

STATEMENT OF DENNIS IHARA

On April 14, 2007, Dennis Ihara provided to Hilton J. Lui a copy of his Affidavit and documents which he prepared for the Senate Committee which were conducting hearings relative to Peter Young's confirmation. Attached herewith is the Affidavit and documents.

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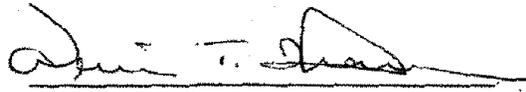
AFFIDAVIT OF DENNIS T. IHARA

STATE OF HAWAII)
)
CITY AND COUNTY OF HONOLULU)

DENNIS T. IHARA, being first duly sworn on oath, deposes and says:

1. That he is the Deputy Registrar of the State of Hawaii Bureau of Conveyances.
2. That he is also a licensed attorney.
3. That he apologizes to this Honorable Committee, but due to his doctor's orders, he is unable to personally appear at the Senate Hearing.
4. That said doctor's letter is on file with the Honorable Committee Chair Russell Kokubun.
5. That the attached narratives of copies of e-mail and memorandum notes are to the best of his knowledge true and correct.

FURTHER AFFIANT SAYETH NAUGHT.


DENNIS T. IHARA

Subscribed and sworn to before me
this 10th day of April, 2007.


Louanna Jagwa, 69

Notary Public, State of Hawaii

My commission expires: 5/25/07

A.S.

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TESTIMONY OF
DENNIS T. IHARA
REGARDING PETER YOUNG

Aloha Honorable Chair Kokubun, Vice Chair Tokuda and members of the Committee. I am Dennis T. Ihara, Deputy Registrar of the Bureau of Conveyances and subpoenaed to appear before this Committee. However, doctor's orders prevent me from appearing in person and while I am not supposed to go to work at all, I do go in for a few hours a day to keep things moving. I have filed my doctor's letter with Chair Kokubun to explain my condition.

I began employment at the Bureau of Conveyances on August 22, 2006, and together with DLNR First Deputy Robert Masuda (Bob), was tasked with turning the Bureau around. At the time of hire, I was not informed of being in charge of Bureau operations, but when told to do so, I accepted it as a challenge.

I found the Bureau to be split into factions, similar to a battleground of Shiites against the Sunnis. Among other things, I initially found that 1) Communication was nil, because only the "chosen few" had e-mail access. 2) Depending upon which section staff worked, they could only use designated doors to enter or exit. It did not matter if your job station was completely on the opposite of the room, if the closest door to you was not your designated door, you could not use it. 3) Even if one's desk was next to another, if the other person worked in another section, there could be no communication between the two. I did away with all those absurd rules by having all staff have e-mail access; lifted the rule that only certain doors could be used; as well as encouraging communications between staff to get the work done.

In the few meetings with Director/Chair Peter Young (Chair Young), he has yelled at Bob and I which I think is uncalled for. In all my years of work, I have never been yelled at by anyone, even staff. From the very outset, the "chosen few" who caused the Bureau to have its backlog, had at that time and still maintains the support of Chair Young who has been critical of whatever I have attempted to initiate, although it is acknowledged that I report directly to Bob Masuda. For example, in an e-mail of November 22, 2006, Exhibit 1, Peter had received an e-mail from subordinate staff and without consulting either Bob or myself, made demands with his favorite mantra of "get everyone to work together." On December 26, 2006, I sent an e-mail to Peter in frustration, asking for direction, Exhibit 2, but had no answer. In an e-mail of December 28, 2006, Peter accused me of excluding one of the "chosen few" without even hearing me out, Exhibit 3. Similar with the Shiites and Sunnis, it is not simple to get warring factions to "work together" simply by saying it. Further, Peter refused to take into account that the bargaining unit agreement does not allow staff to do interchangeable jobs in "working together." At one point, he insisted of consolidating everyone on the front counter who does receiving, to do interchangeable duties. If we went along with his insistence, we would have gotten even more grievances than we already had. (When I began employment, there were over 50 union grievances outstanding, which I resolved down to about five.)

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Coming in and leaving at different times, I began to notice various managerial, fiscal, and ethical improprieties going on in the Bureau and immediately reported them to Bob Masuda who has been very supportive on everything I have attempted to initiate. We then called in the Attorney General's (AGs) office and State Ethics Commission investigators who continues to investigate. To that, Peter questioned why I was doing it and wanted to know what Ethics said, Exhibit 4. I submitted to him the letter from Ethics. Further, he directed Bob and me to stop the investigation and turn everything over to the investigators. He also insisted on screening all evidence to the AGs. E-mail Exhibit 5, dated March 1, 2007. Usually Directors would want staff to assist in any investigation, but Peter was contrary. Although directed to cease investigations, since I am also an attorney, I hold myself to a higher ethical standard of honesty and did the best I could to explain the improprieties to the investigators in order that they had adequate information. As a result of all this, Peter demanded to see my compensatory time sheets and initially denied them, although Bob had approved the extra hours. Despite doctor's papers for all absences, he also directed all of my sick leave and vacation time to be turned over to him.

When Peter extended my probationary period the day before it was to expire, I was angry and frustrated and for the first time, e-mailed Bob Awana of the Governor's Office. E-mail memo Exhibit 6. Mr. Awana in turn assigned DHRD Director Marie Laderta who called a meeting on March 9, 2007, my notes for the meeting Exhibit 7. I needed to write those notes because in my medical condition, I found myself to have mental lapses. The meeting with Director Laderta amounted to nothing.

Since that time, I have filed a grievance against Peter; I have filed for Whistleblower protection and have retained Attorney Eric Seitz for representation; I have also filed for Workers Compensation based upon hypertension and stress for which I am currently under medical care. Since the Attorney General's Office has denied me representation on trumped-up harassment charges by one of the "chosen few" memo to Peter dated November 29, 2006, Exhibit 8, and e-mail to everyone concerned, dated November 30, 2006, Exhibit 9. Thank goodness the Union has recently stepped in to represent me. In answer to memos to the AGs dated December 26, 2006, Exhibit 10, and Personnel, Exhibit 11, I was told to simply have a witness present and carry on which is still in effect, but no other support. (THE HARASSMENT MATTER IS STILL TO BE RESOLVED AND SHOULD BE KEPT CONFIDENTIAL).

Peter interferes or remains silent as he sees fit, demanding that Bob and I get the Bureau to work together as a team, e-mail dated 11/22/06, Exhibit 12; accuse me of blaming him by "inference" e-mail dated February 9, 2007, Exhibit 13; passes on messages as he sees fit, e-mail dated March 13, 2007, Exhibit 14; say he will look into serious matters but do not reply as in e-mail dated February 12, 2007, Exhibit 15.

On behalf of all the good employees who are speaking up before this Committee, I have done my best because they deserve better. I have paid dearly with my health and all this will be in vain unless you Senators do something. The matter is in your hands.

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