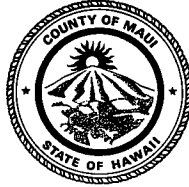


MICHAEL P. VICTORINO
Mayor



GET-1(3)

JOHN D. KIM
Acting Prosecuting Attorney

RECEIVED
ROBERT D. RIVERA
Acting First Deputy Prosecuting Attorney

2019 JAN 18 PM 3:27

OFFICE OF THE MAYOR

DEPARTMENT OF THE PROSECUTING ATTORNEY
COUNTY OF MAUI
150 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
PHONE (808) 270-7777 • FAX (808) 270-7927

OFFICE OF THE
COUNTY COUNCIL

2019 JAN 18 PM 3:59

RECEIVED

January 14, 2019

The Honorable Michael P. Victorino
Mayor
Office of the Mayor
County of Maui
200 S. High Street
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

Michael P Victorino

Mayor Date 1/18/19

Transmittal to:
The Honorable Michael J. Molina, Chair
Governance, Ethics, and Transparency Committee
County Council
County of Maui
200 S. High Street
Wailuku, Hawaii 96793

Re: GET-1 NOMINATION AS PROSECUTING ATTORNEY

Dear Chair King:

I want to continue to serve and seek justice for crime victims and their families. This requires a complete collaborative effort from all facets of the law enforcement community; therefore, our department must maintain the great working relationship that we have developed with the Federal, State, and County law enforcement agencies over the past 8 years.

My primary role as the prosecuting attorney is to "seek justice" and in doing so my appointed deputies and I hold people accountable for their criminal behavior within the confines of the constitution of the State and Federal government. I have also incorporated a "victim-centered" approach to prosecution and have created the first victim-witness services center in this State.

Letter to The Honorable Michael J. Molina
via The Honorable Michael P. Victorino
January 14, 2019
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I am qualified for the position of Prosecuting Attorney because I have prosecuted criminal cases in the Second Judicial Circuit of the State of Hawaii since December of 1985; I have over 20 years of prosecuting criminal cases, 8 years as the Chief Prosecuting Attorney. As the Chief Prosecuting Attorney, I directed the Department's Budget for seven years and managed the staff for eight years. I spent seven years as a deputy corporation counsel assigned to assist the Department of Personnel Services, handling grievance arbitrations and interest arbitrations; as well as advise and counsel various boards and commissions.

Over the many years of government service, I have learned to remain calm in highly stressful situations involving public safety, personnel issues, and dealing with high profile criminal cases. My experience during these instances have enabled me to think rationally through all options and alternatives before making a final decision which may have important consequences for victims, their families and the community as a whole.

As a decades-long public servant, I am keenly aware that the position of Prosecutor is one of service and dedication to the community and the people of Maui County. Moreover, I realize that it takes a complete team effort within the our Department in order to accomplish my short and long term goals. I have consistently stressed the importance of "team" within our own office during my tenure as Prosecutor.

My short term goal is to establish the "Children's Peace Center" at 2103 Wells Street, for children and their families who are victims of violent crime. In order to fully address the needs of our most vulnerable victims and their families, we will provide a co-location center with our Department and the Children's Justice Center, the Maui Police Department's investigators, private-nonprofit service providers and forensic medical examiners.

My long term goal is to expand our department's campus (office space) and staff. It is important that we keep up with the demands of criminal prosecution. Those demands come from our state judiciary, the various federal and local law enforcement agencies, public and private schools, public and private service providers, businesses and the public at large.

Letter to The Honorable Michael J. Molina
via The Honorable Michael P. Victorino
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We have clearly outgrown our current building at 150 South High Street. As in many departments, it is paramount to have qualified and ample staff in order to have a successful criminal prosecution.

I do not have any plans to improve transparency for our Department. As prosecutors we are not an open book to the public, with respect to the cases we review from our law enforcement partners because our state constitution protects the privacy of our citizens. We are not free to publish the names of people under investigation or those who are about to be prosecuted. Being transparent will also jeopardize on going criminal investigations.

Conflicts of interest are handled on a case by case basis by our department. Once a conflict of interest occurs there are two ways to handle it; the first is to "build an ethical wall" within the department between one prosecutor, whose victim or witness is being prosecuted by another prosecutor in the department; the second, is to refer the case to the Department of the Attorney General for prosecution. Our department has 88 full time positions and there are 88 potential conflicts should anyone of those 88 be investigated for criminal activity. Moreover, every victim or witness in our criminal cases are potential conflicts should any one of those victims or witnesses be investigated for criminal activity

If you have any questions regarding the above, please call me at 270-7632 or 270-7777.

Very truly yours,



JOHN D. KIM
Acting Prosecuting Attorney

JDK:kym

xc: Patrick Wong, Acting Corporation Counsel