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

County of Hawai'i is an Equal Opportunity Provider and Employer.

NATIONAL RIFLE ASSOCIATION OF AMERICA

**INSTITUTE FOR LEGISLATIVE ACTION** 11250 WAPLES MILL ROAD FAIRFAX, VIRGINIA 22030





February 5, 2020

The Honorable Chris Lee Chairman, Senate Judiciary Committee Hawaii State Capitol, Room 443 Honolulu, Hawaii 96813

Dear Chairman Lee:

On behalf of our members in Hawaii, I would like to communicate our opposition to House Bill 2744 (HB 2744).

The NRA is not opposed to genuine, objective research on firearm deaths, but we are concerned that the program established by HB 2744 would fund biased puffery.

Historically, firearms research tends to be fundamentally flawed due to the tendency of researchers to only include data about the negative impact of firearm ownership. An honest attempt to understand the impact of firearms in the United States must also consider the public benefit. Past studies where a true cost-benefit analysis was conducted have repeatedly found that gun owners prevent far more crimes than they commit.

Considering HB 2744 does not include any assurance that the issue will be holistically considered, we are concerned that it would create little more than taxpayer funded anti-gun propaganda masquerading as academic research.

Sincerely,

Daniel Reid Hawaii State Director NRA-ILA



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

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

State Capitol, Room 325 HEARING: Thursday, February 6, 2019, at 2:15PM RE: HB1600 Relating to Firearms

Aloha Members of the House Committee,

The Hawaii Firearms Coalition OPPOSES HB1600. This bill will adversely affect the lives of various firearms owners by eliminating lending. Here are a few examples:

Hunters – Rifles and Shotguns cannot be loaned to friends and family to go on a hunting trip. Some people cannot afford the cost of purchasing their own firearms or don't have the type of firearms required for the particular game animal. This also affects families where a firearm is loaned to a family member to hunt for dinner or for pest control.

Training – Military service members can no longer borrow firearms from others for marksmanship practice. Persons under 21 would no longer be able to borrow firearms to practice for youth competitions as they no longer can own their own firearms.

Emergencies – A distraught person would no longer have the option of giving his firearms to a trusted friend for safe keeping.

HB 1600 is not necessary as lawful firearm owners will loan firearms out to trusted and responsible people as to avoid liability. Persons being loaned the firearm must still adhere to all State and Federal laws for firearm's possession. The option of transferring ownership to another in lieu of lending is costly and burdensome as it requires multiple trips to the police station to obtain a permit and registration each time the firearm is transferred, resulting in lost wages during the work week.

Mahalo

Todd Yukutake Director, Hawaii Firearms Coalition PH. (808) 255-3066 Email: todd@hifico.org

# <u>HB-2744</u> Submitted on: 2/5/2020 8:52:45 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: HB2744

To whom it may concern:

While the effort to study "gun violence" and "gun crime" are to be commended, Hawaii's relatively low rate of gun crime would, due to sample size and other issues, would not result in good scientific studies. Nor would Hawaii's history of poor financial oversight and ever-growing bureaucracy lend itself to instilling confidence that any such commission would recognize a cost benefit nor that the conclusions wouldn't be politically biased. Money and time could best be spent elsewhere.

Please oppose this bill.

Thank you.

Bill Richter, President

Lessons in Firearms Education



<u>HB-2744</u> Submitted on: 2/6/2020 10:55:55 AM Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel Reid	NRA	Oppose	Yes

Comments:

Submitted on: 2/4/2020 3:05:33 PM Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Russell Takata	Individual	Oppose	No

Comments:

I strongly OPPOSE this bill. The establishment of the proposed Hawaii Gun Violence Prevention Center under the University of Hawaii appears to establish an anti-gun, anti-Second Amendment group within a public government learning institution. This includes the establishment of a special fund to operate this center. This is another case of not directing funds and focus on the real problem why gun violence exists, mental illness. And, guns are not the only objects of misdirection. How about domestic violence, drug use, no infrastructure to address mental illness and prevention of violence to the general public.

Submitted on: 2/4/2020 3:20:49 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:

To solve a problem, it is necessary to have information - data. We need to address the issue of say, mass school shootings, by studying who, what, when, where, how, and how much. It is a major health issue, and we just lost two HPD officers, who should be alive.

HB-2744 Submitted on: 2/4/2020 3:25:59 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:

HB-2744 Submitted on: 2/4/2020 3:57:50 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 4:02:45 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 HB2744 because I believe that a gun violence prevention center would help our law enforcement officers and our citizens to learn info, prepare plans, and develop tools to reduce gun violence in our state and to prevent incidents from occurring. We must take action to root out this cancer and destroy it at its core. Please support HB2744. Mahalo for taking action on this critical issue.

### HB-2744 Submitted on: 2/4/2020 6:12:40 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 register my OPPOSITION to this proposal on the grounds that the proposed Gun Violence Prevention Center would simply parrot the positions of Michael Bloomberg and Moms Demand Action (ie, PARTISAN policy) and take public funds for its operation. In other words, through my hard work and diligence, taxes I pay to the state would go to funding a center with the sole purpose of bad mouthing my hobbies & interests and diminishing the Second Amendment.

There's more than enough biased research to fit the prevailing opinion of gun control in Hawaii already. Please don't add insult to injury by making me help fund more.

Submitted on: 2/4/2020 7:41:53 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:

This is not need at htis time.

A big Wast of Tax payer Money.

We will be watching what money is bing spent on and why.

Elections is comeing up soon!

Submitted on: 2/4/2020 8:20:16 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:

Our legislature has done a tremendous job of establishing a foundation of common sense gun safety laws. In fact, Hawaii leads the nation in its efforts to prevent gun violence. Even so, horrifying tragedies like the one that rocked our community on January 19 of this year can still happen - even here in Hawaii.

HB 2744 HD1, in establishing the Gun Violence and Violent Crime Commission, seeks to further the legislature's efforts to keep Hawaii safe from gun violence. Please pass HB 2744 HD 1.

Mahalo,

Carolyn Pearl

Submitted on: 2/4/2020 10:06:25 PM Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Laetitia Thibault Santoro	Individual	Support	No

Comments:

Aloha,

My name is Laetitia Thibault Santoro.

I am writing to support HB2744. This bill needs to be passed because the gun violence survivor, the law inforcement need help to reduce gun violence.

Gun violence can harm regardless of your age, wealth, profession. Such a bill will help our community in a lot of different ways.

I want my legislators to support bill HB2744 today.

Thank you very much in advance.

best regards,

Laetitia Thibault Santoro

HB-2744 Submitted on: 2/4/2020 10:39:14 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:

HB-2744 Submitted on: 2/4/2020 11:30:00 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:

Submitted on: 2/5/2020 6:24:23 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:

This will obviously be abused and be used as an anti gun and anti 2nd amendment machine funded on tax payer dollars. One just needs to look at the news and social media to see that law abiding citizens are NOT THE PROBLEM. Furthermore, your constant attacks on citizens RIGHTS, and not the real issues or criminals are not goiing unnoticed.

I am writing this testimony in opposition of ALL THESE ANTI GUN BILLS.

The ONLY thing this law will do is turn hundreds of thousands of LEGAL gun owners into defacto criminals overnight. and is a violation of the 2nd Amendment!

Did any of YOU politicians come up with any bills to stop criminals, or at least curb their criminal behavior? Or are YOU just going to concentrate on making LAW ABIDING CITIZENS exercising their RIGHTS into criminals?

Is lying, stealing, and cheating a way of life for these career politicians? YOU rob and steal from us 'legally', and whatever is left YOU leave to the other criminals to steal and kill us. Furthermore, with these bills, you do not care that we will not be able to defend ourselves from either.

Do you all have any integrity? I took an oath, similar to the oath you take, you all need to follow that oath.

"I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States, and the Constitution of the State of Hawaii, and that I will faithfully discharge my duties as ...... to the best of my ability."

I take my promise and oath VERY SERIOUSLY, if you have any integrity left, you will OPPOSE this legislation.

Very serious VOTER

**Brendon Heal** 

Submitted on: 2/5/2020 8:27:41 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:

this bill is creating a massive waste of time and spending

please concentrate on enforcing current laws, keeping criminals in jail, and fixing mental health issues and homelessness

Submitted on: 2/5/2020 9:36:34 AM 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 2744, to establish and provide funding for a Gun Violence Prevention Center.

With gun-related incidences on the rise in our country, it's critical that we attempt to lessen the extent of this violence, and this could be done through further research on the matter.

I'm a concerned mother of three young children, and want to provide the safest community possible for my children to grow up in.

Please support HB 2744.

Mahalo,

**Betsey Strauss** 

Submitted on: 2/5/2020 9:43:29 AM Testimony for JUD on 2/6/2020 2:05:00 PM

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

Comments:

Don't waste my time and tax dollars to do a study.

Everybody already knows what the problems with violent crimes are.

Submitted on: 2/5/2020 10:35:15 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:

Aloha,

I'm a Hawaii resident, voter, a mom, and a social worker. I am writing in support of HB 2744 to establish a gun violence prevention center, and am asking for your support, too.

Sadly, there is no denying gun violence is a significant public health and safety problem in the United States. The alarming rates of homicide, suicide, and homicide-suicide, indicate a need to be proactive as a society, instead of simply reactive. If established, the gun violence prevention center will work with law enforcement, the medical community, and policy makers to collect and analyze data, conduct research, and make much needed recommendations for gun violence prevention.

Thank you for your thoughtful consideration of HB 2744.

Respectfully,

Allegra Giacchino, MSW

Submitted on: 2/5/2020 10:46:18 AM Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ellen Godbey Carson	Individual	Support	No

Comments:

I support this bill to establish a Gun Violence Prevention Center at UH.

Gun violence is increasing all over the US, and Hawaii is not immune from these random, senseless acts of violence. Hawai'i is once again in grief from the senseless loss of life caused by gun violence. Thoughts and prayers are not enough to combat gun violence. Research, policy analysis and actions are needed to keep us as safe from these risks.

The rate of public mass shootings has tripled since 2011. The US now has more mass shootings each year than there are days in the year. Hawai'i has already had one mass shooting, and we would dearly love to avoid any other. Yet we have failed to ban assault rifles, allow loaning of weapons without permits or background checks, and have other loopholes that are worthy of study and data to help find our best ways to keep our community safe.

We currently have the lowest per capita gun violence of any state in the nation, but this can change overnight, and there is much more we could and should be doing to help provide reasoanble safeguards. This Gun Violence Prevention Center could help aim us in the right direction to be a model in the naiton for how best to address gun violence.

Please pass this bill.

Ellen Godbey Carson

Submitted on: 2/5/2020 10:50:38 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 2744

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.

Submitted on: 2/5/2020 11:06:50 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 HB2744.

Brandon Leong

Hawaii Rifle Association Board Member

Lessons In Firearms Education Board Member

NRA Certified Firearms Instructor

HB-2744 Submitted on: 2/5/2020 11:23:47 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:

Submitted on: 2/5/2020 11:25:07 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:

The incidents of gun violence in our community is so much more prevalent today than before. It is sadly time for this bill as it is time to address the issue head-on.

HB-2744 Submitted on: 2/5/2020 12:06:04 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:

Submitted on: 2/5/2020 1:05:13 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:

This is merely a mechanism for predetermined policies to be pushed using propaganda under cover of a government commission

Submitted on: 2/5/2020 1:42:37 PM Testimony for JUD on 2/6/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Terence Lee	Individual	Support	Yes

Comments:

Representative Chris Lee, Chair

Representative Joy A San Buenaventura, Co Chair

JUDICIARY COMMITTEE

February 5, 2020

HB2631- Establishing a Gun Violence Research department in Hawaii

My name is Terence Lee. I was born and raised here on Oahu. I am a Gun Violence Survivor. We need more research Nationwide on this issue. Hawaii has a distinct cultural aspect as to the nature, method, and recovery from Gun Violence. After many years of searching and referrals, I have come to the conclusion that therapy for Gun Violence Survivors is either in the implementation stage, or just non-existent. January 24-26 of this year I participated in a Fellowship Program for Survivors of Gun Violence. The sense of hope and humanity I have has been restored after 27 years of futile searching. I have Mr. Michael Bloomberg to thank for this. It bothers me that a private citizen has funded a program that my country has turned a blind eye to. The healing that took place at the Fellowship was priceless. Preventing the need for such healing should be researched as much as possible.

Thank you for letting me testify.

<u>HB-2744</u> Submitted on: 2/5/2020 3:56:19 PM Testimony for JUD on 2/6/2020 2:05:00 PM		LATE	
Submitted By	Organization	Testifier Position	Present at Hearing
Jeanne Schultz Afuvai	Individual	Support	No

Comments:

It is time to get serious about gun violence prevention. HB2744 is a start. We MUST support our first responders and the general public as well as every family member dealing with personal violence issues and mental health issues. Mahalo Nui for this opportunity to give this heartfelt testimony in response to the recent murders of Officers Enriquez and Kalama.

### <u>HB-2744</u> Submitted on: 2/5/2020 10:31:31 PM Testimony for JUD on 2/6/2020 2:05:00 PM



Submitted By	Organization	Testifier Position	Present at Hearing
Lucy Fagan	Individual	Support	No

Comments:

Aloha. My name is Lucy Fagan and I am a Sophomore at Kalani High school.

Gun control and safety is very important to me. Everyday I go to school and am burdened with a lingering thought of what I would do in case of a shooting. With school shootings becoming the talk of media and a real threat, the youth are impacted. I should not have to worry about what could happen, but should feel safe knowing I am protected. I am lucky to live in a state with decent gun laws but believe this bill, HB 2744, would help make our state even safer as well as ease the minds of students. Any one who wants a gun should not have a problem with mental health checks and higher restrictions unless they are unfit to own a gun, in that case this bill would help keep those unfit to handle arms from attaining them. When voting for this bill I urge you to think of the Keiki and vote for our saftey. Mahalo. <u>HB-2744</u> Submitted on: 2/5/2020 11:33:01 PM Testimony for JUD on 2/6/2020 2:05:00 PM



Submitted By	Organization	Testifier Position	Present at Hearing
Kawika Ke Koa Pegram	Individual	Support	No

### Comments:

Testimony before the House Committee on Judiciary and the House Committee on Public Safety, Veterans, & Military Affairs

February 5, 2020

Testimony in SUPPORT of House bill no. HB2744

Relating to Gun Violence Prevention

To Chairperson Lee and Takayama as well as the members of both committees,

My name is Kawika Pegram. I'm a senior at Waipahu High School. As some of you may know, Waipahu was recently shut down during the school day due to an active shooter lockdown. As my classmates and I have come to find out, the "shooter" was an armed civilian who was located outside of the school. HPD simply asked that the school be locked down while they checked the situation.

But we didn't know that when we were told to lock our doors. We didn't know that when we turned off our lights. We didn't know that when we were sitting there looking at each other thinking it would be our last time ever seeing another human being. We were extremely lucky that the situation was not what many of us thought: a classmate gone mad, a teacher frustrated, an outside community member with a grudge.

However, just because that was not the case this time, does not mean we should sit back and relax in the hopes that it never happens. I am testifying because the

establishment of a **Gun Violence Prevention Center** is not an optional choice, but a necessary, common sense one.

Mahalo nui loa for the opportunity to testify.

-Kawika Pegram



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

Comments:

Gun crimes terrorized families across America since the 1900s. The situation has gotten much better, for gun crime rates have drastically plummeted since then. As a youth and proud supporter of guns, I believe that any action taken to decrease illegal gun violence is a step in the right direction. Bill HB2744 simply relocates the responsibility to the government officials, and in theory sparks action for research into gun-related crime statistics. This will provide more data for lawmakers to make informed decisions that will protect our ohana. I recommend that you vote for this bill.