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February 4, 2025

Committee on Transportation and Culture and Arts
Rep. David A. Tarnas, Chair
Rep. Mahina Poepoe, Vice Chair
State Capitol
415 South Beretania Street, Conf. Rm. 325
Honolulu, Hawaii 96813

Re: Testimony in Opposition to H.B. No. 392
Hearing: February 6, 2025, 2:00 PM

Dear Chair and Committee members:

I am writing in regard to House Bill 392, relating to "ghost guns." Specifically, I write to oppose the modifications to the statutory sentencing portion as currently drafted.

House Bill 392 appears to consist of two general sections. First, it proposes that a definition of "ghost gun" be added to Hawaii Revised Statutes (HRS) Section 134-1 and that such ghost guns be added to the list of prohibited items in HRS § 134-8. Second it proposes a new section under HRS Chapter 706 relating to sentencing for convictions involving possession of ghost guns. This modification establishes mandatory minimum prison terms for convictions such convictions.

It is also unclear to me why it is necessary or what effect it would have to authorize mandatory minimum imprisonment for convictions involving ghost guns because HRS § 706-660.1 already authorizes such imposition. Indeed, the language of House Bill 392 makes specific reference to HRS § 706-660.1 in subsection 3. The language proposed in House Bill 392 appears to have been taken verbatim from HRS § 706-660.1. But House Bill 392 also defines a ghost gun as a specific type of firearm. In other words, every ghost gun is a firearm, and every person who possesses a ghost gun also possesses a firearm. Therefore, a conviction involving a ghost gun would also be a conviction involving a firearm and would fall within the scope of HRS § 706-660.1 as it currently exists. Thus, any person convicted of a crime involving possession of a

ghost gun would already be subject to enhanced sentencing under HRS § 706-660.1 (because a ghost gun is, by definition, a firearm).

On the other hand, having multiple effectively identical sentencing provisions apply to criminal convictions will only create confusion. This sort of sentencing enhancement is generally decided by a jury. Jury confusion often leads to unpredictable and seemingly illogical results. The statutory scheme and jury confusion will certainly lead to appellate challenges.

Beyond the apparent lack of purpose for a redundant sentencing provision, I also encourage the legislature to exercise great caution when considering mandatory sentencing provisions. One of the fundamental tenets of the American justice system is the faith in judges to fairly and thoughtfully apply the law and the facts in each case before arriving at a just and measured result. While it is certainly true that individual judges or cases may not always achieve that goal, our system only works if we have judges who can be trusted to make difficult decisions.

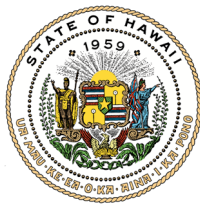
To the extent that the legislature chooses to remove judicial discretion in individual cases by imposing rigid sentencing requirements, judges' collective wisdom and experience are disregarded. What inevitably results are cases of both over- and under-punishment. Mandatory minimum imprisonment will necessarily lead to less serious crimes being punished by longer pre-parole imprisonment, but will also lead to shorter terms of pre-parole imprisonment in cases involving the worst facts and circumstances because neither the judge nor parole board are authorized to give higher minimum terms.

While I understand the urge to address what is a recent area of high political concern, House Bill 392 does not appear to meaningfully change the legal landscape other than to outlaw possession of ghost guns under State law. It does not, however, appear to improve enforcement of Hawaii gun control laws because it will make convictions more difficult to attain and will not have any effect on sentencing.

I appreciate your patience and consideration of these comments. Thank you.

Sincerely,
/s/ Seth Patek
Deputy Public Defender

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



MIKE LAMBERT
DIRECTOR

SYLVIA LUKE
LT GOVERNOR
KE KE'ENA

STATE OF HAWAII | KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LAW ENFORCEMENT
Ka 'Oihana Ho'okō Kānāwai
715 South King Street
Honolulu, Hawaii 96813

JARED K. REDULLA
Deputy Director
Law Enforcement

TESTIMONY ON HOUSE BILL 392
RELATING TO FIREARMS
Before the House Committee on
JUDICIARY & HAWAIIAN AFFAIRS
Thursday, February 6, 2025, 2:00 p.m.
State Capitol Conference Room 325, & Videoconference
Testifiers: Mike Lambert

Chair Tarnas, Vice Chair Poepoe, and members of the Committee:

The Department of Law Enforcement (DLE) strongly supports House Bill 392.

This bill prohibits the possession, transfer, and sale of ghost guns and establishes mandatory minimum sentencing guidelines for the use of ghost guns in the commission of felony offenses.

The Honolulu Police Department's statistics indicate a concerning upward trend in ghost gun confiscations, highlighting the urgent need for this legislation. The mandatory minimum sentencing provisions in this bill will serve as a strong deterrent against the use of ghost guns in criminal activities. This measure provides our state with additional tools to combat the proliferation of these dangerous weapons.

The proposed legislation maintains appropriate exemptions for federally licensed manufacturers, dealers, and pre-1968 firearms. This balanced approach strengthens our ability to protect public safety while respecting legitimate firearm manufacturing operations.

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

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

ALII PLACE
1060 RICHARDS STREET • HONOLULU, HAWAII 96813
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STEVEN S. ALM
PROSECUTING ATTORNEY
LOIO HO'OPI'I



THOMAS J. BRADY
FIRST DEPUTY PROSECUTING ATTORNEY
HOPE MUA LOIO HO'OPI'I

THE HONORABLE DAVID A. TARNAS, CHAIR
HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS
Thirty-Third State Legislature
Regular Session of 2025
State of Hawai'i

February 5, 2025

RE: H.B. 392; RELATING TO FIREARMS.

Chair Tarnas, Vice Chair Poepoe, and members of the House Committee on Judiciary and Hawaiian Affairs, the Department of the Prosecuting Attorney for the City and County of Honolulu submits the following testimony in support of H.B. 392. This bill is part of the Department's 2025 legislative package, and we thank you for hearing it.

Following the assassination of President Kennedy, Congress passed the Gun Control Act of 1968 requiring gun factories and federally-licensed gun dealers to mark firearms with a unique serial number. This identifier helps law enforcement trace firearms used in a crime, as well as illicit weapons transfers.

For years, this requirement did not apply to individual gunsmiths. With the advent of modern 3-D printing technology, a robust market for ghost guns emerged. Firearm parts could be purchased online or at gun shows, then assembled with little skill. The resulting firearm could not be traced by police. In the eleven months between January 2024 and November 2024, Honolulu police seized more than double the number of ghost guns compared to the same period the year before.

Hawai'i law prohibits obtaining unserialized firearm parts "for the purpose of assembling a firearm[.]"¹ But this provision does not reach the assembled firearm itself.

H.B. 392 fixes that problem. It defines a ghost gun as a firearm, including the frame or receiver, that lacks a serial number registered with a federally-licensed manufacturer. It prescribes sentencing enhancements for ghost guns that parallel similar provisions for firearms. This straightforward definition will permit officers to quickly recognize and seize these weapons.

¹ HRS § 134-10.2.

H.B. 392 does not eliminate statutory defenses. Those with a legitimate right to possess an unserialized firearm still have statutory defenses. Federally-licensed dealers or those exempt under federal law can still raise an affirmative defense to prosecution.

Ghost guns allow criminal to access dangerous weapons with impunity, using them to commit violent crimes. Public safety requires passage of this important legislation.

The Department strongly urges this Committee to pass H.B. 392.

Thank you for the opportunity to testify.

HB-392

Submitted on: 2/3/2025 5:01:32 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kainoa Kaku	Hawaii Rifle Association	Oppose	Written Testimony Only

Comments:

I am submitting this testimony on behalf of myself and the thousands of members of the Hawaii Rifle Association to strongly **oppose** House Bill 392. While we share concerns about criminal misuse of firearms, H.B. 392 is **overbroad, redundant, and infringes on constitutional rights** while failing to meaningfully address crime prevention.

1. Constitutional Concerns: Overreach and Vague Definitions

A. H.B. 392 Criminalizes Legal Firearm Possession and Home Gunsmithing

- The bill's broad definition of "ghost gun" as any firearm without a **serial number registered with a federally licensed manufacturer** is problematic.
- This definition **does not exempt** lawfully owned firearms manufactured before serial numbers were federally required (e.g., pre-1968 firearms) or homemade firearms that have been legally possessed by law-abiding citizens.
- The Supreme Court has consistently ruled that **the Second Amendment protects ownership of firearms in "common use" for lawful purposes** (*Heller, McDonald, Bruen*).
- Historically, Americans have been legally allowed to manufacture firearms for **personal use**, and there is no precedent for outright criminalization of this practice.

B. Conflict with *Bruen* and Second Amendment Protections

- The *Bruen* decision **emphasized that modern gun laws must be justified by historical tradition**. There is **no historical precedent** for banning privately made firearms that lack serial numbers.
 - Federal courts have already **blocked** similar laws in other states due to constitutional concerns (*VanDerStok v. Garland* in Texas).
 - Hawaii's broad restriction goes **beyond federal law**, which already prohibits possession of an unserialized firearm by prohibited persons but does not criminalize mere ownership.
-

2. Criminalizing Ownership Instead of Targeting Crime

- Hawaii already has strict firearm registration laws, background check requirements, and prohibitions on prohibited persons owning firearms.
- Criminals, by definition, **do not follow** firearm regulations. **Adding another prohibition does nothing to stop illegal gun trafficking or violent crime.**
- Instead of focusing on **illegal possession and misuse**, H.B. 392 disproportionately targets **law-abiding gun owners** who may have legally built or inherited firearms that lack serial numbers.

A. No Evidence That Ghost Guns Are Driving Violent Crime in Hawaii

- The bill cites an increase in "ghost guns" seized by HPD but provides **no evidence that these firearms are linked to increased violent crime.**
 - There is **no conclusive research** indicating that banning ghost guns prevents crime or improves public safety.
 - The vast majority of crimes committed with firearms involve **stolen or illegally trafficked guns**, not homemade firearms.
-

3. Overly Harsh and Redundant Sentencing Provisions

- The bill **introduces mandatory minimum sentences** for possession or use of a "ghost gun" in a felony, which **already falls under existing felony firearm laws.**
 - Hawaii **already has enhanced penalties** for firearm-related crimes. This bill **duplicates existing statutes** without addressing enforcement gaps.
 - Criminals using firearms in violent crimes **are already subject to strict penalties under state and federal law.**
 - Mandatory minimums have been **criticized nationwide** for leading to **unjust sentencing** without reducing crime rates.
-

4. Unintended Consequences for Law-Abiding Gun Owners

- The bill provides **no path for compliance** for those who already own firearms that may fall under the new definition of "ghost guns."
 - H.B. 392 **does not allow for serialization or registration of existing firearms**, meaning previously legal gun owners could become felons overnight.
 - The bill's **affirmative defense** is **too narrow** and excludes responsible gun owners who legally possess home-built firearms.
-

5. More Effective Alternatives

If the true goal is to **prevent violent crime**, the legislature should consider **targeted solutions** rather than a broad ban on home-built firearms.

Better policy options include:

- ✓ **Enhanced penalties for gun trafficking and illegal sales** rather than criminalizing law-abiding citizens.
- ✓ **Improved enforcement of existing background check and licensing laws** instead of adding redundant regulations.
- ✓ **Increased focus on mental health resources and community intervention programs** to prevent violent crime at its roots.

Conclusion

H.B. 392 is a **misguided approach to firearm policy**. It **violates Second Amendment rights, conflicts with Supreme Court precedent, punishes responsible gun owners, and duplicates existing laws** without addressing the real causes of violent crime.

For these reasons, I **strongly urge** the Legislature to **reject H.B. 392** and instead pursue evidence-based measures that actually improve public safety without infringing on constitutional rights.

Respectfully submitted,

Kainoa Kaku

President, Hawaii Rifle Association

2/3/2025

HB-392

Submitted on: 2/4/2025 7:39:50 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alika Valdez	The Democratic Party of Hawai'i	Support	Written Testimony Only

Comments:

I support this bill.

HB-392

Submitted on: 2/4/2025 8:39:16 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bart Burford	Pono Patriots	Oppose	Written Testimony Only

Comments:

I oppose any deviation from, or addendum to the second amendment!

To: Members of the Hawaii House Committee on Judiciary and Hawaiian Affairs
From: Agustin Cabrera, Giffords State Legislative Manager
Subject: Support for HB 392
Date: February 6, 2025

Submitted via email

My name is Agustin Cabrera and I am a State Legislative Manager with Giffords, the gun violence prevention organization founded by former Congresswoman Gabby Giffords. I write to you today in support of HB 392, a bill that would prohibit the possession, sale, and transfer of ghost guns in the state of Hawaii.

The ghost gun industry has developed gun build kits and related products that allow untrained amateurs to quickly and easily assemble their own firearms from unregulated parts—including frames and receivers that are left just unfinished enough to escape the definition of “firearm” under state or federal gun safety laws.

Anyone can make a DIY ghost gun at home. This is a threat to public safety.

These “do-it-yourself guns” are often assembled from kits easily purchased online—no background check required. This is a rapidly emerging threat that we must take seriously. These firearms are untraceable. Unlike a weapon made by a licensed manufacturer, ghost guns don’t have a serial number or other markings. That leaves law enforcement without a critical piece of information used to solve crimes.

Untraceable guns can also be created using new manufacturing technologies such as 3D printing. This technology allows a person to produce a three-dimensional object, such as a firearm, much like a traditional printer can produce a printed document. A high-quality, easy-to-use model is available for about \$2,500, roughly the cost of a high-end AR–15–style rifle. Entry-level 3D printers that are increasingly used in cheap, black-market gun trafficking operations are available for under \$200.

As a result, untraceable guns are increasingly used by illegal gun trafficking rings across the country.

Ghost guns have also been used in shootings.

A man who failed a background check and could not legally purchase a gun built an assault rifle from a ghost gun kit, then used it on a rampage at a college campus, killing five people.¹ A man prosecutors described as a “deranged, paranoid killer” who was prohibited from owning a gun and under prosecution for multiple crimes, was nevertheless able to kill six people and injure 10 with two assault-style ghost guns.² A man assassinated a business executive in cold blood using a 3D printed gun.³

¹ Robert Cavnar, “Santa Monica Shooter Built His Gun From Parts He Bought Online,” Huffington Post, June 15, 2013, https://www.huffingtonpost.com/robert-l-cavnar/santa-monica-shooter-buil_b_3447220.html

² Ray Sanchez, Jason Hanna, and Phil Gast, “Gunman in Northern California Rampage Was Not Supposed to Have Guns,” CNN, November 15, 2017, <http://www.cnn.com/2017/11/15/us/california-tehama-county-shootings/index.html>; Damon Arthur, “Sheriff: Tehama Shooter Built His Own Illegal Guns,” Record Searchlight, November 15, 2017, <http://www.redding.com/story/news/2017/11/15/tehama-shooter-built-his-own-illegal-guns/868737001/>.

³ Martin Kaste, “Luigi Mangione's Use of Apparent 'Ghost Gun' Sparks Concern About Untraceable Firearms,” Hawaii Public Radio, December 10, 2024,

Again and again, ghost guns are murder weapons as shooters seek out a way to avoid background checks or to obtain an untraceable gun.

Hawaii regulates the manufacture, sale, and possession of ghost guns but needs to go further in restricting access to these deadly weapons.

Hawaii's existing ghost guns policies prohibit a person who is not licensed to manufacture firearms from possessing, purchasing, producing with a three-dimensional printer, or otherwise obtaining separately, or as part of a kit:

- A firearm receiver that is not imprinted with a serial number registered with a federally licensed manufacturer;
- A firearm receiver that has not been provided a serial number that may be registered by a licensed gun dealer; or
- Any combination of parts from which a firearm having no serial number may be readily assembled; provided that the parts do not have the capacity to function as a firearm unless assembled.

Existing regulations also require firearms assembled from parts created using a three-dimensional printer to have a serial number engraved on stainless steel and permanently embedded to the firearm receiver during fabrication or construction. HB 392 will build upon existing Hawaii law to criminalize the possession, transfer, or sale of ghost guns in order to further restrict these deadly weapons from being used in the state.

We urge the committee to support HB 392. Ghost guns are dangerous and unregulated weapons and it is important that Hawaii continue their life saving work of building a strong and robust legal framework around gun violence prevention. We believe that this bill is a step in the right direction.

Respectfully Submitted,

Agustin Cabrera

Agustin Cabrera
State Legislative Manager | He/Him
c: (806) 335-5819
[giffords.org](https://www.giffords.org) | [@GIFFORDS_org](https://twitter.com/GIFFORDS_org)

GIFFORDS

ABOUT GIFFORDS

Giffords is a nonprofit organization dedicated to saving lives from gun violence. Led by former Congresswoman Gabrielle Giffords, Giffords shifts culture, changes policies, and challenges injustice, inspiring Americans across the country to fight gun violence.

<https://www.hawaiipublicradio.org/2024-12-10/luigi-mangiones-use-of-apparent-ghost-gun-sparks-concern-about-untraceable-firearms>.

HB-392

Submitted on: 2/5/2025 12:53:50 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
jessica dias	Free Citizens of Maunaloa	Oppose	Written Testimony Only

Comments:

I am OPPOSED to this bill. The Second Amendment shall NOT be infringed.

NATIONAL RIFLE ASSOCIATION OF AMERICA

INSTITUTE FOR LEGISLATIVE ACTION

11250 WAPLES MILL ROAD

FAIRFAX, VIRGINIA 22030



NRA

February 5, 2025

The Honorable David Tarnas
Chair, House Committee on Judiciary and Hawaiian Affairs
Hawaii State Capitol, Room 442
Honolulu, Hawaii 96813

Dear Chair Tarnas:

On behalf of the members of the National Rifle Association in Hawaii, I would like to communicate our opposition to House Bill 392 (HB 392).

HB 392 would make it a crime under Hawaii law for an individual to possess, transfer or sell a firearm without a serial number effectively banning the longstanding and lawful practice of making a firearm for personal use.

Precluding an individual from building a firearm without first obtaining government approval infringes on a longstanding American tradition. From prior to the Revolution to the Civil War and beyond, Americans with the requisite desire, skill and tools have fabricated their own firearms. (See Peter Jensen-Haxel, 3D Printers, Obsolete Firearm Supply Controls, and the Right to Build Self-Defense Weapons Under Heller, 42 Golden Gate U. L. Rev. 447, 477-78 (2012).) This tradition continues to this day, with many Hawaiians building their own firearms without seeking government permission to do so.

As the U.S. Supreme Court has made clear, the Second Amendment protects the “ancient” and “natural” right to keep and bear arms. (*District of Columbia v. Heller*, 554 U.S. 570, 599 (2008).) The Court went to great lengths to explain that the scope of that right is defined by the public’s understanding of the Second Amendment at the time of the founding. (*Id.* at 605.) Accordingly, given this unobstructed and long-standing tradition of personally building firearms stretching from the Revolutionary War to the present, HB 392’s ban violates the Second Amendment.

Moreover, the restrictions imposed by this legislation are wholly unwarranted. State and federal laws already impose rigorous restrictions on the manufacture, transfer and possession of all types of firearms. Potentially dangerous people convicted of felony offenses, subject to a restraining order, or adjudicated mentally defective, are already prohibited from possessing firearms. Given the nature of criminals and the scope of existing firearm restrictions, it is highly unlikely that HB 392 will do anything to keep weapons out of the hands of those who shouldn’t have them.

To make matters worse, this legislation does not provide for a public awareness program to inform owners of unmarked firearms of the new restrictions. Therefore, this legislation threatens to make thousands of otherwise law-abiding Hawaiians into criminals overnight.

For these reasons, the NRA strongly opposes HB 392.

. Sincerely,

A handwritten signature in black ink, reading "Keely M. Hopkins". The signature is written in a cursive, flowing style.

Keely Hopkins
State Director
State & Local Affairs
NRA-ILA

www.nraila.org

HB-392

Submitted on: 2/3/2025 1:33:04 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael I Rice	Individual	Oppose	Remotely Via Zoom

Comments:

I stand in OPPOSITION to this bill. The current ban on self made firearms is already unconstitutional, and all this does is make it *extra* illegal to have a ghost gun. We have MORE than enough laws on the books for Prosecutors to do their job and keep violent criminals off the street and in prison, they simply don't prosecute under current law, negotiating charges away to get a plea deal so it's a 'win' on their part.. What makes you think they'll successfully prosecute under these new proposed laws?

Several years ago I was informed by an HPD officer about a case where they found a felon in possession of 5 different guns, including ghost guns (obliterated serial numbers) before that term became popular. He should have been given 5 minimum years for each gun just on the felon in possession charge. He got 2 years probation instead of what should have been 25 years just for one set of charges, nevermind other applicable charges.

HB-392

Submitted on: 2/3/2025 1:57:36 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
cheryl burghardt	Individual	Support	Written Testimony Only

Comments:

Aloha,

I SUPPORT HB 392 which prohibits the possession, transfer, and sale of ghost guns. Establishes mandatory minimum sentencing for use of a ghost gun in the commission of a felony.

It is important that we establish strong laws which help protect our community especially are most vulnerable.

Mahalo

C. Burghardt

Kou, Oahu

HB-392

Submitted on: 2/3/2025 2:01:18 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

In Support of HB 392

Aloha Chair and Members of the Committee.

This measure moves in the right direction toward greater safety in our communities from death and injury from guns.

Please pass this measure.

Sincerely,

Nancy Moser

in Waikoloa 96738

HB-392

Submitted on: 2/3/2025 2:31:53 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments: Delete the portion of a federally licensed maker needs to imprint the serial number. These guns are already illegal in HI if there is no serial number or an altered number or it isn't registered with the police department.

HB-392

Submitted on: 2/3/2025 2:33:10 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Duke malczon	Individual	Oppose	Written Testimony Only

Comments:

Strongly oppose

HB-392

Submitted on: 2/3/2025 4:01:15 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

HB392 is unconstitutional. Strongly oppose!

HB-392

Submitted on: 2/3/2025 4:15:22 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I respectfully submit this testimony in strong opposition to **HB392**, which seeks to prohibit the possession, transfer, and sale of so-called "ghost guns" and establish mandatory minimum sentencing for their use in felony offenses. While I fully support efforts to reduce violent crime and hold criminals accountable, **this bill unfairly targets law-abiding gun owners, imposes vague and overly broad restrictions, and undermines fundamental constitutional rights.**

Concerns with HB392

1. Overly Broad and Unclear Definitions

- The bill defines a "ghost gun" as any firearm that lacks a serial number registered with a federally licensed manufacturer. **This fails to differentiate between illegally manufactured firearms and legally owned homemade firearms,** which have been a part of American gun culture for centuries.
- The bill could unintentionally criminalize hobbyists, gunsmiths, and law-abiding citizens who have legally built their own firearms for personal use without any criminal intent.

2. Criminalizing Law-Abiding Citizens Instead of Targeting Criminals

- HB392 focuses on restricting access to **firearms that are already illegal for criminals to possess** while doing nothing to address **violent offenders who routinely obtain firearms through black markets or theft.**
- Those who build firearms legally and responsibly should not be lumped together with criminals who use untraceable weapons for illicit activities.

3. Mandatory Minimum Sentences are Ineffective and Harmful

- The bill **imposes harsh mandatory minimum sentences,** including up to **15 years for certain offenses.**
- Research has shown that **mandatory minimums do not effectively deter crime** and often lead to **disproportionate sentencing, overcrowded prisons, and unjust punishments for non-violent offenders.**
- Judges should have the discretion to impose sentences based on the **specific facts of each case,** rather than being forced into a one-size-fits-all penalty structure.

4. Second Amendment and Due Process Concerns

- The ability to manufacture firearms for personal use has been a longstanding **protected right under the Second Amendment.** This bill takes a step toward outright **criminalizing private gun ownership,** setting a dangerous precedent.

- HB392 would make **the mere possession of an unserialized firearm a felony offense**, even if that firearm was lawfully manufactured and never used in a crime.

5. **Better Solutions Exist**

Instead of broad and ineffective bans, lawmakers should consider:

- **Stronger penalties for actual violent crimes**, rather than focusing on an object itself.
- **Enhanced enforcement against illegal firearm traffickers** who supply criminals with weapons.
- **Education and responsible gun ownership programs**, rather than blanket criminalization.

Conclusion

HB392 does not effectively address crime but instead penalizes responsible gun owners and infringes upon constitutional rights. I strongly urge this committee to **reject HB392** and focus on solutions that target **actual criminal behavior rather than law-abiding citizens**.

HB-392

Submitted on: 2/3/2025 4:15:53 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

Aloha Representatives of the committee,

I am writing to express my strong opposition to any and all anti-gun bills or legislation. Such measures do not effectively address the root causes of crime and public safety concerns. Instead, they disproportionately affect law-abiding citizens by limiting their ability to protect themselves and their families. As we all know, criminals do not follow the law, and further restrictions on responsible gun ownership fail to deter crime.

The real issues that need to be addressed are:

- 1. Soft-on-Crime Policies:** These policies allow repeat offenders back into society, perpetuating crime rates. Research shows that a significant portion of crime is committed by repeat offenders.
- 2. Mental Health and Suicide:** Mental health remains a critical issue that needs immediate attention. Suicide rates linked to untreated mental health challenges are a growing concern and require comprehensive solutions.
- 3. Drug Epidemic:** The drug crisis, particularly involving fentanyl, has devastating effects on our communities. My own family has been affected by this tragedy, as my cousin lost his life to a fentanyl overdose in a rehab facility on O'ahu two years ago.
- 4. High Cost of Living:** The economic pressures on families, where parents often work multiple jobs, leave little time for guiding and instilling values in their children. This socioeconomic strain exacerbates many underlying societal issues.

The Second Amendment was enshrined in the Constitution to guarantee the right to keep and bear arms for the protection of life, liberty, and freedom. It also serves as a safeguard against government overreach and tyranny. The language, "shall not be infringed," is both clear and intentional. Efforts to restrict this fundamental right undermine the very principles on which this nation was founded.

I urge you to join me in opposing anti-gun bills and instead advocate for policies that address the true underlying causes of crime and violence.

Thank you for your time and consideration.

Mahalo,
Bronson Teixeira
Maui, Hawai'i

HB-392

Submitted on: 2/3/2025 4:17:32 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I am writing to express my strong opposition to HB392, which seeks to prohibit the possession, transfer, and sale of so-called "ghost guns" and establish mandatory minimum sentencing for their use in the commission of a felony. While public safety is a priority, this bill is redundant and unnecessary, as Hawaii already has strict laws governing ghost guns. HB392 serves only to further infringe upon the rights of law-abiding citizens while failing to effectively address criminal misuse of firearms.

The existing legal framework in Hawaii already criminalizes the possession and manufacturing of unserialized firearms. Instead of imposing additional restrictions that will primarily impact responsible gun owners, law enforcement resources should be focused on enforcing current laws and targeting those who engage in violent crime. Expanding these restrictions does nothing to deter criminals, who by definition do not comply with firearm regulations.

Furthermore, the establishment of mandatory minimum sentencing removes judicial discretion and could result in unjust penalties for individuals who may not have knowingly violated the law. Sentencing decisions should be based on the specifics of each case rather than rigid guidelines that fail to account for mitigating circumstances.

Rather than enacting further legislation that duplicates existing laws, I urge you to focus on initiatives that effectively reduce crime through enforcement of current statutes and targeted action against violent offenders. For these reasons, I respectfully request that you oppose HB392.

Thank you for your time and consideration. I look forward to your commitment to upholding the rights of responsible citizens while ensuring public safety.

HB-392

Submitted on: 2/3/2025 4:44:55 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kenny Wusstig	Individual	Oppose	Written Testimony Only

Comments:

Another useless, lawless bill being put forth at the waste of taxpayers dollars. The AG and all state and local law enforcement agencies should be going after real crimes such narcotics and violent crimes instead !!!

HB-392

Submitted on: 2/3/2025 4:48:19 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I oppose this bill

HB-392

Submitted on: 2/3/2025 4:51:04 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robin D. Ganitano	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB392 because it is unconstitutional and against our 2nd Amendment rights.

HB-392

Submitted on: 2/3/2025 5:04:14 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Steven T Takekoshi	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

Federal law allows private citizens to manufacture firearms for personal use, this criminalizes a hobby and discrete skillset that a law abiding citizen has the right to enjoy.

This bill is more than likely to draw legal challenge, which the State will defend using tax revenue which is far better spent addressing serious issues which affect the State instead of special interest anti-gun causes. Once the legislature has solved real priority issues like cost of living, education, healthcare shortages, economic opportunity, traffic, etc. we can then debate special interest infringement of rights. Let's focus on priorities this is not one.

Thank you.

HB-392

Submitted on: 2/3/2025 5:17:30 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

It's a violation of our second amendment rights

HB-392

Submitted on: 2/3/2025 5:43:38 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

Owning an unserialized firearm makes you no more guilty of criminal intent than having unopened beer in your car when you're driving.

HB-392

Submitted on: 2/3/2025 6:07:03 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cliff mello	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair and Members of the Committee,

I strongly oppose HB392, as it criminalizes the possession, transfer, and sale of personally made firearms, known as “ghost guns,” while doing nothing to address violent crime committed by criminals who already ignore gun laws.

The right to build one’s own firearm for personal use is a long-standing American tradition protected under the Second Amendment. Millions of law-abiding citizens engage in this practice, and the firearms they build are legally owned and used for lawful purposes, including self-defense, hunting, and sport shooting. This bill unfairly punishes law-abiding citizens while failing to stop criminals who already obtain and use firearms illegally.

The mandatory minimum sentencing provisions are also concerning, as they remove judicial discretion and do not deter crime—they simply impose excessive penalties on those who may not even be aware of the law. Criminals who intend to commit crimes will not be stopped by another law; they will simply ignore it, just as they ignore existing gun laws.

Instead of restricting the rights of responsible citizens, Hawaii should focus on enforcing laws against violent offenders and stopping the illegal trafficking of firearms. Passing restrictive laws that target law-abiding citizens only creates more government overreach and infringes upon constitutional rights.

I urge you to reject HB392 and focus on real solutions to violent crime.

Sincerely,

HB-392

Submitted on: 2/3/2025 6:08:57 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I oppose this unconstitutional bill.

HB-392

Submitted on: 2/3/2025 6:33:42 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I'm in opposition to this bill, it is legal to make your own gun you just have to serialize it , please stop passing stupid laws like california

HB-392

Submitted on: 2/3/2025 6:39:51 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ramiro Noguerol	Individual	Oppose	Written Testimony Only

Comments:

Oppose.

HB-392

Submitted on: 2/3/2025 7:04:49 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I oppose this bill. More government overreach. Kill this bill.

HB-392

Submitted on: 2/3/2025 7:38:27 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I oppose this bill.

HB-392

Submitted on: 2/3/2025 7:39:23 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sharee Orr	Individual	Oppose	Written Testimony Only

Comments:

Any bill that defies federal and/or state constitution is wasting taxpayer money since it will go to court. This is one of those bills. Auwe.

HB-392

Submitted on: 2/3/2025 8:05:00 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

Testimony in Opposition to HB 392

Aloha Chair and Members of the Committee,

I am writing in strong opposition to HB 392. This bill is redundant, unnecessary, and shifts the focus away from real crime prevention. Ghost guns are already illegal in Hawaii, and adding another ban with mandatory minimum sentences does nothing to improve enforcement or public safety.

The claim that prosecutors “can do nothing” under current law is misleading. The real issue is a lack of enforcement, not a lack of laws. Instead of creating duplicate legislation, we should focus on ensuring that existing ghost gun laws are effectively applied.

Mandatory minimums remove judicial discretion and can lead to unjust sentencing outcomes. Each case is unique, and judges should have the ability to impose appropriate penalties based on circumstances, rather than being forced into one-size-fits-all sentencing.

Additionally, increasing penalties for laws that are already on the books does nothing to deter criminals. Those who manufacture and use illegal firearms do not follow gun laws to begin with. Instead of targeting responsible gun owners or passing redundant bans, resources should be directed toward investigating and prosecuting violent offenders.

HB 392 is an unnecessary expansion of laws that already exist. I urge you to vote **NO** on this bill and instead focus on real solutions to crime in Hawaii.

Mahalo for your time and consideration.

Robert Okuda

HB-392

Submitted on: 2/3/2025 8:07:44 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Deven English	Individual	Oppose	Written Testimony Only

Comments:

I am in strong opposition of this bill

HB-392

Submitted on: 2/3/2025 8:10:44 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Terry Donaghy	Individual	Oppose	Written Testimony Only

Comments:

As a US citizen I oppose this measure, as it infringes on my rights under the 2nd amendment. I am a law abiding citizen, along with many others who enjoy the sport of shooting at the range. Do not constrict my rights.

HB-392

Submitted on: 2/3/2025 8:12:48 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Travis Baguso	Individual	Oppose	Written Testimony Only

Comments:

Dear Members of the Committee,

I am writing to express my strong opposition to House Bill 392, which seeks to prohibit the possession, transfer, and sale of privately made firearms, commonly referred to as "ghost guns." While I understand the intent behind this bill, I believe it unfairly targets law-abiding citizens while failing to effectively address firearm-related crime.

1. Penalizing Law-Abiding Citizens

HB 392 primarily impacts responsible gun owners who legally build and maintain their own firearms for personal use. The vast majority of these individuals comply with existing federal and state laws. Criminals who misuse firearms will not be deterred by additional regulations, as they already obtain weapons through illicit means.

2. Second Amendment Considerations

The right to keep and bear arms is protected by the Second Amendment of the U.S. Constitution. The Supreme Court has reaffirmed this right in *District of Columbia v. Heller* (2008) and *McDonald v. Chicago* (2010). HB 392 imposes excessive restrictions that could be challenged on constitutional grounds, as it infringes upon an individual's ability to manufacture and possess firearms for lawful purposes, including self-defense.

3. Ineffectiveness in Crime Prevention

There is no clear evidence that banning privately made firearms will reduce crime. Criminals do not follow firearm regulations, and they often obtain weapons through theft or illicit markets. Rather than imposing broad restrictions on law-abiding citizens, the Legislature should focus on enforcing existing firearm laws and targeting illegal firearm trafficking.

4. Potential Overreach and Enforcement Issues

The enforcement of HB 392 could lead to unintended consequences, including the criminalization of individuals who may not be aware of new restrictions. Additionally, regulating firearm components to this degree could result in legal ambiguity, making compliance unnecessarily difficult for citizens and law enforcement alike.

5. Alternative Solutions

Instead of imposing broad bans, the Legislature should consider alternative measures that

effectively target criminal misuse of firearms. These include enhanced penalties for firearm-related crimes, improving mental health resources, and addressing the root causes of violence.

Conclusion

HB 392 does not provide a practical solution to reducing crime but instead creates unnecessary burdens for responsible gun owners. For these reasons, I respectfully urge the Committee to oppose this bill. Thank you for considering my testimony, and I appreciate the opportunity to express my concerns.

Sincerely,

Travis Baguso

HB-392

Submitted on: 2/3/2025 8:22:31 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alison T Wolford	Individual	Oppose	Written Testimony Only

Comments:

To Whom It May Concern,

I am writing to express my strong opposition to the proposed legislation regarding the criminalization of ghost guns. While I understand the growing concern over gun violence in Hawaii, I believe that this proposal is misguided and fails to address the root causes of the issue.

First, the statistics presented in the proposal are alarming but do not necessarily indicate that ghost guns are the primary drivers of gun violence. The confiscation of ghost guns by the Honolulu Police Department is concerning, but it is essential to consider other factors contributing to gun violence, such as socioeconomic conditions, mental health issues, and inadequate law enforcement resources.

Second, the proposal suggests that ghost guns are inherently problematic due to their lack of serial numbers, making them untraceable. However, it is essential to recognize that the vast majority of firearms used in crimes are obtained through illegal means, regardless of whether they have serial numbers or not. Criminals will always find ways to circumvent the law, and this proposal does not address the more significant issue of illegal firearm trafficking.

Moreover, the proposal's emphasis on background checks overlooks the fact that most gun owners are law-abiding citizens who undergo thorough background checks when purchasing firearms through legal channels. Criminalizing the possession, transfer, or sale of ghost guns would disproportionately affect responsible gun owners who wish to exercise their Second Amendment rights.

Instead of focusing on ghost guns, I urge the legislature to consider more comprehensive measures to address gun violence. This includes investing in community programs that tackle the root causes of violence, improving mental health services, and providing better support for law enforcement agencies to effectively combat illegal firearm trafficking.

In conclusion, while the intention behind the proposed legislation is understandable, it fails to address the core issues contributing to gun violence in Hawaii. Since many laws current exist regarding requirements of firearms, places to keep, usage, etc I strongly urge the legislature to

reconsider this proposal and explore more effective solutions that do not infringe upon the rights of responsible gun owners and enforce existing laws.

Alison Wolford

HB-392

Submitted on: 2/3/2025 8:25:02 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I oppose HB392 because it would prohibit private citizens from possessing currently legal firearms that don't have serial numbers. If I have a firearm and I am keeping and bearing it per my legal authorization by the US Constitution 2nd Amendment, the existence or non existence of a serial number upon that firearm shall not be cited as a reason to infringe upon my right to keep and bear that firearm if it otherwise is in general compliance with the law. As a hypothetical example: How would you like to be deprived of an antique keep sake beautiful firearm handed down directly thru the generations from your ancestors only to be told by a newly devised state law that you are suddenly prohibited from owning your own rightful possession?

HB-392

Submitted on: 2/3/2025 8:42:18 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Peter Roa	Individual	Oppose	Written Testimony Only

Comments:

We the people oppose

HB-392

Submitted on: 2/3/2025 8:44:43 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

To whom it may concern I am in opposition of this bill. "Ghost guns" aren't being sold by law abiding gun owners. Only criminals. Why should the legal gun owner have to suffer for what criminals do.

HB-392

Submitted on: 2/3/2025 8:46:53 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

Aloha,

I am writing today in opposition of HB392. I believe it is already illegal to own a firearm with the serial number scratched off or removed from said firearm. I also am aware that this body of uneducated individuals has attempted to rename this illegal act to firearms made by individuals without a serial number ever present as it was not made by a manufacturer, or transferred through an FFL. I used, legally, this same process to legally make a registered firearm in Hawaii before this process was made illegal. I have a serialized firearm that I made and have caused no harm to anyone and have been a law abiding citizen throughout the process, as have more than the majority of those who have used 80% lower kits in this nation. Unfortunately a small minority was able to ruin this for all others and bills were passed into law making these kits illegal to own. Unfortunately likely hundreds if not thousands of respectful citizens throughout Hawaii were not aware of these bills becoming laws and were then too late to make their 80% kits legal. Throughout the turmoil and scary times of COVID many of these individuals became fearful and made these parts into actual firearms and then found out it was now illegal to register them and there was no easy way to have them serialized and made legal to own. Now we have a crisis of where the law has made law abiding, respectful and normal people into criminals. This bill suggests these individuals that I described are the same as those criminals who scrape off serial numbers after stealing a firearm and attempt to use them in violent ways amongst our communities. They are not the same. This bill would make them the same under the law. I do not support this bill and think it will be used to harass individuals who are not criminally minded and are not attempting to hurt their communities. I believe it is already illegal to use a firearm in the commission of a felony and feel this bill is unnecessary and another way to remove firearm rights from those who do not deserve to lose those rights. I am so disheartened by this state's legislature every year when I have to beg and plead my case. I am far more educated than those who vote for my rights and those who live in Hawaii and yet have to sit back and watch those with "power" vote away my right as a citizen of this nation and state. Please stop assaulting Hawaii citizens with your assumed power. Do better and work to actually reduce crime. Stop making citizens who respect Hawaii and the United States of America into criminals for mistakes that your legislative body had made into law without considering the consequences. Please vote NO on HB392.

Mahalo,

Chase Cavitt

HB-392

Submitted on: 2/3/2025 8:47:46 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kehaulani matsumoto	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

HB-392

Submitted on: 2/3/2025 8:52:34 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Andrew Namiki Roberts	Individual	Oppose	Remotely Via Zoom

Comments: Honorable Chair David A. Tarnas, Vice Chair Mahina Poepoe, and Members of the Committee on Judiciary & Hawaiian Affairs: Re: Testimony in Strong Opposition to HB 392 Relating to Ghost Guns Dear Chair Tarnas, Vice Chair Poepoe, and Members of the Committee, I am submitting this testimony in strong opposition to HB 392, which seeks to criminalize the possession, transfer, and sale of assembled ghost guns in Hawaii. I respectfully urge the Committee to immediately defer this bill due to its misguided understanding of federal law, its conflicts with existing Hawaii statutes regarding unserialized firearms, and the severe unintended consequences it would impose on lawful gun owners. Key Concerns with HB 392: Misguided Understanding of Federal Law:HB 392 defines a "ghost gun" as "a firearm, including a firearm frame or firearm receiver, that has not been imprinted with a serial number registered with a federally licensed manufacturer." This language is legally inaccurate because federally licensed manufacturers (FFLs) do not "register" firearms. Under the Gun Control Act of 1968, FFLs are required to serialize firearms and maintain internal records, but there is no federal firearm registration system for standard firearms. Moreover, the Firearm Owners Protection Act of 1986 explicitly prohibits the creation of a national firearm registry. The bill's reliance on a non-existent federal registration system renders it unenforceable and constitutionally questionable. Conflict with Existing Hawaii Laws:Hawaii law already prohibits the possession and manufacture of unserialized firearms, including "ghost guns" and unregistered receivers, under HRS §134-10.2. The bill's language creates unnecessary redundancy and legal conflicts with these existing statutes. It risks causing confusion among law enforcement and legal challenges based on inconsistencies between overlapping laws. Unintended Consequences for Law-Abiding Citizens:If passed, HB 392 would effectively criminalize the possession of virtually every firearm in Hawaii. Due to the bill's vague and overly broad definition of a "ghost gun," all firearms—even those legally owned and serialized—could technically fall under this definition. This would make every law-abiding gun owner in Hawaii a felon overnight, exposing responsible citizens to severe criminal penalties for simply possessing firearms that were legally acquired and maintained. Potential Constitutional Challenges:The bill's vague and inaccurate language could lead to due process violations under the Fifth and Fourteenth Amendments, as individuals may not receive clear notice of what conduct is criminalized. Additionally, the broad criminalization of firearm possession without proper consideration for lawful ownership could face challenges under the Second Amendment as established in *District of Columbia v. Heller* (2008). Call to Action: Given the bill's serious legal flaws and the catastrophic consequences it would have for Hawaii's law-abiding firearm owners, I respectfully request that the Committee immediately defer HB 392. Rather than advancing legislation based on a misunderstanding of federal law, I urge the Legislature to focus on targeted enforcement of existing laws and to collaborate with legal experts to ensure any new legislation aligns with both state and federal

statutes. Thank you for considering my testimony. Respectfully submitted, Andrew Namiki
Roberts

HB-392

Submitted on: 2/3/2025 8:58:37 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
elijah thierbach	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

HB-392

Submitted on: 2/3/2025 8:59:43 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Martin Dixon	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

HB-392

Submitted on: 2/3/2025 9:20:41 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lee Uchiyama	Individual	Oppose	Written Testimony Only

Comments:

I oppose this.

HB-392

Submitted on: 2/3/2025 9:54:35 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
GENER MACARAEG	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB392. Infringing on 2nd ammendment rights.

HB-392

Submitted on: 2/3/2025 10:02:34 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Danielle E. Sagun-Apilado	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB392

HB-392

Submitted on: 2/3/2025 10:02:54 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Joshua Diringer	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this legislation.

HB-392

Submitted on: 2/3/2025 10:16:02 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Zon Sullenberger	Individual	Oppose	Written Testimony Only

Comments:

Please oppose HB 392.

This bill creates opportunity for mis-application and abuse by creating a situation where inert pieces of metal could be misconstrued as a firearm. There is no utility in this bill.

HB-392

Submitted on: 2/3/2025 10:22:26 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Raymond Ishii	Individual	Oppose	Written Testimony Only

Comments:

Aloha I am Raymond Ishii and I strongly Oppose HB392

1st off so called Ghost Guns are already illegal in the State of Hawaii so this bill is redundant

2nd the use of a firearm in the commission of a crime is already illegal and subject to mandatory sentencing again this bill is redundant.

This bill is an attempt by the Honolulu Prosecutors office to take shortcuts in the criminal cases and will be used to threaten criminal defendants who are innocent until proven guilty with mandatory prison time to get them to plead to other charges and the Prosecutors will drop the Ghost gun charge.

Again I strongly Oppose HB392 and ask you to vote NO

Thank You

HB-392

Submitted on: 2/3/2025 10:25:55 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David P. Alvarado Jr.	Individual	Oppose	Written Testimony Only

Comments: In opposition of said bill. The manufacturing of a firearm for the sole use of self protection is federally legal.

HB-392

Submitted on: 2/3/2025 10:27:21 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
anthony dean	Individual	Oppose	In Person

Comments:

I strongly oppose any law that restricts my constitutional rights as an American. The 2nd amendment clearly state that "it shall not be infringed." As public servants, you must follow the constitution and stop trying to mess with our rights. You people already took away to many rights and keep making it harder for local families to stay in Hawaii.

Anthony Dean

HB-392

Submitted on: 2/3/2025 10:32:11 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I STRONGLY OPPOSE this Bill that infringes on our 2nd Amendment rights. I urge all members of the Committee to **VOTE NO** on this Bill.

HB-392

Submitted on: 2/3/2025 10:37:24 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

Dear Legislators,

Please do not infringe on our second amendment rights by placing restrictions on firearm parts. Unserialized parts are not the problem it is the criminal element which uses these parts to build a gun that is the problem. At the founding of our country most firearms were homemade, so parts should not be restricted. This should include all accessories like magazines over 10 rounds, these restrictions only put the law-abiding citizen at a disadvantage over the crook. The cost of firearms is also a problem created by these restrictive bills, people who can't afford to buy a firearm at a store, will resort to any means to get the most effective tool for self-defense. You need to stop infringing on the rights of the young adults from 18 years old, they can join the army, why are they lesser citizens than those over 21?

This bill is not needed. What is needed is incentivizing the individual law-abiding citizen to exercise their second amendment rights in the same way we exercise all of our other rights. Stop blaming the tools and deal with the criminals.

HB-392

Submitted on: 2/3/2025 11:06:30 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Easter K. Logan	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose any gun restrictions

HB-392

Submitted on: 2/3/2025 11:08:26 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

Aloha,

My name is Eric Hammond and I strongly oppose this bill. Ghost guns are already illegal. Our state has many problems and issues and our legislature continues to focus on a non-issue here in Hawaii. Please focus your energy on housing issues, families struggling to make it, and so many others.

Please prevent this bill from leaving committee.

Mahalo

HB-392

Submitted on: 2/3/2025 11:12:20 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I oppose this bill as it will not increase safety but further restrict my constitutional rights.

HB-392

Submitted on: 2/3/2025 11:52:17 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Charles-Michael victorino	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my opposition to Hawaii House Bill 392 (HB392), which seeks to regulate and criminalize the possession of firearms without serial numbers, often referred to as "ghost guns." While the intent behind this bill may be to enhance public safety, it fails to recognize the complexity of firearm construction and the realities of criminal behavior.

Building a "ghost gun" requires a significant level of technical knowledge and expertise, and it is not something that can be easily or quickly accomplished by the average person. The tools, skills, and components required to construct such a firearm are not readily accessible to most individuals, and the vast majority of law-abiding gun owners are simply not engaged in this kind of activity.

Furthermore, a criminal who is willing to commit illegal acts will not be deterred by whether a firearm has a serial number or not. Criminals are already operating outside the bounds of the law—by definition, they do not follow existing regulations regarding serial numbers, background checks, or any other firearm laws. Therefore, this bill disproportionately impacts law-abiding citizens who are not involved in illegal activity while doing little to address the core issue of criminal behavior.

Rather than focusing on the serial number of a firearm, we should be directing our efforts toward meaningful measures that target criminal activity itself—such as enforcing existing laws, improving public safety, and addressing the root causes of gun violence. HB392 does not do enough to prevent criminal behavior and instead punishes those who legally build or possess firearms, all while leaving those truly intent on committing crimes unaffected.

I urge lawmakers to reconsider this bill and focus on practical, effective solutions that uphold the rights of responsible gun owners while targeting actual criminal behavior.

HB-392

Submitted on: 2/4/2025 12:03:35 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Vladimir Cabias	Individual	Oppose	Written Testimony Only

Comments:

As a law abiding citizen, I strongly oppose HB392 as another pointless anti-gun law when current laws are already in effect with lawful gun owners following them and criminals always breaking them.

HB-392

Submitted on: 2/4/2025 12:10:52 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

This flawed bill is pointless, there is already a law in place with regards to "ghost guns". There is no real point to this flawed bill.

HB-392

Submitted on: 2/4/2025 12:41:25 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I oppose HB392. This bill is an infringement on the second amendment, and is therefore, unconstitutional. HB392 is a solution for a problem that does not exist.

"Ghost guns," is a label, that has been created, to demonize what hobbyists, gunsmiths and gun manufacturers have been doing since the invention of firearms. Criminalizing law abiding citizens, whom create firearms from raw materials, is a waste of time and resources. A better solution, would be to go after actual criminals, who steal firearms, destroy serialized firearms identification numbers, and use said firearms, for unlawful purposes.

HB-392

Submitted on: 2/4/2025 12:50:09 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I oppose this law as currently written. Contrary to what this law says it is already illegal to sell fully assembled firearms (especially those with no serial number) without following all of the current firearm registration and transfer laws that already exist. We already have so many laws against ghost guns, parts of this law seem excessive.

But I do agree that there should be higher penalties for any repeat felony, prohibited possessor, offenders with ANY firearms and also higher penalties for any person who uses ANY firearm during the commission of another crime.

Maybe we could separate out the higher penalties from the rest of the law, and just keep those parts.

HB-392

Submitted on: 2/4/2025 2:26:41 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

SECTION 1. The legislature finds that gun violence is a growing concern in Hawaii.

How can this be true? We are constantly bombarded with the message that Hawaii has the lowest gun crime because of our strict laws. The laws get more and more strict every year, so why is gun violence a growing concern?

Either too many gun laws actually make crime worse, or the legislature is trying to distract us from widespread systemic incompetence by constantly launching harassment campaigns against productive and law-abiding citizens.

HB-392

Submitted on: 2/4/2025 2:47:19 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rob Mihada	Individual	Oppose	Written Testimony Only

Comments:

I oppose any bill that infringes upon the Second Amendment because it directly undermines the constitutional right to bear arms, a fundamental freedom that is essential for self-defense and individual liberty. Restricting this right not only jeopardizes personal safety but also weakens the checks and balances designed to protect citizens from government overreach.

HB-392

Submitted on: 2/4/2025 3:48:49 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I feel like this law is here to mainly just beat on a dead horse. Since ghost guns are illegal this law seems to do nothing. If the state is really in such a bad situation with ghost guns, why are we being forced to register serialized guns?

HB-392

Submitted on: 2/4/2025 6:50:41 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bernice Jarra	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

HB-392

Submitted on: 2/4/2025 6:52:04 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

Strongly opposed!

HB-392

Submitted on: 2/4/2025 7:19:12 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Timothy Miyao	Individual	Oppose	Written Testimony Only

Comments:

Please oppose HB392.

Mahalo!

HB-392

Submitted on: 2/4/2025 7:31:35 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

Dear Sir/Ma'am,

Please respect my 2nd Amendment rights. I have served my Country/Community and have enjoyed target shooting for over thirty years and have always been a responsible firearms owner. Elements of this Bill would label me a criminal.

Please focus on the real criminals committing crimes in our neighborhoods, not the law-abiding citizens that enjoy the shooting sports. I work hard to be a good citizen...please treat me as such.

Thank you for your service to the State of Hawaii

HB-392

Submitted on: 2/4/2025 7:50:26 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bunnie Harrington	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

HB-392

Submitted on: 2/4/2025 8:06:03 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

Ghost guns are a scary element in our society indicative themselves of lawless intent. Thank you for proposing this bill!

HB-392

Submitted on: 2/4/2025 8:09:15 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I oppose.

HB-392

Submitted on: 2/4/2025 8:10:22 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I oppose measure hb392.

HB-392

Submitted on: 2/4/2025 8:13:48 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mike Harrington	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. SHALL NOT BE INFRINGED.

HB-392

Submitted on: 2/4/2025 8:17:16 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

This bill violates my constitutionally protected rights.

HB-392

Submitted on: 2/4/2025 8:21:10 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jason Howell	Individual	Oppose	Written Testimony Only

Comments:

HB 392 is a blatant infringement of (We the People's) 2nd amendment right to keep and bear arms. (OPPOSE).

HB-392

Submitted on: 2/4/2025 8:26:34 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cindy R Ajimine	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE this bill.

1. Unfairly Penalizes Law-Abiding Citizens:

Responsible gun owners could face fines and criminal charges for minor storage violations, even without any harmful outcome. This shifts the focus from criminal behavior to punishing lawful citizens.

2. Strict Liability Risks:

The bill imposes automatic legal liability if an unsecured firearm is misused, even if the owner wasn't negligent. This creates severe financial and legal risks, discouraging lawful firearm ownership.

3. Vague and Subjective Language:

Terms like "a location that a reasonable person would believe to be secure" are unclear and open to interpretation, leading to inconsistent enforcement and legal uncertainty.

4. Ineffective for Real Safety Concerns:

This bill does little to address the root causes of gun violence, focusing instead on over-regulating responsible gun owners rather than targeting criminals.

HB-392

Submitted on: 2/4/2025 8:27:13 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I strontly oppose

HB-392

Submitted on: 2/4/2025 8:32:15 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I strontly oppose

HB-392

Submitted on: 2/4/2025 8:36:15 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
J S	Individual	Oppose	Written Testimony Only

Comments:

Yet again...

Shall not be infringed.

Opposed

HB-392

Submitted on: 2/4/2025 8:36:38 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Craig Kashiwai	Individual	Oppose	Written Testimony Only

Comments:

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

HB-392

Submitted on: 2/4/2025 8:36:49 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bruce F Braun	Individual	Oppose	Written Testimony Only

Comments:

Strongly Oppose

HB-392

Submitted on: 2/4/2025 8:38:37 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tim Huycke	Individual	Support	Written Testimony Only

Comments:

I very enthusiastically support HB392.

HB-392

Submitted on: 2/4/2025 8:45:57 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I oppose this bill.

HB-392

Submitted on: 2/4/2025 8:53:31 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments: I oppose this bill HB 392 partially, so much gets mixed in that coming to a conclusion means making compromises. I want to be able to build my own firearms purely for inventive enjoyment and being independent. these would be for nothing more than the thrill of building something functional. But I'd be treated like a terrible human being simply for trying to make something that a small group of people may use for crimes? Intent and circumstances should not be removed from the law, which laws such as this do. Take away a person's right to a fair trial, to not be considered guilty immediately and thrown into the same statistics as criminal scum. It's not fair to be grouped in with people I'd never associate with. But you'd throw an incentive independent peaceable person in jail next to a crook that wouldn't think twice about taking everything you have including your life. Focus on why there are people with that mindset, not those who want to plink at cans or hunt.

HB-392

Submitted on: 2/4/2025 8:54:36 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alfred Farrow	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. There are laws in place for this. Create better laws to help citizens defend themselves from criminals. Criminals will not follow this law and it will not stop criminals from using illegal firearms. Hawai'i State Legislature is for the people, by the people.

HB-392

Submitted on: 2/4/2025 9:04:53 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Reid Oya	Individual	Oppose	Written Testimony Only

Comments:

Making firearms for personal use has been an American tradition from the beginning. There are so many laws on the books already. NONE of them stop CRIMINALS from doing bad things. Making new laws won't stop them either. Murder, assault, rape, theft, kidnapping etc. all illegal but they still happen. You're only making it hard for the law abiding citizens to protect themselves. Can you GUARANTEE the public's safety? Nothing bad going happen to us?

HB-392

Submitted on: 2/4/2025 9:05:16 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Joelle Seashell	Individual	Oppose	Written Testimony Only

Comments:

Those who wrote this legislation and those who vote in favor of it are in direct violation of the constitution--the highest law of the land. They are working to destroy the foundational elements of our country. The Ameican people have outright rejected democrats and their agenda. The Legislatures who are in favor of infringing on our right to bare arms are a threat to our consistutional republic and need to be removed from office. They are inviolation if the oath they took to uphold the constitution.

HB-392

Submitted on: 2/4/2025 9:23:13 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mr. & Mrs. O'Neill	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB 392. This is in direct violation of our Second Amendment rights.

Regards, Steve and Linda O'Neill

HB-392

Submitted on: 2/4/2025 9:29:46 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

Please do not pass this bill

The federal government already has restrictions. Hawaii does not need this.

HB-392

Submitted on: 2/4/2025 9:32:42 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Noela von Wiegandt	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I oppose HB392.

Thank you.

Noela von Wiegandt

HB-392

Submitted on: 2/4/2025 9:50:54 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I OPPOSE HB392.

The term "ghost gun" is an invention and does not reflect any reality. A so-called "ghost gun" is an "arm" within the meaning of the 2d amendment that is made by an individual and not in commerce. Certainly no one would dispute that the historical tradition of firearm ownership includes the individual making of firearms without a serial number.

SECTION 1 is incorrect in stating that "ghost guns" "can be bought or transferred withoiut the background check". Nothing in law distinguishes firearms with or without serial numbers for the purposes of possession or transfer, except for those certain classes of firearms covered by the National Firearms Act which must be registered and require a tax stamp to transfer.

Technical comment on SECTION 2 of the bill: This section fails to provide for firearms obtained from a federally licensed importer.

HB-392

Submitted on: 2/4/2025 10:03:13 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lesha Mathes	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill! It makes previously legally owned guns illegal. It's ridiculous, too much governmental control, quit trampling on our rights.

HB-392

Submitted on: 2/4/2025 10:05:53 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
MICHAEL ING	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

HB-392

Submitted on: 2/4/2025 10:17:06 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Richard Frey	Individual	Oppose	Written Testimony Only

Comments:

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HB-392

Submitted on: 2/4/2025 10:18:17 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I STRONGLY OPPOSE THIS BILL

This Bill would impede my constitutional right.

Unneeded and Unnecessary Government Overreach

HB-392

Submitted on: 2/4/2025 10:19:01 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Henry Bruckner	Individual	Oppose	Written Testimony Only

Comments:

This law would prohibit currently legally possessed firearms and unnecessarily exceeds current federal law.

HB-392

Submitted on: 2/4/2025 10:25:06 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I oppose this bill !

HB-392

Submitted on: 2/4/2025 10:27:29 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I oppose this bill !

HB-392

Submitted on: 2/4/2025 10:29:51 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I oppose this bill !

HB-392

Submitted on: 2/4/2025 10:40:21 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
D Y	Individual	Oppose	Written Testimony Only

Comments:

Dear Madam and Sirs,

This letter is to ask you to not impose, to not diminish, to take away anymore of the people's freedoms. Protect the Constitution. Honor it. No more to striping away rights and new gun restriction proposals is exactly that. The rights of "We the people" weren't given by you and should not be restricted by you. We live in a state that is already one of the most strictest states in the nation regarding gun laws and ownership. Passing any more will not make any change, but turn many law abiding citizens into criminals. You'll have many overnight. Laws will not stop the acts of a madman. Assault is an action, it could be done with bats, sticks, knives, hammers, vehicles and even empty handed, I don't see you go after those. Inanimate objects are harmless without the intentions behind it. On the flip side they can be used for good. Tools to build, fix and repair, sport, family time and protection. Please don't go forward with ANY gun control measures, they will not stop violence, they will only harm law abiding citizens as myself. Whatever amends to terms you want to make will not do anything to criminals. Again, it'll only affect law abiding citizens. It's a slope this country is already sliding down. Let the people be who are - Americans. Free. Not your subjects.

Sincerely,

Daniel Yoro Sr.

HB-392

Submitted on: 2/4/2025 10:40:57 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I oppose. Do you also tell car enthusiasts that they cannot build cars because it is a danger to others? How about people who cook as a hobby. Do you regulate their cooking to make sure it doesn't make sick?

HB-392

Submitted on: 2/4/2025 11:04:53 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ellen Carson	Individual	Support	Written Testimony Only

Comments:

I support this bill HB392. It is a logical component and extension of our state's existing efforts to prohibit ghost guns and assure strict regulation of firearms, rather than permitting unlicensed firearms to be created and carried around our islands. Thank you for seeking to protect our residents from gun violence.

HB-392

Submitted on: 2/4/2025 11:54:30 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Vincent Tibbles	Individual	Oppose	Written Testimony Only

Comments:

This is a constitutional violation. Even during the forming of this country, Firearms did not have serial numbers and Firearms could be made at home perfectly legally 80% firearms are legal federally and should not be restricted or illegal in the state of Hawaii. This is a second amendment violation. If this bill has passed, I will sue the state of Hawaii.

HB-392

Submitted on: 2/4/2025 12:10:29 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I oppose

HB-392

Submitted on: 2/4/2025 12:29:34 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary Smart	Individual	Oppose	Written Testimony Only

Comments:

Do not pass HB392.

HB-392

Submitted on: 2/4/2025 1:09:21 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I oppose this measure on the grounds it's interfering it my my 2nd Amendment rights.

HB-392

Submitted on: 2/4/2025 1:19:55 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Blanca Larson	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

HB-392

Submitted on: 2/4/2025 1:22:16 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bradle Lindsey	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my opposition to House Bill 392 (HB392), which seeks to prohibit the possession, transfer, and sale of ghost guns, as well as establish mandatory minimum sentencing for the use of a ghost gun in the commission of a felony.

While the intent behind HB392 is to address the issue of untraceable firearms, I believe that this bill overreaches and infringes upon the rights of law-abiding citizens. Ghost guns, also known as homemade or unregistered firearms, are a product of individual craftsmanship and innovation. Banning the possession, transfer, and sale of these firearms punishes responsible gun owners and hobbyists who enjoy the process of building their own firearms.

Furthermore, imposing mandatory minimum sentencing for the use of a ghost gun in the commission of a felony does not address the root causes of criminal behavior. Criminals who intend to commit felonies are unlikely to be deterred by additional penalties related to the type of firearm used. Instead, this measure will primarily impact law-abiding citizens who may inadvertently fall afoul of the law due to the complex and often misunderstood regulations surrounding ghost guns.

Efforts to improve public safety should focus on enforcing existing laws, improving background checks, and addressing the underlying causes of violence, such as mental health issues and socio-economic disparities. Additionally, education and outreach programs can help inform gun owners about the responsible and legal use of firearms, including ghost guns.

In conclusion, I urge you to reconsider the passage of HB392 and to pursue more effective and targeted measures to enhance public safety without infringing upon the rights of responsible gun owners. It is crucial to strike a balance between safety and the preservation of individual liberties.

HB-392

Submitted on: 2/4/2025 1:37:54 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Raymond Higa	Individual	Oppose	Written Testimony Only

Comments:

I would like to oppose bill that restricts the centuries-old practice of building firmarms for personal use and self-defense.

HB-392

Submitted on: 2/4/2025 1:45:38 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sarah-Lyn Lokelani Jacobson	Individual	Oppose	Written Testimony Only

Comments:

Shall not be infringed!

HB-392

Submitted on: 2/4/2025 1:50:15 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

submtting in opposition.

HB-392

Submitted on: 2/4/2025 1:51:07 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Larry Duclayan	Individual	Oppose	Written Testimony Only

Comments:

Testimony in Opposition to Hawaii House Bill HB392

Aloha,

I am writing this to express my strong opposition to House Bill HB392. This legislation represents a significant overreach into the rights guaranteed by the Second Amendment of the United States Constitution, rights which are fundamental to the liberty and security of every American, including those of us in Hawaii.

Constitutional Rights at Stake: The Second Amendment clearly states, "the right of the people to keep and bear Arms, shall not be infringed." This right has been repeatedly upheld by the U.S. Supreme Court in cases like *District of Columbia v. Heller* (2008) and *McDonald v. Chicago* (2010), affirming that this is an individual right, essential to personal security and the democratic process. HB392, by imposing unnecessary and burdensome restrictions on firearm ownership, directly challenges these constitutional protections.

Implications for Law-Abiding Citizens: HB392 would impose new regulations, such as mandatory storage laws, additional licensing requirements, and restrictions on where firearms can be carried, even for those who have legally obtained permits. These measures do not focus on criminal behavior but rather penalize law-abiding citizens who wish to exercise their constitutional rights responsibly.

For instance, the requirement for firearms to be stored in a manner that renders them inoperable for immediate self-defense undermines the very purpose of owning a firearm for personal protection. This bill would force individuals to choose between compliance with the law and the ability to defend themselves, their families, and their property in emergencies.

Legal Precedents and State Rights: Hawaii has a unique legal landscape regarding firearms, but recent federal court decisions have begun to clarify the extent to which the Second Amendment applies even in states with stringent gun control. The Ninth Circuit's decision in *Young v. Hawaii* (2021) and the more recent *Teter v. Lopez* (2023) have challenged and overturned restrictive carry laws, setting a precedent that should guide the legislature in respecting Second Amendment rights.

HB392 seems to ignore these legal developments, pushing for restrictions that have been or are likely to be deemed unconstitutional elsewhere in the Ninth Circuit. This not only invites legal challenges but also risks significant taxpayer money being spent on defending legislation that may not withstand judicial scrutiny.

Public Safety Argument: Proponents of HB392 might argue it's for public safety, but there's a lack of compelling evidence that such restrictive measures effectively reduce crime or gun violence. Instead, these laws often leave law-abiding citizens defenseless while doing little to deter criminals who, by definition, do not follow laws. Real public safety comes from addressing crime at its roots, through education, mental health support, and community policing, not by stripping away fundamental rights.

Conclusion: House Bill HB392 is an ill-considered piece of legislation that fails to respect the constitutional rights of Hawaii's citizens. It undermines personal security, ignores legal precedents, and does not genuinely address public safety. I urge you to vote against this bill to preserve the Second Amendment rights of all Hawaiians, ensuring that we can continue to live in a state that values both safety and freedom.

Mahalo for your attention and consideration.

Sincerely,

HB-392

Submitted on: 2/4/2025 1:54:44 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I oppose HB392. This law makes all guns in Hawaii illegal due to the FFL and serial number requirement. There is no federal registration.

HB-392

Submitted on: 2/4/2025 2:05:44 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

My name is Sean J DeMello and i am in opposition to bill HB392.

Americans have always and still do have the right to build our own arms.

"ghost gun" is a made up term.

Thank you.

HB-392

Submitted on: 2/4/2025 3:14:12 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kent Kurihara	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

This testimony is to OPPOSE the HB392. The government does not have the authority to regulate firearms built by citizens of the state, and contained WITHIN the state. The government should not be allowed to interfere with those actions not falling under the umbrella of interstate commerce.

Also, there are already laws which outline penalties for using a firearm in a felony act. Do not make more laws for the sake of making more laws.

Kent Kurihara

HB-392

Submitted on: 2/4/2025 3:25:40 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

this is bill that is not necessary. this is a waste of time

sincerely,

Gavin Lohmeier

HB-392

Submitted on: 2/4/2025 3:39:21 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

Oppose bill

HB-392

Submitted on: 2/4/2025 3:47:14 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nestor L Robles	Individual	Oppose	Written Testimony Only

Comments:

Opposition to Hawaii HB392

I respectfully oppose Hawaii HB392 due to several significant concerns regarding its potential impact on individual rights, public safety, and the principles of justice that we value as a society. Specifically, my opposition is grounded in the following points:

1. Violation of Constitutional Rights:

If HB392 proposes measures that infringe upon constitutionally protected rights, such as the right to due process or freedom from unlawful searches and seizures, it could conflict with fundamental protections guaranteed under the U.S. Constitution. For example, any attempt to restrict rights without clear and compelling justification could be seen as overreach. The U.S. Supreme Court has consistently upheld individual rights, and any law that might compromise those protections should be carefully scrutinized to ensure it does not violate constitutional principles.

2. Unintended Consequences and Overreach:

Often, well-intentioned laws can have unintended negative consequences. If HB392 involves increased regulation or restrictions, especially if they affect law-abiding citizens, it could lead to over-criminalization or impose undue burdens on everyday individuals. For example, laws that impose penalties or restrictions without addressing the root causes of the issue they aim to solve tend to be ineffective, leading only to more legal confusion or societal harm.

3. Ineffectiveness in Addressing the Issue:

In some cases, bills like HB392 are proposed in response to complex issues that require multifaceted solutions. A single piece of legislation may fail to address the root causes of these problems or may be overly broad in scope. If HB392 does not provide a clear, evidence-based solution to the issue it aims to address, it risks being ineffective or even counterproductive.

4. Respecting the Will of the People:

The best policies should reflect the needs and values of the people they impact. If HB392 has not been subject to sufficient public input or consultation with stakeholders, it may not represent the will of the community. Laws that are crafted without adequate public debate and consideration risk alienating citizens and may fail to achieve their intended goals.

5. Overstepping State Authority:

If HB392 involves regulating areas that are better handled at the federal level, it could

result in unnecessary legal conflict and confusion. Hawaii, like all states, must respect the boundaries of state and federal jurisdiction. Laws that conflict with federal law or existing Supreme Court rulings could be challenged and struck down, creating a waste of resources and uncertainty for residents and businesses.

By presenting these arguments, you emphasize that HB392 may have unintended negative effects on constitutional rights, public safety, and social justice. You are urging lawmakers to reconsider the potential consequences and to pursue alternative solutions that are more effective, equitable, and respectful of individual freedoms.

HB-392

Submitted on: 2/4/2025 4:02:50 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

We don't need more frivolous or unlawful laws.

HB-392

Submitted on: 2/4/2025 4:03:17 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tamara Mckay	Individual	Oppose	Remotely Via Zoom

Comments:

I am writing in **strong opposition** to **HB392**, which seeks to **prohibit the possession, transfer, and sale of so-called "ghost guns"** while also establishing **mandatory minimum sentencing for their use in felonies**. This bill is an **overreaching infringement on the Second Amendment**, unfairly targets **law-abiding gun owners**, and does nothing to deter actual crime.

HB392 Criminalizes Law-Abiding Gun Owners

The term **"ghost gun"** is misleading and politically charged. The reality is that many firearms have been legally built by private citizens for generations. **Homemade firearms are legal under federal law**, and responsible gun owners should not be turned into criminals for practicing a **longstanding American tradition**.

- **Private firearm manufacturing has been legal since the founding of the country.** Restricting this right is an attack on both **Second Amendment** and **private property rights**.
- **HB392 does not target criminals.** Instead, it **punishes hobbyists, gunsmiths, and collectors** who legally build firearms for personal use.
- **The bill makes legally owned and legally built firearms retroactively illegal.** This is an unconstitutional violation of private ownership rights.

Mandatory Minimum Sentences for Ghost Gun Use in a Felony are Redundant

Felonies involving firearms are already **highly illegal** under both **Hawaii state law and federal law**. Adding mandatory minimums specifically for "ghost guns" is **performative lawmaking** that does nothing to deter criminals.

- **Criminals do not obey firearm laws.** If someone is willing to commit **robbery, assault, or murder**, they are not going to be stopped by a new law against homemade firearms.
- **Harsher penalties for firearm-related crimes already exist.** Prosecutors should focus on **enforcing existing laws**, rather than creating unnecessary new ones that burden law-abiding citizens.

HB392 Violates the Second Amendment

The U.S. Supreme Court has ruled in **District of Columbia v. Heller** and **New York State Rifle & Pistol Association v. Bruen** that broad gun restrictions like this violate the **Second Amendment**. **Banning legally built firearms is unconstitutional** and goes against the **historical precedent of private gun ownership** in America.

- **HB392 sets a dangerous precedent** by allowing the government to dictate **who can build, own, or modify a firearm**.
- **This law does nothing to address violent crime**—it only burdens responsible gun owners with more unnecessary regulation.

Real Solutions Focus on Crime, Not Lawful Gun Owners

If the goal is to **reduce violent crime**, lawmakers should focus on:

1. **Stronger penalties for repeat violent offenders** rather than targeting law-abiding citizens.
2. **Cracking down on illegal gun trafficking** rather than restricting home-built firearms.
3. **Addressing mental health and community safety** rather than pushing ineffective gun control measures.

HB392 is Unnecessary and Ineffective – Vote NO

This bill is **another attempt to erode Second Amendment rights** under the guise of public safety, while **doing nothing to stop actual criminals**. The **real issue is illegal gun possession and violent crime**, not law-abiding citizens building personal firearms.

I urge you to **oppose HB392** and **protect the constitutional rights of Hawaii's citizens**. **Vote NO on HB392.**

HB-392

Submitted on: 2/4/2025 4:12:19 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I oppose this bill. Please support the constitutional rights of your constituents and vote
NO. mahalo. Chanara Richmond HD42

HB-392

Submitted on: 2/4/2025 4:30:24 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kirk Powles	Individual	Oppose	Written Testimony Only

Comments:

If Hawaiians had ghost guns, this place would still be a kingdom.

HB-392

Submitted on: 2/4/2025 5:14:01 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brett Kulbis	Individual	Oppose	Written Testimony Only

Comments:

Chair Tarnas and Committee Members,

My name is Brett Kulbis, I'm a 26yr Navy Veteran and Retired Civil Servant. I live in Ewa Beach.

I STRONGLY OPPOSE HB-392.

This bill further restricts the centuries-old practice of building firearms for personal use and self-defense by imposing restrictions that far exceed those in federal law. Existing state law prohibits the purchase or acquisition of firearm parts with the purpose of assembling a firearm, however HB 392 would now prohibit private individuals from possessing currently legal firearms that don't have serial numbers.

Respectfully, I STRONGLY encourage you to vote NO on HB-392.

HB-392

Submitted on: 2/4/2025 5:14:14 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

Citizens are constitutionally allowed to build their own firearms. I oppose this bill.

HB-392

Submitted on: 2/4/2025 5:26:15 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

To Whom It May Concern:

I come before you today to address a matter of great importance: the continued overreach of the government in restricting the Second Amendment rights of law-abiding citizens. The right to keep and bear arms is not merely a privilege granted by the government but a fundamental right enshrined in the Constitution. Recent legislative efforts and regulatory overreach threaten the very core of this right, infringing upon the freedoms of responsible gun owners across the country.

The Second Amendment states unequivocally that "the right of the people to keep and bear Arms, shall not be infringed." Despite this clear and unambiguous language, we have seen an increasing number of laws and regulations that seek to chip away at this fundamental liberty. From so-called "assault weapons" bans to red flag laws that strip individuals of their rights without due process, the erosion of our constitutional freedoms has reached an alarming level.

One of the most concerning aspects of this overreach is the implementation of sweeping firearm restrictions that do little to prevent crime but disproportionately burden law-abiding citizens. Restrictive background checks, arbitrary limitations on magazine capacities, and bans on commonly owned firearms serve not to enhance public safety, but to criminalize responsible gun ownership. These measures ignore the reality that criminals, by definition, do not abide by the law, while law-abiding citizens are forced to navigate an increasingly complex web of restrictions simply to exercise their constitutional rights.

Moreover, the push for so-called "universal background checks" and national gun registries raises significant concerns regarding government surveillance and control. The ability of a government to track and regulate firearm ownership to such an extent poses a direct threat to individual liberties and has historically been a precursor to broader disarmament efforts. The American people must remain vigilant against such encroachments, lest we surrender our rights under the guise of safety and security.

Additionally, red flag laws, while often presented as a means of preventing violence, lack essential due process protections and create a dangerous precedent where individuals can lose their Second Amendment rights based on mere allegations rather than concrete evidence or legal conviction. These laws not only violate constitutional rights but also open the door for potential

abuse, wherein personal grievances or political motivations could be weaponized against lawful gun owners.

We must also recognize the broader implications of government overreach in this area. The Second Amendment was designed not only as a means of self-defense but as a safeguard against tyranny. An armed populace is a crucial check on governmental power, ensuring that citizens retain the ability to defend their freedoms against any form of oppression. Any attempt to undermine this fundamental right is an affront to the very principles upon which our nation was founded.

It is imperative that we, as a people, stand firm against efforts to erode the Second Amendment. We must advocate for legislation that upholds the Constitution, preserves individual rights, and ensures that law-abiding citizens are not unduly burdened by government overreach. The focus should be on enforcing existing laws against violent criminals rather than imposing further restrictions on those who pose no threat to public safety.

In closing, I urge our elected officials and fellow citizens to reject any measures that infringe upon our right to keep and bear arms. The preservation of this fundamental liberty is essential not only to our personal security but to the very fabric of our democracy. We must remain vigilant and steadfast in our defense of the Second Amendment, ensuring that future generations inherit the freedoms that we hold dear today.

HB-392

Submitted on: 2/4/2025 5:33:05 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jeffrey King	Individual	Oppose	Written Testimony Only

Comments:

Just another infringement (on an already endless list of previous infringements) on our god given and constitutionally protected 2nd amendment rights by needlessly making it more difficult for law abiding citizens to exercise their right while making them criminals without committing a crime. Legislators need to stop writing and pushing unconstitutional bills. Those who do should be considered unfit for their positions and grounds for their removal.

HB-392

Submitted on: 2/4/2025 5:52:27 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I oppose this bill

HB-392

Submitted on: 2/4/2025 5:58:02 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I Oppose HB 392

This bill further restricts the centuries-old practice of building firearms for personal use and self-defense by imposing restrictions that far exceed those in federal law. Existing state law prohibits the purchase or acquisition of firearm parts with the purpose of assembling a firearm, however HB 392 would now prohibit private individuals from possessing currently legal firearms that don't have serial numbers.

Mahalo for allowing me to submit testimony in Opposition to this bill.

HB-392

Submitted on: 2/4/2025 6:04:37 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
TERI SAVAIINAEA	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Tarnas and Committee Members,

I oppose HB392.

Kind regards,

Teri Kia Savaiinaea

District 45, Wai'anae Resident

HB-392

Submitted on: 2/4/2025 6:18:28 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Patricia Alexa King-Foley	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to this Bill because it will criminalize the transport and sale of an assembled (ghost) gun.

HB-392

Submitted on: 2/4/2025 6:32:36 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I strongly OPPOSE HB392.

HB-392

Submitted on: 2/4/2025 6:42:58 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
james wallace	Individual	Oppose	In Person

Comments:

I oppose HB392 because ghost guns dont kill people.People kill people.Make laws to punish severe if you commit crime using ghost guns.Thats why crime in hawaii is high because our law makers are lenient on criminals,especially those who commit felony.Criminals are not afraid of our weak laws.

HB-392

Submitted on: 2/4/2025 7:04:27 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Steven Fukuhara	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill!

Please dont let this bill pass!

HB-392

Submitted on: 2/4/2025 7:32:16 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James K. Rzonca	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

HB-392

Submitted on: 2/4/2025 8:09:48 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I can not oppose this any more vehemently. This is an egregious overstep of my constitutional rights. The 2nd amendment is quite clear and the Heller and Bruen decisions were crystal clear for those who lack the intelligence (like those who submitted this bill) to understand it.

Why don't you try stopping actual criminals from committing crimes? Not making innocent citizens into arbitrary criminals.

Furthermore, STOP wasting MY tax payers dollars on legislation that your constituents oppose. WE WILL make note of these individuals and democracy will prevail as you will be relieved of your duties that you so quickly neglect. YOU swore an oath to serve the people, your constituents, and uphold the CONSTITUTION of the UNITED STATES. Continue to be direct in your duties and you will be dealt with accordingly. Historically, they had a specific punishment for traitors. You've been informed.

Aloha

HB-392

Submitted on: 2/4/2025 8:14:14 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

House Bill 392 further restricts the centuries-old practice of building firearms for personal use and self-defense by imposing restrictions that far exceed those in federal law. Existing state law prohibits the purchase or acquisition of firearm parts with the purpose of assembling a firearm, however HB 392 would now prohibit private individuals from possessing currently legal firearms that don't have serial numbers.

HB-392

Submitted on: 2/4/2025 8:21:03 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I am opposed to HB392 and ask respectfully that we not waste time creating frivolous bills to appear as if something is being done to prevent violent crime. A person willing to cause harm and scrape off the serial number of a firearm in order to not easily be traced if found in someone who would disregard all laws regardless of any laws of the land. This term "ghost gun" is now used for firearms made from 80% kits and are not solely the ones being used by criminals. The term originated with firearms that criminals took off serial numbers in order to make them untraceable. This is already against the law. It is also illegal to use a firearm in the commission of a felony. This mandatory minimum will not prevent any crimes and will be a waste of time while there are much more important matters at hand in Hawaii. We have housing crisis, a community desperate for opportunity to buy homes and are unable to because outside investors come in and buy up everything. We have one of the worst education systems in the US if not the world. There are real issues to tackle and this is not one of them. Please vote No on HB392

HB-392

Submitted on: 2/4/2025 8:26:25 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I Oppose Bill HB392

HB-392

Submitted on: 2/4/2025 8:40:36 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Keleb I. Paglinawan	Individual	Oppose	Written Testimony Only

Comments:

I'm opposed to HB392

HB-392

Submitted on: 2/4/2025 9:28:54 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I urge you to vote NO on HB392. The bill does nothing to improve public safety as most of the guns used in crimes are stolen. Many are termed "ghost guns" not because they were made from unserialized parts but because the criminals DESTROYED the serial numbers on the weapons. These weapons are already illegal and another law making them more illegal is not needed.

Please vote NO on HB392

HB-392

Submitted on: 2/4/2025 9:31:13 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

Stop infringing on our Second Amendment Rights!

HB-392

Submitted on: 2/4/2025 10:03:28 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Adrian Flack	Individual	Oppose	Written Testimony Only

Comments:

The proposed legislation prohibiting the possession, transfer, and sale of so-called “ghost guns” and establishing mandatory minimum sentencing for their use in felonies represents a direct violation of the Second Amendment. Furthermore, recent Supreme Court decisions, including *New York State Rifle & Pistol Association, Inc. v. Bruen* (2022), set a clear legal standard that firearm regulations must be consistent with the historical tradition of gun laws. This proposal fails that test.

The Supreme Court has made it clear that firearm restrictions must align with the historical understanding of the right to keep and bear arms. The broad prohibition of self-manufactured firearms—often labeled “ghost guns”—contradicts this principle.

1. No Historical Basis for Banning Self-Manufactured Firearms

- The private manufacture of firearms has been an integral part of American history since the nation’s founding. There is no historical precedent for banning law-abiding citizens from building their own firearms for personal use.
- Under *Heller* (2008), the Second Amendment protects firearms that are in “common use.” Privately made firearms meet this standard, as they have been lawfully built by citizens for centuries.
- The *Bruen* decision reaffirmed that any gun regulation must be justified by historical tradition. Because there is no tradition of prohibiting self-manufactured firearms, this proposal is unconstitutional under *Bruen*.

2. Restrictions on Transfer and Sale Violate the Right to Keep and Bear Arms

- The ability to sell or transfer a firearm is an essential part of the Second Amendment’s protections. Banning the transfer of self-made firearms limits lawful commerce and restricts the ability of individuals to exercise their constitutional rights.

- Bruen struck down New York’s restrictive gun laws by rejecting the argument that modern regulatory interests outweigh constitutional rights. Similarly, this ban fails to meet constitutional scrutiny.

3. Mandatory Minimum Sentences and Overcriminalization

- While criminal penalties for firearms used in felonies may be justified, imposing mandatory minimum sentences based solely on the firearm’s method of manufacture is arbitrary and unnecessary.

- Violent crime should be prosecuted based on the criminal act itself, not on whether a lawfully made firearm lacks a serial number.

Beyond constitutional concerns, this proposal would have negative effects on lawful firearm manufacturers, retailers, and hobbyists.

1. Impact on Firearm Hobbyists and Custom Gunsmithing

- Many gun owners legally assemble or customize firearms for personal use. This ban would criminalize long-standing traditions of lawful gun ownership and hobbyist gunsmithing.

2. Burden on Small Firearm Businesses

- Firearm kit manufacturers and gunsmiths who provide parts and services for self-assembled firearms would be severely impacted.

- The prohibition on transfers would eliminate legal secondary markets for self-manufactured firearms, further harming the firearms industry.

Conclusion

This proposed ban on self-manufactured firearms is an unconstitutional restriction on the right to keep and bear arms. Bruen makes it clear that firearm regulations must align with historical traditions, and there is no precedent for banning privately made firearms. Furthermore, the negative economic impact on small businesses and lawful gun owners outweighs any perceived benefits. Lawmakers should reject this proposal and instead focus on enforcing existing laws that target violent criminals rather than infringing on the rights of responsible citizens.

HB-392

Submitted on: 2/4/2025 10:52:30 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Charlene Mersburgh	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB392

HB-392

Submitted on: 2/4/2025 11:24:58 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

At the time the Bill of Rights was ratified, most gun owners repaired their firearms and even made them in part or wholly. Unserialized firearms or "ghost guns" have been part of the United States since it's founding.

HB-392

Submitted on: 2/4/2025 11:39:01 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Benel Piros	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE this bill due it being redundant to the fact all firearms without a serial number are already illegal.

Representative David A. Tarnas, Chair
Representative Mahina Poepoe, Vice Chair
Committee on Judiciary and Hawaiian Affairs (JHA)
Hearing: Thursday, February 06, 2025, at 2:00 p.m.
Regarding: **HB392 (Relating to Firearms)**
Voter Position: OPPOSITION

Representatives of the JHA Committee,

I express my **opposition** to **HB392 (Relating to Firearms)**.

Irrational Prosecution

HB392 seeks to criminalize all current lawful gun owners and seeks to convert them all into criminals with legislative language that is purposefully vague and all-inclusive. The proposed amendment to Hawaii Revised Statutes Section 134-1 seeks to modify the artificial term, “ghost” gun, and creates a semantic conflict whereby a serialized firearm may still be considered a “ghost” gun because certain parts of the firearm are not serialized.

Many key components of firearms, such as the firearm frames of certain firearm models, are not serialized when manufactured. **HB392** negligently fails to provide guidance concerning how lawful firearm owners may proceed with serializing parts of their firearms. **HB392** does not delineate what specific parts require serialization, since each firearm is unique in its composition. Equally important, there is no provision of any authorized entity that would perform the firearm part serialization, the projected cost associated with such serialization, or any confirmation whether such entity would validate any firearm serialization as being sufficient for the artificial requirements set forth by **HB392**. There are numerous administrative hurdles that would be artificially generated by **HB392** and none of the hurdles would result in any empirical reduction of criminal activity. Criminals will simply continue to wreak havoc on the community with any firearm, whether serialized or not, while lawful firearm owners are collectively forced to perform superficial serialization modifications to all of their firearms.

Problems with Enforceability

Once passed, **HB392** does not specify how firearm part serialization and corresponding registration would be validated by the Honolulu Police Department. Procedures for registration currently focus on operable firearm components, such as receivers, but not necessarily frames. This would produce additional administrative processing that would result in reduced manpower at the department since more administrative resources would need to be dedicated to duplicative firearm serialization validation. Such action would also adversely affect public safety since precious time would be wasted on repeat serialization confirmations rather than processing other investigative cases or calls for law enforcement service.

A History of State-Imposed Mass Incarceration Re-Manifests Itself

The re-introduction of mandatory minimum sentencing for supposed violations of **HB392** is eerily reminiscent of the racist and unjust judicial punishments that were used in the 1950s-1960s via similar legislative measures crafted by various states. Supposedly, the goal of archaic mandatory minimum sentencing sought to reduce drug proliferation and violent crime. Such laws were used primarily as a scare tactic and only resulted in mass incarceration of multitudes of non-violent offenders.

The Sentencing Project's is a research and advocacy platform that seeks effective and humane responses to crime that minimize imprisonment and criminalization of youth and adults by promoting racial, ethnic, economic, and gender justice. This public advocacy organization's Fact Sheet entitled, "[How Mandatory Minimums Perpetuate Mass Incarceration and What to Do About It](#)," assesses the harms of mandatory minimum sentencing. Notably, *The Sentencing Project* finds that mandatory minimum sentences actually do more harm than good when they point out how,

"Widespread evidence shows that **mandatory minimum sentences produce substantial harm with no overall benefit to crime control.**¹ Determined by **lawmakers** rather than judges, these sentences represent a uniquely American approach to sentencing that **has accelerated prison growth**. They constrain judicial discretion, deepen racial disparities in the criminal legal system, and **cause far-reaching harm to individuals, families, and communities.**²" [emphasis added]

The Sentencing Project makes their claim and base their observations from academic research journal sources such as [The Growth of Incarceration in the United States](#), as published by the *National Academies of Sciences, Engineering, and Medicine*. Another academic research journal that *The Sentencing Project* uses as a source is the study entitled, [Prosecutorial Discretion and the Imposition of Mandatory Minimum Sentences](#), as published within the *Journal of Research in Crime and Delinquency*.

Focus on Stopping Current Criminal Activity

With the combined negligent and punitive aspects that **HB392** imposes upon all lawful firearm owners, it is clear that it will not serve to improve any objective or otherwise measurable public safety metric. There are no viable amendments to **HB392** that would gain support of lawful firearm owners in the state. If the purpose of **HB392** truly is to enhance public safety as claimed in the measure's introductory section, then other avenues of legislative actions must be utilized. As of February 4, 2025, the State of Hawaii's [Department of Law Enforcement](#) website still has postings for vacant Deputy Sheriffs and Investigators of all experience levels. It would be more prudent to focus legislative efforts on funding bills that can streamline hiring, reduce vacancies in the department, and enhance the prosecution of violent offenders that still plague the streets of Hawaii.

Thank you for taking the time to review this testimony.

Respectfully,

Ryan C. Tinajero

Constituent of **House District 48**

HB-392

Submitted on: 2/5/2025 12:54:20 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Daniel Oshima	Individual	Oppose	Written Testimony Only

Comments:

These proposals restricting firearms-owning general public do not stop those who have malicious intent to commit crimes with such items or those who inflict harm to property or people. Please oppose this bill.

HB-392

Submitted on: 2/5/2025 3:37:44 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I oppose this proposed legislation on the grounds that it may criminalize some of my friends who collect valuable and vintage firearms. The term "ghost gun" is just vague and inflammatory language. Shame on any legislator that would resort to using inflammatory language to attract attention.

HB-392

Submitted on: 2/5/2025 4:04:03 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

This bill is unconstitutional, violates precedent set in past Supreme Court rulings including *Caetano*, *Heller*, and *Bruen*, and would unfairly infringe upon the rights of Americans. Representatives who support this bill are not representing the people of Hawaii but rather the agendas of anti-gun, anti-American-values national organizations such as Everytown Et al. Each new year we the people have to fight to protect our second amendment rights here in Hawaii as representatives like the ones who have introduced this bill seek to restrict and infringe upon those rights. These actions are not going unnoticed. We must vote to replace those representative who place the interests of anti-gun national organizations over the rights of the people.

HB-392

Submitted on: 2/5/2025 5:31:03 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dr Marion Ceruti	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB392 because it would restrict the centuries-old practice of building firearms for personal use and self defense by imposing restrictions that far exceed those in federal law. Existing state law prohibits the purchase or acquisition of firearm parts with the purpose of assembling a firearm, however HB 392 would now prohibit private individuals from possessing currently legal firearms that don't have serial numbers. The serial number on a firearm does not make it less lethal. This bill protects no one and infringes on our God-give constitutional rights. HB392 fails the common-usage test for constitutionality. Kill this bill now. Vote NO on HB392.

HB-392

Submitted on: 2/5/2025 5:54:29 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Joshua Drye	Individual	Oppose	Written Testimony Only

Comments:

Hello I oppose of these bills please stop violating our second amendment rights thank you

HB-392

Submitted on: 2/5/2025 6:12:20 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ka'eo Ortiz	Individual	Oppose	Written Testimony Only

Comments:

This is a dirrect violation of our 2nd ammendment rights!

HB-392

Submitted on: 2/5/2025 7:15:34 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

Aloha Hawaii State Lawmakers,

I am writing in opposition of HB 392 and urge you to oppose this bill as well. I am a law-abiding citizen of The United States of America and Hawaii, a taxpayer, registered voter, a husband, father, grandfather and also an owner of legal firearms. I own them because I admire the technology and enjoy using them at firing ranges and hunting. I also own them to exercise my right as a US Citizen and Hawaii Citizen per the Constitutions of The USA and the State of Hawaii. I am a constituent of yours and by denying me these rights you are misrepresenting me. interestingly enough, as I have spoken to many who share my opinion of these basic rights, many are in the dark about what our state legislation is doing in denying our rights. As such, I would expect a groundswell of outcry against this law, if it passes. That will result in legal action, likely to the Supreme Court, and much cost and greater division in our country. It may also result in law abiding citizens breaking the law unintentionally. People who do no harm to others, being harmed by this law. These things would be detrimental to us all.

It poses the question of why this bill is being considered. Some will say to make us safer. I disagree. The problem is not an inanimate object. It is our society that has fostered desperate individuals or enemies of our country who enter illegally with mal intent. This bill will make it illegal for law abiding citizens to own safe and effective firearms for hobby, hunting or defensive use but will do nothing to stop the proliferation of illegal firearm possession. Indeed, this bill will render those of us who desire to follow the law, defenseless against those who would possess them illegally!

This bill is not founded on fact and reason but rather fear and myth. Please step back from the brink and let's work together as Americans and Hawaiians to heal our society and maintain the basic rights that our respective constitutions guarantee. Vote no on SB 3196!

Thank You!

Aloha,

Sam Cavitt

Kihei, HI

HB-392

Submitted on: 2/5/2025 7:17:38 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I OPPOSE HB392

HB-392

Submitted on: 2/5/2025 7:19:01 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
steven a kumasaka	Individual	Oppose	Written Testimony Only

Comments:

already illegal

are you trying to make it illegaler?

HB-392

Submitted on: 2/5/2025 7:26:01 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Christopher Gouveia	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB392. Banning ghost guns or the use of ghost guns won't stop them from coming into the state. Instead, go after who's manufacturing them. Get to the root cause of the problem.

HB-392

Submitted on: 2/5/2025 7:41:37 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Creighton Phillips	Individual	Oppose	Written Testimony Only

Comments:

"Ghost gun" is a made up term that was invented specifically to try and demonize firearm owners. Tyrannical is all this is.

HB-392

Submitted on: 2/5/2025 8:22:38 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments: OPPOSE Over reaching and unconstitutional waste of time and money. Only hurts law abiding citizens, doesn't stop criminals.

HB-392

Submitted on: 2/5/2025 8:55:07 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elijah Kim	Individual	Oppose	Written Testimony Only

Comments:

Stop trying to fear monger with terms like "ghost gun." No firearms or parts of firearms should be banned or penalized. This violates the 2nd amendment to our Constitution! Stop infringing on our rights to bear arms. Gun control does work and should even be in existence. Instead, you should spend time, resources, and energy to educate and train your citizens. Not take away the rights or make it more difficult to be a law-abiding citizen.

HB-392

Submitted on: 2/5/2025 9:03:55 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brandon Allen Kainoa Leong	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB392. Currently federal law allows people the ability to manufacture their own firearms for personal use without penalty. Your proposed bill will be in conflict of federal law and most likely be thrown out if passed. Instead of constantly trying to restrict the Constitutional Rights of your constituents and wasting more tax money on the lawsuits that will likely overturn this bill if passed because it violates the SCOTUS Bruen decision, you guys could work on making Hawaii more affordable for its residents. Instead why don't you require that homemade guns must have a serial number and be registered in the state. Oh that is right this law already exists.

Brandon Leong

President

Lessons In Firearms Education

HB-392

Submitted on: 2/5/2025 9:25:18 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rachel Logan	Individual	Support	Written Testimony Only

Comments:

Please pass this common sense gun legislation to curb the existence of ghost guns in our community. Mahalo

Aloha,

I am writing to express my strong opposition to HB392, which seeks to criminalize the possession, transfer, and sale of ghost guns and impose mandatory minimum sentences for their use in felonies. While I understand the intent behind this bill—to address gun violence and enhance public safety—HB392 is a dangerously broad overreach that infringes upon the rights of law-abiding citizens, treats legally owned firearms the same as illegally obtained ones, and could lay the groundwork for an outright ban on all handguns in the state.

Concerns with HB392

1. **Failure to Distinguish Between Ghost Guns and Legally Owned Firearms**

This bill dangerously conflates ghost guns with all privately owned firearms. By criminalizing the mere possession of an unserialized firearm, HB392 does not differentiate between criminals who use untraceable guns for illegal activities and responsible citizens who legally build firearms for personal use. This failure to make a clear distinction suggests that the legislature views all firearms—serialized or not—as a problem, setting a dangerous precedent for further gun restrictions.

2. **A Path Toward a Total Handgun Ban**

The logic behind HB392 paves the way for banning all handguns. If a firearm without a serial number is considered inherently dangerous and must be outlawed, what is stopping future legislation from banning all legally owned handguns simply because they can also be used in crimes? This bill takes an incremental approach to gun control by starting with ghost guns, but its broad language and logic indicate that a more comprehensive handgun ban is the inevitable next step.

3. **Overcriminalization of Law-Abiding Gun Owners**

The bill criminalizes not only the illegal transfer of ghost guns but also their mere possession, instantly turning otherwise responsible, law-abiding citizens into felons. Many gun owners build their own firearms for lawful purposes, such as sport shooting, self-defense, or historical collection. The Second Amendment protects the right to keep and bear arms, and this includes the right to manufacture and own a firearm without unnecessary government interference.

4. **Redundant and Unnecessary Restrictions**

Existing federal and state laws already prohibit felons and other prohibited persons from possessing firearms. Additionally, background checks are already required for legally purchased firearms. This bill does nothing to prevent criminals from obtaining weapons through illegal channels—it only restricts lawful gun owners.

5. **Mandatory Minimum Sentences Undermine Judicial Discretion**

The bill mandates strict sentencing guidelines for individuals who possess or use a ghost gun during the commission of a felony. While violent crime should be prosecuted to the fullest extent, mandatory minimums remove judicial discretion and could result in overly harsh penalties for cases that may warrant more nuanced sentencing considerations.

A More Effective Approach

Rather than an outright ban that punishes responsible citizens and sets the stage for broader firearm prohibitions, I urge lawmakers to consider:

- Strengthening penalties for crimes committed with **any** firearm, regardless of serialization, rather than singling out ghost guns.
- Enhancing law enforcement efforts against illegal firearm trafficking instead of targeting private gun ownership.
- Promoting educational initiatives on responsible gun ownership and safe firearm storage.

For these reasons, I strongly urge the committee to oppose HB392. Thank you for your time and consideration.

Sincerely,
Jason T Wolford
808-870-1796

HB-392

Submitted on: 2/5/2025 10:18:07 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I oppose this bill. Banning of any magazine is not consistent with the history and tradition of the United States since its founding. Further, magazine that carry more than 10 rounds are in common use across the nation and 10s of millions are owned. This restriction, if enacted, would be unconstitutional as there is no historical analogue to support the passing of this amended law.

HB-392

Submitted on: 2/5/2025 10:50:58 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I oppose this Bill, because it is allready illegal to own a unserialized firearm which you call a Ghost Gun.

HB-392

Submitted on: 2/5/2025 11:03:01 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Charles Tom	Individual	Comments	Written Testimony Only

Comments:

I oppose this bill because it is ANOTHER ban on ghost guns which are already illegal. It imposes restrictions that far exceed those in federal law. It would now prophbit private individuals from possessing CURRENTLY LEGAL firearms that don't have serial numbers. What is the purpose? Are you going to take away the legal firearms?

HB-392

Submitted on: 2/5/2025 11:38:53 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sharan Sadowski	Individual	Oppose	Written Testimony Only

Comments:

While I am against the use of ghost guns, I believe the sentencing should be left to the judge who can determine what the circumstances of the use.

HB-392

Submitted on: 2/5/2025 11:44:57 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I oppose this bill. Unconstitutional.

HB-392

Submitted on: 2/5/2025 11:49:40 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Paul Giles	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB392

Paul Giles

HB-392

Submitted on: 2/5/2025 11:50:01 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sheila Gage	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

HB-392

Submitted on: 2/5/2025 11:50:17 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chris Marvin	Individual	Support	Written Testimony Only

Comments:

As a combat veteran, Honolulu resident, father, and gun violence prevention advocate, I strongly support HB392.

Hawai'i has a long tradition of protect out citizens from gun violence through strong laws. The impact of such strong laws, combined with technological innovation was that in Hawai'i those determined to have guns -- and those most likely to do harm -- turned to ghost guns. Many steps have been taken to rid our streets of these untracable firearms, at both the federal and state levels. Anyone who has a ghost gun in their possession should be considered a criminal on the spot. Even the gun rights activist agree that criminals should not be armed and that criminals are the problem. It's safe to assume that the Hawai'i Firearms Coalition and the Hawai'i Rifle Association -- assume they are not hypocrites -- will support any bill that further supports law enforcemetns ability to rid our island of dangerous ghost guns. That should make this an easy decidion for the legislators. Ghost guns have absolutely no place in Hawai'i.

HB-392

Submitted on: 2/5/2025 12:08:34 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Len Corpuz	Individual	Oppose	Written Testimony Only

Comments:

This bill is stated wrongly in the measure of pre existing conditions of the second amendment....ie the Bruin Act

HB-392

Submitted on: 2/5/2025 12:13:37 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kanayama, Galen	Individual	Oppose	Written Testimony Only

Comments:

Oppose

HB-392

Submitted on: 2/5/2025 12:29:32 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Timothy Hehemann	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

Timothy John Hehemann

(808) 740-2828

HB-392

Submitted on: 2/5/2025 12:36:53 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jennifer Cabjuan	Individual	Oppose	Remotely Via Zoom

Comments:

Oppose this bill - it restricts legacy firearms to be passed down from generation to generation.

HB-392

Submitted on: 2/5/2025 1:28:20 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mitchell H. Weber	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE HB392,

Let's just get to the root cause and just make committing crimes illegal, then they won't even be able to carry guns at all.

HB-392

Submitted on: 2/5/2025 1:29:25 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Reginald Eubanks	Individual	Oppose	Written Testimony Only

Comments:

I am submitting testimony in opposition to HB 392. The proposed changes to HRS-134 will not make the community safe. This bill attempts to criminalize the possession of homemade firearms that have been legal since our founding.

The number of crimes solved because of serial numbers on firearms is either misunderstood or overstated. The firearm serial number can be traced backed to the transferee, FFL and manufacturer; but it does tell law enforcement who had it last. Most firearms used by criminals are stolen or have been transferred several times, so this methodology is moot.

Homemade firearms will always be available as technology advances and they have been legal since the founding, as long they are not sold. Therefore, banning homemade firearms is unconstitutional.

Please vote no on HB 392.

HB-392

Submitted on: 2/5/2025 1:40:23 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

US citizen have always had the right to manufacture their own firearms, doing so should not be a crime unless the proper marking as per US code are in place once the firearm is functional. Using a ghost gun as a criminal should be punishable.

HB-392

Submitted on: 2/5/2025 1:52:20 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I strongly **OPPOSE** this bill because it restricts the centuries-old practice of building firearms for personal use and self-defense by imposing restrictions that far exceed those in Current federal law. Existing state law prohibits the purchase or acquisition of firearm parts with the purpose of assembling a firearm, however HB 392 would now prohibit private individuals from possessing currently legal firearms that don't have serial numbers.

Not to mention this does nothing to address the bills concerns of criminals obtaining a firearm to do bad things. Statistically gun crimes are committed far more likely with a stolen firearm than a so-called "ghost gun." Why, because they are more easier to obtain and far more cost effective. For example, for a criminal to own one of these firearms, they must either be buying them illegally and failing to follow multiple gun laws or building them themselves- about 8 to be exact. They could have had to already violated the current laws below:

- Violated Hawaii's permit law (HRS 134-2)
- Violated Hawaii's registration law (HRS 134-3)
- Violated Hawaii prohibited person law (HRS134-7)
- Violated Hawaii's License to carry law (HRS134-9)
- Violated HRS 134-21 Carrying or use of firearm in the commission of a separate felony
- Violated 134-23 Place to keep loaded firearms other than pistols and revolvers
- Violated HRS 134-26 Carrying or possessing a loaded firearm on a public highway
- Violated HRS 134-27 Place to keep ammunition

Now if they decided to create one, while a kit to make the lower receiver might cost as little as \$100, the tools needed would set you back several hundred more and once finished you still need to purchase the rest of the parts to make it function (several hundred dollars more). Typically to build a firearm like this out, it can easily set you back \$1,000, whereas a completed Glock 17 handgun from a gun store can be purchased for around \$500.

During my interactions with HPD during our neighborhood watch, most firearms recovered in Hawaii come from theft. Often these firearms are completely untraceable due to serial numbers being removed (also a crime). These untraceable guns could come from within the state or from outside.

Again, this bill ends up criminalizing the law abiding gun owners in possession of legal firearms without serial numbers and with little to no impact on addressing the root problem which is

- that criminals don't follow laws, and any law prohibiting someone from getting or manufacturing a so called "ghost Gun" will do NOTHING to stop them obtaining one if they wanted to. criminals don't use "ghost guns."

Lastly, remember : criminals most often use stolen guns with defaced serial numbers. Criminals don't follow current gun laws. "Ghost guns" are more expensive than "non-ghost guns." A ban on manufacturing a firearm is unconstitutional. A ban on the parts to manufacture a firearm is unconstitutional. Common Sense citizens and their 2nd Amendment supporters and institutions will take action to prevent a ban and take legal action if one does pass. When that happens Hawaii's taxpayers will end up paying for it.

HB-392

Submitted on: 2/5/2025 1:59:36 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I oppose this bill!

HB-392

Submitted on: 2/5/2025 2:00:03 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

Strongly oppose

HB-392

Submitted on: 2/5/2025 2:02:00 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

Dear House Committee Members:

I strongly support HB392 and urge you to pass this law. HB392 is an essential tool to reduce the risk of harm from ghost guns.

Mahalo for your consideration.

Sincerely,

Karen Worthington, Kula, Hawaii

HB-392

Submitted on: 2/5/2025 2:23:52 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

OPPOSE.

HRS 134-3 already requires self-made firearms to be registered with HPD. This bill now requires self-made firearms to have a manufacturer's federal-issued serial number. This effectively prevents the owner of a self-made firearm from being able to register the firearm with HPD.

This Bill does nothing to address the crime occurring in our streets. Most firearms are obtained illegally via theft or straw purchase. And in crimes where the firearm has no serial number, it was removed previously, which of itself is a criminal offense. Criminals would rather steal a firearm than go through the detailed and laborious process of manufacturing a firearm. It takes skills and tools to be able to manufacture a safe and reliable firearm. Law abiding citizens want to ensure that they are using something that will not hurt them or the ones around them. Federal law allows individuals to manufacture firearms for their own personal use. And in Hawaii, firearms are already required to be registered. This same requirement would hold true on self-made firearms in the same manner as firearms brought in from out of state as stated in HRS 134-3.

since the beginning of man, mankind has self-fabricated tools for self-defense, and hunting. It is a God-given right. SHALL NOT BE INFRINGED.

This bill only served to penalize the lawful for the misdeeds of the unlawful. Please redirect your focus to the criminal element.

HB-392

Submitted on: 2/5/2025 2:43:35 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

Dear Legislature:

I submit this testimony in opposition of HB392.

Sincerely,

David Fukuzawa

HB-392

Submitted on: 2/5/2025 3:17:55 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Daniel Covert	Individual	Oppose	Written Testimony Only

Comments:

This bill will criminalize each of the law abiding, responsible, and compliant citizens that followed the current law and HPD guidance to imprint a serial number and register firearms with HPD. These hobbyist dutifully complied with the laws and registered their firearms but are NOT able to retroactively register those firearms with a "federally registered manufacturer" as written in this ghost gun definition of this proposed bill.

As a result you would be making everyone who followed the previous serial number law and legally registered their firearms with HPD a felon.

HB-392

Submitted on: 2/5/2025 3:50:19 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

Many people own old collectable guns that lack serial numbers. Having to mark them with a serial number would significantly destroy their value

HB-392

Submitted on: 2/5/2025 3:55:10 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kualii Makaneole	Individual	Oppose	Written Testimony Only

Comments:

The right to build a firearm has been a fundamental aspect of American freedom since our nation's inception. Imposing excessive restrictions on this time-honored practice of crafting firearms for personal use and self-defense is not only unnecessary but also undermines our rights. Current state law already restricts the purchasing and acquiring of firearm parts for assembly, creating hurdles for responsible gun owners. Now, with HB 392, lawmakers seek to take it a step further by banning individuals from possessing currently legal firearms without serial numbers. This overreach threatens the very freedoms we hold dear and must be challenged to protect our rights

HB-392

Submitted on: 2/5/2025 4:10:36 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Edward Conna	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill for the same reasons everyone else who opposes this bill.

Hawaii would do far more good by enforcing existint laws. I currently have a neighbor, who is a known felon, with a long history of domestic abuse, violence, and currently has active restraining orders against him, who was found to be in possession of firearms WEEKS AGO, when he was featured on a youtube video hunting.

Yet, 3 weeks later, still has not been arrested.

Until Hawaii starts prosecuting criminals, giving them serious jail time, and there is no crime here in the state, the state shouldn't be restricting law abiding citizens from being able to defend themselves.

If this and other bills pass, we WILL be leaving Hawaii, and the state will lose a highly qualified medical professional.

HB-392

Submitted on: 2/5/2025 6:02:15 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Seth Proctor	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill because it can affect collectors of antique firearms.

HB-392

Submitted on: 2/5/2025 7:12:48 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kevin J. Cole	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I strongly Oppose HB 392. Many custom firearms and collectors' items would be needlessly banned due to the lack of a serial number. There is not one iota of evidence that such a measure would curb crime. The criminal element will do what they will.

V/R

Kevin J. Cole, Col USAF Ret. Mililani

HB-392

Submitted on: 2/5/2025 7:44:28 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Janessa Bonifacio	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB 392.

This bill restricts the centuries-old practice of building firearms by hobbyists and for personal use or self-defense by imposing restrictions that far exceed those in federal law. Existing state law already prohibits the purchase or acquisition of firearm parts with the purpose of assembling a firearm, however HB 392 would now prohibit private individuals from possessing currently legal firearms that don't have serial numbers. Instead of penalizing law-abiding gun enthusiasts, why not have a program to serialize home-built firearms?

I request that you oppose HB 392.

HB-392

Submitted on: 2/5/2025 7:45:09 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shane Correia	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB 392.

This bill restricts the centuries-old practice of building firearms by hobbyists and for personal use or self-defense by imposing restrictions that far exceed those in federal law. Existing state law already prohibits the purchase or acquisition of firearm parts with the purpose of assembling a firearm, however HB 392 would now prohibit private individuals from possessing currently legal firearms that don't have serial numbers. Instead of penalizing law-abiding gun enthusiasts, why not have a program to serialize home-built firearms?

I request that you oppose HB 392.

HB-392

Submitted on: 2/5/2025 8:44:40 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I strongly oppose this bill

HB-392

Submitted on: 2/5/2025 9:42:16 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Derek Sato	Individual	Oppose	Written Testimony Only

Comments:

Honorable Members of the Committee,

I am submitting this testimony to express my strong opposition to Hawaii Bill HB392. This bill proposes significant and unconstitutional amendments to firearm regulations in our State of Hawaii. This bill will unjustly infringe upon the rights of law-abiding citizens. Through this proposed bill, the right to build historic black powder firearms will be penalized. The right to restore historic firearms will be restricted. Our rights as American Citizens will be stripped because a few have unsubstantiated perceptions. Our rights should not be infringed upon just because this is not an activity that some people agree with. You don't ban skydiving just because you would not participate in the activity. You don't ban recreational flying just because a pilot may have a bad day. You appreciate being an American and be thankful that you can enjoy your lawful activities and other can enjoy their lawful activities. Banning and placing restrictions on groups of law abiding citizens that you do not agree with is a very dictator like mentality. Appreciate being a Free American.

Thank you for considering my concerns.

HB-392

Submitted on: 2/5/2025 9:50:33 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Todd Yukutake	Individual	Comments	In Person

Comments:

I provide comments for HB392

I do not understand the need for HB392 to enhance sentencing for having a "ghost gun". Why not enforce the current laws on felons and push for higher punishments whether a "ghost gun" was used or not? For example, murder can already be a life sentence and parole not granted.

This bill highlights the failures of our justice system and is an embarrassment. Build more prison space. Appoint good judges that will be hard on criminals. Support our law enforcement officers. Take a public stance that crime will not be tolerated and you will crush it. I will support you on that and pay more taxes to get that accomplished.

Todd Yukutake
toddyukutake@gmail.com

HB-392

Submitted on: 2/5/2025 9:51:26 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Angela M Anderson	Individual	Oppose	Written Testimony Only

Comments:

A Mississippi court in the 5th circuit has just ruled that a ban on machine guns is inconsistent with the text, history, and tradition (Brien decision) of the 2nd Amendment in the United States vs Justin Bryce Brown

In likely fashion it is likely that a similar ruling would result from the passing of this or similar bills which seek to limit the constitutionally protected second amendment.

HB-392

Submitted on: 2/5/2025 10:16:09 PM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

Aloha Chair and Members,

I am writing to express my strong opposition to HB392, which I believe constitutes a direct violation of the Second Amendment of the United States Constitution. This bill, if enacted, would unduly infringe upon the rights of law-abiding citizens to keep and bear arms, as protected by the Second Amendment.

Mahalo,

Darren C. Clemen

HB-392

Submitted on: 2/6/2025 8:10:27 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

Criminals probably don't even care about this they will still have ghost guns. And you want to punish law abiding citizens with magazine capacity limits & where we can and can't carry is ridiculous. You guys backwards. It's a shame.

US

HB-392

Submitted on: 2/6/2025 8:21:39 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I oppose House Bill 392

HB-392

Submitted on: 2/6/2025 9:05:44 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

another useless bill that will only punish the law abiding, it will not stop any crime, all it does is erode the second amendment right, i will vote against any one who supports and votes for these ridiculous bills

HB-392

Submitted on: 2/6/2025 9:53:19 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Phebe Kahoiwai	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. Mahalo.

HB-392

Submitted on: 2/6/2025 10:18:53 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

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

Comments:

I am in opposition to this bill.

The current statutory limitations to our 2nd Amendment rights are sufficiently imposing and it is self evident that an increase in regulations will negatively affect the law abiding citizens of Hawaii by curtailing our rights; furthermore, the proposed bill operates on the absurd principal that criminals will stop being criminals and will decide in 2025 to start following additional laws.

Mahalo, David Okumura

HB-392

Submitted on: 2/6/2025 10:20:23 AM

Testimony for JHA on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Pearson Ahuna	Individual	Oppose	Written Testimony Only

Comments:

I oppose