



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

ON THE FOLLOWING MEASURE:

S.B. NO. 521, RELATING TO EMERGENCY MANAGEMENT.

BEFORE THE:

SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND
MILITARY AFFAIRS

DATE: Thursday, February 11, 2021 **TIME:** 1:00 p.m.

LOCATION: State Capitol, Via Videoconference

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

Chair Nishihara and Members of the Committee:

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 (*sic*) 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.

STATE OF HAWAI‘I
OFFICE OF THE PUBLIC DEFENDER

**Testimony of the Office of the Public Defender,
State of Hawai‘i to the Senate Committee on Public Safety,
Intergovernmental, and Military Affairs**

February 11, 2021

S.B. No. 521: RELATING TO EMERGENCY MANAGEMENT

Chair Nishihara, Vice Chair English, and Members of the Committee:

The Office of the Public Defender respectfully opposes S.B. No. 521.

This measure is a solution in search of a problem that simply does not exist in our State. Although there have been news reports from the continent sensationalizing individuals being belligerent when instructed to wear a mask, such incidents have not been a problem here. Even if these incidents were commonplace, the wording of the proposed statute is not tailored narrowly enough to target the bad actors it seeks to punish. This measure is overly broad and would expose too many individuals to felony convictions for conduct that is currently punishable as a misdemeanor or petty misdemeanor.

The measure’s stated purpose is to grant “essential workers” the same kind of protection as “emergency workers,” but it actually goes far beyond that level of protection. This measure would allow the State to charge any individual who “intentionally, knowingly, or recklessly harasses, intimidates, [or] verbally abuses [an] essential worker in the course of carrying out their duties” with a Class C felony. Currently, the only law specific to emergency workers is Assault against an Emergency Worker, a Class B felony under HRS § 707-712.7. There is no felony statute that penalizes harassing, intimidating, or verbally abusing an emergency worker.

Our State has numerous laws with which to charge verbal abuse to essential workers. Disorderly Conduct, a petty misdemeanor under HRS § 711-1101, penalizes subjecting “another person to offensively coarse behavior or abusive language which is likely to provoke a violent response.” Harassment, a petty misdemeanor under HRS § 711-1106, penalizes any individual who:

- Insults, taunts, or challenges another person in a manner likely to provoke an immediate violent response or that would cause the other person to reasonably believe that the actor intends to cause bodily injury to the recipient or another or damage to the property of the recipient or another, or;
- Makes a communication using offensively coarse language that would cause the recipient to reasonably believe that the actor intends to cause bodily injury to the recipient or another or damage to the property of the recipient or another.

For more serious verbal threats, it is also possible to prosecute as a misdemeanor or even a felony under our Terroristic Threatening statutes. It would be irresponsible to subject our residents to felony charges for conduct that would typically merit a maximum of 30 days in jail, particularly because the definition of essential worker is so expansive.

The proposed measure defines “essential worker” as “any person employed by a business or service in the air and ground transportation, construction, defense and law enforcement, energy, food and agriculture, grocery, healthcare, hospitality, information technology systems, telecommunications, retail, or water sectors.” This would seem to encompass the vast majority of our State’s working population. To add even greater coverage, there is a catch-all provision for “any other person deemed essential by the governor or mayor during an emergency period.” This broad definition is even more troublesome because it does not require that an individual intends to harass an essential worker *because of* the worker’s employment or duties. The law merely requires that an essential worker be “in the course of carrying out their duties.” Thus, a verbal argument between a grocery store clerk and a customer could be charged as a felony, even if the argument was unrelated to the emergency order.

Emergency periods are stressful, and they can cause people to react in unexpected ways. In these difficult times, we should not be over-penalizing our residents for conduct that is already punishable as a misdemeanor or petty misdemeanor.

Thank you for the opportunity to comment on S.B. No. 521.



STATE OF HAWAII
DEPARTMENT OF DEFENSE
OFFICE OF THE DIRECTOR OF EMERGENCY MANAGEMENT
3949 DIAMOND HEAD ROAD
HONOLULU, HAWAII 96816-4495

STATE OF HAWAII
DEPARTMENT OF DEFENSE
HAWAII EMERGENCY MANAGEMENT AGENCY

**TESTIMONY ON SENATE BILL 521,
RELATING TO EMERGENCY MANAGEMENT**

Before the Senate Committee on
PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY AFFAIRS

By

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

Aloha Chair Nishihara, Vice-Chair English and Members of the Committee:

Senate Bill 521 makes interfering with an essential worker during an emergency a felony. Defines essential worker.

The Hawaii Emergency Management Agency (HI-EMA) **offers comments on** Senate Bill 521.

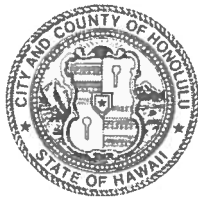
HI-EMA feels that creating a definition of "essential worker" specifically for the pandemic is not necessary as the pandemic will eventually end. Defining essential workers is important and should be part of a larger discussion for the continuity of governmental and operational functions in the State, as well as in coordination with the counties.

Thank you.

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

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
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RICK BLANGIARDI
MAYOR

SUSAN BALLARD
CHIEF

JOHN D. McCARTHY
AARON TAKASAKI-YOUNG
DEPUTY CHIEFS

OUR REFERENCE

MK-KK

February 11, 2021

The Honorable Clarence K. Nishihara, Chair
and Members
Committee on Public Safety,
Intergovernmental, and Military Affairs
State Senate
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Nishihara and Members:

SUBJECT: Senate Bill No. 521, Relating to Emergency Management

I am Mikel Kunishima, Captain of the Criminal Investigation Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports the intent of Senate Bill No. 521, Relating to Emergency Management, but would like to share the following concerns.

While the HPD supports the idea of making interfering with an essential worker during an emergency a crime, we are concerned with the broad scope of the definition of an "essential worker." The minor elements of the crime and the severity of the punishment is also a concern. This would increase the number of felony cases and would over burden the judicial system in a time of emergency.

The HPD urges you to support Senate Bill No. 521, Relating to Emergency Management, and we appreciate the committee's consideration on our concerns. Thank you for the opportunity to testify.

APPROVED:

Sincerely,

Handwritten signature of Susan Ballard in black ink.

Susan Ballard
Chief of Police

Handwritten signature of Mikel Kunishima in black ink.

Mikel Kunishima, Captain
Criminal Investigation Division



February 8, 2021

Senator Clarence Nishihara, Chair
Senator Kalani English, Vice Chair
Senate Committee on Public Safety, Intergovernmental and Military Affairs
Hawaii State Legislature

Support for SB521

Dear Senator Nishihara, Senator English and Members of the Senate Committee on Public Safety, Intergovernmental and Military Affairs,

Thank you for the opportunity to provide comments on SB521.

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 employees.

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



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

The Thirty-First Legislature, State of Hawaii
The Senate
Committee on Public Safety, Intergovernmental, and Military Affairs

Testimony by
Hawaii Government Employees Association

February 11, 2021

S.B. 521 – RELATING TO EMERGENCY MANAGEMENT

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the purpose and intent of S.B. 521 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 S.B. 521 and of our essential workers.

Respectfully submitted,

Randy Perreira
Executive Director

SB-521

Submitted on: 2/8/2021 3:29:34 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

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

Comments:

Aloha Senators,

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 SB 521.

Mahalo nui loa,

Pride at Work - Hawai'i

The Thirty-First Legislature, State of Hawai'i
Hawai'i State Senate
Committee on Public Safety, Intergovernmental, and Military Affairs and
Committee on Judiciary

Testimony by
IATSE Local 665
February 8, 2021

S.B. 521 – 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** SB 521.

With the coronavirus pandemic giving rapid rise to a multitude of essential workers, S.B. 521 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 S.B. 521 provides.

We appreciate your consideration of our testimony and strongly encourage passage of S.B. 521.

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



For Our Rights a non-profit organization

P.O. Box 1633
Kapa'a, Hi. 96746
levana@forourrights.org

February 8, 2021

TESTIMONY ON SENATE BILL 521: A BILL RELATING TO EMERGENCY
MANAGEMENT (COMPANION BILL HB 643)

PRESENTATION TO THE SENATE COMMITTEE ON PUBLIC SAFETY,
INTERGOVERNMENTAL AND MILITARY AFFAIRS and SENATE
COMMITTEE ON JUDICIARY

STRONGLY OPPOSED

BY LEVANA LOMMA, CEO OF FOR OUR RIGHTS INC. February 8, 2021

Senate Bill 521 relating to emergency management, the companion to House Bill 643, 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 Senate Bill 521.

Sincerely,



Levana Lomma

Chief Executive Officer

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



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 SENATE

Committee on Public Safety, Intergovernmental, and Military Affairs

Senator Clarence K. Nishihara, Chair

Senator J. Kalani English, Vice Chair

State Capitol, Videoconference

Thursday, February 11, 2021; 1:00 p.m.

STATEMENT OF THE ILWU LOCAL 142 ON S.B. 521 RELATING TO EMERGENCY MANAGEMENT

The ILWU Local 142 **supports** S.B. 521, 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.

S.B. 521 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 S.B. 521. Thank you for the opportunity to testify.



SB-521

Submitted on: 2/9/2021 9:03:30 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Julia M. Yano	Testifying for Aloha Freedom Coalition	Oppose	No

Comments:

Subject: OPPOSE SENATE BILL 521

Senate Bill 521 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.”

SB521 is unconstitutional and will promote an atmosphere of warfare among citizens.

Please do not do this to the people of Hawaii.

We strongly oppose Senate Bill 521.

Thank you for listening to our perspective; may wisdom be your guide.

Respectfully, Julia Yano

339C Kawainui St. Kailua, HI 96734

808.386.2100



Eric W. Gill, Financial Secretary-Treasurer

Gemma G. Weinstein, President

Godfrey Maeshiro, Senior Vice-President

Wednesday, February 10, 2021

Senate Committee on Public Safety, Intergovernmental & Military Affairs
Hawaii State Legislature
415 South Beretania Street
Honolulu, HI 96813

Re: SB 521 relating to emergency management

Chair Nishihara and Members of the Committee,

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 SB 521 relating to emergency management.

SB 521 would define essential worker and would make interfering with an essential worker during an emergency a felony.

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.



Hawaii Airport Labor Coalition

3375 Koapaka Street, Suite: F238-10, Honolulu, Hawaii 96819

The Thirty-First Legislature, State of Hawai'i
Hawai'i State Senate
Committee on Public Safety, Intergovernmental, and Military Affairs

Testimony by
AFA-CWA Council 14 HNL
February 9, 2021

S.B.521 – 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 S.B.521.

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. S.B.521 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 S.B.521 provides.

We appreciate your consideration of our testimony and strongly encourage passage of S.B.521.

Respectfully submitted,

Kevin Batey
LEC President
AFA-CWA Council 14 HNL

SB-521

Submitted on: 2/10/2021 8:25:02 AM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Golojuch Jr	Testifying for LGBT Caucus of the Democratic Party of Hawaii	Support	No

Comments:

Aloha Senators,

The LGBT Caucus of the Democratic Party of Hawai'i, Hawaii's oldest and largest policy and political LGBTQIA+ focused organization, fully supports SB 521.

Mahalo nui loa for your time and consideration,

Michael Golojuch, Jr.

Chair

LGBT Caucus of the Democratic Party of Hawai'i

IRON WORKERS STABILIZATION FUND

February 11, 2021
1:00 pm

Senate Committee on Public Safety, Intergovernmental, and Military Affairs

Via Videoconference
State Capitol
415 South Beretania Street

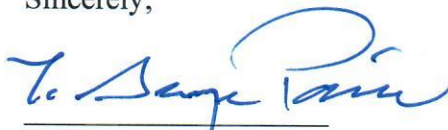
Re: SB521 – Relating to Emergency Management

Aloha Chair Clarence K. Nishihara, Vice-Chair Kalani English and members of the Senate Committee:

We **SUPPORT** SB521. 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



COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS

Senator Clarence K. Nishihara, Chair

Senator J. Kalani English, Vice Chair

HEARING DATE: Thursday, February 11, 2021

TIME: 1:00 p.m.

PLACE: VIA VIDEOCONFERENCE

SB521

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 S.B. 521.

With the coronavirus pandemic giving rapid rise to a multitude of essential workers, S.B. 521 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 S.B. 521 provides.

We appreciate your consideration of our testimony and strongly encourage passage of S.B. 521.

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



Randy Perreira
President

HAWAII STATE AFL-CIO

888 Mililani Street, Suite 501 • Honolulu, Hawaii 96813

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Fax: (808) 593-2149

The Thirty-First Legislature, State of Hawai'i
Hawai'i State Senate
Committee on Public Safety, Intergovernmental, and Military Affairs

Testimony by
Hawai'i State AFL-CIO
February 11, 2021

S.B. 521 – 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 S.B. 521.

With the coronavirus pandemic giving rapid rise to a multitude of essential workers, S.B. 521 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 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 S.B. 521 provides.

We appreciate your consideration of our testimony and strongly encourage passage of S.B. 521.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Randy Perreira".

Randy Perreira
President



THE SENATE
THE THIRTY-FIRST LEGISLATURE
REGULAR SESSION OF 2021

COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS

Senator Clarence Nishihara, Chair
Senator J. Kalani English, Vice Chair

Thursday, February 11, 2021, 1:00 PM
Via Videoconference

Re: Testimony in Support of SB521 - RELATING TO EMERGENCY MANAGEMENT

Chair Nishihara, Vice Chair English, and Members of the Committee on Public Safety, Intergovernmental, and Military Affairs:

The United Public Workers, AFSCME Local 646, AFL-CIO ("UPW") is the exclusive bargaining representative for approximately 14,000 public employees, which includes blue collar, non-supervisory employees in Bargaining Unit 1 and institutional, health, and correctional employees in Bargaining Unit 10, in the State of Hawaii and various counties. The UPW also represents 1,500 members in the private sector.

UPW **supports** SB521, which makes interfering with an essential worker during an emergency a felony and defines essential worker. The ongoing COVID-19 pandemic has seen a rapid rise in the number of essential workers, including many of our own members. Unfortunately, these workers have also experienced harassment, intimidation, verbal abuse, and even in some cases physical assaults from members of the public when trying to relay and enforce ongoing COVID-19 emergency orders. SB521 would provide these essential workers with much needed support.

Thank you for the opportunity to submit this testimony.

IRON WORKERS STABILIZATION FUND

February 11, 2021
1:00 pm

Senate Committee on Public Safety, Intergovernmental, and Military Affairs

Via Videoconference
State Capitol
415 South Beretania Street

Re: SB521 – Relating to Emergency Management

Aloha Chair Clarence K. Nishihara, Vice-Chair Kalani English and members of the Senate Committee:

We **SUPPORT** SB521. 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

LATE

SB-521

Submitted on: 2/10/2021 8:13:21 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

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

Comments:

Aloha!

We The People are in **STRONG OPPOSITION** to this tyrannical, unconstitutional Bill!

Everyone is Equal under God and American Constitution!

Masks are unhealthy and fake!

We The People are against loosing our Freedom to a virus that has same survival rate as a seasonal flu!

Please listen to your public and don't create nazi regime!

SB-521

Submitted on: 2/8/2021 1:02:16 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Philip T. Rapoza	Individual	Support	No

Comments:

I support

SB-521

Submitted on: 2/8/2021 2:14:58 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Gerard Silva	Individual	Oppose	No

Comments:

What happens when they act like Dictators and try to force people againts there will to do things that will harm them. Like waering Mask that cause Batrial phnmonia . Wearing Mask will KILL more people then the Desesies. Who is liable for This. This cannot be Allowed!

SB-521

Submitted on: 2/8/2021 9:39:33 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
James R Mann	Individual	Oppose	No

Comments:

I believe that while well intentioned, the broad scope and inclusion of who is an "essential worker" and what constitutes harassment, interference or verbal abuse is not narrowly enough defined. It leaves far too much that is open to interpretation in the moment. This measure provides the distinct possibility of criminalizing free speech simply because an individual "essential worker" considers a comment intimidating or harrassing and takes it upon themselves to punish the presumed offender. I believe this bill should not go forward in it's present form as it is too broad and too poorly defined.

SB-521

Submitted on: 2/9/2021 4:33:27 AM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Darci Frankel	Individual	Oppose	No

Comments:

this is the same exact bill as HB643
I do not agree/support this potential bill at all.

We already have laws in place to protect people from assault.

creating a felony offence is absolutely aggregious.
We do not need to spend our important tax money on this
Please focus on helping people get the unemployment they deserve.
Thank you

SB-521

Submitted on: 2/9/2021 8:49:24 AM

Testimony for PSM on 2/11/2021 1:00:00 PM

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

Comments:

There have been several erroneous assumptions made in forming Senate Bill 521 relating to emergency management, 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 Senate 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 senators 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 senators 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 SB521! It is time for our state senators to start working for the citizens of the State of Hawaii, to bring legislation forward 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.

SB-521

Submitted on: 2/9/2021 8:50:45 AM

Testimony for PSM on 2/11/2021 1:00:00 PM

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

Comments:

Aloha,

I strongly oppose this legislation.

Mahalo

SB-521

Submitted on: 2/9/2021 9:20:41 AM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Kerman	Individual	Oppose	No

Comments:

February 9, 2021

To the Committee on Public Safety, Intergovernmental and Military Affairs,

I am strongly opposed to Senate Bill 521 relating to Emergency 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 and other "emergency rules & orders" violates our civil liberties and goes against both the Hawaii State Constitution and the United States Constitution, whether it be for emergency purposes or not.

To protect "essential workers" from "non essential" community members only promotes further division within our community, during a time of heightened stress and anxiety due to Covid.

SB521 is unconstitutional and would only encourage more division, and for these reasons I strongly oppose it.

Sincerely,

Lisa Kerman-P.O. Box 1011-Kilauea-HI-96754

hike2heaven@yahoo.com

State of Hawaii Senate
SB 521 RELATING TO EMERGENCY MANAGEMENT
TESTIMONY IN OPPOSITION

TESTIFIER: Craig Dansie
DATE: February 9, 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 SB 521 and current testimony, I am writing my testimony in **STRONG OPPOSITION** of SB 521 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 SB 521 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 SB 521.

SB-521

Submitted on: 2/9/2021 10:18:28 AM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Renee Dieperink	Individual	Oppose	No

Comments:

I strongly OPPOSE SB521

No one person is more essential than anyone else.

If masks work, then why do people care if someone else wears them or not? Isn't the wearer protected? SHOW some scientific proof that masks hold back a virus, or slow "pandemics". There is NO such evidence. At. All.

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.

To the members of our Hawai'i legislature re: SB521

I strongly oppose this bill.

There are many issues with this bill and the terms that are used.

In our already divisive political and societal climate, this bill further divides our community by classifying some people as “essential” while declaring others as “non-essential” — with the deciding factor being ONE man who holds no responsibility for the polarizing and discriminatory effects that will come about from the implementation of these measures. You are creating a culture of classes when you deem certain people more protected and “special” (because that’s what you’re doing) than others.

This bill is concerned that some workers have already experienced forms of assault from those who disagree with the emergency orders given by the governor. The disagreement is understandable when you realize that the evidence behind it (wearing masks and social distancing) have ZERO grounding in science or common sense. With the lack of substantial evidence, is it any wonder that there are major disagreements within the community? The orders are dictating policy which in turn affects how we all live our lives, and when you cannot offer any real evidence that these measures work, there will be a backlash from those on whom these measures are being infringed upon. If you want compliance, show studies and give evidence of that these requirements work, instead of skirting around the issue and passing the blame to the next political office.

Next, “essential” workers are not the arm of the government and are in no way “required” to impose emergency orders. They may remind people, they may behest them, but they are not required to do so, and the disagreeing members are not required to listen to them. This is a free society (supposedly) in which we are able to disagree with one another, and that is critical component of a free society. If there is physical assault, there are already measures in place to deal with that—look no further than the 14th Amendment. No one is condoning physical assault but whether it is from a worker imposing the emergency order or another reason, it should be given the same weight in the eyes of the law.

Next, the terms are extremely vague in this bill. If one “interferes” with an essential worker, that is deemed as a class c felony. Please define the term “interfere.” Would that be simply disagreeing? Would that be saying “no” and moving on? Would that be questioning the orders? Or maybe even offering to show the person scientific evidence that masks don’t work? “Interfere” can mean many things, and it is dangerous to allow this broad term to be defined by whoever happens to be in that situation at that time. In a highly charged interaction, interference can mean the slightest of offenses.

I urge you to vote down this bill. It is in serious opposition to the free society that we all enjoy.

Thank you. Hi'inae Tajon

SB-521

Submitted on: 2/9/2021 2:34:49 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

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

Comments:

There seems to be an obvious agenda this legislative session to take away our freedom and turn Hawaii into a police state. There are so many bills being introduced that are against our Constitution and as far as I know the Constitution is still valid. Everyone of you took an oath to protect the constitution and to protect the people of Hawaii and I honestly can say you have failed miserably at both with the bills that are being introduced.

I strongly OPPOSE SB521 because it takes away our first amendment and is totally unconstitutional which again has been forgotten during this session.

SB-521

Submitted on: 2/9/2021 3:06:31 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

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

Comments:

This bill silences our 2nd ammendment rights and give practically everyone the power to have someone else arested of a felony. The broad vagueness of this bill leave the people you represent open to agresive "essential workers" without conscience or trial. I strongly oppose this bill!

SB-521

Submitted on: 2/9/2021 3:37:10 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lois Crozer	Individual	Comments	No

Comments:

This is SO vague! You are going to make this a FELONY? What is this all about!!?

SB-521

Submitted on: 2/9/2021 3:42:43 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

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

Comments:

I oppose. Same as HB643

SB-521

Submitted on: 2/9/2021 4:07:42 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Martin Wyand	Individual	Oppose	No

Comments:

Aloha,

i am strongly opposed to SB 521.

Martin Wyand

SB-521

Submitted on: 2/9/2021 5:44:19 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Isabel Espiritu	Individual	Oppose	No

Comments:

I oppose SB521

SB-521

Submitted on: 2/9/2021 6:02:35 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Maria Rizzo	Individual	Oppose	No

Comments:

Honorable Committee members:

I strongly oppose SB521. I request that you do not vote to pass this bill 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 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 Hawai`i 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. To hold a person in higher regard over another person because they are deemed as an ‘essential’ worker is discriminating. It is unconstitutional to enforce such draconian measures as a felon criminal offense on people for exercising their rights.

I do not believe the issue lies with essential workers requiring to be protected against non-essential workers; rather the issue lies between mask wearers and non-masker wearers. I have witness such incidents and personally have been verbally attacked, harassed and discriminated against for not wearing a mask by essential and non-essential workers. We already have laws in place that protects people from harassment, assault and discrimination; we do not need a specific and new legislation that protect essential workers from non-essential workers. Giving people power over others will only create chaos within the community.

I strongly oppose SB521 and request that you do not vote to pass this bill. Instead I suggest that you focus on helping the people with opposing view to unite and work together to build stronger community support.

SB-521

Submitted on: 2/9/2021 7:44:48 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

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

Comments:

With all due respect to everyone concerned, please take a long moment and consider what SB521 as currently written will unleash on our happy islands.

"Essential" groups become a protected class, while the non-essential become people with fewer rights. Do you truly mean to make their lives worse?

"Essential" groups become enforcers without ever having been taught ANYTHING about law enforcement. Do you believe that they will not make mistakes?

"Interference with an essential worker during an emergency. (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, 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 clear cut language of the bill STATES EXPLICITLY that "verbal abuse(s)" are sufficient for a FELONY conviction.

Consider a young man who might not follow a guideline IN THE EXACT MANNER that a local "essential" worker directs him. Maybe they had a beef from somewhere before. An argument ensues.

If that young man was your son, would you want his whole life ruined by a felony conviction?

This bill is badly written and poorly conceived. It would be a terrible law to inflict on our state.

Please do not do this to your people.

Sincerely,

Keith Sarji

Kailua

SB-521

Submitted on: 2/9/2021 8:56:34 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
jae P	Individual	Oppose	No

Comments:

oppose! violates hipaa, privacy, discriminatory against people with medical conditions, first amendment rights.

SB-521

Submitted on: 2/9/2021 8:58:28 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Keani Kannady	Individual	Oppose	No

Comments:

This bill defines an “essential worker” and makes them an arm of the government to be used to enforce the mask. Its seem as though you will be empowering people to be mask police. Violators would be anyone who intentionally, knowingly, or recklessly harasses, intimidate, verbal abuse, or otherwise assaults the essential worker. This would protect them from members of the public who disagree with the government’s order. Violators will be charged with a class C Felony and if it involve an assault it will be a Class B Felony. Felonies are more serious crimes like murder, and Class B and C felonies can carry up to 5-10 years in prison, \$10,000-\$25,000 in fines and can follow you and make it difficult to obtain a job. This is all over a healthy person not wanting to use a mask that doesn’t actually protect you from a virus.

I highly oppose!

SB-521

Submitted on: 2/9/2021 10:01:57 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kaio Cardoza	Individual	Oppose	No

Comments:

We the people have our God giving rights under well established laws! I oppose on SB521!

SB-521

Submitted on: 2/9/2021 10:20:32 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

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

Comments:

Dear Legislators,

I strongly oppose SB 521. Creating one class/ group of citizens provided with higher protection under the law than others would be history repeated, during Nazi Germany. Such divisions are dangerous steps to police state when no one really feels safe. We already have laws that protect one against assault and harassment, thus I do not support this Bill.

I grew up in a communist country with laws of similar nature and fled the regime for freedoms in the Western world of Europe. Then I became a proud citizen of USA - the land of the free with the equal protection of the laws. We must honor, cherish, and protect our beautiful Constitution that protects us with the Equal Protection Clause.

Please, vote No to SB 521.

Mahalo!

SB-521

Submitted on: 2/10/2021 12:01:50 AM

Testimony for PSM on 2/11/2021 1:00:00 PM

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

Comments:

Dear Committee Chairman and Members,

I strongly oppose this bill that gives "emergency" essential worker unmerited authority to report a person/s who are standing for their personal civil liberties based on the constitution. Who is to say they were interfered with? Wouldn't that be subjective?

This bill is not PONO and should be killed.

Mahalo,

Lois Young

February 10, 2021

Senate Committee on Public Safety, Intergovernmental, and Military Affairs
Senate Committee on Judiciary

Re: Senate Bill 521

Position: **Strongly Opposed**

Aloha Senators,

My name is Anuheia Maeda and I strongly oppose SB521 for a number of reasons.

First of all, the defining of the term “essential worker” is completely unfair, biased and an insult to those who are not deemed an “essential worker.” Every person is essential because every person’s livelihood is essential to their survival. Deeming only a select number of people essential in order to protect the public is simultaneously extremely harmful to the public.

Secondly, while the purpose of this bill is to prevent harassment to essential workers, nothing addresses the incidence of an essential worker that may be doing the harassing. What if the essential worker is responsible for escalating the situation? They are not civil servants that are trained to de-escalate situations. This bill gives favor and power to one class of people over another in direct violation of the Equal Protection Clause of the Constitution. It will only create more division in our already fear filled communities and promote resentment because of the unhealthy biased towards essential workers and against other citizens.

Thirdly, the language in the bill is subject to interpretation. Who defines what it means to “intentionally, knowingly, or recklessly harass, intimidate or verbally abuse” someone? Is refusing to wear a mask harassing? Is arguing a point intimidating? Is disagreeing verbal abuse? Again, if the essential worker escalates the situation and the other person reacts negatively, will only the other person be charged with a crime? Who will even decide this? The language of this bill is so flawed it will leave the implementation of it to be varied and inconsistent.

And lastly, we should keep in mind the true purpose behind SB521, which is supposed to be the protection of public health. This bill is based on the presumption that mask wearing is, in fact, effective in curbing the spread of a virus. I'd be interested to know what studies the legislature is using to back up conclusively that mask wearing does in fact protect citizens from the Covid-19 virus. Or studies that show that asymptomatic carriers are the drivers of this pandemic. The debate over the efficacy of masks is so controversial, did the legislature do it's due diligence and research both sides of the spectrum in order to come to a fully informed, calculated decision? To go the extreme length of calling it a felony to "interfere" would have to assume that the person "interfering" is actually sick and purposely out to kill people. How do you know with scientific concise clarity that not wearing a mask is truly putting others in danger that is equal to or close to that of murder that you would call it a felony. If there are multiple studies on masks with different conclusions, it would remain that mask efficacy is still open for debate thereby unscientifically, illogically and unfairly criminalizing those that refuse masks.

And lastly, the unhealthy fear being driven by this pandemic is more deadly than the virus itself. It would do well for us to look at the overall statistics regarding this matter before coming to a conclusion of criminalizing healthy people. According to covidtracking.com, in 2020 Hawaii had 21,832 cases of Covid. This is after administering 812,338 tests making those who tested positive only 2.68%. Out of those cases, there were 288 deaths which means only 1.3% of people that were positive for Covid died. Any death is a tragedy, but realistically if we're caring about deaths, more people are dying of other causes than of Covid. In fact, in 2020 there were 11,798 people that died in the state of Hawaii, 288 due to Covid, making Covid deaths account for only 2.4% of deaths in the state. If we're caring about health and deaths, we should be looking at the 97.6% other causes of death before assuming that healthy people not wearing masks are felons.

In a government system where a person is innocent unless proven guilty, we have flipped this principle and sickness is now being considered a crime and a person is guilty with sickness unless proven innocent with health. This bill is unconstitutional, unscientific, illogical and unnecessary, all reasons of which I urge you to kill this bill.

Thank you,
Anuheia Maeda

2020 Hawaii deaths - 11,798
2020 testss - 812,338
According to covidtracking.com
hawaii covid deaths 2020 - 288
Hawaii cases 21,832

SB-521

Submitted on: 2/10/2021 5:16:13 AM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael J Mazzone	Individual	Oppose	No

Comments:

I strongly oppose SB 521 because it goes too far in penalizing persons who disagree with the Government. I feel this Bill, if enacted, would infringe on my Rights under the 1st Amendment of the US Constitution. The classification of Class C felony is extremely excessive.

SB-521

Submitted on: 2/10/2021 5:59:45 AM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Gonzales	Individual	Oppose	No

Comments:

This bill is absurd it would prevent people from stepping forward to offer help when needed.

SB-521

Submitted on: 2/10/2021 7:27:05 AM

Testimony for PSM on 2/11/2021 1:00:00 PM

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

Comments:

It's unconstitutional to give one group of people such big power. We are a republic, not socialists. You have to stop this bill. It's a very shaky bill which gives power to certain people to violate civil liberties of others.

SB-521

Submitted on: 2/10/2021 8:52:03 AM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Geneve Chong	Individual	Oppose	No

Comments:

I stronly oppose SB521.

SB-521

Submitted on: 2/10/2021 8:56:08 AM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
kristen cosmi	Individual	Oppose	No

Comments:

Aloha!

I strongly oppose this bill. It sounds very much to me like this bill intends to shut people up who disagree with the declared state of "emergency" by Ige. We the people have every right to question and disagree with decisions made by our officials. Again and again I have seen people who have, for example, medical exemptions for not wearing masks get harassed BY ESSENTIAL WORKERS. Not the other way around. If an essential worker denies access to a grocery store because a person who has a medical exemption is trying to get in, where is the protection of the person with the medical exemption???? You are targeting the people who can not comply with your ridiculous mandates to be the one who gets in trouble and even potentially a felony!?! This is horrific.

The fact that this kind of bill had to be introduced in the first place is a huge indicator that most people DO NOT AGREE WITH THE STATE OF EMERGENCY DELCARED BY IGE IN HAWAII. If you took a second to look at the numbers of deaths from covid, you will quickly see that there simply is no emergency. To take this further and punish people who have medical conditions and can not wear masks because essential workers demand them to is horrible. I have seen this soooo many times. What I have never seen is a person verbally attack an "essential worker" without absolute justification, like them being denied entry to an establishment, which is against our rights.

Everyones nerves are high right now and that is the real issue here. Instead of punishing those of us who are just trying to exercise our rights maybe it is time to re-evaluate what kind of "emergency" we are really dealing with here. We are indeed dealing with an emergency but the emergency is our rights being taken away more and more over a virus that has a 99% survival rate. THIS DOES NOT WARRENT AN EMERGENCY.

Where is the protection for those of us attempting to protect our constitutional rights?? Where is the felony charge for the essential workers demanding others to cut off their supply of fresh air when they medically can not??? Oh yeah, that kind of protection is in HB241 which rep Onishi WON'T EVEN INTRODUCE TO THE FLOOR! This is a disgrace and I'm ashamed that our "elected" officials are doing such a horrible job at

protecting our rights over what the numbers show is NOT a pandemic or state of emergency.

Thank you for your time.

SB-521

Submitted on: 2/10/2021 9:06:57 AM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
brett sherwood	Individual	Oppose	No

Comments:

I oppose this legislation

SB-521

Submitted on: 2/10/2021 10:09:19 AM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Loree Jean Searcy	Individual	Comments	No

Comments:

As a Hawaiian citizen who pays a significant amount of property, dmv and sales tax in this state I would like to voice a strong "OPPOSE" to this bill.

I am angry at the amount of left wing communist control you are trying to inflict on this state where tourism is the main industry. Do you really believe free Americans want to follow these absurd fines of \$500 for verbally voicing their opinions to an essential worker.

And then there are residents like myself. Do you believe these communist rules are a betterment to our ALOHA lifestyle? I should say not. This bill is unconstitutional and suppressing our freedoms. In a democracy the government works for the people but this is not what you are doing here. I demand my freedoms be preserved. Drop this SB 521 bill now!!!!!!!!!!

SB-521

Submitted on: 2/10/2021 10:38:37 AM

Testimony for PSM on 2/11/2021 1:00:00 PM

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

Comments:

This bill is an affront to the US Constitution's guarantee of free speech. No government, much less the State of Hawaii, does not possess the right to suspend free speech even in the event of an emergency.

The unintended consequences of such a law will result in an atmosphere of hostility and confrontation among citizens and encourage people to "snitch" on their neighbors, much like the Europeans did in the run-up to WW II.

I strongly OPPOSE this bill.

SB-521

Submitted on: 2/10/2021 11:10:42 AM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jack Ebner	Individual	Oppose	No

Comments:

This is all based on fraud government wanting to control everybody in a totalitarian state.

You're going to be screwing up not only the lives of the citizens but your life, the lives of your family members, et al.

The only thing coming out of a person's mouth or nose is waste matter, not so called viruses. Will you wake up please. Unless you've studied humanp physiology like I have for 30 years, you would have no way of knowing that you're being medically conned. It's not contagion that causes symptoms it's toxemia. Read "Toxemia Explained" by Dr. John H. Tilden. You can find it on line for free. Stop being manipulated or being complicit in this Globalist Scamdemic, Even if you pass these draconian measure, you will still lose in the long run because people will only be pushed so far before they rebel in large numbers and then your house of cards will come tumbling down and who's going to pay your salaries when there's no tax base since businesses will be destroyed too? Wake the phuk up!!!

SB-521

Submitted on: 2/10/2021 11:40:07 AM

Testimony for PSM on 2/11/2021 1:00:00 PM

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

Comments:

Aloha,

My name is Justin Tajon and I live on the Big Island. I strongly oppose SB521. As I am deemed an "essential" worker myself, I feel this bill puts undue pressure on workers to enforce the orders of the government when it is not our job to do so. If wearing a mask is controversial, please look into why that is. There is no viable, credible scientific evidence to back up the wearing of masks by the entire population, therefore, it is illogical to force healthy citizens to wear face coverings. You will have controversy when the reasons for doing something is "just do it." We are not schoolchildren. We don't obey just because the governor "says so."

Also, the Equal Protection Clause in the 14th Amendment already protects people from physical assault. To pass this bill would not only ignore the 14th Amendment, it defies it. It gives EXTRA protection to "essential" workers which puts them in a special class.

Please vote down this bill. It is unconstitutional, illogical, divisive, and unnecessary.

Thank you, Justin Tajon

SB-521

Submitted on: 2/10/2021 11:17:31 AM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Naea Mainaupo-Lindsey	Individual	Oppose	No

Comments:

I oppose this bill due to the fact that it continues to violate my constitutional rights. First of all I am part of a law suite against the state of Hawaii for these illegal Emergency proclamations thereby making any and all mandates illegal on top of the fact that they are unconstitutional something that many of you have forgotten and completely disregard! Its a shame that this country has come to a point that it has declared war against its own people and rule by dictatorship on the style of Hitler. I do not live in a communist country. I live in America the home of the Free and the brave and no one person shall rule over another in tyranny!! This is a gross example of TYRANNY and this needs to STOP!! You cannot continue to impose your will on the people and keep instilling fear. I HAVE A VOICE and you or nobody has a right to take that voice from me. By making this offense a felony you are doing exactly that and that is unconstitutional! God gave me the freedom to choose not you or nobody can take that right!

SB-521

Submitted on: 2/10/2021 11:49:06 AM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
desiree deter	Individual	Oppose	No

Comments:

Please stop trying to make some people more essential than others. Everyone is essential. And we do not need to have some people telling others what to do. All are equal. Everyone has a right to live, work, breathe fresh air, and has the right to life, liberty and the pursuit of happiness. The policing of people needs to stop. We are sovereign beings. Everyone is essential.

Mahalo. Desiree Deter

SB-521

Submitted on: 2/10/2021 12:28:36 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

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

Comments:

YOU ARE OVERSTEPPING YOUR AUTHORITY! THE GOVERNMENT CANNOT TELL THE PEOPLE WHAT TO DO AND WHAT THEY CAN AND CANNOT SAY! THIS IS NOT CHINA IT IS AMERICA! STOP TRYING TO TAKE AWAY FREEDOMS THAT MILLIONS OF AMERICANS FOUGHT AND DIED FOR! THAT IS NOT YOUR RIGHT! WE ARE FREE AND SOVERIGN BEINGS!

LATE

SB-521

Submitted on: 2/10/2021 1:24:35 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jessika Friedrichs	Individual	Oppose	No

Comments:

Face mask should not be mandated and the enforcement of such a mandate should not lie with common citizens. It is unconstitutional to give citizens the legal right to police their neighbors and fellow citizens.

LATE

SB-521

Submitted on: 2/10/2021 1:35:06 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Carol Philips	Individual	Support	No

Comments:

Aloha,

Please vote yes to protect Hawaii's essential workers.

Respectfully,

Carol Philips

LATE

SB-521

Submitted on: 2/10/2021 1:36:32 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kestrel Sutton	Individual	Oppose	No

Comments:

My testimony is clearly stated as I oppose SB521 (companion HB 643) My vote counts !

LATE

SB-521

Submitted on: 2/10/2021 1:41:38 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

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

Comments:

No one not even an essential worker should be given the RIGHT to mandate others to wear a face covering!!! Thus an essential worker should not be given the POWER to abuse their purpose in their line of work-which is to protect and do no harm to others...well I'm sorry but a MANDATION is doing harm to others and should never be allowed!

This face covering mandate is ridiculous, no valid standing or holding on the long term effects it can do to the body, no studies on the efficacy of a mask stopping the transmission of a virus!!!

Please take a step back and ask yourself how does all of this logically make any sense!

LATE

SB-521

Submitted on: 2/10/2021 1:56:52 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

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

Comments:

I disagree with giving essential workers the power to enforce mandates without appropriate training, including the understanding that masks are not required to be worn by people who have medical exemptions.

LATE

SB-521

Submitted on: 2/10/2021 2:08:35 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
angela kramer	Individual	Oppose	No

Comments:

I oppose

LATE

SB-521

Submitted on: 2/10/2021 2:43:58 PM
Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
janelle ragusa	Individual	Oppose	No

Comments:

You have taken a sworn oath to uphold the Constitution of Hawaii and the Constitution of the United States.

No emergency orders or pandemic suspend the law.

Masks have been proven to cause more harm and illness as well as inhibiting the immune system. Masks have NOT been proven to prevent the spread of a virus.

There are many personal reasons to NOT wear a mask, physical, emotional, and religious.

LATE

SB-521

Submitted on: 2/10/2021 3:59:30 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Philip Nasca	Individual	Oppose	No

Comments:

I am strongly opposed to this bill because it will create a form of gestapo who will have the authority to intimidate and punish good citizens for a minor offense such as not wearing a mask. Our political leaders are being manipulated by the fear of a disease that is being shown to have no where near the lethality as was first predicted. Now that this authority to deny our freedoms under the guise of safety and public health has been established the Governor can shut down any business limit any citizens unalienable rights for any new communicable disease. It is a fact that every few years a new flu virus mutates and people get sick and unfortunately some do die but this does not justify creating a "Mask Police" who can force us to comply with arbitrary government mandates that steal our liberties. The united States has a Law, the Constitution, which clearly limits the authority of political leaders and protects the rights of "We The People". Our "Declaration of Independence" clearly states that our rights come from God not man made governments and governments role is to protect these rights for all citizens not deny them to most to protect a few at risk citizens. Please stop and consider if this bill passes Hawaii will be one step closer to becoming a complete Police State like North Korea and people will leave this State in droves to live in liberty elsewhere. How wil the State raise the huge revenues they need to fund all of their financial obligations if they lose half the population?

LATE

SB-521

Submitted on: 2/10/2021 4:01:36 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Paula Blum	Individual	Oppose	No

Comments:

From one human being to another. Please refrain from passing this bill. There are laws on the books already for harassing citizens no matter what position they hold as a citizen of this State. Do not take my right away from me to breathe in fresh air and exhale CO2 this is a natural bodily function. Putting masks on human beings is a dangerous way to cause Hypercapnia (Carbon Dioxide Poisoning). No good is going to come from this in the future. People are going to come down with pulmonary diseases not related to Covid19 from constantly inhaling our own CO2. Don't play God with our lives.

LATE

SB-521

Submitted on: 2/10/2021 4:07:49 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kaliko Trusdell	Individual	Oppose	No

Comments:

As a first responder Firefighter/EMT on the island of Hawaii. I refuse to and object to this Bill. We collectively will not do the bidding of your disproven medical practices as if we were the 3rd Reich. Masks are scientifically proven to NOT WORK. Using first responders to implement what constitutes to tyranny in the name of faux science and is based on the rhetoric of a few Government officials is criminal. Imposition of pseudoscience is not only unconstitutional but it will not save lives but incriminate the freedom to breath. Literally!! There are numerous courts throughout the United States that have found the measures proposed in this bill to be unconstitutional and illegal. DO NOT PASS THIS HILTER, STALIN, MAU TYPE OF legislation it's ridiculous.

LATE

SB-521

Submitted on: 2/10/2021 4:10:39 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Marcelle Liana	Individual	Oppose	No

Comments:

I strongly OPPOSE this bill. Mahalo

LATE

SB-521

Submitted on: 2/10/2021 4:57:41 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

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

Comments:

I strongly oppose this bill. It is tyrannical in nature, and violates the Constitution. I urge you to reject this bill.

Alice Abellanida

LATE

SB-521

Submitted on: 2/10/2021 5:25:47 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Joe Fagundes	Individual	Oppose	No

Comments:

This bill, in essence, criminalizes a citizen for opposing or voicing opposition to an "essential worker", irrespective of the basis or grounds for such disagreement. Much ado is being made by the legislature to tighten the grip of the State on the First Amendment rights of citizens concerning the Covid-19 pandemic. There is no pandemic in the State of Hawaii. There is a very contagious flu with a 99+% recovery rate. The State Health System has not been overwhelmed by corona virus cases. The catastrophic forecasts of a year ago have now been shown to be false or faulty. It is time to let people get back to life and hopefully the financial, emotional and health damage done to individual and small businesses due to those faulty forecasts can be reversed before Hawaii is totally bankrupt.

Please reject this bill!



SB-521

Submitted on: 2/10/2021 5:36:34 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michelle Kerr	Individual	Oppose	No

Comments:

Respectfully, I STRONGLY disagree with this bill. First of all, we are ALL essential workers. You seem to forget that all of us who have had our businesses affected or completely shut down consider ourselves ESSENTIAL! We are essential to our families, we are essential to our employees and to our customers.

We don't need another "protected" class -aren't the public school teachers enough? Talk about protected. The governor and perhaps you legislators have rolled over for them. It's a kick in the teeth that they are still NOT teaching for the most part and yet they are still getting paid and all the benefits & pensions which many of us have lost forever.

Nobody (whoever you deem essential) should be able to determine what is harrassment. We used to have a First Amendment. The reason you are getting so much push-back is because people of sick of it. Our COVID numbers -especially on the Big Island are going down to single digits. Even the CDC is counting COVID cases differently now and they have (reluctantly, after first denying it) admitted that there are therapeutics that work very well and getting COVID is not a death sentence.

We need you to be reducing restrictions and let us get back to normal. Get rid of mask mandates and fines and let us be. Work on our economy and quit with the regulations and mandates. We're down and we've had enough!

LATE

SB-521

Submitted on: 2/10/2021 5:46:07 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

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

Comments:

If mask don't work why inforce?Why force workers to wear when it don't work.If Mask don't work that means it's all about control.I Hate communism,that's control.Don't pass SB521 that's for sheeps.

LATE

SB-521

Submitted on: 2/10/2021 6:36:08 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sheila O'Malley	Individual	Oppose	No

Comments:

I do not support this bill. It is violating people's civil liberties.

SB-521

Submitted on: 2/10/2021 6:49:04 PM

Testimony for PSM on 2/11/2021 1:00:00 PM



Submitted By	Organization	Testifier Position	Present at Hearing
Thomas J Wheeler	Individual	Oppose	No

Comments:

I do not support this bill... it's in violation of people's civil liberties.

LATE

SB-521

Submitted on: 2/10/2021 8:41:17 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Rebecca Melendez	Individual	Comments	No

Comments:

No one should be harrassed to do their job and we deserve to be able to keep our freedom of choice to wear a mask outside our not. This should not become a felony charge!

We are confroming and wearing masks inside and people with pre-existing conditions and peopel without pre-existing conditions deserve the right of freedom of choice. This is what many men and woman have died giving us in this country and to making it a felony if you do not have your mask on is not right! That is fully taking our freedom of choice away!

You will be putting people who want their freedom of choice in prison with murders, rappist and ... This is not right! This is against our freedom of choice!

Research the herb Andrographis! It is a respiratory herb that helped kill the Spanish Flu in 1918 and it has helped people I know who have had C19. This herb can save lives!

Why not research more on herbs and alternative precautions to viruses? C19 is a virus and it will find it's way into people lives. We cannot see it and covering up is not the issue. Finding ways to help the body through natural means is the way to save lives!

The government can tax Andrographis and save lives! Making it an felony to not wear a mask is against our freedom of the right to choose. Research Andrographis because it has already saved many lives by helping stop the Spanish Flu!

Your wording on this Bill does not show what you are really saying, this is that you want to make it a felony to not wear a mask. It's not about protecting the essECIAL workers, it looks like you are taking our freedom of choice away through your kind words towards protecting essECIAL workers who must inforce what you want a mandatory wearing of masks meaning, you will make not wearing a mask a felony and this is not right! You are putting people who want their freedom of choice outside and away from others to possibly have a felony for not wearing a mask and you're saying an essECIAL worker will have the right to arrest this person who just wants to keep his/her freedom of choice. How is this right?

No one deserves harrassment! Not even people who want their freedom of choice to stay and not be taken away! You do not have the right to take freedom that people have fought and died to have and protect for all of us! We deserve to keep our freedom of choice! We do not deserve to be harrassed by essecial workers if we want to keep our freedom of choice and not wear a mask outside with distance to others. We deserve our freedom!

Many people have committed suicided because of this shut down and their voices deserve to be heard! You are causing more mental insanity by taking away our freedoms and jobs. This is a virus and it will spread because it's a virus. Taking away our freedoms is creating major emotional and mental pain for everyone.

Can you please look into herbs that help kill viruses like the herb Andrographis. This herb stops viruses before they start and helps kill them once they are in the body. This is a way to help! Not taking more of our freedoms away. That will just create more mental and emotional pain and we already have enough right now. We don't need anymore of our freedoms taken away!

Please stop wording things that sound different than what you really mean. Do not take our freedom of choice away and make it a felony to not wear a mask! There are other ways to help stop this virus! Please look into Andrographis!

LATE

SB-521

Submitted on: 2/10/2021 8:51:13 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

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

Comments:

By signing **SB521** 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 **SB521** 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.SB521 is not the will of the people now would it be legal.

Remember your oath !

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.

*Plural

LATE

SB-521

Submitted on: 2/10/2021 9:08:25 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Robert B. Smith	Individual	Oppose	No

Comments:

This is that sort of bill that just takes up space and is totally redundant.

I'm sure we already have sufficient laws. It is generally illegal to harass anybody, essential or not essential. This is why we have one law against murder. You really don't need to break it

down by profession etc.

SB-521

Submitted on: 2/10/2021 9:09:37 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

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

Comments:

I oppose SB521 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 SB521. Thank you.

LATE

SB-521

Submitted on: 2/10/2021 9:26:47 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Chris Wikoff	Individual	Oppose	No

Comments:

OPPOSE SB521

SB521 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 fundamental liberties of the citizens of Hawai`i while fostering division in the community and creating “compliance officials” 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.”

SB521 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 SB521.

LATE

SB-521

Submitted on: 2/10/2021 9:41:35 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Shellie Beaumont	Individual	Oppose	No

Comments:

This Bill is also a Violation of our Constitutional Rights!! I OPPOSE THIS BILL



SB-521

Submitted on: 2/10/2021 9:42:52 PM
Testimony for PSM on 2/11/2021 1:00:00 PM

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

Comments:

OPPOSE SB521

SB521 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 fundamental liberties of the citizens of Hawai`i while fostering division in the community and creating “compliance officials” 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.”

SB521 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 SB521.

LATE

SB-521

Submitted on: 2/10/2021 10:04:32 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nathan Patry	Individual	Oppose	No

Comments:

I oppose this bill wholeheartedly. The right to free speech is enshrined in the constitution - it is not harrassing. It is most definitely not felonious. I think the legislature has better things to do than waste time, energy, and resources creating more protected classes. This bill will result in law-abiding and productive members of our communities being labeled as felons for speaking out on injustice.

We need an end to the dictatorship of Ige. We need a legislature that does not abdicate its responsibility to represent the citizens of Hawaii and stand in check to executive branch abuses of power. We do not need unjust laws that target portions of the populace for speaking out and exercising their constitutional rights.

You were elected to do a job - do it and represent the people, not the party or the special interests.

Educated and aware,

Nathan Patry

Lahaiina, HI

LATE

SB-521

Submitted on: 2/10/2021 10:05:39 PM
Testimony for PSM on 2/11/2021 1:00:00 PM

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

Comments:

To whom it may concern, I oppose this bill as it is vague about who is an "essential worker", for one thing. A worker who is having a bad day can take out his/her frustration on an innocent person that they have a grudge against. A felony is no joke, a serious charge to have on one's record, of course no average sane citizen is going to break this law, but it can be weaponized against an innocent person. I hope and pray that our elected leaders do not pass this bill, thank you for reading my comments, Aloha!

LATE

SB-521

Submitted on: 2/10/2021 11:09:45 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Thomas Stanton	Individual	Oppose	No

Comments:

Dear Law Makers,

I oppose this bill because it establishes a special category or class of emergency worker that has an unnecessary authority. This special authority could be easily used to infringe on our constitutional rights.

Thank you for your consideration,

Thomas B Stanton

LATE

SB-521

Submitted on: 2/11/2021 12:51:21 AM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Brigitte Otto	Individual	Oppose	No

Comments:

The World Health Organization could only characterize the COVID-19 outbreak as a pandemic after changing the definition of the term "pandemic." Regardless of this fact, creating a special class of "essential workers" and enabling this class to violate people's civil liberties would amount to tyranny. It would be an unbelievable power grab.

LATE

SB-521

Submitted on: 2/11/2021 8:07:36 AM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
D. Prince	Individual	Oppose	No

Comments:

I express my strong opposition to SB 521 and urge you to not pass it into law. This bill creates a slippery and dangerous slope that could create a further dissolution of free speech. Felony is an improperly high level of law for what could too easily be citizens expressing dissent or disagreement. COVID-19 is a public health crisis and on legal principle alone, this bill represents an overreach of government that is not in any way shown to have actual affects on public health.

If the true enemy is the novel coronavirus then government resources **MUST** used in a public health approach, not for increased law enforcement.

LATE

SB-521

Submitted on: 2/11/2021 8:17:52 AM

Testimony for PSM on 2/11/2021 1:00:00 PM

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 are already laws in place that protect anyone from being violated or harassed on any level. However if you're 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 wear 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 ,nonsensical action that is wanting to solidify itself into the very fibers of our future existence.

LATE

SB-521

Submitted on: 2/11/2021 9:00:36 AM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Joanna Weber	Individual	Oppose	No

Comments:

I OPPOSE SB521

ALOHA, JOANNA

LATE

SB-521

Submitted on: 2/11/2021 9:14:02 AM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Andi Nora	Individual	Oppose	No

Comments:

Strongly oppose.

LATE

SB-521

Submitted on: 2/11/2021 9:43:36 AM
Testimony for PSM on 2/11/2021 1:00:00 PM

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

Comments:

Strongly oppose

this is creating a citizen police state which perpetuates violence anger and hate amongst people. anger and hate create stress and completely break down the powerful human immune system. These atrocious bills and mandates pertaining to the suppression of our freedom and birthrights must be stopped at all costs

LATE

SB-521

Submitted on: 2/11/2021 9:53:56 AM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Solari	Individual	Oppose	No

Comments:

No one individual has the right to tell another individual to suffocate themselves and if you stand up for yourself and your freedoms you will be arrested because it is illegal. This is tyranny and communism at it finest. Are we an American, Democratic Nation? Are We the people guided by our constitution that are forefathers fought and died for!

SB-521

Submitted on: 2/11/2021 1:37:15 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Allison Mayeda	Individual	Oppose	No

Comments:

What if the essential worker is having a bad day and you come along and not agree with him, but you are polite? Will he take out his frustrations on you? Stop taking away our Freedom and Rights.

LATE

SB-521

Submitted on: 2/11/2021 3:42:35 PM
Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
juhl rayne	Individual	Oppose	No

Comments:

STOP with stealing our civil liberties.... don't make others do the bidding for the CABAL... we all know what is going on... There is NO state of emergency... stop the nonsense and tyranny please...

mahalo

SB-521

Submitted on: 2/11/2021 6:08:53 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Amy C. Patterson	Individual	Oppose	No

Comments:

Is this the United States of America, where we have freedoms, civil liberties and certain unalienable rights, or COMMUNIST CHINA????????!!!!!!!

SB-521

Submitted on: 2/11/2021 6:31:34 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Greg J. Patterson	Individual	Oppose	No

Comments:

This bill is what constitutes harassment! You are asking for a mountain of lawsuits against each of you!

LATE

SB-521

Submitted on: 2/11/2021 6:36:55 PM

Testimony for PSM on 2/11/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Hunter C. Patterson	Individual	Oppose	No

Comments:

This is MEDICAL TYRANNY! Legislators have become tyrants! We will remember this at election time!