



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-SECOND LEGISLATURE, 2024**

ON THE FOLLOWING MEASURE:

H.B. NO. 2351, H.D. 1, RELATING TO FIREARMS REPORTING.

BEFORE THE:

SENATE COMMITTEE ON PUBLIC SAFETY AND INTERGOVERNMENTAL AND
MILITARY AFFAIRS

DATE: Friday, March 15, 2024

TIME: 3:03 p.m.

LOCATION: State Capitol, Room 225 and Videoconference

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Valerie Mariano, Acting Administrator, Crime Prevention and
Justice Assistance Division

Chair Wakai and Members of the Committee:

The Department of the Attorney General (Department) strongly supports this bill and offers the following comments.

This bill amends section 134-9.6, Hawaii Revised Statutes (HRS), relating to annual reporting requirements on licenses to carry firearms concealed. The bill, among other things, deletes the reporting of demographic information of conceal carry license applicants including age, gender, and race; the reasons for revocation and denial; the analysis of denials based upon an applicants' failure to meet standards; recommendations to remedy any disparities in denial rates by age, gender, or race; and the number of violations of section 134-9.1, HRS.

To comply with the current statute, a statewide database would be needed to manage and maintain records related to the conceal carry application, review, and revocation process. The data needed for the annual report under the current statute must be collected at different points in the process—for example, when the application is submitted; when the application is subsequently granted, denied, or vacated; and, if applicable, when it is revoked during the four-year license duration. Because there are no resources to create a statewide database, the current statute creates an overly burdensome data-collection requirement for the county police, and an unattainable sixty-day deadline for the Department to vet the data submitted by the county police for

completeness and accuracy and to publish a report. Without a statewide database, the county police would need to manually enter the data collected twice, initially for their respective county police department purposes and a second time for submittal to the Department.

In addition to the problems associated with collecting the data, the Department does not have the resources to review case-specific narrative information to provide the analysis required under section 134-9.6 (a)(3), HRS. Under the current statute, the Department will be unable to provide an annual report with data that is vetted and complete.

The amendments in the bill will give county police departments more time to provide reportable data without time-consuming analysis of case-level records and will give the Department sufficient time to complete the annual report with its existing resources. An additional advantage to the amendments in the bill is that deleting some of the demographic information from the data to be reported will allow the report to provide data without attaching any unintended stigma to a particular age, gender, or racial group.

The bill also extends the date that the county police departments provide the data to the Attorney General from February 1 to March 31 of each year for the prior calendar year, allowing the county police departments additional time to provide the data to the Department.

Further, the bill deletes the reporting regarding the number of violations of section 134-9.1, HRS, Carrying or Possessing a Firearm in Certain Locations and Premises Prohibited. The report of these violations may require analysis of case-level records because violations of this section may be embedded in the narrative section of the police report. The analysis of case-level records will be overly time-consuming and place additional time and resource constraints on county police departments to complete the report.

We respectfully ask your Committee to change the defective effective date back to the original effective date of "upon its approval" and pass this bill. Thank you for the opportunity to provide testimony.

HB-2351-HD-1

Submitted on: 3/13/2024 3:35:25 PM

Testimony for PSM on 3/15/2024 3:03:00 PM

Submitted By	Organization	Testifier Position	Testify
Andrew Crossland	Individual	Oppose	Written Testimony Only

Comments:

I **oppose** this Bill and I urge all committee members to **VOTE NO**.

HB-2351-HD-1

Submitted on: 3/13/2024 5:17:29 PM

Testimony for PSM on 3/15/2024 3:03:00 PM

Submitted By	Organization	Testifier Position	Testify
Andy ozie	Individual	Oppose	Written Testimony Only

Comments:

I oppose this due to privacy reasons. Let the law abiding citizens be free.

HB-2351-HD-1

Submitted on: 3/13/2024 5:23:02 PM

Testimony for PSM on 3/15/2024 3:03:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Moylan	Individual	Oppose	Written Testimony Only

Comments:

I, Michael Moylan, oppose Bill HB2351 HD1.

HB-2351-HD-1

Submitted on: 3/13/2024 5:26:02 PM

Testimony for PSM on 3/15/2024 3:03:00 PM

Submitted By	Organization	Testifier Position	Testify
April Handog	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

HB-2351-HD-1

Submitted on: 3/13/2024 5:27:36 PM

Testimony for PSM on 3/15/2024 3:03:00 PM

Submitted By	Organization	Testifier Position	Testify
Robin D. Ganitano	Individual	Oppose	Written Testimony Only

Comments:

Unconstitutional and infringing on We the People of Hawaii's 2nd Amendment rights.

HB-2351-HD-1

Submitted on: 3/13/2024 5:45:03 PM

Testimony for PSM on 3/15/2024 3:03:00 PM

Submitted By	Organization	Testifier Position	Testify
Kaiulani Bowers	Individual	Oppose	Written Testimony Only

Comments:

I oppose this Bill due to privacy issues

HB-2351-HD-1

Submitted on: 3/13/2024 5:53:48 PM

Testimony for PSM on 3/15/2024 3:03:00 PM

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

Comments:

Strongly oppose

HB-2351-HD-1

Submitted on: 3/13/2024 6:34:41 PM

Testimony for PSM on 3/15/2024 3:03:00 PM

Submitted By	Organization	Testifier Position	Testify
Elmer Domingo	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill.

HB-2351-HD-1

Submitted on: 3/13/2024 7:31:37 PM

Testimony for PSM on 3/15/2024 3:03:00 PM

Submitted By	Organization	Testifier Position	Testify
Lesha Mathes	Individual	Oppose	Written Testimony Only

Comments:

This bill is an invasion of privacy for starters. Plus no one needs all the criminals to be able to look and see who they can try to steal a gun from. If you want to accomplish something good how about when criminals are arrested making sure they stay in jail. Now that would be productive. Instead of harassing law abiding citizens.

HB-2351-HD-1

Submitted on: 3/13/2024 7:50:30 PM

Testimony for PSM on 3/15/2024 3:03:00 PM

Submitted By	Organization	Testifier Position	Testify
James R Cabodol Jr	Individual	Oppose	Written Testimony Only

Comments:

OPPOSE,OPPOSE,OPPOSE

HB-2351-HD-1

Submitted on: 3/13/2024 8:23:59 PM

Testimony for PSM on 3/15/2024 3:03:00 PM

Submitted By	Organization	Testifier Position	Testify
Alice Abellanida	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. It is a clear violation of privacy rights and more tyrannical government control.
Vote no on this bill.

HB-2351-HD-1

Submitted on: 3/14/2024 5:05:07 AM

Testimony for PSM on 3/15/2024 3:03:00 PM

Submitted By	Organization	Testifier Position	Testify
james wallace	Individual	Oppose	In Person

Comments:

I oppose HB2351. We dont need department of attorney general to infringe on us law abiding citizens.

HB-2351-HD-1

Submitted on: 3/14/2024 7:09:00 AM

Testimony for PSM on 3/15/2024 3:03:00 PM

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

Comments:

morning,

My name is Sean J DeMello and i am opposing this bill because i see no reason other than a chilling effect for law abiding citizens wanting to obtain a CCW license to publish private records like this.

Thank you.

HB-2351-HD-1

Submitted on: 3/14/2024 8:12:50 AM

Testimony for PSM on 3/15/2024 3:03:00 PM

Submitted By	Organization	Testifier Position	Testify
Thaddea H Pitts	Individual	Oppose	Written Testimony Only

Comments:

This feels like overregulation. You already have documentation of concealed carry permits through the application process. Why would you need more work for the government? Let's use this tax money for the people of Lahaina that have lost so much.

HB-2351-HD-1

Submitted on: 3/14/2024 11:25:06 AM

Testimony for PSM on 3/15/2024 3:03:00 PM

Submitted By	Organization	Testifier Position	Testify
ANDREA DEMELLO	Individual	Oppose	Written Testimony Only

Comments:

My name is Andrea DeMello. I am a tax paying Hawaii resident. I STRONGLY OPPOSE this bill. Mahalo

HB-2351-HD-1

Submitted on: 3/14/2024 11:47:41 AM

Testimony for PSM on 3/15/2024 3:03:00 PM

Submitted By	Organization	Testifier Position	Testify
Jeanine Acopan	Individual	Oppose	Written Testimony Only

Comments:

Oppose!!!

HB-2351-HD-1

Submitted on: 3/14/2024 11:54:03 AM

Testimony for PSM on 3/15/2024 3:03:00 PM

Submitted By	Organization	Testifier Position	Testify
James K. Rzonca	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

HB-2351-HD-1

Submitted on: 3/14/2024 1:30:22 PM

Testimony for PSM on 3/15/2024 3:03:00 PM

Submitted By	Organization	Testifier Position	Testify
KELVIN AWAYA	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB2351 HD1.

HB-2351-HD-1

Submitted on: 3/14/2024 1:59:17 PM

Testimony for PSM on 3/15/2024 3:03:00 PM

Submitted By	Organization	Testifier Position	Testify
CHESTER LUM	Individual	Oppose	Written Testimony Only

Comments:

Thank you for allowing me to submit testimony opposing this bill.

HB2351 should be withdrawn.

Once again, thank you for allowing me to submit testimony opposing this bill.

Chester Lum

HB-2351-HD-1

Submitted on: 3/14/2024 2:23:47 PM

Testimony for PSM on 3/15/2024 3:03:00 PM

Submitted By	Organization	Testifier Position	Testify
Charlene Lum	Individual	Oppose	Written Testimony Only

Comments:

I oppose, as I believe publishing a list would only cause people to judge people and make assumptions about their reasons for registering. An opportunity for due process should be given (for any offenses) before being on a public listing.

HB-2351-HD-1

Submitted on: 3/14/2024 3:01:37 PM

Testimony for PSM on 3/15/2024 3:03:00 PM



Submitted By	Organization	Testifier Position	Testify
Wendy	Individual	Oppose	Written Testimony Only

Comments:

The Constitution is "The LAW of the Land! "

This bill is in direct violation of the Second Amendment of the United States Constitution!

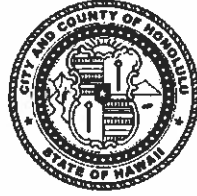
Mayberry VS. Madison (1803) decision concluded, "a law repugnant to the Constitution is void, and courts, as well as other departments are bound by that instrument."

POLICE DEPARTMENT
KA 'OIHANA MĀKA'I O HONOLULU
CITY AND COUNTY OF HONOLULU

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LATE

RICK BLANGIARDI
MAYOR
MEIA



ARTHUR J. LOGAN
CHIEF
KAHU MĀKA'I

KEITH K. HORIKAWA
RADE K. VANIC
DEPUTY CHIEFS
HOPE LUNA NUI MĀKA'I

OUR REFERENCE CL-DNK

March 15, 2024

The Honorable Glenn Wakai, Chair
and Members
Committee on Public Safety and
Intergovernmental and Military Affairs
State Senate
415 South Beretania Street, Room 225
Honolulu, Hawaii 96813

Dear Chair Wakai and Members:

SUBJECT: House Bill No. 2351, H.D. 1, Relating to Firearms Reporting

I am Carlene Lau, Acting Major of the Records and Identification Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports House Bill No. 2351, H.D. 1, Relating to Firearms Reporting.

The HPD supports the language changes to the annual mandatory report submitted to the Department of the Attorney General, State of Hawaii. The changes provide a clear method for license to carry data collection across all counties in the state.

The HPD urges you to support House Bill No. 2351, H.D. 1, Relating to Firearms Reporting. Thank you for the opportunity to testify.

APPROVED:

Sincerely,

Arthur J. Logan

Arthur J. Logan
Chief of Police

Carlene Lau

Carlene Lau, Acting Major
Records and Identification Division

HB-2351-HD-1

Submitted on: 3/15/2024 2:40:48 PM

Testimony for PSM on 3/15/2024 3:03:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Scott Kidd	Individual	Support	Written Testimony Only

Comments:

I 100% support this measure. As a firearms instructor for 11yrs, the accountability and responsibility of gun owners has continued to be eroded in favor of a false equivalence of inalienable rights. Common sense gun laws and accountability are needed.