

STAND. COM. REP. NO.

3694

Honolulu, Hawaii

APR 29 2008

RE: GOV. MSG. NO. 615

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred Governor's Message No. 615, submitting for study and consideration the nomination of:

CIVIL RIGHTS COMMISSION

G.M. No. 615 JONATHAN LUIS ORTIZ,
for a term to expire 6-30-2012,

begs leave to report as follows:

Your Committee received testimony in opposition to Jonathan Luis Ortiz from the Hawai'i Women's Political Caucus and five individuals.

Jonathan Luis Ortiz received a B.A. degree in political science from the University of Hawaii, and a J.D. degree from the George Washington University Law School. He is a graduate of Castle High School. Mr. Ortiz served as a Deputy Public Defender from 1978 to 1980 and has been in private practice since then, most recently as a partner in Ortiz Katano, A Law Corporation. He is past President of the United Puerto Rican Association. While in law school, Mr. Ortiz was a clerk with the Equal Employment Opportunity Commission.

Your Committee notes the written statement of Mr. Ortiz that the Civil Rights Commission has the basic and simple mission of assuring that all of the citizens of Hawaii, regardless of race, gender, or sexual orientation, are treated fairly. The Commission gives a voice to those who have been discriminated against, and also provides a forum for developing a clear understanding of the

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issues by all members of the community. He comes to this position with no preconceived bias, or preconceived notion of how a dispute should be resolved. He firmly believes that cases should be decided on their own merit in light of the statutory purpose, the existing precedent, and the facts of the case.

Your Committee notes further that Mr. Ortiz served as a Deputy Public Defender, which is a position oriented to defending the rights of the accused. This indicates an appreciation and awareness of analogous civil rights. Moreover, the nominee clerked with the Equal Employment Opportunities Commission, which has a similarity in function with the Civil Rights Commission and testified that he has a demonstrated commitment to equal opportunity.

However, notwithstanding the foregoing, your Committee has concerns whether Mr. Ortiz meets the statutory requirements under section 368-2, Hawaii Revised Statutes, in particular the lack of professional experience and substantive knowledge in civil rights and employment issues. Accordingly, your Committee has reservations but will pass the nomination onto a full Senate vote to make the determination.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,


BRIAN T. TANIGUCHI, Chair



