

April 17, 2012

Honorable Billy Kenoi
Mayor of the County of Hawai'i
Office of the Mayor
County of Hawai'i
25 Aupuni Street
Hilo, Hawai'i 96720

Dear Mayor Kenoi,

My name is Lyndon M. Yoshioka and I am employed as the Elections Administrator for the County of Kaua'i. I write this is letter of support for Ms. Patricia Nakamoto as a private citizen and not in my official capacity but offer insights based on my 15 plus years in elections administration.

I was shocked by the proceedings which removed Ms. Nakamoto and others from the Hawai'i County Elections Division. Frankly, the whole process was poorly handled from the start.

The resulting personnel scandal leaves the remaining staff ill prepared to conduct an election as they lack the necessary institutional knowledge and expertise to be effective. Replacement staff are of little help since they also lack election experience and are forced to rely on the assistance and guidance of others for even routine tasks.

The void in leadership and experience has begun to negatively impact the State and other Counties. I understand Hawai'i County staff are depending on the State Office of Elections to assist and guide their operations, despite the fact that many tasks are statutorily county responsibilities. This dependence on the State is monopolizing support and assistance required by the other Counties as well.

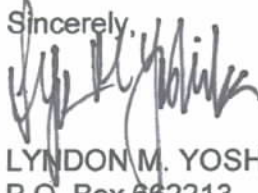
In addition to the personnel issues, I've also learned that Council appointed personnel will be relocating to office space within the Elections Division office. Allowing council appointed staff to work out of areas supposedly set aside to secure confidential voter information, ballots, etc. will create a conflict since they will have regular, unmonitored access to the very process which will determine whether their appointing authorities (i.e. their bosses) are re-elected.

In the election profession, appearances play a vital role in establishing the credibility and impartiality necessary to effectively manage an election. Placing council appointed staff in the Elections Division office demonstrates a total disregard for this most fundamental principle of election administration.

I suspect the issues raised in this letter are merely a glimpse of the difficulties faced by the Hawai'i County Elections Division. Under normal circumstances, the happenings in another county is of no consequence to Kaua'i county, however, in this instance a failure by the Hawai'i Elections Division could have severe negative impacts on the entire State so I felt compelled to comment to ensure our concerns are known.

In closing, I again reiterate my wholehearted support for Ms. Nakamoto. Please do not hesitate to contact me should you have any questions.

Sincerely,



LYNDON M. YOSHIOKA
P.O. Box 662213
Līhu'e, Hawai'i 96766

c Ms. Patricia Nakamoto

**JEFFREY T. KUWADA
P. O. BOX 1010
WAILUKU, HAWAII 96793**

April 18, 2012

The Honorable William P. Kenoi, Mayor
Office of the Mayor
County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mayor Kenoi:

SUBJECT: HAWAII COUNTY 2012 ELECTION ADMINISTRATION

My name is Jeffrey T. Kuwada. I currently serve as the County Clerk, County of Maui. I have eight years of election administration experience due to my service as Deputy County Clerk and County Clerk, County of Maui. However, I write this letter not in my official capacity, but as a member of the public and concerned citizen.

The recent termination of four experienced election administrators does not bode well for the 2012 Primary and General Elections in the County of Hawaii. In my opinion, the Elections Division of the Office of the County Clerk, County of Hawaii, is ill-prepared to administer the 2012 Primary and General Elections. Currently, personnel in the Elections Division have little or no election administration experience.

It is my understanding that former Elections Program Administrator, Patricia Nakamoto, filed a Step 1 grievance that was not sustained. It is my further understanding that Ms. Nakamoto has timely requested a Step 2 meeting. I respectfully urge you to hear Ms. Nakamoto's appeal and, if warranted, reinstate Ms. Nakamoto to her position as Elections Program Administrator.

In my opinion, the successful administration of the 2012 Primary and General Elections in the County of Hawaii rests upon her reinstatement.

Please contact me should you have any questions.

Very truly yours,



JEFFREY T. KUWADA

EXHIBIT "11."

11-03

GLEN TAKAHASHI
5333 Likini St, 509
Honolulu, Hawaii 96818
(808) 383-2049

 COPY

April 18, 2012

The Honorable William P. Kenoi
Mayor, County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mayor Kenoi:

Re: Grievance Ms. Patricia Nakamoto BU 13

I am writing to call your attention to the above matter. As a matter of disclosure, I have worked with Ms. Nakamoto administering elections for sixteen of the past twenty years but am submitting this statement personally and not in my official capacity. As you may know, Ms. Nakamoto was employed as the County of Hawaii's Elections Program Administrator until recently. However, I hope that my insight will underscore the necessity for your administration's prompt attention and expeditious action.

I preface by directing no ill will toward the temporarily assigned elections staff and their efforts to implement the elections for Hawaii County. However, I believe even they would acknowledge that their present circumstances involve an extremely steep learning curve that is exacerbated by State redistricting legal challenges and an earlier Primary Election date. I also surmise that there are many details involving the provision of election services that they have not yet become aware of.

While it is my personal desire to see Ms. Nakamoto reinstated due to her technical knowledge, high level of credibility, and proven track record of implementing elections successfully, I acknowledge that the grievance process must be respected.

However, I cannot stress the importance of resolving this matter post haste, both personally for Ms. Nakamoto, and to allow the possibility that Ms. Nakamoto may be able to resume work for the voters of Hawaii County.

Thank you for your consideration. No formal reply is necessary or expected. Please contact me if you require any clarification or wish to discuss this matter.

Sincerely,


GLEN TAKAHASHI

EXHIBIT "11."

11-04



Mea Nupepa

Hawaii Island Division Newsletter • Summer 2012

HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME LOCAL 152, AFL-CIO

WWW.HGEA.ORG

Calendar of Upcoming Events

"The Fight for Workers' Rights"

Instructor: Russell Okata
August 6, 2012
HID Multi-purpose Room

★ PRIMARY ELECTION ★

August 11, 2012

"Labor Movement in Hawaii"

Instructor: Guy Fujimura
August 27, 2012
HID Multi-purpose Room

Fellowship Mountainball League

July 16 - August 22, 2012
6pm - 9pm
Carvalho Park

Voter Registration deadline for General Election

October 8, 2012

★ GENERAL ELECTION ★

November 6, 2012



A MESSAGE FROM THE HAWAII ISLAND DIVISION CHIEF

The 2012 Primary Election is right around the corner, and I am sure that you have all found yourselves surrounded by a storm of political advertising on TV, radio, online, by phone and by mail. Understandably, it can be overwhelming and a source of irritation at times, but I challenge you to look at it from another perspective. Take a moment to think about why everyone is clamoring for your attention and why your vote is so important...

Your legislators are the ones that introduce, support or protest all the bills and laws that directly affect YOU, our government workers. That means your rights and benefits are in their hands. We're talking about your healthcare, your wages, your vacation and sick leave - all the reasons you probably started working for the government - it can all be taken away if you do not vote for candidates that understand and care about the working families in Hawaii. There is only so much HGEA can do to defend and maintain YOUR rights and benefits if we have the wrong legislators in office. That is why **we go through a rigorous endorsement process to select the candidates who we know will stand up for YOU, our HGEA members!**

So as you receive your absentee ballots and as the **August 11th Primary Election** comes upon us, I humbly ask for your help to...

1) **VOTE TO SUPPORT PUBLIC EMPLOYEES** - Take the time to research the candidates. HGEA conducts a thorough endorsement process (which you can read about at www.hgea.org/elections2012) and included in this newsletter is a listing of the Hawaii Island HGEA-endorsed candidates. You should have also been sent a Primary Election endorsement card in the mail. But if you don't want to take our word for it, take a few minutes to research for yourself. There are some key races that will be determined in the Primary so **every vote counts!**

2) **TURN ONE VOTE INTO TWO** - Whether you have one free hour or one free weekend, we'll take it! You can volunteer to canvass, signwave, phonebank, or you can just tell a friend about our endorsed candidates! We appreciate any help you can provide in trying to **turn one vote into two!**

3) **BELIEVE** - We have a lot of tough races and many of them will be decided in the Primary, but **I firmly believe that we can overcome and succeed.** The Hawaii Island Division staff and I promise to give you our 110%, but we cannot do it alone. We need to work together and we need your help!

In solidarity,
Ian

The Mea Nupepa is published by the Hawaii Government Employees Association, American Federation of State, County and Municipal Employees, Local 152, AFL-CIO.

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IAN TAKASHIBA
Division Chief

KEKOA BILLENA
Mea Nupepa Chair

EXHIBIT "11."

11-05

NEWS UPDATE:

The County of Hawaii Elections Division termination case involving HGEA member Pat Nakamoto reached a decision in June 2012. HGEA was able to prove that she was unfairly terminated without “just and proper cause” and Ms. Nakamoto was awarded her job back, including all lost wages and benefits. We are proud that we were able to represent Ms. Nakamoto and fight to ensure that her rights as an HGEA member were upheld. However her triumph was tainted, as over the last several months, our Big Island newspapers chose to sensationalize this case by getting one-sided information and making accusations of political wrongdoing, after Pat had nothing but a spectacular standing in the County for almost three decades.

If we wanted to talk political gain, we would simply reiterate that the County Council Chair is responsible for appointing the County Clerk, who not only terminated Ms. Nakamoto, but also hired the new Elections Division head. Although this may seem like an accusatory statement since the County Council Chair happens to be a mayoral candidate in the current election, it's the simple truth with some unflattering coincidence. This is the very reason we choose not to fight our battles in the media. Information coming from only one side can easily become distorted and misconstrued.

However, now that the case has been settled, we can finally tell our side of the story. Featured is a letter to the Editor from HGEA Executive Director, Randy Perreira, trying to clarify the facts.

Contrary to the media's recent implication that Ms. Nakamoto's attendance at political activities could potentially put the fairness of the upcoming election at risk, the truth is that the current election will be run by the new Elections Division head (hired by the County Clerk during Pat's termination) because after getting her job back, Ms. Nakamoto was put on paid administrative leave by the Clerk's Office.

“The damage has been done and unfortunately some of the wounds may never heal. And all for what? A sensationalized story that was leaked to the media for political gain? We must help mend the reputation of an outstanding County employee and HGEA member because she deserves to be treated with respect and dignity.

This also serves as a good reminder of why your vote is so important. We cannot elect candidates who will shamelessly disregard your rights as a public employee. We need candidates who will stand up for HGEA members and fight for Hawaii's working families,” said Hawaii Island Division Chief Ian Takashiba.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

RANDY PERREIRA | Executive Director

July 19, 2012

Dear Editor,

We appreciate Nancy Cook Lauer giving HGEA an opportunity to comment about the outcome of Hawaii County Elections Administrator Pat Nakamoto's grievance. ("Nakamoto gets her job back," July 11, 2012)

Over these past months, many in the Big Island community have heard only one perspective of this situation. The HGEA and the members we represent in this case have honored the understanding that for the benefit of the parties involved we do not publicly disclose information about pending grievances. It was difficult and frustrating for us to refrain from commenting, considering the amount of distorted and exaggerated information being shared in the media.

One of the primary principles of labor relations is the standard for discipline, which is "just and proper cause." This standard is similar to the "due process" legal rights every American citizen is afforded. Thus, HGEA's focus on this case has always been about fairness, consistency and appropriate level of discipline.

Now that there is resolution to this matter, I would like to take this opportunity to clarify some information. Ms. Nakamoto is a proud civil servant for 25 years and always took her job seriously. She was previously awarded "Manager of the Year," but like many hardworking public employees, her greatest reward was simply doing her job each day and knowing she was making a difference for our community. She has never mixed politics with elections and it is a shame that people would even allude to that. And after years of dedicated public service, she was fired without just and proper cause, and was without a paycheck and has paid 100 percent of her medical premiums for the past seven months. But worst of all, her name and reputation have been dragged through the mud.

It is shameful that the current County Council Chair Dominic Yagong, who is a mayoral candidate, continues to distort the facts. He implies that Ms. Nakamoto and Glen Shikuma were both violating the county Alcohol-Free Workplace Policy, yet he knows full well that Ms. Nakamoto's and Mr. Shikuma's cases are separate and different. It is wrong for Mr. Yagong to say that Ms. Nakamoto violated any policy, when it is clear she has not.

Again, we appreciate the opportunity to comment. However, going forward, I urge you to obtain the facts and have a full understanding of both sides of the story before you form a judgment. As the primary media outlet for the island, you do a disservice to your readers by perpetuating half-truths. Our community deserves better.

Thank you,


Randy Perreira

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EXHIBIT "11."

11-06