



The Senate

STATE CAPITOL
HONOLULU, HAWAII 96813

Tuesday, May 5, 2020

MEMORANDUM

TO: Senate President Ronald D. Kouchi
FROM: Senate Special Committee on COVID-19
RE: Senate Special Committee on COVID-19 Report

Dear Senate President,

Please see the attached report prepared following the May 4, 2020, Senate Special Committee on COVID-19 meeting with the following:

- Hawaii Emergency Management Agency
- Office of the Attorney General
- Department of Transportation
- Hawaii Tourism Authority

Sincerely,

Senator Donovan M. Dela Cruz
Senator Jarrett Keohokalole
Senator Michelle N. Kidani

Senator Donna Mercado Kim
Senator Sharon Moriwaki
Senator Kurt Fevella

Attachment

Cc: All Senators

**Hawaii Emergency Management Agency (HIEMA), Office of the Attorney General (AG),
Department of Transportation (DOT), & Hawaii Tourism Authority (HTA).**

MG Kenneth Hara, Incident Commander; Ms. Clare Connors, Attorney General; Mr. Jade Butay, Director of DOT; Mr. Ross Higashi, Deputy Director of DOT - Airports; Mr. Ford Fuchigami, Airports Administrator; and Mr. Chris Tatum, CEO of HTA, provided the Committee with the following update.

COVID-19 Processes and Procedures

- The DOT updated the Committee on its current process for disembarking passengers, including the necessary Department of Agriculture, HTA, and Interisland Declaration forms.
 - The Committee indicated its intentions to work with the impacted departments to ensure that these forms could be updated to collect further information that it believes will help to close gaps in the current screening and enforcement.
 - This would include, among other updates, additional information to allow DOT and HTA to verify the dates of departures for visitors.
 - HIEMA confirmed that they would be working with the DOT and HTA to make adjustments to its forms.
 - Additionally, the Committee will work on legislation to ensure that the completion of these forms by all travelers can be mandated through statute.
 - The HTA indicated that it is working with stakeholders to contract a database application to more efficiently gather, sort, and store the information currently collected through its forms and the state's Safe Travelers app.
 - Currently, cost projections for this application are \$26K and will be paid for by the HTA, then reimbursed by HIEMA with CARES Act funding.
 - The database would be searchable, and access would be provided to all law enforcement agencies.
- Per the Committee's request following its tour of the Daniel K. Inouye Airport, DOT confirmed that a pre-recorded advisory of the state's mandatory 14-day quarantine is now played throughout the airport.
 - The DOT also indicated that it would also be working on implementing text or push notifications to visitors outlining the mandatory 14-day quarantine guidelines.
- The AG provided an update on state and county procedures for the enforcement of the state's 14-day quarantine, including specific cases of violations.
- Citing the AG's presentation of the state's approach to citations and prosecution, the Committee requested that the AG consider moving towards immediate fines, in an effort to strengthen the deterrence for violations.
 - The AG indicated that she would look into the necessary actions to do so.
- Additionally, the Committee requested that the AG consider levying fines on hotels and homeowners tied to violations of the quarantine order.

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Monday, May 4, 2020

- The AG fielded questions around components of the Governor's proclamations the Committee should consider in codifying into statute.
 - The Committee asked for draft legislation from the AG, DOT, and HTA on any proclamation components they believe should be in statute moving forward.
- The Committee also conveyed enforcement suggestions, some of which have come through proposals by the public.
 - One such example is to have hotels withhold room keys, so visitors are unable to come and go without alerting hotel staff.
 - Both the AG and HTA indicated that they believed such an approach would be legally sound under the current requirements of the 14-day quarantine and would aid in the enforcement of the order.
- Additionally, the Committee suggested that visitors be barred from renting cars during their 14-day quarantine period.
 - The AG stated that she believes the Committee's suggestion on car rentals would also legally sound under the Governor's proclamations.
 - The Committee added that similar exemptions related to essential workers could be built into that order.
- The AG indicated that she is coordinating with the Judiciary on prosecution and release aspects of violations of the quarantine order.
- The AG also announced that the Governor would be cleaning up quarantine inconsistencies for essential workers in his next proclamation.

-end of report-