely important that how the police departments apply open ended policies and lawA. Especially when it comes down to minority demographics, and others that are at risk of abuse. The data is collected at time of application , and is freely available to create these reports, and as such should be included in them. Any attempts to remove that data can only lead the public to believe that something needs to be hidden.

SB-3040

Submitted on: 2/10/2024 4:48:52 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Woody Child	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose SB3040.

SB-3040

Submitted on: 2/11/2024 11:22:47 AM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chase Cavitt	Individual	Oppose	Written Testimony Only

Comments:

I am writing in to oppose the bill SB3040 regarding annual reporting regarding firearms and consealed carry permits. The process to obtain the right to have a ccw license is already absurdly designed to place roadblocks via time upon the applicant and financial burden upon citizens in order to dissuade them from attempting to apply. It takes the police chief far too long to confirm or deny individuals already and adding more work to an overburdened system is a horrible idea. I oppose this bill and think our tax dollars and time can be better spent. Thank you for your consideration.

SB-3040

Submitted on: 2/11/2024 11:18:59 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Andrew Crossland	Individual	Oppose	Written Testimony Only

Comments:

I **oppose** this Bill.

SB-3040

Submitted on: 2/12/2024 11:07:51 AM

Testimony for PSM on 2/14/2024 3:00:00 PM

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

Comments:

I oppose SB3040. The AG does not need to have an annual report on CCW licenses.

SB-3040

Submitted on: 2/12/2024 11:23:13 AM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David Ruiz	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill, stop infringing on our Second and rights.

SB-3040

Submitted on: 2/12/2024 11:35:13 AM

Testimony for PSM on 2/14/2024 3:00:00 PM

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

Comments:

I Strongly Oppose

SB-3040

Submitted on: 2/12/2024 11:38:12 AM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kanoë Willis	Individual	Oppose	Written Testimony Only

Comments:

I Strongly Oppose

SB-3040

Submitted on: 2/12/2024 11:43:40 AM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
George Pace	Individual	Oppose	Written Testimony Only

Comments:

NOOOO!!!

It's absolutely no business of any government agency or agent how a sovereign citizen exercises their rights. NONE! GO AWAY!

I know most of you are dictators at heart and want to control every single thing every single person does... you know, like keep six feet away from one another even though there's zero scientific evidence that could possibly make any difference. Just like "masks".

BUTT OUT!

SB-3040

Submitted on: 2/12/2024 11:52:42 AM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
john bettinger	Individual	Oppose	Written Testimony Only

Comments:

Please defeat SB 3040 and all other bills that would weaken our Constitutional rights to keep and bear arms . Here in Hawaii we don't have a problem with firearms villance and our ability to put food on the table is important to many familys that are lower income or have a tradition of hunting . Modern sporting rifles make up a large percentage of all rifles in the State of Hawaii . The media refers to them as assult weapons to make people affraid of and demonize them . Hawaii already has some of the most restrictive firearms laws in the USA ,and we don't have a problem with any out of control firearm situations . Hawaii honors her Veterans who fought to Defend the US constitution .Don't take our sacrifices for granted .25 th. ID.Combat ,Infantry and Doorgunner ,20 months In Viet Nam.100% Disabled /27 operations and more to come . God Bless Hawaii and the USA !

SB-3040

Submitted on: 2/12/2024 12:15:36 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gordon Fowler	Individual	Oppose	Written Testimony Only

Comments:

I oppose on principle this and any further "Gun Control " Laws and regulations

There are plenty enough already and nothing further is needed excep perhaps some enforcement of these existing.

SB-3040

Submitted on: 2/12/2024 12:36:16 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alex Akui	Individual	Oppose	Written Testimony Only

Comments:

Opposed

SB-3040

Submitted on: 2/12/2024 12:52:34 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

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

Comments:

oppose. there is no need for any reporting on CCW permits issued

sincerely

Gavin Lohmeier

SB-3040

Submitted on: 2/12/2024 1:29:05 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Fred Delosantos	Individual	Oppose	Written Testimony Only

Comments:

Please oppose this bill because it deletes the requirement to provide a breakdown by age, gender, race, and county. Also deletes the requirement to provide recommendations to remedy disparities in the denial rates by age, gender or race.

This would allow the State to move towards less accountability, and less transparency, and that's a step in the WRONG direction.

SB-3040

Submitted on: 2/12/2024 2:41:03 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elmer Domingo	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. Survey will not include non registered firearms by criminals.

SB-3040

Submitted on: 2/12/2024 2:41:06 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lyndel C Cabatu	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose bill sb3040

SB-3040

Submitted on: 2/12/2024 3:07:26 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mark Dela Cruz	Individual	Oppose	Written Testimony Only

Comments:

Waste of time for an already bogged down system where it takes police chiefs months to approve or deny individual applications

SB-3040

Submitted on: 2/12/2024 3:28:14 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

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

Comments:

I oppose this bill

SB-3040

Submitted on: 2/12/2024 3:34:51 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bronson Teixeira	Individual	Oppose	Written Testimony Only

Comments:

I believe this bill to be unconstitutional and would like to oppose it. Thank you

SB-3040

Submitted on: 2/12/2024 4:52:56 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Byon Nakasone	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE!!!!!!!!!!!!!!

SB-3040

Submitted on: 2/12/2024 5:20:10 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

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

Comments:

Aloha. Please stop criminalizing LEGAL gun ownership. Your laws DO NOT stop criminal activity. They only create victims of the citizens who are unable to protect themselves or their ohana.

SB-3040

Submitted on: 2/12/2024 5:56:40 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

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

Comments:

The report should be complete and transparent with full details. This is what we expect from our Government. If we are required to submit and disclose information including medical why can't we get a full report and accountability.

SB-3040

Submitted on: 2/12/2024 6:04:31 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sean Rabang	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

SB-3040

Submitted on: 2/12/2024 7:15:35 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

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

Comments:

Waste of tax dollars and other areas more important to focus on

SB-3040

Submitted on: 2/12/2024 7:46:24 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
kamakani de dely	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill!

SB-3040

Submitted on: 2/12/2024 7:49:23 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mallory De Dely	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill!

SB-3040

Submitted on: 2/12/2024 7:54:56 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan Dedely	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill!

SB-3040

Submitted on: 2/12/2024 8:01:15 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

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

Comments:

I strongly oppose

SB-3040

Submitted on: 2/12/2024 8:30:01 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

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

Comments:

Please OPPOSE SB 3040.

This bill is vague and does not indicate to the public the text, scope or purpose of the amendments. This legislation as written does not meet minimum standards for consideration.

Please OPPOSE SB 3040.

SB-3040

Submitted on: 2/12/2024 9:03:49 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

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

Comments:

sb3040

This measure is unnecessary and creates more layers of laws for the sake of creating laws.

Do we really need to know how many carry licenses have been approved? Do the criminal apply for a carry license?

SB-3040

Submitted on: 2/12/2024 9:15:41 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
chris p pang	Individual	Oppose	Written Testimony Only

Comments:

To whom it may concern,

I oppose bill SB3040 because any amends should be quadrennial not annual. To make it annual would just be making it harder for the gun owner and make them go through hoops and obstacles just so they can protect themselves from criminals is ridicules and shows that the lawmakers favor the criminals rather than the good citizens who want to carry a firearm and protect themselves and their family.

Thank you,

Chris Pang

SB-3040

Submitted on: 2/12/2024 9:38:44 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
MYRNA WONG COBB	Individual	Oppose	Written Testimony Only

Comments:

sb3040

This measure is unnecessary and creates more layers of laws for the sake of creating laws.

Do we really need to know how many carry licenses have been approved? Do the criminal apply for a carry license?

SB-3040

Submitted on: 2/12/2024 9:47:08 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

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

Comments:

Please oppose SB3040. I as an American citizen oppose all and any legislation trying to infringe on our second amendment rights.

SB-3040

Submitted on: 2/12/2024 10:03:56 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lionel Delos Santos	Individual	Oppose	Written Testimony Only

Comments:

Aloha legislater, i strongly oppose this bill because of the cost and time to do it , make like driver licence 5years renew putting strain on hpd office and resouces.

thank you

SB-3040

Submitted on: 2/12/2024 10:39:10 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brian Ho	Individual	Oppose	Written Testimony Only

Comments:

I do not support any legislation that subverts transparency of metrics on permits issued or denied.

SB-3040

Submitted on: 2/13/2024 4:36:41 AM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alice Abellanida	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. Our Constitutional rights are being attacked.

SB-3040

Submitted on: 2/13/2024 6:47:58 AM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
chad maeda	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to sb3040

SB-3040

Submitted on: 2/13/2024 8:09:31 AM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gerald Santiago	Individual	Oppose	Written Testimony Only

Comments:

I highly oppose this bill. This is an infringement on law abiding citizens rights.

SB-3040

Submitted on: 2/13/2024 9:19:24 AM

Testimony for PSM on 2/14/2024 3:00:00 PM

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

Comments:

I oppose the measure. The measure will create a back log for police departments and hinder the process of obtaining a carry permit.

SB-3040

Submitted on: 2/13/2024 10:53:58 AM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
austin gapsis	Individual	Oppose	Written Testimony Only

Comments:

We have enough gun laws on the books already this is redundant and unnecessary. The problems we are having with firearms are more likely to be resolved by pursuing crimes that are already on the books. Instead people living a dangerous life instead of receiving appropriate punishment are let out with a slap on the wrist which encourages escalation. What Hawai'i needs is a Giuliani not more laws. Gun or otherwise. In fact we need less laws more enforcement.

SB-3040

Submitted on: 2/13/2024 10:54:33 AM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Micah Wong	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

SB-3040

Submitted on: 2/13/2024 11:20:37 AM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Malcolm Yee	Individual	Oppose	Written Testimony Only

Comments:

I oppose the passing of this bill. This is an infringement of our 2A Rights. What benefit towards public safety would this accomplish besides effecting law abiding citizens? We all know that criminals do not care or follow any laws.

SB-3040

Submitted on: 2/13/2024 11:24:41 AM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Karl Kubo	Individual	Oppose	Written Testimony Only

Comments:

I oppose.

SB-3040

Submitted on: 2/13/2024 11:41:17 AM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sviatlana Burko	Individual	Oppose	Written Testimony Only

Comments:

I oppose that ban/bill because such measures are unnecessary

SB-3040

Submitted on: 2/13/2024 11:55:13 AM

Testimony for PSM on 2/14/2024 3:00:00 PM

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

Comments:

This testimony is official notice of opposition. This bill directly strips law abiding citizens of the Constitutional Second Amendment Rights. This would effectively turn many law abiding citizens of Hawaii into criminals overnight. The right to KEEP AND BEAR arms to defend oneself is currently under attack from our elected officials, and shall not be INFRINGED!

SB-3040

Submitted on: 2/13/2024 12:14:50 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Atom Kasprzycki	Individual	Oppose	Written Testimony Only

Comments:

Attention all legislative members,

You must oppose SB3349, SB3040, and SB3042 as these bills add unnecessary actions and expenses to existing agencies while also approaching and crossing over into violations of privacy of American citizens.

I would like to also point out that this is not the first time, or first SB bill, that I have written you about advising of the Constitutional violations and illegalities being proposed. I wrote you all, the Governor, Lieutenant Governor, and Attorney General back at the end of 2022, and a few times in early 2023, about the Constitutional violations contained within SB1230. I also advised you that if you did not opposed the bill, and instead voted it into law, there would be lawsuits which would cost the state and Hawaii tax payers money to fight. You all still ultimately voted and approved SB1230. I, along with another Hawaii couple, then proceeded to file suite against the State of Hawaii for constitutional violations contained within SB1230. A federal judge here in Hawaii agreed with me and issued a preliminary injunction on major portions of SB1230.

I am a law abiding American citizen, born and raised here in Hawaii. I do not like to continuously, each year, have to write testimony and fight legal battles to preserve my constitutional rights here in Hawaii. Please stop attacking the Second Amendment and vote to oppose SB3196, SB2845, SB3349, SB3040, and SB3042.

Atom Kasprzycki

38 Puamana Place

Lahaina, HI 96761

808-276-2925

atomkasprzycki@icloud.com

SB-3040

Submitted on: 2/13/2024 12:44:24 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tristan Kasprzycki	Individual	Oppose	Written Testimony Only

Comments:

I'm writing to let you know I oppose any new bills regulating or banning firearms and oppose bills designed to make it harder for law abiding citizens to purchase ammunition or firearms and exercise their rights.

SB-3040

Submitted on: 2/13/2024 1:08:58 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tina Lia	Individual	Oppose	Written Testimony Only

Comments:

This bill violates my constitutionally protected rights.

SB-3040

Submitted on: 2/13/2024 1:23:47 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ronald Ramos	Individual	Oppose	Written Testimony Only

Comments:

2nd amendment. Leave the good citizens alone.

SB-3040

Submitted on: 2/13/2024 1:32:15 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jim Elder	Individual	Oppose	Written Testimony Only

Comments:

Self defense is a primary human right. Each has the right to keep and protect their own life and the lives of their loved ones. This is perhaps the most ancient of all human rights, preceding language and civilization. Our civilization, regardless of our modern advances, hasn't fundamentally changed human nature and our need to protect ourselves from those criminal and violent elements in our society.

Our State Constitution and National Constitution does not allow the government to prohibit law-abiding, responsible citizens from protecting themselves, their families, and their homes with semiautomatic firearms or ammunition magazines that are in common use for lawful purposes. The right to bear arms is a fundamental human right that ensures individuals can defend themselves and their families. Gun ownership is a cornerstone of personal liberty and must be protected.

As was most recently affirmed in :

DISTRICT OF COLUMBIA V. HELLER, 554 U.S. 570

NEW YORK STATE RIFLE & PISTOL ASSOCIATION, INC., ET AL. v. BRUEN, SUPERINTENDENT OF NEW YORK STATE POLICE, ET AL.

This legislature suggests that there is neither a need, or justifiable purpose, for ordinary law-abiding citizens to own semi-automatic rifles or ammunition magazines. This is fundamentally ridiculous. Our newspapers are filled with headlines of violent crimes, murders, and attacks. Waiting for Police to respond hasn't prevented victims from dying, yet armed citizens, do indeed, defend their own lives everyday in Hawai'i and across the Country.

Our State Constitution and National Constitution enshrine the people as the ultimate source of power, not the representatives of the people. That constitutions exist is proof enough that legislatures were never entrusted to be the sole arbiter of individual freedoms.

Hawai'i State Constitution

Article 1

Section 2. All persons are free by nature and are equal in their inherent and inalienable rights. **Among these rights are the enjoyment of life, liberty and the pursuit of happiness, and the acquiring and possessing of property.** These rights cannot endure unless the people recognize their corresponding obligations and responsibilities. [Am Const Con 1978 and election Nov 7, 1978]

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]

In fact, there was a provision that was rejected for the Hawai'i constitution that "Declares right of the people to keep and bear arms for common defense and that the military shall be subordinate to civil authority." and so they abandoned a declared collective right in favor of the stated individual right that mirrors the Second Amendment of the United States Constitution. Also worth noting is the the individual right of the Constitution enshrined for "the people" in the Second Amendment is the same "people" proclaimed in the First Amendment, and the Fourth Amendment.

So fundamental is the right to keep and bear arms in defense of life, that most state constitutions also enshrined that right for their people.

~Other State Constitutions~

Pennsylvania - 1776 - That **the people have a right to bear arms for the defence of themselves and the state**; and as standing armies in the time of peace are dangerous to liberty, they ought not to be kept up

Vermont - 1786 - That **the people have a right to bear arms for the defence of themselves and the State**

Kentucky - 1792 - That **the right of the citizens to bear arms in defense of themselves and the State shall not be questioned.**

Ohio - 1802 - That **the people have a right to bear arms for the defence of themselves and the State**; and as standing armies, in time of peace, are dangerous to liberty, they shall not be kept up, and that the military shall be kept under strict subordination to the civil power.

Indiana - 1816 - That **the people have a right to bear arms for the defense of themselves and the State**, and that the military shall be kept in strict subordination to the civil power.

Mississippi - 1817 - Every citizen has a right to bear arms, in defence of himself and the State.

Missouri - 1820 - .. that **their right to bear arms in defence of themselves and of the State cannot be questioned.**

Connecticut - 1818 - Every citizen has a right to bear arms in defense of himself and the state.

Alabama - 1819 - That every citizen has a right to bear arms in defense of himself and the state.

Michigan - 1835 - Every person has a right to bear arms for the defence of himself and the State.

Texas - 1836 - Every citizen shall have the right to bear arms in defence of himself and the republic.

Oregon - 1857 - The people shall have the right to bear arms for the defence of themselves, and the State, but the Military shall be kept in strict subordination to the civil power.

Kansas -1859 - The people have the right to bear arms for their defense and security; but standing armies, in time of peace, are dangerous to liberty, and shall not be tolerated, and the military shall be in strict subordination to the civil power.

Florida - 1868 - The people shall have the right to bear arms in defence of themselves and of the lawful authority of the State.

Colorado - 1876 - The right of no person to keep and bear arms in defense of his home, person and property, or in aid of the civil power when thereto legally summoned, shall be called in question; but nothing herein contained shall be construed to justify the practice of carrying concealed weapons.

Idaho - 1889 - The people have the right to bear arms for their security and defense; but the Legislature shall regulate the exercise of this right by law.

Montana - 1889 - The right of any person to keep or bear arms in defense of his own home, person, and property, or in aid of the civil power when thereto legally summoned, shall not be called in question, but nothing herein contained shall be held to permit the carrying of concealed weapons.

South Dakota - 1889 - The right of the citizens to bear arms in defense of themselves and the state shall not be denied.

Washington - 1889 - The right of the individual citizen to bear arms in defense of himself, or the state, shall not be impaired,

Wyoming - 1889 - The right of citizens to bear arms in defense of themselves and of the state shall not be denied.

Utah - 1896 - The people have the right to bear arms for their security and defense, but the legislature may regulate the exercise of this right by law.

Oklahoma - 1907 - The right of a citizen to keep and bear arms in defense of his home, person, or property, or in aid of the civil power, when thereunto legally summoned, shall never be prohibited; but nothing herein contained shall prevent the Legislature from regulating the carrying of weapons.

Arizona - 1912 - The right of the individual citizen to bear arms in defense of himself or the State shall not be impaired, but nothing in this section shall be construed as authorizing individuals or corporations to organize, maintain, or employ an armed body of men.

New Mexico - 1912 - The people have the right to bear arms for their security and defense, but nothing herein shall be held to permit the carrying of concealed weapons.

Nevada - 1982 - Every citizen has the right to keep and bear arms for security and defense, for lawful hunting and recreational use and for other lawful purposes.

New Hampshire - 1982 - All persons have the right to keep and bear arms in defense of themselves, their families, their property and the state.

North Dakota - 1984 - .. to keep and bear arms for the defense of their person, family, property, and the state, and for lawful hunting, recreational, and other lawful purposes, which shall not be infringed.

West Virginia - 1986 - A person has the right to keep and bear arms for the defense of self, family, home and state, and for lawful hunting and recreational use.

Delaware - 1987 - A person has the right to keep and bear arms for the defense of self, family, home and State, and for hunting and recreational use.

Nebraska - 1998 - .. and the right to keep and bear arms for security or defense of self, family, home, and others, and for lawful common defense, hunting, recreational use, and all other lawful purposes

Wisconsin - 1998 - The people have the right to keep and bear arms for security, defense, hunting, recreation or any other lawful purpose.

In 1857 the United States Supreme Court issued the reprehensible Dred Scott decision. Supreme Court Chief Justice Roger B. Taney ruled that African Americans were not and could not be citizens. Part of his reasoning included that full citizenship "...would give them the full liberty of speech in public and in private upon all subjects upon which its own citizens might speak; to hold public meetings upon political affairs, and **to keep and carry arms wherever they went.** His obstant opinion is notable because it (rightly) assumes an right of an individual citizen to keep and carry arms as they so desire, stated so as a matter of fact that this right is equal to our other enumerated rights.

The reason so few Supreme Court decisions on the Second Amendment exist prior to the 20th century is precisely because it was so universally accepted as an individual human right.

Hawai'i is not the place it was 20 or 30 years ago. Even if there was no right to bear arms, and it could simply be regulated by 'need' as determined by this legislature, that need could not be causally dismissed by the history of our state. Undeniably, there has been a substantial increase in random and violent crimes, and the use of firearms and knives in the perpetration of criminal acts. In most cases weapons whose possession (and use) violate current laws. Simply put, criminals who disregard the current laws will disregard this one as well. If you disarm law abiding citizens you only protect and embolden violent criminals.

Arguments have been made that Hawaii has a special culture that would one damaged by an armed citizenry. There is no evidence for this. We've had an armed citizenry for over 100 years.

Distinctly, there are those who ignore the law and those who follow it. Demanding entire classes of weapons owned by a large population of the islands to become illegal is nothing but the slow repression of our freedom.

Self defense is already perilous in the State of Hawai'i. We already have an obligation to retreat, even in our homes. If our lives are put at risk, we are obligated by law to turn our backs to our attackers and run. Only when escape is impossible may we defend ourselves. Now this legislature, is pursuing an ideology of delay, deny, exclude, and divide to slowly eliminate that right to defend ourselves in even those last moments where self defense is the last option.

There is a element in this legislature that continually searches among kindred spirits in the most punitive and restrictive minority of States and finds no bad idea they wouldn't also like to try.

Hawai'i is destined to lose lawsuit after lawsuit. Bad law, lawsuit, appeal, reversal, followed by a similarly bad law, always at the real cost of it's law abiding and most productive citizens, is no way to govern.

As we saw with:

Young v. State of Hawaii

Yukutake v. Shikada

Yukutake v. Connors

It seems that actually addressing crime is the furthest from this legislatures desire or purpose. The classification 'Assault Rifles" is ridiculous branding and a false attempt to divide arms into meaningless categories then outlaw them one at a time, as cannot be done in a single stroke. The determination that a magazine capacity law will make our society safer is without merit. The cases we've seen on the Mainland (which are the small minority of gun crimes, gang activity being the largest cause of fatalities by far) all demonstrate a determined shooter seeks to commit crimes in areas where law-abiding citizens are restricted from carrying guns. They

usually carry multiple weapons, multiple magazines which this law will not affect. Once again, those intent on breaking the law and causing harm to others simply ignore these laws. You also can't argue that changing magazines gives time to stop a mass shooter, yet it's also not a burden to someone defending themselves.

Responsible and law-abiding citizens will speak here and now because we are not the problem. Yet once again, our freedoms are diminished by a government intent on repressing it's mostly peaceful population ostensibly to regulate the lawless violent few.

America has been made a better country by the expansion of rights, not by their reduction.

There is no nobility without humility.

There is no judiciousness in governing to repress.

There is no freedom without individual choice.

SB-3040

Submitted on: 2/13/2024 1:36:25 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sean Langley	Individual	Oppose	Written Testimony Only

Comments:

Registries of firearms related items are illegal under the Firearms Owners Protection Act of 1986. This law would be in direct violation of existng federal law.

SB-3040

Submitted on: 2/13/2024 1:38:41 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kai Asam	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

SB-3040

Submitted on: 2/13/2024 1:47:00 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Wayne Asam	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

SB-3040

Submitted on: 2/13/2024 1:49:31 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Keith Lamon bruins	Individual	Oppose	Written Testimony Only

Comments:

I strongly disagreed with 3040SB relating to firearms Reporting general concealment, firearms, concealed carry license do not pass this bill your only hurting law-abiding citizens that the right carry weapons to protect family and property but criminals don't have rights or do they care about any laws. along by citizens do care about laws

SB-3040

Submitted on: 2/13/2024 2:00:10 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gisele Hammond	Individual	Oppose	Written Testimony Only

Comments:

I oppose, mahalo

SB-3040

Submitted on: 2/13/2024 2:02:56 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

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

Comments:

I oppose this bill,

Mahalo

SB-3040

Submitted on: 2/13/2024 2:18:18 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rita Kama-Kimura	Individual	Oppose	Written Testimony Only

Comments:

Oppose the passing of this bill.

SB-3040

Submitted on: 2/13/2024 2:39:14 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Daniel Mersburgh	Individual	Comments	Written Testimony Only

Comments:

I oppose SB3040.

Hawaii is the only state that requires all firearms to be registered. This bill creates another list that a firearm owner could be on.

18 USC 926(a).

SB-3040

Submitted on: 2/13/2024 2:48:28 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Karl Braun-Ortega	Individual	Oppose	Written Testimony Only

Comments:

You must also oppose SB3349, SB3040, and SB3042 as these bills add unnecessary actions and expenses to existing agencies while also approaching and crossing over into violations of privacy of American citizens.

I would like to also point out that this is not the first time, or first SB bill, that I have written you about advising of the Constitutional violations and illegalities being proposed. I wrote you all, the Governor, Lieutenant Governor, and Attorney General back at the end of 2022, and a few times in early 2023, about the Constitutional violations contained within SB1230. I also advised you that if you did not oppose the bill, and instead voted it into law, there would be lawsuits which would cost the state and Hawaii tax payers money to fight. You all still ultimately voted and approved SB1230. I, along with another Hawaii couple, then proceeded to file suit against the State of Hawaii for constitutional violations contained within SB1230. A federal judge here in Hawaii agreed with me and issued a preliminary injunction on major portions of SB1230.

LATE

SB-3040

Submitted on: 2/13/2024 3:20:35 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
NOAH DRAZKOWSKI	Individual	Oppose	Written Testimony Only

Comments:

This clearly violates the USA Constitution.

LATE

SB-3040

Submitted on: 2/13/2024 4:08:05 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sam Cavitt	Individual	Oppose	Written Testimony Only

Comments:

As a citizen of the United States of America, a resident of the State of Hawaii and a registered voter I oppose this proposed legislation and am very dissatisfied with the manner it has been presented by the Hawaiian legislation.

Respectfully,

Sam Cavitt

LATE

SB-3040

Submitted on: 2/13/2024 5:16:50 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

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

Comments:

I am writing in opposition to SB3040. This is attempt to keep law abiding citizens from carrying firearms. Hawaii already has some of the most restrictive gun laws in the country. I believe that the system I place is more than adequate and further restrictions are not needed. It will have no bearing on deterring criminals from committing crimes. It only punishes the the law abiding citizens.

LATE

SB-3040

Submitted on: 2/13/2024 9:52:17 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

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

Comments:

I oppose this. Banning magazines with capacities of more than 10 rounds does nothing to address the real issues of crime in Hawaii and is only trying to fix a problem that doesn't exist. Banning larger-capacity ammunition magazines won't reduce the number of shootings, any more than banning alcohol reduced alcohol-related fatalities.

I urge you to oppose this measure and to work to repeal the current nonsense law of pistol magazine restrictions for the safety and welfare of Hawaii residents.

law "burdens the core of the Second Amendment by criminalizing the acquisition and possession of these magazines that are commonly held by law-abiding citizens for defense of self, home, and state."

Law abiding gun owners in Hawaii are left more susceptible to harm or death by being limited in their means of self-defense, criminals who are intent on doing harm will not follow this same law.

Magazines that hold more than 10 rounds are considered standard and that many firearms are not available with magazines that hold fewer than 10 rounds. This law does nothing more than penalize law-abiding citizens while criminalizing components of handguns they own that were previously legal.

Thank you.

Respectfully,

Markos Cabaong

LATE

SB-3040

Submitted on: 2/14/2024 2:53:55 AM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ronald Livingston	Individual	Oppose	Written Testimony Only

Comments:

oppose

SB-3040

Submitted on: 2/14/2024 11:34:40 AM

Testimony for PSM on 2/14/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dennis Dunn	Individual	Support	Written Testimony Only

Comments:

Please support S.B. 3040.

Mahalo!

Dennis Dunn

dennismdunn47@gmail.com

LATE

SB-3040

Submitted on: 2/14/2024 2:56:32 PM

Testimony for PSM on 2/14/2024 3:00:00 PM

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

Comments:

I oppose this bill