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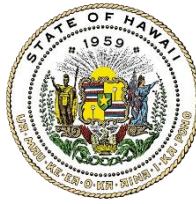
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**January 31, 2026**

**SB 2575: RELATING TO FIREARMS**

**Chair Carol Fukunaga, Vice Chair Chris Lee and Members of the Committee on Public Safety and Military Affairs**

The Office of the Public Defender (OPD) **respectfully opposes SB 2575** which seeks to amend Hawai'i Revised Statutes (HRS), Chapter 706: Disposition of Convicted Defendants, by adding a new section which would make a conviction of the proposed amendments to HRS sections 134-7 and 134-9.4 subject to a mandatory sentence of twenty (20) years without the possibility of parole. Furthermore, in conjunction with the proposed amendment cited above, SB 2575 would amend HRS section 134-7 (prohibited ownership, possession or control of firearms) to make it now a class A felony for a respondent to a restraining order or gun violence protective order to possess a firearm legally or illegally, or any person with a felony conviction that possesses a firearm. Lastly, SB 2575 seeks to amend HRS section 134.9.4 by adding a subsection (5) which would make it a class A felony offense to possess methamphetamine in any amount while carrying a firearm, and to amend subsection (c)(1) to make it a class A felony to be under the influence of a controlled substance while possessing a firearm. It should be noted here that the term possession is not specifically defined within the statute, and thus it is possible that a person in "constructive possession" (other than actual physical possession) could be prosecuted as well.

The result of these changes are simple: If one violates HRS 134-7 (f), or 134-7 (b) and has a felony conviction, or 134-9.4 (5) or (c)(1)(2) as proposed, one shall be sentenced to twenty years (20) of jail without the possibility of parole. While the OPD understands the purpose of such a strong change to the current law, we feel that it does not consider the ramifications of such changes.

First, these changes will result in more litigation. Anyone charged under these proposed sections would have no choice but to take these cases to jury trial, as there is no room for negotiations. This will add a financial and resource burden upon the current legal system: courts, prosecutors, public defenders, court appointed counsel and Dept. of Public Safety personnel will all be affected and will result in the need for added financial resources to be allocated to these participants in the system.

Second, there will be an added costs to the Dept. of Public Safety, Corrections and Rehabilitation division to house anyone convicted of these offenses for twenty-years which cannot be vacated or amended by the Hawaii Paroling Authority. It has been estimated that the cost of housing one individual for a year in a penal institution in Hawaii is approximately \$112,000.

Third, these proposed changes strip the trial court of any discretion it would have in sentencing individual defendants so charged. The OPD understands the hope that such strict penalties will have a deterrent effect upon the community. However, it is our experience that trial judges with broad discretion in sentencing are best able to mete out sentences most appropriate to the case at hand, instead of laws that remove discretion and do not take into consideration the mitigating and aggravating factors of each case.

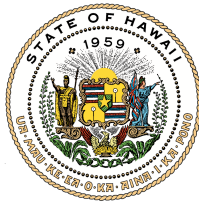
Under current statutory law, defendants that violate HRS sections 134-7 and 134-9.4 are already subject to jail terms if deemed appropriate by the court. Sentencing schemes under HRS sections 706-660.1 (Sentence of Imprisonment for use of a firearm, semiautomatic firearm or automatic firearm in a felony), 706-661 (Extended terms of imprisonment) and 706-606.5 (sentencing of repeat offenders) already allow for mandatory prison terms for use of a firearm in the commission of a felony, and for lengthy and mandatory jail terms when considered appropriate by the court. Furthermore, upon proper findings, the court can sentence defendants to consecutive jail terms for those convicted of multiple offenses, which many times results in very lengthy jail terms.

In conclusion, the OPD understands and respects the legislature's right to promulgate laws that are necessary for the betterment of the public. However, in this instance we feel that the proposed changes to the law in SB2575 would be detrimental to the current justice system, and that current law is adequate for the proper adjudication of criminal defendants so situated.

Thank you for the ability to comment on this measure.



**JOSH GREEN, M.D.**  
GOVERNOR  
KE KIA'ĀINA



**MIKE LAMBERT**  
Director

**ERNEST J. ROBELLO**  
Deputy Director  
Administration

**SYLVIA LUKE**  
LT GOVERNOR  
KA HOPE KIA'ĀINA

STATE OF HAWAII | KA MOKU'ĀINA O HAWAII  
**DEPARTMENT OF LAW ENFORCEMENT**  
*Ka 'Oihana Ho'okō Kānāwai*  
715 South King Street  
Honolulu, Hawaii 96813

**JARED K. REDULLA**  
Deputy Director  
Law Enforcement

**TESTIMONY ON SENATE BILL 2575**  
**RELATING TO FIREARMS**  
Before the Senate Committee on  
**PUBLIC SAFETY AND MILITARY AFFAIRS**  
Monday, February 2, 2026, 3:00 PM

State Capitol Conference Room 016 & Videoconference  
Testifier: Mike Lambert

Chair Fukunaga, Vice Chair Lee, and members of the Committee:

The Department of Law Enforcement (DLE) supports Senate Bill 2575. This bill establishes mandatory minimum terms of imprisonment for certain class A felonies involving firearms. Additionally, it increases penalties from class B felonies to class A felonies for individuals who possess firearms or ammunition while being prosecuted for or convicted of various serious offenses. The bill also elevates several firearm-related misdemeanors to class A felonies, including possession of firearms by individuals under court restraining orders and carrying firearms while under the influence of controlled substances. Furthermore, it establishes possession of methamphetamine while carrying a firearm as a class A felony.

The DLE supports these enhanced penalties as they directly address the serious public safety concerns associated with firearms in the hands of individuals who pose a heightened risk to our communities. By imposing mandatory minimum sentences for certain firearms offenses and elevating the classification of other firearms violations, this bill sends a clear message that firearm misuse, especially by those already involved in

the criminal justice system or under court orders, will be met with serious consequences.

The combination of firearms and controlled substances, particularly methamphetamine, presents an exceptionally dangerous threat to public safety. This legislation appropriately recognizes this danger by establishing the most severe felony classification for such offenses. These proposed changes will provide law enforcement with stronger tools to combat gun violence and protect our communities, while also serving as a powerful deterrent to those who might otherwise illegally possess or misuse firearms.

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

JOSH GREEN, M.D.  
GOVERNOR



MARK PATTERSON  
CHAIR

CHRISTIN M. JOHNSON  
OVERSIGHT COORDINATOR

COMMISSIONERS  
HON. R. MARK BROWNING (ret.)

HON. RONALD IBARRA (ret.)

MARTHA TORNEY

HON. MICHAEL A. TOWN (ret.)

**STATE OF HAWAII**  
**HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION**  
**E HUIKALA A MA'EMA'E NŌ**  
235 S. Beretania Street, 16<sup>th</sup> Floor  
HONOLULU, HAWAII 96813  
(808) 587-4160

TO: The Honorable Carol Fukunaga, Chair  
The Honorable Chris Lee, Vice Chair  
Senate Committee on Public Safety and Military Affairs

FROM: Mark Patterson, Chair  
Hawai'i Correctional System Oversight Commission

SUBJECT: Senate Bill 2575, Relating to Firearms  
Hearing: Monday, February 2, 2026; 3:00 p.m.  
State Capitol, Room 016

Chair Fukunaga, Vice Chair Lee, and Members of the Committee:

The Hawai'i Correctional System Oversight Commission (HCSOC) **submits comments** on Senate Bill 2575, relating to firearms which increases penalties for firearm-related offenses by creating mandatory minimum prison sentences and upgrading several crimes, such as possessing firearms while under felony charges or convictions, violating restraining orders, carrying firearms while under the influence of drugs, or possessing methamphetamine while armed, from misdemeanors or Class B felonies to Class A felonies.

The Commission respectfully requests that a comprehensive impact statement be conducted to assess how proposed penal code changes may affect the incarcerated population, including potential consequences for sentence length and facility capacity.

Should you have additional questions, the Oversight Coordinator, Christin Johnson, can be reached at 808-849-3580 or at [christin.m.johnson@hawaii.gov](mailto:christin.m.johnson@hawaii.gov). Thank you for the opportunity to testify.

**LATE**

**DEPARTMENT OF THE PROSECUTING ATTORNEY  
KA 'OIHANA O KA LOIO HO'OPI'I  
CITY AND COUNTY OF HONOLULU**

ALII PLACE  
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STEVEN S. ALM  
PROSECUTING ATTORNEY  
LOIO HO'OPI'I



THOMAS J. BRADY  
FIRST DEPUTY PROSECUTING ATTORNEY  
HOPE MUA LOIO HO'OPI'I

**THE HONORABLE CAROL FUKUNAGA, CHAIR  
SENATE COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS  
Thirty-Third State Legislature  
Regular Session of 2026  
State of Hawai'i**

February 2, 2026

**RE: S.B. 2575; RELATING TO FIREARMS**

Chair Fukunaga, Vice Chair Lee, and members of the Senate Committee on Public Safety and Military Affairs, the Department of the Prosecuting Attorney of the City and County of Honolulu submits the following testimony in **strong support** of S.B. 2575.

S.B. 2575 honors the memory of Officer Suzanne O., who was killed in the line of duty responding to a terroristic threatening call on Maui. Police officers face danger from armed criminals every day. This bill sends a clear message of deterrence and resolve.

This bill creates mandatory minimum sentences for felons in possession of firearms<sup>1</sup> and the use of a firearm in the commission of a felony.<sup>2</sup> It also elevates the penalties for violating a protective order through prohibited acquisition of a firearm. Finally, it prohibits possession of a firearm while in criminal possession of methamphetamine.

These provisions target highly dangerous conduct and the most egregious firearms crimes involving violent felonies, protective order violations, or drug use—all aggravated by the presence of a deadly weapon. Each class represents an immediate and serious threat to both police officers and the general public.

A mandatory minimum sentence creates certainty that the most dangerous firearm offenders will face serious consequences. This certainty provides meaningful deterrence for those who might otherwise engage in such conduct. For those who breach that warning, the bill provides sentencing that removes a proven danger from the community.

Thank you for the opportunity to testify.

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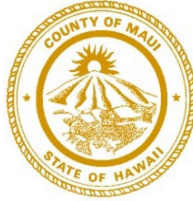
<sup>1</sup> HRS § 134-7.

<sup>2</sup> HRS § 134-9.

**RICHARD T. BISSEN, JR.**  
Mayor

**ANDREW H. MARTIN**  
Prosecuting Attorney

**SHELLY C. MIYASHIRO**  
First Deputy Prosecuting Attorney



**DEPARTMENT OF THE PROSECUTING ATTORNEY**  
COUNTY OF MAUI  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
PHONE (808) 270-7777 • FAX (808) 270-7625

TESTIMONY ON  
S.B. 2575  
RELATING TO FIREARMS

February 1, 2026

The Honorable Carol Fukunaga  
Chair  
The Honorable Chris Lee  
Vice Chair  
and Members of the Committee on Public Safety and Military Affairs

Chair Fukunaga, Vice Chair Lee, and Members of the Committee:

The Department of the Prosecuting Attorney, County of Maui respectfully submits the following comments **in support of S.B. 2575, Relating to Firearms**. This bill increases public safety by increasing the penalty for various firearm possession offenses to a class A felony with a mandatory minimum sentence of 20 years imprisonment.

We support this bill because it provides an appropriate sentence for offenders who possess, control or transfer firearms while a protective or restraining order is in effect. It also recognizes the danger posed by offenders who consume or are under the influence of alcohol or controlled substances while possessing a firearm. In both scenarios, it provides a significant deterrent for these offenses in the form of a mandatory minimum 20-year prison sentence.

For these reasons, the Department of the Prosecuting Attorney, County of Maui **supports S.B. 2575**. Please feel free to contact our office at (808) 270-7777 if you have any questions or inquiries. Thank you very much for the opportunity to provide testimony on this bill.





**JOHN PELLETIER**  
CHIEF OF POLICE

# POLICE DEPARTMENT COUNTY OF MAUI

55 MAHALANI STREET  
WAILUKU, MAUI, HAWAII 96793  
TELEPHONE: (808) 244-6400  
FAX: (808) 244-6411



**WADE M. MAEDA**  
DEPUTY CHIEF OF POLICE

February 1, 2026

Honorable Senator Carol Fukunaga, Chair  
Honorable Senator Chris Lee, Vice Chair  
and Members  
Committee on Public Safety and Military Affairs  
The Thirty-Third Legislature  
415 South Beretania Street  
Honolulu, HI 96813

**SUBJECT: Testimony in Support of S.B. 2575, Relating to Firearms**

Dear Chair Fukunaga, Vice-Chair Lee, and Committee Members:

I am writing in strong support of SB 2575. This measure represents a decisive and necessary step toward improving public safety across Hawaii. It addresses the most dangerous firearm-related behaviors—those that place law enforcement officers, victims, and entire communities at immediate and unacceptable risk.

SB 2575 strengthens accountability for individuals who demonstrate a clear disregard for the law and the safety of others. When firearms are possessed by those already involved in serious criminal activity, subject to court orders, or impaired by drugs or alcohol, the likelihood of violence, serious injury, or death escalates dramatically. This bill draws a firm line and makes clear that such conduct will carry serious consequences.

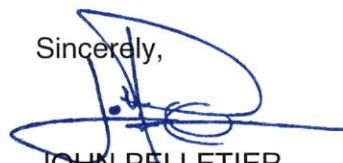
The measure is especially important for victims of domestic violence. Protective and restraining orders exist because credible threats of harm have been identified. Ensuring that firearms are removed from these volatile situations is one of the most effective ways to prevent lethal outcomes and reinforce the authority of the courts. SB 2575 empowers law enforcement to act swiftly and decisively in these moments.

From an officer-safety perspective, this bill is critical. Firearms combined with drug use, repeat criminal behavior, or defiance of court orders create some of the most dangerous encounters police officers face. SB 2575 provides meaningful deterrence and reinforces that reckless and violent conduct involving firearms will not be tolerated in Hawaii.

Finally, by establishing mandatory prison sentences for the most serious firearm crimes, this measure sends a clear and enduring message that public safety comes first. SB 2575 honors the memory of Officer Suzanne O by transforming loss into action and by reaffirming our collective responsibility to protect those who serve and the communities they serve.

For these reasons, I respectfully urge the Committee to pass SB 2575.

Sincerely,



**JOHN PELLETIER**  
Chief of Police

**SB-2575**

Submitted on: 1/31/2026 1:54:35 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kainoa Kaku	Testifying for Hawaii Rifle Association	Oppose	Written Testimony Only

## Comments:

My name is **Kainoa Kaku**, President of the **Hawai'i Rifle Association**, and I respectfully submit testimony **in opposition to SB 2575**.

Before addressing the substance of the bill, I want to acknowledge the loss of **Officer Suzanne O.** Her service and sacrifice deserve respect, and honoring fallen officers is something all of us share as a common value. That shared respect, however, also requires us to carefully consider whether proposed legislation will meaningfully improve public safety and justice.

The Hawai'i Rifle Association supports holding violent offenders fully accountable, especially when firearms are used to commit serious crimes. However, SB 2575 goes far beyond that goal and instead relies on **sweeping mandatory minimum sentences that are untethered from intent, circumstances, or actual harm**.

This bill establishes a **twenty-year mandatory minimum prison sentence without the possibility of parole** for certain firearm-related offenses, including possession-based violations and conduct tied to court orders. Mandatory minimums of this magnitude remove judicial discretion and treat fundamentally different conduct as if it were the same.

Under SB 2575, an individual who violates a restraining order firearm condition, even without violence or threat, is exposed to the same mandatory sentence as someone who commits a serious violent offense. That is not proportional justice. It is a blunt instrument.

The bill also escalates penalties for carrying a firearm while under the influence of a controlled substance or while merely possessing methamphetamine, regardless of whether the firearm was used, displayed, or involved in dangerous behavior. While impairment and drug activity are legitimate public safety concerns, automatic twenty-year prison terms do not distinguish between actual danger and technical violations.

From a public safety standpoint, there is no credible evidence that extreme mandatory minimums deter crime. What they do is increase incarceration costs, eliminate incentives for rehabilitation, and shift decision-making away from judges who are best positioned to evaluate facts and risk.

Justice works best when punishment is **proportionate, individualized, and evidence-based**. SB 2575 moves away from that principle.

We can honor Officer O's memory and protect our communities without adopting laws that over-criminalize, over-incarcerate, and undermine proportional justice.

For these reasons, the **Hawai'i Rifle Association respectfully urges this Committee to reject SB 2575.**

**SB-2575**

Submitted on: 2/1/2026 9:57:29 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Wayne Asam	Testifying for Mid Pacific Pistol League	Oppose	Written Testimony Only

Comments:

The Mid Pacific Pistol League respectfully submits this letter in opposition to SB 2575.

This bill introduces sweeping sentencing enhancements and reclassifies numerous firearm-related offenses as Class A felonies, including the expansion of mandatory minimum prison sentences. While addressing violent crime is a legitimate goal, SB 2575 adopts a punitive framework that risks disproportionate outcomes.

Mandatory minimums significantly restrict judicial discretion and prevent courts from considering the individual facts of each case. This approach has repeatedly shown limited effectiveness in reducing crime while contributing to over-incarceration and long-term societal costs.

Additionally, elevating possession-based offenses to the most severe felony classifications—particularly those tied to prior charges, protective orders, or substance use—fails to adequately distinguish between violent criminal conduct and non-violent behavior.

The Mid Pacific Pistol League supports evidence-based public safety strategies that prioritize proportionality, fairness, and judicial judgment. SB 2575 does not align with those principles, and we respectfully urge you to oppose it.

Sincerely,

**Mid Pacific Pistol League**

Board of Directors

**DATE:** Monday, February 2, 2026      **TIME:** 3:00 PM      **PLACE:** Conference Room 016,  
**BILL :** SB2575

## **Testimony of Hawai'i Firearms Coalition In Opposition to SB2575**

Hawai'i Firearms Coalition submits this testimony in opposition to SB2575

We oppose the expansion of mandatory minimum sentencing contained in this bill. Mandatory minimums have repeatedly been shown to reduce prosecutions, not increase public safety. Prosecutors are less likely to bring charges carrying extreme penalties, and cases are more frequently resolved through plea deals to lesser offenses. This results in fewer convictions for serious conduct and undermines proportional sentencing based on individual circumstances.

We are also opposed to the provision making "being under the influence of a controlled substance" a class A felony. Under Hawai'i law, "controlled substance" includes many prescription medications used to treat legitimate medical conditions. These substances are regulated because they can be misused or abused, not because their lawful use inherently makes a person dangerous. Treating lawful medical treatment as grounds for a class A felony is overbroad and unjust.

Being sick, managing pain, or following a doctor's prescription should not, by itself, prevent a person from possessing arms or expose them to the most severe felony penalties under Hawai'i law. This provision risks criminalizing lawful conduct without any showing of dangerous behavior or misuse of a firearm.

Hawai'i already has laws that address actual dangerous conduct, including assault, reckless endangerment, and unlawful use of a firearm. SB515 goes beyond addressing misconduct and instead imposes extreme penalties based on status rather than behavior.

For these reasons, Hawai'i Firearms Coalition respectfully urges the Legislature to reject SB515.

Respectfully submitted,

**Andrew Namiki Roberts**

Director

Hawai'i Firearms Coalition

**SB-2575**

Submitted on: 2/1/2026 10:52:41 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jerry Yuen	Testifying for Pu'uloa Rifle and Pistol Club	Oppose	In Person

Comments:

I oppose SB 2575 on the grounds that mandatory minimum sentencing is not an effective deterrence to criminal activity.

I also object to the ambiguous use of the term "controlled substance". There are many people with health conditions that are prescribed medications that are considered controlled substances. These people are more than often fully functional, sane and safe because of these medications.

**LATE**

**SB-2575**

Submitted on: 2/2/2026 12:55:51 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Austin Martin	Testifying for Libertarian Party of Hawaii	Oppose	Remotely Via Zoom

Comments:

Aloha!

I am Austin Martin, State Chair of the Libertarian Party of Hawaii and LNC Member representing Region 1.

On behalf of Hawaii Libertarians, I oppose this bill which, among other things, criminalizes gun ownership solely based on suspicion or accusation of committing a crime, violating due process.

Please vote this down.

Mahalo for your kokua to this important matter.

Austin Martin

Libertarian Party of Hawaii

**LATE**

**SB-2575**

Submitted on: 2/2/2026 1:02:19 AM  
Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Abbra Green	Testifying for The Libertarian Party of Hawaii	Oppose	Written Testimony Only

Comments:

The Libertarian Party of Hawaii is in In Opposition of SB2575.

Abbra Green | LPHI Secretary



**SB-2575**

Submitted on: 1/30/2026 4:21:58 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

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

Comments:

While I agree in part with this bill, I must stand in **OPPOSITION** to it as currently worded.

The Federal minimum for such firearms related offenses are typically 5 years, not 20.

Some of the offenses listed are fairly minor on their own and are *Malum Prohibitum* crimes, not *Malum in se crimes*. This would elevate something as simple as being drunk while having a firearm to an offense akin to Murder in the State of Hawaii, even if no other harm is done.

**SB-2575**

Submitted on: 1/30/2026 8:16:26 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chase Cavitt	Individual	Oppose	Written Testimony Only

## Comments:

I oppose this bill and hope that our state will do a better job of actually punishing real criminals with the laws that we have. I see people go in and out of the system just return to commit more crimes as the hardly get a slap on the wrist. This bill makes certain non violent situations judged as hard, if not harder than many horrible crimes committed in this state. I oppose this bill and do not think it will have its intended affect if passed.

**SB-2575**

Submitted on: 1/30/2026 8:53:18 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Richy Chang	Individual	Oppose	Written Testimony Only

Comments:

I, as a citizen of the State of Hawaii, submit my testimony to OPPOSE SB 2575.

SB 2575 establishes mandatory minimum prison terms for certain Class A felonies involving firearms and raises multiple offenses to Class A felony status. Expanding mandatory minimums limits judicial discretion and can result in disproportionate penalties without effectively addressing crime.

**SB-2575**

Submitted on: 1/30/2026 8:55:39 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

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

Comments:

Thank you

**SB-2575**

Submitted on: 1/30/2026 9:13:20 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Steven T Takekoshi	Individual	Oppose	Written Testimony Only

Comments:

Aloha and mahalo for the opportunity to provide testimony.

I oppose this proposal.

I have an idea that will do a very similar thing as this proposal without a new law, it is novel and unique; enforce the laws on the books already. It only requires we enforce what we have, once we are doing that, if we are still not getting the necessary results then make your case. It is the "easy button" to pass yet another law, with new resource demands, read funding requirements, that divert funding from priorities because we are too lazy to provide good governance. The Hawaii taxpayer has no more to give. Figure out how to run this State with what you have, start providing oversight and sound policy, stop draining our resources fighting the Federal government, and supporting inefficiency in our current operations. You all just received a huge raise, now do the requisite work to deserve it, passing new and more laws is not doing the work; making the hard decisions, crafting sound policy, and making it better for the citizens of Hawaii is the work. If you are in this body, and are not up to doing the work, do us all a favor and retire, now.

I thank you again for the opportunity and your attention.

Sincerely,

Steven Takekoshi

Waipahu, HI

**SB-2575**

Submitted on: 1/30/2026 11:23:00 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

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

Comments:

I submit this testimony in opposition to SB2575.

This bill's reliance on mandatory minimum sentencing is deeply concerning. Mandatory minimums bypass and severely limit judicial discretion, preventing judges from considering the full context of a case, including the facts, circumstances, and individual characteristics of the defendant. This rigid approach creates an environment where penalties can become disproportionate to the actual conduct involved and may not fit the crime committed.

Judges are best positioned to weigh evidence, assess culpability, and impose sentences that are fair, just, and consistent with the goals of public safety and rehabilitation. Removing or restricting that discretion undermines the justice system and replaces individualized judgment with a one-size-fits-all mandate.

Additionally, the conduct this bill seeks to address is already illegal under existing law. The crimes targeted by SB2575 are already classified as felonies, and possession of an illegal firearm is likewise already a felony offense. As such, this bill is redundant at best. At worst, it risks imposing excessive and inflexible punishments that do not meaningfully improve public safety while increasing incarceration costs and exacerbating inequities in the criminal justice system.

Rather than layering additional mandatory penalties onto existing statutes, the Legislature should focus on enforcing current laws effectively and allowing judges the discretion necessary to impose appropriate sentences on a case-by-case basis.

For these reasons, I respectfully urge you to oppose SB2575

**SB-2575**

Submitted on: 1/31/2026 12:07:07 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

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

Comments:

Stop criminalizing gun owners!

**SB-2575**

Submitted on: 1/31/2026 4:00:26 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

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

Comments: I oppose this bill.



**SB-2575**

Submitted on: 1/31/2026 7:00:21 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

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

Comments:

oppose

**SB-2575**

Submitted on: 1/31/2026 7:29:58 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
William Lono	Individual	Oppose	Written Testimony Only

## Comments:

I ***oppose*** SB2575 because it would significantly increase criminal penalties and impose mandatory minimums for a wide range of firearm-related offenses without clear evidence that such harsher penalties improve public safety. The bill would elevate many firearm possession issues — including those involving protective orders and substance use — to Class A felonies, which could lead to overly harsh punishments for individuals who might otherwise be addressed through existing laws. These expanded penalties would strain our legal system, increase incarceration without proven benefits, and risk disproportionate impacts on communities. Lawmakers should reconsider SB2575 and focus on solutions that address violence and safety without unduly punishing lawful or minor conduct.

**SB-2575**

Submitted on: 1/31/2026 7:45:31 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Marcus Tanaka	Individual	Comments	Written Testimony Only

Comments:

You should delete the section 134-9.4 (a)(1)(3) and allow legal CCW holders to consume alcohol.

**SB-2575**

Submitted on: 1/31/2026 8:32:30 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

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

Comments:

To whom this may concern,

this bill is an overstep of government and goes against the second amendment. Please oppose.

Mahalo

**SB-2575**

Submitted on: 1/31/2026 9:02:14 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Reid Oya	Individual	Oppose	Written Testimony Only

## Comments:

I respectfully oppose SB2575, which escalates penalties for certain firearm possessions to mandatory minimum sentences and Class A felonies in cases involving prior convictions, protective orders, or controlled substance use (including methamphetamine). While I support efforts to keep firearms out of dangerous hands and honor fallen officers, this bill's broad upgrades and mandatory minimums raise serious concerns about fairness, due process, and effectiveness in reducing crime. Key issues include:

1. Overly broad and harsh upgrades: Elevating simple possession by prohibited persons (e.g., those with certain past convictions or under a protective order) from existing penalties to Class A felonies (up to 20 years) creates disproportionate punishment. Protective orders can sometimes be issued without full due process or for non-violent reasons; tying lifetime firearm bans and extreme sentences to them risks injustice, especially in contested domestic situations.
2. Mandatory minimums limit judicial discretion: Requiring fixed prison terms removes judges' ability to consider individual circumstances, rehabilitation potential, or mitigating factors. Hawaii's courts already have tools to address serious threats—mandatory minimums often lead to overcrowded prisons, higher recidivism, and inequitable outcomes, particularly affecting marginalized communities.
3. Linking firearms to drug possession/use: Upgrading penalties for carrying while under the influence—or possessing meth—overlaps with existing drug laws but dramatically increases severity without clear evidence that this specific combination drives most gun violence in Hawaii. It may criminalize addiction more harshly than necessary, diverting focus from treatment and community-based prevention.
4. Lack of targeted solutions: Hawaii already has strict firearms laws, including prohibitions for felons and those under restraining orders. Enhancing enforcement, mental health resources, and addressing root causes (e.g., drug treatment access) would be more effective than blanket sentence escalations that could strain the justice system without proven crime-reduction benefits.

I urge the committees to reject or significantly amend SB2575. Focus on smart, evidence-based reforms that protect public safety while respecting constitutional rights and judicial fairness. Mahalo for your consideration. I request that this bill be defeated.

**SB-2575**

Submitted on: 1/31/2026 9:23:34 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nathan Leo Braulick	Individual	Support	Written Testimony Only

Comments:

Mahalo,

Nathan Leo Braulick

96826

**SB-2575**

Submitted on: 1/31/2026 9:35:01 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jarek de Vera	Individual	Oppose	Written Testimony Only

## Comments:

SB2575 is against not only the 2nd Amendment, but the 5th Amendment as well. We are innocent till proven guilty. A felony is reserved for the highest of crimes, involving grave injury, violence, or death. To slap a felony as well as these absurd consequences before conviction, more so without it having been committed to such injury, violence, or death, is clearly against the 5th Amendment and due process.

**SB-2575**

Submitted on: 1/31/2026 10:20:58 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Debbie Wyand	Individual	Oppose	Written Testimony Only

Comments:

Vote no on Sb 2575.

I oppose this bill. Expanding mandatory minimums limits judicial discretion and can result in disproportionate penalties without effectively addressing crime.

in addition, I'm appalled that the Hawaii legislature continues to try to push confusing laws to prevent Hawaii citizens from exercising their 2nd amendment rights by making it confusing and expensive and hard to understand all the rules. Just follow the constitution and stop making more rules.

Vote no



**SB-2575**

Submitted on: 1/31/2026 10:25:16 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Wayne Asam	Individual	Oppose	Written Testimony Only

Comments:

I am writing to respectfully oppose SB 2575.

This bill introduces sweeping sentencing enhancements and felony reclassifications related to firearm offenses, including the expansion of mandatory minimum prison terms and the elevation of multiple offenses to Class A felony status. While accountability for violent crime is important, SB 2575 takes an overly punitive approach that risks serious unintended consequences.

Mandatory minimum sentences significantly limit judicial discretion and prevent judges from considering the specific facts and circumstances of individual cases. This often leads to disproportionate penalties that do not meaningfully deter crime but do contribute to over-incarceration and long-term social and economic costs.

Additionally, expanding felony classifications to include possession-based offenses—particularly those tied to prior charges, protective orders, or substance use—does not adequately distinguish between violent criminal behavior and non-violent conduct. Effective public safety policy should be evidence-based and targeted, not broadly punitive.

For these reasons, I respectfully urge you to oppose SB 2575 and instead pursue solutions that address violent crime without sacrificing fairness, proportionality, and judicial discretion.

Sincerely,  
Wayne Asam

**SB-2575**

Submitted on: 1/31/2026 10:39:05 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mikhael Kobayashi	Individual	Oppose	Written Testimony Only

Comments:

PLease vote no.

**SB-2575**

Submitted on: 1/31/2026 10:43:52 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Xander Asam	Individual	Oppose	Written Testimony Only

Comments:

My name is **Xander**, and I am a **16-year-old sophomore in Hawai'i**. I am writing to respectfully oppose SB 2575.

This bill increases mandatory minimum sentences and makes many firearm-related offenses the most serious type of felony. While stopping violent crime is important, mandatory minimums don't allow judges to consider the details of each case.

In school, I'm learning that the justice system should be fair and based on individual circumstances. Automatically giving the harshest punishment, especially for non-violent or possession-related offenses, can lead to unfair outcomes.

As someone who will grow up under the laws passed today, I hope decisions are made carefully and focus on real solutions instead of extreme penalties. For these reasons, I respectfully urge you to oppose SB 2575.

Sincerely,  
**Xander**  
Age 16, Sophomore  
Hawai'i

**SB-2575**

Submitted on: 1/31/2026 10:46:21 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kai Asam	Individual	Oppose	Written Testimony Only

Comments:

My name is **Kai Asam**, and I am writing to respectfully oppose SB 2575.

This bill significantly expands mandatory minimum sentences and reclassifies a wide range of firearm-related offenses as Class A felonies. While addressing violent crime is important, mandatory minimums remove judicial discretion and prevent courts from considering the unique facts of each case.

History has shown that overly broad sentencing enhancements often result in disproportionate penalties without delivering meaningful improvements in public safety. Expanding severe felony classifications—especially for possession-based or non-violent offenses—risks unfair outcomes and long-term social costs.

I believe effective public safety policy must balance accountability with proportionality and fairness. SB 2575 does not strike that balance, and I respectfully urge you to oppose it.

Sincerely,  
**Kai Asam**

## **SB-2575**

Submitted on: 1/31/2026 10:58:29 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cliff mello	Individual	Oppose	Written Testimony Only

Comments:

Chair, Vice Chair, and Members of the Committee:

I submit this testimony in strong opposition to SB2575. While framed as a public safety measure, this bill imposes extreme mandatory minimum sentencing that undermines constitutional principles, removes judicial discretion, and lacks evidence of improving public safety.

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**SB2575 establishes a mandatory minimum sentence of twenty years imprisonment without the possibility of parole**, regardless of individual circumstances, intent, or actual harm caused. Mandatory minimum sentencing schemes of this nature eliminate judicial discretion — a core function of the judiciary.

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The Hawaii Constitution vests judicial power in the courts, not the legislature. While the Legislature may define crimes and penalties, courts have consistently recognized that sentencing must remain individualized and proportionate. **In State v. Kamae, the Hawaii Supreme Court emphasized that punishment cannot be imposed mechanically without regard to the facts of the case.** SB2575 violates this principle by mandating a flat, inflexible sentence.

---

Mandatory minimums also raise serious proportionality concerns. **The Eighth Amendment to the U.S. Constitution prohibits cruel and unusual punishment, including sentences that are grossly disproportionate to the offense.** In *Solem v. Helm*, the U.S. Supreme Court held that proportionality applies even when legislatures define penalties. SB2575 treats non-violent possession offenses the same as violent crimes involving actual harm.

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SB2575 further undermines due process by converting sentencing into a predetermined outcome rather than a judicial determination. **In United States v. Booker, the U.S. Supreme Court reaffirmed that sentencing must allow consideration of individual facts and circumstances.**

Laws that remove all discretion from judges invite constitutional challenge and erode confidence in the justice system.

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This bill also departs from modern Second Amendment jurisprudence. In *District of Columbia v. Heller* and *New York State Rifle & Pistol Association v. Bruen*, the Supreme Court made clear that firearm regulations must be consistent with the Nation's historical tradition of regulation. **Historically, punishment focused on misuse and criminal conduct, not extreme mandatory penalties for mere possession absent violence.**

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There is **no credible evidence that mandatory minimum sentencing reduces firearm violence**. Decades of criminological research show that sentence severity does not meaningfully deter crime beyond certainty of enforcement. Mandatory minimums increase incarceration costs, overcrowd prisons, and strain court resources without delivering measurable public safety benefits.

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From a practical standpoint, SB2575 will force courts to impose extreme sentences in cases where no violence occurred and rehabilitation is possible. **It shifts effective sentencing power from judges to prosecutors through charging decisions**, reducing transparency and fairness in the criminal justice process.

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Public safety legislation must be constitutional, proportionate, and evidence-based. **SB2575 fails all three standards**. It sacrifices judicial integrity and constitutional protections without demonstrating a legitimate public safety return.

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For these reasons, I respectfully urge the Committee to oppose SB2575.

Mahalo for the opportunity to submit testimony.

**SB-2575**

Submitted on: 1/31/2026 11:21:56 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Roger Hamada	Individual	Support	Written Testimony Only

Comments:

I SUPPORT SB2575. Although punishment as a deterrent, unless it is very severe and consistently applied, is not the most effective tool to prevent behavior, any measures which have a chance to reduce violence using firearms is worth pursuing.

I am an elderly retiree and value safety in my community.

Thank you.

**SB-2575**

Submitted on: 1/31/2026 11:45:27 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lily Troy MD	Testifying for Maui Indivisible member	Support	Written Testimony Only

Comments:

**mandatory minimum terms of imprisonment for certain class A felonies involving firearms I support this!**



**SB-2575**

Submitted on: 1/31/2026 12:45:30 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Younghee Overly	Individual	Support	Written Testimony Only

Comments:

Thank you for hearing this measure.

Younghee Overly,

a member of Indivisible Hawaii.

**SB-2575**

Submitted on: 1/31/2026 12:51:17 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
kamakani de dely	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill!

**SB-2575**

Submitted on: 1/31/2026 12:54:40 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mallory De Dely	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill!

**SB-2575**

Submitted on: 1/31/2026 12:55:16 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ryan Arakawa	Individual	Oppose	Written Testimony Only

Comments:

Opposed to the section 'while under restraining or protective orders' since protective orders can sometimes be issued without full evidentiary hearings, raising serious due process concerns when automatic felony penalties are applied.

**SB-2575**

Submitted on: 1/31/2026 12:57:33 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan Dedely	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill!

**SB-2575**

Submitted on: 1/31/2026 1:29:16 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dennis Djou	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

**SB-2575**

Submitted on: 1/31/2026 2:21:27 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kevin J. Cole	Individual	Oppose	In Person

Comments:

Aloha,

I wish to say that I do not support this Bill. Once again members of the legislature are overreacting to events and overstepping their bounds. The law abiding people of Hawaii are not the issue when it comes to weapons for protection. If the government really wants to enhance public safety, they should focus their efforts on ensuring repeat offenders are not allowed back in public.

Concentrate on the crooks, not the citizens.

V/R

Kevin J. Cole, Mililani Col USAF Ret.

**Article 1 Section 17 of the Hawaii State Constitution The “RIGHT TO BEAR ARMS”**

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.*

**SB-2575**

Submitted on: 1/31/2026 2:58:44 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
charles wei	Individual	Oppose	Written Testimony Only

Comments:

My name is Charles Wei and currently reside in Kalihi.



**SB-2575**

Submitted on: 1/31/2026 3:00:31 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John Terry	Individual	Oppose	In Person

Comments:

**Written Testimony in Opposition to SB 2575**

I respectfully submit this testimony in opposition to SB 2575.

SB 2575 proposes significant sentencing enhancements and felony reclassifications related to firearm offenses. The bill establishes mandatory minimum prison terms for certain Class A felonies involving firearms and elevates multiple offenses to Class A felony status. These include firearm possession while being prosecuted for or previously convicted of certain offenses, possession while subject to restraining or protective orders, carrying a firearm while under the influence of controlled substances, and possession of methamphetamine while armed.

While public safety is a critical responsibility of government, I am concerned that the approach taken in SB 2575 relies heavily on mandatory minimum sentences and broad felony enhancements that reduce judicial discretion and may result in disproportionate penalties. Judges are best positioned to evaluate the specific facts, context, and individual circumstances of each case. Removing that discretion risks outcomes that do not align with principles of fairness, rehabilitation, or justice.

From a constitutional perspective, laws affecting fundamental rights and liberties should be carefully tailored and balanced. Mandatory minimum sentencing schemes have historically raised concerns because they treat a wide range of conduct uniformly, without adequate consideration of intent, risk, or individual circumstances. Expanding such penalties may increase incarceration rates without demonstrating a clear and measurable reduction in violent crime.

This concern is particularly relevant when viewed through Hawaii's historical and cultural lens. In traditional Hawaiian society, systems of justice emphasized balance, responsibility, and restoration. Social order was maintained not solely through punishment, but through 'ike, kuleana, and ho'oponopono—principles that recognized context, accountability, and the opportunity to restore harmony. Justice was understood as something more nuanced than rigid punishment alone.

Sweeping sentencing enhancements that automatically escalate penalties risk departing from both constitutional traditions and Hawaii's own cultural values. Policies that prioritize inflexible punishment over proportionality and judicial judgment may undermine trust in the justice system while failing to address the underlying causes of crime.

Public safety is best served by laws that focus on violent criminal behavior, provide courts with the flexibility to impose appropriate sentences, and support prevention, treatment, and rehabilitation where appropriate. Expanding mandatory minimums and felony classifications without clear evidence of effectiveness risks unintended consequences while placing long-term burdens on individuals, families, and communities.

For these reasons, I respectfully oppose SB 2575 and urge lawmakers to carefully consider its constitutional implications, its alignment with Hawaii's historical values, and the potential for disproportionate outcomes that may not meaningfully enhance public safety.

Thank you for the opportunity to submit this testimony.

Respectfully submitted,

John Terry

**SB-2575**

Submitted on: 1/31/2026 3:17:29 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Martha Nakajima	Individual	Support	Written Testimony Only

Comments:

I support this bill. Thank,you, Martha Nakajima, Honolulu, member of Indivisible

**SB-2575**

Submitted on: 1/31/2026 3:52:26 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elijah Tavares	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

**SB-2575**

Submitted on: 1/31/2026 4:16:01 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shyla Moon	Individual	Comments	Written Testimony Only

Comments:

If we already have laws against drug use and possession, why make more laws?

**SB-2575**

Submitted on: 1/31/2026 4:27:00 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Isaac Moon	Individual	Oppose	Written Testimony Only

Comments:

oppose

**SB-2575**

Submitted on: 1/31/2026 4:39:25 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sarah Corry	Individual	Support	Written Testimony Only

## Comments:

I support mandatory minimum terms of imprisonment for certain class A felonies involving firearms. I have a work friend who was caught in a bystander crossfire situation and struck by a bullet when innocently leaving a football stadium, at game end with her family. The trauma and therapy that she has had to go through has convinced me that people who choose to carry and use fire arms must understand that there are consequences, and real punishment for their dangerous actions.

**SB-2575**

Submitted on: 1/31/2026 5:21:04 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tim Huycke	Individual	Support	Written Testimony Only

Comments:

**I very strongly support SB2575.** I recently retired after serving as a police officer for 34 years. One thing I learned from that service was that the more severe punishment can be for crimes involving firearms the better. Besides potential deterrance, it gives law enforcement and the rest of the criminal justice system more ability to keep our community safe. Mahalo!



**SB-2575**

Submitted on: 1/31/2026 5:26:43 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Marlon Calventas	Individual	Oppose	Written Testimony Only

Comments:

Oppose this bill.

**SB-2575**

Submitted on: 1/31/2026 7:01:34 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bradford Davis	Individual	Oppose	Written Testimony Only

Comments:

I do not support this legislation because it erodes personal freedoms of citizens and excessively punishes them.

Respectfully,

Bradford Davis

**SB-2575**

Submitted on: 1/31/2026 7:05:05 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brandon Santiago	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB 2575. Expanding mandatory minimum limits at judicial discretion, can result in disproportionate penalties, and would do nothing to effectively address crimes committed.

**SB-2575**

Submitted on: 1/31/2026 7:31:18 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Raymond Ishii	Individual	Oppose	Written Testimony Only

## Comments:

I oppose SB2575 as written

While I generally support increasing the penalties if a firearm is used in a crime, I oppose the sections of this bill that increase the penalties for possession of firearms and ammunition while under a Temporary Restraining Order or a Order of Protection. Under the current law, persons under a TRO or an Order of Protection must surrender their firearms and ammunition to the police. They don't have a choice, failure to comply is already a misdemeanor, and if convicted the Judge could sentence them to a year in jail. Which is longer than most Order of Protection. The use of a firearm while violating a order of protection is already a felony. If this bill passes this will increase the penalty for possessing a firearm and ammunition to 20 years In prison without the possibility of parole. This will subject someone who might possess a single round of ammunition to spend more time in prison than a murder who would be eligible for parole long before the 20 years are up.

If the bill were changed to increase the penalty to a class C felony on the 2nd offense, myself and many others would support.

Again I oppose this bill as written

Thank You

**SB-2575**

Submitted on: 1/31/2026 8:34:18 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael A. Cobb Jr	Individual	Oppose	Written Testimony Only

## Comments:

I oppose this bill on the grounds that you are increasing penalties on individuals who are already having issues. Prohibiting people from transferring firearms should not be allowed with out due process. People can lie to get protective orders, where is the penalty for that in this bill?

**SB-2575**

Submitted on: 1/31/2026 8:56:47 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Will Buttler	Individual	Oppose	Written Testimony Only

Comments:

TO: The Honorable Chair Karl Rhoads, Vice Chair Mike Gabbard, and Members of the Committee on Judiciary

FROM: William Buttler

DATE: January 31, 2026

RE: STRONGEST OPPOSITION to SB 2575 (Relating to Firearms)

Honorable Chair Rhoads and Committee Members,

I am writing as a concerned citizen of Hawaii to express my absolute opposition to SB 2575. This bill attempts to solve the problem of violent crime by targeting those who respect the law, while ignoring the reality that criminals operate outside of it.

I oppose this measure based on the following:

**Criminals Do Not Follow Laws:** Adding layers of regulation and escalating penalties does not deter those who already ignore our statutes. This bill only creates a "legal minefield" for law-abiding citizens who strive to be responsible owners.

**Harm to Law-Abiding Citizens:** By elevating regulatory and possession offenses to Class A or C felonies, the State is threatening to destroy the lives and families of honest residents over procedural errors. This "crime bill" targets peaceful citizens while actual violent criminals continue to ignore these rules with impunity.

**Violation of the Bruen Standard:** In *NYSRPA v. Bruen* (2022), the Supreme Court held that the Second Amendment is not a "second-class right" subject to an interest-balancing test. The State must demonstrate that any firearm regulation is consistent with this Nation's historical tradition of firearm regulation. Arbitrarily escalating possession charges to high-level felonies lacks this historical basis and serves only to chill the exercise of a fundamental right.

**Failure of the "Common Use" Test:** Under *District of Columbia v. Heller* (2008) and *McDonald v. Chicago* (2010), the Second Amendment protects arms in "common use" for self-defense. By

increasing penalties for possession, SB 2575 unconstitutionally burdens the very conduct—keeping and bearing arms—that the Court has repeatedly affirmed as an individual right.

Erosion of Due Process: Elevating charges for individuals simply "under prosecution" violates the presumption of innocence. Furthermore, the Supreme Court's current review of *Wolford v. Lopez* (argued this month, January 2026) highlights a growing judicial rebuke of Hawaii's attempts to treat the Second Amendment as a "second-class privilege."

Our state should focus its resources on enforcing existing laws against violent offenders rather than inventing new ways to turn peaceful residents into felons. I strongly urge this committee to HOLD SB 2575.

Sincerely,

William Buttler

## Firm, Constitutional, Data-Driven Testimony Argument for SB2575

Aloha Chair, Vice Chair, and Members of the Committee,

I am submitting strong opposition to SB2575 because it imposes **severe, disproportionate criminal penalties** on non-violent, technical firearm violations and raises serious **constitutional concerns** under both the U.S. Constitution and the Hawai'i State Constitution.

Hawai'i already has some of the strictest firearm regulations in the nation. Law-abiding residents comply with mandatory registration, mandatory permits, mandatory training, mandatory waiting periods, and strict storage and transport rules. These individuals are not the source of violent crime in our state.

Yet SB2575 would expose these same residents to **Class A felony charges** — the highest level of criminal punishment short of murder — for conduct that is non-violent, unintentional, and often administrative in nature. That is not proportional, and it is not constitutional.

### Constitutional Concerns

#### 1. Disproportionate penalties violate principles of due process and proportionality

Class A felonies in Hawai'i are reserved for the most serious violent crimes: kidnapping, first-degree robbery, and major sexual assault. SB2575 would place **storage mistakes, transport misunderstandings, or paperwork delays** in the same category.

Punishing non-violent technical violations with 20-year sentences and mandatory minimums is not consistent with the constitutional requirement that penalties be proportionate to the offense.

#### 2. Criminalizing technical errors burdens the core of the Second Amendment

The Supreme Court has repeatedly held that the Second Amendment protects the right of ordinary citizens to keep and bear arms for lawful purposes. When a state creates a regulatory environment where **any mistake — even one that harms no one — can result in decades of imprisonment**, that is a direct burden on the exercise of a constitutional right.



A right that can be lost due to a paperwork error is not a right — it is a trap.

### 3. SB2575 is vulnerable under the Bruen standard

Under *NYSRPA v. Bruen*, firearm regulations must be consistent with the nation's historical tradition of firearm regulation. There is **no historical tradition** of imposing the harshest felony penalties for non-violent administrative violations.

If SB2575 becomes law, it is likely to face immediate constitutional challenge.

## Data-Driven Concerns

### 1. Lawful gun owners are not driving violent crime

According to the Hawai'i Attorney General's annual reports:

- Over **98%** of firearm permit applicants are approved.
- Less than **0.03%** of permit applicants are denied for criminal reasons.
- Firearms registered to lawful owners are **rarely used in violent crime**.

The data is clear: the people SB2575 targets are **not** the people committing violence.

### 2. Violent crime in Hawai'i is driven by illegal firearms, not technical violations

HPD and AG data consistently show:

- The majority of guns recovered in crimes are **unregistered**.
- Many are **brought in from out of state**.
- Violent offenders are overwhelmingly **repeat criminals**, not lawful owners.

SB2575 does nothing to address these realities.

### 3. Hawai'i already has extremely low gun crime rates

Hawai'i consistently ranks:

- **#1 or #2 lowest gun death rate** in the nation
- **Lowest gun homicide rate**
- **Lowest youth firearm death rate**

This is not because of punishing technical mistakes — it is because of strong community values, cultural norms, and existing regulations that already work.

SB2575 does not improve public safety. It simply increases the likelihood that responsible residents will face catastrophic legal consequences for harmless errors.

## **Conclusion**

SB2575 is not a balanced or effective approach to public safety. It imposes **extreme, unconstitutional penalties** on non-violent conduct, contradicts Hawai'i's values of fairness and proportionality, and ignores the actual data on violent crime in our state.

We can protect our communities without criminalizing honest residents who are already following some of the strictest laws in the country. SB2575 does not reflect pono, and it does not reflect the constitutional limits placed on government power.

I respectfully urge the committee to reject this bill.

**SB-2575**

Submitted on: 2/1/2026 5:28:54 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Andrew J. Vioria	Individual	Oppose	Written Testimony Only

## Comments:

SB 2575 introduces sweeping sentencing enhancements and felony reclassifications related to firearm offenses. Including minimum prison terms for certain Class A felonies involving firearms as well as raising many offenses to Class A felonies. Including:

- Possession while under restraining or protective orders
- Possession while being prosecuted for or previously convicted of certain crimes
- Possession of methamphetamine while armed
- Carrying while under the influence of controlled substances

Expanding the mandatory limits will limit judicial discretion and will most likely result in disproportionate penalties without effectively addressing firearm-related crime.

**SB-2575**

Submitted on: 2/1/2026 8:12:28 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jennifer Cabjuan	Individual	Oppose	Remotely Via Zoom

Comments:

Strongly oppose this bill. Stacking charges ahead of court will create hardship on innocent citizens. This bill will not help in addressing the individual crimes and should be charged separately.

**SB-2575**

Submitted on: 2/1/2026 8:27:35 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gabriel Kekauoha	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

**SB-2575**

Submitted on: 2/1/2026 8:45:12 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Winfrey Pablo	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to SB2575,

Introduces sweeping sentencing enhancements and felony reclassifications related to firearm offenses. The bill establishes mandatory minimum prison terms for certain Class A felonies involving firearms and raises multiple offenses to Class A felony status. These include possession while being prosecuted for or previously convicted of certain crimes, possession while under restraining or protective orders, carrying while under the influence of controlled substances, and possession of methamphetamine while armed. Expanding mandatory minimums limits judicial discretion and can result in disproportionate penalties without effectively addressing crime.

**SB-2575**

Submitted on: 2/1/2026 8:58:34 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James E Raymond	Individual	Support	Written Testimony Only

Comments:

Thank you -- I am a member of Indivisible Windward.

**SB-2575**

Submitted on: 2/1/2026 9:00:00 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Katherine Muhs	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am writing in support of SB 2575, stiffening penalties for illegal possession of a firearm. Hawai'i needs stricter sentencing for weapons offenders.

Respectually submitted,

Katherine Muhs, Keaau, HI



**SB-2575**

Submitted on: 2/1/2026 9:12:55 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

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

Comments:

I oppose sb 2575

**SB-2575**

Submitted on: 2/1/2026 9:35:37 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Marko Mijuskovic	Individual	Oppose	Written Testimony Only

Comments:

**SB2575 — Burdens on the 2A Community, Law-Abiding Citizens, and Taxpayers****1. Creates Extreme Mandatory Minimum Sentences — Even for Technical or Non-Violent Violations**

SB2575 imposes **mandatory 20-year prison terms without parole** for certain firearm-related offenses.

Mandatory minimums remove judicial discretion and treat:

- Technical violations
- Non-violent conduct
- Administrative mistakes
- Situational lapses

...as if they were violent, intentional crimes.

For the 2A community, this means:

- A paperwork error
- A misunderstanding of a restraining order
- A misinterpretation of carry restrictions
- A storage or transport mistake

...could result in **decades in prison**.

This is a massive burden on lawful owners navigating Hawai'i's already complex firearm laws.

**2. Turns Many Existing Misdemeanors Into Class A Felonies**

SB2575 upgrades several offenses from misdemeanors to **Class A felonies**, including:

- Possession of a firearm while under a restraining order

- Certain storage-related violations
- Carrying while under the influence of a controlled substance
- Possession of methamphetamine while carrying a firearm

Some of these categories are extremely broad and can capture:

- People who did not know a TRO was issued
- People falsely accused in civil disputes
- People with old or minor substance-related issues
- People who made a single mistake in judgment

A Class A felony in Hawai'i is the **highest level of felony** and carries:

- Up to 20 years in prison
- Permanent loss of firearm rights
- Lifetime employment barriers
- Loss of civil rights

This is a disproportionate burden on citizens who may not have committed a violent act.

### **3. Expands Criminal Liability for People Under Restraining Orders — Even Without Violence**

SB2575 makes it a **Class A felony** to possess a firearm while under:

- A restraining order
- A protective order
- A gun-violence protective order

These orders are **civil**, not criminal, and can be issued:

- Without a criminal conviction
- Without the accused being found guilty of anything
- Sometimes without the accused even being present (ex parte orders)

Turning a civil order into a Class A felony exposure is a **massive due-process burden** on law-abiding citizens.

### **4. Allows Police to Seize Firearms and Seek Warrants Based on Minimal Standards**

The bill authorizes police to:

- Seize firearms in plain sight
- Seize firearms during “consensual” searches
- Apply for search warrants if they cannot locate firearms

This increases the risk of:

- Overreach
- Mistaken seizures
- Conflicts during service
- Violations of privacy and property rights

Law-abiding owners face increased exposure to enforcement actions.

## 5. Criminalizes Refusal to Disclose Firearm Location

If a person under a restraining order:

- Knows where a firearm is
- But refuses to disclose the location

...it becomes a **misdemeanor**, even if:

- The firearm is legally owned
- The person is asserting their constitutional rights
- The person fears misuse of the information

This is a **compelled-disclosure requirement** that burdens lawful owners.

## 6. Creates Harsh Penalties for Carrying While Under the Influence — Even Without Harm

SB2575 makes it a **Class A felony** to:

- Carry while under the influence of a controlled substance
- Carry while possessing methamphetamine

This applies even if:

- No harm occurred
- No one was threatened
- No criminal intent existed

This is a **strict-liability felony**, which is extremely rare and extremely punitive.

## 7. Massive Cost Burden on Taxpayers

Mandatory minimums and Class A felonies dramatically increase:

- Prison populations
- Court caseloads
- Public defender costs
- Prosecutor workloads
- Long-term incarceration expenses

Hawai‘i already has one of the highest per-inmate costs in the nation.

A 20-year mandatory minimum sentence can cost taxpayers **over \$1 million per inmate**.

SB2575 could cost **tens of millions annually** with no guarantee of improved public safety.

## 8. Disproportionate Impact on Law-Abiding Gun Owners

Hawai‘i’s firearm laws are already:

- Complex
- Restrictive
- Highly technical
- Difficult to navigate

SB2575 adds:

- Higher stakes
- Harsher penalties
- Mandatory prison time
- Expanded criminal exposure

This increases the risk that **ordinary, responsible gun owners** will face life-altering felony charges for:

- Administrative mistakes
- Misunderstandings
- Civil disputes
- Technical violations

**SB-2575**

Submitted on: 2/1/2026 9:55:35 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brian Ley	Individual	Oppose	Written Testimony Only

## Comments:

I strongly oppose SB 2575. sounds good but Hawaii already dosen't enforce the laws we already have , jumping everything to a class A felony is extreme. especially since people file TRO on whims to punish people. how about actually replacing the judges who won't sentence criminals who constanly violate the law

Brian Ley

**SB-2575**

Submitted on: 2/1/2026 9:59:13 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Craig Woodward	Individual	Comments	Written Testimony Only

Comments:

Aloha,

It is commonly known that police can have incorrect judgment or false-positives with breathlyzers. Please can this bill be amdened to further safe guard agasint those who lawfully carry, because prescription pills, a night before drinking, or mouthwash can give false-positives and if that were to ever happen the law-abiding citizen will have to pay thousands in legal fees to prove their innonce.

For the rest of the bill I do believe it's a good idea to increase the penalty agasint criminals who further break the law with a firearm.

Thank you,

Craig

**SB-2575**

Submitted on: 2/1/2026 10:43:31 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tyler Ubias	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill



**SB-2575**

Submitted on: 2/1/2026 11:12:55 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Theo-Den Boncales	Individual	Oppose	Written Testimony Only

## Comments:

SB2575 imposes extreme and disproportionate penalties that place heavy burdens on lawabiding citizens, the Second Amendment community, and taxpayers. By converting multiple nonviolent or technical firearm violations into Class A felonies and imposing mandatory 20year prison terms without parole, the bill removes judicial discretion and treats administrative or civilorder violations as the most serious crimes under Hawai'i law. It expands criminal liability for individuals under restraining orders—many of which are civil, temporary, and issued without a criminal conviction—and authorizes broad firearm seizures and compelled disclosure of firearm locations. These provisions expose responsible gun owners to severe penalties for conduct that is not inherently violent. The mandatory minimums and expanded felony classifications will also impose enormous costs on taxpayers through increased incarceration and court expenses.

**SB-2575**

Submitted on: 2/1/2026 11:24:09 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cade Aihara	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair and Committee Members,

I'm writing to ask you to please vote NO on SB 2575. I think we all want to honor Officer Suzanne O's memory, but passing a law that sends regular people to prison for 20 years over a paperwork oversight isn't the way to do it.

When you look at the actual text, the math just doesn't add up for a fair society. Section 2 says these sentences "**shall be a mandatory minimum... of twenty years,**" and it adds the phrase "**notwithstanding any other law to the contrary.**" That is a terrifying amount of power to take away from our judges.

If this passes, we are going to see some really ugly situations:

- **The Forgotten Ammunition:** If someone gets a TRO served against them and they turn in all their guns, but forget a single old box of hunting ammo in the back of a closet, they are now a Class A Felon. Because of this bill, a judge would be **forced** to give them 20 years with no parole. That isn't "stopping crime," it's a tragedy.
- **Weaponizing Divorces:** We know how messy family court gets. This bill turns a Temporary Restraining Order, which doesn't even require a criminal trial to issue, into a "20-year trap." It gives people a way to absolutely ruin an ex-partner's life over a civil filing before the police even investigate.
- **Punishing Veterans and Patients:** Section 4 targets people "under the influence of a controlled substance" while carrying. But there's no blood-test standard like there is for alcohol. If a veteran is taking doctor-prescribed meds for PTSD, an officer's "subjective opinion" could land them in a cell for two decades.
- **Home Defense:** This bill provides zero protection for home defense. If a veteran takes a prescribed medication for PTSD or a resident takes a doctor-ordered sleep aid, they are technically "under the influence." If they pick up their legal firearm to defend their family from a home invader, they are now facing a 20-year mandatory minimum. **Under SB 2575, the homeowner protecting their kids could spend more time in prison than the person who broke in.**

A 20-year, no-parole sentence is what we usually give to the most violent people in Hawaii. Giving that same sentence to a guy who was 12 hours late surrendering a firearm or a person

with a bottle of prescribed pills is an expensive, unconstitutional overreach that will be tied up in courts for years.

Please don't let this move forward as written. Vote NO on SB 2575.

Mahalo,

**SB-2575**

Submitted on: 2/1/2026 11:38:05 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

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

## Comments:

I Vehemently oppose this bill, it is too broad and has room for interpretation. The Constitution was clear in the 2nd Amendment, the Right to keep and bear arms(all arms) is not to be infringed.

Unconstitutional laws are not to be upheld in court, so, mandatory sentencing of possession of a firearm shouldnt be an automatic jail time penalty.

Please stop wasting my time and my and other tax payers moneys with legislation like this that we oppose. As representatives, you are supposed to be our voice, yet, I dont recall any of us requesting this. So, please stop all infringing of our constitutionally protected rights. Mahalo.

**SB-2575**

Submitted on: 2/1/2026 12:03:44 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chester Holt	Individual	Oppose	Written Testimony Only

## Comments:

The enhancement of penalties in this laws reduces the judiciarys ability to have nuance in sentences for situations that may not rise to the penalties imposed. Futhermore the disarming of individuals without convictions shows a lack of due process for who may have protective orders filed against them falsely.

**SB-2575**

Submitted on: 2/1/2026 12:09:55 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lily Villarin	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

**SB-2575**

Submitted on: 2/1/2026 12:10:15 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

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

Comments:

I oppose this bill

**SB-2575**

Submitted on: 2/1/2026 12:34:23 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

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

Comments:

I strongly oppose this bill !



**SB-2575**

Submitted on: 2/1/2026 12:53:41 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

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

Comments:

I oppose this bill

**SB-2575**

Submitted on: 2/1/2026 1:13:01 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rustin Magliba	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

**SB-2575**

Submitted on: 2/1/2026 1:20:07 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Margaret ST Vesnefski	Testifying for For Liberty and Justice Hawaii	Oppose	Written Testimony Only

Comments:

Strongly oppose this bill. Stacking charges ahead of court will create hardship for innocent citizens. This bill will not help address individual crimes and should be charged separately.

**SB-2575**

Submitted on: 2/1/2026 1:26:56 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Daniel Covert	Individual	Oppose	Written Testimony Only

Comments:

Got it. Here's the revised testimony with all em dashes removed and no divider lines.

Testimony in Opposition

Aloha I respectfully submit testimony in opposition to this bill.

While I strongly support efforts to reduce violent crime and keep firearms out of the hands of truly dangerous individuals, this measure goes too far and risks serious unintended consequences for law-abiding residents of Hawai'i.

First, the bill dramatically increases penalties to Class A felonies in situations where individuals may not even know they are prohibited from possessing a firearm or ammunition. In practice, people are not always clearly notified when a temporary restraining order has been issued or when a court order has taken effect. Elevating what is currently a misdemeanor to a Class A felony with mandatory minimum prison terms creates a serious due process concern. A person should not face life-altering felony charges for conduct they did not knowingly or intentionally commit.

Second, the bill fails to distinguish between violent criminal behavior and otherwise lawful activity. Hawai'i relies heavily on hunting to control invasive species such as feral pigs, goats, and deer that cause serious damage to native ecosystems, watersheds, and agricultural lands. Lawful hunters, including those who participate in bow hunting and other regulated methods, play a vital role in conservation and environmental protection. Over-criminalization of firearm and ammunition possession, especially with automatic felony upgrades, will discourage participation in these activities without meaningfully improving public safety.

Third, mandatory minimum sentences remove judicial discretion and prevent judges from considering context, intent, or actual risk to the public. Treating nonviolent technical violations the same as serious violent offenses undermines trust in the justice system and diverts resources away from addressing truly dangerous criminal behavior.

Finally, existing laws already allow prosecutors to pursue serious penalties when firearms are used in the commission of violent crimes or drug trafficking. This bill is not narrowly tailored and instead sweeps in a broad range of conduct that does not pose the same level of threat.

For these reasons, I urge the committee to reject this measure or significantly amend it to protect due process, preserve judicial discretion, and avoid criminalizing responsible community members who contribute to Hawai'i's environmental stewardship and public safety.

Mahalo for the opportunity to testify.

**SB-2575**

Submitted on: 2/1/2026 1:42:21 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robert Pitman	Individual	Oppose	Written Testimony Only

Comments:

I oppose this.

**SB-2575**

Submitted on: 2/1/2026 1:47:25 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Martin Humpert	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

**SB-2575**

Submitted on: 2/1/2026 2:01:35 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bunnie Harrington	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.



**SB-2575**

Submitted on: 2/1/2026 2:07:35 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mike Harrington	Individual	Oppose	Written Testimony Only

Comments:

I strongly disagree and oppose this bill.

Thank you,

Michael

**SB-2575**

Submitted on: 2/1/2026 2:13:00 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lanette Bourg	Individual	Oppose	Written Testimony Only

Comments:

Oppose

**SB-2575**

Submitted on: 2/1/2026 2:18:15 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David K. Jones	Individual	Oppose	Written Testimony Only

## Comments:

Aloha representatives! I OPPOSE SB2575. Under this law, should my wife or I be in the *lawful possession* of a firearm while arrested-- even at a lawful protest against ICE's actions (such as the one Alex Pretti was at)-- we would be facing CLASS A FELONY charges, just for protesting tyrannical rule against Trump's henchmen. Seeing that the government is becoming increasingly heavy-handed in actions against its own citizens, I OPPOSE this bill wholeheartedly.

Please, protect rights for ALL citizens!

--David Jones

**SB-2575**

Submitted on: 2/1/2026 2:18:44 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jessica Kuzmier	Individual	Support	Written Testimony Only

Comments:

Aloha, I am writing in support of SB2575. I believe it will help with public safety. Mahalo for your consideration.

**SB-2575**

Submitted on: 2/1/2026 2:22:30 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Stephen Yuen	Individual	Oppose	Written Testimony Only

Comments:

Expanding mandatory minimums limits judicial discretion and can result in disproportionate penalties without effectively addressing crime.

**SB-2575**

Submitted on: 2/1/2026 2:27:25 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

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

Comments:

Oppose

There are plenty of mitigating circumstances that should be left to a judge's discretion.

**SB-2575**

Submitted on: 2/1/2026 2:36:37 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John Miyagi	Individual	Oppose	Written Testimony Only

## Comments:

To be short, sweet and to the point. I oppose this "Bill", due to the fact that that it hurts law abiding citizens by criminalizing them when due process is diverted because of "Red Flag" laws already in place. Mahalo

**SB-2575**

Submitted on: 2/1/2026 2:38:29 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gregory Fogarty	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill



**SB-2575**

Submitted on: 2/1/2026 2:48:33 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Eric Hammond	Individual	Oppose	Written Testimony Only

Comments:

**Aloha,**

**My name is Eric Hammond and I was born and raised in Laie.**

**I OPPOSE SB2575.**

**This bill worries me when it comes to due process, a constitutional right. Protective orders can be issued without full evidentiary hearings. I have had a few friends go through bad divorces and their wives hit them with TROs just to make trouble. These were great guys that I knew well. They also own firearms. If something were to somehow happen with a TRO served without that evidentiary hearing, now instead of the judge having discretion to view the case and make an appropriate decision, the judge would have to sentence the minimum amount, 20 years.**

**There goes due process.**

**Meanwhile, the other laws that many of you have made let actual criminals in and out of jail like a revolving door.**

**Mahalo**

**SB-2575**

Submitted on: 2/1/2026 2:58:20 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael A. Wee	Individual	Oppose	Written Testimony Only

Comments:

I strongly OPPOSE this measure. There are enough penalties on the books already that are simply NOT enforced!

**LATE**

**SB-2575**

Submitted on: 2/1/2026 6:01:41 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

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

Comments:

Aloha,

I'm a retired veteran with two combat deployments to Iraq 2003 and 2008. We all took an oath to support and defend the US Constitution. Depriving an individual of a constitutional right to bear arms while being prosecuted needs to go away and the supreme Court should hear it. Please abolish this bill as it is unconstitutional.

Very Respectfully,

Ray Bragado

**LATE**

**SB-2575**

Submitted on: 2/1/2026 7:37:13 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jeffrey King	Individual	Oppose	Written Testimony Only

Comments:

I don't know. Maybe we should be focusing more on punishing crimes with actual victims. Seems like there's more than enough of that around to keep everybody busy.

**LATE**

**SB-2575**

Submitted on: 2/1/2026 7:47:42 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ilima DeCosta	Individual	Support	Remotely Via Zoom

Comments:

Aloha and mahalo to the committee for the opportunity to testify in strong support of SB2575.

As a leading cause of death for youth ages 2-24, gun violence is now a public health threat and it is incumbent that the penalties are appropriate to the crime.

This threat to public health and public safety cannot be solved by merely legislating increased firearms or active shooting training for law abiding citizens, the public health and safety threat needs to be met with the same amount of force: which is increased penalties and potentially mandatory jail time for convicted offenders.

I have lost a child to domestic related gun violence and I do not wish this fate on any other families. I have also recently been a target of domestic violence, by someone who claimed to have the ability to get his hands on a gun "easy and cheap".

I am grateful to have escaped my situation and yet still grieving the fact that my daughter wasn't able to escape before her life was taken.

Hawai'i needs to get tough on crime and especially those who commit violent crimes.

I humbly thank our elected officials for introducing SB2575 and I pray that each member votes to hold those who commit crimes fully accountable for their crimes.

**LATE**

**SB-2575**

Submitted on: 2/1/2026 9:23:46 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nicholas Zehr	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Members of the Committee:

I offer this testimony in respectful opposition to SB2575 as currently drafted, while acknowledging the sincere intent behind the bill and the tragic loss of Officer Suzanne O. Protecting the public and honoring fallen officers are legitimate and shared goals.

From a perspective grounded in public safety, civil liberties, and evidence-based criminal justice, this bill raises serious concerns.

First, the bill imposes blanket mandatory minimum sentences of twenty years without parole, regardless of individual circumstances, culpability, or demonstrated intent to harm. Decades of research and experience show that mandatory minimums do not deter violent crime more effectively than proportionate, discretionary sentencing, but they do increase incarceration costs, exacerbate racial and socioeconomic disparities, and reduce judicial ability to tailor punishment to the facts of a case. Even many progressive reformers and prosecutors have moved away from such rigid sentencing schemes for these reasons.

Second, the bill dramatically escalates penalties for non-violent conduct, including possession-based offenses, by converting misdemeanors into class A felonies that trigger decades-long imprisonment. This risks punishing status and proximity rather than actual violence, while diverting limited law-enforcement and correctional resources away from individuals who have demonstrably harmed others or pose a clear, imminent threat.

Third, the expansion of firearm seizure and search provisions tied to protective orders raises due process concerns, particularly where criminal liability attaches to failure to disclose firearm

location. Protective orders play an important role in preventing harm, but enforcement mechanisms must remain narrowly tailored, constitutionally sound, and focused on preventing violence, not creating new pathways to felony liability absent malicious intent.

If the Legislature wishes to meaningfully improve public safety while honoring Officer O's legacy, a more effective and just approach would be to:

- Focus enhanced penalties specifically on violent acts or credible threats, not mere possession.
- Preserve judicial discretion to distinguish between dangerous offenders and technical or non-violent violations.
- Invest in targeted intervention, mental health response, and enforcement against repeat violent offenders, which evidence shows reduces harm more reliably than mandatory minimums.

Public safety and civil liberties are not competing values. Hawaii can protect communities, respect constitutional boundaries, and avoid policies that unintentionally expand mass incarceration without measurable benefit.

For these reasons, I respectfully oppose SB2575 as written and urge the Committee to reconsider its scope and structure.

**LATE**

**SB-2575**

Submitted on: 2/1/2026 10:04:36 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jesse Hutchison	Individual	Support	Written Testimony Only

Comments:

Thank you!



**LATE**

**SB-2575**

Submitted on: 2/1/2026 10:11:26 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
james	Individual	Oppose	Remotely Via Zoom

Comments:

Subject: Comprehensive Testimony in Opposition to S.B. 2575 – Constitutional, Legal, and Practical Concerns

Chair, Vice Chair, and Members of the Committee,

My name is James H. Smith. I am a Hawai‘i resident, educator, and lawful firearm owner. I respectfully submit this testimony in strong opposition to S.B. 2575 as currently written.

I support firm, meaningful penalties for the violent criminal misuse of firearms. Protecting our communities from genuine threats is essential. However, S.B. 2575 does not limit itself to violent misuse. Instead, it creates a sentencing structure that equates technical, status-based, and non-violent firearm violations with the most serious crimes in our criminal code by imposing a mandatory 20-year minimum term of imprisonment without parole.

This raises profound constitutional, legal, and practical concerns.

**1) Disproportionate Punishment (Eighth Amendment)**

A Class A felony in Hawai‘i is the same tier used for murder, rape, and kidnapping. S.B. 2575 would apply that tier to situations such as:

- Logistical or timing issues in surrendering firearms during a temporary restraining order,
- Allegations of being “under the influence” while lawfully carrying,
- Non-violent possession or status violations.

The U.S. Supreme Court has long required that punishment be proportional to the offense (see *Solem v. Helm*; *Weems v. United States*; *Graham v. Florida*). Treating administrative or status violations like the most serious violent crimes raises serious proportionality concerns.

**2) Removal of Judicial Discretion**

By mandating a flat 20-year minimum without parole, the bill removes a judge’s ability to consider the facts of an individual case. Courts rely on discretion to distinguish violent offenders from technical violators. Eliminating that distinction is constitutionally suspect and undermines the justice system’s ability to do justice in individual cases (see *United States v. Booker*; *Woodson v. North Carolina*).

### 3) Due Process and Vagueness

The phrase “under the influence of a controlled substance” is undefined and extremely broad. “Controlled substance” can include common prescription medications. Without objective standards, ordinary people cannot know what conduct is prohibited, and enforcement risks becoming arbitrary (see *Kolender v. Lawson*; *Papachristou v. City of Jacksonville*).

### 4) Second Amendment Standards Under Current Federal Law

Recent Supreme Court decisions require firearm regulations to be consistent with the Nation’s historical tradition and narrowly tailored (see *District of Columbia v. Heller*; *McDonald v. City of Chicago*; *New York State Rifle & Pistol Association v. Bruen*). There is no historical tradition of imposing murder-tier mandatory sentences for non-violent firearm status violations. This bill invites immediate constitutional challenge that the State will have to defend at taxpayer expense.

### 5) TRO / Protective Order Provisions Are Overly Broad

While restricting firearm access for individuals who pose a credible threat is reasonable, S.B. 2575 criminalizes logistical or timing issues in surrender during TRO service at a level equivalent to violent felonies. Confusion over firearm location, storage with a third party, or brief delay could expose an otherwise law-abiding person to 20 years in prison.

### 6) Search and Seizure Concerns

The bill’s firearm recovery pathway during TRO situations will be scrutinized against modern Fourth Amendment limits on home entry and seizure (see *Caniglia v. Strom*).

### A Better Path Forward

We can protect public safety without creating a sentencing scheme that treats paperwork, timing, or status errors as equivalent to the most serious crimes in Hawai‘i law. I respectfully urge the Committee to:

- Remove the 20-year mandatory minimum,
- Restore judicial discretion,
- Limit Class A felony exposure to violent misuse of a firearm,
- Clarify and narrowly define “under the influence” with objective standards and prescription clarity,
- Provide reasonable surrender timelines during TRO situations.

Strong laws target violent wrongdoing. Overbroad laws create fear, confusion, and constitutional conflict while doing little to deter those already intent on breaking the law.

Thank you for the opportunity to testify and for your service to our community.

Respectfully,

James H. Smith  
Hale‘iwa, Hawai‘i

**LATE**

**SB-2575**

Submitted on: 2/1/2026 10:39:06 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Max Peterson	Individual	Oppose	Written Testimony Only

Comments:

SB2575 imposes extreme and disproportionate penalties that place heavy burdens on law abiding citizens, the Second Amendment community, and taxpayers. By converting multiple non violent or technical firearm violations into Class A felonies and imposing mandatory 20 year prison terms without parole, the bill removes judicial discretion and treats administrative or civil order violations as the most serious crimes under Hawai'i law. It expands criminal liability for individuals under restraining orders—many of which are civil, temporary, and issued without a criminal conviction—and authorizes broad firearm seizures and compelled disclosure of firearm locations. These provisions expose responsible gun owners to severe penalties for conduct that is not inherently violent. The mandatory minimums and expanded felony classifications will also impose enormous costs on taxpayers through increased incarceration and court expenses.

**LATE**

**SB-2575**

Submitted on: 2/1/2026 11:40:30 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jason Young	Individual	Oppose	Written Testimony Only

Comments:

**SB2575** imposes extreme and disproportionate penalties that place heavy burdens on law-abiding citizens, the Second Amendment community, and taxpayers. By converting multiple non-violent or technical firearm violations into Class A felonies and imposing mandatory 20-year prison terms without parole, the bill removes judicial discretion and treats administrative or civil-order violations as the most serious crimes under Hawai‘i law. It expands criminal liability for individuals under restraining orders—many of which are civil, temporary, and issued without a criminal conviction—and authorizes broad firearm seizures and compelled disclosure of firearm locations. These provisions expose responsible gun owners to severe penalties for conduct that is not inherently violent. The mandatory minimums and expanded felony classifications will also impose enormous costs on taxpayers through increased incarceration and court expenses.

**LATE**

**SB-2575**

Submitted on: 2/2/2026 7:43:40 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

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

Comments:

OPPOSE this bill. The current laws are more than sufficient for judges to determine the appropriate sentence for a lawfully convicted criminal.

**LATE**

**SB-2575**

Submitted on: 2/2/2026 9:28:51 AM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Maverick Quartero	Individual	Oppose	Written Testimony Only

Comments:

This bill is too harsh and casts a net to wide that may unknowingly catch law abiding citizens. There are prescription drugs that can fall under the description of "controlled substance", this could make a gun owner with cold and taking cough syrup a felon.



Dennis M. Dunn  
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TO: **Senator Carol Fukunaga, Chair**

**Senator Chris Lee, Vice Chair**

**Senate Committee on Public Safety and Military Affairs**

RE: **S.B. 2575 Relating to Firearms**

HEARING: **Monday, February 2, 2026, 3:00 p.m.**

**Conference Room 16**

Good afternoon, Chair Fukunaga and Vice Chair Lee, and Members of the Senate Committee on Public Safety and Military Affairs. I am providing testimony in **Support of S.B. 2575, with Amendments.**

I am generally supportive of measures such as proposed in S.B. 2575, which insure that ensure strong criminal sanctions target those individuals who utilize firearms in the commission of crimes. Individuals who intentionally target others with firearms or who illegally possess firearms creating a risk for others represent a critical danger to the safety and well-being of community members throughout our state. Similarly, individuals who have been restrained pursuant to a court issued restraining or protective order and are in possession of firearms pose an immediate danger to the person or persons protected by the court order as well as their families, friends, and co-workers. S.B. 2575 also targets those who possess firearms while also illegally possessing drugs, which also poses an enhanced risk to the public. All the above described individuals are worthy of enhanced penalties under the criminal law, which I support. The degree to which increased penalties are assessed in S.B. 2575 is too extreme in my opinion. I recommend that the Committee consider increasing penalties for the individuals who put us all at risk through the use and possession of firearms but in a more measured and reasonable manner.

Thank you for your time and consideration.

**LATE**

**SB-2575**

Submitted on: 2/2/2026 12:39:36 PM

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Atom Kasprzycki	Individual	Oppose	Written Testimony Only

Comments:

This bill is unconstitutional.



**LATE**

**SB-2575**

Submitted on: 2/2/2026 1:54

Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kehaunani Andrade	Individual	Oppose	Written Testimony Only

Comments:

I oppose bill 2575 as this and other bills that continue to find ways to keep law abiding citizens more and more vulnerable to those that have no respect for law and others! Criminals will continue to break the law and the innocent will be vulnerable to their demise. Please hear me and many others that are opposing this bill. Mahalo for your time!