

GET Committee

From: Erik Olson <erikdanielolson@yahoo.com>
Sent: Monday, March 11, 2019 9:11 AM
To: County Clerk; GET Committee
Subject: Testimony in Support of Don Guzman, GET Committee Meeting 3-11-2019
Attachments: 2019.03.11 Olson LTR Support Don Guzman.pdf

To Whom It May Concern:

Please accept the attached letter of support for Mr. Don Guzman as the next Prosecuting Attorney for the County of Maui.

Very truly yours,

Erik D. Olson, Esq.
HSBA # 8952

P.O. Box 4445
Honolulu, Hawaii 96813

Council Chair Kelly King
Council Vice Chair Keani Rawlins-Fernandez
Committee Chair Mike Molina (GET Committee)
County Council Members
County of Maui
200 N. High Street
Wailuku, HI 96793

RE: Testimony in Support of Don Guzman as Maui County Prosecuting Attorney

March 11, 2019

To the Honorable Maui County Council Members:

I am writing to express my strong recommendation of Mr. Don Guzman, Esq., for the position of Prosecuting Attorney for the County of Maui. I was a Deputy Prosecuting Attorney for the County of Maui from August 2009 through May 2013. During that time, Don was a private defense attorney and eventually became a County Council Member. Don and I rarely saw cases the same way, but I always appreciated his strong advocacy for his clients. He never “just took a deal” because it was the easiest way for him to resolve a case. In fact, I remember a couple of occasions where he rolled his eyes at my plea offer and argued for his client in front of the judge without a deal. This helped me reconsider what I was requesting in my plea deals for other criminal defendants. As Prosecuting Attorney, I expect that Don will use this courage and strong advocacy to help him serve crime victims in the County of Maui as well as mentor his deputies.

I also appreciate Don’s professionalism and desire to advocate for changes where bureaucracy puts up barriers. Four years ago, I was approached by former colleagues of mine – legal clerks and secretaries at the Department of the Prosecuting Attorney, who were upset with the office climate under Mr. Kim’s leadership and/or felt that they were being treated poorly because they were not in the “cool” clique in the office or because Mr. Kim did not appreciate their contributions and work product. I decided to write my prior experiences with Mr. Kim in a letter and sent it to the one person I knew on the Maui Council, not knowing what he would do but hoping that he would investigate.

As the Council knows, Don did investigate. There were several contentious hearings regarding the reappointment of Mr. Kim in February 2015 that occurred because Don raised

difficult issues during Council and Committee meetings. But besides the investigation, I appreciated Don's professionalism and wisdom in recognizing that *what* I or my former colleagues said was not the main issue. When he was taking negative comments from testifiers during a hearing, he said that the Council has a duty to question and determine the suitability of the Mayor's appointments, and he would fulfill that duty. Although the result of the Council's deliberations was not what I had hoped, I was heartened that a deliberation had taken place. As an attorney who believes in the rule of law, I was pleased that the Maui County Council pursued amendments to the charter to strengthen and formalize the appointment review process.

Of course, Don was not solely responsible for the charter amendments. Yet his leadership of the investigation and support of the Charter amendment should not be forgotten. Don's ability to continue to do what he saw as his duty, even while under personal attack by his former colleagues at the Department of the Prosecuting Attorney, must be commended. This strength of character will help him seek justice for the County of Maui as its next Prosecuting Attorney.

I strongly recommend Don Guzman as Prosecuting Attorney without any reservation, due to his courage, strong advocacy, professionalism, wisdom, and strength of character.

Very truly yours,

A handwritten signature in black ink, appearing to read "Erik Olson", with a long horizontal flourish extending to the right.

Erik D. Olson, Esq.