



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

ON THE FOLLOWING MEASURE:

S.C.R. NO. 169, S.D. 1, URGING THE GOVERNOR TO CREATE A TASK FORCE TO DEVELOP RECOMMENDATIONS TO ENFORCE THE SUPPLEMENTAL EMERGENCY PROCLAMATIONS TO MITIGATE THE FURTHER SPREAD OF THE CORONAVIRUS DISEASE 2019 IN HAWAII.

BEFORE THE:

HOUSE COMMITTEE ON PANDEMIC AND DISASTER PREPAREDNESS

DATE: Tuesday, April 6, 2021 **TIME:** 10:30 a.m.

LOCATION: State Capitol, Room 309, Via Videoconference

TESTIFIER(S): Clare E. Connors, Attorney General, or
Lance M. Goto, Deputy Attorney General

Chair Ichiyama and Members of the Committee:

The Department of the Attorney General (Department) submits comments.

The purpose of this resolution is to urge the Office of the Governor to create a task force to develop recommendations to the Legislature on the roles and responsibilities of the Department and the state and county law enforcement agencies to enforce the supplemental emergency proclamations which require social distancing, wearing of face coverings, and the prohibition of gatherings.

As correctly stated in the resolution, the statewide enforcement of emergency order violations requires an effective response. Traditional law enforcement, such as county police, are best suited to respond quickly and effectively to reported violations and issue warnings or citations. To provide support, the Department temporarily extended beyond its primary investigative responsibilities and expertise, which include criminal fraud, civil actions, and state agency administrative reviews, toward a traditional policing role with the expectation that once emergency order requirements are eased, the Department investigators would return to their primary mission. The Department has a limited ability to provide the traditional policing function.

Looking forward, the Department supports the establishment of an independent state law enforcement department to collaborate statewide with county police departments. This new independent state law enforcement entity would be staffed,

trained, equipped, and physically available to effectively address time-critical, public safety issues, such as the enforcement of COVID-19 emergency orders, and would serve as an additional deterrent against potential violations.

The Department appreciates this opportunity to provide comments.

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

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THE HONORABLE LINDA ICHIYAMA, CHAIR
HOUSE COMMITTEE ON PANDEMIC & DISASTER PREPAREDNESS
Thirty-first State Legislature
Regular Session of 2021
State of Hawai`i

April 6, 2021

**RE: S.C.R. 16, S.D. 1; URGING THE OFFICE OF THE GOVERNOR TO CREATE A
TASK FORCE TO DEVELOP RECOMMENDATIONS TO ENFORCE THE
SUPPLEMENTAL EMERGENCY PROCLAMATIONS TO MITIGATE THE FURTHER
SPREAD OF THE CORONAVIRUS DISEASE 2019 IN HAWAII.**

Chair Ichiyama, Vice Chair Eli, and members of the House Committee on Pandemic & Disaster Preparedness, the Department of the Prosecuting Attorney of the City and County of Honolulu (“Department”), submits the following testimony in **support** of S.C.R. 169, S.D. 1.

Between March and October 2020 alone, the Honolulu Police Department reportedly issued a staggering 60,000 citations to individuals—residents and visitors—who violated the Governor and Mayor’s emergency proclamations and orders related to COVID-19.¹ Once citations are issued, our Department is tasked with processing and prosecuting these matters appropriately, and we have done our utmost to do so, while adjusting to a constantly-changing landscape of public health concerns, economic uncertainty, unprecedented court closures and other emergency measures.

Given the tens of thousands of citations issued for violating the Governor and Mayor’s emergency proclamations and orders in 2020, and the thousands more anticipated in 2021—particularly as travel restrictions are loosened—the Department supports this or any concerted effort to coordinate law enforcement procedures related to COVID-19, moving forward. We greatly appreciate that the prior committees saw fit to add county prosecutors to the proposed task force.

Based on the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu supports the passage of S.C.R. 169, S.D. 1. Thank you for the opportunity to testify on this matter.

¹ Tsuji, Ryan Kalei and Yunji de Nies, with Honolulu Police Department Deputy Chief John McCarthy, “Video: Honolulu Police Department has issued 60,00 coronavirus-related violations,” data provided at -28:50 minutes. Available online at <https://www.staradvertiser.com/2020/10/28/breaking-news/watch-live-honolulu-police-department-deputy-chief-john-mccarthy-joins-honolulu-star-advertisers-spotlight-hawaii/>; last accessed on March 28, 2021.

STATE OF HAWAII
DEPARTMENT OF DEFENSE
HAWAII EMERGENCY MANAGEMENT AGENCY

**TESTIMONY ON SCR169, SD1
RELATING TO THE HAWAII EMERGENCY MANAGEMENT AGENCY**

Before the House Committee on
PANDEMIC and DISASTER PREPAREDNESS

By

Luke P. Meyers
Administrator, Hawaii Emergency Management Agency (HI-EMA)

Aloha Chair Ichiyama, Vice-Chair Eli, and Members of the Committee:

SCR169, SD1 urges the Governor to create a task force to develop recommendations to enforce the Supplemental Emergency Proclamations to mitigate the further spread of the Coronavirus Disease 2019 in Hawai'i.

The Hawaii Emergency Management Agency (HI-EMA) **offers comments** on SCR169, SD1.

Traditional law enforcement, such as county police, are best suited to quickly and effectively respond to reported violations and issue warnings or citations.

Looking forward, the HI-EMA supports the establishment of an independent state law enforcement department to collaborate statewide with county police departments. This new independent state law enforcement entity would be staffed, trained, equipped, and physically available to effectively address time-critical, public safety issues, such as the enforcement of COVID-19 emergency orders, and would serve as an additional deterrent against potential violations.

Thank you.

Luke P. Meyers: Luke.P.Meyers@hawaii.gov; 808-733-4300

SCR-169-SD-1

Submitted on: 4/5/2021 5:00:48 PM

Testimony for PDP on 4/6/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jay Ishibashi	Individual	Support	No

Comments:

I respectfully urge your committee to support SCR 169 SD1. Growing up in a union household and as a union member for a great deal of my working life; I fully realize the importance, benefit and history of unions in the lives of Hawaii's people. With working families and the unions that represent them under constant attack by anti union groups - it is critical that we ensure and protect the rights of working men and women. Thank you for the opportunity to testify in support of this measure.