



The Senate

STATE CAPITOL
HONOLULU, HAWAII 96813

May 12, 2020

The Honorable Mark Recktenwald
Chief Justice
Supreme Court of Hawaii
417 S. King Street
Honolulu, HI 96813

Dear Chief Justice Recktenwald,

As you may know, the Senate Special Committee on the State's Response to COVID-19 has sought to address a number of concerns coming from our constituents regarding the enforcement of the travel quarantine orders put into effect by Governor Ige. The travel quarantine orders are important safety measures and we have worked with various state agencies to improve the systems for screening and monitoring travelers into the state. Even with improved screening and monitoring, there are those who are exploiting the system and are breaking the laws in place to keep us safe.

One major concern we hear about constantly from our constituents is that the quarantine orders are being flouted once travelers leave the airport. We also have heard that it is challenging for law enforcement to address these violations because when they appear before a judge, often the violators are released on their own recognizance and without any measures to ensure no further violations happen.

On behalf of the Senate Committee, and our constituents, we ask that you address these concerns on behalf of law enforcement in a consistent manner. We saw that the Hawai'i Supreme Court issued an order to all judges in the prison release matter directing that, in considering the releases on an individualized basis, "release shall be presumed..." and that "a verified residence for an inmate should not be required in every case." We ask that you issue a similar directive to all judges handling these matters, except that release should not be presumed unless an appropriate amount of bail is posted and conditions, including ankle bracelets, are imposed. The underlying concerns are the same, as both relate to keeping our population safe during this pandemic.

State Senate, State Capitol
415 S. Beretania Street
Honolulu, HI 96813

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We are convening this month to address certain pressing issues, including matters related to enforcement of these safety measures. We appreciate your cooperation with our statewide effort.

Sincerely,

Senator Donovan M. Dela Cruz
Senator Jarrett Keohokalole
Senator Michelle N. Kidani
Senator Donna Mercado Kim
Senator Sharon Moriwaki
Senator Kurt Fevella

Cc. Senate President
All Senators