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OFFICE OF THE
COUNTY COUNCIL

March 5, 2019

Councilmember Mike Molina
GET Committee Chairperson
County of Maui
200 S. High St.
Wailuku, HI 96793

Dear Chair Molina,

This letter is to inform you of my great concern about Don Guzman, nominee for the Prosecuting Attorney position. I have known Don Guzman when he first came to Maui in the 1990s through his involvement in the Maui Filipino Community Council (MFCC) and the United Filipino Council of Hawaii (UFCH). He is an example of a lawyer who *makes straight things crooked and crooked things straight* to his advantage. Some people say that Don Guzman exemplifies the cliché, *"some lawyers are liars"*. He may be an intelligent person however, he uses his intelligence in a manner that would NOT benefit the common good but himself. An example of what I just described was when he was running for president of the UFCH in the early 2000s. He needed enough votes to win the election so he asked me to bring the high school students from the Maui District schools to the convention on Molokai. These high school students endured the rough ferry ride to Molokai. Don Guzman won the election because of the great number of high school students from Maui who voted for him. Few years later, people in the Filipino community found out that Don Guzman is not worthy of being a leader. Therefore, in the UFC Annual Convention held at the Maui Beach Hotel in 2004, Don Guzman knew that his slate of officers for the annual convention will not be reelected. Don Guzman arbitrarily and capriciously amended the UFCH By-Laws to deprive the high school students of their right to vote. Don Guzman did not follow proper procedures in amending the By-Laws as set forth in the provisions of the said By-Laws. It is my opinion that he did such a horrible thing to prove that being a lawyer, he can easily manipulate a system to his advantage. He didn't allow me speak on the floor as he knew that I had a copy of the By-Laws in my hand and that I wanted to point out that he can't amend the By-Laws without a 30-day written notice of the proposed amendment prior to the convention. What Don Guzman did to the high school students happened 15 years ago and has not been forgotten. These high school students are now voters. People don't forget how crooked, disrespectful and inhumane Don Guzman was and could very well be why he didn't win the mayoral election. Attached please find the Ammuyo Newsletter that was written by Atty. Antonio Ramil describing in detail what Don Guzman did to the high school students at the UFCH elections.

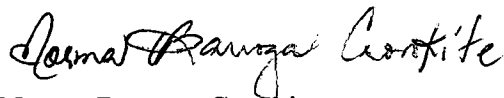
Another incident happened on Lanai. When Don Guzman was running for the council seat against Alan Fukuyama, we ran into him at the Grand opening of the ILWU Hall on Lanai. When my friend, Virgie Aurelio went to the buffet table to get her food, Don Guzman was standing by the line and told the food server not to give food to my friend. Virgie was very upset

and so we decided to leave and went to Blue Ginger Restaurant to eat and tried to pacify my friend. In the evening of the same day, we attended a political debate at the Lahaina Civic Center. Don Guzman was going around shaking people's hands. He approached my friend Virgie and wanted to shake her hand. Virgie said, "No, I don't like you Don Guzman". Don Guzman confronted and pushed Alan Fukuyama in an arrogant manner and told him: "Control your people." Don Guzman called out Alan Fukuyama and they would have gotten into a fist fight if people didn't intervene. Again, we had to leave the place to keep the peace and prevent embarrassments.

Maui County Prosecuting Office and people of our community deserve a respectful, honest, fair, and a trustworthy person with the highest integrity. Don Guzman does not exemplify these values. Please do not confirm his nomination as Prosecuting Attorney.

Should you have any questions, please contact me at (808) 385-0856. Thank you for your attention to this matter.

Sincerely,



Norma Barroga Cronkite
Retired School Principal

cc: Councilmember Kelly King
Councilmember Shane Sinenci
Councilmember Alice Lee
Councilmember Tasha Kama
Councilmember Rawlins Fernandez
Councilmember Tamara Paltin
Councilmember Riki Hokama
Councilmember Yuki Lei Sugimura
Virgie Aurelio
Atty. Antonio V. Ramil
Alan Fukuyama

Attachment: Ammuyo Newsletter

Ammuyo

Tawen II, Bilang 2 Sept-October, 2004

Dateline: Maui, Hawaii, September 10, 2004

Youths booted out of UFCH

by Yungib A.V. Ramil

What sin had the Filipino youths committed that without any reasonable advance notice, they found themselves booted out of the United Filipino Council of Hawaii by action done at the organization's convention held last July 23-25?

Is UFCH moving forward or backward? Is the UFCH leadership getting better or worse? Is there a clique in the UFCH that is bent on gaining or retaining control of the organization by all means, and by any means, fair or foul, and irrespective of whose rights get trampled upon?

For as long as I have been involved in the UFCH, and this goes way back to 1970, the youths have been allowed to be actively involved in UFCH activities, including being recognized as delegates at the annual UFCH convention with the right or privilege to vote in the election of officers and Board members.

To regulate the participation of the youths at the annual UFCH convention, in 1991 then Legal Advisor Bernaldo Bicoy recommended the adoption of a By-Laws provision which became Section 4(d), of Article IV, reading: "Effective from after the 34th Annual State Covention of the United Council, no delegate to an annual convention of the United Council shall have the right or be entitled to vote on any issue and matter, including the election of officers and governors, which may be brought before the convention of the United Council, provided and unless such delegate shall have first attained the age of sixteen (16) years on the day preceding the first day on which the convention convenes."

The foregoing provision was approved at the 33rd UFCH annual convention in Honolulu, and made effective beginning with the 34th annual convention which was set to be held on Molokai.

FAIRNESS--not politics--was the primary consideration in the decision to have the rule become effective at the following convention. There were delegates to the 33rd annual convention who were less than 16 years of age, and the delegates by consensus determined that it would be UNFAIR to deprive said delegates of their right to vote in the 1991 UFCH election as had been the past practice.

Why the sudden move to disenfranchise the youths at the last UFCH convention? Did a faction of candidates for elective positions realize that their chances of getting elected or re-elected were diminished by the participation of youth voters, 16 years of age or older?

UFCH is organized as a non-profit corporation under Hawaii law. Presently, the law is Chapter 414D of the Hawaii Revised Statutes. (When the present UFCH Charter of Incorporation was adopted the law was Chapter 416.) Nowhere is there a provision under said Chapter that disqualifies minors from becoming members of a nonprofit corporation or enjoying certain rights or privileges.

What the general law limits is the ability of minors to incur obligations. There is hardly any limit to the benefits and privileges or rights that can be conferred upon minors. Certainly, minors are persons and they cannot be deprived of life, liberty or property "without due process of law". And at the core of "due process of law" is "fairness". There were loose statements made at the UFCH convention that minors cannot own property or stocks in a corporation--irrelevant statements considering that UFCH is a non-profit corporation. To be sure, such statements are plainly erroneous. Minors have the right to own and enjoy the use of property

See YOUTHS BOOTED...
On page 3

Puwing

by Yungie A. U. Ramil

SA MATA

"Dogs-eat-puppies" at last UFCH Convention

I am familiar with the expression "dog-eat-dog". According to one well-known dictionary, it means "characterized by ruthless practices; fierce; cutthroat". And I have seen a lot of it among adult members (or so-called "leaders") of the community in the way they have conducted themselves at their recent annual elections, including the last UFCH convention.

However, what really made me sick was the way the majority of the adult delegates at the last UFCH made mince-meat of the youthful delegates. It was a case of "dogs-eat-puppies".

The question was whether the UFCH By-Laws were to be amended to prohibit youths less than 18 years from being eligible as delegates with the right to vote for the officers and board members of the organization. Existing By-Laws allowed youths to become delegates if they were at least 16 years of age by convention time. This provision had been in existence for more than 10 years. Pursuant to said By-Laws, several youths were allowed to register as delegates. Although the youths had been duly registered, the majority of the adult delegates wanted them out immediately. The majority even included someone who touted himself as a "youth advocate".

The youths appealed that they be allowed to continue as delegates at least for that convention and the proposed amendment be made to take effect at next year's convention. The chair himself asked why the youths wanted to continue to be delegates. One of the youths answered: "To participate in the elections." Her response was greeted with an obnoxious, sly and disrespectful laugh from some of the adult delegates followed by an unwarranted "lecture" from the chair and other adult delegates that being a delegate does not mean just voting but

attendance at the panel presentations and discussions, etc. His remarks were endorsed with vile smiles from many of the adult majority.

HOW HYPOCRITICAL, HOW INSENSITIVE can one get! The fact is during the panel presentations and discussions, hardly fifty delegates were in attendance. Where were the other 150 adult delegates? The chair's "lecture" on what being a delegate meant should have been directed to the adult delegates, not the youthful delegates. No question most of the adult delegates registered only to participate in the election.

**NOVEMBER 2, TUESDAY,
GET OUT AND VOTE.**

What's in a name? Or which MFCC?

When we formulated the original Articles of Incorporation and By-Laws of the Maui Filipino Chamber of Commerce, we adopted the name "Filipino Chamber of Commerce of Maui" or FCCM for short. A primary reason for adopting the original name was to avoid having the same initials as the Maui Filipino Community Council.

With their present names, the two organizations have the same initials, MFCC. Confusion arises when the initials are used in reporting the activities of either organization. Off-hand, the question arises: Which organization is being referred to? When two (or more) major organizations in the same community share the same initials, there is a problem of identity. My suggestion is for community leaders and writers to use MFCC only to refer to the Maui Filipino Community Council and to use MFCh to refer to the Maui Filipino Chamber Commerce. Better yet, the Chamber should revert to the original name "Filipino Chamber of Commerce of Maui" or FCCM. ###

YOUTHS BOOTED...

From page 1

There are lots of benefits which children are entitled to: proper care from their parents which includes also provision for the necessities of life (such as property or things in the form of food, clothing and shelter), and also proper training and education.

Allowing the youths to actively participate in UFCH activities including enabling them to be delegates entitled to vote in the election of officers and Board members at the annual convention is aimed at providing training and education for the youths in leadership and community service. Such participation is well within the purposes of UFCH as a nonprofit organization.

For those unaware of the specific purposes of UFCH as spelled out in its Charter of Incorporation, these include:

1. To unify and organize the Filipino organizations in Hawaii in order to promote their common and social welfare;
2. To perpetuate Filipino culture;
3. To enhance individual and group worth;

Ammuyo

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once very two months
since July 2003*

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4. To render constructive services and to contribute towards the advancement of the Filipinos in the educational, social, economic and religious fields; and

5. To assist, cooperate with, and to provide services and information to civic, charitable, and religious organizations. (Art. III)

There are laws, substantive or procedural, wherein minors are accorded the privilege of choice. Thus, in adoption cases, the child to be adopted when 10 years or older must give his or her consent to the adoption. Also, in child custody disputes, when children seven years of age or older are involved, the children can be consulted to indicate his or her preference of the parent he or she wants to be with. In such cases, the minors are allowed the choice of who would represent them or guide them.

In the election of officers of some organizations, there are provisions for the drawing of lots to determine the winner. Or contestants can agree to abide by the drawing of lots. Allowing the youths between 16 and 18 years of age to participate in the election of officers of an organization, can at least be viewed as an agreement among the adult candidates to abide by the results in which such youths are allowed to participate. By By-Laws provisions, such results must necessarily be binding to the candidates who by being members are deemed to agree to be bound by such results.

As to contracts or dealings of UFCH with third parties, there should be no question as to the validity of such contracts or dealings considering that the By-Laws require that only adult members or delegates can be elected as officers and Board members. Under law, "all corporate powers shall be exercised by or under the authority of [the corporation's] board including the management of the corporation's affairs." HRS Section 414D-131.

There are many youths organizations in existence--in school or outside school. The youths vote for their own officers. And they make decisions. For purposes of contracting or dealing with third parties, the youth organizations have advisors. Under the UFCH set-up existing under the 1991 amendment to the UFCH By-Laws, there is no need for UFCH advisors because the Board itself (composed of adults) is acting for the corporation (and its members, adults and youths).###

WHO IS SUPPORTING WHO?

Do you need a guide on who to vote for among Maui candidates on November 2? You may wish to check who is endorsing who; here are some of them:

"THE GOVERNOR'S TEAM"

State Senate

Couch, Don
District 5

Finberg, Robb
District 6

State House

Minn, Bobby
District 8

Shishido, Jan
District 9

Blundell, Brian
District 10

Halford, Chris
District 11

Kika Bukoski
District 12

Akuna, Meiling
District 13

Maui County Council

Johnson, Jo Anne
West Maui

Tavares, Charmaine
Upcountry

ILWU ENDORSED CANDIDATES

State Senate

Baker, Roz
District 5

English, J. Kalani
District 6

State House

Souki, Joe
District 8

Nakasone, Bob
District 9

Tanaka, Kam
District 10

Halford, Chris
District 11

Yamashita, Kyle
District 12

Kaho'ohalahala, Sol
District 13

Maui County Council

Hokama, Riki - Lanai

Nakamura, Dennis
West Maui

Vaught, Ron - South Maui

Kane, Dain - Wailuku/
Waihee/Waikapu

Pontanilla, Joe - Kahului

Molina, Mike
Makawao/Haiku/Paia

Carroll, Mele
East Maui

SIERRA CLUB CHOICES

State Senate

Baker, Roz
District 5

English, J. Kalani
District 6

State House

Tanaka, Kam
District 10

Bukowski, Kika
District 12

Kaho'ohalahala, Sol
District 13

Maui County Council

Johnson, Jo Anne
West Maui

Anderson, Michelle
South Maui

Buenger, Socrates - Wailuku
Waihee/Waikapu

Collins, Lance
Kahului

Holter, Lance
Makawao/Haiku/Paia

Tavares, Charmaine
Upcountry

Carroll, Mele
East Maui

See next page...

MAUI CHAMBER OF
COMMERCE ENDORSEMENTS:

HGEA SUPPORTED
CANDIDATES:

'OHANA COALITION
CANDIDATES:

State Senate

Baker, Roz
District 5

No Endorsement
District 6

State House

Souki, Joe
District 8

Nakasone, Bob
District 9

Blundell, Brian
District 10

Halford, Chris
District 11

Bukoski, Kika
District 12

Akuna, Meiling
District 13

Maui County Council

Nakamura, Dennis
West Maui

Vaught, Ron - South Maui

Kane, Dain - Wailuku/
Waihee/Waikapu

Pontanilla, Joe
Kahului

Molina, Mike
Makawao/Haiku/Paia

Carroll, Robert (Bob)
East Maui

State Senate

Baker, Roz
District 5

English, J. Kalani
District 6

State House

Souki, Joe
District 8

Nakasone, Bob
District 9

Tanaka, Kam
District 10

Halford, Chris
District 11

Yamashita, Kyle
District 12

Kaho'ohalahala, Sol
District 13

Maui County Council

Nakamura, Dennis
West Maui

No endorsement
South Maui

Kane, Dain - Wailuku/
Waihee/Waikapu

Pontanilla, Joe
Kahului

Molina, Mike
Makawao/Haiku/Paia

Carroll, Robert (Bob)
East Maui

State Senate

No endorsement
District 5

English, J. Kalani
District 6

State House

Min, Robert
District 8

No endorsement
District 9

Tanaka, Kam
District 10

No endorsement
District 11

Bukoski, Kika
District 12

Kaho'ohalahala, Sol
District 13

Maui County Council

Johnson, Jo Anne
West Maui

Anderson, Michelle
South Maui

Buenger, Socrates - Wailuku
Waihee/Waikapu

Collins, Lance - Kahului

Holter, Lance
Makawao/Haiku/Paia

Tavares, Charmaine
Upcountry

Carroll, Mele
East Maui

STEPPING FORWARD...

RAGASAs CELEBRATE GOLDEN WEDDING ANNIVERSARY

Truly blessed are those who get to celebrate their golden wedding anniversaries. To reach that rare milestone, husband and wife must both live a relatively long life, and more importantly they must remain true to their marriage vows -- for richer or poorer, in health or in want, etc.

CONGRATULATIONS AND BEST WISHES to **PEPITO** and **ALICE RAGASA** on the occasion of their 50th wedding anniversary which they will be celebrating on October 30, at the Wailuku Community Center. They were married November 6, 1954.

Both are popular community leaders, active in Filipino community activities. Both retired, Mr. Ragasa was an ILWU business agent, and Mrs. Ragasa worked in the Office of the Mayor.

KAISAHAN MASQUERADE BALL

The event is sort of a revival of a fundraiser that was initiated by **ELYNOR ERICHTA** for Binhi At Ani when she was president in 1994. It was called Masquerade Ball. When **EUFROSINO DOMINGO** succeeded as president it became Kaisahan Ball.

The revived version will be held on Friday, October 29, at the Westin Maui Resort & Spa in Kaanapali, starting 5:30 PM with no host cocktails, followed by dinner, entertainment and dancing at 7:00 PM. Tickets are \$75 each (\$40 tax deductible). There will also a silent auction.

CONGRATULATIONS TO THE NEW UFCH OFFICERS AND BOARD MEMBERS

There was much to be desired in the conduct of the elections at the recent UFCH convention. Notwithstanding questions raised, the convention produced new officers and board members: **DON ALVAREZ** (Oahu), president; **VIRGILIO "LEO" AGCOLICOL** (Maui), vice president; **GLADYS MENOR** (Oahu), secretary; **CHULETA PACO** (Oahu), treasurer;

ALFONSO AFOS (Kauai), auditor. Elected members of the Board of Governors were **LOU SINFUEGO** (Maui), **ANABEL PORTUGAL** (Kauai), **JENNY QUEZON** (Oahu), **BENNY PIROS** (Molokai), **ACELA GARCIA** (Oahu), **ADRIANO VICENTE** (Big Island), and **DOLLY ORTAL**.

All the winners belonged to the so-called AA Team (Alvarez-Agcolicol). The winning candidates represented the in-group in the UFCH, and got the major support from the various island councils (except probably Maui).

The 2005 UFCH convention will be on the island of Lanai. **OSCAR PORTUGAL** of Kauai has been pushing for a convention in Las Vegas. His best chance of succeeding in his proposal might occur when Kauai will have its turn to host the convention, which will be in the year 2007. However, many delegates think of keeping the "business" in the islands. Anyway, keep trying, Oscar.

Ammuyo

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