

**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-SECOND LEGISLATURE, 2023**

ON THE FOLLOWING MEASURE:

H.B. NO. 984, H.D. 1, RELATING TO FIREARMS.

BEFORE THE:

HOUSE COMMITTEE ON FINANCE

DATE: Friday, February 24, 2023

TIME: 3:30 p.m.

LOCATION: State Capitol, Room 308

TESTIFIER(S): Anne E. Lopez, Attorney General, or
David D. Day, Special Assistant to the Attorney General

Chair Yamashita and Members of the Committee:

The Department of the Attorney General (Department) strongly supports this bill. The purpose of this bill is to clarify, revise, and update Hawaii's firearms laws to address the serious hazards to public health, safety, and welfare posed by firearms and gun violence. The purpose of this bill is to maintain the longstanding public policy and legislative intent of chapter 134, Hawaii Revised Statutes (HRS), amid a changing legal landscape following recent United States Supreme Court decisions.

For 170 years—since 1852—Hawai'i has protected public health and safety by carefully limiting who may carry guns in public. For decades, a system of discretionary licensing was used: the police departments would evaluate an applicant and decide whether there was a good reason why that person needed to carry a concealed firearm in public. This policy was preserved and supported across many different administrations and legislative sessions, and it played an important role in helping to reduce the risks of gun violence in our communities. Largely due to Hawaii's system of discretionary licenses, concealed weapons were not commonly carried in public in Hawai'i. Accordingly, there was not as great a need for some of the types of firearms laws that exist in many other states—for example, laws prohibiting carrying firearms in “sensitive places” like schools, playgrounds, and government buildings, or laws prohibiting carrying a firearm in public while intoxicated.

In its June 2022 decision in *New York State Rifle and Pistol Association v. Bruen*, 142 S. Ct. 2111 (2022), the United States Supreme Court held that discretionary

licensing systems for carrying guns in public cannot be used going forward. The Supreme Court stated that the Second Amendment requires that state law must provide clear and objective criteria for when licenses to carry firearms in public will be granted. Moreover, after *Bruen*, the Second Amendment requires that if an applicant meets the statutory criteria that have been established by the state legislature, then a license to carry a concealed weapon in public “shall” be granted.

The Supreme Court’s *Bruen* decision represents a very significant and disruptive change for our State. In the wake of *Bruen*, many more people are applying for licenses to carry a firearm. Under *Bruen*, those licenses shall be granted unless there is an objective statutory basis requiring denial. This will result in a significant increase in the presence of firearms in public, with more individuals carrying concealed weapons in Hawai’i than ever before in our State’s history. This presents serious challenges for public health and safety. This bill is an effort to address these challenges in the post-*Bruen* legal landscape.

Gun violence presents an urgent public-health issue, and even after the Supreme Court’s decision in *Bruen*, there are still a number of important tools available to address the serious and increasing risks posed by firearms and gun violence. States have the authority to enact “a ‘variety’ of gun regulations,” *Bruen*, 142 S. Ct. at 2162 (Kavanaugh, J., concurring), such as prohibiting the carrying of firearms in sensitive locations and adopting laws to ensure that those who carry firearms are “law-abiding, responsible citizens,” *id.* at 2133, 2138.

At a fundamental level, this bill is intended to do two things.

First, some existing provisions of chapter 134, HRS, can no longer be applied going forward, and should be reframed to address the immediate effects of the Supreme Court’s decision in *Bruen*. The bill would update and revise these provisions to preserve the intent and purpose of chapter 134, HRS, to the extent possible. For example, the bill would clarify the legal standards and criteria that will be applied when a person applies for a license to carry a firearm in public.

Second, the bill identifies policies that we believe would help address the significant risks presented by the increased public carrying of firearms.

As explained in greater detail below, this bill would:

- Prohibit carrying or possessing a firearm in certain sensitive locations;
- Require a person stopped by a law enforcement officer to inform the law enforcement officer if they are carrying a concealed firearm;
- Prohibit leaving an unsecured firearm in a vehicle unattended;
- Prohibit people carrying a firearm from consuming alcohol, consuming a controlled substance, being under the influence of alcohol, or being under the influence of a controlled substance;
- Prohibit carrying or possessing a firearm on private property open to the public without authorization;
- Require the Department of the Attorney General to publish an annual report regarding licenses to carry firearms;
- Revise, clarify, and focus Hawaii's mental-health disqualification for firearms possession;
- Protect public safety by ensuring that firearms are not possessed or carried by those who lack the essential character or temperament necessary to be entrusted with a firearm;
- Add new education and training requirements for applicants for a license to carry a firearm in public;
- Clarify that when a permit to acquire a firearm or a license to carry a firearm is denied, the applicant should be given reasons for the denial and will have a right to a contested case hearing;
- Prohibit a person carrying a firearm in public pursuant to a license from carrying more than one firearm on their person at one time;
- Disqualify individuals who have been convicted of a violent misdemeanor crime or a crime relating to firearms from possessing firearms for 20 years following the conviction and maintain Hawaii's lifetime prohibition on possessing firearms for persons convicted of a felony; and
- Adjust certain regulatory fees relating to firearms.

* * *

The bill would prohibit carrying or possessing a firearm in certain sensitive locations (section 2, section 134-A, HRS, page 3, line 12, through page 9, line 9).

These include the following locations:

- State and local government buildings;
- Schools, colleges, and universities;
- Public or private hospitals, mental health facilities, nursing homes, clinics, medical offices, urgent care facilities, and other places at which medical or health services are customarily provided;
- Bars and restaurants serving alcohol;
- Stadiums, movie theaters, concert halls, and places at which a professional, collegiate, high school, amateur, or student sporting event is being held;
- Prisons and jails;
- Public libraries;
- Beaches, playgrounds, state monuments, and other state and county parks;
- Shelters and residential facilities serving unhoused persons or victims of domestic violence;
- Voting service centers and other polling places;
- Banks;
- Places, facilities, or vehicles used for public transportation or public transit, including buses, bus terminals (but not including bus stops located on public sidewalks), trains, rail stations, and airports;
- Amusement parks, aquariums, carnivals, circuses, fairs, museums, water parks, and zoos; and
- Any public gathering, public assembly, or special event conducted on property open to the public, including but not limited to a demonstration, march, rally, vigil, protest, picketing, or other public assembly, that requires the issuance of a permit from a federal, state, or local government and the sidewalk or street immediately adjacent to the public gathering, public assembly, or special event and within one thousand feet from the public gathering, public assembly, or special event;

provided that there are signs clearly and conspicuously posted at visible places along the perimeter of the public gathering, public assembly, or special event.

These provisions are intended to protect particularly sensitive locations from the risks of gun violence. These locations fall into three general categories: high-density locations; locations with vulnerable populations; and locations of governmental activity. Parking areas adjacent to the sensitive locations identified above are also deemed sensitive locations where possessing firearms is prohibited. These prohibitions do not apply to law enforcement and authorized security guards, and are subject to various affirmative defenses.

The U.S. Supreme Court has made clear that the Second Amendment does not prohibit states from prohibiting carrying firearms in “sensitive locations.” The collection of sensitive locations defined in the bill is in line with the set of sensitive locations that a number of other states have identified in recent legislation. Although many states protect sensitive locations from firearms, Hawai‘i currently has no such law in place. We believe these provisions are legally appropriate and are grounded in longstanding history and tradition—as required by the legal test the Supreme Court established in *Bruen*.

This prohibition would not apply to law enforcement officers. See section 2, section 134-A(b), HRS, page 7, lines 3-4.

The bill would also amend chapter 706, HRS, by adding a new section that would establish enhanced sentencing provisions for carrying or possessing a firearm in sensitive locations when a person is not licensed under section 134-9, HRS. See section 3, page 15, lines 4-9.

The bill would require a person carrying a firearm in public pursuant to a license to maintain possession of the license and proof that the firearm being carried is properly registered (section 2, section 134-B(a), HRS, page 9, lines 10-21). This provision is intended to promote public safety by making sure that those who carry firearms pursuant to a license comply with registration and licensing requirements. Many states have established similar requirements for licensees.

The bill would require a person stopped by a law enforcement officer to inform the law enforcement officer if they are carrying a concealed firearm (section 2, section 134-B(b), HRS, page 10, lines 1-14). This provision is intended to protect the public, protect law-enforcement-officer safety, promote situational awareness during investigatory stops, and avoid the risks of escalation. Many states have already established similar public safety requirements. See, e.g., N.C. Gen. Stat. § 14-415.11(a) (“[Licensee] shall carry the permit together with valid identification whenever the person is carrying a concealed handgun, shall disclose to any law enforcement officer that the person holds a valid permit and is carrying a concealed handgun when approached or addressed by the officer, and shall display both the permit and the proper identification upon the request of a law enforcement officer.”); Alaska Stat. Ann. § 11.61.220 (requiring that a person must “immediately inform the peace officer of [firearm] possession” if stopped).

The bill would prohibit leaving an unsecured firearm in a vehicle unattended (section 2, section 134-C, HRS, page 10, line 17, through page 11, line 14). A significant concern associated with the increased public carry of firearms is the increased risk of theft of firearms from automobiles. See Megan J. O’Toole et al., *Gun Thefts from Cars: The Largest Source of Stolen Guns*, Everytown Research & Policy (May 9, 2022), <https://everytownresearch.org/gun-thefts-from-cars-the-largest-source-of-stolen-guns> (reporting, based on FBI crime data, that “gun thefts from cars are now the largest source of stolen guns—one that continues rising in parallel with rising rates of gun sales and violence”).

Under this provision, a person leaving a firearm inside a vehicle unattended would be required to securely lock the firearm in a gun safe or other secure container within the vehicle that is out of sight from outside of the vehicle. This provision is similar to laws that have been enacted in a number of other states, including New York, California, and Connecticut. See, e.g., N.Y. Penal Law § 265.45; Conn. Gen. Stat. Ann. § 29-38g(a)(1) (“No person shall store or keep any pistol or revolver in any motor vehicle that is unattended unless such pistol or revolver is in the trunk, a locked safe or locked glove box.”); Cal. Pen. Code § 25140 (“[A] person shall, when leaving a handgun

in an unattended vehicle, lock the handgun in the vehicle's trunk, lock the handgun in a locked container and place the container out of plain view, lock the handgun in a locked container that is permanently affixed to the vehicle's interior and not in plain view, or lock the handgun in a locked toolbox or utility box.”).

This provision would not apply to law enforcement officers. See section 2, section 134-C(c), HRS, page 11, lines 11-12.

The bill would prohibit people carrying a firearm from consuming alcohol, consuming a controlled substance, being under the influence of alcohol, or being under the influence of a controlled substance (section 2, section 134-D, HRS, page 11, line 15, through page 12, line 13). This provision is intended to combat the very serious public health risks that are presented when intoxicated persons carry or use firearms. Research demonstrates that “people who abuse alcohol or illicit drugs are at an increased risk of committing acts of violence,” and “[d]rug and alcohol use by domestic abusers has been strongly linked with the perpetration of fatal and non-fatal domestic violence.” D.W. Webster & J.S. Vernick, *Keeping Firearms from Drug and Alcohol Abusers*, 15 *Injury Prevention* 425 (2009); see also B.G. Carr et al., *A Randomised Controlled Feasibility Trial of Alcohol Consumption and the Ability to Appropriately Use a Firearm*, 15 *Injury Prevention* 409, 409 (2009) (concluding that “[i]ntoxicated subjects were less accurate, slower to fire in reaction time scenarios, and quicker to fire in scenarios requiring judgement relative to controls” and determining that “[a]n association between firearm injury and heavy alcohol consumption has been demonstrated”).

Notably, “studies consistently reported that alcohol use was significantly associated with the possession of firearms, the ownership of firearms, and the use of firearm as a suicide means, and that the association was stronger for heavy alcohol use.” Charles C. Branas et al., *Alcohol Use and Firearm Violence*, 38 *Epidemiologic Reviews* 32, 43-44 (2016). Moreover, “an overwhelming proportion (70%) of [intimate-partner] homicide perpetrators were under the influence of substances when the crime occurred, . . . and the use of alcohol is a strong predictor of intimate terrorism of

women.” Darryl W. Roberts, *Intimate Partner Homicide: Relationships to Alcohol and Firearms*, 25 J. Contemp. Crim. Just. 67, 70 (2009).

The majority of states either prohibit carrying a firearm while under the influence of alcohol or a controlled substance, prohibit carrying a firearm while consuming alcohol or a controlled substance, or both. Hawai‘i currently has no law prohibiting either.

The bill would prohibit carrying or possessing a firearm on private property open to the public without authorization (section 2, section 134-E, HRS, page 12, line 14, through page 14, line 4). The bill would create a “default rule” that a person may not carry firearms on other peoples’ private property without express permission of the owner or manager of the property. The purpose of this provision is to reduce the risks of gun violence on private property, to reduce the likelihood of armed confrontations, and to respect the right of private entities and property owners to decide for themselves whether to allow the carrying of firearms on their property.

This is similar to laws adopted in New York and New Jersey in 2022. See N.Y. Penal Law § 265.01-d(1) (“[a] person is guilty of criminal possession of a weapon in a restricted location when such person possesses a firearm, rifle, or shotgun and enters into or remains on or in private property where such person knows or reasonably should know that the owner or lessee of such property has not permitted such possession by clear and conspicuous signage indicating that the carrying of firearms, rifles, or shotguns on their property is permitted or has otherwise given express consent.”); N.J. Stat. Ann. § 2C:58-4.6(a)(24) (prohibiting carrying a firearm onto “private property, including but not limited to residential, commercial, industrial, agricultural, institutional or undeveloped property, unless the owner has provided express consent or has posted a sign indicating that it is permissible to carry on the premises a concealed handgun”); see also Alaska Stat. § 11.61.220(a) (prohibiting possession of a firearm “that is concealed on the person within the residence of another person unless the person has first obtained the express permission of an adult residing there to bring a concealed deadly weapon within the residence”).

Under this provision, an owner or operator of private property may signify authorization for others to carry a firearm on their property by providing written or verbal

authorization, or by posting a conspicuous sign indicating that carrying or possessing a firearm is authorized. To be subject to this provision, the private property must be “open to the public”—this includes places like malls, hotels, other retail establishments, etc.

Consistent with this provision, survey data indicates that most people would prefer that the default rule be that guns should not be carried on others’ private property without their express consent. As one recent study found, “a substantial and statistically significant majority of Americans reject the default right to carry weapons onto other people’s residences, unoccupied rural land, retail establishments and businesses.” Ian Ayres & Spurthi Jonnalagadda, *Guests with Guns: Public Support for “No Carry” Defaults on Private Land*, 48 *Journal of Law, Medicine & Ethics* 183, 189 (2020).

In light of the above, it appears that of the two possible alternatives for a rule like this—(1) a rule allowing the concealed carrying of firearms on others’ private property unless the property owners take affirmative steps to expressly deny consent or (2) a rule that prohibits concealed carry of firearms on others’ private property unless property owners expressly grant consent—most people would prefer option (2). As noted above, a central purpose of this provision is to protect the important right of owners and operators of private property to decide for themselves whether they want to allow other people to carry firearms on their property.

The bill would require the Department of the Attorney General to publish an annual report regarding licenses to carry firearms (section 2, section 134-F, HRS, page 14, lines 5-21).

The bill would revise, clarify, and focus Hawaii’s mental-health disqualification for firearms possession (section 7, section 134-7(c), HRS, page 32, line 17, through page 34, line 10). Currently, section 134-7(c)(3), HRS, prohibits persons “diagnosed as having a significant behavioral, emotional, or mental disorders [sic] as defined by the most current diagnostic manual of the American Psychiatric Association or for treatment for organic brain syndromes” from possessing firearms. The bill would replace the current disqualifier provision with a new provision establishing that a person shall not possess a firearm if they have been “diagnosed with or treated for a medical, behavioral, psychological, emotional, or mental condition or disorder that

causes or is likely to cause impairment in judgment, perception, or impulse control to an extent that presents an unreasonable risk to public health, safety, or welfare if the person were in possession or control of a firearm or ammunition[.]” The proposed revision is intended to update the statutory language to create a more targeted provision that focuses on reducing risks to public welfare. Additionally, the term “organic brain syndrome” is no longer commonly used. See, e.g., Donald W. Black, M.D. & Jon E. Grant, M.D., M.P.H., J.D., *The Essential Companion to the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition* 360 (2014).

The wording of this provision is similar to an analogous Texas statute. See Tex. Gov’t Code § 411.172(d) (disqualification for license to carry based on “diagnos[is] by a licensed physician as suffering from a psychiatric disorder or condition that causes or is likely to cause substantial impairment in judgment, mood, perception, impulse control, or intellectual ability”).

The bill would protect public safety by ensuring that firearms are not possessed or carried by those who lack the essential character or temperament necessary to be entrusted with a firearm (section 5, page 23, line 11, through page 25, line 2, and section 8, page 39, lines 8-10; page 40, lines 11-13; and page 48, line 1, through page 49, line 4). The bill provides that “[i]n determining whether a person lacks the essential character or temperament necessary to be entrusted with a firearm, the issuing authority shall consider whether the person poses a danger of causing a self-inflicted bodily injury or unlawful injury to another person, as evidenced by:

- (1) Information from a healthcare provider indicating that the person has had suicidal or homicidal thoughts or tendencies within the preceding five years;
- (2) Statements by the person indicating dangerousness or violent animus towards one or more individuals or groups, including but not limited to groups based on race, color, national origin, ancestry, sex, gender identity, gender expression, sexual orientation, age, disability, religion, or other characteristic, of a nature or to an extent that would objectively indicate to a reasonable

observer that it would not be in the interest of the public health, safety, or welfare for the person to own, possess, or control a firearm or ammunition; or
(3) Other information that would lead a reasonable, objective observer to conclude that the person presents a danger to the community or intends or is likely to use a firearm for an unlawful purpose or in an unlawful manner.”

The bill would add new education and training requirements for applicants for a license to carry a firearm in public (section 8, section 134-9, HRS, page 42, lines 10-15, and page 44, line 18, through page 46, line 11). This includes components on firearm safety, firearm handling, shooting technique, safe storage, legal methods to transport firearms and secure firearms in vehicles, laws governing places in which persons are prohibited from carrying a firearm, firearm usage in low-light situations, situational awareness and conflict management, and laws governing firearms, including information regarding the circumstances in which deadly force may be used for self-defense or the defense of another, mental health and mental health resources, as well as a live-fire shooting exercise on a firing range, with a demonstration by the applicant of safe handling of (and shooting proficiency with) each firearm that the applicant is applying to be licensed to carry in public. Increased education and training is expected to play an important role in mitigating risks associated with the public carry of firearms. This provision is intended to align with recent reforms in several other states.

The bill would also adjust the duration of a license to carry a firearm from one year to four years. See Section 8, section 134-7(m), HRS, page 51 (providing that “[u]nless renewed, a concealed or unconcealed license shall expire four years from the date of issue”).

The bill also provides that a concealed carry license is valid throughout the State, rather than being valid only in the particular county in which it was issued. See Section 8, section 134-9(a), HRS, page 38, line 14, through page 39, line 2.

The bill would clarify that when a permit to acquire a firearm or a license to carry a firearm is denied, the applicant should be given reasons for the denial and will have a right to a contested case hearing (section 5, section 134-2(i) and (k),

HRS, page 29, lines 11-16, and page 30, line 20, through page 31, line 10, and section 8, section 134-9 (j) and (k), HRS, page 49, line 9, through page 50, line 17).

This is intended to ensure efficient and fair administrative processes for applicants.

The bill would prohibit a person carrying a firearm in public pursuant to a license from carrying more than one firearm on their person at one time (section 8, section 134-9(r), HRS, page 53, line 3-7). This provision is intended to address the risks to public health and safety associated with carrying multiple firearms in public without impairing the ability of a law-abiding, responsible individual to engage in effective self-defense with a firearm.

The bill would disqualify individuals who have been convicted of a non-felony crime relating to firearms from possessing firearms for 20 years following the conviction (section 7, section 134-7(h), HRS, page 37, line 16, through page 38, line 4). Under current law, felonies and a small number of other violent crimes result in an indefinite disqualification from possessing firearms. The bill would modestly expand the set of crimes that trigger a disqualification from firearms ownership, and establish a category of firearms crimes that also, upon conviction, result in a disqualification from firearms possession. These provisions are intended to reduce the risks to public health and safety posed by armed individuals who have a track record of dangerous criminal conduct—rather than being responsible, law-abiding gun owners. The core purpose is to ensure that those who carry guns are responsible, law-abiding gun owners. With respect to misdemeanor convictions, the bill would revise the length of the firearms prohibition associated with such convictions from an indefinite disqualification to a 20-year disqualification. In other states, qualifying misdemeanor convictions generally result in prohibitions on firearms possession that range from 3-20 years. The bill would maintain Hawaii's indefinite prohibition on firearms possession by felons, which parallels federal law.

The bill would adjust certain regulatory fees relating to firearms (section 8, section 134-9(i), HRS, page 49, lines 5-8, and section 8, section 134-9(q), HRS, page 52, line 19, through page 52, line 2). The bill would provide for a nonrefundable fee of \$150 for an application to carry a firearm pursuant to section 134-9, HRS, and

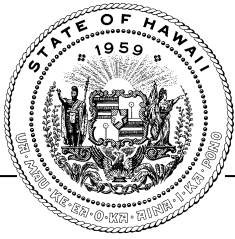
would establish a nonrefundable fee of \$50 for a license renewal application under section 134-9, HRS. These revisions are warranted because the prior fee (\$10 for a license issued under section 134-9, HRS) was set decades ago and it should be adjusted to reflect inflation and increased costs, including costs associated with background checks and investigations and additional procedures established in this bill. These fees shall be chargeable by and payable to the appropriate county and shall be used for expenses related to police services.

These fees are comparable to fees established in a number of other states. See, e.g., N.J. Stat. Ann. § 2C:58-4 (New Jersey: “[e]ach application [for a permit to carry handguns] shall be accompanied by a \$200 application fee”); Mass. Gen. Laws Ann. ch. 140, § 131(i) (Massachusetts: “[t]he fee for the application [to carry a firearm] shall be \$100, which shall be payable to the licensing authority and shall not be prorated or refunded in case of revocation or denial”); Okla. Stat. tit. 21, §§ 1290.5 and 1290.12 (Oklahoma: \$100 application fee and \$85 renewal fee); Tenn. Code Ann. § 39-17-1351 (Tennessee: \$100 application fee).

* * *

As outlined above, the Department strongly supports this bill. The bill will help to maintain the longstanding public policy and legislative intent of chapter 134, HRS, amid a changing legal landscape following recent United States Supreme Court decisions.

Thank you for your consideration of this important measure.



**STATE OF HAWAII
OFFICE OF PLANNING
& SUSTAINABLE DEVELOPMENT**

JOSH GREEN, M.D.
GOVERNOR

SCOTT J. GLENN
DIRECTOR

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Statement of
SCOTT GLENN, Director

before the
HOUSE COMMITTEE ON FINANCE
Friday, February 24, 2023, 3:30 PM
State Capitol, Conference Room 308

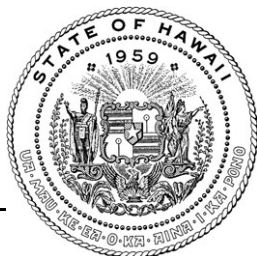
in consideration of
HB 984, HD1
RELATING TO FIREARMS

Chair Yamashita, Vice Chair Kitagawa, and Members of the House Committee on Finance.

The Office of Planning and Sustainable Development (OPSD) supports HB 984, HD1, which prohibits firearms in certain locations and amends state laws governing firearms.

OPSD **strongly supports** this measure as a way to keep the public and state employees safe in public spaces and public work places. Members of the public and public servants want to reduce the chance of active shooter events in public spaces and places of work. Active shooter training cannot guarantee safety when persons intent on killing other people are allowed to carry firearms into public buildings and gathering places.

Thank you for the opportunity to testify on this measure.



**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**
KA 'OIHANA HO'OMOHALA PĀ'OIHANA, 'IMI WAIWAI
A HO'OMĀKA'IKA'I

JOSH GREEN, M.D.
GOVERNOR

CHRIS J. SADAYASU
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Statement of
CHRIS J. SADAYASU
Director
Department of Business, Economic Development, and Tourism
before the
HOUSE COMMITTEE ON FINANCE

Friday, February 24, 2023
3:30 PM
State Capitol, Conference Room 308

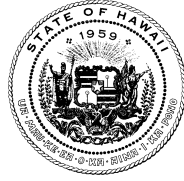
In consideration of
HB984, HD1
RELATING TO FIREARMS.

Chair Yamashita, Vice Chair Kitagawa, and Members of the Committee.

The Department of Business, Economic Development and Tourism (DBEDT) **supports** HB984, HD1, which prohibits firearms in certain locations and premises and provides for enhanced sentencing; requires possession and disclosure of a license to carry; prohibits leaving an unsecured firearm in a vehicle attended; prohibits being under the influence of a controlled substance when carrying a firearm; prohibits carrying or possessing firearms on certain private property open to the public without express authorization; amends the requirements for, and revocation of, firearms permits and licenses; and amends the disqualification of persons from owning, possessing, or controlling a firearm.

The Department supports the intent of this measure which seeks to protect public health, safety, and welfare from the serious hazards associated with firearms and gun violence and clarifies, revises, and updates Hawaii's firearms laws, while respecting and protecting the lawful exercise of individual rights. The Department is in support of protecting areas such as schools, government buildings, polling places, and other analogous locations from the potential dangers related to firearms and gun violence. The Department is also in support of respecting the right of private individuals and entities to choose whether to allow or restrict the carrying of firearms on their property, providing that firearms shall not be carried on private property open to the public without the express authorization of the owner, lessee, operator, or manager of the property.

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



STATE OF HAWAII
HAWAII STATE PUBLIC LIBRARY SYSTEM
'OIHANA HALE WAIHONA PUKE AUPUNI O KA MOKU'AINA O HAWAII
OFFICE OF THE STATE LIBRARIAN
44 MERCHANT STREET
HONOLULU, HAWAII 96813

HOUSE COMMITTEE ON FINANCE

Friday, February 24, 2023

3:30 PM

Conference Room 308

**By Stacey A. Aldrich
State Librarian**

H.B. 984 H.D.1 RELATING TO FIREARMS

To: Rep. Kyle T. Yamashita, Chair
Rep. Lisa Kitagawa, Vice Chair
Members of the House Committee on Finance

The Hawaii State Public Library System (HSPLS) offers the following comments on H.B. 984 H.D.1 which relates to the possession and carrying of firearms.

This bill would prohibit carrying or possessing a firearm at any public library, including adjacent parking lots. For clarity, HSPLS respectfully requests that this description be amended to include all public library property, buildings, facilities, meeting rooms, and spaces used for community programming, including adjacent parking lots.

Thank you for the opportunity to provide testimony on H.B. 984 H.D.1.



UNIVERSITY OF HAWAII SYSTEM

‘ŌNAEHANA KULANUI O HAWAII

Legislative Testimony

Hō'ike Mana'o I Mua O Ka 'Aha'ōlelo

Testimony Presented Before the
House Committee on Finance
February 24, 2023 at 3:30 p.m.

By

Kalbert K. Young

Vice President for Budget and Finance/Chief Financial Officer
and

Carrie Okinaga

Vice President for Legal Affairs and University General Counsel
University of Hawai'i System

HB 984 HD1 – RELATING TO FIREARMS

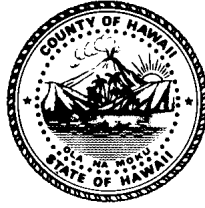
Chair Yamashita, Vice Chair Kitagawa, and Members of the Committee:

Thank you for the opportunity to testify on HB 984 HD1, which, among other things, prohibits the carrying or possessing a firearm in certain locations and premises, including any public or private community college, college, or university, and adjacent parking areas, including but not limited to buildings, classrooms, laboratories, artistic venues, athletic fields or venues. The University of Hawai'i (UH) supports the intent of HB 984 HD1 and this provision in particular. UH respectfully requests the following amendment.

UH recommends an amendment to Section 2 of the measure which identifies certain locations and premises where the possession of a firearm is prohibited. On page 5 subparagraph (7), the University requests that “**research facilities**” also be added to the prohibited areas at any university or college.

UH has educational, research and cooperative extension locations across the state which are not physically located or adjacent to a campus but provide a wide array of research and education to UH students as well as the general public.

Thank you for the opportunity to submit testimony on this issue.



HAWAI'I COUNTY COUNCIL - DISTRICT 2

25 Aupuni Street • Hilo, Hawai'i 96720

DATE: February 22, 2023

TO: House Committee on Finance

FROM: Jennifer Kagiwada, Council Member
Council District 2

SUBJECT: HB 984 HD1

Aloha Chair Yamashita, Vice Chair Kitagawa, and members of the Committee,

I am writing to you in **strong support of HB 984, with comments included to strengthen and clarify this legislation.**

Since the Supreme Court Case last year decreed that Hawaii must allow people to carry concealed guns, it is VITAL to the safety of Hawaii's residents and visitors to pass HB 984 which sets clear requirements for:

- who is, and is not, eligible to carry a gun in public
- how our county chiefs of police can assure that permits for concealed carry are approved only after a thorough background and mental health review
- locations where those who get permits to carry guns in public can and cannot carry those guns

Our Hawai'i County Council passed a law in response attempting to accomplish these goals and through observation of that process and the aftermath our office is offering the following recommendations for your consideration:

- 1) Involving private property: We support the “default” provision that is currently included in SB1230 that respects the right of private individuals and entities to choose for themselves whether to allow or restrict the carrying of guns on their property. It provides that firearms shall not be carried on private property without the express authorization of the owner. This is the opposite of what ended up passing at the Hawai'i County Council level and it has caused considerable confusion and concern amongst community members to force them to opt out of allowing firearms in spaces that have always by default been firearm free. Placing the burden on Hawaii's residents, merchants and other businesses or private entities to affirmatively state that firearms are not allowed could encourage unnecessary and potentially dangerous confrontations.
- 2) HB 984 does not provide specific protection for First Amendment expressive spaces, like rallies and marches. Please amend this bill to support such a provision similar to that included in

SB 1230 or Honolulu City Council bill 57. This is a common sense addition that will provide for additional clarity and avoid confusion and concern amongst community members wishing to exercise their First Amendment rights to free speech and assembly, with clear rules on firearm safety and without fear of intimidation in such a potentially highly emotionally charged space.

Thank you for the opportunity to testify in **support of HB 984**.

Mahalo,

A handwritten signature in black ink, appearing to read 'Jenn Kagiwada', with a long horizontal flourish extending to the right.

Jenn Kagiwada

DEPARTMENT OF TRANSPORTATION SERVICES
CITY AND COUNTY OF HONOLULU

711 KAPIOLANI BOULEVARD, SUITE 1600
HONOLULU, HAWAII 96813
Phone: (808) 768-8305 • Fax: (808) 768-4730 • Internet: www.honolulu.gov

RICK BLANGIARDI
MAYOR



J. ROGER MORTON
DIRECTOR

JON Y. NOUCHI
DEPUTY DIRECTOR

TESTIMONY OF J. ROGER MORTON
DIRECTOR OF TRANSPORTATION SERVICES

BEFORE THE HOUSE COMMITTEE ON
FINANCE

Friday, February 24, 2023, 3:30 PM, Via Videoconference

- TO: Representative Kyle T. Yamashita, Chair, Representative Lisa Kitagawa, Vice Chair, and Members of the Committee on Finance
- RE: TESTIMONY IN SUPPORT OF HOUSE BILL 984, HOUSE DRAFT 1, RELATING TO FIREARMS

The Department of Transportation Services (DTS) of the City and County of Honolulu (City) strongly supports House Bill 984, House Draft 1, relating to firearms.

DTS fully agrees with including public transit vehicles and facilities in the prohibited locations to carry or possess a firearm. DTS respectfully requests a couple of additions to the list in subsection §134-A (a)(13). Please add "paratransit vans" and "shelters," which are more defined structures than bus stops, so that it reads:

- (13) Any place, facility, or vehicle used for public transportation or public transit, and adjacent parking areas, including but not limited to buses, paratransit vans, bus shelters and terminals (but not including bus stops located on public sidewalks), trains, rail stations, or airports;

Thank you for your consideration of our additions and for the opportunity to submit this testimony in support.

OFFICE OF THE MAYOR
CITY AND COUNTY OF HONOLULU

530 SOUTH KING STREET, ROOM 300 • HONOLULU, HAWAII 96813
PHONE: (808) 768-4141 • FAX: (808) 768-4242 • INTERNET: www.honolulu.gov



RICK BLANGIARDI
MAYOR

MICHAEL D. FORMBY
MANAGING DIRECTOR

KRISHNA F. JAYARAM
DEPUTY MANAGING DIRECTOR

February 24, 2023

The Honorable Kyle T. Yamashita, Chair
The Honorable Lisa Kitagawa, Vice Chair
And Members of the House Committee on Finance
Hawaii State Capitol
415 S. Beretania Street
Honolulu, HI 96813

Dear Chair Yamashita, Vice Chair Kitagawa, and Members of the Committee:

SUBJECT: H.B. 984 H.D. 1 Relating to Firearms

The City and County of Honolulu supports H.B. 984 H.D.1: strong gun control laws will keep our community safe while respecting the Second Amendment and the Supreme Court's rulings.

We respectfully request an amendment to H.B. 984 H.D.1, however. Specifically, we request that the Committee reinstate the following language – which appeared in the introduced version of H.B. 984 – expressly permitting the counties to enact more restrictive measures:

§134-G Authority of counties. Nothing in this chapter shall be construed to affect the authority of any county to impose requirements relating to firearms that exceed the statewide provisions established in this chapter, including but not limited to prohibitions against carrying or possessing a firearm in additional locations or premises within that county.

While the City believes it will continue to have the authority to introduce gun-control legislation even without this proposed language, an express provision allowing the City to enact additional measures would avoid confusion regarding the City's authority.

Thank you for this opportunity to testify.

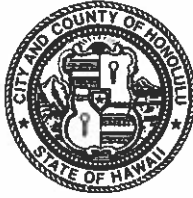
Sincerely,

A handwritten signature in black ink, appearing to read "Michael D. Formby", is written over a horizontal line.

Michael D. Formby
Managing Director

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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



RICK BLANGIARDI
MAYOR

ARTHUR J. LOGAN
CHIEF

KEITH K. HORIKAWA
RADE K. VANIC
DEPUTY CHIEFS

OUR REFERENCE **JAT-DNK**

February 24, 2023

The Honorable Kyle T. Yamashita, Chair
and Members
Committee on Finance
House of Representatives
415 South Beretania Street, Room 308
Honolulu, Hawaii 96813

Dear Chair Yamashita and Members:

SUBJECT: House Bill No. 984, H.D. 1, Relating to Firearms

I am Joseph A. Trinidad, Major of the Records and Identification Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports the intent of House Bill No. 984, H.D. 1, Relating to Firearms, and shares the following comments and concerns.

The HPD is concerned with the section of the bill regarding "Unlawful conduct while carrying a firearm; penalty," as it would be difficult to enforce and prosecute. The HPD appreciates the intent of this section; however, enforcement and prosecution of this section would require either the observation of the consumption of alcohol, intoxicating liquor, or controlled substance or proof of intoxication. Proof of intoxication would require a legal threshold limit and administrative procedures to legally allow law enforcement to draw blood or take a breath sample.

Additionally, we are concerned with the section of this bill that outlines the required information on the License to Carry card. Each county in the State of Hawaii has different equipment and capabilities. The HPD currently does not have the equipment to capture the licensee's signature and would require additional funding to purchase the necessary equipment. An additional safety concern is that the licensee's address would be exposed if his/her card were lost.

The Honorable Kyle T. Yamashita, Chair
and Members
February 24, 2023
Page 2


We thank you for the consideration of our concerns regarding House Bill No. 984,
H.D. 1, Relating to Firearms, and for the opportunity to testify.

Sincerely,

A handwritten signature in black ink, appearing to read "Capt. A. Trinidad".

Joseph A. Trinidad, Major
Records and Identification Division

APPROVED:

A handwritten signature in black ink, appearing to read "Arthur J. Logan".

Arthur J. Logan
Chief of Police



February 24, 2023 at 3:30 pm
Conference Room 308

House Committee on Finance

To: Chair Kyle T. Yamashita
Vice Chair Lisa Kitagawa

From: Paige Heckathorn Choy
Associate Vice President, Government Affairs
Healthcare Association of Hawaii

Re: **Support**
HB 984 HD 1, Relating to Firearms

The Healthcare Association of Hawaii (HAH), established in 1939, serves as the leading voice of healthcare on behalf of 170 member organizations who represent almost every aspect of the healthcare continuum in Hawaii. Members include acute care hospitals, skilled nursing facilities, home health agencies, hospices, assisted living facilities and durable medical equipment suppliers. In addition to providing access to appropriate, affordable, high-quality care to all of Hawaii's residents, our members contribute significantly to Hawaii's economy by employing over 30,000 people statewide.

Thank you for the opportunity to provide **support** for this measure, specifically in identifying healthcare facilities as a sensitive space. Healthcare providers hold a unique space in our society—they are called upon to treat those who are victims of violence, while also ensuring that their premises are kept safe from those who wish to do harm.

We have heard stories from our members over the years about their need to increase security on their campuses to ensure that dangerous weapons are not brought in to cause harm. This takes an incredible amount of resources and vigilance. It is also not foolproof—we have seen in many states the tragic consequences of weapons such as firearms being brought into hospitals and nursing homes, with some documented cases of providers being killed while on the job.

The legislature's efforts to protect Hawaii residents with regard to recent legal rulings is deeply appreciated, and protecting our healthcare workers and patients must remain a top priority in any legislation to identify sensitive places.

Thank you for the opportunity to provide our support for this measure.

HB-984-HD-1

Submitted on: 2/22/2023 6:50:19 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Barbara Gomes	Moms Demand Action for Gun Sense/Hawaii Chapter	Support	Written Testimony Only

Comments:

I am a resident of Oahu. As both a parent and an educator, I have become very concerned about keeping our Hawaii Nei one of the safest states in the country. Please support this bill so we have clear boundaries state-wide. Guns surely do not belong at playgrounds, parks, or schools, but without this bill, anyone who gets a concealed carry permit can bring hidden guns into those places.

Additionally, guns and alcohol should never mix. This bill will make it clear that people carrying guns in public cannot bring their guns to bars or restaurants serving alcohol.

Thank you VERY much for your careful consideration of this important bill.



Hawai'i Children's Action Network Speaks! is a nonpartisan 501c4 nonprofit committed to advocating for children and their families. Our core issues are safety, health, and education.

To: Representative Yamashita, Chair
Representative Kitagawa, Vice Chair
House Committee on Finance

Re: HB984 HD1, relating to firearms
3:30 p.m., Feb. 24, 2023

Aloha Chair Yamashita, Vice Chair Kitagawa and committee members:

On behalf of Hawai'i Children's Action Network (HCAN) Speaks!, mahalo for the opportunity to testify in **STRONG SUPPORT** of House Bill 984 HD1, relating to firearms.

It is estimated that **nationally 7 children per day died from firearms in 2021**.¹ Communities of color face this crisis even more acutely. Children and youth from black, brown and indigenous communities have died from firearms at a rate greater than their white counterparts.²

Gun violence's harm is pervasive. Every day children and youth witness gun violence in their communities and homes. Exposure to violence can have significant impacts on young children. **When children witness gun violence, and violence in general, it impacts children's mental and physical well-being.** We cannot overstate how much more acute this response is for our youngest keiki. Even when young children were less likely to witness gun violence, they were "more likely to feel high fear, sadness and upset when they did."³

HB984 is critical for our children to be safe, healthy and thriving. In particular, we appreciate the prohibition of firearms in schools, child care facilities, playgrounds and parks. **We want children and their families to feel most safe in the places kids go to grow, learn and be nurtured.**

Mahalo,
Ke'ōpū Reelitz
Director of Early Learning and Health Policy

¹ Panchal, Nirmita, [The Impact of Gun Violence on Children and Adolescents](#), Kaiser Family Foundation.

² Id.

³ Mitchell, K., Jones, L., Turner, H., Beseler, C., Hamby, S. & Wade Jr., R, "Understanding the Impact of Seeing Gun Violence and Hearing Gunshots in Public Places: Findings from the Youth Firearm Risk and Safety Study," *Journal of Interpersonal Violence* 1-17, 10. <https://www.unh.edu/ccrc/sites/default/files/media/2022-03/understanding-the-impact-of-seeing-gun-violence-and-hearing-gunshots-in-public-places-findings-from-the-youth-firearm-risk-and-safety-study.pdf>

HB-984-HD-1

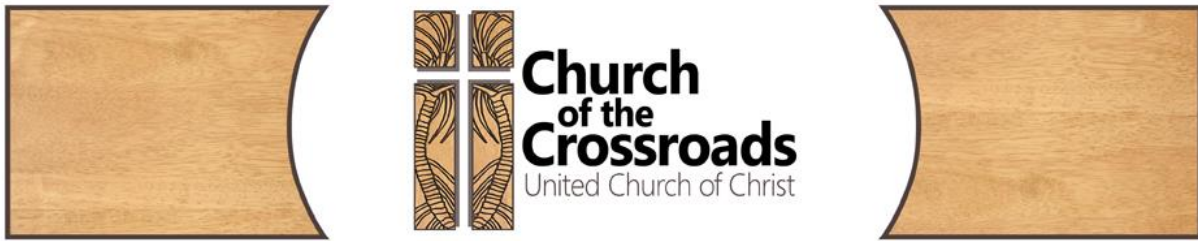
Submitted on: 2/23/2023 7:28:43 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Ryan Fuller	Hawaii Tactical Division and HIFICO	Oppose	Written Testimony Only

Comments:

I oppose this bill because it is unconstitutional. Mass shootings happen in gun free zones! Criminals conduct crime in gun free zones and this bill gives the upper hand to criminals cause they know law abiding citizens will not have a firearm for self defense. A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed. And this bill infringes on our 2A rights.



A Just Peace and Open and Affirming Congregation

THE CHURCH OF THE CROSSROADS TESTIMONY IN SUPPORT OF BILL HB 984, HD1 WITH REQUEST FOR AMENDMENTS

The Church of the Crossroads celebrates 100 years of being Hawaii's first intentionally multiethnic church, dedicated to missions of peace, justice, and stewardship of the environment.

The Church of the Crossroads supports HB 984, HD1 and requests amendments.

In January 2023, our church congregation voted unanimously to advocate for stronger gun safety measures, including:

- requiring thorough background checks of criminal and mental health history;
- requiring proof of insurance for firearms injuries;
- requiring robust safety training for all firearms permits, transfers and licenses;
- closing the loophole that permits shotguns and rifles to be loaned to other persons for 15-75 days without notice to the government and without any license, permit or background check for the person receiving the weapon; and
- prohibiting the carrying of firearms in Sensitive Places, broadly defined to include but not be limited to governmental buildings, parks, public transportation, sports and entertainment venues, bars and restaurants, commercial establishments, schools and homeless shelters.

We support HB 984 because it creates numerous measures to better protect our community, while complying the unfortunate US Supreme Court's mandate that public carry permits be allowed.

We request HB 984, HD1 be amended and strengthened to:

- **Prohibit carrying of firearms in all commercial establishments, regardless of whether the establishment serves alcohol;**
- **Require "the posting of clear and conspicuous signage at all public entrances" to private properties open to the public where the owner consents to the presences of firearms being carried, so the public can know and choose to avoid places where firearms may be present. (The bill currently allows posting as an alternative to express owner consent, but the public has no way to know of that fact if there is not clear and conspicuous posting, and so has no ability to choose safer properties).**
- **Require disclosure of any "health care plans" in addition to "health care providers in sections 134-2(c)(2) and 134-9(g)(2). Health care plans (such as HMSA and Kaiser) keep robust data on health care services and diagnoses from all providers reimbursed.**

- **Close the loophole in HRS 134-4(c) that allows shotguns and rifles (including assault rifles) to be loaned to other persons for 15-75 days, without any license, permit or background check. All these other enhanced protections in our law will have little effect when such uncontrolled transfers of firearms are still permitted. Section 134-2(h) in this bill continues to embrace the dangerous “lending” loophole in 134-4(c).**

Thank you for consideration of our testimony and helping protect the safety of our community.

Submitted by Ellen Godbey Carson on behalf of the Church of the Crossroads

Email: office@churchofthecrossroadshawaii.org

HB-984-HD-1

Submitted on: 2/23/2023 8:37:40 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Jerry Yuen	Pu'uloa Rifle and Pistol Club	Oppose	Remotely Via Zoom

Comments:

I strongly oppose HB 984 HD1. This bill is unconstitutional. It contains measures that are unenforceable, vague, and/or does nothing to enhance safety.

I object to the enhanced sensitive places that are required by this bill. It would make it very difficult to the legal concealed carrier of firearms to go most places that the need for self-protection may be required. It will also be near impossible to enforce. Criminal concealed carry is occurring now. This is true danger to the public. People have shot, stabbed, and beaten in many of the public places that are proposed to be restricted from concealed carry.

I object to the raising of fees for concealed carry. \$150 for the initial fee and \$50 for renewals are excessive. It should be no more than the standard driver's license. The qualification test should also be provided by the city and county in the same manner as the driver testing is conducted.

I object to subjective essential character and temperament.

I object to the requirement for firearm instructors to teach prevention of suicide and domestic violence. These subjects should be taught in our public school system and not just concealed carry applicants. There are currently 30 permits issued, 400 applicants pending. I can confidently say that none of them have committed suicide or have been convicted of domestic violence.

Jerry Yuen



Testimony of Ramya Swami, State Policy Manager
Support for HB 984
Before the House Committee on Finance

February 24th, 2023

Dear Chair Yamashita, Vice Chair Kitagawa, and Members of the House Committee on Finance,

Founded in 1974, Brady works across Congress, courts, and communities, uniting gun owners and non-gun owners alike, to take action, not sides, and end America's gun violence epidemic. Brady today carries the name of Jim Brady, who was shot and severely injured in the assassination attempt on President Ronald Reagan. Jim and his wife, Sarah led the fight to pass federal legislation requiring background checks for gun sales. Brady continues to uphold Jim and Sarah's legacy by uniting Americans from coast to coast, red and blue, young and old, liberal and conservative, to combat the epidemic of gun violence. **In furtherance of our goal to reduce firearm violence across Hawaii, the Brady Campaign to Prevent Gun Violence is proud to support the passage of HB 984.**

Hawaii leaders have persisted in prioritizing the safety and well-being of the people of Hawaii by enacting and implementing proactive, research-informed policy solutions that prevent gun violence, save lives, and spare entire communities from loss, trauma and cycles of violence. However, the latest data from the Centers for Disease Control and Prevention shows that 55 people in Hawaii are killed by gun violence each year.¹

These numbers demonstrate that there remains more work to be done, and in the wake of the Supreme Court's (SCOTUS) decision in *NYSRPA v. Bruen (Bruen)*, which invalidated parts of Hawaii's concealed carry licensing provision, it is imperative that action be taken. Hawaii must respond to the SCOTUS decision by passing HB 984, which would ensure the safety of its residents and visitors.

¹ Centers for Disease Control and Prevention (CDC), *WISQARS Injury Data*, <https://www.cdc.gov/injury/wisqars/index.html>

Why This Bill is Needed

In the week following the release of the *Bruen* decision, over 600 people in Honolulu reportedly applied for concealed carry permits, and we can only expect thousands more applications statewide.² In a State that had not issued any concealed carry permits for several years this is a jarring number and absent action, those living and visiting Hawaii will be faced with a reality where guns are everywhere. Further, studies show that states that have historically adopted “shall issue” permitting systems without robust and objective standards for issuing those permits saw a 9.5% increase in firearm-related assaults over a period of 10 years.³

Research shows that if Hawaii is complacent in its response to the *Bruen* decision and does not implement comprehensive and robust provisions to enhance its concealed carry permitting system, its citizens will face higher risks of homicide, gun theft, and gun violence.⁴ A rigorous study of concealed carry laws found that in states with weak concealed carry laws, violent crime rates rose 13% to 15% after ten years.⁵ It is therefore crucial that the legislature acts without delay to pass HB 984. A recent study conducted by the Center for Gun Violence Solutions analyzed the impact of weakened conceal carry permitting systems on violent crimes. The study found that states that loosened their concealed carry permitting systems (and failed to enact the very licensing requirements that Hawaii seeks to introduce in HB 984) saw a 9.5% increase in firearm related assaults over a decade.⁶ In the interest of protecting its citizens, Hawaii must ensure it has a standardized and robust concealed carry permitting system.

The Supreme Court in *Bruen* left it up to State and local legislatures to restrict the use of firearms in certain “sensitive places,” including schools and government buildings. HB 984 is consistent with SCOTUS case law, and will continue to make Hawaii one of the safest states in the country by ensuring that the State enhances and standardizes its concealed carry licensing requirements and broadens its sensitive place restrictions.

² Lovell, B. *Hawaii lawmakers seek shields against Supreme Court rulings on abortions, guns*, Honolulu Civil Beat, (2023, January 24). Retrieved February 3, 2023 from

<https://www.civilbeat.org/2023/01/hawaii-lawmakers-seek-shields-against-supreme-court-rulings-on-abortion-guns/>

³ Doucette, M. (2022, September 20) *Impact of Changes to Concealed-Carry Weapons Laws on Fatal and Nonfatal Violent Crime, 1980-2019*, American Journal of Epidemiology. Retrieved February 23, 2024 from

<https://academic.oup.com/aje/advance-article-abstract/doi/10.1093/aje/kwac160/6698676>

⁴ Wilson, N. (2022, October 4). *Fact sheet: Weakening requirements to carry a concealed firearm increases violent crime*. Center for American Progress. Retrieved October 25, 2022, from

<https://www.americanprogress.org/article/fact-sheet-weakening-requirements-to-carry-a-concealed-firearm-increases-violent-crime/>

⁵ Donohue, J. J., Aneja, A., & Weber, K. D. (2017, June 19). *Right-to-carry laws and violent crime: A comprehensive assessment using panel data and a state-level synthetic control analysis*. NBER. Retrieved October 25, 2022, from <https://www.nber.org/papers/w23510>

⁶ Doucette, M.L., McCourt, A., Crifasi, C.K., & Webster D.W., (2022, September 20). *Impact of Changes to Concealed Carry Weapons Laws*. Center For Gun Violence Solutions. Retrieved November 10, 2022 from <https://doi.org/10.1093/aje/kwac160>

What The Bill Does

HB 984 ensures that those who are carrying firearms in public have proper licensing, adequate training, and are not at risk of harming themselves or others. It maintains Hawaii's requirement for comprehensive background checks for applicants for concealed carry licenses. This bill prohibits the issuing authority from issuing a license where the issuance would not be in the interest of public health, safety, or welfare because the person is found to be lacking the essential character or temperament necessary to be entrusted with a firearm and establishes objective criteria for making that assessment. Additionally, the bill introduces a training requirement that involves live-fire instruction and demonstration of safe handling of, and shooting proficiency with, each firearm the applicant is applying to be licensed to carry.

HB 984 further outlines "sensitive places" where firearms cannot be carried, including child care facilities and places frequented by children, city-owned buildings or offices, all forms of public transportation (except as provided for by State or federal law), voter service centers, and first amendment expressive spaces, like rallies and marches. Within this legislation, each sensitive place has been evaluated in terms of their individual characteristics. The nature of the activities taking place in each of these locations as well as the presence of certain vulnerable populations warrant each location's classification as a sensitive place. It would be illogical to deem a swath of locations "not sensitive," simply because the list seems too long. These are all areas where restricting the concealed carry of firearms will only benefit the health and safety of those living in and visiting Hawaii.

These essential safety measures –improvement to the concealed carry permitting system and the creation of sensitive place restrictions – pass constitutional muster. The Supreme Court in *Bruen* made it clear that its holding was "neither a regulatory straightjacket nor a regulatory blank check," and that restrictions on guns in sensitive places are still permissible, so long as they are objective.

Conclusion

The provisions of HB 984 are consistent with *Bruen* and pass constitutional muster; in light of the SCOTUS decision, immediate action must be taken in Hawaii to enhance the concealed carry licensing system. By implementing comprehensive provisions that will prevent reckless and dangerous people from carrying concealed firearms, Hawaii will keep its public spaces safe from the threat of senseless firearm violence. **For these reasons, Brady urges the House Committee on Finance to vote YES on HB 984.**

Sincerely,

Ramya Swami
State Policy Manager
The Brady Campaign to Prevent Gun Violence



Submitted via web portal

RE: HB 984 (Saiki): Relating to Firearms - SUPPORT

Dear Chair Yamashita, Vice Chair Kitagawa and Members of the House Finance Committee:

Everytown for Gun Safety, Moms Demand Action for Gun Sense in America, and Students Demand Action for Gun Sense in America are writing in strong support of HB 984.

Everytown is the largest gun violence prevention organization in the country with nearly 10 million supporters including moms, mayors, survivors and everyday Americans who are fighting for public safety measures that respect the Second Amendment and help save lives. At the core of Everytown are Mayors Against Illegal Guns, Moms Demand Action for Gun Sense in America and the Everytown Survivor Network.

Moms Demand Action for Gun Sense in America is a grassroots movement of Americans fighting for public safety measures that respect the Second Amendment and protect people from gun violence. Moms Demand Action campaigns for new and stronger solutions to lax gun laws and loopholes that jeopardize the safety of our children and families. Since its inception after the tragedy at Sandy Hook School, Moms Demand Action has established a chapter in every state of the country, including Hawai'i.

The Supreme Court's June 2022 decision in [*New York State Rifle and Pistol Association v. Bruen*](#) invalidated New York's requirement that applicants seeking a license to carry a concealed handgun in public show "proper cause"—jeopardizing public safety in Hawai'i and other states with similar laws. The Court's decision is wrong, dangerous, and completely out of step with centuries of history and fundamental constitutional principles.

With a rate of 3.8 deaths per 100,000 people, Hawai'i has [one of the lowest rates of gun deaths](#) in the U.S. This is no accident—Hawai'i has the [third strongest set of gun safety laws in the country](#). Hawai'i is a national leader in gun violence prevention policy and has a long history of passing common-sense gun laws.

However, the Court's decision risks compromising those hard-won gains by making it easier for more people to carry concealed guns in Hawai'i communities and likely leading to significantly more guns in public places. In the first three months after the Court's decision, [more than 500 people](#) across the state had applied for permits. Data out of Maryland, which is similarly affected by the *Bruen* decision, shows that from June 23-July 11, people submitted 5,314 new applications for wear and carry permits—a 772.6% increase from the same time the prior year. As our nation continues to experience horrific mass shootings, an onslaught of daily gun violence, and a spike in hateful armed extremism, more people carrying guns in public is the absolute last thing we need.

Let's be clear—strong concealed carry permit systems save lives. A growing body of research shows that when states weaken law enforcement's authority to deny permits to people who pose a danger, violent crime rates rise by 13 to 15 percent over what would have been expected without the change¹ and firearm homicides increase by 7 percent in urban counties.² Adopting a shall-issue law in general is associated with a 9.5% increase in the rate of firearm assaults. States that have shall-issue laws without any provisions such as violent misdemeanor prohibitions, live fire requirements, suitability requirements, or dangerousness prohibitions in their shall-issue concealed carry permitting laws see rates of firearm assault and firearm homicide that are 22% and 30% higher than would be expected with these provisions.³

By requiring Hawai'i to eliminate its "exceptional case" standard for concealed carry permitting, *Bruen* completely upended centuries of precedent and made all Hawai'i residents less safe in the process. Thankfully, the Court made clear that states are still allowed to require a license to carry a firearm in public, and expressly declined to interfere with the public carry regimes of the overwhelming majority of states—including those that require firearm training and deny permits to applicants who officials find pose a danger to public safety. The Court also reaffirmed that the exercise of discretion by licensing authorities in order to deny licenses to those who might pose a risk to public safety is permissible, so long as the law provides narrow, objective, and definite standards to guide licensing officials in determining whether an applicant is responsible and not dangerous.

HB 984 will strengthen Hawai'i's concealed carry license system in a number of key ways in response to the Court's decision. It will ensure that licenses to carry a loaded gun in public are not granted to people who are determined to be a danger to self or others based on a thorough background check and will prohibit guns from sensitive areas where they don't belong. It will also improve training requirements for concealed carry to ensure license-holders can properly handle, store, and transport a firearm, and know where guns are not allowed.

For these reasons listed above, Everytown for Gun Safety, Moms Demand Action for Gun Sense in America, and Students Demand Action for Gun Sense in America strongly support HB 984.

Sincerely,

Krystal LoPilato
Policy Counsel
Everytown for Gun Safety, Moms Demand Action & Students Demand Action
450 Lexington Ave.
New York, NY 10163
klopilato@everytown.org

¹ John J. Donohue, Abhay Aneja, and Kyle D. Weber, "Right-to-carry Laws and Violent Crime: A Comprehensive Assessment Using Panel Data and a State-Level Synthetic Control Analysis," *Journal of Empirical Legal Studies* 16, no. 2 (2019): 198-247.

² Cassandra K. Crifasi, et al, "Correction to: Association Between Firearm Laws and Homicide in Urban Counties," *Journal of Urban Health* 95, no. 5 (2018): 773-76.

³ Mitchell L Doucette, Alexander D McCourt, Cassandra K Crifasi, and Daniel W Webster, "Impact of Changes to Concealed Carry Weapons Laws on Fatal and Nonfatal Violent Crime, 1980-2019", *American Journal of Epidemiology*, 2022;, kwac160, <https://doi.org/10.1093/aje/kwac16>

TESTIMONY IN SUPPORT OF HOUSE BILL 984

TO: THE COMMITTEE ON FINANCE

SUBMITTED BY: DAVID PUCINO
DEPUTY CHIEF COUNSEL
GIFFORDS LAW CENTER TO PREVENT GUN VIOLENCE

DATE: FEBRUARY 23, 2023

Chair Yamashita, Vice Chair Kitagawa, and Members of the Committee on Finance: thank you for the opportunity to provide this testimony on behalf of Giffords, the gun violence prevention organization led by former Congresswoman Gabby Giffords. I am writing in support of House Bill 984, which will provide critical updates to state law on the carrying of concealed firearms following the U.S. Supreme Court’s decision in *New York State Rifle & Pistol Ass’n, Inc. v. Bruen*, 142 S. Ct. 2111 (2022). HB 984 will update the law on licensing firearms and set new and critically important parameters on where concealed firearms can be carried, within the Constitutionally permissible boundaries articulated by the Supreme Court.

HB 984 IS A NECESSARY RESPONSE TO THE SUPREME COURT DECISION ON CONCEALED CARRY

In *Bruen*, the Supreme Court identified Hawai‘i as one of six states with a law “under which authorities have discretion to deny concealed-carry licenses even when the applicant satisfies the statutory criteria, usually because the applicant has not demonstrated cause or suitability for the relevant license.” *Id.* at 2124. It went on to hold such discretion unconstitutional under the Second Amendment.

However, *Bruen* also made it clear that many regulations implicating Second Amendment rights will survive scrutiny. The majority opinion emphasized that its holding was “neither a regulatory straightjacket nor a regulatory blank check,” and that many common regulations, such as restrictions on guns in sensitive places, can continue. *Id.* at 2133–34. Likewise, the concurrences emphasized the Court’s narrow focus on the specific provision of law at issue: the “proper cause” standard for issuance of concealed carry licenses. Justice Alito noted that the opinion “decides nothing” about who may purchase a gun, what requirements must be met to purchase a gun, or the kinds of guns that can be available for purchase. *Id.* at 2757 (Alito, J. concurring). And Justice Kavanaugh, joined by Chief Justice Roberts, further clarified that states are still permitted to impose licensing requirements so long as they are objective, and that sensitive place restrictions are constitutional. *Id.* at 2162–63 (Kavanaugh, J. concurring). As Justice Kavanaugh summarized, “[p]roperly interpreted, the Second Amendment allows a ‘variety’ of gun regulations.” *Id.* at 2162 (Kavanaugh, J. concurring).

Bruen rejected the previous consensus position of the lower courts that heightened scrutiny is appropriate in assessing the constitutionality of firearm laws, declaring instead that courts should use a test focusing on text, history, and tradition. It is worth noting that there were numerous laws that spelled out licensing schemes and restricted public carry throughout the states during Reconstruction, a timeframe the *Bruen* court noted was relevant for its historical analysis, particularly with respect to state laws. *Bruen*, 142 S. Ct. 2111 at 2138. Dozens of these types of laws were enacted during this time, affecting millions of Americans. See Saul Cornell, *History and Tradition or Fantasy and Fiction: Which Version of the Past Will the Supreme Court Choose in NYSRPA v. Bruen?*, 49 Hastings Const. L.Q. 145, 169 (2022). Consistent with Hawai‘i’s interests in passing HB 984, these laws were enacted with a goal of protecting public safety and were a direct response to “newly-rising levels of gun violence.” *Id.* at 168.

SOCIAL SCIENCE SUPPORTS HB 984 AS A PUBLIC SAFETY INTERVENTION

On the question of guns in public, the social science is clear: more permissive public carry laws and more guns in public places make us less safe, not more safe.

Studies consistently demonstrate that lenient right-to-carry (RTC) laws are associated with increased violent crime and homicide rates. Indeed, “the predominant conclusion from studies in the last five years has been that RTC laws increase violent crime.”¹ Stanford professor John Donohue’s work in this area shows persistent increases in violent crime rates in states with more permissive licensing regimes. In a June 2022 study analyzing a sample drawn from 47 major U.S. cities, Donohue and his colleagues concluded that right-to-carry gun laws “increase overall firearm violent crime as well as the component crimes of firearm robbery and firearm aggravated assault by remarkably large amounts with an attendant finding of no sign of any benefit from RTC laws.”²

In particular, Donohue’s study finds that these lenient RTC laws lead to 29 and 32 percent increases in firearm violent crime and firearm robbery respectively.³ Moreover, the study found a “massive 35 percent increase in gun theft, with further crime stimulus flowing from diminished police effectiveness.”⁴ Indeed, the study observes that right-to-carry laws “cause a roughly 13 percent decline in the rates that police clear violent crime, suggesting that [right-to-carry] laws strike at the very heart of law enforcement’s abilities to address criminal conduct.”⁵ Further compounding the danger posed by more guns in public, and as discussed in more detail below, social science research confirms that guns are rarely used in self-defense, and are likely to cause harm on innocent bystanders when they are. Indeed, Donohue and his colleagues conclude that “any such [deterrent] benefits are substantially offset by the crime-enhancing impacts of increased gun carrying.”⁶

¹ See John Donohue et al., *More Guns, More Unintended Consequences: The Effects of Right-to-Carry on Criminal Behavior and Policing in U.S. Cities*, at 1 (Nat’l Bureau of Econ. Res. Working Paper No. 30190, June 2022).

² *Id.* at 25.

³ See *id.*, at 3, 25.

⁴ *Id.* at 27.

⁵ *Id.* at 3.

⁶ Donohue et al., *supra* note 2 at 2.

Another recent study of states that moved from a may-issue to a RTC regime from 1980 to 2019 found that this move to weaker laws “was associated with a 9.5% increase in rates of assaults with firearms during the first 10-years post-law adoption and associated with an 8.8% increase in rates of homicides by other means.”⁷ What’s more, the study found that states that removed training, discretion, and violent misdemeanor prohibitions as part of this move saw increases in violence. States that retained some of these features when moving to shall issue did not see such big increases in violence.

This recent research is supported by a long line of social science research that confirms lenient gun laws increase violent crime.⁸ For example, in December 2017, researchers at Boston University and Duke University released the first-ever analysis of the impact of concealed carry laws on handgun and long-gun homicide rates.⁹ Their study concluded that permissive right-to-carry concealed carry laws were significantly associated with higher crime rates—in particular, 6.5 percent higher total homicide rates, 8.6 percent higher firearm-related homicide rates, and 10.6 percent higher handgun-specific homicide rates, compared to states with stronger regulations.¹⁰ This robust body of evidence confirms that, just as American governments have traditionally sought to protect their citizens by restricting the public use of guns, the new licensing standards in HB 984 will promote public safety by protecting the public from statistically-proven increases in violent crime and firearm homicide.

CONCLUSION

Social science demonstrates that more guns do not make the public safer—in fact, it tends to have the opposite effect. While the Supreme Court has limited the ability of law enforcement officers in Hawai‘i to exercise discretion when determining who can carry a gun in public, there remain many important avenues available to make sure that those who are carrying are doing so safely, and are not taking guns into especially sensitive places.

HB 984 will accomplish both of these goals, in line with the social science data that shows guns in public pose dangers, and ensure that those who do carry guns in public are doing so safely. I urge you to advance this bill in the interest of public safety, just as governments have done since the founding.

⁷ Mitchell L. Doucette et al., *Impact of Changes to Concealed Carry Weapons Laws on Fatal and Nonfatal Violent Crime, 1980-2019*, AM J EPIDEMIOLOGY. (2022), <https://pubmed.ncbi.nlm.nih.gov/36104849/>.

⁸ See, e.g., Rashna Ginwalla et al., *Repeal of the Concealed Weapons Law and Its Impact on Gun-Related Injuries and Deaths*, 76 J. TRAUMA ACUTE CARE SURG. 569, 569, 573 (2014), <http://www.academia.edu/10480999> (lax concealed carry permitting laws are associated with increased gun fatalities); Daniel W. Webster et al., *Firearms on College Campuses: Research Evidence and Policy Implications* 8 (Oct. 15, 2016) (discussing data on 111 high-fatality mass shootings from 1966–2015, finding that in the 41 states with RTC laws or no concealed carry regulations, the average death toll in high-fatality mass shootings increased following the implementation of an RTC law).

⁹ Siegel et al., *Easiness of Legal Access to Concealed Firearm Permits and Homicide Rates in the United States*, AM. J. PUB. HEALTH, Dec. 2017, at 1.

¹⁰ *Id.*



Respectfully Submitted,

David Pucino
Deputy Chief Counsel
Giffords Law Center to Prevent Gun Violence

ABOUT GIFFORDS

Giffords is a nonprofit organization dedicated to saving lives from gun violence. Led by former Congresswoman Gabrielle Giffords, Giffords shifts culture, changes policies, and challenges injustice, inspiring Americans across the country to fight gun violence.



SanHi

GOVERNMENT STRATEGIES

A LIMITED LIABILITY LAW PARTNERSHIP

DATE: February 23, 2023

TO: Representative Kyle Yamashita
Chair, Committee on Finance

FROM: Tiffany Yajima

RE: **H.B. 984, H.D. 1 - Relating to Firearms**
Hearing Date: February 24, 2023 at 3:30 p.m.
Conference Room: 308 & Videoconference

Dear Chair Yamashita, Vice Chair Kitagawa and Members of the Committee on Finance:

We submit this testimony on behalf of the Hawaii Bankers Association (HBA). HBA represents seven Hawai'i banks and one bank from the continent with a branch in Hawai'i.

HBA submits this testimony in **support** of H.B. 984, H.D. 1 which, among other things, establishes the crime of carrying a firearm in a sensitive location and defines a list of sensitive places.

In June 2022, the U.S. Supreme Court decision in *New York State Rifle & Pistol Association v. Bruen* impacted many conceal carry laws by opening the door for municipalities and states to define sensitive places where concealed weapons could be prohibited. Since this decision, many municipalities and states have been deliberating over and passing legislation to prohibit concealed firearms in sensitive locations.

We support the inclusion of financial institutions defined under HRS 211D-1 as one of the sensitive locations where concealed carry weapons would be prohibited. Given the elevated risk of danger in bank crimes that involve firearms, it makes good policy sense and is appropriate to restrict concealed firearms on bank premises.

We are happy to answer any questions, and appreciate the opportunity to testify in support of this bill.



Testimony of Deb Nehmad, Chapter lead, Brady Hawaii
Before the House Committee on Finance
SUPPORT FOR HB984 HD1

February 23, 2023

To members of the House Committee on Finance

My name is Deb Nehmad. I live in Hawaii Kai. I am Chapter Lead for Hawaii Brady. **In furtherance of BradyUnited's goal to reduce firearm violence across Hawaii, the Hawaii Chapter of the Brady Campaign to Prevent Gun Violence is proud to offer its strong endorsement of HB984 HD1.**

For decades, Hawaii leaders have prioritized the safety and well-being of the people of Hawaii by enacting and implementing proactive, research-informed policy solutions that prevent gun violence, save lives, and spare entire communities from loss, trauma and cycles of violence. However, the latest data from the Centers for Disease Control and Prevention is disturbing:

- Every year, 34 people in Hawaii die by firearm suicide.
- Every year, 15 people in Hawaii are victims of firearm homicide.
- On average, 55 people in Hawaii are killed by gun violence each year and an average of 30 of those deaths occur in Honolulu County.
- Every 7 days, someone in Hawaii is shot and killed.
-

It's clear that work remains to be done, and in the wake of the Supreme Court's (SCOTUS) decision in *NYSRPA v. Bruen*, which invalidated parts of Hawaii's concealed carry licensing provision, it is imperative that action be taken. The

passage of HB984 HD1 is a significant step in the right direction to ensure the safety of Hawaii's residents and visitors.

Why This Bill is Needed

As of December 22, 2022, over 600 applications had been filed in Honolulu for concealed carry permits following the release of the *Bruen* decision in June. As of February 22, 2023, HPD had issued 30 permits with no limitations in place on where guns can be carried. We can only expect hundreds if not thousands, more applications statewide. In a State that had not issued any concealed carry permits for decades, this is a jarring number and absent action, those living and visiting Hawaii will be faced with a reality where guns are everywhere.

Research shows that if Hawaii does not act immediately to implement comprehensive and robust provisions to enhance its concealed carry permitting system, its citizens will face higher risks of homicide, gun theft, and gun violence. A rigorous study of concealed carry laws found that in states with weak concealed carry laws, violent crime rates rose 13% to 15% after ten years. A recent study conducted by the Center for Gun Violence Solutions analyzed the impact of weakened conceal carry permitting systems on violent crimes. The study found that states that loosened their concealed carry permitting systems (and failed to enact the very licensing requirements that Hawaii seeks to introduce in HB984 HD1) saw a 9.5% increase in firearm related assaults over a decade. In the interest of protecting its citizens, passage of HB984 HD1 will ensure the entire State has a standardized and robust concealed carry permitting system.

The Supreme Court in *Bruen* leaves it up to State and local legislatures to restrict the use of firearms in certain "sensitive places," including schools and government buildings. HB984 HD1 is consistent with SCOTUS case law. It's important to note at the outset that the Supreme Court in *Bruen* made it clear that its holding was "neither a regulatory straight jacket nor a regulatory blank check," and that restrictions on guns in sensitive places are still permissible, so long as they are objective. It would be illogical to deem a swath of locations "not sensitive," simply because the list seems too long.

Passage of the HB984 HD1 will help Hawaii maintain its standing as one of the safest states in the country by ensuring that the State enhances and standardizes its

concealed carry permitting/licensing requirements and broadens its sensitive place restrictions.

What The Bill Does

HB984 HD1 ensures that those who are carrying firearms in public have proper licensing, adequate training, and are not at risk of harming themselves or others. It maintains Hawaii's requirement for comprehensive background checks for applicants for concealed carry licenses. Under this bill, an applicant could not qualify for a license to carry a firearm if they have any history of threats or acts of violence by the applicant directed toward themselves or others. Further, the bill prohibits the issuing authority from issuing a license where the issuance would not be in the interest of public health, safety, or welfare because the person is found to be lacking the essential character or temperament necessary to be entrusted with a firearm and establishes objective criteria for making that assessment. Additionally, the bill introduces a training requirement that involves live-fire instruction and demonstration of safe handling of, and shooting proficiency with, each firearm the applicant is applying to be licensed to carry.

HB984 HD1 further outlines "sensitive places" where firearms cannot be carried, including child-care facilities and other places frequented by children, city-owned buildings or offices, all forms of public transportation (except as provided for by State or federal law), voter service centers, and first amendment expressive spaces, like rallies and marches. Within this legislation, each sensitive place has been evaluated in terms of their individual characteristics. The nature of the activities taking place in each of these locations as well as the presence of certain vulnerable populations warrant each location's classification as a sensitive place. As noted above, it would be illogical to deem a swath of locations "not sensitive," simply because the list seems too long. These are all areas where restricting the concealed carry of firearms only serves to benefit the health and safety of those living in and visiting Hawaii.

These are objective essential safety measures that meet the Bruen standard.

Conclusion

The provisions of HB984, HD1 are consistent with *Bruen* and pass constitutional muster. Considering the SCOTUS decision, immediate action must be taken in Hawaii to enhance the concealed carry licensing system. By implementing comprehensive provisions that will prevent reckless and dangerous people from carrying concealed firearms and designating safe spaces where concealed carry will not be allowed, Hawaii will keep its people safe from the threat of senseless firearm violence. **For these reasons, Brady Hawaii strongly urges the House Finance Committee to vote YES on HB984 HD1.**

Sincerely,

Deb Nehmad
Chapter Lead, Brady Hawaii
The Brady Campaign to Prevent Gun Violence



Testimony to the House Committee on Finance
Friday, February 24, 2023, 3:30 PM
Conference Room 308

In Support of HB 984, Relating to Firearms

To: The Honorable Kyle Yamashita, Chair
The Honorable Lisa Kitagawa, Vice-Chair
Members of the Committee

My name is Stefanie Sakamoto, and I am testifying on behalf of the Hawaii Credit Union League, the local trade association for 47 Hawaii credit unions, representing over 864,000 credit union members across the state.

HCUL offers the following comments in support of HB 984 HD1, Relating to Firearms. This bill, among other things, would establish the crime of carrying a firearm in a sensitive location, and defines "sensitive location".

Hawaii's credit unions are in strong support of the provision of the bill which defines sensitive locations; including financial institutions in this definition. Credit unions and banks already have a high risk of being robbed, and allowing concealed firearms into these establishments would definitely raise this risk, along with putting their staff and members in danger. We appreciate the legislature recognizing and taking action on this important matter.

Thank you for the opportunity to provide comments on this issue.



"Advancing the Commercial Real Estate Industry through Education, Networking and Advocacy"

Committee: House Committee on Finance
Date: Friday, February 24, 2023
Time: 3:30 PM
Place: Via Conference Room 308
RE: HB 984, HD1, Relating to Firearms

Aloha Chair Yamashita, Vice Chair Kitagawa and members of the committee!

We are the Building Owners and Managers Association of Hawai'i (BOMA Hawai'i) testifying in **support of HB 984, HD1**, relating to firearms. This bill prohibits firearms in certain locations and premises and provides for enhanced sentencing. It requires possession and disclosure of a license to carry and prohibits leaving an unsecured firearm in a vehicle unattended. It prohibits consuming or being under the influence of alcohol, an intoxicating liquor, or a controlled substance when carrying a firearm and prohibits carrying or possessing firearms on certain private property open to the public without express authorization.

Keeping building occupants safe is a key priority for BOMA Hawai'i members. A dramatic national increase in the number of firearm shootings in both public and business settings cause us to support this measure. A recent FBI study revealed that the average number of active shooter incidents per year that occurred between 2000 and 2008 was 7.4. From 2008-2017, the average number of cases nearly tripled to a staggering 20.3. These statistics are not reflective of every incident involving the discharge of a gun in that time frame and focused on those that involved one or more individuals who killed or attempted to kill people in a populated area, according to BOMA International. This alarming rate of increase underscores the importance of addressing the potential for this growing threat in the commercial real estate industry.

Working closely with law enforcement and safety specialists, BOMA Hawai'i actively educates our members on how to craft a plan to address safety and what to include; what security staff's role will be; and how to prepare tenants and building staff in the event of a tragedy. Supporting measures like this one is one step in effort to keep our community safe.

BOMA Hawai'i is a non-profit trade association dedicated to advancing the commercial real estate industry through education, networking and advocacy. We represent many commercial building owners and managers in Hawai'i, those who will be impacted by this bill. For many years, BOMA Hawai'i has participated in meaningful discussions with members of the legislature and local government officials about public safety.

Please consider us a resource.

Thank you for the opportunity to testify on this measure.

Sincerely,

Gail M. Abrena-Agas
BOMA Hawai'i Government Affairs Committee Chair, and Past President

HB-984-HD-1

Submitted on: 2/23/2023 2:48:37 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Dale Hayama	Young Guns	Oppose	Written Testimony Only

Comments:

Dear Honorable Representatives:

I would like to communicate our strong opposition to HB984 HD1. This legislation is deeply flawed, and unconstitutional. This bill runs directly counter to the United States Supreme Court decision that forced the local county police departments to start issuing CCWs here in Hawaii.

HB984 HD1 is similar to legislation that has been passed in New York and New Jersey. Litigation has already ensued, challenging these unconstitutional laws with injunctions being issued by Federal Courts in regards to "sensitive places". If passed this legislation will be met numerous legal challenges that will cost Hawaii taxpayers hundreds of thousands of dollars and will likely meet a similar fate. Please stop wasting taxpayer dollars trying pass a bill that infringes on our Constitutional Rights.

I personally have an out of state CCW permit, which I exercise where I am legally allowed to. Our CCWs, gives my fiance and myself peace of mind, as we are senior citizens, Asians, and the primary targets of many criminals out there.

Many years ago, my fiance and I applied for a CCW here on Oahu and were both denied on the premise that there was no situation that the police department could not protect us from; Well needless to say, every single law enforcement officer that I have spoken to since, active and retired said that it was a lie. We now, finally have an opportunity to defend ourselves outside our home here in Hawaii, but this bill will give the criminals back the power to do harm to law abiding citizens.

Please do not empower the criminals with this bill. Please understand "SOFT" targets, before you go any further. That's where most, if not where all mass killings take place. Basically they are "GUN FREE" Zones. The bad guys do want to anywhere near where they could be confronted by an armed citizen, so they pick "Soft Targets". At these "Soft Targets" or "SENSITIVE" places, bad people will have a free reign as horrific past events have demonstrated. Do you want to be responsible for an event that an honest, law abiding, armed citizen could have prevented or stopped immediately? HB984 HD1 basically handcuffs the law abiding citizen back to a pseudo ban on the Second Amendment that the United States Supreme Court had already deemed as Unconstitutional.

On a final note, many uninformed citizens think of CCW holders as cowboys looking for a gunfight. The fact is, CCW holders are usually the most responsible citizens in society. They hold themselves to a higher standard and the crime rate for CCW holders are far less than Law Enforcement personnel! Please think about that!

Thank you for your time and consideration in this matter.

Sincerely,

Dale
Hayama
nt
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Young



I write today on behalf of myself, Hawaii Firearms Coalition, and all law-abiding gun owners in the state of Hawaii, **We are in opposition to HB984.**

With the recent Supreme Court decision in New York State Rifle and Pistol Association v. Bruen, the State of Hawaii has begun to see law-abiding citizens applying for and being issued concealed carry licenses. In reaction to this, we see several laws being proposed as a method of denying and or delaying the issuance of such licenses.

The Supreme Court in NYSRPA V Bruen laid out a framework for gauging the constitutionality of any law that impacts the cour right of the second amendment (for law-abiding persons to keep and bear arms). In doing so they said that action should be taken on any law that impacts the right to keep and bear arms before a historical analysis has been conducted to make sure said law is in line with the text, history, and traditions of the Second Amendment.

“when the Second Amendment’s plain text covers an individual’s conduct, the Constitution presumptively protects that conduct, and to justify a firearm regulation the government must demonstrate that the regulation is consistent with the Nation’s historical tradition of firearm regulation.”

Any law that is current or passed is likely to face a constitutional challenge. Several states have passed similar laws to those being proposed here, each of which has been significantly neutered or stopped by the courts.

We issue a caution to Hawaii legislators that making changes to our current laws that impact the second amendment will open the state and counties to lawsuits. These will challenge not only the changes but the state's current laws and policies. Government lawyers, when asked, are sure to claim to be able to defend the changes/laws, but history is not on their side. They have spent hundreds of thousands of dollars without a single success.

Bellow, we provide a break down of the 74 page bill and out position and explanation on each section.

134-A Carrying or possessing a firearm in certain 2 locations and premises prohibited; penalty.

We are in opposition to the extensive list of sensitive places provided in this bill. However, we do

acknowledge that there are some places where firearms may be prohibited. The Supreme Court in *NYSRPA Vs. Bruen* gave several examples of permissible places (schools, legislative assemblies, polling places, and courthouses¹). The also outline a framework for determining if others were permissible² but gave limitations as well. Simply declaring all public places as being sensitive because they are open to the public and people “can” call the police is not acceptable³. It is our belief that the list of sensitive places should be so small that it should have little to no effect on the day-to-day lives of its law-abiding citizens, and in no way should it encompass all public space except sidewalks.

§134-B Mandatory insurance coverage.

We are in opposition to requiring insurance to exercise a constitutional right. Firstly the insurance required does not exist. It is the hope that by requiring it, insurance companies will create the policy, but this is unlikely. If they do create a policy, it will be costly and expensive and available only to the wealthy. Oftentimes those that are in the most need of firearms are already suffering the economic impacts of living in Hawaii.

§134-C Duty to maintain possession of license while carrying a firearm; duty to disclose; penalty.

If this bill had been passed two years ago, this provision would have likely been permissible. But with the Supreme court affirming the right to carry a firearm, it's likely that a licensing requirement will be challenged in the near future. Current case law⁴ would suggest that a challenge would likely prevail. In addition, a requirement that a person identifies they are exercising a right and provide ID to show they are legally allowed to exercise said right is also unconstitutional and has been settled law for decades⁵.

§134-D Leaving unsecured firearm in vehicle unattended; penalty.

We support the ability for a person to store their firearm in their vehicle but request the following changes. Allow firearms to be secure in the glove box or trunk of the firearm. An additional

¹ “longstanding” “laws forbidding the carrying of firearms in sensitive places such as schools and government buildings.” 554 U. S., at 626. Although the historical record yields relatively few 18th- and 19th-century “sensitive places” where weapons were altogether prohibited—e.g., legislative assemblies, polling places, and courthouses” https://www.supremecourt.gov/opinions/21pdf/20-843_7j80.pdf

² courts can use analogies to those historical regulations of “sensitive places” to determine that modern regulations prohibiting the carry of firearms in new and analogous sensitive places are constitutionally permissible. https://www.supremecourt.gov/opinions/21pdf/20-843_7j80.pdf

³ But expanding the category of “sensitive places” simply to all places of public congregation that are not isolated from law enforcement defines the category of “sensitive places” far too broadly. https://www.supremecourt.gov/opinions/21pdf/20-843_7j80.pdf

⁴ *Murdock v. Pennsylvania*, 319 U.S. 105 (1943) A State may not impose a charge for the enjoyment of a right granted by the Federal Constitution. P. 319 U. S. 113.

⁵Under *Terry v. Ohio*, an investigatory stop—including a demand for identification is permissible, only if the officer possesses reasonable suspicion, based on specific, articulable facts, that the suspect is committing or has committed a crime.

locked box provides no additional safety. Remove the requirement for a case to be “fire, impact, and tamper resistant” this would result in a larger case that may be more easily visible, leading to the potential of target theft. Police officers store their firearms unsecured in the trunk of their squad cars.

§134-E Unlawful conduct while carrying a firearm; penalty.

While we are not directly opposed to these prohibitions, there need to be some changes. Allow for consumption of alcohol within a person's own home. While firearms are never a great idea, a person should be able to defend themselves in their home under any circumstances. For alcohol, there needs to be a metric of measurement, this should be measured the same as impaired driving.

§134-F Carrying or possessing a firearm on private property open to the public without authorization; penalty.

We are in opposition to the default prohibition on private property. While we do believe that property owners can prohibit the carrying of firearms on private property, the default should not be to prohibit it. The law should encompass clear and concise signing requirements as it does in almost every other state.

Should a sensitive places bill pass, it is essential that the law include signage requirements: an example of which I have included below.

- 1. Be posted in a conspicuous location on all building entrances.*
- 2. Contain a pictogram that shows a firearm within a red circle and a diagonal red line across the firearm.*
- 3. Contain the words "no firearms allowed pursuant to HRS XYZ"*
- 4. Be at least 8.5"x11" in size.*
- 5. Include the date the sign was posted.*
- 6. The signs required by this section shall be composed of block, capital letters printed in black on white or yellow laminated paper.*
- 7. The letters constituting the words "no firearms allowed" shall be at least three-fourths of a vertical inch, and all other letters shall be at least one-half of a vertical inch.*

It should also include an affirmative defense that the sign must be visible, undamaged and posted for thirty days.

§134-G Authority of counties.

The bill should include a preemption clause, prohibiting a law at any level lower than the state. Hawaii should not have five different sets of firearms laws. Having such can lead to confusion, mistakes, and criminal prosecutions that serve no public safety purpose.

134-1, Hawaii Revised Statutes,

The “crime of violence” definition is too broad and covers minor and non-physical acts. Pushing someone out of the way or grabbing someone’s hand is considered a physical force. A slap on the face is considered a bodily injury. Harassment includes repeated phone calls. Sexual Assault 4th degree includes peeping tom. These are all bad things that a person should not do but are not crimes of violence. A person's constitutional rights should be vacated for minor infractions that do not pose a threat to public safety in general.

134-2 Permits to acquire.

We oppose the changes made to this section for the following reasons.

“a designee of the chief of police”

would allow any person or private company to process firearms applications. No one other than law enforcement should be able to process applications and have access to people's private records.

“and shall identify any healthcare providers who possess or may possess such records.” It has already been determined that people’s medical records are private. Requiring people to identify medical providers BEYON their current provider is clearly an invasion of privacy.

“essential character or temperament”

This is a vague and subjective term. Denial of constitutional rights should be based on due process through indictments and convictions.

“Citizens, nationals, or lawful permanent resident”

we 100% support this change.

“Permits issued to acquire any pistol or revolver shall be void unless used within thirty days after the date of issue.”

There should not be an expiration on the permit date. If a person is approved for the permit or can pick up the firearm and keep it forever. They should be able to keep the perm, it forever until they use it.

“the issuing authority determines that issuance would not be in the interest of public health, safety, or welfare ...intends or is likely to use a firearm for an unlawful purpose or in an unlawful manner.”

Absent a prohibiting factor (hrs134-7) A person can not be denied a permit. The changes made in this section is subjective and open to interpretation and abuse. We have seen in recent years that the Honolulu Police Department and Hawaii Police department have lost lawsuits regarding their interpretation of state laws, and this wording will allow further abuse.^{6 7 8 9}

⁶ <https://dockets.justia.com/docket/hawaii/hidce/1:2021cv00333/155633>

⁷ <https://dockets.justia.com/docket/hawaii/hidce/1:2021cv00384/156040>

⁸ <https://dockets.justia.com/docket/hawaii/hidce/1:2020cv00330/150393>

⁹ <https://dockets.justia.com/docket/hawaii/hidce/1:2018cv00125/138948>

“A firearms training or safety course or class conducted by..... as well as a component on mental health, suicide prevention, and domestic violence issues associated with firearms and gun violence.”

The requirement that a person seeks training of any kind before purchasing a firearm is costly and burdensome and serves no public safety aspect, especially if a person already owns any type of firearm. The ability for the police department to certify instructors allows for four different interpretations resulting in inconsistent instruction across the state and would also result in a person who receives training on one county being unable to purchase firearms in another without having to repeat the training in that county.

The current system has been in place since 1994 and has worked just fine.

As cautioned above, making changes that infringe of the right of the people will likely lead to lawsuits. If a lawsuit is needed to fix a change, it's likely it will also target the entirety of the process. With only eight states requiring classes to purchase a firearm¹⁰ none of which existed before the 1990s, its unlikely they will survive a legal challenge.

“An approved hunter education course as authorized 1under section 183D-28”

Removing hunter education as a training option for handguns and revolvers. Hunter’s education teaches firearm safety and state gun laws and was offered as a free or low-cost training option for people to acquire firearms. Also people from the mainland, military servicemembers, and gun owners who received other firearms training use this as an affordable way to learn Hawaii’s laws and meet Hawaii’s training requirements without paying \$200 for a handgun safety course

“as well as a component on mental health, suicide prevention, and domestic violence issues associated with firearms and gun violence”

Firearm instructors are not trained to teach mental health, suicide prevention, and domestic violence. I recommend the State create a video on these subjects and place it on the internet for the public to watch. A win-win situation where gun owners do the training conveniently, and the general public benefits from the information being taught by experts.

“provided that an instructor shall not submit an attestation for the instructor’s own permit application.”

A person who is qualified to teach the subjects needed to own a firearm has completed the process. Making them take a class to be certified by another individual serves no purpose other than to create a time delay and cost to that individual

“for permits. under this section. except for a single fee chargeable by and payable to the issuing county”

Adding a fee to each application serves no purpose other than to add a cost. The fingerprinting and data entry only occurs one time with the HCJDC, collecting the fee each time is a tax on the right to bear arms.

¹⁰ <https://everytownresearch.org/rankings/law/training-required-to-purchase-guns/>

“If an application under this section is denied, a 15 person or entity aggrieved by the denial shall be entitled to a 16 hearing before the chief of police”

The police departments should not be adjudicating themselves. A third-party review of all denials should take place REGARDLESS is the individual request it. A compensational value should be added [aid out to all individuals found ot be wrongly denied.

“No person shall intentionally, knowingly, or recklessly lend a firearm to any person who is prohibited from ownership, possession, or control of a firearm under section 134-7.”

Intentionally and knowing are synonyms. Adding the extra word (intentionally) will introduce confusion.

“has one or more pending charges for a felony, a crime of violence, a criminal offense relating to firearms, or an illegal sale or distribution of any drug in a court in this State or elsewhere”

We do not remove a person's rights because of an arrest, they must have a conviction or inditement (actual charges)

“The person is or has been diagnosed....unreasonable risk to public health, safety, or welfare if the person were in possession or control of a 14 firearm or ammunition”

The terms used are subject, open for interpretation and abuse. Police departments are not doctors and are not equipped to make determinations on a person's medical health. Relying on personal doctors for this information could lead to a larger problem of people not seeking mental health care, as it could remove their right to bear arms.

“Any person who otherwise would be prohibited under subsection (b) from owning, possessing, or controlling a firearm and ammunition solely as a result of a conviction for a crime that is not a felony, ...possessing, or controlling a firearm and ammunition if twenty years have elapsed from the date of the conviction.”

This should be reduced to 5 years.

134-9 Licenses to carry.

Pre Bruen, the state may have been able to put many of these restrictions in place. Post Bruen the state must demonstrate that there is a historical analogy to any law which they wish to pass. 25 states currently do no require a concealed carry license to possess a firearm for lawful purposes.

Modern concealed carry licensing did not exist pre-1976. Although some states prohibited concealed carrying of firearms they allowed open carrying in its place. Should the state push thru burdensome restrictions its likely they will face challenges that would remove much of the current licensing scheme.

“Is not found to be lacking the essential character or temperament necessary to be entrusted with a firearm”

A person should only be denied the ability to carry a firearm if they are a prohibited person. The essential character is a method of adding a morality clause that's open to interpretation and can be used to deny people a constitutional right based on subjective opinions.

"Is a citizen, national, or lawful permanent resident of the United States or a duly accredited official representative of a foreign nation"

We agree with this change in its entirety

"Is a resident of the State of Hawaii"

Constitutional rights apply to everyone, not just residents of the state. Hawaii needs to reciprocate licenses from out of state. Failure to add a reciprocity clause will open the state and counties up to lawsuits as you are denying those that travel here a fundamental right. We do not remove the firearms of those who arrive in the state until they complete "a process" we should not be removing the right to bear arms either.

"Effective January 1, 2025, provide proof of compliance with the insurance coverage requirements of section 134-3;"

As stated previously, you can not require insurance to exercise a right.

"Sign an affidavit expressly acknowledging that the applicant has read.....including laws regarding the use of deadly force for self-defense or the defense of another, and that:"

The requirement that a person signs a sworn document agreeing to follow the rules should not be a requirement. We do not do this with any other right, law or policy. This would be compelled speech and would likely be unconstitutional.

"to use the firearm or firearms for which the license to carry will be issued"

Many people will want to carry different handguns depending on what they are doing/wearing. A license should be good for any firearm for which they own. The requirement that a license be obtained for each firearm serves no purpose other than to add a cost and time delay.

"The course of training for issuance of a license under this chapter may be any course acceptable to the licensing authority that meets all of the following criteria:"

Training requirements Should training be something that all gun owners seek out? Yes. Should training requirements be set by the government? No.

The training requirements, as outlined in SB1230, are very broad and serve no purpose other than to create a financial and time barrier to exercising a right. Further, the requirement that the training is done on a strict schedule inhibits the ability of a person to exercise their right. With all government-mandated programs, the level of education is often lower than what would otherwise be offered.

Instead of offering a quality product that would enhance safety and knowledge, the bare minimum levels are attained. Instead of creating barriers for those that wish to carry firearms, more time and funds should be put towards educating Hawaii's youth about gun safety.

Such action would substantially enhance public safety since gun education, like driver's

education, would instill core safety values into Hawaii's youth. Accordingly, any additional training requirements in the bill should be removed.

The training required for HRS134-2g that people have already completed to acquire current firearms should be enough. The requirement that a person seeks annual training and/or training on multiple firearms they wish to carry should also be eliminated since there is no articulable or otherwise justifiable reason for repetitive training.

Legislators should be aware that due to the lack of any historical analogy to require training to own or carry a firearm during the nation's founding, it's likely that any challenge to this requirement as written would lead to all training requirements being removed.

"An applicant for a license under this section shall sign a waiver at the time of application."

The requirement that a person releases medical information is a further infringement on their right to privacy.

A nonrefundable fee of \$150 shall be charged for each 5 license application submitted under this section.

This fee is beyond what would be considered constitutional and serves no purpose other than to put a burden on law-abiding citizens. The supreme court said in Bruen that this is something that they would be opening to see a challenge on¹¹

"A license to carry issued under this section shall be void if"

The only reason a license should become void or be revoked is if a person is disqualified from owning a firearm and has been subjected to due process.

License Length.

Hawaii's current one year and the proposed two years are too short. A license should be good for a significant amount of time so as not to become burdensome. Currently, most states that issue them have a five-year limit with a mail-in or online renewal. Hawaii should do the same.

Andrew Namiki Roberts
Director Hawaii Firearms Coalition.

¹¹ we do not rule out constitutional challenges to shall-issue regimes where, for example, lengthy wait times in processing license applications or exorbitant fees deny ordinary citizens their right to public carry.https://www.supremecourt.gov/opinions/21pdf/20-843_7j80.pdf

HB-984-HD-1

Submitted on: 2/23/2023 4:10:26 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Maya Maxym	Hawai'i Chapter of the American Academy of Pediatrics	Support	Written Testimony Only

Comments:

Aloha Committee Members,

As pediatricians who care for children and families across Hawai'i, including victims of gun violence, we would like to express our support for HB984. We have seen first-hand the harms of gun violence and the ways in which it destroys the lives of children and their families. We have cared for children who have lost parents and siblings, children paralyzed by a gunshot, and children who will never be able to speak or swallow again as a result of the impact of a single bullet.

We also know that, until now, Hawai'i has had dramatically lower rates of gun violence than many places in the US, and that existing gun regulations have prevented some of our patients from suffering tragedy. In light of the Bruek decision, our children are at risk in a way that we have not seen before. HB984 ensures that the licensing procedure for concealed guns filters out applicants who post a threat to others or themselves. It also lays out a list of sensitive places where firearms cannot be carried that is comprehensive enough to meaningfully protect the safety of Hawaii's keiki and families.

There is one additional provision that would enhance this protection, which would be to include private property not open to the public in the list of sensitive places. We support the "default" provision that is currently included in SB1230, which provides that firearms shall not be carried on private property without the express authorization of the property owner.

Sincerely,

Drs. Maya Maxym and Brooke Hallett

Co-Chairs, Advocacy Committee

Hawai'i Chapter of the American Academy of Pediatrics



HAWAI'I STATE
**COALITION AGAINST
DOMESTIC VIOLENCE**

February 23, 2023

Members of the House Committee on Finance:

Chair Kyle T. Yamashita

Vice Chair Lisa Kitagawa

Rep. Micah P.K. Aiu

Rep. Cory M. Chun

Rep. Elle Cochran

Rep. Andrew Takuya Garrett

Rep. Kirstin Kahaloa

Rep. Darius K. Kila

Rep. Bertrand Kobayashi

Rep. Rachele F. Lamosao

Rep. Dee Morikawa

Rep. Scott Y. Nishimoto

Rep. Mahina Poepoe

Rep. Jenna Takenouchi

Rep. David Alcos III

Rep. Gene Ward

Re: HB984 HD1 Relating to Firearms

Dear Chair Yamashita, Vice Chair Kitagawa, and Members of the House Committee on Finance:

The Hawai'i State Coalition Against Domestic Violence (HSCADV) addresses the social, political, and economic impacts of domestic violence on individuals, families, and communities. We are a statewide partnership of domestic violence programs and shelters.

On behalf of HSCADV and our 28 member programs statewide, we respectfully submit testimony in **strong support of HB984 HD1 and suggest an amendment that would protect nonprofit organization program sites**. This measure would have a profound impact on public safety, survivors of domestic violence, their children, and the organizations that serve them.

We respectfully suggest amending lines 16-18 on page 5, to read:

(10) Any shelter, ~~or~~ residential or programmatic facility operated by a government entity or a charitable organization serving unhoused persons or victims of domestic violence and/or children, including children involved in the juvenile justice system, and including adjacent parking areas;

Many domestic violence programs provide services to survivors outside of a shelter setting. Those programmatic sites provide counseling, supervised child visitation, and exchange and advocacy services. Perpetrators of domestic violence with access to guns use the threat of gun violence to inflict emotional abuse on their partners or escalate to homicide. The presence of a firearm in domestic violence situations increases the risk of homicide for women by 500%.



HAWAI'I STATE
**COALITION AGAINST
DOMESTIC VIOLENCE**

Additionally, more than half of women killed by gun violence are killed by family members or intimate partners.¹

And the trend is worsening: in the ten-year period between 2008 and 2017, intimate partner homicides of women involving guns increased by 15 percent.² Adults are not the only victims. [On March 4, 2022, a father under a restraining order killed his three daughters during a court-ordered family visitation](#) at a church.³

We must create safe spaces where survivors of domestic violence are free to heal and seek help after traumatic events. Prohibiting the public carrying of firearms in these spaces is paramount to creating this healing environment without the threat of harm, revictimization, or re-traumatization.

Thank you for the opportunity to testify on this important matter.

Sincerely,
Angelina Mercado, Executive Director

¹ Campbell JC, Webster D, Koziol-McLain J, Block C, Campbell D, Curry MA, Gary F, Glass N, McFarlane J, Sachs C, Sharps P, Ulrich Y, Wilt SA, Manganello J, Xu X, Schollenberger J, Frye V, Laughon K. Risk factors for femicide in abusive relationships: results from a multisite case control study. *Am J Public Health.* 2003 Jul;93(7):1089-97. Doi: 10.2105/ajph.93.7.1089. PMID: PMC1447915

² Fridel EE, Fox JA. Gender differences in patterns and trends in the US homicide, 1976-2017. *Violence and Gender.* 2019; doi: [10.1089/vio.2019.0005](#). Data from this study were obtained by Everytown from the author James Alan Fox directly over email dated October 1, 2019 for this analysis.

³ <https://www.nytimes.com/2022/03/02/us/sacramento-church-shooting.html>

NATIONAL RIFLE ASSOCIATION OF AMERICA

INSTITUTE FOR LEGISLATIVE ACTION

11250 WAPLES MILL ROAD

FAIRFAX, VIRGINIA 22030



NRA

February 24, 2023

The Honorable Kyle Yamashita
Chair, Committee on Finance
Hawaii State Capitol, Room 306
Honolulu, Hawaii 96813

Dear Chair Yamashita:

On behalf of the members of the National Rifle Association in Hawaii, I would like to communicate our strong opposition to House Bill 984 (HB 984). This legislation is deeply flawed, and in our opinion, blatantly unconstitutional. This bill runs directly counter to the United States Supreme Court decision in *NYSRPA v. Bruen*.

HB 984 is similar to legislation that has been passed in New York and New Jersey. Litigation has already ensued, challenging these misguided laws with injunctions being issued by Federal Courts in regards to “sensitive places” and abusive permitting conditions. If passed this legislation will be met with a legal challenge and will likely face a similar fate.

For the foregoing reasons and many more we request your opposition to HB 984.

Sincerely,

Daniel Reid
Western Regional Director
NRA-ILA

HB-984-HD-1

Submitted on: 2/22/2023 1:24:52 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Lynn Otaguro	Individual	Support	Written Testimony Only

Comments:

I support HB 984 HD1. It will help to keep our communities safer. Please pass this bill.

TESTIMONY IN STRONG SUPPORT of HD984 HD1

My name is Marya Grambs and, while I am testifying as an individual, I was previously Executive Director of Mental Health America of Hawaii, and I am currently President of the Board of Partners in Care's nonprofit arm, member of the Board of Directors of Waikiki Health, and a volunteer with IHS's Women's and Family Homeless Shelter.

If people having guns made us safer – and America now has literally more guns than people – we would not lead the world in mass murders and gun-related homicides and suicides.

I am grateful at the almost-comprehensive list of places where guns cannot be carried.

- **I request an amendment that would add grocery stores to the list of prohibited spaces. I really don't want to be walking down the produce aisle thinking someone could have a gun. I don't think most people want guns in their grocery stores either!**

Thank you for the opportunity to provide this testimony. I hope you will support HB984HD1, with this amendment.

HB-984-HD-1

Submitted on: 2/22/2023 2:43:26 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Christy MacPherson	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Yamashita, Vice Chair Ichiyama and members of the House Committee on Finance,

I support HB984 HDI. It's still not enough, but it's a start. It's absolutely painful to watch the news these days and people are going to keep doing things illegally, but we must do better as a state to protect innocent lives. We need to protect them as if they were our *own* friends and family.

Mahalo for your consideration.

HB-984-HD-1

Submitted on: 2/22/2023 4:16:53 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Josh Hekeka	Individual	Oppose	Written Testimony Only

Comments:

Testimony HB 984 HD1

Firearms; Licenses; Registration; Enforcement.

Chair Rep. Kyle T. Yamashita, Chair; Vice Chair Rep. Lisa Kitagawa, and members of the Committee on Finance.

I offer the following comments on HB 984 HD1:

Even with the amendments made to this bill, much of what is proposed in HB 984HD1 continues to be in violation of both the 2nd and 14th amendments. Furthermore, House Bill HB984 HD1 continues to be in direct defiance of Supreme Court of the United States (SCOTUS) rulings on *Heller v. District of Columbia*, (Heller) 2008, *McDonald v. City of Chicago*, (McDonald) 2012, *Caetano v. Massachusetts* (Caetano) 2016, and the aforementioned *NYSRA v. Bruen*, (Bruen) 2022.

Contents of this bill that could be deemed unconstitutional include two factors:

1) Sensitive Places: I would like to also point to the latest developments on laws from former “may issue” states such as New York and New Jersey who have attempted established Sensitive Places. HB984 HD1 continues to bear an uncanny likeness to the laws listed below.

- **The State of New York's Concealed Carry Improvement Act (CCIA)** include concepts, and language that nearly matches that of SB 1230. There are **five lawsuits** making their way through US Court of Appeals, 2nd District, contesting the legality of the CCIA. The lawsuits challenge concepts such as mandatory insurance, restricting the issuance of concealed carry weapons (CCW) permit to those deemed “good moral character,” and expanded the areas within “sensitive places.” Almost all the areas defined “sensitive places” were not classified as “sensitive places” prior to the issuance of the Bruen decision (June 2022).
- A federal judge in the 2nd District blocked key components of **State of New Jersey (NJ) Act A4769** on January 9, 2023. **NJ A4769** expands areas that are classified as “sensitive places,” restricts access to firearms of people “found to be lacking the essential character

or temperament necessary to be entrusted with a firearm.” In the issuance of temporary restraining order **U.S. District Court Judge Renée Marie Bumb blocked the section of the law that prohibits guns from being carried into public libraries, museums, bars, restaurants that serve alcohol, and entertainment facilities like stadiums, concerts, and theaters.** Justice Bumb stated, “The deprivation of plaintiffs’ Second Amendment rights, as the holders of valid permits from the state to conceal carry handguns, constitutes irreparable injury, and neither the state nor the public has an interest in enforcing unconstitutional laws.”

Additionally, proposed requirements found in HB 984 HD1 are absolutely contrary to all four the of SCOTUS rulings listed above: Heller, McDonald, Caetano, and Bruen. I oppose HB984 HD1’s expanded classification of "sensitive places." Heller defined sensitive place as areas that had a historical analog on areas where arms were prohibited during the founding period (1791-1826). In the Bruen decision, the majority opinion noted that New York was in violation of the 2nd amendment as it attempted to declare all of Manhattan as a sensitive place. **The Sensitive Place doctrine**, as understood by SCOTUS in the four cases listed above, include **Schools, Government Buildings, Court Houses, Prisons, and Polling Places.**

If Hawai‘i is to expand the definition of "sensitive places" beyond that which was accepted by SCOTUS, the Government (not private institutions, individuals, or businesses) has the burden to ensure, verify, and enforce the sensitive places are gun free zones. Therefore, in passing of this bill, the State of Hawai‘i would need use preventative measures such as sealing off public areas newly defined as sensitive places with such applications as fences, verifiable methods to seal off the newly declared “sensitive places,” and metal detectors so that these areas are indeed free of guns. If not, then Hawai‘i is liable as they declared the area "gun free" if a crime occurs in a "sensitive place." Furthermore, as these areas are being declared in reaction to the issuance of the Bruen decision, it defies the SCOTUS ruling, and thus can be deemed unconstitutional.

To further support my testimony that HB984 HD1 is unconstitutional, the Roberts Court has advanced a legal methodology in gauging the constitutionality of gun control laws. Previous method such as balancing of interest, strict scrutiny, or tiered scrutiny, have been deemed unlawful and incorrect evaluative process by SCOTUS. There is only one method that has been deemed lawful in evaluating the constitutionality of gun control regulations. That being the plain text of the Constitution (Plain Text Doctrine) as informed by history and relevant tradition on the United States longstanding governance on the use of firearms. If an action is listed in the plain text of the US Constitution, then the government has the burden to prove there are historical analogs to support the prescribed actions by local governments. Furthermore, in the groundbreaking legal rulings previously mentioned (Heller, McDonald, Caetano, and Bruen), SCOTUS has determined the time frame to be used is 1791 (ratification of the US Constitution) through the passage of the 14th amendment (1868).

Furthermore, in a recent challenge to the State of California's Magazine Capacity restrictions (Duncan v. Bonta), Justice Roger T. Benitez of the Southern District of California, directed that the California Attorney General's office (Rob Bonta) provide the court a spreadsheet of all state and national gun control regulations dating from 1791 to 1888 (20 years after the passage of the 14th amendment). The spreadsheet does go well beyond the accepted period directed by Judge

Benitez but can be used as historical precedents to evaluate the constitutionality of all firearms laws nationwide using the Bruen Plain Text Doctrine. The spreadsheet provides an exhaustive list of historical gun control laws.

The spreadsheet was submitted on January 16, 2023. That spreadsheet can be accessed via the link below.

<https://airtable.com/shrVnkmENgDHNARBF/tblsHOOpJfKXQyuqeF/viwZN34knJaPEgsGR?blocks=hide&referrer=https%3A%2F%2Fwww.redditmedia.com%2F>

I am not an attorney, but from my review of the laws and statutes listed in the District Attorney of California's spreadsheet, I do not see any laws that list historical analogs that would substantiate the restrictions proposed HB 984HD1 carry a firearm, nor expanding the definition of what is commonly accepted as a sensitive place as understood by the founding fathers (Court Houses, Polling places, Government Buildings, and Prisons) during the period from 1791-1868.

2) Essential character or temperament: HRS § 134-2(1)(E) Permits to acquire is vague, subjective, and in my untrained opinion unconstitutional. This amendment states "Information that is or may be relevant to determining whether the applicant lacks the essential character or temperament necessary to be entrusted with a firearm as set forth in subsection (e) " Who gets to determine if an applicant lacks essential character or temperament necessary to be entrusted with a firearm? What criteria does the Government propose to use to establish "essential character?"

To this, I point to the case of **Range v. Garland** currently before the U.S. Court of Appeals, en banc panel of the 3rd Circuit. In this case, the courts are in the process of defining if a person who was convicted of a non-violent crime should lose access to a bearable arm. Depending on how the courts rule on Mr. Range's appeal, could redefine who "the people are" and whether nonviolent crimes warrant the loss of 2nd amendment rights.

Instead of "essential character or temperament" found in the current version of HB984 HD1, I propose HB984 HD1 be amended to use the term "applicant is found guilty of verifiable acts that is deemed dangerous and a threat to public safety." That term is easily quantifiable and objective. If a person is convicted of a violent crime, domestic abuse, use of a dangerous weapon during the committing of a crime, or similar verifiable actions, then that person no longer constitutes a member of "the people" as defined in the 2nd amendment and can be denied the right to own and possess a bearable arm.

Thank you for the opportunity to testify.

HB-984-HD-1

Submitted on: 2/22/2023 5:37:41 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Dawn Morais Webster Ph.D.	Individual	Support	Written Testimony Only

Comments:

Let's turn our horror at the mounting daily tally of lives lost to gun violence into pragmatic public policy that will help keep us safe. Otherwise we are just the Wild Wild West. People who insist on carrying guns into public places should be subject to rules that help give the rest of the community some peace of mind.

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, HB984 addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves.

It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

There is, however, one additional provision that would enhance the list of sensitive places. It involves private property not open to the public. I support the "default" provision that is currently included in SB1230 that provides that firearms shall not be carried on private property without the express authorization of the owner. Please move this life-saving bill forward. Mahalo.

HB-984-HD-1

Submitted on: 2/22/2023 5:54:22 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Doris Segal Matsunaga	Individual	Support	Written Testimony Only

Comments:

Our family supports HB 984 HD1

Doris Segal Matsunaga

Waimea, Hawaii 96743

HB-984-HD-1

Submitted on: 2/22/2023 6:18:36 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Nancy Taylor	Individual	Support	Written Testimony Only

Comments:

I stronly support HB984 HD1 in order to ensure adequate licensing proceedures to help to ensure the safety of our citizens and our visitors.

Thank you for your consideration of my strong support of HB984 HD1

HB-984-HD-1

Submitted on: 2/22/2023 8:09:42 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Marilyn Mick	Individual	Support	Written Testimony Only

Comments:

Aloha,

Although the United States Supreme Court has held that the Second Amendment provides for an individual right to keep and bear arms for lawful purposes, this right has limits and is subject to regulation to protect public health, safety, and welfare from the serious hazards associated with firearms and gun violence.

States retain authority to enact a variety of gun regulations, such as prohibiting the carrying of firearms in sensitive locations and adopting laws and regulations designed to ensure that those who carry firearms are law-abiding, responsible citizens.

We need to update Hawaii’s firearms laws to mitigate the serious hazards to public health, safety, and welfare associated with firearms and gun violence, while respecting and protecting the lawful exercise of individual rights. This bill achieves that goal. Please pass HB948 HD1.

Mahalo, Marilyn Mick, Honolulu

HB-984-HD-1

Submitted on: 2/22/2023 8:25:23 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Will Caron	Individual	Support	Written Testimony Only

Comments:

Although the United States Supreme Court has held that the Second Amendment provides for an individual right to keep and bear arms for lawful purposes, this right has limits and is subject to regulation to protect public health, safety, and welfare from the serious hazards associated with firearms and gun violence.

States retain authority to enact a variety of gun regulations, such as prohibiting the carrying of firearms in sensitive locations and adopting laws and regulations designed to ensure that those who carry firearms are law-abiding, responsible citizens.

We need to update Hawai'i's firearms laws to mitigate the serious hazards to public health, safety, and welfare associated with firearms and gun violence, while respecting and protecting the lawful exercise of individual rights. This bill achieves that goal. Please pass HB948 HD1.

HB-984-HD-1

Submitted on: 2/22/2023 8:55:02 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Shirley Lam	Individual	Support	Written Testimony Only

Comments:

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii’s residents and visitors. Among other important provisions which I strongly support, HB984 addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii’s residents and visitors.

There is, however, one additional provision that would enhance the list of sensitive places. It involves private property not open to the public. I support the “default” provision that is currently included in SB1230 that provides that firearms shall not be carried on private property without the express authorization of the owner.

HB-984-HD-1

Submitted on: 2/22/2023 9:47:41 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Laetitia Thibault Santoro	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is Laetitia Thibault Santoro. I live in Honolulu downtown, I am a wife, a mother, a retail worker and one of your constituent.

i am writing to let you know that I support bill HB984.

Guns shouldn't be found in some places that includes school, playground, churches, parks and many other places.

having guns won't make those places or the people of hawaii safer. Quite the opposite.

i support this bill and a want my elected representatives to do the same.

Thank you very much for your time.

best regards,

Laëtitia Thibault santoro

HB-984-HD-1

Submitted on: 2/22/2023 10:23:00 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Eric Tash	Individual	Support	Written Testimony Only

Comments:

The Honorable Kyle Yamashita, Chair, Lisa Kitagawa, Vice Chair and Members of the House Committee on Finance,

My wife and I strongly support HB 984 HD1.

We have grave concerns about the impact of the Supreme Court’s faulty Bruen decision on the safety of Hawaii’s people. Among the other important provisions, which we strongly support, HB984 HD1 addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed firearms weeds out individuals who would be a threat to others or themselves. It also sets forth a list of special places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii’s residents and visitors.

There is, however, one additional provision that would enhance the list of sensitive places. It involves private property not open to the public. We support the “default” provision that is currently included in SB1230 that respects the rights of private individuals and entities to choose for themselves whether to allow or restrict the carrying of guns on their property.

Mahalo,

Eric Tash and Renee Iijima

HB-984-HD-1

Submitted on: 2/22/2023 10:39:12 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Carol Maxym	Individual	Support	Written Testimony Only

Comments:

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, HB984 addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

There is, however, one additional provision that would enhance the list of sensitive places. It involves private property not open to the public. I support the "default" provision that is currently included in SB1230 that provides that firearms shall not be carried on private property without the express authorization of the owner.

HB-984-HD-1

Submitted on: 2/22/2023 10:40:10 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Jane Davis	Individual	Support	Written Testimony Only

Comments:

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, HB984 addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

There is, however, one additional provision that would enhance the list of sensitive places. It involves private property not open to the public. I support the "default" provision that is currently included in SB1230 that provides that firearms shall not be carried on private property without the express authorization of the owner.

HB-984-HD-1

Submitted on: 2/22/2023 10:47:41 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Sharon Sussman	Individual	Support	Written Testimony Only

Comments:

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, HB984 addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

I support HB984

HB-984-HD-1

Submitted on: 2/22/2023 11:01:40 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

Besides banning firearms altogether, this is a good start. Please support this bill. Mahalo.

HB-984-HD-1

Submitted on: 2/22/2023 11:03:48 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Gaye Chan	Individual	Support	Written Testimony Only

Comments:

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. There have been over 600 applications to carry a concealed gun in Hawaii since the Bruen case and at least 30 permits have already been issued without any restrictions as to where guns can be carried!

I strongly support HB984 because it ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

There is, however, one additional provision that would enhance the list of sensitive places. It involves private property not open to the public. I support the "default" provision that is currently included in SB1230 that provides that firearms shall not be carried on private property without the express authorization of the owner.

HB-984-HD-1

Submitted on: 2/22/2023 11:28:49 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Diana King	Individual	Support	Written Testimony Only

Comments:

I am a born and raised Hawaii resident, a parent, and a High School teacher. Please help keep our family gathering places and schools safe, and support this bill. Mahalo

HB-984-HD-1

Submitted on: 2/22/2023 11:30:22 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael I Rice	Individual	Oppose	Remotely Via Zoom

Comments:

I stand in **STRONG OPPOSITION** to this bill. There are many things wrong with it and much of it is blatantly unconstitutional, flying directly in the face of the recent Supreme Court ruling. Many of the provisions have already been challenged in other courts throughout the country with Injunctions and Temporary Restraining Orders issued against them on the grounds that the lawsuits will be likely to succeed on the merits.

There are numerous mainland groups just waiting to sue the City and State should laws like these pass, and they have been winning their cases so far with injunction and TROs issued against the violating entities. I can guarantee you that they are watching, and they already have at least a rough draft of their lawsuits ready. I can guarantee you you do not have the relevant historic laws that will be required to defend them in court. They've already laid out that the laws need to be from the founding of the country, the 1790s, and laws from the Kingdom of Hawaii, Republic of Hawaii, and even the Territory of Hawaii will not be valid.

The US Supreme Court has already said the 5 places that are historically sensitive enough for the carry of guns to be banned from. Those 5 places are Public Schools (Specifically banning students, not staff or teachers), Courthouses, Polling Places, Prisons and Jails.

Existing law already allows private businesses to deny entry or services to anyone for any reason, this includes carrying a firearm. If I were to go into a business with my firearm and they ask me to leave, I must leave or I'll be trespassed by the police and catch criminal charges, potentially losing my right to bear arms. During my CCW class, we were told in very clear language that if you are in a business and asked to leave you are to leave immediately. If one were to raise a stink like some Anti-Maskers did during the Covid Pandemic they would quickly lose their right to bear arms.

Someone has previously mentioned that places that could be made sensitive need to be protected. Will you have security guards at all parks, private businesses, public places and everywhere else you want the carry of firearms banned? We barely have enough police officers and security guards are routinely attacked by unarmed individuals, let alone armed ones.

The places are so broad, and by the wording of the bill, I'm violating the law even if I don't know I'm violating the law. If I go to an office building and I'm unaware that the city is leasing space there for whatever reason, I'm breaking the law. The City and County of Honolulu doesn't even know what all the properties they have, how can I be expected to?

Guns can be dangerous, the danger increases when they are manipulated. If I need to unload and unchamber my gun every time I park my car and put it in a locked case to comply with this law, that increases the potential to have a negligent discharge, to hurt or kill someone simply because I'm trying to comply with the law. Not only that but I expose my gun every time I need to transfer it from storage to my holster and back. If a criminal sees I've got a gun and leave it in my car they're gonna take the risk to get a free gun to either use or sell.

I am heavily against leaving a gun in the car, loaded or unloaded. Even if it's in a 'secure' lockbox there is the high potential for its theft. Some vehicles do not have a proper way to secure a lockbox so a thief could just reach in and grab it and pick or break the lock at their leisure and now they have a free unregistered gun. Even if I were to secure it by bolting the lockbox to my car or having a steel cable to anchor it, we've got criminals walking around with power tools stealing catalytic converters. If they can cut through a catalytic converter and be gone in 2 minutes, they can surely do the same with a gun lockbox.

The ban on carrying on public transport is also discriminatory towards those such as myself who rely on public transportation. I have witnessed and heard of many incidents on buses that became violent. People being attacked, people being sexually assaulted, some being murdered just for waiting at bus stops. I am a railfan and look forward to being able to ride the Rail when it opens. There are no security guards at bus stops, there are none on the bus, there will be one at the rail. If you're lucky the bus driver might pull over and intervene or a bystander might come to your assistance. Not always. I've questioned HART in the past about what would happen if there was a violent incident to take place on the rail. Their response was they will see it on the cameras in the cars and call the police to arrive at the next station. There's quite a few problems with that, first they need to actually see it happen. Each Rail Unit will have 4 cars, and assuming they only have 2 cameras per car, that's 8 cameras just for one Unit, the Project is estimated to have 20 units by project completion. Even if half of them are not in active service, that's 80 camera screens at once someone is going to have to watch and notice something happening, then have whoever is monitoring the situation to determine what's going on and call the appropriate response (Police, Fire, Medical).

You cannot guarantee my safety aboard public transit. I am my own first responder, police might show up 10 minutes after they get the call if I'm lucky.

Next subject, Duty to Inform. While I have no problem with informing a police officer that I am armed if requested, having to 'immediately' inform them I have a firearm can lead to some problems, such as with the shooting death of Philando Castile. He told the officer he was armed and went to get his ID and was shot. While training of Police Officers can help to reduce the likelihood of this it won't eliminate it. If I'm riding with someone and they get pulled over for whatever reason and someone in the back seat just randomly says "I've got a gun." How well do you think that's going to end? I carry my gun on my right side, I keep my ID on my right side as well, will I be shot because an officer I just made nervous and aware of the fact I have a gun and where it's located?

Another problem I have is the requirement to have my Registration as well as my carry license, the fact that I have a carry license should be evidence enough that I have a registered weapon as that is required to get a license in the first place. I'm also concerned about things that might be out of my control, what if I forget or lose my wallet? Police should be able to call HQ and run a check on me and see 'Registered Weapon, CCW Permit on file.' as well as see a picture of me from the last time I registered a firearm or got a permit.

Back to safe storage, particularly the wording 'that when locked is incapable of being opened without a key, keypad, combination, or other unlocking mechanism and is capable of preventing an unauthorized person from obtaining access to or possession of the firearm contained therein and shall be fire, impact, and tamper resistant.' Locks can be picked, drilled, and otherwise broken, mechanical and electronic locks can be bypassed. I have a decent safe in my house bolted to the wall, someone with a crowbar can break into it in 5 minutes, with power tools even less. And this doesn't even mention the fire resistance requirement, most vehicle storage options do not have that.

The proposed requirement for a gun applicant to show that they have 'the essential character or temperament necessary to be entrusted with a firearm' is just as vague and subjective as the already struck down 'good moral character'.

I could write another 5 pages or so of what's wrong with this bill, frankly these 2 and a half pages should be more than enough not counting all the other testimonies you'll be reading today.

And meanwhile, while you're putting all these restrictions on law abiding gun owners, criminals are doing their own thing.

HB-984-HD-1

Submitted on: 2/23/2023 6:15:05 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Linda Howe	Individual	Support	Written Testimony Only

Comments:

As a 61-year resident of this state, I support this bill as, in my opinion, it will establish important safeguards and regulations. However, I urge the liability insurance requirement be restored.
Mahalo.

HB-984-HD-1

Submitted on: 2/23/2023 6:17:13 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
steven a kumasaka	Individual	Oppose	Written Testimony Only

Comments:

STRONGLY OPPOSE THIS UNCONSTITUTIONAL OVER-REACH

passage of this bill will result in lawsuits that the state WILL LOSE

states that have passed similar bills are already losing in court...

mahalo

steve

HB-984-HD-1

Submitted on: 2/23/2023 6:17:21 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
James D Howe Jr	Individual	Support	Written Testimony Only

Comments:

Testimony of James D. Howe, Jr in support of HB 984 HD1 with request to address permit status and surrender of permit, weapons, and ammunition upon the death of the permit holder

Chair and Members of the Finance Committee,

In my capacity as the former (2017-2020) Director of the City & County of Honolulu Emergency Services Department (HESD), the issue of gun violence and mass shooting events brought constant concerns about the safety of HESD's personnel.

The issue quickly elevated to the front of our agenda upon a mass shooting event at Pearl Harbor and, shortly thereafter, the ambush death of two Honolulu Police Department officers at Hibiscus Drive. HESD personnel were on scene and had personal exposure during both of these events in their capacity as medical first responders.

Gun violence has and continues to be of major concern for communities nationwide. Mass shootings have increased and the life safety of medical first responders (and the community at large) during these events has become greater.

For this reason, I strongly support all reasonable efforts to manage gun and ammunition purchase, ownership, storage, and use. HB984 is a strong measure in support of this effort. Amendments made in HD 1 are reasonable.

There is, however, one important aspect of weapons management and permitting which is not currently addressed in the proposed legislation. In section 134-17 Penalties, there is no mention of any penalty associated with the cancellation, disposition, or management of permits, permitted weapons, and/or ammunition upon the death of the Permit holder.

In the Hibiscus Drive event, both the weapon and ammunition used by the assailant were the property of a deceased owner — property that had not been removed from the owner's home upon his death.

I would request that the Committee include provisions that require:

1. gun permit holders' estate and/or personal representative to notify the County Chief of Police upon the death of the permit holder
2. the permit, any and all weapons and ammunition of the deceased permit holder be delivered to law enforcement and held for proper disposition by the estate and/or personal representative.

Thank you the opportunity to submit this testimony and provide the comments above.

HB-984-HD-1

Submitted on: 2/23/2023 6:55:33 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Aaron Puahala	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill as registrations of any kind and release of medical information is an invasion of privacy. The government has shown it cannot be reliable for protecting private information

Representative Kyle T. Yamashita, Chair
Representative Lisa Kitagawa, Vice Chair
Committee on Finance
Hearing: Friday, February 24, 2023, at 3:30 PM
Regarding: **HB984 H.D. 1 (Relating to Firearms)**
Voter Position: OPPOSITION

Representatives of the Finance Committee,

I express my **opposition** to **HB984 H.D.1 (Relating to Firearms)**.

Overreach with Enhanced “Certain Locations” and “Premises Prohibited”

HB984 H.D. 1 continues to subtly leaves out the fact that the added “variety” of gun regulations that supposedly justify the prohibition of lawful concealed firearms carry must be germane to the text, history, and tradition of firearm regulations as set forth within *District of Columbia v. Heller, 554 U. S. 570, and McDonald v. Chicago, 561 U. S. 742.*

“To determine whether a firearm regulation is consistent with the Second Amendment, *Heller* and *McDonald* point toward at least two relevant metrics: first, whether modern and historical regulations impose a comparable burden on the right of armed self-defense, and second, whether that regulatory burden is comparably justified.”

Source: https://www.supremecourt.gov/opinions/21pdf/20-843_7j80.pdf (Page 3)

Lacking such important context, **HB984** in its revised **H.D. 1** continues to list firearm prohibitions that supersede historic analogy. The only locations where prohibitions have an established historic analogy would include a short list of locations such as state/federal government buildings, schools, voting centers, and courts.

A Charge for the Exercise of a Right is Still Not Justifiable



Citing inflation and cost increases, **HB984 H.D. 1** continues its attempts to justify the added cost of background checks and stipulates that such increased costs must be compensated by the constituent via CCW license fee increases. This is an artificial problem self-generated by the state. Any associated cost-absorption must not be placed upon the constituent seeking to exercise a basic human right. If additional cost-bearing associated with continued background investigations is not desired by the state, then background checks should be discontinued for all firearm sales, just like how such checks have been abandoned by 29 other states throughout the rest of the nation². The states that don’t impose artificial background check requirements aren’t complaining about increased background check costs.

¹ Image Source: <https://bigthink.com/wp-content/uploads/2014/07/origin-169.jpg?resize=680,382>

² https://maps.everytownresearch.org/navigator/trends.html?dataset=background_checks

Added Cost of Storage

HB984 H.D. 1's modified §134-C, subsection (b) perpetuates a bizarre situation by forcing CCW license holders to purchase an expensive vehicle safe and thereby, attempts to absolve the state with its responsibility to produce sites of firearm deposit at government-owned premises where firearms are prohibited. Such cost associated with storage is imposed upon the CCW license holder and would add, at the least, a \$40 or \$130 added cost to carrying a firearm, even if the safe is not fire resistant³. Such act of negligence forces constituents to pay for their own disarmament and curtails exercise of their own human rights.

Awesafe Gun Safe	ONNAIS Gun Safe	RPNB Gun Safe
		
\$129.00 →	\$109.99 →	\$59.99 →
On Amazon	On Amazon	On Amazon
<ul style="list-style-type: none">✓ Storage for two standard handguns or one larger pistol and extra ammunition✓ Alloy steel construction✓ Pry resistant door✓ Gas strut and LED lighting✓ Biometric fingerprint technology	<ul style="list-style-type: none">✓ Fingerprint, Combination, Key locks✓ Stainless Steel construction✓ Pry resistant door✓ Storage capacity for 2 pistols✓ 1 year warranty	<ul style="list-style-type: none">✓ Accessible by 3-digit keypad or conventional key lock✓ 16-gauge carbon steel construction with powdercoat finish✓ RFID activated by key fob✓ Meets TSA requirements✓ Approved by California DOJ

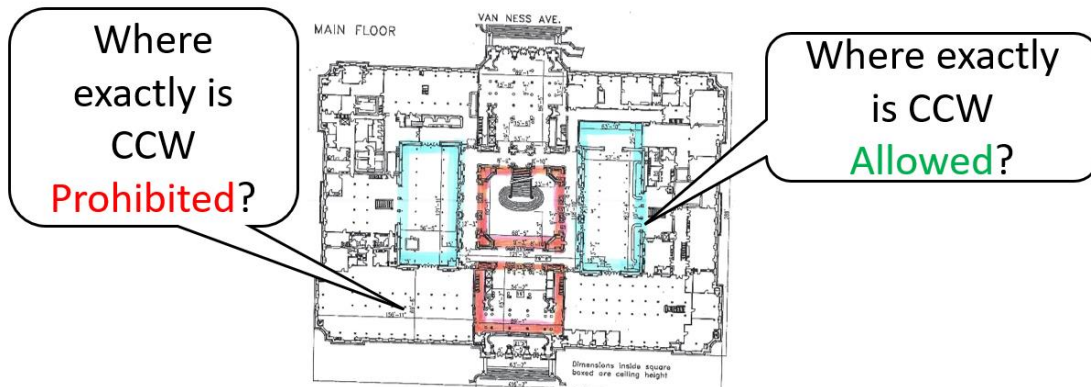
Source: <https://www.forbes.com/wheels/accessories/best-vehicle-gun-safes/>

Continued Problem with “Opt-In” by Default

HB984 H.D. 1 continues its ban of CCW island-wide by default and simultaneously coerces speech by forcing private proprietors to advocate their personal political views by advertising admission of concealed carry weapons (CCW) license holders under **§134-E Carrying or possessing a firearm on private property open to the public without authorization; penalty**. Such coercion should not be placed upon private businesses. If a private business wishes to exclude admittance of CCW license holders, they may do so, but on an opt-out basis. Some businesses owners may not want to advertise their permittance of CCW license holders and likewise would not wish to absorb the added financial burden of creating signage or investing extra time by advertising the admittance of CCW license holders onto their property.

³ <https://www.forbes.com/wheels/accessories/best-vehicle-gun-safes/>

Problem with Continued “Prima Facie” Evidentiary Basis

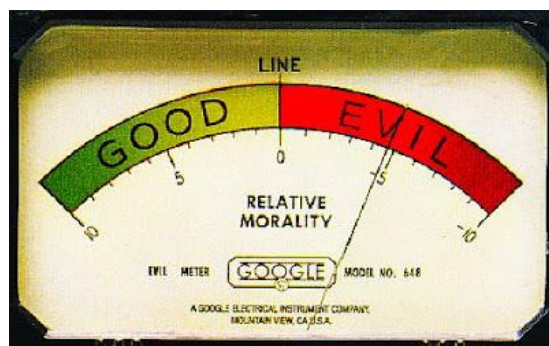


4

The continued inclusion a presence-based prima facie evidence foundation for determining what constitutes a violation of CCW carry is still out-right egregious. Members of the public do not have unlimited amounts of time to determine whether they are breaching an invisible property line and thereby committing unauthorized CCW carry. Merely being at a location is not a viable justification for prosecution since not every location on any island displays clear demarcations of all property borders. Businesses, government agencies, and property owners alike would likely become exhausted by repetitive requests for maps and floorplans specifying clear property lines. Moreover, there will be a de facto cost associated with the production of such property line documentation, and neither business owner nor CCW license holder would be willing to absorb the cost of documentation generation forced by **HB984 H.D. 1**'s enactment.

Prosecution based upon a prima facie basis constitutes criminalization of a right based upon unavailability of information. If someone truly does not know they are in violation of carrying a concealed firearm by due to the ambiguity of an undefined location with an undefined boundary, **HB984 H.D. 1** creates an artificial prosecution platform due to such ambiguity.

Essential Character and Temperament Requirements Constitutes Continued Moral Relativism



HB984 H.D. 1, like it's original draft, repeatedly refers to so-called “essential character” and “temperament” requirements that CCW license holders must uphold without explicitly defining either in an objective, measurable, or replicable manner. **HB984 H.D. 1**, thereby, continues to impose de facto moral relativism since “essential” character and “temperament” are inherently subjective matters that are both subjected to another person’s views concerning what constitutes “essential” character or “proper”

⁴ Image Source: <https://www.pinterest.com/pin/349591989798757704/>

⁵ Image Source: <http://advocatusatheist.blogspot.com/2011/03/do-you-practice-moral-relativism.html>

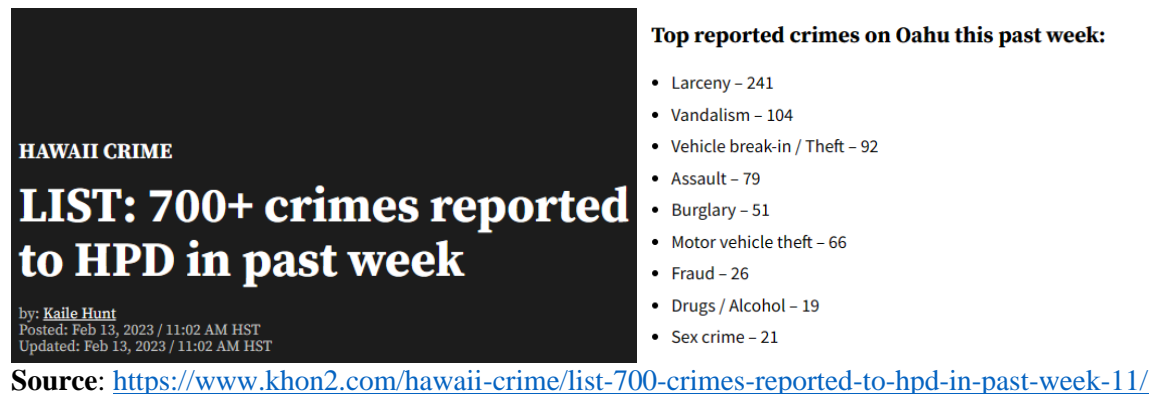
temperament. This provision can be construed to mean whatever a government official desires and therefore, must be eliminated due to its easy potential for abuse.

Continued Abuse via Hearsay

HB984 H.D. 1 still permits hearsay by not explicitly identifying what constitutes the supposed “other information” under the proposed **HRS §134-2 Permits to acquire, Subsection (e)(3)**. “Other information” can mean almost anything, including personal opinion not based upon objective, substantive, or evidence-based reality. Moreover, “intention” or “likelihood” cannot determine the potential unlawful use of a firearm since they are concepts that are not clearly defined or measurable. Both “intention” and “likelihood” can be construed to mean whatever a government official personally believes and can result in the deprivation of an individual’s rights due to such ambiguity of “intention” and “likelihood.”

Do Not Place Constituents at Risk

Passage of **HB984 H.D. 1** does not substantively enhance public safety. The only result enactment of **HB984 H.D. 1** will achieve is the continued encroachment of a human right with no substantive criminal activity mitigation. Criminals will continue to defy all of **HB984 H.D. 1**’s provisions while additionally breaking other laws that have nothing to do with firearm prohibitions.



HAWAII CRIME

LIST: 700+ crimes reported to HPD in past week

by: Kaile Hunt
Posted: Feb 13, 2023 / 11:02 AM HST
Updated: Feb 13, 2023 / 11:02 AM HST

Top reported crimes on Oahu this past week:

- Larceny – 241
- Vandalism – 104
- Vehicle break-in / Theft – 92
- Assault – 79
- Burglary – 51
- Motor vehicle theft – 66
- Fraud – 26
- Drugs / Alcohol – 19
- Sex crime – 21

Source: <https://www.khon2.com/hawaii-crime/list-700-crimes-reported-to-hpd-in-past-week-11/>

It is disheartening to see headlines with hundreds of crimes transpiring just about every week. It’s also interesting to note that **HB984 H.D. 1**’s focus on “serious hazards associated with firearms and gun violence” continues to be misguided. Firearm-related crimes do not even show up on KHON2’s listing of “Top Reported Crimes” at the beginning of February, meaning that your constituents are still under criminal-instigated duress. It is also important to note that this is only what has been reported; the number may actually be far greater than 700 when considering incidents that are *not* reported or otherwise documented. Such high number of crimes in the first few months of 2023 does not constitute the fulfilment of public safety.

The people of still Hawaii deserve better legislation. Instead, we are presented with a violation of basic human rights. Constituents deserve the assurance of public safety that is always promised year after year, but have yet to be delivered in reality.

Thank you for your time and consideration of your constituents’ safety by voting **NO** on **HB984 H.D.1**.

Respectfully,

Ryan C. Tinajero

Constituent of **House District 48**

HB-984-HD-1

Submitted on: 2/23/2023 7:14:11 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Nathan Soriano	Individual	Oppose	Written Testimony Only

Comments:

I highly oppose of most of your amendments that enable my rights as a law abiding citizen to conceal carry anywhere and everywhere appropriate in the state of Hawaii. Once again, you prove that common sense is not that common in the legislature. Citizens of Hawaii are walking around with criminals that don't care about the laws Carrying and possessing illegal firearms. The police is understaffed and drowning in lawlessness that cannot be stopped. If you pass this the way it is you should have armed police at every sensitive area to ensure the safety of law abiding citizens. If this is not done, then you shall take full responsibility of every unlawful act, that has been done to law-abiding citizens. Hopefully this will light the fire under you to stop passing nonsense.

HB-984-HD-1

Submitted on: 2/23/2023 7:24:24 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
I. Robert Nehmad	Individual	Support	Written Testimony Only

Comments:

I am a resident of City & County of Honolulu and support this legislation

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, HB984 addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

There is, however, one additional provision that would enhance the list of sensitive places. It involves private property not open to the public. I support the "default" provision that is currently included in SB1230 that provides that firearms shall not be carried on private property without the express authorization of the owner.

HB-984-HD-1

Submitted on: 2/23/2023 7:30:01 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Justin h	Individual	Oppose	Written Testimony Only

Comments:

Unconstitutional

HB-984-HD-1

Submitted on: 2/23/2023 7:39:57 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Blaine Stuart	Individual	Oppose	Written Testimony Only

Comments:

This bill fails to provide historical analogies to justify its second amendment restrictions. Without these, this bill will likely be enjoined before it can ever take effect.

HB-984-HD-1

Submitted on: 2/23/2023 7:45:15 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
David Lau	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB984. This bill does not include the text, history and tradition needed for it to become law. Simply put, it is unconstitutional. Law makers who disagree with the Bruen case can not simply ignore it. We are seeing similar actions from states such as New York, New Jersey, and California, all of which have identical verbiage stripping it's citizens of it's constitutionally protected right to keep and bear arms.

2005 Castle Rock vs. Gonzales. The Supreme Court ruled that the police do not have a duty to protect citizens. Most recently, the 11th Circuit upheld a lower court ruling that police could not be held liable for failing to protect students in the 2018 Parkland shooting. The courts have determined that the police do not have a duty to protect it's citizens, yet, we are lead to believe that we do not have a right to self defense. Leaders and law makers in Hawaii are treating our second amendment right is a privelege. HB984 is blatantly unconstitutional. I strongly oppose.

HB-984-HD-1

Submitted on: 2/23/2023 7:49:34 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Sean Steele	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I respectfully oppose HB984.

Mahalo,

HB-984-HD-1

Submitted on: 2/23/2023 7:53:36 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
scott shimoda	Individual	Oppose	Written Testimony Only

Comments:

Honorable Members of the Legislature,

I oppose this bill. Citizens should be allowed the ability to defend themselves. This only serves as punishment for law abiding citizens who are legally authorized to conceal carry firearms. How will HPD enforce any of these laws?

Mahalo,

Scott

HB-984-HD-1

Submitted on: 2/23/2023 8:09:18 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Jens Esselstrom	Individual	Oppose	Written Testimony Only

Comments:

I am writing to oppose this proposed bill. Similar bills in New York and other states have already been struck down in federal courts as unconstitutional.

HB-984-HD-1

Submitted on: 2/23/2023 8:12:13 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Bryan Gomes	Individual	Support	Written Testimony Only

Comments:

I am a resident of Oahu. As a parent, I have become very concerned about keeping our home one of the safest states in the country. Please support this bill so we have clear boundaries state-wide. Guns surely do not belong at playgrounds, parks, or schools, but without this bill, anyone who gets a concealed carry permit can bring hidden guns into those places. Additionally, guns and alcohol should never mix. This bill will make it clear that people carrying guns in public cannot bring their guns to bars or restaurants serving alcohol. Thank you VERY much for your careful consideration of this important bill.

HB-984-HD-1

Submitted on: 2/23/2023 8:13:22 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Clinton Lewe-Song	Individual	Oppose	Written Testimony Only

Comments:

Dear Legislators,

Any proposed legislation must be carefully considered to ensure that it does not infringe on individual freedoms or erode the principles of our republic.

Courts in successful communities have determined that these types restrictions of concealed carry are infringements, as communities insisting on these violations are experiencing horribly increasing crime rates. Thus showing that they do not meet any positive goal. It is the worst of both worlds to restrict lawful citizens while fostering a criminal friendly environment.

Saying that one intends to protect constitutional rights while crafting de facto violations is unacceptable. Those choosing to subscribe to that plan are following the deteriorating path of failing urban centers across the US. The increase of restrictions has done nothing to decrease violence, and are obvious components of continued decline.

Gun control advocates regularly blame the gun rights of other states for failed policies at home, while simultaneously preparing to move(or already moved) to one of those states for a more desirable environment, or a state where gun control failure has yet to mature, like Hawai'i. I urge you to oppose HB984 and to guide Hawai'i around the failures of those who've already tried the path of unconstitutional restrictions and invasions of privacy. The promises of safety and security that they offer are detrimental illusions.

Sincerely,

Clinton Lewe-Song

HB-984-HD-1

Submitted on: 2/23/2023 8:13:41 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Byon Nakasone	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB984

HB-984-HD-1

Submitted on: 2/23/2023 8:20:53 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Renny Chee	Individual	Oppose	Written Testimony Only

Comments:

Unconstitutional. Why are we looking for ways to constrain the law-abiding citizen? Why the distrust of your constituents? Legislators should be empowering the People in this time of increased crime and understaffing of law enforcement personnel. This bill will only further nefarious opportunites for the criminals at large. Criminals will be emboldened by this bill.

HB-984-HD-1

Submitted on: 2/23/2023 8:24:59 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan Salm	Individual	Support	Written Testimony Only

Comments:

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, HB984 addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

There is, however, one additional provision that would enhance the list of sensitive places. It involves private property not open to the public. I support the "default" provision that is currently included in SB1230 that provides that firearms shall not be carried on private property without the express authorization of the owner.

HB-984-HD-1

Submitted on: 2/23/2023 8:27:43 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

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

Comments:

Regardless if there are restricted areas to carry firearms, criminals will do as they please. It's our job as law abiding citizens to protect and stop these people. It's imperative that we are capable and have the means to do so.

By making it harder for our good people to transfer and acquire their permits is completely UNCONSTITUTIONAL. I have rights and I will not allow them to be infringed. Thank you.

HB-984-HD-1

Submitted on: 2/23/2023 8:32:02 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Elliott	Individual	Oppose	In Person

Comments:

HB-984-HD-1

Submitted on: 2/23/2023 8:33:09 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Rodney Salm	Individual	Support	Written Testimony Only

Comments:

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii’s residents and visitors. Among other important provisions which I strongly support, HB984 addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii’s residents and visitors.

There is, however, one additional provision that would enhance the list of sensitive places. It involves private property not open to the public. I support the “default” provision that is currently included in SB1230 that provides that firearms shall not be carried on private property without the express authorization of the owner.

HB-984-HD-1

Submitted on: 2/23/2023 8:33:52 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Payton Boyd	Individual	Oppose	Written Testimony Only

Comments:

This infringes on the rights of lawful citizens while encouraging criminals to commit crime by disarming the good citizens of Honolulu in locations where protection and defense matter most. A large majority of mass shooter incidents take place in busy and crowded areas. God forbid that the good citizens and children of Honolulu get gunned down while peacefully going about their day at a place like our very own Ala Moana shopping mall or food court. With no line of self defense, civilians would have to solely rely on first responders to come to their aid. The average time duration to save lives in such an incident is only a matter of seconds to maybe a minute, we can not afford to wait for first responders or police to show up minutes later, because at that point the crime had already been committed and people's lives lost.

**TESTIMONY OF ELLEN GODBEY CARSON IN SUPPORT OF HB 984, HD 1
WITH REQUEST FOR AMENDMENTS**

I write in strong support of HB 984, HD 1, with requested amendments to strengthen the bill.

While I write as an individual, I have served as president of the Hawaii State Bar Association, the Institute for Human Services (IHS), and the Sex Abuse Treatment Center. In these capacities, I have strived to strike the right balance for safety of our community and protection of individual rights. I believe HB 984 strikes that right balance, but could be strengthened.

This bill creates numerous measures to better protect our community, while complying the unfortunate US Supreme Court's mandate that public carry permits be allowed. I especially support the bill's efforts to:

- require thorough background checks of criminal and mental health history;
- require robust safety training for issuance of permits/licenses; and
- prohibit the carrying of firearms in Sensitive Places, and other restrictions on carrying firearms in public.

I request HB 984 be amended and strengthened to:

- **Require “the posting of clear and conspicuous signage at all public entrances” to private properties open to the public where the owner consents to the presences of firearms being carried, so the public can know and choose to avoid places where firearms may be present. (The bill currently allows posting as an alternative to express owner consent, but the public has no way to know of that fact if there is not clear and conspicuous posting, and so has no ability to choose safer properties).**
- **Require disclosure of any “health care plans” in addition to “health care providers in sections 134-2(c)(2) and 134-9(g)(2). Health care plans (such as HMSA and Kaiser) keep robust data on health care services and diagnoses from all providers reimbursed.**
- **Prohibit firearms from being carried on private property not open to the public, without the express authorization of the owner (similar to the “default” provision currently included in SB1230).**
- **Close the loophole in HRS 134-4(c) that allows shotguns and rifles (including assault rifles) to be loaned to other persons for 15-75 days, without any license, permit or background check. All these other enhanced protections in our law will have little effect when such uncontrolled transfers of firearms are still permitted. Section 134-2(h) in this bill continues to embrace the dangerous “lending” loophole in 134-4(c).**

Thank you for your consideration of my testimony and helping protect the safety of our community.

Ellen Godbey Carson
Honolulu, Hawaii

HB-984-HD-1

Submitted on: 2/23/2023 8:35:20 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Jon Abbott	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I strongly OPPOSE HB 984. As I sit here and write this I am in disbelief at the level of animosity expressed in this bill toward lawful gun owners. This bill will do nothing to increase public safety, and I am confident it was never meant to.

Instead it makes an effort to punish those lawful citizens who want to express their right to defend themselves and their loved ones with a firearm both inside and outside their home. As the fourth person to receive my concealed carry license here in Honolulu County I can tell you the proposed sensitive places put forward in this bill will make it impossible for me to carry almost anywhere on Oahu. Indeed, the places that this bill would make off limits to legal concealed carry are the very places where I would expect to need to defend myself using my firearm. Let's face it- criminals will not obey this bill if it turned into law. Saying this is almost a cliché at this point but it is nonetheless true.

Case in point - a few weeks ago a young mother and her 6month old infant were brutally run down by a man in a car, who then began beating the woman to death with a tire iron. One good Samaritan tried to stop the attacker but was also beaten brutally. The delay in concealed carry permits over the past six months has prevented hundreds of people from getting their concealed carry license. If the Chief of Police had simply issued permits under the existing rules it is possible an onlooker may have been able to stop the attacker by presenting their legally carried firearm - and hopefully the attacker would have stopped without a shot being fired. Sadly, this was not the case and if this bill is passed into law it will strip the ability of all concealed carriers from legally carrying concealed into Walmart or any other store, park, bank, bus, or rail. Here's the real point - IT WILL NOT STOP THE MURDERERS, RAPISTS, MUGGERS, or other violent criminals.

You will assuredly hear the people in favor of this bill say they don't want to have shoplifters being attacked in their stores by concealed carriers- don't fall for this logical fallacy - for the theft of property does not warrant the use of deadly force to prevent. All gun owners know this already. Also, do not fall for the fallacy that they don't want their employees from having to ask a person carrying a firearm concealed to leave - a concealed firearm literally means no one knows you are carrying it.

This brings me to the next fundamental flaw with this legislation - Changing who can provide the required handgun safety class to citizens. The system that exists works well and does not drain the resources of the police departments statewide. There is no reason to add another layer of bureaucratic red tape to a system that has worked well for nearly 30 years to educate people on how to safely use a handgun. Personally, as an NRA certified pistol instructor I have trained hundreds of my fellow citizens in the safe use and storage of handguns here in Hawaii.

Lastly there is the issue of cost regarding the concealed carry license. How much should a right cost to exercise? The answer is simple - it should be covered by the taxes we already pay. Requiring a individual person who wants a concealed carry license to pay \$150 for an application and purchase insurance is simply a Poll Tax on one's Second Amendment Rights. The requirement about insurance was also brought up in the discussion of SB1230. It is critical to note that there are NO providers of this insurance available. I can only surmise that the authors of this bill know this and intend it as a way to prevent anyone from legally carrying a firearm in Hawaii.

I urge you to OPPOSE HB984. Mahalo for your consideration.

Jon Abbott

HB-984-HD-1

Submitted on: 2/23/2023 8:36:35 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Tryston liua	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill!!

HB-984-HD-1

Submitted on: 2/23/2023 8:39:33 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
James Logue	Individual	Oppose	Written Testimony Only

Comments:

This bill is beyond far reaching and quite ridiculous. As we all know, criminals will not follow these laws/rules and this is merely an attack on the law abiding citizens and the rights of we as Americans.

HB-984-HD-1

Submitted on: 2/23/2023 8:42:22 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Marcus Tanaka	Individual	Oppose	Remotely Via Zoom

Comments:

I oppose 99% of this bill. What I do not oppose are the following:

- 1) State wide CCW permits
- 2) Storage in vehicle
- 3) 4 year CCW permits

If any of the rest pass into law, see you in court.

HB-984-HD-1

Submitted on: 2/23/2023 8:45:18 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Jordan Au	Individual	Oppose	Written Testimony Only

Comments:

To whom it may concern,

I strongly oppose many parts of HB984. The parts I dislike the most are how the bill would make it illegal to carry a firearm almost everywhere and how applicants need to prove they have the correct character/temperament.

Making it illegal to carry a firearm in almost every public place and on private property will force people to choose between protecting themselves and everyone around them or breaking the law. Also, places that don't allow firearms have been targets for the vast majority of mass shootings. This bill will put people in more danger, not make them safer.

Next, having applicants prove they have the correct character/temperament is highly subjective. How would anyone even define what that is? Our rights should not be subject to the whims of anyone else. Everyone could have a different definition of the "character/temperament" required for concealed carry. Many parts of this bill need to be changed or this bill needs to be thrown out completely.

Thank you

HB-984-HD-1

Submitted on: 2/23/2023 8:49:39 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Samuel M. Aquino Jr.	Individual	Oppose	Written Testimony Only

Comments:

Hello,

I STRONGLY OPPOSE HB984 as this is yet another restrictive infringement on law abiding citizens who want to simply protect themselves in public. These "common sense gun laws" do nothing but handcuff citizens and only empowers brazen criminals who have ZERO disregard for these laws to begin with. This bill also violates the SCOTUS ruling in the Bruen case and makes it impossible to do everyday tasks while exercising our constitutional 2nd amendment right to self protection. Thank you for your time.

HB-984-HD-1

Submitted on: 2/23/2023 8:53:56 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Joel Berg	Individual	Oppose	Written Testimony Only

Comments:

This is easily the most wasteful, reactionary, and pointless bill I have seen brought up. Every one of you took an oath to the constitution and your response is this obvious tantrum. Under your stewardship we will see even Hawaii's reasonable gun control laws burned to ash by lawsuits as they are stuck down as casualties of this garbage legislation you're putting forward.

HB-984-HD-1

Submitted on: 2/23/2023 8:56:27 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Kyle Morgan	Individual	Oppose	Written Testimony Only

Comments:

I do not support the restriction of concealed carry permits. Law abiding citizens should not be restricted where they may carry to protect themselves and their families.

HB-984-HD-1

Submitted on: 2/23/2023 8:56:33 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Kent Kurihara	Individual	Oppose	Written Testimony Only

Comments:

This testimony is to OPPOSE HB 984.

This bill should not be passed, as it does not preserve or protect individual freedoms, or align with the principles of our Constitution.

There can be no direct correlation that the infringement of freedoms will produce a safer society. Restrictive firearm policies around the country have proven to fail, or otherwise increase criminal behavior. Restraining the legal actions of the dutiful citizen, does nothing to deter the criminal intent of the unlawful. It only works to circumvent the protections guaranteed by the Constitution.

Look no further than the recent judgments against states like New York and New Jersey, as they misuse their authority and tax monies AGAINST their own lawful citizens. Following in these same footsteps will declare that Hawaii is shamefully willing to do the same to its citizens.

Do not pass HB984.

Sincerely,
Kent Kurihara

HB-984-HD-1

Submitted on: 2/23/2023 8:59:58 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Bernardo Soriano	Individual	Oppose	Written Testimony Only

Comments:

I oppose bill 984. Nationwide, it is being played out in courts that the mentioned increased “sensitive places” in this bill is being shut down as unconstitutional. The HPD has also stated the near impossible ability to enforce this law. As law abiding, state tax paying citizens, our taxes go towards all of the “state’s property” and so law abiding, tax paying citizens can be considered part owners of “state’s property” and have a right to be able to protect ourselves and our loved ones from a potentially violent or deadly crime.

Restricting the rights of law abiding, gun owner citizens as to where they can carry will not help to deter crime as criminals will not obey any current law or future law. Law abiding citizens have the right to protect themselves from potentially violent criminals at all places as our intent is to not cause harm or death but rather protect and save our own lives or our loved ones. Laws should be focused on stopping the actual criminals, not criminalizing law abiding, tax paying citizens

HB-984-HD-1

Submitted on: 2/23/2023 9:00:00 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Catherine Orlans	Individual	Support	Written Testimony Only

Comments:

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, HB984 addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

There is, however, one additional provision that would enhance the list of sensitive places. It involves private property not open to the public. I support the "default" provision that is currently included in SB1230 that provides that firearms shall not be carried on private property without the express authorization of the owner.

HB-984-HD-1

Submitted on: 2/23/2023 9:13:27 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Linda Legrande	Individual	Support	Written Testimony Only

Comments:

The default provision in this bill makes so much sense and would provide additional protection to our residents. Please pass this bill. Thank you, Linda Legrande

HB-984-HD-1

Submitted on: 2/23/2023 9:33:53 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Raymund Bragado	Individual	Oppose	Written Testimony Only

Comments:

I'm a veteran with 2 combat tours in Iraq in 2003 and 2008. I support the Constitution our 2nd Amendment. Please re read and support our Constitutional right. God bless America.

HB-984-HD-1

Submitted on: 2/23/2023 9:45:58 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Charles-Michael victorino	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill in its current form as it is far too restrictive. I argue that those that take public transport are some of the people that need to carry and this bill doesn't allow them to protect themselves on their commute. And to not allow the storing or carrying of the firearm in the adjacent parking/parking lot is unfair.

HB-984-HD-1

Submitted on: 2/23/2023 9:46:24 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Zoran Cullinan	Individual	Oppose	Written Testimony Only

Comments:

Hawai'i's unconstitutional restrictions on our second amendment already extend further than they should ever have. I strongly oppose this bill because it would restrict lawful citizens from concealing in places where it matters the most. Crimes committed with legal firearms are rare if any in Hawai'i. Most of HB 984 are laws already on the books, for example being under the influence of alcohol while using firearms, this is already an unacceptable thing to do and any avid user of firearms is aware of the dangers of this. It is already illegal to conceal carry under the influence of alcohol. That being said most of this bill as well is filled with fluff, that is intended to be used as a means to inject whatever outrageous gun control measures anti-gun lobbyists feed to law makers. The content of this bill was already voted on before and it will not be allowed to pass, it failed once and it will fail again. These restrictions are unconstitutional and Hawai'ians deserve better!

HB-984-HD-1

Submitted on: 2/23/2023 9:46:34 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Jacob Holcomb	Individual	Oppose	Written Testimony Only

Comments:

I used to think the endless stream of ridiculous gun laws were a cheap low-risk way of virtue signaling and punishing political opponents, but the response after Sara Yara was tragically run over last week has given me a new perspective. In that case we have a dangerous illegal driver with multiple convictions who should have been behind bars but was constantly released over and over again, pretty much guaranteeing a horrific outcome.

What is the State's response for covering up it's incompetent criminal justice system? Punish all drivers with snarling traffic, of course. Similarly, the people who wrote this anti-constitutional abomination (HB984) are control freaks, and instead of working in our best interest they think their job is to tell us what to do.

No wonder an increasing amount of the population is simply tuning you guys out and doing whatever they like.

HB-984-HD-1

Submitted on: 2/23/2023 9:47:31 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Bradd Haituka	Individual	Oppose	Written Testimony Only

Comments:

I am writing in opposition to this unconstitutional bill. This bill violates law abiding citizens rights that are protected under the constitution of the United States. This is yet another attack on lawful gun owners, and their right to keep and bear arms that is protected under the constitution.

HB-984-HD-1

Submitted on: 2/23/2023 9:50:02 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Carlynn M Wolfe	Individual	Support	Written Testimony Only

Comments:

I stongly support this and any other measures that will continue to keep Hawaii safe from reckless gun violence.

HB-984-HD-1

Submitted on: 2/23/2023 9:57:14 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Peter Roa	Individual	Oppose	Written Testimony Only

Comments:

Strongly oppose for multiple reasons. Too many reasons to list. I'm going to try and come in person tomorrow.

HB-984-HD-1

Submitted on: 2/23/2023 9:58:16 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Bryne Nagata	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill, I do understand the intent however criminals by their very nature don't respect our laws, that's why we call them criminals, what makes you believe that they will follow this law? The only people who may follow is the law abiding citizen, but for that person who wishes to stay safe, they themselves may choose to break the law. Taking a look at the active shooter incidents, many are committed in so called "sensitive places," did that state's laws stop the criminal from committing those acts?

We are well aware that the Honolulu Police Department and other law enforcement agencies will do their best should the worst case scenario happen, but they won't be there as quick as some may think, it still takes a person to pick up the phone and dial 911. The time it takes for the call to be made, send units and units arriving on scene, by then there could be many injured, but if there are responsibly armed citizens present, I for one feel a whole lot safer.

The idea of allowing any government agency the authority to examine all of my medical history is not okay. The idea of having a list of subjective essential character/temperament requirements is outrageous.

HB-984-HD-1

Submitted on: 2/23/2023 10:01:42 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Casey	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill and urge the House Committee on Finance to recommend passage so that we can clarify, revise, and update State firearms laws to address the serious hazards to public health, safety, and welfare posed by firearms and gun violence.

HB-984-HD-1

Submitted on: 2/23/2023 10:08:14 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
lynne matusow	Individual	Support	Written Testimony Only

Comments:

Please let me start by saying how unnerved I am about making this effective almost 800 years in the future. None of us will be alive then. None of us are Methuselah. Stop playing with us and put in normal effective dates. This is one of the reasons the public has lost trust in the legislature and government in general. The year 3000 says you have no intention of passing a bill that should be passed henceforth and effective upon approval by the governor.

This bill is not clear about protections for those who live in condominiums. I live in a high rise condo in Honolulu, with at least 1,000 residents, plus visitors, contractors, workers, passing through daily. I am very concerned about people with firearms traversing the halls and riding the elevators, where we are trapped in transit with other riders. My reading of this bill does not make it clear that unless the property allows it, persons carrying guns are not allowed on property. That is important for our safety. This bill needs to make it clear that the property has to allow it or no carrying of firearms.

HB-984-HD-1

Submitted on: 2/23/2023 10:09:52 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Joan White	Individual	Support	Written Testimony Only

Comments:

Dear Chair and Vice Chair,

I am in complete support of this bill as it will save lives. I urge you to pass it and thank you for putting lives first.

Thank you,

Joan P White

HB-984-HD-1

Submitted on: 2/23/2023 10:12:30 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Victor K. Ramos	Individual	Support	Written Testimony Only

Comments:

OPPOSE: Law Abiding Citizens should not be barred from protecting themselves in the stated areas. Clearly, this bill is written in conflict to the U.S. Constitution.

HB-984-HD-1

Submitted on: 2/23/2023 10:16:48 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Donovan Sun	Individual	Oppose	Written Testimony Only

Comments:

Aloha Hawai'i State Legislators,

I oppose HB984 as it is deemed unconstitutional according to Supreme Court ruling of the NYSRPA vs Bruen case. All of you took an oath to uphold the Constitution of the United States of America. Law abiding citizens should not have their rights to defend themselves with firearms taken away. Also as a reminder, criminals don't follow the rules. This bill makes no sense logically, as it will put innocent lives at risk and cost the taxpayers a lot of money.

Mahalo,

Donovan Sun

Charla Teves
Honolulu, Hawaii 96817

TO: House Committee on Finance
DATE: February 24, 2023
TIME: 3:30 PM
PLACE: Conference Room 308 & Videoconference
State Capitol, 415 South Beretania Street
BILL: HB 984, HD1 Relating to Firearms
POSITION: SUPPORT

Aloha Chair Yamashita, Vice Chair Kitagawa, and members of the committee!

My name is Charla Teves and I am testifying in **support** of HB 984, HD1, relating to firearms. I am a lifelong resident of Honolulu, a graduate of Maryknoll High School, and a college student pursuing a degree in political science.

My generation has grown up under the pervasive threat of gun violence in our schools and in our communities. Gun violence is currently the **leading cause of death** for young people. Every day, more than 110 Americans are killed with guns and more than 200 are shot and wounded. The effects of gun violence extend far beyond these casualties—gun violence shapes the lives of millions of people who witness it, know someone who was shot, or live in fear of the next shooting.

When I was in high school, I met a Hawaii gun violence survivor at the state capitol. His first-hand account of being shot five times and surviving inspired me to get more deeply involved in gun violence prevention. I founded the local chapter of a student gun violence prevention organization and represented Hawaii at a national rally at the U.S. capitol to pass federal legislation where I met many more survivors of gun violence. I have also worked as an intern in the Hawaii state Senate which showed me the power of policy to make a difference in the life of every resident. I strongly believe in the importance of designating sensitive places where guns will be prohibited. Please pass this bill.

Thank you for the opportunity to testify in support of HB 984, HD1.

HB-984-HD-1

Submitted on: 2/23/2023 10:35:53 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Shannon Yamaguchi	Individual	Support	Written Testimony Only

Comments:

I strongly support HB984 esp identifying sensitive places where firearms cannot be carried such as schools, hospitals & churches. In addition I support the "default" provision that is currently included in SB 1230 that provides that firearms shall not be carried on private property without the express authorization of the owner.

HB-984-HD-1

Submitted on: 2/23/2023 10:36:14 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Estella Berg	Individual	Support	Written Testimony Only

Comments:

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, HB984 addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

There is, however, one additional provision that would enhance the list of sensitive places. It involves private property not open to the public. I support the "default" provision that is currently included in SB1230 that provides that firearms shall not be carried on private property without the express authorization of the owner.

HB-984-HD-1

Submitted on: 2/23/2023 10:36:54 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Elisabeth Sherman	Individual	Support	Written Testimony Only

Comments:

I support HB984 HD1.

I also support the default provision in SB1230 stating that firearms shall not be carried on private property without the express authorization of the owner. Not including this would be very dangerous & invite grave harm to citizens.

Mahalo,

Elisabeth

HB-984-HD-1

Submitted on: 2/23/2023 10:39:07 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
kimo galon	Individual	Oppose	Written Testimony Only

Comments:

HB984-HD1

I oppose HB984-HD1. This is another bill that will deny CCW holders their constitutional right to carry outside the house as “Heller vs DC” stated. This bill will criminalize all CCW permit holders. This bill will not do anything to deter any criminal activity. If you are not hardening our schools, offices and etc..Criminals will hit all areas that are anti-gun.

We should not be “required” to have insurance. As a hard worker that is still trying to recover from Covid lockdowns I cannot afford paying for insurance. I barely have anytime to I have a hard enough time paying for auto insurance. In time I would like to purchase insurance but I’d like to do so on my time.

Waiting for a permit any longer than a day is terrible and bad policy. There was an instance where a woman had a TRO on her Ex-husband and applied for a CCW permit. Her Ex found her and killed her before she could even get her CCW permit approved.

All these minute micro managing rules makes no sense. As a gun owner we already hold ourselves to a higher level where we take every step with responsibility

If we can safely keep our firearms in holster, we should be able to do and carry as we please.

All of these rules and sensitive places will only create safe haven for criminals and they will never stop stealing and ruining lives. As I stated before we need more laws and focuses to make it more difficult for these people to stop committing crimes.

We should not be speaking about enhanced sentencing with CCW holders when we can’t even punish the very criminals that roam our streets. The city and state has done nothing for homelessness, violent and nonviolent crimes.

Our medical records are our own business. The state or city has no business knowing any of my medical records. The state is clearly overreaching its “authority” just as they did during covid. What was the result.... A devastated economy which has not recovered and still has not come up with any alternatives to state income besides “tourism”. Also qualified immunity for physicians, psychologists and etc. is grossly uncalled for. We know that there are many unqualified healthcare officials that will make bad diagnosis and they need to reap the repercussions of a bad

diagnosis. This amendment will not hold anyone liable for their actions with the exception of the CCW license holder. Do not forget the right to bear arms is our 2nd amendment right and not a second class right. We are innocent until proven guilty.

Aloha,

I am providing written testimony in opposition to HB984.

The Supreme Court of the United States (SCOTUS), through the *NYSRPA vs. Bruen* decision, recently established “text, history, and tradition” as the new standard for jurisprudence regarding the Second Amendment. Any precedent analyzed using the text, history, and tradition method must have its origins rooted near the creation of the Second Amendment in 1791.

In regards to sensitive places, the SCOTUS ruling specifically mentioned polling places, schools, and government buildings as examples of sensitive places that historically prohibited the bearing of arms. Additional proposed locations noted in HB984 fail to provide historical context or justification for inclusion on a list of sensitive areas.

New York included all of the sensitive areas defined in HB984 in the Concealed Carry Improvement Act (CCIA), which was a response to the SCOTUS decision. U.S. District Court Judge Glenn Suddaby, among other judges, have already ruled large parts of the (CCIA), particularly many of the sensitive locations, are unconstitutional and do not adhere to text, history, and tradition.

Further, U.S. District Court Judge Renee Marie Bumb ruled New Jersey’s list of sensitive locations, which are very similar to New York’s, unconstitutional. Bumb also blocked the enforcement of carrying firearms on private property without the “express consent” of an owner or signage indicating firearms are allowed. New Jersey’s default ban for firearms on private property essentially made a decision for an entire population. HB984 aims to replicate the same directive for private property.

HB984 does not indicate conformity to the text, history, and tradition method set forth by SCOTUS. Banning the bearing of arms in various proposed sites, which mimic New York’s CCIA and New Jersey’s rule, has already been ruled unconstitutional. Hawaii fails to provide any historical comparisons to additional sensitive locations beyond those provided as examples in the *Bruen* decision. Given these facts, HB984 will not pass constitutional muster.

Thank you.

HB-984-HD-1

Submitted on: 2/23/2023 10:49:40 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
K Tom	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB984

HB-984-HD-1

Submitted on: 2/23/2023 10:51:21 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Shane	Individual	Oppose	Written Testimony Only

Comments:

Oppose.

HB-984-HD-1

Submitted on: 2/23/2023 11:01:38 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Elias Kona	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill!!

HB-984-HD-1

Submitted on: 2/23/2023 11:01:41 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
George B Lisehora	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose provisions in HB984 that render the community less safe.

"Sensitive Places" : Areas where concealed carry is prohibited, in the absence of controlled entrance involving metal detectors or body search for weapons to gain entry, increases the incidence of violent crime in those areas rather than decreasing it. Criminals are emboldened knowing that law abiding citizens will not be armed in these areas. Conversely, enactment of concealed carry authorization in the same type of areas such as public parks, buses, schools, campuses, shopping malls and public transportation reduces violent crime. The reduction is mostly due to deterrence of the initiation of the crime by the criminal. While some violent crimes are foiled by the presentation of the legally carried concealed firearm, or more rarely the firing of the legally carried firearm these do not account for the marked drop in violent crime rates seen in all States that enacted non-discretionary conceal carry legislation. The drop in violent crime rates as reported by FBI crime statistics is mostly due to criminals deciding that it is not worth the risk of being shot by a legally carrying victim. Violent crime goes down and non confrontational crime rates go up when rates just prior to CCW initiation and rates measured a year or two after initiation are compared. This has been true in all 43 "shall issue" States.

HB984 Prohibits a trained, tested and licensed individual from carrying in "sensitive places". Criminals will select these areas to commit unopposed crimes. Mass shooters leave a paper trail, diary or manifesto that includes a description of how they selected the site of their crime. Most acknowledge the status of the target area as a gun free zone where minimal resistance is anticipated.

The Crime Prevention Research Center testified recently in Maryland's Senate Judicial Committee hearing on considering a similar bill to HB984. The text with hyperlinks is available at this web address: [Maryland SB1 proposes to ban \(crimeresearch.org\)](http://MarylandSB1proposes.com) The text without hyperlinks is pasted below: Note the list of references at the end includes corrections of other presentations that have incorrectly interpreted data. For example, #13, refers to FBI statistics on active shooter incidents. Previously it was reported that 4.4% of active shooters were stopped by private citizens. When each case in the data base was reviewed in detail, it reveals over 34% were stopped by private citizens. Since 2020, 94% of mass shootings occurred in gun free zones. When you limit analysis to mas shootings in areas where private citizens could legally carry guns, over 50% were stopped by private citizens. They are often stopped in less than one minute of starting. HB984 expands gun free zones and will result in increased loss of life and life altering injuries.

Proponents for HB984 have expressed concern that CCW license holders will become lawless and commit crimes themselves since they now can legally carry a concealed firearm with them. This has been studied more than once. Dr. Lott references the most recent study in his testimony below in which the rate at which CCW licensees engaged in any crime related to firearms was one twelfth the rate of firearms crimes enacted by police officers. Police officers as a group, showed a much lower incidence than the general population. CCW permit holders were the most law abiding group. Crimes by licensees were typically mild and non violent such as carrying into a "sensitive place" unwittingly or forgetting to have the permit in hand while carrying. With education, proponents of HB984 may realize that being surrounded by armed license holders makes them safer. Once the truth is understood, everyone except violent criminals will oppose HB984.

Bottom line: Hawaii has enacted a thorough vetting process that requires applicants to take specified training in firearms Hawaii State law, use of deadly force, potential criminal and civil consequences of using a firearm even if it was needed to save innocent life, and demonstrating this knowledge in written examination and marksmanship testing. Permit holders undergo background checks in search of criminal history, medical or psychiatric limitations and are highly scrutinized. Those who succeed in qualifying for the permit should be welcomed almost everywhere with their concealed weapon. The weapon is concealed and no one will even know it is there unless it is truly needed. If parents, teachers and administrators had had the option to be trained and armed in December 2012 in Connecticut, Adam Lanza would have never shot and killed 26 people at Sandy Hook Elementary School. Allow responsible people to carry in nearly all of the places that HB984 prohibits. We will all be safer. I am not guessing. It has already been demonstrated in 43 States. The same will happen in Hawaii if we follow the examples of other States that have trusted their citizens and their State's credentialing process.

See Below, the testimony given by Dr. Lott in Maryland as their legislators grapple with the same issues:

Testimony before the Maryland State Senate Judiciary Committee on SB1 John R. Lott, Jr.
President Crime Prevention Research Center johnrlott@crimeresearch.org

February 7, 2023

I would like to thank Chairman William Smith, Michael McKay who invited me to testify, and the other distinguished members of the committee for the opportunity to speak to you. SB1 proposes to ban the "transport of a firearm within 100 feet of a place of public accommodation." 1 That is a long list of places, from hotels to restaurants, movie theaters, sports arenas, and retail establishments. The implications of the Supreme Court's Bruen Decision. Take what Justice Thomas wrote in his Bruen decision last June. There are three passages that summarize the issue of sensitive places where concealed handguns can be banned.2 p. 17 -- "The test that we set forth in Heller and apply today requires courts to assess whether modern firearms regulations are consistent with the Second Amendment's text and historical understanding." p. 21 -- "Heller's discussion of 'longstanding' 'laws forbidding the carrying of firearms in sensitive places such as schools and government buildings.' 554 U. S., at 626. Although the historical record yields relatively few 18th- and 19th-century 'sensitive places' where weapons were altogether

prohibited—e.g., legislative assemblies, polling places, and courthouses—we are also aware of no disputes regarding the lawfulness of such prohibitions.” p. 22 -- “expanding the category of ‘sensitive places’ simply to all places of public congregation that are not isolated from law enforcement defines the category of ‘sensitive places’ far too broadly. Respondents’ argument would in effect exempt cities from the Second Amendment and would eviscerate the general right to publicly carry arms for self-defense that we discuss in detail below. See Part III–B, *infra*. Put simply, there is no historical basis for New York to effectively declare the island of Manhattan a ‘sensitive place’ simply because it is crowded and protected generally by the New York City Police Department.” The bottom line is clear. If the text of the Amendment or the debate over it isn’t clear, the courts should look at the laws in common use (not a few outliers) at the time of adoption for the 2nd or 14th Amendments. Thomas noted that sensitive places during those earlier periods were common for “legislative assemblies, polling places, and courthouses.” While Thomas seemed open to historical evidence on other places that banned carrying guns, the list of places provided in SB1 clearly bans guns in any place where the public congregates, which is explicitly what the Bruen decision indicates would be struck down. Nor has this extensive list of gun-free zones even been observed in any state laws until recently, so proponents for the gun-free zones can’t even point to these prohibitions being in common use now. Indeed, the seven May-Issue states, of which Maryland had been one up until the Bruen decision, had relatively few gun free-zones. But New Jersey’s new law now bans permitted concealed handguns in public places.³ New York’s new law is much more restrictive than its previous list of sensitive locations.⁴ But even New York’s law doesn’t go as far as SB1. For example, instead of banning guns in all restaurants, it limits the ban to places that serve alcohol. In 2021, 16 states banned guns in bars, and no states had a blanket ban in restaurants that served alcohol.⁵ While California’s Governor Gavin Newsom is calling to change the state’s law so that carrying guns would now be banned in churches, public libraries, zoos, amusement parks, playgrounds, banks and other privately-owned businesses, the legislation has yet to be passed.⁶ Will Gun-free Zones increase Public Safety? Maryland is moving to create more gun-free zones, though relatively few people in the state have a concealed handgun permit. By the end of 2022, there were 85,266 permits – one permit holder for every 55 adults.⁷ By comparison, there is one permit holder for every nine people in the 43 right-to-carry states. ⁸ Permit holders are extremely law-abiding and lose their permits for any firearms related violations at thousandths or tens of thousandths of one percent.⁹ Permit holders are convicted of firearms-related violations at 1/12th the rate of police officers. ¹⁰ Also relevant is that while the revocation rate for permit holders is low in all states, it is actually lower for Right-to-Carry states than for May-Issues states such as Maryland.¹¹ Unsurprisingly, concealed handgun permit holders don’t stop mass public shootings in states such as Maryland or California or other very restrictive states. But they do make a difference in the 43 states where there are a lot of permit holders. Indeed, people legally carrying guns stopped at least 31 mass public shootings since 2020. ¹² And when Americans are allowed to legally carry concealed handguns, they stop about half the active shooting attacks in the US. ¹³ It is hard to ignore that these mass public shooters purposefully pick targets where they know their victims cannot protect themselves. Yet, the media refuses to discuss that these mass murderers often discuss in their diaries and manifestos how they pick their targets. For example, the Buffalo mass murderer last year wrote in his manifesto explaining why he chose the target that he did: “Areas where CCW are outlawed or prohibited may be good areas of attack” and “Areas with strict gun laws are also great places of attack.”¹⁴ That is a common theme among mass murderers.¹⁵ These killers may be crazy, but they aren’t stupid. Their goal is to get media coverage, and they

know that the more people they kill, the more media attention they will receive. And if they go to a place where their victims are defenseless, they will be able to kill more people. Even if an officer is in the right place at the right time, a single uniformed police officer has an almost impossible job in stopping mass public shootings. An officer's uniform is a neon sign saying, "Shoot me first." Once the murderer kills the officer, the attacker has free rein to go after others. But where concealed carry is allowed, the attacker will have to worry that someone behind him is also armed. Take school shootings: Twenty states, with thousands of schools, have armed teachers and staff. There has not been one attack at any of these schools during school hours since at least 2000 where anyone has been killed or wounded.¹⁶ All the attacks where people have been killed or wounded occurred in schools where teachers and staff can't have guns. Newsom's approach contrasts sharply with another country that faces constant terrorist attacks. After a Jan. 27 mass public shooting in Israel left seven people dead, Israel Prime Minister Benjamin Netanyahu declared: "Firearm licensing will be expedited and expanded in order to enable thousands of additional citizens to carry weapons."¹⁷ Unfortunately, Maryland's strict gun control laws create fertile ground for successful mass public shootings. But the new push for more gun-free zones is guaranteed to give mass murderers and other criminals even more hunting grounds. Many promised that Maryland's 2013 Firearms Safety Act would lower the state's crime rates. Take the pre-pandemic data. The act instituted handgun licensing and training requirements that added hundreds of dollars and months of delay to a purchase, and handgun sales in the state plummeted by 36% from 2012 to 2019. Meanwhile, between 2012 and 2019, Maryland's murder rate rose three times faster than the national rate and four times faster than in neighboring states.¹⁸ The state's robbery rate also got much worse relative to either the national or neighboring rates. Conclusion. Criminals like to attack defenseless victims and they are attracted to gun-free zones. Indeed, 94% of mass public shootings occur in places where guns are banned.¹⁹ But the legislature has to also consider what the courts are likely to decide after the Supreme Court's Bruen decision this past June, and the Supreme Court Endnotes

1 <https://mgaleg.maryland.gov/2023RS/bills/sb/sb0001F.pdf>

2 New York State Rifle & Pistol Assn., INC. v. BRUEN (<https://www.law.cornell.edu/supremecourt/text/20-843>).

3 New Jersey Bill A4769 (https://www.njleg.state.nj.us/bill-search/2022/A4769/bill-text?f=A5000&n=4769_R2).

4 New York State, "Frequently Asked Questions: New Concealed Carry Law," (<https://gunsafety.ny.gov/frequently-asked-questions-new-concealed-carry-law>).

5 Crime Prevention Research Center, "All 50 states now allow you to carry a concealed handgun in restaurants that serve alcohol," Crime Prevention Research Center, February 19, 2021 (<https://crimeresearch.org/2021/02/all-50-states-now-allow-you-to-carry-a-concealed-handgun-in-restaurants-that-serve-alcohol/>).

6 Louis Casiano, "California Gov. Gavin Newsom endorses even stricter gun control after string of mass shootings," Fox News, February 1, 2023 (<https://www.foxnews.com/politics/california-gov-gavin-newsom-endorses-stricter-gun-control-string-mass-shootings>).

7 Scott Broom, "Legislators aim to restrict where guns can be carried in Maryland," WUSA 9, January 12, 2023 (<https://www.wusa9.com/article/news/local/maryland/maryland-gun-permits-soar-as-legislators-aim-to-restrict-where-they-can-be-carried-in-the-state/65-34b765bf-c8b8-439b-9f10-a3ef9d1e1aaf>).

8 John R. Lott, Jr., "Concealed Carry Permit Holders Across the United States: 2022," Social Science Research Network, December 12, 2022 (https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4279137).

9 Ibid.

10 Ibid.

11 John R. Lott, Jr., "Concealed Carry Permit Holders Across the United States: 2021," Social Science Research Network, October 11, 2021 (https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3937627).

12 Crime Prevention Research Center, "UPDATED: Compiling Cases where concealed handgun permit holders have stopped likely mass public shootings," August 24, 2022 (<https://crimeresearch.org/2022/08/uber-driver-in-chicago-stops-mass-public-shooting/>).

13 Crime Prevention Research Center, "Massive errors in FBI's Active Shooting Reports regarding cases where civilians stop attacks: Instead of 4.4%, the correct number is at least 34.4%. In 2021, it is at least 49.1%. Excluding gun-free zones, it averaged over 50%," Crime Prevention Research Center, October 3, 2022 (<https://crimeresearch.org/2022/10/massive-errors-in-fbis-active-shooting-reports-regarding-cases-where-civilians-stop-attacks-instead-of-4-4-the-correct-number-is-at-least-34-4-in-2021-it-is-at-least-49-1-excluding-gun-free-zon/>).

14 Crime Prevention Research Center, "New York Mass Public Shooter Explicitly targeted: "areas where CCW are outlawed or prohibited may be good areas of attack" "areas with strict gun laws are also great places of attack," Another Socialist/Environmentalist," Crime Prevention Research Center, May 14, 2022 (<https://crimeresearch.org/2022/05/new-york-mass-public-shooter-explicitly-targeted-areas-where-ccw-are-outlawed-or-prohibited-may-be-good-areas-of-attack-areas-with-strict-gun-laws-are-also-great-places-of-attack/>).

15 Crime Prevention Research Center, "UPDATED: How mass killers pick out venues where their victims are sitting ducks," Crime Prevention Research Center, June 1, 2022 (<https://crimeresearch.org/2015/06/vince-vaughn-explains-the-obvious-how-mass-killers-pick-out-venues-where-their-victims-are-sitting-ducks/>).

16 John R. Lott, Jr., "Schools that Allow Teachers to Carry Guns are Extremely Safe: Data on the Rate of Shootings and Accidents in Schools that allow Teachers to Carry," Social Science Research Network, April 25, 2019 (https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3377801).

17 Bradford Betz, "Israel to 'expedite' gun licenses after deadly shooting near Jerusalem synagogue," Fox News, January 29, 2023 (<https://www.foxnews.com/world/israel-expedite-gun-licenses-deadly-shooting-near-jerusalem-synagogue>).

18 United States Crime Rates 1960 – 2019 (<https://www.disastercenter.com/crime/uscrime.htm>).

Please consider the consequences if HB984 passes. Imagine I and other well trained individuals that have completed more than the required training, demonstrated knowledge on the written examination, demonstrated safe gun handling and marksmanship and been issued carry permits by Hawaii, become the victims of an active shooter at our work place. We have the skill and ability to stop the shooter but will be unarmed because of HB984. There is no armed security at my work place. There are no police stationed at my work place. It will be like Sandy Hook or Uvalde or any other gun free zone that prohibited qualified individuals from protecting themselves and each other. More people will survive and be unharmed if HB984 is not passed. It is likely that the potential shooter at my work place may decide not to attack my work place at all if he knows the State has now endorsed concealed carry and armed opposition is likely.

Voting yes to HB984 invites the shooter and renders victims helpless. Voting no deters crime.

Vote no to HB984

HB-984-HD-1

Submitted on: 2/23/2023 11:02:55 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Craig	Individual	Oppose	Written Testimony Only

Comments:

Passing this will continue to put families on Oahu in danger. Oahu is no longer a safe place to be. Please give the qualified people of Oahu the peace of mind that they can go anywhere and defend them selves and their families.

HB-984-HD-1

Submitted on: 2/23/2023 11:03:38 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Pua Auyong-White	Individual	Support	Written Testimony Only

Comments:

To Chair, Vice Chair and Members of the committee:

“I support HB984 HD1” I have grave concerns about the impact of the Bruen decision on the safety of Hawaii’s residents and visitors. Among other important provisions which I strongly support, HB984 addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii’s residents and visitors.

There is, however, one additional provision that would enhance the list of sensitive places. It involves private property not open to the public. I support the “default” provision that is currently included in SB1230 that provides that firearms shall not be carried on private property without the express authorization of the owner.

Pua Auyong (808) 222-5591

Honolulu, HI 96819

HB-984-HD-1

Submitted on: 2/23/2023 11:03:48 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Shane I	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill

HB-984-HD-1

Submitted on: 2/23/2023 11:06:44 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Edieson Dumlao	Individual	Oppose	Written Testimony Only

Comments:

I believe passing this bill will only be restrictive. You guys are talking about banning firearms from "safe" places but we know that these are the places that are prone to violence from criminals. Also these restrictions proposed will make it impossible to carry anywhere in the state. It's like you guys only passed the carry conceal license because it's our constitutional right but now you guys are finding loop holes to prevent us from actually being able to carry conceal anywhere. Please listen to the law abiding citizens and do what's right and don't pass this bill.

HB-984-HD-1

Submitted on: 2/23/2023 11:14:48 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Edward Inn	Individual	Oppose	Written Testimony Only

Comments:

I oppose This Bill because it goe's against my 2nd amendment rights as a law abiding citizen

HB-984-HD-1

Submitted on: 2/23/2023 11:17:14 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Marianne Whiting	Individual	Support	Written Testimony Only

Comments:

I strongly support HB984 HD1!!!

HB-984-HD-1

Submitted on: 2/23/2023 11:17:24 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Edwin Wise	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE this bill that lawmakers are trying to push forward. As a law abiding citizen of USA this bill goes against my rights as a citizen-Right to Bear Arms as states in the 2nd Ammendment.

HB-984-HD-1

Submitted on: 2/23/2023 11:20:21 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
tony lee	Individual	Oppose	Written Testimony Only

Comments:

OPPOSE to these ridiculas porposals !

HB-984-HD-1

Submitted on: 2/23/2023 11:21:10 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Lori Kizer	Individual	Support	Written Testimony Only

Comments:

I Support HB984 HD1.

HB-984-HD-1

Submitted on: 2/23/2023 11:23:39 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Angelika Sielken	Individual	Oppose	Written Testimony Only

Comments:

i oppose this bill as written.

HB-984-HD-1

Submitted on: 2/23/2023 11:24:07 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Gregory Abe	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill because it will unduly infringe on my 2nd amendment rights.

HB-984-HD-1

Submitted on: 2/23/2023 11:27:11 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Kyle hara	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

Aloha board members,

Today I am writing in opposition to this bill. This bill would render one's concealed carry permit useless with such broad definitions used. This bill is a copy of other states' bills trying to restrict our right that the US supreme court ruled in the Bruin V.S. New York case this summer said you can not make every area a sensitive place. New Jersey and New York that have tried passing bills like this are now dealing with lawsuits and have been ruled by more than 3 judges unconstitutional and that this does not meet the text and history test the supreme court said must have been in place when the 2nd amendment was written.

The Fee for the CCW license of 150 dollars per application that must be paid for each firearm I wish to have a license for is nothing more than a poll tax. Only the rich and politically connected will be able to afford this constitutional right.

The training requirement add for ccw classes are things that are not taught in concealed carry classes and most instructors are not trained in these subject matters. It is outside of the scope of materials, and they would be in violation of their agency and would lose their teaching credentials. The state should provide a video like what Utah has for their ccw class this video is mandatory. This is a link to that Hawaii should make and have for people to view please watch it is only about 8min of your time.

<https://www.youtube.com/watch?v=Plr44kZqU88&t=6s>

Some training agencies like USCCA(United Concealed Carry Association) allows videos like this to be used in their classes. While others like NRA does not allow.

If the ccw license I have is to be good state wide should the training not be the same state wide and not left up to the county police department discretion. One county could have must harder requirement than a different county. This should be uniform for the whole state wide.

There needs to be a timeline for the application to be approved or denied. It take 14day to do a background check to acquire a firearm. It should not take that much longer for a concealed carry license. It also places a huge cost requirement for people to take classes every year and with only a one-year valid license. You must take a class every 8 months so you can turn your paperwork in before your permit expires. I think a more normal time is a 3- or 5-years valid permit like most other states have and a fee of 50 to 60 dollars.

I ask what other constitutional right requires that someone has to take a class and pass a test to exercise that right. Did you take a class to be an elected official and what was your score and how long is your permit valid for and cost? None it is your right as an American to run for office. Many people like to say that you have to take a test to get a driver's license but that is a privilege not a constitutional right.

The requirement for someone to just acquire a firearm take a class every four years I ask you what other constitutional right to you take a test every 4 years to have that right.

The essential character requirement is just another subjective test that is not allowed under recent supreme court ruling yet you still are going to do it.

Has the AG or your legal team given you the laws that are using to justify that meet the text history and tradition that the supreme court said you must have. And not the 170 years of Hawaii law it must be from 1791 when the 2nd amendment was enacted. I will bet they have not and that there are non or else they and you would be telling and showing them to everyone. Again this bill if passed into law will be in the courts in law suits that is why you have a effective date of this bill June 30th 3000. You know this bill is unjust.

Mahlo for your time and reading this letter.

Jason T Woford

Any questions about my testimony please don't hesitate to call me 808 870 1796 look very much forward to having a conversation with you about this matter.

HB-984-HD-1

Submitted on: 2/23/2023 11:30:27 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Andrew	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose the portion of the bill limiting places you can legally possess a concealed firearm. The bill would practically only allow for conceal carry in a private vehicle or sidewalk. "Respecting individual rights" is not achieved in this bill.

HB-984-HD-1

Submitted on: 2/23/2023 11:34:16 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Taylor Warn	Individual	Oppose	Written Testimony Only

Comments:

Measures like these will be proven unconstitutional and struck down in court. Denying that reality serves only to stall the process and waste valuable tax dollars.

HB-984-HD-1

Submitted on: 2/23/2023 11:36:05 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
gabrielle davidson	Individual	Support	Written Testimony Only

Comments:

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii’s residents and visitors. Among other important provisions which I strongly support, HB984 addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii’s residents and visitors.

There is, however, one additional provision that would enhance the list of sensitive places. It involves private property not open to the public. I support the “default” provision that is currently included in SB1230 that provides that firearms shall not be carried on private property without the express authorization of the owner.

HB-984-HD-1

Submitted on: 2/23/2023 11:39:36 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Jay Henderson	Individual	Support	Written Testimony Only

Comments:

I support HB984 HD1

HB-984-HD-1

Submitted on: 2/23/2023 11:40:35 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
David-Matthew Palompo	Individual	Oppose	Written Testimony Only

Comments:

As an American citizen, I have a constitutional right to self-defense. HB 984 puts limits to that right to self-defense. Therefore, it is unconstitutional, and it should not be passed.

HB-984-HD-1

Submitted on: 2/23/2023 11:51:07 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
PAMELA SUMMERS	Individual	Support	Written Testimony Only

Comments:

I support HB984 HD1

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii’s residents and visitors. Among other important provisions which I strongly support, HB984 addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii’s residents and visitors.

There is, however, one additional provision that would enhance the list of sensitive places. It involves private property not open to the public. I support the “default” provision that is currently included in SB1230 that provides that firearms shall not be carried on private property without the express authorization of the owner.

HB-984-HD-1

Submitted on: 2/23/2023 11:51:50 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Casey Nakama	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

HB-984-HD-1

Submitted on: 2/23/2023 11:55:48 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Shaundale Magnani	Individual	Oppose	Written Testimony Only

Comments:

Oppose. I feel it's Better to have.

HB-984-HD-1

Submitted on: 2/23/2023 11:58:50 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
DAVE TEJADA	Individual	Oppose	Written Testimony Only

Comments:

I oppose the passing of HB984. It neuters the concealed carry law that we just passed. How do we justify it as it prevents us as law abiding citizens from protecting ourselves in the same places where criminals strike? The criminals do not abide by the law now and all this does is soften their targets of opportunity. Again, I vehemently oppose the passing of bill HB984

HB-984-HD-1

Submitted on: 2/23/2023 12:01:37 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Justinkainoa kealanahele	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill to limit my rights to bear arms. This bill greatly limits the law abiding citizen's abilities to protect the public and their loved ones by not being able to carry in public. This bill is very infringing.

HB-984-HD-1

Submitted on: 2/23/2023 12:06:39 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Donna Carsten	Individual	Support	Written Testimony Only

Comments:

I SUPPORT HB 984. Open carry laws are dangerous and will lead to many shootings.

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, HB984 addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

There is, however, one additional provision that would enhance the list of sensitive places. It involves private property not open to the public. I support the "default" provision that is currently included in SB1230 that provides that firearms shall not be carried on private property without the express authorization of the owner.

HB-984-HD-1

Submitted on: 2/23/2023 12:10:16 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Cheryl Tanaka	Individual	Oppose	Written Testimony Only

Comments:

I oppose everything except the 4 year license for CCW

HB-984-HD-1

Submitted on: 2/23/2023 12:11:05 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Elaine Gierlach	Individual	Support	Written Testimony Only

Comments:

I am very concerned about the possibility of increased guns in Hawaii. Thus far, we have been relatively safe from the increasing gun violence on the mainland because of the Pacific Ocean and our strict gun laws. I am opposed to any law that makes it easier for people to have guns and carry guns around in the community. I am fearful for my children in school. Even though I wish this was not allowed at all, I am therefore voting yes on this bill that would require permitting for someone to carry a gun in public.

Thank you for your consideration.

HB-984-HD-1

Submitted on: 2/23/2023 12:11:15 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Lisa Metzger	Individual	Support	Written Testimony Only

Comments:

I strongly support HB984. As someone who moved to Hawaii from the mainland literally to escape gun violence, I can say unequivocally that more people with guns do not make anyone safer. While there may be a right to own a gun in America, there are also rights for the rest of us Americans who would like to be with our children in public and not constantly worry that a drunken brawl or angry road rage incident is going to become deadly because someone is armed. We as Americans in the first line of the Declaration of Independence were given the right to LIFE, liberty and the pursuit of happiness. I believe at least two of those things include the right to partake in public society without the constant fear of gun violence. The Supreme Court went way too far in their ruling overruling state's rights when it comes to concealed carry and Hawaii MUST act to protect itself and it's people from endless gun violence and gun death by enacting the strongest safety measures possible. Think of our keiki, our kapuna and everyone in between. More guns in public will only lead to more and more unnecessary death. Please keep up safe and enact these common sense safety measures. Mahalo.

HB-984-HD-1

Submitted on: 2/23/2023 12:13:34 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Ellen Caringer, Ph.D.	Individual	Support	Written Testimony Only

Comments:

I am writing to say that I support HB 984 HD1. I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, HB984 addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

There is, however, one additional provision that would enhance the list of sensitive places. It involves private property not open to the public. I support the "default" provision that is currently included in SB1230 that provides that firearms shall not be carried on private property without the express authorization of the owner.

Thank you.

Ellen R. Caringer, Ph.D.

HB-984-HD-1

Submitted on: 2/23/2023 12:21:11 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Younghee Overly	Individual	Support	Written Testimony Only

Comments:

Thank you for hearing HB984 HD1. Please pass this measure to keep Hawaii safe.

HB-984-HD-1

Submitted on: 2/23/2023 12:21:33 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Jermaine Rabago	Individual	Oppose	Written Testimony Only

Comments:

Oppose

HB-984-HD-1

Submitted on: 2/23/2023 12:21:33 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Chad Amasiu	Individual	Oppose	Written Testimony Only

Comments:

I oppose hb984

HB-984-HD-1

Submitted on: 2/23/2023 12:25:09 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Austin White	Individual	Oppose	Written Testimony Only

Comments:

It is painfully and blatantly obvious that the Legislators, Governor, Lt. Governor, Mayors, Police Chiefs and other “government officials” have zero intent to protect and uphold the rights of the citizens of Hawaii as outlined in both the Federal and State Constitutions regarding firearms. We are all tired of holding our breath waiting for you to uphold your sworn duty. You don’t care, and never will. You spread misinformation, spin half-truths and make up “facts” to suit your own purposes. I would dare to find but few of you who can tell the difference between a clip or magazine, bullet or cartridge, semi-automatic or automatic. It may behoove you to actually learn something about firearms and even use one before you make laws and regulations surrounding them. Take the requisite firearms training class to see what is required of those who wish to own and/or carry firearms in this state. I am confident that most of the local firearms instructors in Hawaii would be happy to give any of you a lesson in the use of them. You may learn something.

The plain verbiage of the 2nd Amendment of the United States and Article 1, Section 17 of the State of Hawaii Constitution is clear. SHALL NOT is a legal term of which it seems none of you have the want, intent or fortitude to uphold. Nowhere does it mention in the respective Constitutions that these can be set aside due to feelings or in matters of sensitivity, inclusion, diversity, etc.. Please go read the NYSRPA v Bruen response for details.

All of you have abdicated your duty to the people of Hawaii by failing uphold your oath of office. I have included the appropriate text for you. Perhaps you may need to read these sections again to refresh your collective memories. But then again, you have no interest in actually representing your constituents. ALL your constituents, even the ones you disagree with.

HAWAII CONSTITUTION

OATH OF OFFICE

Article XVII, Section 4. All eligible public officers, before entering upon the duties of their respective offices, shall take and subscribe to the following oath or affirmation: "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." As used in this section, "eligible public officers" means the governor, the lieutenant governor, the members of both houses of the legislature, the members of the board of education, the members of the national guard, State or county

employees who possess police powers, district court judges, and all those whose appointment requires the consent of the senate. [Ren and am Const Con 1978 and election Nov 7, 1978; am SB 1440 (1992) and election Nov 3, 1992]

RIGHT TO BEAR ARMS

Article I, Section 17. A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms *shall not* be infringed. [Ren Const Con 1978 and election Nov 7, 1978]

UNITED STATES CONSTITUTION – BILL OF RIGHTS

RIGHT TO BEAR ARMS

Amendment II. A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, *shall not* be infringed.

All emphasis mine

DEFINITIONS

Shall: Shall is an imperative command, usually indicating that certain actions are mandatory, and not permissive. This contrasts with the word “may,” which is generally used to indicate a permissive provision, ordinarily implying some degree of discretion.

May: The word “may” is an expression of possibility, a permissive choice to act or not, and ordinarily implies some degree of discretion. This contrasts with the word “shall,” which is generally used to indicate a mandatory provision.

The meaning of the phrase "well-regulated" in the 2nd amendment

From: Brian T. Halonen <halonen@csd.uwm.edu>

The following are taken from the *Oxford English Dictionary*, and bracket in time the writing of the 2nd amendment:

1709: "If a liberal Education has formed in us **well-regulated** Appetites and worthy Inclinations."

1714: "The practice of all **well-regulated** courts of justice in the world."

1812: "The equation of time ... is the adjustment of the difference of time as shown by a **well-regulated** clock and a true sun dial."

1848: "A remissness for which I am sure every **well-regulated** person will blame the Mayor."

1862: "It appeared to her **well-regulated** mind, like a clandestine proceeding."

1894: "The newspaper, a never wanting adjunct to every **well-regulated** American embryo city."

The phrase "well-regulated" was in common use long before 1789, and remained so for a century thereafter. It referred to the property of something being in proper working order. Something that was well-regulated was calibrated correctly, functioning as expected. Establishing government oversight of the people's arms was not only not the intent in using the phrase in the 2nd amendment, it was precisely to render the government powerless to do so that the founders wrote it.

HB-984-HD-1

Submitted on: 2/23/2023 12:26:37 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Danielle Burger	Individual	Support	Written Testimony Only

Comments:

To whom it may concern,

Every day that I take my kids to school, I have to trust that my community is doing everything possible to protect them. Every time we go to a park, we have to wonder who is protesting and if either side would use weapons. In the US, protecting our community means setting limits on firearm access and privileges before firearm ubiquity becomes a problem. I am in strong support of HB984, and would like to ask you to vote YES on this bill.

Danielle Burger

HB-984-HD-1

Submitted on: 2/23/2023 12:31:27 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
karolle t. bidgood	Individual	Support	Written Testimony Only

Comments:

I am in strong support of HB984 HD1. I am particularly in favor of the licensing procedures for people wishing to carry concealed guns and the list of sensitive places where firearms cannot be carried.

If there is opportunity for further amendment, I would like to see the provision from SB1230 included so that it is clear that firearms cannot be carried on private property without the express authorization of the owner.

I urge your committee's support.

Thank you.

Karolle T. (Josie) Bidgood

HB-984-HD-1

Submitted on: 2/23/2023 12:32:11 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

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

Comments:

I strongly oppose bill HB984!

It is obviously designed to discourage/ prevent law abiding citizens from concealed carry of a fire arm for self defense.

It is intact a de facto ban and in direct contradiction of both the 2nd amendment and the recent Bruen decision.

It will not hinder criminals or deter them from carrying illegally as they don't follow the laws anyway.

This bill will not make our communities safer. In fact it will have the opposite effect. Decent people will not be allowed a means to protect themselves and be easy prey to criminals. Look at the recent rise in violent crimes the past few years.

Please vote against this bill.

Aloha,

Robert Hechtman

HB-984-HD-1

Submitted on: 2/23/2023 12:32:31 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
danny yamada	Individual	Oppose	Written Testimony Only

Comments:

As a law abiding taxpayer I oppose hb984. This goes against my 2nd amendment rights

HB-984-HD-1

Submitted on: 2/23/2023 12:38:25 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Erin Henderschedt	Individual	Support	Written Testimony Only

Comments:

Please vote YES to make Hawaii safer by restricting where and when people can carry firearms. I am a military spouse. My spouse owns guns. I simply want limits on how and where they can be carried and used. Please vote YES.

HB-984-HD-1

Submitted on: 2/23/2023 12:46:12 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
'Ilima DeCosta	Hale Ola Spa & Apothecary	Support	Remotely Via Zoom

Comments:

TO: Chair, Vice Chair and Finance Committee Members

FROM: 'Ilima DeCosta

Owner, Hale Ola Spa & Apothecary

DATE: February 24, 2023 (3:30pm)

Mahalo for the opportunity to testify in **strong support of HB 984**, Relating to Firearms. HB 984 would codify where and when a firearm licensee may carry a concealed firearm, by clarifying which locations are prohibited for concealed carry.

I am a mother whose adult daughter was shot and killed due to domestic related gun violence, and I am also a business owner.

The people who visit my establishment are seeking health and relaxation, and the presence of firearms at our business would undermine the sanctuary of this space.

Presently, the local practice for concealed carry is that NO firearms are allowed into any business establishment without the express permission of the business owner. This means that business owners do not need to post "*No firearm*" signs, and this should remain the standard practice, rule, or law.

Unfortunately, there are some in our community who want to test the rules and laws, by carrying their firearms concealed AND unconcealed into the state Capitol, during a recent hearing.

The person who carried their unconcealed firearm into last week's legislative hearing claimed he has a permit to carry a firearm unconcealed and that he didn't realize firearms weren't allowed in the Capitol.

Ignorance is no excuse for breaking the law, and the individual who carried an unconcealed firearm into the Capitol should have been immediately apprehended.

The presence of firearms in the hands of civilians visiting government buildings is not acceptable to me and shouldn't be acceptable to our legislative leadership.

The presence of firearms in government buildings, medical facilities and private businesses is an anathema to public safety. I urge the Committee to pass HB 984 and fulfill their duty to protect the public health.

Mahalo for the opportunity to testify in support of this bill.

HB-984-HD-1

Submitted on: 2/23/2023 12:46:26 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Diann Lynn	Individual	Support	Written Testimony Only

Comments:

I support HB984 HD1

I am very concerned about the possible effects of the Bruen decision on Hawaii's heretofore stringent and safe gun laws, and I strongly support passage of this bill. I also support the "default" provision currently included in SB1230 that provides that firearms shall not be carried on private property without the express authorization of the owner.

HB-984-HD-1

Submitted on: 2/23/2023 12:56:25 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Rob Mihada	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill as it's simply unconstitutional as per Bruen and Heller. Bruen specifically states that any law or limitation to keep and bear arms must have historical precedent from when the 2nd amendment was ratified in 1791 or re-ratified 1868. The burden is on the state to prove their laws and limitations are based on those historical precedents. Justice Thomas wrote in Bruen: The right to keep and bear arms in public for self defense is not

"a 2nd class right, subject to an entirely different set of rules than the other Bill of Rights guarantees." If you do not stand by the Constitution, you do not belong in your position. We are a Constitutional Republic, not a democracy. The law clearly states "shall not be infringed [...]". the Constitution protects individual liberties from being abused by the government. A significant accomplishment of the Constitution was finding a means to agree on this basis of power. Any where you limit the ability to conceal carry makes the people in those locations, the most vulnerable. Gun owners are by far the most patriotic, responsible, and law abiding citizens. Criminals do not care about the law nor safe spaces. It only makes our community more vulnerable [...].

I am a law abiding citizen.

The 2nd Amendment protects my right to carry a firearm so that I may protect myself.

Bills like this do not support my rights as an American Citizen.

Bills like this actively restrict my rights and the rights of all Americans.

These laws empower and encourage criminals.

The average police response time can be anywhere from 3 minutes to 15 minutes, by that time I could be beaten, raped or killed.

Do not restrict my ability to protect myself or my family.

It is your responsibility to encourage your citizens to protect themselves and their community.

Unless your goal is to make your citizens victims.

HB-984-HD-1

Submitted on: 2/23/2023 12:57:29 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Kate Reimann	Individual	Support	Written Testimony Only

Comments:

I support HB984 as a way to protect our keiki, kupuna, and citizens with clear permitting requirements for firearms access and clearly defining the spaces where those permitted firearms are allowed. Because of their lethal nature, permits and permitted areas for use of firearms must be strictly controlled and monitored for the safety of our community.

HB-984-HD-1

Submitted on: 2/23/2023 1:04:35 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Stephen Kobayashi	Individual	Oppose	Written Testimony Only

Comments: I oppose HB984

HB-984-HD-1

Submitted on: 2/23/2023 1:05:41 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
tony frascarelli	Individual	Oppose	Written Testimony Only

Comments:

I remain opposed to this bill. It would appear that the restrictions on where a person may legally carry a concealed weapon were written to discourage persons from attempting to obtain a carry license. There will no doubt be legal challenges should this bill become law.

HB-984-HD-1

Submitted on: 2/23/2023 1:08:08 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Galen J. Pao	Individual	Oppose	Written Testimony Only

Comments:

To whom this may concern:

I, Galen J. Pao, would like to go on record opposing HB984. I have submitted testimony opposing this Bill on 2/13/23. This Bill does not seem to be drafted for public safety and to comply with the Bruen decision set forth by SCOTUS. It seems to be drafted to circumvent the Bruen decision. The rights of citizens to exercise firearm carry in public is being trampled on. We are not criminals. But the language of HB984 makes it look like we are presumed criminals and therefore will not be able to carry anywhere in public except the sidewalks. I think it's sad that law abiding citizens who chose to carry firearms for self defense are not being treated the same as citizens who chose not to carry firearms. I totally understand that firearms should not be present in government buildings, courtrooms, and Capitol, but to extend these restrictions to parks, beaches, and public transportation just shows bias in my opinion. Regardless of one's stance on the 2nd amendment, drafting sensible safety laws in regards to firearms carry should be foremost on the minds of every lawmaker that took the oath of office to uphold and defend the Constitution of the United States.

HB984 as currently drafted is unconstitutional by putting law abiding citizens who choose to exercise their 2nd amendment rights in a separate class from other law abiding citizens.

The Bruen decision has been extended to ALL citizens. Yet HB984 will restrict public enjoyment to only some citizens, not all. Please reconsider and redraft HB984 to ensure citizens who choose to exercise their 2nd amendment rights to carry firearms in public are not discriminated against.

Thank You.

Galen J. Pao

IN SUPPORT OF HB984

Hi, my name is Rachel Logan and I'm a volunteer with the Hawaii chapter Moms Demand Action. We are not an anti-second amendment group, we support common sense gun legislation. I believe in the 2nd Amendment right to bear arms, but I do not believe that guns are appropriate everywhere in our modern society. I do not wish to take someone's handguns away – I support common sense gun laws. Without this bill, we are expected to trust total strangers to be armed "silent protectors" throughout our community – that is a **very** big ask. Guns don't make everyone feel safe. Firearms make me feel anxious, not safe. Hawaii has been one of the safest states for gun violence for decades and we need to preserve that. I don't have to tell you that this isn't the mainland and we don't want it to be. Putting guns out into our community, as we go about our daily lives, will increase the risk of injury and violence, just by their presence because they will now be part of the equation. It is my fear that the accidents and escalations will outnumber the heroics. This is a really big deal, because our community can be pretty hotheaded at times. To go from moving freely through my community without having to think about guns, to now having to review a list and weigh the possibilities because hundreds of gun permits are waiting in the wings. Hundreds of armed silent protectors. That is a huge culture shift in our community, and we should be cautious and anticipate ramifications.

Military bases do not allow conceal carry and the nation's highest-ranking military officer has said he doesn't think soldiers should carry concealed weapons on base. This gives me pause and I think it should for you as well. If the United States military doesn't think concealed carry is wise, even in a heavily controlled area such as a base, why do we think the general public are qualified for unfettered access throughout our community to carry guns? If we want people to act with firearm common sense, we have to set the precedent by passing common sense gun legislation.

The law has changed and we must respect the law. If we must have concealed weapons in our community, there should be some limits, but not just federal buildings. Guns don't belong in schools and parks and other places that children play. Guns should not be allowed where alcohol is sold and consumed. When I am taking my young children to the grocery store, the playground, or the beach, I do not want to have to worry about the presence of guns. It is complicated when it comes to protecting your family and we all have the right to do so, but we are going to have to find a compromise because firearms don't make everyone feel safe. We should have access to areas where we can take our families if we're concerned about the potential presence of concealed guns - and businesses should have to openly post out front if firearms are allowed on their property.

I strongly support HB984 and am very grateful to our local leaders in Honolulu who understand the importance of keeping guns out of places where the risk of harm is particularly high. Please pass this bill so we can continue to feel safe to move throughout our community freely and provide our children the safe spaces they deserve in order to thrive.

Mahalo,

Rachel Logan
Concerned Parent & Citizen
Events Lead - Moms Demand Action - Hawaii Chapter

HB-984-HD-1

Submitted on: 2/23/2023 1:08:39 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Paul Bernstein	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Yamashita and Members of the FIN Committee:

I'm writing in support of HB984 HD1

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, HB984 addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

There is, however, one additional provision that would enhance the list of sensitive places. It involves private property not open to the public. I support the "default" provision that is currently included in SB1230 that provides that firearms shall not be carried on private property without the express authorization of the owner.

Please pass this bill out of your committee; our safety depends on stronger provisions around gun safety.

Respectfully,

Paul Bernstein

HB-984-HD-1

Submitted on: 2/23/2023 1:12:52 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Myra Tenuki	Individual	Oppose	Written Testimony Only

Comments:

I am a law abiding citizen.

The 2nd Amendment protects my right to carry a firearm so that I may protect myself.

Bills like this do not support my rights as an

American Citizen.

Bills like this actively restrict my rights and the rights of all Americans.

These laws empower and encourage criminals.

The average police response time can be anywhere from 3 minutes to 15 minutes, by that time I could be beaten, raped or killed.

Do not restrict my ability to protect myself or my family.

It is your responsibility to encourage your citizens to protect themselves and their community.

Unless your goal is to make your citizens victims.

HB-984-HD-1

Submitted on: 2/23/2023 1:16:25 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Chester Barayuga	Individual	Oppose	Written Testimony Only

Comments:

I oppose.

HB-984-HD-1

Submitted on: 2/23/2023 1:20:27 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Russell Takata	Individual	Oppose	Written Testimony Only

Comments:

I strongly OPPOSE this bill. It is essentially unconstitutional with reference to the Bruen case. Places where CCW is banned are the very places where mass shootings have occurred, theatres, special events, restaurants, etc. This essentially erases the reason why CCW exists to protect yourself and innocent citizens in the wrong place at the wrong time. Mentally ill members of society don't care and aren't going to obey laws. The excessive restrictions for CCW holders are not going to protect the public. Regarding proposed amendments to section 134-2, firearms training every four years is questionable. Where are the metrics? Deleting "NRA certified firearms instructor" and replacing with certification or verification by chief of police is unnecessary. NRA instructor certification is accepted nationwide. It appears the provisions of this bill only opens the door to more litigation, more cost, instead of focusing on the real problem with mental illness and justice.

HB-984-HD-1

Submitted on: 2/23/2023 1:26:57 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Nancy Marker	Individual	Support	Written Testimony Only

Comments:

Dear Finance Committee Chair Yamashita, Vice Chair Kitagawa, and Members of the Committee:

I support HB 984 HD1 that addresses our public health and safety by establishing sensitive areas where firearms cannot be carried by individuals. I support the amendments to add voting centers and public gatherings or events to the list of sensitive areas.

I would respectfully suggest an additional provision for private property owners to have a "default" similar to what is in SB1230 so that firearms shall not be carried on private property without the express authorization of the property owner.

Thank you for your consideration of this bill and the recommended additions.

Sincerely,

Nancy Marker

HB-984-HD-1

Submitted on: 2/23/2023 1:27:56 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Jonathan Hanki	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I respectfully oppose Bill HB984.

Mahalo and have nice day

HB-984-HD-1

Submitted on: 2/23/2023 1:33:54 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Adrian Flack	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose hb984



Feb. 24, 2023

Aloha, Chair Yamashita, Vice Chair Kitagawa, and Committee Members:

My name is Erica Yamauchi, and I live and work in the Kaimukī area. As a gun violence survivor, business owner, mother of two children in public schools, and adjunct faculty member at the University of Hawai'i, **I'm writing today in strong support of House Bill 984.**

I don't want to wonder whether someone is carrying a gun when they come into our family's business, every time I go into a boutique or restaurant on Wai'alae Avenue, or when we take our children to the beach. The idea that concealed guns could be in these places makes me feel less safe in our community.

Our low incidence of gun violence here in the islands hasn't been by accident.

Here in Hawai'i, we had a strong law in place to make sure people weren't carrying firearms in public unless they had a specific need to do so. Our state law used to require that people had to prove they had an "exceptional" reason to fear injury to themselves or their property before they could get a license to carry a gun in public. Because of this state law, we haven't had guns in public places – which means we've had far lower risk of tense situations escalating into gunfire and fewer risks of guns being used for intimidation, or accidentally being fired, in public spaces.

When the Supreme Court struck down a New York law that was like Hawai'i's law, we no longer have that protective measure in place, and unfortunately, we can expect to see more guns in more places very soon.

The Supreme Court's Bruen decision opened up the floodgates for the possibility that more people will be carrying more guns all around Hawai'i. Hawai'i urgently needs to address this risk by passing a new laws that set clear requirements on *who* is, and is not, qualified to carry a gun in public; *how* our county chiefs of police can vet people applying to carry a gun in public; and *where* people who get permits to carry guns in public can and can't bring those guns.

For example, we need to make sure we don't let people carry guns in public if they've had a recent history of violent and/or threatening behavior, or have been recently cited for being reckless with firearms.

We need to require that people carrying guns in public must have been trained on the specific types of issues that come up when carrying a gun outside the home. This should include how to store their guns safely in cars so more stolen guns don't end up on the street, where they can and can't carry their guns, and when they can and can't legally use lethal force in self-defense.

We need to make sure law enforcement has the right information and authority to identify and deny public carry permits to people who pose a heightened public safety risk.

People applying for carry permits should be carefully evaluated based on objective criteria to ensure fairness and uniformity in the process. With more people now eligible to get permits to carry guns in public, we need to set clear boundaries on where they can and can't bring those guns.

Guns don't belong at playgrounds, parks nor schools, but without this bill, anyone who gets a concealed carry permit can currently bring hidden guns into those places.

Furthermore, it's common sense that guns and alcohol should never mix. This bill will make it clear that people carrying guns in public cannot bring their guns to bars or restaurants serving alcohol.

Thank you for the opportunity to testify.

A handwritten signature in cursive script that reads "Erica Yamauchi".

Erica Yamauchi
Statewide Co-Lead, Hawai'i Chapter

HB-984-HD-1

Submitted on: 2/23/2023 1:42:47 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Valerie Smalley	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am a parent and a social worker who has resided in Hawaii for the last 36 years.

I am in support of HB 984 as it provides reasonable statutes which will help Hawaii continue to be a safer, saner place to live and raise our children. This would set up clear permitting requirements before someone is allowed to carry a gun in public and clear boundaries on where someone can and can't bring those guns. Thank you for taking this seriously for all of the residents here in Hawaii.

Valerie Smalley

HB-984-HD-1

Submitted on: 2/23/2023 1:52:51 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Soleil Roache	Hawaii Firearms Coalition & Active Self Protection	Oppose	Remotely Via Zoom

Comments:

Soleil Roache

Active Self Protection

Hawai'i Firearms Coalition

My name is Soleil Roache. I was born and raised here in Hawai'i. I am a wife and mother of 3. I work for Active Self Protection where we educate millions around the world on legal and moral self defense on a daily basis. I am a NRA certified firearms instructor, pepper spray instructor, and a deadly force instructor. I strongly oppose HB984

We all know this bill isn't going to do anything to deter crime. In fact, it will ensure that criminals know exactly where they can carry out crimes where no one will be armed to resist them. It will also place highly unreasonable burden on concealed carriers just trying to navigate their daily life without violating these restrictions and will make them a criminal for crossing an imaginary line. It also violates the Bruen SCOTUS decision which will open the State up for more unnecessary and expensive litigation.

Rather than trying to "protect the public" from lawfully armed private citizens who are not inclined to ever use their firearms for nefarious purposes, educate the public on legal and moral self-defense and allow private citizens to protect themselves and our community wherever crime happens. Disarming or disallowing the good guys from going to "sensitive places" isn't going to prevent crime from happening there. Making good people defenseless won't make bad people harmless. It just makes more victims.

Bad guys get to pick the time and the place they will attack and, unfortunately, private citizens cannot count on the police to protect them. In fact, research shows that, statistically, armed

private citizens are best able to mitigate the loss of innocent life quickly because they are right there when an imminent threat of death, great bodily harm or a forcible felony happens. If they are armed, they don't need to wait for a good guy with a gun (police) to show up. They ARE a good guy with a gun. According to the CDC, there are up to 3 million lawful defensive gun uses by private citizens in the US every year. Those defensive gun uses far outnumber how much guns are used offensively by criminals. Link: [Gun Control Debate: How Many Lives Are Saved By Guns — And Why Don't Gun Controllers Care? | Stock News & Stock Market Analysis - IBD \(investors.com\)](#)

Additionally, according to National Subject Matter Expert Ed Monk of Last Resort Firearms Training, in active killer situations, when an armed private citizen is present and they choose to intervene when an attack begins, we see the victim count in those attacks drop to single digits 89% of the time. That's nearly a 90% success rate, which is far higher than any other strategy that anyone has come up with to stop active killers. Additionally, the faster an active killer is stopped, the sooner first responders can get in there and start rendering aid to victims so that even fewer innocent lives are lost. Link: <https://youtube.com/playlist?list=PLkjkKbdZgxVDIBfIaD6V17K4aLgJw9qNK>

Crime is noticeably increasing in Hawai'i. Personally:

I and two children with me were attacked by a homeless man experiencing a violent psychotic episode

My husband works at the 24 hour fitness at Windward City Shopping Center in Kaneohe where the security guard, Mike Chu, was recently murdered.

My son has been threatened with violence multiple times at his work.

My older sister was attacked and assaulted by a male neighbor while walking her dog.

My younger sister had a break-in by a male drug addict armed with heavy tools.

This bill will disproportionately affect lower income individuals who are more likely to use public transportation. This demographic already tends to be disproportionately affected by violent crime and it is an injustice to disallow them the legal means of justifiable self protection from a deadly threat.

I am happy to answer any questions you have.

Thank you,
Soleil Roache

808-670-9929

soleil@activeselfprotection.com

www.ActiveSelfProtection.com

www.youtube.com/ActiveSelfProtection

www.youtube.com/ActiveSelfProtectionExtra

www.facebook.com/ActiveSelfProtection

Dear Members of the House Finance Committee:

I'm writing to ask you to support **HB 984**. Hawaii's strong gun laws have kept gun violence low, but now that the Supreme Court has forced Hawaii to grant more concealed carry permits, we need you to act.

People should not be eligible to carry a gun if they've had a recent history of violence or threatening behavior, and we need to require that anyone with a permit gets training on how to safely use their gun.

If more people will be allowed to carry guns in Hawaii, we need to have clear rules about where guns are off-limits. Guns don't belong at playgrounds, parks, or schools, but without this bill, anyone who gets a concealed carry permit can bring hidden guns into those places. I don't want to wonder whether someone is carrying a gun every time I go to a restaurant, store, or even my doctor's office. When I take my family to the beach, a park, or playground, I want to feel as safe as I used to, and the idea that concealed guns could be in these places makes me feel less safe.

Please support this bill.

Thank you,

Jennifer McFarland
Kailua, 96734

Dear Members of the House Finance Committee:

I'm writing to ask you to support **HB 984**. Hawaii's strong gun laws have kept gun violence low, but now that the Supreme Court has forced Hawaii to grant more concealed carry permits, we need you to act.

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Please support this bill.

Thank you,

Lori Green
Hilo, 96720

Dear Members of the House Finance Committee:

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Please support this bill.

Thank you,

Dustin Stephens
Honolulu, 96815

Dear Members of the House Finance Committee:

I'm writing to ask you to support **HB 984**. Hawaii's strong gun laws have kept gun violence low, but now that the Supreme Court has forced Hawaii to grant more concealed carry permits, we need you to act.

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Please support this bill.

Thank you,

Janice Lacks
Keaau, 96749

Dear Members of the House Finance Committee:

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Please support this bill.

Thank you,

Buffy Whiteman
Mililani, 96789

Dear Members of the House Finance Committee:

I'm writing to ask you to support **HB 984**. Hawaii's strong gun laws have kept gun violence low, but now that the Supreme Court has forced Hawaii to grant more concealed carry permits, we need you to act.

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Please support this bill.

Thank you,

Michael Delara
Honolulu, 96815

Dear Members of the House Finance Committee:

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Please support this bill.

Thank you,

Jen Magoon
Waikoloa, 96738

Dear Members of the House Finance Committee:

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Please support this bill.

Thank you,

Jay Franzone
Kilauea, 96754

Dear Members of the House Finance Committee:

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Please support this bill.

Thank you,

Clarice Smart
Honolulu, 96819

Dear Members of the House Finance Committee:

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Please support this bill.

Thank you,

Christina Lee
Honolulu, 96817

Dear Members of the House Finance Committee:

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Please support this bill.

Thank you,

Kortnie Cruz
Haiku, 96708

Dear Members of the House Finance Committee:

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Please support this bill.

Thank you,

Kate Keilman
Kailua, 96734

Dear Members of the House Finance Committee:

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Please support this bill.

Thank you,

Amy Craig
Kaneohe, 96744

Dear Members of the House Finance Committee:

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Please support this bill.

Thank you,

April Ching
Honolulu, 96822

Dear Members of the House Finance Committee:

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Please support this bill.

Thank you,

Amy Short
Makawao, 96768

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Please support this bill.

Thank you,

Diane Wernet
Pahoa, 96778

Dear Members of the House Finance Committee:

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Please support this bill.

Thank you,

Joy Vogelgesang
Kailua Kona, 96740

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Please support this bill.

Thank you,

Veronica Echeverria
Ewa Beach, 96706

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Please support this bill.

Thank you,

William Cote
Haiku, 96708

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Please support this bill.

Thank you,

Karen Valasek
Honolulu, 96819

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People should not be eligible to carry a gun if they've had a recent history of violence or threatening behavior, and we need to require that anyone with a permit gets training on how to safely use their gun.

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Please support this bill.

Thank you,

Marissa Baptista
Honolulu, 96818

Dear Members of the House Finance Committee:

I'm writing to ask you to support **HB 984**. Hawaii's strong gun laws have kept gun violence low, but now that the Supreme Court has forced Hawaii to grant more concealed carry permits, we need you to act.

People should not be eligible to carry a gun if they've had a recent history of violence or threatening behavior, and we need to require that anyone with a permit gets training on how to safely use their gun.

If more people will be allowed to carry guns in Hawaii, we need to have clear rules about where guns are off-limits. Guns don't belong at playgrounds, parks, or schools, but without this bill, anyone who gets a concealed carry permit can bring hidden guns into those places. I don't want to wonder whether someone is carrying a gun every time I go to a restaurant, store, or even my doctor's office. When I take my family to the beach, a park, or playground, I want to feel as safe as I used to, and the idea that concealed guns could be in these places makes me feel less safe.

Please support this bill.

Thank you,

Ronessa Yamase
Lihue, 96766

Dear Members of the House Finance Committee:

I'm writing to ask you to support **HB 984**. Hawaii's strong gun laws have kept gun violence low, but now that the Supreme Court has forced Hawaii to grant more concealed carry permits, we need you to act.

People should not be eligible to carry a gun if they've had a recent history of violence or threatening behavior, and we need to require that anyone with a permit gets training on how to safely use their gun.

If more people will be allowed to carry guns in Hawaii, we need to have clear rules about where guns are off-limits. Guns don't belong at playgrounds, parks, or schools, but without this bill, anyone who gets a concealed carry permit can bring hidden guns into those places. I don't want to wonder whether someone is carrying a gun every time I go to a restaurant, store, or even my doctor's office. When I take my family to the beach, a park, or playground, I want to feel as safe as I used to, and the idea that concealed guns could be in these places makes me feel less safe.

Please support this bill.

Thank you,

Nita Tomaszewski
Pahoa, 96778

Dear Members of the House Finance Committee:

I'm writing to ask you to support **HB 984**. Hawaii's strong gun laws have kept gun violence low, but now that the Supreme Court has forced Hawaii to grant more concealed carry permits, we need you to act.

People should not be eligible to carry a gun if they've had a recent history of violence or threatening behavior, and we need to require that anyone with a permit gets training on how to safely use their gun.

If more people will be allowed to carry guns in Hawaii, we need to have clear rules about where guns are off-limits. Guns don't belong at playgrounds, parks, or schools, but without this bill, anyone who gets a concealed carry permit can bring hidden guns into those places. I don't want to wonder whether someone is carrying a gun every time I go to a restaurant, store, or even my doctor's office. When I take my family to the beach, a park, or playground, I want to feel as safe as I used to, and the idea that concealed guns could be in these places makes me feel less safe.

Please support this bill.

Thank you,

Phillip Pollman
Honolulu, 96815

Dear Members of the House Finance Committee:

I'm writing to ask you to support **HB 984**. Hawaii's strong gun laws have kept gun violence low, but now that the Supreme Court has forced Hawaii to grant more concealed carry permits, we need you to act.

People should not be eligible to carry a gun if they've had a recent history of violence or threatening behavior, and we need to require that anyone with a permit gets training on how to safely use their gun.

If more people will be allowed to carry guns in Hawaii, we need to have clear rules about where guns are off-limits. Guns don't belong at playgrounds, parks, or schools, but without this bill, anyone who gets a concealed carry permit can bring hidden guns into those places. I don't want to wonder whether someone is carrying a gun every time I go to a restaurant, store, or even my doctor's office. When I take my family to the beach, a park, or playground, I want to feel as safe as I used to, and the idea that concealed guns could be in these places makes me feel less safe.

Please support this bill.

Thank you,

Ryan Berg
Wailuku, 96793

Dear Members of the House Finance Committee:

I'm writing to ask you to support **HB 984**. Hawaii's strong gun laws have kept gun violence low, but now that the Supreme Court has forced Hawaii to grant more concealed carry permits, we need you to act.

People should not be eligible to carry a gun if they've had a recent history of violence or threatening behavior, and we need to require that anyone with a permit gets training on how to safely use their gun.

If more people will be allowed to carry guns in Hawaii, we need to have clear rules about where guns are off-limits. Guns don't belong at playgrounds, parks, or schools, but without this bill, anyone who gets a concealed carry permit can bring hidden guns into those places. I don't want to wonder whether someone is carrying a gun every time I go to a restaurant, store, or even my doctor's office. When I take my family to the beach, a park, or playground, I want to feel as safe as I used to, and the idea that concealed guns could be in these places makes me feel less safe.

Please support this bill.

Thank you,

Heather Cutts
Honolulu, 96825

Dear Members of the House Finance Committee:

I'm writing to ask you to support **HB 984**. Hawaii's strong gun laws have kept gun violence low, but now that the Supreme Court has forced Hawaii to grant more concealed carry permits, we need you to act.

People should not be eligible to carry a gun if they've had a recent history of violence or threatening behavior, and we need to require that anyone with a permit gets training on how to safely use their gun.

If more people will be allowed to carry guns in Hawaii, we need to have clear rules about where guns are off-limits. Guns don't belong at playgrounds, parks, or schools, but without this bill, anyone who gets a concealed carry permit can bring hidden guns into those places. I don't want to wonder whether someone is carrying a gun every time I go to a restaurant, store, or even my doctor's office. When I take my family to the beach, a park, or playground, I want to feel as safe as I used to, and the idea that concealed guns could be in these places makes me feel less safe.

Please support this bill.

Thank you,

Abby Santos
Hanapepe, 96716

Dear Members of the House Finance Committee:

I'm writing to ask you to support **HB 984**. Hawaii's strong gun laws have kept gun violence low, but now that the Supreme Court has forced Hawaii to grant more concealed carry permits, we need you to act.

People should not be eligible to carry a gun if they've had a recent history of violence or threatening behavior, and we need to require that anyone with a permit gets training on how to safely use their gun.

If more people will be allowed to carry guns in Hawaii, we need to have clear rules about where guns are off-limits. Guns don't belong at playgrounds, parks, or schools, but without this bill, anyone who gets a concealed carry permit can bring hidden guns into those places. I don't want to wonder whether someone is carrying a gun every time I go to a restaurant, store, or even my doctor's office. When I take my family to the beach, a park, or playground, I want to feel as safe as I used to, and the idea that concealed guns could be in these places makes me feel less safe.

Please support this bill.

Thank you,

Jess Ellis
Kamuela, 96743

Dear Members of the House Finance Committee:

I'm writing to ask you to support **HB 984**. Hawaii's strong gun laws have kept gun violence low, but now that the Supreme Court has forced Hawaii to grant more concealed carry permits, we need you to act.

People should not be eligible to carry a gun if they've had a recent history of violence or threatening behavior, and we need to require that anyone with a permit gets training on how to safely use their gun.

If more people will be allowed to carry guns in Hawaii, we need to have clear rules about where guns are off-limits. Guns don't belong at playgrounds, parks, or schools, but without this bill, anyone who gets a concealed carry permit can bring hidden guns into those places. I don't want to wonder whether someone is carrying a gun every time I go to a restaurant, store, or even my doctor's office. When I take my family to the beach, a park, or playground, I want to feel as safe as I used to, and the idea that concealed guns could be in these places makes me feel less safe.

Please support this bill.

Thank you,

Lindsey Dugas
Honolulu, 96815

HB-984-HD-1

Submitted on: 2/23/2023 2:01:28 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Daniel Ing	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this legislation as it violates my constitutional 2nd amendment right.

HB-984-HD-1

Submitted on: 2/23/2023 2:04:18 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Kristen snowdon	Individual	Support	Written Testimony Only

Comments:

Hi,

my name is Kristen snowdon and I am the mother to three kids under the age of five and live in Kapolei. I am writing to show my strong support for a YES vote on this bill as Hawaii's strong gun laws have been proven to keep myself and my children safe. We need clear specifications for permits regarding where they can be brought. If there are no such specifications my family is no longer as safe. Firearms should not be allowed in sensitive areas.

thank you for reading this,

sincerely,

Kristen Snowdon

HB-984-HD-1

Submitted on: 2/23/2023 2:13:53 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
David Soon	Individual	Oppose	Written Testimony Only

Comments:

I am not a lawyer or politician, but common sense tells me that the restrictions imposed by this piece of legislation is not going to deter criminals from committing crimes. All this does is to discourage law-abiding citizens from having the means to defend themselves from increasingly desperate and violent criminals.

HB-984-HD-1

Submitted on: 2/23/2023 2:13:55 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Carolyn Pearl	Individual	Support	Written Testimony Only

Comments:

My name is Carolyn Pearl and I strongly support the passage of HB 984. I moved to Hawaii well over thirty years ago, and I've always felt safe here. But now the knowledge that no matter where I go anyone around me could be armed (and that person may be having a really bad day) makes it hard for me to feel anything but threatened. I don't want to be caught in the crossfire.

Common sense tells us that stronger gun laws should result in fewer gun-related deaths, and that instinct is consistently validated by actual experience across the country. As a result of Hawaii's common sense gun laws, we have had one of the lowest rates of gun deaths in the USA. Hawaii has had a strong law in place to make sure that people weren't carrying firearms in public unless they had a specific need to do so. Because of this state law, we've had fewer risks of tense situations escalating into gunfire and fewer risks of guns being used for intimidation, or accidentally being fired, in public spaces.

The Supreme Court's recent Bruen decision has removed that safeguard and more people will now be more likely to be carrying guns anywhere we go. The gun lobby would like you to believe that more guns everywhere somehow makes us more secure. Experience in other jurisdictions throughout the rest of the country indicates that we are actually at greater risk of harm.

Hawaii needs clear boundaries on where people can and can't bring firearms. We also need strong, common sense standards to assure that these armed citizens are trained and competent in the safe handling and storage of their weapons. There's nothing wrong with being well regulated.

Please continue to safeguard the safety and wellbeing of our families and communities by passing HB 984.

HB-984-HD-1

Submitted on: 2/23/2023 2:15:27 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Aurelia Gellert	Individual	Oppose	Written Testimony Only

Comments:

We the people have the right to bare arms to care for ourselves and our families no matter where we are. No one has the right to take the away from us especially our government who says they are for the people. If you are, then show it by keeping our freedom to bare arms alive.

HB-984-HD-1

Submitted on: 2/23/2023 2:17:42 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Craig Kashiwai	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill because it infringes on my Constitutional rights. Criminals do not obey laws. Lawful gun owners are not criminals.

HB-984-HD-1

Submitted on: 2/23/2023 2:18:58 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Lois Langham	Individual	Support	Written Testimony Only

Comments:

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, HB984 addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

There is, however, one additional provision that would enhance the list of sensitive places. It involves private property not open to the public. I support the "default" provision that is currently included in SB1230 that provides that firearms shall not be carried on private property without the express authorization of the owner.

HB-984-HD-1

Submitted on: 2/23/2023 2:20:23 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Brendorcha Keliikipi	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB984.

HB-984-HD-1

Submitted on: 2/23/2023 2:20:56 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
William Lono	Individual	Oppose	Written Testimony Only

Comments:

I am in *opposition* of bill **HB984**. This bill is an *overreach*. All this bill is doing is restricting your law-abiding citizens from exercising their 2nd Amendment right. When will you understand that **criminals** will *never* obey any law you try to pass and that you're making your citizens easy targets to get robbed/assaulted so forth.

HB-984-HD-1

Submitted on: 2/23/2023 2:27:41 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Judith White	Individual	Support	Written Testimony Only

Comments:

Strong gun sense laws are essential to keeping Hawaii one of the safest states in the nation.
please pass this piece of legislation!

Judith C. White, Psy. D.
mother, Tutu, psychologist

Kapaa

HB-984-HD-1

Submitted on: 2/23/2023 2:29:34 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
JY	Individual	Oppose	Written Testimony Only

Comments:

Any new law or bill that is proposed needs to make sure that it does not infringe on the rights and freedoms of law abiding citizens.

There are numerous examples of state and federal courts that have upheld the lawful use of concealed carry weapons (CCW).

Our state and police department already have a fantastic system in place requiring training, background checks, as well as medical checks to make sure that our law-abiding citizens can legally own firearms and CCW.

The challenge today isn't our law abiding firearm owners, the challenge is taking the "guns" away from the criminals.

There is no plan that will reduce the number of illegal firearms (guns) out of the hands of criminals. So if you're not taking the firearms away from the criminals, then why are you trying to take firearms away from law abiding citizens who have legally obtained their permits to own firearms.

I believe that negative focus is being placed on law abiding citizens who have done nothing wrong, but yet law abiding citizens are being made to feel like criminals. These laws and bills are unfair and will do nothing to curb crimes and bad individual's with bad intentions from committing these crimes.

I ask that you oppose this bill and refocus your time and attention on the individuals who are actually doing something wrong or illegal.

Sincerely,

Jason Y

HB-984-HD-1

Submitted on: 2/23/2023 2:31:57 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
D Y	Individual	Oppose	Written Testimony Only

Comments:

Sirs and Madams,

Reaching out to you to oppose HB984 HD1. Uphold the Constitution you swore by and leave the Rights of the people alone. Leave the privacy of the People alone. Rights you didn't give and not yours to take away. Oppose HB 984 HD1

HB-984-HD-1

Submitted on: 2/23/2023 2:34:38 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Alan Miller	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. This is another ill-advised "sensitive places" bill that is restricting the constitutional rights of law abiding CCW carrier citizens, while doing nothing to stop actual criminals.

This bill would expand sensitive places, and make more gun free zones where mass shooters and criminals can be confident that law abiding citizens are not carrying there. Also the requirements to obtain a permit to acquire and CCW permit are far too broad and subjective. This bill is also very similar to current legislation in NY and NJ which is being challenged and will likely lose in Court based on the Supreme Court Bruen ruling. By passing a law like this, Hawaii would be opening itself up to being sued and losing in court also.

The only good parts are 134-9 that allows the ccw permit to be valid in the entire state rather than just the county, and that the ccw permits would be good for 4 years. It would be nice if we could vote the current bill down, but introduce a new bill with those 2 items only.

HB-984-HD-1

Submitted on: 2/23/2023 2:36:19 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Ashley Alaelua	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose!

HB-984-HD-1

Submitted on: 2/23/2023 2:37:21 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Trevor Bowman	Individual	Oppose	Written Testimony Only

Comments:

I oppose. Another violation of my rights as a citizen.

To: Hawaii State House Committee on Finance

Hearing Date/Time: Tuesday, February 24, 2023, 3:30pm

Place: Hawaii State Capitol, CR 308 & Videoconference

Re: Judith Ann Armstrong is in strong support of HB 984 which would set up clear permitting requirements before someone is allowed to carry a gun in public.

Dear Members of the Finance Committee,

I, Judith Ann Armstrong, am in strong support of HB 984 Relating to Firearms.

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, HB984 addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

There is, however, one additional provision that would enhance the list of sensitive places. It involves private property that is not open to the public. I support the "default" provision that is currently included in SB1230 that provides that firearms shall not be carried on private property without the express authorization of the owner.

Thank you for this opportunity to testify in support of HB984.

Sincerely,

Judith Ann Armstrong

HB-984-HD-1

Submitted on: 2/23/2023 2:41:59 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Marlee Kamakaala-Miller	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill. This bill is far too broad and would restrict my ability to practice my 2nd amendment constitutional right that was clearly outlined in the US SCOTUS Bruen decision.

I would like to obtain a CCW permit to protect myself and children while outside of my home, as part of my everyday life. But this current is far too restrictive with all the subjective requirements and far too broad interpretation of sensitive places (that essentially restricts CCW almost everywhere).

HB-984-HD-1

Submitted on: 2/23/2023 2:47:22 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Janie Bryan	Individual	Support	Written Testimony Only

Comments:

IN REGARD TO HB 984

FEBRUARY 23, 2023

Aloha,

My name is Janie Bryan and I have been a resident of Hawaii since 1988 and of Oahu since 2003. As a mother and retired speech-language specialist, I have enjoyed living in a state where concealed carry was not allowed, especially with the amount of gun violence noted in other states and it seems to be more on the rise even here in our home state. It is an epidemic actually in our nation.

I am reaching out to you, our legislators, in SUPPORT of HB 984 relating to the concealed carry permits and “sensitive places” where guns will not be allowed.

This is our first time out the gate so to speak on concealed carry so setting boundaries such as these at this point is a prudent way to go forward.

We need this bill to be sure that those who do receive a permit for concealed carry have been fully and completely vetted and that clear boundaries are set as to where they can and can’t bring their fire arm.

Of course, in my mind, it goes without saying that alcohol and guns do not mix! So yes, ALL establishments where alcohol is sold including concert venues and all theaters, including outdoor venues as well.

We need specific places designated where we do not have to have this in our thoughts as we go out to drop kids off at school, enjoy a park, attend a music venue or art exhibit. We as a people need this reassurance that if there will be concealed carry, we need places we can be and not have to think about hidden guns in the row behind us for example.

Strict guidelines regarding storage of the weapon, training on safety measures when handling a firearm anywhere (should be more than how to load, unload a gun safely) , and anyone applying for these permits should be carefully evaluated to ensure public safety and our peace of mind if we have to have this at all.

Please vote IN SUPPORT of this bill to give peace of mind to our residents going about their day as more people are permitted to conceal weapons in public, we will at least have set boundaries for where they can and can't be and who and who will not be able to be permitted.

Thanks for reading my testimony in SUPPORT of HB 984!

Mahalo, Janie Bryan

HB-984-HD-1

Submitted on: 2/23/2023 2:49:18 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Martha Kiyabu	Individual	Oppose	Written Testimony Only

Comments:

To Committee Members:

I am strongly opposed to HB984 as written. It is unconstitutional as written and has been challenged and overturned in other states. Please vote no to this bill to avoid future litigation and cost to Hawaii's tax payers. Thank you for you time and consideration.

Sincerely,

Martha Kiyabu

HB-984-HD-1

Submitted on: 2/23/2023 2:53:31 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Salvatore S. Lanzilotti	Individual	Support	Written Testimony Only

Comments:

Dear House Members:

I support HB984, especially the default position concerning access to private property, the restriction on public places, such as beaches, schools, government offices, etc., the protection for domestic violence victims and the provisions that protect first responders, as well as the restrictions on who can obtain a permit and license, how they must behave if they are permitted and licensed and the penalties for not abiding by the provisions in the Bill.

May I submit for your consideration that allowing a gun to be left unattended in the trunk of a vehicle, even if in a locked box, does not reduce necessarily the possibility of the gun being stolen unless the box is somehow attached to the automobile so that a thief could not simply identify it as a gun-box and walk off with it. I would prefer that the bill include a restriction on leaving an unattended gun in a vehicle.

Thank you for addressing the issue of guns being allowed in the public for no other reason than a person wanting to carry a gun to feel safe, i.e., a matter of the psychology of the individual as opposed to prevalent existing conditions in the objective environment. Over the last 38 years I have never felt so unsafe living in Hawai'i that I needed to carry a gun; Hawai'i is not that kind of place. I believe allowing guns to be carried for self-defense purposes is a very dangerous precedent, but I understand that the people on the Supreme Court have the authority to change the interpretation of our laws based on their own political and religious beliefs rather than on what is best for our community. Under the circumstances, please know that you will be doing a great service to Hawai'i by passing this legislation.

Sincerely

Salvatore S. Lanzilotti, EdD

Former Director of Emergency Services for the City and County of Honolulu, former Chairperson of the Honolulu Metropolitan Medical Response System, former Director of the Department of Community and Social Services (C&C Honolulu), former Co-founder and Board member of the Honolulu Men's March Against Violence.

slanzilotti@gmail.com

HB-984-HD-1

Submitted on: 2/23/2023 2:59:26 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Tracy	Individual	Oppose	Written Testimony Only

Comments:

Any restrictions on my 2 amendment right is illegal and an act of treason. You swore an oath to protect my rights. I strongly oppose this bill and any legislation infringing on my rights.

HB-984-HD-1

Submitted on: 2/23/2023 3:04:02 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Ryan Willis	Individual	Oppose	Written Testimony Only

Comments:

Strongly OPPOSE HB984.

This type of “sensitive place” prohibition has already been ruled unconstitutional in U.S. District Court for the Northern District of New York by Judge Suddaby in Antonyuk v. Nigrelli. Examples of "sensitive place" destination not keeping criminals from doing criminal activity. Times Square is determined a “sensitive place” by the state of New York. They have had a stabbing at an arcade in MAY2022, Stabbing during New Year’s Eve festivities on 31DEC2022 with heightened police presence, and just a deadly shooting on 10FEB2023.

Locally, 13FEB2023, HONOLULU (KHON2) – “There have been more than 700 crime incidents reported to Honolulu Police (HPD) within the past seven days.” Clearly HPD is not equipped to protect everyone at the same time and as ruled by the Supreme Court police departments have no duty to protect the public and only enforce laws, we need to have to option to protect ourselves.

Would we ever think about this type of prohibitions in respect to any other right of The People? Are the people’s rights limited in “sensitive places” when it comes to freedom of religion, speech, press, assembly as protected by the First amendment? Schools have been a federal “sensitive place” since 1994, criminals target these places because they are a soft target and low to no resistance. Criminals will continue to do criminal acts, while law abiding citizens must abide the law.

HB-984-HD-1

Submitted on: 2/23/2023 3:04:36 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Kanoe Willis	Individual	Oppose	Written Testimony Only

Comments:

Strongly OPPOSE HB984.

This type of “sensitive place” prohibition has already been ruled unconstitutional in U.S. District Court for the Northern District of New York by Judge Suddaby in Antonyuk v. Nigrelli. Examples of "sensitive place" destination not keeping criminals from doing criminal activity. Times Square is determined a “sensitive place” by the state of New York. They have had a stabbing at an arcade in MAY2022, Stabbing during New Year’s Eve festivities on 31DEC2022 with heightened police presence, and just a deadly shooting on 10FEB2023.

Locally, 13FEB2023, HONOLULU (KHON2) – “There have been more than 700 crime incidents reported to Honolulu Police (HPD) within the past seven days.” Clearly HPD is not equipped to protect everyone at the same time and as ruled by the Supreme Court police departments have no duty to protect the public and only enforce laws, we need to have to option to protect ourselves.

Would we ever think about this type of prohibitions in respect to any other right of The People? Are the people’s rights limited in “sensitive places” when it comes to freedom of religion, speech, press, assembly as protected by the First amendment? Schools have been a federal “sensitive place” since 1994, criminals target these places because they are a soft target and low to no resistance. Criminals will continue to do criminal acts, while law abiding citizens must abide the law.

HB-984-HD-1

Submitted on: 2/23/2023 3:07:24 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Szuyin Leow	Individual	Support	Written Testimony Only

Comments:

As a mother, I support this bill because when I bring my daughter to the beach, park, library, doctors office, school, etc. I don't want to have to be worried about her safety due to the presence of a concealed firearm.

As a friend of survivors of a mass shooting, I support this bill because we need to ensure that people with a history of violent behavior aren't able to carry guns in public, and that people who do carry guns in public know how to properly and securely store their guns to avoid stolen guns ending up in the wrong hands.

City and County of Honolulu
City Council

Finance Committee
NOTICE OF HEARING

DATE: February 24, 2023
TIME: 3:30 PM
PLACE: Conference Room

Strong Support for HB984

Aloha, and good afternoon. My name is Colette Browne, and I am Professor Emerita from the Thompson School of Social Work and Public Health at the University of Hawai`i- Manoa. I serve as a gubernatorial appointee to the State Policy Advisory Board for Elderly Affairs, but this testimony in strong support of Bill HB984 is my own.

It is a frightening fact that there are now more guns in this nation than people. Every week there are multiple mass shootings. Regardless of whether the causes are mental health, easy access to guns or a combination of both, we cannot just “hope” that mass shootings will not happen here. With these facts in mind, I urge your support of this important bill. It will take a first and modest step toward promoting safe places for all of our residents, especially our children. How can we do less? What are we waiting for?

Mahalo and thank you for this opportunity to testify.

Colette V. Browne

cbrowne@hawaii.edu

2/23/2023

HB-984-HD-1

Submitted on: 2/23/2023 3:08:15 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Bonnie Tokita	Individual	Support	Written Testimony Only

Comments:

I support HB984 HD1.

I OPPOSE HB984.

I oppose the vast majority of changes written into HB984 as they are unconstitutional, restrict places where licensed people may carry a handgun, and has burdensome requirements and restrictions to Concealed Carry Weapons(CCW) licenses and Permit to Acquire Firearms. This bill appears to be created out of fear and panic, rather than facts and research, and does not have the text, history, and tradition evidence present as required by the US Supreme Court.

There are some good aspects to this bill such as providing a four year statewide license(up from one year by county), an improved mental health definition of a dangerous person, allowing storage of firearms in cars, and bringing the law up to date from prior legal action such as restoring Samoan nationals and permanent residents their right to possess firearms. However I am opposed to the bill as a whole.

The US Supreme Court 2A Standard

The US Supreme Court ruled in NYSRPA v Bruen last June that the Government has the burden of showing the text, history and tradition supports the firearm restriction, or in other words that similar laws were generally in place in the states around the time of the US Constitution ratification in 1791. There are no historical analogues provided with this bill and they should be researched and provided prior to voting on this bill.

In the post-Bruen lawsuits, New York's Antonyuk v Bruen, which is similar to HB984, the Federal district judge granted an injunction due to the historical laws provided were not relevant, not near the time of ratification, applied to territories and not states, or affected a very small population such as a small town. New Jersey's law was stopped due to not providing any precedent with the judge stating that the historical evidence should have been researched prior to the law passing.

The US Supreme Court did provide references to firearms restrictions in sensitive places: government buildings, courthouses, legislative assemblies, polling places, and school buildings. If you restrict firearms in these places, please ensure exceptions are provided for employees, parents picking up children from school, college students living in dorms, and private schools.

Financial Aspects:

- Cost of the carry permits is too high at \$150, an unreasonable number for the practice of an individual constitutional right and for people struggling to survive in Hawaii. The cost should be absorbed by the tax payers as many of the requirements in this bill are unwanted by firearms owners.
- The added training requirements (every four years vs once) is an added burden on firearm owners. A class would cost approximately \$250 or more. The current system works and the additional class requirements are not necessary.

- The added requirements will burden the police department plagued by manpower shortages.. The Honolulu Police Department has issued 30 CCW permits within the past two months, which is very slow progress when future estimates predict 15,000 people will apply for their permits. Added requirements will force the police department to pull patrol officers off the streets to process applications.

Significant issues I oppose in this bill include:

- Banning firearms possession for minor crimes, examples of such are a push or shove under harassment and registering firearms late. These crimes should not be done, but they are not uncommon does not justify revoking a person's civil rights and confiscating their firearms.
- Setting by default a carry ban on all private property open to the public which is considered a 1st amendment violation as compelled speech.
- The use of essential character and temperament standard to deny firearms possession and carry, which can be vague and subjective compared to using indictments and convictions.
- Requiring firearm training every 4 years for a permit to acquire firearms, removing the Hunter Education course option for handgun training. The current requirement for firearm safety training has worked for the past 30 years, so there is no need to change it.

I'm available for any questions.

Mahalo

Todd Yukutake
PH. (808) 255-3066
Email: todd@hifico.org

References

New Jersey Koons v Reynolds opinion: <https://law.justia.com/cases/federal/district-courts/new-jersey/njdce/1:2022cv07464/506033/34/>

Page 19: “That Defendants dedicate a significant portion of their argument discussing the benefits of the firearms regulations and not evidence of historical analogues is quite telling. And although Defendants represent that the “State will offer ample evidence that Chapter 131 is constitutional,” [State’s Br. at 2], they do not adequately explain why—if such evidence was critical to the passage of the legislation that would pass constitutional muster post-Bruen and available to the Legislature as set forth in Section 1(g) of the statute—they have not introduced such evidence here. Certainly, Defendants anticipated challenges to the legislation and should have been better prepared to defend the legislation’s constitutionality. Plaintiffs implore this Court to consider the only reasonable conclusion from Defendants’ posturing: their dragging of feet is evidence that no such historical tradition and evidence exists. Perhaps. At this juncture, there is no bona fide basis for this Court to withhold its ruling because the State says it needs more time to come forward with historical evidence that the Legislature represented it had at the time of the law’s passage. The Court will therefore proceed to consider the evidence and argument the parties have presented.”

New York Antonyuk (GOA) v Bruen decision: <https://michellawyers.com/wp-content/uploads/2022/09/2022-08-31-Decision-Order-on-MPI.pdf>

Page 71: “Although Defendant cites some historical analogs for restricting firearms at some of the above-listed locations, he often ignores the fact that vast majority of the other states (of which there were 14 in 1791 and 37 in 1868) did not have statutes restricting firearms at those very locations (suggesting that Defendant’s “historical analogs” might represent exceptions to a tradition more than a tradition), and that some of the states even had contrary statutes (for example, statutes regarding carrying in places of worship and educational institutions). In any event, and more importantly, he does not cite any historical analogs for restricting firearms at all of the above-listed locations. IN short, the CCIA’s list of “sensitive locations” is not deeply rooted in the Nation’s historical tradition of firearm regulation.

US Supreme Court statement: https://www.supremecourt.gov/opinions/22pdf/22a557_0pm1.pdf

“I understand the Court’s denial today to reflect respect for the Second Circuit’s procedures in managing its own docket, rather than expressing any view on the merits of the case. Applicants should not be deterred by today’s order from again seeking relief if the Second Circuit does not, within a reasonable time, provide an explanation for its stay order or expedite consideration of the appeal”

HB-984-HD-1

Submitted on: 2/23/2023 3:12:07 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
davin asato	Individual	Oppose	Written Testimony Only

Comments:

To Whom It May Concern,

I am writing to encourage the opposition of HB984. The original bill was already highly invasive of privacy, personal and medical information and too broad. Now to include manatatory sentacing, disclosures and to include not just the parking lot of a building, but also the adjacent lots puts law abiding citizens who have already gone through training, background checks, fingerprinting and photographing to now, not being able to go basically anywhere while operating within the law to protect themselves. There are cases going befor Supreme courts now that are shutting down these bills and this will too should it pass. Please spare the citizens of Hawai'i their time, money and energy, be lawful yourselves as representatives, and operate within your bounds. Oppose HB984 in its entirety.

Please oppose HB984.

Thank you,

Davin Asato

HB-984-HD-1

Submitted on: 2/23/2023 3:13:00 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Ashley de Coligny	Individual	Support	Written Testimony Only

Comments:

Aloha, I am writing in strong support of this bill. Please keep the safety of our keiki, our communities, and our beloved public spaces in the highest priority, and support common sense gun safety in Hawaii.

HB-984-HD-1

Submitted on: 2/23/2023 3:14:57 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Bradly Baker	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill as it further extends gun-free zones. There will be basically nowhere left to carry but the sidewalk.

HB-984-HD-1

Submitted on: 2/23/2023 3:31:55 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Benel Piros	Individual	Oppose	Written Testimony Only

Comments:

Oppose to Law Abiding Citizens are being affected more than criminals. Criminals DO NOT FOLLOW THE LAW.

HB-984-HD-1

Submitted on: 2/23/2023 3:34:10 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Kristine Wallerius Chung	Individual	Support	Written Testimony Only

Comments:

Dear Chair and Committee Members of the House Committee on Finance,

This is to register my strong support of HB984. I am a senior citizen and do not wish to fear that I may be the victim of gun violence in public places or in certain private places.

It is extremely important to use your legislative power to protect the citizens of Hawaii from the threat of gun violence. Please put in place this common sense legislation to properly regulate those who wish to carry guns in public.

Mahalo for your careful consideration of the simple safeguards that you can support with HB984.

Respectfully,

Kristine Chung

HB-984-HD-1

Submitted on: 2/23/2023 3:34:37 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Kyle Miyahana	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB 984 RELATING TO FIREARMS as it denies me of my constitutional rights under the second amendment “ *the right of the people to keep and bear Arms, shall not be infringed.*”

HB-984-HD-1

Submitted on: 2/23/2023 4:05:36 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Karen L Worthington	Individual	Support	Written Testimony Only

Comments:

2/23/2023

House Committee on Finance

Hearing date 2/24/2023 at 3:30pm for HB984 HD1 Relating to Firearms

Testimony IN SUPPORT of HB984

Dear Chair Yamashita, Vice Chair Kitagawa, and Committee members,

I am writing to ask you to pass HB984 HD1 to protect Hawai'i families by ensuring that Hawaii has clear laws and requirements relating to owning and carrying a firearm. I speak as a parent and the daughter of an Army combat veteran who was a firearms coach and competitor. I believe that carrying a firearm in a public place is a privilege, and if not carried out legally and responsibly, has the potential to result in unintentional harm to others. The carrying of firearms in public places instills fear in many people and the rights of those people to be free from emotional and physical harm should be protected. I ask that the legislature pass HB984 to provide clear guidance regarding where, when, how, and by whom firearms may be carried in Hawai'i. Please ensure that owners of firearms have clear guidance regarding their rights and obligations by passing this bill.

Sincerely,

Karen Worthington, Kula, Hawaii, 96790

HB-984-HD-1

Submitted on: 2/23/2023 4:46:50 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Simanu brown	Individual	Oppose	Written Testimony Only

Comments:

Oppose

HB-984-HD-1

Submitted on: 2/23/2023 4:54:33 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Gabriel Kekauoha	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

HB-984-HD-1

Submitted on: 2/23/2023 5:18:14 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Samuel Webb	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill, because I should not have to request permission, from every business on Island, for something that is Concealed.

HB-984-HD-1

Submitted on: 2/23/2023 5:29:22 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Chad Cummings	Individual	Oppose	Written Testimony Only

Comments:

Just more infringements on our God given Constitutionally protected rights. All this is doing is trying to make it so you can't carry anywhere... trying to make criminals out of law abiding citizens who have every right to "keep and bare arms". Yet criminals are out there with weapons robbing and stabbing and shooting people. How are we supposed to protect ourselves and family?

These bills are just a bunch of infringements period. Our Hawai State Constitutional Provisions states, The Hawaii State Constitution DIRECTLY copies the 2nd Amendment to the U.S. Constitution. "A well regulated militia being necessary to the security of a free state, the RIGHT OF THE PEOPLE TO KEEP AND BARE ARMS SHALL NOT BE INFRINGED." Article I, Section 17

How does these Bills being proposed directly copies the 2nd Amendment? Shall not be infringed?

HB-984-HD-1

Submitted on: 2/23/2023 5:39:40 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

The law Violates the 2nd Amendment and you can be charged and Proscuted for this Violation. the 2nd Amendment is the Law of the Land there is nothing Higher. The 2nd Amendment can not be Infringed Apon!!!!

HB-984-HD-1

Submitted on: 2/23/2023 5:47:15 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Ryan Arakawa	Individual	Oppose	Written Testimony Only

Comments:

Many areas being restricted is unconstitutional - you fools know this. Wasting our tax dollars again

HB-984-HD-1

Submitted on: 2/23/2023 5:48:42 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Benjamin Rowe	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My Name is Benjamin Rowe

I am opposed to HB984 as it is written. The bill in it's majority is only punitive to law abiding citizens who choose to exercise the second amendment rights. It is also a Governmental overreach in its current state and it goes against recent Supreme Court Ruling in New York which has strong implications to the laws that are currently being drafted. Passing this HB as it is written will likely be challenged in court and will not hold up in County or State Laws. Attempting to pass laws that are going to be upheld is a wasted effort on law makers part.

Hawaii already has some of the most strict rules and requirements to legally obtain a gun Adding to those requirements and requiring additional training, additional qualifications (more strict than HPD and other law enforcement branches) None of the current proposed laws are not well thought out and should be shelved until they can be vetted to uphold the current laws.

I do understand the apprehension to the concealed carry however that apprehension cannot be used to violate constitutional amendments.

I have consistently requested law makers to get a first hand look at what goes on at the Kokohead shooting complex. You all will find out that the people you are trying to stop from carrying firearms are your :

Neighbors, friends, attorneys , doctors, Sports Coaches, Uncles, Aunties, Grandparents , Nurses. The target of your laws are only delivering negative consequences to Law abiding citizens.

I urge you to explore the situation better and not try to race the clock on things that challenge Supreme court rulings and the overall safety of the people of the State of Hawaii.

With all respect and appreciation for all that you folks are trying to do as law Makers

Ben Rowe

HB-984-HD-1

Submitted on: 2/23/2023 5:50:26 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
MaryAnn Omerod	Individual	Support	Written Testimony Only

Comments:

I strongly support HB984!

HB-984-HD-1

Submitted on: 2/23/2023 6:38:16 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
David Sykes	Individual	Oppose	In Person

Comments:

I oppose hb984. More than 90% of mass shootings happen in these so called “sensitive places” or “gun free zones”. Evil doers want an unfair advantage over their victims. This is why they use firearms to do harm in the first place. Making “sensitive places” where law abiding citizens can’t defend themselves is not only unconstitutional, but it’s also giving the evil doers the unfair advantage that they desperately seek. I’m not entirely opposed to “gun free zones”. I think places like the courthouse, where there’s metal detectors at the entrance and armed law enforcement officers present is okay to make a “gun free zone” because there’s active enforcement of such rules. This means the evil doers and law abiding citizens are on a level playing field. Evil doers are much less likely to do evil if they don’t have that unfair advantage that they want. I’m not entirely opposed to banning alcohol consumption while carrying a firearm. I can understand the safety concerns behind this one. What is troubling about this is how law enforcement officers were caught shooting people in public, while intoxicated, off duty, while carrying their firearm to a bar that they’re drinking at. Google “Anson Kimura” for details on this. It’s troubling that there was no push back then to ban the combination of alcohol and firearms. However, now that that the Supreme Court has ruled that law abiding citizens have the right to carry, all of a sudden there’s all this energy to ban such things? Interesting... I honestly think that immediately notifying a police officer that a firearm is present can complicate a situation that could have been uncomplicated. Perhaps we can reword that portion to say that “A person must declare a firearm if a law enforcement officer asks”. This will ensure that our law enforcement officers will lead the conversation and not be interrupted by someone that feels urgently to disclose such information immediately. I oppose renewal every 2 years. I think that we could go with the national standard of 5 year renewal, or go with the majority of the rest of our nation and just go with permitless carry. I understand asking for permitless carry is asking much. Every five years is adequate.

HB-984-HD-1

Submitted on: 2/23/2023 6:39:09 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Glenn	Individual	Oppose	Written Testimony Only

Comments:

To our elected leaders and representatives,

I'm gonna focus my testimony to what I see as one of th biggest problems with this bill

More work needs to be done to narrow the scope of the so called sensitive places where firearms can be prohibited.

Please remember that the standard that was issued by the Supreme Court is that law needs to be supported by Text, History and Tradition. The first thing that needs to happen is to determine whether something is relevant according to the text of the 2nd Amendment Clearly it is related because if affects our ability as law abiding citizens to carry our firearms in public. Then if it is found to be at odds with the the Bill of Rights and the constitution, the burden shifts to the State/County to provide speciific historical analogues which supports their ability to enact said law.

Again, according to NYSRPA v Bruen the allowable places that may be considered are as follllows:

- 1) Court houses and prisons (this is already the case and rightfully so)
- 2) Government buildings where laws are made (not and indiscriminate ban in all government buildings)
- 3) Polling places
- 4) and Schools but only to restrict students, not to include faculty, staff or other lawfully permitted adults

Anything outside of this does not meet the state/county's requirement to provide historical analogues from the founding period of the Bill of Rights and the US Constitution which is 1791 up until the early 1800's when the 14th Amendement was ratified. These historical analogues are similar laws that were enacted during that time period. If not applicable historical analogues are found then the bill will be considered unconstitutional. You will not find any analogues that can be applied to this case. If you do the research, you will find that all restrictive gun laws where to prohibit unlawful or dangerous peouple. You will also find that many of the earliest gun laws

were meant to restrict freed black slaves from owning guns for their protection. I don't think you want to go back in town and support racism in Hawaii right?

If you look at other similar laws across the nation and subsequent court cases in other jurisdictions you will see that they are being enjoined. The same thing will happen here if you try to push this bill through.

HB984 goes far beyond this framework. More stringent work needs to be done in order for this bill in order to meet the constitutional avoidance rule in which any law cannot violate our constitutional rights as law abiding citizens of the United States and the State of Hawaii.

I am appalled that any of our law makers would purposely push something through that will be a violation of our constitutional rights.

If you are proposing to include all those other public places in the "gun free zone" category what are you going to do to ensure that the public will not face any threat from someone who will target those places for the very reason that they are gun free zones. Are you gonna put metal detectors and extra armed security in all the malls and public parks? Are you going to put metal detectors and armed security in all of our public schools? What about of the public transit system, you gonna have an armed security officer on every bus and at every bus stop or terminal? Do you see the foolishness of pushing this bill through

Any places you allow to be a "gun free zone" will be a target for mass shooters or other criminals and terrorists. You will in fact put the public at more risk.

If public safety is the concern, focus your efforts on restricting those who are doing the crimes. More strict curbing of "no bail" reforms for one. There are unfortunately countless recent examples of violent criminals who were released that immediately committed murder or other violent crimes.

Like it or not the 2nd Amendment and *NYSRPA v Bruen* framework for interpreting our rights is heard to state. Let's focus the attention on creating a safe environment for all people in Hawaii by supporting things like gun safety and education programs, especially in our schools. How about better access to mental health and support systems to help people who are in crisis instead of criminalizing such folks as gun owners and infringing upon their rights. How about state sponsored gun safety programs to help gun owners more safely operate their firearms in public places.

People fear what they don't understand. Let's do these types of things to educate and inform the public so as to alleviate their fears and put them at ease.

Remember the law abiding gun owner is not the enemy. They are normal everyday folks who want the same thing as everyone a safer Hawaii for our families, kids and greater community. We are not the enemy but could be an asset and help contribute to the safety of all people in Hawaii

Thank you for hearing us

Glenn

HB-984-HD-1

Submitted on: 2/23/2023 6:43:06 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Timothy Soderholm	Individual	Oppose	Written Testimony Only

Comments:

Strongly oppose. Proposed restrictions effectively destroy the right to bear arms, and will undoubtedly be found unconstitutional.

HB-984-HD-1

Submitted on: 2/23/2023 7:07:30 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Lekeli Watanabe	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB984 HD1. Crimes can happen anywhere. Prohibiting certain locations and prohibiting carrying a firearm on my person limits my ability to protect myself and my loved ones. It's no doubt that there has been an increase in violent crime. This bill denies my ability to arm myself for self-protection. We have a human right to self-defense because no one can know when and where a violent crime can occur. Crimes happen quickly and does not always allow law enforcement to arrive just as quick.

HB-984-HD-1

Submitted on: 2/23/2023 7:26:36 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Lekeli Watanabe	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB984 HD1. There has been an increase in violent crimes everywhere. This bill prohibits me from protecting myself and my loved ones. I've witnessed violent crimes happening right in front of me and when I called law enforcement as a bystanding citizen, I've seen these same criminals flee and get away with the damage they have caused. In addition, this bill is confusing. Some areas can carry, some can't. What if I am in an area that I can cancel and carry and then have to go to another location where it is prohibited? Where am I supposed to leave my firearm if this is the case? I urge that you oppose this bill because of the very fact that crime against innocent people who cannot protect themselves is on the rise. Give us the opportunity for self-protection.

HB-984-HD-1

Submitted on: 2/23/2023 7:31:40 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Iric Viscarra	Individual	Oppose	Written Testimony Only

Comments:

I opposed HB 984.I believe that every law abiding citizens have right to choose if they want to carry a concealed firearm for their personal protection and there love ones.thank you!

HB-984-HD-1

Submitted on: 2/23/2023 7:45:16 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
adam ruderman	Individual	Support	Written Testimony Only

Comments:

I am a school teacher. Last week at our school--as has become required at all schools--we did an active shooter drill. I am always taken aback during these exercises that we have come to this point, that we don't see it anymore as outside the realm of possibility that someone from our own community would try to harm child at school with a firearm. What strikes me as especially alarming is what is going through the minds of our students during these drills, as they silently sit on the floor, advised to get out of the line-of-sight of any windows through which a would-be assailant might target them. How can their imaginations not run wild? And not in a good way. I remember growing up in the '80s at the height of the Cold War doing nuclear bomb attack drills at school. I remember ducking under my desk and wondering how the nuclear fallout was going to miss me in such a vulnerable position. And--most tellingly--I remember getting awakened at the age of 12 in the middle of the night by a particularly loud and rumbly thunder strike during a rainstorm and thinking (literally, I thought this), "Well, this is it...that MUST have been a nuclear bomb. I wonder how long it will be until the blast wave sweeps over the hill and gets me?". There are way, way too many guns in our country. There is way, way too much awareness of guns in our kids' minds. And there is just no way--no way--we need our kids seeing guns in town, guns at restaurants, guns at the supermarket. Please lead the way and pass this sensible piece of legislation.

HB-984-HD-1

Submitted on: 2/23/2023 9:28:51 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Trisha Kehaulani Watson	Individual	Support	Written Testimony Only

Comments:

Please support this measure and help keep Hawaii safe.

HB-984-HD-1

Submitted on: 2/23/2023 9:52:06 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary Lu Kelley	Individual	Support	Written Testimony Only

Comments:

Aloha.

I support [HB984](#), which would set up clear permitting requirements before someone is allowed to carry a gun in public and clear boundaries on where someone can and can't bring those guns.

Please pass this bill.

Aloha.

Mary Lu Kelley

Lawai, Kauai

HB-984-HD-1

Submitted on: 2/23/2023 10:14:42 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Kevin Kacatin	Individual	Oppose	Written Testimony Only

Comments:

I am in absolute opposition to this measure. It would be irresponsible if the finance committee voted to advance a measure that WILL bring legal challenges in which the State of Hawaii will ultimately lose thus costing taxpayers in the long run. The House Finance Committee should be well-aware that Senator Glenn Wakai opted to DEFER a very similar measure in the Senate. Senate Bill SB882 was ultimately deferred and Senator Wakai commented on the record stating SB882 is a "solution to a problem that doesn't exist in Hawaii" with regards to its over-bearing proposals. Proposals echoed and taken to the extreme in HB984 HD1.

HB-984-HD-1

Submitted on: 2/23/2023 10:15:40 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Beth Anderson	Individual	Support	Written Testimony Only

Comments:

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, HB984 addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

There is, however, one additional provision that would enhance the list of sensitive places. It involves private property not open to the public. I support the "default" provision that is currently included in SB1230 that provides that firearms shall not be carried on private property without the express authorization of the owner.

Please support HB 984 and keep Hawaii safe.

Mahalo.

HB-984-HD-1

Submitted on: 2/23/2023 10:29:24 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
C. Kai Lucas	Individual	Support	Written Testimony Only

Comments:

Dear Chair Yamashita, Vice Chair Kitagawa, and Committee Memebers.

The impact of the Bruen decision on the safety of Hawaii's residents and visitors is enormous. HB984 ensures that the licensing procedure for concealed guns screens individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried which is comprehensive enough to protect the safety of Hawaii's residents and visitors.

I support the "default" provision that is currently included in SB1230 that provides that firearms shall not be carried on private property without the express authorization of the owner.

Respectfully,

Kai Lucas

HB-984-HD-1

Submitted on: 2/23/2023 10:49:55 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Barbara Shimei	Indivisible Hawaii	Support	Written Testimony Only

Comments:

IN SUPPORT

Indivisible Hawaii supports HB984 HD1.

HB-984-HD-1

Submitted on: 2/24/2023 12:39:31 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Kevin Chow	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. Violates 2nd amendment rights.

HB-984-HD-1

Submitted on: 2/24/2023 12:56:05 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Marcella Alohalani Boido	Individual	Support	Written Testimony Only

Comments:

To All:

Thank you for hearing HB 984. It has my **strong support**.

Having reviewed all the testimony in favor, and some against. I think that many others have already made convincing arguments for this bill.

For the safety, sanity, health, and good order of our community, Hawaii needs HB 984.

Please pass HB 984.

Thank you.

Marcella Alohalani Boido, M.A.

Hawaii State Judiciary Certified Soanish Court Interpreter (Tier 4)

Moili'ili, Honolulu, Hawai'i 96826

HB-984-HD-1

Submitted on: 2/24/2023 6:27:56 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Faith Marie Harding	Individual	Support	Written Testimony Only

Comments:

Aloha. I am testifying today in support of SB 1230. We, as people of this nation, the state of Hawaii and the county of Kauai have so much to be concerned about. Whether it's Coco Palms, traffic, housing, food costs, sovereignty issues, or voting rights, for me, there is nothing more important than the mass shootings that have continued to plague this nation. Since the reversal of the ban on assault weapons in 2004, the mass shootings in this country have risen to epic proportions. In Jan 2023 alone, we've had nearly 40 mass shootings. In June 2022, the Supreme Court of the United States issued a 6-3 decision in *New York State Rifle & Pistol Association v Bruen* that expanded the right of Americans to bear arms as guaranteed by the Second Amendment of the U.S. Constitution. This decision is over the oral arguments from November 2021 about the 100-year-old New York state handgun licensing law requiring individuals to show proper cause before they can be licensed to carry a concealed weapon in public. The plaintiffs argued that the law violates the Second Amendment in which the Supreme Court agreed. Hawaii has been the beacon leader in gun sense laws. We have some of the strongest for over 120 yrs and the lowest rate of gun deaths in the nation. Among many of its life-saving laws, the state has a law that requires gun purchasers to obtain a license and complete a firearm safety course. <https://www.everytown.org/state/hawaii/> The Supreme Court has never before held that the second amendment protects an individual's right to carry firearms outside of the home, let alone in crowded city streets. We, as the general public, have now been thrown into a quagmire. This is over the "sensitive areas" question in which conceal carry weapons are not allowed. There is no legislation from the Federal government, nor the state of HI yet. The Supreme Court has left it to the local governments to create this legislation which is causing much confusion. Now is not the time to throw out life-saving gun laws. Both the pandemic and increased gun sales have been linked to more gun deaths. Meanwhile, frequent mass shootings continue to devastate the country., the threats posed by violent extremism and domestic terrorism are growing, and gun violence in cities are spiking! Now is the worse time to deprive communities of their tools to protect all of us from gun violence. I am a survivor of gun violence. Do the right thing. Set clear boundaries where guns can/cannot be carried. Guns don't belong at schools, parks, playgrounds, movies, theatres, public spaces. Guns and alcohol should never mix so not at restaurants or bars. Make it clear with this bill. Also anyone that is a threat to the public or to an individual such as a domestic violence offender should not be allowed this permit to carry. We implore you those of us that have had gun violence in our lives to please do the prudent and reasonable action. Mahalo for your attention to this extremely important matter.

HB-984-HD-1

Submitted on: 2/24/2023 6:29:11 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Deedra Sielken	Individual	Oppose	Written Testimony Only

Comments:

I'm writing to oppose this bill for the following reasons . The sensitive spaces listed is an over reach and does not match the Supreme Courts requirements of historical presendence. The cost of the new requirements to acquire a firearm permit as well as a conseal carry license will have a negative affect low income households due to cost.

HB-984-HD-1

Submitted on: 2/24/2023 7:17:37 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Robert Marks	Individual	Support	Written Testimony Only

Comments:

Chair and members - this is a good bill, but please add a provision that prohibits carrying firearms on private property without the property owners express consent. Thank you.

HB-984-HD-1

Submitted on: 2/24/2023 7:44:46 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Nicole Apoliona, M.D.	Individual	Oppose	Written Testimony Only

Comments:

As a physician knowledgeable about the gun violence problem in our country and the policies that reduce gun violence I support rational and clear guidelines about where and when a firearm can be carried in public. The right of the public to feel safe from gun violence must not be forgotten. This basic right is primary even though it is not spelled out in the constitution. Thank you for your consideration,

Nicole Apoliona MD

HB-984-HD-1

Submitted on: 2/24/2023 8:05:16 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Dirck Sielken	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I strongly oppose House Bill HB984 as written. There shouldn't be more restrictions for law abiding citizens to possess and or conceal carry the firearms they own. Sentences 10-13 really speak volumes on the direction the bill should be. They list the sensitive spaces that have historical precedence. The Second Amendment has "the right of the people to keep and bear Arms, shall not be infringed. Everything else added for sensitive spaces is an infringement of our Constitutional Rights and it makes it near impossible for a law-abiding citizen to legally carry their conceal carry firearm. The sensitive spaces listed in this bill have already been done in other states like New York and have been found to be unconstitutional. The additional sensitive spaces listed in this bill should be removed. Why would you pass a bill into law when you swore an oath to support and defend the Constitution of the United States.

OATH OF OFFICE

Section 4. All eligible public officers, before entering upon the duties of their respective offices, shall take and subscribe to the following oath or affirmation: "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." As used in this section, "eligible public officers" means the governor, the lieutenant governor, the members of both houses of the legislature, the members of the board of education, the members of the national guard, State or county employees who possess police powers, district court judges, and all those whose appointment requires the consent of the senate. [Ren and am Const Con 1978 and election Nov 7, 1978; am SB 1440 (1992) and election Nov 3, 1992]

For the "License to conceal carry", the license should be one and one only. This one license should be for any and all handguns and revolvers that the licensee has that are registered and it should cover the ENTIRE STATE as all other licenses do in other applications in our state. I have only one drivers license, however I have several vehicles, the state does not require me to have a driver's license for each vehicle. All counties should have the same process for conceal carry requirements, so as to not cause confusion to each counties law enforcement as well as the public

Please also consider the cost and the frequency of the requirement for the permit to acquire and the conceal carry requirements. You must view this from lower income levels. Will this deny them a constitutional right because they cannot afford it?

Thank you,

Dirck Sielken

HB-984-HD-1

Submitted on: 2/24/2023 8:55:52 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Michele Nihipali	Individual	Support	Written Testimony Only

Comments:

HB 984 HD1 would set up clear permitting requirements before someone is allowed to carry a gun in public and clear boundaries on where someone can and can't bring those guns. This is only common sense in todays gun violence climate. There are too many needless gun violence deaths in our country. There must be boundries on who can openly carry a gun and where they can carry it. The lives of all our Ohana and Keikis rest with common sense gun regulations.

Please support HB984 HD1

Thank you for your consideration,

Michele Nihipali

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HB-984-HD-1

Submitted on: 2/24/2023 9:50:50 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Jennifer Armstrong	Individual	Support	Written Testimony Only

Comments:

Aloha - growing up in Hawaii I was never fearful of guns. Why? Because I was never exposed to it, never saw people carrying it in public, and never understood why people felt the need to own a gun. Guns for law enforcement, military, that all makes sense. But the recent infatuation and attention on guns due to the Supreme Court ruling and horrific mass shootings in our country, unfortunately brings this topic of guns to our shores in Hawaii. Why are we changing what wasn't broken? If it's up to the states, let's continue to keep Hawaii safe and make the necessary laws to ensure we maintain one of the lowest gun deaths in the country! As a mother of 3 keiki now, I take pride in raising my ohana here because Hawaii is unique in our belief that we take care of each other in our community. If we have the power as a state to maintain a sense of safety, let's do the right thing and pass HB984! Gun culture and adoration is an unfortunate value of America. But it doesn't have to be one we value in Hawaii.

HB-984-HD-1

Submitted on: 2/24/2023 9:53:41 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Carolyn Lee	Individual	Support	Written Testimony Only

Comments:

I have grave concerns about the impact of the Bruen decision on the safety of Hawaii's residents and visitors. Among other important provisions which I strongly support, HB984 addresses two areas of major concern about how our residents and visitors can remain safe. It ensures that the licensing procedure for concealed guns weeds out individuals who would be a threat to others or themselves. It also sets forth a list of sensitive places where firearms cannot be carried that is comprehensive enough to protect the safety of Hawaii's residents and visitors.

There is, however, one additional provision that would enhance the list of sensitive places. It involves private property not open to the public. I support the "default" provision that is currently included in SB1230 that provides that firearms shall not be carried on private property without the express authorization of the owner

HB-984-HD-1

Submitted on: 2/24/2023 10:49:45 AM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Samuel Peck	Individual	Support	Remotely Via Zoom

Comments:

Firearms are dangerous, and it is important that we take steps to limit the federal ruling of Bruen V. NYRPA. Hawaii has long enjoyed some of the lowest gun violence rates across the country, and it is imperative that we keep it that way.

HB-984-HD-1

Submitted on: 2/24/2023 12:05:23 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Kelvin N Asahina, DDS	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB984 which is ignoring SCOTUS's Bruen ruling from last year that affirmed law abiding citizens the right to carry. As always, criminals will disobey any new law you create and you will only be hurting law abiding citizens. I assume the State/tax payers will also have to foot the bill when law suits arise should this HB984 pass.

HB-984-HD-1

Submitted on: 2/24/2023 12:56:30 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Matthew Akiona	Individual	Oppose	Written Testimony Only

Comments:

I am writing in opposition of HB 984. I believe this bill Violates the constitution 2nd amendment rights.

- A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.
- also it goes against, The Supreme Court in the 2022 case New York State Rifle & Pistol Association v. Bruen.

HB-984-HD-1

Submitted on: 2/24/2023 2:14:34 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Xavier Baker	Individual	Oppose	Written Testimony Only

Comments:

Infringement on the peoples rights

HB-984-HD-1

Submitted on: 2/24/2023 2:17:34 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Lyle HIromoto	Individual	Oppose	Written Testimony Only

Comments:

To whom it may concern,

i oppose this bill because crime can happen anywhere and by the time the police arrive, the victim could have been seriously injured or killed.

Thank you.

HB-984-HD-1

Submitted on: 2/24/2023 2:20:17 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Balisacan	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill as I believe it directly goes against the Constitution of the United States. I came here at 3 years of age and became a US Citizen when I was old enough to make a choice on citizenship. Upon becoming a US Citizen it was my privelege to declare an oath to protect and uphold the Constitution of the United States. The highest court in the nation has upheld our 2nd ammendment rights to own bare arms and yet this bill defies that ruling. I have been a "responsible gun owner" for over 22 years. Although everyone has their own opinion about the topic those that choose to exercise their 2nd ammendment right should not be "infringed upon". To my elected officials please vote NO to this bill!

HB-984-HD-1

Submitted on: 2/24/2023 2:26:16 PM

Testimony for FIN on 2/24/2023 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Terry Donaghy	Individual	Oppose	Written Testimony Only

Comments:

HB 984 is UNconstitutional, we should be able to protect ourselves our family and property.