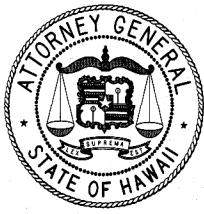




SB2954

Measure Title:	RELATING TO FIREARMS.
Report Title:	Firearms; Registration; Hawaii Criminal Justice Data Center; Database Management
Description:	Authorizes the Hawaii criminal justice data center to access firearm registration data.
Companion:	
Package:	None
Current Referral:	PSM, JDL
Introducer(s):	ESPERO, Baker, Inouye, Nishihara



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-EIGHTH LEGISLATURE, 2016**

ON THE FOLLOWING MEASURE:

S.B. NO. 2954, RELATING TO FIREARMS.

BEFORE THE:

SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND
MILITARY AFFAIRS

DATE: Thursday, February 11, 2016 **TIME:** 1:15 p.m.

LOCATION: State Capitol, Room 229

TESTIFIER(S): Douglas S. Chin, Attorney General, or
Liane Moriyama, Administrator, Hawaii Criminal Justice Data Center

Chair Nishihara and Members of the Committee:

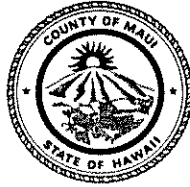
The Department of the Attorney General supports this bill.

The purpose of this bill is to allow the Hawaii Criminal Justice Data Center (HCJDC) to view firearm registration data in order to facilitate a firearms-registration-sharing initiative amongst the county police departments.

Currently, there is no centralized database of statewide firearms registration information. If a check needs to be done, police departments must call each other to request a check be conducted of each county's files. Through the Hawaii Integrated Justice Information Sharing program portal, the HCJDC is working on a consolidated query that will allow a person who is authorized to view firearm registration information to sign-in once and search all counties' firearm information at the same time. As is, the statute would not allow the HCJDC staff working on this to view the data, which hampers development, testing, and maintenance of this application.

The development and implementation of this capability will enable law enforcement agencies to query firearm information more timely when checking on individuals involved in any incident to which they are responding, traffic stops they are making, or warrants they are serving. It will not only enhance officer safety, but public safety, in general.

We urge the committee to pass this bill as written. Thank you for the opportunity to testify.



DEPARTMENT OF THE PROSECUTING ATTORNEY
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Appellate, Asset Forfeiture and Administrative Services Division

TESTIMONY
ON
SB 2954 - RELATING TO FIREARMS

February 11, 2016

The Honorable Clarence K. Nishihara
Chair
The Honorable Will Espero
Vice Chair
and Members
Senate Committee on Public Safety, Intergovernmental and Military Affairs

The Honorable Rosalyn H. Baker
Chair
The Honorable Michelle N. Kidani
Vice Chair
and Members
Senate Committee on Commerce, Consumer Protection, and Health

Chairs Nishihara and Baker, Vice Chairs Espero and Kidani, and Members of the Committees:

The Department of the Prosecuting Attorney, County of Maui, **STRONGLY OPPOSES** SB 2954 - Relating to Firearms. SB 2954 seeks to establish a statewide database of firearm owners.

We oppose this measure for several reasons. First, it appears that the current law is highly protective of the "registration data" involving firearms. For example, HRS § 134-3(b) states in pertinent part that "all registration data . . . shall be confidential and not be disclosed to anyone" other than pursuant to some very specific exceptions. The proposed bill dilutes the privacy protection that the current statute affords by permitting disclosure for mere "database management" by the Hawaii criminal justice data center. Further, the bill does not specify what the term "database management" encompasses.

Finally, the bill does not articulate how or why the creation of the statewide firearm owner database will "ensure the safety of the community." Indeed, the law already allows disclosure of the information "by a law enforcement agency for the lawful performance of its duties." Accordingly, the Department of the Prosecuting Attorney, County of Maui, **STRONGLY OPPOSES** the passage of this bill.

Thank you very much for the opportunity to provide testimony on this bill.

From: mailinglist@capitol.hawaii.gov
To: [PSMTestimony](#)
Cc: HGHAWAII@GMAIL.COM
Subject: Submitted testimony for SB2954 on Feb 11, 2016 13:15PM
Date: Monday, February 08, 2016 5:08:34 PM

SB2954

Submitted on: 2/8/2016

Testimony for PSM on Feb 11, 2016 13:15PM in Conference Room CR229

Submitted By	Organization	Testifier Position	Present at Hearing
Harvey Gerwig	Hawaii Rifle Association	Support	No

Comments: The Hawaii Rifle Association SUPPORTS this measure to improve the firearms data system between the various islands. We would like to see ALL counties standardized in their records processing and keeping. Some of our members complain that if they move to another County they are asked to reregister their firearms. HRS 134 calls for a State Wide registration, not by county. Thank you, Harvey Gerwig, HRA President

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From: mailinglist@capitol.hawaii.gov
To: [PSMTestimony](#)
Cc: david@kingdonconsulting.com
Subject: Submitted testimony for SB2954 on Feb 11, 2016 13:15PM
Date: Monday, February 08, 2016 3:22:49 PM

SB2954

Submitted on: 2/8/2016

Testimony for PSM on Feb 11, 2016 13:15PM in Conference Room CR229

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

Comments: As a paramedic and injury prevention specialist, I support any reasonable initiative to prevent injury and/or violence. This proposed legislation appears to fall into this category and thus merits strong consideration.

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From: [E. Funakoshi](#)
To: [PSMTestimony](#)
Subject: HEARING 2-11-16, 1:15pm, Rm. 229
Date: Tuesday, February 09, 2016 12:02:05 PM

PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS

Sen. Clarence Nishihara, Chair

Sen. Will Espero, Vice Chair

SB2954 Firearms; Registration; Hawaii Criminal Justice Data Center; Database Management

SUPPORT

Aloha, Chair Nishihara, Vice Chair Espero and Committee Members:

I am e. ileina funakoshi writing in support of SB2954.

In the past, incidents of Hawai`i residents using a gun was almost unheard of. Today, its usage is becoming more and more common.

For the safety of our community, we need to be very diligent about who has access to guns and regulate its usage also. Recently, there was a robbery at the Kam Swap Meet where three individuals with guns approached a vendor at 3:00 a.m. and robbed him.

Thank you for the opportunity to submit my testimony.

Mahalo and Aloha,
e. ileina funakoshi

From: [Troy Abraham](#)
To: [PSMTestimony](#)
Subject: Support passing SB2198, SB2954, SB2956, SB2632
Date: Tuesday, February 09, 2016 11:02:35 AM

Would you be willing to consider passing and supporting better regulations for for firearms in hawaii? It'll benefit the safety of the people with it's passage. Thanks for your consideration aloha.

From: mailinglist@capitol.hawaii.gov
To: [PSMTestimony](#)
Cc: macsak@gmail.com
Subject: Submitted testimony for SB2954 on Feb 11, 2016 13:15PM
Date: Tuesday, February 09, 2016 11:19:48 AM

SB2954

Submitted on: 2/9/2016

Testimony for PSM on Feb 11, 2016 13:15PM in Conference Room CR229

Submitted By	Organization	Testifier Position	Present at Hearing
steven a kumasaka	Individual	Oppose	No

Comments: who is the hawaii criminal justice center? what are their confidentiality policies? where is it defined by law who they can share information with? the law as written is broad and does not limit the use of the information to the counties only

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From: mailinglist@capitol.hawaii.gov
To: [PSMTestimony](#)
Cc: scott_shimoda@hotmail.com
Subject: *Submitted testimony for SB2954 on Feb 11, 2016 13:15PM*
Date: Tuesday, February 09, 2016 1:34:55 PM

SB2954

Submitted on: 2/9/2016

Testimony for PSM on Feb 11, 2016 13:15PM in Conference Room CR229

Submitted By	Organization	Testifier Position	Present at Hearing
scott shimoda	Individual	Oppose	No

Comments:

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To: [PSMTestimony](#)
Cc: achilles.kealoha@gmail.com
Subject: Submitted testimony for SB2954 on Feb 11, 2016 13:15PM
Date: Tuesday, February 09, 2016 3:18:36 PM

SB2954

Submitted on: 2/9/2016

Testimony for PSM on Feb 11, 2016 13:15PM in Conference Room CR229

Submitted By	Organization	Testifier Position	Present at Hearing
Quentin Kealoha	Individual	Oppose	No

Comments: Why are law abiding citizens exercising their constitutional right being entered into a criminal database? Would you enter people exercising their right to free speech into a criminal database? I oppose this bill.

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From: mailinglist@capitol.hawaii.gov
To: [PSMTestimony](#)
Cc: jonagustine_lim@yahoo.com
Subject: Submitted testimony for SB2954 on Feb 11, 2016 13:15PM
Date: Tuesday, February 09, 2016 4:13:03 PM

SB2954

Submitted on: 2/9/2016

Testimony for PSM on Feb 11, 2016 13:15PM in Conference Room CR229

Submitted By	Organization	Testifier Position	Present at Hearing
Jonagustine Lim	Individual	Oppose	No

Comments: I am writing to express my opposition to this bill. Registered firearm owners go through handgun safety classes and thorough criminal background checks. Firearm owners are not criminals and should not be treated as such. Please kill this bill.

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From: mailinglist@capitol.hawaii.gov
To: [PSMTestimony](#)
Cc: oldskipper1@hotmail.com
Subject: Submitted testimony for SB2954 on Feb 11, 2016 13:15PM
Date: Tuesday, February 09, 2016 5:44:04 PM

SB2954

Submitted on: 2/9/2016

Testimony for PSM on Feb 11, 2016 13:15PM in Conference Room CR229

Submitted By	Organization	Testifier Position	Present at Hearing
Edward Hampton	Individual	Oppose	No

Comments: Good afternoon! I'm sending this testimony in opposition to this bill. As all legal firearms are already registered, and since forfeiture of firearms is already required for all convicted felons, and for some misdemeanors, I fail to see how this bill makes anyone in the state "safer". Forcing law abiding gun owners to allow their information to be stored in a criminal database is not just wrong, it's unconstitutional.

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To: [PSMTestimony](#)
Cc: heaviescc@gmail.com
Subject: Submitted testimony for SB2954 on Feb 11, 2016 13:15PM
Date: Tuesday, February 09, 2016 7:19:03 PM

SB2954

Submitted on: 2/9/2016

Testimony for PSM on Feb 11, 2016 13:15PM in Conference Room CR229

Submitted By	Organization	Testifier Position	Present at Hearing
Brendon Heal	Individual	Oppose	No

Comments: The law already requires that a convicted felon surrender all firearms or have them confiscated. Police departments have access to such knowledge and should be using such public databases to do their background checks and process. Thus, keeping weapons out of the hands of criminals. Data basing private firearms owners, who have no criminal record, nor conviction of felonious activities, should not be treated as such. Logging and data basing on the grounds of 'being a gun owner' is a huge infringement of law abiding citizen's privacy, and in my humble opinion, VERY unconstitutional. Please focus laws on catching, prosecuting, and punishing CRIMINALS, not the law abiding gun owners. Thank You

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Subject: *Submitted testimony for SB2954 on Feb 11, 2016 13:15PM*
Date: Tuesday, February 09, 2016 9:12:36 PM

SB2954

Submitted on: 2/9/2016

Testimony for PSM on Feb 11, 2016 13:15PM in Conference Room CR229

Submitted By	Organization	Testifier Position	Present at Hearing
Byon Nakasone	Individual	Oppose	No

Comments:

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