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Attorneys for Plaintiffs  
PETER ROA and  
RANDALL FRANKLIN

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAI‘I

PETER ROA and RANDALL  
FRANKLIN,

Plaintiffs,

vs.

CITY AND COUNTY OF  
HONOLULU,  
Defendant.

Civil No. CV 21-00333 DKW/KJM

STIPULATION AND ORDER

Trial Date: None.

## STIPULATION AND ORDER

Under Hawai‘i law, nobody convicted of a felony or crime of violence may own or possess a firearm. Hawai‘i Revised Statutes (HRS) § 134-7(b). On August 8, 2021, Plaintiffs Peter Roa and Randall Chatman Franklin<sup>1</sup> filed a complaint against Defendant City and County of Honolulu (“City”) alleging that the Honolulu Police Department (HPD) impermissibly denied them permits to acquire a firearm based on their non-criminal violations of HRS § 711-1101 (“Disorderly Conduct”). Disorderly conduct may be either a petty misdemeanor or a violation. HRS § 711-1101(3). “A violation does not constitute a crime, and conviction of a violation shall not give rise to any civil disability based on conviction of a criminal offense.” HRS § 701-107(5).

The parties agree that a non-criminal violation of HRS § 711-1101 does not disqualify a person from owning or possessing a firearm under HRS § 134-7(b).

Therefore, it is stipulated that the Honolulu Police Department is permanently enjoined from denying a permit to acquire a firearm based on a non-criminal violation of § 711-1101.

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<sup>1</sup> Randall Chatman Franklin is incorrectly identified as Randall Franklin in the caption. His surname is Chatman Franklin. *See* Complaint, ECF No. 1 ¶2.

DATED: Honolulu, Hawai'i, August 12, 2021.

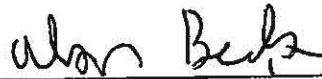
DANA M.O. VIOLA  
Corporation Counsel

By 

ROBERT M. KOHN  
NICOLETTE WINTER  
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Attorneys for Named Defendant  
CITY AND COUNTY OF HONOLULU

DATED: San Diego, California, August 12, 2021.



ALAN ALEXANDER BECK  
KEVIN GERARD O'GRADY

Attorneys for Plaintiffs  
PETER ROA and RANDALL FRANKLIN

**IT IS APPROVED AND SO ORDERED:**

DATED: Honolulu, Hawaii, August 16, 2021 \_\_\_\_\_.



/s/ Derrick K. Watson

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JUDGE OF THE ABOVE-ENTITLED COURT

*Peter Roa and Randall Franklin v. City and County of Honolulu*; Civil No. 21-00333 DKW-KJM; Stipulation and Order