

## **GET Committee**

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**From:** mauimarklaw@gmail.com  
**Sent:** Wednesday, March 13, 2019 10:31 PM  
**To:** GET Committee  
**Subject:** Letter Recommending passage of Resolution re: Don Guzman  
**Attachments:** Guzman GET.pdf

Aloha Honorable members of the Maui County Council;

Attached, please find my letter of support for Mr. Don Guzman, Esq., for the position of Prosecuting Attorney for the County of Maui.

Mahalo nui,

Mark R. Simonds  
Attorney at Law

Sent from Windows Mail

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March 11, 2019

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Governance, Ethics, and Transparency Committee  
Maui County Council  
200 S. High Street  
Wailuku, Maui, Hawai'i

VIA EMAIL AND FACSIMILE

Re: APPOINTMENT OF DONALD GUZMAN, ESQ. TO THE POSITION OF  
PROSECUTING ATTORNEY FOR THE COUNTY OF MAUI

Aloha kakahiaka Chairman Molina and Members of the Committee;

Ho'ihii. I write this letter with great respect for all of you as our elected leaders of our community.

As a resident of Maui for 50 years, a former deputy prosecutor of 27 years, and as an attorney currently in private practice, I wish to take a moment to recommend passage of a resolution recommending Mr. Donald Guzman, Esq. for the cabinet position of Prosecuting Attorney, County of Maui.

I mentored Don when he was a young deputy prosecutor in our office. In my opinion, there are three things that make for a good prosecutor: empathy for victims; mental toughness; and a good heart. I believe Mr. Guzman possesses these qualities, and can renew the office mission not only "To Seek Justice" but to do so with dedication, compassion, and fairness.

Eight years ago, these qualities were removed from the mission statement by the immediate past

Mike Molina, Chair, et. al.

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leadership. It is time to re-instate these qualities, perceived by the community to be missing from the commitment of Department staff of late. I know Don will re-instill these qualities amongst Department staff. He will remind them daily of their sworn duty to protect and to serve the public (not self or special interests) and that theirs is truly "the People's Office."

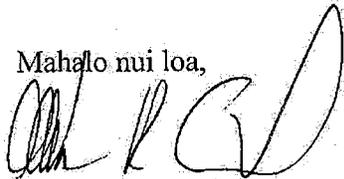
A perfect example was how Mr. Guzman conducted himself this past weekend, following the arrest of a county official on a charge of Abuse of a Family or Household Member. Don's swift action to immediately recuse the Department of the Prosecuting Attorney from this case, even prior to completion of the investigation, and to refer it immediately to the Department of the Attorney General demonstrates that he will be transparent and forthcoming with the public, avoiding even the appearance of impropriety.

Mr. Guzman's experience as an elected member of this Council is also invaluable. His legislative experience will greatly contribute to his ability to advocate for victim's rights, seek funding for the Department to ensure training for deputies and victim-witness counsellors, and provide staff the tools needed to fulfill their critical mission.

As my obligations to my clients and scheduled Court appearances do not allow me to speak with you today, I hope my comments are helpful in your consideration of Mr. Guzman for this important position in our community. The People of Maui look to the Department of the Prosecuting Attorney to make the tough decisions in the administration of justice, tempered with mercy, day in and day out. In Don, they will find a leader who possesses core values vital the true mission of the office, "To Seek Justice, with Dedication, Compassion, and Fairness."

Mr. Guzman is up to the task of being a capable administrator. I am confident he will do his very best. I respectfully ask that you vote "Ae" and pass a resolution to recommend Mr. Guzman for the position of Prosecuting Attorney, County of Maui.

Mahalo nui loa,



Mark R. Simonds  
Attorney at Law