

GM 568

Submitting for consideration and confirmation to the Civil
Defense Advisory Council, Gubernatorial Nominee,
RICHARD MINATOYA, for a term to expire 6-30-2014.

TESTIMONY OF
RICHARD K. MINATOYA
ON

GM 568 – Submitting for consideration and confirmation to the Civil Defense Advisory Council,
Gubernatorial Nominee Richard Minatoya, for a term to expire 6-30-2014

SENATE COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS,
AND MILITARY AFFAIRS

February 23, 2012

Chair Espero, Vice Chair Kidani and Members of the Committee:

Thank you very much for the opportunity to testify before you regarding my nomination to the Civil Defense Advisory Council.

I currently serve as an interim member of the Civil Defense Advisory Council, and already attend the Council's quarterly meetings. I find these meetings interesting and informative, and I also enjoy the opportunity to make a contribution toward the safety and security of the people of our state.

Although I am an attorney, I have some experience in the civil defense/emergency management arena. When Hurricane Iniki struck Kauai on September 11, 1992, I was home from graduate school. The next day, I accompanied then-Rep. Ezra Kanofo to an emergency meeting of the Kauai County Council - by then I had served as Rep. Kanofo's legislative researcher for three sessions and was on my way to a fourth session. We were there to assure the council that Rep. Kanofo would provide the necessary assistance at the Legislature.

A few years later, I served as a councilmember on the Kauai County Council, where I chaired the Committee on Public Safety/Intergovernmental Relations. (Senator Kouchi was the Council Chair at the time.) Civil Defense came under my area of responsibility. During that time, I attended the Florida Governor's Hurricane Conference in Tampa, Florida. I also met regularly with the civil defense director, and was present when the Emergency Operating Center ("EOC") was activated for flooding incidents.

Later, I served as the first deputy prosecuting attorney for the County of Kauai. During that time, I was on the "call out list" when the EOC was activated for the flooding/Kaloko Dam failure incident, at which time I also aided the law enforcement investigation of the dam failure.

I currently serve as a supervising deputy prosecuting attorney for the County of Maui. In my current position as a division head and in my former first deputy position on Kauai, I completed several Emergency Management Institute/FEMA courses. Please find attached a copy of a brief resume and Emergency Management Institute certificates.

I would appreciate your favorable consideration of my nomination. I want to thank the Governor for his nomination, and those people who took the time to submit testimony on my behalf. Finally, thank you very much for your time, consideration, and the opportunity to testify before you.

RICHARD K. MINATOYA
P. O. Box 1366
Wailuku, Hawaii 96793
(808) 385-0088
RichardK.Minatoya@alumni.usc.edu

February 22, 2012

The Honorable Will Espero
State Senator
The Senate
State Capitol Room 231
Honolulu, Hawaii 96813
VIA EMAIL ONLY

Re: Nomination to Civil Defense Advisory Council

Dear Senator Espero:

Thank you very much for your letter dated February 14, 2012 regarding my nomination to the Civil Defense Advisory Council. Here is my response to your questions:

1. Why do you wish to be a member of the Civil Defense Advisory Council?

Serving on the Civil Defense Advisory Council allows me to serve my community. The council, in part, serves as a collection point for emergency management related information gathered from all of the counties. In my position as a deputy prosecuting attorney, I receive a lot of information in this area. As a civil defense advisor, that information can be utilized to help ensure the safety and security of our residents and visitors.

2. Given your understanding of the role and responsibilities of a member of the Civil Defense Advisory Council, why do you believe that you are qualified for the position? Please include a brief statement of your skills, expertise, or knowledge that would aid in your decision-making ability as a member of the Civil Defense Advisory Council.

I believe that I have a good understanding of civil defense/emergency management related issues. As stated in my January 11, 2012 letter to you, I am an attorney, one with not only private civil, criminal defense and prosecution experience, but also municipal law experience, having served as a deputy corporation counsel on Maui. I also have county departmental administrative experience as a former first deputy prosecuting attorney on Kauai. Finally, I also have county legislative experience, having served as a county councilmember and public safety committee chair. County experience is important because the counties serve as the front line for civil defense. I also have FEMA training as set forth in my January 11, 2012 letter.

The Civil Defense Advisory Council is just as it states: it is advisory. It has no decision-

The Honorable Will Espero
February 22, 2012
Page 2

making authority. Section 128-4, Hawaii Revised Statutes, provides that the council advise the governor "in the performance of the governor's duties and in the exercise of the governor's powers in matters pertaining to civil defense." *While the council does not have decision-making authority, my experience, especially my county experience with two counties, will allow me to advise the governor with the county perspective in mind.*

3. What do you hope to accomplish during your term of service?

I hope to effectively provide county insight into the advice given to the governor. Currently, the council has members from various sectors, including retired national guard, a realtor, the transportation sector, and a utility company. I see my service as the opportunity to provide insight from the county perspective.

4. Can you see possible conflicts of interests that could arise during your service on the Civil Defense Advisory Council? How would you overcome any possible conflicts of interest?

Because the council does not have decision-making authority, I do not foresee conflict of interest situations. As a county employee, it is that county perspective that would make my service valuable to the council, like any other member from another sector of our community. In the unlikely event that a conflict situation does arise, I will certainly recuse myself from the discussion of that issue.

Thank you very much for allowing me the opportunity to answer your questions. Please contact me if you have any other questions or concerns.

Very truly yours,



RICHARD K. MINATOYA

STATE OF HAWAII
DEPARTMENT OF DEFENSE

TESTIMONY ON GM 568
SUBMITTING FOR CONSIDERATION AND CONFIRMATION TO THE CIVIL DEFENSE
ADVISORY COUNCIL, GUBERNATORIAL NOMINEE,
RICHARD K. MINATOYA, FOR A TERM TO EXPIRE 6-30-2014

COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS,
AND MILITARY AFFAIRS

BY

MAJOR GENERAL DARRYLL WONG
DIRECTOR OF CIVIL DEFENSE

FEBRUARY 23, 2012

Chair Espero and Committee Members:

I am Darryll Wong, Director of Civil Defense, State Department of Defense. I am providing written testimony in support of GM 568, which considers and confirms Mr. Richard K. Minatoya to the Civil Defense Advisory Council.

State Civil Defense supports the nomination of Mr. Richard K. Minatoya to serve as a member of the Civil Defense Advisory Council. Mr. Minatoya has worked in numerous positions of public trust in the State of Hawaii between 1992 through present, including Kauai County Councilmember, practicing Attorney-at-Law, State of Hawaii House of Representatives Staff Attorney, and various Deputy County Prosecuting Attorney positions in the County of Maui and the County of Kauai. Mr. Minatoya's broad legal experience in the State of Hawaii will bring diverse understanding of legal matters to the Advisory Council and his participation as a member will significantly enhance Civil Defense preparedness.

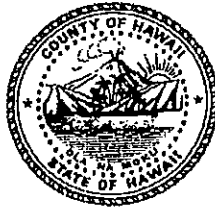
We urge your committee to recommend Senate confirmation on the appointment of Mr. Minatoya to a term as a member of the Civil Defense Advisory Council.

Thank you for the opportunity to provide written testimony in support of this consideration.

Are there any questions?

CHARLENE Y. IBOSHI
PROSECUTING ATTORNEY

DALE A. ROSS
FIRST DEPUTY
PROSECUTING ATTORNEY



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OFFICE OF THE PROSECUTING ATTORNEY

TESTIMONY IN SUPPORT OF THE CONFIRMATION
OF RICHARD MINATOYA
TO THE CIVIL DEFENSE ADVISORY COUNSEL
GM 568

COMMITTEE ON PUBLIC SAFETY, GOVERNMENT
OPERATIONS, AND MILITARY AFFAIRS

Senator Will Espero, Chair
Senator Michelle N. Kidani, Vice Chair

Thursday, February 23, 2012, 2:00 PM
State Capitol, Room 224

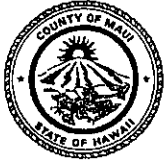
Senators KAHELE, GREEN, Espero, Gabbard, Galuteria, Kidani, Kouchi, Senators and
Members of the Committees:

I am in support of the appointment and confirmation of Richard Minatoya to the State Civil Defense Advisory Council. I have known Mr. Minatoya nearly a decade as a result of our professional experiences as government attorneys. Mr. Minatoya has served on several judicial standing committees and task forces that involved reviewing laws and procedures. Additionally, we have worked on administrative matters involving legislation, budgets and statewide trainings. During my professional experiences with Mr. Minatoya, he has shown that he is intelligent, fair, and resourceful, understands human nature, and is decisive when required to make tough choices.

Based upon my professional experiences with Mr. Minatoya, I recommend that you confirm Mr. Minatoya to the Civil Defense Advisory Council.

Thank you for allowing me to testify on this appointment and confirmation.

Charlene Y. Iboshi, Hawaii County Prosecutor



ALAN M. ARAKAWA
MAYOR

OUR REFERENCE

YOUR REFERENCE

POLICE DEPARTMENT

COUNTY OF MAUI

55 MAHALANI STREET
WAILUKU, HAWAII 96793
(808) 244-6400
FAX (808) 244-6411

February 22, 2012



GARY A. YABUTA
CHIEF OF POLICE

CLAYTON N.Y.W. TOM
DEPUTY CHIEF OF POLICE

The Honorable Will Espero, Chair
And Members of the Committee on Public Safety,
Government Operations, And Military Affairs
The Senate
Hawaii State Capitol
Honolulu, HI 96813

Re: GM No. 568

Dear Chair Espero and Members of the Committee:

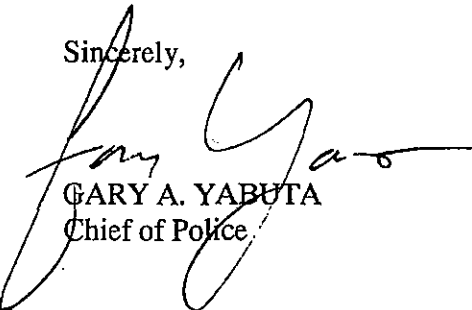
The Maui Police Department supports the appointment of Richard Minatoya, Deputy Prosecuting Attorney, County of Maui, to the **Civil Defense Advisory Council**. It has been our experience that he works tirelessly with our department in the betterment of the legal process to keep the citizens of Maui County safe.

We strongly feel that he will help to bring a voice to the Civil Defense Advisory Council which will reflect his years of legal experience. We also feel that he will assist to interpret and craft laws that will help to serve the needs of the people of Hawaii during times of civil defense emergency.

Should you have questions regarding our recommendation of Mr. Richard Minatoya to the Civil Defense Advisory Council, please do not hesitate to call me at (808) 244-6300.

Thank you for the opportunity to testify.

Sincerely,



GARY A. YABUTA
Chief of Police

KIEFER & GARNEAU LLC
A Limited Liability Law Company

Richard Kiefer

Greg Garneau

Direct Dial (808) 871-6016
Email: jodieyasuda@hawaii.rr.com

February 21, 2012

Via Email

Senator Will Espero, Chair
Senator Michelle N. Kidani, Vice Chair
Committee on Public Safety, Government Operations, and Military Affairs
State Capitol
Honolulu, Hawai'i 96813

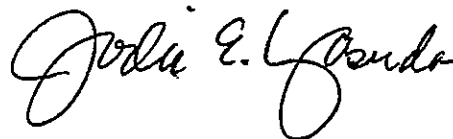
Re: GM568; Testimony in Support of the Confirmation of Gubernatorial
Nominee, Richard Minatoya to the Civil Defense Advisory Council;
February 23, 2012 at 2:00 p.m., Conference Room: 224

Dear Chair Espero, Vice Chair Kidani and Members of the Committee:

I am the Office Manager for Kiefer & Garneau LLC, a law firm on Maui and have had the pleasure of knowing and working with Mr. Minatoya for twenty years. He is smart, ethical and has always possessed a strong desire towards public service as evidenced by his prior tenures as a Kauai County Councilman, First Deputy Prosecuting Attorney for the County of Kauai and Deputy Corporation Counsel for the County of Maui. Richard's extensive legal background and his current position as a Deputy Prosecuting Attorney for the County of Maui in charge of the Appellate, Asset Forfeiture and Administrative Services Division will make him a valuable addition to the Council. For these reasons, I whole heartedly support his nomination without hesitation.

Thank you for considering my testimony. Please do not hesitate to contact me if you have any questions.

Yours truly,



Jodie E. Yasuda

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 21, 2012 8:21 AM
To: PGM Testimony
Cc: takoman19.0@gmail.com
Subject: Testimony for GM568 on 2/23/2012 2:00:00 PM

Testimony for PGM 2/23/2012 2:00:00 PM GM568

Conference room: 224
Testifier position: Support
Testifier will be present: No
Submitted by: Wendell Loo
Organization: Individual
E-mail: takoman19.0@gmail.com
Submitted on: 2/21/2012

Comments:

This letter is in support of Mr. Richard Minatoya appointment as an adviser to the Civil Defense commission.

I believe Mr. Minatoya will make an excellent candidate as an adviser to the Civil Defense commission. Mr. Minatoya is a well rounded individual with a lot of experience that will be an asset on this commission. Mr. Minatoya does not take his responsibilities to this important commission lightly and will serve with the upmost integrity and dignity. I humbly ask for your support of Mr. Minatoya appointment to this commission.

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 21, 2012 9:16 AM
To: PGM Testimony
Cc: tonyearles@aol.com
Subject: Testimony for GM568 on 2/23/2012 2:00:00 PM

Testimony for PGM 2/23/2012 2:00:00 PM GM568

Conference room: 224
Testifier position: Support
Testifier will be present: No
Submitted by: Anthony Earles
Organization: Individual
E-mail: tonyearles@aol.com
Submitted on: 2/21/2012

Comments:

In the seven years that I have known Richard, he has been very active in helping our community - and not just through his work. His personal commitment to getting involved and contributing to bettering the lives of others is surpassed only by his strong moral values and concern for promoting 'ohana. His experience will greatly benefit the Civil Defense Commission and Our State! Mahalo for your consideration!

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 21, 2012 8:54 PM
To: PGM Testimony
Cc: pat.wong@co.maui.hi.us
Subject: Testimony for GM568 on 2/23/2012 2:00:00 PM

Testimony for PGM 2/23/2012 2:00:00 PM GM568

Conference room: 224
Testifier position: Support
Testifier will be present: No
Submitted by: Patrick K. Wong
Organization: Individual
E-mail: pat.wong@co.maui.hi.us
Submitted on: 2/21/2012

Comments:

Aloha Chair Espero and Vice-Chair Kidani:

I write in support of confirmation of Richard Minatoya to the Civil Defense Advisory Council. Richard is an asset to the State and an exemplary resident of the County of Maui.

Mahalo,

Patrick K. Wong