

MITCHELL D. ROTH
PROSECUTING ATTORNEY

DALE A. ROSS
FIRST DEPUTY
PROSECUTING ATTORNEY



655 KĪLAUEA AVENUE
HILO, HAWAII 96720
PH: (808) 961-0466
FAX: (808) 961-8908
(808) 934-3403
(808) 934-3503

WEST HAWAII UNIT
81-980 HALEKĪ ST, SUITE 150
KEALAKEKUA, HAWAII 96750
PH: (808) 322-2552
FAX: (808) 322-6584

OFFICE OF THE PROSECUTING ATTORNEY

TESTIMONY IN SUPPORT OF SENATE BILL 2956

A BILL FOR AN ACT RELATING TO FIREARMS

COMMITTEE ON JUDICIARY AND LABOR

Sen. Gilbert S.C. Keith-Agaran, Chair
Sen. Maile S.L. Shimabukuro, Vice Chair

Tuesday, March 1, 2016, 9:05 a.m.
State Capitol, House Conference Room 016

Honorable Chair Keith-Agaran, Vice-Chair Shimabukuro, and Members of the Committee on Judiciary and Labor, the Office of the Prosecuting Attorney, County of Hawai'i submits the following testimony in support of Senate Bill No. 2956.

This measure requires firearms owners who have been disqualified from owning a firearm and ammunition due to mental illness to immediately surrender their firearm to the Chief of Police.

While this office recognizes and supports the rights of individuals to own firearms, most rational advocates would agree that certain individuals should be considered prohibited possessors. This Bill closes a serious loophole in the current firearms laws that allows mentally ill individuals to own, possess and control firearms for 30 days even after they have been deemed to be mentally ill. Passage of this measure will promote individual and public safety by keeping firearms out of the hands of individuals suffering from mental illness.

The Office of the Prosecuting Attorney, County of Hawai'i supports the passage of Senate Bill No. 2956. Thank you for the opportunity to testify on this matter.

From: mailinglist@capitol.hawaii.gov
To: [JDL Testimony](#)
Cc: [REDACTED]
Subject: Submitted testimony for SB2956 on Mar 1, 2016 09:05AM
Date: Monday, February 29, 2016 3:17:54 PM

SB2956

Submitted on: 2/29/2016

Testimony for JDL on Mar 1, 2016 09:05AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel Reid	NRA	Oppose	No

Comments: The NRA is opposed to SB 2956 due to grave concerns regarding due process rights as well as the expansion of prohibited persons to include anyone who has undergone emergency hospitalization. This expansion for emergency hospitalization is vague and could entrap a person who has suffered something as common as diabetic shock to suddenly lose their Second Amendment rights simply for receiving care.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: UNINTENDED CONSEQUENCES OF SB 2956
Date: Sunday, February 28, 2016 9:18:18 PM
Attachments: [image001.png](#)

Include in the written testimony.

Sent from my iPad

Begin forwarded message:

From: "DeGuzman, Edmond G." <Edmond.DeGuzman@va.gov>
Date: February 28, 2016 at 3:55:55 PM HST
To: <senkeithagaran@capitol.hawaii.gov>
Subject: UNINTENDED CONSEQUENCES OF SB 2956

Dear Senator Keith-Agaran,

This correspondence is due to information I have received regarding SB 2956 from concerned clients. I missed the opportunity to comment on SB 2956 during the public hearings.

For background I am the Director/Team Leader of the West Oahu Vet Center in Kapolei, Hawaii. We are part of the Department of the Veterans Affairs(VA), a Federal Agency. The Vet Center is part of the Readjustment Counseling Service(RCS) and we provide counseling to Veterans and Servicemembers who are experiencing Combat related issues, Military Sexual Trauma, as well as counseling for family members who have loved ones with the above issues. Some of my clients have shared their concern about SB 2956 and may be repelled from seeking care in the future.

At this time we are experiencing the reluctance of returning men and women from Combat Deployments because of possible ramifications for doing so. As such, there have been a large number of death by suicides, by returning Servicemembers nationally.

We are aggressively conducting outreach activities to ensure that Veterans and Servicemembers dealing with military related trauma seek the help they so deserved. Having Laws such a SB 2956, while, at first sound reasonable, may have the opposite effect. Instead of encouraging members to seek help, SB 2956 discourages members from seeking help. I am deeply troubled and concerned that there may be unintended consequences from passing such laws where law abiding citizen who seeks help during a crisis would be reluctant to seek help because by doing so would jeopardize their rights. This Bill if passed may have the opposite effect of what was intended, which is to keep our streets safer.

Potentially volatile clients who may seek care during a crisis that would deescalate the crisis, would be shied away from doing so and in doing so may harm themselves or others. By not seeking help, a client in crisis may instead commit death by suicide or even commit a heinous crime.

I am not a Lawmaker and do not presume to know everything about this issue, but in regards to SB 2956, where it "requires that county police to immediately seize all persons so hospitalized," I am deeply concerned as a non-Clinical mental health provider, as well as a Hawaii Resident, that individuals, fearing that their rights may be jeopardized by arbitrary decisions would NOT SEEK HELP that they so earned and deserve for their Service to our Country.

I would ask that before passing any legislation, SB 2956 or any other, that all consequences of such legislation be thoroughly considered.

Respectfully,

Ed De Guzman

Ed De Guzman, Director

West Oahu Vet Center (0621)

885 Kamokila Boulevard, #105

Kapolei, HI 96707

(808) 674-2414

(808) 674-2534 (Fax)



Website: www.vetcenter.va.gov

Toll Free: 1-877-WAR-VETS

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From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: FW: SB2956
Date: Monday, February 29, 2016 9:49:03 AM

Please include in testimony on SB 2956

-----Original Message-----

From: D. Benjamin Reeder [REDACTED]
Sent: Monday, February 29, 2016 9:30 AM
To: Sen. Gilbert Keith-Agaran
Subject: SB2956

Dear Senator Keith-Agaran,

Please amend SB2956 to require court action before seizing guns as required under state mental health law: §334-61. Citizens have a right to due process prior to seizing personal property. This is a matter of civil rights. In fact, how can the police enter a person's home to seize personal property without a court order?

D. Benjamin Reeder
Hawaii Kai

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: [REDACTED]
Subject: Submitted testimony for SB2956 on Mar 1, 2016 09:05AM
Date: Sunday, February 28, 2016 2:51:40 PM

SB2956

Submitted on: 2/28/2016

Testimony for JDL on Mar 1, 2016 09:05AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Bowen Dickinson	Individual	Oppose	No

Comments: Dear Senator Keith-Agaran, I oppose SB2956 as written - please amend this bill to require court action before seizing guns - AS REQUIRED UNDER BY STATE MENTAL HEALTH LAW: §334-61 Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4. respectfully, Bowen Dickinson

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: [REDACTED]
Subject: Submitted testimony for SB2956 on Mar 1, 2016 09:05AM
Date: Friday, February 26, 2016 10:30:20 PM

SB2956

Submitted on: 2/26/2016

Testimony for JDL on Mar 1, 2016 09:05AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Brendon Heal	Individual	Oppose	No

Comments: I STRONGLY OPPOSE this bill. It is far too overreaching and vague in it's scope. This will allow people's rights to be forcefully surrendered with no due process of law. Firearms would be confiscated at the mere arbitrary disqualification. There has been many instances this past year of many many people wrongfully disqualified for firearms permits because of a 'misunderstanding' between Kaiser healthcare and HPD. Every one of these people would have to be forced to surrender all firearms and stripped of their rights to self protection. This is unacceptable. The problem of MENTAL HEALTH needs to be addressed, NOT firearms ownership. Legislators, please work on that issue. Not 2nd Amendment RIGHTS. Thank you.

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Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: SB-2956
Date: Sunday, February 28, 2016 9:30:45 PM

Include in the written testimony.

Sent from my iPad

Begin forwarded message:

From: BKulbis [REDACTED]
Date: February 28, 2016 at 12:28:19 PM HST
To: <senkeithagaran@capitol.hawaii.gov>
Subject: SB-2956

Dear Senator Keith-Agaran,

Please amend SB2956 to require court action before seizing guns as required under state mental health law: §334-61

Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.

Very respectfully,

Brett Kulbis

HD-41 Ewa and Ewa Beach

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: FW: SB2956
Date: Monday, February 29, 2016 8:46:02 AM

[Please include in testimony on SB 2956](#)

From: Brian Abelaye [REDACTED]
Sent: Monday, February 29, 2016 8:14 AM
To: Sen. Gilbert Keith-Agaran
Subject: SB2956

Dear Senator Keith-Agaran,

Please amend SB2956 to require court action before seizing guns as required under state mental health law: §334-61 Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.

Very respectfully,
Brian Abelaye

--

Sent from Gmail Mobile

From: mailinglist@capitol.hawaii.gov
To: [JDL Testimony](#)
Cc: [REDACTED]
Subject: Submitted testimony for SB2956 on Mar 1, 2016 09:05AM
Date: Friday, February 26, 2016 5:23:38 PM

SB2956

Submitted on: 2/26/2016

Testimony for JDL on Mar 1, 2016 09:05AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Isaacson	Individual	Oppose	No

Comments: This measure fails both a fairness test as well as denies an individual who may have been unjustly found to be unqualified to own firearms. Due process should be applied in every case, under Article 5, and immediate seizure fails the due process test. In addition, someone who has mental problems did not bring them on themselves, but are suffering a medical condition. An individual with a single firearm may lose the value of an ordinary gun, but someone with an extensive and valuable collection may be considered to have been fined excessively by such a seizure. Alternative means to dispose of firearms when an individual is deemed disqualified by an appropriate legal due process should be available so that the process does not qualify as an unjust taking.

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From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: SB2956
Date: Sunday, February 28, 2016 12:07:13 PM

Include in the written testimony.

Sent from my iPhone

GIL S C KEITH-AGARAN

Begin forwarded message:

From: [REDACTED]
Date: February 28, 2016 at 11:19:24 AM HST
To: <senkeithagaran@capitol.hawaii.gov>
Subject: SB2956

Dear Senator Keith-Agaran,
Please amend SB2956 to require court action before seizing guns as required under state mental health law: §334-61 Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.
Very respectfully,
Bruce Shimoda

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: SB2956
Date: Sunday, February 28, 2016 8:54:34 PM

Include in the written testimony.

Sent from my iPad

Begin forwarded message:

From: CW [REDACTED]
Date: February 28, 2016 at 6:12:21 PM HST
To: Senator Keith-Agaran <senkeithagaran@capitol.hawaii.gov>
Subject: RE: SB2956

Dear Senator Keith-Agaran,
There is an important matter that needs your attention. SB2956 is up for passage with draconian language that could have unanticipated adverse consequences.

It is essential that you require court action before seizing guns consistent with (and as required under) Hawaii state mental health law:

§334-61 Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.

Thank you for your attention to this matter,
C.E. Willson
[REDACTED]

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: SB2956
Date: Sunday, February 28, 2016 8:54:57 PM

Include in the written testimony.

Sent from my iPad

Begin forwarded message:

From: Wayne Hall [REDACTED]
Date: February 28, 2016 at 7:59:38 PM HST
To: senkeithagaran@capitol.hawaii.gov
Subject: SB2956

Dear Senator Keith-Agaran,
Please amend SB2956 to require court action before seizing guns as required under state mental health law: *§334-61 Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.*
Very respectfully,

Conroy Wayne Hall
[REDACTED]

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: Senate Bill SB2956 - Please Amend this Bill.
Date: Monday, February 29, 2016 2:32:54 PM

Include in the written testimony.

Sent from my iPad

Begin forwarded message:

From: Dan Goo [REDACTED]
Date: February 29, 2016 at 10:07:04 AM HST
To: "senkeithagaran@capitol.hawaii.gov" <senkeithagaran@capitol.hawaii.gov>
Subject: Senate Bill SB2956 - Please Amend this Bill.

Dear Senator Keith-Aragan,

Please amend SB2956 to require court action before seizing guns as required under state mental health law: §334-61 *Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.*

Sincerely,

Dan Goo – Retired Honolulu Police Detective

Judy Goo

Sean Goo

Elisha Goo

Katherine Goo

Dave Goo

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd:
Date: Monday, February 29, 2016 2:32:34 PM

Include in the written testimony.

Sent from my iPad

Begin forwarded message:

From: Daniel Oshima [REDACTED]
Date: February 29, 2016 at 10:08:31 AM HST
To: "senkeithagaran@capitol.hawaii.gov" <senkeithagaran@capitol.hawaii.gov>
Reply-To: Daniel Oshima [REDACTED]

Dear Senator Keith-Agaran,
Please amend SB2956 to require court action before seizing guns as required
under state mental health law

thank you,
Daniel Oshima

From: mailinglist@capitol.hawaii.gov
To: [JDL Testimony](#)
Cc: [REDACTED]
Subject: *Submitted testimony for SB2956 on Mar 1, 2016 09:05AM*
Date: Friday, February 26, 2016 12:34:32 PM

SB2956

Submitted on: 2/26/2016

Testimony for JDL on Mar 1, 2016 09:05AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Dara Carlin, M.A.	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [JDL Testimony](#)
Cc: [REDACTED]
Subject: *Submitted testimony for SB2956 on Mar 1, 2016 09:05AM*
Date: Saturday, February 27, 2016 6:16:43 AM

SB2956

Submitted on: 2/27/2016

Testimony for JDL on Mar 1, 2016 09:05AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
David Brilliant	Individual	Oppose	No

Comments:

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From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: SB 2956
Date: Sunday, February 28, 2016 9:19:12 PM

Include in the written testimony.

Sent from my iPad

Begin forwarded message:

From: Dave Partlow [REDACTED]
Date: February 28, 2016 at 3:34:45 PM HST
To: senkeithagaran@capitol.hawaii.gov
Subject: SB 2956

Dear Senator Keith-Agaran,

Please amend SB2956 to require court action before seizing guns as required under state mental health law: §334-61 *Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.*

Very respectfully,
David Partlow
Big Island resident

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: [REDACTED]
Subject: Submitted testimony for SB2956 on Mar 1, 2016 09:05AM
Date: Sunday, February 28, 2016 5:48:34 AM

SB2956

Submitted on: 2/28/2016

Testimony for JDL on Mar 1, 2016 09:05AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
David Soon	Individual	Oppose	No

Comments: Good intentions, but difficult or impossible to administer. While reading through comments which support this legislation, even those supporters freely admit that it is difficult to apply.

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From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: SB2956
Date: Sunday, February 28, 2016 9:14:07 PM

Include in the written testimony.

Sent from my iPad

Begin forwarded message:

From: Dean Shimabukuro [REDACTED]
Date: February 28, 2016 at 4:18:40 PM HST
To: senkeithagaran@capitol.hawaii.gov
Cc: repyamane@Capitol.hawaii.gov, senkidani@capitol.hawaii.gov
Subject: SB2956

Dear Senator Keith-Agaran,
Please amend SB2956 to require court action before seizing guns as required under state mental health law: *§334-61 Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.*

Respectfully,

--

Dean Shimabukuro
[REDACTED]

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: SB2956
Date: Sunday, February 28, 2016 12:04:46 PM

Please include with written testimony on this measure.

Sent from my iPhone

GIL S C KEITH-AGARAN

Begin forwarded message:

From: Debbie & Vince [REDACTED]
Date: February 28, 2016 at 11:51:28 AM HST
To: <senkeithagaran@capitol.hawaii.gov>
Subject: SB2956

Dear Senator Keith-Agaran,

Please amend SB2956 to require court action before seizing guns as required under state mental health law: §334-61 *Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.*

Very respectfully,
Deborah Palomares

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: SB2956
Date: Sunday, February 28, 2016 9:31:31 PM

Include in the written testimony.

Sent from my iPad

Begin forwarded message:

From: Devin Sasai [REDACTED]
Date: February 28, 2016 at 12:11:37 PM HST
To: senkeithagaran@capitol.hawaii.gov
Subject: SB2956

Dear Senator Keith-Agaran,
Please amend SB2956 to require court action before seizing guns as required under state mental health law: §334-61 Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.
Very respectfully,
Devin M. Sasai

Sent from my iPhone

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: SB2956
Date: Sunday, February 28, 2016 12:06:45 PM

Include in the written testimony.

Sent from my iPhone

GIL S C KEITH-AGARAN

Begin forwarded message:

From: Biz Kellam [REDACTED]
Date: February 28, 2016 at 11:37:57 AM HST
To: senkeithagaran@capitol.hawaii.gov
Subject: SB2956

State Affiliate of the National Rifle Association - Founded in 1857
February 28, 2016

Dear Senator Keith-Agaran,
Please amend SB2956 to require court action before seizing guns as required under state mental health law: *§334-61 Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.*
Very respectfully,
Elizabeth Kellam

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: SB2956
Date: Monday, February 29, 2016 2:31:23 PM

Include in the written testimony.

Sent from my iPad

Begin forwarded message:

From: Forrest Shoemaker [REDACTED]
Date: February 29, 2016 at 10:38:49 AM HST
To: <senkeithagaran@capitol.hawaii.gov>
Subject: SB2956

Dear Senator Keith-Agaran,

Please amend SB2956 to require court action before seizing guns as required under state mental health law: §334-61 *Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.*

Very respectfully,

Mahalo,

Forrest Shoemaker

[REDACTED]
[REDACTED]
[REDACTED]

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: Kill or amend SB2956
Date: Sunday, February 28, 2016 9:29:27 PM

Include in the written testimony.

Sent from my iPad

Begin forwarded message:

From: George Pace [REDACTED]
Date: February 28, 2016 at 12:55:53 PM HST
To: "senkeithagaran@capitol.hawaii.gov" <senkeithagaran@capitol.hawaii.gov>
Subject: Kill or amend SB2956
Reply-To: George Pace [REDACTED]

Dear Senator Keith-Agaran,
Please amend, if you do not kill, SB2956 to require court action before seizing guns as required under state mental health law: *§334-61 Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.*
thank you,
George Pace

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: SB2956
Date: Sunday, February 28, 2016 12:07:35 PM

Include in the written testimony.

Sent from my iPhone

GIL S C KEITH-AGARAN

Begin forwarded message:

From: Glenn Hashimoto [REDACTED]
Date: February 28, 2016 at 11:06:06 AM HST
To: "senkeithagaran@capitol.hawaii.gov" <senkeithagaran@capitol.hawaii.gov>
Subject: SB2956
Reply-To: Glenn Hashimoto [REDACTED]

Dear Senator Keith-Agaran,
Please amend SB2956 to require court action before seizing guns as required under state mental health law: ***§334-61 Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.***
Very respectfully,

Glenn Hashimoto

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: Amend SB 2956
Date: Monday, February 29, 2016 2:32:07 PM

Include in the written testimony.

Sent from my iPad

Begin forwarded message:

From: [REDACTED]
Date: February 29, 2016 at 10:33:23 AM HST
To: "senkeithagaran@capitol.hawaii.gov" <senkeithagaran@capitol.hawaii.gov>
Subject: Amend SB 2956
Reply-To: [REDACTED]

Dear Senator Keith-Agaran,

Please amend SB2956 to require court action before seizing guns as required under state mental health law: §334-61 Presumption; civil rights.

No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.

Very respectfully,

Heather Walker

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: FW: Need to Amend SB2956
Date: Monday, February 29, 2016 8:46:30 AM

[Please include in testimony on SB 2956](#)

From: Howard Murai [REDACTED]

Sent: Monday, February 29, 2016 7:27 AM

To: Sen. Gilbert Keith-Agaran

Subject: Need to Amend SB2956

Senator Keith-Agaran:

Pls amend SB 2956 to require judicial authorization before seizing an individual's firearms as required under state mental health law. While I support the intent and purposes of this Bill, the confiscation of private property without due process of law is improper and SB2956 should be modified accordingly.

Respectfully,

Howard Y. Murai

[REDACTED]

From: mailinglist@capitol.hawaii.gov
To: [JDL Testimony](#)
Cc: [REDACTED]
Subject: *Submitted testimony for SB2956 on Mar 1, 2016 09:05AM*
Date: Sunday, February 28, 2016 12:40:44 PM

SB2956

Submitted on: 2/28/2016

Testimony for JDL on Mar 1, 2016 09:05AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
jason shin	Individual	Oppose	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From: mailinglist@capitol.hawaii.gov
To: [JDL Testimony](#)
Cc: [REDACTED]
Subject: *Submitted testimony for SB2956 on Mar 1, 2016 09:05AM*
Date: Friday, February 26, 2016 8:43:02 PM

SB2956

Submitted on: 2/26/2016

Testimony for JDL on Mar 1, 2016 09:05AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Jay	Individual	Oppose	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: SB2956
Date: Sunday, February 28, 2016 9:30:02 PM

Include in the written testimony.

Sent from my iPad

Begin forwarded message:

From: Jerry Ilo [REDACTED]
Date: February 28, 2016 at 12:39:02 PM HST
To: senkeithagaran@capitol.hawaii.gov
Subject: SB2956

Dear Senator Keith-Agaran,
Please amend SB2956 to require court action before seizing guns as required under state mental health law: *§334-61 Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.*
Very respectfully,

--

Jerry Ilo
Babooze Bowstrings
Hawaii Archery Academy

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: Amend SB2956
Date: Sunday, February 28, 2016 9:30:14 PM

Include in the written testimony.

Sent from my iPad

Begin forwarded message:

From: Jesse Lamos [REDACTED]
Date: February 28, 2016 at 12:34:31 PM HST
To: <senkeithagaran@capitol.hawaii.gov>
Subject: Amend SB2956

Please amend SB2956 to require court action before seizing guns as required under state mental health law: §334-61 Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.

Very respectfully,

Jesse Lamos

From: mailinglist@capitol.hawaii.gov
To: [JDL Testimony](#)
Cc: [REDACTED]
Subject: *Submitted testimony for SB2956 on Mar 1, 2016 09:05AM*
Date: Monday, February 29, 2016 3:47:50 PM

SB2956

Submitted on: 2/29/2016

Testimony for JDL on Mar 1, 2016 09:05AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
john w farrar	Individual	Oppose	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From: mailinglist@capitol.hawaii.gov
To: [JDL Testimony](#)
Cc: [REDACTED]
Subject: *Submitted testimony for SB2956 on Mar 1, 2016 09:05AM*
Date: Saturday, February 27, 2016 8:35:46 AM

SB2956

Submitted on: 2/27/2016

Testimony for JDL on Mar 1, 2016 09:05AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
joshua	Individual	Oppose	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: [REDACTED]
Subject: Submitted testimony for SB2956 on Mar 1, 2016 09:05AM
Date: Friday, February 26, 2016 12:11:34 PM

SB2956

Submitted on: 2/26/2016

Testimony for JDL on Mar 1, 2016 09:05AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Karin Nomura	Individual	Support	No

Comments: I should hope that the chiefs of police are able to seize weapons from those with mental disabilities if they don't turn the guns in themselves. Another item I hope will occur is that a gun owner who threatens the lives or terrorizes a person with implied or direct threats with a gun numerous times has the license revoked. A gun is not a toy to be used as a means for harassing someone, but one to be used for the protection of, and I feel that using a gun for any other purpose is disrespecting the right to own one.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: FW: SB2956
Date: Monday, February 29, 2016 8:46:45 AM

Please include in testimony on SB 2956

From: G Asi [REDACTED]
Sent: Monday, February 29, 2016 7:19 AM
To: Sen. Gilbert Keith-Agaran
Subject: SB2956

Dear Senator Keith-Agaran,

Please amend SB2956 to require court action before seizing guns as required under state mental health law: *§334-61 Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.*

Very respectfully,

Kaui Asing

<http://kauiasing.myrandf.com>

From: mailinglist@capitol.hawaii.gov
To: [JDL Testimony](#)
Cc: [REDACTED]
Subject: *Submitted testimony for SB2956 on Mar 1, 2016 09:05AM*
Date: Monday, February 29, 2016 9:10:54 AM

SB2956

Submitted on: 2/29/2016

Testimony for JDL on Mar 1, 2016 09:05AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Kenneth Kelson	Individual	Oppose	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: Please amend SB2956
Date: Monday, February 29, 2016 2:31:50 PM

Include in the written testimony.

Sent from my iPad

Begin forwarded message:

From: Keola Esperas [REDACTED]
Date: February 29, 2016 at 10:36:02 AM HST
To: "senkeithagaran@capitol.hawaii.gov" <senkeithagaran@capitol.hawaii.gov>
Subject: Please amend SB2956

Dear Senator Keith-Agaran,
Please amend SB2956 to require court action before seizing guns as required under state mental health law: *§334-61 Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.*
Very respectfully,

Keola Esperas

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: SB 2956
Date: Sunday, February 28, 2016 9:28:37 PM

Include in the written testimony.

Sent from my iPad

Begin forwarded message:

From: Kevin Cole [REDACTED]
Date: February 28, 2016 at 2:17:15 PM HST
To: "senkeithagaran@capitol.hawaii.gov" <senkeithagaran@capitol.hawaii.gov>
Subject: SB 2956
Reply-To: Kevin Cole [REDACTED]

Dear Senator Keith-Agaran,
Please amend SB2956 to require court action before the taking of privately owned firearms as required under state mental health law: §334-61
Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.
Very respectfully,
Kevin Cole, Col. USAF Ret.
Mililani

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: SB 2956
Date: Sunday, February 28, 2016 9:20:46 PM

Include in the written testimony.

Sent from my iPad

Begin forwarded message:

From: Kirk Merdjanian [REDACTED]
Date: February 28, 2016 at 3:13:08 PM HST
To: senkeithagaran@capitol.hawaii.gov
Subject: SB 2956

Dear Senator Keith-Agaran,
Please amend SB2956 to require court action before seizing guns as required under state mental health law: §334-61 Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.
Very respectfully,

Kirkor Merdjanian

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: SB2956
Date: Sunday, February 28, 2016 9:13:49 PM

Include in the written testimony.

Sent from my iPad

Begin forwarded message:

From: laughlin [REDACTED]
Date: February 28, 2016 at 4:23:43 PM HST
To: <senkeithagaran@capitol.hawaii.gov>
Subject: SB2956

Dear Senator Keith-Agaran,

Please amend SB2956 to require court action before seizing guns as required under state mental health law: §334-61 *Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.*

Very respectfully,

Laughlin Tanaka

[REDACTED]

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: Please amend SB2956
Date: Sunday, February 28, 2016 9:13:35 PM

Include in the written testimony.

Sent from my iPad

Begin forwarded message:

From: Mark [REDACTED]
Date: February 28, 2016 at 4:32:39 PM HST
To: senkeithagaran@capitol.hawaii.gov
Subject: Please amend SB2956

Dear Senator Keith-Agaran,
Please amend SB2956 to require court action before seizing guns as required under state mental health law: *§334-61 Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.*
Very respectfully,
Mark Ishiki

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: SB2956
Date: Monday, February 29, 2016 2:31:05 PM

Include in the written testimony.

Sent from my iPad

Begin forwarded message:

From: Marv Miller [REDACTED]
Date: February 29, 2016 at 10:45:36 AM HST
To: <senkeithagaran@capitol.hawaii.gov>
Subject: SB2956

Dear Senator Keith-Agaran,
Please amend SB2956 to require court action before seizing guns as required under state mental health law: §334-61 Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.
Very respectfully,
Marvin Miller

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: SB2956, please amend
Date: Sunday, February 28, 2016 9:18:59 PM

Include in the written testimony.

Sent from my iPad

Begin forwarded message:

From: Michael Riley [REDACTED]
Date: February 28, 2016 at 3:44:04 PM HST
To: "senkeithagaran@capitol.hawaii.gov" <senkeithagaran@capitol.hawaii.gov>
Subject: SB2956, please amend

Dear Senator Keith-Agaran,

Please amend SB2956 to require court action before seizing guns as required under state mental health law: *§334-61 Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.*

Very respectfully,

Michael B Riley

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: SB2956
Date: Sunday, February 28, 2016 8:55:10 PM

Include in the written testimony.

Sent from my iPad

Begin forwarded message:

From: Michael W Sawamoto [REDACTED]
Date: February 28, 2016 at 8:45:29 PM HST
To: <senkeithagaran@capitol.hawaii.gov>
Subject: Re: SB2956

Dear Senator Keith-Agaran,
Please amend SB2956 to require court action before seizing guns as required under state mental health law: *§334-61 Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.*
Sincerely,

Michael W. Sawamoto
[REDACTED]

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: [REDACTED]
Subject: Submitted testimony for SB2956 on Mar 1, 2016 09:05AM
Date: Friday, February 26, 2016 2:45:08 PM

SB2956

Submitted on: 2/26/2016

Testimony for JDL on Mar 1, 2016 09:05AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Michael A. Wee	Individual	Oppose	No

Comments: I strongly OPPOSE this bill. It is far too broad and vague in the requirements for firearms surrender/confiscation. There is a total lack of due process and appeal. The conditions for a taking of real property and its return must be clearly stated. In addition, a person voluntarily seeking mental help/counseling will not risk a "hair trigger" provision and its consequences.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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February 29, 2016

To: Chairperson Gilbert S.C. Keith-Agaran
Vice Chair Maile S.L. Shimabukuro
Members of the Judiciary and Labor Committee

From: Nizar Benotmane

Subject Support of SB2956, Relating to Firearms

Aloha, my name is Nizar Benotmane and I am a Sophomore at Kalaheo High School. I am In support of SB2956, which requires gun owners disqualified from owning a gun because of mental illness to immediately surrender their firearms to the chief of police upon notification and authorizes the chief of police to seize the firearms if the owner doesn't comply.

America is the leading country in gun violence. In 2015 alone there were 13,390 deaths by firearms, 8301 of which were suicides. (Law Center to prevent Gun Violence, Gun Violence Archive) People with mental illnesses such as depression, schizophrenia, bipolar disorder, and other personality disorders are three times as likely to commit suicide. (Mental Health Reporting) The statistics show a common factor in gun deaths. Also, in the last 5 years, 79% of all mass shootings were committed by individuals with a history of mental illness. The statistics show a common factor in gun deaths. Preventing the ownership of firearms to mentally ill people and confiscating the firearms already in possession of these people would greatly reduce the risk of Hawaii's citizens to die by firearms.

Having this as a law would greatly increase the safety of Hawaii in the future. We must keep our communities safe for our future children and families, so not letting people unfit to bear arms own guns is an obvious way to be safe. Hawaii has the lowest amount of gun deaths, let's keep it that way.

With this in mind I ask you for your support in SB2956. Thank you for your time and consideration.

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: Oppose SB 2956
Date: Sunday, February 28, 2016 8:55:53 PM

Include in the written testimony.

Sent from my iPad

Begin forwarded message:

From: [REDACTED]
Date: February 28, 2016 at 8:27:56 PM HST
To: <senkeithagaran@capitol.hawaii.gov>
Subject: Oppose SB 2956

Aloha Senator Agaran,
Please amend SB2956 to require court action before seizing guns as required under state mental health law: §334-61 Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.

Very respectfully,
Normand A Cote
Law Abiding Citizen

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: SB2956 Request to amend language
Date: Sunday, February 28, 2016 8:56:57 PM

Include in the written testimony.

Sent from my iPad

Begin forwarded message:

From: [REDACTED]
Date: February 28, 2016 at 8:08:12 PM HST
To: <senkeithagaran@capitol.hawaii.gov>
Subject: SB2956 Request to amend language

Aloha Senator Keith-Agaran,

Please amend SB2956 to require court action before seizing guns as required under the State Mental Health Law: 334-61 to protect civil rights.

No "presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right to any such person.... If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4".

Mahalo,

Paul T. Tanigawa

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: Presumption of mental incompetence
Date: Sunday, February 28, 2016 9:05:46 PM

Include in the written testimony.

Sent from my iPad

Begin forwarded message:

From: Jim Long [REDACTED]
Date: February 28, 2016 at 7:01:56 PM HST
To: <senkeithagaran@capitol.hawaii.gov>
Cc: 'Madeleine' [REDACTED]
Subject: Presumption of mental incompetence

Dear Senator Keith-Agaran,
Please amend SB2956 to require court action before seizing guns as required under state mental health law: §334-61 *Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.*

Very respectfully,
Peter J Long, Jr
Kaneohe

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: SB2956
Date: Monday, February 29, 2016 2:30:05 PM

Include in the written testimony.

Sent from my iPad

Begin forwarded message:

From: Richard Finerty [REDACTED]
Date: February 29, 2016 at 12:41:26 PM HST
To: senkeithagaran@capitol.hawaii.gov
Subject: SB2956

Dear Senator Keith-Agaran,

Please amend SB2956 to require court action before seizing guns as required under state mental health law: §334-61 *Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.*

Very respectfully,

Richard S Finerty

From: mailinglist@capitol.hawaii.gov
To: [JDL Testimony](#)
Cc: [REDACTED]
Subject: *Submitted testimony for SB2956 on Mar 1, 2016 09:05AM*
Date: Saturday, February 27, 2016 12:49:58 PM

SB2956

Submitted on: 2/27/2016

Testimony for JDL on Mar 1, 2016 09:05AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
scott shimoda	Individual	Oppose	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: SB2956
Date: Sunday, February 28, 2016 9:29:48 PM

Include in the written testimony.

Sent from my iPad

Begin forwarded message:

From: Shelton Yamashiro [REDACTED]
Date: February 28, 2016 at 12:43:36 PM HST
To: senkeithagaran@capitol.hawaii.gov
Subject: SB2956

Dear Senator Keith-Agaran,

Please amend SB2956 to require court action before seizing guns as required under state mental health law: §334-61 Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.

Very respectfully,

Shelton P. Yamashiro

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: Please amend SB2956
Date: Sunday, February 28, 2016 12:06:16 PM

Include in the written testimony.

Sent from my iPhone

GIL S C KEITH-AGARAN

Begin forwarded message:

From: "Stephen T. Hazam" [REDACTED]
Date: February 28, 2016 at 11:48:00 AM HST
To: "senkeithagaran@capitol.hawaii.gov" <senkeithagaran@capitol.hawaii.gov>
Subject: Please amend SB2956
Reply-To: "Stephen T. Hazam" [REDACTED]

Dear Senator Keith-Agaran,

Please amend SB2956 to require court action before seizing firearms as required under state mental health law: 334-61 Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.

In short, no right guaranteed by the U. S. Constitution should be infringed without due process and court action.

Please amend SB296.

Very Respectfully,

Stephen T. Hazam
[REDACTED]

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: Please ammend SB2956
Date: Sunday, February 28, 2016 9:06:27 PM

Include in the written testimony.

Sent from my iPad

Begin forwarded message:

From: Steve Thatcher [REDACTED]
Date: February 28, 2016 at 5:45:11 PM HST
To: senkeithagaran@capitol.hawaii.gov
Subject: Please ammend SB2956

Yes, this is a cut and paste, but please consider the following, Mahalo:

Dear Senator Keith-Agaran,
Please amend SB2956 to require court action before seizing guns as required under state mental health law: *§334-61 Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.*
Very respectfully,
Steve Thatcher, Kilauea, Kauai.

From: mailinglist@capitol.hawaii.gov
To: [JDL Testimony](#)
Cc: [REDACTED]
Subject: *Submitted testimony for SB2956 on Mar 1, 2016 09:05AM*
Date: Monday, February 29, 2016 7:25:18 AM

SB2956

Submitted on: 2/29/2016

Testimony for JDL on Mar 1, 2016 09:05AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
steven a kumasaka	Individual	Oppose	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: Please amend SB2956
Date: Monday, February 29, 2016 2:29:08 PM

Include in the written testimony.

Sent from my iPad

Begin forwarded message:

From: tony huynh [REDACTED]
Date: February 29, 2016 at 1:10:20 PM HST
To: "senkeithagaran@capitol.hawaii.gov" <senkeithagaran@capitol.hawaii.gov>
Subject: Please amend SB2956
Reply-To: tony huynh [REDACTED]

Dear Senator Keith-Agaran,
Please amend SB2956 to require court action before seizing guns as required under state mental health law: *§334-61 Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.*
Very respectfully,
Tony Huynh

PS yes I copy and paste this but this is the best explanation to amend SB2956

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: Fwd: SB 2956
Date: Sunday, February 28, 2016 10:19:53 PM

Include in the written testimony.

Sent from my iPad

Begin forwarded message:

From: WalterK [REDACTED]
Date: February 28, 2016 at 9:46:27 PM HST
To: <senkeithagaran@capitol.hawaii.gov>
Subject: SB 2956

Dear Senator,

I am against this bill because police, imho do not need to invade the privacy of a person's home to confiscate guns while that person is already in a hospital. I believe this bill should be reworded to that person has enough time to transfer control and ownership if necessary to an individual outside of his home. Most likely this will be a relative or FFL dealer (Federally licensed dealer).

I am against giving police gestapo like powers to intrude into a families home and confiscating what could be a person's life long collection meant to be passed down to the children.

Thank you

Walter Kanemori
[REDACTED]

From: [Sen. Gilbert Keith-Agaran](#)
To: [Keith Agaran2 - Danielle](#)
Subject: FW: amend SB2956 to require court action before seizing guns
Date: Monday, February 29, 2016 8:54:58 AM

Please include in testimony on SB 2956

From: William Smith [REDACTED]
Sent: Monday, February 29, 2016 8:52 AM
To: Sen. Gilbert Keith-Agaran
Cc: William Randy Smith
Subject: amend SB2956 to require court action before seizing guns

Dear Senator Keith-Agaran,

Please amend SB2956 to require court action before seizing guns as required under state mental health law: *§334-61 Presumption; civil rights. No presumption of insanity or legal incompetency shall exist with respect to any patient by reason of the patient's admission to a psychiatric facility under this chapter. The fact of the admission shall not in itself modify or vary any civil right of any such person, including but not limited to civil service statutes or rights relating to the granting, forfeiture, or denial of a license, permit, privilege, or benefit pursuant to any law, or the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, and to vote. If the administrator of a psychiatric facility or the deputy is of the opinion that a patient should not exercise any civil right, application for a show cause order shall be made to the court under the above proceedings after notice pursuant to section 334-60.4.*

The fact of admission should not in and of itself result in forfeiture etc... For example, Kaiser Permanente Hawaii often treats various patients with medications which may require titration at the end of the period of use. When patients discontinue these medications, a brief period of hospitalization may be required to complete the titration. Kaiser does not encounter this medical course of treatment very often, so they do not maintain facilities for this 3-5 day hospitalization and titration process. Instead, they "out-source" this service to other hospital facilities on Oahu. One of these outsourced facilities is Castle Medical Center in Kailua. The ward to which patients are admitted for this medical treatment is the Crisis Resolution Module (the Psych Ward). The patients are not psychiatric admits per say, as there is no psychiatric condition- yet they are admitted to the psych ward, as this is the ward Castle Hospital uses for this service.

Under Haw. Rev. Stat. § 334-59 : Hawaii Statutes - Section 334-59: Emergency examination and hospitalization: section A.3.c states:

(3) Any licensed physician or psychologist who has examined a person and has reason to believe the person is:

(A) Mentally ill or suffering from substance abuse;

(B) Imminently dangerous to self or others, or is gravely disabled, or is obviously ill; and

(C) In need of care or treatment;

may direct transportation, by ambulance or other suitable means, to a licensed psychiatric facility for further evaluation and possible emergency hospitalization. A licensed physician may administer such treatment as is medically necessary, for the person's safe transportation. A licensed psychologist may administer such treatment as is psychologically necessary.

In my previous course of medical treatment (medication titration) hospitalization scenario, a licensed physician with Kaiser Permanente has to recommend emergency hospitalization to Castle Crisis Resolution Module (the psych ward) to justify Kaiser Permanente HMO insurance coverage. This admission is for a non-psychiatric course of medical treatment. However, the MD paperwork states the patient is "in need of care or treatment", and the paperwork also states recommended admission to psych ward. If someone reads through the entire admission paperwork, they may realize this admission is not for psychiatric reasons, but for insurance coverage reasons. The person(s) reading hospital admission and release paperwork may not be qualified to interpret this paperwork, and may fail to realize the admission to psych ward should not be a disqualifying admission.

Please amend this bill, or do not pass it the way it is currently worded.

Very respectfully,

Will Smith

