

PEA Committee

From: EL A <swellrider22@gmail.com>
Sent: Sunday, December 02, 2018 7:13 PM
To: PEA Committee
Subject: PEA-56

Please accept this email as my written testimony regarding the audit of the Department of Liquor Control, County of Maui ("DLC"). I have some trepidation about writing this email, as I fear retaliation for myself and clients from the DLC should my name be revealed. I ask that my thoughts and information be made available, but I am keeping my name anonymous.

First, I want to thank Ms. Sugimura very much for initiating the audit of the DLC and for listening to the concerns raised by the public concerning the ongoing irregularities of this office and the effect they have had on licensees and clients who are attempting to obtain a liquor license. The audit has been a long time coming, and I hope that changes will occur within the DLC and Commission as a result of the information gained from it.

I have worked as a paralegal in the Maui community for over 16 years for law firms who handle liquor licenses on a regular basis. There are currently only 3 or so Maui law firms who are willing to deal with the frustrations brought from dealing with the DLC. I currently work at one of those law firms.

The following are some of the circumstances that I have encountered in dealing with the DLC. I know that I am not alone in my thoughts and experiences:

Staffing inconsistencies within the DLC have been an ongoing problem for me. On a regular basis, I have had to place multiple phone calls to investigators for an appointment, often with no call back when messages are left. This in turn, causes delays in obtaining appointments for permit and license application reviews, which results in more money spent by clients for time spent by myself and attorneys, all to obtain a liquor license. It is not unusual for a client to spend upwards of \$10,000, ONLY to obtain a liquor license. We had a client who spent over \$15,000.00 for their liquor license, only to have to close the business shortly after receiving it due to the amount of money spent for the license.

There are currently 4 investigators, who are often called away from the office, often by Liquor Control Officer IV, Karilee Yoshizawa, the "supervisor", to go out on the road for license deliveries, etc., and thus, are taken away from their duties of reviewing applications and permits. This puts a huge strain on the investigators who remain in the office and are forced to handle licensees, etc. daily. I know first hand that it is very overwhelming for them. Moral seems very low as a result of this situation, in addition to the strict, uncompromising oversight Ms. Yoshizawa puts on the investigators and also on

those such as myself who are simply trying to do our jobs. At one meeting for application review, I may be told a revision is required, but when I return with the correction, I am told another revision is required. This results in multiple appointments and a delay in receipt of a liquor license, and at the very least, placement on the Commission's agenda.

I have been told on more than one occasion at a license appointment, that a form is no longer valid and an updated one must be used. This in turn, results in yet another appointment, added expense by our client and a delay yet again in obtaining a permit/appointment/placement on Commission agenda. ALL liquor license and permit forms should be made available online for the general public to access and use. Other counties provide this service, Maui County should do so also. An email list of ALL licensees and attorneys and law firms who assist liquor licensees and applicants should be used to update and advise the same as to any DLC changes in licensing procedures, policies and forms that occur.

Oversight of the Commission and Department desperately needs to be provided by either the Mayor's office or the County Council. The Commission frequently does not have a quorum, which in turn, pushes decisions on applications and other important matters with being delayed. All at the expense of the licensees and applicants. Jonathan Todd, a current Commissioner, has been a negative presence on a Commission, an entity who is already thought about negatively in the Maui community. His rude and inappropriate comments have caused embarrassment by those appearing before the Commission, and have also bordered on illegal on more than one occasion. I and many others do hope that his tenure will have an early end, if possible, and a review will take place. I do want to commend Corporation Counsel Attorney, Gary Murai, who has taken on the daunting task of advising the Commission and DLC. He has shown professionalism and calm while dealing with a very diverse and often difficult group of individuals. I hope that Gary will continue his fine work.

It should be noted that the Licensing Investigators are awesome and knowledgeable individuals, who go out of their way to do their jobs and serve the public to the best of their ability, while working in a department with strict, unreasonable oversight by supervisor, Ms. Yoshizawa. It is very frustrating that Investigators individually are not allowed to make decisions on their own regarding permits and applications, using their knowledge, intelligence and experience, and must ALWAYS defer to Ms. Yoshizawa. This causes delays in application processing and increased anger and frustration by all parties involved. I hope that this situation can be resolved and Investigators be given the opportunity to use their experience and knowledge to make well thought out decisions for licensees and applicants.

I would like the opportunity to provide further information to the Committee on the Department of Liquor Control and Liquor Commission, and ask that I be contacted at this

email address. I sincerely hope that immediate changes take place as a result of the audit, and again, I thank you for initiating the process.