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Testimony of the Office of the Public Defender to Senate Committee on Judiciary
re:

SB 363, SD1 Relating to Firearms

Chair: Senator Karl Rhoads, Vice Chair: Senator Mike Gabbard and Members of the
Committee:

The Office of the Public Defender respectfully **opposes SB 363, SD1** for the
following reasons:

SB 363, SD1 seeks to amend HRS section 134 dealing with crimes of Place to Keep
Firearms by adding language that will require a mandatory jail term as a condition
of probation.

The OPD believes that adding mandatory jail sentences as conditions of probation
for violations of HRS section 134 is unnecessary and serves no deterrent effect.
Furthermore, mandatory sentencing invites more costly litigation involving the
prosecution of these types of offenses, as well as increased costs to house offenders.
Violations of place to keep statutes are not exclusive to violent criminal offenders,
and to treat law abiding gun owners similarly, because they may have made a
mistake regarding the enclosure of their firearm or took a side trip while transporting
a firearm should not be the purpose of this statute nor of mandatory sentences. If
the purpose of the bill is to ensure public safety, then the use of mandatory sentences
should be limited to those determined to be dangerous by their prior conduct.

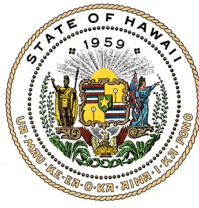
Under current law, a trial judge has the authority to sentence any person convicted
under Place to Keep violations to probation with a jail term as proposed by SB 363,
SD1, and thus the proposed language herein is unnecessary. The trial judge is in the

best position to know when it is necessary to use jail as part of a sentence to deter the future behavior of a convicted person.

It should also be noted that the proposed language in SB 363, SD1 will invite costly civil litigation, as it creates a hinderance to the free exercise of the second Amendment to the United States Constitution as stated in New York State Rifle and Pistol Assoc. Inc. v. Bruen (2022).

Thank you for the opportunity to comment upon this measure.

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
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Honolulu, Hawaii 96813

JARED K. REDULLA
Deputy Director
Law Enforcement

TESTIMONY ON SENATE BILL 363, SENATE DRAFT 1
RELATING TO FIREARMS
Before the Senate Committee on
JUDICIARY

Thursday, February 27, 2025, 10:07 AM
State Capitol Conference Room 016 & Videoconference

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

The Department of Law Enforcement (DLE) strongly supports Senate Bill 363, Senate Draft 1. This bill establishes comprehensive regulations regarding the transportation and possession of firearm parts by requiring them to be carried or possessed only at or between specified locations and within enclosed containers. The measure also provides clear definitions for firearm parts and prohibited persons, while establishing enhanced penalties for violations.

The DLE believes this legislation is crucial for public safety and law enforcement efforts. By requiring firearm parts to be transported in enclosed containers and only between authorized locations, the bill creates an important framework for preventing the illegal modification and assembly of firearms. The clear definitions and specified penalties will assist law enforcement in effectively addressing the unauthorized possession and transportation of firearm parts.

The enhanced criminal penalties proposed in this bill will serve as a strong deterrent against illegal possession and transportation of firearm parts for felons or prohibited

persons. This measure fills an important gap in existing firearm regulations by specifically addressing the movement and possession of firearm parts, which can be used to assemble ghost guns or modify existing firearms illegally.

Implementation of these regulations will enable law enforcement to better track and control the movement of firearm parts, reducing the risk of these components being used in illegal firearms or falling into the hands of prohibited persons.

Attached is our proposed senate draft 2.

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

A BILL FOR AN ACT

RELATING TO FIREARMS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 134-7, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§134-7 Ownership, possession, or control prohibited,**
4 **when; penalty.** (a) No person who is a fugitive from justice or
5 prohibited from possessing a firearm or ammunition under title
6 18 United States Code section 922 or any other provision of
7 federal law shall own, possess, or control any firearm or
8 ammunition.

9 (b) No person who is being prosecuted for one or more
10 charges for a felony, a crime of violence, a criminal offense
11 relating to firearms, or an illegal sale or distribution of any
12 drug in a court in this State or elsewhere, or who has been
13 convicted in this State or elsewhere of having committed a
14 felony, a crime of violence, a criminal offense relating to
15 firearms, or an illegal sale or distribution of any drug shall
16 own, possess, or control any firearm, firearm part, or
17 ammunition.

(c) No person shall own, possess, or control any firearm or ammunition if the person:

(1) Is or has been under treatment or counseling for addiction to, abuse of, or dependence upon any dangerous, harmful, or detrimental drug, intoxicating compound as defined in section 712-1240, or intoxicating liquor;

(2) Has been acquitted of a crime on the grounds of mental disease, disorder, or defect pursuant to section 704-411 or any similar provision under federal law, or the law of another state, a United States territory, or the District of Columbia;

(3) Is or has been diagnosed with or treated for a medical, behavioral, psychological, emotional, or mental condition or disorder that causes or is likely to cause impairment in judgment, perception, or impulse control to an extent that presents an unreasonable risk to public health, safety, or welfare if the person were in possession or control of a firearm; or

(4) Has been adjudged to:

(A) Meet the criteria for involuntary hospitalization under section 334-60.2; or

1 (B) Be an "incapacitated person", as defined in
2 section 560:5-102,
3 unless the person establishes, with appropriate medical
4 documentation, that the person is no longer adversely affected
5 by the criteria or statuses identified in this subsection.

6 (d) No person who is less than twenty-five years old and
7 has been adjudicated by the family court to have committed a
8 felony, a crime of violence, a criminal offense relating to
9 firearms, or an illegal sale or distribution of any drug shall
10 own, possess, or control any firearm, firearm part, or
11 ammunition.

12 (e) No minor shall own, possess, or control any firearm or
13 ammunition if the minor:

14 (1) Is or has been under treatment for addiction to any
15 dangerous, harmful, or detrimental drug, intoxicating
16 compound as defined in section 712-1240, or
17 intoxicating liquor;

18 (2) Is a fugitive from justice; or

19 (3) Has been determined not to have been responsible for a
20 criminal act or has been committed to any institution
21 on account of a mental disease, disorder, or defect,

1 unless the minor establishes, with appropriate medical
2 documentation, that the minor is no longer adversely affected by
3 the addiction, mental disease, disorder, or defect.

4 For the purposes of enforcing this section, and
5 notwithstanding section 571-84 or any other law to the contrary,
6 any agency within the State shall make its records relating to
7 family court adjudications available to law enforcement
8 officials.

9 (f) No person who has been restrained pursuant to an order
10 of any court, including a gun violence protective order issued
11 pursuant to part IV, from contacting, threatening, or physically
12 abusing any person, shall possess, control, or transfer
13 ownership of any firearm or ammunition, so long as the
14 protective order, restraining order, or any extension is in
15 effect. The protective order or restraining order shall
16 specifically include a statement that possession, control, or
17 transfer of ownership of a firearm or ammunition by the person
18 named in the order is prohibited. The person shall relinquish
19 possession and control of any firearm and ammunition owned by
20 that person to the police department of the appropriate county
21 for safekeeping for the duration of the order or extension
22 thereof. At the time of service of a protective order or
23 restraining order involving firearms and ammunition issued by

1 any court, a police officer may take custody of any and all
2 firearms and ammunition in plain sight, those discovered
3 pursuant to a consensual search, and those firearms surrendered
4 by the person restrained. If the person restrained is the
5 registered owner of a firearm and knows the location of the
6 firearm, but refuses to surrender the firearm or disclose the
7 location of the firearm, the person restrained shall be guilty
8 of a misdemeanor. In any case, when a police officer is unable
9 to locate the firearms and ammunition either registered under
10 this chapter or known to the person granted protection by the
11 court, the police officer shall apply to the court for a search
12 warrant pursuant to chapter 803 for the limited purpose of
13 seizing the firearm and ammunition.

14 (g) Except as provided in section 134-5, no person who is
15 under the age of twenty-one shall own, possess, or control any
16 ammunition for any firearm; provided that this subsection shall
17 not apply to a person in an exempt category identified in
18 section 134-11(a).

19 (h) Any person disqualified from ownership, possession,
20 control, or the right to transfer ownership of firearms, firearm
21 parts, [~~and~~] or ammunition under this section shall surrender or
22 dispose of all firearms, firearms parts, [~~and~~] or ammunition in
23 compliance with section 134-7.3.

1 (i) Any person who otherwise would be prohibited under
2 subsection (b) from owning, possessing, or controlling a
3 firearm, firearm parts, [and] or ammunition solely as a result
4 of a conviction for a crime that is not a felony, and who is not
5 prohibited from owning, possessing, or controlling a firearm,
6 firearm parts, or ammunition for any reason under any other
7 provision of this chapter or under title 18 United States Code
8 section 922 or another provision of federal law, shall not be
9 prohibited under this section from owning, possessing, or
10 controlling a firearm, firearm parts, [and] or ammunition if
11 twenty years have elapsed from the date of the conviction.

12 (j) Any person violating subsection (a) or (b) shall be
13 guilty of a class C felony; provided that any felon violating
14 subsection (b) shall be guilty of a class B felony. Any person
15 violating subsection (c), (d), (e), (f), (g), or (h) shall be
16 guilty of a misdemeanor."

17
18 SECTION 2. Section 134-1, Hawaii Revised Statutes, is
19 amended by adding two new definitions to be appropriately
20 inserted and to read as follows:

21 "Enclosed container" means a rigidly constructed
22 receptacle, or a commercially manufactured gun case, or the

1 equivalent thereof that completely encloses the firearm or
2 firearm parts.

3 "Firearm part" means any item that is specifically designed
4 for or adapted for use in creating a firearm, including the
5 barrel, bolt, slide, frame, receiver, or
6 cylinder."

SECTION 3. Section 134-8, Hawaii Revised
7 Statutes, is amended by amending subsection (b) to read as
8 follows:

9 "(b) Any person who possesses, installs, removes, or
10 alters a firearm part with the intent to convert [~~the~~] a firearm
11 to an automatic firearm, regardless of whether the conversion is
12 readily reversible, shall be deemed to have manufactured an
13 automatic firearm in violation of subsection (a)."

14 SECTION 4. Section 134-23, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "[~~§~~§134-23[~~§~~] **Place to keep loaded firearms other than**
17 **pistols and revolvers; penalty.** (a) Except as provided in
18 section 134-5, all firearms shall be confined to the possessor's
19 place of business, residence, or sojourn; provided that it shall
20 be lawful to carry unloaded firearms in an enclosed container
21 from the place of purchase to the purchaser's place of business,
22 residence, or sojourn, or between these places upon change of

1 place of business, residence, or sojourn, or between these
2 places and the following:

- 3 (1) A place of repair;
- 4 (2) A target range;
- 5 (3) A licensed dealer's place of business;
- 6 (4) An organized, scheduled firearms show or exhibit;
- 7 (5) A place of formal hunter or firearm use training or
8 instruction; or
- 9 (6) A police station.

10 ~~["Enclosed container" means a rigidly constructed~~
11 ~~receptacle, or a commercially manufactured gun case, or the~~
12 ~~equivalent thereof that completely encloses the firearm.]~~

13 (b) Any person violating this section by carrying or
14 possessing a loaded firearm other than a pistol or revolver
15 shall be guilty of a class B felony~~[-]~~; provided that a person
16 convicted under this section shall be sentenced to:

- 17 (1) An indeterminate term of imprisonment of ten years,
18 with a mandatory minimum term of imprisonment of not
19 less than one year; or
- 20 (2) A term of probation of four years, with conditions to
21 include a term of imprisonment of not less than one
22 year without possibility of suspension of sentence."

SECTION 5. Section 134-24, Hawaii Revised Statutes, is amended to read as follows:

"[~~§~~§134-24[~~§~~] Place to keep unloaded firearms other than pistols and revolvers; penalty. (a) Except as provided in section 134-5, all firearms shall be confined to the possessor's place of business, residence, or sojourn; provided that it shall be lawful to carry unloaded firearms in an enclosed container from the place of purchase to the purchaser's place of business, residence, or sojourn, or between these places upon change of place of business, residence, or sojourn, or between these places and the following:

- (1) A place of repair;
- (2) A target range;
- (3) A licensed dealer's place of business;
- (4) An organized, scheduled firearms show or exhibit;
- (5) A place of formal hunter or firearm use training or instruction; or
- (6) A police station.

~~["Enclosed container" means a rigidly constructed receptacle, or a commercially manufactured gun case, or the equivalent thereof that completely encloses the firearm.]~~

(b) Any person violating this section by carrying or possessing an unloaded firearm other than a pistol or revolver

1 shall be guilty of a class C felony~~[+]~~; provided that a person
2 convicted under this section shall be sentenced to:

3 (1) An indeterminate term of imprisonment of ten years,
4 with a mandatory minimum term of imprisonment of not
5 less than one year; or

6 (2) A term of probation of four years, with conditions to
7 include a term of imprisonment of not less than six
8 months without possibility of suspension of sentence."

9 SECTION 6. Section 134-25, Hawaii Revised Statutes, is
10 amended to read as follows:

11 **"[+]§134-25[+] Place to keep pistol or revolver;**
12 **penalty.** (a) Except as provided in sections 134-5 and 134-9,
13 all firearms shall be confined to the possessor's place of
14 business, residence, or sojourn; provided that it shall be
15 lawful to carry unloaded firearms in an enclosed container from
16 the place of purchase to the purchaser's place of business,
17 residence, or sojourn, or between these places upon change of
18 place of business, residence, or sojourn, or between these
19 places and the following:

20 (1) A place of repair;

21 (2) A target range;

22 (3) A licensed dealer's place of business;

23 (4) An organized, scheduled firearms show or exhibit;

1 (5) A place of formal hunter or firearm use training or
2 instruction; or

3 (6) A police station.

4 [~~"Enclosed container" means a rigidly constructed~~
5 ~~receptacle, or a commercially manufactured gun case, or the~~
6 ~~equivalent thereof that completely encloses the firearm.~~]

7 (b) Any person violating this section by carrying or
8 possessing a loaded or unloaded pistol or revolver shall be
9 guilty of a class B felony~~[-]~~; provided that a person convicted
10 under this section shall be sentenced to:

11 (1) An indeterminate term of imprisonment of ten years,
12 with a mandatory minimum term of imprisonment of not
13 less than one year; or

14 (2) A term of probation of four years, with conditions to
15 include a term of imprisonment of not less than one
16 year without possibility of suspension of sentence."

17 SECTION 7. This Act does not affect rights and duties that
18 matured, penalties that were incurred, and proceedings that were
19 begun before its effective date.

20 SECTION 8. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.

22 SECTION 9. This Act shall take effect upon its approval.

A BILL FOR AN ACT

LATE

RELATING TO FIREARMS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Section 134-7, Hawaii Revised Statutes, is amended to read as follows:

"§134-7 Ownership, possession, or control prohibited, when; penalty. (a) No person who is a fugitive from justice or prohibited from possessing a firearm or ammunition under title 18 United States Code section 922 or any other provision of federal law shall own, possess, or control any firearm or ammunition.

(b) No person who is being prosecuted for one or more charges for a felony, a crime of violence, a criminal offense relating to firearms, or an illegal sale or distribution of any drug in a court in this State or elsewhere, or who has been convicted in this State or elsewhere of having committed a felony, a crime of violence, a criminal offense relating to firearms, or an illegal sale or distribution of any drug shall own, possess, or control any firearm, firearm part, or ammunition.

(c) No person shall own, possess, or control any firearm or ammunition if the person:

(1) Is or has been under treatment or counseling for addiction to, abuse of, or dependence upon any dangerous, harmful, or detrimental drug, intoxicating compound as defined in section 712-1240, or intoxicating liquor;

(2) Has been acquitted of a crime on the grounds of mental disease, disorder, or defect pursuant to section 704-411 or any similar provision under federal law, or the law of another state, a United States territory, or the District of Columbia;

(3) Is or has been diagnosed with or treated for a medical, behavioral, psychological, emotional, or mental condition or disorder that causes or is likely to cause impairment in judgment, perception, or impulse control to an extent that presents an unreasonable risk to public health, safety, or welfare if the person were in possession or control of a firearm; or

(4) Has been adjudged to:

(A) Meet the criteria for involuntary hospitalization under section 334-60.2; or

1 (B) Be an "incapacitated person", as defined in
2 section 560:5-102,
3 unless the person establishes, with appropriate medical
4 documentation, that the person is no longer adversely affected
5 by the criteria or statuses identified in this subsection.

6 (d) No person who is less than twenty-five years old and
7 has been adjudicated by the family court to have committed a
8 felony, a crime of violence, a criminal offense relating to
9 firearms, or an illegal sale or distribution of any drug shall
10 own, possess, or control any firearm, firearm part, or
11 ammunition.

12 (e) No minor shall own, possess, or control any firearm or
13 ammunition if the minor:

14 (1) Is or has been under treatment for addiction to any
15 dangerous, harmful, or detrimental drug, intoxicating
16 compound as defined in section 712-1240, or
17 intoxicating liquor;

18 (2) Is a fugitive from justice; or

19 (3) Has been determined not to have been responsible for a
20 criminal act or has been committed to any institution
21 on account of a mental disease, disorder, or defect,

1 unless the minor establishes, with appropriate medical
2 documentation, that the minor is no longer adversely affected by
3 the addiction, mental disease, disorder, or defect.

4 For the purposes of enforcing this section, and
5 notwithstanding section 571-84 or any other law to the contrary,
6 any agency within the State shall make its records relating to
7 family court adjudications available to law enforcement
8 officials.

9 (f) No person who has been restrained pursuant to an order
10 of any court, including a gun violence protective order issued
11 pursuant to part IV, from contacting, threatening, or physically
12 abusing any person, shall possess, control, or transfer
13 ownership of any firearm or ammunition, so long as the
14 protective order, restraining order, or any extension is in
15 effect. The protective order or restraining order shall
16 specifically include a statement that possession, control, or
17 transfer of ownership of a firearm or ammunition by the person
18 named in the order is prohibited. The person shall relinquish
19 possession and control of any firearm and ammunition owned by
20 that person to the police department of the appropriate county
21 for safekeeping for the duration of the order or extension
22 thereof. At the time of service of a protective order or
23 restraining order involving firearms and ammunition issued by

1 any court, a police officer may take custody of any and all
2 firearms and ammunition in plain sight, those discovered
3 pursuant to a consensual search, and those firearms surrendered
4 by the person restrained. If the person restrained is the
5 registered owner of a firearm and knows the location of the
6 firearm, but refuses to surrender the firearm or disclose the
7 location of the firearm, the person restrained shall be guilty
8 of a misdemeanor. In any case, when a police officer is unable
9 to locate the firearms and ammunition either registered under
10 this chapter or known to the person granted protection by the
11 court, the police officer shall apply to the court for a search
12 warrant pursuant to chapter 803 for the limited purpose of
13 seizing the firearm and ammunition.

14 (g) Except as provided in section 134-5, no person who is
15 under the age of twenty-one shall own, possess, or control any
16 ammunition for any firearm; provided that this subsection shall
17 not apply to a person in an exempt category identified in
18 section 134-11(a).

19 (h) Any person disqualified from ownership, possession,
20 control, or the right to transfer ownership of firearms, firearm
21 parts, [~~and~~] or ammunition under this section shall surrender or
22 dispose of all firearms, firearms parts, [~~and~~] or ammunition in
23 compliance with section 134-7.3.

1 (i) Any person who otherwise would be prohibited under
2 subsection (b) from owning, possessing, or controlling a
3 firearm, firearm parts, [and] or ammunition solely as a result
4 of a conviction for a crime that is not a felony, and who is not
5 prohibited from owning, possessing, or controlling a firearm,
6 firearm parts, or ammunition for any reason under any other
7 provision of this chapter or under title 18 United States Code
8 section 922 or another provision of federal law, shall not be
9 prohibited under this section from owning, possessing, or
10 controlling a firearm, firearm parts, [and] or ammunition if
11 twenty years have elapsed from the date of the conviction.

12 (j) Any person violating subsection (a) or (b) shall be
13 guilty of a class C felony; provided that any felon violating
14 subsection (b) shall be guilty of a class B felony. Any person
15 violating subsection (c), (d), (e), (f), (g), or (h) shall be
16 guilty of a misdemeanor."

17
18 SECTION 2. Section 134-1, Hawaii Revised Statutes, is
19 amended by adding two new definitions to be appropriately
20 inserted and to read as follows:

21 "Enclosed container" means a rigidly constructed
22 receptacle, or a commercially manufactured gun case, or the

1 equivalent thereof that completely encloses the firearm or
2 firearm parts.

3 "Firearm part" means any item that is specifically designed
4 for or adapted for use in creating a firearm, including the
5 barrel, bolt, slide, frame, receiver, or
6 cylinder."

SECTION 3. Section 134-8, Hawaii Revised
7 Statutes, is amended by amending subsection (b) to read as
8 follows:

9 "(b) Any person who possesses, installs, removes, or
10 alters a firearm part with the intent to convert [~~the~~] a firearm
11 to an automatic firearm, regardless of whether the conversion is
12 readily reversible, shall be deemed to have manufactured an
13 automatic firearm in violation of subsection (a)."

14 SECTION 4. Section 134-23, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "[~~§~~§134-23[~~§~~] **Place to keep loaded firearms other than**
17 **pistols and revolvers; penalty.** (a) Except as provided in
18 section 134-5, all firearms shall be confined to the possessor's
19 place of business, residence, or sojourn; provided that it shall
20 be lawful to carry unloaded firearms in an enclosed container
21 from the place of purchase to the purchaser's place of business,
22 residence, or sojourn, or between these places upon change of

1 place of business, residence, or sojourn, or between these
2 places and the following:

- 3 (1) A place of repair;
- 4 (2) A target range;
- 5 (3) A licensed dealer's place of business;
- 6 (4) An organized, scheduled firearms show or exhibit;
- 7 (5) A place of formal hunter or firearm use training or
8 instruction; or
- 9 (6) A police station.

10 ~~["Enclosed container" means a rigidly constructed~~
11 ~~receptacle, or a commercially manufactured gun case, or the~~
12 ~~equivalent thereof that completely encloses the firearm.]~~

13 (b) Any person violating this section by carrying or
14 possessing a loaded firearm other than a pistol or revolver
15 shall be guilty of a class B felony~~[-]~~; provided that a person
16 convicted under this section shall be sentenced to:

- 17 (1) An indeterminate term of imprisonment of ten years,
18 with a mandatory minimum term of imprisonment of not
19 less than one year; or
- 20 (2) A term of probation of four years, with conditions to
21 include a term of imprisonment of not less than one
22 year without possibility of suspension of sentence."

SECTION 5. Section 134-24, Hawaii Revised Statutes, is amended to read as follows:

"[~~§~~§134-24[~~§~~] Place to keep unloaded firearms other than pistols and revolvers; penalty. (a) Except as provided in section 134-5, all firearms shall be confined to the possessor's place of business, residence, or sojourn; provided that it shall be lawful to carry unloaded firearms in an enclosed container from the place of purchase to the purchaser's place of business, residence, or sojourn, or between these places upon change of place of business, residence, or sojourn, or between these places and the following:

- (1) A place of repair;
- (2) A target range;
- (3) A licensed dealer's place of business;
- (4) An organized, scheduled firearms show or exhibit;
- (5) A place of formal hunter or firearm use training or instruction; or
- (6) A police station.

~~["Enclosed container" means a rigidly constructed receptacle, or a commercially manufactured gun case, or the equivalent thereof that completely encloses the firearm.]~~

(b) Any person violating this section by carrying or possessing an unloaded firearm other than a pistol or revolver

1 shall be guilty of a class C felony~~[+]~~; provided that a person
2 convicted under this section shall be sentenced to:

3 (1) An indeterminate term of imprisonment of ten years,
4 with a mandatory minimum term of imprisonment of not
5 less than one year; or

6 (2) A term of probation of four years, with conditions to
7 include a term of imprisonment of not less than six
8 months without possibility of suspension of sentence."

9 SECTION 6. Section 134-25, Hawaii Revised Statutes, is
10 amended to read as follows:

11 **"[+]§134-25[+] Place to keep pistol or revolver;**
12 **penalty.** (a) Except as provided in sections 134-5 and 134-9,
13 all firearms shall be confined to the possessor's place of
14 business, residence, or sojourn; provided that it shall be
15 lawful to carry unloaded firearms in an enclosed container from
16 the place of purchase to the purchaser's place of business,
17 residence, or sojourn, or between these places upon change of
18 place of business, residence, or sojourn, or between these
19 places and the following:

20 (1) A place of repair;

21 (2) A target range;

22 (3) A licensed dealer's place of business;

23 (4) An organized, scheduled firearms show or exhibit;

1 (5) A place of formal hunter or firearm use training or
2 instruction; or

3 (6) A police station.

4 [~~"Enclosed container" means a rigidly constructed~~
5 ~~receptacle, or a commercially manufactured gun case, or the~~
6 ~~equivalent thereof that completely encloses the firearm.~~]

7 (b) Any person violating this section by carrying or
8 possessing a loaded or unloaded pistol or revolver shall be
9 guilty of a class B felony~~[-]~~; provided that a person convicted
10 under this section shall be sentenced to:

11 (1) An indeterminate term of imprisonment of ten years,
12 with a mandatory minimum term of imprisonment of not
13 less than one year; or

14 (2) A term of probation of four years, with conditions to
15 include a term of imprisonment of not less than one
16 year without possibility of suspension of sentence."

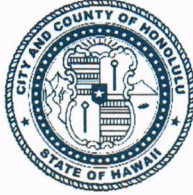
17 SECTION 7. This Act does not affect rights and duties that
18 matured, penalties that were incurred, and proceedings that were
19 begun before its effective date.

20 SECTION 8. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.

22 SECTION 9. This Act shall take effect upon its approval.

HONOLULU POLICE DEPARTMENT
KA 'OIHANA MĀKA'I O HONOLULU
CITY AND COUNTY OF HONOLULU

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DEPUTY CHIEFS
HOPE LUNA NUI MĀKA'I

OUR REFERENCE RI-HR

February 27, 2025

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

Dear Chair Rhoads and Members:

SUBJECT: Senate Bill No. 363, S.D. 1, Relating to Firearms

I am Raynor M. Ikehara, Major of the Narcotics/Vice Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports Senate Bill No. 363, S.D. 1, Relating to Firearms.


Due to the increase in illegal firearm cases, the HPD supports all legislation that aims to strengthen current firearm laws. The number of ghost gun-related cases has risen sharply in one year with a 220 percent increase. From January 1 through October 14, 2023, the HPD initiated 31 ghost gun-related cases; from January 1 through October 14, 2024, the HPD also initiated 68 ghost gun-related cases.

The HPD urges you to support Senate Bill No. 363, S.D. 1, Relating to Firearms.

Thank you for the opportunity to testify.

APPROVED:

Sincerely,


Arthur J. Logan
Chief of Police


Raynor M. Ikehara, Major
Narcotics/Vice Division

SB-363-SD-1

Submitted on: 2/25/2025 10:30:18 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I strongly ***OPPOSE*** bill **SB363** due to it being an infringement of the Second Amendment. A single gun part may consist of several subparts. A typical pistol magazine usually consists of the magazine body, magazine spring, magazine follower, and baseplate. Under this bill an assembled magazine would be legal, but a disassembled magazine would be illegal due to there being four gun parts. This bill focuses on the object rather than the criminal. A felon or otherwise prohibited person in possession of a gun whether registered or not should be charged. The serialized portion or the fire control unit is what is defined as the firearm.

SB-363-SD-1

Submitted on: 2/25/2025 10:35:22 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

This bill strengthens Hawaii's laws addressing safe storage of firearms. Improperly stored guns can contribute to guns entering the illegal market. It also jeopardizes the safety of all, especially our keiki.

SB-363-SD-1

Submitted on: 2/25/2025 10:45:38 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

Treating firearms parts as criminals is folly. The real issue is criminals and what they do with firearms or any other weapons. Why make criminals out of citizens who are simply trying to maintain their legally possessed firearms? Go after the criminals, not honest people.

SB-363-SD-1

Submitted on: 2/25/2025 10:45:39 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I strongly oppose SB363.

This bill sets a trap for many honest, law-abiding citizens who simply have extra or spare firearm parts. Many firearm owners possess parts that are being transported to gunsmiths or moved between locations for professional services or to upgrade their firearms for shooting events, recreational shooting, or hunting. Often, these parts—such as screws, springs, and set screws—are not even specific to any particular firearm. Ghost guns and illegal firearm laws are already in place. The focus should be on enforcement, not targeting responsible citizens and their rights. It's time to prioritize going after criminals, not law-abiding gun owners.

Thank you for the opportunity to testify.

SB-363-SD-1

Submitted on: 2/25/2025 11:08:21 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

Oppose

SB-363-SD-1

Submitted on: 2/25/2025 11:45:59 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I stand in **STRONG OPPOSITION** to this bill. It is downright moronic to think that the police cannot enforce current laws that prevent criminals from carrying guns just because the bad guy takes his gun apart before the cops get there. Simply taking a gun apart does not make it suddenly legal to carry around.

While I appreciate that the wording of the bill has been changed, supposedly only to affect prohibited persons and felons, the wording is still a bit unclear and might still be applied to non-prohibited persons.

Federal Law already considers the receiver (the frame that contains most if not all of the parts of a firearm) of a gun to be the legal firearm. As long as the receiver is intact it is considered a firearm regardless of whether it can be fired or not. There are even laws regarding what must be done for a receiver to be considered 'inoperable', even if you were to just cut a receiver in half it would still be legally considered a functional firearm. This means if I were to take my gun completely apart and walk around with just the receiver (without a valid CCW permit) I would be breaking the law already.

If a convicted felon is walking around with gun parts, it's a reasonable suspicion to think that they are in illegal possession of a firearm and a proper investigation can be done. If prosecutors or police think they cannot charge violators under current laws, then they need either be retrained or terminated from their duties since they cannot carry them out in a competent manner. Not having laws passed that makes it even easier for them to do their jobs when it should already be cut and dry.

At this point it is hard to tell the difference between incompetence and malice when it comes to enforcing the laws of this state. The proposed head of the Department of Law Enforcement had shown twice that they do not understand the current laws when testifying on the House version of this bill, even after being corrected. Unless the Official stance by DLE is that a gun can be legally and openly carried as long as it's in two pieces because they deem it 'inoperable', in which case it would be legal to walk down the streets of Waikiki with an AR15 rifle with no permit simply because it's been separated into two pieces.

The House version of this bill has already been deferred, and will be unlikely to survive the crossover.

SB-363-SD-1

Submitted on: 2/25/2025 11:56:23 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

Aloha,

I am writing today to express why I am opposed to SB363. I am writing to educate and encourage this committee to see how unnecessary this bill is for Hawai'i. I respectfully request you to oppose this bill and any amendments that may be proposed along with it. It should be noted that this same bill, HB279, was heard a few weeks ago in a house committee meeting and it was deferred. This bill is fraught with issues and is simply unnecessary for the safety of all Hawaiian citizens.

A notable testimony in the house hearing by Mike Lambert, the Director nominee of the department of Law Enforcement, said that this bill was necessary for closing a loophole that is simply untrue and proven unnecessary by various testimonies following his. He said that people can get around the firearm carry laws by one person holding a lower receiver (a firearm) and another holding the upper receiver or slide. This is untrue according to current Hawai'i laws. If they are found out and about in the public and person one had one part and the other person has the other part, the person holding the firearm, registered or not, would be guilty of illegally possessing a firearm in public. The second person is then viable for conspiracy to commit a crime and one with a deadly weapon. The fact is that is simply not happening and was a childish exaggeration by a Hawai'i official.

It is important to note that a senator asked in the last senate committee hearing if this was only regarding charges for ghost guns. Then an officer who testified responded "yes" that it is. That is a flat out lie. There is nothing separating what type of firearm this is related to and it is unjust. None of us want felons to have firearms but this bill doesn't change the fact that these parts cannot be used without the receiver which is the actual firearm. This fact is parimount for the fact that this bill will not stop a crime. These inanimate parts cannot be used without a firearm to cause harm. So what is the reason for this bill?

This law is criminalizing simply holding firearm parts such as, springs, screws, pieces of plastic, and various other parts that are arguably necessary for the function of the firearm. People have lives and those should not be ignored and this would be unnecessarily burdensome to most all firearm owners while not making anyone safer. For me I am only able to stop by a firearm store for parts on days after I work and before I pick up my son from school. I would not have or need my firearm to pick up one of these parts so I would legally be allowed to go to the store and then run other errands. If passed, I would be forced to secure these parts in a specified container to

and from the store directly to my home only. This simply wouldn't be possible. I essentially would have to go home and then drive all the way back across the island to get my son from school, or to simply stop anywhere else. This is ridiculous and unnecessary. These parts cannot be used to cause harm without the firearm being present. The current laws already prevent someone from bringing a firearm outside of the areas allowed and these parts will not make the community less safe if held in public areas.

Many other testifying brought up the fact that there is not permission for someone delivering mail to possess these parts and travel to and from various locations. I would add to that concern that an individual picking up mail would also not be allowed to transport these parts back from the place it was picked up unless secured according to this bill's requirement and they would be forced to immediately return home. Gun store owners and gunsmiths would also be greatly affected by this bill and would make doing their daily tasks more than burdensome.

This bill is another way to disarm law-abiding citizens and to criminalize the non-criminal firearm owners. Criminals do not look into or follow laws. This will literally only harm law-abiding citizens. These that it would affect are your neighbors, co-workers, members of law enforcement and military, pastors and all-around safe and normal members of our communities. Having firearm parts without a lower receiver, the recognized part that is considered the firearm, cannot be used to cause harm without the act of criminally using a firearm in conjunction. The current laws already cover any illegal operation or possession of a firearm and this bill will not prevent or stop anyone from committing harm to another.

I am 100% in agreement that all people should live freely and safely without fear of harm from others. I actually do something about the issue regarding violence and the use of firearms and I would argue I do far more help than any bill this house has ever submitted or passed. I educate others about firearm safety. I practice safe firearm handling and have nearly every single firearm this house and the Hawai'i senate has attempted to ban year after year. The one thing I have never done is harmed another individual or made anyone less safe by owning these tools.

This bill will not prevent a single assault from occurring and I would argue that this bill is designed to disarm currently law-abiding firearm owners in Hawai'i and make it impossible for them to legally own firearms in the future. The firearm that is required for registration in Hawai'i is the receiver. This part is integral for a firearm to be fired and a firearm cannot be used without one. The barrel, handguard, bolt carrier group, muzzle device, foregrip, stock and butt stock, sling, sight or optic, trigger, springs, bolts and screws cannot fire a firearm without a receiver properly attached. Why would making it illegal for me to possess these items while traveling make the community more safe? I cannot use a single one of the parts listed in this bill to cause anyone else or even myself harm without them unless this bill is passed and I were to possess them outside the locations this bill would allow. I could solely see harm coming to me if I forget to remove a few simple firearm parts from my backpack while traveling in my vehicle after a hunting day or a day to the range or from a visit to the gun store.

I do not think this bill was written in good faith with the goal of removing harmful material from situations where not necessary that could potentially cause harm. Technically any spring or screw that could be used in a firearm that is in the possession of a person traveling would be then

a viable part for use in a conviction. This is unnecessary and will not help a single Hawai'i citizen and I'd argue it would harm many law abiding sensible people. Please consider what I have written today in my testimony and please vote NO on SB363.

Mahalo,

Chase Cavitt

SB-363-SD-1

Submitted on: 2/25/2025 11:56:57 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I oppose SB363

This bill does NOTHING to stop crime. Address the REAL problem, mental health, having good role models for children, education. Not "gun violence" propaganda.

Gun & gun parts do nothing on their own. It needs human intervention.
It's what's in the hearts & minds of the people.

SB-363-SD-1

Submitted on: 2/25/2025 11:58:02 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

Aloha,

I am writing today to express why I am opposed to SB363. I am writing to educate and encourage this committee to see how unnecessary this bill is for Hawai'i. I respectfully request you to oppose this bill and any amendments that may be proposed along with it. It should be noted that this same bill, HB279, was heard a couple weeks ago in a house committee meeting and it was deferred. This bill is fraught with issues and is simply unnecessary for the safety of all Hawaiian citizens.

A notable testimony in the house committee hearing by Mike Lambert, the Director nominee of the department of Law Enforcement, said that this bill was necessary for closing a loophole that is simply untrue and proven unnecessary by various testimonies following his. He said that people can get around the firearm carry laws by one person holding a lower receiver (a firearm) and another holding the upper receiver or slide. This is untrue according to current Hawai'i laws. If they are found out and about in the public and person one had one part and the other person has the other part, the person holding the firearm, registered or not, would be guilty of illegally possessing a firearm in public. The second person is then viable for conspiracy to commit a crime and one with a deadly weapon. The fact is that is simply not happening and was a childish exaggeration by a Hawai'i official.

This law is criminalizing simply holding firearm parts such as, springs, screws, pieces of plastic, and various other parts that are arguably necessary for the function of the firearm. People have lives and those should not be ignored and this would be unnecessarily burdensome to most all firearm owners while not making anyone safer. These parts cannot be used to cause harm without the firearm being present. The current laws already prevent someone from bringing a firearm outside of the areas allowed and these parts will not make the community less safe if held in public areas.

Many others testifying brought up the fact that there is not permission for someone delivering mail to possess these parts and travel to and from various locations. I would add to that concern that an individual picking up mail would also not be allowed to transport these parts back from the place it was picked up unless secured according to this bills requirement and they would be forced to immediately return home. Gun store owners and gunsmiths would also be greatly affected by this bill and would make doing their daily tasks more than burdensome.

This bill is another way to disarm law abiding citizens and to criminalize the non criminal firearm owners. Criminals do not look into or follow laws. This will literally only harm law abiding citizens. These that it would affect are your neighbors, co workers, members of law enforcement and military, pastors and all around safe and normal members of our communities. Having firearm parts without a lower receiver, the recognized part that is considered the firearm, cannot be used to cause harm without the act of criminally using a firearm in conjunction. The current laws already cover any illegal operation or possession of a firearm and this bill will not prevent or stop anyone from committing harm to another.

This bill will not prevent a single assault from occurring and I would argue that this bill is designed to disarm currently law abiding firearm owners in Hawai'i and make it impossible for them to legally own firearms in the future by simply not knowing of the changes or making an honest mistake. The firearm that is required for registration in Hawai'i is the receiver. This part is integral for a firearm to be fired and a firearm cannot be used without one. The barrel, handguard, bolt carrier group, muzzle device, foregrip, stock and butt stock, sling, trigger, springs, bolts and screws cannot fire a firearm without a receiver properly attached. Why would making it illegal for someone to possess these items while traveling make the community more safe? I cannot use a single one of the parts listed in this bill to cause anyone else or even myself harm without a firearm receiver; unless this bill is passed and I were to possess them outside the locations this bill would allow. I could solely see harm coming to myself, my husband, my family or some other unsuspecting good citizen who owns firearms, if one forgets to remove a few simple firearm parts from a backpack while traveling in a vehicle after a hunting day or a day to the range or from a visit to the gun store.

I do not think this bill was written in good faith with the goal of removing harmful material from situations where they could potentially be used to cause harm. Technically any spring or screw that could be used in a firearm that is in the possession of a person traveling would be then a viable part for use in a conviction. This is unnecessary and will not help a single Hawai'i citizen and I'd argue it would harm many law abiding sensible people along the way. Please consider what I have written today in my testimony and please vote NO on SB363.

Mahalo,

Tenessa Cavitt

SB-363-SD-1

Submitted on: 2/25/2025 12:12:13 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

Aloha JDC Comittee,

As a law abiding citizen of the United States of America and a law abiding long time resident of Hawaii, I strongly oppose SB363.

This bill is another infringement on my constitutional rights.

Respectfully,

Normand A Cote

SB-363-SD-1

Submitted on: 2/25/2025 12:26:55 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

Our state has far larger problems than parts of a gun, and criminals won't follow the law anyway.

Us tax payers expect you to focus on teh economy and homelessness until those are resolved and leave constitutional rights alone.

SB-363-SD-1

Submitted on: 2/25/2025 12:29:03 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I oppose this bill due to the ambiguous language regarding parts and places to keep. This bill is unconstitutional and though well meaning, should not focus on the inanimate object, but on the actual actions of the individual acting in a criminal manner.

SB-363-SD-1

Submitted on: 2/25/2025 12:38:11 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Zac Nosugref	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

I Jason T Wolford am writing to express my strong opposition to SB363, a bill that severely restricts the possession and transport of firearm parts and unfairly criminalizes law-abiding gun owners like myself. As a responsible gun owner who repairs and maintains my own firearms, this legislation places undue burdens on my ability to legally possess and transport necessary components.

Under SB363, possession of **three or more firearm parts** outside of my home or business—regardless of intent—could result in a **misdemeanor charge**, or worse, a **felony** if I were considered a "prohibited person." This law is vague and overly broad, making no distinction between a responsible gun owner conducting lawful repairs and someone illegally assembling an unregistered firearm.

How This Bill Could Unjustly Criminalize Me

- If I purchase replacement parts (such as a trigger assembly, firing pin, and magazine) and transport them home, I could unknowingly be violating the law if they are not **enclosed in a specific type of container**.
- If I need to bring parts to a gunsmith or repair shop, I am **at risk of criminal charges** unless I rigidly comply with transportation rules that are not clearly defined.
- The **"three-part rule"** is arbitrary—why should carrying three small, unrelated parts be criminalized when two parts are not?
- If I am stopped by law enforcement while transporting parts for a lawful purpose, I could be presumed guilty under a law designed to target criminals rather than responsible firearm owners.

Severe Penalties for Innocent Actions

This bill unfairly imposes **harsh penalties on responsible citizens**, even when no criminal intent exists. If convicted:

- **Possessing 3 or more firearm parts outside of approved locations – Misdemeanor charge**, punishable by **up to 1 year in jail and fines up to \$2,000**.
- **If classified as a "prohibited person" (even by mistake) – Class B felony**, resulting in a **mandatory minimum of 1 year in prison (without suspension), plus 4 years of probation**.
- **Possessing a loaded firearm unlawfully – Class B felony**, with **at least 1 year in prison and 4 years probation**.
- **Possessing an unloaded firearm unlawfully – Class C felony**, with **at least 6 months in prison and 4 years probation**.

These penalties are **disproportionate and unjust**, especially for responsible gun owners who are simply trying to **repair, maintain, or transport** legal firearms in accordance with existing laws.

While I fully support efforts to reduce gun violence, **SB363 unfairly penalizes responsible citizens while doing little to prevent crime**. This bill **targets legal gun owners rather than those who actually commit violent offenses**. Criminals who illegally obtain or manufacture firearms will not

be deterred by this law, while individuals like myself—who follow all regulations—will be at risk of prosecution simply for maintaining our lawfully owned firearms.

I strongly urge you to vote **NO on SB363** and instead focus on legislation that targets violent offenders rather than restricting the rights of responsible citizens. Thank you for your time and consideration

SB-363-SD-1

Submitted on: 2/25/2025 12:52:00 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I Strongly Oppose

SB-363-SD-1

Submitted on: 2/25/2025 1:22:00 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I am opposed to this bill as it is just another attempt to make life difficult for Hawaii's legal firearms owners.

SB-363-SD-1

Submitted on: 2/25/2025 1:33:41 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I support this bill as it ONLY applies to felons or prohibited persons since they cannot own a gun anyway.

SB-363-SD-1

Submitted on: 2/25/2025 1:34:25 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Richy Chang	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE SB363 and insist on Hawaii state representatives to OPPOSE this bill. SB363 is very restrictive and not thought through, and legal locations in Hawaii are already very few to carry/store/exercise the rights given by the 2nd amendment and will create further unnecessary complications

SB-363-SD-1

Submitted on: 2/25/2025 1:39:13 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I oppose this.

SB-363-SD-1

Submitted on: 2/25/2025 1:58:14 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Kim Jorgensen	Individual	Support	Written Testimony Only

Comments:

I STRONGLY SUPPORT THIS BILL.

SB-363-SD-1

Submitted on: 2/25/2025 1:59:32 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Denise Boisvert	Individual	Support	Written Testimony Only

Comments:

Please pass this bill that will ultimately save lives.

SB-363-SD-1

Submitted on: 2/25/2025 2:13:14 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Taz Gamble	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My name is Taz Gamble, and I oppose SB363. The bill proposed states that parts must be transported in an approved container, and only to specific locations. This bill also includes parts that COULD be turned into firearm parts. Both of these proposals are on currently unregulated items that a person is legally allowed to buy without government regulation, and restricts their rights for something that COULD theoretically be put on an actually regulated item. These items in and of themselves are not dangerous, but are being treated as if they are fully functioning firearms.

Furthermore, with the way the bill is currently worded, a person could not legally transport a block of metal unless in an enclosed container and only to specific locations because it could POTENTIALLY be used to make a part of a firearm. This means it doesn't even need to be big enough to be made into a full firearm for it to be illegal. The scope of this ban is extremely overbearing and unconstitutional. I ask that you oppose such an egregious overreach and an attempt to limit our constitutional rights.

Thank you for your time,

SB-363-SD-1

Submitted on: 2/25/2025 3:00:14 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

My name is Raymond Ishii and I strongly Oppose SB363 as it is a violation of my rights given to me by our creator and guaranteed by the 2nd Amendment of the United States Constitution.

This bill is simply stupid and should not pass out of this hearing.

The justification for this bill is the criminal acts of less than 100 person out of a population of nearly 1 million people on the island of Oahu. The simple fact that Ghost guns are already illegal in the state of Hawaii and possession of one is a class C felony. The use of a firearm in the commission on of a felony is already a crime and is a class A felony.

By attempting to criminalize the carrying of 3 or more firearm parts shows just how anti 2nd Amendment the Legislature is. A firearm part is not a firearm and cannot fire ammunition, it is not any more dangerous than something you could buy at a hardware store. By requiring carrying of firearms part is a "Enclosed container" means a rigidly constructed receptacle, or a commercially manufactured gun case, or the equivalent thereof that completely encloses the firearm or firearm parts. Is not realistic because many firearm parts are sold in clear plastic bags and are if you are lucky the store will give you a paper bag to carry it out of the store. Also firearms parts include a bag of springs, screws, pins and even the larger parts such as barrels are no more dangerous than carrying a stick.

Again I strongly Oppose SB363 and a beg you to vote NO.

Thank You

SB-363-SD-1

Submitted on: 2/25/2025 3:11:05 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I oppose this bill. Makes no sense.

SB-363-SD-1

Submitted on: 2/25/2025 3:33:33 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

Oppose

SB-363-SD-1

Submitted on: 2/25/2025 4:11:38 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I OPPOSE this proposal. Legislatures are getting down right ridiculous now.

Enforcement of current laws has always been the key factor.

SB-363-SD-1

Submitted on: 2/25/2025 4:15:21 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I oppose SB363. This bill violates the 2nd amendment rights under the US Constitution.

SB-363-SD-1

Submitted on: 2/25/2025 4:30:01 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I strongly OPPOSE this bill. It will not accomplish anything towards deterring criminal behavior. I will just complicate everything for everybody in the shooting and hunting community. It also affects sales, servicing and repair of firearms. This bill entails ridiculous requirements for everybody and is also not enforceable. It is a waste of time and it is unnecessary.

SB-363-SD-1

Submitted on: 2/25/2025 4:37:09 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

Aloha, I stand in strong opposition to this bill, it is unconstitutional and infringes on our right.
Mahalo

SB-363-SD-1

Submitted on: 2/25/2025 4:57:17 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Chris Millen	Individual	Oppose	Written Testimony Only

Comments:

oppose

SB-363-SD-1

Submitted on: 2/25/2025 4:59:06 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

This bill solves a non-existant problem

SB-363-SD-1

Submitted on: 2/25/2025 5:37:59 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

Please oppose this bill. Hawaii is already The Most Restrictive state in the whole United States. We don't really need to go Full-Communist on our law abiding citizens.

Firearm loose parts, excepting FFL-designated firearms receivers, unassembled, are by definition, NOT FIREARMS. It is ludicrous to impose burdensome storage requirements, and transportation limits on non-FFL inert parts. This would include things like screws and springs.

FFL-designated firearms parts are already subject to restrictive storage and transportation constraints

Especially since Oahu, Hawaii's island nature, you can't go very far, so everything is a short trip. Especially burdensome to the law-abiding.

Again, this bill only served to penalize the lawful for the misdeeds of the unlawful. Please redirect your focus to the criminal element.

SB-363-SD-1

Submitted on: 2/25/2025 5:38:26 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I strongly object to this measure as an infringement of my 2nd Ammendment Rights.

SB-363-SD-1

Submitted on: 2/25/2025 6:15:34 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I submit this testimony as a concerned citizen, urging you to **VOTE NO** on S.B. No. 363. This bill, under the guise of public safety, imposes burdensome restrictions on law-abiding firearm owners, undermines constitutional freedoms, and diverts resources from addressing real crime—all while appealing to divisive gun-control rhetoric that fails to unite our communities. Below, I outline my objections with clarity and reason, appealing to shared values of fairness, liberty, and effective governance that should resonate across party lines.

Unconstitutional Overreach on Second Amendment Rights

S.B. No. 363 restricts the possession and transport of firearm parts—items as basic as a barrel or receiver—to a narrow list of locations, turning a fundamental right into a bureaucratic maze. The Second Amendment guarantees the right to keep and bear arms, a freedom upheld by courts nationwide, yet this bill treats law-abiding citizens like suspects for merely owning components. Democrats who value individual liberties alongside Republicans who champion constitutional protections should see this as a step too far—punishing possession rather than misuse erodes the balance between safety and freedom we all seek.

Punishing the Innocent, Not the Guilty

This legislation slams felony charges and mandatory prison sentences on individuals—felons and non-felons alike—for carrying firearm parts outside designated zones, even in enclosed containers. A law-abiding hunter or sport shooter could face a Class B felony simply for forgetting to detour to a “licensed dealer” rather than fixing a rifle at home. Meanwhile, actual criminals intent on harm will ignore these rules, as they always do. Both sides of the aisle should agree: laws should target lawbreakers, not inadvertently criminalize honest citizens trying to exercise their rights responsibly.

Economic Burden on Working Families

Consider the single parent or small business owner who relies on affordable firearms for self-defense or recreation. This bill forces them to buy expensive “enclosed containers,” travel only to approved locations, and risk severe penalties for minor missteps—all adding costs and stress to already tight budgets. Democrats who fight for working-class fairness and Republicans who oppose regulatory overreach can unite here: this is a tax on the law-abiding, not a solution to violence, hitting Hawaii’s most vulnerable hardest.

Ineffective and Misguided Public Safety Measure

Proponents claim this enhances safety, but where’s the evidence? S.B. No. 363 piles on paperwork and penalties without addressing root causes of crime—like mental health or illegal trafficking—focusing instead on parts that law-abiding citizens use legally. It’s a feel-good measure that does little to stop determined bad actors, wasting police time on compliance checks instead of real threats. Both parties want safer streets; this bill fails that test by chasing shadows instead of substance.

Divisive and Unnecessary Escalation

Hawaii’s gun laws are already among the strictest in the nation, yet this bill doubles down, risking further polarization at a time when we need unity. It alienates rural communities, hunters, and gun owners who feel targeted, while offering no clear benefit to urban Democrats concerned with violence. We should be building bridges—investing in community programs or mental health—not crafting laws that pit us against each other over symbolic restrictions.

Conclusion: Vote No for a Balanced Approach

S.B. No. 363 is a heavy-handed, impractical law that tramples rights, burdens families, and fails to deliver on safety—all while driving a wedge between us. I urge you, whether you lean left or right, to reject this bill and pursue solutions that respect liberty, target actual crime, and unite Hawaii rather than divide it. **VOTE NO** and let’s find common ground that works for all.

SB-363-SD-1

Submitted on: 2/25/2025 6:17:39 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

Anything can be a "gun part" if you try hard enough. This is garbage legislation.

SB-363-SD-1

Submitted on: 2/25/2025 6:33:46 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I Strongly oppose this bill!

Please dont let this bil pass!

SB-363-SD-1

Submitted on: 2/25/2025 6:53:03 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

To whom it may concern,

I am writing to express my opposition to any proposed restrictions on carrying firearm parts to certain locations. The ability for responsible gun owners to transport parts of firearms—whether for maintenance, repair, or lawful recreation—should not be unduly restricted or penalized. These laws would serve to unnecessarily complicate and burden responsible firearm owners who comply with all local, state, and federal regulations.

First, it is important to note that firearm parts, such as barrels, stocks, or magazines, by themselves are not functioning firearms. These parts, when separated, cannot be readily used as weapons and do not pose the same risks as fully assembled firearms. It is unreasonable and counterproductive to treat these inanimate components as if they are capable of being misused in the absence of an assembled firearm.

Restricting the movement of firearm parts would have a disproportionately negative impact on lawful gun owners who need to transport these parts for legitimate reasons, such as repairs, modifications, or hunting trips. Law-abiding citizens who legally own firearms often travel with firearm parts to various locations for activities such as shooting sports, hunting, or firearm maintenance, all of which are lawful and regulated. Imposing restrictions on this movement only serves to hinder those who abide by the law.

Moreover, firearm parts are already subject to existing regulations, including background checks for certain components and restrictions on high-capacity magazines. Any further regulation should focus on criminal misuse of firearms rather than limiting the freedoms of responsible citizens. Rather than focusing on these arbitrary restrictions, resources would be better allocated toward addressing unlawful possession of fully assembled firearms by individuals with criminal intent.

Finally, we must consider the broader implications on personal freedom and the rights of law-abiding citizens. The Second Amendment guarantees the right to keep and bear arms, and this includes the necessary parts for maintaining and transporting those arms. Imposing additional barriers on firearm parts, especially when they are used within the bounds of the law, infringes on that fundamental right.

In conclusion, I urge you to reconsider any proposed legislation restricting the transport of firearm parts to certain locations. Rather than further complicating the rights of responsible firearm owners, focus should be placed on improving enforcement against criminal misuse of firearms while respecting the rights of law-abiding citizens.

Sincerely,

Mr. Brown

SB-363-SD-1

Submitted on: 2/25/2025 7:26:13 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I STRONGLY OPPOSE SB363

1. Adequate laws already exist to address illegal guns. Language is ambiguous & subject to interpretation evidence by the testimonies. Please do not target law-abiding citizens who legally & responsibly own firearms for self-protection, hunting, etc.

2. Legislation & support is needed to address criminal activity, prosecution, & rehabilitation. Also for education, training, & criminal activity prevention.

SB-363-SD-1

Submitted on: 2/25/2025 8:20:37 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Kelly Lim	Individual	Oppose	Written Testimony Only

Comments:

Opposition Statement against Hawaii State SB363

Honorable members of the committee, Hawaii Senate Bill 363 (SB363) proposes strict regulations on the possession and transportation of firearm parts. While the intent of the bill may be to enhance public safety, it presents significant flaws and unintended consequences that could criminalize law-abiding citizens, infringe on Second Amendment rights, and introduce ambiguities in enforcement. Below are the primary concerns associated with SB363, backed by concrete evidence and legal precedent.

Overly Stringent Restrictions on Lawful Activities

SB363 mandates that firearm parts be transported only in an "enclosed container" and between specific locations. This provision is unnecessarily restrictive and lacks clarity, potentially leading to legal entrapment for responsible gun owners.

Ambiguous Definition of "Enclosed Container": The bill does not provide a clear legal definition of what constitutes an "enclosed container," leaving room for arbitrary enforcement. Similar ambiguous language in past firearm legislation has led to inconsistent legal interpretations, as seen in *District of Columbia v. Heller* (2008), where the Supreme Court struck down vague firearm storage requirements.

Unintended Criminalization of Repairs and Modifications: Many gun owners transport firearm parts for lawful purposes, such as maintenance or customization. According to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), legal gun owners frequently purchase firearm parts for modifications that comply with federal regulations. SB363 could penalize individuals engaged in these lawful activities.

Potential Constitutional Challenges

SB363 could face constitutional scrutiny under the Second Amendment of the U.S. Constitution and the Hawaii State Constitution.

Precedent in *McDonald v. City of Chicago* (2010): The Supreme Court reaffirmed that firearm regulations cannot unduly burden the rights of lawful gun owners. SB363's transport restrictions

create an excessive burden that lacks a compelling government interest to justify such stringent control.

Violation of Due Process: The bill does not specify how law enforcement should determine intent when firearm parts are transported outside of the narrow allowances provided. This vagueness could lead to selective enforcement and due process violations, as highlighted in *Kolender v. Lawson* (1983), where the Supreme Court struck down a law for being impermissibly vague.

Impact on Small Businesses and Gun Owners

Hawaii's firearm industry includes gunsmiths and firearm retailers who rely on the ability to transport parts for their business operations.

Economic Burden on Local Firearm Retailers: The National Shooting Sports Foundation (NSSF) reports that firearms-related businesses contribute significantly to state economies. Restrictive laws like SB363 could reduce sales and force closures of small businesses that serve lawful gun owners.

Disproportionate Impact on Law-Abiding Citizens: Criminals who engage in illicit firearm activities do not typically acquire parts through legal means. The ATF's Firearms Commerce Report (2021) states that the majority of firearms used in crimes are obtained illegally. SB363 will primarily affect law-abiding citizens rather than deterring criminal activity.

Conclusion

Hawaii SB363 is an overly restrictive measure that creates unnecessary burdens for lawful gun owners, introduces vague and potentially unconstitutional language, and fails to effectively address criminal firearm activity. Rather than imposing blanket restrictions that could lead to legal ambiguity and due process concerns, lawmakers should focus on enforcing existing laws that target illegal firearm trafficking and possession by prohibited persons.

For these reasons, SB363 should be reconsidered and amended to ensure that public safety goals are met without infringing upon the constitutional rights of responsible gun owners and businesses in Hawaii.

Respectfully,

Kelly Lim

SB-363-SD-1

Submitted on: 2/25/2025 8:22:05 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Dwayne Lim	Individual	Oppose	Written Testimony Only

Comments:

Opposition Statement against Hawaii State SB363

Honorable members of the committee, Hawaii Senate Bill 363 (SB363) proposes strict regulations on the possession and transportation of firearm parts. While the intent of the bill may be to enhance public safety, it presents significant flaws and unintended consequences that could criminalize law-abiding citizens, infringe on Second Amendment rights, and introduce ambiguities in enforcement. Below are the primary concerns associated with SB363, backed by concrete evidence and legal precedent.

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create an excessive burden that lacks a compelling government interest to justify such stringent control.

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Impact on Small Businesses and Gun Owners

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Conclusion

Hawaii SB363 is an overly restrictive measure that creates unnecessary burdens for lawful gun owners, introduces vague and potentially unconstitutional language, and fails to effectively address criminal firearm activity. Rather than imposing blanket restrictions that could lead to legal ambiguity and due process concerns, lawmakers should focus on enforcing existing laws that target illegal firearm trafficking and possession by prohibited persons.

For these reasons, SB363 should be reconsidered and amended to ensure that public safety goals are met without infringing upon the constitutional rights of responsible gun owners and businesses in Hawaii.

Respectfully,

Dwayne Lim

SB-363-SD-1

Submitted on: 2/25/2025 9:41:54 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Ryota Takuma	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am writing to respectfully oppose SB363 SD1, a bill that imposes stringent restrictions on the carrying and possession of firearm parts, limiting their transport to specific locations and requiring them to be in enclosed containers, while also increasing penalties for non-compliance. While I understand the intent to enhance public safety, I believe this bill overreaches and unfairly burdens law-abiding citizens who value their constitutional rights and personal freedoms.

First, this legislation creates an overly broad and vague framework. By defining "firearm parts" and tying them to such restrictive rules, it risks turning routine, lawful activities—like maintaining or repairing a firearm at home, transporting parts to a gunsmith, or even purchasing spare components—into potential violations. Law-abiding gun owners, many of whom are responsible hunters, sport shooters, or individuals exercising their right to self-defense, could inadvertently become criminals under this bill due to its lack of clarity and impractical requirements.

Second, the mandate to carry firearm parts only between certain locations and in enclosed containers ignores the realities of everyday life. For example, someone driving home from a store with a legally purchased part could be penalized if they stop for gas or groceries, as the bill's language doesn't account for reasonable deviations. This sets up honest citizens for failure, creating a trap rather than a safeguard. In addition, compatible firearm related accessories and parts that are intended for use on non-firearm hobbies such as Paintball, nerf guns, airsoft, historical re-enactors, cosplayers, and movie props artists can all be subjected to this trap of becoming a punished by the law proposed.

Third, increasing penalties for violations of these rules disproportionately punishes those who may not even realize they're out of compliance. Our justice system should focus on intent and actual threats—not on technicalities that ensnare people trying to follow the law. Existing laws already address the misuse of firearms by prohibited persons; adding layers of regulation on parts won't deter bad actors who, by definition, don't obey laws. Instead, it complicates life for the law-abiding majority.

Finally, this bill erodes the spirit of the Second Amendment and the individual rights we hold dear in Hawaii and across the nation. It assumes guilt rather than innocence, treating every gun

owner as a potential risk instead of a citizen with protected freedoms. We should be fostering trust and responsibility, not building a system that punishes the innocent alongside the guilty.

I urge you to reconsider SB363 SD1 and its unintended consequences. Public safety matters, but so does fairness, clarity, and respect for our rights. Please vote no on this bill and seek solutions that target real threats without overburdening Hawaii's law-abiding residents.

Mahalo for your time and consideration,

Ryota

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair
Committee on Judiciary (JDC)
Hearing: Thursday, February 27, 2025, at 10:07 AM
Regarding: **SB363 SD1 (Relating to Firearms)**
Voter Position: OPPOSITION

Senators of the JDC Committee,

I express my continued **opposition** to **SB363 SD1 (Relating to Firearms)**.

Measure Doesn't Address Emergency Transportation of Firearm Parts

SB363 SD1 still fails to address common sense aspects such as deviations in transit whereby natural disasters or other non-routine crises, such as a vehicle breakdown or medical emergency (such as an injury/accident), may divert a firearm owner from transporting their firearm parts directly to their residence workplace, or other authorized "place to keep" locations already listed in statute.

Within the Hawaii Revised Statutes (HRS) under §134-7.2 (Prohibition against seizure of firearms or ammunition during emergency or disaster; suspension of permit or license), the section doesn't expressly address firearm part transport during emergencies. With the Legislature's move to argue that certain firearm parts serve as precursors to the assembly of so-called "ghost" guns, firearm part seizure during emergencies or disasters isn't expressly protected. The absence of such protection may readily be abused by undue seizure without the inclusion of firearm *parts* in the text of HRS §134-7.2. This section currently prohibits seizure of firearms and ammunition during emergencies and disasters, but it doesn't prohibit seizure of firearm parts.

Focus on Stopping Current Criminal Activity

SB363 SD1 is still designed to punish individuals that happen to make any deviations away from authorized "place to keep" locations during their travel in the event that they happen to carry their firearm parts while evacuating a disaster zone or during an emergency. If crime reduction is the desire of the JDC committee, then it is best to focus on legislation that would enable increased law enforcement patrols to deter criminal activities so that criminals don't have time to acquire, let alone have the time to assemble or disassemble firearms for use in a crime. This action, by extension, would reduce the desire of criminals to commit other crimes in general.

Thank you for taking the time to review this testimony.

Respectfully,

Ryan C. Tinajero

Constituent of **Senate District 23**

SB-363-SD-1

Submitted on: 2/25/2025 10:40:29 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Jennifer Cabjuan	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill. This bill that HPD is supporting due to "ghost guns" charging/prosecuting concerns is moot. There is already a Federal law in place that makes it a felony to have undetectable non metal major pistol parts (barrel, slide or frame) punishable up to five years in jail. (1988 Undetectable Firearms Act). The ambiguity of the Hawaii bill makes any "gun parts" a crime. The pistol has many parts that I will carry around from post office to gun shop in my bag/car that have nothing to do with the major functionality I mentioned before. A magazine has a minimum of 3 interchangeable parts in itself (spring and mag cover can be separate from the magazine). Furthermore ANY gun can be turned into a "ghost gun" if the serial number is scratched off. Do not support this clearly unconstitutional generalized bill that puts law abiding firearm enthusiasts at risk of becoming criminals for carrying around "parts".

SB-363-SD-1

Submitted on: 2/25/2025 10:48:39 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Bradford Davis	Individual	Oppose	Written Testimony Only

Comments:

I respectfully oppose this bill.

SB-363-SD-1

Submitted on: 2/25/2025 11:34:25 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Mark W Iobst II	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB363. Further government overreach with undermining our 2nd amendment rights. Imprisoning a legal gun owner for possessing simple firearm parts even if not assembled is a gross overreach of our rights.

SB-363-SD-1

Submitted on: 2/26/2025 1:29:33 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

Strongly oppose

SB-363-SD-1

Submitted on: 2/26/2025 2:01:38 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I actually read pretty much the entire PDF for this measure. And I understand the reasoning behind the measure and I actually think there are some parts that make sense such as increasing penalties on prohibited possessor's and prior felons. I also think we should have harsher penalties for people who get caught with firearms and other illegal contraband or are caught with firearm possession while in the commission of other offenses.

But I have to oppose the law as it is currently written. The goal of this law is to go after criminals with deconstructed ghost guns essentially or even just deconstructed firearms so they don't work at the moment but can be assembled in "seconds". So the key here is that they would still need the frame or receiver that would allow them to assemble the firearm. So that is what should be focused on rather than an arbitrary number of "3 firearm" parts that magically reach some made up threshold.

The law should be that there is increased penalties if someone is in possession of firearm parts WHICH INCLUDE A FRAME OR RECEIVER. Not just 3 random parts.

Because as the law is written now I could go to jail as a law abiding citizen if I have 3 random springs or pins in my car that fell out of my range bag, or even if they are universal springs/pins that happen to fit in a firearm.

The current rules are bad enough already that law abiding citizens can't even go to get gas or go through a drivethru window for food on our way to or from the range/gunstore. But the current wording of this measure would make it even worse.

SB-363-SD-1

Submitted on: 2/26/2025 5:20:45 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I oppose bill 363sb

SB-363-SD-1

Submitted on: 2/26/2025 6:15:40 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I oppose SB363

SB-363-SD-1

Submitted on: 2/26/2025 7:11:14 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

Hello!

I am writing testimony in opposition for this bill SB363. This bill doesn't make sense in the way of that there are parts used in firearms that are also regular things you can buy. So it doesn't make sense on how people would differentiate between a regular part and a part meant for a firearm...This is going to be punishing law abiding citizens who would then have to forfeit their rights to own. Is there any even tangible evidence that this could work or make HI safer?

Also in the beginning of the bill, there were arrests of people for place to keep offenses that already had, "four were 8 previously convicted of felonies." So these people aren't allowed to own or be near firearms, but they are still out on the street? Since they were arrested for violating "places to keep," laws... I thought that people were supposed to follow the law? If you're a felon you can own or be near firearms. But they were....How does that make sense?

Thank you!

SB-363-SD-1

Submitted on: 2/26/2025 7:12:06 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Cari Sasaki	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE SB363. This bill encroaches on Second Amendment rights and does nothing to keep Hawaii safer. Please focus more on going after criminals and less on micromanaging law-abiding citizens.

SB-363-SD-1

Submitted on: 2/26/2025 7:13:13 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I oppose SB363

SB-363-SD-1

Submitted on: 2/26/2025 7:23:07 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

Cut government regulations going against our constitutional rights.

SB-363-SD-1

Submitted on: 2/26/2025 7:26:05 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I am in strong opposition of this unconstitutional bill, the over reach of this government is complete nonsense. The blatant attack of the 2nd Amendment rights on law abiding citizens of the United States of America needs to stop, Are you going to have law enforcement stop citizens who shoot guns for sport and hunting from enjoying what they love to do? This one party government wants to put law abiding citizens in jail for having a part of a firearm in transport from either a gun range of the local firearms store? That is ridiculous. Criminals are getting released from our prisons on greater charges in the name of rehabilitation and over crowding, A soft on crime approach is what we are seeing in this state for the actual criminals, but you want to come hard on crime with law abiding citizens? Stop with the non sense, follow the Constitution.

SB-363-SD-1

Submitted on: 2/26/2025 7:39:37 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I oppose this bill.

SB-363-SD-1

Submitted on: 2/26/2025 7:40:47 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

This bill is unconstitutional and unnecessary. We do not need more laws, we need more enforcement of existing laws and a stronger pursuit of righteousness among politicians and the people of Hawaii.

SB-363-SD-1

Submitted on: 2/26/2025 7:42:00 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

Aloha,

I oppose SB363. This is another blatant attempt to violate our 2nd Amendment. This is also a waste of our tax dollars. SHALL NOT INFRINGE is clearly written. You took an Oath to protect The Constitution, now HONOR your oath! Thank you.

Noela von Wiegandt

SB-363-SD-1

Submitted on: 2/26/2025 7:52:03 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I Strongly Oppose

SB-363-SD-1

Submitted on: 2/26/2025 8:13:24 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Sarah Tiritas	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

SB-363-SD-1

Submitted on: 2/26/2025 8:15:15 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Dawn O'Brien	Individual	Oppose	Written Testimony Only

Comments:

Aloha Representatives of the People of Hawai'i~

TY SVM for reading & reviewing these testimonies as a vital part of the process of vetting these bills, to give space for the voices of WE THE PEOPLE! Mahalo plenty!

I stand in strong OPPOSITION to SB 363 re: Gun control. This bill essentially removes rights to have self-defense weapon parts outside of our home (how will we transport from store to home?) and therefore stomps on our 2nd Amendment rights. Further it strips responsible, law-abiding citizens while doing nothing to stop real crime, except to encourage it by allowing illegal activity to go unchecked by an armed populace able to defend itself. AUWE!

Our right to bear arms is a right covered by the Constitution of the United States of America. This proposed bill in one of the lesser states of the Union would strip we the people of our right to defend ourselves, our families & our properties.

This is a matter of self-defense for those of us who are law-abiding citizens. As you know the non-law-abiding citizens already do what they want, this bill would further strip the law-abiding citizens which is the majority of the population that you represent. Never in the history of humanity has taking away the weapons of the citizenry ended well for the citizens. In fact, it has always spiraled into violent tyranny. No thank you.

Overall this is a radical & illegal proposal to strip the law-abiding majority of your voters. No thank you.

In conclusion, I strongly oppose SB 363 and I ask you to do the same. Thank you!

Malama Pono,

Dawn O'Brien

Pres., HOPE HI, Inc.

Lifelong resident & taxpayer of State of Hawai'i

SB-363-SD-1

Submitted on: 2/26/2025 8:15:44 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Dorinda Ohelo	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. This is government overreach!

SB-363-SD-1

Submitted on: 2/26/2025 8:15:47 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Norberto Dumo	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

As a law abiding citizen in Hawaii "I oppose this bill because it infringes on our second amendment rights"

Mahalo

SB-363-SD-1

Submitted on: 2/26/2025 8:23:51 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Tryslynn Kauionalani Jones	Individual	Oppose	Written Testimony Only

Comments:

Aloha Committee Members and senators,

I strongly oppose this bill because it is unconstitutional and it does nothing to stop criminals and real crime.

Mahalo

SB-363-SD-1

Submitted on: 2/26/2025 8:31:50 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I STRONGLY OPPOSE BILL SB363

"The right of the people to keep and bear Arms, SHALL NOT BE INFRINGED"

Why do are "elected" officials continue to chip away at law abiding citizens' rights?

So now our "elected" officials want to throw law abiding citizens in jail for physically carrying gun parts outside of certain areas that they decide on?? Based on what criteria? And not even all the parts necessary to make an actual gun??? Just three or four parts of the gun which they determine??? Based on what??

These "elected" officials are very aware that our State has HRS 134-25 Place to Keep on the books?? So why introduce this new bill which acutally potentially targets law abiding citizens??? They can't take away our right to bear arms, but they will continue to make it extremely difficult and expensive to "enjoy" that right.

SB-363-SD-1

Submitted on: 2/26/2025 8:33:18 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

Opposed. Shall not be infringed. Period.

SB-363-SD-1

Submitted on: 2/26/2025 8:35:58 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

Aloha legislature, i oppose this bill because it will not stop crime and cant get parts to fix it when broken.

thank you

SB-363-SD-1

Submitted on: 2/26/2025 8:41:26 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I oppose bill SB363

SB-363-SD-1

Submitted on: 2/26/2025 8:47:50 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Zachariah Helenihi	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair and Members of the Committee,

I am writing to express my strong opposition to Senate Bill 363. While I understand the intent behind this legislation may be to enhance public safety, I believe it imposes unnecessary and overly restrictive measures that unfairly burden law-abiding citizens without effectively addressing the root causes of crime.

This approach overlooks the practical realities faced by responsible gun owners and outdoor enthusiasts in Hawai'i. For many of us, firearms are tools for lawful activities such as hunting, sport shooting, and personal protection—activities deeply tied to our constitutional rights and Hawai'i's own constitution article 1 section 17. Mandating that even individual parts be secured in a specific manner during transport adds an impractical layer of regulation that does little to deter those already intent on breaking the law.

Moreover, criminalizing what could be minor or unintentional infractions risks turning honest citizens into offenders over technicalities. The vague wording of “enclosed container” could lead to inconsistent enforcement, leaving law-abiding individuals vulnerable to subjective interpretation by authorities. True safety improvements would focus on targeting illegal firearm use and trafficking, not piling additional rules onto those who already comply with existing laws.

I urge you to consider the broader impact of this bill on our community. Hawai'i's responsible gun owners are not the source of violence plaguing our streets—this measure feels like a solution in search of a problem, one that punishes the wrong people. Instead, I encourage the legislature to invest in community programs, mental health resources, and enforcement of current laws to address crime at its core.

For these reasons, I respectfully request that you vote “No” on SB 363. Let’s prioritize practical, effective solutions over symbolic restrictions that erode individual freedoms without delivering meaningful results.

Thank you for your time and consideration.

SB-363-SD-1

Submitted on: 2/26/2025 8:49:32 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I oppose SB363. Nothing in this serves to add value to the safety and security of the citizens of Hawaii, but only creates more innocent law-abiding citizens turned criminal with the stroke of a pen.

SB-363-SD-1

Submitted on: 2/26/2025 8:51:03 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Megan Iobst	Individual	Oppose	Written Testimony Only

Comments:

How is this even up for discussion? How does a proposal like this even see the light of day? Stop trying to make law abiding citizens criminals! Me carrying a piece of a firearm should be no one else's business! I oppose SB 363.

SB-363-SD-1

Submitted on: 2/26/2025 9:12:03 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Rozalynn Marae Erickson	Individual	Oppose	Written Testimony Only

Comments:

The proposed legislation, which mandates that firearm retailers provide notice regarding storage laws, expands secure storage requirements, and broadens the definition of criminally negligent storage, represents yet another unconstitutional restriction on the Second Amendment. In addition to the clear legal issues, this proposal would impose significant financial and operational burdens on firearm retailers, negatively impacting small businesses and the broader firearms industry.

The Second Amendment guarantees that “the right of the people to keep and bear Arms, shall not be infringed.” The Supreme Court’s decision in *New York State Rifle & Pistol Association, Inc. v. Bruen* (2022) reaffirmed that firearm regulations must align with the nation’s historical tradition of gun laws.

1. No Historical Basis for Mandatory Storage Requirements

- The government cannot impose broad restrictions on how individuals store their firearms in their homes, as this interferes with the fundamental right to self-defense.
- *District of Columbia v. Heller* (2008) struck down mandatory firearm storage laws, ruling that such restrictions violate the Second Amendment by preventing individuals from having immediate access to firearms for self-defense.
- Expanding criminal liability for so-called “negligent storage” further erodes the ability of law-abiding citizens to exercise their constitutional rights without fear of prosecution for subjective determinations of compliance.

In addition to constitutional concerns, this proposal imposes undue burdens on firearm retailers, particularly small businesses, leading to negative economic consequences.

1. Increased Compliance Costs

- Retailers would be forced to develop and distribute new compliance materials, increasing operational costs.
- Additional record-keeping and employee training requirements would place financial strain on small firearm dealers, many of whom operate on thin margins.

2. Deterring Firearm Sales and Driving Customers to the Black Market

- The expansion of storage laws and increased penalties could deter potential lawful gun buyers, reducing revenue for licensed firearm dealers.
- Excessive regulations often push consumers toward unregulated or black-market alternatives, undermining the intent of legal firearm sales and responsible gun ownership.

3. Risk of Legal Liability for Retailers

- Ambiguous or overly broad requirements could lead to legal liability for firearm dealers who fail to meet unclear or ever-changing regulatory standards.
- Potential lawsuits or government penalties for alleged noncompliance could drive small retailers out of business, consolidating firearm sales among a smaller number of large corporations while harming local economies.

Conclusion

This proposal is not only unconstitutional under *Heller* and *Bruen*, but it also imposes harmful economic consequences on firearm retailers. By increasing compliance costs, deterring lawful firearm sales, and exposing businesses to unnecessary legal risks, this bill threatens the viability of small gun dealers while doing little to improve public safety. Lawmakers should reject this proposal and instead focus on enforcing existing laws that target criminal misuse of firearms rather than burdening responsible gun owners and business owners.

SB-363-SD-1

Submitted on: 2/26/2025 9:14:07 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Jamie Yamamoto	Individual	Oppose	Written Testimony Only

Comments:

Strongly oppose. This is another example of punishing law abiding citizens with more restrictions that will not affect criminals. Any restrictions on firearms and components are a 2nd Amendment violation.

SB-363-SD-1

Submitted on: 2/26/2025 9:27:40 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Marlee Kamakaala-Miller	Individual	Oppose	Written Testimony Only

Comments:

This bill is another poorly written firearm related bill this year. I understand the reasoning behind the bill. But the bill chooses some arbitrary random number of gun parts that would reach the level of being considered a crime. Rather than focusing on the most important part of the firearm which is the Frame/Receiver/Fire-Control-Unit.

This law would make it so that a normal law abiding citizen would be a criminal if they went to the gun store and bought 3 random firearm parts during their lunch break, then put those parts in their car trunk and went back to work before driving home.

I think having higher penalties firearm penalties for repeat offenders, prior felons, and people caught with or using firearms while in possession of drugs or during the commission of another crime is an awesome idea. But this bill is so poorly written it should not be passed.

SB-363-SD-1

Submitted on: 2/26/2025 9:35:32 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

In STRONG OPPOSITION to SB363. This bill will do very little to address crime, and will prominently punish responsible, law abiding individuals who seek to maintain their firearms in a proper and safe working manner.

SB-363-SD-1

Submitted on: 2/26/2025 9:35:58 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I oppose this bill as it infringes on my second amendment rights.

SB-363-SD-1

Submitted on: 2/26/2025 9:39:12 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Lawrence Ramirez	Individual	Oppose	Written Testimony Only

Comments:

In Opposition To SB 363

As an American who cherishes the freedoms enshrined in our Constitution, I stand firmly against any legislation that undermines the Second Amendment. The right to keep and bear arms is not just a privilege—it's a fundamental pillar of individual liberty and self-defense. History shows that disarming law-abiding citizens doesn't stop violence; it leaves them vulnerable to those who don't follow laws in the first place. I've seen firsthand how responsible gun ownership fosters safety and independence in my community—whether it's a single mother protecting her family or a hunter providing for his. Every restrictive gun law chips away at our ability to exercise that right, handing power to bureaucrats instead of the people. The data backs this up: places with stricter gun control often see higher crime rates, not lower. I urge lawmakers to respect the Constitution and trust citizens over control. Our rights aren't negotiable.

Lawrence Ramirez

Kailua Kona Hawaii

lardg@yahoo.com

SB-363-SD-1

Submitted on: 2/26/2025 9:42:53 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
ryan hopf	Individual	Oppose	Written Testimony Only

Comments:

Please vote no. This bill is a waste of time and money.

SB-363-SD-1

Submitted on: 2/26/2025 9:44:42 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I oppose this bill. Why are we punishing law-abiding citizens and responsible gun owners?
They're not the ones causing gun violence. They're not the ones trying to harm the community.
They're simply trying to protect themselves and loved ones.

SB-363-SD-1

Submitted on: 2/26/2025 9:47:45 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

The Bruin decision in Supreme Court has ruled that the second amendment does not stop at your front door. This bill violates the second amendment of the United States Constitution. Constitutional rights are to be practiced everywhere except for prohibited areas like government buildings. I am opposed to this bill.

Vincent Tibbles

waikolow Village, Hawai'i county

96738

SB-363-SD-1

Submitted on: 2/26/2025 9:56:44 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I oppose SB363

Paul Giles

SB-363-SD-1

Submitted on: 2/26/2025 9:57:10 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Cayce Rosario	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

SB-363-SD-1

Submitted on: 2/26/2025 10:03:03 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

While I respect the time-honored legislative tradition of making illegal things illegaler, I'd like to encourage the legislature to also implement a legal avenue for homemade firearms to be registered and treated as any other firearm.

There are legitimate reasons why somebody would want to fabricate their own firearm, but currently no legal way to do so without jumping through silly and legally tenuous loopholes. If "ghost guns" are a legitimate problem to be addressed, then they deserve a more comprehensive reckoning and framework than SB363's approach of banning as much as possible in as many places as possible for as many people as possible.

-Cassidy Kohout, Kihei

LATE

SB-363-SD-1

Submitted on: 2/26/2025 10:27:17 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Ihilani Buffett	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose SB363 this is complete government over reach and violates the Constitutional Rights of the American People.

LATE

SB-363-SD-1

Submitted on: 2/26/2025 11:14:06 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

Dear Legislators,

Please read that thing called the Constitution of the United States of America. In the back there is also a Bill of Rights, that are guaranteed to the People of the United States. Also the Bill of Rights of the Hawaii State Constitution.

Here's how the 2nd Amendment and Article 1, section 17 reads: A well regulated militia, being necessary to the security of a free State, the right of the People to keep and bear Arms, SHALL NOT BE INFRINGED.

These brilliant founders knew about people such as yourself. They used the word "arms" to insure as the weapons changed over time, that those weapons would be included. Arms mean any weapon, ammunition and related items.

STOP with the Unconstitutional Bills. Either you are uneducated or you are purposely warring against the founding documents, the Constitution is the highest law of the land. Ignorance of the law is no excuse.

What should be the penalty for public servants who do this?

LATE

SB-363-SD-1

Submitted on: 2/26/2025 11:55:33 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I oppose this bill

SB-363-SD-1

Submitted on: 2/26/2025 11:59:24 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

LATE

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

Comments:

I oppose SB363. This bill slams law-abiding gun owners with harsh felony charges and mandatory jail time just for possessing firearm parts outside their homes. Clearly, this is unconstitutional and against our God given 2nd Amendment rights.

LATE

SB-363-SD-1

Submitted on: 2/26/2025 12:01:43 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I strongly Oppose this bill. This goes against our Constituional rights.

LATE

SB-363-SD-1

Submitted on: 2/26/2025 12:02:22 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Nicolas Dramisino	Individual	Oppose	Written Testimony Only

Comments:

I oppose all anti gun laws.

LATE

SB-363-SD-1

Submitted on: 2/26/2025 12:06:13 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Alika Valdez	Individual	Support	Written Testimony Only

Comments:

I support this bill.

LATE

SB-363-SD-1

Submitted on: 2/26/2025 12:57:15 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I oppose SB363 SD1.

If passed, this bill will be a clear violation of my constitutional rights granted to me by the Second Amendment to the Constitution of the United States of America.

LATE

SB-363-SD-1

Submitted on: 2/26/2025 1:28:57 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I Oppose SB363. It does nothing for public safety. It only further harasses law abiding citizens who obey and respect the word of the law. I have yet to hear of anyone being killed or injured by a trigger, barrel or firing pin by itself. But I have heard of people being injured by a tire lug wrench. I have never heard of any bill banning the possession of a tire lug wrench.

LATE

SB-363-SD-1

Submitted on: 2/26/2025 3:57:14 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

Aloha, Im writing to oppose bill SB363 carrying or possesing firearm parts between certain locations only. It this bill is passed, law abiding citizens like myself and others are the only ones who would submit to this bill and i believe this will have no effect on seasoned criminals. Mahalo for your time and understanding.

LATE

SB-363-SD-1

Submitted on: 2/26/2025 4:54:20 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

Honorable Senate Judiciary Committee,

Please oppose SB363.

Mahalo!

LATE

SB-363-SD-1

Submitted on: 2/26/2025 5:50:47 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

its our Constitutional rights to bear arms we do not need this

LATE

SB-363-SD-1

Submitted on: 2/26/2025 6:28:04 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

I oppose this bill as it chips away at the 2nd amendment. Also, in a time when we could be invaded by other countries or terrorists, we should not be limited as to what kind of defense we should be allowed to have for self defense.

I urge you to vote "NO" on this bill.

Thank you.

LATE

SB-363-SD-1

Submitted on: 2/26/2025 6:48:05 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Natasha Hirata	Individual	Oppose	Written Testimony Only

Comments:

This goes against our CONSTITUTIONAL second amendment right to bear arms. A friendly reminder that the second amendment was put in place to prevent government overreach.

LATE

SB-363-SD-1

Submitted on: 2/26/2025 7:54:50 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Seth Proctor	Individual	Oppose	Written Testimony Only

Comments:

I do not support this bill as it creates a situation where parts that are not federally defined as a firearm are regulated. Hawaii already has regulations on transporting firearms. The laws should parody the federal definition of a firearm or individuals could be prosecuted for carrying items such as springs, scopes and slings that are necessary for use of a firearm

LATE

SB-363-SD-1

Submitted on: 2/26/2025 8:29:01 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

This bill will make ordinary people into criminals over night. Strongly oppose.

LATE

SB-363-SD-1

Submitted on: 2/26/2025 8:46:29 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Anne Kamau	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB363 SD1. Mahalo.

LATE

SB-363-SD-1

Submitted on: 2/26/2025 9:19:02 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Tamara Mckay	Individual	Oppose	Written Testimony Only

Comments:

I submit this testimony in **strong opposition** to **SB363 SD1**, which imposes extreme restrictions on firearm parts, criminalizes law-abiding gun owners, and fails to address actual violent crime.

1. Criminalizes Responsible Gun Owners Instead of Criminals

SB363 SD1 **targets law-abiding citizens** who legally own firearms and firearm parts. By restricting where firearm parts can be stored and transported, this bill turns otherwise responsible gun owners into **potential felons for simply possessing or transporting firearm components** in a way that has never before been considered a crime. **Criminals do not follow firearm laws**—they obtain guns illegally, and this bill does nothing to deter them. Instead, it **punishes those who are already following the law**.

2. Restricts Fundamental Second Amendment Rights

The **Second Amendment** of the U.S. Constitution guarantees the right to **keep and bear arms**, which includes the right to **own and maintain firearm parts**. By prohibiting individuals from possessing and transporting essential firearm components outside of a narrowly defined set of locations, SB363 SD1 **severely restricts an individual's right to lawfully own, repair, and maintain their firearms**. The **U.S. Supreme Court** has consistently ruled against laws that create excessive burdens on firearm ownership (*Heller v. D.C.*, *McDonald v. Chicago*). If challenged, this bill could be found unconstitutional.

3. Creates a Legal Nightmare for Gun Owners

The language in SB363 SD1 is **vague and open to broad interpretation**, making it extremely difficult for lawful gun owners to comply with the law. Some questions this bill fails to answer:

- **What happens if someone legally purchases a firearm part and has to make a stop on the way home?**
- **How will the state enforce this law without violating privacy rights?**
- **What qualifies as an “enclosed container,” and who determines if a citizen is in compliance?**

This bill **sets up responsible firearm owners for prosecution**, creating an environment where even minor, unintentional infractions could lead to felony charges.

4. Harsh and Unjustified Criminal Penalties

SB363 SD1 proposes **severe penalties**, including:

- **Class B felonies for firearm part violations (punishable by up to 10 years in prison)**
- **A mandatory 4-year probation period with at least 1 year in prison** for possessing firearm parts outside of a designated location.

These penalties are **excessively harsh** and disproportionate. Hawaii already has some of the strictest gun laws in the nation, and further criminalizing responsible gun owners is neither **reasonable nor justified**.

5. Will Not Reduce Crime or Improve Public Safety

There is **no evidence** that restricting the lawful possession and transportation of firearm parts will reduce crime in Hawaii. The vast majority of violent crimes are committed using **illegally obtained firearms**, not firearms legally owned and maintained by responsible citizens.

Rather than passing laws that punish gun owners who **follow the law**, Hawaii should focus on **targeting actual criminals**:

- **Enforcing existing firearm laws against violent offenders.**
- **Strengthening penalties for gun-related crimes committed by criminals, not law-abiding citizens.**
- **Focusing on mental health and crime prevention measures that address the root causes of violence.**

Conclusion: Reject SB363 SD1

SB363 SD1 is **an unnecessary and unconstitutional infringement** on the rights of Hawaii's gun owners. It creates **unreasonable restrictions**, imposes **severe penalties**, and does nothing to **reduce crime** or improve public safety. I urge this committee to **reject SB363 SD1** and instead focus on solutions that **hold criminals accountable while protecting the rights of responsible citizens**.

Thank you for your time and consideration.

Tamara McKay

LATE

SB-363-SD-1

Submitted on: 2/26/2025 9:54:02 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

Oppose, does nothing for public safety only restricts law abiding citizens of their constitutional rights.

LATE

SB-363-SD-1

Submitted on: 2/26/2025 9:59:03 PM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

To whom it may concern,

I oppose SB 363 because it shows the lack of understand of the components of a firearm. This new law would restrict me as a citizen to take minor parts of a firearm to friend or relative's home to replace a broken part. Let's say my uncle was going on a hunting trip to Molokai and his extractor broke off and I had an extra extractor but I wouldn't be able to go to his house to fix his rifle? That doesn't make sense, the law makers should use common sense instead of wasting taxpayer's money making useless laws such as this. I'm glad Trump is cleaning out the garbage I wish he could come to Hawaii and take care of the waste we have making these useless laws.

Thank you,

LATE

Dennis M. Dunn

Kailua, Hawaii 96734

dennismdunn47@gmail.com

TO: Senator Karl Rhoads, Chair

Senator Mike Gabbard, Vice Chair

Senate Committee on Judiciary

RE: SB 363, S.D. 1, Relating to Firearms

HEARING: Thursday, February 27, 2025, 10:07 A.M..

Good morning, Chair Rhoads and Vice Chair Gabbard, and Members of the Senate Committee on Judiciary. My name is Dennis Dunn, and I am the retired Director of the Victim Witness Kokua Services in the Honolulu Prosecuting Attorney's Office, having retired after 44 years of service. Prior to that I was a volunteer Victim Advocate for People Against Rape. I am testifying today **in strong support of SB 363, S.D. 1.**

Too often during my career in victim assistance I have had to console victims of gun violence or their surviving family members. Particularly traumatic were the stories from domestic violence victims who lived in constant fear due to their abusers carrying easily accessible firearms in their vehicles or in an ever-present backpack as a tool of intimidation. They lived in fear not only for themselves but for their children, who may accidentally come across the firearm and harm themselves or others, or both. Some victims even reported that their perpetrator was stopped by police and gave some excuse about transporting their firearm for a permitted purpose but forgot their gun case, so they were keeping their weapon close to them for safety purposes and were allowed to go along their way with no further detainment or questioning. Safe and secure storage of firearms during transport is just as critical to public safety as it is in the home. In addition to my concerns about readily accessible firearms utilized in a pattern of intimidation of DV victims and the safety of children, I am also ever mindful of the increasing use of firearms to commit suicide, a growing trend among the elderly. Often the likelihood of the use of weapons for this purpose is directly related to the easy access of the firearms. Making safe and secure storage of firearms mandatory can add additional time for someone to more carefully consider the full implications of their actions for themselves and their loved ones. For the reasons cited above I believe that this measure can help save lives and make all of us safer.

Please support SB 363, S.D. 1. Thank you for your time and consideration.

Mahalo!

LATE

SB-363-SD-1

Submitted on: 2/27/2025 1:01:49 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Michelle R Stefanik	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB363 as it violates the Second Amendment's right to bear arms. Prohibiting law-abiding citizens from being able to bear arms will not affect the criminals who don't abide by laws. Law-abiding citizens have a right to bear arms. They should not have their rights infringed upon because the Second Amendment does not say citizens can only bear arms in specific locations or going to and from particular places. You can't just add what you want to the Second Amendment. I urge you to vote NO!

LATE

SB-363-SD-1

Submitted on: 2/27/2025 4:35:19 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
April Bautista	Individual	Support	Written Testimony Only

Comments:

Please pass this community benefit legislation.

Thank you,

April Bautista

Kalihi-Pālama

LATE

SB-363-SD-1

Submitted on: 2/27/2025 7:24:54 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

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

Comments:

Gun laws are unconstitutional. Shall not be infringed means shall not be infringed. I oppose this bill

LATE

SB-363-SD-1

Submitted on: 2/27/2025 8:44:36 AM

Testimony for JDC on 2/27/2025 10:07:00 AM

Submitted By	Organization	Testifier Position	Testify
Mariano Castillo	Individual	Oppose	Written Testimony Only

Comments:

I oppose sb363sd1