

GET Committee

From: Simone P <polak.simone@gmail.com>
Sent: Monday, March 11, 2019 1:23 PM
To: GET Committee
Cc: Mike J. Molina; Keani N. Rawlins; Riki Hokama; Tasha A. Kama; Kelly King; Alice L. Lee; Tamara A. Paltin; Shane M. Sinenci; Yukilei Sugimura
Subject: Letter in Support of Mayor's Appointment of Don Guzman for Prosecuting Attorney
Attachments: Letter in Support of Don Guzman.pdf



Honored Council Members!

Due to a previously scheduled Homeland Security training, I am unable to testify in person at tomorrow's hearing. Please accept my written testimony submitted via email instead.

With warmest Aloha!

Simone C. Polak

Honorable Michael J. Molina, Chair
Honorable Committee/Council Members
Government, Ethics, and Transparency Committee
200 South High Street Wailuku, Hawaii 96793

RE: TESTIMONY IN SUPPORT OF APPROVING THE MAYOR'S APPOINTMENT OF
DONALD S. GUZMAN FOR PROSECUTING ATTORNEY

Dear Chair Molina:

My name is Simone C. Polak, and I am a retired Deputy Prosecuting Attorney and Family/District Court Judge. I started as a Maui County deputy prosecuting attorney in 1989 and have served in 6 different administrations, including the Kim administration. I can honestly tell you that never has the Maui County Prosecutor's office been so divided, so torn, so low in morale. You know all too well of the extensive backlogs, the favoritism, the waste of public resources. Emotional and economic threats always loomed about and often were deployed by firing or forcing out out good, decent people, who had given their life for this office. Not only were deputy prosecutors fair game as at will employees, but civil servants fared no better.

The question looms who will fix these deplorable situations and return the prosecutors office to a professional, collegial and cohesive place to work? The office has so many talented people who don't mind working hard and do their job to improve the safety of the community.

Well, every once in a while in life, we get a true opportunity to usher in positive change. That is why I have decided to write a letter of support which has impact and consequences, for not just an individual, but for the entire County of Maui which I care deeply about as a over thirty year resident. This is one of those hopeful moments in Maui County history and I am honored to write in support of Don Guzman for Prosecuting Attorney.

Don and I have a professional relationship. He was a deputy prosecutor in the district and family court divisions at the Maui Prosecutor's office, while I was the Senior Appellate

Deputy. In that capacity it was common for me to interact with deputies who had questions about the most effective prosecution of their cases to make them "appeal-proof" or questions about the applicability of new appellate law to their individual trial cases. Don demonstrated some traits that have served him well throughout his career. He came prepared, was respectful, he listened, he analyzed the situation and case law, and was able to have a competent discussion of applicable legal nuances.

When I became a District Family Court Judge from 2004-2010, I know Don appeared before me, as a private attorney, but I would be lying if I said I remember any case in particular! However, there are three type of lawyers judges will remember: 1) Lawyers who show up late, 2) Lawyers who are not prepared, and 3) Lawyers who cannot make rational and cohesive arguments! Don was none of those! My general recollections match my earlier good impressions! Respectful to the Court, timely appearances, prepared, and armed with sound arguments/positions.

Over the years, I have had occasion to observe Don's commitment to serving the Maui Community. Whether on the Community Task Force for Bini At Ani, as the Democratic Party Precinct Chair, Kiwanis Club member, as director on the Maui Bar Association, and many more, Don was involved to make life better for the Maui Community.

Perhaps the best evidence of his commitment, his drive, his ability, and his belief in creative solutions to difficult problems is his service as a three term Maui County Council Member. As Chair of Legal Affairs Committee, Don showed active leadership with respect to both government and community projects. His various Committee assignments just demonstrate the breadth of familiarity he had to develop about new areas. Finally, as Vice Chair for the Council, he has gained extensive leadership and administrative skills. He understands that the key to accomplishing solutions is to actively listen, consult, and cooperate; yet, equally crucial is the independence from influences on criminal cases. He is thus uniquely qualified for the demanding managerial position as Prosecuting Attorney.

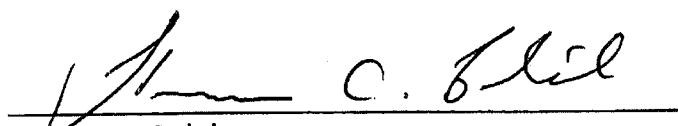
Don not only has integrity, he lives integrity, he has the requisite moral character, the trust of the community and a strong foundation of ethics that will guide him well. I know this because I have on several occasions discussed the issue of ethics in government with Don; he holds strong ethical views which I share!

I believe at this point Don Guzman is the man who can right the ship at the Prosecutor's office, who can place effective reforms, who can take finally the office and its policies into the 21 Century, who can bring together a group of mostly talented deputies and inspire them to do their best!

I strongly support the Mayor's Appointment of Don Guzman for Prosecuting Attorney and I hope so will all Council Members!

Thank you for the opportunity to submit my comments!

With warmest Aloha!



Simone C Polak
Wailuku, HI
808-264-1501

Testimony submitted via email to: get.committee@mauicounty.us

Courtesy Copies emailed to:

mike.molina@mauicounty.us

keani.rawlins@mauicounty.us

riki.hokama@mauicounty.us

tasha.kama@mauicounty.us

kelly.king@mauicounty.us

alice.lee@mauicounty.us

tamara.paltin@mauicounty.us

shane.sinenci@mauicounty.us

yukilei.sugimura@mauicounty.us