



For Our Rights a non-profit organization

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February 1 , 2021

TESTIMONY ON HOUSE BILL 643: A BILL RELATING TO EMERGENCY MANAGEMENT

PRESENTATION TO THE HOUSE COMMITTEE ON PANDEMIC AND
DISASTER PREPAREDNESS and COMMITTEE ON LABOR AND TOURISM

STRONGLY OPPOSED

BY LEVANA LOMMA, CEO OF FOR OUR RIGHTS INC. February 1, 2021

House Bill 643 relating to emergency management, introduced to the House on January 25, 2021 which acts to define “essential worker” and make interference with an “essential worker” during an emergency a felony criminal offense is an abomination to the Hawai`i State Constitution and to the Constitution of the United States of America. This bill acts to deconstruct the basic fundamental liberties of the citizens of Hawai`i while fostering division amongst the community and

creating “compliance officers” out of those whom the government has classified as “essential”.

The Hawai`i State Constitution and the U.S. Constitution, from which the principles were derived, are the sacred documents which protect the fundamental God-given rights of the people and these documents are never suspended during times of emergency. The Hawai`i statute authorizing the Governor’s emergency powers expressly states the law confers no power or authority to act “which is inconsistent with the Constitution and laws of the United States.”¹ The U.S. Supreme Court has expressly condemned the idea that a mere declaration of an “emergency” be an excuse to trump all constitutional forms of power, rights, and protections:

Emergency does not create power. Emergency does not increase granted power or remove or diminish the restrictions imposed upon power granted or reserved. The Constitution was adopted in a period of grave emergency. Its grants of power to the federal government and its limitations of the power of the states were not determined in the light of emergency and they are not altered by emergency. What power was thus granted and what limitations were thus imposed are questions which have always been, and always will be, the subject of close examination under our constitutional system.

Home Bldg. & Loan Ass’n v. Blaisdell, 290 U.S. 398, 425-426 (1934) (emphasis added).

Under this authority it is an aberration of duty to bring forth any regulation which would trespass upon a free people’s protected rights to freedom of

¹ HRS § 127A-1(c).

movement, freedom of speech, freedom of expression, their right to be secure in their person, their right to associate and their right to due process.

Section 1 of this act states: *“Additionally, the legislature finds that the pandemic has given rise to a multitude of essential workers in various job sectors who, through the course of their work are required to relay and impose emergency rules and orders that have been enacted by the appropriate governmental authority. Emergency response measures to reduce the spread of SARS-CoV-2 through, for example, the use of face coverings or masks has placed great responsibility and risk on essential workers who have experienced harassment, intimidation, verbal abuse, and physical assault from members of the public who disagree with the government's order.”* To remove the right of the people to govern their own health and be free to move about in society without violations to their bodily autonomy is an obtrusion in itself, but to grant authority of select members of society deemed “essential” to enforce governmental overreach upon those who resist unconstitutional regulations is egregious.

There are already sufficient laws in place to protect citizens from harassment and assault. This bill acts as a clandestine, coercive measure intended to enforce compliance through the threat of imprisonment and must be struck down for its unconstitutionality and danger in promoting an atmosphere of warfare among citizens. No particular vocation should ever be considered more essential than

another, placing certain protections and rights above the rights and protections of others. This is a direct violation to the Equal Protection Clause within our United States Constitution and found in the Hawai'i State Constitution under Article 1 Section 5.²

This is why we urge you to submit to the demands of your constituents and protect their civil liberties from current and future infringements being covertly forced upon the people under the guise of “emergency” management. We strongly oppose House Bill 643.

Sincerely,

Levana Lomma

Chief Executive Officer

² <https://lrh.hawaii.gov/constitution#article1>

HB-643

Submitted on: 2/5/2021 8:06:14 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Brian D Ridgway	Individual	Oppose	No

Comments:

STRONGLY Oppose

This bill is an insult to sanity and an utter outrage.

This violates basic human dignity and respect and much nmore.

An "emergency" does not give givernent more power over our rights. It also does not diminish the limits placed on Government.

Please stand in basic respect and dissolve this ridiculous trash bill.

Seriously.

Brian D. Ridgway

HB-643

Submitted on: 2/5/2021 8:30:07 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Duane Sosa	Individual	Oppose	No

Comments:

Aloha!!!

This bill is an OUTRAGE. Absolutely disgusting and a complete violation of the Equal Protection Clause of our Constitution.

Mahalo,

Duane Sosa

HB-643

Submitted on: 2/5/2021 8:06:33 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Yulia Muzychenko	Individual	Oppose	No

Comments:

This bill is unconstitutional and complete violation of the Equal Protection Clause of our Constitution.

Vote no on this bill HB 643.

HB-643

Submitted on: 2/5/2021 8:53:17 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin McNally	Association for the Liberation of Hawaii	Oppose	No

Comments:

The outright violations of our God-given rights with these measures are so abhorrent to the fundamental principles of freedom and liberty, that even the proposal of these laws should be considered an act of terrorism. To classify individuals at all as "essential and non-essential" is disgusting, belittling, and demeaning to every hard working citizen on this blessed island. EVERYONE IS ESSENTIAL. EVERY JOB ESSENTIAL. These measures are direct VIOLATIONS of our Rights and those that propose and pass such measures should be subjected to CFR-18-242 Deprivation of Rights. The people, businesses, customers, employees ALL OVER THIS ISLAND are sick of these draconian measures. Every single person who has introduced this bill is a disgrace to this country, this island, this kingdom, and God.

HB-643

Submitted on: 2/5/2021 9:19:23 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Urasaki	Individual	Support	No

Comments:

support

HB-643

Submitted on: 2/5/2021 9:29:01 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Madhava Shakti Moe	Individual	Oppose	No

Comments:

I have already experienced much harassment, intimidation, verbal abuse, and physical assault from "essential workers". I strongly oppose giving "essential workers" more power. This is unconstitutional. OPPOSED.

HB-643

Submitted on: 2/5/2021 11:02:56 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Abigail Hamman	Individual	Oppose	No

Comments:

All legal work is essential work. You are discriminating, and your discrimination is based on non-rational and non-scientific criteria. Also, your thinking is not in line with our State and Federal Constitutions.

It is interesting how there is a view that non-mask wearers, regular people, have bothered those who wear masks. I have often seen evidence that goes the other way. Non-mask wearers often know the science behind masks and viruses, and they know they have rights under our State and Federal constitutions. They get harrassed by the citizen police who have been brainwashed by the MSM and the Government to bow to tyranny (wear a mask).

Masks don't stop the spread of the virus. Also, it is not required under law to wear a mask, and if you try to make a law requiring people to wear masks, then you are violating the US Constitution. People have the right to breathe fresh air.

Nothing cancels the Constitution, not even a scandemic.

HB-643

Submitted on: 2/5/2021 9:52:14 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
jennifer noel	Individual	Oppose	No

Comments:

Here we go again... another bill that attempts to take away our civil liberties and bring us closer to tyranny. People are starting to see how our government is not interested in making their constituents lives easier but how each day the government is attempting to whittle away our freedom. This bill is absurd, to say the least, and these types of Bills need to stop. The people have awakened and are not going to let our government officials act like dictators and try to turn American into a police state. Turning people against one another is unbelievable and to make it a felony is complete insanity. I strongly oppose this Bill.

HB-643

Submitted on: 2/6/2021 1:09:14 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alice Abellanida	Individual	Oppose	No

Comments:

This bill is a violation of the equal protection clause of our Constitution. I oppose this bill.

Alice Abellanida

HB-643

Submitted on: 2/6/2021 8:06:46 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Christy Ceraso	Individual	Oppose	No

Comments:

I agree 100% with the testimony submitted by Levana Lomma of For Our Rights:

House Bill 643 relating to emergency management, introduced to the House on January 25, 2021 which acts to define “essential worker” and make interference with an “essential worker” during an emergency a felony criminal offense is an abomination to the Hawai`i State Constitution and to the Constitution of the United States of America. This bill acts to deconstruct the basic fundamental liberties of the citizens of Hawai`i while fostering division amongst the community and creating “compliance officers” out of those whom the government has classified as “essential”.

The Hawai`i State Constitution and the U.S. Constitution, from which the principles were derived, are the sacred documents which protect the fundamental God-given rights of the people and these documents are never suspended during times of emergency. The Hawai`i statute authorizing the Governor’s emergency powers expressly states the law confers no power or authority to act “which is inconsistent with the Constitution and laws of the United States.” The U.S. Supreme Court has expressly condemned the idea that a mere declaration of an “emergency” be an excuse to trump all constitutional forms of power, rights, and protections:

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Home Bldg. & Loan Ass’n v. Blaisdell, 290 U.S. 398, 425-426 (1934) (emphasis added).

Under this authority it is an aberration of duty to bring forth any regulation which would trespass upon a free people’s protected rights to freedom of movement, freedom of speech, freedom of expression, their right to be secure in their person, their right to associate and their right to due process.

Section 1 of this act states: *“Additionally, the legislature finds that the pandemic has given rise to a multitude of essential workers in various job sectors who, through the course of their work are required to relay and impose emergency rules and orders that have been enacted by the appropriate governmental authority. Emergency response measures to reduce the spread of SARS-CoV-2 through, for example, the use of face coverings or masks has placed great responsibility and risk on essential workers who have experienced harassment, intimidation, verbal abuse, and physical assault from members of the public who disagree with the government’s order.”* To remove the right of the people to govern their own health and be free to move about in society without violations to their bodily autonomy is an obstruction in itself, but to grant authority of select members of society deemed “essential” to enforce governmental overreach upon those who resist unconstitutional regulations is egregious.

There are already sufficient laws in place to protect citizens from harassment and assault. This bill acts as a clandestine, coercive measure intended to enforce compliance through the threat of imprisonment and must be struck down for its unconstitutionality and danger in promoting an atmosphere of warfare among citizens. No particular vocation should ever be considered more essential than another, placing certain protections and rights above the rights and protections of others. This is a direct violation to the Equal Protection Clause within our United States Constitution and found in the Hawai’i State Constitution under Article 1 Section 5.

This is why we urge you to submit to the demands of your constituents and protect their civil liberties from current and future infringements being covertly forced upon the people under the disguise of “emergency” management. We strongly oppose House Bill 643.

Sincerely,

Christy Ceraso

HB-643

Submitted on: 2/6/2021 8:57:48 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
heather culp	Individual	Oppose	No

Comments:

Aloha ~

House Bill 643 relating to emergency management, introduced to the House on January 25, 2021 which acts to define “essential worker” and make interference with an “essential worker” during an emergency a felony criminal offense is an abomination to the Hawai`i State Constitution and to the Constitution of the United States of America. This bill acts to deconstruct the basic fundamental liberties of the citizens of Hawai`i while fostering division amongst the community and creating “compliance officers” out of those whom the government has classified as “essential”.

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Under this authority it is an aberration of duty to bring forth any regulation which would trespass upon a free people’s protected rights to freedom of movement, freedom of speech, freedom of expression, their right to be secure in their person, their right to associate and their right to due process.

Section 1 of this act states: “Additionally, the legislature finds that the pandemic has given rise to a multitude of essential workers in various job sectors who, through the course of their work are required to relay and impose emergency rules and orders that have been enacted by the appropriate governmental authority. Emergency response measures to reduce the spread of SARS-CoV-2 through, for example, the use of face coverings or masks has placed great responsibility and risk on essential workers who have experienced harassment, intimidation, verbal abuse, and physical assault from members of the public who disagree with the government’s order.” To remove the right of the people to govern their own health and be free to move about in society without violations to their bodily autonomy is an obtrusion in itself, but to grant authority of select members of society deemed “essential” to enforce governmental overreach upon those who resist unconstitutional regulations is egregious.

There are already sufficient laws in place to protect citizens from harassment and assault. This bill acts as a clandestine, coercive measure intended to enforce compliance through the threat of imprisonment and must be struck down for it’s unconstitutionality and danger in promoting an atmosphere of warfare among citizens. **No particular vocation should ever be considered more essential than another, placing certain protections and rights above the rights and protections of others. This is a direct violation to the Equal Protection Clause within our United States Constitution and found in the Hawai’i State Constitution under Article 1 Section 5.**

This is why we urge you to submit to the demands of your constituents and protect their civil liberties from current and future infringements being covertly forced upon the people under the disguise of “emergency” management.

I strongly oppose House Bill 643.

Sincerely,

Heather Culp

HB-643

Submitted on: 2/6/2021 9:20:48 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
nicole mowat	Individual	Oppose	No

Comments:

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The Hawai`i State Constitution and the U.S. Constitu

HB-643

Submitted on: 2/6/2021 9:34:10 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Stephanie Lyra Lin	Individual	Oppose	No

Comments:

Stephanie Lin

12-173 East Moanali Loop

Pahoa, HI 96778

February 6 , 2021

TESTIMONY ON HOUSE BILL 643: A BILL RELATING TO EMERGENCY MANAGEMENT

STRONGLY OPPOSED

I do not support this bill which acts to define an "essential worker" and to make interference with an "essential worker" during an emergency a felony offense.

First of all, there is no evidence to support the notion that the presence of Covid-19 is an "emergency" health situation for the majority of the people living in this country. There are many other health and societal issues present in our nation that do far greater damage to health and well-being, as well as cause more deaths to the general population than Covid-19, and yet they are NOT declared public emergencies.

Secondly, this bill is clearly designed to create a select group of people labeled by vocation ("essential workers") which can enforce certain health regulations upon the public, without repercussions, and in fact, citizens who disobey those people will be subject to legal punishment.

No particular vocation should ever be considered more essential than another, placing certain protections and rights above the rights and protections of others. This is a direct violation to the Equal Protection Clause within our United States Constitution and found in the Hawai'i State Constitution under Article 1 Section 5.

This bill has the potential to lead to direct violations our God-given right to choose what to do with our own life and property, mainly, our bodies.

I strongly oppose House Bill 643.

Sincerely,

Levana Lomma

Chief Executive Officer

HB-643

Submitted on: 2/6/2021 9:34:20 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Madeline Trudelle	Individual	Oppose	No

Comments:

Hello! My name is Madeline Trudelle, a resident of Kona, and I oppose House Bill 643.

House Bill 643 relating to emergency management, introduced to the House on January 25, 2021 which acts to define “essential worker” and make interference with an “essential worker” during an emergency a felony criminal offense is an abomination to the Hawai`i State Constitution and to the Constitution of the United States of America. This bill acts to deconstruct the basic fundamental liberties of the citizens of Hawai`i while fostering division amongst the community and creating “compliance officers” out of those whom the government has classified as “essential”.

The Hawai`i State Constitution and the U.S. Constitution, from which the principles were derived, are the sacred documents which protect the fundamental God-given rights of the people and these documents are never suspended during times of emergency. The Hawai`i statute authorizing the Governor’s emergency powers expressly states the law confers no power or authority to act “which is inconsistent with the Constitution and laws of the United States.” The U.S. Supreme Court has expressly condemned the idea that a mere declaration of an “emergency” be an excuse to trump all constitutional forms of power, rights, and protections:

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Home Bldg. & Loan Ass’n v. Blaisdell, 290 U.S. 398, 425-426 (1934) (emphasis added).

Under this authority it is an aberration of duty to bring forth any regulation which would trespass upon a free people's protected rights to freedom of movement, freedom of speech, freedom of expression, their right to be secure in their person, their right to associate and their right to due process.

Section 1 of this act states: "Additionally, the legislature finds that the pandemic has given rise to a multitude of essential workers in various job sectors who, through the course of their work are required to relay and impose emergency rules and orders that have been enacted by the appropriate governmental authority. Emergency response measures to reduce the spread of SARS-CoV-2 through, for example, the use of face coverings or masks has placed great responsibility and risk on essential workers who have experienced harassment, intimidation, verbal abuse, and physical assault from members of the public who disagree with the government's order." To remove the right of the people to govern their own health and be free to move about in society without violations to their bodily autonomy is an obtrusion in itself, but to grant authority of select members of society deemed "essential" to enforce governmental overreach upon those who resist unconstitutional regulations is egregious.

There are already sufficient laws in place to protect citizens from harassment and assault. This bill acts as a clandestine, coercive measure intended to enforce compliance through the threat of imprisonment and must be struck down for its unconstitutionality and danger in promoting an atmosphere of warfare among citizens. No particular vocation should ever be considered more essential than another, placing certain protections and rights above the rights and protections of others.

This is a direct violation to the Equal Protection Clause within our United States Constitution and found in the Hawai'i State Constitution under Article 1 Section 5.

This is why we urge you to submit to the demands of your constituents and protect their civil liberties from current and future infringements being covertly forced upon the people under the guise of "emergency" management. We strongly oppose House Bill 643.

Sincerely,

Madeline Trudelle

73-4210 Eluna St

Kailua-Kona HI 96740

HB-643

Submitted on: 2/6/2021 9:39:27 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Brynn	Individual	Oppose	No

Comments:

Aloha ~

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This is why we urge you to submit to the demands of your constituents and protect their civil liberties from current and future infringements being covertly forced upon the people under the disguise of "emergency" management.

I strongly oppose House Bill 643.

Sincerely,

Brynn Foster

HB-643

Submitted on: 2/6/2021 9:52:05 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alicia Gleason	Individual	Oppose	No

Comments:

Hello,

House Bill 643 relating to emergency management, introduced to the House on January 25, 2021 which acts to define “essential worker” and make interference with an “essential worker” during an emergency a felony criminal offense is an abomination to the Hawai`i State Constitution and to the Constitution of the United States of America. This bill acts to deconstruct the basic fundamental liberties of the citizens of Hawai`i while fostering division amongst the community and creating “compliance officers” out of those whom the government has classified as “essential”.

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Sincerely,

Alicia Gleason

Hawaii Resident

February 6 , 2021

TESTIMONY ON HOUSE BILL 643: A BILL RELATING TO EMERGENCY
MANAGEMENT

PRESENTATION TO THE HOUSE COMMITTEE ON PANDEMIC AND
DISASTER PREPAREDNESS and COMMITTEE ON LABOR AND TOURISM

STRONGLY OPPOSED

I've the right to breathe freely. This vulgar display of power is exactly what the constitution was set in place to uphold. I'm an autistic adult who can't wear a mask and even though the emergency mandates are allowing for medical exemptions, the majority of stores are using the emergency mandate to discriminate against those of us who can't wear a mask. So called "essential workers" are taking it into their own hands to treat myself and others who can't wear a mask, like second class citizens and are feeling justified in engaging rude and aggressive behaviors to try and make me comply with mask policies even though I am exempt. Many stores are even stating that there is no such things as medical exceptions. There is so much misinformation and fear being spread around in our community and the aloha has "gone out the window". Regardless of medical exceptions to mask rules, the declaration of independence was drafted to protect my unalienable rights, one of which is to breathe freely and the right to medical freedom. This emergency power is unconstitutional. Is this Nazi Germany?

House Bill 643 relating to emergency management, introduced to the House on January 25, 2021 which acts to define "essential worker" and make interference with an "essential worker" during an emergency a felony criminal offense is an abomination to the Hawai'i State

Constitution and to the Constitution of the United States of America. This bill acts to deconstruct the basic fundamental liberties of the citizens of Hawai`i while fostering division amongst the community and creating “compliance officers” out of those whom the government has classified as “essential”.

The Hawai`i State Constitution and the U.S. Constitution, from which the principles were derived, are the sacred documents which protect the fundamental God-given rights of the people and these documents are never suspended during times of emergency. The Hawai`i statute authorizing the Governor’s emergency powers expressly states the law confers no power or authority to act “which is inconsistent with the Constitution and laws of the United States.” The U.S. Supreme Court has expressly condemned the idea that a mere declaration of an “emergency” be an excuse to trump all constitutional forms of power, rights, and protections:

“Emergency does not create power. Emergency does not increase granted power or remove or diminish the restrictions imposed upon power granted or reserved. The Constitution was adopted in a period of grave emergency. Its grants of power to the federal government and its limitations of the power of the states were not determined in the light of emergency and they are not altered by emergency. What power was thus granted and what limitations were thus imposed are questions which have always been, and always will be, the subject of close examination under our constitutional system.”

Home Bldg. & Loan Ass’n v. Blaisdell, 290 U.S. 398, 425-426 (1934)
(emphasis added).

Under this authority it is an aberration of duty to bring forth any regulation which would trespass upon a free people’s protected rights to freedom of movement, freedom of speech, freedom of expression, their

right to be secure in their person, their right to associate and their right to due process.

Section 1 of this act states: *“Additionally, the legislature finds that the pandemic has given rise to a multitude of essential workers in various job sectors who, through the course of their work are required to relay and impose emergency rules and orders that have been enacted by the appropriate governmental authority. Emergency response measures to reduce the spread of SARS-CoV-2 through, for example, the use of face coverings or masks has placed great responsibility and risk on essential workers who have experienced harassment, intimidation, verbal abuse, and physical assault from members of the public who disagree with the government’s order.”* To remove the right of the people to govern their own health and be free to move about in society without violations to their bodily autonomy is an obtrusion in itself, but to grant authority of select members of society deemed “essential” to enforce governmental overreach upon those who resist unconstitutional regulations is egregious.

There are already sufficient laws in place to protect citizens from harassment and assault. This bill acts as a clandestine, coercive measure intended to enforce compliance through the threat of imprisonment and must be struck down for it’s unconstitutionality and danger in promoting an atmosphere of warfare among citizens. No particular vocation should ever be considered more essential than another, placing certain protections and rights above the rights and protections of others. This is a direct violation to the Equal Protection Clause within our United States Constitution and found in the Hawai’i State Constitution under Article 1 Section 5.

This is why we urge you to submit to the demands of your constituents and protect their civil liberties from current and future infringements

being covertly forced upon the people under the disguise of “emergency” management. We strongly oppose House Bill 643.

Sincerely,

Ann Klaft, L.Ac, MSOM, Dipl. AC

HB-643

Submitted on: 2/6/2021 10:00:52 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
gretchen	Individual	Oppose	No

Comments:

Please oppose this bill.
thank you.

HB-643

Submitted on: 2/6/2021 10:21:34 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
vesela mincheva	Individual	Oppose	No

Comments:

The Hawai'i State Constitution and the U.S. Constitution, from which the principles were derived, are the sacred documents which protect the fundamental God-given rights of the people and these documents are never suspended during times of emergency. The Hawai'i statute authorizing the Governor's emergency powers expressly states the law confers no power or authority to act "which is inconsistent with the Constitution and laws of the United States." The U.S. Supreme Court has expressly condemned the idea that a mere declaration of an "emergency" be an excuse to trump all constitutional forms of power, rights, and protections:

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HB-643

Submitted on: 2/6/2021 10:36:56 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Vanessa George	Individual	Oppose	No

Comments:

To Whom It May Concern:

I am a resident of the State of Hawaii and I have serious concerns about and object to House Bill 643 relating to emergency management, introduced to the House on January 25, 2021 which acts to define “essential worker” and make interference with an “essential worker” during an emergency a felony criminal offense is an abomination to the Hawai`i State Constitution and to the Constitution of the United States of America. This bill acts to deconstruct the basic fundamental liberties of the citizens of Hawai`i while fostering division amongst the community and creating “compliance officers” out of those whom the government has classified as “essential”.

The Hawai`i State Constitution and the U.S. Constitution, from which the principles were derived, are the sacred documents which protect the fundamental God-given rights of the people and these documents are never suspended during times of emergency. The Hawai`i statute authorizing the Governor’s emergency powers expressly states the law confers no power or authority to act “which is inconsistent with the Constitution and laws of the United States.” The U.S. Supreme Court has expressly condemned the idea that a mere declaration of an “emergency” be an excuse to trump all constitutional forms of power, rights, and protections:

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This is a direct violation to the Equal Protection Clause within our United States Constitution and found in the Hawai’i State Constitution under Article 1 Section 5.

This is why we urge you to submit to the demands of your constituents and protect their civil liberties from current and future infringements being covertly forced upon the people under the disguise of “emergency” management. We strongly oppose House Bill 643.

Sincerely,

Vanessa George

Hawaii State Resident, Small Business Owner, and Mother Of 2

HB-643

Submitted on: 2/6/2021 10:52:51 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Katherine Karnis	Individual	Oppose	No

Comments:

House Bill 643 relating to emergency management, introduced to the House on January 25, 2021 which acts to define “essential worker” and make interference with an “essential worker” during an emergency a felony criminal offense is an abomination to the Hawai`i State Constitution and to the Constitution of the United States of America. This bill acts to deconstruct the basic fundamental liberties of the citizens of Hawai`i while fostering division amongst the community and creating “compliance officers” out of those whom the government has classified as “essential”.

The Hawai`i State Constitution and the U.S. Constitution, from which the principles were derived, are the sacred documents which protect the fundamental God-given rights of the people and these documents are never suspended during times of emergency. The Hawai`i statute authorizing the Governor’s emergency powers expressly states the law confers no power or authority to act “which is inconsistent with the Constitution and laws of the United States.” The U.S. Supreme Court has expressly condemned the idea that a mere declaration of an “emergency” be an excuse to trump all constitutional forms of power, rights, and protections:

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Section 1 of this act states: "Additionally, the legislature finds that the pandemic has given rise to a multitude of essential workers in various job sectors who, through the course of their work are required to relay and impose emergency rules and orders that have been enacted by the appropriate governmental authority. Emergency response measures to reduce the spread of SARS-CoV-2 through, for example, the use of face coverings or masks has placed great responsibility and risk on essential workers who have experienced harassment, intimidation, verbal abuse, and physical assault from members of the public who disagree with the government's order." To remove the right of the people to govern their own health and be free to move about in society without violations to their bodily autonomy is an obtrusion in itself, but to grant authority of select members of society deemed "essential" to enforce governmental overreach upon those who resist unconstitutional regulations is egregious.

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This is a direct violation to the Equal Protection Clause within our United States Constitution and found in the Hawai'i State Constitution under Article 1 Section 5.

This is why we urge you to submit to the demands of your constituents and protect their civil liberties from current and future infringements being covertly forced upon the people under the disguise of "emergency" management. We strongly oppose House Bill 643.

Sincerely,

Katherine Karnis



Daniel Ross, RN
President

Gary Nuber
Director of Field Services

3375 Koapaka Street Suite B217
Honolulu, HI 96819

Tel: (808) 531-1628
Fax: (808) 524-2760

Hawai'i State House of Representatives
Committee on Pandemic & Disaster Preparedness and
Committee on Labor & Tourism

February 7, 2020

H.B. 643 – Relating to Emergency Management

The Hawaii Nurses Association -OPEIU Local 50 is affiliated with the AFL-CIO. We were founded in 1917 and represents 4,000 nurses in the State of Hawaii. We are grateful for this opportunity to testify in support of H.B. 643.

H.B. 643 would make it a felony to harasses, intimidate, verbally abuses, or assault an essential worker when they are working. Nurses are already protected under HRS Section 707-711, other essential workers should be afforded the same protections.

Thank you for taking the time to read our testimony and please vote to pass H.B. 643.

Aloha,

Daniel Ross
President HNA

Honorable Committee Members:

HB643 is an assault on our citizen rights to Freely Express our opinions in violation of our First Amendment rights under both the US and Hawaii State Constitutions, The proposed legislation would criminalize even verbal disagreement with policies and actions of "essential" workers. Granted, physical abuse and physical assault of any person-not only essential workers-should not be tolerated. However, this bill also creates a felony criminal offense for "harassment" , "verbal abuse", and "intimidation" , which are terms not adequately defined or narrowly confined in the bill. In essence, this bill has been proposed based upon the current fear that the corona virus represents an "emergency" which will likely result in substantial harm to the "population" or substantial damage to or a loss of property.

First, there no longer exists a "pandemic". There have only been 315 or so deaths which have been officially related to the corona virus in this state of over one million persons. While this disease appears to be highly contagious, the mortality rate is less than a fraction of one percent and the recovery rate is over 99%! There has never been an overwhelm of the State's health care system (as was originally forecast) nor has there been a loss or injury to the population or property as a direct result of this virus.

Those who believe, as I do, that out of an abundance of caution an Emergency Declaration was issued in March of 2020 based upon catastrophic forecasts of death, reality has shown those forecasts to have been greatly exaggerated and faulty. The net results of the emergency proclamations and restrictions has been destruction of the tourist industry, record unemployment, irreparable losses to small businesses and extreme financial hardship on a huge portion of our State's population. Despite the draconian restrictions requiring masks, social distancing and reduced gatherings, the number of positive case results has continued to grow. However the net result has been a mortality rate of less than a fraction one percent! Through the curtailments of constitutional rights and freedoms, we the citizens have suffered alienation, harassment, increased suicides, increased domestic abuse, increased drug dependencies and deeply seated depression of every age and demographic group of our citizenry. Our children are prohibited from attending school and access to public services have been severely impacted.

The Governor's authority under HRS 127A was statutorily required to end after 60 days. The Governor and the Attorney General have not respected nor followed the law. In fact, every supplemental emergency proclamation after May 5, 2020 have been illegal under our law. Under this proposed legislation, the citizen's rights to verbally oppose this illegal and factually or scientifically unsupported "emergency" will be criminalized in violation of our Constitutional free speech rights. I adamantly oppose this legislation and urge the honorable legislature to re-examine the factual and scientific bases for both the past and future restriction of our freedoms and Constitutional rights. Please reject HB643 and lets take action to move out of fear and into a state of economic and social recovery.

HB-643

Submitted on: 2/6/2021 12:57:10 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Candace Vitelli	Individual	Oppose	No

Comments:

To Whom It May Concern:

I am a resident of the State of Hawaii and I have serious concerns about and object to House Bill 643 relating to emergency management, introduced to the House on January 25, 2021 which acts to define “essential worker” and make interference with an “essential worker” during an emergency a felony criminal offense is an abomination to the Hawai`i State Constitution and to the Constitution of the United States of America. This bill acts to deconstruct the basic fundamental liberties of the citizens of Hawai`i while fostering division amongst the community and creating “compliance officers” out of those whom the government has classified as “essential”.

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Under this authority it is an aberration of duty to bring forth any regulation which would trespass upon a free people’s protected rights to freedom of movement, freedom of speech, freedom of expression, their right to be secure in their person, their right to associate and their right to due process.

Section 1 of this act states: “Additionally, the legislature finds that the pandemic has given rise to a multitude of essential workers in various job sectors who, through the course of their work are required to relay and impose emergency rules and orders that have been enacted by the appropriate governmental authority. Emergency response measures to reduce the spread of SARS-CoV-2 through, for example, the use of face coverings or masks has placed great responsibility and risk on essential workers who have experienced harassment, intimidation, verbal abuse, and physical assault from members of the public who disagree with the government’s order.” To remove the right of the people to govern their own health and be free to move about in society without violations to their bodily autonomy is an obtrusion in itself, but to grant authority of select members of society deemed “essential” to enforce governmental overreach upon those who resist unconstitutional regulations is egregious.

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This is a direct violation to the Equal Protection Clause within our United States Constitution and found in the Hawai’i State Constitution under Article 1 Section 5.

This is why we urge you to submit to the demands of your constituents and protect their civil liberties from current and future infringements being covertly forced upon the people under the disguise of “emergency” management. We strongly oppose House Bill 643.

Sincerely, Vincent John Vitelli & Candace Vitelli

HB-643

Submitted on: 2/6/2021 1:54:29 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sean Williams	Individual	Oppose	No

Comments:

Aloha

House Bill 643 relating to emergency management, introduced to the House on January 25, 2021 which acts to define “essential worker” and make interference with an “essential worker” during an emergency a felony criminal offense is an abomination to the Hawai`i State Constitution and to the Constitution of the United States of America. This bill acts to deconstruct the basic fundamental liberties of the citizens of Hawai`i while fostering division amongst the community and creating “compliance officers” out of those whom the government has classified as “essential”.

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This is why we urge you to submit to the demands of your constituents and protect their civil liberties from current and future infringements being covertly forced upon the people under the disguise of “emergency” management. We strongly oppose House Bill 643.

Sincerely,
Sean Williams

HB-643

Submitted on: 2/6/2021 2:10:04 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Anna Morozov	ALOHA Festival	Oppose	No

Comments:

Aloha!

This is completely an OUTRAGE!

How can anyone be more essential or important then another?

We are all equal! America was build on equality!

This is pure Nazism!

NO

NO

NO

!!!

HB-643

Submitted on: 2/6/2021 2:42:29 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Estelle Cruse	Individual	Oppose	No

Comments:

This is outrageous! This is unconstitutional! There is no emergency and you can't make essential workers have to be responsible for policing something like a mask! We're watching how you vote representatives! And we will not forget. What happened to our freedom? It's gone!

HB-643

Submitted on: 2/6/2021 3:12:29 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara G Garcia	Individual	Oppose	No

Comments:

I strongly oppose HB643. Lawmakers should be protecting my constitutial rights instead of taking them away.

HB-643

Submitted on: 2/6/2021 4:25:07 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Rebecca Woods	Individual	Oppose	No

Comments:

The punishment enacted by this bill is unfit for the so-called crime, and places undue power in the hands of so-called essential workers, who are not qualified to take away the rights and civil liberties of any other citizen. It is absurd to require people to wear masks outdoors, and to make noncompliance with this the enforcement of this absurdity a felony offense. I strongly oppose this bill.

HB-643

Submitted on: 2/6/2021 4:55:41 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dan McSweeney	Individual	Oppose	No

Comments:

To Whom It May Concern:

I am a resident of the State of Hawaii and I have serious concerns about and object to House Bill 643 relating to emergency management, introduced to the House on January 25, 2021 which acts to define “essential worker” and make interference with an “essential worker” during an emergency a felony criminal offense is an abomination to the Hawai`i State Constitution and to the Constitution of the United States of America. This bill acts to deconstruct the basic fundamental liberties of the citizens of Hawai`i while fostering division amongst the community and creating “compliance officers” out of those whom the government has classified as “essential”.

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This is why we urge you to submit to the demands of your constituents and protect their civil liberties from current and future infringements being covertly forced upon the people under the disguise of “emergency” management. We strongly oppose House Bill 643.

Sincerely,

HB-643

Submitted on: 2/6/2021 5:21:54 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Natasha Noble	Individual	Oppose	No

Comments:

I strongly oppose this bill and ask that you do NOT pass it. If children decide to take their masks off will the parents be charged with a felony? If people with mask exemptions refuse to wear a mask, like myself, will they be charged with a felony? Businesses are not allowing exemptions for face masks even though the governor allows for exemptions through his emergency proclamation. I had an officer called on me because ai was trying to shop in a store without a mask to buy my children food. The employees were awful to me and wouldn't even give me their managers name to discuss further. I have Lupus and can not wear a mask. Many many other people have health issues and mask exemptions not allowed, so we wear our mask below our noses. This bill will allow for further harassment and possible criminalization of those unable to wear masks. what about mentally ill people, will they be federal criminals if one of them offends an "essential worker"?

This bill acts as a clandestine, coercive measure intended to enforce compliance through the threat of imprisonment and must be struck down for it's unconstitutionality and danger in promoting an atmosphere of warfare among citizens. No particular vocation should ever be considered more essential than another, placing certain protections and rights above the rights and protections of others.

HB-643

Submitted on: 2/6/2021 5:26:10 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Wendy Raebeck	Individual	Oppose	No

Comments:

Aloha and thank you for your service.

I strongly oppose HB 643.

We do not need more governance regarding mask-wearing. Everyone is totally aware of the Covid reality. There's nothing but Covid-Covid-Covid on television 24/7, including warnings, news, and constant directives about how to behave, not to mention signs and warnings everywhere we go.

Government is already infringing on people's rights to breathe and to choose their own responses to a public health issue. It's bad enough as it is, please let's not make it even more tyrannical.

As a homeowner and business owner, I DO NOT want my tax dollars paying for additional workers to police the general public regarding masks. Moreover, if it's fine to eat in a restaurant without a mask, and okay to eat, drink or smoke in public without one, it's hard to believe Covid is that obedient.

Since the Covid drama continues with no end in sight, I strongly urge elected officials to work for creative and sane solutions to getting businesses and schools up and running again—NOT wasting precious time, money, energy and any lingering sanity on making Covid MORE OF A NIGHTMARE.

Thank you, Wendy Raebeck

HB-643

Submitted on: 2/6/2021 8:09:19 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alisen Celestyne	Individual	Oppose	No

Comments:

TESTIMONY ON HOUSE BILL 643: A BILL RELATING TO EMERGENCY MANAGEMENT

PRESENTATION TO THE HOUSE COMMITTEE ON PANDEMIC AND DISASTER PREPAREDNESS and COMMITTEE ON LABOR AND TOURISM

STRONGLY OPPOSED

By Alisen Celestyne, Resident, Kapaa, HI

House Bill 643 relating to emergency management, introduced to the House on January 25, 2021 which acts to define “essential worker” and make interference with an “essential worker” during an emergency a felony criminal offense is an abomination to the Hawai`i State Constitution and to the Constitution of the United States of America. This bill acts to deconstruct the basic fundamental liberties of the citizens of Hawai`i while fostering division amongst the community and creating “compliance officers” out of those whom the government has classified as “essential”.

Under this authority it is an aberration of duty to bring forth any regulation which would trespass upon a free people’s protected rights to freedom of movement, freedom of speech, freedom of expression, their right to be secure in their person, their right to associate and their right to due process.

Section 1 of this act states: “Additionally, the legislature finds that the pandemic has given rise to a multitude of essential workers in various job sectors who, through the

course of their work are required to relay and impose emergency rules and orders that have been enacted by the appropriate governmental authority. Emergency response measures to reduce the spread of SARS-CoV-2 through, for example, the use of face coverings or masks has placed great responsibility and risk on essential workers who have experienced harassment, intimidation, verbal abuse, and physical assault from members of the public who disagree with the government's order." To remove the right of the people to govern their own health and be free to move about in society without violations to their bodily autonomy is an obtrusion in itself, but to grant authority of select members of society deemed "essential" to enforce governmental overreach upon those who resist unconstitutional regulations is absolutely ridiculous.

HB-643

Submitted on: 2/6/2021 8:50:33 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
xia liu	Individual	Oppose	No

Comments:

This is a direct violation nullifying osha regulations based on factual evidence on oxygen restriction and the breathing in of individuals own co2 , an direct attack on our health without the backing of science or factual data showing any face covering including an n95 can even block a virus with a standard size of .125 microns . No one with medical conditions should be intimidated by a baseless bill without any evidence showing masks actually works but there are much more evidence showing mask does cause long term harm to people by restricting the flow of oxygen and breathing in their own garbage for prolonged periods of time trapping harmful bacteria into the lungs causing further respiratory problem . No one gets to dictate other people's health nor are allowed to give medical advice without fully understanding every individuals challenge , assuming the same people pushing this bill won't be liable for the damages they cause both physically or mentally towards others health .

HB-643

Submitted on: 2/6/2021 9:05:42 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Elizabeth Diamond	Individual	Oppose	No

Comments:

Aloha!

Dear Legislators,

I and my Ohana strongly OPPOSE HB643.

This bill is an OUTRAGE. What is happening in our country? It is absolutely unthinkable and unbearable, as it's in complete violation of the Equal Protection Clause of our Constitution.

Mahalo for vote in opposition to HB 643!

HB-643

Submitted on: 2/6/2021 10:41:30 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Gary Ngo	Individual	Oppose	No

Comments:

Aloha!

House Bill 643 Relating to Emergency Management is very scary as it would create tragic division in equal protection and would eradicate people's civil liberties that we still enjoy in our country under our Constitution that made this country a refuge for multitudes from dictatorship/ communist countries.

Please vote against this bill, a complete violation of the Equal Protection Clause of our Constitution.

Mahalo!

HB-643

Submitted on: 2/7/2021 2:07:48 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ru Carley	Individual	Oppose	No

Comments:

To Whom It May Concern:

I am a resident of the State of Hawaii and I have serious concerns about and object to House Bill 643 relating to emergency management, introduced to the House on January 25, 2021 which acts to define “essential worker” and make interference with an “essential worker” during an emergency a felony criminal offense is an abomination to the Hawai`i State Constitution and to the Constitution of the United States of America. This bill acts to deconstruct the basic fundamental liberties of the citizens of Hawai`i while fostering division amongst the community and creating “compliance officers” out of those whom the government has classified as “essential”.

The Hawai`i State Constitution and the U.S. Constitution, from which the principles were derived, are the sacred documents which protect the fundamental God-given rights of the people and these documents are never suspended during times of emergency. The Hawai`i statute authorizing the Governor’s emergency powers expressly states the law confers no power or authority to act “which is inconsistent with the Constitution and laws of the United States.” The U.S. Supreme Court has expressly condemned the idea that a mere declaration of an “emergency” be an excuse to trump all constitutional forms of power, rights, and protections:

“Emergency does not create power. Emergency does not increase granted power or remove or diminish the restrictions imposed upon power granted or reserved. The Constitution was adopted in a period of grave emergency. Its grants of power to the federal government and its limitations of the power of the states were not determined in the light of emergency and they are not altered by emergency. What power was thus granted and what limitations were thus imposed are questions which have always been, and always will be, the subject of close examination under our constitutional system.”

Home Bldg. & Loan Ass’n v. Blaisdell, 290 U.S. 398, 425-426 (1934) (emphasis added).

Under this authority it is an aberration of duty to bring forth any regulation which would trespass upon a free people’s protected rights to freedom of movement, freedom of speech, freedom of expression, their right to be secure in their person, their right to associate and their right to due process.

Section 1 of this act states: “Additionally, the legislature finds that the pandemic has given rise to a multitude of essential workers in various job sectors who, through the course of their work are required to relay and impose emergency rules and orders that have been enacted by the appropriate governmental authority. Emergency response measures to reduce the spread of SARS-CoV-2 through, for example, the use of face coverings or masks has placed great responsibility and risk on essential workers who have experienced harassment, intimidation, verbal abuse, and physical assault from members of the public who disagree with the government’s order.” To remove the right of the people to govern their own health and be free to move about in society without violations to their bodily autonomy is an obtrusion in itself, but to grant authority of select members of society deemed “essential” to enforce governmental overreach upon those who resist unconstitutional regulations is egregious.

There are already sufficient laws in place to protect citizens from harassment and assault. This bill acts as a clandestine, coercive measure intended to enforce compliance through the threat of imprisonment and must be struck down for it’s unconstitutionality and danger in promoting an atmosphere of warfare among citizens. No particular vocation should ever be considered more essential than another, placing certain protections and rights above the rights and protections of others.

This is a direct violation to the Equal Protection Clause within our United States Constitution and found in the Hawai’i State Constitution under Article 1 Section 5.

This is why we urge you to submit to the demands of your constituents and protect their civil liberties from current and future infringements being covertly forced upon the people under the disguise of “emergency” management. We strongly oppose House Bill 643.

Sincerely,

HB-643

Submitted on: 2/7/2021 8:50:57 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Laurie Puglia	Individual	Oppose	No

Comments:

I highly oppose this bill!



February 6, 2021

Representative Richard Onishi, Chair
House Committee of Labor and Tourism
Representative Linda Ichiyama, Chair
House Committee on Pandemic and Disaster Preparedness

Support for HB643

Dear Representative Onishi, Representative Ichiyama and Members of the House Committees on Labor and Tourism and Pandemic and Disaster Preparedness,

Thank you for the opportunity to provide comments on HB643.

The Kohala Coast Resort Association supports making interference with an essential worker performing their duties a felony, and we appreciate that you have included employees in the hospitality and transportation sectors as essential workers. Though fortunately instances where this has been an issue at our hotels and resorts have been rare, this bill provides an extra layer of support for our teams.

KCRA is a collection of master-planned resorts and hotels, situated north of the Ellison Onizuka Kona International Airport at Keahole, which represents more than 3,500 hotel and timeshare accommodations and an equal number of resort residential units. This is approximately 35 percent of the visitor accommodations available on the Island of Hawai`i. KCRA member properties annually pay more than \$25 million in TAT, \$25 million in GET and \$11 million in property taxes.

Mahalo for your consideration and support for this measure.

Sincerely,

A handwritten signature in black ink that reads "Stephanie P. Donoho". The signature is written in a cursive, flowing style.

Stephanie Donoho
Administrative Director

February 7, 2021

TESTIMONY ON HOUSE BILL 643: A BILL RELATING EMERGENCY MANAGEMENT

STRONGLY OPPOSED

BY Cameron Hewines

House Bill 643 relating to emergency management, introduced to the House on January 25, 2021 which acts to define “essential worker” and make interference with an “essential worker” during an emergency a felony criminal offence is an abomination to the Hawai`i State Constitution and to the Constitution of the United States of America. This bill acts to deconstruct the basic fundamental liberties of the citizens of Hawai`i while fostering division amongst the community and creating “compliance officers” out of those whom the government has classified as “essential”.

The Hawai`i State Constitution and the U.S. Constitution, from which the principles were derived, are the sacred documents which protect the fundamental God-given rights of the people and these documents are never suspended during times of emergency. The Hawai`i statute authorizing the Governor’s emergency powers expressly states the law confers no power or authority to act “which is inconsistent with the Constitution and laws of the United States.” The U.S. Supreme Court has expressly condemned the idea that a mere declaration of an “emergency” is an excuse to trump all constitutional forms of power, rights, and protections:

“Emergency does not create power. Emergency does not increase granted power or remove or diminish the restrictions imposed upon power granted or reserved. The Constitution was adopted in a period of grave emergency. Its grants of power to the federal government and its limitations of the power of the states were not determined in the light of emergency and they are not altered by emergency. What power was thus granted and what limitations were thus imposed are questions which have always been, and always will be, the subject of close examination under our constitutional system.”

Home Bldg. & Loan Ass’n v. Blaisdell, 290 U.S. 398, 425-426 (1934) (emphasis added).

Under this authority, it is an aberration of duty to bring forth any regulation which would trespass upon a free people’s protected rights to freedom of movement, freedom of speech, freedom of expression, their right to be secure in their person, their right to associate and their right to due process.

Section 1 of this act states: “Additionally, the legislature finds that the pandemic has given rise to a multitude of essential workers in various job sectors who, through the course of their work are required to relay and impose emergency rules and orders that have been enacted by the appropriate governmental authority. Emergency response measures to reduce the spread of SARS-CoV-2 through, for example, the use of face coverings or masks has placed great responsibility and risk on essential workers who have experienced harassment, intimidation, verbal abuse, and physical assault from members of the public who disagree with the government’s order.” To remove the right of the people to govern their own health and be free to move about in society without violations to their bodily autonomy is an obtrusion in itself, but to grant authority of select members of society deemed “essential” to enforce governmental overreach upon those who resist unconstitutional regulations is egregious.

There are already sufficient laws in place to protect citizens from harassment and assault. This bill acts as a clandestine, coercive measure intended to enforce compliance through the threat of imprisonment and must be struck down for its unconstitutionality and danger in promoting an atmosphere of warfare among citizens. No particular vocation should ever be considered more essential than another, placing certain protections and rights above the rights and protections of others.

Sincerely,

Cameron Hewines
68-3560 W. Makuahine St.,
Waikoloa, HI 96738
cameron56@gmail.com

HB-643

Submitted on: 2/7/2021 9:36:39 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Tanya Fessenden	Individual	Oppose	No

Comments:

House Bill 643 relating to emergency management, introduced to the House on January 25, 2021 which acts to define “essential worker” and make interference with an “essential worker” during an emergency a felony criminal offense is an abomination to the Hawai`i State Constitution and to the Constitution of the United States of America. This bill acts to deconstruct the basic fundamental liberties of the citizens of Hawai`i while fostering division amongst the community and creating “compliance officers” out of those whom the government has classified as “essential”.

The Hawai`i State Constitution and the U.S. Constitution, from which the principles were derived, are the sacred documents which protect the fundamental God-given rights of the people and these documents are never suspended during times of emergency. The Hawai`i statute authorizing the Governor’s emergency powers expressly states the law confers no power or authority to act “which is inconsistent with the Constitution and laws of the United States.” The U.S. Supreme Court has expressly condemned the idea that a mere declaration of an “emergency” be an excuse to trump all constitutional forms of power, rights, and protections:

“Emergency does not create power. Emergency does not increase granted power or remove or diminish the restrictions imposed upon power granted or reserved. The Constitution was adopted in a period of grave emergency. Its grants of power to the federal government and its limitations of the power of the states were not determined in the light of emergency and they are not altered by emergency. What power was thus granted and what limitations were thus imposed are questions which have always been, and always will be, the subject of close examination under our constitutional system.”

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Under this authority it is an aberration of duty to bring forth any regulation which would trespass upon a free people’s protected rights to freedom of movement, freedom of speech, freedom of expression, their right to be secure in their person, their right to associate and their right to due process.

Section 1 of this act states: “Additionally, the legislature finds that the pandemic has given rise to a multitude of essential workers in various job sectors who, through the course of their work are required to relay and impose emergency rules and orders that

have been enacted by the appropriate governmental authority. Emergency response measures to reduce the spread of SARS-CoV-2 through, for example, the use of face coverings or masks has placed great responsibility and risk on essential workers who have experienced harassment, intimidation, verbal abuse, and physical assault from members of the public who disagree with the government's order." To remove the right of the people to govern their own health and be free to move about in society without violations to their bodily autonomy is an obstruction in itself, but to grant authority of select members of society deemed "essential" to enforce governmental overreach upon those who resist unconstitutional regulations is egregious.

There are already sufficient laws in place to protect citizens from harassment and assault. This bill acts as a clandestine, coercive measure intended to enforce compliance through the threat of imprisonment and must be struck down for its unconstitutionality and danger in promoting an atmosphere of warfare among citizens. No particular vocation should ever be considered more essential than another, placing certain protections and rights above the rights and protections of others.

This is a direct violation to the Equal Protection Clause within our United States Constitution and found in the Hawai'i State Constitution under Article 1 Section 5.

This is why we urge you to submit to the demands of your constituents and protect their civil liberties from current and future infringements being covertly forced upon the people under the guise of "emergency" management. We strongly oppose House Bill 643.

Sincerely,

Tanya Fessenden

HB-643

Submitted on: 2/7/2021 10:00:33 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melissa A. Aiona	Individual	Oppose	No

Comments:

I am adamantly opposed to this bill... There is absolutely NO WAY essential workers should be given the power to inforce the wearing of masks.... The masks are doing a tremendous amount of harm to the wears... and should be voluntary to wear at best. This is getting out of hand... people will not stand for this over extension of power by "essential" works... What happened to our government that use to represent the people???

HB-643

Submitted on: 2/7/2021 11:11:51 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel Moe	Individual	Oppose	No

Comments:

There are already sufficient laws in place to protect citizens, including citizens deemed 'essential' by the Governor's power of designation, from harassment and assault. This bill essentially legalizes the ability for these 'essential workers' to harass and assault citizens that are deemed non-essential'. No particular vocation should ever be considered more essential than another, placing certain protections and rights above the rights and protections of others. This is a direct violation to the Equal Protection Clause within our United States Constitution and found in the Hawai'i State Constitution under Article 1 Section 5.

HB-643

Submitted on: 2/7/2021 11:17:00 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Georgia Michalicek	Individual	Oppose	No

Comments:

There have been several erroneous assumptions made in forming House Bill 643 relating to emergency management, introduced to the House on January 25, 2021 which acts to define “essential worker” and make interference with an “essential employee” during an emergency a felony criminal offense. First, the assumption that there continues to be a novel coronavirus spreading out of control is false. Even though there are people who test positive for COVID-19, there is proof that the PCR tests are only 50% accurate at best, and are being processed in most places incorrectly. It is also an erroneous assumption that coronavirus is a novel virus as it is well known that even the common cold and flu can be called a coronavirus. Second, there is an erroneous assumption that the general public – i.e., all citizens of Hawaii who are working to stay afloat economically are not essential employees – only those listed in the bill would be protected under this law and assumed to have overreach powers to police other citizens by enforcing an illegal emergency proclamation by the governor and mayors of Hawaii, creating a second class of citizenry with less privileges and protections!

Additionally, there are already laws in place to protect any person in Hawaii from being harassed and/or attacked by any other citizen, and those laws need to be enforced even if it is the “essential employee” who is conducting themselves in a manner where other citizens feel threatened and abused. I am fully aware of a situation that occurred at the Island Naturals store in Hilo, HI only a week or so ago, where a store-authorized “essential employee” not only harassed a customer upon entry to the store, but proceeded to manhandle them when spoken to by the customer, physically handcuffed them, and forced them into a back room while the customer was pleading for help! That “essential employee” should have been arrested for kidnapping and on several other charges, but when the police were called, they only continued the forced detainment and harassment of the customer. This is condoned illegal activity by those who are under oath to protect the civil liberties of all citizens – not just the few.

I am also aware that charging someone with a felony in the state of Hawaii will affect their Constitutional rights – for one, they will not be able to vote in any elections as long

as they appear to be a felon who has not served their sentence, paid the fees associated with the offense, nor have been released on parole. Why on earth would the Hawaii state legislature want to charge citizens with a felony criminal offense who exercise their Freedom of Speech under the US Constitution? I can only imagine that it would be so even though the legislators who are proposing and voting in favor of such a bill can then ensure their reelection by creating a second class of citizens who are no longer able to oppose them by voting against them. In fact, if state legislators are considered "essential employees," citizens would no longer be able to verbally disagree with them and voice their opinion of the laws being passed.

I strongly oppose HB 643! It is time for our state legislators to start working for the citizens of the State of Hawaii, to bring legislation that will help end the corruption that runs deep into its citizens' pocketbooks, and assist those who are being forced into economic hardship due to a false premise that we are still in a pandemic.



International Union of Bricklayers and Allied Craftworkers Local #1 of Hawaii

2251 North School Street, Honolulu, HI 96819

Phone: (808) 841-8822 • Fax: (808) 777-3456

February 9, 2021

The Hawaii State House of Representatives
Committee on Pandemic & Disaster Preparedness
The Honorable Linda Ichiyama, Chair
The Honorable Stacelynn K.M. Eli, Vice Chair

The Hawaii State House of Representatives
Committee on Labor & Tourism
The Honorable Richard H.K. Onishi, Chair
The Honorable Jackson D. Sayama, Vice Chair

RE: Support for HB643, Relating to Emergency Management

The International Union of Bricklayers and Allied Craftworkers, Local #1 of Hawaii **would like to express its support for HB643, Relating to Emergency Management.** The bill would make interfering with an essential worker during an emergency a felony and would define “essential worker.”

We stand with our brothers and sisters in labor, many of whom have worked tirelessly during the pandemic as front-facing essential workers with high social interaction. We are dismayed that these essential workers have experienced harassment, intimidation, verbal abuse, and physical assault from members of the public for merely relaying government’s emergency orders to use masks and to observe social distancing in public spaces.

At a time like this, we must offer our essential workers a higher degree of protections for simply doing their jobs, as we do for emergency workers.

Mahalo for the opportunity to provide this testimony.

HB-643

Submitted on: 2/7/2021 1:22:34 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Michdelle Melendez	Individual	Oppose	No

Comments:

I am absolutely appauled by this even being on the agenda! This is a FREE country NOT a Communist country. You, as leaders, do not dictate how citizens behave and treat each other. Making it a felony of how someone interacts with another citizen is NOT the responsibility of government leaders!

We are FREE people!

May God help you see that what you are doing is so incredibly wrong and so much against a Free Country.



Committee on Pandemic & Disaster Preparedness and
Committee on Labor & Tourism

HEARING DATE: Tuesday, February 9, 2021

TIME: 8:30a.m.

PLACE: VIA VIDEO CONFERENCE
Conference Room 309

HB643

IN SUPPORT

This testimony is being submitted on behalf of the membership of the International Brotherhood of Electrical Workers Local 1260. IBEW Local 1260 represents more than 3500 members throughout the Pacific, across the Hawaiian Islands, Guam and Wake Island. We appreciate the opportunity to testify in strong support of H.B. 643.

With the coronavirus pandemic giving rapid rise to a multitude of essential workers, H.B. 643 is intended to amend the emergency management laws to address pandemics and to provide greater protections for essential workers, especially those with high social interaction.

Such essential workers have experienced harassment, intimidation, verbal abuse, and physical assault from members of the public for merely relaying government's emergency orders to use masks and to observe social distancing in public spaces. Often these incidents occur in places such as our community grocery stores where workers are not customarily trained to confront customers or to deal with public health emergencies. Emergency workers have statutory protection, and essential workers need the protection that H.B. 643 provides.

We appreciate your consideration of our testimony and strongly encourage passage of H.B. 643.

Respectfully submitted,
Leroy Chincio
Business Manager and Financial Secretary
International Brotherhood of Electrical Workers
Local 1260
700 Bishop Street #1600
Honolulu, HI 96813

HB-643

Submitted on: 2/7/2021 2:35:32 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Maata Tukuafu	Individual	Oppose	No

Comments:

My name is Ma'ata Tukuafu and I am a citizen in the State of Hawaii. I went to Hau'ula Elementary, Kahuku HS and BYU-Hawaii. I live on Hawai'i Island, I am a writer, realtor and freedom thinker. I absolutely OPPOSE this bill as it is one more threat to our rights as US citizens to speak our mind, be able to speak and think freely, without being fearful of being felons. I oppose this bill 643 because with this bill you are violating our civil liberties as human beings. Please consider what this bill means to us now, and into the future for our children. We need to protect our constitutional rights, our human rights, and our civil rights. Mahalo

HB-643

Submitted on: 2/7/2021 2:46:33 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lianne Blas	Individual	Oppose	No

Comments:

I strongly oppose this bill!! It is in complete violation of the equal protection clause of our constitution!!!!

HB-643

Submitted on: 2/7/2021 2:59:14 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dawn Singleton	Individual	Oppose	No

Comments:

Masks are not useful at all and not needed. If there really was a virus the mask would be useless because the virus can easily go through the mask.

There has been testing done on the efficiency of the mask in sub-zero weather.

which shows how ridiculous it is thinking mask is doing anything. You can see the breath going out all around the person's head, even when he double-masked. Mask creates a hypoxic situation

The mask can make people sick because of breathing in their own waste. Please watch and do your own research on this subject. Many doctors are trying to get their message out to how dangerous the mask can be but their message is being removed by google and youtube.

There is much information on Dr. Mercola's site on this matter and Dr. Butaar.

The people are crying for help. You must serve the people. Please do your research. I beg thee for your residents who are so filled with fear and believe they have to wear the mask or scared to speak up. The TV is creating fear and not serving the people. We are in a critical time in our history.

https://articles.mercola.com/sites/articles/archive/2021/01/31/covid-19-vaccine-gene-therapy.aspx?ui=c81ded1dc9fa8855e7889d9af6a34923ac2be2a9ce07ea76ba1e4746f307565a&cid_source=dnl&cid_medium=email&cid_content=art1ReadMore&cid=20210131&mid=DM790791&rid=1072438990

Did you get to see this information on mask

https://www.mercola.com/facemasks-facts.htm?cid_source=banner&cid_medium=int&cid=facemasks_facts_20210120&cid_content=csmid&cid_term=version2

This last link is totally about mask-wearing and comprised by many doctors.

Please please take the time to read.

Respectfully

Dawn Singleton

s

HB-643

Submitted on: 2/7/2021 3:08:24 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Donna Grabow	Individual	Oppose	No

Comments:

I oppose the tyrannical bill that is intended to define "essential worker" and then create protection for this class of people to do the bidding of the government in **violating people's civil liberties** by making it a **FELONY** to harass an "essential worker" who is attempting to enforce the mask mandate.

Donna Grabow

82 Hoku Street

Hilo, Moku o Keawe

HB-643

Submitted on: 2/7/2021 3:19:01 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Pamela Miller	Individual	Oppose	No

Comments:

I strongly oppose this bill. First of all, it's totally unconstitutional as it fully goes against the 14th amendment especially the Civil Rights and Civil Liberties sections. Further it would only serve to further alienate more members of the public and create an "us vs them: climate. We are in dire need of unity, not punitive laws that serve to separate us further!

How is it that this bill supposes to make a new LAW for a mandate/emergency proclamation that not only has zero basis in true law as it has been illegally extended multiple times but also has illegally stripped citizens of their basic Civil Liberties and Rights?

Please, I urge you to vote against this bill.

Thank you,

Pamela Miller

HB-643

Submitted on: 2/7/2021 3:24:41 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Rebecca Miller	Individual	Oppose	No

Comments:

Concerning HB643,

I have read HB643 and found it full of potential harm to our community. It seems almost anyone could potentially be considered an "essential worker". It appears as well that almost anything could be interpreted by these essential workers as interference with their job of enforcing mask wearing.. This bill is very vague and seems to be dependent on the essential workers interpretation of any such supposed violation. This could easily lead to a very real violation of basic human rights.. To me this is totalitarian rule that does not support freedom or justice in the state of Hawaii. This bill says it is supposed to protect essential workers. Maybe the needs of the average person need to be heard and listened to as well. Maybe if we could just go back to normal we would not need to create bills like this one. Where is the pandemic? Who can prove that there really was one? The evidence is strong that we never had one. Before this bill is passed we need to look honestly at what we are doing. Are we creating a police state where no one has rights? Is this the kind of world we want to live in? I choose to live in freedom. We are a part of America. where people have inalienable rights. Therefore I STRONGLY OPPOSE this bill.

Sincerely,

Rebecca Miller

Anahola, HI.

HB-643

Submitted on: 2/7/2021 3:34:21 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
golde wallingford	Individual	Oppose	No

Comments:

" The purpose of this act is to amend the emergency management laws to address pandemics and provide greater protections for essential workers." This statement says it all. What about the protections for those of us not deemed "essential workers"? First of all who deems anything an "emergency"? One man? IGE? Who is the "manager" of this "emergency"? IGE? Who deems a person an "essential worker"? A pretty broad ranging phrase. This "pandemic" is nothing more than a flu. The statistics from numerous credible doctors and scientists show that this is no more than a flu. There are two sides to every story and this story is not about "looking out for our health and welfare", it is about CONTROL. This act is just another nail in the coffin; another way to take away our freedoms and the right to oppose what is being shoved down our throats. Credible information from doctors and scientists who question the propaganda spewed in the media have been censored because it doesn't follow the propaganda put forth by BIG PHARMA and certain government agencies. This "planeddemic" is about brainwashing the people through fear and false information, only to gain more control over our rights. How has this current governor protected any of us here in Hawaii? By taking away our freedoms by subscribing to false information from the likes of Fauci? Statistics show that this flu is no more deadly than past flus. Infact the statistics show that the numbers afflicted this year are less than past years. People are not dying of covid. Some whose health is already compromised by underlying illnesses may die "with" covid....but not of it. The statistics have been falsified to make a case for the pandemic. Hospitals are not over run. Our health is being compromised by wearing masks that DO NOT help us, but instead hinder our right to breath fresh air. Masks do more harm than good. There is credible science to back this up. WE ARE BEING DENIED THE RIGHT TO BREATH FRESH AIR. People have been denied their right to work. People are being denied of all rights. To gather with loved ones. To travel. This is the greatest crime ever perpetrated against humanity by our governments and the world through the brainwashing propoganded to accomodate the agendas to benefit BIG PHARMA and government control. Follow the money. Not all of us have bought the fear mongering agenda and succumbed to fear. Many of us have researched our own avenues to seek the truth. And many of those credible truths that buck the narrative of government have been censored. This bill HB643 is an atrocity and an outrage. It would turn this land of Aloha into a police state. It is a complete violation of the Equal Protection Clause of our Constitution. This bill should NEVER see the light of day. If asked, I can show plenty of information to back up everything I have claimed here.

HB-643

Submitted on: 2/7/2021 3:58:01 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
jade mcgaff	Individual	Oppose	No

Comments:

PLEASE do not accept hb643- PLEASE protect our civil rights.

PLEASE stop the lockdown. The death rates for our planet are the SAME for the last 3 years. There is no true pandemic. The lockdown is having devastating effects on the HEALTH of our ohana. As a doctor on Big Island, I beg you to stop the lockdown. TEACH NATRUAL HEALTH to our Ohana.

PLEASE oppose HB643

Gratitude,

Jade McGaff, MD

808-640-1558

HB-643

Submitted on: 2/7/2021 4:21:39 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Helen Swinney	Individual	Oppose	No

Comments:

This bill is intended to define "essential worker" and then create protection for this class of people to do the bidding of the government in **violating people's civil liberties** by making it a **FELONY** to harass an "essential worker" who is attempting to enforce the mask mandate.

This bill is an OUTRAGE. And is a Complete VIOLATION of the **Equal Protection Clause of our Constitution.**

HB-643

Submitted on: 2/7/2021 4:31:05 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Corine Tilson	Individual	Oppose	No

Comments:

I'm strongly opposed to this bill. It's disturbing to say the least. Public service members should NOT be treated differently than anyone else! The government doesn't get to decide who's "essential".

Shoppers who can not wear masks are getting harassed trying to purchase necessary items. Will you propose a law punishable by felony to those harassing the people who can NOT mask? There are EXEMPTIONS for people who have a disability and can not wear a mask. STOP DISCRIMINATING on these people and trying to make them criminals for asserting their medical autonomy. This bill is infuriating to say the least!

Strongly OPPOSED

HB-643

Submitted on: 2/7/2021 5:45:32 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Matilda Keith	Individual	Oppose	No

Comments:

I definitely oppose the HB643, since when do we ask private citizens to enforce laws or statutes. This bill is intended to define "essential worker" and then create protection for this class of people to do the bidding of the government in **violating people's civil liberties** by making it a **FELONY** to harass an "essential worker" who is attempting to enforce the mask mandate. It is a current MANDATE only and is temporary. Do not support it at all.

February 7, 2021

TESTIMONY ON HOUSE BILL 643: A BILL RELATING EMERGENCY MANAGEMENT

STRONGLY OPPOSED

BY Cecelia Ashton

House Bill 643 relating to emergency management, introduced to the House on January 25, 2021 which acts to

define “essential worker” and make interference with an “essential worker” during an emergency a felony

criminal offence is an abomination to the Hawai`i State Constitution and to the Constitution of the United States

of America. This bill acts to deconstruct the basic fundamental liberties of the citizens of Hawai`i while fostering

division amongst the community and creating “compliance officers” out of those whom the government has

classified as “essential”.

The Hawai`i State Constitution and the U.S. Constitution, from which the principles were derived, are the sacred

documents which protect the fundamental God-given rights of the people and these documents are never

suspended during times of emergency. The Hawai`i statute authorizing the Governor’s emergency powers

expressly states the law confers no power or authority to act “which is inconsistent with the Constitution and

laws of the United States.” The U.S. Supreme Court has expressly condemned the idea that a mere declaration

of an “emergency” is an excuse to trump all constitutional forms of power, rights, and protections: “Emergency does not create power. Emergency does not increase granted power or remove or

diminish the

restrictions imposed upon power granted or reserved. The Constitution was adopted in a period of grave

emergency. Its grants of power to the federal government and its limitations of the power of the states were not

determined in the light of emergency and they are not altered by emergency. What power was thus granted and

what limitations were thus imposed are questions which have always been, and always will be, the subject of

close examination under our constitutional system.”

Home Bldg. & Loan Ass’n v. Blaisdell, 290 U.S. 398, 425-426 (1934) (emphasis added).

Under this authority, it is an aberration of duty to bring forth any regulation which would trespass upon a free

people’s protected rights to freedom of movement, freedom of speech, freedom of expression, their right to be

secure in their person, their right to associate and their right to due process.

Section 1 of this act states: “Additionally, the legislature finds that the pandemic has given rise to a multitude of

essential workers in various job sectors who, through the course of their work are required to relay and impose

emergency rules and orders that have been enacted by the appropriate governmental authority. Emergency

response measures to reduce the spread of SARS-CoV-2 through, for example, the use of face coverings or

masks has placed great responsibility and risk on essential workers who have experienced harassment,

intimidation, verbal abuse, and physical assault from members of the public who disagree with the government's order." To remove the right of the people to govern their own health and be free to move about in society without violations to their bodily autonomy is an obtrusion in itself, but to grant authority of select members of society deemed "essential" to enforce governmental overreach upon those who resist unconstitutional regulations is egregious.

There are already sufficient laws in place to protect citizens from harassment and assault. This bill acts as a clandestine, coercive measure intended to enforce compliance through the threat of imprisonment and must be struck down for its unconstitutionality and danger in promoting an atmosphere of warfare among citizens. No particular vocation should ever be considered more essential than another, placing certain protections and rights above the rights and protections of others.

Respectfully submitted,
Cecelia Ashton
69-1756 Alana Pl.
Waikoloa, Hi 96738
One4cece2@aol.com

HB-643

Submitted on: 2/7/2021 6:00:30 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Yeung Yeung Yu	Individual	Oppose	No

Comments:

I oppose this bill which is a complete violation of the Equal Protection clause of our Constitution.

HB-643

Submitted on: 2/7/2021 5:50:52 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Audrey Pasion	Individual	Oppose	No

Comments:

This bill is an outrage AND is a complete VIOLATION of the Equal Protection Clause of our Constitution.

HB-643

Submitted on: 2/7/2021 6:18:14 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Matthew Tuttle	Individual	Oppose	No

Comments:

Forcing free men and women to cover their faces under threat of felony is a gross violation of basic freedoms and human rights. There is no "emergency" to justify the de facto dictatorship currently in effect in Hawaii and this flagrant disregard for personal liberty is taking this abuse too far.

HB-643

Submitted on: 2/7/2021 6:32:47 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ty Hintz	Individual	Oppose	No

Comments:

To Whom It May Concern,

I oppose promoting verbal disagreements with essential workers over masks or any other "Emergency Issue" to a felony. This deprives citizens of Hawaii because it is in violation of the Equal Protections clause of the constitution.

Ty Hintz

Ewa Beach, HI

HB-643

Submitted on: 2/7/2021 7:21:40 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kim Cordery	Individual	Oppose	No

Comments:

I am adamantly opposed to HB643 as it violates my constitutional rights of free speech and the right to dissent openly! What is this, China?

It also is discriminatory by giving the Legislature the power to decide "who" is an essential worker!

All workers are Essential!....The legislators do not and should not have this power, they work for "We, the Prople!"

HB-643

Submitted on: 2/7/2021 7:24:24 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Bill Brizee	Individual	Oppose	No

Comments:

This bill is an **OUTRAGE**. And is a Complete **VIOLATION** of the **Equal Protection Clause of our Constitution**.

HB-643

Submitted on: 2/7/2021 7:29:26 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
shavaun gilliland	Individual	Oppose	No

Comments:

I am having a hard time understanding why this is needed? Why would these actions need to go under the statue of a felony versus a misdemeanor? Is it so, we the people will feel just that much more intimidated to stand up for our God given liberties under any and all circumstances? Obviously there is already laws in place that protect anyone from being violated or harassed on any level. However if your going to do this for essential workers it has to be done for all. Otherwise under what authority are you governing? Is annoyance and foul language alone going to be harassment? This bill along with most introduced in the last year are vague and lend itself to interpretation. Should we then make a law protecting those who choose not to where a mask or get vaccinated from being harassed, violated and segregated? Since after all anyone who is questioning the mainstream narrative is experiencing this on the daily. Maybe we should then make it a class b or c felony to do that as well? I will refer to the 14th Amendment section 1:

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; **nor deny to any person within its jurisdiction the equal protection of the laws.**

I started off this testimony with questions, because I feel not enough are being asked. Can we get out of an emotional reaction and start being logical and go back to statistics and science that is not profiting off the problem? This is another manic 2020 over the top ,non-sensical action that is wanting to solidify itself into the very fibers of our futures existence.

HB-643

Submitted on: 2/7/2021 7:29:27 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
gary cordery	Individual	Oppose	No

Comments:

I strongly oppose HB 643, The idea that legislators

will select who is essential, then empower them to subjectively determine what

resisting their implementation of mandate enforcement is outrageous, this violates a citizens

right of equal protection under the law. The constitution was written to protect the people from this type of government action.

HB-643

Submitted on: 2/7/2021 8:00:38 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lorraine Larzabal	Individual	Oppose	No

Comments:

I absolutely oppose this bill!

Lorraine Larzabal

3-2600 Kaumualii Hwy #1300

Lihue, HI 96766

808-482-4123

HB-643

Submitted on: 2/7/2021 8:05:52 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Yuki Klahr	Individual	Oppose	No

Comments:

I oppose HB643 because it violates equal protection to exercise my civil rights guaranteed to me under the Constitution. I urge all elected officials who took an oath to uphold the Constitution to vote NO to HB643. Thank you.

HB-643

Submitted on: 2/7/2021 8:22:35 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kim Haine	Individual	Oppose	No

Comments:

I OPPOSE HB643

There are already sufficient laws in place to protect citizens from harassment and assault. How will you define "verbal abuse"? And is this worthy of a felony? All people are essential! This bill creates more division, encourages discrimination, and does nothing except furthers a "brown shirt" mentality of people policing each other. What on Earth are you trying to do to Hawaii - land of ALOHA? This bill is embarrassing and unnecessary.

HB-643

Submitted on: 2/7/2021 8:33:16 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Laura Michele	Individual	Oppose	No

Comments:

I do not agree with this bill. Please reconsider how to address these sorts of issues without having to call rank of essential worker over someone that isn't. We are all equal and no one has power over another. This is a grossly exaggerated way of dealing with disagreements and leaves room for taking peoples rights away. I disagree with this bill, it is unnecessary. And it is unconstitutional.

Thank you for your time and diligence.

HB-643

Submitted on: 2/7/2021 9:04:10 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
jessica dias	Individual	Oppose	No

Comments:

There cannot be enforcement of a mandate. Only LAWS may be enforced by law enforcement personnel. This bill violates the civil liberties of citizens that choose to breathe air by not donning masks. This bill is vague on the definition of harassment and in fact legalizes harassment of citizens. This bill violates the Equal Protection Clause of the United States Constitution. I oppose this bill. **Oppose**

HB-643

Submitted on: 2/7/2021 8:40:39 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jason Klahr	Individual	Oppose	No

Comments:

By signing **HB643** into law, The Signers/Legislators are violating their oath to uphold and "making war against" the United States* Constitution, the Hawaii state constitution and violating the civil rights of the free people of the United States of America. The individuals (essential Workers) tasked to enforce The illegal madates through governor proclamation are not deputized to work in official goverment or law enforcement capacity nor do they have jurisdiction. The mandates as well are not laws and merely suggestions. To legislate would make vulnerable to legal action the State Of Hawaii and its legislators, law enforcement, legal council, governor and those involved in signing/enforcing this bill.

Though I agree that harrasment in any form for any reason is abhorant, HB643 would not provide equal protection of the law by using a broad interpretation of the terms listed in "**§127A- ...**"

I Jason Damien Klahr strongly urge the dismissal of **HB643** and all related bills immediately

The government of the State Of Hawaii and its officials **Serve** at the behest and by the leave of the people of the United Stated Of America. **HB643** is not the will of the people now would it be legal.

*Plural

HB-643

Submitted on: 2/7/2021 9:07:52 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lois J Young	Individual	Oppose	No

Comments:

Dear Chairman and Committee Members,

This bill is in VIOLATION OF OUR EQUAL PROTECTION CLAUSE OF OUR CONSTITUTION.

I STRONGLY OPPOSE. KILL THIS BILL.

Thank you, Lois

HB-643

Submitted on: 2/7/2021 9:12:48 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Marichris Diga-Lazo	Individual	Oppose	No

Comments:

I oppose this bill. You folks continue to violate our constitutional rights. Did you forget who you work for? You work for the people. Please OPPOSE this bill.

HB-643

Submitted on: 2/8/2021 7:19:53 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
David E Shormann	Individual	Oppose	No

Comments:

All workers are essential. Although I don't believe this is the authors' intentions, the bill is disrespectful and inconsiderate of others. Let's focus instead on real solutions to preventing the spread of any illness and on re-opening the economy. Thank you for your time.

State of Hawaii House of Representatives
HB 643 RELATING TO EMERGENCY MANAGEMENT
TESTIMONY IN OPPOSITION

TESTIFIER: Craig Dansie
DATE: February 7, 2021

Good afternoon,

My name is Craig Dansie and I am a man currently domiciled in Hawaii in the County of Honolulu My address is 150 Hamakua Drive #304, Kailua, HI. After reading HB 643 and current testimony, I am writing my testimony in **STRONG OPPOSITION** of HB 643 relating to emergency management.

This bill would create a special protected class of citizen who would have the right to abuse other peoples rights with immunity. To create a special, protected class of people would be a violation of the United States Constitution Article I section 10, the 14th Amendment and the Constitution of the State of Hawaii Article I § 5.

Article I § 10 of the United States Constitution:

No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or ***grant any Title of Nobility***.

14th Amendment to the United States Constitution:

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. ***No State shall*** make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor ***deny to any person within its jurisdiction the equal protection of the laws***.

The Constitution of the State of Hawaii Article I § 5:

No person shall be deprived of life, liberty or property without due process of law, nor be denied the ***equal protection of the laws***, nor be

denied the enjoyment of the person's civil rights or be discriminated against in the exercise thereof because of race, religion, sex or ancestry.

It's economic warfare to allow some people to work by deeming them by decree to be "essential" but deny others the right to work and consider them "non-essential".

It's a gross violation of freedom of speech, protected under the 1st Amendment to the United States Constitution and the Constitution of the State of Hawaii Article I § 4, to penalize someone for speaking out about how they are being abused as a second class man or woman. People have the right to speak out when their unalienable rights are being violated.

1st Amendment to the United States Constitution:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

The Constitution of the State of Hawaii Article I § 4:

No law shall be enacted respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press or the right of the people peaceably to assemble and to petition the government for a redress of grievances.

No worker who is not a licensed doctor or nurse should be practicing medicine without a license.

No worker who is not trained law enforcement should be enforcing laws or governor's proclamations.

The whole premise of HB 643 is that there is an "emergency". Consider the death rates over the last 10 years:

United States - Historical Death Rate Data		
Year	Death Rate	Growth Rate
2020	8.880	1.120%
2019	8.782	1.120%
2018	8.685	1.220%
2017	8.580	1.240%
2016	8.475	1.270%
2015	8.369	1.270%
2014	8.264	1.290%
2013	8.159	0.090%
2012	8.152	0.090%
2011	8.145	0.090%

Source:

<https://www.macrotrends.net/countries/USA/united-states/death-rate>

The death rate from all causes in America over the last ten years, including 2020 was eight people per 1000. Where's the emergency? There was no pandemic. It was a hoax. And to continue to violate the peoples rights is a violation of 18 U.S.C. Code § 241 - "Conspiracy Against Rights" and 18 U.S.C. Code § 242 - "Deprivation of Rights Under Color of Law"

<https://www.law.cornell.edu/uscode/text/18/241>

<https://www.law.cornell.edu/uscode/text/18/242>

Vote NO on HB 643.

HB-643

Submitted on: 2/7/2021 9:35:19 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Teresa Ocampo	Individual	Oppose	No

Comments:

I vehemently oppose this bill. Passing this bill will make almost half of the population into law enforcers, thus creating a police state. It will pitting individuals against individuals and possibly give unscrupulous individuals the opportunity to unnecessarily retaliate against others for whatever reason. This bill only serves to make a bad situation worse especially when people will be stressed out emotionally and financially while possibly mentally unstable.

There may be good intentions behind this bill, however, I do not believe this is a way to properly solve problems by creating bills that lead to greater tension and frustration and possibly promoting violence in the community. You will not be able to fully control the public and nonsense laws like this will only make matters worse. However, if you do choose to move in this direction, you are actually moving towards population control tactics used in communist China. I sure wish you legislators would use more common sense and demonstrate more leadership rather than pitting citizens against citizens through this bill.

HB-643

Submitted on: 2/7/2021 9:38:12 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Tihane Lopez	Individual	Oppose	No

Comments:

Aloha,

This bill is violates Equal Protection Clause of our Constitution. I strongly OPPOSE this bill.

Mahalo,
Tihane

HB-643

Submitted on: 2/7/2021 9:44:51 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jubilee Do	Individual	Oppose	No

Comments:

This is a violation of the equal protection clause of our constitution.



**WRITTEN TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTY-FIRST LEGISLATURE, 2021**

ON THE FOLLOWING MEASURE:

H.B. NO. 643, RELATING TO EMERGENCY MANAGEMENT.

BEFORE THE:

HOUSE COMMITTEES ON PANDEMIC AND DISASTER PREPAREDNESS
AND ON LABOR AND TOURISM

DATE: Tuesday, February 9, 2021 **TIME:** 8:30 a.m.

LOCATION: State Capitol, Room 309, Via Videoconference

TESTIFIER(S): **WRITTEN TESTIMONY ONLY.**
(For more information, contact Lance Goto,
Deputy Attorney General, at 586-1160)

Chairs Ichiyama and Onishi and Members of the Committees:

The Department of the Attorney General (Department) provides comments and concerns about this bill.

The purpose of the bill is to amend the emergency management laws to address pandemics and provide greater protections for essential workers by creating class B and C felony offenses of interference with an essential worker during an emergency.

The bill, on page 2, line 14 through page 3, line 3, proposes to set out the new offenses as follows:

- (a) A person commits the offense of interference with an essential worker if, during an emergency proclaimed by the governor or mayor pursuant to this chapter and within the area covered by the emergency or disaster, the person intentionally, knowingly, or recklessly harasses, intimidate (*sic*), verbally abuses, or otherwise assaults the essential worker in the course of carrying out their duties.
- (b) Interference with an essential worker is a class C felony; provided that if the interference involves assault it is a class B felony.

The Department is concerned, however, that the prohibited conduct, or the elements of the offense, are not clearly defined, and would not provide sufficient notice to the public as to what conduct is prohibited. The terms "intimidates" and "verbally abuses" are vague, and could be interpreted in many ways. The terms "harasses" and

"assaults" are also vague and undefined. The existing penal code offenses of harassment, in violation of section 711-1106, Hawaii Revised Statutes (HRS), and assault, in violation of sections 707-710 through 707-712.7, HRS, may not be incorporated into the proposed offense. Those offenses have very specific elements, definitions, and states of mind. For example, while the proposed offense in this bill would require an intentional, knowing, or reckless state of mind when committing the offense, the offense of harassment, in violation of section 711-1106, requires an "intent to harass, annoy, or alarm any other person". Abusive communication that might be considered "verbal abuse" also falls under the offense of harassment under section 711-1106, resulting in further confusion.

The existing penal code offenses of harassment, assault, and terroristic threatening appear to already cover at least some of the conduct that this bill intends to prohibit. These offenses have been amended over the years to provide greater protections to specific classes of people. For example, provisions have been added to section 707-716, HRS, the offense of terroristic threatening in the first degree, to provide greater protection to public servants, educational workers, and emergency medical services providers such as emergency medical services personnel, physicians, nurses, lab technicians, and social workers. The assault statutes have been amended to provide greater protection to law enforcement officers and emergency workers. Section 707-712.7, HRS, sets out the offense of assault against an emergency worker. An "emergency worker" is broadly defined in section 707-700, HRS.

For the foregoing reasons, if further protections are needed for essential workers during an emergency, the Department recommends making amendments to the existing statutes covering assault and terroristic threatening. As for harassment, a new offense of harassment of essential workers during an emergency could be created in chapter 711, HRS, using the harassment offense as defined in section 711-1106.

The Department appreciates this opportunity to provide comments.

HB-643

Submitted on: 2/7/2021 10:02:27 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Leilani Diga	Individual	Oppose	No

Comments:

THIS BILL IS AN OUTRAGE AND I STRONGLY OPPOSE THIS.

THIS BILL IS UNCONSTITUTIONAL, A COMPLETE VIOLATION OF THE EQUAL PROTECTION CLAUSE OF OUR CONSTITUTION.

THIS AND YOU, ARE WICKED. MAY GOD HAVE MERCY ON YOU.

HB-643

Submitted on: 2/7/2021 10:23:20 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Amber Tranetzki	Individual	Oppose	No

Comments:

I oppose this bill as it directly protects only one party and discriminates and labels the other. The bill directly violates the **Equal Protection Clause**, the first section of the Fourteenth Amendment to the United States Constitution. This provides all parties with equality of opportunity and result.

HB-643

Submitted on: 2/7/2021 10:30:15 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
DARLYNE	Individual	Oppose	No

Comments:

I get it. People SHOULD NOT be "blaming the messenger" about the mask wearing issues.

You are treating essential workers as if they have had the training and workshops and management skills of emergency workers. Emergency workers who are trained in how to deal with high-stress situations AND people. Essential workers have NOT been trained in that manner and they can be rude, aggressive and uncompassionate in their own power trip of being able to tell people what to do. If Essential workers need protection, let the business they work for handle it with hiring security personnel. THEN you have both created a job and placed the onus of policing unruly customers where it belongs.

Instead the STATE is literally creating a special separate class of the essential WORKING PEOPLE vs. (the mostly) NOT WORKING PEOPLE.

Workers should not be "essential" vs "non-essential" by whatever random classifications the STATE alone gets to decide/define. We are all essential and need jobs.

Next:

If THAT many (otherwise law-abiding and civil) people are having THAT much problem with a rule (the mask mandate)... Then, perhaps there is a problem other than just enforcement?

It is LARGE percentage... because otherwise why would we need THIS law to penalize a mere few citizens?

So let's remember that NO CITIZEN was able to VOTE ON OR EVEN DEBATE the original mask mandate in Hawaii . It was simply... PROCLAIMED. And had been so for about a year. One year of PROCLAMATIONS that NO ONE GOT TO VOTE ON.

It sounds more like a monarchy or dictatorship.

Nonetheless, now the State wants to reward a “State-defined class of citizens” (called essential worker) with “special protections” not afforded to other individuals.

Will you likewise equally legislate something about the attitudes of essential workers towards others?

Because those who are harassed by essential workers get NO protections. Essential workers received no special training (like emergency staff) so that they have a sense of humbleness or tact or balance as they go about their duties. We all know egotistical cops. We all know workers with a chip on their shoulder who use the “power” of untouchability to the detriment of those about them.

A more clear example, will you provide guidance on how to handle citizens with medical exemptions? More importantly, will you provide the same type of anti-harassment protections to our medical citizens. People who are medically exempt from wearing masks are ALSO horribly named called... publicly shamed... intimidated... threatened with VIOLENCE. Given vicious looks. I have seen it. I already know several doctor sanctioned individuals with such exemptions who could have benefitted from the “special protection” that you have reserved ONLY for your side of the issue: ENFORCEMENT of the Proclamation (that none of us even got to vote for).

It is HIGHLY suspect yet I will point out that YOU, Legislatures, who are considering this law ARE ALL essential workers! EVERY last one of you! Is there no conflict of interest there? A subconscious bias to escape the section of the constituency that is trying to reach your ear. You are voting to give YOURSELF special legal protections. Who decides what's rude... who decides what's harassment.....YOU... again?

Last:

It seems the definition of emergency has been expanded. While very carefully NOT defining being specific.

How hard is it to in good faith “define” an emergency?

Ex. Is it....

When there is possible threats resulting in the death or injury of 5% of the population? Or 10%? When over 20% of property might be damaged or destroyed?

What IS "substantial"? And further the documents basically admits it cannot define what constitutes an emergency regarding a pandemic and simply says “including a pandemic”. Just for the record, ***“Pandemic refers to an epidemic that has spread over several countries or continents, usually affecting a large number of people.”*** (from CDC)

By that definition, there will ALWAYS be a pandemic somewhere.

When bills are written so vague it gives the impression (and actual leeway) that one can declare a State of Emergency for just about anything. Just PROVIDE hard and fast guidelines (percentages/values). And maybe include a provision to VOTE if something occurs/ is coming that may or may not fit the definition.

DO YOU want the regular, simple people who live in Hawaii to HELP run this state...or not? Do you want our input on this early morning just after Super Bowl Sunday when MOST of us will of course be alert and ready to debate?

Do you TRUST that we will vote for the items and rules and restrictions we want...

...Or not? Would you just rather NOT hear from us?

Because I just KEEP THINKING:

Would it not have been more Aloha to simply have had A VOTE about the mask mandate? Or at least to have a vote or debate about it now.

Because maybe we would not all be here trying to enforce the proclamation that clearly a lot of people don't want.

Or maybe we would have decided it was best to do as other states where masks were a suggestion NOT a mandate and just let people choose for themselves.

Or there had been a VOTE people would accept that this was what they chose.
No/less angry people.

NO BODY should be name calling and harassing ANYBODY for ANY reason. Nor threatening violence and intimidating UNLESS they are a cop (who has had training on dealing with people) doing proper civic duty to keep society safe.

I cannot believe the STATE is making "little deputies" with special protections (including yourselves) whereby they cry "harassment" and somebody goes to jail (tell me it won't happen).

You will try to do this throughout the state of aloha... just so you can prop up a proclamation. A proclamation that SO MANY REGULAR, LAW ABIDING CITIZENS disagree with, that you have to give grocery workers MORE PROTECTION than someone with an actual medical exemption.

And again.... all this just so we can somehow AVOID revisiting (via vote and or legislative discussion) the usefulness/ validity/ benefit (or the lack thereof) for the mask mandate in Hawaii.

A lot of smoke being used up here.... Could we just focus on making jobs and saving small businesses?

HB-643

Submitted on: 2/7/2021 10:41:06 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
john kochiss	Individual	Oppose	No

Comments:

To whom it may concern; I oppose this bill as I feel it infringes on and potentially violates the Constitutional rights of we, the citizens of the United States. Of course we need to take precautions and protective measures during a pandemic, but this is a bit of over-reach. There have to be other, more equitable solutions for all parties involved. Thank you for taking the time to read my comments, Aloha!

HB-643

Submitted on: 2/7/2021 10:43:48 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Rasa Fournier	Individual	Oppose	No

Comments:

Aloha,

Please pay special attention to how egregious this bill is. Who is an essential worker? Who will define what an essential worker is? How are some human beings considered not essential? Moreover, a state of emergency is legally, meaning according to our laws that nobody in leadership seems to be following, last 60 days maximum. Power corrupts, and absolute power corrupts absolutely. Indefinite emergency orders are attempted to be unleashed on us, and this bill says we're not allowed to complain and be upset about it, that we're supposed to comply and take this unlawful, discriminatory practice without complaining. How can you in good conscience present such a bill? Please oppose this shameful bill.

HB-643

Submitted on: 2/7/2021 11:06:48 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Pride at Work - Hawaii	Pride @ Work - Hawaii	Support	No

Comments:

Aloha Representatives,

Pride at Work - Hawai'i, the state-wide chapter of Pride At Work (a constituency group of the national AFL-CIO) and an affiliate of the Hawai'i State AFL-CIO, fully supports HB 643.

Mahalo nui loa,

Pride at Work - Hawai'i

HB-643

Submitted on: 2/7/2021 11:15:38 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Karen Walker	Individual	Oppose	No

Comments:

The reasons listed for declaring a felony are vague and too all inclusive.

HB-643

Submitted on: 2/8/2021 12:04:10 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Smart	Individual	Oppose	No

Comments:

I most strongly oppose HB 643. This treats members of our community unequally. All workers are essential -- either to their family or to the community. There should never be restrictions on who can work and who can't. The current restrictions treat people unfairly. Furthermore, there is no clear indication of what constitutes "interference". Exercising your constitutional rights to challenge ill advised programs should never be classified as interference and in no instance constitute a felony offense. Healthy people should never be forced to wear a mask or be quarantined. There is a danger that everyday citizens will be penalized for protection their constitutional rights under the pretense of an "emergency". Instead of considering this bill, create one that puts time and scope limits on the Governor's power to restrict mobility and commerce during an emergency situation. The Covid emergency is over and yet many people are still struggling under the draconian mandates of our state. States on the mainland are open. At least one state never shut down and yet, they didn't incur wide-spread Covid outbreaks. Do not pass this bill out of committee.

HB-643

Submitted on: 2/8/2021 12:32:20 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Brett Kulbis	Individual	Oppose	No

Comments:

Honolulu County Republican Party OPPOSES HB-643.

This bill would create a special protected class of citizen who would have the right to enforce proclamations of an emergency order without having the prerequisite certification or training, which could result in an abuse other people's right.

To create a special, protected class of people would be a violation of the United States Constitution Article I section 10, the 14th Amendment and the Constitution of the State of Hawaii Article I.5.

It's economic warfare to allow some people to work by deeming them by decree to be "essential" but deny others the right to work and consider them "non-essential".

It's a gross violation of freedom of speech, protected under the 1st Amendment to the United States Constitution and the Constitution of the State of Hawaii Article I.4, to penalize someone for speaking out. People have the right to speak out when they believe their unalienable rights are being violated.

No worker who is not trained in law enforcement should be enforcing laws or the governor's proclamations.

Brett Kulbis
Chairman
Honolulu County Republican Party

HB-643

Submitted on: 2/8/2021 1:55:54 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Hiinae Tajon	Individual	Oppose	No

Comments:

I strongly oppose this bill. Having people disagree on wearing a mask is not a reason to set into law a "protection" for an "essential" group of workers. Not only does this further cause division in these already divisive times, it designates a special class of people that completely violates the Equal Protection Clause in the Hawai'i and U.S. Constitution. This already unconstitutional emergency order does not warrant the legislature the ability to define who is an essential worker or not. All of the occupations of the constituents which you represent are essential when that occupation puts food on their table.

Please protect the civil liberties of your constituents and vote "no" on this bill.

Thank you,

Hi'inae Tajon

February 8, 2021

House Committee on Pandemic & Disaster Preparedness
House Committee on Labor & Tourism

Testimony on House Bill 643

Position: **Strongly Opposed**

Dear Representatives,

I strongly oppose House Bill 643. The first and most dangerous thing about this bill is that it protects citizens from harassing essential workers, while giving power to essential workers to harass other citizens. Protecting one class of citizens while criminalizing another for the same action is a clear and egregious violation of the Equal Protection Clause in our Constitution. This is turning what is supposed to be a protection of public health into tyrannical government overreach using everyday citizens to do the government's work for free.

Secondly, there has not been any significant, conclusive studies that even prove mask wearing to be 100% effective. Throughout medical history, masks have always been used in hospital or medical facilities or by individuals that are sick. Forcing healthy people to wear masks under the assumption that they "might" carry a virus is illogical, violates their rights as individuals to make their own health decisions, and is in itself a health hazard, as it is unnatural and blocks the natural flow of oxygen throughout a healthy human body.

Lastly, this bill will only cause a greater division in our communities as it will empower and pit one class against another. The oppressive measures already being implemented onto our communities have bred fear, stress, anger, depression and division and HB 643 will only increase the divide, something that we do not need.

We must come back to the core issue at hand, which is the response to Covid-19, and not complete control over every body in the state. All of this is being done on the pretense that everybody is sick, thereby criminalizing innocent, healthy people. This is illogical, unscientific, unconstitutional and this must be stopped. Kill House Bill 643.

Respectfully,
Anuhea Maeda
P.O. Box 4821
Hilo, HI 96720

Testimony of Sherilyn Wells IN OPPOSITION TO HB 643

PPE & OSHA Expert cited in Footnote 30 of www.docs4opendebate/be/en/open-letter/

“We have killed people by putting them in face coverings, covering the mouth and nose, and telling them to work all day. We’ve killed people because of that. We’ve given them heart attacks. So OSHA actually created a respirator standard that, if you’re gonna cover somebody’s mouth and nose and require them to work all day that way, then you have to do a medical evaluation first.” Tammy K. Herrema Clark, PPE Expert

For the above quote, go to Minute 13:30

https://www.youtube.com/watch?app=desktop&v=TgDm_maAgIM&feature=youtu.be

I. NEED NOT ESTABLISHED:

HB 643 **fails to establish a need** for further measures, even ones that would pass the test of being constitutional (which this measure does NOT – see Levana Lomma of For Our Rights’ testimony), given that -

(1) **Section One is egregiously outdated, having failed to note..**

(a.1) **more recent morbidity statistics and analyses, annualized and by disease**, which collectively present a very different (better) picture of Covid-19’s effects in contrast to the disastrously inaccurate initial predictions of Neil Ferguson et al. used by governments around the globe, AND

(a.2) revelations re official **manipulation of the data**.

Two examples of updated analysis:

A study published in the journal *Science, Public Health Policy & the Law* recently claims that the CDC violated federal law by **inflating COVID-19 fatality statistics**. The study is titled **“COVID-19 Data Collection, Comorbidity & Federal Law: A Historical Retrospective.”**

Note – this has generated interest in a legal action against the CDC. See ENDNOTE One for further details.

Epidemiologist: COVID-19 Fatality Rate ‘Worst Miscalculation’ in Human History. Ronald B. Brown, Ph.D., from the School of Public health and Health Systems at the University of Waterloo, Canada, published a paper in *Disaster Medicine and Public Health Preparedness*, titled **“Public health lessons learned from biases in coronavirus mortality overestimation.”**

“.. he compared informational texts from the World Health Organization (WHO) and the Centers for Disease Control and Prevention (CDC) to data from independent scientists and Congressional testimony. He states that, “Results of this critical appraisal reveal **information bias and selection bias in coronavirus mortality overestimation, most likely caused by misclassifying an influenza infection fatality rate as a case**

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fatality rate.”

See ENDNOTE Two for further details.

(b) the **belated peer-review of the Corman-Drosten PCR test guidelines**, listing **TEN fatal (no pun intended) deficiencies** and savaging the unsubstantiated rationale for use of PCR tests as the basis for asserting that infections (ergo, an emergency) exist, including the use of far too many cycles as “proof.”

External peer review of the RTPCR test to detect SARS-CoV-2 reveals 10 major scientific flaws at the molecular and methodological level: consequences for false positive results.

<https://cormandrostenreview.com/report/>

<https://cormandrostenreview.com/retraction-request-letter-to-eurosurveillance-editorial-board/>

(c) **WHO Finally Admits COVID-19 PCR Test Has a ‘Problem’**

The WHO’s new guidance, which includes lower PCR thresholds, almost guarantees COVID “case” numbers will automatically drop dramatically around the world. <https://childrenshealthdefense.org/defender/who-admits-covid-pcr-test-has-a-problem/>

(2) there are **highly effective treatments** for Covid-19, as described by a legion of frontline doctors around the globe (a few examples below) who continue to offer their sworn testimony and their medical records as proof of efficacy.

Fareed/Tyson Protocol: Frontline Doctors Publish their Early Treatment Protocol for COVID that is Saving Many Lives – Vaccines Not Needed. <https://medicalkidnap.com/2020/12/29/frontline-doctors-publish-their-early-treatment-protocol-for-covid-that-is-saving-many-lives-vaccines-not-needed/>

FLCCC (Front Line COVID-19 Critical Care Alliance) - Prophylaxis & Treatment Protocols for COVID-19. <https://covid19criticalcare.com/>
https://www.evms.edu/media/evms_public/departments/internal_medicine/EVMS_Critical_Care_COVID-19_Protocol.pdf

America’s Frontline Doctors. <https://www.americasfrontlinedoctors.com/>

Dr. David Brownstein: How One Doctor Successfully Treated COVID-19 Patients With Nutritional and Oxidative Therapies. (Sherilyn adds – I have a copy of his protocol, should anyone be interested.) See Endnote Four. <https://www.newsmax.com/health/health-news/covid-19-immune-system-natural-health/2020/07/22/id/978426/>

Budesonide Works.

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<https://budesonideworks.com/got-covid/>
https://securerusercontent.com/secureservercdn.net/45.40.145.151/umz.e26.myftpupload.com/wp-content/uploads/2020/12/Full-Protocol_withHS.pdf

Also of developing interest – ICAM and EXO-CD24.

See ENDNOTE Three.

(3) there are more than **adequate existing laws** governing genuine instances of assault and plenty of police to enforce those laws;

(4) the **frontier days of rounding up a big posse** of “common citizens” **are long past**, particularly when, in essence, **deputizing them to carry out police duties** could easily place them at **personal risk of potential litigation over violations of civil/constitutional rights**. The definition of essential worker is so broad as to include virtually everyone.

U.S. District Court Judge William Stickman, ruling against Pennsylvania Governor’s Covid-19 restrictions:

“There is no question that this Country has faced, and will face, emergencies of every sort. But the **solution to a national crisis can never be permitted to supersede the commitment to individual liberty** that stands as the foundation of the American experiment.”

IT’S ALL IN THE WORDS...

A pandemic versus an emergency: Section One oh-so-slyly acknowledges that the WHO’s newer definition of pandemic is geographical by employing the words “rapid worldwide expansion.”

Pandemic definition changed FROM “severe illness causing high morbidity” TO a geographically widespread infection. The WHO “merely removed the severity and high mortality criteria.”

The result? **FAR less lethal diseases become “pandemics”** (notice the fear factor associated with the word).

How Changing the Definition of Pandemic Altered Our World

<https://articles.mercola.com/sites/articles/archive/2020/12/10/1976-swine-flu-pandemic.aspx>

The WHO’s original definition of a pandemic was:^{9,10}

“... when a new influenza virus appears against which the human population has no immunity, resulting in several, simultaneous epidemics worldwide with enormous numbers of deaths and illness.”

The key portion of that definition is “enormous numbers of deaths and illness.” This definition was changed in the month leading up to the 2009 swine flu pandemic. The

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change was a simple but substantial one: They merely removed the severity and high mortality criteria, leaving the definition of a pandemic as “a worldwide epidemic of a disease.”¹¹

This switch in definition allowed the WHO to declare swine flu a pandemic after a mere 144 people had died from the infection, worldwide, and it’s why COVID-19 is still promoted as a pandemic even though it has caused no excess mortality in nine months.^{12,13,14}

We now have plenty of data showing the lethality of COVID-19 is on par with the seasonal flu.^{15,16,17,18,19} It may be different in terms of symptoms and complications, but the actual lethality is about the same. The absolute risk of death is equivalent to the risk of dying in a car accident.^{20,21}

By removing the criteria of severe illness causing high morbidity, leaving geographically widespread infection as the only criteria for a pandemic, the WHO and technocratic leaders of the world were able to bamboozle the global population into giving up our lives and livelihoods.

As noted by Reiner Fuellmich, an attorney and founding member of the [German Corona Extra-Parliamentary Inquiry Committee](#), the COVID-19 pandemic is “probably the greatest crime against humanity ever committed.”^{22,23,24,25}

II. Incorporating by reference:

The following three legal cases (complaints and all subsequent documentation) are an extraordinary resource with regard to the legal arguments, evidence, requests for proof, discovery, and information they provide. They raise **fundamental questions re/challenges to the premise of an existing emergency, the tests used to “confirm” infection, the distinction between fatality data versus “case” data, annualized fatality data, etc.**):

CDC litigation: <https://makeamericansfreeagain.com/wp-content/uploads/2020/12/CDC-COMPLAINT-OHIO-FINAL-1.pdf>

Can a federal agency intentionally mislead the public to an extent that Constitutional freedoms are lost, people are dying from policies based on those misrepresentations, and even an election is potentially impacted by policies created in reaction to this data?

New Mexico litigation: <https://makeamericansfreeagain.com/wp-content/uploads/2021/01/1st-Amended-Complaint-filed.pdf>

Ohio litigation: <https://makeamericansfreeagain.com/wp-content/uploads/2021/02/CDC-AMENDED-COMPLAINT-OHIO-02-03-21-FINAL.pdf>

Supporting documentation: https://a014950e-d34c-4dc2-bb32-0d0ed826ba43.usrfiles.com/ugd/a01495_25a44d11ced94cc8b3c173e05303b9e0.pdf?fbclid=IwAR16qblFpPuGN0Xmt0jzDCGtJjQ-C4QVWC6RbxODhrc3n7IllvRneFbvJV4

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III. GUBERNATORIAL OVERREACH as a poor basis for further legislation (and the Legislature's failure to exercise its "checks and balances" role, instead becoming an enabler of illegalities): This bill never mentions or addresses the **enormous extra-statutory (ergo, illegal) expansion of the period of emergency powers** that has taken place within state government, thus creating an associated (illegal) policing action far beyond the bounds of the original emergency powers statute. The social/economic costs/impacts (including a further erosion of human/civil/constitutional rights) referenced in HB 643 SKYROCKET when controls are administered by those with **no sense of appropriate constraint or commitment to upholding constitutional rights**. Note historical precedents below** (Germany, Feb. 28, 1933).

As *Supreme Court Justice Alito* noted, an emergency does NOT cause our constitutional rights to disappear.

"The pandemic has resulted in previously unimaginable restrictions on personal liberty..." "We have never before seen restrictions as severe, extensive and prolonged as those experienced for most of 2020."

"Second, laws giving an official so much discretion can of course be abused, and whatever one may think about the COVID restrictions, we surely don't want them to become a recurring feature after the pandemic has passed." "All sorts of things can be called an emergency or disaster of major proportions. Simply slapping on that label cannot provide the ground for abrogating our most fundamental rights, and whenever fundamental rights are restricted, the Supreme Court and other courts cannot close their eyes."

"And some of these restrictions are alleged to have included discrimination based on the viewpoint of the speaker. Even before the pandemic, there was growing hostility to the expression of unfashionable views, and that, too, was a surprising development."

Marc S. Strecke writes:

"The Bill of Rights in the United States Constitution does not mention any exceptions to individual rights and liberties when there is a declared state of emergency. **Such an exception, if it existed, would effectively render the rights illusory, because authoritarian-minded government officials could simply declare an emergency and thereby negate the rights of the people.**

"Indeed, this is, historically, the way it has usually been done**. It is at fearful times like these when our individual rights are most threatened and most in need of being protected and preserved.

***The .. Decree of the Reich President for the Protection of People and State issued by German President Paul von Hindenburg on the advice of Chancellor Adolf Hitler on 28 February 1933 in immediate response to the Reichstag fire. The decree nullified many of the key civil liberties of German citizens.*

With Nazis in powerful positions in the German government, the decree was used as the legal basis for the imprisonment of anyone considered to be opponents of the Nazis, and to suppress publications not considered "friendly" to the Nazi

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cause. The decree is considered by historians as one of the key steps in the establishment of a one-party Nazi state in Germany.

IV. ADDITIONAL “FAILURE TO TAKE NOTE OF” issues include, but are not limited to, the following (details are contained in the two analyses listed at the beginning of this testimony):

(1) **the change in how ONLY Covid-19 deaths were reported**, while other deaths continued to be reported in the standard way, so that Covid-19 became an alleged much greater cause of fatality (which would not have happened under the standard reporting system), leading to massive over-attribution, and

(2) **virtually no change in the general/annual fatality report/numbers**, yet a significant elevation would have been expected IF Covid-19 constituted a continuing risk of increased mortality after its initial emergence.

V. RECKLESS LEGISLATION: **This bill embodies the “harm”** it alleges to prevent, **thus becomes** the very definition of “recklessly*,” both

(1) by further chilling/censorship of constitutional rights (e.g. the First Amendment) already underway across our state/nation, including by **allowing “essential worker” perception** (e.g., what constitutes intimidation, harassment, verbal abuse, etc. is highly individual/personal and I see no requirement for independent/neutral witness verification) **to create felony – in effect “deputizing” them without any training normally given to people performing policing functions:** “...required to relay and impose emergency rules and orders that have been enacted by the appropriate governmental authority..”).

(2) by its **utter failure to recognize a body of evidence regarding both harm from masks and their ineffectiveness at controlling viral transmission under many/most “typical” circumstances** (outside of a medical setting, not under controlled climate conditions, etc., as per the testimony of OSHA experts – who train doctors in proper mask use - describing how/when masks become effective).

*Black’s Law Dictionary definition of Recklessly– characterized by the substantial and unjustifiable risk of harm to others and by a conscious disregard for or indifference to that risk (a gross deviation from what a reasonable person would do).

PPE Expert cited in Footnote 30 of www.docs4opendebate/be/en/open-letter/

“We have killed people by putting them in face coverings, covering the mouth and nose, and telling them to work all day. We’ve killed people because of that. We’ve given them heart attacks. So OSHA actually created a respirator standard that, if you’re gonna cover somebody’s mouth and nose and require them to work all day that way, then you have to do a medical evaluation first.” Tammy K. Herrema Clark, PPE and OSHA Expert

For the above quote, go to Minute 13:30

https://www.youtube.com/watch?app=desktop&v=TgDm_maAgIM&feature=youtu.be

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https://www.reddit.com/r/World_Politics/comments/jbalv8/tammy_k_herrema_clark_authorized_osa_instructor/

<https://thehighwire.com/videos/mask-whistleblowers-tell-all/> interview with Tammy K. Herrema Clark and Kristen Meghan

Doctors For Open Debate <https://docs4opendebate.be/en/> -

Masks

Oral masks belong in contexts where contacts with proven at-risk groups or people with upper respiratory complaints take place, and in a medical context/hospital-retirement home setting. They reduce the risk of droplet infection by sneezing or coughing. **Oral masks in healthy individuals are ineffective against the spread of viral infections.** ^{29 30 31}

Wearing a mask is not without side effects. ^{32 33} **Oxygen deficiency (headache, nausea, fatigue, loss of concentration) occurs fairly quickly,** an effect similar to altitude sickness. Every day we now see patients complaining of headaches, sinus problems, respiratory problems and hyperventilation due to wearing masks. **In addition, the accumulated CO2 leads to a toxic acidification of the organism which affects our immunity. Some experts even warn of an increased transmission of the virus in case of inappropriate use of the mask.** ³⁴

Our Labour Code (Codex 6) refers to a CO2 content (ventilation in workplaces) of 900 ppm, maximum 1200 ppm in special circumstances. **After wearing a mask for one minute, this toxic limit is considerably exceeded to values that are three to four times higher than these maximum values. Anyone who wears a mask is therefore in an extreme poorly ventilated room.** ³⁵

Inappropriate use of masks without a comprehensive medical cardio-pulmonary test file is therefore not recommended by recognised safety specialists for workers.

Hospitals have a sterile environment in their operating rooms where staff wear masks and there is precise regulation of humidity / temperature with appropriately monitored oxygen flow to compensate for this, thus meeting strict safety standards. ³⁶

ONTARIO NURSES ASSOCIATION: In 2018, at the height of the flu season, the **Ontario Nurses Association fought a “mask or vaccinate” mandate and won.**

“Experts testified that it was illogical to force healthy nurses to wear masks, and Hayes concluded the **masks were not protecting patients or nurses from the flu.**

“The sad part about it is it was giving our patients a false sense of security, and we knew that,” said Haslam-Stroud.

Quotes below from the decision in support of the nurses’ Association (HCW = Health Care Workers, VOM = Vaccinate Or Mask):

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The Association, in that case, took the position that there was insufficient scientific evidence supporting the VOM policy. Arbitrator Hayes agreed. He concluded that there was “scant” scientific evidence supporting the VOM policy and he upheld the grievance.

*Pages 5-6 re the Administration’s position: This recommendation was made in the admitted **absence of direct evidence that mask-wearing HCWs protected patients** from influenza; but on the basis of “indirect evidence [that] suggests it does.”*

*The only fair words to describe the **evidence advanced in support of the masking component** of the VOM policy in the THASN report, and in this proceeding, **are insufficient, inadequate, and completely unpersuasive.***

*Page 8: If unvaccinated HCWs are infecting patients, and if wearing a surgical or procedural mask prevents the spread of influenza – meaning it prevents serious illness and death – that is, by any objective standard, a reasonable precaution even if the evidence is not all in. However, if the vaccination itself is of questionable utility, and **if the masks are of limited value in preventing transmission of influenza by asymptomatic HCWs** (symptomatic HCWS should not be at work), **then the entire enterprise is put into question** even if the motive underlying the policy is completely salutary.*

https://www.ona.org/wp-content/uploads/ona_kaplanarbitrationdecision_vaccinateormask_stmichael_soha_20180906.pdf

ONA’s well-regarded expert witnesses, including Toronto infection control expert Dr. Michael Gardam, Quebec epidemiologist Dr. Gaston De Serres, and Dr. Lisa Brosseau, an American expert on masks, testified that there was insufficient evidence to support the St. Michael’s policy and no evidence that forcing healthy nurses to wear masks during the influenza season did anything to prevent transmission of influenza in hospitals. They further testified that nurses who have no symptoms are unlikely to be a real source of transmission and that it was not logical to force healthy unvaccinated nurses to mask. Arbitrator Kaplan accepted this expert evidence. In contrast, he noted the only fair words to describe the hospital’s evidence in support of masking are “insufficient, inadequate and completely unpersuasive.” <https://www.ona.org/news-posts/ona-wins-vaccinate-or-mask-flu-policy/>

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Leading Canadian Health Expert Outraged at Government Response to COVID (he's also the chairman of a biotechnology company in North Carolina selling the [COVID-19](#) test)

[Dr. Roger Hodkinson](#), MA, MB, FRCPC, FCAP, CEO and medical director of [Western Medical Assessments](#), spoke at the Edmonton City Council Community and Public Services Committee meeting on Nov. 13 about the city's move to extend its face-covering bylaw. He was listed as speaker number 95 on the [meeting agenda](#).

Hodkinson was trained at Cambridge University in the UK. He is ex-president of the pathology section of the Medical Association. He was certified by the Royal College of Physicians and Surgeons of Canada as a general pathologist in 1976 and is a Royal College Fellow.

Here's the transcript of Hodkinson's testimony:

This is Dr. Hodkinson, I just wanted to let you know I'm standing by.

OK, well we would love to hear from you, the floor is yours.

Thank you very much. I do appreciate the opportunity to address you on this very important matter. What I'm going to say is lay language, and blunt. It is counter-narrative, and so you don't immediately think I'm a quack, I'm going to briefly outline my credentials so that you can understand where I'm coming from in terms of knowledge base in all of this.

I'm a medical specialist in pathology which includes virology. I trained at Cambridge University in the UK. I'm the ex-president of the pathology section of the Medical Association. I was previously an assistant professor in the Faculty of Medicine doing a lot of teaching. I was the chairman of the Royal College of Physicians of Canada Examination Committee and Pathology in Ottawa, but more to the point I'm currently the chairman of a biotechnology company in North Carolina selling the [COVID-19](#) test.

And [inaudible] you might say I know a little bit about all of this. The bottom line is simply this: **There is utterly unfounded public hysteria driven by the media and politicians.** It's outrageous. This is the greatest hoax ever perpetrated on an unsuspecting public. There is absolutely nothing that can be done to contain this virus. Other than protecting older, more vulnerable people. **It should be thought of as nothing more than a bad flu season.** This is not Ebola. It's not SARS. It's politics playing medicine and that's a very dangerous game.

There is no action of any kind needed other than what happened last year when we felt unwell. We stayed home, we took chicken noodle soup, we didn't visit granny and we decided when we would return to work. We didn't need anyone to tell us.

Masks are utterly useless. There is no evidence base for their effectiveness whatsoever. **Paper masks and fabric masks are simply virtue-signaling.** They're not even worn effectively most of the time. It's utterly ridiculous. **Seeing these unfortunate, uneducated people — I'm not saying that in a pejorative sense — seeing these**

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people walking around like lemmings, obeying without any knowledge base, to put the mask on their face.

Social distancing is also useless because COVID is spread by aerosols which travel 30 meters or so before landing. Enclosures have had such terrible unintended consequences. Everywhere should be opened tomorrow as well as was stated in the [Great Barrington Declaration](#) that I circulated prior to this meeting.

And a word on testing: I do want to emphasize that I'm in the business of testing for COVID. **I do want to emphasize that positive test results do not, underlined in neon, mean a clinical infection.** It's simply driving public hysteria and all testing should stop. Unless you're presenting to the hospital with some respiratory problem.

All that should be done is to protect the vulnerable and to give them all in the nursing homes that are under your control, **give them all 3,000 to 5,000 international units of vitamin D every day which has been shown to radically reduce the likelihood of Infection.**

And I would remind you all that using the province's own statistics, the risk of death under 65 in this province is one in 300,000. One in 300,000. You've got to get a grip on this.

The scale of the response that you are undertaking with no evidence for it is utterly ridiculous given the consequences of acting in a way that you're proposing. All kinds of suicides, business closures, funerals, weddings etc. It's simply outrageous! It's just another bad flu and you've got to get your minds around that.

Let people make their own decisions. You should be totally out of the business of medicine. You're being led down the garden path by the chief medical officer of health for this province. I am absolutely outraged that this has reached this level. It should all stop tomorrow.

Thank you very much.

(Neurosurgeon Russell) Blaylock: Face Masks Pose Serious Risks To The Healthy

<https://www.technocracy.news/blaylock-face-masks-pose-serious-risks-to-the-healthy/>

With the advent of the so-called COVID-19 pandemic, we have seen a number of medical practices that have little or no scientific support as regards reducing the spread of this infection. One of these measures is the wearing of facial masks, either a surgical-type mask, bandana or N95 respirator mask. When this pandemic began and we knew little about the virus itself or its epidemiologic behavior, it was assumed that it would behave, in terms of spread among communities, like other respiratory viruses. Little has presented itself after intense study of this virus and its behavior to change this perception.

This is somewhat of an unusual virus in that for the vast majority of people infected by the virus, one experiences either no illness (asymptomatic) or very little sickness. Only a very small number of people are at risk of a potentially serious outcome from the infection—mainly those with underlying serious medical conditions in conjunction with

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advanced age and frailty, those with immune compromising conditions and nursing home patients near the end of their lives. There is growing evidence that the treatment protocol issued to treating doctors by the Center for Disease Control and Prevention (CDC), mainly intubation and use of a ventilator (respirator), may have contributed significantly to the high death rate in these select individuals.

By wearing a mask, the exhaled viruses will not be able to escape and will concentrate in the nasal passages, enter the olfactory nerves and travel into the brain.

Russell Blaylock, MD

As for the scientific support for the use of face mask, a recent careful examination of the literature, in which 17 of the best studies were analyzed, concluded that, “None of the studies established a conclusive relationship between mask/respirator use and protection against influenza infection.”¹ Keep in mind, no studies have been done to demonstrate that either a cloth mask or the N95 mask has any effect on transmission of the COVID-19 virus. Any recommendations, therefore, have to be based on studies of influenza virus transmission. And, as you have seen, there is no conclusive evidence of their efficiency in controlling flu virus transmission.

It is also instructive to know that until recently, the CDC did not recommend wearing a face mask or covering of any kind, unless a person was known to be infected, that is, until recently. Non-infected people need not wear a mask. When a person has TB we have them wear a mask, not the entire community of non-infected. The recommendations by the CDC and the WHO are not based on any studies of this virus and have never been used to contain any other virus pandemic or epidemic in history.

Now that we have established that there is no scientific evidence necessitating the wearing of a face mask for prevention, are there dangers to wearing a face mask, especially for long periods? Several studies have indeed found significant problems with wearing such a mask. This can vary from headaches, to increased airway resistance, carbon dioxide accumulation, to hypoxia, all the way to serious life-threatening complications.

There is a difference between the N95 respirator mask and the surgical mask (cloth or paper mask) in terms of side effects. The N95 mask, which filters out 95% of particles with a median diameter $>0.3 \mu\text{m}^2$, because it impairs respiratory exchange (breathing) to a greater degree than a soft mask, and is more often associated with headaches. In one such study, researchers surveyed 212 healthcare workers (47 males and 165 females) asking about presence of headaches with N95 mask use, duration of the headaches, type of headaches and if the person had preexisting headaches.²

They found that about a third of the workers developed headaches with use of the mask, most had preexisting headaches that were worsened by the mask wearing, and 60% required pain medications for relief. As to the cause of the headaches, while straps and pressure from the mask could be causative, the bulk of the evidence points toward hypoxia and/or hypercapnia as the cause. That is, a reduction in blood oxygenation (hypoxia) or an elevation in blood CO₂ (hypercapnia). It is known that the N95 mask, if worn for hours, can reduce blood oxygenation as much as 20%, which can lead to a loss

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of consciousness, as happened to the hapless fellow driving around alone in his car wearing an N95 mask, causing him to pass out, and to crash his car and sustain injuries. I am sure that we have several cases of elderly individuals or any person with poor lung function passing out, hitting their head. This, of course, can lead to death.

A more recent study involving 159 healthcare workers aged 21 to 35 years of age found that 81% developed headaches from wearing a face mask.³ Some had pre-existing headaches that were precipitated by the masks. All felt like the headaches affected their work performance.

Unfortunately, no one is telling the frail elderly and those with lung diseases, such as COPD, emphysema or pulmonary fibrosis, of these dangers when wearing a facial mask of any kind—which can cause a severe worsening of lung function. This also includes lung cancer patients and people having had lung surgery, especially with partial resection or even the removal of a whole lung.

While most agree that the N95 mask can cause significant hypoxia and hypercapnia, another study of surgical masks found significant reductions in blood oxygen as well. In this study, researchers examined the blood oxygen levels in 53 surgeons using an oximeter. They measured blood oxygenation before surgery as well as at the end of surgeries.⁴ The researchers found that the mask reduced the blood oxygen levels (paO_2) significantly. The longer the duration of wearing the mask, the greater the fall in blood oxygen levels.

The importance of these findings is that a drop in oxygen levels (hypoxia) is associated with an impairment in immunity. Studies have shown that hypoxia can inhibit the type of main immune cells used to fight viral infections called the CD4+ T-lymphocyte. This occurs because the hypoxia increases the level of a compound called hypoxia inducible factor-1 (HIF-1), which inhibits T-lymphocytes and stimulates a powerful immune inhibitor cell called the Tregs. . This sets the stage for contracting any infection, including COVID-19 and making the consequences of that infection much graver. In essence, your mask may very well put you at an increased risk of infections and if so, having a much worse outcome.^{5,6,7}

People with cancer, especially if the cancer has spread, will be at a further risk from prolonged hypoxia as the cancer grows best in a microenvironment that is low in oxygen. Low oxygen also promotes inflammation which can promote the growth, invasion and spread of cancers.^{8,9} Repeated episodes of hypoxia has been proposed as a significant factor in atherosclerosis and hence increases all cardiovascular (heart attacks) and cerebrovascular (strokes) diseases.¹⁰

There is another danger to wearing these masks on a daily basis, especially if worn for several hours. When a person is infected with a respiratory virus, they will expel some of the virus with each breath. If they are wearing a mask, especially an N95 mask or other tightly fitting mask, they will be constantly rebreathing the viruses, raising the concentration of the virus in the lungs and the nasal passages. We know that people who have the worst reactions to the coronavirus have the highest concentrations of the virus early on. And this leads to the deadly cytokine storm in a selected number.

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It gets even more frightening. Newer evidence suggests that in some cases the virus can enter the brain.^{11,12} In most instances it enters the brain by way of the olfactory nerves (smell nerves), which connect directly with the area of the brain dealing with recent memory and memory consolidation. By wearing a mask, the exhaled viruses will not be able to escape and will concentrate in the nasal passages, enter the olfactory nerves and travel into the brain.¹³

It is evident from this review that there is insufficient evidence that wearing a mask of any kind can have a significant impact in preventing the spread of this virus. The fact that this virus is a relatively benign infection for the vast majority of the population and that most of the at-risk group also survive, from an infectious disease and epidemiological standpoint, by letting the virus spread through the healthier population we will reach a herd immunity level rather quickly that will end this pandemic quickly and prevent a return next winter. During this time, we need to protect the at-risk population by avoiding close contact, boosting their immunity with compounds that boost cellular immunity and in general, care for them.

One should not attack and insult those who have chosen not to wear a mask, as these studies suggest that is the wise choice to make.

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"Exercise with facemask; Are we handling a devil's sword?" - A physiological hypothesis

<https://pubmed.ncbi.nlm.nih.gov/32590322/>

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7306735/pdf/main.pdf>

(Sherilyn adds – note that their definition of “exercise” begins at the level of walking at a speed of 2 mph, a fairly normal pace)

Exercising with facemasks may reduce available Oxygen and increase air trapping preventing substantial carbon dioxide exchange. **The hypercapnic hypoxia may potentially increase acidic environment, cardiac overload, anaerobic metabolism and renal overload, which may substantially aggravate the underlying pathology of established chronic diseases.** Further contrary to the earlier thought, no evidence exists to claim the facemasks during exercise offer additional protection from the droplet transfer of the virus. Hence, we recommend social distancing is better than facemasks during exercise and optimal utilization rather than exploitation of facemasks during exercise.

Keywords: Cardiometabolic risk; Complication; Exercise; Facemask; Immunity; Physiology.

Pathophysiological changes associated during exercise with facemasks.

Potential changes that occur in the immune, muscular, renal, brain, cardiovascular and metabolic systems contributing to anxiety and depression. GFR – Glomerular Filtration Rate; PaCO₂ – Partial pressure of Carbondioxide; PaO₂ – Partial pressure of Oxygen; ↓- decreased; ↑- increased

Facemask and physiology alteration during exercise

Exercising with customized tight facemasks induces a hypercapnic hypoxia environment [inadequate Oxygen (O₂) and Carbon dioxide (CO₂) exchange] [15]. **This acidic environment both at the alveolar and blood vessels level induces numerous physiological alterations when exercising with facemasks: 1) Metabolic shift; 2) cardiorespiratory stress; 3) excretory system altercations; 4) Immune mechanism; 5) Brain and nervous system.** Fig. 1 illustrates the possible physiological alterations while exercising with facemasks.

Poor immune responses

Substantial evidence exists concerning the long term effects of exercise and the improvement in adaptive immunity [20]. Though, moderate exercise, in the long run, is found to increase natural killer cell count and downregulate inflammatory factors such as tumour necrosis factors, acute bouts of vigorous exercise over a while may influence these changes negatively. **Exercising with facemasks induces an acidic environment, and thus mobility of hypoxic natural killer cells to the target cells would be affected, aggravating the chances of infection during the pandemic.** A further change in humidity and temperature in the upper airway causes immotile cilia syndrome **predisposing individuals to lower respiratory tract infections by deep seeding of oropharyngeal flora [21]**

Increased cardiorespiratory stress

The reduced availability of O₂ and CO₂ would increase the heart rate and blood pressure exponentially even at low workloads. This physiological alteration may increase aortic pressure and left ventricular pressures, leading to an upsurge of cardiac overload and coronary demand [22]. **Further increased respiratory load against the “valve breathing”, leads to increased respiratory muscle load and pulmonary artery pressure, in turn, adding to the cardiac overload. These changes may be subtle in healthy individuals during exercise. Still, in persons with established chronic illness, these changes may aggravate the underlying pathophysiology, leading to hospitalization or increased use of medication.**

Altered renal function

Hypercapnic hypoxia reduces renal blood flow and glomerular filtration rate posing a risk of reduced renal functions. Thus, aciduria and resulting tubular damage may potentially aggravate the compromised renal functions in individuals with established chronic diseases [23]. Further, the autonomic dysfunction and reduced immune responses, increase the inflammatory substances such as C reactive protein, interleukins (IL-6, IL-12) resulting in generalized nephritis in chronic kidney failure patients [24]. **Additionally, poor renal artery flow causes hypoxemia in nephrons perpetuating the pathophysiology of poor renal functions.**

Brain metabolism and mental health

Acute hypercapnia, a double-edged sword, on the one hand, elevates intracranial pressure, lowers cerebral perfusion, and triggers cerebral ischemia and, on the other hand, it is found to be neuroprotective decreasing the excitatory amino acids and minimizing the cerebral metabolism [25]. Studies from obstructive sleep apnea [26] **provide irrefutable evidence of hypercapnic hypoxemia affecting the postural stability, proprioception, altered gait velocities and falls. The above findings can be extrapolated to elderly persons as well as individuals with established respiratory diseases exercising with N95 respirator masks**

Can facemasks increase the risks of Coronavirus?

Though the respirator masks are perceived to be the barriers for preventing aerosol depositions to the respiratory tract, the bitter reality is that masks increase the risk of more in-depth respiratory tract infections. As quoted by Perencevich et. Al. 2020, “The average health person shouldn’t be wearing masks as it creates a false sense of security and people tend to touch their face more often when compared to not wearing masks. 27 The surgical masks are debated to trap the droplets containing the virus inside, increasing rather than reducing the risk of infection.

ENDNOTE One:

According to the Centers for Disease Control and Prevention (CDC) on August 23, 2020, “For 6% of the deaths, COVID-19 was the only cause mentioned. For deaths with conditions or causes in addition to COVID-19, on average, there were 2.6 additional conditions or causes per death.”

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For a nation tormented by restrictive public health policies mandated for healthy individuals and small businesses, this is the most important statistical revelation of this crisis. This revelation significantly impacts the published fatalities count due to COVID-19.

More importantly, it exposes major problems with the process by which the CDC was able to generate inaccurate data during a crisis.

The CDC has advocated for social isolation, social distancing, and personal protective equipment use as primary mitigation strategies in response to the COVID-19 crisis, while simultaneously refusing to acknowledge the promise of inexpensive pharmaceutical and natural treatments.

These mitigation strategies were promoted largely in response to projection model fatality forecasts that have proven to be substantially inaccurate.

Further investigation into the legality of the methods used to create these strategies raised additional concerns and questions.

Why would the CDC decide against using a system of data collection & reporting they authored, and which has been in use nationwide for 17 years without incident, in favor of an untested & unproven system exclusively for COVID-19 without discussion and peer-review?

Did the CDC's decision to abandon a known and proven effective system also breach several federal laws that ensure data accuracy and integrity?

Did the CDC knowingly alter rules for reporting cause of death in the presence of comorbidity exclusively for COVID-19? If so, why? ([Full study](#))

Patrick Howley, writing for [National File](#), reported:

The groundbreaking peer-reviewed research... asserts that the CDC willfully violated multiple federal laws including the Information Quality Act, Paperwork Reduction Act, and Administrative Procedures Act at minimum. (Publishing Journal – Institute for Pure and Applied Knowledge / Public Health Policy Initiative)

“Most notably, the CDC illegally enacted new rules for data collection and reporting exclusively for COVID-19 that resulted in a 1,600% inflation of current COVID-19 fatality totals,” the watchdog group All Concerned Citizens declared in a statement provided to NATIONAL FILE, referring to the Institute for Pure and Applied Knowledge study.

The research demonstrates that the CDC failed to apply for mandatory federal oversight and failed to open a mandatory period for public scientific comment in both instances as is required by federal law before enacting new rules for data collection and reporting.

“The CDC is required to be in full compliance with all federal laws even during emergency situations. The research asserts that CDC willfully compromised the accuracy and integrity of all COVID-19 case and fatality data from the onset of this crisis in order to fraudulently inflate case and fatality data,” stated All Concerned Citizens.

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On March 24th the CDC published the NVSS COVID-19 Alert No. 2 document instructing medical examiners, coroners and physicians to deemphasize underlying causes of death, also referred to as pre-existing conditions or comorbidities, by recording them in Part II rather than Part I of death certificates as "...the underlying cause of death are expected to result in COVID-19 being the underlying cause of death more often than not."

This was a major rule change for death certificate reporting from the CDC's 2003 Coroners' Handbook on Death Registration and Fetal Death Reporting and Physicians' Handbook on Medical Certification of Death, which have instructed death reporting professionals nationwide to report underlying conditions in Part I for the previous 17 years.

This single change resulted in a significant inflation of COVID-19 fatalities by instructing that COVID-19 be listed in Part I of death certificates as a definitive cause of death regardless of confirmatory evidence, rather than listed in Part II as a contributor to death in the presence of pre-existing conditions, as would have been done using the 2003 guidelines.

"The research draws attention to this key distinction as it has led to a significant inflation in COVID fatality totals. By the researcher's estimates, **COVID-19 recorded fatalities are inflated nationwide by as much as 1600% above what they would be had the CDC used the 2003 handbooks,**" stated All Concerned Citizens.

Then on April 14th, the CDC adopted additional rules exclusive for COVID-19 in violation of federal law by outsourcing data collection rule development to the Council of State and Territorial Epidemiologists (CSTE), a non-profit entity, again without applying for oversight and opening opportunity for public scientific review.

On April 5th the CSTE published a position paper Standardized surveillance case definition and national notification for 2019 novel coronavirus disease (COVID-19) listing 5 CDC employees as subject matter experts.

"This key document created new rules for counting probable cases as actual cases without definitive proof of infection (section VII.A1 – pages 4 & 5), new rules for contact tracing allowing contact tracers to practice medicine without a license (section VII.A3 – page 5), and yet refused to define new rules for ensuring that the same person could not be counted multiple times as a new case (section VII.B – page 7)," stated All Concerned Citizens.

By enacting these new rules exclusively for COVID-19 in violation of federal law, the research alleges that the CDC significantly inflated data that has been used by elected officials and public health officials, in conjunction with unproven projection models from the Institute for Health Metrics and Evaluation (IHME), to justify extended closures for schools, places of worship, entertainment, and small businesses leading to unprecedented emotional and economic hardships nationwide.

"A formal petition has been sent to the Department of Justice as well as all US Attorneys seeking an immediate grand jury investigation into these allegations," All Concerned Citizens stated.

Where Are The 2020-2021 Influenza Statistics? "Influenza Has Been Renamed COVID" According To Epidemiologist

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Daniel Payne, writing for Just the News, interviewed epidemiologist Dr. Knut Wittkowski regarding the disappearing flu statistics this year.

Dr. Knut Wittkowski is the former head of biostatistics, epidemiology and research design at Rockefeller University. He holds two doctorates in computer science and medical biometry, and one of his videos on YouTube last year had amassed over 1 million views before YouTube took it down, because he was critical of the lockdowns and its ineffectiveness on stopping the spread of COVID-19.

Just the News reports:

The Centers for Disease Control and Prevention's weekly influenza surveillance tracker reports that the cumulative positive influenza test rate from late September into the week of Dec. 19 stands at 0.2% as measured by clinical labs. That's compared to a cumulative 8.7% from a year before.

The weekly comparisons are even starker: This week one year ago, the positive clinical rate was 22%, where now it stands at 0.1%.

Those low numbers continue trends observed earlier in the year in which flu rates have remained at near-zero levels. The trend is not limited to the U.S. Worldwide, health authorities have all reported sharply decreased influenza levels throughout what is normally peak flu season in the northern hemisphere. Rates in the southern hemisphere were also low this year.

Where have all the flu cases gone?

Epidemiologist Knut Wittkowski thinks he can answer the riddle:

"Influenza has been renamed COVID in large part," said the former head of biostatistics, epidemiology and research design at Rockefeller University.

"There may be quite a number of influenza cases included in the 'presumed COVID' category of people who have COVID symptoms (which Influenza symptoms can be mistaken for), but are not tested for SARS RNA," Wittkowski told Just the News on Thursday.

Those patients, he argued, "also may have some SARS RNA sitting in their nose while being infected with Influenza, in which case the influenza would be 'confirmed' to be COVID."

Is The CDC Hiding And Manipulating Data Regarding Overall Death Rates For 2020?

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NOTICE TO USERS: The data file for deaths by sex and age at the state level has been updated on September 2, 2020 to include the following age groups in addition to the age groups that are routinely included: 0-17, 18-29, 30-49, and 50-64. The new age groups are consistent with categories used across CDC COVID-19 surveillance pages. When analyzing the file, the user should make sure to select only the desired age groups. Summing across all age categories provided will result in double counting deaths from certain age groups.

Data on deaths involving COVID-19 among ages 0-18 are available here: [Click here to download](#)

Table 1. Deaths involving coronavirus disease 2019 (COVID-19), pneumonia, and influenza reported to NCHS by sex and age group. United States. Week ending 2/1/2020 to 12/26/2020.*

Updated December 30, 2020

Sex	Age group	All Deaths involving COVID-19 (107.1) ¹	Deaths from All Causes	Deaths involving Pneumonia, with or without COVID-19, excluding Influenza deaths (12.0-18.9) ²	Deaths involving COVID-19 and Pneumonia, excluding Influenza (0.7-1 and 12.0-18.9) ²	All Deaths involving Influenza with or without COVID-19 or Pneumonia (0.9-1.1) ³	Deaths involving Pneumonia, Influenza, or COVID-19 (8.07-1 or 10.9-11.9) ⁴	Population ⁵
Total								
	All ages	301,679	2,902,664	285,361	138,917	6,946	453,994	328,295,523
	Under 1 year	32	16,076	195	4	16	197	3,783,052
	1-4 years	19	2,969	96	3	43	155	15,793,631
	5-14 years	51	4,810	131	1	53	226	40,994,163
	15-24 years	483	30,975	627	122	55	989	42,687,510
	25-34	2,087	63,554	2,278	931	156	3,574	45,940,321

As we were nearing the end of 2020, we reported on some analysis projections for 2020 that were shaping up to have about as many total deaths for the year as previous years, based on the CDC’s own statistics.

A subscriber to Health Impact News recently sent me some screen shots that she allegedly saved at the end of December, 2020, from the CDC website, including a page that was reportedly available during most of 2020 tracking COVID deaths and deaths due to all causes.

This page allegedly used to be at this URL: [CDC.gov](https://www.cdc.gov)

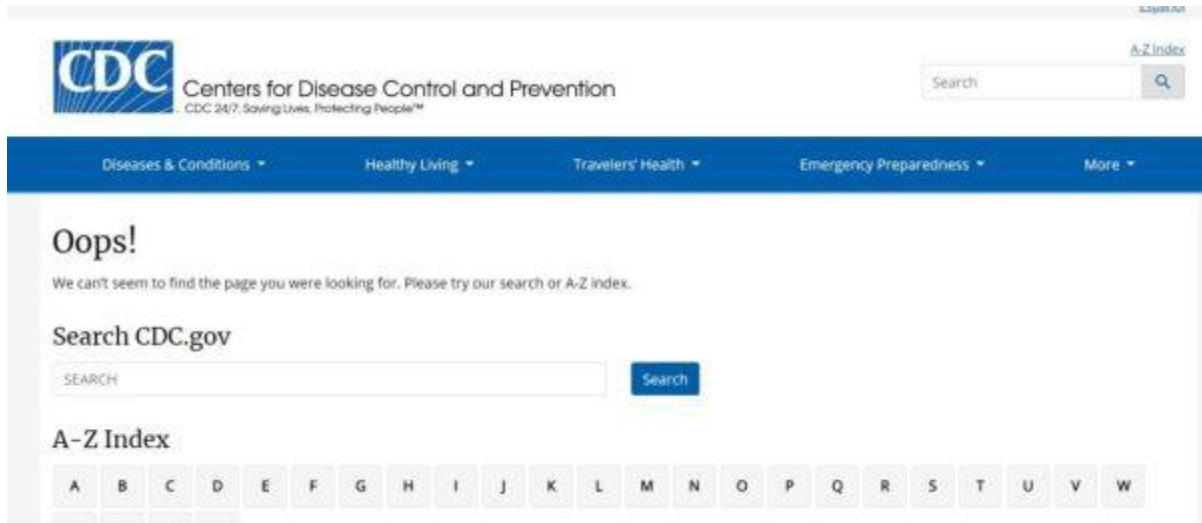
However, when you go this page now, you get this notice:

Resource Not Available

“The page you requested cannot be found at this time. It may be temporarily unavailable or it may have been removed or relocated.”

This is NOT the standard 404 error code which you get if you mistype a page address, because on the CDC website the 404 error code looks like this:

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So this is a page that used to exist, and according to the screenshot that this user sent to me, on December 30, 2020 this page stated that the total deaths from **all causes** in 2020 was 2,902,664.

Here is a copy of page 9 of the National Vital Statistics Reports, Vol. 68, No. 6, June 24, 2019, which lists total deaths for 2016 and 2017:

National Vital Statistics Reports, Vol. 68, No. 6, June 24, 2019 **9**

Table C. Deaths and percentage of total deaths for the 10 leading causes of death: United States, 2016 and 2017

[An asterisk (*) preceding a cause-of-death code indicates that the code is not included in the *International Classification of Diseases, 10th Revision (ICD-10)*]

Cause of death (based on ICD-10)	Rank ¹	2017		2016	
		Deaths	Percent of total deaths	Deaths	Percent of total deaths
All causes	2,813,503	100.0	2,744,248	100.0
Diseases of heart	1	647,457	23.0	635,260	23.1
Malignant neoplasms	2	599,108	21.3	598,038	21.8
Accidents (unintentional injuries)	3	169,936	6.0	161,374	5.9
Chronic lower respiratory diseases	4	160,201	5.7	154,596	5.6
Cerebrovascular diseases	5	146,383	5.2	142,142	5.2
Alzheimer disease	6	121,404	4.3	116,103	4.2
Diabetes mellitus	7	83,564	3.0	80,058	2.9
Influenza and pneumonia	8	55,672	2.0	51,537	1.9
Nephritis, nephrotic syndrome and nephrosis ..	9	50,633	1.8	50,046	1.8
Intentional self-harm (suicide)	10	47,173	1.7	44,965	1.6

... Category not applicable.

¹Based on number of deaths.

SOURCE: NCHS, National Vital Statistics System, Mortality.

There were 2,744,248 recorded deaths from all causes in 2016, and 2,813,503 recorded deaths from all causes in 2017, according to the CDC.

So if the alleged CDC numbers for deaths from all causes in the screen capture from December 30, 2020 is correct, with 2,902,664 on December 30th, it is right in line with what we would expect, without the additional deaths allegedly attributed to COVID-19.

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The only way this number for total deaths could be accurate, along with the deaths attributed to COVID, would be if deaths due to all other causes that were not COVID, drastically decreased. Is it possible that deaths due to heart disease, cancer, etc. – all decreased so that the total deaths would be on par for what would be expected if there was no Coronavirus pandemic?

So what happened to this page on the CDC website?

What is the CDC now reporting as the total deaths for 2020 here in 2021?

If you go to: CDC.gov – and go down to Table 1, and click on “Yearly,” it will produce this chart showing 3,320,435 deaths for 2020:

The screenshot shows a web browser window with the URL cdc.gov/nchs/nvss/vsn/COVID19/index.htm. On the left, there are navigation links for 'Sites', 'Influenza (COVID-19)', and 'Data Statistics System'. The main content area displays 'Table 1. Deaths involving coronavirus disease 2019 (COVID-19), pneumonia, and influenza reported to NCHS by time-period and jurisdiction of occurrence.' The table is filtered for 'United States' and 'All' years. The data is as of 2/3/2021.

Year in which death occurred	All Deaths Involving COVID-19 [1]	Deaths from All Causes	Percent of Expected Deaths [2]	Deaths involving Pneumonia [3]	Deaths involving COVID-19 and Pneumonia [3]	All Deaths involving influenza [4]	Deaths involving Pneumonia, influenza, or COVID-19 [5]
2021	62,980	1,88,724	7	32,792	27,289	53	58,143
2020	368,584	3,320,435	117	340,875	172,086	8,754	544,991
Total	421,174	8,509,159		374,667	199,375	8,807	604,134

So which version is correct?

Only the CDC would know the answer to that question, since they control all the data.

ENDNOTE Two:

Ronald B. Brown, Ph.D., from the School of Public health and Health Systems at the University of Waterloo, Canada, recently stated that the COVID-19 fatality rate is the “worst miscalculation in the history of humanity.”

Brown is currently completing his second doctorate degree this time in epidemiology at the University of Waterloo.

Not long ago, Brown published a paper in Disaster Medicine and Public Health Preparedness, titled “Public health lessons learned from biases in coronavirus mortality overestimation.”

In the paper he provides data and information he collected from his research, he compared informational texts from the World Health Organization (WHO) and the Centers for Disease Control and Prevention (CDC) to data from independent scientists and Congressional testimony.

He states that “Results of this critical appraisal reveal information bias and selection bias in coronavirus mortality overestimation, most likely caused by misclassifying an influenza infection fatality rate as a case fatality rate.”

Testimony of Sherilyn Wells IN OPPOSITION TO HB 643

Below is a statement Brown recently gave to John C. A. Manley, a journalist who was the first to cover the story:

The subject of this article is disruptive, to say the least, although it is not as obvious from the title.

The manuscript cites the smoking-gun, documented evidence showing that the public's overreaction to the coronavirus pandemic was based on the worst miscalculation in the history of humanity, in my opinion.

My manuscript underwent an intensive peer-review process. You are the first media guy who has responded to my invitation.

Dr. Brown added that CDC and WHO documents show that the case fatality rate for influenza was similar to the coronavirus, implying that the lockdowns were pointless.

His paper questions why the 2017-2018 influenza season in the United States did not “receive the same intensive media coverage as COVID-19.”

He points out that “the accuracy of coronavirus tests rushed into production during the pandemic were unknown.” And he explores how the media began focusing on an increase in coronavirus cases while ignoring the decrease in death rates.

The Bulgarian Pathology Association has taken the stance that the testing used to identify the new coronavirus in patients is “scientifically meaningless.” They cite an article explaining the science.

Why This Is Important

Dr. Brown is not the only one raising these points, yet it seems nobody really knows these facts because they are constantly ignored by mainstream media, who is simply presenting us with one perspective that doesn't seem to be based on science and data at all in my opinion.

It makes one wonder, what's really going on here?

Why are deaths not a result of the coronavirus being marked as coronavirus deaths, even when it's clear that that the coronavirus was not the cause? This has been observed across the globe.

A number of the world's doctors and top experts in the field have been raising their concern with regards to the measures taken to combat the novel coronavirus.

For example, Michael Levitt, a Biophysicist and a professor of structural biology at Stanford University recently criticized the WHO as well as Facebook for censoring different information and informed perspectives regarding the pandemic.

More than 500 German doctors & scientists have signed on as representatives of an organization called the “Corona Extra-Parliamentary Inquiry Committee” to investigate what's happening on our planet with regards to COVID-19, expressing the same sentiment.

Testimony of Sherilyn Wells IN OPPOSITION TO HB 643

They came together to investigate the severity of the virus, and whether or not the actions taken by governments around the world, and in this case the German government, are justified and not causing more harm than good.

You can access the full english transcripts on the [organizations website](#) if interested.

This group has been giving multiple conferences in Germany, in one of the most recent, Dr. Heiko Schöning, one of the organizations leaders, stated that **“We have a lot of evidence that it (the new coronavirus) is a fake story all over the world.”**

To put it in context, he wasn't referring to the virus being fake, but simply that it's **no more dangerous than the seasonal flu** (or just as dangerous) and that **there is no justification for the measures being taken to combat it.**

Another example would be a recent [report](#) published in the British Medical Journal has suggested that quarantine measures in the United Kingdom as a result of the new coronavirus may have already killed more UK seniors than the coronavirus has during the peak of the virus.

Reported case fatality rates, like the original official 3.4% rate from the World Health Organization, caused horror, panic and hysteria and were also meaningless.

Many scientists and doctors in North America are also expressing the same sentiments.

For example, The Physicians For Informed Consent (PIC) recently published a report titled “Physicians for Informed Consent (PIC) Compares COVID-19 to Previous Seasonal and Pandemic Flu Periods.”

According to them, the infection/fatality rate of COVID-19 is 0.26%.

Dr. Sucharit Bhakdi, a specialist in microbiology and one of the most cited research scientists in German history is also part of Corona Extra-Parliamentary Inquiry Committee mentioned above and has also expressed the same thing, multiple times early on in the pandemic all the way up to today.

Implementation of the current draconian measures that are so extremely restrict fundamental rights can only be justified if there is reason to fear that a truly, exceptionally dangerous virus is threatening us. Do any scientifically sound data exist to support this contention for COVID-19? I assert that the answer is simply, no. – Bhakdi.

John P. A. Ioannidis, a professor of medicine and epidemiology at Stanford University has said that the infection fatality rate “is close to 0 percent” for people under the age of 45 years old.

You can read more about that here. He and several other academics from the Stanford School of Medicine suggest that COVID-19 has a similar infection fatality rate as seasonal influenza, and published their reasoning in a study last month. You can find that study and read more about that story here.

ENDNOTE Three:

Testimony of Sherilyn Wells IN OPPOSITION TO HB 643

Frontline Doctors Publish their Early Treatment Protocol for COVID that is Saving Many Lives – Vaccines Not Needed

December 29, 2020

by [The Desert Review](#) ^[1]

Dr. George Fareed, Imperial Valley frontline doctor fighting against the COVID-19 pandemic locally, has been fielding phone calls from across the nation helping those afflicted but unable to get early treatment from their medical establishments.

“I’m really busy, but I’m willing to help anyone,” Fareed said.

The doctor reached out to The Desert Review suggesting publication of the Protocol he and Dr. Brian Tyson have refined for their local patients that has been so successful. Fareed also included in his material what Dr. Zelenko, a pioneer in repurposing medicines for the virus has developed as a prophylaxis, a preventative subscription.

Also included in the material submitted, is a follow up to Dr. Fareed’s U.S. Senate hearing, “Early Outpatient Treatment: An Essential Part of a COVID-19 Solution” held November 19 in the Capitol.

Senator Josh Hawley submitted questions to Dr. Fareed to clarify his testimony for the record. Here is the correspondence between the Senator and Fareed on December 10:

Sen. Hawley: In your testimony, you say that timing is everything when it comes to treatment and that the best time for outpatient treatment to prevent hospitalization comes when “the virus is in a period of maximum replication in the upper respiratory tract.” Can you explain what this would mean for a patient? Would this be five days after exposure, or ten days? Or is it based on symptoms?

Dr. Fareed: The earlier the treatment can be started after the start of the infection, the better and more rapid the recovery (as well as the reduction in the risk of spread/contagious period). This would mean that the patient should optimally start the treatment in the first 4 days of the infection and within five days of exposure. It usually is based on symptoms which start within 1-4 days of viral entry into the upper respiratory system. Even starting the multi-faceted treatment later (7-10 days after infection) is also very worthwhile if severe pneumonia necessitating hospitalization has not yet set in.

Sen. Hawley: In your experience, are patients typically coming in to get treated at this point in their illness? And if not, what do you think we need to do to encourage high-risk individuals to seek outpatient treatment and care?

Dr. Fareed: More patients are coming in to get treated or contacting me from afar for treatment when they can’t receive the treatment in their local communities. Sadly, many infected people and primary care doctors and doctors in ERs follow the NIH and Dr. Fauci stipulations with no effective treatments offered. We need to have the NIH/FDA/CDC formally acknowledge the importance of early treatment with moderately acting, safe anti-virals so readily available. When (if ever) that happens, everything would improve dramatically. Thank you, Senator Hawley, for all your efforts and for allowing me to respond to these excellent questions.

Testimony of Sherilyn Wells IN OPPOSITION TO HB 643

The following is the protocol Drs. Fareed and Tyson have jointly developed as most effective for their COVID-19 patients:

Fareed/Tyson COVID-19 Treatment Protocol

HCQ 200 mg tabs #16 (HCQ = hydroxychloroquine)

Zinc sulfate 220 mg (or elemental Zinc 50 mg) # 15

Azithromycin 500 mg # 5 (or Z pack) or

Doxycycline 100 mg # 10)

Ivermectin 3 mg tabs #8

Aspirin 325 mg tabs #30

Day 1 – HCQ 2 tabs twice a day

Zinc sulfate tab twice a day

(Azithromycin tab one per day or doxycycline cap twice a day)

Ivermectin 12 mg on day 1 only

Aspirin 325 mg

Days 2-5

HCQ tab 3 times a day

Zinc sulfate 3 times a day

(Azithromycin tab daily or doxycycline cap twice a day)

Aspirin 325 mg daily

Ivermectin 12 mg on day 3 if symptoms warrant

Prednisone 60 mg daily x 5-7 days or

Dexamethasone 4 mg bid if wheezing /SOB

Budesonide 0.5-1mg/2ml via nebulizer bid

Vitamin D3 5000 iu daily

Pepcid 20 mg daily

Testimony of Sherilyn Wells IN OPPOSITION TO HB 643

Continue daily Aspirin 325 mg

Over the counter prevention:

Elemental Zinc 25 mg once a day

Vitamin D 4000 iu once a day

Vitamin C 1000 mg once a day

Quercetin 500 mg once a day

If Quercetin is unavailable, then use Epigallocatechin-gallate (EGCG) 400mg once a day

Dr. Fareed also included Dr. Zelenko's (Twitter: @zev_dr) COVID-19 Prophylaxis Protocol:

Prophylaxis is an action taken to prevent or protect against a specified disease. Greek in origin, from the word "phylax", meaning "to guard" and "watching."

Low Risk Patients

Young healthy people do not need prophylaxis against COVID-19. In young and healthy people, this infection causes mild cold-like symptoms. It is advantageous for these patients to be exposed to COVID-19, build up their antibodies and have their immune system clear the virus. This will facilitate the development of herd immunity and help prevent future COVID-19 pandemics. However, if these patients desire prophylaxis against COVID-19, then they should take the protocol noted below.

Moderate-Risk Patients

Patients from this category are healthy but have high potential viral-load exposure. This group includes medical personnel, caregivers of high-risk patients, people who use public transportation, first responders and other essential personnel who are crucial to the continued functioning of society. These patients should be encouraged to take prophylaxis against COVID-19 in accordance with the protocol noted below.

High-Risk Patients

Patients are considered high risk if they are over the age of 60, or if they are younger than 60 but they have comorbidities, that is, they have other health conditions that put them at risk. These patients have between a 5 to 10 percent mortality rate if they are infected with COVID-19. These patients should be strongly encouraged to take prophylaxis against COVID-19 in accordance with the protocol noted below.

Protocol for Low and Moderate Risk Patients:

Elemental Zinc 25 mg once a day[1]

Vitamin C 1000 mg once a day[2]

Testimony of Sherilyn Wells IN OPPOSITION TO HB 643

Quercetin 500 mg once a day

If Quercetin is unavailable, then use Epigallocatechin-gallate (EGCG) 400 mg once a day^[3]

Protocol for High-Risk Patients:

Elemental Zinc 25 mg once a day

Hydroxychloroquine (HCQ^[4]) 200 mg once a day for five days, then once a week

If HCQ is unavailable, then use the Protocol for Low and Moderate Risk Patients.

[1] ^[2]<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7365891/> ^[3]

[2] ^[4]<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7318306/> ^[5]

[3] ^[6]<https://pubs.acs.org/doi/10.1021/jf5014633> ^[7]

[4] ^[8]<https://www.preprints.org/manuscript/202007.0025/v1> ^[9]

<https://medicalkidnap.com/2020/12/29/frontline-doctors-publish-their-early-treatment-protocol-for-covid-that-is-saving-many-lives-vaccines-not-needed/>

ENDNOTE Four

How One Doctor Successfully Treated COVID-19 Patients With Nutritional and Oxidative Therapies

When COVID-19 reared its head earlier this year, Dr. David Brownstein told his staff, "This is what we have been preparing for." The board-certified family physician and editor of *Dr. David Brownstein's Natural Way to Health* newsletter is one of the nation's foremost holistic practitioners, and for over two decades he has lectured and written about using natural hormones and nutritional therapies to boost the immune system and ward off chronic disease.

Brownstein, the director the Center for Holistic Medicine in West Bloomfield, Michigan, was able to put his theories and expertise into practice this past spring when he successfully treated 107 patients who were diagnosed with COVID-19. He subsequently published a study on his methodology titled, "A Novel Approach to Treating COVID-19 Using Nutritional and Oxidative Therapies."

"There is a cure for every viral infection known to mankind," he tells Newsmax. "And this is the immune system. When the immune system appropriately responds to foreign pathogens it can do remarkable things. That's why supporting the immune system should be our top priority and yet, during the height of the pandemic, I didn't hear one health official comment on the role of the immune system in controlling COVID-19."

Good nutrition lays the foundation for a strong immune system. Brownstein, who has written several books on the topic, including "The Guide to Healthy Eating," says that whether you

Testimony of Sherilyn Wells IN OPPOSITION TO HB 643

consume a plant-based or meat-based diet, eliminating processed food and especially sugar can help keep your immune system ready for action.

"Sugar paralyzes the white blood cells that are critical to fight off infection for five hours," he says. Brownstein tests his patients for nutritional imbalances and provides the support they need for optimum health which is why he's had such success treating disease, including COVID-19.

"I have used nutritional support for the immune system for over 20 years," he says. "Over this period of time, my patients have done well when confronted with viral and influenza-like illnesses such as COVID-19."

One of the key factors in balancing the immune system is to keep inflammation in check. Many COVID-19 patients became severely ill when the immune system went into overdrive, releasing a tsunami of molecules called cytokines that while attempting to kill the attacking virus. Instead, when things got out of control, it caused life-threatening inflammation called a "cytokine storm."

"The nutritional and oxidative protocols I describe in my study help prevent the immune system from going into overdrive and causing cytokine storms," he says.

During the COVID-19 crisis, Brownstein and his team applied the methods they have used in the past to fight viruses, but tweaked the protocol to address their patients' needs. They began first with oral vitamin therapy that included vitamins A, C, D and iodine. Brownstein, author of "Iodine; Why You Need it and Can't Live Without it," says that as a nation, 97% of us are woefully deficient in this nutrient.

"If things didn't get better, or symptoms persisted, we used nebulized hydrogen peroxide next," he said, adding that one patient was released from the hospital and had difficulty breathing. He called Dr. Brownstein, who prescribed the nebulized hydrogen therapy — which help him feel better in a matter of hours.

If patients continued to get sick, Brownstein and his team gave them intravenous treatments of vitamin c, hydrogen peroxide and intramuscular shots of ozone.

"They all felt better within seven days," he says. "And nobody died. We had some very sick older patients in that study group, and statistically we should have had 10 mortalities."

Brownstein says that even if a vaccine for COVID-19 is developed, it won't be successful unless our immune systems are able to respond appropriately. Americans are one of the least healthy populations in the world, he says, and need to start focusing on their own well-being rather than looking for a magic bullet in the form of medication or a vaccine for this disease.

"We are only as healthy as our immune system," he says. "COVID-19 should be a wakeup call for all Americans as this shows we have an unhealthy society and we have unhealthy immune systems. You can be sure that the virus will mutate and there will be other strains in the future that we will have to deal with. Now is the time to build the immune system so that it's ready to respond to any attacking pathogen."

<https://www.newsmax.com/health/health-news/covid-19-immune-system-natural-health/2020/07/22/id/978426/>

HB-643

Submitted on: 2/8/2021 6:17:54 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Karlán Osorio	Individual	Oppose	No

Comments:

As an essential worker, this bill is pushing the bar way too far. Who interprets verbal abuse? Are you leaving this up to an essential worker to decide? Our prisons are already overcrowded so why would you want to make petty crimes a felony? This is again an abuse of power for DISAGREEING with the government. Communism at its best. I am strongly opposed to this bill.

HB-643

Submitted on: 2/8/2021 6:10:31 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nichole A.	Individual	Oppose	No

Comments:

I strongly oppose this bill and the division it will create. This bill does not help build a community it diminishes it. The people you represent are opposed to this bill.

HB-643

Submitted on: 2/8/2021 6:52:54 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lorii Febo-Santiago	Individual	Oppose	No

Comments:

I oppose this Bill HB643 I don't think we need anymore power given to government to oppress the people. We need to focus on real crime then putting people in jail for not putting a muzzle on there face. If we really look at this mask with intelligence we would realize and understand that it is just not doing anything. Let's work on crime and let the people live there lives in peace. Let the people breath the God given air. People don't need the government telling how to live there lives they can make that decision for them selves. I Oppose This Bill.

HB-643

Submitted on: 2/8/2021 6:31:48 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Crystal Valencia	Individual	Oppose	No

Comments:

This is unconstitutional!! You have no right over our body. Our body is created in the image and likeness of God the Father Almighty!! It is He who decides not you!!

DAVID Y. IGE
GOVERNOR



MAJOR GENERAL KENNETH S. HARA
DIRECTOR OF EMERGENCY MANAGEMENT

LUKE P. MEYERS
ADMINISTRATOR OF EMERGENCY MANAGEMENT

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STATE OF HAWAII
DEPARTMENT OF DEFENSE
HAWAII EMERGENCY MANAGEMENT AGENCY

**TESTIMONY ON HOUSE BILL 643,
RELATING TO EMERGENCY MANAGEMENT**

Before the House Committees on
**PANDEMIC & DISASTER PREPAREDNESS
AND
LABOR & TOURISM**

By

Luke P. Meyers
Administrator, Hawaii Emergency Management Agency (HI-EMA)

Aloha Chairs Ichiyama and Onishi, Vice-Chairs Eli and Sayama, and Members of the Committee:

House Bill 643 makes interfering with an essential worker during an emergency a felony. Defines essential worker.

The Hawaii Emergency Management Agency (HI-EMA) **offers comments on** House Bill 643.

HI-EMA feels that creating a definition of "essential worker" specifically for the pandemic is not necessary as the pandemic will eventually end. Defining essential workers is important and should be part of a larger discussion for the continuity of governmental and operational functions in the State, as well as in coordination with the counties.

Thank you.

Luke P. Meyers: Luke.P.Meyers@hawaii.gov; 808-733-4300T

HB-643

Submitted on: 2/8/2021 7:59:40 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Valerie Turner	Individual	Oppose	No

Comments:

I respectfully oppose this bill. This would make citizens mask police & the severity of the punishment is outrageous (a felony!).

HB-643

Submitted on: 2/8/2021 7:51:45 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Laura A Hudgens	Individual	Oppose	No

Comments:

I strongly oppose this bill!

HB-643

Submitted on: 2/8/2021 8:01:15 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Donna P. Van Osdol	Individual	Comments	No

Comments:

Dear Members of the Committees:

I oppose this bill because it may violate the Equal Protection Clause of the 14th Amendment which **prohibits** states from denying any person within its jurisdiction the **equal protection** of the law. In other words, the laws of a state must treat an individual in the same manner as other people in similar conditions and circumstances.

I am also wary about HB643 because, in my opinion, any working adult who has a family to take care of, children to feed, and a mortgage to pay should also be deemed an essential worker. In society, all human beings are essential. More importantly, I will never be able to understand why big businesses were allowed to remain open but small businesses were forced to close.

I highly suggest adding (e) to the description of essential worker as follows:

127A-(e) Those individuals who are duly authorized members of the religious community such as pastors, rabbis, Catholic priests, nuns, Buddhist monks, and those in similar vocations are also essential workers in order for them to bring spiritual comfort to those critically ill during a pandemic, epidemic, or other statewide disaster (such as a devastating hurricane, earthquake, or tsunami).

This is similar to when we were/are at war where chaplains have access to their soldiers.

Thank you for your time and consideration.

HB-643

Submitted on: 2/8/2021 8:02:33 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Isabel Espiritu	Individual	Oppose	No

Comments:

I oppose this bill, HB643.

The Thirty-First Legislature, State of Hawai'i
Hawai'i State House of Representatives
Committee on Pandemic & Disaster Preparedness and
Committee on Labor & Tourism

Testimony by
IATSE Local 665
February 8, 2021

H.B. 643 – RELATING TO EMERGENCY MANAGEMENT

Aloha,

My name is Tuia'ana Scanlan. I currently serve as President of IATSE Local 665. We represent Entertainment Technicians in Live Events, Tradeshow & Conventions, and Film/TV industries across the State of Hawaii. We **strongly support** HB 643.

With the coronavirus pandemic giving rapid rise to a multitude of essential workers, H.B. 643 is intended to amend the emergency management laws to address pandemics and to provide greater protections for essential workers, especially those with high social interaction.

Such essential workers have experienced harassment, intimidation, verbal abuse, and physical assault from members of the public for merely relaying government's emergency orders to use masks and to observe social distancing in public spaces. Often these incidents occur in places such as our community grocery stores where workers are not customarily trained to confront customers or to deal with public health emergencies. Emergency workers have statutory protection, and essential workers need the protection that H.B. 643 provides.

We appreciate your consideration of our testimony and strongly encourage passage of H.B. 643.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Tuia'ana Scanlan', written in a cursive style.

Tuia'ana Scanlan
President
IATSE Local 665

HB-643

Submitted on: 2/8/2021 8:08:58 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Allison Mayeda	Individual	Oppose	No

Comments:

I am opposing this House Bill 643 because of my Constitutional rights. There is an Equal Protection Clause in the Constitution, doesn't that mean something? I feel we are on a path of being CONTROLLED by our State and Government. No one should be harrassed and yet if we stand up for what we feel is our rights too it seems like harrasesment. Please take into consideration all People's when making decisions.--
Thank You

IRON WORKERS STABILIZATION FUND

February 9, 2021
8:30 am

House Committee on Pandemic & Disaster Preparedness
House Committee on Labor & Tourism

Via Videoconference
State Capitol
415 South Beretania Street

Re: HB643 – Relating to Emergency Management

Aloha Chair Linda Ichiyama, Chair Clarence K. Nishihara, Vice-Chair Stacelynn K. M. Eli,
Vice-Chair Jackson D. Sayama and members of the House Committees:

We **SUPPORT** HB643. The bill if enacted would make interfering with an essential worker during an emergency a felony and defines essential worker.

The rise of the COVID-19 pandemic has increased the health risks of workers in their work environment. We support the creation of a permanent COVID-19 workplace safety and health standards for our state, akin to those adopted by the state of Virginia last month. In the meantime, the bill before you would provide a measure of protection to those that are essential workers during our state of emergency. Across the country essential workers have been threatened, assaulted, or even killed while performing their work duties. Even at home in our state, our essential workers had times in which they needed to remind the public about abiding by health protocols like wearing one's mask and were put in harms way. Please afford our essential workers the same protections as those afforded to emergency workers during times of disasters.

Sincerely,



T. George Paris
Managing Director

TGP: MP

HB-643

Submitted on: 2/8/2021 8:16:29 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Merekete McCabe	Individual	Oppose	No

Comments:

I have a right as a free citizen, to the extent of the law, to choose to wear a mask outside of my home. When I am walking, hiking, or exercising, wearing a mask makes breathing more difficult than it already is,, as long as I am not coming into contact with others and remain socially distanced, I should not have to worry about being harrassed by people who want to infringe on my rights. If a person feels unsafe, then they should continue to wear their own mask and remain socially distanced from others.



INTERNATIONAL LONGSHORE & WAREHOUSE UNION
LOCAL OFFICE • 451 ATKINSON DRIVE • HONOLULU, HAWAII 96814 • PHONE 949-4161

HAWAII DIVISION: 100 West Lanikaula Street, Hilo, Hawaii 96720 • **OAHU DIVISION:** 451 Atkinson Drive, Honolulu, Hawaii 96814
MAUI COUNTY DIVISION: 896 Lower Main Street, Wailuku, Hawaii 96793 • **KAUAI DIVISION:** 4154 Hardy Street, Lihue, Hawaii 96766
HAWAII LONGSHORE DIVISION: 451 Atkinson Drive, Honolulu, Hawaii 96814

LOCAL 142

The Thirty-First Legislature
Regular Session of 2021

THE HOUSE

Committee on Pandemic & Disaster Preparedness

Rep. Linda Ichiyama, Chair

Rep. Stacelynn K.M. Eli, Vice Chair

Committee on Labor & Tourism

Rep. Richard H.K. Onishi, Chair

Rep. Jackson D. Sayama, Vice Chair

State Capitol, Videoconference

Tuesday, February 9, 2021; 8:30 a.m.

STATEMENT OF THE ILWU LOCAL 142 ON H.B. 643 RELATING TO EMERGENCY MANAGEMENT

The ILWU Local 142 supports H.B. 643, which makes interfering with an essential worker during an emergency a felony and defines essential worker.

The Covid-19 pandemic has been a stressful time for many - particularly for essential and frontline workers who have been keeping our state safe, healthy, and operational. At the height of the Covid-19 pandemic, several emergency orders were released by the state and counties adding to the stress and confusion many experienced. During this time, Trump was President and refused to enact any federal policies designed to help slow the spread of Covid-19. As a result, numerous individuals felt the need to disregard the safety of workers, the public's safety and the emergency orders issued by the state and counties.

H.B. 643 helps address those who feel the need to disobey orders designed to protect workers, customers and the public. Those who interfere with essential workers who are trying to keep everyone safe and healthy will be charged with a class C felony unless the interference involves assault then it becomes a class B felony. This will hopefully help deter unruly customers and keep essential workers safe from harassment or abuse.

We represent thousands of essential and frontline workers who have experienced far too many unruly customers. We believe this bill will help protect our members and all essential and frontline workers.

We recommend passage of H.B. 643. Thank you for the opportunity to testify.

LATE

HB-643

Submitted on: 2/8/2021 8:30:00 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nicole Labrador	Individual	Oppose	No

Comments:

Strongly OPPOSE this bill.

LATE

HB-643

Submitted on: 2/8/2021 8:32:06 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
jae P	Individual	Oppose	No

Comments:

oppose! unconsitutional!

LATE

HB-643

Submitted on: 2/8/2021 8:32:24 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
kimberly	Individual	Oppose	No

Comments:

Aloha,

Felony is not necessary, and asymptomatic people are not the main drive of this pandemic and are not the ones spreading the disease. Those who are actually sick are the ones. This is according to Dr. Fauci.

LATE

HB-643

Submitted on: 2/8/2021 8:33:39 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
tiana lolotai	Individual	Oppose	No

Comments:

I oppose HB643

First off my husband has been a essential worker. He does not like that they work in the hot sun all day and are required to wear a mask that DOES NOT protect him as he still got Covid at work from other coworkers. All this bill does is infringe on our rights. Everyone has the right to move and go freely as they please as long as they are not bringing harm to essential worker and environment. Please reconsider this bill. Mahalo!

LATE

HB-643

Submitted on: 2/8/2021 8:52:46 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Eric Allagonez	Individual	Oppose	No

Comments:

THIS BILL IS UNCONDITIONAL! THERE ARE REAL CRIMINALS OUT THERE COMMITTING CRIMES. WE ARE LAW ABIDING CITIZENS! WHY SHOULD WE GET LOCKED UP FR NOT WEARING A MASK? COVID 19 IS A 98.9 PERCENT CHANCE OF RECOVERY. POINT BLANK PERIOD! IF IM HEALTHY I SHOULD BE ABLE TO WALK AROUND WITH OUT A MASK!!!!

LATE

HB-643

Submitted on: 2/8/2021 8:54:01 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Theresa	Individual	Oppose	No

Comments:

Aloha,

The choice to wear a mask should not be imposed by the government or anybody deemed an "Essential worker" according to HB 643. Not only is this dangerous for society but it is also unconstitutional. In lamens terms this bill intends to 'protect them who are deemed "essential workers" from "members of the public" which creates a US vs Them tactic and causes division within society, within families, within employment, or any social gathering that includes the use of masks. The choice to not wear a mask is an individuals right that needs to be protected.

Refusing to wear a mask should not be a crime whatsoever. And choosing to not wear a mask definielty doesn't merit a punishment as severe as a Class C Felony . Felonies are more serious crimes, such as murder. Categorizing the refusal of wearing masks in the same class as taking the life of another human being is unjust. This purposal is simply feel good nonsense, bad policy and illegal. Authoring this is a direct violation of our constitution.

Please stop this bill.

Mahalo,

LATE

HB-643

Submitted on: 2/8/2021 9:01:10 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Kerman	Individual	Oppose	No

Comments:

February 8, 2021

To The Committee on Pandemics and Disaster Preparedness and the Committee on Labor and Tourism,

I am strongly opposed to House Bill 643 relating to Emeergency Management.

This bill would be in complete violation of the Equal Protection Clause of our Constitution, found under Article 1, Section 5.

For the government to assign community members as "essential workers" to enforce the mask mandate, it violates our civil liberties and goes against both the Hawaiian Constitution and the United States Constitution, whether it be for emergency purpose or not.

Bill 643 is unconstitutional and for this I strongly oppose it.

Sincerely,

Lisa Kerman-P.O. Box 1011-Kilauea-HI-96754

hike2heaven@yahoo.com

LATE

HB-643

Submitted on: 2/8/2021 9:03:11 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Irish Barber	IATSE Local 665	Support	No

Comments:

Aloha, Chairs Ichiyama and Onishi, Vice Chairs Eli and Sayama and Members of the Committees:

The IATSE stands in **STRONG SUPPORT** of HB643 which seeks to protect essential workers against anyone who interferes with their COVID-19 protocols and raises the consequences of such interference to a felony crime. This will act as a strong deterrent to violators who put themselves above personal and public safety.

Respectfully,

Irish Barber

Business Representative

(808) 479-1770

Email/Zoom: alohairish@iatse665.org

LATE

HB-643

Submitted on: 2/8/2021 9:15:48 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Amy Mahikoa	Individual	Oppose	No

Comments:

I believe this HB 643 bill goes against our constitutional rights. I do not support this bill.

Using "essential workers" to enforce mask wearing for a virus that has a 99.5% survival rate is insane. And a felony penalty for having a disagreement that can be deemed "verbal abuse", or arguing your views on the subject can be viewed as "intimating" that is just wrong. We as Americans should be given the choice to wear a mask especially when there is no solid scientific evidence that it's effective. It doesn't do anything to protect us.

LATE

HB-643

Submitted on: 2/8/2021 9:18:11 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Adeline C French	Individual	Oppose	No

Comments:

I am oppose to this bill. This is too extreme and very over reaching. If falls under the concept of 'safety' but in reality is a violation to an individuals rights. Please do not pass this bill.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

LATE

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

the Thirty-First Legislature, State of Hawaii
House of Representatives
Committee on Pandemic & Disaster Preparedness and
Committee on Labor & Tourism

Testimony by
Hawaii Government Employees Association

February 9, 2021

H.B. 643 – RELATING TO EMERGENCY MANAGEMENT

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the purpose and intent of H.B. 643 which defines an essential worker and makes interfering with an essential worker during an emergency a class B or C felony.

The COVID-19 worldwide pandemic has instantly and dramatically upended not only our state and way of life, but the entire world. One silver lining during this unprecedented time has been the renewed appreciation of our traditional front-line responders like nurses, paramedics, and police, and the recognition of a new class of essential workers: our grocery workers, healthcare providers, hospitality industry employees, telecommunications, and retail workers, among many others. During the pandemic, these employees have been harassed, intimidated, verbally abused, and physically assaulted from the public for relaying and upholding emergency orders to socially distance and wear face coverings. This is completely unacceptable, and we must do more to support our essential workers.

Thank you for the opportunity to submit testimony in strong support of H.B. 643 and of our essential workers.

Respectfully submitted,

Randy Perreira
Executive Director

LATE

HB-643

Submitted on: 2/8/2021 9:48:02 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Deborah Barbour	Individual	Oppose	No

Comments:

Aloha Representatives,

I am submitting my testimony against HB643. I have lived in Hawaii for over 50 years and see this bill as a direct attack on our community of aloha. It intentionally “deputizes” many workers in our islands to begin policing other people concerning “emergency” rules set up by the Executive Branch of government alone. This bill gives the Executive Branch of state and city government the power to name rules within the pervue of their interpretation of a pandemic.

The interpretation of “mitigating social and economic consequences of disaster” will be at the sole discretion of 2 leaders; the Governor and Mayor. Also, making a pandemic a Hazard is very dangerous and makes the way for a sweeping draconian rule by a few leaders.

Last time I checked we were still a part of the United States of America...or are we now a Kingdom with King Governor and King Mayor ruling us?

Vote no on HB643!

LATE

HB-643

Submitted on: 2/8/2021 9:20:58 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
monica	Individual	Oppose	No

Comments:

To whom it may concern!

The choice to wear a mask should not be forced unto the public! Including essential workers as it should be a choice and everyone is responsible for their own health! This is absolutely unconstitutional and unethical that this is now something one can be tried for a FELONY if they refuse!!!!

The choice to be free of a mask should MOST DEFINITELY not be a crime let alone a FELONY!!!!!!? A felony is a crime such as a murder! So now we are comparing that to a citizen refusing to wear a mask!? Where does that make any sense or is legal by any means!? This is dehumanizing!

STOP THIS BILL! STOP THIS BILL! STOP THIS BILL!

Monica Chong

LATE

HB-643

Submitted on: 2/8/2021 9:53:09 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Carol Philips	Individual	Support	No

Comments:

Please vote in support of protecting Hawaii's essential workers.

Respectfully,

Carol Philips

TESTIMONY ON HOUSE BILL 643: A BILL RELATING TO EMERGENCY MANAGEMENT

STRONGLY OPPOSED

BY Jennifer Carman, Mother and Wellness Specialist

In reference to House Bill 643 relating to emergency management, I urge you to consider that most people on this planet are struggling with more things than ever before. Our time is precious, we have young children who need us to be SANE, STRONG, HEALTHY, and balanced. They need our time, our ATTENTION. They need us NOT to be running around trying to stop the insanity of these tyrannical mandates that just keep suppressing health and freedom.

I was outside, in the fresh air and sunshine with my 6 year old when we got surrounded by a literal mob of people who were shouting to put on masks and demanded I give them my license for ID. My daughter was traumatized by this!!!!!! What kind of world do you think you are creating by perpetuating and enforcing the “police state of civilians” when we know for thousands of years that fresh air, sunlight, our GOD given immune systems fight illness. That is a proven fact. These outrageous mandates and bills and policies are in a non-excusable reaction to a virus that has;

1. NOT been isolated
2. Has been proven to NOT be a pandemic as the numbers of “deaths **related** to COVID” were not CAUSED by COVID but merely another co-morbidity in elderly with weakened immune system, people who were mostly already living past the EXPECTED MORTALITY RATE OF THE WORLD.
3. enough scientific research by actual scientists and doctors who have

shown that there have not been more deaths in 2020 than in other years with the normal “FLU SEASON”

We care about people, about our loved ones, about our children and humanity at large. Allowing this to pass is in direct violation to our birthright, our GOD GIVEN human rights, our unalienable CONSTITUTIONAL RIGHTS. This is why we urge you to submit to the demands of your constituents and protect their civil liberties from current and future infringements being covertly forced upon the people under the guise of “emergency” management. We strongly oppose House Bill 643.

This bill acts to deconstruct the basic fundamental liberties of the citizens of Hawai`i while fostering division amongst the community and creating “compliance officers” out of those whom the government has classified as “essential”.

The Hawai`i State Constitution and the U.S. Constitution, from which the principles were derived, are the sacred documents which protect the fundamental God-given rights of the people and these documents are never suspended during times of emergency. The Hawaii statute authorizing the Governor’s emergency powers expressly states the law confers no power or authority to act “which is inconsistent with the Constitution and laws of the United States.” The U.S. Supreme Court has expressly condemned the idea that a mere declaration of an “emergency” be an excuse to trump all constitutional forms of power, rights, and protections:

“Emergency does not create power. Emergency does not increase granted power or remove or diminish the restrictions imposed upon power granted or reserved. The Constitution was adopted in a period of grave emergency. Its grants of power to the federal government and its limitations of the

power of the states were not determined in the light of emergency and they are not altered by emergency. What power was thus granted and what limitations were thus imposed are questions which have always been, and always will be, the subject of close examination under our constitutional system."

Home Bldg. & Loan Ass'n v. Blaisdell, 290 U.S. 398, 425-426 (1934)
(emphasis added).

Under this authority it is an aberration of duty to bring forth any regulation which would trespass upon a free people's protected rights to freedom of movement, freedom of speech, freedom of expression, their right to be secure in their person, their right to associate and their right to due process.

There are enough laws in place to protect citizens from harassment and assault. This bill acts as a clandestine measure intended to enforce compliance through the threat of imprisonment and must be struck down for its unconstitutionality and danger in promoting an atmosphere of warfare among citizens. No particular vocation should ever be considered more essential than another, placing certain protections and rights above the rights and protections of others. This is a direct violation to the Equal Protection Clause within our United States Constitution and found in the Hawai'i State Constitution under Article 1 Section 5.

This is why we urge you to submit to the demands of your constituents and protect their civil liberties from current and future infringements being covertly forced upon the people under the disguise of "emergency" management. We strongly oppose House Bill 643.

Sincerely,

Jennifer Carman



Randy Perreira
President

HAWAII STATE AFL-CIO

888 Mililani Street, Suite 501 • Honolulu, Hawaii 96813

LATE

Telephone: (808) 597-1441
Fax: (808) 593-2149

The Thirty-First Legislature, State of Hawai'i
Hawai'i State House of Representatives
Committee on Pandemic & Disaster Preparedness and
Committee on Labor & Tourism

Testimony by
Hawai'i State AFL-CIO
February 9, 2021

H.B. 643 – RELATING TO EMERGENCY MANAGEMENT

The Hawai'i State AFL-CIO is a state federation of 74 affiliate local unions and councils with over 68,000 members across both public and private sectors. We appreciate the opportunity to testify in strong support of H.B. 643.

With the coronavirus pandemic giving rapid rise to a multitude of essential workers, H.B. 643 is intended to amend the emergency management laws to address pandemics and to provide greater protections for essential workers, especially those with high social interaction.

Such essential workers have experienced harassment, intimidation, verbal abuse, and physical assault from members of the public for merely relaying government's emergency orders to use masks and to observe social distancing in public spaces. Often these incidents occur in places such as our community grocery stores where workers are not customarily trained to confront customers or to deal with public health emergencies. Emergency workers have statutory protection, and essential workers need the protection that H.B. 643 provides.

We appreciate your consideration of our testimony and strongly encourage passage of H.B. 643.

Respectfully submitted,

Randy Perreira
President

LATE

**HAWAII OPERATING ENGINEERS
INDUSTRY STABILIZATION FUND**



Affiliated AFL-CIO
OPEIU - 3 - AFL-CIO (3)

*Uniting our strengths and working together
for a better tomorrow.*

House of Representatives Committee on Pandemic & Disaster Preparedness

Honorable Linda Ichiyama, Chair

Honorable Stacelynn K.M. Eli, Vice Chair

Honorable Members of the Committee on Pandemic & Disaster Preparedness

House of Representatives Committee on Labor & Tourism

Honorable Richard H.K. Onishi, Chair

Honorable Jackson D. Sasayama, Vice Chair

Honorable Members of the Committee on Labor & Tourism

February 8, 2021

RE: **H.B. 643- RELATING TO EMERGENCY MANAGEMENT**

Dear Chair, Ichiyama and Chair Onishi,

My name is Myles Miyasato and I am the Executive Director representing the Hawaii Operating Engineers Industry Stabilization Fund (HOEISF). We are a labor management fund representing 3000 unionized members in the heavy engineering site work and 500 general contractors specializing in heavy site and vertical construction. Hawaii Operating Engineers Industry Stabilization Fund **strongly supports the passing of H.B. 643.**

With the coronavirus pandemic giving rapid rise to a multitude of essential workers, H.B. 643 is intended to amend the emergency management laws to address pandemics and to provide greater protections for essential workers, especially those with high social interaction.

Such essential workers have experienced harassment, intimidation, verbal abuse, and physical assault from members of the public for merely relaying government's emergency orders to use masks and to observe social distancing in public spaces. Often these incidents occur in places such as our community grocery stores where workers are not customarily trained to confront customers or to deal with public health emergencies. Emergency workers have statutory protection, and essential workers need the protection that H.B. 643 provides. We appreciate your consideration of our testimony and strongly encourage passage of H.B. 643.

Sincerely,

Myles Miyasato
Executive Director

Hawaii Operating Engineers
Industry Stabilization Fund

LATE



Hawaii Airport Labor Coalition

3375 Koapaka Street, Suite: F238-10, Honolulu, Hawaii 96819

The Thirty-First Legislature, State of Hawai'i
Hawai'i State House of Representatives
Committee on Pandemic & Disaster Preparedness and
Committee on Labor & Tourism

Testimony by
AFA-CWA Council 14 HNL
February 9, 2021

H.B. 643 – RELATING TO EMERGENCY
MANAGEMENT

I am the Local Executive Council President for the Association of Flight Attendants-CWA Council 14. I represent United Airlines Flight Attendants based in Honolulu. I appreciate the opportunity to testify in strong support of H.B. 643.

The coronavirus pandemic has brought new responsibilities and requirements relating to customers and patrons wearing masks. Flight Attendants, Customer Service Agents, Store Clerks and others are now considered essential workers tasked with enforcing these rules. H.B. 643 is intended to amend the emergency management laws to address pandemics and to provide greater protections for essential workers, especially those working jobs with high social interaction such as those mentioned above.

In the course of trying to get the public to follow mask wearing requirements and guidelines, essential workers have experienced harassment, intimidation, verbal abuse, and physical assault for merely relaying these government emergency orders to use masks and to observe social distancing in public and/or confined spaces. For Flight Attendants, once in the air, there is no ability to call for police or other individuals to protect us when someone refuses to cooperate and sometimes become defiant or belligerent. Many employees are not specifically trained to confront customers or to deal with public health emergencies. Emergency workers have statutory protection, and essential workers need the protection that H.B. 643 provides.

We appreciate your consideration of our testimony and strongly encourage passage of H.B. 643.

Respectfully submitted,

Kevin Batey
LEC President
AFA-CWA Council 14 HNL

LATE

HB-643

Submitted on: 2/8/2021 10:23:33 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Martha Stephens	Individual	Oppose	No

Comments:

"If you arn't doing research you are complicit in your own genocide." Tevaras

LATE

HB-643

Submitted on: 2/8/2021 11:18:12 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Tonic Bille	BBTVU Association of Oahu	Oppose	No

Comments:

HB643....Not a constitutional language, not a federal crime. Too many rules and restrictions. Work for and support ALL your constituents, not just a few. Mahalo. The BB*TVU Association of Oahu.

LATE

HB-643

Submitted on: 2/8/2021 11:18:17 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Marla Kahele	Individual	Oppose	No

Comments:

Strongly oppose! This is unrealistic and lacking common sense to waste our time, energy, and money on a mask law that has not been researched or proven to be accurate and true for the benefit and well being of we the people to function as normal human beings. The fear and anxiety of everyone thinking that wearing a mask will save them from this virus have done more damage than using common sense and practical ways of practicing cleanliness and having healthy immune systems. There are many more pressing issues and needs of moral decline in our society and state that would be worth the investment of putting into law.

LATE

HB-643

Submitted on: 2/8/2021 11:45:41 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Emma Fujimoto	Individual	Oppose	No

Comments:

To whom this may concern,

Charging people who refuse to wear a mask as a felony is absurd for a virus that has a 99.8% survival rate! Please reconsider this bill. People don't want to wear a mask for the rest of their lives! We have a vaccine out for the Coronavirus now, so let us go back to our normal ways.



HAWAII FIRE FIGHTERS ASSOCIATION

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL 1463, AFL-CIO
1018 PALM DRIVE, HONOLULU, HAWAII 96814-1929
TELEPHONE (808) 949-1566 FAX: (808) 952-6003
WEBSITE: www.hawaii firefighters.org

HOUSE OF REPRESENTATIVES
THE THIRTY-FIRST LEGISLATURE
REGULAR SESSION OF 2021
February 9, 2021

Committee on Pandemic & Disaster Preparedness
And
Committee on Labor and Tourism

Testimony by
Hawaii Fire Fighters Association

H.B. No. 643 RELATING TO EMERGENCY MANAGEMENT

PDP/LAT,
JHA, FIN

The Hawaii Fire Fighters Association (HFFA), Local 1463, IAFF, AFL-CIO, represents more than 1,900 professional active-duty fire fighters throughout the State. The HFFA, on behalf of all of our members, **supports H.B. No. 643.**

Essential workers as defined in H.B. No. 643 truly deserve our appreciation for servicing our community during these most difficult times. While most of the community have responded respectfully and in compliance with the public health measures, there are those who flaunt non-compliance and become agitated and aggressive with front-line workers. That type of behavior is unacceptable and employees deserve protection under the law.

Thank you for the opportunity to testify. We appreciate your favorable consideration of H.B. No. 643.

LATE

HB-643

Submitted on: 2/8/2021 12:16:19 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Renee Dieperink	Individual	Oppose	No

Comments:

I strongly OPPOSE HB643

No one person is more essential than anyone else.

This bill aims to make the so called "essential workers" the law enforcement officers by enforcing mask and anti-social distancing "laws". That's wrong.

LATE

HB-643

Submitted on: 2/8/2021 12:07:21 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
David Keith Sarji	Individual	Oppose	No

Comments:

Subject: OPPOSE HOUSE BILL 643

House Bill 643 relating to emergency management, which defines “essential worker” and makes interference with an “essential worker” during an emergency a FELONY criminal offense is an abomination to the Hawai`i State Constitution and to the Constitution of the United States of America.

This bill deconstructs the basic fundamental liberties of the citizens of Hawai`i while fostering division in the community and creating “compliance officers” out of those whom the government arbitrarily classifies as “essential”.

There are already sufficient laws in place to protect citizens from harassment and assault. Granting authority to loosely defined groups deemed “essential” to enforce governmental edicts is a recipe for disaster that will create a layer of random petty tyrants to whom the only acceptable response is silent compliance.

The Hawai`i State Constitution and the U.S. Constitution are the sacred documents which protect the fundamental God-given rights of the people. These documents are never suspended during times of emergency. The Hawai`i statute authorizing the Governor’s emergency powers expressly states that the law confers no power or authority to act “which is inconsistent with the Constitution and laws of the United States.”

HB643 is unconstitutional and will promote an atmosphere of warfare among citizens. This bill will literally make it possible to have a verbal disagreement with a grocery store manager and be convicted of a Class C Felony.

Please do not do this to the people of Hawaii.

We strongly oppose House Bill 643.

LATE

HB-643

Submitted on: 2/8/2021 12:23:31 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
John Maemori	Individual	Oppose	No

Comments:

House Bill 643 relating to emergency management, introduced to the House on January 25, 2021, which defines “essential worker” and makes interference with an “essential worker” during an emergency a **FELONY** criminal offense is an abomination to the Hawai`i State Constitution and to the Constitution of the United States of America.

This bill deconstructs the basic fundamental liberties of the citizens of Hawai`i while fostering division in the community and creating “compliance officers” out of those whom the government arbitrarily classifies as “essential”.

There are already sufficient laws in place to protect citizens from harassment and assault. Granting authority to loosely defined groups deemed “essential” to enforce governmental edicts is a recipe for disaster that will create a layer of random petty tyrants to whom the only acceptable response is silent compliance.

The **Hawai`i State Constitution and the U.S. Constitution** are the sacred documents which protect the fundamental God-given rights of the people. These documents are **never suspended** during times of emergency. The Hawai`i statute authorizing the Governor’s emergency powers expressly states that the law confers no power or authority to act “which is inconsistent with the Constitution and laws of the United States.”

HB643 is unconstitutional and will promote an atmosphere of warfare among citizens. This bill will literally make it possible to have a **verbal disagreement** with a grocery store manager and be convicted of a **Class C Felony**.

Please do not do this to the people of Hawaii.

I strongly oppose House Bill 643!

LATE

HB-643

Submitted on: 2/8/2021 12:31:20 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
roslyn	Individual	Oppose	No

Comments:

Aloha,

Im voicing my concerns with bill HB 643, I understand that it is important to keep our essential workers safe but I do not agree with the fact that you will pass a bill giving them authority over whether I have to wear a mask or not which will affect my health the whole purpose of medical procedures is to help protect our health but in a case where it is affecting my health to wear a mask and giving these essential workers this type of authority which will classify as a class c or class b felony is wrong because any essential worker can feel personal views and disagree with anyone at anytime and use that authority which could ruin an innocent persons life such as myself! This bill is something that will affect many, everything should be a choice and this is removing our freedom of choice and giving this type of authority to all essential workers is not right at all! For example imagine an essential worker that just doesnt like you because they personally dont like the mask you are wearing and they comment to you about your mask and you disagree it gives them authority to feel however and call the cops and press charges that just doesn't seem right to me we have police officers that have the proper authority to arrest people or to take that type of complaint we dont need all essential workers having that type of authority period!

Mahalo

LATE

HB-643

Submitted on: 2/8/2021 12:32:04 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
David Hioki	Individual	Oppose	No

Comments:

As of 2/8/2021, the State of Hawaii has 1885 "cases" of COVID-19 per 100,000 people - a rate of 0.018% which is ***the lowest in the US***. There is NO emergency here except for *the threat to the freedoms of individual Americans*. This and other "emergency" legislation is a tyrannical power grab and we **KNOW IT**.

With all of the energy being spent on sustaining a year-long "emergency" don't you think it would be better spent on those more meaningful issues you ran on such as "helping kupuna and keiki" or addressing the homeless situation?

LATE

State of Hawaii House of Representatives
HB 643 RELATING TO EMERGENCY MANAGEMENT
TESTIMONY IN OPPOSITION

TESTIFIER: **Beth Romano**

DATE: **Feb. 8 2021**

Good afternoon,

My name is Beth Romano and I am a **woman** currently domiciled in Hawaii in the County of **Honolulu**. My address is **87-542 Manuaihue St.** After reading HB 643 and current testimony, I am writing my testimony in **STRONG OPPOSITION** of HB 643 relating to emergency management.

This bill would create a special protected class of citizen who would have the right to abuse other peoples rights with immunity. To create a special, protected class of people would be a violation of the United States Constitution Article I section 10, the 14th Amendment and the Constitution of the State of Hawaii Article I § 5.

Article I § 10 of the United States Constitution:

No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or ***grant any Title of Nobility.***

14th Amendment to the United States Constitution:

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. ***No State shall*** make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor ***deny to any person within its jurisdiction the equal protection of the laws.***

The Constitution of the State of Hawaii Article I § 5:

No person shall be deprived of life, liberty or property without due process of law, nor be denied the ***equal protection of the laws***, nor be

denied the enjoyment of the person's civil rights or be discriminated against in the exercise thereof because of race, religion, sex or ancestry.

It's economic warfare to allow some people to work by deeming them by decree to be "essential" but deny others the right to work and consider them "non-essential".

It's a gross violation of freedom of speech, protected under the 1st Amendment to the United States Constitution and the Constitution of the State of Hawaii Article I § 4, to penalize someone for speaking out about how they are being abused as a second class man or woman. People have the right to speak out when their unalienable rights are being violated.

1st Amendment to the United States Constitution:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

The Constitution of the State of Hawaii Article I § 4:

No law shall be enacted respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press or the right of the people peaceably to assemble and to petition the government for a redress of grievances.

No worker who is not a licensed doctor or nurse should be practicing medicine without a license.

No worker who is not trained law enforcement should be enforcing laws or governor's proclamations.

The whole premise of HB 643 is that there is an "emergency". Consider the death rates over the last 10 years:

United States - Historical Death Rate Data		
Year	Death Rate	Growth Rate
2020	8.880	1.120%
2019	8.782	1.120%
2018	8.685	1.220%
2017	8.580	1.240%
2016	8.475	1.270%
2015	8.369	1.270%
2014	8.264	1.290%
2013	8.159	0.090%
2012	8.152	0.090%
2011	8.145	0.090%

Source:

<https://www.macrotrends.net/countries/USA/united-states/death-rate>

The death rate from all causes in America over the last ten years, including 2020 was eight people per 1000. Where's the emergency? There was no pandemic. It was a hoax. And to continue to violate the peoples rights is a violation of 18 U.S.C. Code § 241 - "Conspiracy Against Rights" and 18 U.S.C. Code § 242 - "Deprivation of Rights Under Color of Law"

<https://www.law.cornell.edu/uscode/text/18/241>

<https://www.law.cornell.edu/uscode/text/18/242>

Vote NO on HB 643.

LATE

HB-643

Submitted on: 2/8/2021 1:29:02 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
L Heimberg	Individual	Oppose	No

Comments:

To Whom It May Concern:

I am a resident of the State of Hawaii and I have serious concerns about and object to House Bill 643 relating to emergency management, introduced to the House on January 25, 2021 which acts to define “essential worker” and make interference with an “essential worker” during an emergency a felony criminal offense is an abomination to the Hawai`i State Constitution and to the Constitution of the United States of America. This bill acts to deconstruct the basic fundamental liberties of the citizens of Hawai`i while fostering division amongst the community and creating “compliance officers” out of those whom the government has classified as “essential”. The Hawai`i State Constitution and the U.S. Constitution, from which the principles were derived, are the sacred documents which protect the fundamental God-given rights of the people and these documents are never suspended during times of emergency. The Hawai`i statute authorizing the Governor’s emergency powers expressly states the law confers no power or authority to act “which is inconsistent with the Constitution and laws of the United States.” The U.S. Supreme Court has expressly condemned the idea that a mere declaration of an “emergency” be an excuse to trump all

constitutional forms of power, rights, and protections:

“Emergency does not create power. Emergency does not increase granted power or remove or diminish the restrictions imposed upon power granted or reserved. The Constitution was adopted in a period of grave emergency. Its grants of power to the federal government and its limitations of the power of the states were not determined in the light of emergency and they are not altered by emergency. What power was thus granted and what limitations were thus imposed are questions which have always been, and always will be, the subject of close examination under our constitutional system.”

Home Bldg. & Loan Ass’n v. Blaisdell, 290 U.S. 398, 425-426 (1934)

(emphasis added).

Under this authority it is an aberration of duty to bring forth any regulation which would trespass upon a free people’s protected rights to freedom of movement, freedom of speech, freedom of expression, their right to be secure in their person, their right to associate and their right to due process.

Section 1 of this act states: “Additionally, the legislature finds that the pandemic has given rise to a multitude of essential workers in various job sectors who, through the course of their work are required to relay and impose emergency rules and orders that have been enacted by the appropriate governmental authority. Emergency response measures to reduce the spread of SARS-CoV-2 through, for example, the use of face coverings or masks has placed great responsibility and risk on essential workers who have

experienced harassment, intimidation, verbal abuse, and physical assault from members of the public who disagree with the government's order." To remove the right of the people to govern their own health and be free to move about in society without violations to their bodily autonomy is an obtrusion in itself, but to grant authority of select members of society deemed "essential" to enforce governmental overreach upon those who resist unconstitutional regulations is egregious.

There are already sufficient laws in place to protect citizens from harassment and assault. This bill acts as a clandestine, coercive measure intended to enforce compliance through the threat of imprisonment and must be struck down for its unconstitutionality and danger in promoting an atmosphere of warfare among citizens. No particular vocation should ever be considered more essential than another, placing certain protections and rights above the rights and protections of others.

This is a direct violation to the Equal Protection Clause within our United States Constitution and found in the Hawai'i State Constitution under Article 1 Section 5.

This is why we urge you to submit to the demands of your constituents and protect their civil liberties from current and future infringements being covertly forced upon the people under the guise of "emergency" management. We strongly oppose House Bill 643.

Sincerely,

Lori Heimberg

LATE

HB-643

Submitted on: 2/8/2021 1:35:48 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Suzan Danforth	Individual	Oppose	No

Comments:

Testimony in Opposition to HB643 Relating to Emergency Manangement

Aloha.

My name is Suzan Danforth. I am a woman living on the land in Honolulu County. My current address is 2421 Tusitala St. Honolulu, Hawaii 96815, I am writing testimony is STRONG OPPOSITION to HB 643.

This bill would create a special protected class of people who could legally abuse the populace of Hawaii without impunity. The creation of an entitled class of protected people is in violation of the United States Constitution Article ,1 section 10 of the 14th Amendment and the Consitution of the State of Hawaii Article 1, section 5. Vote NO on HB 643.

LATE

HB-643

Submitted on: 2/8/2021 1:36:27 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Stephanie Barton	Individual	Oppose	No

Comments:

To Whom It May Concern:

I am a resident of the State of Hawaii and I have serious concerns about and object to House Bill 643 relating to emergency management, introduced to the House on January 25, 2021 which acts to define “essential worker” and make interference with an “essential worker” during an emergency a felony criminal offense is an abomination to the Hawai`i State Constitution and to the Constitution of the United States of America. This bill acts to deconstruct the basic fundamental liberties of the citizens of Hawai`i while fostering division amongst the community and creating “compliance officers” out of those whom the government has classified as “essential”. The Hawai`i State Constitution and the U.S. Constitution, from which the principles were derived, are the sacred documents which protect the fundamental God-given rights of the people and these documents are never suspended during times of emergency. The Hawai`i statute authorizing the Governor’s emergency powers expressly states the law confers no power or authority to act “which is inconsistent with the Constitution and laws of the United States.” The U.S. Supreme Court has expressly condemned the idea that a mere declaration of an “emergency” be an excuse to trump all constitutional forms of power, rights, and protections: “Emergency does not create power. Emergency does not increase granted power or remove or diminish the restrictions imposed upon power granted or reserved. The Constitution was adopted in a period of grave emergency. Its grants of power to the federal government and its limitations of the power of the states were not determined in the light of emergency and they are not altered by emergency. What power was thus granted and what limitations were thus imposed are questions which have always been, and always will be, the subject of close examination under our constitutional system.” Home Bldg. & Loan Ass’n v. Blaisdell, 290 U.S. 398, 425-426 (1934) (emphasis added). Under this authority it is an aberration of duty to bring forth any regulation which would trespass upon a free people’s protected rights to freedom of movement, freedom of speech, freedom of expression, their right to be secure in their person, their right to associate and their right to due process.

Section 1 of this act states: “Additionally, the legislature finds that the

pandemic has given rise to a multitude of essential workers in various job sectors who, through the course of their work are required to relay and impose emergency rules and orders that have been enacted by the appropriate governmental authority. Emergency response measures to reduce the spread of SARS-CoV-2 through, for example, the use of face coverings or masks has placed great responsibility and risk on essential workers who have experienced harassment, intimidation, verbal abuse, and physical assault from members of the public who disagree with the government's order." To remove the right of the people to govern their own health and be free to move about in society without violations to their bodily autonomy is an obtrusion in itself, but to grant authority of select members of society deemed "essential" to enforce governmental overreach upon those who resist unconstitutional regulations is egregious.

There are already sufficient laws in place to protect citizens from harassment and assault. This bill acts as a clandestine, coercive measure intended to enforce compliance through the threat of imprisonment and must be struck down for its unconstitutionality and danger in promoting an atmosphere of warfare among citizens. No particular vocation should ever be considered more essential than another, placing certain protections and rights above the rights and protections of others.

This is a direct violation to the Equal Protection Clause within our United States Constitution and found in the Hawai'i State Constitution under Article 1 Section 5.

This is why we urge you to submit to the demands of your constituents and protect their civil liberties from current and future infringements being covertly forced upon the people under the disguise of "emergency" management. We strongly oppose House Bill 643.

Sincerely,

Stephanie Barton

LATE

HB-643

Submitted on: 2/8/2021 1:40:51 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
john	Individual	Oppose	No

Comments:

another infringement upon the US CONSTITUTION... you "state of hawaii" do not hold jurisdiction over humans... you work for the people of the state you're actively releasing violent criminals and while trying to turn average people who are aware of the covid 19 myths into criminals

you people are seriously disgusting and detached

LATE

HB-643

Submitted on: 2/8/2021 1:42:06 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Angelika Whitecliff	Individual	Oppose	No

Comments:

To Whom It May Concern:

I am a longtime resident of the State of Hawaii. I have serious concerns about and object to House Bill 643 relating to emergency management, introduced to the House on January 25, 2021. This bill acts to define “essential worker” and make interference with an “essential worker” during an emergency a felony criminal offense which is an abomination to the Hawaii State Constitution and to the Constitution of the United States of America.

This bill acts to deconstruct the basic fundamental liberties of the citizens of Hawaii while fostering division amongst the community and creating “compliance officers” out of those whom the government has classified as “essential”. The Hawaii State Constitution and the U.S. Constitution, from which the principles were derived, are the sacred documents which protect the fundamental God-given rights of the people and these documents are never suspended during times of emergency. The Hawaii statute authorizing the Governor’s emergency powers expressly states that the law confers no power or authority to act “which is inconsistent with the Constitution and laws of the United States.” The U.S. Supreme Court has expressly condemned the idea that a mere declaration of an “emergency” be an excuse to undermine all constitutional forms of power, rights, and protections:

“Emergency does not create power. Emergency does not increase granted power or remove or diminish the restrictions imposed upon power granted or reserved. The Constitution was adopted in a period of grave emergency. Its grants of power to the federal government and its limitations of the power of the states were not determined in the light of emergency and they are not altered by emergency. What power was thus granted and what limitations were thus imposed are questions which have always been, and always will be, the subject of close examination under our constitutional system.”

Home Bldg. & Loan Ass’n v. Blaisdell, 290 U.S. 398, 425-426 (1934)

Under this authority it is an aberration of duty to bring forth any regulation which would trespass upon a free people's protected rights to freedom of movement, freedom of speech, freedom of expression, their right to be secure in their person, their right to associate and their right to due process.

Section 1 of this act states:

“Additionally, the legislature finds that the pandemic has given rise to a multitude of essential workers in various job sectors who, through the course of their work are required to relay and impose emergency rules and orders that have been enacted by the appropriate governmental authority. Emergency response measures to reduce the spread of SARS-CoV-2 through, for example, the use of face coverings or masks has placed great responsibility and risk on essential workers who have experienced harassment, intimidation, verbal abuse, and physical assault from members of the public who disagree with the government's order.”

To remove the right of the people to govern their own health and be free to move about in society without violations to their bodily autonomy is an obtrusion in itself, but to grant authority of select members of society deemed “essential” to enforce governmental overreach upon those who resist unconstitutional regulations is egregious.

There are already sufficient laws in place to protect citizens from harassment and assault. This bill acts as a clandestine, coercive measure intended to enforce compliance through the threat of imprisonment and must be struck down for its unconstitutionality and danger in promoting an atmosphere of warfare among citizens. No particular vocation should ever be considered more essential than another, placing certain protections and rights above the rights and protections of others. This is a direct violation to the Equal Protection Clause within our United States Constitution and found in the Hawai'i State Constitution under Article 1 Section 5.

This is why I urge you to submit to the demands of your constituents and protect our civil liberties from current and future infringements being covertly forced upon the people of Hawaii under the disguise of “emergency” management. I, therefore, strongly oppose House Bill 643.

Sincerely,

Angelika Whitecliff

LATE

HB-643

Submitted on: 2/8/2021 2:04:27 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ray George	Individual	Oppose	No

Comments:

To All the publicly appointed representatives of the current Hawaiian government: I am a resident of the State of Hawaii and I have serious concerns about and object to House Bill 643 relating to emergency management, introduced to the House on January 25, 2021 which acts to define “essential worker” and make interference with an “essential worker” during an emergency a felony criminal offense is an abomination to the Hawai`i State Constitution and to the Constitution of the United States of America. This bill acts to deconstruct the basic fundamental liberties of the citizens of Hawai`i while fostering division amongst the community and creating “compliance officers” out of those whom the government has classified as “essential”. The Hawai`i State Constitution and the U.S. Constitution, from which the principles were derived, are the sacred documents which protect the fundamental God-given rights of the people and these documents are never suspended during times of emergency. The Hawai`i statute authorizing the Governor’s emergency powers expressly states the law confers no power or authority to act “which is inconsistent with the Constitution and laws of the United States.” The U.S. Supreme Court has expressly condemned the idea that a mere declaration of an “emergency” be an excuse to trump all constitutional forms of power, rights, and protections: “Emergency does not create power. Emergency does not increase granted power or remove or diminish the restrictions imposed upon power granted or reserved. The Constitution was adopted in a period of grave emergency. Its grants of power to the federal government and its limitations of the power of the states were not determined in the light of emergency and they are not altered by emergency. What power was thus granted and what limitations were thus imposed are questions which have always been, and always will be, the subject of close examination under our constitutional system.” Home Bldg. & Loan Ass’n v. Blaisdell, 290 U.S. 398, 425-426 (1934) (emphasis added).

Under this authority it is an aberration of duty to bring forth any regulation which would trespass upon a free people’s protected rights to freedom of movement, freedom of speech, freedom of expression, their right to be secure in their person, their right to associate and their right to due process.

Section 1 of this act states: “Additionally, the legislature finds that the

pandemic has given rise to a multitude of essential workers in various job sectors who, through the course of their work are required to relay and impose emergency rules and orders that have been enacted by the appropriate governmental authority. Emergency response measures to reduce the spread of SARS-CoV-2 through, for example, the use of face coverings or masks has placed great responsibility and risk on essential workers who have experienced harassment, intimidation, verbal abuse, and physical assault from members of the public who disagree with the government's order." To remove the right of the people to govern their own health and be free to move about in society without violations to their bodily autonomy is an obtrusion in itself, but to grant authority of select members of society deemed "essential" to enforce governmental overreach upon those who resist unconstitutional regulations is egregious.

There are already sufficient laws in place to protect citizens from harassment and assault. This bill acts as a clandestine, coercive measure intended to enforce compliance through the threat of imprisonment and must be struck down for its unconstitutionality and danger in promoting an atmosphere of warfare among citizens. No particular vocation should ever be considered more essential than another, placing certain protections and rights above the rights and protections of others.

This is a direct violation to the Equal Protection Clause within our United States Constitution and found in the Hawai'i State Constitution under Article 1 Section 5.

This is why we urge you to submit to the demands of your constituents and protect their civil liberties from current and future infringements being covertly forced upon the people under the disguise of "emergency" management. We strongly oppose House Bill 643.

Sincerely,

Ray George

LATE

To the State of Hawaii's House of Representatives.
In regards to HB 643, Relating to Emergency Management.

TESTIMONY IN OPPOSITION.

Testifier: Gregory Romano

Date: 2/8/2020

Good day. My name is Gregory Romano, and I am a man currently domiciled in Hawaii in the County of Honolulu. My Address is 87-542 Manuaihue St. Waianae, HI 96792. After reviewing HB 643, I am writing my testimony in **STRONG OPPOSITION** of HB 643, relating to emergency management.

With the formalities out of the way...

You would consider creating a protected class of citizenry, who cannot even so much as be criticized (what defines verbal abuse)? Article I Section 10 of our Constitution states that:

No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, **or grant any Title of Nobility.**

If deeming a class of citizens "essential workers", and giving them special protections, isn't creating a class of nobility, I'm not sure what is! Hiding behind a state of emergency to implement such rubbish is unacceptable.

Furthermore the 14th Amendment to our United States Constitution says that:

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. **No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States;** nor shall any State deprive any person of life, liberty, or property, without due process of law; **nor deny to any person within its jurisdiction the equal protection of the laws.**

As does the Constitution of the State of Hawaii, Article I Section 5 state:

No person shall be deprived of life, liberty or property without due process of law, **nor be denied the equal protection of the laws**, nor be denied the enjoyment of the person's civil rights or be discriminated against in the exercise thereof because of race, religion, sex or ancestry.

To state that there isn't precedent to go against the passing of such a law is an understatement! This bill is a gross violation of my right to freedom of speech!

There are already laws in place that punish people for assaulting/intimidating others. This bill shields certain citizens with special protections, while implicitly treating those who disagree with the government's handling of a virus as lesser citizens. I will go farther, this is tyranny of a government that does not want to handle criticism.

We live in an unprecedented time, not because of COVID, but because we have many governments of the world taking advantage of this situation; to increase their power and control over citizenry.

VOTE NO ON HB 643. It disgusts me to even think a free country like ours could even contemplate such a bill.

--Gregory

LATE

HB-643

Submitted on: 2/8/2021 2:15:39 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
eli blanchard	Individual	Oppose	No

Comments:

I oppose HB 643

I oppose HB 643 as this continues the relentless push to give the government more control over the people. Government should not interfere with the free market by deeming select workers 'essential'. These essential workers will then be given a form of legal immunity to enforce unconstitutional mandates. Do not begin to declare that 'the governor says these covid mandates are constitutional' as a form of flawed reasoning to suggest their constitutionality, The 60 day emergency limit is long past; this is tyranny. The sole authority on interpreting the constitution belongs not only to the states but to the people. HB 643 is an assault on our right to our own medical choices. It is our right to choose our own medical treatments or to refuse medical treatments or practices. Further, public accommodations (shopping centers, restaurants, gas stations, etc) cannot be given the ability or encouragement to discriminate against people on the basis of their (private or public) medical choices or conditions.

LATE

HB-643

Submitted on: 2/8/2021 2:41:12 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Hunter C. Patterson	Individual	Oppose	No

Comments:

This is a total violation of my human rights and civil liberties! This is a FREE country! We have a Constitution and a Bill of RIGHTS! This isn't North Korea, Iran or China! God help us!

LATE

HB-643

Submitted on: 2/8/2021 2:53:14 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
rebecca goodnight	Individual	Oppose	No

Comments:

This bill must be denied. Defining who and who isn't an essential worker is ridiculous and dangerous. It is a violation of civil liberties to make not wearing a mask a FELONY for a virus with a 98%+ survival rate. When Ebola or something else is out in the air everywhere then we can discuss.

This is absolutely absurd. There is no clear science about the effectiveness of masks and many people have valid health and emotional reasons for not wearing a mask. This would cause so much divisiveness and power trips for those deemed "essential" and given this power.

LATE

HB-643

Submitted on: 2/8/2021 3:08:51 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Maria Caps	Individual	Oppose	No

Comments:

My name is Maria Rivero Caps and I reside in Kailua.

Aloha. I **STRONGLY OPPOSE** Bill HB643 for many reasons, including unconstitutionality, unfairness, danger to our democracy, and divisiveness in the community.

This bill is clearly **discriminatory**. HB643 is **unconstitutional** and violates the equal protection clause of the 14th amendment. It is appalling that the legislature is considering granting special legal status to a group of citizens, and that it will define who is included in this group at its whim.

The Nazis singled out particular groups to be to treat by different legal standards. Stalinist Russia did as well. These discriminatory practices occurred while claiming that they were "for the good of the Fatherland" or for "Mother Russia". The internment of Japanese Americans in the US during World War II was also purportedly for "public safety".

Yet despite these cautionary examples from history, there are those in the Hawaii legislature who suggest that the people they choose should have different standing under the law as the rest of us. HB643 is a further slump toward totalitarianism.

HP 643 defies not just the *letter* but the very *spirit* of our nation's founding document, and is an affront to the innate sense of fairness and justice of the people of Hawaii.

Every citizen in Hawaii should be protected from harassment, intimidation and assault whether or not the government considers them "essential". With special legal status, a greater concern arises about protection *from* essential workers who have no training in law-enforcement and yet act as compliance officers. This will cause *more* conflict in communities, not less.

People can disagree about the existence of a current emergency in Hawaii that would even call for the use of any emergency powers. However **constitutional rights are not forfeited when an emergency is declared**.

My children were born and raised here. It is heartbreaking what the government of Hawaii is doing to its people.

Respectfully,

Maria Caps

LATE

HB-643

Submitted on: 2/8/2021 3:20:14 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nancy Nino	Individual	Oppose	No

Comments:

House Bill 643 relating to emergency management, introduced to the House on January 25, 2021, which defines “essential worker” and makes interference with an “essential worker” during an emergency a **FELONY** criminal offense is an abomination to the Hawai`i State Constitution and to the Constitution of the United States of America.

This bill deconstructs the basic fundamental liberties of the citizens of Hawai`i while fostering division in the community and creating “compliance officers” out of those whom the government arbitrarily classifies as “essential.”

There are already sufficient laws in place to protect citizens from harassment and assault. Granting authority to loosely defined groups deemed “essential” to enforce governmental edicts is a recipe for disaster that will create a layer of random petty tyrants to whom the only acceptable response is silent compliance.

The **Hawai`i State Constitution and the U.S. Constitution** are the sacred documents that protect the fundamental God-given rights of the people. These documents are **never suspended** during times of emergency. The Hawai`i statute authorizing the Governor’s emergency powers expressly states that the law confers no power or authority to act “which is inconsistent with the Constitution and laws of the United States.”

HB643 is unconstitutional and will promote an atmosphere of warfare among citizens. This bill will literally make it possible to have a **verbal disagreement** with a grocery store manager and be convicted of a **Class C Felony**.

Please do not do this to the people of Hawaii.

I strongly oppose House Bill 643

LATE

HB-643

Submitted on: 2/8/2021 3:21:59 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
kristi yamanaka	Individual	Oppose	No

Comments:

This bill is an egregious attempt to violate our equal protection clause of our constitution to hold our own opinions. I kindly and respectfully ask you, the legislature-who works for the people... to read the constitution and the bill of rights to see that the unintended consequences of all these measures infringes on freedoms to leave peaceably and the outcomes have more fall out than the intended issue at hand.

I kindly and respectfully want to introduce the fact that even though this bill may seem like the creators have well-meaning intentions, the outcomes can and will easily flip the tables on even you... who will not be able to speak out on any given issue under the sun. It is understandable why people in power create laws and mandates without thinking what the unintended consequences might be, but it doesn't make it right.

If for example you pass this as a law,.. in two years when you explain to an "essential worker" that your mother with Alzheimer's must see her doctor but refuses to wear her mask because she does not comprehend- as do most alzheimers patients, and you try to explain this to your "essential worker" who is refusing you and your mother entry based on her medical condition, you will be arrested with a felony charge for harrasing the said employee if that said employee feels harrassed in the slightest. This is absurd. How many instances are we talking about where essential workers are being harrassed for attempting to enforce a mask mandate? If this bill is being introduced, there must be data to back it up. Please be reasonable and understanding to our kupuna who have done so much for our families and our communities. All people MUST be protected under the law for freedom, not safety.

LATE

HB-643

Submitted on: 2/8/2021 3:40:11 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Peter Cooper	Individual	Oppose	No

Comments:

This is CRAZY - why are we making these people more important - or as important - as police, etc.

Stop Dividing us! Stop making one set of people more special than the other and INCREASING THE SIZE of an OPPRESSIVE GOVERNMENT!!

LATE

HB-643

Submitted on: 2/8/2021 3:42:54 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jessica Penner	Individual	Oppose	No

Comments:

HB643

This bill states there is a need to protect “essential workers” from harassment from the community. Have you considered that *you* (the government) are the reason “essential workers” have been harassed? Turning the average worker / business owner into agents responsible for the compliance of others is despicable.

It should not be the job of the walmart greeter to deny entry to a patron, or rectify the complaints of others accusing "improper mask wearing".

It should not be the responsibility of the person at Costco to decide whether my child looks "young enough" to enter the store maskless. Period.

Some workers are very uncomfortable with being put in this position - while others are emboldened to harass those who may have legitimate reasons to opt out.

Categorizing people as “essential” and “non essential” is reprehensible and has caused deep divides in our communities.

Earlier on in the pandemic, when all businesses were shut down, I was peacefully protesting in front of our county building with other members in the community, when a county worker, driving a county vehicle drove past and shouted “I hope you all get sick”.

Wow. The entitlement. The nerve. That “essential worker” whose paycheck comes from WE THE PEOPLE felt so comfortable, safe, and entitled in his position of superiority, that he freely verbally abused the very residents that make his job possible. Is this attitude coming "from the top down"?

Don't forget that you, also, work for WE THE PEOPLE.

Every worker is essential. Every job is essential. Every business is essential.

WE THE PEOPLE ARE ESSENTIAL, EVEN IN A PANDEMIC.

Your need to even classify and clarify "essential" and "non essential" workers is fundamentally rotten. The belief that “some animals are more equal than others” is the ACTUAL problem, not the people who feel this belief is unjust.

How about spending your time clarifying Hawaii Statute 127A-14 (d)? Almost ONE YEAR into our 60 day “state of emergency” and many of us can't figure out how the indefinite extensions and continual proclamations of lge are even legal.

I vote 100% “no” to giving the legislature more power during these times. This law will be vaguely interpreted to punish the *very few* dissenters in the community.

Covid has already taken enough from us. Stop making it worse.



United Food & Commercial Workers Union, Local 480
808 Factory Street, Honolulu, Hawaii 96819
Phone: 808 942.7778

LATE

Patrick K. Loo
President

Gwen K. Rulona
Secretary Treasurer

February 8, 2021

The Thirty-First Legislator
Hawai'i State House of Representatives
Committee on Pandemic & Disaster Preparedness and
Committee on Labor & Tourism

SUPPORT HB 643: Relating to Emergency Management

Aloha!

United Food & Commercial Workers 480 members are comprised and deemed by government as front-line and essential workers in this COVID-19 pandemic. With the majority of our membership stemming from the grocery industry, HB 643 is without a doubt a necessity and it is our hope you will **FULLY SUPPORT HB 643** as passionately as our entire membership does.

As just one of the many voices for the working-class people of Hawai'i, our obligation to our Union members and their families extends far beyond that of just their financial livelihoods. We have a moral and ethical duty to ensure their safety and general well-being in the scope of including but not limited to physical, mental, and emotional health.

While this pandemic has shown many positive aspects of human nature from compassion, respect, patience, and willingness to help one another, it also brought forth the unfortunate facets such as aggression, violence, greed, and blatant disregard for rules/policies/mandates put in place for the protection of communities. It is with a heavy heart and discernment that our grocery industry personnel have been and continues to be subject to much brunt of senseless violent acts, threats, and offensive harassments individuals who chose to disregard said policies/mandates set forth. For these essential workers who are risking their lives to ensure the community is fed, it is simply unacceptable for such behaviors to be bore by or against them on a daily and even multiple times of the day without any additional protection or recourse to ensure their safety. This is where **HB 643** will aid in curbing and hopefully alleviating these deplorable actions.

It is with a heavy heart and discernment that the grocery workers are not alone in being targets; and **HB 643's** identification of all other essential worker industries will aid in curbing and hopefully alleviating these deplorable actions. Therefore, we implore you to partner and stand with us in protecting ALL essential workers and the community by supporting **HB 643**.

Fraternally,

Patrick K. Loo
President

“A Union Preparing Today for the Needs of Tomorrow”

HB643 Oppose - which would create a felony for exercising your Constitutional free speech rights.

Honorable Committee Members, this is my testimony to oppose HB643 which would create a felony for exercising your Constitutional free speech rights. HB643 is an assault on we citizens' rights to Freely Express our opinions in violation of our First Amendment rights under both the U.S. and Hawaii State Constitutions. The proposed legislation would criminalize even verbal disagreement with policies and actions of "essential" workers. Granted, physical abuse and physical assault of any person-not only essential workers-should not be tolerated. However, this bill also creates a felony criminal offense for "harassment", "verbal abuse", and "intimidation", which are terms not adequately defined or narrowly confined. In essence, this bill has been proposed based upon the current fear that the corona virus represents an "emergency" which will likely result in substantial harm to the "population" or substantial damage to or a loss of property.

First, there no longer exists a "pandemic". There have only been 315 or so deaths which have been officially related to the corona virus in this state of over one million people. While this disease appears to be highly contagious, the mortality rate is less than a fraction of one percent and the recovery rate is over 99%! There has never been an overwhelming of the State's health care system (as was originally forecast) nor has there been a loss or injury to the population or property.

Those who believe, as I do, that out of an abundance of caution an Emergency Declaration was issued in March of 2020 based upon catastrophic forecasts of death, reality has shown those forecasts to have been greatly exaggerated and faulty. The net results of the emergency proclamations and restrictions has been destruction of the tourist industry, record unemployment, irreparable losses to small businesses and extreme financial hardship on a huge portion of our State's population. Despite the draconian restrictions requiring masks, social distancing and reduced gatherings, the number of positive case results has continued to grow. However the net result has been a mortality rate of less than a fraction one percent! Through the curtailments of constitutional rights and freedoms, we the citizens have suffered alienation, harassment, increased suicides, increased domestic abuse, increased drug dependencies and deeply seated depression of every age and demographic group of our citizenry.

The Governor's authority under HRS 127A was statutorily required to end after 60 days. The Governor and the Attorney General have not respected nor followed the law. In fact, every supplemental emergency proclamation after May 5, 2020 have been illegal under our law.

Under this proposed legislation, the citizen's rights to verbally oppose this illegal and factually or scientifically unsupported "emergency" will be criminalized in violation of our Constitutional free speech rights. I adamantly oppose this legislation and urge the honorable legislature to re-examine the factual and scientific bases for both the past and future restriction of our freedoms and Constitutional rights. Please reject HB643 and let us take action to move out of fear and into a state of economic and social recovery.

LATE

HB-643

Submitted on: 2/8/2021 4:21:54 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Donna Dufault	Individual	Oppose	No

Comments:

To Whom It May Concern:

I am a resident of the State of Hawaii and I have serious concerns about and object to House Bill 643 relating to emergency management, introduced to the House on January 25, 2021 which acts to define “essential worker” and make interference with an “essential worker” during an emergency a felony criminal offense is an abomination to the Hawai`i State Constitution and to the Constitution of the United States of America. This bill acts to deconstruct the basic fundamental liberties of the citizens of Hawai`i while fostering division amongst the community and creating “compliance officers” out of those whom the government has classified as “essential”.

The Hawai`i State Constitution and the U.S. Constitution, from which the principles were derived, are the sacred documents which protect the fundamental God-given rights of the people and these documents are never suspended during times of emergency. The Hawai`i statute authorizing the Governor’s emergency powers expressly states the law confers no power or authority to act “which is inconsistent with the Constitution and laws of the United States.” The U.S. Supreme Court has expressly condemned the idea that a mere declaration of an “emergency” be an excuse to trump all constitutional forms of power, rights, and protections:

“Emergency does not create power. Emergency does not increase granted power or remove or diminish the restrictions imposed upon power granted or reserved. The Constitution was adopted in a period of grave emergency. Its grants of power to the federal government and its limitations of the power of the states were not determined in the light of emergency and they are not altered by emergency. What power was thus granted and what limitations were thus imposed are questions which have always been, and always will be, the subject of close examination under our constitutional system.”. Home Bldg. & Loan Ass’n v. Blaisdell, 290 U.S. 398, 425-426 (1934) (emphasis added). Under this authority it is an aberration of duty to bring forth any regulation which would trespass upon a free people’s protected rights to freedom of movement, freedom of speech, freedom of expression, their right to be secure in their person, their right to associate and their right to due process.

Section 1 of this act states: “Additionally, the legislature finds that the pandemic has given rise to a multitude of essential workers in various job sectors who, through the

course of their work are required to relay and impose emergency rules and orders that have been enacted by the appropriate governmental authority. Emergency response measures to reduce the spread of SARS-CoV-2 through, for example, the use of face coverings or masks has placed great responsibility and risk on essential workers who have experienced harassment, intimidation, verbal abuse, and physical assault from members of the public who disagree with the government's order." To remove the right of the people to govern their own health and be free to move about in society without violations to their bodily autonomy is an
obtrusion in itself, but to grant authority of select members of society deemed "essential" to enforce governmental overreach upon those who resist unconstitutional regulations is egregious.

There are already sufficient laws in place to protect citizens from harassment and assault. This bill acts as a clandestine, coercive measure intended to enforce compliance through the threat of imprisonment and must be struck down for its unconstitutionality and danger in promoting an atmosphere of warfare among citizens. No particular vocation should ever be considered more essential than another, placing certain protections and rights above the rights and protections of others.

This is a direct violation to the Equal Protection Clause within our United States Constitution and found in the Hawai'i State Constitution under Article 1 Section 5. This is why we urge you to submit to the demands of your constituents and protect their civil liberties from current and future infringements being covertly forced upon the people under the disguise of "emergency" management. I strongly oppose House Bill 643.

Sincerely,

Donna Dufault

LATE

HB-643

Submitted on: 2/8/2021 4:44:27 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lila Metzger	Individual	Oppose	No

Comments:

Aloha,

I would like to oppose this bill, there is no scale or chart to determine when we are considered to be in a pandemic and out of a pandemic. There is no scale, system or chart to determine when certain jobs are considered "essential or non-essential" or when non-essential jobs become essential. Since there is no system set in place in advance I believe it is unjust to make individuals face a higher punishment without all definitions being clearly stated.

If anyone doing any job is being harassed or attacked they should all be protected by our laws already in place. There is no need for certain occupations to have higher protective laws. All men and women should be protected equally and by their employer or insurance, and ultimately the court, not by state interventions.

Thank you for your time,

Lila Metzger

LATE

HB-643

Submitted on: 2/8/2021 4:49:35 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
james	Individual	Oppose	No

Comments:

This is Bill HB643 pure communism.I reject all communist minded bills.This is America.I wish capitol was open so you can hear my real voice.Please Kill this bill,thank you for representing the People not a communist agenda.

LATE

HB-643

Submitted on: 2/8/2021 5:01:13 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kyle Kaiser	Individual	Oppose	No

Comments:

I strongly oppose this bill because it's ripe for abuse and false accusations that can have tremendous consequences even for a law abiding citizen with a clean record. The language is extremely vague; what constitutes interference with an essential worker? Excessive laws such as this lead to excessive force. The 8th amendment says, " No excessive fines or cruel and unusual punishment." We are all essential! Everyone has a role in society or their place to contribute. We don't need to create a superior class "essential workers." Class systems in history have always shown one classes' dominance on another class leading to oppression and abuse of the under class. In this case, the "essential worker" class is almost always socioeconomically more priviledged and affluent than the non essential worker. Enacting this bill would open the door for classcally poor or disadvantaged people to be ruled and dominated by a special class of "esential workers.' We have enough discrimination as it is, please don't fall for this. The Road to hell is paved with good intentions.

LATE

HB-643

Submitted on: 2/8/2021 5:11:19 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Luciana Penalzoa	Individual	Oppose	No

Comments:

It should not be the job of essential workers to police customers and fellow citizens and enforce mask mandates. Suppressing people's opinion by intimidating them with felony charges is harassment. This law will give a special class of citizens (essential workers) power to punish their fellow citizens. This is absurd and will bring more division in our communities. All people need to be protected and able to express their opinion.

LATE

HB-643

Submitted on: 2/8/2021 5:16:26 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Elizabeth A Wright	Individual	Oppose	No

Comments:

This Bill is unnecessary and overreaching especially regarding a felony. This violates the equal protection clause of our constitution. I extremely OPPOSE this bill.

LATE

HB-643

Submitted on: 2/8/2021 5:27:15 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Hope Solanis	Individual	Oppose	No

Comments:

To Whom It May Concern:

I am a resident of the State of Hawaii and I have serious concerns about and object to House Bill 643 relating to emergency management, introduced to the House on January 25, 2021 which acts to define “essential worker” and make interference with an “essential worker” during an emergency a felony criminal offense is an abomination to the Hawai`i State Constitution and to the Constitution of the United States of America. This bill acts to deconstruct the basic fundamental liberties of the citizens of Hawai`i while fostering division amongst the community and creating “compliance officers” out of those whom the government has classified as “essential”. The Hawai`i State Constitution and the U.S. Constitution, from which the principles were derived, are the sacred documents which protect the fundamental God-given rights of the people and these documents are never suspended during times of emergency. The Hawai`i statute authorizing the Governor’s emergency powers expressly states the law confers no power or authority to act “which is inconsistent with the Constitution and laws of the United States.” The U.S. Supreme Court has expressly condemned the idea that a mere declaration of an “emergency” be an excuse to trump all constitutional forms of power, rights, and protections:

“Emergency does not create power. Emergency does not increase granted power or remove or diminish the restrictions imposed upon power granted or reserved. The Constitution was adopted in a period of grave emergency. Its grants of power to the federal government and its limitations of the power of the states were not determined in the light of emergency and they are not altered by emergency. What power was thus granted and what limitations were thus imposed are questions which have always been, and always will be, the subject of close examination under our constitutional system.”
Home Bldg. & Loan Ass’n v. Blaisdell, 290 U.S. 398, 425-426 (1934) (emphasis added).
Under this authority it is an aberration of duty to bring forth any regulation which would trespass upon a free people’s protected rights to freedom of movement, freedom of speech, freedom of expression, their right to be secure in their person, their right to associate and their right to due process.

Section 1 of this act states: "Additionally, the legislature finds that the pandemic has given rise to a multitude of essential workers in various job sectors who, through the course of their work are required to relay and impose emergency rules and orders that have been enacted by the appropriate governmental authority. Emergency response measures to reduce the spread of SARS-CoV-2 through, for example, the use of face coverings or masks has placed great responsibility and risk on essential workers who have experienced harassment, intimidation, verbal abuse, and physical assault from members of the public who disagree with the government's order." To remove the right of the people to govern their own health and be free to move about in society without violations to their bodily autonomy is an obtrusion in itself, but to grant authority of select members of society deemed "essential" to enforce governmental overreach upon those who resist unconstitutional regulations is egregious.

There are already sufficient laws in place to protect citizens from harassment and assault. This bill acts as a clandestine, coercive measure intended to enforce compliance through the threat of imprisonment and must be struck down for its unconstitutionality and danger in promoting an atmosphere of warfare among citizens. No particular vocation should ever be considered more essential than another, placing certain protections and rights above the rights and protections of others.

This is a direct violation to the Equal Protection Clause within our United States Constitution and found in the Hawai'i State Constitution under Article 1 Section 5. This is why we urge you to submit to the demands of your constituents and protect their civil liberties from current and future infringements being covertly forced upon the people under the disguise of "emergency" management. We strongly oppose House Bill 643.

Sincerely,

Hope Solanis

LATE

HB-643

Submitted on: 2/8/2021 5:15:26 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
sarah	Individual	Oppose	No

Comments:

To whom it may concern,

I believe that pandemic-related enforcement should remain in the hands of government personnel and the people whom they serve. This legislation essentially extends this responsibility onto our hardworking, employed citizens who are doing quite enough. There is enough divide amongst our citizens as it is right now. This legislation will drive more separation in our community and create unnecessary tension in day to day scenarios. Being charged as a felon also has serious implications in our society. It is harmful for our economy, our communities, and the mental health of the people to be faced with such a harmful conviction for such a petty act. People with felonies are outcast from society in so many ways. Having an altercation at a Wal-Mart simply does not justify this level of ostracizing.

I hope legislators see how harmful this bill could be to our community which is already so ripped up and divided.

LATE

HB-643

Submitted on: 2/8/2021 6:18:23 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Annette Ruty	Individual	Oppose	No

Comments:

I am a resident of the state of Hawaii and object to House Bill 643, relating to emergency management introduced January 23, 2021. This is a direct violation to the Equal Protection Clause within the US constitution and found in the Hawaii State Constitution under article 1 Section 5.

I strongly oppose House Bill 6434,

Sincerely,

Annette Ruty

LATE

HB-643

Submitted on: 2/8/2021 5:45:28 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Chris Wikoff	Individual	Oppose	No

Comments:

House Bill 643 relating to emergency management, introduced to the House on January 25, 2021 which acts to define “essential worker” and make interference with an “essential worker” during an emergency a felony criminal offense is an abomination to the Hawai`i State Constitution and to the Constitution of the United States of America. This bill acts to deconstruct the basic fundamental liberties of the citizens of Hawai`i while fostering division amongst the community and creating “compliance officers” out of those whom the government has classified as “essential”.

The Hawai`i State Constitution and the U.S. Constitution, from which the principles were derived, are the sacred documents which protect the fundamental God-given rights of the people and these documents are never suspended during times of emergency. The Hawai`i statute authorizing the Governor’s emergency powers expressly states the law confers no power or authority to act “which is inconsistent with the Constitution and laws of the United States.” The U.S. Supreme Court has expressly condemned the idea that a mere declaration of an “emergency” be an excuse to trump all constitutional forms of power, rights, and protections:

“Emergency does not create power. Emergency does not increase granted power or remove or diminish the restrictions imposed upon power granted or reserved. The Constitution was adopted in a period of grave emergency. Its grants of power to the federal government and its limitations of the power of the states were not determined in the light of emergency and they are not altered by emergency. What power was thus granted and what limitations were thus imposed are questions which have always been, and always will be, the subject of close examination under our constitutional system.”

Home Bldg. & Loan Ass’n v. Blaisdell, 290 U.S. 398, 425-426 (1934) (emphasis added).

Under this authority it is an aberration of duty to bring forth any regulation which would trespass upon a free people’s protected rights to freedom of movement, freedom of speech, freedom of expression, their right to be secure in their person, their right to associate and their right to due process.

Section 1 of this act states: “Additionally, the legislature finds that the pandemic has given rise to a multitude of essential workers in various job sectors who, through the course of their work are required to relay and impose emergency rules and orders that

have been enacted by the appropriate governmental authority. Emergency response measures to reduce the spread of SARS-CoV-2 through, for example, the use of face coverings or masks has placed great responsibility and risk on essential workers who have experienced harassment, intimidation, verbal abuse, and physical assault from members of the public who disagree with the government's order." To remove the right of the people to govern their own health and be free to move about in society without violations to their bodily autonomy is an obtrusion in itself, but to grant authority of select members of society deemed "essential" to enforce governmental overreach upon those who resist unconstitutional regulations is egregious.

There are already sufficient laws in place to protect citizens from harassment and assault. This bill acts as a clandestine, coercive measure intended to enforce compliance through the threat of imprisonment and must be struck down for its unconstitutionality and danger in promoting an atmosphere of warfare among citizens. No particular vocation should ever be considered more essential than another, placing certain protections and rights above the rights and protections of others. This is a direct violation to the Equal Protection Clause within our United States Constitution and found in the Hawai'i State Constitution under Article 1 Section 5.

This is why I urge you to submit to the demands of your constituents and protect our civil liberties from current and future infringements being covertly forced upon the people under the guise of "emergency" management. I strongly oppose House Bill 643.

LATE

HB-643

Submitted on: 2/8/2021 6:26:55 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Marcelle Liana	Individual	Oppose	No

Comments:

I strongly OPPOSE this bill. Mahalo

LATE

HB-643

Submitted on: 2/8/2021 6:36:04 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Shavanna-Britney Santiago	Individual	Oppose	No

Comments:

As an original essential worker, not a title given by the governor because of this Covid-19 circus of failed leadership and actions. I disagree with this bill which makes almost everyone who are not occupational essential workers the title of an "essential" worker, and the idea of powers they may have to confront others while working to nit-pick and cause a scene for mask wearing. This bill is calling for un-called for harassment of workers while they are working, for drama filled arguments and dare I say it, a gateway for violence. You are literally asking for people to go up to others and get into their 6 feet bubble to cause problems. Breathing is essential, school is essential, and so is work. Costco is not essential, wearing inside your own car is not essential, and tattle-tailing on people is not essential. And it is my right to do as I please, and that is not to wear a mask 24/7 or outside.

Again, my name is Shavanna Santiago and I oppose this bill.

LATE

HB-643

Submitted on: 2/8/2021 6:32:01 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nathan Patry	Individual	Oppose	No

Comments:

I am astounded that the legislature, which has abdicated its duty to represent the will of the citizens of Hawaii in support of the state constitution, is now wasting our time and dwindled resources with such a waste as represented in this bill.

The only pandemic we are in is an economic tailspin where our civil liberties are so infringed as to prevent us from stemming the downward slide.

The legislature should be spending time on nothing other than curtailing the abuse of power that has been so flagrantly displayed by the governor, and do their job protecting our citizens and constitution from further abuse. Instead you are trying to come up with new ways to create felons out of contributing members of society? Really? That is such nonsense.

Please get back to meaningful and beneficial work on bills that restore rights, freedoms, and opportunities. Nothing else matters. Protected classes only serve to divide the populace and put more power in the hands of the power-mad. Stop the madness, scrap this bill, and return our state to a free member of the United States of America, rather than the Fascist Dictatorship of one David Ige..

Sincerely,

Nathan C Patry

Lahaina

LATE

HB-643

Submitted on: 2/8/2021 6:39:45 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Benjamin	Individual	Oppose	No

Comments:

Please for the sake of our childrens health and the health of all of us manditory mask wearing just weakens our immune system making us much more susceptible to all diseases. Come on you law makers this is common sense! Please, please oppose HB 643!!!

LATE

HB-643

Submitted on: 2/8/2021 7:06:50 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Miles Freed	Individual	Oppose	No

Comments:

Aloha,

First and foremost I would like to state that this bill, it's vague wording, and eventual outcomes, would lead to massive government overreach and invasions upon a private citizens privacy, and personal freedoms. We have all seen the science and whether you choose to acknowledge it or not, the fact is that this virus is nowhere near as dangerous as is stated in the media, and that masks DO NOT work. Turning every random citizen or "essential worker" into a de-facto government employee, in order to scare the public into compliance through fear of punishment, is disgusting and immoral. Also, if these essential workers are considered government employees, will they be receiving a paycheck from the government as well? I myself am an "essential worker" and have been employed throughout this entire farce of a pandemic, and I count myself lucky to have been. That being said, it would be ridiculous and disgusting of me to attempt to coerce or enforce a nonsensical mask mandate on regular citizens who are just going about their lives. Especially when I know personally that masks don't work and just plain suck to wear. And what a hypocrite I would be to tell people who've lost their jobs, who your incompetent state bureaucracy can't seem to figure out how to put unemployment money into their pockets faster so they can feed their families, who are tired of these ridiculous lockdowns, people who are reaching a breaking point, that they need to wear a mask and comply with a ridiculous government that does so little to are for the well-being of their own citizenry. Shame on you all for this nonsense bill. Give yourself term limits, take a permanent paycut, and lower our taxes if you actually want to try and help the people of Hawaii and not just serve yourselves and the interests of investors.

LATE

HB-643

Submitted on: 2/8/2021 7:48:53 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Maaza Christos Mekuria	Individual	Oppose	No

Comments:

I oppose this new class of "essential worker" protection to enforce what is not constitutionally acceptabl rules and regulations by authorities based on fear of the unknown.

I am also wondering why we are forcing others who want to breath freely God's fresh air to wear "personal protective equipment". If some want to wear personal protective equipment they are free and others want to not wear they are free to do so. This law seems to me an overreach on the individual freedoms we have been blessed to enjoy these many years. I love life and take care of myself and I also love freedom to choose how to walk in public and be free to enjoy God given fresh breath. Hawaii has such beautiful fresh air, why should I breath carbondioxide when I am walking around? If people want to stay away, they can, I have not forced my way into the midst of a crowd. But to make such draconian law and create a class of "informers" and then make the freedom to disagree while not being disagreeable a felony is out of the Aloha tradition that Hawaii is known of.

Please dump this bill into the trach bin.

Mahalo and God bless you!

LATE

HB-643

Submitted on: 2/8/2021 7:56:07 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
SAMANTHA OLSON	Individual	Oppose	No

Comments:

This bill is an outrage. And is a complete violation of the **Equal Protection Clause of our Constitution.**

LATE

HB-643

Submitted on: 2/8/2021 8:18:18 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
ashlyn	Individual	Oppose	No

Comments:

i strongly oppose this bill

LATE

HB-643

Submitted on: 2/8/2021 8:33:48 PM
Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
juhl rayne	Individual	Oppose	No

Comments:

This bill is an OUTRAGE. And is a Complete VIOLATION of the **Equal Protection Clause of our Constitution...**

i am DISGUSTED that this could ever even been thought of.... what is wrong with you people?

please NOOOOOOOOOOOOOOOOOOOOOOOOOOOOOOOOOOO

Juhl Rayne

LATE

HB-643

Submitted on: 2/8/2021 8:41:18 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Adele Henkel	Individual	Oppose	No

Comments:

"Unless we put medical freedom into the Constitution, the time will come when medicine will organize into an undercover dictatorship to restrict the art of healing to one class of Men and deny equal privileges to others; the Constitution of the Republic should make a Special privilege for medical freedoms as well as religious freedom." Benjamin Rush

Born On: January 4, 1746

Died On: April 19, 1813

Born In: Philadelphia

Founder / Co Founder: American psychiatry, Dickinson College

Died At Age: 67

The Founding Father of the United States, Benjamin Rush was an illustrious civic leader from Philadelphia, where he was an educator, physician, founder of Dickinson College, politician, humanitarian, and a social reformer. He patronized the Continental Congress and initialized the Declaration of Independence. He served the Continental Army as its surgeon and also became a professor of medical theory, clinical practice and chemistry at the University of Pennsylvania. He was an ardent supporter of American Revolution and an important part of the American Enlightenment. He played a pivotal role in a number of reforms especially in the areas of education and medicine."

You're not looking at the DIS-INFORMATION ('the story') being given out by the world health organizations and government funded health officials involved in this 'pandemic'. WAKE UP. It's not hard to see. You're supposed to be ridding society of enemies within--not colluding with them.

"COVID-19 is just the beginning of a never-ending series of bio-tyranny events that will pound citizens of the world into complete submission and subservience. The threats

themselves are not so much the problems but their response to them is. Technocrats are dedicated to the “science of social engineering”. • *f* Technocracy News Editor

LATE

HB-643

Submitted on: 2/8/2021 9:21:36 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dayna Matsumura	Individual	Oppose	No

Comments:

I oppose this bill. This state should not even think of imposing felony charges for not wearing a mask. This is unconstitutional, and the State has other problems, and should go after the people who are engaged in human trafficking, rape, murder, etc.

LATE

HB-643

Submitted on: 2/8/2021 9:25:03 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Cade Watanabe	UNITE HERE Local 5	Support	No

Comments:

Written Testimony on behalf of UNITE HERE Local 5

Re: HB 643, relating to emergency management

Chairs Ichiyama & Onishi,

UNITE HERE Local 5 – a local labor organization representing nearly 12,000 hotel, health care and food service workers throughout Hawaii would like to offer comments in **support** of HB643, relating to emergency management.

As a local union representing frontline essential workers we stand in support of ensuring that our essential workers have the ability to perform their work duties without interference.

Thank you for your consideration and we ask for your Committees full support.

Mahalo.

LATE

HB-643

Submitted on: 2/8/2021 9:45:23 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jerimiah Dillberg	Individual	Oppose	No

Comments:

I oppose

LATE

HB-643

Submitted on: 2/8/2021 10:31:36 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jessica Gellert	Individual	Oppose	No

Comments:

This violates the privacy of Hawaii residents.

LATE

HB-643

Submitted on: 2/8/2021 10:42:19 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
rebecca owen	Individual	Oppose	No

Comments:

I oppose

LATE

HB-643

Submitted on: 2/8/2021 10:51:08 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nathan Smith	Individual	Oppose	No

Comments:

HB 643 is written with vague language that covers wide swaths of our working force. If our legislators passed laws that were meant to protect the rights of individual citizens and not to extend the long arm of the law, I think there would be no trouble. When I consider all of the "emergency proclamations" that have been introduced in the past year it seems to be leading to tyranny, where the government is able to control and manipulate and force vaccinations to all of its citizens at will. I can see people being upset about that and standing up for what they believe. If an "essential worker" was forcing a vaccine on an individual that did not want to comply, that individual suddenly becomes a felon because they don't want to put something in their body? For a disease that may not even affect the individual? A year ago I never would have imagined that scenario, but here I am considering that I could see this happening in the year 2021 and that terrifies me. We have seen the difficulty in prosecuting people that have issues with the "emergency mandates" or "emergency orders," so why are we introducing legislation that will create more division? Lawmakers must see it as keeping those "essential workers" safe, but to someone who in the very near future may be forced to have a vaccine or denied travel because they don't have the vaccine, they may see this as harassment, intimidation, verbal abuse, and physical assault from members of the government who disagree with the individuals freedom.

LATE

HB-643

Submitted on: 2/8/2021 10:55:04 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kirk Wakaumi	Individual	Oppose	No

Comments:

Aloha. I oppse this bill HB643. The wording is too vague and an essential worker may be able to abuse the wording of this bill to his or her definition and advantage. This bill must clearly define the wording and give many examples. The bill must also address the persons' rights. For example, a person has a right to remain silent and/or person has a right to leave the area, etc. Mahalo.

LATE

HB-643

Submitted on: 2/8/2021 10:58:30 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Julia M. Yano	Aloha Freedom Coalition	Oppose	No

Comments:

Subject: OPPOSE HOUSE BILL 643

House Bill 643 relating to emergency management, introduced to the House on January 25, 2021, which defines “essential worker” and makes interference with an “essential worker” during an emergency a **FELONY** criminal offense is an abomination to the Hawai`i State Constitution and to the Constitution of the United States of America.

This bill deconstructs the basic fundamental liberties of the citizens of Hawai`i while fostering division in the community and creating “compliance officers” out of those whom the government arbitrarily classifies as “essential”.

There are already sufficient laws in place to protect citizens from harassment and assault. Granting authority to loosely defined groups deemed “essential” to enforce governmental edicts is a recipe for disaster that will create a layer of random petty tyrants to whom the only acceptable response is silent compliance.

The **Hawai`i State Constitution and the U.S. Constitution** are the sacred documents which protect the fundamental God-given rights of the people. These documents are **never suspended** during times of emergency. The Hawai`i statute authorizing the Governor’s emergency powers expressly states that the law confers no power or authority to act “which is inconsistent with the Constitution and laws of the United States.”

HB643 is unconstitutional and will promote an atmosphere of warfare among citizens.

Please do not do this to the people of Hawaii.

We strongly oppose House Bill 643.

Thank you for listening to our perspective; may wisdom be your guide.

Respectfully, Julia Yano

339C Kawainui St. Kailua, HI 96734

808.386.2100

LATE

HB-643

Submitted on: 2/8/2021 11:01:23 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Doug Pasnik	Individual	Oppose	No

Comments:

Offenses against a person are defined and governed by HRS 707.

If an offense against a person occurs, it may be addressed in accordance with these provisions regardless of whether or not they are an "essential worker."

Defining specific protections for this unique class of workers separate from a citizen is in violation of the 14th Amendment of the U.S. Constitution wherein "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States."

LATE

HB-643

Submitted on: 2/8/2021 11:52:59 PM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jessica Tamaribuchi	Individual	Oppose	No

Comments:

I strongly oppose HB643 because it violates the equal protection clause which is found in the 14th Amendment of the U.S. Constitution. All citizens must be treated fairly and equally under the law regardless if they are considered an essential worker or any other individual. For one group of people, in this case, "essential workers", should not receive special treatment or protection from reprisal if an individual chooses not to comply with an order that has not shown to be science-based or lacks evidence to warrant such mandate. This will only give the "essential worker" unrestrained power to violate another person's civil liberties knowing that they would be protected by this legislation if it should pass. Therefore, these are the reasons why I strongly oppose HB643. Thank you.

LATE

HB-643

Submitted on: 2/9/2021 2:13:35 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Maly Gella	Individual	Oppose	No

Comments:

I Strongly Oppose this bill! This never ending government needs to stop!

LATE

HB-643

Submitted on: 2/9/2021 2:16:07 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Darrell Gella	Individual	Oppose	No

Comments:

I strongly oppose this bill!

LATE

HB-643

Submitted on: 2/9/2021 4:04:22 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Debbie Wyand	Individual	Oppose	No

Comments:

Aloha,

As a concerned citizen of Hawaii for 31 years I am imploring you to protect our civil liberties and not even consider SB643.

It is an infringement on our rights to force laws on the people of Hawaii under "emergency" powers. Laws already exist to protect the people of Hawaii. No additional legislation is required

I strongly oppose House Bill 643 Please protect our rights as citizens.

Sincerely,

Debbie Wyand

LATE

HB-643

Submitted on: 2/9/2021 4:35:53 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Victoria Ng	Individual	Oppose	No

Comments:

Hello,

I oppose this bill. The definition of essential worker is too broad here, and gives too much power to an individual "essential worker" instead of to individuals.

Thanks.

Victoria

LATE

HB-643

Submitted on: 2/9/2021 5:08:43 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Rosa L Jaime	Individual	Oppose	No

Comments:

I respectfully request that you opose this bill and hope that you all remember that we already have more than enough laws on the books that protect us.

LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.

HB-643

Submitted on: 2/9/2021 7:38:51 AM

Testimony for PDP on 2/9/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Marissa Deponete	Individual	Support	No

Comments:

In support of HB643



LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.

INTERNATIONAL ASSOCIATION OF BRIDGE, STRUCTURAL, ORNAMENTAL AND REINFORCING IRON WORKERS

Affiliated with A.F.L.-C.I.O.

LOCAL UNION NUMBER 625

94-497 UKEE STREET • WAIPAHU, HAWAII 96797

T.G. Paris

President Emeritus

February 9, 2021 – 8:30 am

Via Videoconference

House Committee on Pandemic & Disaster Preparedness

House Committee on Labor & Tourism

Re: Support for HB643 – Relating to Emergency Management

Dear Chair Linda Ichiyama, Chair Clarence K. Nishihara, Vice-Chair Stacelynn K. M. Eli, Vice-Chair Jackson D. Sayama and members of the committees:

The Iron Workers Local Union 625, AFL-CIO **SUPPORTS** HB359. The bill for an act would make interfering with an essential worker during an emergency a felony and defines essential worker.

Construction workers, grocery workers, hospitality workers, government workers, and so many others are defined as essential and are called upon to work during the COVID-19 pandemic. The risks to these workers in their work environment have dramatically increased because of the pandemic. We support the creation of a permanent COVID-19 workplace safety and health standards for our state and follow the state of Virginia's example that promulgated rules in January 2021. HB359 would provide Hawaii's essential workers greater protection during a state of emergency due to a pandemic. We have witnessed how essential workers across the country have been harassed, verbally abused, threatened, assaulted, or even killed while performing their work duties. Our Hawaii workers have faced similar challenges. Please grant protections to our Hawaii essential workers as they continue to work during times of disaster.

Fraternally,

Joseph O'Donnell
Business Manager,
Financial Secretary-Treasurer