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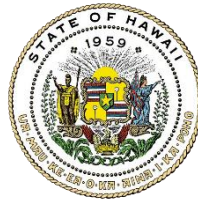
APPELLATE DIVISION
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DISTRICT COURT DIVISION
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March 24, 2026

SB 2575, SD2: RELATING TO FIREARMS

Chair David A. Tarnas, Vice Chair Mahina Poepoe and Members of the House Committee on Judiciary and Hawaiian Affairs

The Office of the Public Defender (OPD) **respectfully opposes SB 2575, SD2** which seeks to amend Hawaii 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, SD2 would amend HRS section 134-7 (prohibited ownership, possession or control of firearms) so that a respondent to a restraining order or gun violence protective order or any person with a felony conviction who possesses a firearm will be guilty of a class A felony. Lastly, SB 2575, SD2 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 is 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 prison 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 without the possibility of parole. 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 idea that such strict penalties will have a deterrent effect upon the community, but we have seen no research to support this contention. 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 1349.4 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.

Lastly, certain parts of SB 2574, SD2 are inconsistent in its approach to the perceived problem. Proposed amendments to HRS 134-7(2)(j)(1) make it a class A felony to continue to possess a firearm while a respondent to a restraining order or gun protective order, however, if a person is also a legal owner of said firearm the crime is only a misdemeanor. If the fear is that a respondent to a court protective order presents a danger to the community, the status of their gun ownership is meaningless. The same problem exists with the proposed change to

(2)(j)(2) & (3), wherein a felon is subject to a class A felony and anyone else is guilty of a misdemeanor. Thus, anyone that has a conviction for any non-violent felony including theft, UCPV etc would be considered more dangerous under the same situation than a non-felon regardless of the age of the conviction, nature of the relationship that spawned the restraining order, or current circumstances of the respondent. Furthermore, proposed changes to HRS 134-9.4 also contain inconsistent results. Amendments to (5)(b)(1)(2)(3) make it a class A felony for possessing a firearm while under the influence of a controlled substance, which could include many medications that would not intoxicate its user, but in some circumstances allow them to think and act more clearly. Subsection (2) would make it a class A felony to possess a firearm while at the same time possessing methamphetamine, which would have no nexus to dangerousness, as again the proposed language of the statute does not require intoxication or use thereof. Yet, subsection (3) makes it only a petty misdemeanor to be under the influence of alcohol or intoxicating liquor while in possession of a firearm. Thus, saying that one is not a danger while drunk and in possession of a firearm.

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, SD2 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, SENATE DRAFT 2
RELATING TO FIREARMS
Before the House Committee on
JUDICIARY & HAWAIIAN AFFAIRS
Wednesday, March 25, 2026, 2:00 PM
State Capitol Conference Room 325
Testifier: Mike Lambert

Chair Tarnas, Vice Chair Poepoe, and members of the Committee:

The Department of Law and Enforcement (DLE) supports Senate Bill 2575, Senate Draft 2. This bill establishes mandatory minimum terms of imprisonment for certain class A felonies involving firearms, enhances penalties for various firearm-related offenses, and creates new class A felony designations for particularly dangerous conduct. Specifically, the bill elevates from a class B felony to a class A felony the offense of owning, possessing, or controlling any firearm or ammunition while being prosecuted for or having been convicted of a felony, a crime of violence, a criminal offense relating to firearms, or an illegal sale or distribution of any drug. Additionally, the bill elevates from a misdemeanor to a class A felony the penalty for ownership, possession, control, or transfer of ownership of any firearm or ammunition by a person who is subject to a court restraining order prohibiting contact, threats, or physical abuse. It further elevates from a misdemeanor to a class A felony the offense of carrying a firearm while under the influence of a controlled substance, and establishes unlawful possession of methamphetamine while carrying a firearm as a class A felony.

DLE supports this measure as it directly addresses the serious and escalating danger posed by individuals who carry or possess firearms in conjunction with criminal activity, substance abuse, or in violation of court-issued protective orders. The combination of firearms and criminal conduct, drug use, or domestic violence restraining orders creates an extraordinarily heightened risk to public safety and to the officers who respond to these situations. Current penalty structures have proven insufficient to deter these behaviors, and elevating these offenses to class A felonies — paired with mandatory minimum terms of imprisonment — sends a clear and unambiguous message that such conduct will not be tolerated.

The mandatory minimum sentencing provisions are particularly important to the DLE. Consistent and meaningful consequences are essential to deterring individuals who might otherwise calculate that the risks of carrying a firearm while engaged in criminal behavior or drug use are acceptable. Mandatory minimums remove ambiguity from sentencing outcomes and ensure that the most dangerous offenders are removed from our communities for an appropriate period of time, thereby enhancing public safety.

The elevation of the firearm-violation of a restraining order to a class A felony is equally critical. Individuals subject to court orders restraining them from contacting or threatening others have already been identified by the judicial system as a potential threat. Allowing such individuals to possess or transfer firearms represents an unacceptable risk, particularly in the context of domestic violence situations where the presence of a firearm dramatically increases the likelihood of lethal outcomes. This enhancement appropriately reflects the gravity of that threat.

Furthermore, establishing the unlawful possession of methamphetamine while carrying a firearm as a class A felony recognizes the uniquely volatile and dangerous nature of methamphetamine use and its well-documented association with violent and erratic behavior. Law enforcement officers on the ground regularly encounter the compounded dangers of this combination, and having a robust statutory tool to prosecute such

conduct is essential.

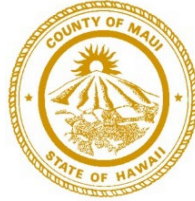
DLE believes this bill provides the criminal justice system with necessary and long-overdue tools to protect the community from those who choose to combine firearm possession with criminal behavior, drug use, or violations of court orders.

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

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
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TESTIMONY ON
S.B. 2575 SD2
RELATING TO FIREARMS

March 24, 2026

The Honorable David A. Tarnas
Chair
The Honorable Mahina Poepoe
Vice Chair
and Members of the Committee on Judiciary & Hawaiian Affairs

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee:

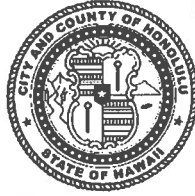
The Department of the Prosecuting Attorney, County of Maui respectfully submits the following comments **in support of S.B. 2575 SD2, Relating to Firearms**. This bill increases public safety by increasing the penalty for certain firearm possession offenses to a class A felony with a mandatory minimum 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, as well as those who possess methamphetamine while carrying a firearm. In scenarios involving controlled substances or methamphetamine, 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 SD2**. 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.

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

801 SOUTH BERETANIA STREET • HONOLULU, HAWAII 96813
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RICK BLANGIARDI
MAYOR
MEIA

RADE K. VANIC
INTERIM CHIEF
KAHU MĀKA'I KŪIKAWA

AARON TAKASAKI-YOUNG
BRANDON NAKASATO
INTERIM DEPUTY CHIEFS
NA HOPE LUNA NUI MĀKA'I KŪIKAWA

OUR REFERENCE **RV-LS**

March 25, 2026

The Honorable David A. Tarnas, Chair
and Members
Committee on Judiciary
and Hawaiian Affairs
State Capitol
415 South Beretania Street, Room 325
Honolulu, Hawai'i 96813

Dear Chair Tarnas and Members:

SUBJECT: Senate Bill No. 2575, S.D. 2, Relating to Firearms

I am Rade K. Vanic, Interim Chief of Police for the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports Senate Bill No. 2575, S.D. 2, Relating to Firearms.

This bill strengthens public safety by establishing a mandatory minimum imprisonment for certain Class A firearm felonies and elevating penalties for prohibited persons, individuals under protective or restraining orders, and those carrying firearms while under the influence of a controlled substance.

These targeted enhancements address the most dangerous combinations we encounter (i.e., drugs, firearms, and domestic violence) by creating clear, predictable consequences for high-risk conduct, improving victim and officer safety, and deterring armed offenses. Mandatory minimums for the gravest firearm crimes ensure imprisonment of those who pose an imminent threat, while upgraded sanctions for temporary restraining order/protective order violations reinforce court orders and protect families.

The Honorable David A. Tarnas, Chair
and Members
Page 2
March 25, 2026

The HPD urges you to support Senate Bill No. 2575, S.D. 2, Relating to
Firearms.

Thank you for the opportunity to testify.

Sincerely,



Rade K. Vanic
Interim Chief of Police

Council Chair
Alice L. Lee

Vice-Chair
Yuki Lei K. Sugimura

Councilmembers
K. Kauano'e Batangan
Tom Cook
Gabe Johnson
Tamara Paltin
Keani N.W. Rawlins-Fernandez
Shane M. Sinenci
Nohelani U'u-Hodgins



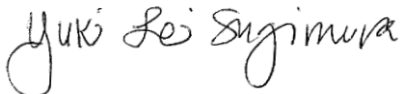
Director of Council Services
David M. Raatz, Jr., Esq.

Deputy Director of Council Services
Richelle K. Kawasaki, Esq.

COUNTY COUNCIL
COUNTY OF MAUI
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WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

March 24, 2026

TO: Honorable David A. Tarnas, Chair
House Committee on Judiciary and Hawaii Affairs

FROM: Yuki Lei Sugimura
Council Vice-Chair 

SUBJECT: **Testimony in Support of SB 2575 SD2 – Relating to Firearms**

Thank you for the opportunity to testify in SUPPORT of Senate Bill 2575, SD2, also known as “Officer O’s Crime Bill,” introduced in memory of Officer Suzanne O., whose service and sacrifice left a profound impact on Maui County.

Officer Suzanne O. dedicated her life to protecting our community with courage, professionalism, and a deep sense of duty. Her tragic loss was felt across Maui County, where residents, businesses, and families came together in a powerful show of unity by honoring her with a blue light tribute that illuminated our island in remembrance. That collective moment reflected not only grief, but a shared commitment to ensuring that her service and sacrifice are never forgotten.

SB 2575, SD2 carries that legacy forward by strengthening accountability for serious firearm-related offenses. The measure establishes enhanced penalties and mandatory minimum terms of imprisonment in situations where firearms are used or possessed in connection with other dangerous or unlawful conduct. By focusing on high-risk circumstances, such as individuals already engaged in criminal activity, subject to protective orders, or impaired by controlled substances, the bill addresses the situations most likely to lead to harm.

This legislation sends a clear and necessary message: when firearms are combined with dangerous behavior, the consequences must reflect the heightened risk to public safety.

March 24, 2026

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For communities like Maui County, where relationships between residents and first responders are deeply valued, this measure represents a meaningful step toward protecting both the public and those who serve. It supports law enforcement efforts, strengthens deterrence, and reinforces our collective expectation of accountability.

Passing SB 2575, SD2 is not only a policy decision, it is a tribute to Officer Suzanne O.'s life, her dedication, and her ultimate sacrifice. It reflects our commitment to learning from loss and taking thoughtful action to prevent future tragedies.

For these reasons, I support SB 2575, SD2. Thank you for the opportunity to testify.

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

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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 DAVID A. TARNAS, CHAIR
HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS
Thirty-Third State Legislature
Regular Session of 2026
State of Hawai'i**

March 25, 2026

RE: S.B. 2575, S.D.2; RELATING TO FIREARMS.

Chair Tarnas, Vice-Chair Poepoe, and members of the House Committee on Judiciary & Hawaiian Affairs, the Department of the Prosecuting Attorney of the City and County of Honolulu (“Department”) submits the following testimony in **strong support** of S.B. 2575, S.D.2.

S.B. 2575, S.D.2 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 firearms¹ and the use of a firearm in the commission of a felony.² 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 unlawful 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.

¹ HRS § 134-7.

² HRS § 134-9.



DEREK S.K. KAWAKAMI, MAYOR
REIKO MATSUYAMA, MANAGING DIRECTOR

POLICE DEPARTMENT COUNTY OF KAUA'I



RUDY TAI, CHIEF OF POLICE
MARK T. OZAKI, DEPUTY CHIEF OF POLICE

March 24, 2026

The Honorable Representative David A. Tarnas, Chair
And Honorable Members of the Committee on Judiciary and Hawaiian Affairs
Hawai'i State Capitol
415 South Beretania Street
Honolulu, HI 96813

RE: Testimony in Support of Senate Bill 2575 SD2, Relating to Firearms

Honorable Chair Tarnas, Vice Chair Poepoe, and Members of the Committee:

On behalf of the Kaua'i Police Department, I am submitting testimony in **SUPPORT of SB 2575 SD2**, which strengthens public safety by imposing stricter penalties on individuals who unlawfully possess or use firearms, particularly those already prohibited due to criminal activity or court orders.

By prioritizing community safety and accountability, this measure makes clear that individuals who are already engaged in unlawful conduct or subject to court-ordered restrictions must not be permitted to possess or carry firearms in the State of Hawai'i, and it reinforces that principle through strengthened penalties for serious firearm offenses.

Routine calls for service become far more dangerous when individuals are unlawfully armed, placing officers in rapidly evolving situations during domestic incidents, traffic stops, and other disturbances. In these high-pressure environments, stronger and consistently applied penalties for prohibited firearm possession among high-risk individuals can serve as a deterrent, help stabilize encounters, and enhance safety for both law enforcement and the community.

In many firearm-related incidents, there are recognizable indicators that precede the violence. These often include individuals with prior criminal involvement, those subject to protective orders or other judicial restrictions, or individuals whose judgment is impaired by substances. When such individuals have access to firearms, the likelihood of harm increases. This legislation focuses on those risk factors and takes a proactive step toward preventing avoidable tragedies.

SB 2575 SD2 also reflects our collective responsibility to support those who serve and protect our communities while honoring Maui Police Department's fallen Officer Suzanne O. It stands as a reminder of the sacrifices made by law enforcement officers across Hawai'i and acknowledges the lasting impact on the families they leave behind. While no measure can change past outcomes, we can and should act to reduce the likelihood of future loss.

Chair Tarnas
March 24, 2026
Re: SB 2575 SD 2
Page 2 of 2

For these reasons, the Kaua'i Police Department strongly **supports SB 2575 SD2**. Thank you for the opportunity to testify.

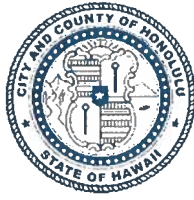
Respectfully submitted,

A handwritten signature in black ink that reads "Rudy Tai". The signature is written in a cursive, flowing style.

Rudy Tai
Chief of Police
Kaua'i Police Department

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

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RICK BLANGIARDI
MAYOR
MEIA

RADE K. VANIC
INTERIM CHIEF
KAHU MĀKA'I KŌIKAWA

AARON TAKASAKI-YOUNG
BRANDON NAKASATO
INTERIM DEPUTY CHIEFS
NĀ HOPE LUNA NUI MĀKA'I KŌIKAWA

OUR REFERENCE **AS-DNK**

March 25, 2026

The Honorable David A. Tarnas, Chair
and Members
Committee on Judiciary
and Hawaiian Affairs
House of Representatives
415 South Beretania Street, Room 325
Honolulu, Hawai'i 96813

Dear Chair Tarnas and Members:

SUBJECT: Senate Bill No. 2575, S.D. 2, Relating to Firearms

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

The HPD supports Senate Bill No. 2575, S.D. 2, Relating to Firearms.

This bill establishes mandatory minimum terms of imprisonment for certain Class A felonies involving firearms. Changing a criminal charge from a Class B felony to a Class A felony significantly increases the penalty for owning, possessing or controlling any firearm or ammunition, while being prosecuted for or having been convicted of committing a felony, a crime of violence, a criminal offense relating to firearms, or an illegal sale or distribution of any drug. Changing a criminal charge from a misdemeanor to a Class A felony increases the penalty for ownership, possession, control, or transfer of ownership of any firearms or ammunition by a person who a court order has restrained from contacting, threatening, or physically abusing any person. Changing a criminal charge from a misdemeanor to a Class A felony increases the penalty for carrying a firearm while under the influence of a controlled substance. It also establishes possession of methamphetamine while carrying a firearm as a Class A felony.

The HPD is in full support of the enhanced sentencing for felony firearm offenders. This will send a clear message to possible violators to abstain from such actions. Initial violators to become examples for the rest. Tougher penalties will reduce recidivism for past firearm offenders from committing the same crimes.

The Honorable David A. Tarnas, Chair
and Members
March 25, 2026
Page 2

Another facet of the bill that is greatly appreciated is that it will help protect victims of domestic violence, harassment and the general public from individuals who are respondents of court orders of protection. The illegal ownership, transfer, possession or control of firearms would become a Class A felony with maximum mandatory terms.

Finally, the depraved combination of guns and illicit narcotics, especially methamphetamines is a mixture for disaster. We appreciate this legislative body taking the next step to protect the people of the state of Hawai'i and its keiki.

The HPD urges you to support Senate Bill No. 2575, S.D. 2, Relating to Firearms.

Thank you for the opportunity to testify.

Sincerely,



Arnold Sagucio, Acting Major
Records and Identification Division

APPROVED:



Rade K. Vanic
Interim Chief of Police

C. Kimo Alameda, Ph.D.
Mayor



Reed K. Mahuna
Police Chief

William V. Brillhante Jr.
Managing Director

Sherry D. Bird
Deputy Police Chief

County of Hawai`i

POLICE DEPARTMENT

349 Kapi`olani Street • Hilo, Hawai`i 96720-3998
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March 24, 2026

Representative David A. Tarnas, Chair
Representative Mahina Poepoe, Vice Chair
And Members
Committee on Judiciary and Hawaiian Affairs
State Capitol
415 South Beretania Street
Honolulu, HI 96813

Dear Representatives Tarnas and Poepoe and Members:

RE: SENATE BILL 2575 SD2 RELATING TO FIREARMS
DATE: MARCH 25, 2026
TIME: 2:00 P.M.
PLACE: VIDEOCONFERENCE
CONFERENCE ROOM 325

The Hawaii Police Department submits this testimony in strong support of SB2575 SD2, also known as "Officer O's Crime Bill" which enhances penalties for serious firearm-related offenses and strengthens protections for victims of violence.

This measure recognizes the substantial danger posed when firearms are in the hands of individuals who knowingly violate court orders, possess weapons unlawfully, or carry firearms while impaired or engaged in illegal drug activity.

Existing penalties do not fully reflect the severity of these actions or the risks they create for the community, for law enforcement officers, and for the intended victims of restraining or protective orders.

SB2575 SD2 improves public safety by:

- Establishing mandatory minimum terms of imprisonment for the most serious firearm-related class A felonies.
- Elevating penalties for possession of a firearm by individuals prohibited due to felony convictions or restraining orders.
- Creating strong consequences for carrying a firearm while under the influence of controlled substances or while unlawfully possessing methamphetamine.
- Ensuring that individuals subject to court-ordered firearm restrictions comply promptly and fully.

SENATE BILL 2575 SD2 RELATING TO FIREARMS

DATE: MARCH 25, 2026

TIME: 2:00 P.M.

PLACE: VIDEOCONFERENCE

CONFERENCE ROOM 325

Page 2

These enhanced penalties send a clear message that dangerous, unlawful firearm behavior will not be tolerated. They help ensure that consequences are consistent with the seriousness of the conduct, and they support safer outcomes for both the public and the officers who must respond to these high-risk situations.

For these reasons, the Hawaii Police Department respectfully urges the Committee to pass SB2575 SD2.

Thank you for the opportunity to provide testimony.

Na'u Me Ka Ha'aha'a,

A handwritten signature in black ink, appearing to be 'Reed K. Mahuna', with a stylized flourish extending to the right.

REED K. MAHUNA
POLICE CHIEF

Institute for Legislative Action

11250 WAPLES MILL ROAD

FAIRFAX, VIRGINIA 22030



NRA

February 27, 2026

Members of the House Committee on Judiciary & Hawaiian Affairs

RE: Senate Bill 2575: Relating to Firearms

Dear Chair Tarnas and Members of the Committee:

On behalf of the National Rifle Association's Institute for Legislative Action (NRA-ILA) and our members in Hawaii, we respectfully submit this testimony in opposition to the provisions in Senate Bill 2575 that pertain specifically to Hawaii's Gun Violence Protective Order (GVPO) laws.

Senate Bill 2575 would substantially elevate the penalties for certain violations of a GVPO by reclassifying conduct currently treated as a misdemeanor into a Class A felony. Class A felonies carry the most severe criminal sanctions under Hawaii law, including lengthy terms of imprisonment. Such a significant escalation in criminal exposure warrants careful constitutional and policy consideration.

As an initial matter, NRA-ILA has consistently maintained that red flag laws, including GVPO statutes, raise serious constitutional concerns. These laws authorize the temporary deprivation of a fundamental constitutional right through a civil process that does not afford the same robust procedural protections required in criminal proceedings. Orders may be issued on an expedited basis, often prior to a full adversarial hearing, and based on evidentiary standards lower than those required to sustain a criminal conviction. When a statute permits the suspension of a fundamental right without the full measure of constitutional safeguards, it raises substantial questions under both the Second Amendment and core due process principles.

GVPOs are issued through a civil judicial process, not a criminal prosecution. While civil protective mechanisms may serve a policy objective, they are not accompanied by the full range of procedural safeguards that attach in criminal proceedings, where the potential deprivation of liberty demands the highest constitutional protections.

By attaching the most serious level of felony punishment to alleged violations of an order originating in a civil process, SB 2575 compounds these constitutional concerns. When the state seeks to impose penalties measured in decades of incarceration, the underlying framework must reflect the rigor and protections traditionally required in criminal law. Expanding felony liability without corresponding enhancements to procedural safeguards further erodes the critical distinction between civil regulation and criminal punishment.

Additionally, SB 2575 directly implicates the fundamental right to keep and bear arms protected by the Second Amendment to the United States Constitution. The right to keep and bear arms is not a conditional privilege, it is a constitutional guarantee. Elevating alleged violations of a civil order into a Class A felony, while the underlying order itself was issued without the full

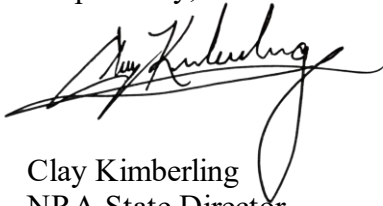
protection of a criminal adjudication, risks subjecting citizens to extraordinary criminal liability in connection with the exercise of a fundamental right. Constitutional rights cannot be curtailed through a civil shortcut and then enforced through the harshest mechanisms of the criminal code.

Moreover, reclassifying GVPO-related violations as Class A felonies may create disproportionality within the criminal code by subjecting individuals to penalties comparable to those imposed for the most serious violent offenses. Criminal classifications of this magnitude should be reserved for conduct adjudicated under the strict evidentiary and procedural standards of the criminal justice system.

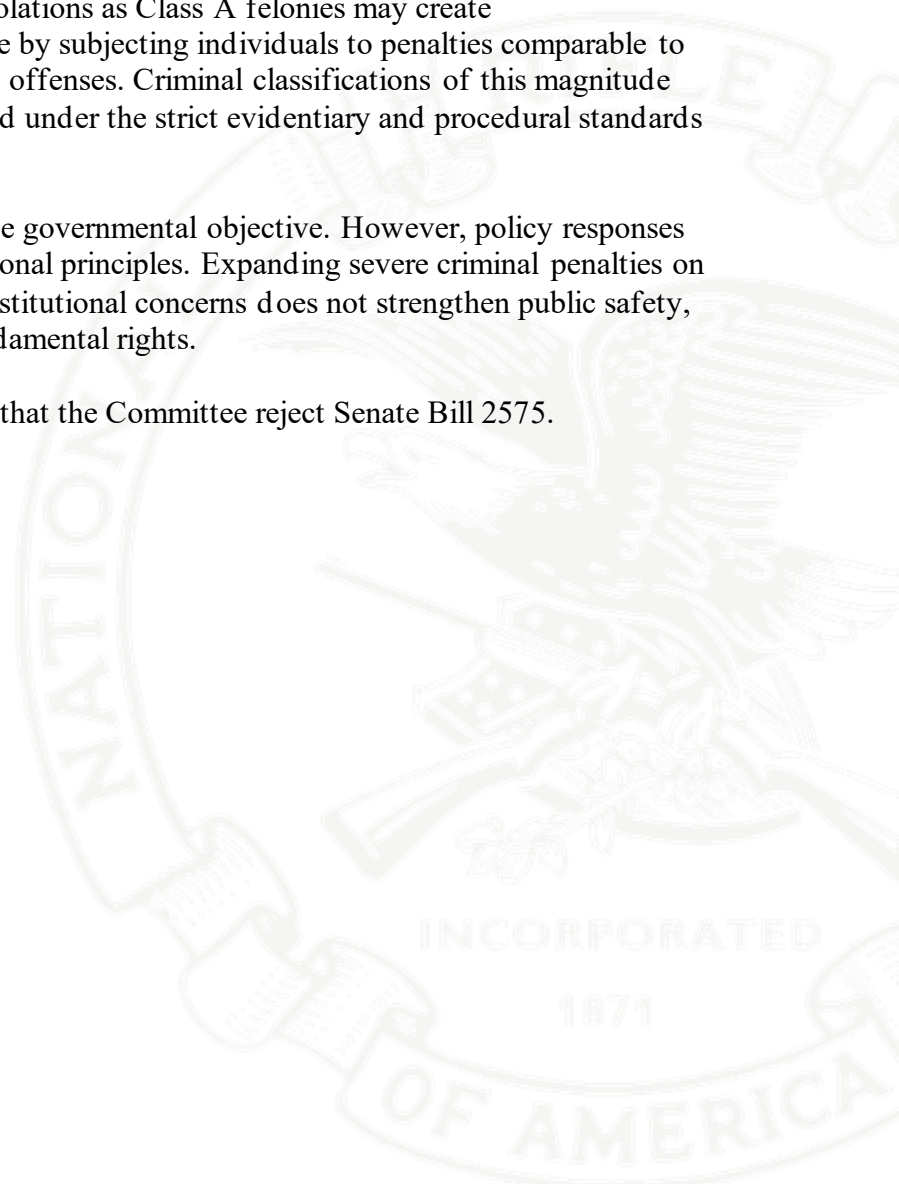
Public safety is an important and legitimate governmental objective. However, policy responses must remain firmly grounded in constitutional principles. Expanding severe criminal penalties on top of a framework that already raises constitutional concerns does not strengthen public safety, it deepens the risk to due process and fundamental rights.

For those reasons, we respectfully request that the Committee reject Senate Bill 2575.

Respectfully,

A handwritten signature in black ink, appearing to read "Clay Kimberling". The signature is stylized with a large, sweeping flourish at the end.

Clay Kimberling
NRA State Director



SB-2575-SD-2

Submitted on: 3/24/2026 7:02:41 AM

Testimony for JHA on 3/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Yvette Kay	Kona Indivisible and Matriarchy Rising	Support	Written Testimony Only

Comments:

I am writing in strong support of SB2054 SD2 both personally and as a member of the Indivisible Hawaii Statewide Network (IHSN). This Bill would amend §121-30 HRS to prohibit Hawaii National Guard from assisting or cooperating with either the National Guard of another state or federal troops or law enforcement deployed to Hawaii if the Governor has objected to the deployment, except as required by law. As amended this bill requires specific written direction from the Governor to minimize confusion and risk for members of the Guard.

As we have seen in Los Angeles, Portland OR, Minneapolis, and now Maine, among other cities, the federal deployment of ICE, CBP and other agencies is a threat to civil society, the rule of law, and the very lives of our neighbors and family members. The President called out the California National Guard over the objection of the state Governor, and according to court decisions in violation of the U.S. Constitution. Hawaii must act now, before the crisis comes to our shores with massive force, to protect our Guard and the people of the state from the rampant unlawful, unconstitutional, overreach of the Trump administration and federal agencies.

SB2054 SD2 will provide one piece of a defense against federal power being used to abuse our people. I strongly urge its passage.

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

Mahalo,

Yvette Kay

I am resident of Kailua Kona in Hawai'i County. I am on the leadership team for Kona Indivisible and run the protest arm of Kona Indivisible named, Matriarchy Rising. I support this bill.

yvettekay_99@yahoo.com

96740

415-706-9638

SB-2575-SD-2

Submitted on: 3/24/2026 9:10:15 AM

Testimony for JHA on 3/25/2026 2:00:00 PM

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

Comments:

Testimony in Strong Opposition to SB2575

Submitted by: Austin Martin

Chair, Libertarian Party of Hawaii

Libertarian National Committee Member for Region 1

To: House Committee on Judiciary & Hawaiian Affairs (JHA)

Hearing: Wednesday, March 25, 2026, 2:00 PM

Via Videoconference

Chair and Members of the Committee,

I submit this testimony in strong, unequivocal opposition to SB2575. As Chair of the Libertarian Party of Hawaii and a Libertarian National Committee member for Region 1, I stand firmly for the principle that government exists to protect individual rights—not to erode them. This bill is an unconstitutional assault on the fundamental right to keep and bear arms, a blatant violation of due process, and a dangerous expansion of government power that punishes law-abiding citizens while doing nothing to address actual crime.

SB2575 would:

- Impose mandatory minimum prison sentences for certain Class A felonies involving firearms.
- Upgrade to a Class A felony (from Class B) the offense of possessing or controlling a firearm or ammunition while under prosecution or conviction for a felony, crime of violence, firearm offense, or illegal drug distribution.
- Upgrade to a Class A felony (from misdemeanor) the possession, control, or transfer of firearms or ammunition by anyone subject to a temporary restraining order, protective order, or court order restraining contact, threats, or abuse—Hawaii’s so-called “Gun Violence Protective Orders” (red-flag laws).

- Upgrade to a Class A felony (from misdemeanor) the act of carrying a firearm while under the influence of a controlled substance, and make unlawful possession of methamphetamine while carrying a firearm a Class A felony.

These changes turn status-based offenses—not violent acts—into Hawaii’s most serious felony classification, complete with lifetime firearm bans and (in the case of red-flag violations) a mandatory 20-year sentence without parole. This is not justice; it is tyranny dressed up as “public safety.”

1. Red-Flag Provisions Destroy Due Process and the Presumption of Innocence

Gun Violence Protective Orders are already constitutionally suspect. They allow the government to strip a fundamental right based on third-party accusations, often decided *ex parte* with a low standard of proof and no criminal conviction required. SB2575 supercharges this abuse: one civil order—issued without a jury trial or proof beyond a reasonable doubt—becomes a direct pipeline to a Class A felony and decades in prison for the “crime” of owning a single bullet.

The Second Amendment is not a second-class right. The U.S. Supreme Court has repeatedly affirmed that the right to keep and bear arms is an individual right for self-defense (*District of Columbia v. Heller*, 2008; *McDonald v. City of Chicago*, 2010; *New York State Rifle & Pistol Association v. Bruen*, 2022). Hawaii cannot evade the Constitution by creating a parallel civil system that punishes people who have never been convicted of any crime. This bill is a due-process nightmare that turns protective orders into felony traps.

2. Mandatory Minimums and Status-Based Felonies Are Bad Policy and Cruel Punishment

Class A felonies are reserved for the most heinous crimes—murder, rape, armed robbery. SB2575 cheapens that label by applying it to mere possession by someone who has not harmed anyone. It removes judicial discretion, forces prosecutors into over-charging, and guarantees disproportionate sentences. A veteran with PTSD on prescribed medication, a parent under a contentious divorce order, or a law-abiding citizen who legally owns a firearm while facing a minor charge—all could face 20 years in prison.

This is not “tough on crime.” It is lazy governance that targets the rights of the innocent instead of the actions of the guilty. Real criminals do not obey gun laws; they obtain firearms illegally and ignore court orders. SB2575 will only disarm peaceful, responsible Hawaiians who need firearms for self-defense in a state where violent crime remains a reality.

3. “Under the Influence” Expansions Punish the Sick and the Sober

The bill’s expansion of penalties for carrying while “under the influence” of controlled substances (and, per public opposition analysis, mere alcohol consumption) is especially chilling. Law-abiding citizens using legally prescribed medications for chronic pain, anxiety, or other conditions could lose their rights and face felony charges—even if they are not impaired. This is government punishing people for being patients, not criminals. It has zero connection to actual public safety.

4. This Bill Violates Core Libertarian and American Principles

The Libertarian Party of Hawaii exists to defend individual liberty, personal responsibility, and the Non-Aggression Principle. The right to self-defense is the ultimate individual right; without it, all other rights become privileges granted by the state. SB2575 treats law-abiding gun owners as presumptive threats rather than responsible citizens. Hawaii already has some of the most restrictive gun laws in the nation. Adding draconian mandatory minimums and felony traps will not make our streets safer—it will only make our people less free.

We support real accountability for violent criminals. We do not support turning the justice system into a machine that manufactures felons out of peaceful residents. SB2575 is an overreach that will be challenged in court, waste taxpayer resources, and further erode public trust in government.

I respectfully urge the Committee to reject SB2575 in its entirety.

Thank you for your time and consideration. I am available to testify in person or via videoconference and answer any questions.

Sincerely,

Austin Martin

Chair, Libertarian Party of Hawaii

Libertarian National Committee Member – Region 1

March 25, 2026

House Committee on Judiciary & Hawaiian Affairs
Support for SB 2575, SD2, Relating to Firearms



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

The **State of Hawai'i Organization of Police Officers (SHOPO)** supports **SB 2575, SD2**, which, among other things, establishes mandatory minimum terms of imprisonment for certain class A felonies involving firearms.

This measure strengthens public safety protection by ensuring that serious firearm-related offenses carry penalties that reflect the level of risk posed to the community. In particular, the bill addresses situations in which an individual possesses, controls, or transfers a firearm while subject to a restraining order or protective order, as well as circumstances in which a person is in possession of a firearm while under the influence of alcohol or controlled substances. These are high-risk scenarios that law enforcement officers regularly encounter and that have the potential to escalate quickly into violent incidents.

This measure is intended to be known as the Officer O Crime bill, in honor of Maui Police Officer Suzanne O, a dedicated five-year officer who died in the line of duty while serving our community. Officer O made the ultimate sacrifice in the protection of others, and her loss is a solemn reminder of the risks law enforcement officers face every day. Naming this measure in her memory reflects the Legislature's commitment to officer safety and to ensuring that laws provide meaningful protections.

Respectfully submitted,

State of Hawai'i Organization of Police Officers (SHOPO)

SB-2575-SD-2

Submitted on: 3/23/2026 2:24:32 PM

Testimony for JHA on 3/25/2026 2:00:00 PM

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

Comments:

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

I am writing in **strong support** of SB2575, a comprehensive measure that strengthens penalties for firearms offenses involving individuals who have demonstrated a clear and present danger to public safety. By establishing mandatory minimum sentences for certain class A felonies involving firearms, and by elevating a range of offenses from misdemeanors and class B felonies to class A felonies, this bill sends a clear message: those who possess firearms while engaged in serious criminal activity, while subject to protective orders, or while under the influence of drugs will face serious consequences.

The Need for Stronger Deterrence

Hawai‘i has long had some of the strongest gun laws in the nation, and those laws have contributed to our state having one of the lowest rates of gun violence in the country. But we cannot afford complacency. Recent years have seen alarming incidents that remind us that the threat of gun violence is real, and that those who pose the greatest danger must be held accountable with meaningful penalties.

The 2025 legislative session saw significant action on gun safety, including the passage of measures to ban the sale of assault weapons and large-capacity magazines. But those measures address the tools of violence. SB2575 addresses the people who should not have access to those tools in the first place.

What SB2575 Does

This bill makes several critical changes to Hawai‘i’s firearms laws:

1. Mandatory Minimum Sentences for Class A Felonies Involving Firearms: The bill establishes mandatory minimum terms of imprisonment for certain class A felonies committed with firearms. This ensures that the most serious offenses—those that combine the highest category of crime with the use of a weapon—result in meaningful incarceration, not lenient sentences that fail to reflect the gravity of the conduct.

2. Elevated Penalty for Firearms Possession by Prohibited Persons: The bill changes from a class B felony to a **class A felony** the penalty for owning, possessing, or controlling any firearm

or ammunition while being prosecuted for or having been convicted of committing a felony, a crime of violence, a criminal offense relating to firearms, or an illegal sale or distribution of any drug. This recognizes that individuals already facing serious criminal charges or with violent criminal histories pose an unacceptable risk if they have access to firearms.

3. Elevated Penalty for Firearms Possession by Individuals Subject to Protective

Orders: The bill changes from a misdemeanor to a **class A felony** the penalty for ownership, possession, control, or transfer of firearms or ammunition by a person who a court order has restrained from contacting, threatening, or physically abusing any person. This is a critical reform. Protective orders are issued precisely because a court has determined that an individual poses a threat. Allowing such individuals to possess firearms with only a misdemeanor penalty is dangerously inadequate.

4. Elevated Penalty for Carrying a Firearm While Under the Influence: The bill changes from a misdemeanor to a **class A felony** the penalty for carrying a firearm while under the influence of a controlled substance. The combination of firearms and drugs is a recipe for tragedy. This elevation recognizes that such conduct is not a minor offense but a grave danger to public safety.

5. New Offense for Possession of Methamphetamine While Carrying a Firearm: The bill establishes unlawful possession of methamphetamine while carrying a firearm as a **class A felony**. Methamphetamine is a dangerous drug that fuels violence, addiction, and instability. When combined with a firearm, the risk of harm to the individual and to the community multiplies exponentially. This new offense ensures that prosecutors have the tools to address this particularly dangerous combination.

Why These Changes Matter

Each of these provisions targets a specific category of risk:

- **Protective orders** are issued because a court has found credible evidence of danger. Allowing individuals subject to such orders to possess firearms with only a misdemeanor penalty is a gaping hole in our safety net. Elevating this offense to a class A felony ensures that the penalty matches the risk.
- **Drugs and firearms** are a lethal combination. The new methamphetamine provision and the elevated penalty for carrying a firearm while under the influence address this directly. Individuals who choose to arm themselves while possessing or using dangerous drugs should face consequences commensurate with the danger they pose.
- **Mandatory minimum sentences** for the most serious offenses ensure that those who commit class A felonies with firearms do not receive lenient sentences that fail to reflect the seriousness of their conduct. While mandatory minimums must be used carefully, they are appropriate for the most dangerous offenders.

Building on a Strong Foundation

SB2575 builds on the strong foundation of Hawai'i's existing gun laws. Our state already prohibits firearm possession by individuals convicted of felonies and certain misdemeanors, and we have robust background check requirements. But these provisions are only as strong as their enforcement and penalty structures. SB2575 strengthens that structure.

The goal of SB2575 is simple: to keep firearms out of the hands of those who pose the greatest danger to our communities. By elevating penalties for prohibited possessors, for individuals subject to protective orders, and for those who combine firearms with drugs, this bill provides law enforcement and prosecutors with the tools they need to hold dangerous individuals accountable.

I urge this committee to pass SB2575.

Mahalo for the opportunity to testify.

SB-2575-SD-2

Submitted on: 3/23/2026 2:30:08 PM

Testimony for JHA on 3/25/2026 2:00:00 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 wording is highly confusing in some portions and even contradictory at times. Within the same sentence the same offence is listed as both a Felony and a Misdemeanor with no distinction between the two.

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. Certain prescription medications also fall under this bill as ‘controlled substances’.

I must also point out that under current Hawaii law, any misdemeanors that occur when a firearm is present is elevated to a felony.

SB-2575-SD-2

Submitted on: 3/23/2026 3:28:11 PM

Testimony for JHA on 3/25/2026 2:00:00 PM

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

Comments:

Aloha I am writing today to express my concerns regarding SB2575 as it is written and will be asking for a no vote as a result. I think the intentions of the bill have mostly decent points in order to prevent dangerous people and those with bad intentions from using firearms in a harmful or unlawful way. Unfortunately I am opposed to legislation that takes away judicial power and hands a sentence down that could be far overreaching regarding the circumstances. A person who simply consumes alcohol even one sip of wine at communion in church would not be the same as someone who is blatantly intoxicated. Also when is the person then cleared to possess and control that firearm again? If someone is sober the next morning but has drunk alcohol the day before then would the technically be guilty still as written? Also people take various medication that has varying affects for people and may not hinder their ability to safely control and carry their firearm. I think this bill will affect law abiding citizens who have no bad intentions. I see criminals walk away with the current laws as is and no one bats an eye. I think we should use the current laws, which control these issues already and actually hold criminals accountable. If the current laws don't work then please explain to us why not?

I feel this bill is harmful and could lead to many dangerous outcomes for citizens and law enforcement or anyone caught in the middle.

If a person has a case against them and they go to the gun store to relinquish those items lawfully in order to be held and sold by the FFL and that leads to the individual not having or possessing any firearms or ammunition, then why is that being punished in a bill like this? This bill doesn't seek to disarm and prevent harmful assaults with weapons, as what I just stated above could help prevent that and would be a criminal act just to do so if this passed.

I can see many situations where a person who has a distrust for the government and or police, who has had a restraining order put on them and chooses to not abide by this, if it were law, solely because they do not wish to interact further with the police. I actually think this will make it more unsafe for law enforcement who are forced to intervene as well as the individuals who may make harmful choices as the results of the pathways laid out for them. This bill will further endanger women caught in the middle too. The very real possibility for a man who isn't a threat or criminal, who is lied about by a vindictive person they were dating or married to and is false reported on to the police and then comes the strong arm of government that gets in the middle and causes this previously innocent man to suffer and lose his job, maybe his home, maybe his

family and also his constitutionally protected right to keep and bear arms. That sort of thing can break a man. That does happen and laws should be thought about thoroughly.

Is this creating justice, making individuals safer and doing so in a lawful and constitutional way? I do not believe this to be constitutional and I also do not think it promotes safe ways for individuals in these circumstances to remove firearms willfully. I think this puts citizens, neighbors, law enforcement at great risk and doesn't accomplish the goal of protecting our communities.

Please vote no on SB2575

Mahalo,

Chase Cavitt

Dennis M. Dunn
Kailua, HI 96734
dennismdunn47@gmail.com

TO: **Representative David A. Tarnas, Chair**
Representative Mahina Poepoe, Vice Chair
Senate Committee on Judiciary

RE: **S.B. 2575, S.D. 2, Relating to Firearms**

HEARING: **Tuesday, March 3, 2026, 10:15 a.m.**

Conference Room 016

Testimony in Support of S.B. 2575, S.D. 2, with Amendments

Aloha Chair Tarnas, Vice Chair Popoe, and Members of the Judiciary and Hawaiian Affairs Committee:

I submit this testimony in **strong support of S.B. 2575, S.D. 2, with amendments.**

Measures such as S.B. 2575, S.D. 2 address a critical and ongoing threat to public safety: the misuse and unlawful possession of firearms. Individuals who intentionally use firearms to threaten or harm others, who possess firearms illegally, or who combine firearms with illegal drug activity create an unacceptable risk to our communities. These behaviors endanger not only intended victims, but also families, bystanders, and first responders.

Equally concerning are individuals who possess firearms while subject to a court-issued restraining or protective order. Such circumstances present an immediate and well-documented danger to the person protected by the order, as well as to their family members, friends, and co-workers. Strong criminal sanctions in these situations are both appropriate and necessary to uphold the authority of the courts and to prevent tragic outcomes before they occur.

S.B. 2575, S.D. 2 appropriately recognizes that these categories of conduct warrant enhanced penalties under criminal law. I fully support the Legislature's intent to deter dangerous behavior, hold offenders accountable, and prioritize community safety.

That said, I respectfully urge the Committee to consider **modifying the degree of some of the penalty enhancements** proposed in the bill. While increased penalties are justified, the currently proposed structure may be overly severe in certain applications. A more measured increase—one that remains firm yet proportionate—would better balance deterrence, fairness, and effective administration of justice.

In summary, I strongly support the objectives of S.B. 2575, S.D. 2 and encourage the Committee to advance the bill with amendments that ensure penalties are **targeted, proportional, and effective** in reducing firearm-related harm across our state.

Thank you for your time, consideration, and continued commitment to public safety.

SB-2575-SD-2

Submitted on: 3/23/2026 6:51:46 PM

Testimony for JHA on 3/25/2026 2:00:00 PM

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

Comments:

Thank you for this opportunity to support SB2575 which would increase penalties for firearm violations.

Younghee Overly, a member of Indivisible Hawaii

SB-2575-SD-2

Submitted on: 3/23/2026 6:54:56 PM

Testimony for JHA on 3/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Marguerite Koster	Individual	Support	Written Testimony Only

Comments:

I strongly support SB2575I strongly support SB2575, which will establish mandatory minimum terms of imprisonment for certain class A felonies involving firearms.

Thank you,

Marguerite Koster

Honolulu

SB-2575-SD-2

Submitted on: 3/23/2026 9:24:27 PM

Testimony for JHA on 3/25/2026 2:00:00 PM

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

Comments:

I oppose this bill. This is not needed. Don't create more issues for law abiding citizens.

SB-2575-SD-2

Submitted on: 3/23/2026 9:31:41 PM

Testimony for JHA on 3/25/2026 2:00:00 PM

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

Comments:

Thank you!

SB-2575-SD-2

Submitted on: 3/23/2026 10:34:24 PM

Testimony for JHA on 3/25/2026 2:00:00 PM

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

Comments:

I very strongly support SB2575.

SB-2575-SD-2

Submitted on: 3/23/2026 11:52:07 PM

Testimony for JHA on 3/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Beth Anderson	Individual	Support	Written Testimony Only

Comments:

I support SB2575 because an increase in firearm penalties need to be increased from a Class B felony to a Class A felony for anyone possessing, owning, or controlling any firearm or ammunition while being prosecuted for, or having been convicted of committing a felony, a crime of violence, a criminal offense related to firearms, or an illegal sale of or distribution of any drug. Why should anyone involved in any of these situations be allowed to be in possession of a firearm? Seems insane to allow firearm possession in any of these cases. In addition, why would anyone be allowed to be in possession of a firearm or ammunition who has a court order restraining them from contacting, threatening, or physically abusing any person, or has been carrying a firearm while under the influence of a controlled substance. Citizens have the right to be protected from unreasonable danger from unstable, violent, irresponsible people, some of whom have already committed violent crimes, wielding and possessing firearms in the community. No citizen should have to fear firearm violence and this bill decreases the chances of that happening to innocent people.

Thank you for supporting SB 2575.

SB-2575-SD-2

Submitted on: 3/24/2026 6:36:46 AM

Testimony for JHA on 3/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kehaulani Coleman	Individual	Support	Written Testimony Only

Comments:

Thank you

SB-2575-SD-2

Submitted on: 3/24/2026 7:11:37 AM

Testimony for JHA on 3/25/2026 2:00:00 PM

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

Comments:

Establishes mandatory minimum terms of imprisonment for certain class A felonies involving firearms. Changes from a class B felony to a class A felony the penalty for owning, possessing, or controlling any firearm or ammunition while being prosecuted for or having been convicted of committing a felony, a crime of violence, a criminal offense relating to firearms, or an illegal sale or distribution of any drug. Changes from a misdemeanor to a class A felony the penalty for ownership, possession, control, or transfer of ownership of any firearms or ammunition by a person who a court order has restrained from contacting, threatening, or physically abusing any person. Changes from a misdemeanor to a class A felony the penalty for carrying a firearm while under the influence of a controlled substance. Establishes possession of methamphetamine while carrying a firearm as a class A felony.

Thanks, Jane Aquino, Indivisible

SB-2575-SD-2

Submitted on: 3/24/2026 9:18:57 AM

Testimony for JHA on 3/25/2026 2:00:00 PM

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

Comments:

I oppose SB2575 SD2.

Having been asked to submit testimony in support of this bill I reviewed the bill as well as Hawai'i HI Rev Stat § 134-7 and California law. I cannot in good conscience support, much less remain silent in not testifying in opposition.

I take issue with the extremely long mandatory minimum sentence of 20 years. I believe that the discretion of a judge is sufficient under existing statute HI Rev Stat § 134-7. A similar California statute Penal Code §29800 proscribes a penalty of up to 3 years in a state prison or a fine of \$10,000 or both.

Mandatory minimums of this magnitude risk producing disproportionate outcomes, increasing incarceration costs, and undermining the role of the judiciary. I believe the existing legal framework in Hawai'i is sufficient to address the conduct targeted by this bill without imposing inflexible and excessive penalties.

For these reasons, I respectfully urge the Committee to oppose SB2575 SD2.

Thank you for the opportunity to testify.

Sincerely, David Cuthbert

Pahoa, Hawai'i

SB-2575-SD-2

Submitted on: 3/24/2026 9:19:07 AM

Testimony for JHA on 3/25/2026 2:00:00 PM

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

Comments:

Mahalo,

Nathan Leo Braulick

96826

SB-2575-SD-2

Submitted on: 3/24/2026 9:47:39 AM

Testimony for JHA on 3/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brodie Lockard	Individual	Support	Written Testimony Only

Comments:

I support this bill.

SB-2575-SD-2

Submitted on: 3/24/2026 9:55:39 AM

Testimony for JHA on 3/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Marcela Montalto	Individual	Support	Written Testimony Only

Comments:

Increasing penalties for firearm violations can strengthen public safety by deterring illegal possession, trafficking, and misuse of guns. Clear and consistent consequences reinforce the seriousness of these offenses, help disrupt cycles of violence, and support law enforcement efforts to keep dangerous weapons out of the wrong hands. When paired with prevention and community-based programs, this approach contributes to safer neighborhoods and greater accountability.

SB-2575-SD-2

Submitted on: 3/24/2026 11:03:45 AM

Testimony for JHA on 3/25/2026 2:00:00 PM

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

Comments:

I Jeffrey White oppose SB2575.

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. David A. Tarnas, Chair

Rep. Mahina Poepoe, Vice Chair

HEARING:

Wednesday, March 25, 2026 at 2:00 pm, via Videoconference and Conference Room 325

TESTIMONY IN **SUPPORT** OF SB 2575, SD2 - RELATING TO FIREARMS.

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

My name is Christine Andrews and I am a long-term resident of Wailuku, Maui. I am also an attorney licensed in the state of Hawaii for over 25 years. I am writing today in **strong support of SB 2575, SD2**, Relating to Firearms, which establishes mandatory minimum terms of imprisonment for certain class A felonies involving firearms; changes from a class B felony to a class A felony the penalty for owning, possessing, or controlling any firearm or ammunition while being prosecuted for or having been convicted of committing a felony, a crime of violence, a criminal offense relating to firearms, or an illegal sale or distribution of any drug; changes from a misdemeanor to a class A felony the penalty for ownership, possession, control, or transfer of ownership of any firearms or ammunition by a person who a court order has restrained from contacting, threatening, or physically abusing any person; changes from a misdemeanor to a class A felony the penalty for carrying a firearm while under the influence of a controlled substance; and establishes unlawful possession of methamphetamine while carrying a firearm as a class A felony.

In the mid-1990's, I was involved with the Hawai'i Firearms Control Coalition and the Keiki Injury Prevention Coalition which were lead organizations in working to address gun violence as a public health crisis. I am proud that the efforts of the coalitions succeeded in passing substantive gun violence prevention measures at the time that have continued to place Hawai'i amongst the leaders nationwide in the effort to minimize the morbidity and mortality associated with guns.

Unfortunately, the use of firearms in domestic violence continues to be a threat for victims of domestic abuse. In the US, **more than 25 million adults have been threatened or nonfatally injured by an intimate partner with a firearm and access to a gun makes it five times more likely that a woman will be killed by an abusive intimate partner.**

Living in Wailuku, Maui, I have seen the increased presence of guns and how they impact our community. When I owned and operated a small family business in the Happy Valley neighborhood in the early 2000's, we never had concerns about violent crime. Gun-related violence or even the presence of guns was unheard of, and Happy Valley has a reputation as a rough neighborhood. Things have changed over the past twenty years. Now we witness people carrying guns and we see gun violence. **At my family business, there was even an armed robbery where staff were robbed at gunpoint.** This would have been unthinkable just a few years ago. My daughter lives and works at the family business in Happy Valley now. I am concerned for her safety if the presence of guns and gun violence continues to escalate.

We must take action now to stem the rising tide of gun violence on Maui, where we are seeing a criminal element that has access to guns and is willing to use them. The successes of the firearms control coalition more than thirty years ago laid a foundation that SB 2575, SD2 builds upon and I respectfully request that you vote in support.

Mahalo,

Christine Andrews, JD

SB-2575-SD-2

Submitted on: 3/24/2026 12:09:22 PM

Testimony for JHA on 3/25/2026 2:00:00 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-SD-2

Submitted on: 3/24/2026 12:14:31 PM

Testimony for JHA on 3/25/2026 2:00:00 PM

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

Comments:

I strongly oppose this bill.

SB-2575-SD-2

Submitted on: 3/24/2026 12:22:30 PM

Testimony for JHA on 3/25/2026 2:00:00 PM

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

Comments:

I STRONGLY OPPOSE SB2575

SB-2575-SD-2

Submitted on: 3/24/2026 1:28:45 PM

Testimony for JHA on 3/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lisette Akamine	Individual	Support	Written Testimony Only

Comments:

Aloha mai kākou - Chair Tarnas, Vice Chair Poepoe, and Committee Members Belatti, Cochran, Garcia, Hashem, Kahaloa, Sayama, Shimizu and Takayama:

I am submitting testimony in strong **SUPPORT of SB2575** to establish mandatory minimum prison terms for certain felonies involving firearms.

Gun violence has no place in Hawai‘i. According to the John Hopkins Bloomberg School of Public Health, the rate of gun-related deaths in Hawai‘i increased 81% between 2014 and 2023.

Over and over, we see news coverage of horrific gun violence with hundreds of incidents of mass shootings each year (wherein 4 or more people are killed) - so much so, I fear we are becoming immune to it. People no longer feel safe in the places they should feel safe, like schools, shopping malls, and churches.

Most people already know that the United States has the highest rate of gun deaths among developed nations - 26 times higher, in fact, than that of other wealthy nations.

The U.S. also has the highest number of mass shootings of any developed nation, the most gun-related suicides, and the firearm mortality rate for children and teenagers in the U.S. is exponentially higher than in other countries.

The first three months of 2026 are not even over, and already almost 100 people in the United States have been killed by guns while another 311 have been injured. Who knows what the rest of their lives will be like as a result of their physical and mental trauma.

Most recently, here in Hawai‘i, a 26-year-old man was murdered and a 16-year-old girl injured in a shooting in Kapolei last month. It is heartbreaking.

And all this violence costs money. According to the Hawai‘i Chapter of Moms Demand Action, gun violence costs the State of Hawai‘i about \$901 million each year - of which some \$19 million comes directly from taxpayers.

The accessibility (and number) of guns in the U.S. makes it far too easy for individuals with criminal intent, anger management issues, or mental health problems to acquire and use guns.

Our citizens deserve to feel safe in their homes and in their communities. Stricter gun laws can help - and mandatory punishment for those who abuse guns is a step in the right direction.

For these reasons **I respectfully urge you to pass SB2575** to impose mandatory minimum terms of imprisonment for felons convicted of committing their crimes with the use of firearms.
Mahalo.

Na‘u nō,

Lisette Akamine

Kahalu‘u, O‘ahu

SB-2575-SD-2

Submitted on: 3/24/2026 1:49:27 PM

Testimony for JHA on 3/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lily Troy MD	Individual	Support	Written Testimony Only

Comments:

I SUPPORT SB2054

SB-2575-SD-2

Submitted on: 3/24/2026 2:35:03 PM

Testimony for JHA on 3/25/2026 2:00:00 PM

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

Comments:

I am opposed to SB2575 SD2 as written as I find it will impose a cruel and unusual punishment of 20 years of imprisonment without the possibility of parole for a possible violation of a Temporary Restraining Order or Order for Protection which are Civil Court Order.

This bill if passed will imprison a defendant longer than a Murderer, Rapist, Kidnapper and many other violent criminals simply because they will be eligible for parole long before they serve their 20 years.

If the current law is left in place, and the Judge can sentence a defendant who is found guilty to a year in prison with no early release. Such a sentence is longer than the vast majority of Temporary Restraining Orders and Order of Protection and ensures the safety of the Petitioner.

Upon being served a TRO or Order of Protection the Respondant must surrender all firearms and ammunition to the County Police. Should after surrendering all their firearms and ammunition, the Respondant decides that he no longer wants to own them or simply needs the money and wants to sell them. This bill denies them the use of their property as guaranteed by the 5th Amendment of the United States Constitution. Should the respondent want to transfer the firearms, the person receiving them must comply with the Section 134-2 Permit to Acquire which requires them to provide proof of firearms training, provide picture and fingerprints to the government and pass a criminal and mental health background check.

Again I oppose SB2575 SD2 and ask you vote no.

Thank You

SB-2575-SD-2

Submitted on: 3/24/2026 6:58:42 PM

Testimony for JHA on 3/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dale Hearne	Individual	Oppose	Written Testimony Only

Comments:

Dear Sirs and Madams,

Red flag laws are inherently punitive and unconstitutional. To purchase and own firearms in Hawaii, one must APPLY for permission and be approved for each individual handgun and yearly long gun permits.

The "spirit of Aloha" is not a legally define able or valid tort position. Precedence from before the country's founding, and continued historical records prove private ownership of weapons is consistent with common, everyday historical practice. Further, myriad court rulings, including Supreme Court rulings, have further limited states' pte-purchase qualifications and waiting periods, weapon class limitations and magazine limits, just to mention a few. Yet, no relief has made it to our state.

Illegal possession and use laws already in effect are not bolstered or aided by further restrictions on law-abiding citizens. The Red-Flag proposed statutes pre-suppose guilt rather than the guaranteed innocent until proven guilty bedrock of our justice system.

For these and many other reasons, I urge all to support individual liberty and personal and collective freedom, and vote against "red flag" laws in total!

SB-2575-SD-2

Submitted on: 3/24/2026 8:09:18 PM

Testimony for JHA on 3/25/2026 2:00:00 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.

Making people Class A Felons, which strips their rights, is absurd and over reaching for this type of "Crime".

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-SD-2

Submitted on: 3/24/2026 8:47:54 PM

Testimony for JHA on 3/25/2026 2:00:00 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. Hawai'i 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. Mahalo for the opportunity to testify.

SB-2575-SD-2

Submitted on: 3/24/2026 9:03:41 PM

Testimony for JHA on 3/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Stacey Moniz	Individual	Support	Remotely Via Zoom

Comments:

Aloha,

I strongly support this bill and hope to submit testimony in person via zoom tomorrow. My apologies for my late testimony, I tried during the day but got busy.

This was the email I sent to Representative Tartas and expresses my position on this issue.

Mahalo,
Stacey Moniz
Pukalani

Aloha Representative Tarnas:

I'm writing today to ask you to please schedule a hearing for HB 2170, Relating to Firearms, also known as the Suzanne O bill. This has already gone through the Senate (SB 2575) and I hope it can be also passed in the House.

I am a survivor of domestic violence and served as an advocate for over 35 years here in Hawaii, primarily on Maui. I have said for decades that we need to keep firearms out of the hands of domestic abusers, and especially repeat offenders whose crimes include felonies. Domestic violence is a crime where we can say with certainty that it will happen again and will increase in severity, especially when victims attempt to leave the relationship or get a restraining order to protect themselves. This was definitely the case the night Suzanne O was killed. I truly believe her sacrifice saved many lives that night.

This calls for URGENCY on your behalf. You are the only one who can make this hearing happen and I strongly urge you to please take action so we can work together to keep our communities safer.

I appreciate your consideration of my email, I know you get many each day. Thank you for your service to our community.

Mahalo,
Stacey Moniz

SB-2575-SD-2

Submitted on: 3/24/2026 9:03:42 PM

Testimony for JHA on 3/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Vincent Tibbles	Individual	Oppose	Written Testimony Only

Comments:

This bill is dangerous and violates the second amendment. I strongly oppose this bill and do not think it should become law.

SB-2575-SD-2

Submitted on: 3/25/2026 12:14:08 AM

Testimony for JHA on 3/25/2026 2:00:00 PM

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

Comments:

Dear State of Hawai'i House Committee members,

The provisions put forth by this latest version of SB2575, SD2, much the same as the extremist SB2575 SD1 version, this time reshuffled to appear more complex and well written, are AGAIN an exercise in State government overreach by YET ONCE AGAIN proposing to elevate possession, control, or transfer of a firearm or ammunition while subject to a red flag order (GVPO) from a MISDEMEANOR to CLASS A FELONY. Again, as before, the problem is this carries a HIGH RISK OF ABUSE OF POWER by attempting to side step American citizens residing in the State of Hawai'i's right to DUE PROCESS under the 5th and 14th Amendments of the CONSTITUTION. It must be reminded that Hawai'i is a full fledged State of the United States of America and as such must fully abide by the CONSTITUTION OF THE UNITED STATES OF AMERICA and ALL of it's Amendments in ALL CASES. Furthermore, and once again, the penalties associated with existing red flag orders (GVPO's) in the State of Hawai'i are already MORE THAN SUFFICIENT and questionably 2nd Amendment Civil Rights violating as it stands. Yet once again, pushing these boundaries even further will no doubt draw yet more attention and scrutiny from the Department of Justice's Civil Rights Division in particular Assistant Attorney General Harmeet Dhillon's Second Amendment Section. Surely, we would assume, the Hawai'i State Legislature as a whole does not want to be associated IN ANY WAY with passing through potentially Civil Rights violating legislation by any means. This bill SB2575 SD2 is merely a rehashed overtexted version of it's extreme predecessor, SB2575 SD1, pushing the same potential Civil Rights violations attempting to deprive American citizens residing in the State of Hawai'i DUE PROCESS which is guaranteed under the 5th and 14th Amendments of the Constitution.

Once again in the case that it is unknown to any in attendance it must be reminded that under **TITLE 18, U.S.C., SECTION 242, DEPRIVATION OF RIGHTS UNDER COLOR OF LAW**, which can be confirmed at the official United States Department of Justice website, it a Felony crime for a person acting under color of any law to willfully deprive a person of a right or privilege protected by the Constitution or laws of the United States.

For the purpose of Section 242, acts under "color of law" include acts not only done by federal, state, or local officials within their lawful authority, but also acts done beyond the bounds of that official's lawful authority, if the acts are done while the official is purporting to or pretending to act in the performance of his/her official duties.

My sincerest thanks for taking the time to read and recognize this testimony before the Committee as well as respecting my Constitutional 1st Amendment right to the freedom of speech and the press. I do greatly appreciate it and trust that you will make the correct decision to forgo advancing SB2575 SD2 in it's present form, or at all. Once again the penalties associated with existing red flag orders (GVPO's) in the State of Hawai'i are already MORE THAN SUFFICIENT and questionably 2nd Amendment Civil Rights violating as it stands. It has been admitted by the Hawai'i State Legislature that Hawai'i ALREADY has some of the strongest gun safety laws and lowest rates of gun deaths in the nation. Further EXTREME measures such as this bill SD2575 SD2 are clearly unnecessary and continued attempts to push them through Committee are a waste of American citizens that reside in the State of Hawai'i's hard earned tax dollars which could be put to far more effective use addressing housing and climate change issues.