Harry Kim Mayor



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# County of Hawai'i Office of the Mayor

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February 4, 2020

Representative Chris Lee, Chair Representative Joy A. San Buenaventura, Vice Chair Committee on Judiciary

Representative Gregg Takayama, Chair Representative Cedric Asuega Gates, Vice Chair Committee on Public Safety, Veterans, & Military Affairs Hawai'i State Legislature

Dear Chairs Lee and Takayama, Vice-Chairs San Buenaventura and Gates, and Committee members:

RE: HB 1733 Relating to Firearms

**HB 2744 Relating to Gun Violence Prevention** 

**HB 2631 Relating to Mental Health** 

**HB 1615 Relating to Firearms** 

**HB 2736 Relating to Firearms Ammunition** 

The First Amendment to the Constitution of the United States provides for freedom of religion, speech, and press; and the right to peaceably assemble and to petition the government. Yet, as fundamental and sacrosanct as those values are to America, few if any would argue that those freedoms are not subject to reasonable restrictions (take the cliché of "yelling 'Fire' in a crowded theater").

Similarly, the Second Amendment guarantees the right to keep and bear arms. This right, too, must be subject to reasonable restrictions, or else we would each be able to have our own machine gun mounted on our mantelpiece or strapped over our shoulders.

So the question comes down to what is reasonable. That should be determined by a free people acting through their elected representatives, in this case our State Legislature. And given the times in which we live, and the carnage that we have witnessed both in our own state and across the country, I thank you for taking on the divisive but crucial task of deciding what reasonable restrictions might be.

You have before you today four bills that impact the right to keep and bear arms: HB 1733 would prohibit the assembly of a gun that would not have a serial number (a "ghost gun") and mandate a serial number for firearms brought into Hawai'i that do not already have one.

HB 1733 Relating to Firearms HB 2744 Relating to Gun Violence Prevention HB 2631 Relating to Mental Health HB 1615 Relating to Firearms HB 2736 Relating to Firearms Ammunition February 4, 2020 Page 2

HB 2631 calls for a review of mental health records when issuing a permit to acquire a firearm. While this provision might require some elaboration as to whether it would apply to otherwise confidential medical records, the idea of keeping guns out of the hands of those with mental illness has been endorsed both by gun advocates and opponents.

HB 1615 would prohibit possession of a loaded firearm while intoxicated. Is this a difficult issue on which to find common ground?

Fourth, HB 2736 would regulate ammunition the same way firearms are regulated, and require the licensing of sellers of ammunition. It would seem that this proposal would be particularly valuable in the case of a firearm that is lost or stolen, but in any event, I cannot help but think of the slogan that "Guns don't kill people; people kill people." Well, maybe guns don't kill people, but ammunition certainly does.

There is very little in these four bills that would not be a reasonable regulation affecting the right to keep and bear arms, and I support them all. However, I would urge this Committee to address the confidentiality issues in HB 2631 related to mental health records (either by requiring the waiver of confidentiality in order to secure a firearm, or by limiting the records to be reviewed to court and/or public records).

A fifth bill on your agenda is HB 2744. It would not affect the right to keep and bear arms, but simply establish a "gun violence prevention center" at the University. This bill recognizes that research at the national level has largely been stymied by those who anticipate that the results of study will not be favorable to their cause. I believe that public policy thrives when based on good data and research, and I therefore heartily endorse HB 2744. Restricting research should be a cause of national concern, which we can partially overcome by taking on the research task locally.

Respectfully Submitted,

MAYOR

#### DEPARTMENT OF THE PROSECUTING ATTORNEY

#### CITY AND COUNTY OF HONOLULU

ALII PLACE
1060 RICHARDS STREET • HONOLULU, HAWAII 96813
PHONE: (808) 768-7400 • FAX: (808) 768-7515

DWIGHT K. NADAMOTO
ACTING PROSECUTING ATTORNEY



LYNN B.K. COSTALES ACTING FIRST DEPUTY PROSECUTING ATTORNEY



## THE HONORABLE CHRIS LEE, CHAIR HOUSE COMMITTEE ON JUDICIARY

## THE HONORABLE GREG TAKAYAMA, CHAIR HOUSE COMMITTEE ON PUBLIC SAFETY, VETERANS, & MILITARY AFFAIRS

Thirtieth State Legislature Regular Session of 2020 State of Hawai'i

February 6, 2020

#### RE: H.B. 1615; RELATING TO FIREARMS.

Chair Lee, Chair Takayama, Vice Chair San Buenaventura, Vice Chair Gates, and members of the House Committee on Judiciary and Public Safety, Veterans, & Military Affairs, the Department of the Prosecuting Attorney of the City and County of Honolulu ("Department") submits the following testimony expressing concerns for H.B. 1615.

The purpose of H.B. 1615 is to create a new offense of possession of a loaded firearm while intoxicated. Although this bill has good intentions, the Department believes that this bill may be unnecessary as our current "place to keep" statutes (Sections 134-23, 134-24 and 134-25, Hawaii Revised Statutes ("HRS")), appear to cover the proposed unlawful conduct and are currently classified as class B and C felonies.

In addition, the current language incorporated in H.B. 1615 would create significant difficulties in successfully prosecuting such offenses. Specifically, the Department believes that interchangeably using language from HRS §291E-61 (operating a vehicle under the influence of an intoxicant, ("OVUII")) to effectuate this new offense could cause significant evidentiary problems. This bill borrows language from HRS §291E-61(a)(2), (a)(3) and (a)(4), to define when a person is intoxicated. For OVUII cases, however, the Department currently uses observations of a defendant's bad driving and a standardized field sobriety test ("SFST") to determine if the defendant is under the influence in an amount sufficient to "impair the person's ability to operate the vehicle in a careful and prudent manner." This is problematic as there may be limited testing methods to prove the proposed subsection (c)(2)(a) (see page 1, line 15, through page 2, line 2), as the SFST is scientifically validated by the National Highway Traffic Safety Administration only to assess **driving**, not the ability to operate a firearm.

Further, although the Department does not object to limiting proposed protections for the defendant to his or her dwelling (meaning "any building or structure, though movable or temporary, or a portion thereof, which is for the time being a home or a place of lodging"), we would note that under HRS §134-23 (Place to Keep Loaded Firearms other than Pistols and Revolvers; Penalty), defendants are allowed to have firearms confined to the "place of business, residence, or sojourn" The Department is also concerned that the term "immediate physical control" is not defined or clearly articulated, which may leave a myriad of situations in which it would be unclear whether a loaded firearm is in the immediate physical control of the defendant (e.g. inside a vehicle, out of arm's length of the defendant).

Keeping all of these things in mind, the Department of the Prosecuting Attorney of the City and County of Honolulu <u>expresses concerns</u> with the passage of H.B. 1615. Thank you for the opportunity to testify on this matter.



# The Honorable Chris Lee, Chair The Honorable Joy A. San Buenaventura, Vice Chair House Committee on the Judiciary

The Honorable Gregg Takayama, Chair
The Honorable Cedric Asuega Gates, Vice Chair
House Committee on Public Safety, Veterans, and Military Affairs

State Capitol, Room 325 Honolulu, Hawaii 96813

HEARING: Thursday, February 06, 2020, at 2:05pm

RE: HB1615 Firearms; Possession Prohibited While Intoxicated

Aloha Members of the House Committees,

The Hawaii Firearms Coalition OPPOSES HB1615.

The Hawaii Firearms Coalition opposes this bill due to the following reasons:

1. The current bill only provides an exclusion to the gun owner in their dwelling. This exclusion should extend beyond the four walls of their home and extend to all their property, place of business, and place of sojourn.

Please vote no or amend this proposed legislation.

For these reasons the Hawaii Firearms Coalition Opposes HB1615. Thank you for your consideration.

Mahalo

Jon Webster Abbott Director, Hawaii Firearms Coalition PH. (808) 292-5180

Email: jonwebsterabbott@yahoo.com

Submitted on: 2/5/2020 8:38:02 PM

Testimony for JUD on 2/6/2020 2:05:00 PM



Submitted By	Organization	Testifier Position	Present at Hearing
Bill Richter	Lessons in Firearms Education	Oppose	No

Comments:

Re: HB1615

To whom it may concern:

This bill is poorly worded and could subject an otherwise law-abiding citizen from exercising his right to defend himself for simply drinking alcohol after a hunting trip or day camping.

Please oppose this bill.

Thank you.

Bill Richter, President

Lessons in Firearms Education

#### Institute for Legislative Action

11250 WAPLES MILL ROAD FAIRFAX, VIRGINIA 22030





February 6, 2020

The Honorable Gregg Takayama Chairman, House Committee on Public Safety, Veterans and Military Affairs Hawaii State Capitol, Room 323 Honolulu, Hawaii 96813

Dear Chairman Takayama:

On behalf our members in Hawaii, I would like to communicate our opposition to the following bills:

House Bill 1733 prohibits the purchase and manufacture of certain firearms parts by private individuals in an effort to ban the longstanding tradition of building a firearm for personal use. Further this vague language subjects individuals to felony penalties for non-compliance.

House Bill 2744HD1 while the NRA is not opposed to objective research involving sound science, we are concerned that this can be misused to advocate for predetermined policy positions and generate anti-gun propaganda.

House Bill 2631 requires the chief of police to attest that a review of an individual's mental health records had been completed prior to issuance of a firearm permit. The legislation is broad in scope, not placing limits on the inquiry to prohibiting factors or adjudications.

House Bill 1615 criminalizes an individual for possession of a loaded firearm on their own property after consuming any alcohol. This bill does not even include a self-defense exception.

House Bill 2736 restricts ammunition purchases and possession to those who provide a proof of firearm registration for the particular caliber of purchase in addition to licensing ammunition sellers.

I urge the committee to uphold the rights of their constituents and join us in opposition to these bills.

Sincerely,

Daniel Reid

#### NATIONAL RIFLE ASSOCIATION OF AMERICA

#### Institute for Legislative Action

11250 WAPLES MILL ROAD FAIRFAX, VIRGINIA 22030



Hawaii State Director NRA-ILA

<u>HB-1615</u> Submitted on: 2/4/2020 11:07:09 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
John Bickel	Individual	Support	No

## Comments:

This bill is common sense.

Submitted on: 2/4/2020 11:08:57 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted	I Ву	Organization	Testifier Position	Present at Hearing
Brian Isaac	cson	Individual	Support	No

#### Comments:

Drunks and firearms are not a good combination, however, if a legally drunk individual must lawfully defend himself or herself or others, they should not be prosecuted under this law - exceptions should be written into the bill.

Submitted on: 2/4/2020 11:10:00 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin Kacatin	Individual	Oppose	No

#### Comments:

REQUEST TO AMEND. HB1615 should remove the provision of "dwelling" as it does NOT include the entire PROPERTY of the property owner. "Dwelling" as defined in section 703-300 is restrictive and does NOT take into account areas such as one's garage or backyard areas where the property owner may also face potential physical threats and MAY have to utilize force to defend their lives.

HB1615 also does not provide any inclusion with regards to one's place of employment where current HRS allows for the possession of firearms and ammunition at one's place of employment if permitted by employer.

<u>HB-1615</u> Submitted on: 2/4/2020 11:22:41 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

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

Comments:

Submitted on: 2/4/2020 12:46:12 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

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

#### Comments:

i»¿I wish to express my OPPOSITION to this bill primarily along the basis that alcohol affects individual adults very differently. I'm also concerned that it would lead to extra charges for a person who was put into a situation where they needed to defend themselves and had recently consumed alcohol. This law effectively removes the right to protect one's self after they've consumed alcohol. It further provides the precedence to lower the standard required for conviction at a later date.

Firearms laws in Hawaii are already among the strictest in the nation. Owners of firearms are registered with our local police departments and watched under microscopes. We are among the most law-abiding citizens in Hawaii, yet we're the ones who have to pay for actions of criminals by the constant chipping away of our Constitutional right. Why does the Hawaii Legislature value the rights of criminals over the rights of its law-abiding citizens?

<u>HB-1615</u> Submitted on: 2/4/2020 12:36:06 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

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

Comments:

Submitted on: 2/4/2020 12:49:02 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Marcus Tanaka	Individual	Oppose	Yes

#### Comments:

I oppose this bill because it has the word "dwelling". Currently it is legal to consume alcohol anywhere on ones property. The word should if anything be changed to property.

Also it does not include "place of business" or "place of sojourn" which are also both 2 other places that firearms are legially allowed to be at. So what if someone is staying at a family members home or at a hotel and is drinking? They are violating the law if only "dwelling" is used. Or if someone is drinking at their place of business. Same thing.

I would like this bill to be thrown out all together because criminals do not commit crimes by telling their victims when they're coming to commit the crime. So how is 1 person supposed to know when they will be the vicitm of a crime and drink less that night/day to be under 0.08 BAC?

Furthermore, no carry permits concelaed or open are issued anyways. So no citizen is allowed to even carry a firearm from a bar and on their way back home.

Example: A woman is at home drinking a lot and someone breaks in trying to rape/kidnap her. Her trying to fight off her attacker ends up outside. Maybe they went through the glass lanai door. Or maybe he's dragging her out the door. If she were to use her firearm, she would be guilty of breaking the law because she is now in her garden and not inside the dwelling anymore.

We do not need this law because Hawaii doesn't have a problem with this issue. I say problem as in situation of intoxicated people shooting up the place happens a few times a week.

<u>HB-1615</u> Submitted on: 2/4/2020 2:56:27 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Vivian Chang	Individual	Support	No

## Comments:

A person who is intoxicated, in public, should not be in possession of a firearm. Nor should they drive a car.

<u>HB-1615</u> Submitted on: 2/4/2020 3:23:09 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
MORGAN CUIZON	Individual	Oppose	No

Comments:

Submitted on: 2/4/2020 3:42:20 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin J. Cole	Individual	Oppose	No

#### Comments:

## Greetings,

I am opposed to HB 1615. Law abiding citizens should not be burdened with onerous restrictions such as this. Would this bill be enforced if a person has 2 drinks? How about 3? Is it to be the same as for driving?

This Bill would also place a burden on law enforcement with the unnecessary duty to enforce such a measure.

This Bill will not deter crime; it will only inhibit citizens from exercising their constitutional rights.

Sincerely,

Kevin J. Cole, Col. USAF ret. Mililani

<u>HB-1615</u> Submitted on: 2/4/2020 3:51:44 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Vern Hiromoto	Individual	Oppose	No

Comments:

Submitted on: 2/4/2020 3:56:28 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Catherine Johnson	Individual	Support	No

#### Comments:

I support HB1615, as I believe that guns and drinking do not mix well. Intoxication leads to impaired judgment, poor decision-making, and slow response time. And, since alcohol is a depressant, it can trigger depressive episodes and exacerbate anger. I urge you to support HB1615 as a means to increase safety and decrease gun violence in our community. Mahalo for your support!

Submitted on: 2/4/2020 7:19:36 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Betsey Strauss	Individual	Support	No

#### Comments:

Aloha,

I am writing in strong support of HB 1615, which would prohibit a person from possessing a firearm while intoxicated, unless they are in their own dwelling.

The combination of alcohol and firearms could lead to a potentially deadly outcome, endangering many.

As a mother of three young children, safety is my upmost concern in any setting and HB 1615 could limit the likelihood of a terrible event.

Please support HB 1615.

Mahalo,

**Betsey Strauss** 

HB-1615 Submitted on: 2/4/2020 7:48:54 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Gerard Silva	Individual	Oppose	No

## Comments:

Violation of the 2nd Amendment. The Right to Keep and Bear Arms!!

Submitted on: 2/4/2020 8:01:06 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Carolyn Pearl	Individual	Support	Yes

#### Comments:

Hawaii leads the nation in the fight against gun violence with our foundation of strong, common sense gun safety laws. As a long time resident, I'm proud of and appreciate the efforts of our legislators to continue to find ways to preserve our safety.

In prohibiting the possession of a loaded firearm in public while an individual is intoxicated, HB 1615 takes a common sense step to defuse a potentially deadly situation.

Please pass this bill.

Mahalo,

Carolyn Pearl

Submitted on: 2/4/2020 9:13:33 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Benel Piros	Individual	Oppose	No

#### Comments:

I oppose this bill due to how its written. The word dwelling should to be changed to property. But more importantly this would violate a law abiding citizen that legally owns a firearm to travel with that firearm say at hotel or friend's or family's home for an event or to hunt. Due to that fact it is not the person's "dwelling" would caused them to break the law if this bill passed. An example is if a person is visiting or traveling to another island and has their firearm with he/she but is drinking at on that property he or she will be violating the law if passed. Because I am from another island traveling with my firearms while I visit my family will cause me to break the law if this bill is passed.

Submitted on: 2/4/2020 10:07:50 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Devin Sasai	Individual	Oppose	Yes

#### Comments:

Aloha,

HB1615 is a noble idea on it's face. We all would like to think that responsible gun owners can discern for themselves when and how to handle their firearm. And while this bill is well meaning, there are parts in it that woefully lacks clarity.

Item (1) states that the person is in violation if they are outside their "dwelling". Even under the statute, dwelling is a vague term at best. I would charge the committee to use uniform language and adopt the same standard as in HRS134 with regards to PLACES TO KEEP.

Also, section (2)(a) states "Is under the influence of alcohol in an amount sufficient to impair the person's normal mental faculties or ability to operate a firearm in a careful and prudent manner;..." This is a unusually vague standard as everyone person has a different reaction to alcohol. This section alone leaves a person's functional abilities open to subjectiveness. As such, I urge you to remove this item and stick with DUI standards.

Without amendments, I urge the committee to defer this measure. Thank you.

Devin Sasai

Owner Bushido Arms & Ammunition LLC

Submitted on: 2/4/2020 10:43:05 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrew Namiki Roberts	Individual	Oppose	No

#### Comments:

- Dwelling is too restrictive.
- Every persons tolerance to alcohol is different.
- Could lead to additional charges in a defensive shooting situation.

Whilst we believe that a person should be a responsible gun owner and that handling a firearm whilst intoxicated could be dangerous, This bill is very restrictive in its wording. A person may find themselves in other places they are legally able to be armed, such as their place of business or place of sojourn where alcohol may be served. Every person is different in how they process alcohol and there is no sure-fire method for a person to accurately to measure.

A person who uses a firearm for otherwise lawful self-defense, but who is under the influence of alcohol could find themselves facing criminal charges up to and including murder.

If this law was to pass it would need to be made clear that law enforcement are not exempt.

Submitted on: 2/4/2020 10:46:32 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Carlo Barbasa	Individual	Oppose	No

#### Comments:

This law is wholly unecessary as possession of a loaded firearm outside the home and not on a public range or hunting area is already illegal. The current culture of the Hawaii gun community is to always seperate the firearms from the alcohol.

Submitted on: 2/5/2020 6:08:54 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Judy Goo	Individual	Oppose	Yes

#### Comments:

We opposed HB1615 as it is vague and not clearly defined. What is a dwelling? Can it be a temporary place of residence? Hotel, friends home, family home etc. Also this only applies to Law Enforcement as they are the only ones to carry a weapon outside the home.

Sincerely, Dan Goo retired HPD, Judy Goo, Sean Goo, Elisha Goo, Katherine Goo

Submitted on: 2/5/2020 6:09:32 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Dan Goo	Individual	Oppose	Yes

#### Comments:

We opposed HB1615 as it is vague and not clearly defined. What is a dwelling? Can it be a temporary place of residence? Hotel, friends home, family home etc. Also this only applies to Law Enforcement as they are the only ones to carry a weapon outside the home.

Sincerely, Dan Goo retired HPD, Judy Goo, Sean Goo, Elisha Goo, Katherine Goo

## <u>HB-1615</u>

Submitted on: 2/5/2020 7:05:11 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kainoa Kaku	Hawaii Rifle Association	Oppose	Yes

## Comments:

Language is too vague, this bill is poorly written. Only cops can carry, so I guess this legislation is going after officers?

Submitted on: 2/5/2020 6:33:25 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

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

#### Comments:

Are you not going to put in an exemption for law enforcement, since Hawaii lawmakers seem to think 'only highly trained government officials need to have firearms' ?? They are the only one, that I can remember, ever doing such a thing. (this is sarcasm by the way, sad I need to explain as such)

This bill is a waste of time, and as a taxpayer I oppose it.

Submitted on: 2/5/2020 8:21:30 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Brandon Allen Kainoa Leong	Hawaii Rifle Association Board Member	Oppose	No

#### Comments:

I oppose SB2002.

This bill is useless as there is no way in this state where a law abiding citizen can legally be allowed to carry a firearm on their person outside of their home without a CCW permit that is never issued. The State Of Hawaii is a "May Issue State" and not a "Shall Issue State" and currently the Chief of Police from either of the counties have not issued any carry permits to citizens. There have been less than 10 permits issued since the state enacted CCW permit law. No one other than law enforcement is allowed to carry a firearm on their person legally. So my question to the legislature is this directed at HPD and other law enforcement officers? If so then state that in the law because as I have stated above, citizens are not allowed to carry outside of their home due to the Chief of Police rejecting all permit applications automatically.

**Brandon Leong** 

Hawaii Rifle Association Board Member

Lessons In Firearms Education Board Member

NRA Certified Firearms Instructor

<u>HB-1615</u> Submitted on: 2/5/2020 8:41:38 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
steven a kumasaka	Individual	Oppose	Yes

## Comments:

"dwelling" too restrictive, see HRS 134 for "places to keep and carry"

Submitted on: 2/5/2020 9:04:32 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Terence Lee	Individual	Support	No

#### Comments:

Representative Chris Lee, Chair

Representative Joy Buenaventura, Vice Chair

**COMMITTE ON JUDICIARY** 

Representative Gregg Takayama, Chair

Representative Cedric A. Gates, Vice Chair

COMMITTEE ON PUBLIC SAFETY, VETERANS, and MILITARY AFFAIRS

Tuesday, February5,2020

Support for HB1615

My name is Terence Lee. I was born and raised here in Hawaii. I stand in support of this bill. Mahalo for this opportunity to testify.

Submitted on: 2/5/2020 9:23:06 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Austin White	Individual	Oppose	No

#### Comments:

#### **OPPOSE**

SB2002/HB1615 - RELATING TO FIREARMS. Prohibits any person from possessing a loaded firearm while intoxicated, unless the person is in their own dwelling. Violation is a petty misdemeanor.

This is a Bill which is frankly unenforceable and is wasteful of our tax dollars and the time of Law Enforcement. As it is already statutorily illegal to carry a loaded or unloaded firearm except as noted in HRS 134-23, HRS 134-24 & HRS 134-25, law abiding citizens would not be possessing/carrying firearms outside the locations noted in the above statutes and as defined in section 703-300. Further on, this would make a person guilty of a misdemeanor if they step outside of the confines of their dwelling (home) into their yard or if hunting outside of their tent as noted in section §134-X (c)(1) to use the example of cooking at a grill or open air fire. Do we really want to criminalize someone for cooking?

Regarding section 2(A), who is determining the level of impairment and the persons normal mental faculties? As every person is different, this is highly subjective and open to vast interpretation. Will there be additional funding made available to place law enforcement at hunting camps or at peoples home to ensure that they do not step outside?

As such, this proposed legislation does nothing but place more restrictions on law abiding citizens and waste taxpayer dollars on an unenforceable statute.

I urge you to **OPPOSE** this measure

Submitted on: 2/5/2020 9:31:02 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Joel Berg	Individual	Oppose	No

Comments:

Oppose HB1615

While a person should be a responsible gun owner and that handling a firearm whilst intoxicated could be dangerous, This bill is very restrictive in its wording. A person may find themselves in other places they are legally able to be armed, such as their place of business or place of sojourn where alcohol may be served. Every person is different in how they process alcohol and there is no sure-fire method for a person to accurately to measure.

A person who uses a firearm for otherwise lawful self-defense, but who is under the influence of alcohol could find themselves facing criminal charges up to and including murder.

If this law was to pass it would need to be made clear that law enforcement are not exempt.

Submitted on: 2/5/2020 10:07:36 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing	
Allegra Giacchino	Individual	Support	Yes	

#### Comments:

Hello,

I'm a Hawaii resident writing in strong support of HB 1615 which prohibits the possession of a loaded firearm while intoxicated (outside of the person's dwelling).

It is illegal to drive a motor vehicle while intoxicated as the consequences can be deadly. Similarly, possessing a loaded gun while intoxicated can have deadly consequences.

Please support HB 1615 in the interest of public safety.

Respectfully,

Allegra Giacchino

Submitted on: 2/5/2020 10:23:33 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
christy gusman	Individual	Oppose	No

#### Comments:

#### I STRONGLY OPPOSE THIS BILL

- Dwelling is too restrictive.
- Every persons tolerance to alcohol is different.
- Could lead to additional charges in a defensive shooting situation.

I believe that a person should be a responsible gun owner and that handling a firearm whilst intoxicated could be dangerous, This bill is very restrictive in its wording. A person may find themselves in other places they are legally able to be armed, such as their place of business or place of sojourn where alcohol may be served. Every person is different in how they process alcohol and there is no sure-fire method for a person to accurately to measure.

A person who uses a firearm for otherwise lawful self-defense, but who is under the influence of alcohol could find themselves facing criminal charges up to and including murder.

If this law was to pass it would need to be made clear that law enforcement are not exempt.

**MAHALO** 

CHRISTY KAJIWARA GUSMAN

DEMOCRATIC PARTY OF HAWAII

**DISTRICT 5 - CHAIRPERSON** 

Submitted on: 2/5/2020 10:40:18 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Gomes	Individual	Support	No

Comments:

Testimony re: HB 1615

I am VERY supportive of passing this important bill to make our beloved state of Hawaii safer. We need to do everything in our power to prevent more gun violence and save lives. Thank you very much for your efforts to close some of these potentially catastrophic loopholes in our state laws.

As a concerned citizen and an active volunteer in the Moms Demand Action for Gun Sense Hawaii chapter, I appreciate your work to prevent gun violence in Hawaii.

<u>HB-1615</u> Submitted on: 2/5/2020 11:24:28 AM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
brooks	Hawaii Rifle Association Member	Oppose	No

Comments:

<u>HB-1615</u> Submitted on: 2/5/2020 12:05:03 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Carol Thomas	Individual	Oppose	No

Comments:

<u>HB-1615</u> Submitted on: 2/5/2020 12:45:54 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

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

Comments:

Submitted on: 2/5/2020 12:48:02 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

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

#### Comments:

This is silly and unenforceable. The places where someone may lawfully possess a loaded gun are already tightly regulated. Under what circumstances would a law enforcement officer be present in those few locations, have cause to determine that a person was legally intoxicated, then search for a firearm, determine it was loaded, and issue a citation?

Submitted on: 2/5/2020 1:55:28 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

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

#### Comments:

Again, a feel good non-consequential bill. To what purpose is this bill? What does it accomplish? Everything that you'd do, in violoation of any safe firearms practice, is already addressed. Petty Misdeamenor. No practical purpose for this bill and poses public health risk as well. How does this bill get to be enforced? There is NOTHING good about this bill that isn't already addressed.

STRENUOUSLY OPPOSE.

From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Austin

White <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 8:24 AM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Austin White

HB1615 - RELATING TO FIREARMS. Prohibits any person from possessing a loaded firearm while intoxicated, unless the person is in their own dwelling. Violation is a petty misdemeanor.

This is a Bill which is frankly unenforceable and is wasteful of our tax dollars and the time of Law Enforcement. As it is already statutorily illegal to carry a loaded or unloaded firearm except as noted in HRS 134-23, HRS 134-24 & HRS 134-25, law abiding citizens would not be possessing/carrying firearms outside the locations noted in the above statutes and as defined in section 703-300. Further on, this would make a person guilty of a misdemeanor if they step outside of the confines of their dwelling (home) into their yard or if hunting outside of their tent as noted in section §134-X (c)(1) to use the example of cooking at a grill or open air fire. Do we really want to criminalize someone for cooking? Regarding section 2(A), who is determining the level of impairment and the persons normal mental faculties? As every person is different, this is highly subjective and open to vast interpretation. Will there be additional funding made available to place law enforcement at hunting camps or at peoples home to ensure that they do not step outside? As such, this proposed legislation does nothing but place more restrictions on law abiding citizens and waste taxpayer dollars on an unenforceable statute.

I urge you to oppose this measure

If you have any questions I can be reached at austinowhite@gmail.com or

The above testinony was written and submited by Austin White

From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Blaine

Stuart <feedblitz@mail.feedblitz.com>

Sent: Tuesday, February 4, 2020 7:48 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm My name is Blaine Stuart

I oppose this bill as it is likely a violation of the second amendment. The word dwelling is undefined.

If you have any questions I can be reached at findbgs@gmail.com or

The above testinony was written and submited by Blaine Stuart

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From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Brandon

Blaisdell <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 8:53 AM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Brandon Blaisdell

This bill is very restrictive when addressed to dwelling, everyones tolerance to alcohol is different, and this can be used against a victim in a self defense situation. I strongly OPPOSE.

If you have any questions I can be reached at brandonblaisdell17@gmail.com or

The above testinony was written and submited by Brandon Blaisdell

From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Carlo

Barbasa <feedblitz@mail.feedblitz.com>

Sent: Tuesday, February 4, 2020 10:44 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Carlo Barbasa

Possession of a loaded firearm outside of the home and not on a bonafide range or hunting area is already illegal under state law.

If you have any questions I can be reached at carlo.barbasa@gmail.com or

The above testinony was written and submited by Carlo Barbasa

From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Cheryl

Tanaka <feedblitz@mail.feedblitz.com>

Sent: Tuesday, February 4, 2020 10:28 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Cheryl Tanaka

**Strongly Oppose** 

I am a female lone traveler and I stay at hotels for work. A lot of the hotels are in unfamiliar places. I like to drink a little and relax at the hotel. What if someone breaks into my room and tries to rape me, I would need a gun to protect myself. What if the criminal pushes me out the door or through the window while trying to fight with them? What if I am sleeping over my girlfriends house and we are drinking to relax and the same situation happens? This law only talks about dwelling and not sojourn

If you have any questions I can be reached at localaznchick05@aol.com or The above testinony was written and submited by Cheryl Tanaka

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From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of

Christopher Tanouye <feedblitz@mail.feedblitz.com>

Sent: Tuesday, February 4, 2020 10:02 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Christopher Tanouye

I oppose this bill because if a person uses their firearm legally for self defense in their dwelling while under the influence they could find themself facing charges up to and including murder.

If you have any questions I can be reached at chris.tanouye@gmail.com or

The above testinony was written and submited by Christopher Tanouye

From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Cody

Haddin <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 10:09 AM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm My name is Cody Haddin

This would open lawful gun owners using their firearms in a legal defensive manner up to more charges.

The term dwelling is to restrictive and would again open up a citizen to more charges should they for example defend their place of buisness.

If you have any questions I can be reached at Mygmalesack@gmail.com or

The above testinony was written and submited by Cody Haddin

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From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of David

Barbieto <feedblitz@mail.feedblitz.com>

Sent: Tuesday, February 4, 2020 9:18 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is David Barbieto I strongly opposed this bill

If you have any questions I can be reached at dbarbietoiii@gmail.com or

The above testinony was written and submited by David Barbieto

From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Edward

Call <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 2:00 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm My name is Edward Call

I strongly oppose HB1615. Although I think it's unsafe to handle firearms while under the influence of alcohol, I think its wrong to charge a person for it if they become involved in a justified defensive shooting situation. This will not prevent criminals from breaking any laws. It would only affect law abiding citizens that may find themselves in an unfortunate situation. Every ones tolerance for alcohol is different and HB1615 doesn't take that into account. A person may only drink one alcoholic beverage and still be able to make rational decisions in a self defense situation.

If you have any questions I can be reached at edwardskater@yahoo.com or

The above testinony was written and submited by Edward Call

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From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Edward

Hampton <feedblitz@mail.feedblitz.com>

Sent: Tuesday, February 4, 2020 9:36 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Edward Hampton

Written so broadly as to be unenforceable.

If you have any questions I can be reached at oldskipper1@hotmail.com or

The above testinony was written and submited by Edward Hampton

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From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Gavin

Lohmeier <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 7:34 AM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

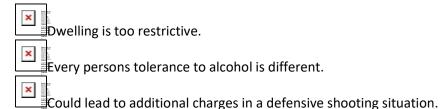
This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Gavin Lohmeier

oppose



Whilst we believe that a person should be a responsible gun owner and that handling a firearm whilst intoxicated could be dangerous, This bill is very restrictive in its wording. A person may find themselves in other places they are legally able to be armed, such as their place of business or place of sojourn where alcohol may be served. Every person is different in how they process alcohol and there is no sure-fire method for a person to accurately to measure.

A person who uses a firearm for otherwise lawful self-defense, but who is under the influence of alcohol could find themselves facing criminal charges up to and including murder.

If this law was to pass it would need to be made clear that law enforcement are not exempt.

If you have any questions I can be reached at onederful100@aol.com or The above testinony was written and submited by Gavin Lohmeier

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From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Guy

Nakanishi <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 7:43 AM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Guy Nakanishi

We believe that a person should be a responsible gun owner and that handling a firearm whilst intoxicated could be dangerous, This bill is very restrictive in its wording. A person may find themselves in other places they are legally able to be armed, such as their place of business or place of sojourn where alcohol may be served. Every person is different in how they process alcohol and there is no sure-fire method for a person to accurately to measure.

A person who uses a firearm for otherwise lawful self-defense, but who is under the influence of alcohol could find themselves facing criminal charges up to and including murder.

If this law was to pass it would need to be made clear that law enforcement are not exempt.

If you have any questions I can be reached at nakanishiguy@gmail.com or The above testinony was written and submited by Guy Nakanishi

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From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Jacob

Holcomb < jake@mailbox.org>

Sent: Tuesday, February 4, 2020 11:47 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Jacob Holcomb

I oppose this bill

I am not sure what problem this bill is trying to address. The last two times I heard local stories about intoxicated people injuring or killing others with firearms, both of the suspects were Law Enforcement Officers.

That said it could be an issue if this state ever decides to follow the constitution when it comes to concealed carry, but the bill should us the language as the current law that allows a person to be armed at their place of sojourn.

That way someone could house sit for a friend and not have to worry about facing prosecution on a technicality in a situation where their life was clearly in danger.

If you have any questions I can be reached at jake@mailbox.org or The above testinony was written and submited by Jacob Holcomb <a href="Terms">Terms</a> • <a href="Privacy">Privacy</a> • <a href="Support">Support</a>

From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Jerry Yuen

<feedblitz@mail.feedblitz.com>

Sent: Wednesday, February 5, 2020 11:23 AM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm My name is Jerry Yuen

I strongly oppose HB1615. I am a certified firearms instructor for the Marines and Hawaii Army National Guard and the President of the Pu'uloa Rifle and Pistol Club. This bill is a clear violation of the Second Amendment. Dwelling is an ambiguous term. A clear definition should be stated. Alcohol tolerance varies from person to person. And there is not any accommodation for extenuating circumstances such as violent intrusion during home events where alcohol is served. This is a bad bill that will lead to more problems rather than preventing gun related crime or accidents.

If you have any questions I can be reached at jerry.t.yuen@gmail.com or

The above testinony was written and submited by Jerry Yuen

From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of

Jonagustine Lim <feedblitz@mail.feedblitz.com>

Sent: Tuesday, February 4, 2020 9:29 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Jonagustine Lim

I write in strong opposition to HB1615.

Restricting the rights of firearm owners to their own dwelling is very restrictive.

If you have any questions I can be reached at jonagustine\_lim@yahoo.com or The above testinony was written and submited by Jonagustine Lim

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From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Keoni

Tamashiro <feedblitz@mail.feedblitz.com>

Sent: Tuesday, February 4, 2020 9:23 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Keoni Tamashiro

I think this law is unnecessary as any responsible gun owner knows not to handle their firearms while under the influence. I find this laughable that this did not come up sooner, especially 5 years ago when an off duty HPD officer shot a bartender at a Korean Bar. How is it that they are held to a different standard then the public? They also get annual training and need to qualify.

If you have any questions I can be reached at kt96817@gmail.com or The above testinony was written and submited by Keoni Tamashiro Terms • Privacy • Support

From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Kimo

Galon <feedblitz@mail.feedblitz.com>

Sent: Tuesday, February 4, 2020 10:32 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm My name is Kimo Galon

I oppose this bill because it has the word "dwelling". Currently it is legal to consume alcohol anywhere on one's property. The word should if anything be changed to property.

Bill does not include "place of business" or "place of sojourn" which are also both 2 other places that firearms are legally allowed. If someone is staying at a family member's, friends home or at a hotel and is drinking? They are violating the law if "dwelling" is used. Another example could be someone is drinking at their place of business. Ultimately being the same meaning

I would like this bill to be completely thrown out. Crime does not wait for you to sober up. Nor do criminals have a work schedule as we the law abiding, hard working citizens of Hawaii. BAC of 0.08 is such an subjective marker with too many variables that could sway either way for someone.

Furthermore, with Hawaii being so stringent with open/conceal carry permits firearms owners are not granted permits to carry outside of "sojourn" or our four walls.

Hawaii has no current issues with alcohol abuse and firearms. This bill is far too vague and does nothing to curb or prevent violent crime in Hawaii.

If you have any questions I can be reached at kimo.galon@gmail.com or

The above testinony was written and submited by Kimo Galon

From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Kimo

Gugudan <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 10:12 AM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Kimo Gugudan

Please oppose this Unconstitutional Bill

If you have any questions I can be reached at 7jedis@gmail.com or The above testinony was written and submited by Kimo Gugudan

From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Marc

Shimatsu <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 1:51 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Marc Shimatsu

I oppose this bill because it removes the right to self protection in your own home if alcohol is consumed. A person could face more charges if a firearm is used defensively to protect yourself and/or family members from harm if alcohol is consumed.

If you have any questions I can be reached at tazman\_269@hotmail.com or The above testinony was written and submited by Marc Shimatsu

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From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Michael

Moylan <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 7:33 AM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Michael Moylan

I, Michael Moylan, OPPOSE HB1615.

Whilst I believe that a person should be a responsible gun owner and that handling a firearm whilst intoxicated could be dangerous, This bill is very restrictive in its wording. A person may find themselves in other places they are legally able to be armed, such as their place of business or place of sojourn where alcohol may be served. Every person is different in how they process alcohol and there is no sure-fire method for a person to accurately to measure.

A person who uses a firearm for otherwise lawful self-defense, but who is under the influence of alcohol could find themselves facing criminal charges up to and including murder.

If this law was to pass it would need to be made clear that law enforcement are not exempt.

If you have any questions I can be reached at xstretch101@yahoo.com or The above testinony was written and submited by Michael Moylan <u>Terms</u> • <u>Privacy</u> • <u>Support</u>

From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Mitchell

Weber <feedblitz@mail.feedblitz.com>

Sent: Tuesday, February 4, 2020 11:09 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Mitchell Weber I STRONGLY OPPOSE HB1615

Why can't the name of the other party that requested this proposed bill be named as an introducer? Is it because admitting that HPD requested this bill violates their duty to not legislate but in fact enforce laws already on the books? I have great respect for our LEO's but it is not their place to slip legislation in through the backdoor.

By merely entertaining the notion that this ludacris proposed bill would have any effect on crime or safety is proof that you either do not read the states revised statutes or are incapable of interpreting them. HRS 134-23, HRS 134-24 & HRS 134-25 clearly deny any law abiding citizen from carrying a loaded or unloaded firearm outside of their home/ shooting range(which is a state park where alcohol consumption is already illegal), who will this proposed bill save or deter? Will criminals who carry firearms illegally decide not too because they have consumed alcohol or drugs? How will it account for people's differing ability try to metabolize alcohol? The only citizens I see carrying firearms while possibly intoxicated are off duty police while out on the town, will they be held accountable?

If you have any questions I can be reached at mdotweber@icloud.com or The above testinony was written and submited by Mitchell Weber Terms • Privacy • Support

From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Noah

Drazkowski <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 9:32 AM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Noah Drazkowski

Dwelling is too restrictive. We should always have the right to defend ourselves. If you have any questions I can be reached at noahdrazkowski@hotmail.com or

The above testinony was written and submited by Noah Drazkowski

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From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Patrick

Baltazar <feedblitz@mail.feedblitz.com>

Sent: Wednesday, February 5, 2020 12:27 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Patrick Baltazar

As a fellow Hawaii resident, I ask you to please oppose all gun control bills before your committee.

These bills restrict my Second Amendment rights and make it harder for me to defend myself and my loved ones and to use firearms for other lawful purposes. There's no reason to believe that criminals will have any more respect for new gun laws than for the existing laws they ignore. Instead of exploring more ways to take away my rights, the legislature should be looking to reduce crime by going after criminals and their illegal activities directly. Thank you.

If you have any questions I can be reached at poiboi001@gmail.com or The above testinony was written and submitted by Patrick Baltazar Terms • Privacy • Support

From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Rick Burrell

<feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 12:13 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm My name is Rick Burrell

I oppose this and other bills which seek to take away the constitutional rights of legal and law abiding firearms owners.

If you have any questions I can be reached at painterick@gmail.com or

The above testinony was written and submited by Rick Burrell

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From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Robert

Hechtman <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 9:06 AM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Robert Hechtman I strongly oppose this bill HB1615.

Whilst I believe that a person should be a responsible gun owner and that handling a firearm whilst intoxicated could be dangerous, This bill is very restrictive in its wording. A person may find themselves in other places they are legally able to be armed, such as their place of business or place of sojourn where alcohol may be served. Every person is different in how they process alcohol and there is no sure-fire method for a person to accurately to measure.

A person who uses a firearm for otherwise lawful self-defense, but who is under the influence of alcohol could find themselves facing criminal charges up to and including murder.

If this law was to pass it would need to be made clear that law enforcement are not exempt.

Thank you, Robert Hechtman

If you have any questions I can be reached at hechtmanr@gmail.com or The above testinony was written and submited by Robert Hechtman <u>Terms</u> • <u>Privacy</u> • <u>Support</u>

From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Ross Mukai

<feedblitz@mail.feedblitz.com>

Sent: Wednesday, February 5, 2020 11:05 AM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm My name is Ross Mukai

I oppose this bill.

1. Dwelling is more restrictive than the legal place to keep terms like place of business or sojourn. It doesn't make sense to present a legal dilemma to a person who might encounter personally owned and stored firearms in their garage or shed at their home and want to move, inspect, and make them safe.

2. This bill should explicitly include in the text of the bill that it includes state, county, out of state, and federal law enforcement, and other carry permit holders.

If you have any questions I can be reached at rossmukai@gmail.com or The above testinony was written and submited by Ross Mukai <u>Terms</u> • <u>Privacy</u> • <u>Support</u>

From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Ryan

Matsumoto <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 6:48 AM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Ryan Matsumoto

Hi,

I strongly oppose this bill because you are trying to fix a non-existent problem. I cannot take my firearm outside of my own dwelling without breaking any laws. Law abiding citizens who own firearms would not take their firearm anywhere other than a gun range.

Thank you,

Ryan

If you have any questions I can be reached at ryanm.matsumoto@gmail.com or The above testinony was written and submited by Ryan Matsumoto

<u>Terms</u> • <u>Privacy</u> • <u>Support</u>

From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Samuel

Webb <feedblitz@mail.feedblitz.com>

Sent: Tuesday, February 4, 2020 8:38 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Samuel Webb

I oppose this bill, because it dose not include law enforcement. If you have any questions I can be reached at sebb67@yahoo.com or The above testinony was written and submited by Samuel Webb <a href="Terms">Terms</a> • <a href="Privacy">Privacy</a> • <a href="Support">Support</a>

From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Sean Goo

<feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 6:23 AM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm My name is Sean Goo

This only applies to Law Enforcement. They are the only ones that have been intoxicated and drinking at bars. I am opposed to this bill HB1615. This bill needs to be more specific in regards to dwelling place.

#### Sean Goo

If you have any questions I can be reached at sean.goo23@gmail.com or The above testinony was written and submited by Sean Goo

<u>Terms</u> • <u>Privacy</u> • <u>Support</u>

From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Sterling

Luna <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 2:04 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm My name is Sterling Luna

Oppose. This bill is very restrictive in its wording. A person may find themselves in other places they are legally able to be armed, such as their place of business or place of sojourn where alcohol may be served.

If you have any questions I can be reached at onfire.co@gmail.com or

The above testinony was written and submited by Sterling Luna

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From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Willow

Aureala <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 9:55 AM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Willow Aureala

I oppose this bill because it violates the second amendment; part of the constitution you swore to uphold! You are just gun-grabbing liberals who seem to not understand that there is ample evidence that shows that law-abiding citizens commit far fewer gun-related crimes than any other sector, including police officers! You need to stop trying to take away our second amendment rights! This bill also seeks to 'solve' a problem that doesn't exist. Stop making laws that just clog the books and the system! The word 'dwelling' is too restrictive. Intoxication varies from person to person.

If you have any questions I can be reached at willow@yahoo.com or

The above testinony was written and submited by Willow Aureala

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# HB-1615

Submitted on: 2/5/2020 3:22:23 PM

Testimony for JUD on 2/6/2020 2:05:00 PM



Submitted By	Organization	Testifier Position	Present at Hearing
Todd Yukutake	Individual	Oppose	Yes

#### Comments:

Please amend this bill to cover a person's property instead of just the dwelling. Though I believe a person should not be intoxicated while possessing a firearm, I believe in personal property rights. This should cover areas like a garage, lawn, driveway, etc as you have a right to protect your property.

Mahalo

Todd Yukutake Resident of Aiea, House district 33



<u>HB-1615</u> Submitted on: 2/5/2020 3:49:44 PM

Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeanne Schultz Afuvai	Individual	Support	No

Comments:



From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Sebastian

Simon-ganti <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 2:10 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Sebastian Simon-ganti

I oppose HB1615. It would affect law abiding citizens.

If you have any questions I can be reached at ssimonganti@gmail.com or The above testinony was written and submited by Sebastian Simon-ganti



From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Leif Akaji

<feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 2:15 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB2631

This testimony is submitted in opposition to HB2631

DATE: Thursday, February 6, 2020

TIME: 2:05pm My name is Leif Akaji

I oppose this bill because it grants the police chief too much power If you have any questions I can be reached at leifjakaji@hotmail.com or

The above testinony was written and submited by Leif Akaji



From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.reedbitz.com> on behalf of Isaiah

Daquioag <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 2:16 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Isaiah Daquioag

I oppose HB1615

If you have any questions I can be reached at isaiahdaquioag@ymail.com or

The above testinony was written and submited by Isaiah Daquioag

From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Calvin

Kajiwara <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 3:11 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Calvin Kajiwara I Oppose this because Dwelling is too restrictive.

Every persons tolerance to alcohol is different.

Could lead to additional charges in a defensive shooting situation.

Whilst we believe that a person should be a responsible gun owner and that handling a firearm whilst intoxicated could be dangerous, This bill is very restrictive in its wording. A person may find themselves in other places they are legally able to be armed, such as their place of business or place of sojourn where alcohol may be served. Every person is different in how they process alcohol and there is no sure-fire method for a person to accurately to measure. A person who uses a firearm for otherwise lawful self-defense, but who is under the influence of alcohol could find themselves facing criminal charges up to and including murder.

If this law was to pass it would need to be made clear that law enforcement are not exempt.

If you have any questions I can be reached at kajiwaract@gmail.com or The above testinony was written and submited by Calvin Kajiwara

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From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Anthony

Barca <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 5:05 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Anthony Barca

American citizens have the right to keep and bare arms as guaranteed by the second amendment of the constitution. American citizens also have the right to consume alcohol. As long as they are doing those things on private property, they should be allowed. Just as drinking and driving is illegal on public roadways, so to should drinking and operating a firearm. Illegal in public, perfectly fine on private land.

If you have any questions I can be reached at nattydreadlox@gmail.com or The above testinony was written and submited by Anthony Barca



From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Kelvin

Sato <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 6:02 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm My name is Kelvin Sato HB1615

**I STRONGLY OPPOSE HB1615** 

- Dwelling is too restrictive.
- ♣ Every persons tolerance to alcohol is different.
- A Could lead to additional charges in a defensive shooting situation.

I believe that a person should be a responsible gun owner and that handling a firearm whilst intoxicated could be dangerous, This bill is very restrictive in its wording. A person may find themselves in other places they are legally able to be armed, such as their place of business or place of sojourn where alcohol may be served. Every person is different in how they process alcohol and there is no sure-fire method for a person to accurately to measure.

A person who uses a firearm for otherwise lawful self-defense, but who is under the influence of alcohol could find themselves facing criminal charges up to and including murder.

If this law was to pass it would need to be made clear that law enforcement are not exempt.

Kelvin Sato House District 8 Senate District 5

If you have any questions I can be reached at hanohano13@gmail.com or The above testinony was written and submited by Kelvin Sato

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From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of julie

Kajiwara <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 6:05 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is julie Kajiwara

HB1615

#### I STRONGLY OPPOSE HB1615

- Dwelling is too restrictive.
- ♣ Every persons tolerance to alcohol is different.
- A Could lead to additional charges in a defensive shooting situation.

I believe that a person should be a responsible gun owner and that handling a firearm whilst intoxicated could be dangerous, This bill is very restrictive in its wording. A person may find themselves in other places they are legally able to be armed, such as their place of business or place of sojourn where alcohol may be served. Every person is different in how they process alcohol and there is no sure-fire method for a person to accurately to measure.

A person who uses a firearm for otherwise lawful self-defense, but who is under the influence of alcohol could find themselves facing criminal charges up to and including murder.

If this law was to pass it would need to be made clear that law enforcement are not exempt.

Julie DeCosta Kajiwara House District 16 Senate District 8

If you have any questions I can be reached at lilmenehune1957@yahoo.com or The above testinony was written and submited by julie Kajiwara <u>Terms • Privacy • Support</u>



From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Scottlyn

Kajiwara <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 6:04 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Scottlyn Kajiwara

HB1615

**I STRONGLY OPPOSE HB1615** 

- Dwelling is too restrictive.
- A Every persons tolerance to alcohol is different.
- A Could lead to additional charges in a defensive shooting situation.

I believe that a person should be a responsible gun owner and that handling a firearm whilst intoxicated could be dangerous, This bill is very restrictive in its wording. A person may find themselves in other places they are legally able to be armed, such as their place of business or place of sojourn where alcohol may be served. Every person is different in how they process alcohol and there is no sure-fire method for a person to accurately to measure.

A person who uses a firearm for otherwise lawful self-defense, but who is under the influence of alcohol could find themselves facing criminal charges up to and including murder.

If this law was to pass it would need to be made clear that law enforcement are not exempt.

S.Aiko Kajiwara House District 16 Senate District 8

If you have any questions I can be reached at kajiwara.aiko.kai@gmail.com or The above testinony was written and submited by Scottlyn Kajiwara

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From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Alan

Fukuyama <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 6:15 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Alan Fukuyama

HB1615

I STRONGLY OPPOSE HB1615

- Dwelling is too restrictive.
- A Every persons tolerance to alcohol is different.
- A Could lead to additional charges in a defensive shooting situation.

I believe that a person should be a responsible gun owner and that handling a firearm whilst intoxicated could be dangerous, This bill is very restrictive in its wording. A person may find themselves in other places they are legally able to be armed, such as their place of business or place of sojourn where alcohol may be served. Every person is different in how they process alcohol and there is no sure-fire method for a person to accurately to measure.

A person who uses a firearm for otherwise lawful self-defense, but who is under the influence of alcohol could find themselves facing criminal charges up to and including murder.

If this law was to pass it would need to be made clear that law enforcement are not exempt.

Alan Fukuyama House District 16 Senate District 8

If you have any questions I can be reached at friendsforal@gmail.com or The above testinony was written and submited by Alan Fukuyama

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From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Dolores

DeCosta <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 6:14 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Dolores DeCosta

HB1615

**I STRONGLY OPPOSE HB1615** 

- Dwelling is too restrictive.
- ♣ Every persons tolerance to alcohol is different.
- A Could lead to additional charges in a defensive shooting situation.

I believe that a person should be a responsible gun owner and that handling a firearm whilst intoxicated could be dangerous, This bill is very restrictive in its wording. A person may find themselves in other places they are legally able to be armed, such as their place of business or place of sojourn where alcohol may be served. Every person is different in how they process alcohol and there is no sure-fire method for a person to accurately to measure.

A person who uses a firearm for otherwise lawful self-defense, but who is under the influence of alcohol could find themselves facing criminal charges up to and including murder.

If this law was to pass it would need to be made clear that law enforcement are not exempt.

Mrs. Dolores DeCosta House District 16 Senate District 8

If you have any questions I can be reached at grandmadolly808@gmail.com or The above testinony was written and submited by Dolores DeCosta <u>Terms • Privacy • Support</u>



From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Frank

DeCosta <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 6:14 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Frank DeCosta

HB1615

#### **I STRONGLY OPPOSE HB1615**

- Dwelling is too restrictive.
- A Every persons tolerance to alcohol is different.
- A Could lead to additional charges in a defensive shooting situation.

I believe that a person should be a responsible gun owner and that handling a firearm whilst intoxicated could be dangerous, This bill is very restrictive in its wording. A person may find themselves in other places they are legally able to be armed, such as their place of business or place of sojourn where alcohol may be served. Every person is different in how they process alcohol and there is no sure-fire method for a person to accurately to measure.

A person who uses a firearm for otherwise lawful self-defense, but who is under the influence of alcohol could find themselves facing criminal charges up to and including murder.

If this law was to pass it would need to be made clear that law enforcement are not exempt.

Frank DeCosta House District 16 Senate District 8

If you have any questions I can be reached at islandmold@gmail.com or The above testinony was written and submited by Frank DeCosta <u>Terms</u> • <u>Privacy</u> • <u>Support</u>



From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Hawk

Jones <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 6:18 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm My name is Hawk Jones

I oppose all further attempts at gun control legislation. Hawai'i needs an increase in firearm ownership among its general law abiding citizenry, not botched attempts to limit firearm possession among free law abiding citizens. Additionally Hawai'i should pass stand your ground laws that protect home and land owners when they engage criminals on their property allowing blanket protection to said land / homeowner that may shoot someone that invades their personally owned property. This would allow people to protect themselves, family members, and personal property w.o. fear of prosecution for doing such. Furthermore it is high time that Hawai'i becomes a shall issue CCW State with zero bureaucratic hoops to jump in order to get said license issued - If someone has a clean background and is able to have a firearm license issued to them, they should be able to apply for and receive a CCW permit without hesitation. For too long have people been left without the means to defend themselves against Violent Crime in the State of Hawai'i away from their domicile - instead having to be the sufferer and victim of violent actions brought against them.

I oppose HB1615

Thank you,

Hawk Jones

If you have any questions I can be reached at 9hawk9star9@gmail.com or The above testinony was written and submited by Hawk Jones

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From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Jayhart

Gusman <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 6:17 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Jayhart Gusman

HB1615

I STRONGLY OPPOSE HB1615

- Dwelling is too restrictive.
- ♣ Every persons tolerance to alcohol is different.
- A Could lead to additional charges in a defensive shooting situation.

I believe that a person should be a responsible gun owner and that handling a firearm whilst intoxicated could be dangerous, This bill is very restrictive in its wording. A person may find themselves in other places they are legally able to be armed, such as their place of business or place of sojourn where alcohol may be served. Every person is different in how they process alcohol and there is no sure-fire method for a person to accurately to measure.

A person who uses a firearm for otherwise lawful self-defense, but who is under the influence of alcohol could find themselves facing criminal charges up to and including murder.

If this law was to pass it would need to be made clear that law enforcement are not exempt.

Jayhart K Gusman House District 16 Senate District. 5

If you have any questions I can be reached at uluajay@gmail.com or The above testinony was written and submited by Jayhart Gusman Terms • Privacy • Support



From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Jaylicia

Patricio Young <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 6:20 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Jaylicia Patricio Young

HB1615

I STRONGLY OPPOSE HB1615

- Dwelling is too restrictive.
- A Every persons tolerance to alcohol is different.
- A Could lead to additional charges in a defensive shooting situation.

I believe that a person should be a responsible gun owner and that handling a firearm whilst intoxicated could be dangerous, This bill is very restrictive in its wording. A person may find themselves in other places they are legally able to be armed, such as their place of business or place of sojourn where alcohol may be served. Every person is different in how they process alcohol and there is no sure-fire method for a person to accurately to measure.

A person who uses a firearm for otherwise lawful self-defense, but who is under the influence of alcohol could find themselves facing criminal charges up to and including murder.

If this law was to pass it would need to be made clear that law enforcement are not exempt.

Jaylicia K Patricio Young House District 23 Senate District. 11

If you have any questions I can be reached at kananienv@gmail.com or The above testinony was written and submited by Jaylicia Patricio Young <a href="Terms">Terms</a> • <a href="Privacy">Privacy</a> • <a href="Support">Support</a>



From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of John Viado

<feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 6:16 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm My name is John Viado

HB1615

#### **I STRONGLY OPPOSE HB1615**

- Dwelling is too restrictive.
- A Every persons tolerance to alcohol is different.
- A Could lead to additional charges in a defensive shooting situation.

I believe that a person should be a responsible gun owner and that handling a firearm whilst intoxicated could be dangerous, This bill is very restrictive in its wording. A person may find themselves in other places they are legally able to be armed, such as their place of business or place of sojourn where alcohol may be served. Every person is different in how they process alcohol and there is no sure-fire method for a person to accurately to measure.

A person who uses a firearm for otherwise lawful self-defense, but who is under the influence of alcohol could find themselves facing criminal charges up to and including murder.

If this law was to pass it would need to be made clear that law enforcement are not exempt.

John K T Viado House District 8 Senate District 5

If you have any questions I can be reached at jkviado21@gmail.com or The above testinony was written and submited by John Viado

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From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Leona

Rocha Wilson <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 6:19 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Leona Rocha Wilson

HB1615

#### I STRONGLY OPPOSE HB1615

- Dwelling is too restrictive.
- ♣ Every persons tolerance to alcohol is different.
- A Could lead to additional charges in a defensive shooting situation.

I believe that a person should be a responsible gun owner and that handling a firearm whilst intoxicated could be dangerous, This bill is very restrictive in its wording. A person may find themselves in other places they are legally able to be armed, such as their place of business or place of sojourn where alcohol may be served. Every person is different in how they process alcohol and there is no sure-fire method for a person to accurately to measure.

A person who uses a firearm for otherwise lawful self-defense, but who is under the influence of alcohol could find themselves facing criminal charges up to and including murder.

If this law was to pass it would need to be made clear that law enforcement are not exempt.

Leona Rocha Wilson House District 8 Senate District 5

If you have any questions I can be reached at lonarw1937@aol.com or The above testinony was written and submited by Leona Rocha Wilson Terms • Privacy • Support



From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Matt

DeCosta <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 6:12 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Matt DeCosta

HB1615

**I STRONGLY OPPOSE HB1615** 

- Dwelling is too restrictive.
- A Every persons tolerance to alcohol is different.
- A Could lead to additional charges in a defensive shooting situation.

I believe that a person should be a responsible gun owner and that handling a firearm whilst intoxicated could be dangerous, This bill is very restrictive in its wording. A person may find themselves in other places they are legally able to be armed, such as their place of business or place of sojourn where alcohol may be served. Every person is different in how they process alcohol and there is no sure-fire method for a person to accurately to measure.

A person who uses a firearm for otherwise lawful self-defense, but who is under the influence of alcohol could find themselves facing criminal charges up to and including murder.

If this law was to pass it would need to be made clear that law enforcement are not exempt.

Matt C DeCosta House District 16 Senate District. 8

If you have any questions I can be reached at matso01@live.com or The above testinony was written and submited by Matt DeCosta <u>Terms</u> • <u>Privacy</u> • <u>Support</u>



From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Stan

DeCosta <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 6:13 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm My name is Stan DeCosta

HB1615

**I STRONGLY OPPOSE HB1615** 

- Dwelling is too restrictive.
- A Every persons tolerance to alcohol is different.
- A Could lead to additional charges in a defensive shooting situation.

I believe that a person should be a responsible gun owner and that handling a firearm whilst intoxicated could be dangerous, This bill is very restrictive in its wording. A person may find themselves in other places they are legally able to be armed, such as their place of business or place of sojourn where alcohol may be served. Every person is different in how they process alcohol and there is no sure-fire method for a person to accurately to measure.

A person who uses a firearm for otherwise lawful self-defense, but who is under the influence of alcohol could find themselves facing criminal charges up to and including murder.

If this law was to pass it would need to be made clear that law enforcement are not exempt.

Stan C DeCosta House District 16 Senate District 8

If you have any questions I can be reached at jmdclipsnme@gmail.com or The above testinony was written and submited by Stan DeCosta <u>Terms</u> • <u>Privacy</u> • <u>Support</u>



From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Kamalu

Miller <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 6:54 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Kamalu Miller

Oppose due to restricting second amendment. You will lose more voters than you think if you support this bill

If you have any questions I can be reached at kamalu.miller@gmail.com or

The above testinony was written and submited by Kamalu Miller



From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of David

Dierking <feedblitz@mail.feedblitz.com>

Sent: Thursday, February 6, 2020 7:51 AM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is David Dierking

No: This bill potentially criminalizes lawful self defense use of a firearm if a crime victim is deemed even slightly "intoxicated". All illegal uses of firearms are already prohibited by law! This is true if a person with a firearm is stone-cold sober or inebriated on any substance, therefore this bill doesn't mitigate any societal problem! If you have any questions I can be reached at mechman808@gmail.com or

The above testinony was written and submited by David Dierking



From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Dominick

Jacinto <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 7:54 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Dominick Jacinto Dwelling is too restrictive.

Every persons tolerance to alcohol is different.

Could lead to additional charges in a defensive shooting situation

If you have any questions I can be reached at str84wrd07@gmail.com or

The above testinony was written and submited by Dominick Jacinto



From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of stuart saito

<ninja01@hawaii.rr.com>

**Sent:** Wednesday, February 5, 2020 10:18 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm My name is stuart saito

I strongly oppose because, Dwelling is too restrictive.

Every persons tolerance to alcohol is different.

Could lead to additional charges in a defensive shooting situation

If you have any questions I can be reached at ninja01@hawaii.rr.com or

The above testinony was written and submited by stuart saito

# HB-1615

Submitted on: 2/5/2020 10:07:52 PM Testimony for JUD on 2/6/2020 2:05:00 PM



Submitted By	Organization	Testifier Position	Present at Hearing
Amy Ford-Wagner	Individual	Support	No

#### Comments:

Aloha, Please support this bill, which prohibits a person possessing a firearm while intoxicated, unless they are in their own dwelling. This is such a common-sense approach to gun safety that I'm sure we can all support! We don't allow intoxicated people to drive; why would we allow them to possess a deadly weapon? Thank you!

Sincerely,

Amy Ford-Wagner



From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of William

Carreira <feedblitz@mail.feedblitz.com>

**Sent:** Wednesday, February 5, 2020 8:43 PM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is William Carreira

I am writing to voice my testimony in OPPOSITION to bill HB1615. While I truly believe that guns and alcohol do not mix, this bill is useless. As a citizen I am unable to carry a firearm unless I am at the range, hunting or on my private property. There is no alcohol allowed at the range. You can't stalk/hunt while drinking, much less aim. And the bill allows you to be intoxicated while carrying a firearm in your own dwelling. This bill makes no sense at all. Please don't waste tax payer time or money. Instead spend money teaching the public to be responsible for themselves.

Thank you, William K. Carreira Waipahu, HI

If you have any questions I can be reached at will.carreira@gmail.com or The above testinony was written and submited by William Carreira <u>Terms</u> • <u>Privacy</u> • <u>Support</u>



From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Brian

Cabreira <feedblitz@mail.feedblitz.com>

Sent: Thursday, February 6, 2020 9:56 AM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Brian Cabreira

I strongly oppose this bill. Dwelling is too restrictive. Everyone's alcohol tolerance is different, what and who decides what intoxicated is? I am a certified firearms instructor, gunsmith and responsible gun owner.

If you have any questions I can be reached at bcabreira@gmail.com or

The above testinony was written and submited by Brian Cabreira

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From: Ninja Forms TxnMail <ninja\_forms\_txnmail@t9n.feedblitz.com> on behalf of Spencer

Bowman <feedblitz@mail.feedblitz.com>

**Sent:** Thursday, February 6, 2020 8:39 AM

**To:** JUDtestimony

**Subject:** Testimony in opposition to HB1615

This testimony is submitted in opposition to HB1615

DATE: Thursday, February 6, 2020

TIME: 2:05pm

My name is Spencer Bowman

I oppose this bill. I agree with HIFICO's positions on this bill. It is too restrictive and should not pass as is. Good citizens should be able to defend themselves and their families in emergencies even if that emergency happens after having a beer. I also would like it to be clear that law enforcement officials are not exempt.

If you have any questions I can be reached at spence\_bowman@yahoo.com or

The above testinony was written and submited by Spencer Bowman

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TO: Committee on Public Safety, Veterans, & Military Affairs State Capitol, 415 South Beretania St. Thursday, February 6, 2020 2:05pm, Conference Rm 325



From: Dwayne Lim

Subject: HB1615, Firearms; Gun Safety; Registration

I strongly oppose HB1615 Prohibits any person from possessing a loaded firearm while intoxicated.

Hawaii has "the strongest gun safety laws in the nation," yet law makers have not fully examined the impact that this bill will on the rights as law-abiding gun owner.

I propose educating the public on proper handling of firearms instead of making laws that have no effect on keeping the public safe.

I humbly demand that the Committee on Public Safety, Veterans, & Military Affairs not vote to move HB1615 any further.

Please direct any and all questions to dctactical@hawaii.rr.com.

Very respectfully, Dwayne Lim HB-1615

Submitted on: 2/6/2020 11:19:45 AM

Testimony for JUD on 2/6/2020 2:05:00 PM



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

#### Comments:

Dear Honorable Legislative Representatives,

I am in support of this bill. Alcohol/drugs do not mix. This is just a basic safety issue. The NRA teaches all who take their classes that people should never drink and shoot.

Sincerely,

David Fukuzawa

TO: Committee on Public Safety, Veterans, & Military Affairs State Capitol, 415 South Beretania St. Thursday, February 6, 2020 2:05pm, Conference Rm 325



From: Kelly Lim

Subject: HB1615, Firearms; Gun Safety; Registration

I strongly oppose HB1615 Prohibits any person from possessing a loaded firearm while intoxicated.

Hawaii has "the strongest gun safety laws in the nation," yet law makers have not fully examined the impact that this bill will on the rights as law-abiding gun owner.

I propose educating the public on proper handling of firearms instead of making laws that have no effect on keeping the public safe.

I humbly demand that the Committee on Public Safety, Veterans, & Military Affairs not vote to move HB1615 any further.

Please direct any and all questions to kellylim@hawaii.rr.com.

Very respectfully, Kelly Lim