Submitted on: 2/24/2018 11:56:23 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Brett Kulbis	Testifying for Honolulu County Republican Party	Oppose	No

Comments:

As a law-abiding Second Amendment supporter in Hawaii, I urge you to please oppose Senate Bill 2436.

SB 2436 would drastically shorten the time period a prohibited person, whether temporarily or permanently prohibited, has to comply with the current requirement to surrender their firearms from 30 days to 24 hours. This expedited time period could subject an individual, who may have nothing more than allegations as the basis for the prohibition, to an unfettered search of their home and/or business within hours of being accused; all this without taking into account the many issues surrounding "surrender statutes" in general, including possible violations of an individual's right against self-incrimination.

Again, please oppose SB 2436.

Brett Kulbis, Chairman Honolulu County Republican Party



NATIONAL RIFLE ASSOCIATION OF AMERICA

INSTITUTE FOR LEGISLATIVE ACTION (916) 446-2455 voice • (703) 267-3976 fax www.nraila.org

STATE & LOCAL AFFAIRS DIVISION DANIEL REID, HAWAII STATE LIAISON

February 26, 2018

The Honorable Brian T. Taniguchi Chair, Senate Committee on Judiciary Sent Via Email

Re: Senate Bill 2436 – OPPOSE

Dear Chairman Taniguchi:

On behalf of the Hawaii members of the National Rifle Association, we oppose Senate Bill 2436.

SB 2436 would drastically shorten the time period a prohibited person, whether temporarily or permanently prohibited, has to comply with the current requirement to surrender their firearms from 30 days to 24 hours. This expedited time period could subject an individual, who may have nothing more than allegations as the basis for the prohibition, to an unfettered search of their home and/or business within days of being accused; all this without taking into account the many issues surrounding "surrender statutes" in general, including possible violations of an individual's right against self-incrimination.

Thank you for your attention and I ask that you oppose this legislation.

Cordially.

Daniel S. Reid State Liaison

<u>SB-2436-SD-1</u> Submitted on: 2/26/2018 7:47:08 AM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Rachel L. Kailianu	Testifying for Ho'omana Pono, LLC	Support	Yes

Comments:

In STRONG SUPPORT.



TO: Chair Taniguchi, Vice Chair Rhoads, and Members of the Senate Committee on Judiciary

FROM: Ryan Kusumoto, President & CEO of Parents And Children Together (PACT)

DATE/LOCATION: February 27, 2018; 9:30 a.m., Conference Room 16

RE: TESTIMONY IN SUPPORT OF SB 2436- RELATING TO FIREARMS

We urge you to support SB 2436—Relating to the time period for voluntary surrender of firearms and ammunition upon disqualification from ownership. We support this bill which would close a loophole in our current law that allows those with dangerous histories possession of their firearms even after they are convicted. This bill will help keep Hawaii safe and protect victims of abuse and trauma by preventing their perpetrators from illegally keeping firearms in their possession and using them to cause further threat or harm. We support the nationwide trend of having those who are prohibited from possessing firearms to relinquish them right away—within 24 hours.

Although we have a high percentage of gun ownership, Hawaii has, by far, the lowest gun homicide rate in the nation and we intend to keep it that way. Our State is earning a national reputation as a leader in gun violence prevention and this law would further help to keep guns out of the hands of abusers and criminals. In other states, laws require abusers and felons to relinquish their firearms within 24 hours and we would encourage the same for Hawaii. As a provider of domestic violence prevention and support services, we are extremely aware of the overwhelming number of crimes related to domestic abuse and the high risk of repeated abuse and violence by offenders. The more we can do to protect individuals, especially children, from abuse encourages them to feel safe and confident enough to thrive after trauma.

Founded in 1968, Parents And Children Together (PACT) is one of Hawaii's not-for-profit organizations providing a wide array of innovative and educational social services to families in need. Assisting more than 18,000 people across the state annually, PACT helps families identify, address and successfully resolve challenges through its 16 programs. Among its services are: early education programs, domestic violence prevention and intervention programs, child abuse prevention and intervention programs, child and adolescent behavioral health programs, sex trafficking intervention, and community building programs.

A 24-hour time frame for SB 2436 would align well with current Hawaii firearm's laws and continue to prevent gun violence in our state. Thank you for the opportunity to testify in **support of SB 2436**, please contact me at (808) 847-3285 or rkusumoto@pacthawaii.org if you have any questions.

POLICE DEPARTMENT

CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813 TELEPHONE: (808) 529-3111 · INTERNET: www.honolulupd.org

KIRK CALDWELL MAYOR



SUSAN BALLARD

JOHN D. MoCARTHY JONATHON GREMS DEPUTY CHIEFS

OUR REFERENCE DN-DNK

February 27, 2018

The Honorable Brian T. Taniguchi, Chair and Members
Committee on Judiciary
State Senate
Hawaii State Capitol
415 South Beretania Street, Room 016
Honolulu, Hawaii 96813

Dear Chair Taniguchi and Members:

SUBJECT: Senate Bill No. 2436, SD1, Relating to Firearms

I am David Nilsen, Captain of the Records and Identification Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports Senate Bill No. 2436, SD1, Relating to Firearms.

This bill amends subsection (b) of Hawaii Revised Statutes Section 134-7.3 by shortening the time period for the voluntary surrender of firearms upon disqualification from ownership, possession, or control of firearms from 30 days to 24 hours. House Bill 2228, HD1, shortens the time period to 48 hours and makes this change also to subsection (a) to allow uniformity and consistency through the entire section. The HPD believes 48 hours to be a more reasonable time period to voluntarily surrender firearms upon disqualification and urges similar changes be made to Senate Bill No. 2436, SD1, Relating to Firearms.

The HPD supports Senate Bill No. 2436, SD1, Relating to Firearms.

Thank you for the opportunity to testify.

) Ballan

APPROVED:

Susan Ballard

Chief of Police

Sincerely,

David P. Nilsen, Captain

Records and Identification Division

Harry Kim Mayor



Wil Okabe
Managing Director

Barbara J. KossowDeputy Managing Director

County of Hawai'i

Office of the Mayor

25 Aupuni Street, Suite 2603 • Hilo, Hawai'i 96720 • (808) 961-8211 • Fax (808) 961-6553 KONA: 74-5044 Ane Keohokālole Hwy., Bldg C • Kailua-Kona, Hawai'i 96740 (808) 323-4444 • Fax (808) 323-4440

February 26, 2018

Senator Brian T. Taniguchi, Chair Committee on Judiciary Hawai'i State Capitol, Room 016 Honolulu, HI 96813

Dear Chair Taniguchi and Committee Members:

Re: SB 2436, SD 1 Relating to Voluntary Surrender of Firearms Hearing Date: 02/27/18 – 9:30 am; Conference Room 016

I support SB 2436, SD 1. The time immediately after a person is disqualified from possessing a firearm can be stressful and hazardous, and therefore I agree that surrender time should be shortened.

Requiring that all firearms be turned in within twenty-four hours may be too controversial to survive the legislative process, and perhaps a longer grace period is necessary. But it would seem that the greatest risk exists at the time when disqualification occurs. Emotions are presumably at their highest right then, and it would be best to act quickly to avoid danger to self and others. If the Legislature is willing to impose a 24-hour limit, I applaud you.

Some argue that there is a problem when it comes to what may be valuable property. Therefore, as a separate but related matter, in reviewing Chapter 134, HRS, it might be recognized that there is a discrepancy that could be addressed in this bill to ease one of the opponents' concerns. Although I know better than to think it would win you any friends or reduce the opposition, I offer the following thought:

Section 134-7.3 provides explicitly that firearms surrendered under subsection (c) "shall be held in police custody until the person has been medically documented to be no longer adversely affected as provided in section 134-7 or until transferred or sold by the owner." For subsections 134-7.3 (a) and (b), there is no comparable direction to the chief to hold the weapons, even though the disqualifications under (a) and (b) may not be permanent (for example, a person may be convicted of a crime but the conviction later reversed). It seems to me that our statute ought to provide that in every case of firearm surrender or seizure (whether under (a) or (b) or (c)), the weapons will be held in custody while the owner pursues his or her legal options to recover, transfer, or sell those firearms. This is probably already done, but it ought to be an explicit part of the law.

Respectfully submitted.

Mayor, County of Hawai'i

<u>SB-2436-SD-1</u> Submitted on: 2/26/2018 9:32:15 AM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
amy agbayani	Testifying for Filipina Advocacy Network FAN	Support	No

Comments:

I respectfully urge you to vote for sensible limits to guns.

Amy Agbayani, Filipina Advocacy Network

Submitted on: 2/25/2018 10:28:54 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jessica Taylor Spurrier	Individual	Support	Yes

Comments:

I am writing in strong support of SB 2436. There are many reasons I support this but here are just two examples:

First of all, in 2005 my sister "went missing". She had reportedly been in a physically abusive marriage. She has not been heard from in 13 years. I do not know if she is dead or alive but, when I can't sleep, I pour over images online- recreations of unidentified remains. I desperately want to know what happened to her.

While I do not know the circumstances of my own sister's disappearance, I do know that a tense situation (marital strife? alcohol? lack of sleep? enconomic stress?) and absence of appropriate anger management can turn a fight into a fatality much too easily. This is especially true when there is ready access to a firearm in the home.

Secondly, a family friend on Guam, an attorney and mother of 3 young daughters, was shot and killed by the estranged husband of a client she was helping to leave a violent home situation. Again, rage plus poor coping plus a firearm turned a difficult but temporary situation into an endless nightmare for the little girls growing up without their mother.

These are just two examples from my own individual life. Unfortunately most of us have now either experienced violence at home, ourselves, or know a friend or family member who has. There is absolutely no valid reason to allow someone who has been disqualified from owning a firearm to retain the weapon, especially while emotions may be at their peak. In the case of domestic violence, the greatest danger is posed for a woman (more often victim is female) when she is actually leaving her abuser. This is certainly not when he (again, aggressor more likely to be male) should have access to an easy means to harming himself, the victim, other family members (such as children or in-laws), or members of the public.

Please do the right thing to keep the whole community safe from those who should not have access to potentially lethal firearms. If someone is deemed unsafe to drive a motor vehicle (such as found to be driving while intoxicated, even if they have not yet hurt themselves or others) we don't give them a 30 day window to turn over their keys. Their car may be immediately impounded. We need to focus on mitigating risk and not wait to react until after tragedy has already occured.

Thank you.

<u>SB-2436-SD-1</u> Submitted on: 2/26/2018 12:34:20 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sharon Williams	Individual	Oppose	Yes

<u>SB-2436-SD-1</u> Submitted on: 2/26/2018 12:35:21 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mark Williams	Individual	Oppose	Yes

Submitted on: 2/24/2018 1:30:43 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Eric Ako DVM	Individual	Oppose	No	

Comments:

Honorable Chair, Senator Taniguchi, and the committee on the Judiciary,

I oppose SB2436 simply because the Honolulu Police Department, will not be able to comply with the 24 hour provision of the bill. It would also be a rare citizen who could comply with a 24 hour time frame. I know it would be an extreme demand upon me, a working, tax paying citizen. Even parking around the main station is limited.

Submitted on: 2/24/2018 6:07:30 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
John Terry	Individual	Oppose	No	

Comments:

As a registered Firearms owner I am opposed to SB 2036. Shortening the time period from 30 days to 24 hours could subject an individual, who may have nothing more than allegations as the basis for the prohibition, to an unfettered search of their home and/or business within hours of being accused; all this without taking into account the many issues surrounding "surrender statutes" in general, including possible violations of an individual's right against self-incrimination.

Thank you,

John Terry

<u>SB-2436-SD-1</u> Submitted on: 2/24/2018 6:39:35 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Bruce F Braun	Individual	Oppose	No	

Submitted on: 2/24/2018 7:31:12 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
cheryl	Individual	Comments	No

Comments:

I appreciate that you are giving careful consideration to our current gun laws. I am not an expert on the data that you have gathered to support this bill and know that you will do what is right for the people.

<u>SB-2436-SD-1</u> Submitted on: 2/24/2018 8:30:47 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Gregory Friel	Individual	Oppose	No

<u>SB-2436-SD-1</u> Submitted on: 2/25/2018 8:43:33 AM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Eric Kaneshiro	Individual	Oppose	No	1

Submitted on: 2/25/2018 11:16:31 AM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Peter J Long III	Individual	Oppose	No

Comments:

I continue to oppose this bill and urge members to drop it from consideration, as it flies in the face of one of our most precious assurances in the United States; that one is presumed innocent until proven guilty of a crime.

The expedited time period mentioned here could subject an individual, who may have nothing more than allegations as the basis for the prohibition, to an unfettered search of their home and/or business within hours of being accused; all this without taking into account the many issues surrounding "surrender statutes" in general, including possible violations of an individual's right against self-incrimination.

Submitted on: 2/25/2018 1:43:54 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

	Submitted By	Organization	Testifier Position	Present at Hearing	
Ī	David Fukuzawa	Individual	Oppose	No	ı

Comments:

Dear Honorable Members of the Legislature,

I am opposed to this bill. As a retired public safety personnel, this bill really causes me a much alarm for myself and for my fellow officers of corrections and of the peace. While in theory this sounds good, it really will cause people who are law abiding to be placed at risk. For example if someone should have a gripe against someone else and knows they have firearms in their possession, they could just make up some story or just plain outright lie about something that could cause alarm, thereby causing the police to confiscate someones firearms without any recourse for the person who presently owns them. Its guilt without proof. This again is another poorly thought out bill and should be tossed out and rewritten. It needs to be reasearched better and ask the input of current law abiding gun owners, not just people who have never even touched one.

Sincerely,

David Fukuzawa, SAS-V Retired

Submitted on: 2/25/2018 2:37:49 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kylie E Wilson	Individual	Support	No

Comments:

To: Senate Judiciary Committee

Senator Brian T Taniguchi, Chair

Senator Karl Rhoads, Vice Chair

From: Kylie Wilson, 6435 Makana Rd., Kapaa, HI 96746

RE: **SB2436**; Relating to Firearms; **In Support**

Tuesday, Feb. 27, 2018, 9:30AM

My name is Kylie Wilson and I am a mother who lives in Kapa'a. I am writing in **strong support of SB 2436** and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our state. Hawaii is already a national leader in gun safety legislation. We have some of the strongest common-sense gun laws in the country, and now we have an opportunity to show our leadership once again.

It is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. Yet, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to a month before law enforcement is authorized to intervene. This creates a dangerous gap that can have devastating consequences, particularly in domestic violence situations. Research shows that requiring domestic abusers to relinquish firearms reduces intimate partner homicide and that it is important to require relinquishment immediately. Research has found that there is a 24-hour period where an abusers' access to firearms can decide the difference between life and death for the victim.

Mahalo for your consideration of SB2436. Closing this loophole will protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

Submitted on: 2/25/2018 2:45:45 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kris Bordessa	Individual	Support	No

Comments:

Kris Bordessa

PO Box 622

Honoka'a, HI 96727

Hawaii Chapter of Moms Demand Action for Gun Sense in America

RE: **SB2436**; Relating to Firearms; **In Support**

Tuesday, Feb. 27, 2018, 9:30AM

I am a mother residing on the Island of Hawaii. I am writing in **strong SUPPORT SB 2436.** I urge you to pass this bill to prevent domestic abusers from *illegally keeping guns* here in our state. Hawaii is already a national leader in gun safety legislation. We have some of the strongest common-sense gun laws in the country, and now we have an opportunity to show our leadership once again.

It is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. Yet, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to a month before law enforcement is authorized to intervene. This creates a dangerous gap that can have devastating consequences, particularly in domestic violence situations.

Research shows that requiring domestic abusers to relinquish firearms reduces intimate partner homicide and that it is important to require relinquishment immediately. Research has found that there is a 24-hour period where an abusers' access to firearms can decide the difference between life and death for the victim.

Mahalo for your consideration of SB2436. Closing this loophole will protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

Sincerely,

Kris Bordessa

Submitted on: 2/25/2018 3:27:20 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Deborah Cullison	Individual	Support	No

Comments:

To: Senate Judiciary Committee

Hon. Senator Brian T. Taniguchi, Chair Hon. Senator Karl Rhoads, Vice Chair

From:

Deborah Cullison, Honolulu, HI, debinhi@gmail.com

Hawaii Chapter of Moms Demand Action for Gun Sense in America

RE: SB2436; Relating to Firearms; In Support

Tuesday, Feb. 27, 2018, 9:30AM

My name is Deborah Cullison. I am a mother who lives in Honolulu. I am writing in **strong SUPPORT of SB 2436** and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our state. Hawaii is already a national leader in gun safety legislation. We have some of the strongest common-sense gun laws in the country, and now we have an opportunity to show our leadership once again.

It is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. Yet, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to a month before law enforcement is authorized to intervene. This creates a dangerous gap that can have devastating consequences, particularly in domestic violence situations. Research shows that requiring domestic abusers to relinquish firearms reduces intimate partner homicide and that it is important to require relinquishment immediately. Research has found that there is a 24-hour period where an abusers' access to firearms can decide the difference between life and death for the victim.

Mahalo for your consideration of SB2436. Closing this loophole will protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

Submitted on: 2/25/2018 3:34:07 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kathleen Elliott	Individual	Support	No

Comments:

My name is Kathleen Elliott and I am a mother and health care provider in Honolulu. I am writing in strong SUPPORT of SB2436. We are leading the country in gun safety laws and I want to strengthen those laws by keeping guns out of the hands of domestic abusers and convicted felons. While the current law may require these people to give up the guns in their possession, the time frame needs to be shortened. Particularly in cases of domestic violence, having a gun makes the victim much more vulnerable to gun violence.

Please pass this bill to close this loophole. With aloha, Kathleen Elliott PA-C, Honolulu

<u>SB-2436-SD-1</u> Submitted on: 2/25/2018 3:35:05 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Mary True	Individual	Support	No	

Comments:

Please close the loop hole. I have a Masters Degree in Pschology and was a college counselor. One thing I learned from my training is that guns and domestic abusers are a dangerous mix. Mahalo.

<u>SB-2436-SD-1</u> Submitted on: 2/25/2018 3:55:49 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Michele Villgas	Individual	Support	No

Comments:

Please see attached file for statement in support of SB2436.

Submitted on: 2/25/2018 4:09:27 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Sims	Individual	Support	No

Comments:

To: Senate Judiciary Committee

Hon. Senator Brian T. Taniguchi, Chair Hon. Senator Karl Rhoads, Vice Chair

From:

Susan Sims

Honolulu HI

Hawaii Chapter of Moms Demand Action for Gun Sense in

America

RE: SB2436; Relating to Firearms; In Support

Tuesday, Feb. 27, 2018, 9:30AM

My name is Susan Sims I am a concerned citizen who works with women who lives in Honolulu. I am writing in **strong SUPPORT SB 2436** and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our state. Hawaii is already a national leader in gun safety legislation. We have some of the strongest common-sense gun laws in the country, and now we have an opportunity to show our leadership once again.

It is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. Yet, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to a month before law enforcement is authorized to intervene. This creates a dangerous gap that can have devastating consequences, particularly in domestic violence situations. Research shows that requiring domestic abusers to relinquish firearms reduces intimate partner homicide and that it is important to require relinquishment immediately. Research has found that there is a 24-hour period where an abusers' access to firearms can decide the difference between life and death for the victim.

Mahalo for your consideration of SB2436. Closing this loophole will protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

Sincerely,

Susan Sims

Submitted on: 2/25/2018 4:14:12 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lissa Montgomery	Individual	Support	No

Comments:

My name is Lissa Montgomery. I am a mother who lives in Pahoa. I am writing in strong SUPPORT of SB 2436 and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our state. Hawaii is already a national leader in gun safety legislation. We have some of the strongest common-sense gun laws in the country, and now we have an opportunity to show our leadership once again.

It is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. Yet, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to a month before law enforcement is authorized to intervene. This creates a dangerous gap that can have devastating consequences, particularly in domestic violence situations. Research shows that requiring domestic abusers to relinquish firearms reduces intimate partner homicide and that it is important to require relinquishment immediately. Research has found that there is a 24-hour period where an abusers' access to firearms can decide the difference between life and death for the victim.

Mahalo for your consideration of SB2436. Closing this loophole will protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

<u>SB-2436-SD-1</u> Submitted on: 2/25/2018 4:42:29 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
J Gonsalves	Individual	Oppose	No

Comments:

I hereby oppose SB 2436

<u>SB-2436-SD-1</u> Submitted on: 2/25/2018 5:11:11 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Doris Segal Matsunaga	Individual	Support	No

Submitted on: 2/25/2018 5:20:47 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Katherine	Individual	Support	No	ı

Comments:

It is illegal for certain people with dangerous histories (convicted felons & domestic abusers) to buy or possess guns in HI. However there is a serious loophole that prevents law enforcement from authorized intervention until 30 days have passed. Research shows that relinquishment of firearms reduced intimate partner homicide and the importance of firearm relinquishment being immediate! The first 24 hour period can decide life or death to the victim. The individuals have already lost the "right" to posess guns. Continue to place HI as a national leader in gun safety by closing this dangerous/devastating 30 day gap for law enforcement intervnetion. At this time students are taking the lead in the call for gun safety - our leaders need to take the same stand #Never Again.

<u>SB-2436-SD-1</u> Submitted on: 2/25/2018 5:21:33 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Gaye Chan	Individual	Support	No

<u>SB-2436-SD-1</u> Submitted on: 2/25/2018 5:23:33 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Russell F. Jones	Individual	Support	No

Submitted on: 2/25/2018 5:36:29 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kelly Kennedy	Individual	Support	No

Comments:

To: Senate Judiciary Committee

Hon. Senator Brian T. Taniguchi, Chair Hon. Senator Karl Rhoads, Vice Chair

From:
Kelly Kennedy
Honolulu, HI
kellynnmccken@gmail.com

Hawaii Chapter of Moms Demand Action for Gun Sense in America

RE: SB2436; Relating to Firearms; In Support

Tuesday, Feb. 27, 2018, 9:30AM

My name is Kelly Kennedy. I am a mother and teacher who lives in Honolulu. I am writing in **strong SUPPORT SB 2436** and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our state. Hawaii is already a national leader in gun safety legislation. We have some of the strongest common-sense gun laws in the country, and now we have an opportunity to show our leadership once again.

It is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. Yet, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to a month before law enforcement is authorized to intervene. This creates a dangerous gap that can have devastating consequences, particularly in domestic violence situations. Research shows that requiring domestic abusers to relinquish firearms reduces intimate partner homicide and that it is important to require relinquishment immediately. Research has found that there is a 24-hour period where an abusers' access to firearms can decide the difference between life and death for the victim.

Mahalo for your consideration of SB2436. Closing this loophole will protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

Submitted on: 2/25/2018 5:37:21 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Carla Kansky	Individual	Support	No

Comments:

To: Senate Judiciary Committee

Hon. Senator Brian T. Taniguchi, Chair Hon. Senator Karl Rhoads, Vice Chair

From:

Carla M. Kansky - carlak@hawaii.rr.com - 808-286-1205

1357 16th Avenue, Honolulu, HI

Hawaii Chapter of Moms Demand Action for Gun Sense in

America

RE: SB2436; Relating to Firearms; In Support

Tuesday, Feb. 27, 2018, 9:30AM

My name is Carla M. Kansky- I am a mother and aunt who lives in Honolulu, HI. I am writing in **strong SUPPORT SB 2436** and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our state. Hawaii is already a national leader in gun safety legislation. We have some of the strongest common-sense gun laws in the country, and now we have an opportunity to show our leadership once again.

It is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. Yet, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to a month before law enforcement is authorized to intervene. This creates a dangerous gap that can have devastating consequences, particularly in domestic violence situations. Research shows that requiring domestic abusers to relinquish firearms reduces intimate partner homicide and that it is important to require relinquishment immediately. Research has found that there is a 24-hour period where an abusers' access to firearms can decide the difference between life and death for the victim.

Mahalo for your consideration of SB2436. Closing this loophole will protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

<u>SB-2436-SD-1</u> Submitted on: 2/25/2018 6:04:36 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nandita Sharma	Individual	Support	No

Comments:

I strongly support this Bill and urge the Committee to pass it.

<u>SB-2436-SD-1</u> Submitted on: 2/25/2018 6:23:32 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Patricia Blair	Individual	Support	No	

Marcella Alohalani Boido, M. A.

Hawaii Judiciary Certified Spanish Court Interpreter, Tier 4

To: Sen. Brian T. Taniguchi, Chair; Sen. Karl Rhoads, Vice-Chair;

Members, Senate Committee on Judiciary

Date: February 27, 2018, Room 016, 9:30 a.m.

Re: <u>SB 2436 SD 1, SUPPORT</u>

Thank you for hearing this bill. Previously submitted testimony in support focuses on preventing harm to survivors of Intimate Partner Violence.

SD 1 has amendments in response to opposition based on the vagueness of the period to turn in firearms. Firearm owners will now have a period of twenty-four (24) hours to legally dispose of their arms and ammunition. They have several legal alternatives for this disposal.

Our police stations are open 24/7. If the person with the weaponry has obtained it and kept it legally, safely, and in accordance with common sense, meaning that the owner has the required permit(s), and that the firearms are presently stored in a securely locked gun cabinet, then removing the firearms and ammunition, placing the unloaded weapons in a case, then into the trunk of a car, and taking them to the nearest police station is entirely feasible within twenty-four (24) hours from receipt of the order. Unloaded weapons can also be placed in the passenger compartment, as long as the ammunition is in the trunk.

I sympathize with those who are concerned about too little time to sell a valuable gun collection. One of my relatives, now deceased, was a championship sharpshooter, and he had such a collection. My understanding is that a person can take their guns to a gun shop and place them there on consignment for sale. They will get a receipt showing that they are no longer in possession of the guns.

If we must balance the loss of valuable property against the possibility of saving lives, I say, "Choose life." Even if they initially find it hard to do so, I hope that people of good will can find their way to the same conclusion.

Testimony previously submitted in support of this bill by various organizations is well thought out, and makes excellent legal and scholarly arguments. The personal testimony is heartfelt. Those testifiers have my agreement.

In particular, I note the testimony from Everytown for Gun Safety:

We know that this is a policy that saves lives. States with laws that require abusers to relinquish their firearms see a 14% lower rate of intimate partner firearm homicide, and a 10% lower rate of total intimate partner homicide. And across the nation, the majority of states that require domestic abusers to relinquish their firearms mandate that they do so within 24 hours or less.

Please pass this bill. Our communities will be significantly safer because of it. Thank you.

Submitted on: 2/26/2018 1:08:42 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

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

Comments:

please OPPOSE this bill, which is capricious and arbitrary. We have all seen how ethical our police dept is, e.g. "mail box" surveillance, The Police Chief using the specialized unit at his beck & call for personal vendetta.

this is not a good idea. It violates all Due Process, which by the way, is the 5th Amendment embedded in the Bill Of Rights (which happens to also include the 2nd Amendment).

Why is Hawaii so disrespectful of the Bill of Rights? are we really trying that hard to not be American? and yet, we want to make Hawaii a Sanctuary State so illegal aliens are protected? perhaps more so than actual Citizens of the United States?

Something is wrong here. Please OPPOSE this bill.

Please OPPOSE.

<u>SB-2436-SD-1</u> Submitted on: 2/25/2018 6:27:44 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kathy Shimata	Individual	Support	No

Comments:

Please close this loophole to protect Howaii families from those with dangerous histories.

Submitted on: 2/25/2018 6:35:29 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Shay Chan Hodges	Individual	Support	No

Comments:

My name is Shay Chan Hodges. I am a mother from Haiku, Maui. I am writing in **strong SUPPORT SB 2436** and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our state. Hawaii is already a national leader in gun safety legislation. We have some of the strongest common-sense gun laws in the country, and now we have an opportunity to show our leadership once again.

It is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. Yet, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to a month before law enforcement is authorized to intervene. This creates a dangerous gap that can have devastating consequences, particularly in domestic violence situations. Research shows that requiring domestic abusers to relinquish firearms reduces intimate partner homicide and that it is important to require relinquishment immediately. Research has found that there is a 24-hour period where an abusers' access to firearms can decide the difference between life and death for the victim.

Mahalo for your consideration of SB2436. Closing this loophole will protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

Submitted on: 2/25/2018 6:44:01 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Molly Oliver	Individual	Support	No

Comments:

To: Senate Judiciary Committee

Hon. Senator Brian T. Taniguchi, Chair Hon. Senator Karl Rhoads, Vice Chair

From: Molly Oliver, 4100 Queen Emma's Dr #67 Princeville, HI 96722 mollymoliver@gmail.com

Hawaii Chapter of Moms Demand Action for Gun Sense in America

RE: SB2436; Relating to Firearms; In Support

Tuesday, Feb. 27, 2018, 9:30AM

My name is Molly Oliver. I am a mother who lives in Princeville, Kauai. I am writing in **strong SUPPORT SB 2436** and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our state. Hawaii is already a national leader in gun safety legislation. We have some of the strongest common-sense gun laws in the country, and now we have an opportunity to show our leadership once again.

It is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. Yet, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to a month before law enforcement is authorized to intervene. This creates a dangerous gap that can have devastating consequences, particularly in domestic violence situations. Research shows that requiring domestic abusers to relinquish firearms reduces intimate partner homicide and that it is important to require relinquishment immediately. Research has found that there is a 24-hour period where an abusers' access to firearms can decide the difference between life and death for the victim.

Mahalo for your consideration of SB2436. Closing this loophole will protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

Molly Oliver

<u>SB-2436-SD-1</u> Submitted on: 2/25/2018 6:44:35 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Jan Dickey	Individual	Support	No	ı

Comments:

Please stop the madness and pass comprehensive gun control starting with this bill.

<u>SB-2436-SD-1</u> Submitted on: 2/25/2018 7:49:30 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Babcock	Individual	Support	No

Submitted on: 2/25/2018 8:30:14 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kelli Yuen	Individual	Oppose	No

Comments:

I strongly urge you to oppose SB2436 SD1.

Shortening the time period for a person to turn in a firearm from 30 days to 24 hours is not only ludicrous, but could potentially lead to deadly confrontation.

Within 24 hours. The gun owner does not have enough time to legally and safely turn in their firearm. And when they miss that 24 hour deadline, does that leave them open to search and seizure? And at who's whim does this occur? What if the reason they were instructed to turn in their weapon was a false accusation? That does not give them enough time to confront the accusation or prove their innocence. This deadline does not even give them enough time to move out of our state, if they so choose, to a more gun friendly state. If they miss the deadline..is that to say that they have given up their rights? And that the Hawaii state government can do as they please and forcibly search their private homes and seize as they see fit? Who is to say that the gun owners, however law abiding, would comply with their rights seemingly being denied? Who is to say that when faced with a forced search, that they would not attempt to defend their own home and property against such trespasses?

Now, don't get me wrong, if you were attempting to alter the wording to 14 days/2 weeks instead of 24 hours, I would not be opposing this bill. However, your attempt to shorten it from 30 days to a mere 24 hours is not only rediculous, but seems to lack any careful thought or logical reasoning. This bill, in conjunction with SB 2046, seem to me to be an opportunity for the government to infringe on my rights as a law abiding citizen. At least, it seems to be that this bill, and SB 2046, are knee jerk reactions to recent events. Reactions that lack any real discussion from both sides of the issue or any careful thought on their ramifications. This bill seems to want to take away my right to defend myself against false accusations, potentially give the government the right to forcibly search and seize from my home without allowing me to defend myself against such accusations, and many others.

I urge you to oppose this bill. Open discussion within the community from both sides of the issue. Find a way to craft a bill that both sides can agree on. You represent all of us. Not only half of us. It is your duty and responsibility to hear us all, not hastily craft a bill to satisfy the popular belief of the moment. My rights are just as important as those with opposing views. I urge you to respect that.

Submitted on: 2/25/2018 8:32:34 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Seth Addison	Individual	Oppose	No

Comments:

As a 2nd amendment supporter and resident of the State of Hawaii, I strongly urge you to oppose SB2436.

SB 2436 would drastically shorten the time period a prohibited person, whether temporarily or permanently prohibited, has to comply with the current requirement to surrender their firearms from 30 days to 24 hours. This expedited time period could subject an individual, who may have nothing more than allegations as the basis for the prohibition, to an unfettered search of their home and/or business within hours of being accused; all this with out taking into account any due process, or the many issues surrounding surrender statutes in general, including, I feel, violation of an individual's right against self-incrimination.

I understand the intentions of this bill, and I know there is need to try to end violence, and to stop bad people from doing evil things. This bill does not get to the root of the cause of the problems that it attempts to address, but only is a temp patch, or "bandaid" and will not solve the problem.

In the end, this bill is overreaching and is infringing on citizen's 2nd ammendment rights. This is why I ask again for you to please oppose SB2436.

Thank you,

Seth Addison

91-1165 Lukahiu PL

Ewa Beach, HI 96706

Submitted on: 2/25/2018 8:37:55 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Edward Sosta	Individual	Oppose	No

Comments:

Senate Committee on Judiciary Chair Taniguchi, Vice Chair Rhoads; Members Gabbard, Thielen and Mercado Kim,

I strongly oppose SB2436 and ask you to do the same. Twenty-four hours is to short of a time for anything to happen in Hawaii or anywhere else for that matter yet alone for one to dissolve thier firearms collection. Maybe consider 7 calendar days or 5 business days not to exceed 10 days of notice of disqualification or leave HRS Section as is at thirty days from the date of disqualification.

Sincerely,

Edward A. Sosta

Citizen Soldier, Firearms Owner, Voter and Patriot

Maili, HI

Life Member of the National Rifle Association, Member of the Hawaii Rifle Association, Member of The Hawaii Defense Foundation and Member of The Hawaii Historic Arms Association

<u>SB-2436-SD-1</u> Submitted on: 2/25/2018 8:55:11 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Megan Bent	Individual	Support	No	

<u>SB-2436-SD-1</u> Submitted on: 2/25/2018 9:02:30 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Peter Gellatly	Individual	Support	No

Comments:

This bill is a no-brainer. Mahalo for passing it!

Submitted on: 2/25/2018 9:42:50 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Bennett Cale	Individual	Support	No

Comments:

To: Senate Judiciary Committee

Hon. Senator Brian T. Taniguchi, Chair Hon. Senator Karl Rhoads, Vice Chair

From: Bennett Cale

1135 Makawao Ave #221

Makawao HI 96768

bennettcale@yahoo.com

808.268.5068

RE: SB2436; Relating to Firearms; In Support

Tuesday, Feb. 27, 2018, 9:30AM

Dear Senators,

Thank you for your consideration of SB2436; I am writing to you to ask for your support.

I am the Hawaii State Chapter Leader of Moms Demand Action for Gun Sense in America. Our membership also supports this measure. I am also the father of two keiki and President of the Board of the Haleakala Waldorf School on Maui. While gun

violence in Hawaii is relatively low, domestic abuse is not -- this bill address the lethal intersection of these two problems.

I urge you to support SB2436 to prevent domestic abusers from illegally keeping guns here in our state. Hawaii is already a national leader in gun safety legislation. We have some of the strongest common-sense gun laws in the country, and now we have an opportunity to show our leadership once again.

It is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. Yet, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to a month before law enforcement is authorized to intervene. This creates a dangerous gap that can have devastating consequences, particularly in domestic violence situations. Research shows that requiring domestic abusers to relinquish firearms reduces intimate partner homicide and that it is important to require relinquishment immediately. Research has found that there is a 24-hour period where an abusers' access to firearms can decide the difference between life and death for the victim.

Mahalo for your consideration of SB2436. Closing this loophole will protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

Submitted on: 2/26/2018 1:41:52 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Glennon T. Gingo	Individual	Oppose	No	

Comments:

Aloha Chair Nishihara,

SB2436 is unreasonable as it requires an individual to respond in 24 hours which is not only impractical but more so, treading on the rights of the individuals including the right of due process under the law.

Please reconsider this extremely impractical change in time required to adhere to the existing law.

Mahalo Nui Loa

Glennon T. Gingo

Holualoa, Hawaii (Big Island)

Submitted on: 2/25/2018 10:29:51 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
tia pearson	Individual	Support	No

Comments:

Aloha. My name is Tia Pearson and I live in Wahiawa. I am writing in **strong SUPPORT SB 2436** and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our state. Hawaii is already a national leader in gun safety legislation. We have some of the strongest common-sense gun laws in the country, and now we have an opportunity to show our leadership once again.

It is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. Yet, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to a month before law enforcement is authorized to intervene. This creates a dangerous gap that can have devastating consequences, particularly in domestic violence situations. Research shows that requiring domestic abusers to relinquish firearms reduces intimate partner homicide and that it is important to require relinquishment immediately. Research has found that there is a 24-hour period where an abusers' access to firearms can decide the difference between life and death for the victim.

Mahalo for your consideration of SB2436. Closing this loophole will protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

<u>SB-2436-SD-1</u> Submitted on: 2/25/2018 11:34:41 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
William Carreira	Individual	Oppose	No	

Comments:

I strongly oppose this measure. While I feel 30 days is too long a period. 24 hrs is a ridiculously short amount of time.

Submitted on: 2/26/2018 12:01:02 AM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Jonathan Boyne	Individual	Support	No	

Comments:

My name is Jonathan Boyne, and I am a father who lives in Honolulu. I am writing in **strong SUPPORT SB 2436** and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our state. Hawaii is already a national leader in gun safety legislation. We have some of the strongest common-sense gun laws in the country, and now we have an opportunity to show our leadership once again.

It is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. Yet, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to a month before law enforcement is authorized to intervene. This creates a dangerous gap that can have devastating consequences, particularly in domestic violence situations. Research shows that requiring domestic abusers to relinquish firearms reduces intimate partner homicide and that it is important to require relinquishment immediately. Research has found that there is a 24-hour period where an abusers' access to firearms can decide the difference between life and death for the victim.

Mahalo for your consideration of SB2436. Closing this loophole will protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

Sincerely,

Jonathan Boyne

96822

<u>SB-2436-SD-1</u> Submitted on: 2/26/2018 1:45:23 AM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Joan Gannon	Individual	Support	No	

Submitted on: 2/26/2018 12:42:32 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
James A. Palicte	Individual	Oppose	No	

Comments:

Aloha,

I am writing in response to this bill in FIRM opposition. This expedited time period could subject an individual, who may have nothing more than allegations as the basis for the prohibition, to an unfettered search of their home and/or business within hours of being accused; all this without taking into account the many issues surrounding "surrender statutes" in general, including possible violations of an individual's right against self-incrimination.

Mahalo,

James A. Palicte

Submitted on: 2/26/2018 4:55:57 AM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Bradd Haitsuka	Individual	Oppose	No	

Comments:

I am strongly opposed to this bill which will do nothing but turn law abiding gun owners into future felons. The way this bill is written and the language used is flawed and too vague. I urge you not to pass this flawed bill.

Thank You,

Bradd Haitsuka

<u>SB-2436-SD-1</u> Submitted on: 2/26/2018 6:44:49 AM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
chelsea pang	Individual	Support	No

<u>SB-2436-SD-1</u> Submitted on: 2/26/2018 7:42:49 AM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kanani Kai	Individual	Support	No

<u>SB-2436-SD-1</u> Submitted on: 2/26/2018 7:51:04 AM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	_
Brandon Allen Kainoa Leong	Individual	Oppose	No	

<u>SB-2436-SD-1</u> Submitted on: 2/26/2018 8:11:19 AM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Karla Silva-Park	Individual	Support	No	

Submitted on: 2/26/2018 8:23:25 AM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Raymund Bragado	Individual	Oppose	No	

Comments:

Aloha,

Senate Bill 2436, sponsored by Senator Clarence Nishihara (D-17), would drastically shorten the time period a prohibited person, whether temporarily or permanently prohibited, has to comply with the current requirement to surrender their firearms from 30 days to 24 hours. This expedited time period could subject an individual, who may have nothing more than allegations as the basis for the prohibition, to an unfettered search of their home and/or business within hours of being accused; all this without taking into account the many issues surrounding "surrender statutes" in general, including possible violations of an individual's right against self-incrimination. Please vote down SB2436 as it is not feasable to be a law.

Sincerley,

Ray Bragado

Submitted on: 2/26/2018 9:27:07 AM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Eileen Herring	Individual	Support	No

Comments:

I strongly believe that any person who has been disqualified to own firearms should be required to surrender them within 24 hours. There is no reason that that person should be able to keep them for an entire month.

Submitted on: 2/26/2018 9:30:31 AM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Marc	Individual	Oppose	No	ı

Comments:

I oppose Senate Bill 2436.

SB 2436 would drastically shorten the time period a prohibited person, whether temporarily or permanently prohibited, has to comply with the current requirement to surrender their firearms from 30 days to 24 hours. This expedited time period could subject an individual, who may have nothing more than allegations as the basis for the prohibition, to an unfettered search of their home and/or business within hours of being accused and possibly not being aware of the accusations; all this without taking into account the many issues surrounding "surrender statutes" in general, including possible violations of an individual's right against self-incrimination.

Submitted on: 2/26/2018 11:00:04 AM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Todd Yukutake	Individual	Oppose	No	

Comments:

I oppose sb2436 due to lack of due process for permit denials.

There are many cases where people are denied firearm permits for stupid reasons. Some firearm owners are denied permits because Kaiser Hospital will not take the liability of clearing their customers because of past problems, many if which are minor, that have long since been cleared.

24 hours is not enough time to appeal or correct problems or inaccuracies in these cases. It also doesn't allow time to transfer the firearms to a friend or relative. Without a court order, people are required to turn in their guns which maybe damaged in storage, then when cleared are required to pay the \$42 RAPBACK fee and have a 2 week waiting period to get them back.

Another flaw with this bill is a person intending to commit a crime wouldn't apply for a permit knowing it would be denied and their firearms confiscated.

Please oppose this law or amend this law to continue to allow 30 days for permit denials.

Todd Yukutake

808-255-3066

99-207 Mahiko Place

Air a, HI 96701

Submitted on: 2/26/2018 9:31:53 AM

Testimony for JDC on 2/27/2018 9:30:00 AM

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

Comments:

I strongly oppose SB2436 as it violates due process and a person with violent intentions will simply be forced to act immediately upon disqualifcation, within "______hours". This bill will INCREASE the the danger to the people it is supposed to protect.

<u>SB-2436-SD-1</u> Submitted on: 2/26/2018 11:35:04 AM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Tom Galli	Individual	Oppose	No

Comments:

Submitted on: 2/26/2018 11:54:53 AM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Theresia McMurdo	Individual	Support	No	Ī

Comments:

My name is Theresia McMurdo and I strongly **SUPPORT** SB 2436 and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our state. I am old enough to remember the many horrific stories of abusers who have murdered women even when they have a restraining order that is supposed to protect them. It is appalling to know that there is a loophole that allows abusers to have access to firearms for an entire month! Closing this loophole will protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

Mahalo for all you do for the community and for making Hawaii a safer place for all of us.

<u>SB-2436-SD-1</u> Submitted on: 2/26/2018 12:19:34 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Present Position Hearing	
Carl Matthew Jellings	Individual	Oppose	No

Comments:



Tuesday, February 27, 2018

Senator Brian T. Taniguchi, Chair Senator Karl Rhoads, Vice Chair Committee on Judiciary

Subject: Support SB2436, SD1, Relating to Firearms

Dear Senator Taniguchi and Members of the Committee on Judiciary:

The Injury Prevention Advisory Committee <u>supports SB2436, SD1</u> that shortens the time period from the current 30 days to 24 hours for voluntary surrender of firearms when deemed disqualified from firearm ownership, possession or control.

Established in 1990, the Injury Prevention Advisory Committee (IPAC) is an advocacy group committed to preventing and reducing injuries in Hawai`i. IPAC members include representatives from public and private agencies, physicians and professionals working together to address the eight leading areas of injury, including violence and abuse.

Hawaii has one of the lowest firearm-related fatality rates in the nation because there are comprehensive firearm laws in place. The shorter time period proposed in SB2436 closely the loophole on Hawaii's strong gun laws. In supporting this bill, Hawaii will join the majority of other states requiring domestic abusers to give up their firearms within 24 hours or less, thereby reducing the potential for firearm-related violence and death.

We urge you to support SB2436, SD1 to help ensure the safety of Hawai'i residents and visitors.

Thank you for the opportunity to testify.

Sincerely,

Death Briston —

Deborah Goebert, DrPH Chair, IPAC

Submitted on: 2/26/2018 2:28:01 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

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

Comments:

I oppose bill sb2436. This bill violations of an individual's right against self-incrimination and can take away your rights as a gun owner because of allegations. It's fine the way it is now.

<u>SB-2436-SD-1</u> Submitted on: 2/26/2018 3:51:32 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jerry IIo	Individual	Oppose	No

Comments:

Submitted on: 2/27/2018 7:31:44 AM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Gabrielle Anderman	Testifying for Moms Demand Action for Gun Sense in America	Support	No

Comments:

To: Senate Judiciary Committee

Hon. Senator Brian T. Taniguchi, Chair Hon. Senator Karl Rhoads, Vice Chair

From:

Gabrielle Anderman

1135 Makawao Ave #221

Makawao, HI 96768

gabbyanderman@gmail.com

Hawaii Chapter of Moms Demand Action for Gun Sense in

America

RE: SB2436; Relating to Firearms; In Support

Tuesday, Feb. 27, 2018, 9:30AM

My name is Gabrielle Anderman. I am a mother who lives in Kula, HI. I am writing in strong SUPPORT OF SB2436 and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our state. Hawaii is already a national leader in gun safety legislation. Right now, we have the opportunity to LEAD THE COUNTRY in having common sense gun laws. I see a future where the rest of the country looks to HAWAII as the LEADING EXAMPLE on how to stop the gun violence epidemic currently sweeping our nation.

Let's close the loophole in Hawaii's law that enables convicted felons and domestic abusers to keep guns they already have for up to a month before law enforcement is authorized to intervene. This loophole is extremely DANGEROUS and can have devastating consequences, particularly in domestic violence situations. There is NO REASON these people should have guns!! Research shows that requiring domestic abusers to relinquish firearms reduces intimate partner homicide and that it is important to require relinquishment immediately. Research has found that 24-hours can make the difference between life and death for abuse victims. With your support of this bill, you will be saving lives.

Mahalo for your consideration of SB2436. Closing this loophole is simply COMMON SENSE.

Sincerely,

Gabrielle Anderman

Kula, HI

COMMITTEE ON JUDICIARY

Brian T. Taniguchi, Chair Karl Rhoads, Vice Chair

February 27, 2018, 9:30am Conference Room 016, State Capitol, 415 South Beretania Street.

	SB2436	Relating to F	irearms, Firea	rms; Ammuni	tion; Disqualifica	ition; Volunt	ary Surrender
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COMMITTEE ON JUDICIARY

Brian T. Taniguchi, Chair Karl Rhoads, Vice Chair

February 27, 2018, 9:30am
- Conference Room 016, State Capitol, 415 South Beretania Street.

SB2436. (support, oppose, or comments only)	-
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Brian T. Taniguchi, Chair Karl Rhoads, Vice Chair

February 27, 2018, 9:30am Conference Room 016, State Capitol, 415 South Beretania Street.

582436 Relating to Firearms, Firearms; Ammunition; Disqualification; Voluntary Surrender
1OPPOSEDSB2436.
(support, oppose, or comments only)
Comments: (reason for your position, facts, statements, experiences, etc.)
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COMMITTEE ON JUDICIARY

Brian T. Taniguchi, Chair Karl Rhoads, Vice Chair

February 27, 2018, 9:30am Conference Room 016, State Capitol, 415 South Beretania Street.

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Submitted on: 2/26/2018 4:22:27 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Erica Yamauchi	Individual	Support	No	

Comments:

Erica Yamauchi, Honolulu (Wilhelmina Rise/Kaimuki), testimony in STRONG SUPPORT of SB 2436/HB 2228.

aloha@ericayamauchi.com

My name is Erica Yamauchi and I am a mother of two young daughters. I also consider myself a survivor of gun violence as my best friend was murdered in high school by another friend in an act of spur-of-the-moment anger, made deadly by an unsecured firearm in the home.

I am writing in strong SUPPORT of SB2436/HB 2228 and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our beautiful state.

It is illegal for certain people with dangerous histories, including convicted felons and domestic abusers, to buy or possess guns in Hawaii. Yet, a loophole in Hawaii's law enables these prohibited people to keep guns they already have for up to 30 days before law enforcement is authorized to intervene. A lot can happen in 30 days. This creates a dangerous gap that can have devastating consequences, particularly in domestic violence situations. Hawaii should pass legislation to close this loophole and ensure that domestic abusers and other people who are prohibited from having guns relinquish their firearms right away – within 24 hours.

Giving domestic abusers and other prohibited people 30 days to relinquish their guns makes Hawaii an extreme outlier in the national context—and is also out of sync with other parts of Hawaii law. Nationwide, when domestic abusers are required to turn in their firearms, most states specify that they must do so within 24 hours, if not sooner.

Thank you for your consideration. Closing this loophole will protect women and children in Hawaii by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

Submitted on: 2/26/2018 4:27:43 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Donald Correia	Individual	Oppose	No	

Comments:

I here stand and OPPOSE this god awful bill. The person should be able to TRANSFER HIS OR HER firearms to a family memer that is legal to acuire under Hawaii State FIREAMRS LAW. I STAND FOR MY 2ND Amendment.

Submitted on: 2/26/2018 6:38:00 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Dwayne Lim	Individual	Oppose	No	

Comments:

I strongly oppose SB2436. Your bill will open the door for frivolous accusations and will not provide accused due process, "the regular administration of the law, according to which no citizen may be denied his or her legal rights and all laws must conform to fundamental, accepted legal principles, as the right of the accused to confront his or her accusers."

Submitted on: 2/26/2018 6:39:01 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Kelly Lim	Individual	Oppose	No	

Comments:

I strongly oppose SB2436. Your bill will open the door for frivolous accusations and will not provide accused due process, "the regular administration of the law, according to which no citizen may be denied his or her legal rights and all laws must conform to fundamental, accepted legal principles, as the right of the accused to confront his or her accusers."

Submitted on: 2/26/2018 6:49:57 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kim Osborn Mullen	Individual	Support	No

Comments:

Aloha Senators Taniguichi and Rhoads,

I am writing to explain my Strong support for SB2436. We must end the loophole that allows convicted felons and domestic abusers to keep their weapons up to 30 days before law enforcement is authorized to intervene. Most states in the nation allow only 24 to 48 hours, with Hawaii allowing 30 days, it presents a very dangerous scenario especially in domestic abuse cases. This bill is crucial to maintain Hawaii's strong gun safety measures.

Thank you,

Kim Osborn Mullen

<u>SB-2436-SD-1</u> Submitted on: 2/26/2018 7:18:26 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Mark Genovese	Individual	Oppose	No	

Comments:

Please thirty days is not enough time, If I had to turn in my collection it would take sixty days just to box it up . Stick to what you know raising tax's .

Submitted on: 2/26/2018 7:47:54 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Ron Klapperich	Individual	Oppose	No	

Comments:

I oppose the bill because there could be a misunderstanding with the allegation or TRO and it may take time to straighten out the legal issues. In the meantime, the owner has to appeal to HPD to recover the firearms which could have been resolved without having to surrender. The reduced time practically eliminates due process and assumes that firearms owners are guilty before proven innocent.

<u>SB-2436-SD-1</u> Submitted on: 2/26/2018 8:57:10 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Mike K	Individual	Oppose	No	

Comments:

I oppose more restrictions(infringements) on firearms

<u>SB-2436-SD-1</u> Submitted on: 2/26/2018 9:22:04 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Taylor McKenzie	Individual	Support	No	

Comments:

Submitted on: 2/26/2018 10:37:01 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Roger Lukas	Individual	Oppose	No	

Comments:

Dear Committee members:

With all due respect, I oppose this bill and urge you to vote against advancing SB2436 in this legislative session.

There are a number of ways that **an otherwise law-abiding citizen** could unwittingly become in violation of Hawaii Revised Statutes section 134 Part I. The proposed amendment to the seizure clause does not allow for due process under the 4th amendment of the U.S. constituition. It is highly unlikely that the conditions of **§134-7.3(c)** could be met within the proposed 24-hour period. In the case that a law-abiding gun owner becomes aware that they are no longer legally allowed to possess firearms, they now at least have the option of legally disposing of them within 30 days. Changing that time to 24 hours is virtually the same as eliminating the alternative to seizure.

As you may know, the State of Hawaii has some of the most restrictive gun laws in the U.S. Please support the counties of the State of Hawaii in their enforcement of existing laws, including State appropriations to support legal gun ownership.

Thank you for supporting the basic rights of U.S. citizens in the State of Hawaii.

Submitted on: 2/27/2018 4:07:50 AM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Lee Nakasone	Individual	Oppose	No	

Comments:

I respectfully urge all legislators to oppose this legislation because this is not a reasonable amount of time for someone who has been prohibited from keeping their firearms and ammunition when they are accused of a wrongdoing. This small time frame could possibly lead to more complications that can ultimately get an innocent person, to whom the accusations are most likely baseless, into more trouble. There has to be more time for the person to adequately gather and surrender their firearms and ammunition, especially when it might be a problem due to the amount of firearms and ammunition they own and requesting time off from work to make arrangements.

Once again, I respectfully urge all legislators to vote no on this piece of legislation. Thank you for time.

Lee Nakasone

<u>SB-2436-SD-1</u> Submitted on: 2/27/2018 5:50:10 AM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Lyle HIromoto	Individual	Oppose	No	

Comments:

From:

Tressa DeLisa, Kula, Maui, tesshanson@gmail.com

RE: SB2436; Relating to Firearms; In Support

My name is Tressa DeLisa and I am a mother of two young children and I live in Kula. I am writing in **strong SUPPORT of SB 2436** and urge you to pass it to prevent domestic abusers from illegally keeping guns here in our state. Hawaii is already a national leader in gun safety legislation. We have some of the strongest common-sense gun laws in the country, and now we have an opportunity to show our leadership once again.

Mahalo for your consideration of SB2436. Closing this loophole will protect Hawaii families by preventing domestic abusers and other people with dangerous histories from illegally keeping firearms in their possession.

Submitted on: 2/27/2018 8:20:53 AM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dr Marion Ceruti	Individual	Oppose	No

Comments:

SB2436 is unrealistic, unreasonable, and unconstitutional. To surrender firearms within 24 hours is impractical at best and a violation of the 2nd and 4th Amendments at worst. Where is the due process? What prevents false reports to police for the purpose of revenge on someone the reporting individual does not like?

This expedited time period could subject an individual, who may have nothing more than allegations as the basis for the prohibition, to an unfettered search of their home and/or business within hours of being accused; all this without taking into account the many issues surrounding surrender statutes in general, including possible violations of an individual's right against self-incrimination as summarized in the 5th Amendment.

The false positive rate could exceed the rate at which real problems are reported, thus affecting many innocent gun owners who actually have done nothing to lose their gun rights. What other rights are so burdened that they could be lost based on a mere unproven allegation?

It is clear that the purpose of the aggregate of this and other anti-gun legislation is not to prevent crime, which it does not accomplish, but rather to expand the pool of prohibited individuals until it includes everyone. It appears that no means of disarming the public is too distasteful, too unfair, or too unreasonable.

In summary, vote NO on SB2436.

The Rev. Dr. Marion G. Ceruti

Submitted on: 2/27/2018 8:33:52 AM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Pcola_Davis	Individual	Support	No

Comments:

Sorry this is late. My apologies

Committee on Judiciary

Senator Brian T. Taniguchi, Chair

Senator Karl Rhoads, Vice Chair

Committee Members

SB2436 Relating to Firearms, Ammunition, Disqualification, Voluntary Surrender

Public Decision-Making February 27, 2018

Written Testimony: STRONGLY SUPPORT

1. Senate has the decision to further the Bill SB2436 SD1 in conjunction with SB2046. Whether it be 24 hours or 48 hours as suggested by HPD. I firmly support this measure. Noticed NRA, and other opponents didn't get time to stuff their OPPOSED basket of testimonies

Here are excerpts from some of their written testimony for NOT supporting this bill;

- •
- HPD will not be able to comply with timeframe
- Unfettered searches
- Presumption of innocence until proven guilty
- It is capricious and arbitrary
- Ludicrous and could lead to a deadly confrontation
- Not enough time for the gun owner to abide by
- Again, the 2nd amendment
- Turns law abiding into future felons
- Not enough time to appeal or correct problems/inaccuracies
- No time to transfer to qualified friend or relative

It's time to take action

Very respectfully

Susan A. Pcola-Davis, Concerned citizen, mother, grandmother

Submitted on: 2/26/2018 10:37:01 PM

Testimony for JDC on 2/27/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Roger Lukas	Individual	Oppose	No

Comments:

Dear Committee members:

With all due respect, I oppose this bill and urge you to vote against advancing SB2436 in this legislative session.

There are a number of ways that **an otherwise law-abiding citizen** could unwittingly become in violation of Hawaii Revised Statutes section 134 Part I. The proposed amendment to the seizure clause does not allow for due process under the 4th amendment of the U.S. constituition. It is highly unlikely that the conditions of **§134-7.3(c)** could be met within the proposed 24-hour period. In the case that a law-abiding gun owner becomes aware that they are no longer legally allowed to possess firearms, they now at least have the option of legally disposing of them within 30 days. Changing that time to 24 hours is virtually the same as eliminating the alternative to seizure.

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Thank you for supporting the basic rights of U.S. citizens in the State of Hawaii.