

**Testimony of John M. Tonaki,  
State Public Defender to the Senate Committee on  
Judiciary and Labor**

March 28, 2017

GM 623: Nomination of Craig De Costa to the Defender Council

Chair Keith-Agaran and Committee Members:

It is a pleasure to support the nomination of Craig De Costa to be the Kauai representative on the Defender Council. Mr. De Costa is the former elected Prosecuting Attorney for the County of Kauai and currently a partner in the Kauai law firm of De Costa, Hempey and Meyers. As a member of the Defender Council, Mr. De Costa will assist the Office of the Public Defender in fulfilling our mission of zealous and effective representation of indigent persons charged with criminal offenses.

Mr. De Costa's background and career experience has given him an extensive understanding of the criminal justice system and the Public Defender's essential role in that system. We would be privileged to have him serve on the Defender Council.

Thank you for the opportunity to be heard on this matter.

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March 21, 2017

Senator Gilbert Keith-Agaran  
Senate District 5  
Hawaii State Capitol  
Room 221

Re: GM 623: Craig De Costa's appointment to the Public Defender Council

Chairman Keith-Agaran:

I write this letter to express my full support for the appointment of Craig De Costa to a full-term on the Defender Council which governs the Office of the Public Defender. Craig was serving on an interim basis having filled the slot created by Judge Mike Soong's appointment to the bench. Having served as a PD for 12 years, practiced criminal law for almost 30 years, litigated cases on Kauai and worked constantly with Deputy Public Defenders, I believe I have the insight and experience to understand the qualifications needed to effectively serve on the Council. There can be no doubt that Craig has the experience to effectively serve in this critical position and I can't think of anyone with a better understanding of the unique issues facing the Kauai Division of the Office of the Public Defender. If you need or would like any other input, please do not hesitate to contact me.

Sincerely,

/S/ David M. Hayakawa  
David M. Hayakawa

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [JDLTestimony](#)  
**Cc:**  
**Subject:** Submitted testimony for GM623 on Mar 28, 2017 09:30AM  
**Date:** Friday, March 24, 2017 8:35:27 PM

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**GM623**

Submitted on: 3/24/2017

Testimony for JDL on Mar 28, 2017 09:30AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melissa Pavlicek	Individual	Support	No

Comments: Aloha! My name is Melissa Pavlicek and I am writing in support of Craig DeCosta's nomination to the Defender Council. I am an attorney and small business owner and have known Mr. DeCosta in a personal and professional capacity for over 20 years. His commitment to public service, diligence and intelligence will help him to serve the people of Hawaii in this role. Please confirm his nomination.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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THE HONORABLE GILBERT S.C. KEITH-AGARAN, CHAIR  
SENATE COMMITTEE ON JUDICIARY & LABOR  
Twenty-Ninth State Legislature  
Regular Session of 2017  
State of Hawai`i

March 22, 2017

RE: GM 623

Chair Keith-Agaran, Vice Chair Rhoads, and members of the Senate Committee on  
Judiciary,

I support the confirmation of Craig A. De Costa as a member of the Defender Council.

I have known Mr. De Costa both professionally and personally for the last 7 years.  
Throughout this time, I have observed him to be a diligent and effective attorney in both  
the criminal and civil arenas.

Mr. De Costa grew up on Kauai and knows very well the issues our residents face,  
especially as they find themselves navigating through the justice system. I believe Mr.  
De Costa is extremely well-suited to sit on the Defender Council to not only perform the  
functions he is expected to, but in addition, to be a liaison between our small office on  
Kauai and the Defender Council. Mr. De Costa would be an asset on Defender Council  
as he has proven to be during his current interim term.

For all of the reasons stated above, I support the nomination of Craig A. De Costa to  
serve a full term on the Defender Council.

Thank you for the opportunity to testify on this matter.

Sincerely,

/S/ STEPHANIE CHAR  
Stephanie Char  
Deputy Public Defender