

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA



MIKE LAMBERT  
DIRECTOR

SYLVIA LUKE  
LT GOVERNOR  
KE KE'ENA

STATE OF HAWAII | KA MOKU'ĀINA O HAWAII  
**DEPARTMENT OF LAW ENFORCEMENT**

*Ka 'Oihana Ho'okō Kānāwai*

715 South King Street  
Honolulu, Hawaii 96813

JARED K. REDULLA  
Deputy Director  
Law Enforcement

TESTIMONY ON HOUSE BILL 392, HOUSE DRAFT 1  
RELATING TO FIREARMS  
Before the Senate Committee on  
PUBLIC SAFETY AND MILITARY AFFAIRS  
Wednesday, March 19, 2025, 3:00 PM  
State Capitol Conference Room 225 & Videoconference  
Testifiers: Mike Lambert

Chair Elefante, Vice Chair Wakai, and members of the Committee:

The Department of Law Enforcement (DLE) supports House Bill 392, House Draft 1. This bill prohibits the possession, transfer, and sale of ghost guns in our state and establishes mandatory minimum sentencing for the use of a ghost gun in the commission of a felony. Ghost guns are firearms that lack serial numbers and can be assembled from kits or created using 3D printers, making them virtually untraceable by law enforcement.

The DLE believes this legislation is crucial for public safety as ghost guns present a significant challenge to law enforcement's ability to investigate gun crimes. Without serial numbers or registration requirements, these weapons allow individuals to circumvent background checks and obtain firearms that cannot be traced. This loophole has increasingly been exploited by individuals who would otherwise be prohibited from legally purchasing firearms.

The establishment of mandatory minimum sentences for using ghost guns in felony offenses sends a strong message that our state takes these untraceable weapons seriously and will hold offenders accountable. This provision will serve as both a deterrent and an appropriate punishment for those who use these weapons to commit serious crimes.

By prohibiting ghost guns, this bill closes a dangerous gap in our firearm regulations and provides law enforcement with the tools needed to address this emerging threat to public safety.

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

JON N. IKENAGA  
STATE PUBLIC DEFENDER

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Testimony of the Office of the Public Defender to Senate Committee on Public Safety and Military Affairs re:

HB 137, HD 1 Relating to Firearms

Chair: Sen. Brandon J. C. Elefante, Vice Chair: Sen. Glenn Wakai and Members of the Committee:

The Office of the Public Defender respectfully **opposes HB 392, HD 1 regarding the creation of a new section of law under HRS Chapter 706.**

First, HB 392, HD 1, adds the term "ghost gun" to HRS 134-1, thus including "ghost guns" in the definition of firearms. Second, this bill proposes to include "ghost guns" to the list of prohibited items in HRS 134-8. The OPD has no objection to these two proposed changes to the current statutory law.

However, Section 2 of this bill seeks to create a new sentencing scheme under Chapter 706 requiring mandatory minimum jail terms for the possession or use of "ghost guns" in the commission of felony crimes. This proposed language is unnecessary and will lead to confusion in its application. HRS 706-660.1 already requires mandatory minimum jail terms for those individuals who use or possess a firearm in the commission of a felony offense, thus making HB 392, HD 1, Section 2 redundant, as "ghost guns" would already fall within the definition of firearms under the proposed Section 1. Thus, any defendant who possesses or uses a firearm, including a ghost gun, would already be subject to the penalties listed in HRS 706-660.1 for the illegal use of a firearm.

Thank you for the opportunity to comment on this measure.

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

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



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

**THE HONORABLE BRANDON J.C. ELEFANTE, CHAIR  
SENATE COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS  
Thirty-Third State Legislature  
Regular Session of 2025  
State of Hawai'i**

March 18, 2025

**RE: H.B. 392 H.D. 1; RELATING TO FIREARMS**

Chair Elefante, Vice Chair Wakai, and members of the Senate Committee on Public Safety and Military Affairs, the Department of the Prosecuting Attorney for the City and County of Honolulu submits the following testimony in support of H.B. 392. This bill is part of the Department's 2025 legislative package, and we thank you for it.

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

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

Hawai'i law prohibits obtaining unserialized firearm parts "for the purpose of assembling a firearm[.]"<sup>1</sup> But this provision does not reach the assembled firearm itself. Once the purpose of assembly has been accomplished, the statutory text no longer assigns culpability. This effectively licenses unregulated possession of a ghost gun.

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

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<sup>1</sup> HRS § 134-10.2.

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

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

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

Thank you for the opportunity to testify.



Committee on Public Safety and Military Affairs  
Chair Brandon Elefante, Vice Chair Glen Wakai

Wednesday, March 19, 2025, 3:00 pm  
Room 225  
HB392, HD1 — Relating Go Firearms

TESTIMONY

Judith Wong, Legislative Committee, League of Women Voters of Hawaii

Chair Elefante, Vice Chair Wakai, and Committee Members:

**The League of Women Voters of Hawaii supports HB 392, HD1**

The League of Women Voters supports common sense gun regulation.

HB 392, HD1 prohibits the possession transfer, and sale of ghost guns and establishes mandatory minimum sentencing guidelines for the use of ghost guns in the commission of felony offenses.

The rise of ghost guns presents a particularly difficult problem for law enforcement and society. Because they are untraceable, they make solving crime more difficult.

These guns are a way to circumvent firearm regulation such as background checks and prohibition on felons possessing firearms. These homemade guns are clearly a threat to public safety.

Ghost guns are dangerous and unregulated weapons. Hawaii must continue to protect our community.

Thank you for the opportunity to submit testimony.

# HAWAII PATRIOT REPUBLICANS

Written Testimony in Opposition to H.B. No. 392

Submitted to the Senate Committee on Judiciary & Hawaiian Affairs

March 16, 2025

Aloha Members of the Committee,

I strongly urge you to vote NO on H.B. No. 392, a bill that bans so-called “ghost guns” and imposes harsh mandatory minimum sentences for their use in felonies. While it claims to enhance safety, this legislation is an overreaching assault on law-abiding citizens, a defiance of the Trump administration’s agenda that could harm Hawaii’s people, and a poorly conceived measure with no proven benefit. As a concerned resident committed to limited government and personal freedom—principles that can unite us across party lines—I present the following objections to show why this bill must be rejected.

## **1. Punishing Law-Abiding Hobbyists and Innovators**

H.B. 392’s broad definition of “ghost guns” as unserialized firearms criminalizes homemade firearms, a practice long legal for personal use under federal law. This targets hobbyists, gunsmiths, and rural residents who craft firearms for lawful purposes like hunting or self-defense. Democrats value fairness—why punish responsible citizens for exercising a right not requiring serial numbers under the federal Gun Control Act?

[California’s ghost gun ban](#), enacted in 2016, ensnared law-abiding individuals, with a [2022 report](#) noting confusion and prosecutions of non-criminals, straining courts and communities. Hawaii risks the same unjust overreach—let’s protect our citizens, not penalize them.

## **2. Defying Trump’s Pro-Gun Agenda Harms Hawaii**

The Trump administration, led by Attorney General nominee Pam Bondi and Vice President JD Vance, staunchly defends Second Amendment rights. Bondi has declared, “The federal government shouldn’t infringe on Americans’ constitutional freedoms with unnecessary regulations,” while Vance has said, “Gun control doesn’t stop criminals—it burdens the law-abiding” (paraphrased from campaign statements). H.B. 392’s ban and sentencing scheme directly defy this agenda, risking federal retaliation—lost funding or legal battles—that could hurt Hawaii’s people. Democrats who prioritize pragmatism should see the danger: clashing with Bondi’s DOJ could cost us resources vital for schools and healthcare.

[Washington State’s ghost gun restrictions](#), tightened in 2019, lost [DOJ grants](#) in 2021 under Trump’s first term for conflicting with federal priorities. With Bondi and Vance in power, Hawaii could face steeper penalties—why invite that damage?

## **3. Mandatory Minimums Overburden Courts and Prisons**

The bill’s mandatory minimum sentences—up to 20 years for repeat offenses—tie judges’ hands, clog courts, and balloon prison costs without addressing root causes of crime. Democrats advocate for justice reform—why embrace a blunt tool that punishes rather than prevents?

[New York’s mandatory minimums for gun crimes](#), expanded in 2006, led to a [2019 study](#) showing overcrowded prisons and no significant drop in gun violence, just higher taxpayer costs. Hawaii’s budget and justice system can’t sustain this failed approach—let’s focus on real solutions.

#### **4. No Evidence Ghost Gun Bans Reduce Crime**

H.B. 392 assumes banning ghost guns and hiking penalties will curb violence, but it offers no data to back this up. Most gun crimes involve serialized, commercially made firearms, not homemade ones. Democrats demand evidence-based policy—where’s the proof this works?

[New Jersey’s ghost gun ban](#), passed in 2018, showed little impact by 2022, with a [report](#) noting criminals simply shifted to black-market sources, leaving violence rates unchanged. Hawaii risks wasting effort on a symbolic fix that misses the mark.

#### **5. Economic Harm to Small Businesses and Communities**

By banning ghost gun parts and transfers, H.B. 392 threatens small firearms businesses and hobbyist networks that boost local economies, especially in rural areas. Democrats care about working families—why stifle lawful commerce with no clear safety gain?

[Oregon’s ghost gun restrictions](#), enacted in 2021, hurt small gunsmiths, with a [2023 analysis](#) showing lost revenue and jobs as legal sales dropped. Hawaii’s rural communities could suffer the same economic blow—let’s protect livelihoods, not crush them.

#### **Conclusion: A Principled NO Vote Safeguards Hawaii**

Members of the Committee, H.B. 392 promises safety but delivers injustice, economic harm, and defiance of Trump’s agenda—risking Hawaii’s people with no proven benefit. It punishes the innocent, clashes with Bondi and Vance’s priorities, overburdens our system, lacks evidence, and threatens jobs. From California to Oregon, similar laws have failed, leaving communities frustrated and budgets strained.

Vote NO on H.B. 392 to protect our rights, resources, and rural families. Let’s reject this overreach and demand practical, fair solutions—before defying the administration costs us more than we can afford.

Sincerely,

*Andrew Crossland*

Hawaii Patriot Republicans

[hawaiipatriotRepublicans@gmail.com](mailto:hawaiipatriotRepublicans@gmail.com)

**COUNTY COUNCIL**

Mel Rapozo, Chair  
KipuKai Kualii, Vice Chair  
Addison Bulosan  
Bernard P. Carvalho, Jr.  
Felicia Cowden  
Fern Holland  
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**Council Services Division**  
4396 Rice Street, Suite 209  
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March 17, 2025

**TESTIMONY OF ADDISON BULOSAN  
COUNCILMEMBER, KAUAI COUNTY COUNCIL**

**ON**

**HB 125, HD 1, RELATING TO FIREARMS**

**HB 137, HD 1, RELATING TO FIREARMS**

**HB 392, HD 1, RELATING TO FIREARMS**

**Senate Committee on Public Safety and Military Affairs**

**Wednesday, March 19, 2025**

**3:00 p.m.**

**Conference Room 225**

**Via Videoconference**

Dear Chair Elefante and Members of the Committee:

Thank you for this opportunity to provide testimony in SUPPORT of HB 125, HD 1, HB 137, HD 1, and HB 392, HD 1, Relating to Firearms. My testimony is submitted in my individual capacity as a member of the Kaua'i County Council.

I wholeheartedly support the intent of HB 125, HD 1, HB 137, HD 1, and HB 392, HD 1, which would greatly affect the Kaua'i community.

Thank you again for this opportunity to provide testimony in support of HB 125, HD 1, HB 137, HD 1, and HB 392, HD 1. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188 or via email to [cokcouncil@kauai.gov](mailto:cokcouncil@kauai.gov).

Sincerely,

**ADDISON BULOSAN**  
Councilmember, Kaua'i County Council

JY:mn

**HB-392-HD-1**

Submitted on: 3/17/2025 12:47:06 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lorna Holmes	Individual	Support	Written Testimony Only

Comments:

Ghost guns have become a significant problem and are undoubtedly going to become worse. Please, let's do everything possible to mitigate. I urge you to pass this measure.

Mahalo for your attention,

Dr. Lorna Holmes, Honolulu 96817

**HB-392-HD-1**

Submitted on: 3/17/2025 5:51:10 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Terriann Mohideen	Individual	Support	Written Testimony Only

Comments:

Aloha Members of the Committee~

Please support this bill. Law enforcement is finding more ghost guns in Hawai'i and we need stiffer penalties as a deterrent. Thank you.

**HB-392-HD-1**

Submitted on: 3/14/2025 5:26:00 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ellen Godbey Carson	Individual	Support	Written Testimony Only

Comments:

I support this bill to help further protect our residents from Ghost Guns. It has become apparent that current language in our ghost gun law is not being used to enforce the law as intended, so please help assure this bill addresses the concerns in that regard.

Ellen Carson

**HB-392-HD-1**

Submitted on: 3/18/2025 2:24:01 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Marcella Alohalani Boido	Individual	Support	Written Testimony Only

Comments:

Thank for hearing this bill.

I support this bill, also asking you to take into consideration the comments offered by the Office of the Public Defender, and amend the bill to reflect their suggestions.

Thank you.

Marcella Alohalani Boido, M.A.

Moili'ili

**HB-392-HD-1**

Submitted on: 3/14/2025 5:56:14 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

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

Comments:

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

Police departments and Prosecutors on the other island are already using the current law properly to prosecute criminals found with ghost guns. Only those on Oahu seem to be having problems for some reason.

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

Senator J.C. Elefante, Chair  
Senator Glenn Wakai, Vice Chair  
Committee on Public Safety and Military Affairs (PSM)  
Hearing: Wednesday, March 19, 2025, at 3:00 p.m.  
Regarding: **HB392 HD1 (Relating to Firearms)**  
**Voter Position: OPPOSITION**

Senators of the PSM Committee,

I express my continued **opposition** to **HB392 HD1 (Relating to Firearms)**.

**Irrational Prosecution**

**HB392 HD1** continues its goal to criminalize all current lawful gun owners and seeks to convert them all into criminals with legislative language that is *still* purposefully vague and all-inclusive by express design (and not by mistake). The proposed amendment to Hawaii Revised Statutes (HRS) Chapter 134-1 seeks to modify the artificial term, “ghost” gun, and creates a semantic conflict whereby a serialized firearm may still be considered a “ghost” gun because other parts of the firearm are not serialized.

Many key components of firearms, such as the firearm frames of certain firearm models, are not serialized when manufactured since the firearm receiver tends to hold the serial number. **HB392 HD1** still negligently fails to provide guidance concerning how lawful firearm owners may proceed with serializing parts of their firearms. **HB392 HD1** *still* does **not** delineate what specific parts require serialization, since each firearm is unique in its composition. Equally important, there is *still* no provision of any authorized entity that would perform the firearm part serialization, the projected cost associated with such serialization, or any confirmation whether such entity would validate any firearm serialization as being sufficient for the artificial requirements set forth by **HB392 HD1**. There are numerous administrative hurdles that would be artificially generated by **HB392 HD1** and none of the hurdles would result in any empirical reduction of criminal activity now or anytime in the future. Criminals will simply continue to wreak havoc on the community with any firearm, whether serialized or not, while lawful firearm owners are collectively forced to either perform superficial serialization modifications to all of their firearms or risk imprisonment by simply holding onto property they have owned for years.

**Problems with Enforceability**

Once passed, **HB392 HD1** *still* does not specify how firearm part serialization and corresponding registration would be validated by the Honolulu Police Department. Procedures for registration still currently focus on operable firearm components, such as receivers, but not necessarily frames. This would produce additional administrative processing that would result in reduced manpower at the department since more administrative resources would need to be dedicated to duplicative firearm serialization validation. Such action would also adversely affect public safety since precious time would be wasted on repeat serialization confirmations rather than processing other investigative cases or calls for law enforcement service.

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

The continued inclusion of mandatory minimum sentencing for supposed violations of **HB392 HD1** is still eerily reminiscent of the racist and unjust judicial punishments that were used in the 1950s-1960s via similar legislative measures crafted by various states. Supposedly, the goal of the archaic mandatory minimum

sentencing sought to reduce drug proliferation and violent crime. Such laws were used primarily as a scare tactic and only resulted in mass incarceration of multitudes of non-violent offenders.

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

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

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

**HB392 HD1** could result in mass prosecution of firearm owners since the sale and even transfer of their currently owned firearms would constitute a prohibited act. **HB392 HD1** would redefine HRS Chapter 134-8 and prohibit all means of voluntary firearm removal since all firearms would be considered a “ghost” gun. Without a means to sell or otherwise get rid of their firearms, anyone who owns a firearm would be subject to penalties for retention of a newly outlawed item. Supporters of **HB392 HD1** claiming that there are supposed statutory defenses in existence to protect against such severe prosecution cannot guarantee that such prosecution cannot and will not follow.

### **Focus on Stopping Current Criminal Activity**

With the combined negligent and punitive aspects that **HB392 HD1** still imposes upon all lawful firearm owners, it is clear that it will not serve to improve any objective or otherwise measurable public safety metric only serves to ensure a mass punitive assault. There are still no viable amendments to **HB392 HD1** that would gain support of lawful firearm owners in the state. If the purpose of **HB392 HD1** truly is to enhance public safety as claimed in the original measure's preamble section, then other avenues of legislative action must be utilized.

Thank you for taking the time to review this testimony.

Respectfully,

Ryan C. Tinajero

Constituent of **Senate District 23**

**HB-392-HD-1**

Submitted on: 3/14/2025 6:14:30 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

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

Comments:

Aloha Senators of the committee,

I stand in strong opposition to this bill. It infringes on our second amendment right as the constitution protects the right of self made arms through its history and tradition.

mahalo.

**HB-392-HD-1**

Submitted on: 3/14/2025 6:57:59 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
GENER MACARAEG	Individual	Oppose	Written Testimony Only

Comments:

I Oppose HB392 HD1. This bill go against the citizens' 2nd amendment right of the US Constitution.

**HB-392-HD-1**

Submitted on: 3/15/2025 7:22:01 AM

Testimony for PSM on 3/19/2025 3:00:00 PM

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

Comments:

This bill does little to no sense in ending further gun violence in the state. This will only further increase the need illegally to create and flood the streets with more ghost guns. Good on paper, but bad in reality.

**HB-392-HD-1**

Submitted on: 3/15/2025 12:15:20 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Zac Nosugref	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

**HB-392-HD-1**

Submitted on: 3/15/2025 2:20:30 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

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

Comments:

i oppose HB392

These bills do NOTHING to stop crime. It makes EVERY GUN a "ghost gun" Also turns law abiding gun owners into criminals overnight.

**HB-392-HD-1**

Submitted on: 3/15/2025 4:15:37 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

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

Comments:

I oppose this bill!

**HB-392-HD-1**

Submitted on: 3/15/2025 4:18:33 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

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

Comments:

I oppose this bill!

**HB-392-HD-1**

Submitted on: 3/15/2025 4:20:41 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

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

Comments:

I oppose this bill!

**HB-392-HD-1**

Submitted on: 3/15/2025 4:58:21 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

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

Comments:

I strongly oppose Hawaii HB392, as it is redundant and unnecessary. Hawaii already has laws in place that make "ghost guns" illegal. These existing regulations effectively address the issue without the need for further legislation. Instead of focusing on duplicative efforts, lawmakers should prioritize addressing real gaps in public safety. HB392 wastes valuable time and resources that could be better spent on more pressing issues affecting our communities. We already have the tools to combat illegal firearms in Hawaii, and adding more layers of legislation only creates confusion without improving safety

**HB-392-HD-1**

Submitted on: 3/15/2025 5:02:38 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lee Uchiyama	Individual	Oppose	Written Testimony Only

Comments:

I oppose this.

**HB-392-HD-1**

Submitted on: 3/15/2025 5:53:26 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ross mukai	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

**HB-392-HD-1**

Submitted on: 3/15/2025 7:30:01 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

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

Comments:

This is an extreme infringement on our Second Amendment rights!

**HB-392-HD-1**

Submitted on: 3/15/2025 7:36:49 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Brandon Santiago	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB 392 HD1. This bill is an infringement on both the second amendment, of the United States Constitution, and article one; section seventeen of the Hawai'i State Constitution. The language and intent of this bill are unconstitutional. HB 392 HD1 is a solution for a problem that does not exist. The language of HB 392 HD1, will make criminals, of law abiding citizens, overnight. HB 392 HD1 does nothing for public safety. HB 392 HD1, does nothing to punish the already existing criminal element, because criminals don't follow the law. If passed, HB 392 HD1, will make soft targets of law abiding citizens, making us vulnerable to criminal violence and other tyrannical elements.

"Ghost guns," is a label invented, to demonize what gun hobbyists, gunsmiths, and firearm inventors have done, since the invention of firearms. Making a firearm from raw materials, should not be a crime.

Stolen firearms with destroyed serial numbers, unlawfully obtained and used by criminals, should be more of a concern.

**HB-392-HD-1**

Submitted on: 3/15/2025 8:07:09 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

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

Comments:

I oppose this measure. The legislature needs to wake up and realize that all arms are protected by the constitution including unserialized arms. Just save the lawsuit money and vote this down.  
Thank you.

**HB-392-HD-1**

Submitted on: 3/15/2025 8:32:02 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

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

Comments:

I am writing to express my **strong opposition** to HB392 HD1, which falsely classifies firearms, bans personal firearm manufacturing, and imposes **severe penalties that would turn responsible gun owners into criminals overnight**. This bill is a direct assault on the **Second Amendment** and the fundamental right of citizens to keep and bear arms.

**HB392 HD1 Falsely Classifies All Firearms as "Ghost Guns"**

This bill **broadly defines "ghost guns"** in a way that **could be interpreted to apply to all firearms** that are not federally registered with a manufacturer. If passed, this law could **effectively turn every legally owned firearm into a so-called "ghost gun,"** creating confusion and opening the door to widespread legal abuse against lawful gun owners.

**HB392 HD1 Bans Personal Firearm Manufacturing**

For centuries, **Americans have had the right to manufacture firearms for personal use**. This bill **criminalizes that right**, making it illegal for law-abiding citizens to craft their own firearms, even for personal defense or sporting purposes. The **Second Amendment does not limit the right to keep and bear arms only to commercially manufactured firearms**, and this bill sets a **dangerous precedent** that further restricts personal liberties.

**HB392 HD1 Imposes Severe Penalties That Could Turn Law-Abiding Citizens into Criminals Overnight**

The bill introduces **harsh mandatory minimum sentences** for possession of a so-called "ghost gun," even if the firearm was never used in a crime. This means that **responsible gun owners could face years in prison simply for possessing a firearm that was legally obtained but falls under the bill's vague and overreaching definition**. Overnight, individuals who have committed no violent act could be labeled as felons, stripping them of their rights and freedoms.

**HB392 HD1 Ignores Supreme Court Precedent**

The Supreme Court's ruling in **D.C. v. Heller (2008)** reaffirmed that the **government cannot impose laws that make it impossible for citizens to use firearms for self-defense**. By

outlawing personally made firearms and imposing severe penalties, this bill **directly contradicts the Heller decision** and infringes on the constitutional rights of law-abiding Americans.

## **Conclusion**

HB392 HD1 is a **deceptive, unconstitutional attack** on responsible gun owners. It falsely classifies legally owned firearms, bans personal firearm manufacturing, and imposes extreme penalties that could turn good citizens into criminals overnight. **This legislation does not stop criminals—it only punishes the law-abiding.**

I strongly urge you to **oppose HB392 HD1** and protect the constitutional rights of Hawaii's citizens.

Sincerely,  
Wayne Asam

**HB-392-HD-1**

Submitted on: 3/15/2025 9:45:47 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kirk Powles	Individual	Oppose	Written Testimony Only

Comments:

Shall not be infringed.

**HB-392-HD-1**

Submitted on: 3/15/2025 10:03:22 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

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

Comments:

Aloha ,

I live in your district and I would like to voice my concern with the bills presented;

I Strongly Oppose,

•HB392

because I am an American citizen that is law abiding and passing these bills would further strip my rights as stated in the Second Amendment and as a contributing community member in Maui.

I would like for you to consider all aspects when passing and denying these bills presented.

I thank you for your time and your service.

Ronnie Gonzales

(808)385-3343

Ronniecg93@gmail.com



**HB-392-HD-1**

Submitted on: 3/15/2025 10:12:01 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

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

Comments:

Vote NO,

Falsely classifies all firearms as "ghost guns" - If passed this law makes EVERY GUN a ghost gun.

Bans personal firearm manufacturing.

Creates severe penalties that could turn law-abiding gun owners into criminals overnight.

**HB-392-HD-1**

Submitted on: 3/16/2025 7:05:34 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Zon Sullenberger	Individual	Oppose	Written Testimony Only

Comments:

Please oppose HB 392

The provisions of this bill would classify all firearms as "ghost guns" in an illigitmate manner. Additionally, this bill would ban personal firearm manufacturing and convey severe penalaties that could turn law abiding gun owners into criminals overnight without any criminal action on their part.

Thank you for your consideration.

**HB-392-HD-1**

Submitted on: 3/16/2025 7:20:36 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

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

Comments:

I wish for Hawaii representatives to **OPPOSE** HB392 as it is a violation of 2nd amendment rights given in the constitution. HB392 aims to classify all firearms in this state as a "ghost gun" and impose severe penalties on law abiding citizens overnight, turning everyone into felons.

**HB-392-HD-1**

Submitted on: 3/16/2025 7:59:25 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
chad maeda	Individual	Oppose	Written Testimony Only

Comments:

i strongly oppose this bill. s

**HB-392-HD-1**

Submitted on: 3/16/2025 11:50:36 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

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

Comments:

Dear Honorable Legislative Representative,

I submit this testimony in strong opposition of HB392 HD1.

Sincerely,

David Fukuzawa

**HB-392-HD-1**

Submitted on: 3/17/2025 10:37:47 AM

Testimony for PSM on 3/19/2025 3:00:00 PM

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

Comments:

Oppose.

You guys couldn't get it right the first time and are Ok with violating a law abiding citizens constitutional right. So no, you don't get a do over.

**HB-392-HD-1**

Submitted on: 3/17/2025 11:44:09 AM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
steven a kumasaka	Individual	Oppose	Written Testimony Only

Comments:

STRONGLY OPPOSE

**HB-392-HD-1**

Submitted on: 3/17/2025 1:22:59 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lyle HIromoto	Individual	Oppose	Written Testimony Only

Comments:

I oppose.

**HB-392-HD-1**

Submitted on: 3/17/2025 5:40:19 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

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

Comments:

**OPPOSE.**

HRS 134-3 already requires self-made firearms to be registered with HPD. This bill now requires self-made firearms to have a manufacturer's federal-issued serial number. This effectively prevents the owner of a self-made firearm from being able to register the firearm with HPD.

This Bill does nothing to address the crime occurring in our streets. Most firearms are obtained illegally via theft or straw purchase. And in crimes where the firearm has no serial number, it was removed previously, which of itself is a criminal offense. Criminals would rather steal a firearm than go through the detailed and laborious process of manufacturing a firearm. It takes skills and tools to be able to manufacture a safe and reliable firearm. Law abiding citizens want to ensure that they are using something that will not hurt them or the ones around them. Federal law allows individuals to manufacture firearms for their own personal use. And in Hawaii, firearms are already required to be registered. This same requirement would hold true on self made firearms in the same manner as firearms brought in from out of state as stated in HRS 134-3.

since the beginning of time, mankind has self-fabricated tools for self-defense, and hunting, by necessity. Trying to stay alive is a God-given purpose. **SHALL NOT BE INFRINGED.**

This bill only served to penalize the lawful for the misdeeds of the unlawful. Please redirect your focus to the criminal element, and **keeping repeat offenders behind bars.**

**HB-392-HD-1**

Submitted on: 3/17/2025 6:32:44 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Chase Cavitt	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing today in opposition of HB392. I have huge concerns that this could make me a criminal overnight for my already registered and self serialized firearm that I registered and made in accordance to Hawaii law before the previous laws were enacted making it illegal to own firearm making kits that have no serial number on them despite them not being a functioning firearm until work is done. It is already illegal to own a firearm with the serial number scratched off or removed from said firearm. I am very concerned with the fact that this body uses political scare tactics by renaming a part or item in order to make it more intimidating. A ghost gun when I was growing up was a firearm that had the serial number removed. It still was not the legal or proper definition of said item. This term is abusing your power to intimidate lawmakers into a vote in support. I demand that this government body do better and use proper terminology and stop using political terms to intimidate or coerce.

Firearms made by individuals without a serial number ever present as it was not made by a manufacturer, or transferred through an FFL are called home made firearms and have been a part of this country since its founding. Ingenuity and creativity is the foundation for new technology and making a firearm is no different. Someone can order an 80% firearm with a serial number such as their permit to acquire number and take it to the police station as they would do with any firearm entering the state and have it registered legally and still be able to make their own firearm. This firearm would never have a ffl manufacturers serial number applied to it but it would still be serialized and registered. A criminal can still obtain this same kit and choose to not ever put a number on it or register it. This law cannot prevent the criminal but would stop all home made firearms making from being legal even if they followed the laws to do so and register.

I have used, legally, this same process and I stess, legally, to make registered firearms in Hawai'i before this process was made illegal without prior serialization. I chose to register and followed the laws. Simultaneously many criminals did not follow the laws and still continue to do so. I get the idea of making use of these unserialized/ unregistered firearms in a crime a mandatory prison sentence and can appreciate that. But I do not want to be lumped into the bandwagon just because I legally serialized and registered firearms previously and it never had a manufacturers serial number. Technically I was the manufacturer though so I would definitely fight any potential harm to my legality via the court and would honestly win in the Supreme Court because

this law is down right unconstitutional in regards to non felony actions.

I have serialized firearms that I made and have caused no harm to anyone and have been a law abiding citizen throughout the process, as have more than the majority of those who have used 80% lower kits in this nation, including in Hawaii. I know many who followed the rules and I have heard of others who have not. Both still have guns out of it so maybe make this ONLY for criminals and not those looking to protect themselves lawfully.

Unfortunately a small minority of criminals were able to ruin this for all others and bills were passed into law making these kits illegal to own. It is likely that hundreds if not thousands of respectful citizens throughout Hawai'i were not aware of these bills becoming laws and were then too late to make their 80% kits legal. Throughout the turmoil and scary times of COVID many of these individuals became fearful and made these parts into actual firearms and then found out it was now illegal to register them and there was no easy way to have them serialized and made legal to own. Now we have a crisis of where the law has made law abiding, respectful and normal people into criminals. This bill suggests these individuals that I described are the same as those criminals who scrape off serial numbers after stealing a firearm and attempt to use them in violent ways amongst our communities by calling these parts "ghost guns." They are not the same. This bill would make them the same under the law. I do not support this bill and think it will be used to harass individuals who are not criminally minded and are not attempting to hurt their communities. I believe it is already illegal to use a firearm in the commission of a felony and feel this bill is unnecessary and another way to remove firearm rights from those who do not deserve to lose those rights.

I am so disheartened by this state's legislature every year when I have to beg and plead my case to maintain my constitutional rights. I have to sit back and watch those with "power" vote away my right as a citizen of this nation and state and it disturbs me to my core. Please stop assaulting Hawai'i citizens with your assumed power. Do better and work to actually reduce crime and simply use the laws to keep criminals behind bars and stop letting them out despite threatening others lives. Stop making citizens who respect Hawai'i and the United States of America into criminals for mistakes that your legislative body had made into law without considering the consequences. Please vote NO on HB392 and stop calling unserialized home made or self manufactured firearms "ghost guns."

Mahalo,

Chase Cavitt

**HB-392-HD-1**

Submitted on: 3/17/2025 7:10:59 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Tenessa Cavitt	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing today in opposition of HB392. I have huge concerns that this could make my husband a criminal overnight for his already registered and self serialized firearm that he registered and made in accordance to Hawaii law before the previous laws were enacted making it illegal to own firearm making kits that have no serial number on them despite them not being a functioning firearm until work is done. It is already illegal to own a firearm with the serial number scratched off or removed from said firearm. I am also very concerned with the fact that this body uses political scare tactics by renaming a part or item in order to make it more intimidating. A ghost gun originally was a firearm that had the serial number removed and was action done by a criminal with the intent of that firearm remaining untraceable. It still was not the legal or proper definition of said item even then. This term is abusing your power to intimidate lawmakers into a vote in support. I demand that this government body do better and use proper terminology and stop using political terms to intimidate or coerce.

Firearms made by individuals without a serial number ever present, as it was not made by a manufacturer, or transferred through an FFL are called home made firearms and have been a part of this country since its founding. Ingenuity and creativity is the foundation for new technology and making a firearm is no different. Someone can order an 80% firearm with a serial number such as their permit to acquire number and take it to the police station as they would do with any firearm entering the state and have it registered legally and still be able to make their own firearm. This firearm would never have a ffl manufacturers serial number applied to it but it would still be serialized and registered nonetheless. A criminal can still obtain this same kit and choose to not ever put a number on it or register it. This law cannot prevent the criminal but would stop all home made firearms making from being legal even if they followed the laws to do so and register.

My husband has used, legally, this same process and I stess, legally, to make registered firearms in Hawai'i before this process was made illegal without prior serialization. He chose to register and followed the laws. Simultaneously many criminals did not follow the laws and still continue to do so. I get the idea of making use of these unserialized/ unregistered firearms in a crime a mandatory prison sentence and can appreciate that. But I do not want my husband or thousands of other law abiding citizens to be lumped into the bandwagon just because he legally serialized and registered firearms previously and it never had a manufacturers serial number.

I have serialized firearms in my home that my husband made and registered and neither of us have caused any harm to anyone. I know many who followed the rules and I have heard of others who have not. Both still have guns out of it so maybe make this ONLY for criminals and not those looking to protect themselves lawfully.

Unfortunately a small minority of criminals were able to ruin this for all others and bills were passed into law making these kits illegal to own. It is likely that hundreds if not thousands of respectful citizens throughout Hawai'i were not aware of these bills becoming laws and were then too late to make their 80% kits legal. Throughout the turmoil and scary times of COVID many of these individuals became fearful and made these parts into actual firearms and then found out it was now illegal to register them and there was no easy way to have them serialized and made legal to own. Now we have a crisis of where the law has made law abiding, respectful and normal people into criminals. This bill suggests these individuals that I described are the same as those criminals who scrape off serial numbers after stealing a firearm and attempt to use them in violent ways amongst our communities by calling these parts "ghost guns." They are not the same. This bill would make them the same under the law. I do not support this bill and think it will be used to harass individuals who are not criminally minded and are not attempting to hurt their communities. I believe it is already illegal to use a firearm in the commission of a felony and feel this bill is unnecessary and another way to remove firearm rights from those who do not deserve to lose those rights.

I am so disheartened by this state's legislature every year when I have to beg and plead my case to maintain my constitutional rights. I have to sit back and watch those with "power" vote away my right as a citizen of this nation and state and it disturbs me to my core. Please stop assaulting Hawai'i citizens with your assumed power. Do better and work to actually reduce crime and simply use the laws to keep criminals behind bars and stop letting them out despite threatening others lives. Stop making citizens who respect Hawai'i and the United States of America into criminals for mistakes that your legislative body had made into law without considering the consequences. Please vote NO on HB392 and stop calling unserialized home made or self manufactured firearms "ghost guns."

Mahalo,

Tenessa Cavitt

**HB-392-HD-1**

Submitted on: 3/17/2025 7:32:44 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Raymond Ishii	Individual	Oppose	Written Testimony Only

Comments:

Aloha I am Raymond Ishii and I strongly Oppose HB392

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

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

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

Further under the new definition of a “ghost gun”, mean a firearm, including a firearm frame or firearm receiver, that has not been imprinted with a serial number registered with a federally licensed manufacturer.

Using this definition an overzealous prosecutor could charge a totally innocent citizen who has federally legal firearm with a ghost gun simply because one of the two receivers of a firearm is not marked with a serial number. There are many firearms including the AR-15 that have both a upper and lower receiver, with the lower receiver being marked with the manufacture’s name and serial number which complies the the federal law and is legally a gun, and the purchaser must get a permit to acquire from the County Police Departments. Pass a thorough criminal and mental health background check, including running our fingerprints though a nation wide fingerprint data base. Once the permit is approved, it must be purchased though a Federal Firearms Licensee (FFL). The upper receiver is considered to be a part and can be purchased with a without a permit.

The Ruger Standard Auto pistol also has an upper and lower receiver, but in this case the upper is serial numbered and is legally the gun, the lower grip frame is not and is considered to be a part.

Under this Bill possession of a totally legal firearm as regulated by the United States Bureau of Alcohol, Tobacco and Firearms could be charged as a “Ghost Gun” because on of its two receivers is not marked with a serial number.

This is the kind of Tyranny our Founding Fathers were afraid of when they wrote the Bill of Rights to guarantee our god given rights to keep and bear arms.

Again I strongly Oppose HB392 and ask you to vote NO

Thank You

**HB-392-HD-1**

Submitted on: 3/17/2025 7:43:29 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

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

Comments:

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

**Concerns with HB392**

**1. Overly Broad and Unclear Definitions**

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

**2. Criminalizing Law-Abiding Citizens Instead of Targeting Criminals**

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

**3. Mandatory Minimum Sentences are Ineffective and Harmful**

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

**4. Second Amendment and Due Process Concerns**

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

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

#### 5. **Better Solutions Exist**

Instead of broad and ineffective bans, lawmakers should consider:

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

### **Conclusion**

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

Thank you for your time and consideration.

**HB-392-HD-1**

Submitted on: 3/17/2025 7:57:14 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Brandon Haught-Aliotti	Individual	Oppose	Written Testimony Only

Comments:

I oppose the bill prohibiting the possession, transfer, and sale of ghost guns. While addressing illegal firearms is important, this bill unfairly targets law-abiding gun owners and does little to tackle the root causes of crime. Law-abiding citizens should not be penalized for possessing legally assembled firearms, and mandatory minimum sentences may lead to overly harsh punishments without addressing the underlying issues. Instead of focusing on restrictions that impact responsible gun owners, efforts should be directed at improving enforcement of existing laws and targeting illegal firearm trafficking, which poses a greater threat to public safety.

**HB-392-HD-1**

Submitted on: 3/17/2025 10:09:55 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

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

Comments:

Anything can be a "gun part". Stop attempting to pass vague garbage laws.

**HB-392-HD-1**

Submitted on: 3/17/2025 10:41:13 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Fedor Polyakov	Individual	Oppose	Written Testimony Only

Comments:

Aloha I oppose 392

The proposal to establish mandatory minimum sentencing for the use of a ghost gun in a felony is particularly troubling. Mandatory minimums strip judges of discretion, forcing uniform punishment regardless of the circumstances. Hawaii’s judicial system has historically balanced public safety with rehabilitation, contributing to the state’s low recidivism rates—approximately 30% compared to a national average of over 50%, according to the Hawaii Department of Public Safety.

Consider a hypothetical case: a young person with no prior record, perhaps unaware of a firearm’s unserialized status, uses it in a non-violent felony like drug possession. Under this bill, they could face a lengthy mandatory sentence, even if the firearm played no active role in the crime. This rigidity ignores intent, mitigating factors, and the potential for rehabilitation—principles Hawaii’s justice system has long upheld. Moreover, the state’s felony crime data shows that violent felonies involving firearms are rare; in 2021, only 2.5% of felony arrests involved firearm use, per the Hawaii Criminal Justice Data Center. Targeting ghost guns with mandatory minimums overcomplicates a problem that is already well-managed.

**HB-392-HD-1**

Submitted on: 3/17/2025 11:30:29 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

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

Comments:

Oppose this bill. The language of this bill is too vague. Ghost gun terminology needs to be better defined. This bill should not be passed because interpretation is random and unclear.

**HB-392-HD-1**

Submitted on: 3/18/2025 12:11:20 AM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kevin Oberhofer	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my opposition to House Bill 392 HD1, which seeks to prohibit the possession, transfer, and sale of ghost guns, and establish mandatory minimum sentencing for their use in the commission of a felony.

While the intent to enhance public safety is understandable, this bill raises several concerns:

1. **Definition Ambiguities:** The bill defines a "ghost gun" as a firearm without a serial number registered with a federally licensed manufacturer. This definition could inadvertently encompass firearms that are legally owned but lack such serial numbers, potentially criminalizing law-abiding citizens.
2. **Mandatory Minimum Sentencing Issues:** Implementing mandatory minimum sentences may limit judicial discretion, preventing judges from considering the unique circumstances of each case. This approach could lead to disproportionately harsh penalties for certain individuals.
3. **Second Amendment Concerns:** The broad restrictions imposed by this bill could be perceived as infringing upon the constitutional rights of citizens to keep and bear arms, as protected by the Second Amendment.
4. **Enforcement and Compliance Challenges:** Determining whether a firearm qualifies as a "ghost gun" under this bill's definition may present practical difficulties for both law enforcement and firearm owners, leading to potential compliance issues.
5. **Impact on Hobbyists and Gunsmiths:** Individuals who build or modify firearms for personal use, a practice that has been legal and part of American tradition, may be unfairly targeted by this legislation, affecting lawful hobbyists and gunsmiths.

In conclusion, while addressing the issue of untraceable firearms is important, HB392 HD1 may have unintended consequences that could infringe upon individual rights and impose undue burdens on responsible firearm owners. I urge you to consider alternative approaches that focus on education, responsible ownership, and targeted enforcement without overreaching regulations.

**HB-392-HD-1**

Submitted on: 3/18/2025 7:45:02 AM

Testimony for PSM on 3/19/2025 3:00:00 PM

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

Comments:

OPPOSE THIS BILL GOES AGAINST MY 2ND AMENDMENT RIGHT

**HB-392-HD-1**

Submitted on: 3/18/2025 8:08:14 AM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Robin D. Ganitano	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB392 which is clearly against our 2nd Amendment rights and unconstitutional.

**HB-392-HD-1**

Submitted on: 3/18/2025 8:20:52 AM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lionel Delos Santos	Individual	Oppose	Written Testimony Only

Comments:

i opposed this bill because it dosnt stop or detrer any crimminal frome and stoping crime

**HB-392-HD-1**

Submitted on: 3/18/2025 8:21:11 AM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jacob Char	Individual	Oppose	Written Testimony Only

Comments:

I strongly Oppose this bill. This goes against our Constitutional Rights.

**HB-392-HD-1**

Submitted on: 3/18/2025 8:41:17 AM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Shani Hough	Individual	Oppose	Written Testimony Only

Comments:

This bans ghost guns, slams harsh sentences , guts 2nd amendment!

**HB-392-HD-1**

Submitted on: 3/18/2025 9:11:35 AM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Joelle Seashell	Individual	Oppose	Written Testimony Only

Comments:

Shall not be infringed. Strongly opposed. Mind your business.

**HB-392-HD-1**

Submitted on: 3/18/2025 9:13:15 AM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Richard W. Adams	Individual	Oppose	Written Testimony Only

Comments:

This bill is another overreach attempt by anti-2nd Amendment individuals without any consideration for law abiding citizens rights. Anti-gun committee members continue to draft bills bloated with repetitive narrative designed as a "cover-all" ..... all this bill, and bills like it do is to continue efforts to disarm Hawaii's Citizens.

VOTE NO on this Bill

**HB-392-HD-1**

Submitted on: 3/18/2025 9:15:21 AM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Frank Barber Jr	Individual	Oppose	Written Testimony Only

Comments:

The Second Amendment to the United States Constitution protects the right of the people to keep and bear arms. It was ratified on December 15, 1791.

- 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”
-

**HB-392-HD-1**

Submitted on: 3/18/2025 9:17:45 AM

Testimony for PSM on 3/19/2025 3:00:00 PM

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

Comments:

I am in strong opposition of this bill.

**HB-392-HD-1**

Submitted on: 3/18/2025 9:24:40 AM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lani Primacio	Individual	Oppose	Written Testimony Only

Comments:

Oppose!

**HB-392-HD-1**

Submitted on: 3/18/2025 9:32:09 AM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jason Stanwood	Individual	Oppose	Written Testimony Only

Comments:

Just stop it with ignoring the second amendment. These will all be challenged in court, found to be wrong and you will waste taxpayer money.

**HB-392-HD-1**

Submitted on: 3/18/2025 11:02:04 AM

Testimony for PSM on 3/19/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Angela M Anderson	Individual	Oppose	Written Testimony Only

Comments:

I am writing to respectfully submit my testimony in strong opposition to HB392, a proposed bill that seeks to ba so-called ghost guns and impose harsh sentencing for related offenses. As a concerned resident of Hawaii, I believe this legislation represents a significant overreach of government authority, infringes upon the constitutional rights protected under the second amendment and unfairly targets law abiding citizens without effectively addressing the root causes of gun violence in the state. I urge you to reject this bill for the following reasons:

HB392 targets ghost guns, a term typically used to describe firearms assembled from parts or kits, often used by hobbyists, enthusiasts or individuals exercising their rights to bear arms. This blanket ban undermines a fundamental liberty affirmed by the US Supreme Court In the District of Colombia v Heller (2008), which recognized an individuals right to keep and bear arms for self defense.

Residents of Hawaii, particularly those in rural areas rely on the ability to protect themselves, thier families and property where law enforcement response times can be delayed due to our unique geography and infrastructure challenges. The prohibition of self assembled fire arms threatens to strip away this essential security without sufficient justification.

Moreover the focus on ghost guns as a public safety concern appears misguided.Available data, such as the FBI's 2022 Uniform Crime Report, indicates that vast majority of gun crimes involve illegally obtained firearms, often through theft, black market channels or straw purchases rather than those legally assembled by citizens.A 2021 analysis conducted by the Bureau of of Alcohol, Tobacco, Firearms and explosives (ATF) found that homemade firearms accounted for a small fraction of crime guns traced nationwide. By targeting law abiding gun owners and hobbyists, HB392 risks punishing the wrong individuals, while once again doing nothing to address the real sources of gun violence.

In addition to the ban, HB392 imposes harsh sentencing for offenses related to ghost guns. While public safety is indeed a valid goal, these punitive measures could transform minor infractions into life altering punishments that do not fit the crim. For example, a hobbyist assembling a firearm for personal use-or even a family member assisting in a legal project could face disproportionate penalties, even if their actions comply with federal law. This risks creating a chilling effect, discouraging responsible citizens from exercising their constitutional rights out of fear of severe repercussions, or worse, encourage law abiding citizens to break the law. Such an

approach undermines the principle of proportionality in justice and could lead to unnecessary incarceration, straining our states resources and judicial system.

Furthermore, the harsh sentencing provisions raise significant concerns about equity and fairness. Communities with limited access to legal resources or representation-such as those in underserved areas of Hawaii-may bear the brunt of these penalties, potentially leading to a cycle of incarceration that hinders rehabilitation efforts. This could disproportionately affect minors or low income populations, exacerbating social inequalities rather than fostering a safer society. I am troubled this bill could widen these disparities under the guise of public safety.

This bill fails to address the root causes of gun violence in a balanced and effective manner. Instead of imposing broad restrictions on law abiding citizens, I encourage the legislature to explore alternatives that target illegal gun trafficking and violence more directly. For instance, enhancing background check systems, increasing funding for community based violence prevention programs or supporting mental health initiatives could yield better outcomes without infringing on personal liberties and constitutional rights. These measures would focus on the actual threats-such as illegal gun markets while preserving the freedoms of responsible gun owners.

This bill represents a tyrannical gun grab that undermines the Second Amendment, disproportionately punishes law abiding citizens and offers little evidence of improving public safety. As a resident of Hawaii who values both security and liberty, I am deeply concerned about the precedent this legislation sets. The ban on ghost guns and the imposition of harsh sentences fails to address the real issues driving gun violence and instead burdens those who responsibly exercise their rights. Particularly in a state with such low gun violence, this seems like an unnecessary overreach and violation of the second amendment.

**HB-392-HD-1**

Submitted on: 3/18/2025 11:12:53 AM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Bryan Revell	Individual	Oppose	Written Testimony Only

Comments:

The constitutional second ammendment is applicable in this as well . Stop trying to control the citizens you swore to protect and serve. Criminals don't follow gun laws and every gun law violates the constitution. We the people have the right to protect our selves against tyrannical governments that overreach just as you are doing now. The Declaration of independence states we are duty bound to.

**HB-392-HD-1**

Submitted on: 3/18/2025 11:15:26 AM

Testimony for PSM on 3/19/2025 3:00:00 PM

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

Comments:

I STRONGLY OPPOSE HB392.

Ghost guns are already illegal. We need to focus our attention on educating instead of criminalizing law abiding citizens.

**HB-392-HD-1**

Submitted on: 3/18/2025 11:32:54 AM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Keith Tajiri	Individual	Oppose	Written Testimony Only

Comments:

I oppose to HB392

**HB-392-HD-1**

Submitted on: 3/18/2025 11:33:17 AM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Robert Hechtman	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose bill HB 392.

It is unconstitutional and a violation of the 2nd Amendment.

Aloha,

Robert Hechtman

**HB-392-HD-1**

Submitted on: 3/18/2025 11:37:57 AM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Shari saiki Rodrigues	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

**HB-392-HD-1**

Submitted on: 3/18/2025 11:44:14 AM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jon-Louis Siracusa	Individual	Oppose	Written Testimony Only

Comments:

Intrusive overreach.

**HB-392-HD-1**

Submitted on: 3/18/2025 11:45:22 AM

Testimony for PSM on 3/19/2025 3:00:00 PM

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

Comments:

I Strongly Oppose

**HB-392-HD-1**

Submitted on: 3/18/2025 12:08:20 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Luke Reiss	Individual	Oppose	Written Testimony Only

Comments:

I Luke Kazuhiro Reiss oppose bill HB392 its is unconstitutional and a direct attack on the 2nd amendment. 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!

**HB-392-HD-1**

Submitted on: 3/18/2025 1:04:17 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Bart Burford	Individual	Oppose	Written Testimony Only

Comments:

i VEHEMNTLY OPPODE ANY BILL THAT ERODES OUR GOD GIVEN 2ND  
AMMENDMENT RIGHT TO BEAR ARMS -

PLEASE FOCUS YOUR EFFORTS (AND OUR TAX DOLLARS,) ON SOMETING OTHER  
THAN REWRITING THE CONSTITUTION OF THE UNITED STATES OF AMERICA!

SINCERELY, PP

**HB-392-HD-1**

Submitted on: 3/18/2025 1:26:49 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Brian Aguigui	Individual	Oppose	Written Testimony Only

Comments:

To the Representatives of the State Legislature,

I oppose the passing of this bill which is another over-reach of state government and an attack on law-abiding citizens, infringing on their Second Amendment right to bear arms. This bill does nothing to effectively reduce gun violence or violent crime activity here in Hawaii. This bill opens the door to weaponize the legal system and apply its accompanying penalties to unrelated circumstances. Hawaii already has some of if not the strictest gun laws in the country, yet we still experience negligent and maliciously placed gun violence. This bill is a blatant attack against the rights of Hawaii's citizens, and it is absurd that this was ever drafted and presented in the first place.

I would think that the leaders of this state would develop a different approach to this problem outside of the typical anti-gun legislation especially since they want to give themselves a pay raise. This legislation is absurd and in poor taste. Simply put, I strongly oppose the passing of this bill.

Sincerely,

Brian Aguigui

**HB-392-HD-1**

Submitted on: 3/18/2025 1:30:03 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Winfrey Pablo	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to HB392,

Classifies all firearms as "ghost guns" If this bill passes this makes every gun a ghost guns. Bans personal firearm manufacturing, while creating severe penalties that could turn law abiding firearms owners into criminals overnight.

**HB-392-HD-1**

Submitted on: 3/18/2025 1:57:47 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

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

Comments:

Oppose

People should be allowed to make their own firearms if they are not a felon. The history and tradition of this practice is well established, and the law provides plenty of opportunities for the prosecution of criminals without adding more. There are plenty of well-armed communities who don't have violent crime problems. Gun control initiatives are more often than not a distraction from a society that needs reformation in order to create economic opportunities for all, but corporate captured leaders who are unwilling to do so.

**HB-392-HD-1**

Submitted on: 3/18/2025 1:59:35 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dorinda Ohelo	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

*Philosophically speaking:*

I have little sympathy for violent criminals, but mandatory minimums are draconian and anything but a progressive, liberal policy. Why they'd ever be enacted in law, why the legislature should take it upon itself to take the role of sentencing away from the judiciary, I have no idea.

I fail to see why the sentencing for a crime like attempted murder should be different because the assailant used a gun that was properly serialized or not.

Is the intention of this bill to make illegal things illegaler to the point that a prosecutor only needs to glare at the accused to strongarm them into a plea deal? That's dreadfully shameful civics, if so.

*Practically speaking:*

Current law and policy regarding unserialized firearms is a mess and needs a reckoning, but the rules need to serve the law-abiding as well as deter the criminal.

There should be an avenue for a law-abiding citizen to legally manufacture a firearm themselves and get it registered like any other gun. There is no reason not to have this; such a legal avenue could only be used by those who would be allowed to have guns anyways.

This bill does nothing to address legally-untested processes involving the serialization and import of homemade guns from out of state. (Why can't I legally build and serialize a gun in Hawaii, but I can legally build and serialize a gun elsewhere and then bring it to Hawaii?)

Nor does this bill address what sound like Fifth Amendment concerns around the issue. (Constitutionally, a law can't compel me to announce that I'm breaking the law... Yet if I'm required to register all firearms, but it's not possible to legally register a "ghost gun", is there not a constitutional dilemma there?)

I'd like to ask the legislature to craft bills that answer the pressing questions of citizens, and not just those that give law enforcement and prosecutors increasingly large cudgels to do whatever they want.

Thank you;

-Cassidy Kohout, Kihei

**HB-392-HD-1**

Submitted on: 3/18/2025 2:05:30 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Loki Tanioka	Individual	Oppose	Written Testimony Only

Comments:

As a private citizen who hunts with their rifle and teaches responsible, ethical hunting practices to the younger generations. I am writing to oppose House Bill 392 in regards to "prohibiting the possession, transfer, and sale of ghost guns."

There are some things that I am very much against in this measure; first of all, some owners of rifles need to acquire very specialized parts to fit their rifles. For example, some barrels may be incompatible with their rifle's configuration or caliber, not every FFL on island could supply the appropriate part. We are at the mercy of the limited supply chains and whatever the Attorney General will or will not allow to be shipped to the state. With that, I am very much in support of the right of citizens to be able to print their own parts to accommodate their firearms. To get a firearm, these individuals *already* passed a background check to *legally acquire* a permit to purchase a firearm in the State of Hawaii in the first place.

The only section of this bill that I believe should be further pursued, and the **only** section I agree with at all is the "establishment mandatory minimum sentencing for use of a ghost gun in the commission of a felony." While I **do not** condone the outright prohibition of the possession, transfer or sale of ghost guns and parts; I **do** however, believe if anyone commits a crime with said ghost gun they should be rightly prosecuted for their actions according to the law. Let me further add that since 2020, there has never been a case to date where somebody used a 3d printed ghost gun in the commission of a crime.

In conclusion, I strongly oppose this bill for prohibiting law abiding citizens from possessing, transferring or selling ghost guns and ghost gun parts. This bill will only put law abiding gun owners in Hawaii who have access to ghost guns and 3d printers, at odds with the law. This bill should be brought back to the house and reintroduced with a sentencing clause **only** for criminals who use a ghost gun to commit a felony. As a constituent, we should be aiming to empower legal gun owners instead of senselessly *punishing* them for crimes they never committed to begin with!



**HB-392-HD-1**

Submitted on: 3/18/2025 2:10:36 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Brian Isaacson	Individual	Oppose	Written Testimony Only

Comments:

Not all firearms without serial numbers are ghost guns, and an incomplete part that can become part of a working a firearm with additional work can be assigned a serial number and will then be legal.

**HB-392-HD-1**

Submitted on: 3/18/2025 2:44:42 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ka'eo Ortiz	Individual	Oppose	Written Testimony Only

Comments:

This is a 2nd ammendment violation for law abiding citizens

**LATE**

**HB-392-HD-1**

Submitted on: 3/18/2025 3:19:31 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

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

Comments:

Strongly oppose

**LATE**

**HB-392-HD-1**

Submitted on: 3/18/2025 3:22:53 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Reina Loughlin	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB392. While this is a controversial subject, it is often due to lack of knowledge, misunderstandings, and sensationalized concerns.

Some oppose ghost guns because they feel they encourage crime, making it more accessible and harder to trace to the criminal. Research has shown that some unserialized guns have been found in crime scenes, however to be clear, many were commercially manufactured guns with damaged obscured serial numbers. It's not to say ghost guns aren't used in crime, but a FACT that more crime is committed using commercially manufactured guns. Therefore it's not accurate or reasonable to blame and ban ghost guns as the issue fueling crime.

Some argue that research shows ghost gun use in crime has been increasing in recent years. Crime in general has grown. For example, violent activity has increased among protesters, but the focus from media and anti-gun supporters zero in particularly on gun use in crime to aid in their attack against it. Also noted is the amount of illegal immigrants who have been allowed into our borders, and are not mentioned in connection to the increased ghost gun crimes. The real problems need to first be clearly addressed. Of few of them are that criminals have been allowed into our borders, criminals aren't subject to stricter consequences, greater numbers suffer from drug addictions and funding for services to address their issues and prevent the continuous pattern in society isn't happening. The solution isn't to simply restrict 2nd ammendment rights and ban ghost guns but to consider improved practices for identifying, reporting, and tracking ghost guns. I strongly request that this bill does not pass.

**LATE**

**HB-392-HD-1**

Submitted on: 3/18/2025 3:50:01 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Noela von Wiegandt	Individual	Oppose	Remotely Via Zoom

Comments:

Aloha,

I oppose HB392.  
Thank you.

Noela von Wiegandt

**LATE**

**HB-392-HD-1**

Submitted on: 3/18/2025 4:33:43 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

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

Comments:

while supposedly some unserialized guns are used in crimes, criminals have been removing serial numbers from guns forever. citizens have been making their own firearms from before we became a nation and should not be banned for personal and lawful use

**LATE**

**HB-392-HD-1**

Submitted on: 3/18/2025 8:20:39 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

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

Comments:

**\*\*Written Testimony in Opposition to HB 392\*\***

To the Honorable Members of the Hawaii State Legislature,

I am Tiare Smith, a Native Hawaiian resident of Kahalu‘u, O‘ahu, where I have resided for 45 years. As a kama‘āina with deep ties to this land and its people, I write to vehemently oppose HB 392, a bill that purports to regulate so-called “ghost guns” but in reality constitutes a tyrannical overreach into the rights and liberties of law-abiding citizens. This measure precipitously bans unserialized firearms, imposes draconian sentencing, and guts the Second Amendment protections that safeguard our individual sovereignty. While I recognize the bill’s stated intent to enhance public safety, its provisions are antithetical to equity, efficacy, and fiscal prudence. Below, I delineate the pros and cons of HB 392, followed by robust solutions to its deficiencies that uphold safety and freedom without disenfranchising Hawaii’s people.

**### Pros of HB 392**

The bill advances several arguments that merit scrutiny:

- \*\*Public Safety Rationale\*\*:** By prohibiting ghost guns—firearms without serial numbers—and imposing mandatory minimum sentences for their use in felonies, HB 392 aims to deter criminal activity involving untraceable weapons.
- \*\*Alignment with Federal Oversight\*\*:** The bill’s definition of ghost guns excludes firearms not required to be serialized under the federal Gun Control Act of 1968, suggesting a nod to existing regulatory frameworks.
- \*\*Affirmative Defense Provision\*\*:** Section 134-8(e) offers a limited exemption for licensed manufacturers and dealers, ostensibly protecting legitimate industry actors.

These points, however, are dwarfed by the bill’s egregious flaws, which I address next.

**### Cons of HB 392**

HB 392 represents a profound assault on personal liberty and equity:

1. **Banning Ghost Guns Undermines Self-Reliance**: The outright prohibition of unserialized firearms criminalizes a practice rooted in self-sufficiency—a value cherished by Native Hawaiians and rural residents like myself in Kahalu‘u. This ban disproportionately targets hobbyists and law-abiding citizens who craft firearms for personal use, not illicit gain.

2. **Harsh Sentences Exacerbate Inequity**: Mandatory minimums—up to 20 years for repeat offenders—disregard judicial discretion and disproportionately burden marginalized communities, including Native Hawaiians, who already face systemic over-incarceration. Such punitive measures fuel a cycle of disenfranchisement rather than rehabilitation.

3. **Guts Second Amendment Rights**: By outlawing a class of firearms without evidence of widespread misuse in Hawaii, HB 392 erodes the constitutional right to bear arms. This legislative overreach sets a precedent for further encroachments, threatening the autonomy of law-abiding citizens to defend themselves in a state where police response times can lag, especially in rural areas.

### ### Detailed Solutions to Address the Cons

Rather than capitulate to this authoritarian gun grab, I propose the following solutions, which prioritize safety, efficacy, cost-effectiveness, and equity while preserving Second Amendment protections:

1. **Regulate, Don't Ban, Ghost Guns**:

- **Solution**: Replace the outright ban with a voluntary registration program for homemade firearms, incentivized by tax credits (e.g., \$100 per registered firearm).

- **Safety**: Allows tracking of ghost guns in circulation without criminalizing owners, focusing enforcement on actual misuse.

- **Cost-Effectiveness**: A \$500,000 annual program for 5,000 registrants costs less than the \$1.2 million average yearly expense of prosecuting and incarcerating Class C felony offenders (per Hawaii Department of Public Safety estimates, 2023).

- **Equity**: Avoids penalizing rural or Native Hawaiian craftsmen, preserving cultural practices of self-reliance.

2. **Replace Harsh Sentences with Restorative Justice**:

- **Solution**: Eliminate mandatory minimums and implement community service or firearm safety training as alternative penalties for non-violent ghost gun possession offenses.

- **Efficacy**: Reduces recidivism by 25% compared to incarceration (per National Institute of Justice, 2021), addressing root causes over punitive excess.

- **Cost Savings**: Diverts offenders from prison (costing \$153 per day per inmate) to supervised programs (\$20 per day), saving approximately \$48,000 per person annually.

- **Equity**: Mitigates disproportionate impacts on Native Hawaiian and low-income communities, fostering rehabilitation over punishment.

### 3. **Protect 2A Rights with Education, Not Prohibition**:

- **Solution**: Fund a statewide firearm education initiative—offered free through community centers or organizations like the Hawaiian Civic Clubs—teaching safe assembly, storage, and use of all firearms, including ghost guns.

- **Safety**: Cuts accidental firearm deaths by up to 40% (RAND Corporation, 2022), a more direct benefit than blanket bans.

- **Cost-Effectiveness**: At \$50 per participant, a program for 10,000 residents costs \$500,000 annually—far less than the \$10 million projected for HB 392’s enforcement and incarceration over five years.

- **Efficacy**: Empowers citizens to exercise their rights responsibly, aligning with Second Amendment principles.

### 4. **Ensure Equity Through Resource Allocation**:

- **Solution**: Reallocate HB 392’s enforcement budget to bolster rural police training and response capabilities, reducing reliance on broad prohibitions.

- **Equity**: Levels the playing field for communities like Kahalu‘u, where law enforcement is stretched thin, without targeting lawful gun owners.

- **Cost Savings**: A \$1 million investment in rural policing yields long-term savings by preempting crime more effectively than reactive sentencing.

### ### Conclusion

HB 392 is a tyrannical overreach masquerading as a safety measure, stripping away the rights of law-abiding citizens while imposing inequitable burdens on Hawaii’s people. As a Native Hawaiian who has called Kahalu‘u home for 45 years, I urge you to stand against this bill and its affront to our liberty. The Second Amendment is not a privilege to be curtailed but a right to be upheld. Adopt the solutions I have outlined—pragmatic, cost-effective alternatives that enhance safety and equity without sacrificing freedom. Let us reject this gun grab and affirm our aloha for justice and autonomy.

Mahalo for your consideration,

Tiare Smith

Kahalu'u, O'ahu

**LATE**

**HB-392-HD-1**

Submitted on: 3/18/2025 11:10:52 PM

Testimony for PSM on 3/19/2025 3:00:00 PM

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

Comments:

**Aloha All,**

**I am writing in opposition to HB392 regarding “ghost guns”. There are already laws on the books for this and other counties have already had success in following through with them, even if it’s unconstitutional.**

**There is no need to keep regulating “to death” laws already in place. The previous law is pretty cut and dry. What more do you need?**

**Especially when these laws keep getting overturned in court against the state.**

**Mahalo for your time,**

**Eric Hammond**

**HB-392-HD-1**

Submitted on: 3/19/2025 5:31:33 AM  
Testimony for PSM on 3/19/2025 3:00:00 PM



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

Comments:

**1. Constitutional Concerns**

- **Second Amendment Violation:** The bill **prohibits legally serialized homemade firearms**, which have historically been protected under the **Second Amendment** as part of the right to bear arms. The Supreme Court (Heller, McDonald, and Bruen decisions) affirms that lawful firearm possession and self-defense are protected rights.
- **Due Process & Ex Post Facto Laws:** This law could **retroactively criminalize legal firearm owners**, punishing them for previously lawful activity, violating **constitutional protections** against ex post facto laws.

**2. Lack of Effectiveness**

- **Criminals Already Ignore Firearm Laws:** Those who use firearms for **criminal purposes do not follow serialization laws**—this law only punishes law-abiding citizens.
- **No Impact on Crime Rates:** There is **no statistical evidence** that banning legally built, serialized firearms will reduce gun violence.

**3. Legislative Overreach & Harassment of Law-Abiding Citizens**

- **Felony for Self-Defense:** The law **imposes a mandatory minimum sentence** if a serialized homemade firearm is used in a felony. This means that if a law-abiding citizen **defends themselves using such a firearm, they could face felony charges and a minimum prison sentence**—punishing the victim instead of the criminal.
- **Punishes Responsible Gun Owners:** The state is targeting **citizens who legally built and serialized their firearms**, even though there is **no evidence** that these weapons are disproportionately used in crimes.

**4. Conclusion**

- This bill is **unconstitutional, ineffective at preventing crime**, and **criminalizes self-defense** with legally owned firearms. It **harasses lawful gun owners** while doing nothing to deter criminals. **HB392 should be rejected.**