



West Hawai'i Bar Association

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Testimony to the Thirty-Third Legislature, 2025 Regular Session

Senate Committee on Judiciary
Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

Hearing: April 11, 2025 at 9:30 a.m.

State Capitol Building
415 South Beretania Street
Honolulu, HI 96813

Re: GM767 – Confirmation as Circuit Court Judge of the Circuit Court of the Third Circuit (Island of Hawai'i), Gubernatorial Appointee, KAUANOE A.D. JACKSON

Honorable Chair Rhoads, Honorable Vice Chair Gabbard, and Members of the Senate Committee on Judiciary:

Please accept this testimony from the West Hawai'i Bar Association regarding the nomination of Kauanoë A.D. Jackson as Circuit Court Judge of the Third Circuit Court. The West Hawai'i Bar Association represents 113 attorneys practicing in the Third Circuit. Our Association serves the West side of the Island of Hawai'i—an area stretching from the district of North Kohala in the far north, all the way through the south of the island to the district of Ka'ū.

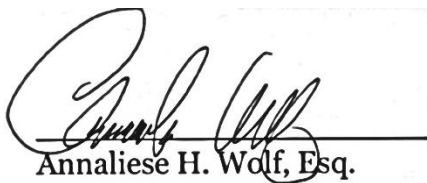
The Third Circuit Court, Division Three, has been without a permanent judge since July of 2024. This has placed a serious strain on the court's ability to provide justice in a consistent, fair, and efficient manner. The West Hawai'i community will be served by the confirmation of a permanent judge on the Circuit Court bench.

We, the Executive Board of the West Hawai'i Bar Association, believe it is in the public interest to provide insight into the collective observations and experiences of those who regularly work within the justice system. We undertook a survey of West Hawai'i Bar Association members regarding Ms. Jackson's nomination, and, of the responses received, the consensus was substantially positive and reflects a high level of professional regard for Ms. Jackson.

We requested our members evaluate Ms. Jackson as to the following criteria: integrity, diligence, legal knowledge and ability, professional experience, judicial temperament, public service, and the ability to fulfill the responsibilities and duties of the position. The responses from our members reflect a recognition of Ms. Jackson's ability to serve the community with respect and dedication. Respondents consistently recognized her commitment to the legal profession, thoughtful demeanor, and consistent demonstration of fairness and ethical conduct.

A concern was raised regarding Ms. Jackson's lack of civil litigation experience, however members indicated that they believed she had the legal knowledge and ability to take on that challenge. These results reflect the regard in which Ms. Jackson is held by members of the legal community—individuals who have had an opportunity to observe her work firsthand in courtrooms and in practice.

We appreciate the opportunity to comment on matters affecting the interests of the West Hawai'i bar and look forward to the stability that the appointment of a permanent Circuit Court judge will provide to our legal community.

A handwritten signature in black ink, appearing to read 'Annaliese H. Wolf', is written over a horizontal line.

Annaliese H. Wolf, Esq.
President, West Hawai'i Bar Association

GM-767

Submitted on: 4/5/2025 10:11:07 AM

Testimony for JDC on 4/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Anela Rosa	Individual	Support	Remotely Via Zoom

Comments:

Kahu Anela W Rosa

27 W Aipuni Place

Lahaina, HI 96761

Email: anelarosa@yahoo.com

Phone: 808-281-9306

April 05, 2025

Aloha mai Kākou,

I am writing to you as a family member (Aunt) on behalf of Kauanoë A. D. Jackson, in reference and support of her appointment for the position of Circuit Court Judge of the Circuit Court of the Third Circuit (Island of Hawai‘i).

It is with great pride and honor that I support and recommend her for this prestigious position. Kaua mirrors the epitome of a child who was raised by a village and returned to kōkua, this same village. It may sound cliché, yet, when you review her life, it’s exactly as it is.

I have had the ability to watch her grow into the young professional woman she is today. As I have been present for many of her milestones in her life and adding this appointment,

fills me with much pride and joy. Kaua has lived and grown each time with each accomplishment. Her mannerism reflects in the many decisions she makes for herself, her family as well as her professional life. All of which are done with great integrity, honesty, and responsibility. Kaua's character exemplifies exactly the person to fulfill the shoes of those who have come and served in this position before her. She will carry on the legacy set forth.

The decision will be left in the hands of the committee to confirm her calling and I am grateful for the opportunity to write to you on her behalf and also very proud she is being considered for this position.

Should you have any questions, please feel free to contact me either by email or phone.

Ke Akua Pū,

Kahu Anela Rosa

Waiola Church

Lahaina, HI

GM-767

Submitted on: 4/8/2025 7:05:52 AM

Testimony for JDC on 4/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ezra Witsman	Individual	Support	Remotely Via Zoom

Comments:

Aloha Committee Members:

My name is Robert Ezra Witsman and I am preparing this written testimony in support of the judicial nomination of Kauanoe Jackson. Based upon my work history, I am uniquely qualified to write this testimony in support of her nomination.

As to my work history, I have been a business person, prosecutor, private practice attorney and high school teacher. For more than eighteen years, I have worked with Kealakehe High School students to compete in the We the People Competition. This competition entails a mock congressional hearing.

Students write essays on various constitutional issues. Then, one essay is selected to be read (four minutes) to a panel of three judges. After the selected essay is read, the judges ask the students questions (six minutes) about the selected essay.

For many years, Kauanoe has been helping with the We the People Competition. Each year, she has been a mentor to one of the small groups of students. As a mentor, she has assisted students with their research, writing of their essays and doing practice rounds. The mentors also attend Saturday practices.

Kauanoe has always done an outstanding job working with the students. Also, the students have always enjoyed working with her.

Kauanoe has the qualities to become an exceptional judge. She is hard working, smart, personable, kind and diligent. Without hesitation, I give her my highest recommendation.

If you have any questions, don't hesitate to contact me. My phone number is 808-345-3132. My email address is yoshitoshi2@yahoo.com.

Sincerely yours, Robert Ezra Witsman, J.D., M.Ed.

**Testimony to the Thirty-Third Legislature
Regular Session of 2025**

Senate Committee on Judiciary

Senator Karl Rhoads, Chair

Senator Mike Gabbard, Vice Chair

Friday, April 11, 2025, 9:30 AM

Hawai'i State Capitol, Conference Room 016

GM 767, Submitting for consideration and confirmation as Circuit Court Judge of the Circuit Court of the Third Circuit (Island of Hawai'i), Gubernatorial Appointee, Kauanoë A.D. Jackson, for a term to expire in 10 years.

Submitted by: Robert D.S. Kim, Chief Administrative Judge (Ret.), Third Circuit Court

I am writing to you in my individual capacity as a retired Chief Administrative Judge for the Third Circuit. I am respectfully requesting your support for consideration and confirmation of Gubernatorial Appointee, KAUAÑOË A.D. JACKSON, as a circuit court judge, assigned to Division 3, Third Circuit Court, for a term of 10 years.

As a criminal defense trial counsel who accepted court appointments, I represented many indigent defendants in serious felony matters in the Third Circuit. In many of these serious felony cases the lead prosecutor would be Mrs. Jackson. In my representation I found her to be a diligent prosecutor who was always prepared for each trial.

As a circuit court judge, Mrs. Jackson would appear before me as the lead prosecutor in very serious felony cases, including jury trials. She would always be prepared and had a reputation for honesty and integrity. I believe that Mrs. Jackson has the intellectual capacity and work ethic to familiarize herself with the diverse case types that are presented in circuit court.

I believe that Mrs. Jackson has the skill, experience as a trial attorney, and temperament to be a circuit judge in the Third Circuit. Having known and worked with Mrs. Jackson for approximately fifteen (15) years as an attorney in the Kona community, I recommend her confirmation.

GM-767

Submitted on: 4/9/2025 6:40:48 PM

Testimony for JDC on 4/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ronald Ibarra	Individual	Support	Written Testimony Only

Comments:

Aloha Chairman Rhoads, Vice-Chairman Gabbard, and members of the Senate Committee on Judiciary,

I strongly support the confirmation of Kauanoe A.D. Jackson to the Third Circuit Court bench.

I retired as the Chief Judge of the Third Circuit after serving 28 years. I first met Ms. Jackson in 2006 when I administered the attorneys' oath after she passed the bar exam. At that time I informed her of her responsibility to the community and maintaining her integrity as a lawyer. Ms. Jackson has not disappointed me.

Ms. Jackson has appeared before me as a deputy prosecutor numerous times participating in jury trials and evidentiary hearings. She was always on time, prepared and treated the court staff, opposing counsel and self represented litigant with dignity and respect. She is compassionate and fair and keeps an open mind when negotiating settlements. She has the ability and work ethic to "come up to speed" in areas of the law that she may not be familiar with. Ms. Jackson is well qualified to perform the duties and responsibilities of a Circuit Court Judge.

Ms. Jackson has strong ties to the island community. She was raised in Kona and graduated from Konawaena High School. She knows the Hawaiian culture and the aloha spirit as referred to by our Supreme Court Justice Eddins. She is well respected within the community.

Ms. Jackson has the personal and professional qualities to become an exceptional judge. I respectfully request that this honorable committee recommend her confirmation.

Respectfully,

Ronald Ibarra

GM-767

Submitted on: 4/10/2025 9:29:05 AM

Testimony for JDC on 4/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kelden Waltjen	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice-Chair Gabbard, and members of the Senate Committee on Judiciary, I write in **STRONG SUPPORT** of the confirmation of Kauanoe Jackson to the Circuit Court of the Third Circuit, the State of Hawai‘i, for a 10-year term as Circuit Court Judge.

I have known Ms. Jackson since 2012. I am confident that Ms. Jackson possesses the qualities of integrity, intelligence, and compassion necessary to serve the people of Hawai‘i with distinction and fairness.

Ms. Jackson’s legal experience is nothing short of impressive. She has demonstrated a deep understanding of the law and a steadfast commitment to justice in her work as a Deputy Prosecutor. She has earned the respect and admiration of colleagues and members of the legal community. Her expertise in complex legal issues, as well as her ability to navigate the intricacies cases, makes her exceptionally well-suited for the responsibilities of a Circuit Court Judge.

She has consistently demonstrated a commitment to fairness, equity, and the well-being of the community. Her passion for public service is evident in her active participation in legal education and mentorship. She has been a role model for young lawyers and has worked tirelessly in our community to mentor the future generation.

What sets Ms. Jackson apart is her deep connection to the community and her understanding of the unique needs of the people of Hawai‘i. Born and raised on Hawai‘i Island, she possesses a profound respect for the cultural, historical, and social context that shapes our state. Her sensitivity to the challenges faced by our people, combined with her legal expertise, makes her a judge who will bring thoughtful, informed, and empathetic decision-making to the bench.

I am confident that Ms. Jackson will serve with the highest level of professionalism, impartiality, and dedication. Her track record reflects a commitment to upholding the rule of law while ensuring that justice is served fairly and equitably for all. As a Circuit Court Judge, she will undoubtedly continue to contribute positively to the legal system and the community she has worked so hard to support.

For these reasons, I wholeheartedly support the confirmation of Ms. Kauanoe Jackson to the Circuit Court of the Third Circuit, State of Hawai‘i. I am certain that she will make an invaluable addition to our judiciary and will serve the people of Hawai‘i with integrity and commitment.

Mahalo,

Kelden B.A. Waltjen

GM-767

Submitted on: 4/4/2025 4:04:33 PM

Testimony for JDC on 4/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jennifer Long	Individual	Support	Written Testimony Only

Comments:

I am in strong support of KAUANO E. D. JACKSON as Circuit Court Judge. Her work ethic, strong moral character and authentic care for just treatment of all, make her a valuable asset in our court system.

GM-767

Submitted on: 4/6/2025 1:14:32 PM

Testimony for JDC on 4/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Edythe Maeda	Individual	Support	Written Testimony Only

Comments:

I am writing to express my strong support for Kauanoe A. Jackson to fill a Circuit Court judgeship in Kona, Hawai'i.

I retired from the Hawai'i County Prosecutor's Office as a Victim Witness Counselor. I worked with Kaua (Kauanoe) for 7 years and saw her grow into a very motivated, dedicated and well respected Deputy Prosecuting Attorney. She has demonstrated a professional and ethical attitude toward her work, peers, clients and even adversaries.

As a Deputy Prosecuting Attorney, Kaua has brought justice and shown patience and empathy toward people from all walks of life in the Kona community.

Her respectful, conscientious and calm demeanor is well suited for the demands of a Circuit Court judge. She will bring her unique perspective to the bench as well as a deep understanding of the law.

Kaua is committed to upholding the law with fairness and integrity. She will demand the highest level of professionalism from all those who appear before her. Her knowledge and experience will be of great service to the Kona community.

I have great respect for Kaua and sincerely believe she will be a valuable asset to our judicial system.

Thank you for taking my thoughts into consideration.

Respectfully,

Edythe Maeda

GM-767

Submitted on: 4/6/2025 5:31:32 PM

Testimony for JDC on 4/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Daniel Jesser	Individual	Support	Written Testimony Only

Comments:

To whom it may concern,

I am writing in support of Ms. Jackson and her nomination to judgeship.

While I have no professional relationship with her, I do know her well as a customer and friend. Seeing her several times a week, for the last few years, I am struck by her integrity, kindness, professionalism and passion. While not discussing specific cases, she will share with me her closely held views on fairness and ethics. There are two things that truly stand out to me as indicators of her fitness for the nominated position.

Knowing her as I do, I would feel completely comfortable having her sit in judgment of me, or anyone else. Further, life experience has taught me that, it is, most often, illuminating to see, the behavior of, and relationship with, someone's children. She has as simply outstanding daughter, and is a wonderful parent!

I wish her the very best with this nomination, she is most deserving, and we deserve her.

I am always available if needed. Thank you for this opportunity to support Ms. Jackson for this position.

Sincerely,

Daniel G. Jesser

GM-767

Submitted on: 4/6/2025 5:51:31 PM

Testimony for JDC on 4/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kathleen Sakai Oshiro	Individual	Support	Written Testimony Only

Comments:

Dear Members of the Senate,

My name is Kathleen Sakai Oshiro, and I am writing to express my full and enthusiastic support for the confirmation of Kauanoe Kaneshiro Jackson as a judge. I have had the privilege of knowing her personally for over 25 years and I can attest to her deep integrity, fairness, and unwavering dedication to justice.

Mrs. Jackson has consistently demonstrated a strong commitment to serving our community. Through her hard work with the Prosecuting Attorneys office on the Hawaii Island, she has uplifted countless individuals and families, particularly those who are often underserved or marginalized.

What sets Mrs. Jackson apart is her ability to listen with empathy, reason with clarity, and lead with principle. I believe as a judge she will rule with fairness and an unwavering respect for the litigants who appear before her.

I am confident she will uphold the highest standards of judicial responsibility.

I respectfully urge you to confirm Kauanoe Jackson to this important position. Our community, and the justice system as a whole, will be better for it.

Sincerely,

Kathleen Sakai Oshiro

Kathy@katsconsulting.com

(808)690-2183

David Carruthers
Senior Special Agent
PO BOX 721202
Naalehu, 96772
Carruthersd1@yahoo.com
(808) 636-3358

April 4, 2025

Hawaii State Legislatures and Representatives,

I am writing to offer my wholehearted endorsement of Kauanoe A. D. Jackson for the position of Hawaii District Judge. As a Senior Federal Agent with 18 years of law enforcement service and a retired Naval Special Operations Lt. Commander, I have had the privilege of working alongside Kauanoe A. D. Jackson in various capacities, and I can state with complete confidence that they are one of the most qualified and capable individuals to serve as a District Judge for the State of Hawaii.

Throughout my professional interactions with Kauanoe A. D. Jackson, they have consistently exhibited an unwavering commitment to integrity. Jackson approaches each case with honesty, transparency, and a strong sense of moral responsibility. They are steadfast in their efforts to ensure justice is not only done but is seen to be done. Their diligent work ethic and tireless dedication to the law are qualities that will serve them well in the demanding role of a judge.

Kauanoe A. D. Jackson possesses an extensive and thorough understanding of both state and federal law, a quality essential for any judicial candidate. Whether handling complex criminal cases or navigating intricate legal procedures, they have consistently demonstrated their ability to analyze legal issues from multiple angles and make sound, reasoned decisions. Their exceptional legal acumen, combined with practical experience in the courtroom, makes them well-equipped to handle the diverse challenges they will encounter as a District Judge.

In my years of working with Kauanoe A. D. Jackson, I have observed firsthand their professional demeanor and ability to manage high-stress situations with grace and clarity. As a prosecuting attorney, Jackson has shown the necessary judgment and fairness required for a judicial role. Their calm and balanced temperament allows them to consider all aspects of a case, ensuring that decisions are made based on legal principles, not personal biases or external pressures. I am confident that Kauanoe A. D. Jackson will bring this same level-headed approach to the bench.

As a person of sound financial responsibility, Kauanoe A. D. Jackson has demonstrated an understanding of the financial aspects of managing both personal and professional obligations. This trait is crucial for a District Judge, as it reflects the type of disciplined and prudent decision-making required when managing a courtroom's fiscal matters, as well as understanding the broader economic implications of their rulings.

Kauanoë A. D. Jackson has shown an unwavering commitment to public service throughout their career, tirelessly working to ensure that justice is upheld for all members of the community, regardless of their background. The role of a District Judge demands long hours, immense responsibility, and the ability to manage complex and often emotionally taxing situations. I have no doubt that Kauanoë A. D. Jackson is not only prepared to handle the demands of the position but will do so with the perseverance and dedication required to make difficult decisions in the pursuit of justice. Their experience working under pressure, coupled with their dedication to service, uniquely qualifies them for this role.

In conclusion, I offer my highest endorsement of Kauanoë A. D. Jackson for the position of Hawaii District Judge. Their combination of integrity, diligence, legal knowledge, professional experience, judicial temperament, and commitment to public service makes them an ideal candidate for this important position. I am confident that Kauanoë A. D. Jackson will serve the people of Hawaii with distinction, fairness, and a deep commitment to the rule of law.

Please do not hesitate to contact me if you need any further information or if I can assist in any other way.

Sincerely,

David Carruthers
David Carruthers

Senior Special Agent

TESTIMONY OF
TERRI L. FUJIOKA-LILLEY
HI BAR NO. 9590 (INACTIVE)
TO THE
SENATE COMMITTEE ON JUDICIARY
HEARING ON
FRIDAY, APRIL 11, 2025, AT 9:30 A.M.
CONFERENCE ROOM 016

GM767: *Submitting for consideration and confirmation as Circuit Court Judge of the Circuit Court of the Third Circuit (Island of Hawai'i), Gubernatorial Appointee, KAUANOE A. D. JACKSON, for a term to expire in 10 years.*

Aloha Chairman Rhoads, Vice-Chairman Gabbard, and members of the Senate Committee on Judiciary,

I write in SUPPORT of the confirmation of Kauanoë A.D. Jackson to the Circuit Court of the Third Circuit, the State of Hawai'i, for a 10-year term as Circuit Court Judge.

I have known Ms. Jackson since 2012, and worked with her from 2012-2015. During that time, I found her to be a diligent, hard-working, and crazy smart deputy prosecuting attorney and an excellent colleague.

After I left the Office of the Prosecuting Attorney in 2015, I litigated against Ms. Jackson on numerous occasions, including several jury trials—mostly losing to her! From my perspective as a defense attorney, I saw how Ms. Jackson is not only an aggressive advocate for the office, but also aggressive in promoting the rule of law and ensuring due process to criminal defendants.

One notable example comes from a preliminary hearing, in which Ms. Jackson represented the State, and I was court-appointed counsel for the defendant in a drug case. In that prelim, the arresting officer testified to the recovery of the drugs at issue and, in doing so, testified to facts demonstrating that the warrantless search and seizure had been without probable cause under both state and federal law. Ms. Jackson completed the hearing professionally and without displaying agitation, anger, or frustration expressed toward any of the witnesses, the court or counsel. I made a note to myself to seek an expedited transcript and to file an immediate motion to suppress the evidence and dismiss the charges. After the court found probable cause for the offense, and Ms. Jackson and I were leaving the courtroom, she pulled me aside and indicated that she would file a dismissal when she returned to the office, which she did.

The reason this is notable is that many—perhaps most—DPAs would have put me to the time and trouble of preparing and litigating a motion; put the State (which was paying my

fees) to the expense of providing expedited transcripts and paying me to brief, file, and argue the motion; and would have wasted our extremely limited judicial resources by insisting on a hearing that could have but one outcome (whether at the trial or appellate level). Not only did she do the right and efficient thing with respect to that case but, based on my earlier work with her at the OPA, I am confident that the dismissal was followed by her taking the time to ensure that the individual officer and our local HPD office was trained on why that particular search and seizure was impermissible and how to conduct the investigation properly next time.

I could not be more delighted about Ms. Jackson's selection by Governor Green, she is smart, unflappable, fair, honest, and truly seeks every day to do justice in our community. Accordingly, I humbly request that Ms. Jackson's appointment to the vacant position as Circuit Court Judge for the Third Circuit, State of Hawai'i be enthusiastically CONFIRMED.

Mahalo for your consideration,
Terri L. Fujioka-Lilley

GM-767

Submitted on: 4/7/2025 6:44:11 PM

Testimony for JDC on 4/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Allen Bartolome	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice-Chair Gabbard, and esteemed members of the Senate Judiciary Committee, I am writing to express my **STRONG SUPPORT** for the confirmation of Kauanoe Jackson to the Circuit Court of the Third Circuit, State of Hawai‘i, for a 10-year term as Circuit Court Judge.

I have had the privilege of knowing and working alongside Ms. Jackson since 2016. I am confident that she embodies the qualities of integrity, intellect, and compassion that are essential to serve the people of Hawai‘i with fairness and distinction. Her dedication to public service is clearly reflected in her active involvement in legal education and mentorship, where she has consistently served as a role model for emerging lawyers and devoted herself to guiding the next generation within our community.

Having been born and raised in Hawai‘i, Ms. Jackson has a deep respect for the cultural, historical, and social aspects that define our state. Her awareness of the challenges faced by our community, paired with her legal expertise, makes her an ideal candidate who will bring thoughtful, informed, and compassionate decision-making to the bench.

For these reasons, I fully support the confirmation of Ms. Kauanoe Jackson to the Circuit Court of the Third Circuit, State of Hawai‘i. I am confident that she will be a valuable addition to our judiciary and will serve the people of Hawai‘i with unwavering integrity and commitment.

Sincerely,

Allen Bartolome

Pahoa, HI Resident and DPH Member

GM-767

Submitted on: 4/8/2025 12:36:49 AM

Testimony for JDC on 4/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Shauna Fergerstrom	Individual	Support	Written Testimony Only

Comments:

04/08/2025

To Whom It May Concern,

I am writing to offer my highest recommendation for Kaua Jackson as a candidate for the position of judge. I have have known Kaua for many years now and I can say without reservation that she has all of the qualities necessary to serve with distinction and integrity.

While getting to know Kaua over the past years she has consistently demonstrated a strong sense of justice, fairness, and an unwavering commitment to her role in upholding the rule of law. Yet she has a compassionate approach when interacting with individuals from all walks of life.

I myself as previous victim of domestic abuse, she has asked for my experiences in dealing with healing and overcoming the sometimes self implied restrictions that may have held me back from now becoming a sucessful business owner of 17 years. As well as a mother of 4 and wife in a healthy marriage.

Kaua values integrity, impartiality, and transparency. Her dedication to ethical conduct and her ability to make decisions with fairness and equity are admirable.

It is without hesitation that I recommend Kaua Jackson for appointment as a judge. I am confident that she will bring the same level of excellence and commitment to the bench that they have shown in many aspects of her professional and community life.

Thank you for your time,

Sincerely,

Shauna Fergerstrom

GM-767

Submitted on: 4/8/2025 7:42:49 AM

Testimony for JDC on 4/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
JASON R KWIAT	Individual	Support	Written Testimony Only

Comments:

I write in strong support of Kauanoe Jackson's appointment to the Circuit Court of the Third Circuit. Based on her professional record and reputation within the legal community, I am confident that she will serve with distinction and integrity.

Kauanoe Jackson embodies the balance we seek in a judge: she is tough when needed, but always fair. Her courtroom demeanor reflects a deep respect for the rule of law and a commitment to justice, coupled with an understanding of the people and communities her decisions impact. She holds all parties accountable, yet she does so with patience, humility, and professionalism.

Ms. Jackson brings not only legal expertise, but also strong character and a work ethic that has earned her respect from colleagues on both sides of the bar. She is a thoughtful and deliberate decision-maker who listens carefully and treats everyone with dignity, regardless of background or status.

Her experience, sense of fairness, and connection to the Big Island community make her exceptionally well-suited for this position. She will be a strong, steady, and principled presence on the bench, and I believe she will enhance public trust in our judiciary.

I respectfully urge this Committee to recommend her confirmation.

- Jason R. Kwiat

GM-767

Submitted on: 4/8/2025 10:28:27 AM

Testimony for JDC on 4/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Craig Long	Individual	Support	Written Testimony Only

Comments:

I would like to voice my support for Kauanoe Jackson for consideration as a Circuit Court Judge for the Third Circuit.

It has been my pleasure to know Kaua and her family personally for a few years now. She is a caring member of our community who constantly invests her time to help and bring our families together. I feel she is focused, measured, and has been very inquisitive to learn new things no matter how foreign the subject (like offisdes in our children's soccer matches).

Kaua and her family have always been pleasant and open to everyone I have seen them interact with and we as a community are lucky to have the Jackson's in it.

I would hope our island would have a judge that has a deep personal investment in our community who is adjudicating issues that are relevant to our local ohana and that is why I support her appointment to our Third Circuit.

GM-767

Submitted on: 4/8/2025 11:29:58 AM

Testimony for JDC on 4/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Linda L Walton	Individual	Support	Written Testimony Only

Comments:

Re: Kauanoë Jackson, Third Circuit Judicial Nominee

It is with great pleasure that I recommend Kauanoë Jackson for this position. I am a retired prosecutor, who had worked at the Kona Prosecutor's Office for approximately 16 years, when Kaua joined the office. She was inexperienced but eager to learn and diligent about both factual investigation and legal research for her cases.

I clearly remember when Kaua had her first felony trial. This was a difficult sex assault case which many prosecutors might have declined. The victims were two young women who came here from the mainland, went on a cruise with a local company and decided they would like to work for that company on the boat. They discussed this with an employee on the cruise and were advised that they must be very physically fit to get a job. He told them he would do a physical exam and invited them to his residence. There after testing them for qualities one might expect on a sports fitness exam, he told them to remove their pants and began to "examine" them in their private areas. When he was later reported, his defense was consent. Although many people might find it hard to believe the girls could be so gullible that they submitted to this, believing it to be a pre-employment physical, Kaua carefully interviewed the girls demonstrating real empathy and willingness to listen, and researched the law regarding invalid consent. She got convictions on this case before a jury. It was at that time that I realized Kaua would be a future star at the prosecutor's office. Of all the young prosecutors, I have seen in 34 years as a prosecutor, she was the best.

Since that time, she has prosecuted countless drug cases, for which extensive foundation must be laid to get the results of drug tests into evidence. She also learned all about DNA, in order to present expert witnesses in several trials. In addition, she prosecuted many negligent homicide/vehicular manslaughter cases for which it is necessary to learn about engineering principles and to carefully differentiate simple negligence, gross negligence and recklessness. These skills would be readily applicable to civil tort cases. Her knowledge of foundation requirements for expert testimony would also assist her in trying civil cases.

As a person who switched from doing mostly civil cases in Alaska to becoming a prosecutor in Hawai'i, I can state that there is a learning curve, but I am sure Kaua will readily master that curve with her typical diligence and hard work. It is my experience that doing frequent criminal trials, as Kaua has done teaches one to be more knowledgeable about courtroom requirements and thinking quickly, an ability which many civil attorneys lack the opportunity to develop. Both

Kaua and I had the invaluable experience of developing evidence skills under the thumb of Judge Ronald Ibarra who was very strict about not allowing speaking objections and imposed requirements of objecting only by stating the rule number or a one- or two-word description, i.e. hearsay, or foundation.

1. has always shown respect for all judges and opposing counsel without giving in easily when there was a basis for disagreement. She is very conscientious about the need for a judge to give everyone a fair opportunity to argue before making a decision. One example of this was her successful application for certiorari and eventually obtaining a reversal of a suppression decision in State v Vega NO. CAAP-18-0000715, Decided: June 17, 2020. There the appellate court ruled that a trial court cannot rule on theory in support of suppression, (staleness), not raised by opposing counsel without allowing chance for the opponent to brief the new theory. I am sure she would apply that principle of fairness and willingness to listen, without deciding cases based on prior experience as a prosecutor.
2. has always been forthright about discovery obligations, and I am sure she would expect that of litigants before her. She also repeatedly demonstrated a desire to improve the legal system, by politely explaining the significance of errors made by police to those police and providing continuing education for other police.

In conclusion I would say that I would trust Kaua to be fair and impartial, as well as empathetic to litigants in any case which came before her.

Sincerely,

Linda L. Walton

April 8, 2025

RE: Submitting for consideration and confirmation as Circuit Court Judge of the Circuit Court of the Third Circuit (Island of Hawaii), Gubernatorial Appointee Kauanoe A.D. Jackson

Dear Honorable Senators:

I humbly submit my testimony in support of the confirmation of Kauanoe A.D. Jackson as the Circuit Court Judge of the Circuit Court of the Third Circuit.

By way of introduction, I am Cynthia Tai. I have practiced law in the State of Hawaii and at the International Criminal Court in The Hague for close to 30 years. I have known Ms. Jackson since she was an intern in the Prosecuting Attorneys' Office in 2007. Since then, I have worked side-by-side with her as a colleague and as her direct supervisor. My testimony is based on personal knowledge.

As a preliminary matter, it behooves us to acknowledge that the rule of law is squarely under attack. It is imperative that Judiciary members have moral courage and unwavering commitment to the rule of law. These are unprecedented times that will certainly test our resolve.

Ms. Jackson is the right candidate for these unprecedented times. She has courage and a strong moral compass that guides her decision-making in every aspect of each case. Ms. Jackson has consistently demonstrated that she places the needs of the victim and the community first, over her own needs or work load. She demonstrates her integrity with each decision that impacts her cases and her willingness to take a case to trial because it is the right thing to do.

Substantively, Ms. Jackson is well versed in criminal law and procedure and can transfer those skills to this position. Ms. Jackson has proven herself to be a formidable opponent in the courtroom having conducted numerous trials, preliminary hearings and grand jury panels.

Finally, Ms. Jackson is a true professional and holds herself with grace and courage.

Thank you for the opportunity to provide input for this important decision.

My very best,

Cynthia Tai

Schlueter, Kwiat & Kennedy

A Limited Liability Law Partnership

Michael H. Schlueter
Jason R. Kwiat
Andrew M. Kennedy
Nicole K. Bowman
Eli N. Bowman

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April 8, 2025

Senate Committee on Judiciary
State Capitol
Honolulu, HI 96813

RE: Kauanoë A. Jackson Circuit Court Judge, G.M. No. 767

Dear Senate Committee on Judiciary:

I write in support of Ms. Kauanoë A. Jackson's appointment as Circuit Court judge for the County of Hawai'i.

My experience with Ms. Jackson is primarily as an adverse attorney against her over the past 12 years. I have had many cases against her in this time period, including serious cases such as murder, sex assault, and class A felonies. A number of these cases have gone to trial.

Ms. Jackson has always conducted herself in a professional manner. She has always been an honest and ethical prosecutor. She has a great deal of experience in the courtroom. Her work ethic is very good. Her demeanor and temperament would be great for the role of judge. Despite being a prosecutor and an adversary to the accused, she has always shown respect to the criminal justice process and the right of the accused to have their day in court.

Thank you for reading the time to read this testimony.

Regards,
Schlueter, Kwiat & Kennedy LLLP

Andrew Kennedy

SCHLUETER, KWIAT & KENNEDY LLLP

75-167 Kalani Street, Suite 201
Kailua-Kona, HI 96740
(808) 987-7275
fax (808) 443-0339
andrew@kona-lawyer.com

April 9, 2025

The Honorable Ronald Couch, President,
And Members of the Senate
Thirty-Third State Legislature
Hawaii State Capitol, Room 409
Honolulu, Hawaii 96813

Re: Consideration for Confirmation for Kauanoe A.
Jackson as Circuit Court Judge for the Third Circuit Court

Dear Senate President and Members of the Senate:

I am writing in support for Kauanoe A. Jackson as Circuit Court Judge of the Third Circuit. I have known Ms. Jackson since she started with the Hawaii County Prosecuting Attorneys Office in 2007, as a deputy prosecutor. Having worked closely with her as a legal clerk, I was impressed with Ms. Jackson's strong work ethics, integrity, dedication and commitment to the position she serves.

I've also had the opportunity to observe Ms. Jackson's appearance in numerous court proceedings including jury trials, at that time I was working as a Circuit Court Clerk and later as a Judicial Assistant. Her demeanor and professionalism in court is commendable.

Ms. Jackson resides in Kona and was a graduate of Konawaena High School and has family ties in our community. Her integrity and character will make her a

fair and impartial judge.

I am confident that Ms. Jackson possesses all the necessary qualities to excel as a judge. Her legal expertise, integrity, and dedication to justice make her an ideal candidate.

Sincerely,

Jamie Takimoto
P.O. Box 153
Captain Cook, HI 96704
Email: jat96750@yahoo.com
Ph. (808)987-9267

c:

GM-767

Submitted on: 4/9/2025 10:34:59 PM

Testimony for JDC on 4/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Doris Lum	Individual	Support	Written Testimony Only

Comments:

Dear Senators,

I am writing in support of Ms. Kauanoë Jackson for appointment to the Circuit Court. While most of my work is here on Oahu, I have had the opportunity to represent clients in the 3rd circuit. While there, Ms. Jackson was the prosecutor in one of the trials I had. I write this letter because throughout every motion that was litigated and the unpredictabilities of trial, I found Ms. Jackson to be extremely professional, intelligent, and fair. She was not by any means, win at any cost. Rather, she was well prepared and she argued her positions based on the law. I believe it is these skills and temperament she will bring to the bench.

Thank you for taking the time reading my thoughts about Ms. Jackson. I appreciate your time and thought for the decision ahead.

Sincerely,

Doris Lum

MIYOSHI & HIRONAKA

A LIMITED LIABILITY LAW COMPANY

RANDALL K. HIRONAKA

ATTORNEY AT LAW

April 10, 2025

Aloha Senate Committee on Judiciary,

I am writing in strong support of Kauanoe Jackson's appointment as a Circuit Court Judge of the Third Circuit.

As a criminal defense attorney, I have opposed Ms. Jackson in court. She is intelligent, fair, prepared and compassionate. Although her career thus far has been practicing in criminal court, presiding over a civil calendar will not be a problem for Ms. Jackson. She has the legal acumen and diligence to familiarize herself with any issue and make the best decisions.

In addition to all of the traits mentioned above, Ms. Jackson will also possess an amazing judicial temperament -- something all great judges have. Ms. Jackson will be an asset to the judiciary and will continue to be an asset to the community.

Sincerely,

/s/ Randall K. Hironaka

Randall K. Hironaka

R. HERMANN HEIMGARTNER

ATTORNEY AT LAW LLC



P.O. BOX 1839

KAILUA-KONA, HI 96745

PHONE & TEXT: (808) 756-7022

FAX: (808) 443-0061

EMAIL: HERMANN@KONA.ATTORNEY

April 6, 2025

State of Hawai'i Senate
Committee on Judiciary

LATE

RE: GM 767 – Consideration and confirmation as Circuit Court Judge of the Circuit Court of the Third Circuit (Island of Hawai'i), KAUANO D. JACKSON.

Dear Chair Rhoads and Vice Chair Gabbard,

I **strongly support** the consideration and confirmation of KAUANO D. JACKSON as Circuit Court Judge of the Circuit Court of the Third Circuit (Island of Hawai'i).

I am a 2008 graduate of the University of Hawai'i – William S. Richardson School of Law. After graduation and passing the bar, I worked as a deputy prosecuting attorney on Kauai, as a deputy public defender in West Hawai'i, and since 2015 as a private attorney in Kona. My private practice focuses on criminal defense. I regularly accept State court appointed cases, and I am on the Federal Criminal Justice Act (CJA) panel.

I have litigated numerous criminal cases against Ms. Jackson in Kona's Circuit Courts, including criminal jury trials. She has always been a most honorable and fair deputy prosecuting attorney to litigate case against. She is a very skilled advocate in the courtroom, an excellent researcher/writer, and seasoned trial attorney. Clearly, she has the intelligence, the experience, the education, and the knowledge to be a Circuit Court judge.

In addition to being a great attorney and prosecutor, there are three additional reasons that I highly recommend Ms. Jackson as a Circuit Court Judge. First, as a deputy prosecuting attorney, Ms. Jackson has always been mindful of her primary obligation to seek justice, not merely convictions. Just as she embraced the role of seeking justice as a deputy prosecutor, she will embrace the role of a fair, impartial, and unbiased judge. Second, Ms. Jackson has a very balanced temperament and composure. From plea negotiations to the midst of jury trial, Ms. Jackson has always been calm and professional. Third, Ms. Jackson cares deeply about our community and the persons in it. As a deputy prosecuting attorney, she has served the community for many years, and as a judge, she will continue to serve the community. The role of a judge comes with many weights, and I am grateful that Ms. Jackson is willing to continue to serve our community as a judge.

Please feel free to contact me at (808) 756-7022 or hermann@kona.attorney if you have any additional questions that I may answer regarding Ms. Jackson's nomination as Circuit Court judge. Thank you for your time.

Sincerely,

R. Hermann Heimgartner

LATE

Dear Senators,

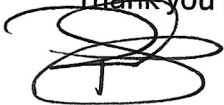
I am strongly recommending Kauanoë Jackson for the Judge position in the 3rd District Court of Hawaii.

Ms. Jackson has been working in the court system for a number of years as a prosecutor and is intimately familiar with the process and administrative operations of the court system. I have experienced her work ethic and have seen results of her efforts in the practice of law.

I have been in the financing and banking system for over 40 years and have known Ms. Jackson to display integrity, honesty and dedication in her profession.

She is the right choice for this position. Please consider this letter of recommendation as a testimony to her credentials and qualifications for a judgeship.

Thank you for accepting my endorsement for her request.

A handwritten signature in black ink, appearing to be 'R. Sato', with a stylized flourish at the end.

Ronald H. Sato

LATE

GM-767

Submitted on: 4/10/2025 4:57:11 PM

Testimony for JDC on 4/11/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Catherine Gibson	Individual	Support	Written Testimony Only

Comments:

I write in wholehearted support of the confirmation of Ms. Kauanoe Jackson to the Circuit Court of the Third Circuit. I have known Ms. Jackson for over ten years and worked closely with her during her tenure as a Deputy Prosecuting Attorney while I served as a defense attorney.

Although we were on opposing sides, Ms. Jackson consistently demonstrated professionalism, integrity, and respect. She is diligent, principled, and meticulous in her work. Beyond her legal acumen, she brings a great sense of humor and a strong moral compass to every endeavor.

Ms. Jackson is unafraid to acknowledge her mistakes and views challenges as opportunities for growth. She sets a good example for those around her through her work ethic commitment to justice.

Ms. Jackson is a tremendous asset to our community, and I am confident she will serve as an excellent jurist. Thank you for your consideration.

Committee on Judiciary
Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair
GM 767
Hearing date: April 11, 2025

LATE

Testimony in Support of the Confirmation of Kauanoe A. D. Jackson for Circuit Court Judge,
Third Circuit, Hawai'i

Dear Members of the Committee,

My name is Dale Ross. I served as a Deputy Prosecuting Attorney for over 37 years in the County of Hawai'i and retired as First Deputy Prosecuting Attorney in December, 2020. I have worked with Ms. Jackson for the entirety of her career until my retirement, sometimes as her direct supervisor, sometimes as a colleague, and since 2011, as the First Deputy. Like Ms. Jackson, I am a lifelong resident of Hawai'i Island and share a deep love for our island and its people.

I am in support of the confirmation of Ms. Jackson to Circuit Court Judge, Third Circuit Court (Island of Hawai'i) primarily because of her character and experience. She is hardworking, highly intelligent, compassionate, dedicated to the rule of law and knowledgeable of the rules of evidence. She is well acquainted with litigation, having handled some of the most serious cases that came to our office. I have seen her work diligently, producing complex briefs, meet victims and witnesses with compassion and understanding, and lead her trial team (consisting of victim counselors, investigators, legal clerk, paralegal and co-counsel) to do their best. I have witnessed the behind the scenes work that she does with law enforcement investigators in all agencies working on the Island of Hawai'i. She is knowledgeable of multiple areas of law and accessible. She garnered their respect from the beginning of her career. Ms. Jackson was also respected by the Judges of the Third Circuit. As First Deputy, I periodically obtained feedback from judges regarding deputies who appeared before them. Ms. Jackson always received positive feedback from judges for her preparation, demeanor and presentation.

I vouch for Ms. Jackson's character as unimpeachable. Ms. Jackson always took her duty as a public prosecutor very seriously. She was always extremely careful and meticulous to ensure that her cases were not compromised. She worked hard to educate all involved in her cases regarding the law and the ethics. She could always be counted to do the right thing.

Finally, I believe it is important that Ms. Jackson was born and raised in Kona. She graduated from Konawaena High School and comes from a good family known in the community. She knows this community, the hopes and dreams of the people, and their struggles and challenges.

For all of these reasons, I know that Ms. Jackson will be an exemplary judge and ask that you confirm her.

Sincerely,

Dale Ross

Testimony of the
HAWAII STATE BAR ASSOCIATION
relating to the nomination of

Kauanoë A.D. Jackson
Circuit Court Judge of the Third Circuit (GM767)

TO: The Honorable Karl Rhoads, Chair
The Honorable Mike Gabbard, Vice-Chair
and Members of the Senate Committee on Judiciary

FROM: Mark M. Murakami
President, Hawaii State Bar Association

Hearing: Friday, April 11, 2025
9:30 a.m.
Conference Room 016 and Videoconference
State Capitol

Thank you for the opportunity to share the Hawaii State Bar Association (HSBA) Board of Directors' comments regarding GM 767, Kauanoë A.D. Jackson, for nomination for Circuit Court Judge of the Third Circuit.

After a rigorous process described below, the HSBA Board of Directors concluded that Ms. Jackson is **QUALIFIED**. Ms. Jackson has served the public as a prosecutor for nearly two decades and is well versed and experienced in the rules of evidence and criminal litigation. During her tenure as a deputy prosecutor and supervising deputy prosecutor, she has been involved in over ninety criminal trials, including murder, attempted murder, narcotics investigations, and traffic related fatalities. She will continue to bring her strong work ethic, courtroom experience, and respect for the law and parties appearing before her to the Circuit Court of the Third Circuit.

The HSBA Board of Directors followed its multi-step process to arrive at its conclusion, which included:

- The nominee was notified of the HSBA appointment review process, which includes a questionnaire requesting educational credentials, legal and other professional work experiences, and personal references; a resume; a copy of the Judicial Selection Commission (JSC) application; a form authorizing disclosure from the Office of Disciplinary Counsel of any disciplinary action; and an interview with the HSBA Board of Directors.
- The HSBA membership received an electronic notification of the appointment and a request for comments on the nominee.
- A neutral fact-finding body comprised of three HSBA Board members was called upon to review documentation submitted by the nominee,

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contact references submitted by the nominee review comments received from the HSBA membership, conduct follow-up for clarification, if necessary, and prepare a report for the HSBA Board.

- Ms. Jackson submitted documentation which was reviewed and the references listed were contacted for their personal opinions and observations. The majority of comments and letters received from HSBA members reflected an affirmation of Ms. Jackson in all categories of the HSBA criteria, which include Integrity, Diligence, Legal knowledge and ability, Professional experience, Temperament, Financial responsibility, Public service, and Ability to fulfill the responsibilities and duties of the position.
- The Executive Director and I met with Ms. Jackson on April 10, 2025, to discuss the subcommittee's findings.
- On April 10, 2025, the HSBA Board of Directors interviewed Ms. Jackson in executive session.
- The HSBA Board deliberated and voted that Ms. Jackson was qualified.

Thank you for your time to provide information regarding the HSBA process and our determination of qualification.