

GM1



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-FIFTH LEGISLATURE, 2010**

ON THE FOLLOWING MEASURE:

G.M. NO. 1, SUBMITTING FOR CONSIDERATION AND CONFIRMATION TO THE CIRCUIT COURT OF THE FIRST CIRCUIT, STATE OF HAWAII, GUBERNATORIAL NOMINEE, EDWIN C. NACINO, FOR A TERM OF TEN YEARS.

BEFORE THE:

SENATE COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS

DATE: Tuesday, November 17, 2010 **TIME:** 10:30 a.m.

LOCATION: State Capitol, Room 229

TESTIFIER(S): Mark J. Bennett, Attorney General

Chair Taniguchi and Members of the Committee:

I strongly support the nomination of Edwin C. Nacino as a judge of the Circuit Court of the First Circuit.

Judge Nacino is well qualified to serve as a judge. He is both a skilled attorney and a highly competent jurist with extensive knowledge of the law. His many years of experience as a judge, arbitrator, prosecutor, deputy corporation counsel, and attorney in private practice have given him a thorough understanding of the judicial system. He has an excellent temperament and consistently demonstrates integrity, fairness, sound judgment, and common sense.

Judge Nacino is a dedicated public servant with a strong work ethic that serves as an inspiration to others. He grew up in a sugar plantation camp on Kauai and in public housing on Oahu. After graduating from high school, he joined the Honolulu Police Department, and achieved his Bachelor of Arts degree from the University of Hawaii while working full-time as police officer.

In addition to his other responsibilities, Judge Nacino has demonstrated a strong commitment to the well-being of the

community through his service with community organizations, serving and inspiring children and youth, adult learners, and the elderly and infirm. He has also demonstrated a strong commitment to fostering excellence in Hawaii's legal community through teaching law students at the University of Hawaii.

I believe that Judge Nacino is well suited to continue serving the people of Hawaii as a judge of the Circuit Court, and I respectfully urge the Committee to recommend confirmation.



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

EDWIN C. NACINO
Circuit Court Judge, First Circuit Court

To: Senate Committee on Judiciary and Government Operations
The Honorable Brian T. Taniguchi, Chair
The Honorable Dwight Y. Takamine, Vice-Chair

Hearing: Tuesday, November 17, 2009 at 10:30 a.m.
Conference Room 229
State Capitol

The Board of Directors of the Hawaii State Bar Association appreciates the opportunity to comment on the qualifications of Edwin C. Nacino for the position of Circuit Court Judge of the First Circuit.

In evaluating judicial nominees, the HSBA Board utilizes a modified version of the American Bar Association Guidelines for Reviewing Qualifications of Candidates for State Judicial Office. These Guidelines include the following criteria: integrity, legal knowledge and ability, professional experience, judicial temperament, diligence, financial responsibility, and public service, collegiality and writing ability. The HSBA Board's rating system includes the categories of "qualified" and "not qualified."

As part of its procedures for evaluating and taking positions on judicial and executive appointments, the HSBA Board utilizes a subcommittee of HSBA Board to review materials presented by the nominee and input from members. The subcommittee is also tasked with checking references and contacting others who have knowledge of the nominee's experience and qualifications. The full Board reviews the materials prepared by this subcommittee, the complete materials submitted by the nominee and members and conducts an interview of the nominee.

Taking into consideration all of the information presented by and about the nominee and an interview with the nominee, the vote of the Board of Directors of the Hawaii State Bar Association found Edwin C. Nacino to be qualified for the position of Circuit Court Judge of the First Circuit.

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November 6, 2009

Senator Brian Taniguchi
Chairman, Senate Judiciary Committee
State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813



RE: Hawaii Women Lawyers Statement of Concern Regarding Judicial Gender Equity

Dear Senator Taniguchi:

Hawaii Women Lawyers (HWL) submits this statement in connection with the Governor's nomination of District Judge Edwin Nacino to First Circuit Court. HWL is a nonprofit business organization made up of over 300 female and male attorneys. The key purposes of HWL, as set forth in our Articles of Incorporation, are to (1) improve the status of women in the legal profession; (2) increase the number of women attorneys in positions of authority and responsibility; and (3) promote the advancement of all women. Our mission is to improve the lives and careers of women in all aspects of the legal profession, to influence the future of the legal profession, and to enhance the status of women and promote equal opportunities for all people.

HWL supports qualified women candidates in connection with those purposes. Increasing opportunities for, and improving the visibility of, qualified women in the judiciary are important goals for HWL.

HWL strongly supported the appointment of District Court Judge Colette Garibaldi, who was the sole woman on the Judicial Selection Commission's list, and who was highly qualified. Unfortunately, in a year where a record number of women judges are retiring, a tremendous opportunity to appoint a highly qualified woman candidate was overlooked. Five women judges are retiring in 2009: First Circuit Judges Karen Blondin, Frances Wong, Victoria Marks, Eden Elizabeth Hifo, and ICA Judge Corinne Watanabe. The current vacancy is for the First Circuit Court, which now reflects the greatest gender disparity amongst all of the respective circuits. With the retirement of four First Circuit women judges this year, only five women judges will remain, out of a total of 23 circuit judges. These five remaining judges are J. Karen Ahn, J. Virginia Crandall, J. Colleen Hirai, J. Sabrina McKenna, and J. Rhonda Nishimura.

Out of the total 17 judicial appointments made by the current administration, only five appointments were women. HWL is concerned that, in terms of judicial gender equity, we are moving backward instead of forward, and fears that the great strides made in the past are becoming undone.

Very truly yours,

Hawaii Women Lawyers

A handwritten signature in black ink, appearing to read "Janne L. Grimes".

Janne L. Grimes, President

cc: Governor Linda Lingle

SHOPO

November 16, 2009

U.S. MAIL/FAX: 808-586-6461

The Honorable Brian T. Taniguchi
Senate Judiciary and Labor Committee
Hawaii State Capitol, Room 219
415 South Beretania Street
Honolulu, HI 96813

Re: **The Honorable Edwin Nacino's Nomination-Circuit Court**

Dear Chairman Taniguchi:

I write this letter in firm and strong support of Judge Edwin Nacino's nomination to the First Circuit court.

I currently serve as President of the State of Hawaii Organization of Police Officers ("SHOPO"), which is the labor union that represents our county police officers throughout the State of Hawaii.

Let me start by telling you how proud we are as a labor organization to have a former member and police officer such as Judge Nacino, nominated to this most honorable and distinguished position in our judiciary system.

As police officers, we are called upon every day to testify in our courts and many of our officers have appeared before Judge Nacino at the District Court level. Judge Nacino has without exception consistently treated those who come before him, whether it is our police officers, defendants, prosecutors, public defenders or those who have no representation, with the utmost respect, compassion and understanding of some very difficult circumstances.

Judge Nacino also displays a mature and balanced judicial temperament that reflects his high level of ethics, fairness and most importantly his integrity. As police officers, we strive for the highest levels of integrity and know that Judge Nacino is of a like mind and practice based on his service as a District Court judge and prior to that his private law practice.

Prior to his appointment to the courts, I am aware that Judge Nacino served as a Honolulu prosecutor, but he also possesses a broader experience having served as a deputy Corporation Counsel and in private practice handling civil matters before he was first appointed to the District Court. Although we are in law enforcement, I think it is imperative that a judge at the circuit court level have a sufficient civil background to preside over the various matters that

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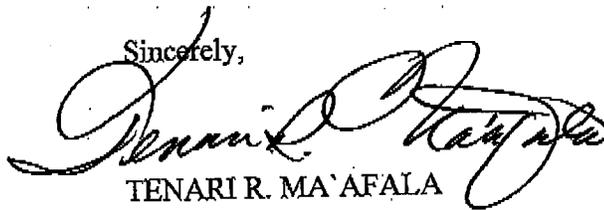
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The Honorable Brian T. Taniguchi
November 16, 2009
Page 2

will come before a circuit court judge and am confident Judge Nacino has that background to excel at the circuit court level.

I sincerely hope your committee will give its full support to Judge Nacino's nomination and thank you for allowing me to submit this letter in support.

Sincerely,

A handwritten signature in black ink, appearing to read "Tenari R. Ma'afala", written in a cursive style.

TENARI R. MA'AFALA
President

Re: EDWIN C. NACINO

Committee on Judiciary and Government Operations

Notice of Hearing

Date: Tuesday, November 17, 2009

Time: 10:30 a.m.

Submitting for consideration and confirmation to the Circuit Court of First Circuit, State of Hawaii, gubernatorial nominee, EDWIN C. NACINO, for a term of ten years.

Senator Brian Taniguchi, Chair and Committee Members ~

I am writing in support of the nomination of Edwin C. Nacino to the Circuit Court of First Circuit, both as a private citizen and also as the President/CEO of HawaiiUSA Federal Credit Union.

I have known Ed Nacino for almost 20 years and have admired his progression in the public safety, legal and now judicial fields. He has made a career of serving the people of Hawaii, first as a police officer, then taking classes to earn a law degree and serve time as an attorney in both public and private practice. Ed's background in all aspects of law; and now in the Judiciary provides a unique combination well suited to serve on the Circuit Court.

Ed also has the personality and character to be extremely effective in handling complex cases and in dealing with the parties involved fairly and equitably. The people of Hawaii will be well served by having someone with Ed's personal and professional background on the Circuit Court bench.

Respectfully,

Karl Yoneshige
President & CEO

KY:dkg

Franklin D. Pacarro Jr.
Trials Division Chief
Department of the Prosecuting Attorney
1060 Richards Street, 10th Floor
Honolulu, Hawai'i 96813

November 10, 2009

Senator Brian T. Taniguchi
Chairman, Senate Judiciary and Government Operations Committee
Dwight Y. Takamine
Vice Chairman, Senate Judiciary and Government Operations Committee
State Capitol
Honolulu, Hawai'i 96813

Re: **Confirmation of Edwin C. Nacino for First Circuit Court Judge**

Dear Senators Taniguchi and Takamine,

I whole-heartedly support the confirmation of Edwin C. Nacino to the position of First Circuit Court Judge. I have known Judge Nacino for seventeen years and have had the privilege of working with him while he was at the Prosecutor's Office. After leaving the office, Judge Nacino went on to the Corporation Counsel where he broadened his legal knowledge by trying civil cases. He later went on to private practice and became a partner in the law firm of Roeca, Louie & Hiraoka. I was quite impressed in his advancement at the Corporation Counsel, and then, to partner in civil practice. Judge Nacino's advancement from the Prosecutor's Office to civil practice made him an excellent choice when he was appointed as a District Court Judge in 2005. He is an extremely hard worker and he is always very well prepared.

Judge Nacino has the respect of his colleagues in the legal community because he has the experience and knowledge of trying cases both in the criminal and civil arenas. His experience at the District Court level as a judge, and the wealth of knowledge that he has attained over the years makes him an excellent choice as a Judge for the First Circuit. Judge Nacino's legal experience has been proven in the criminal and civil arenas as an advocate and a judge. Judge Nacino has the intellect, integrity and moral courage to make the difficult decisions. Most important, he is fair, honest and someone who can be trusted to ensure that justice is served.

Based on all of Judge Nacino's past experiences, I believe that he will be a welcomed and a strong asset to the judiciary. I believe that he has the judicial temperament to be an excellent judge because he is a caring person. When it comes to making a decision, Judge Nacino will do what is right and just. Thank you for allowing me the opportunity to comment on his confirmation. Please feel free to contact me at 768-7474, if you have any questions.

Sincerely,



Franklin D. Pacarro Jr.
Senior Deputy Prosecuting Attorney

From: Bode, Ron D. [rbode@honolulu.gov]
Sent: Thursday, November 12, 2009 11:45 AM
To: JGO Testimony
Subject: Senate JGO Hearing on 11-17-09

Measure
Submitting for consideration and confirmation to the Circuit Court of First Circuit, State of Hawaii, gubernatorial nominee, EDWIN C. NACINO, for a term of ten years.

Date and time of hearing
November 17, 2009/10:30 a.m.

Dear Senator Taniguchi and Committee on Judiciary and Government Operations,

I am grateful for the opportunity to voice my unconditional support for the confirmation of First Circuit judicial nominee Edwin Nacino.

I've known Ed since September 1979 when we were members of the Honolulu Police Department's 75th Recruit Class.

I have witnessed with pride Ed's progression over the years. Raised in Mayor Wright Housing, Ed endured rough beginnings. A major portion of his eight-year stint as a police officer was spent patrolling the seedy environs of Downtown Honolulu. While working full-time as a police officer, Ed pursued his B.A. in Sociology from the University of Hawaii at Manoa. He left his career as a Honolulu police officer to attend the Richardson School of Law. As an attorney, Ed has practiced law diversely in both the private and government sector. His passion for public service led to District Court judge appointment in 2005.

Ed's unique background is likely not enjoyed by any judge in the state of Hawaii. Ed appreciates the human condition; he has an understanding of the world outside a courtroom and is able to connect with people outside the judiciary. I can say with certainty that Ed will not lose touch or ever be arrogant.

While forthright and upstanding, and always self-possessed, Ed's most convincing qualities are his fairness and compassion. He does not give favor or disfavor to anyone and treats all people with kindness, tolerance and dignity. Clients undoubtedly leave his courtroom feeling they got a fair trial or they feel good about what happened. Everything Ed has done throughout his adult life - police officer, practice law in the government sector, hold judicial office - involve public service. Compassion is the foundation for all who pursue public service. It is the basic ingredient for those employed in public service; we serve, we help people.

Ed is an excellent nominee for judge of the Circuit Court of the First Judicial Circuit, and I humbly ask that you give him confirmation. I am confident he will respond admirably to the increased responsibility that comes with this judicial office. Our community will benefit greatly from a judge with Ed's excellent character, unique life experiences, diversified professional experience, and 4 years as a District Court judge.

Very truly yours,

RON BODE
Captain, Honolulu Police Department



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November 10, 2009

Senator Brian Taniguchi
Chairman, Judiciary Committee
415 S. Beretania Street
Suite 219
Honolulu, HI 96813

Dear Senator Taniguchi and Committee Members:

I am providing testimony in support of the confirmation of Mr. Edwin C. Nacino to fill the judicial vacancy on the Hawaii Circuit Court, First Circuit.

Ed and his family have been a friend and a member of my family support team since the late 1990's. I was a colleague of his late father-in-law and served with the father-in-law on Professional Boards and Committees for many years. In my one to one conversations with Ed throughout these years, he has given me moral encouragement and advice with so much compassion in caring for the well being of another person when I became a widow in 2000.

Our families have traveled together, had lunch and dinners occasionally during the years. Our main get together is at Chinese New Year. I'm the third generation in the family to continue the tradition with an annual Chinese New Year Dinner Party that in recent years have been moved to a local Neighborhood Chinese Restaurant. Ed and his family have been part of this annual celebration with family and friends since we met.

Though the years I have known Ed to be firm and fair with a great sense of humor. Because he has to be a very patient and understanding person to put up with all the women that surround his life - his sisters, wife, daughter, widowed mother-in-law, and me a close friend who is an opinionated older woman CEO not of his generation. We have had a lot of dialog (and laughs) about my views and perception of varied issues in life.

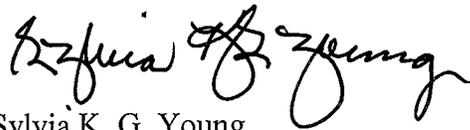
Ed's resume does not show his personal side, which is a man of great character and integrity who has fought to overcome an adverse childhood of being raised by a single parent father in public housing, educated in the public schools, worked hard in variety of jobs to earn enough to pay his way through college and law school and persevere to

obtain his American Dream. Ed is the living example of what we all hope for our children. Through all of this, Ed does not have a mean bone or a chip on his shoulders and has used his humbling life experiences to contribute to our community in various volunteer activities. I strongly believe this is what makes him the perfect person to serve on our court system.

I unfortunately, will be out of town at a conference when his confirmation hearing takes place on the 17th or I would proudly stand besides him in support. If you require any further information or clarification from me, my cell phone # 808 292-7834. I'll only be on the West Coast with a 2 hour difference in time and will be back on the 19th.

Mahalo.

Sincerely,

A handwritten signature in black ink, appearing to read "Sylvia K. G. Young". The signature is fluid and cursive, with the first name "Sylvia" being the most prominent.

Sylvia K. G. Young
President/CEO
MediCredit FCU

LINDA LINGLE
GOVERNOR



STATE OF HAWAII
WAI'ALAE ELEMENTARY PUBLIC CHARTER SCHOOL
1045 NINETEENTH AVENUE
HONOLULU, HAWAII 96816

Senate Committee on Judiciary and Government Operations

GM1 Submitting for Consideration and Confirmation to the Circuit Court of First Circuit, State of Hawaii, Gubernatorial Nominee, EDWIN N. NACINO, for a term of ten years

10:30 a.m. Tuesday, November 17, 2009; Conference Room 229 of the State Capitol

November 16, 2009

Dear Chairperson Brian Taniguchi and Vice Chairperson Takamine, and Committee Members

It is my pleasure and honor to provide testimony in support of Honorable Edwin Nacino's confirmation to the First Circuit Court for the State of Hawaii.

As the chair of the Wai'alaie School Board I had the pleasure of working with Hon. Nacino for a brief period of time. During that time, however, he provided great insight, compassion and knowledge regarding the public education system and our school, in particular. The school board considers it a great loss that Mr. Nacino was unable to provide service on our board due to the potential for conflict.

It is the school board's opinion that Honorable Edwin Nacino is an asset to the Hawaii judiciary and we support his confirmation to the First Circuit Court for the State of Hawaii for a term of ten years.

Sincerely,

Dori Smith

Chair, Wai'alaie Elementary School Board

From: Godsey, Karl [mailto:kgodsey@honolulu.gov]
Sent: Monday, November 09, 2009 4:19 PM
To: JGO Testimony
Subject: Judicial Hearings

THE TWENTY-FIFTH LEGISLATURE
INTERIM OF 2009
OMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS

Senator Brian T. Taniguchi, Chair
Senator Dwight Y. Takamine, Vice Chair
DATE: Tuesday, November 17, 2009
TIME: 10:30 a.m.

PLACE: Conference Room 229
State Capitol
415 South Beretania Street

A G E N D A

Note: Pending referral of GM 1 to JGO during the Third Special Session of 2009 to convene on November 18, 2009.

I am writing on behalf of Edwin C. Nacino supporting the confirmation of his selection as a circuit court judge. I have known Ed for almost 30 years. We joined the Honolulu Police Department together in 1979 and were in the same class at the Police Academy. We worked together as rookie police officers and have remained friends since.

There are few occupations in this world that require trusting another with your life. Police work is one and I am fortunate to have worked with Ed as a police officer. I trust him as a friend and as a professional. When he left the Honolulu Police Department to attend law school I was both disappointed and proud. I knew he would succeed outside the department and become an outstanding attorney. I also knew that losing Ed as a police officer would hurt the department and the community because he was as good and dedicated officer as I have ever worked with.

Time has past and we have both moved forward in our careers. I think that you have an opportunity to confirm a moral, honest, dedicated, intelligent, and even-tempered candidate to the bench in Edwin C. Nacino. His fairness, honesty, and intelligence will be an asset to the bench.

Thank you for the opportunity to comment.

Karl Godsey
730 Ainapo Street
Honolulu, Hawaii 96825
529-3975

From: Laurie Cateriano [lcateriano@asbhawaii.com]
Sent: Monday, November 09, 2009 6:01 PM
To: JGO Testimony
Subject: Nomination of Edwin C. Nacino, First Circuit Court Judge

Committee on Judiciary and Government Operations

Notice of Hearing

Submitting for consideration and confirmation to the Circuit Court of First Circuit, State of Hawaii
Gubernatorial Nominee, Edwin C. Nacino, for a term of ten years

Tuesday, November 17, 2009

10:30 AM

I'm writing you this email hoping to persuade you to consider and confirm Edwin C. Nacino as First Circuit Court Judge. I've known Ed for over eight years. During that time he has demonstrated a high degree of loyalty and dedication to his community, his family and his friends. Our daughters have a friendship and attended St. Andrew's Priory together. Ed's family and I have worked side by side at school functions and spent evenings when our children were working on homework or just hanging out. I look forward to our time together and consider them close, personal friends. Ed is honest and straightforward with his approach to life. He is always cheerful, positive and good natured.

In my opinion, he is one of the greatest Dads I know. If his parenting skills are any indication of the skills necessary to be a First Circuit Court Judge, he will be exceptional. He is a good example of someone that tempers discipline with consequence.

I am very much interested in Ed's appointment and will be happy to provide any further information. Please feel free to contact me.

Sincerely,
Laurie L. Cateriano
Senior Vice President & Manager
American Savings Bank
808 539-7840
lcateriano@asbhawaii.com

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From: Takata, Kevin [ktakata@honolulu.gov]
Sent: Tuesday, November 10, 2009 10:20 AM
To: JGO Testimony
Subject: Confirmation of Edwin Nacino to Circuit Court; Hearing on Tuesday, November 17, 2009, at 10:30 a.m.

To the Honorable Brian Taniguchi and members of the Senate Judiciary and Government Operations Committee:

I support the confirmation of Judge Edwin Nacino to the Circuit Court. We worked together at the Department of the Prosecuting Attorney and I have appeared before him in court and can attest that he has been fair and thoughtful, kind and respectful, patient and compassionate. His years as a district court judge, experience in private civil practice, and background as a deputy prosecutor provide him with excellent credentials to be a circuit court judge. He has paid his dues and now it is time for him to move on and assume greater responsibilities. Please provide him with that opportunity and he will not disappoint you.

Thank you for this opportunity to comment on the confirmation of Judge Nacino to Circuit Court.

Kevin K. Takata

Department of the Prosecuting Attorney
Senior Deputy Prosecuting Attorney
1060 Richards Street
Honolulu, Hawaii 96813
Telephone: (808)768-6458
Fax: (808)768-7513
email: ktakata@honolulu.gov

From: Ching Hsin Tseng [chlt seng@clearwire.net]
Sent: Tuesday, November 10, 2009 11:31 AM
To: JGO Testimony
Subject: 11/17/09 (T) 10:30 am hearing for Circuit Court Judicial Nominee Edwin C. Nacino
(Conference Room 229)

Ching Hsin L. Tseng
1345 HALOA DR
HONOLULU, HI 96818
Tel: (808) 291-5916

November 10, 2009

RE: Judicial Nominee Edwin C. Nacino

Dear COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS,

I am writing to you as a private citizen to commend Judge Nacino's presence in the court room. On December 1, 2008, I had my first day at the other side of the bench. I had worked as a Family Court Court Officer/Social Worker in 2000 before my transfer to the Department of Health, Developmental Disabilities Division.

On October 31, 2008, Jason Duncan, Kapolei Middle School Social Studies teacher, and I had been dating for 2 months. We must looked very evil as the red devil couple because Japanese and European tourists were busy taking our pictures. At 10:30pm, we left the crowded Chinatown Halloween block party to get some fresh air at the Ala Moana Beach Park. We were ticketed by the Honolulu Police Department officers for being at the Ala Moana Beach Park after the 10:00 pm closing time. At the ages of 33 and and 35, we were really too old to have "curfew type" criminal misdemeanors. Judge Nacino heard our concerns and encouraged us to speak to a public defender. He appeared to be fair and calm throughout the long morning session.

On the positive side, the stress of the court date and the related teasing from friends brought us closer together. On September 10, 2009, we pooled our funds with my parents to buy a house and share household expenses in this tight economy. Jason is sharing his court date with 8 graders as an example of current application of the Bill of Rights and separation of powers.

If you have any questions regarding this e-mail, please call me at (808) 291-5916 or chlt seng@clearwire.net

Sincerely,
Ching Hsin L. Tseng
Social Worker/Policy Analyst/Coverage Case Manager for Molokai

November 17, 2009

The Honorable Brian T. Taniguchi, Chair
and Members of the Committee on Judiciary
and Government Operations
Hawaii State Capitol
415 South Beretania Street, Room 229
Honolulu, Hawaii 96813

Dear Senator Taniguchi and Committee Members:

Support for Edwin C. Nacino as First Circuit Court Judge

We support the appointment of Edwin C. Nacino as judge of the Circuit Court of the First Circuit where we believe Mr. Nacino will prove to be a dedicated and exemplary judge.

As members of the St. Andrew's Priory School parent community, we can attest to Mr. Nacino's strength of character and civic spirit. He has been an ardent supporter of the school and treats everyone with consideration, kindness and respect.

As members of Hawaii's business community, we can also attest to Mr. Nacino's professionalism, integrity and respected standing in the community. We believe he will serve with distinction as a Circuit Court judge and we ask that you support of his confirmation.

Sincerely,



Theresa and Michael McMurdo

Theresa and Michael McMurdo
3944 Old Pali Road, Honolulu, Hawaii 96817 ■ Phone: (808) 595-0436

From: Warren Mizutani [wongm057@hawaii.rr.com]
Sent: Tuesday, November 10, 2009 3:22 PM
To: JGO Testimony
Subject: Circuit Court of First Circuit, Nominee EDWIN C. NACINO

5037 Hekili Rd.
Kapaa, Hawaii 96746

November 10, 2009

Consideration and Confirmation to the Circuit Court of
First Circuit, State of Hawaii, Gubernatorial
Nominee EDWIN C. NACINO, for a term of ten years

Date of Hearing: Tuesday, November 17, 2009
Time: 10:30 a.m.

COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS

Senator Brian T. Taniguchi, Chair
Senator Dwight Y. Takamine, Vice Chair

We, Marsha Mizutani-Wong and Warren Mizutani, support the nomination of EDWIN C. NACINO, Nominee to the Circuit Court of First Circuit, State of Hawaii for a term of ten years. Currently, Edwin C. Nacino is a District Court Judge for the First Circuit, District Court. Edwin has been a very effective and responsible judge for the past 3 years.

Edwin Nacino is a successful self-made professional and has worked very hard all of his life with the drive and determination to succeed and enjoy the kind of life that we all aspire to achieve. Edwin comes from a good family but was raised in humble surroundings. He is a product of the public school system in Hawaii and started his professional career as a police officer for the Honolulu Police Department. While working as a police officer, Edwin attended college part-time to gain a degree and further his ambition to become a lawyer.

After graduating from the University of Hawaii with a bachelors degree, Edwin continued to work as a police officer until he entered the William Richardson School of Law at the University of Hawaii. Since graduating from law school, Edwin worked in various capacities in the law profession and has had success in everywhere he has ventured in the law profession;

We have known Edwin Nacino for more than 15 years and never have we experienced any kinds of problems or negative behavior from Edwin. He is a man of fine judgment and a very responsible husband, father, and citizen. He will be a very effective and responsible Circuit Court Judge.

Without reservations, we support and solicit your serious consideration for EDWIN C. NACINO for the CIRCUIT COURT JUDGE for the First Circuit of Honolulu

Sincerely,

Marsha Mizutani-Wong

Warren S. Mizutani

From: Carrie Takahata [carrietakahata@gmail.com]
Sent: Tuesday, November 10, 2009 5:03 PM
To: JGO Testimony
Subject: First Circuit Court Nominee Edwin C. Nacino

Carrie Y. Takahata
306 Arguello Blvd. #203
San Francisco, CA 94118
808-372-7333

To Whom It May Concern --

It is with great pleasure that I provide this letter in support of Edwin C. Nacino.

Seven years ago, I worked as a social worker with the Department of Health, Developmental Disabilities Division. During that time, I worked closely and became good friends with Kelly Jo Nacino, Ed Nacino's wife. It is through Kelly Jo that I have come to know Ed quite well.

During the course of these last seven years, I have seen Ed work in two different professional capacities. When I first met him, Ed was with his nose to the grindstone as an insurance litigator and partner with Roeca, Louie & Hiraoka. Then, in 2005, I attended Ed's swearing in as a newly appointed district court judge. At that point, I had known Ed for nearly two years. Despite this fact, I was amazed by the telling of his life's story and his journey to the bench. My not knowing this story was indicative, of course, of Ed's humble nature.

Ed grew up in the Mayor Wright Housing Complex without the security of an intact nuclear family to rely on. He pulled himself out of the impoverished complex by working hard and graduating from McKinley High School. For nearly nine years, he worked with the Honolulu Police Department. While working full-time as a police officer, Ed enrolled himself into the undergraduate program at the University of Hawaii at Manoa and, in two years, garnered a B.A. in Sociology. Shortly after graduating with his B.A., Ed was accepted into the William S. Richardson School of Law where, in 1990, he graduated with his J.D.

Although I am now a resident of California, I spent my first 37 years growing up in Hawaii, and I will forever consider it my home. As a local yonsei poet, I am committed to seeing its culture preserved and its people thrive. For that reason, and because I am hard-pressed to find a more fair, thoughtful, and determined person, I write -- all the way from California -- to support the nomination of Edwin C. Nacino.

Very Truly Yours,

Carrie Y. Takahata, B.S.W., M.A.

THE LAW OFFICE OF WILLIAM M. DOMINGO
547 HALEKAUWILA STREET, SUITE 102
HONOLULU, HAWAII 96813
PHONE: (808) 521-4323
FACSIMILE: (808) 585-9912
EMAIL: wmdomingo@yahoo.com

November 10, 2009

The Honorable Brian Taniguchi
Chair, Senate Judiciary Committee
State Capitol Building

Re: CONFIRMATION OF EDWIN C. NACINO
Circuit Court Judge, First Circuit

Dear Senator Taniguchi and members of the Judiciary committee,

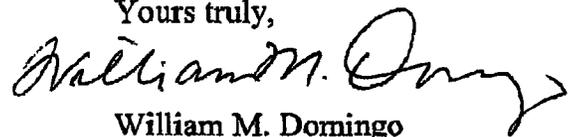
It is with great pleasure that I whole-heartedly give my support for Edwin Nacino's appointment as Circuit Court Judge. I have known Ed for almost 20 years. I first met him as he entered law school; then as adversaries while he was a prosecutor and presently appearing before his honor as a defense advocate.

Ed is truly a judge from the people. Starting with his humble beginnings growing up in Mayor Wright Housing to his graduation from McKinley High School to serving his community as a police officer to law school and finally the District Court bench. Not many on the bench can claim these roots and thus its life experiences. I was privileged to speak at his swearing in as a District Court Judge. I jokingly commented that it was finally great to have a district court judge who actually knows what a "gaff" is.

With Ed we won't have to guess what kind of judge he'll be. He has already proven that he is comfortable both intellectually and emotionally to wear the robes in Circuit Court. His demeanor and rulings are always spot on and leave the litigants with the feeling that they have been dealt with fairly and with respect.

In closing, senators, the appointment of District Judge Edwin C. Nacino to the First Circuit Court will most certainly be a watershed event for the Judiciary and especially for ALL the people of the State of Hawaii. I thank you for the opportunity to share my opinions and please feel free to contact me should you have any questions or concerns. Mahalo and Aloha.

Yours truly,


William M. Domingo

From: Evan Murakami [emurakami@hawaii.rr.com]
Sent: Friday, November 13, 2009 2:24 PM
To: JGO Testimony
Subject: Re: Edwin C. Nacino, nominee to the First Circuit Court

To the Committee on Judiciary and Government Operations:

I strongly support the nomination of District Judge Edwin C. Nacino to fill the current vacancy on the First Circuit Court.

I believe that his professional capabilities and experience, as well as his personal qualities, make him eminently qualified to be selected for the position.

Thank you for your consideration of this worthy nominee.

Sincerely,

Evan A.R. Murakami, Individual Mentor, State of Hawaii Department of Health, and member of the State Council on Developmental Disabilities

November 12, 2009

Committee of Judiciary and Government Operations
Senator Brian T. Taniguchi, Chairman
Senator Dwight Y. Takamine, Vice Chair
State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Consideration and confirmation to the Circuit Court of First Circuit, State of Hawaii, Gubernatorial Nominee, EDWIN C. NACINO, for a term of ten years

Dear Senators Taniguchi and Takamine:

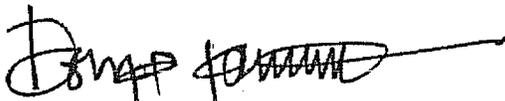
I am writing to you on behalf of my friend Edwin C. Nacino, who is nominated for a position on the Circuit Court of First Circuit, State of Hawaii.

I have known Ed for over seventeen years and consider him a unique person, one who is able to balance his unfailing dedication to his wife Kelly Jo, daughter Shelby, his rigorous professional career and his many volunteer efforts. I truly admire him for his hard working ethic.

Most of all, I truly believe that Ed has an unrivaled sense of honesty, modesty, intellect, compassion and an uncompromised appreciation for the people of our wonderful state. I unconditionally trust that Ed is the best person to execute the difficult judicial responsibilities for the State of Hawaii and to continue the mission for its people.

Your consideration and eventual selection of Edwin C. Nacino would be gratefully appreciated by myself and other concerned citizens of Hawaii.

Thank you,



Douglas A. Yamamoto
2721 Hillside Avenue
Honolulu, Hawaii 96822
Telephone: (808) 988-4639

From: Gerald Takeuchi [gtakeuchi@atlasinsurance.com]
Sent: Wednesday, November 11, 2009 2:38 PM
To: JGO Testimony
Subject: Senate JGO Hearing on 11/17/09

Dear Senators:

I am writing to you in support of Edwin Nacino, for consideration and confirmation to the circuit Court of First Circuit, State of Hawaii:

I've known Edwin his wife Kelly Jo and his family for a number of years, and besides being a sitting judge he is a devoted husband and a good father to his daughter.

As a respected attorney and now District Judge, Edwin is well qualified to fill the vacant Court position. That he is a humble and willing community servant is evidence that his compassion for others will benefit the judicial system and people of Hawaii.

Thank you for your consideration of his appointment.

Happy Thanksgiving!

Gerald

Gerald H. Takeuchi
Atlas Insurance Agency, Inc. (Makai)
820 Millilani St., # 300
Honolulu, Hawaii 96813
Phone No.: (808)533-8795
Fax No.: (808) 550-1130
gtakeuchi@atlasinsurance.com

[The information in this email is confidential and may be legally privileged. It is intended solely for the addressee. If you have received this communication in error, please contact the sender immediately, return the original message to the sender, and delete the material from your computer. Thank you.]

EDWINA SALAC-TAKASAKI

November 11, 2009

Committee of Judiciary and Government Operations
Senator Brian T. Taniguchi, Chair
Senator Dwight Y. Takamine, Vice Chair
State Capitol
415 South Beretania Street
Honolulu, HI 96813

Re: Consideration and confirmation to the Circuit Court of First Circuit, State of Hawaii,
Gubernatorial Nominee, EDWIN C. NACINO, for a term of ten years

Senator Taniguchi and Senator Takamine:

I am very pleased to write a character reference for Edwin C. Nacino.

I have been personally acquainted with Ed, his wife Kelly Jo, and their daughter Shelby for more than 11 years. Shelby and my daughter have been friends and classmates since they first enrolled at their school.

Throughout the years, our families have worked together on various fundraisers on behalf of the school as well as socialized at numerous school events. Ed has been an active and supportive parent at these functions, contributing not only his time and considerable energy but also his culinary talents. He has a great sense of humor, which is a reflection of both his wit and intelligence. In addition to his professional accomplishments, which are many and varied, I find that he is also a loving husband and proud father. Altogether, these qualities will only enhance his ability to be an outstanding Circuit Court judge.

I strongly encourage the Committee to confirm EDWIN C. NACINO to the position of judge of the Circuit Court of First Circuit.

Sincerely yours,

Edwina Salac-Takasaki
Marketing Coordinator / The Shidler Group
etakasaki@shidler.com

November 10, 2009

The Honorable Brian Taniguchi
Senator and Chairman of the Senate Judiciary Committee
State of Hawaii
State Capitol
Honolulu, Hawaii 96813

Dear Senator Taniguichi:

Thank you for the opportunity to submit this letter on behalf of Edwin Nacino, a nominee for Judge, First Circuit Court of the State of Hawaii. I don't know if you remember me but, I was a legislative researcher for Dwight Yoshimura back in 1983-1985 right before I entered law school in 1986 with Carol Ida-Chun. I hope you and your family are well!

It's been a life time ago since those days but, that's where I met Judge Nacino and have known him since we were law students at the William S. Richardson School of Law (1989) and eventually as Law Clerks for the Honorable Judge Wendell K. Huddy (retired) (1991).

During that time, I have found Ed Nacino to be an excellent colleague. He was a very hard worker and fair. He was approachable and a person that lived with the people he served and understood where they were coming from. That quality nearly twenty years ago was evident and his career over the years exhibited that commitment to our community.

Edwin Nacino has the breadth of experience to handle the demands of being a Circuit Court Judge. He has the experience of being a police officer, litigator, and district court Judge. More importantly, he has given back to our community through his work on various boards and community projects.

Edwin Nacino not only has the skills but, the balance that is necessary to facilitate fairness to the process of the court system. If the Judges we select do not possess this quality then our judicial system of protection and fair play has no relevance to our community. We need a Judge like Ed who our community can look up to as a role model. A person who is from our community, who will treat us fairly no matter how serious the case, has the skills to handle the job, and the most important quality; one who is able to give us confidence in our judicial system. Edwin Nacino is that man who will give our community confidence in our judicial system and our state during these trying economic times.

Your selection of Edwin Nacino as Judge to the First Circuit Court will be a wonderful choice. Our community desperately needs to see that candidates selected are everyday people who do ordinary things like we do to help our community through tough times. Thank you for your consideration of Edwin Nacino. He will not disappoint our community.

Sincerely,

Jean Luka

From: Gail Yuen [hmowpt@hawaii.rr.com]
Sent: Thursday, November 12, 2009 3:19 PM
To: JGO Testimony
Subject: EDWIN NACINO CONFIRMATION HEARING

Date: Tuesday, November 17, 2009

Time: 10:30 a.m.

Place: Conference Room 229

Hawaii Meals on Wheels is a 501c 3 non-profit organization that provides hot, nutritious meals and caring human contact to homebound elderly and disabled. As about 90% of the over 1500 weekly meals are delivered by volunteers, we depend a lot on them to be drivers, picking up and delivering meals to clients.

Volunteers need to be reliable, patient, friendly, and compassionate. Edwin Nacino is one such volunteer, taking time from his busy schedule, to deliver dinner meals on his scheduled day. Whether on a holiday or in heavy rain, Ed makes sure his clients get fed. He is committed to carrying out our mission, providing this much needed service to seniors in his community. His continued volunteer efforts help make a big difference in the lives of our clients, making it possible for clients to remain independent in their own homes. We are truly blessed to have such a dedicated volunteer!

Please give him every consideration. Thank you.

Gail Yuen

Gail Yuen, Volunteer Coordinator

"Meals From the Heart, Food For the Soul"

Hawaii Meals on Wheels, Inc.
P. O. Box 61194
Honolulu, HI 96839-1194

Ph: 988-6747

Fax: 988-5719

E-mail: hmowpt@hawaii.rr.com

Website: www.hmow.org

November 12, 2009

Committee of Judiciary and Government Operations
Senator Brian T. Taniguchi, Chair
Senator Dwight Y. Takamine, Vice Chair
State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Re: Consideration and confirmation to the Circuit Court of First Circuit, State of Hawaii,

Gubernatorial Nominee, EDWIN C. NACINO, for a term of ten years.

I respectfully and compassionately submit my recommendation of District Court Judge Edwin C. Nacino for the position of Judge in the Circuit Court of the First Circuit.

As a friend and previous co-worker, I would like to graciously assure you that Edwin C. Nacino is a superb and outstanding choice. Having know Ed for years, he has always carried himself with great dignity and responsibility. Ed has provided a guiding light to others that have been raised in the middle to lower class, giving them hope that one can achieve anything if they continue to pursue their goals. Always giving back to the community, through his endless continued efforts as a volunteer to various charities and community projects. A trooper and team player is just one part of his character and demeanor. Ed is assiduous and diligent in whatever he does, may it be professional or otherwise. He is very intelligent, brilliant and very articulate with the rare ability to make wise decisions.

I have all the confidence and belief in Edwin C. Nacino based on his background and experience, both as a person and professional he will be an excellent choice for this position.

Kaulana Young
Investigator (ACE)
United States Attorney's Office
District of Hawaii
300 Ala Moana Blvd., Room 6-100
Honolulu, Hawaii 96850
Office: (808) 541-2850
Fax: (808) 541-2958
E-mail: Kaulana.Young@usdoj.gov

To the Committee on Judicial and Government Operation

When the media initially reported that District Court Judge Edwin C. Nacino was being considered for the Circuit Court, my initial reaction was that he is an excellent choice to fill that vacancy. The Honorable Judge Edwin C. Nacino is a person of Character and Integrity.

I first met Edwin Nacino in September, 1979 when we both entered the Police Academy at Fort Ruger on the slopes of Diamond Head. Ed, as he was known back then was always dedicated and driven individual. He excelled in both the academics and physical curriculum of the training program.

Ed is also a generous individual. There were police recruits who struggled with the curriculum. Ed held study sessions at his home to help those who struggled with the academic portion. He also remained after class to help his classmates that struggled with the physical portion of the program. He exercised with classmates at Ala Moana Park and KCC to raise their fitness levels.

After graduating from the Police Academy, Ed and I were assigned to the police cellblock, processing prisoners. An assignment to the Receiving Desk, as it was known back then, is the most undesirable duty in the Honolulu Police Department. You're dealing with individuals who resented their surroundings. Yet Ed made the most of it, he enrolled at the University of Hawaii to continue his education. During the lull in processing prisoners, Ed used time to study. To this day, I don't see how anyone was able to accomplish what he did at the cellblock. There was always a stench in the atmosphere, prisoners yelling at each other or fighting. It was not conducive to studying, yet Ed made the best of it.

Ed also displayed his compassion to others, even the prisoners. Housed in an enclosed air-conditioned environment, some of the prisoners had a difficult time staying warm. Ed always offered extra bedding to those prisoners. Ed always checked on prisoners that missed their meals for whatever reason, were fed. Other officers would comment, "Why bother". To Ed it was not an inconvenience or bother, it was compassion.

After eighteen months at the Receiving Desk, Ed and I were assigned to downtown Honolulu, also known as Chinatown. At the time, the area was a gathering place for the dregs of society. Street characters, the homeless, drug addicts and drug dealings were on the rise at the time. Ed made the most of the assignment, continuing with his studies between the calls for service.

Ed touched the lives of people in his old neighborhood of the Mayor Wright Housing Complex. One day, a proprietor of the old Fuji Store requested police assistance. Ed had not seen this elderly lady since he was 8 years old. She vividly remembered encounters with Ed years earlier. She stated, "I always know you do good." "You were always a good boy." We laughed about the encounter, then we realized that Ed must have made an impression on that eighty year old proprietor.

One night, Ed and I responded to a call for service on River Street between North King Street and North Hotel Street. Ed noticed smoke emanating from a closed business and the fire department was notified. The business was located within a two-story wooden structure with the upper floor containing numerous apartment units with elderly tenants. Ed and I began to evacuate the residences, at times carrying them down to the street level. I entered an apartment and located an elderly male at the far side of the room. The room suddenly filled with smoke, causing me to lose my directions and bearings. I was holding onto the elderly male while attempting to locate the front door. Ed must have sensed my dilemma because I had not emerged from the second floor. While still struggling to locate the front door, I was relieved to hear a familiar voice calling my name. It was Ed, who entered the room using his flashlight like a beacon to safety. Ed saved two lives that night, myself and the elderly male. Immediately after assisting with the evacuation the entire wooden structure was engulfed and destroyed.

Ed was never credited for his heroic efforts nor did he seek recognition. What he did that night in Chinatown is a testament to his character and work ethic. Entering that burning building, he did not think about his personal safety. He was thinking of saving a life or lives. He always placed himself second to others.

Ed was among a small group of veteran officers who volunteered for the inaugural Field Training Officer Program that was introduced by then Assistant Chief Glen Kajiyama during the mid-eighties. The program offered the rookie police officer additional training after they graduated from the police academy. The trainee was paired with an experienced veteran police officer and received close supervision in all aspects of police work. Ed was a perfect fit for this program. He had patience and understanding. Every trainee had different levels of comprehension and knowledge. Ed structured his teaching style for the each trainee under his tutelage. Officers who trained under Ed are now respected administrators in the Honolulu Police Department.

I'm fortunate to be alive today and share my testimony of the Honorable Judge Edwin C. Nacino. I spent the first eight years of my police career serving along side of him. I was a witness to his character, integrity and work ethic. Judge Edwin C. Nacino has always been a dedicated public servant. He faithfully served this city as a police officer, deputy prosecuting attorney, deputy corporation counsel and a district court judge. I can think of no other person who is worthy of this nomination and can only offer the highest recommendation for his confirmation

If you have any questions, please don't hesitate to contact me at (808) 847-4676

Travis Kohatsu
Metropolitan Police Sergeant (Retired)
Honolulu Police Department

From: Jon Kumashiro [jkuma66@hotmail.com]
Sent: Thursday, November 12, 2009 2:54 PM
To: JGO Testimony
Subject: Testimony in Support of Edwin C. Nacino

Committee on Judiciary and Government Operations,

Thank you for the opportunity to submit an email for consideration, supporting the confirmation of Mr. Edwin C. Nacino to the Circuit Court of the First Circuit, State of Hawaii.

I have known Mr. Nacino for approximately 10 years. I have found him to be knowledgeable, articulate, reasonable, fair, honest, dependable and a true gentleman. He spends much time on family activities and is a devoted husband and father. Yet, he is also able to find time to participate in community based programs to help the poor and disadvantaged. It is my sincere belief that his qualities, characteristics and varied work experiences will form the basis for him to render sound, fair and objective decisions on behalf of the First Circuit Court, Judiciary, State of Hawaii.

Again, thank for this opportunity to support the confirmation of Mr. Edwin C. Nacino

Sincerely,

Jon T. Kumashiro
Personnel Management Specialist
Department of Human Resources Development

Windows 7: Unclutter your desktop. [Learn more.](#)

Melanie K. Meneses
P.O. Box 1009
Pasadena, MD 21123-1009

November 12, 2009

Senate Committee on Judiciary and Government Operations
State Capitol
415 South Beretania Street
Honolulu, HI 96813

RE: Circuit Court of First Circuit, State of Hawaii, Gubernatorial Nominee, Edwin C. Nacino
Date: November 17, 2009
Time: 10:30 am

Dear Senator Brian T. Taniguchi:

I had the pleasure of meeting Ed Nacino and his family when they were vacationing in the Washington, D.C. area almost a decade ago. I was struck with Ed's life story and how he overcame disadvantaged circumstances to pursue a law degree while managing a young family and a full time job as a police officer with the Honolulu Police Department. It was clear to me that this was a man whose determination and intelligence would carry him far beyond his occupation as a trial attorney. As the then Director of Claims for Nationwide Insurance, I found his pursuit of excellence to be inspirational and used his example as a motivational tool for my management team. A couple of years later, I contacted Ed and requested his assistance in a legal matter involving a Honolulu based business. Ed quickly and efficiently resolved the issue utilizing not only his legal knowledge but good common sense. When asked in 2005 to provide feedback, it was my great honor to recommend Ed for the role of District Judge.

Since that time, I have watched Judge Nacino's professional and personal growth from afar. As a kama'aina who currently resides in the state of Maryland, I am keenly aware that my recommendation to nominate Judge Nacino to the role of Circuit Judge is a significant responsibility and one not taken lightly. I continue to support Judge Nacino in his quest for excellence. I also believe that his dedication to the people of Hawaii is just as important as his legal rulings from the bench. He continues to do volunteer work from litigation workshops to delivering meals to shut-ins and the elderly. More importantly, in a diverse society he serves as a role model to many disadvantaged and disenfranchised individuals on how one achieves success by following the right path at the proverbial fork in the road. He fully models the behavior of leadership by example. As such, I strongly recommend Judge Edwin C. Nacino to the position of Circuit Court Judge for the First Circuit Court.

Thank you for your consideration.

Sincerely,

Melanie K. Meneses
Nationwide Mutual Insurance Company, Ret.

Arthur F. Roeca
David M. Louie
Keith K. Hiraoka
April Luria
James R. Ferguson
James Shin

Jodie D. Roeca
Brian A. Bilberry
Jennifer B. Lyons
Norman K. Odani
Rhonda L. Ching

Counsel:
Shannon L. Wack

ROECA, LOUIE & HIRAOKA

A LIMITED LIABILITY LAW PARTNERSHIP, LLP

900 Davies Pacific Center
841 Bishop Street
Honolulu, Hawai'i 96813-3917
<http://www.rhllaw.com>



*Roeca, Louie & Hiraoka, LLP is a Member of the
International Society of Primerus Law Firms*

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RL&H File No.
dml/jsc

November 11, 2009

Committee on Judiciary and
Government Operations
Senator Brian T. Taniguchi, Chair
Senator Dwight Y. Takamine, Vice Chair
415 South Beretania Street
Honolulu, HI 96813

Via Email: JGOTestimony@Capitol.hawaii.gov
and Via FAX 586-6659

Re: Consideration/Confirmation to First Circuit Court,
State of Hawaii
Gubernatorial Nominee, EDWIN C. NACINO, for
a term of ten years
Hearing Date: Tuesday, November 17, 2009
Time: 10:30 a.m.
Place: Conference Room 229
State Capitol
415 South Beretania Street

Gentlemen:

This letter is submitted for your consideration with respect to the nomination of Edwin C. Nacino for the position of Judge of the First Circuit Court.

I am an attorney in the State of Hawaii. I have practiced here since 1978 in the field of civil litigation. I have served as a Past President of the Hawaii State Bar Association in 2001. I have known Judge Edwin Nacino for approximately 12 years. I worked with him on cases when he served at the Corporation Counsel. He then came to work for our law firm for 3 years, serving as an associate and as a partner. I was able to assess his abilities through my contact with him. He became a District Court Judge in 2005.

It is my view that Judge Nacino has noteworthy skills as a decision maker, an evaluator of legal cases and a judge. When Judge Nacino worked for our law firm, he successfully evaluated and handled numerous civil cases involving tort and contract matters. He prepared numerous written reports providing his legal analysis for various cases, and he and I worked on numerous cases together. I believe his skills are exemplary.

Committee on Judiciary and
Government Operations
Senator Brian T. Taniguchi, Chair
Senator Dwight Y. Takamine, Vice Chair
Page 2
November 11, 2009

Judge Nacino has demonstrated great integrity and moral courage for as long as I have known him. He has always kept his word as a lawyer and represented his clients zealously and with great integrity. As a police officer, he was called upon to demonstrate his integrity and moral courage on a daily basis.

Judge Nacino has excellent legal ability and experience. He has good legal reasoning and communicative skills. Judge Nacino is intelligent and street smart. His experience as a police officer and as a lawyer has given him great insight into the motives of people in many different situations. Judge Nacino is fair and compassionate. He has always demonstrated sympathy for the victims of tort accidents even when they were on the opposing side. Judge Nacino is a hard worker. He does not hesitate to dig into complex or complicated problems that require substantial work. He is able to make decisions in a timely and forthright manner once he has digested the facts and the applicable law.

Judge Nacino has an excellent temperament which is well suited to the position of Judge. He is calm, dispassionate, well reasoned and even handed. In my opinion, Judge Nacino is able to make fair decisions and to comport himself appropriately, even when dealing with irate and temperamental litigants. His training as a police officer and his general disposition have made him very calm and cool under fire. In the cases that he and I worked on together, he was always able to maintain his equilibrium despite the stress of a particular case.

Judge Nacino has an excellent reputation in the legal community for honesty, trustworthiness, character, integrity and citizenship. I personally can attest to these character traits in Judge Nacino.

Judge Nacino is exceptionally qualified and would make an excellent Circuit Court Judge.

Thank you for your consideration. Should you have any questions, please do not hesitate to contact me.

Very truly yours,

ROECA, LOUIE & HIRAOKA
A Limited Liability Law Partnership, LLP



David M. Louie

Subject: FW: Letter In Support of Judge Edwin Nacino

From: Malia.B.Anfinson@hawaii.gov [mailto:Malia.B.Anfinson@hawaii.gov]
Sent: Friday, November 13, 2009 8:33 AM
To: JGO Testimony
Subject: Letter In Support of Judge Edwin Nacino

November 13, 2009

Committee of Judiciary and Government Operations

Senator Brian T. Taniguchi, Chair
Senator Dwight Y. Takamine, Vice Chair
State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Re: Consideration and confirmation to the Circuit Court of First Circuit, State of Hawaii,
Gubernatorial Nominee, EDWIN C. NACINO, for a term of ten years

I humbly submit my recommendation of District Court Judge Edwin C. Nacino for the position of Judge in the Circuit Court of the First Circuit.

I am a family friend and would like to assure you that Edwin C. Nacino is an excellent choice. Ed is a product of public housing and public school. He has never forgotten his roots and continues to give back to the community through his many volunteer efforts. Ed is a true role model for our community. He is a tireless worker, has fine qualities of character and intelligence, and that rare ability to make wise decisions. I have all the confidence in Edwin C. Nacino based on his unique background and work experience in law enforcement and the legal profession.

Thank you.

Sincerely,
Malia Anfinson

Malia Anfinson
Dept. of the Attorney General
Criminal Justice Division
333 Queen Street, Second Floor
Honolulu, Hawaii 96813
Ph.: (808) 586-1160
Fax:(808) 586-1375

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From: dag888888 [dag888888@yahoo.com]
Sent: Friday, November 13, 2009 2:44 PM
To: JGO Testimony
Subject: Testimony for Judge Edwin C. Nacino

94-428 Mokuola St., Ste. 105
Waipahu, HI 96797
November 13, 2009

The Honorable Brian T. Taniguchi
Committee on Judiciary and Government Operations
Hawaii State Capitol
415 S. Beretania Street, Room 214
Honolulu, HI 96813

Dear Senator Taniguchi,

We are writing in support of the gubernatorial nomination of Judge Edwin C. Nacino as judge of the Circuit Court of the First Circuit. We have known Judge Nacino for 12 years and have always been impressed with his sincere dedication to his work, clients, family, and the community.

Mr. Nacino is strongly qualified to be a Circuit Court judge. He is open-minded, fair and possesses good common sense. His extensive background and varied experiences especially as District Court judge shows his excellent knowledge in and understanding of various areas of the law. He is patient, has excellent communication skills and a good sense of humor. He also has a good reputation as a judge and will continue to serve the legal profession and the public with integrity as a Circuit Court judge.

Thank you for this opportunity to share with you our support of Judge Edwin C. Nacino.

Sincerely,

Daniel and Venus Dagdagan

To: Senator Brian T. Taniguchi
Chair, Committee On Judiciary And Government Operations
State Senate, Twenty-Fifth Legislature
415 South Beretania Street
Honolulu, Hawaii 96813

Date: November 13, 2009

Re : Recommendation Gubernatorial Nominee, Edwin C. Nacino to Position of Circuit Court Judge

This correspondence is an addendum to the written testimony sent to the Judicial Selection Committee upon the initial nomination of Edwin C. Nacino for a position as District Court Judge.

I have known Mr. Nacino for over 30 years, initially as a police recruit and progressively through his years as a police officer, law student, law clerk, government attorney, and thereafter as a private attorney and eventually as a Judge at the District Court in Honolulu.

Ed's work ethic and accomplishments speak well for himself since his modest beginnings growing up in Mayor Wright Housing. However, the true merit of his work was best taken notice at his confirmation hearing before the Senate Judicial Selection Committee when he was selected to the District Court Bench. At the hearing, State Senator Clayton Hee, took former Hawaii State Bar President Richard Turbin to task. He cited Edwin Nacino's accomplishments and experience in law. Senator Hee questioned Mr. Turbin why Mr. Nacino had not been recommended to a Circuit Court Judgeship instead of District Court. Senator Hee stated others with less experience and accomplishments than Mr. Nacino had been recommended by the Hawaii State Bar for Circuit Court judgeships, and had been confirmed. It was evident Senator Hee and the rest of the committee recognized Ed possessed the qualifications to be a Circuit Court Judge

Mr. Turbin could not offer a reasonable reply except to acknowledge the only position vacant was that at District Court.

Since then, Ed Nacino has served honorably and diligently in his position as District Court Judge. He has served well as the face of the Judiciary and has validated his qualification to serve as a Circuit Court Judge.

I have been fortunate to have had Ed Nacino as a colleague in the field public safety and as a long standing friend. I strongly recommend the Committee On Judiciary and Government Operations to confirm Edwin Nacino to a Judgeship on the First Circuit.

Aloha and Mahalo,

William H. Donnelly
3138 Waiālae Avenue #113
Honolulu, Hawaii 96816



Life matters.

HawaiiUSA Investment and Insurance Services
1226 College Walk
Honolulu, HI 96817
(808) 844.8338 call
(808) 844.8545 fax

November 13, 2009

Dear: Senator Brian T. Taniguchi, Chair
Senator Dwight Y. Takamine, Vice Chair

I am writing to you in support of Judge Edwin C. Nacino's consideration and confirmation to the Circuit Court of First Court, State of Hawaii.

I have known Judge Nacino for many years both on personal and professional level. During my years of association with Judge Nacino, I've found him to very intelligent, articulate, insightful, honest and respectful person. I've also been impressed with Judge Nacino's ability to view issues from many different angles before making any decision(s). His "level-headedness" is without questions one of his strengths as well.

Inclosing, I would like to say that when Judge Nacino is confirmed to the Circuit Court of First Circuit, State of Hawaii, this will not only enhance and strengthen our great state's judicial branch, but it's reputation as well.

I thank you for your time in reading my letter of support for Judge Edwin C. Nacino.

Sincerely,
Rodney M. Tong, CFP®, CRPS

DAMON KEY LEONG KUPCHAK HASTERT
A LAW CORPORATION

November 13, 2009

Attorneys at Law

1600 Pauahi Tower
1003 Bishop Street
Honolulu, Hawaii 96813-6452

Telephone (808) 531-8031
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Matthew T. Evans
Tred R. Eyerly
Diane D. Hastert
Todd Y. Hirai
Joseph W. Huster
Caron N. Ikeda
Courtney S. Kajikawa¹
Christine A. Kubota
Christi-Anne H. Kudo Chock
Gregory W. Kugle
Kenneth R. Kupchak
Denis C.H. Leong
David P. McCauley
James C. McWhinnie
Mark M. Murakami
Anna H. Oshiro
Michelle M. Shin
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Robert H. Thomas¹
Michael A. Yoshida

Of Counsel
R. Charles Bocken
Gerhard Frohlich
Harry A. Inman²

Charles W. Key
(1929-2008)

¹Admitted in Hawaii and California

²Admitted in New York and
District of Columbia



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Committee of Judiciary and Government Operations

JGOTestimony@capitol.hawaii.gov
Senator Brian T. Taniguchi, Chair
Senator Dwight Y. Takamine, Vice Chair
State Capitol
415 South Beretania Street
Honolulu, Hawai'i 96813

**Re: Consideration and confirmation to the Circuit Court of the
First Circuit, State of Hawai'i, Gubernatorial Nominee,
EDWIN C. NACINO, for a term of ten years**

Dear Senators Taniguchi and Takamine:

I submit this letter of recommendation on behalf of current District Court Judge Edwin C. Nacino, who has been nominated for the position of Judge of the First Circuit Court.

I consider myself fortunate to know Judge Nacino both professionally and personally. I first met Ed when he was a practicing attorney and, over the years, I have had the privilege to get to know him better through his family and friends. Because of his unique life experiences and background, including growing up in public housing, attending our public schools, serving as an officer in the Honolulu Police Department, working as a Deputy Prosecuting Attorney, practicing in both criminal law and civil law, and serving as a State District Court Judge, I believe Ed will bring a distinctive and valuable perspective to the Circuit Court bench. Further, Ed has never forgotten his roots and continues to give back to the community through his many volunteer efforts. As long as I have known Ed, he has exhibited a tireless work ethic, a strong and ethical character, and good judgment. For these reasons, I support Judge Edwin C. Nacino's nomination for the First Circuit Court bench.

Very truly yours,

DAMON KEY LEONG KUPCHAK HASTERT

Handwritten signature of James C. McWhinnie in black ink.
James C. McWhinnie

JCM:ecc
109338P

From: Sandy Theunick [stheunick@priorypride.net]
Sent: Friday, November 13, 2009 3:23 PM
To: JGO Testimony
Subject: Confirmation of Edwin Nacino - November 18,2009

To whom it may concern:

It gives me great pleasure to endorse the candidacy of Gubernatorial Nominee Edwin C. Nacino for the Circuit Court of First Circuit in the State of Hawaii.

Judge Nacino is a parent at St. Andrew's Priory School where his daughter Shelby attends. He and Kelly Jo (Mrs. Nacino) are dedicated, involved and supportive parents both of their daughter and of the school. Their daughter, Shelby, is a Queen Emma Merit Scholar. That selection is based not only on academics, but also on character and service. She is a true reflection of her parents.

The Nacinos are a close family, church going and community minded. The values that one would hope for in a judicial official are clearly lived by them every single day.

Thank you for your consideration of these thoughts on behalf of Judge Nacino.

Sincerely,

Sandra J Theunick
Head of School
St. Andrew's Priory School
244 Queen Emma Square
Honolulu HI 96814

808-532-2400

Date: November 13, 2009
To: Committee on Judiciary and Government Operations
From: Michael and Andrea Takemoto
RE: Edwin C. Nacino

We have known Ed Nacino for over ten years. We first met he, his wife and daughter when they moved in next door to my parent's home in Nu'uaniu. Before we met, my parents would always say good things about their new neighbors and how lucky they were to have a nice family move next door. Shortly after, we were introduced to Ed and his family and we all became quick friends. Ed is a local boy who was brought up in a housing project, graduated from U.H., earned his law degree, worked as a litigation attorney, and is now a District Court Judge. Only a truly exceptional person would be able to achieve great success from such humble beginnings.

Ed is a very down to earth person. Although Ed currently holds a position as a District Court Judge which we consider to be an exceptional position, he is very modest. We always feel comfortable around him and he always has a positive attitude. Additionally, we admire Ed because he gives back to the community. He currently volunteers as a delivery person for Hawaii Meals on Wheels and as a reading tutor at the Kae'wai Elementary School Reading Program. We feel that Edwin Nacino would be the right choice to fill the Circuit Court Judge position.

Lori Kamikawa, RT(R)(M)(MR)(CT)
1365 Komo Mai Drive
Pearl City, HI 96782

November 13, 2009

Senator Brian T. Taniguchi
Conference Room 229
State Capitol
415 South Beretania Street

Dear Chairperson Senator Taniguchi,

I am writing this letter in support of Edwin Nacino's nomination to the Circuit Court of the First Court.

I have known Edwin for more than 25 years and he is the most logical candidate for the position. He is a good husband to his wife Kelly Jo and a doting father to his daughter Shelby. More importantly he has an excellent grasp of the written law and a deep understanding of the needs of the community. He is perfect for the job.

Sincerely,

Lori Kamikawa, RT(R)(M)(MR)(CT)
Board Member, Radiologic Technology Licensing Board
State Of Hawaii
Department of Health (Indoor Air Quality and Radiation Branch)

Mammography QC Technologist
Mammography Department
Castle Medical Center
Kailua, HI

From: Joyce Almodova [jcba1957@yahoo.com]
Sent: Friday, November 13, 2009 11:40 PM
To: JGO Testimony
Subject: Letter of Recommendation for Edwin Nacino

November 13, 2009

Committee of Judiciary and Government Operations

Senators

Brian Taniguchi, Chair
Dwight Takamine, Vice Chair
State Capitol
415 S. Beretania Street
Honolulu, Hawaii 96813

RE: Consideration and Confirmation to the Circuit Court of First Circuit, State of Hawaii, Gubernatorial Nominee, Edwin C. Nacino, for a term of Ten Years.

Dear Sirs:

I would like to give my personal recommendation of Judge Edwin Nacino for the position of Judge in the Circuit Court of the First Circuit.

I have known Ed for over 25 years. I first met him when he was with HPD, and really admired him when he decided after several years to leave that career, and attend Law School. He is a loving husband and father, and a dear friend. He has found a 'fit' in his Law Career, and I admire him tremendously. He came from humble beginnings, and has had a multitude of experiences, both professional and personal. That being said, I believe this makes him uniquely qualified to make difficult decisions.

I believe Edwin Nacino to be of great character, and I look forward to many years of watching him serve the public in this very important role for which he has been nominated.

Thank you for your time and consideration.

Best Regards,

Joyce CB Almodova
Honolulu, Hawaii

From: malia/logan2@buckeye-express.com [logan2@buckeye-express.com]
Sent: Saturday, November 14, 2009 1:48 PM
To: JGO Testimony
Subject: Testimony Court of 1st Circuit Court/Edwin C. Nacino

DATE: Tuesday, November 17, 2009
TIME: 10:30 a.m.
PLACE: Conference Room 229
State Capitol
415 South Beretania Street

GM 1 Submitting for consideration and confirmation to the Circuit
Testimony Court of First Circuit, State of Hawaii, Gubernatorial Nominee,
Status EDWIN C. NACINO, for a term of ten years.

Madams and Sirs:

Please allow me to express to you my testimonial for the man that Edwin C. Nacino has been in the past, who he is today, his character, his beliefs and his hopes.

Although all of you can easily read about Edwin Nacino's accomplishments and his abilities, I wanted to send this email to give you a bit of insight to the personal side of the man he is, what drives him and why he is worthy of the judgeship in the First Circuit Court. Edwin Nacino is of Filipino and Chinese ethnicity, whose roots go back to immigrants who arrived on Kauai to work in the sugar cane fields. His family, stemming back to the long ago days when they first arrived in hopes of a better life have instilled in him high moral values, to work hard no matter the task, to be conscientious and to reach out with a helping hand no matter the person. These things are inbred in him because his grandparents who were honest hardworking people instilled them in his father who in turn lived his life in such a way that his son, Edwin C. Nacino can do no less and be no less.

I have known him through his childhood, through his adolescence and today in his manhood. His struggles in his childhood and his adolescence, have in my belief been the basis of who he is today. An early life of very little, a product of Hawaii's "public housing" system and being raised by a single father along with his 2 sisters and brother instilled in him early on to stand tall, to overcome no matter the adversity, to work hard, to be honest, to clearly see the struggles of others through compassion but fairness and to work towards a better life for not only himself but whenever possible for others. Life was hard for him and his family but he took all the hardships and he learned from them and made it all count to the point that he came out of it a better man with an open, strong mind and will. Having known him all of my 61 years of life, I have no doubt that he would be an excellent First Circuit Court judge and that he will always work very hard to be a positive difference in Hawaii's judicial society and Hawaii's people.

Although Edwin Nacino's career clearly states his accomplishments and his abilities, I wanted to send this email to give you a little bit of insight to the personal side of Judge Nacino. I was there to see him overcome his ever hard life as a child and awkward adolescent years and most important I was there as he decided to begin his life long public service career...first as a young police officer filled with the hopes and ideals of wanting to serve, protect no matter the risks to himself...to be there for the public so they can go about their

daily lives safely. I watched him as he continued to work full time as a police officer, struggled but persevered to finish college. Then I watched him make the decision to go on to law school because he felt he could do even more as a public servant if he understood the law for the good of the people. Public service and the law have been a way of life for Edwin Nacino, first as a young man trying to live within the law no matter how little he had, or how difficult it was to make ends meet, then as an idealistic, eager to do right and to do good police officer working to enforce the law, then as an attorney working to defend or prosecute through the law and finally as a judge understanding the law to preside properly and ultimately judge fairly.

I say all these things not as a law expert who can rattle off all his accomplishments or as a professional but simply as an ordinary layman, one of the "people" who knows the heart of this man and because I truly believe that he is an honest, honorable man who has never inappropriately allowed his emotions to rule his heart, his thoughts, his decisions and his actions. He is a man of logic, so much so that we, who know him well jokingly refer to him as the logical one who can clearly make decisions based on logic and the big picture. This is how many of us will always jokingly think of him but it is also the very reason he has done well in public service.... in law and as a judge. He, I have been told by many in Hawaii is referred to as the "people's judge" and this I can clearly understand and easily know the reasons why. It also reinforces even more my thoughts that all that he has endured from the beginning of his life to now have enabled him, guided him to be a good and fair district court judge. I have no doubt that it will also help him to do well in a position as circuit court judge if and when you the senate appoint him to this position. Please open your hearts, all your knowledge and see all the good he has done as a public servant, then choose to confirm him to this position where I know he can do even more good for the people. Edwin C. Nacino as a judge for the First Circuit Court is a positive for the First Circuit Court, for Hawaii's judicial system and most importantly the people. Thank you very much for your time and consideration.

Sincere Best Regards,

Maria C. Ankney
325 Wrexham Ln. #3
Maumee, OH 43537

November 14, 2009

(via eMail: JGOTestimony@Capitol.hawaii.gov)
Senate Committee on Judiciary and Government Operations
Senator Brian T. Taniguchi, Chair

Subject: Consideration and Confirmation Hearing of the Gubernatorial Nominee,
EDWIN C. NACINO to the Circuit Court of First Circuit, State of Hawaii
November 17, 2009, 10:30a.m.

Dear Senator Taniguchi:

I write in support of the gubernatorial nominee, Edwin C. Nacino.

I have known Judge Nacino for over seven years, starting when he was an attorney, and later, partner for the law firm of Roeca, Louie, and Hiraoka. In the three years before he became a district court judge, I got to know him well, both professionally and as a friend.

I am a principal of a construction management and consulting firm, and had worked for Judge Nacino as a construction expert. As an attorney, he was conscientious, thorough and competent. We became friends, and as a friend he was always considerate and thoughtful.

I supported his nomination for district court judgeship in 2005 not only because of his private and professional character, but also because of his previous experiences which gives him a broader vision than many: police officer, City deputy corporation counsel, City prosecuting attorney, and a private attorney specializing in litigation.

I believe four years of district court judgeship has made Judge Nacino even more accomplished, and has properly prepared him to be an effective and successful circuit court judge.

I sincerely urge you to confirm Judge Nacino to the Circuit Court of the First Circuit.

Respectfully yours,



Marshall Mizobe

marshall@hcahawaii.com

Bus: 745 Fort St. Ste. 708
Honolulu, HI 96813
526-9399

Home: 98-1438 Hoohonua St.
Pearl City, HI 96813

From: Reid O [rpogata@gmail.com]
Sent: Saturday, November 14, 2009 9:37 PM
To: JGO Testimony
Subject: Consideration and confirmation of Edwin C. Nacino to the Circuit Court of First Circuit, State of Hawaii,

Committee of Judiciary and Government Operations

Senator Brian T. Taniguchi, Chair
Senator Dwight Y. Takamine, Vice Chair

State Capitol
415 South Beretania Street

Honolulu, Hawaii 96813

Re: Consideration and confirmation to the Circuit Court of First Circuit, State of Hawaii,

Gubernatorial Nominee, EDWIN C. NACINO, for a term of ten years

Hearing Date/Time/Location

Tuesday, November 17, 2009
10:30am
Conference Room229
State Capitol
415 S. Beretania Street.

To the Committee,

I would like to humbly submit my recommendation of Edwin C. Nacino for the position of Judge in the Circuit Court of the First Circuit.

I have known Edwin for approximately 28 years. When I first met Edwin he was at the time a police officer with the Honolulu Police department dating my sister and I just another aimless teenager in high school. I had no idea what direction I wanted to take with my life after high school. I knew I wanted to attend college but had no idea what I'd major in. Edwin had shared with me his stories in the police department and his work with people and making a difference in people's lives. It was truly inspiring considering Edwin's background growing up with a single parent in the tough Mayor Wright Housing located just a mile away from my sheltered life in Nuuanu. It was then in my senior year of high school that I decided to make law enforcement my career.

I applied and attended college in Kansas graduating four years later with a BA in Criminal Justice. Edwin was now married to my sister and again, I sought out his advice regarding my future. I had debated staying in Kansas and joining the Highway Patrol but there was also my life in Hawaii that I missed. Edwin had graduated from the University of Hawaii the year before and now was thinking about applying for the William Richardson School of Law. He told me that he would have to leave the police department to attend school

but if I wanted to make a career in law enforcement in Hawaii, there was a lot of opportunity for me as well as being closer to my family. Again, I took his advice and returned home.

Naturally I applied for a job with the Honolulu Police Department having met many of Edwin's friends who were also in the department. I also applied for the State of Hawaii Attorney Generals Office. The Attorney Generals Office called me first and I became a State Law Enforcement Officer. Edwin who was nearing graduation from law school continued to be a mentor to me. He continued to share his stories of being in the police department and how I should handle cases and investigations. The knowledge that I gained from his past experiences was so much greater than anything I could have learned from books and classes.

In 1991 after the State Law Enforcement Officers broke away from the Attorney Generals and we all became Sheriffs, the areas of concern and responsibility for our section greatly grew from not only the State Capitol to the whole Civic Center and outer State properties. Edwin continued to coach me on how to do my job effectively and safely. I guess he took it upon himself to watch over me considering he helped guide me into my career. Edwin also told me to strive to advance in my career and to never sell myself short. Much like the way he himself continued to advance in his life through education and employment. Edwin also reminded me that no matter what obstacles and incidents that occurred at work, to remember compassion and that the acts that I did as a Sheriff would influence many from all walks of life. Much like the way he has influenced many through his work. From the police department, the prosecutors office and then to his current seat in the District Court, Edwin has influenced many people that he has met through the years. His personal knowledge from all sides of the legal system is invaluable as a skill in becoming a great judge.

I know it's easy for me to say that I'd like to recommend him for the position because he's my brother in law, but I assure you, the influence that he's been in my life through the years greatly outweighs any bias that I could possibly have. Edwin's "story" of his life itself is what I've told him should be in a book. Who would think that a young boy who grew up in Mayor Wright Housing would grow up to be a judge and would actually see people that he grew up with now on the opposite side of the bench facing him. Even as a District Court Judge, he continues to impress with the things he does in the community when he's not working. His work volunteering with Meals On Wheels, tutoring young children in reading, working with mock trials and speaking to groups of teens and young adults from the area where he himself was once growing up amazes me. I often wonder where he finds the time with work and his volunteerism to be a dutiful husband to my sister and great supportive father to my niece.

I realize this glowing recommendation could be confused with "Superman" but for me, this recommendation only describes a great man who would humbly, compassionately serve the people of the State of Hawaii as a Circuit Court Judge in an exemplary fashion.

Aloha,

Reid Ogata
Administrative Sergeant
State Capitol Patrol
808 349-6000

From: miyahiraj005@hawaii.rr.com
Sent: Saturday, November 14, 2009 9:37 PM
To: JGO Testimony
Subject: Edwin C. Nacino

November 12, 2009

Dear Honorable Brian T. Taniguchi, Chair
Honorable Dwight Y. Takamine, Vice Chair

In re: Submitting for consideration and confirmation to the Circuit Court of First Circuit, State of Hawaii,
Gubernatorial Nominee, EDWIN C. NACINO, for a term of ten years.

It is with great honor and privilege that Edwin C. Nacino be nominated and confirmed to the First Circuit Court, State of Hawaii. The people of Hawaii have been fortunate to have such a compassionate, professional young man preside in our judicial system.

Edwin Nacino is a reflection of a young man who aspired to higher goals from his days of living in the Mayor Wright housing complex, graduating from McKinley High School, pounding the pavements as a police officer, and then pursuing a law degree. Ed was a non-traditional student who struggled through his roles, but he learned to overcome obstacles to realize his dream of public service. He has gained the respect of the business and education community as he is able to relate to situations as a former public housing resident, a police officer, and as an attorney at law.

Ed is a role model for our young men and women who aspire to higher goals despite obstacles and barriers they encountered. As a public citizen, Ed has been instrumental in encouraging the young and old, former clients, those less fortunate and those whose lives required changing to establish and pursue higher goals so they may experience a better living with higher expectations. Ed has been requested to address students at career fairs and school educational programs. His humble, caring attitude makes him an approachable role model who impacts lives of our future, our young people.

Ed's belief in the public service system finds him volunteering at charitable organizations. His ethical standards did not allow him to volunteer on committees at HawaiiUSA, but he found organizations that needed support for voluntary assignments.

As a former educator, it is very inspiring to have a promising student face insurmountable disadvantages, overcome cultural hindrances, realize the right from wrong, and to "see the light" by achieving successful personal and career goals.

Edwin Nacino will be an asset to our judicial system and a positive reflection of a public school graduate succeeding in our free enterprise system.

Sincerely,

Jean Miyahira, Chairperson, Board of Directors HawaiiUSA Federal Credit Union

From: R. Laz [gorgoisao@yahoo.com]
Sent: Sunday, November 15, 2009 2:21 AM
To: JGO Testimony

Committee of Judiciary and Government Operations

Senator Brian T. Taniguchi, Chair
Senator Dwight Y. Takamine, Vice Chair

State Capitol
415 South Beretania Street

Honolulu, Hawaii 96813

Re: Consideration and confirmation to the Circuit Court of First Circuit, State of Hawaii,
Gubernatorial Nominee, EDWIN C. NACINO, for a term of ten years

I humbly submit my recommendation of District Court Judge Edwin C. Nacino for the position of Judge in the Circuit Court of the First Circuit.

I am a family friend and would like to assure you that Edwin C. Nacino is an excellent choice. Ed is a product of Mayor Wright public housing and public school. What many would think of as a rough youth, Ed has never forgotten his roots and continues to give back to the community through his many volunteer efforts. Ed is a true role model for the community. He is a tireless worker, has fine qualities of character and intelligence, and that rare ability to make wise decisions. As a Deputy in the State of Hawaii Sheriffs Department, I have all the confidence in Edwin C. Nacino based on his unique background and work experience in law enforcement and the legal profession to continue to do an excellent job for the State of Hawaii.

Thank you.

Sincerely,

Rogelio Lazaro

From: Pili Lee Loy [piliileloy@hawaiiantel.net]
Sent: Sunday, November 15, 2009 5:18 PM
To: JGO Testimony
Subject: In support of Edwin C. Nacino

Aloha Members of the Judiciary Committee:

My name is Marylyn Lee Loy and I am writing on behalf of Edwin C. Nacino's nomination to the Circuit Court Bench. I have known Edwin Nacino since 1977. He worked with me at Liberty House as a stock person in the Baby Dept.

Although I have seen with off and on throughout the years it was at a 2009 Chinese New Year's party that I was able to renew my acquaintance with him and meet his family. I was so proud to realize that he had become an attorney and that he was the same humble and caring Ed that I remembered.

When a mutual friend, Sylvia Young told me about his nomination to the Circuit Court Bench I decided I should write this email in support of his nomination. Mr. Nacino has always been a humble and caring person and I enjoyed working with him. I believe he will bring to the bench the same humbleness and caring manner that he displayed over 30 years ago when I worked with him.

I support Edwin Nacino's nomination.

Sincerely,
Marylyn A. Lee Loy
2014 Puna St.
Honolulu, Hi. 96817
(808) 595-3323

From: Vernon Von [vvon777@gmail.com]
Sent: Sunday, November 15, 2009 5:24 PM
To: JGO Testimony
Subject: Support for Edwin C. Nacino

November 15, 2009

Committee of Judiciary and Government Operations

Senator Brian T. Taniguchi, Chair
Senator Dwight Y. Takamine, Vice Chair

State Capitol
415 South Beretania Street

Honolulu, Hawaii 96813

Re: Consideration and confirmation to the Circuit Court of First Circuit, State of Hawaii,
Gubernatorial Nominee, EDWIN C. NACINO, for a term of ten years

I humbly submit my recommendation of District Court Judge Edwin C. Nacino for the position of Judge in the Circuit Court of the First Circuit.

I am a friend and would like to assure you that Edwin C. Nacino is an excellent choice. Ed is a product of public housing and public school. He has never forgotten his roots and continues to give back to the community through his many volunteer efforts. Ed is a true role model for our community. He is a tireless worker, has fine qualities of character and intelligence, and that rare ability to make wise decisions. I have all the confidence in Edwin C. Nacino based on his unique background and work experience in law enforcement and the legal profession.

Thank you.

Sincerely,

Vernon M. H. Von

From: Sean W [sean96823@hotmail.com]
Sent: Sunday, November 15, 2009 11:35 PM
To: JGO Testimony
Subject: Committee of Judiciary and Government Operations

Committee of Judiciary and Government Operations

Senator Brian T. Taniguchi, Chair
Senator Dwight Y. Takamine, Vice Chair
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Re: Consideration and confirmation to the Circuit Court of First Circuit, State of Hawaii,
Gubernatorial Nominee, EDWIN C. NACINO, for a term of ten years

HEARING DATE: Tuesday, November 17, 2009
TIME: 10:30 a.m.

I humbly submit my recommendation of District Court Judge Edwin C. Nacino for the position of Judge in the Circuit Court of the First Circuit.

I have known Edwin C. Nacino for over twenty years as a family friend and feel he is an excellent choice. Ed grew up in Mayor Wright public housing and graduated from McKinley High School. Later he attended the University of Hawaii where he obtained his degree as well as his law degree from the William Richardson School of Law. His background in the legal field, his work experience in the Honolulu Police Department as well as his background of his youth make him an excellent candidate. He has never forgotten his roots and continues to give back to the community through his many volunteer efforts. Ed amazes me with the amount of time he spends giving back to the people of the State of Hawaii yet still finds much time for his family life. Ed is a true role model for our community. Ed is a tireless worker and his character, intelligence all allow him to always make wise decisions.

I have all the confidence in Edwin C. Nacino that he will be a fine addition to the Circuit Court. As a Deputy Sheriff, I look forward to serving him in the future.

Thank you and Aloha,
Sean S. Wong

Windows 7: I wanted simpler, now it's simpler. I'm a rock star.

From: B C [alohabc@gmail.com]
Sent: Monday, November 16, 2009 6:38 AM
To: JGO Testimony
Subject: Gubernatorial Nominee, EDWIN C. NACINO for Circuit Court Judge in the First Judicial Circuit

THE SENATE
THE TWENTY-FIFTH LEGISLATURE
INTERIM OF 2009

DATE: Tuesday, November 17, 2009
TIME: 10:30 a.m.
PLACE: Conference Room 229 State Capitol
415 South Beretania Street
A G E N D A

November 16, 2009

COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS

Senator Brian T. Taniguchi, Chair
Senator Dwight Y. Takamine, Vice Chair
State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Re: Consideration and confirmation to the Circuit Court of First Circuit, State of Hawaii,
Gubernatorial Nominee, EDWIN C. NACINO, for a term of ten years

I humbly submit my recommendation of District Court Judge Edwin C. Nacino for the position of Judge in the Circuit Court of the First Judicial Circuit.

I am a family friend and would like to assure you that Edwin C. Nacino is an excellent choice. Edwin is a product of public housing and public school. He has never forgotten his roots and continues to give back to the community through his many volunteer efforts. Edwin is a true role model for our community. He is a tireless worker, has fine qualities of character and intelligence, and that rare ability to make wise decisions. I have all the confidence in Edwin C. Nacino based on his unique background and work experience in law enforcement and the legal profession.

Thank you.

Sincerely,

Barry K. Chun

MOSELEY BIEHL TSUGAWA LAU & MUZZI

A Hawaii Limited Liability Law Company

Michael L. Biehl
Alan K. Lau
Roger S. Moseley
Christopher J. Muzzi
Eric H. Tsugawa

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HONOLULU, HAWAII 96813

TELEPHONE: (808) 531-0490
FACSIMILE: (808) 534-0202

Tedson H. Koja
Natalie F. Wilson

November 16, 2009

Via E-Mail & Facsimile (808) 586-6659

Senator Brian Taniguchi, Chairman

Members of the Chairman Senate Judiciary and Government Operations Committee

415 S. Beretania St.

Honolulu, Hawaii 96813

Re: Confirmation Hearing of Judge Edwin Nacino

Date of Hearing: November 17, 2009

Time of Hearing: 10:30 a.m.

Dear Chairman and Members of the Senate Judiciary and Government Operations:

I would like to express my firm support for the nomination of Judge Edwin Nacino as a Circuit Court Judge of the First Circuit Court, State of Hawaii.

I was fortunate to have worked with Judge Nacino for many years, first, as a deputy prosecuting attorney, then, as a deputy corporation counsel, and finally, in private practice at the law firm of Roeca Louie & Hiraoka. Since then I have had several opportunities to observe his conduct while presiding over District Court cases. As a result, I feel particularly well-qualified to render an opinion regarding his professional and personal qualifications.

As an attorney, Judge Nacino was an intelligent, diligent and skilled litigator. He was always appropriately zealous when representing his clients, but more than just an unthinking advocate. He was a problem- solver, as well.

In addition to his considerable legal skills, Judge Nacino possesses certain personality traits which make him particularly well-suited to serve as a circuit court judge. By his very nature, Judge Nacino is a reflective person who is driven by a need to get things right and is a good listener, as a result. He is firm, but always fair. These are essential judicial traits that have already become part of his judicial demeanor as a District Court Judge and elevating him to the position of a Circuit Court judge would allow him to more fully utilize his talents, skills and personal philosophies in valuable ways which will benefit the legal community and ultimately the public.

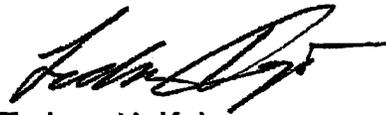
Chairman
Members of the Chairman Senate Judiciary and Government Operations Committee
November 16, 2009
Page 2

On a more personal level, Judge Nacino's underprivileged background would make his confirmation for such an important position a true feel good success story and testament to what patience and hard-work can achieve. I am sure that he would be honored and humbled to serve the community in this way.

In sum, Judge Nacino is truly deserving of this opportunity and is an excellent choice. I urge you to confirm his appointment and thank you for permitting me to express my support.

If you have any questions, please do not hesitate to call me.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "T. Koja", with a long horizontal flourish extending to the right.

Tedson H. Koja

11/14/2009

Senator Brian T. Taniguchi, Chair
Senator Dwight Y. Takamine, Vice Chair

State Capitol
415 South Beretania St.
Honolulu, Hawaii 96813

Re: Consideration and confirmation to the Circuit Court of First Circuit, State of Hawaii,
Gubernatorial Nominee, Edwin C. Nacino, for a term of ten years.

Submitted for your consideration:

I have known Ed Nacino for the better part of 20 years. He was in the Honolulu Police Dept. when I got to know him. Today, he is a nominee to the Circuit Court of First Circuit, State of Hawaii. The road has been challenging for him and while times have changed us all, one thing remains consistent: his innate sense of right and wrong.

I know that being a judge has been a dream of his for a long time. Not for the power inherent with the title, rather for the ability to make a difference in people's lives. He will make a fine judge.

Sincerely,

Ted K. Koga
contact: kazcomla@aol.com

2101 Nuuanu Avenue, Unit 1703
Honolulu, Hawaii 96817
808.536.4460
November 17, 2009

The Honorable Brian T. Taniguchi, Chair
Senate Committee on Judiciary and Government Operations
Twenty-Fifth Legislature, Interim 2009
Hawaii State Capitol
Honolulu, Hawaii 96813

RE: GM 1 – Circuit Court of the First Circuit Gubernatorial Nominee – Edwin C. Nacino

Dear Senator Taniguchi and Members of the Committee:

My name is Deborah Miyasaka-Gushiken and I am in **STRONG SUPPORT OF GM 1** to confirm the nomination of Edwin C. Nacino to the Circuit Court of the First Circuit for a term of ten years.

I am a friend and former co-worker of Judge Edwin Nacino's wife, Kelly Jo Nacino, and have known her and the Nacino family for approximately ten years.

Judge Nacino's legal background and judicial experience make him well suited to serve as a Circuit Court judge.

Following his graduation from the University of Hawaii William S. Richardson School of Law, he served as a judicial law clerk for the Honorable Ronald Greig and the Honorable Wendell K. Huddy, and worked as an attorney with the City and County of Honolulu Office of the Prosecuting Attorney for two years and Department of the Corporation Counsel for four years. He was also a litigator and partner with a local law firm for six years, and has served as a sitting district judge for the District Court of the First Circuit for the past four years.

Before beginning his legal career, he served as a police officer with the Honolulu Police Department for over eight years.

He is a contributing member of the community and volunteers for numerous organizations that have included the Kae'wai Elementary School Reading Program in Kalihi Valley and Hawaii Meals on Wheels.

Thank you for the opportunity to provide testimony in **strong support of GM 1** to confirm Edwin C. Nacino to the Circuit Court of the First Circuit.

Sincerely,

Deborah Miyasaka-Gushiken

Deborah Miyasaka-Gushiken

11/14/2009

Committee of Judiciary and Government Operations

Senator Brian T. Taniguchi, Chair
Senator Dwight Y. Takamine, Vice Chair
State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Re: Consideration and confirmation to the Circuit Court of First Circuit, State of Hawaii,
Gubernatorial Nominee, EDWIN C. NACINO, for a term of ten years

I humbly submit my recommendation of District Court Judge Edwin C. Nacino for the
position of Judge in the Circuit Court of the First Circuit.

I am a family friend and would like to assure you that Edwin C. Nacino is an excellent
choice. Ed is a product of public housing and public school. He has never forgotten his
roots and continues to give back to the community through his many volunteer efforts. Ed
is a true role model for our community. He is a tireless worker, has fine qualities of
character and intelligence, and that rare ability to make wise decisions. I have all the
confidence in Edwin C. Nacino based on his unique background and work experience in
law enforcement and the legal profession.

Thank you.

Sincerely,

Kyle Miyasato

MEHEULA AND DEVENS LLP

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING LAW CORPORATIONS*

707 Richards Street Penthouse One Honolulu, Hawaii 96813-4623 Telephone: (808) 528-5003 Fax: (808) 254-6872 PacificLaw.com

William Meheula* Vladimir P. Devens Derek T. Mayeshiro Kurt Kagawa

November 16, 2009

U.S. MAIL/FAX: 808-586-6461

The Honorable Brian T. Taniguchi
Senate Judiciary and Labor Committee
Hawaii State Capitol, Room 219
415 South Beretania Street
Honolulu, HI 96813

Re: Circuit Court Nomination-The Honorable Edwin Nacino

Dear Chair Taniguchi:

I write this letter to express my full support for The Honorable Edwin Nacino's nomination to the First Circuit Court, State of Hawaii.

I am a partner with the law firm of Meheula & Devens, LLP and serve as general outside counsel for the State of Hawaii Organization of Police Officers ("SHOPO"), and as a vice chairman on the State Land Use Commission.

I have known Judge Nacino for 20 years and as a former police officer, I can tell you that I, along with our HPD ohana, am very proud and honored by his nomination. Judge Nacino started from very humble beginnings and has moved forward in his career and life using unbridled determination, drive and hard work. Nothing has come easy for him, but Judge Nacino works to find a way to achieve what needs to get done.

I litigated cases against him before he went on the bench and since being appointed to the District Court bench, I have seen a judge that has judicially matured, displays an excellent judicial temperament, works hard and never forgets where he came from. He is respectful of the attorneys, parties and witnesses that come before him, never forgetting what it was like working in the litigation trenches where he worked for many years prior to his appointment. He also retains a large dose of humility and compassion that displays itself in the way he runs his courtroom. As a judge, he strives for excellence but also takes the time to teach our younger lawyers the right way of doing things and what they can do better the next time around. That is something I always appreciated as a young lawyer.

There is no question that Judge Nacino has the intelligence and fortitude to handle the most complicated case that may come before him at the circuit court level, whether it be civil or criminal. He has clearly proven himself to be a dedicated and hard working judge who

The Honorable Brian T. Taniguchi
Senate Judiciary and Labor Committee
11/16/09
Page Two

always strives to make the fair and right decision. Most of all, Judge Nacino is a man of the highest integrity who will make an excellent circuit court judge.

Thank you and please contact me if you have any questions.

Respectfully submitted,

Vladimir Devens

November 16, 2009

VIA E-MAIL

The Honorable Brian T. Taniguchi
Chair, Committee on Judiciary and Government Operations
The Twenty-Fifth Legislature, Interim of 2009
Hawaii State Capitol, Room 219
Honolulu, HI 96813

Re: GM1: Nomination of Edwin C. Nacino

Dear Chair Taniguchi:

I am writing this letter in support of Edwin C. Nacino's nomination to the Circuit Court of the First Circuit. I have known Ed for over 22 years and feel well qualified to comment on Ed's qualifications to serve on the Circuit Court bench.

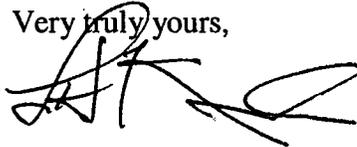
I know Ed to be a smart, reasonable and grounded person. As a District Court judge, Ed has clearly and convincingly demonstrated that he has the appropriate temperament, is able to communicate effectively with litigants and attorneys, and is fair and, when appropriate, compassionate. In short, Ed has the legal ability and personal qualities to be an excellent Circuit Court judge.

Throughout his legal career, I have admired Ed's ability to quickly untangle complex legal issues and his willingness to tackle the tough or unpopular issue. Ed brings a very unique combination of experience: he was a police officer with the Honolulu Police Department before going to law school; he has served as a deputy prosecuting attorney and a deputy corporation counsel; he has also worked in private practice; and he has been an outstanding District Court judge. It is Ed's combination of experiences that have broadened his perspective and will give him tremendous credibility on the Circuit Court bench.

In my opinion, the judiciary needs judges who are young, smart and willing to work tirelessly -- people who the public and the bar can understand and respect. Without any qualification, I strongly support Ed's nomination to the Circuit Court. I am confident that he will be a tremendous addition to the Circuit Court.

If I can offer any further information about Ed, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Leslie H. Kondo', written in a cursive style.

Leslie H. Kondo

From: Vince.S.Kanemoto@hawaii.gov
Sent: Monday, November 16, 2009 11:22 AM
To: JGO Testimony
Subject: Committee on Judiciary and Government Operations Re: Ed Nacino Confirmation Hearing Date: November 17, 2009 Time: 10:30 a.m.

Dear Senator Taniguchi and Members of the Committee:

I am writing to highly recommend Ed Nacino for the position of circuit court judge. I have known Ed for more than fifteen years and worked with him at the city prosecutor's office. We also paddled together on an outrigger canoe law enforcement team for several years. Ed is highly intelligent and possesses a tremendous amount of experience in both the civil and criminal arenas of law. I have always known him to be a conscientious, dedicated and hard-working individual. His "hard-scrabble" background gives him a unique, "salt-of-the-earth" and common sense approach to problem solving that would make him a refreshing addition to the circuit court bench. Further, Ed is a true gentleman whose demeanor on the bench has been exemplary. I humbly ask that you confirm Ed's nomination to become a circuit court judge.

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and/or privileged information. Any review, use, disclosure, or distribution by unintended recipients is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

Sunday, November 15, 2009

COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS

Senator Brian T. Taniguchi, Chair
Senator Dwight Y. Takamine, Vice Chair
Hawaii State Senate
State Capitol
Honolulu, HI

RE: Support of JUDGE EDWIN C. NACINO's consideration and confirmation to the Circuit Court of the First Circuit, State of Hawaii, Tuesday, November 17, 2009.

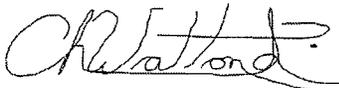
My wife, Dr. Christine Kim Walton, and I are writing to support, without any reservation, the nomination of Judge Edwin C. Nacino to the Circuit Court of First Circuit, State of Hawaii on November 17, 2009 at the State Capitol.

As background, my wife and I met judge Nacino through his wife Kelly Jo, who works with my wife. We feel we are uniquely qualified to make such an unqualified endorsement because we have interacted with Judge Nacino and his wife on a personal and professional level.

Throughout our interactions and during the time we have known Judge Nacino, we have developed a strong opinion of his character and abilities. We feel that Judge Nacino represents the best of what we expect from our judge (trial and appellate level). We feel that Judge Nacino is fair and deliberate in his thinking and will be a credit to the Hawaii Judiciary. He is very caring and thoughtful in all of our personal dealings with him. From personal experience, having been involved in the legal system testifying on behalf of the state, and because we have several close family members who are practicing trial lawyers we can also speak to one's judicial temperament. We believe he has an excellent judicial temperament and brings a level-headed approach to dealing with people when complexities of law can be overwhelming or difficult to understand.

We hope that we can count on you to support Judge Nacino's confirmation.

Sincerely,



Chad Walton, PhD

and



Christine Walton, PhD

November 16, 2009

Sen. Brian T. Taniguchi, Chairman
Senate Judiciary and Government Operations
415 S. Beretania Street
Honolulu, HI 96813

Re: Edwin Nacino Confirmation Hearing on November 17, 2009
10:30 a.m.

Dear Senator Taniguchi:

I am writing in support of Edwin Nacino's confirmation for Circuit Court Judge of the First Circuit.

I have known and worked with Edwin Nacino as a deputy prosecuting attorney and I have appeared before Mr. Nacino in the District Court of the First Circuit in my capacity as deputy attorney general. I have also known Mr. Nacino in a personal capacity for the past 15 years. Mr. Nacino is well qualified to be a circuit court judge based on his trial experience, his experience as a district court judge and his knowledge of both civil and criminal law. Further, Mr. Nacino has also demonstrated a high level of professionalism in the execution of his duties as an attorney and as a judge.

Beyond his legal and courtroom skills, I believe that Mr. Nacino would make an excellent circuit court judge because he is well grounded in the community given his family history and education background. Mr. Nacino would treat all those who appear before him fairly and with respect.

Based on his qualifications, I believe that Mr. Nacino would make be an excellent representative of the judiciary as a circuit court judge of the First Circuit.

If you have any questions, please feel free to call me at 586-1173.

Sincerely,

Susan Y. N. Won

DEREK R. KOBAYASHI

TOPA FINANCIAL CENTER
745 FORT STREET · SUITE 1500
HONOLULU, HAWAII 96813

TELEPHONE (808) 523-6040 · FAX (808) 523-6030

November 16, 2009

Via Email: JGOTestimony@Capitol.hawaii.gov

Senator Brian T. Taniguchi and Committee Members
Committee on Judiciary and Government Operations
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Re: GM 1 - Confirmation of Edwin C. Nacino to the Circuit Court of the First Circuit
Hearing: November 17, 2009 at 10:30 a.m., Conference Room 229

The Honorable Chair Brian Taniguchi and Honorable Committee Members:

I am writing to express strong support for the appointment of The Honorable Edwin C. Nacino to Judge of the Circuit Court, First Circuit Court, State of Hawaii.

I have been in private civil practice in the State of Hawaii for almost 20 years and first came to know Judge Nacino as a fellow student at the William S. Richardson School of Law and have kept in touch with him over the years as a colleague, adversary and respected jurist. He has done well for himself, having come from a background of limited means. His success is a testament to his commitment, perseverance and indelible sense of fairness; all of which should serve him well on the Circuit Court bench.

Judge Nacino has had a diverse legal career. He was a deputy prosecuting attorney, deputy corporation counsel, insurance claims adjuster, and was a partner in private practice at an insurance defense firm. He was also a veteran police officer. This background provides Judge Nacino with a rich perspective as a judge. He is hard-working, diligent, and impartial. Although tough and decisive, he treats counsel and litigants with respect.

In my experience, Judge Nacino is honest, candid, and willing to make the hard decisions. He has a high degree of integrity and moral courage. He has well-developed legal reasoning abilities and well-rounded life experience. Above all, I have always known Judge Nacino to be compassionate and eminently fair.

Judge Nacino has the greatest respect for the judiciary and the legal profession. He has taken personal time to assist with presentations to students in my Pretrial Litigation Class at the

Senator Brian T. Taniguchi and Committee Members
Committee on Judiciary and Government Operations
Page 2

law school in order to share his perspective both from the bench and from his days as a practitioner.

In sum, Judge Nacino will be a valued asset to the Circuit Court of the First Circuit. For all of the foregoing reasons, I strongly support Judge Nacino's appointment to the Circuit Court of the First Circuit.

Very truly yours,



Derek R. Kobayashi

From: Kawamoto, Daniel J [dkawamoto1@honolulu.gov]
Sent: Monday, November 16, 2009 2:08 PM
To: JGO Testimony
Subject: Testimony re: Confirmation of Edwin Nacino

Measure: Gov. Msg. No. 1, JGO 11-17-09, Confirmation of Edwin Nacino
Hearing Date: 11-17-09
Hearing Time: 10:30 AM

My name is Daniel Kawamoto (Bar No. 8722), and I am a Deputy Prosecuting Attorney in the Traffic/Misdemeanor division of the Honolulu Prosecutor's Office. I appear in District Court and have appeared numerous times in front of The Honorable Edwin Nacino, and based on my interaction with him, I do not believe he would be qualified to serve as a Circuit Court Judge. Specifically, I believe there are significant problems with his work ethic, his knowledge of the law, and his judicial temperament.

WORK ETHIC

In regards to his work ethic, I would characterize Judge Nacino as "lazy." In trial courts, it is often the case where Judge Nacino will "punt" a case that could proceed to trial that day, in order to clear the calendar and end court early. This is obviously a significant inconvenience to the parties involved, both victims and defendants alike.

Judge Nacino would always order prosecutors to conduct "mass arraignments" for charges that would result in guilty or no contest pleas in the criminal arraignment and plea courtroom (7C). His objective was to save time and end court early. He would ask all Defendants that wanted to enter guilty or no contest pleas to wait until the end of court, then later order them up en masse for a group colloquy and waiver of rights, entering of plea, and sentencing. I always believed this was procedurally improper and resulted in only marginal time savings, if any. However, questioning this procedure would result in harsh chastising by Judge Nacino.

On one occasion, I remember Judge Nacino took an approximately one hour recess in the beginning of court. The reason for this recess was because he saw a friend in the gallery and decided to talk to that person for one hour, while the gallery was full of people.

The majority of my experience with Judge Nacino came in the criminal A&P courtroom (7C). A large portion of cases handled in 7C are liquor in public petty misdemeanor charges. In most instances, the State asks for a \$50 fine on these offenses, and Defendants end up pleading guilty or no contest at arraignment. Often times HPD officers will cite defendants for this offense (as opposed to arresting), and generate a separate HPD report. Due to the nature of processing the citations, the State often does not have these reports in time for A&P, and cannot properly charge Defendants without the necessary information contained in those reports. The general practice is to then continue the case for two weeks to get the reports. It is, however, possible for those reports to be pulled up on that same day. Typically, in 7C, prior to the start of court, I would ask Defendants who are charged with this type of offense and whose cases would otherwise be continued whether they would prefer to have their cases heard today and wait for me to pull the police reports, or if they would like to return in 2 weeks. Invariably, they selected to wait, instead of having to come back on another day. Of course, the process of pulling the reports took time, and would often require a recess. Judge Nacino would become very upset with this recess, as it caused court to go longer than it would if the cases were simply continued. On more than one occasion he chastised me for this. I suspect that the only reason he was upset about this was because it caused court to run longer. As a public servant, however, I believe a Judge should place judicial efficiency above his own personal desires to end court early.

KNOWLEDGE OF THE LAW

I believe Judge Nacino does not have a solid understanding of the law. I also believe that due to his poor work ethic, he is unwilling to do the necessary research to familiarize himself with the existing law or to update his knowledge of new law.

It is difficult to point to specific instances where he failed to apply the proper law, because his misapplication and misstatement of law was so prevalent. Judge Nacino is also notorious for taking brief recesses when issues of law arise that confuse him. He later returns with a ruling, but this inability to make quick and correct judgments is not something that would be wanted in a Circuit Court Judge. This is particularly true if there were a jury present that would be subject to numerous recesses during the course of a trial so that he could figure out the correct ruling.

On one occasion, Judge Nacino claimed that I had misrepresented information to the court and had committed prosecutorial misconduct. This decision was based on his faulty understanding of the law. Rule 9 of the Hawaii Rules of Penal Procedure, along with the associated case law, basically say that if a Defendant is under bench warrant status, the State has, at most, 2 years

and 2 months to bring that person back to court. For District Court cases, people often are not found within this time frame, resulting in a Rule 9 violation. At that point, it is the Defendant's responsibility to make a motion to dismiss based on a violation of Rule 9. If the violation is clear, the State may stipulate to the violation, and the Court may then dismiss the charge. The position of the Prosecutor's Office, and the position I am bound by, is to not dismiss such cases on our own accord, but rather to stipulate to any violation and to have the court dismiss them. We had a defendant who faced a Rule 9 violation and Judge Nacino asked me if I would be dismissing the case. I stated I would not, but I would be stipulating the violation and the Court is free to dismiss the case, if it so desires. Judge Nacino proceeded to, on the record, berate me and accuse me of prosecutorial misconduct for that position. These are hefty allegations and a Judge should not be making such allegations based on an incorrect understanding of the law.

JUDICIAL TEMPERAMENT

I believe Judge Nacino's worst quality is his judicial temperament. If nothing else, this alone should bar him from being a Circuit Court Judge.

He is rude to everyone. He is rude to prosecutors, defense counsel, witnesses, and defendants. In most cases, his mistreatment of people is completely unwarranted. He is far too quick to lose his temper. He will yell, and he will throw what can only be called child-like tantrums in court and on the record. His general demeanor is one of contempt and smugness.

Judge Nacino conducts court like a bully. If a prosecutor, or defense attorney, does not agree with his proposed resolution to a case, he responds with threats of sanctions or finding that attorney in contempt. This type of behavior has no place in an adversarial process, where both sides are expected to vigorously advocate for their respective positions. The environment he creates makes it difficult for both sides to do their jobs properly.

There are far too many examples of his outrageous behavior to name specific incidents. It is only slightly hyperbolic to state that it is an every day occurrence in his court. I have experienced it myself, and I have heard many others complain about it. The complaints have been from fellow prosecutors as well as from public defenders, private defense counsel, court staff, and even other judges.

Based on my experience with Judge Nacino, I believe he is entirely unfit to serve as a Circuit Court Judge, and respectfully ask you deny his confirmation.

Sincerely,
Daniel Kawamoto

From: Reizo@aol.com
Sent: Monday, November 16, 2009 2:06 PM
To: JGO Testimony
Subject: In Support of Edwin Nacino for Circuit Court Judge - GM 1 Nov. 17 at 10:30 a.m.

Aloha Members of the Senate Judiciary and Government Operations Committee --

It is with great honor that I submit testimony in support of Edwin Nacino for the position of Circuit Court Judge of the First Circuit, State of Hawaii.

I have known Judge Nacino since his days with the Honolulu Corporation Counsel's office in 1994. I have seen his professional skills develop while at the City and later in private practice where I had the privilege of working on cases with him.

I believe Judge Nacino's personal background growing up in Kalihi and his sincere intent to "give back" to his community has made Judge Nacino an excellent choice for this position. He will listen to the parties. He will be fair and humble. And most importantly, he will see that justice has been served.

Both professionally and personally, Judge Nacino is beyond reproach and I respectfully ask that his appointment be confirmed.

Mahalo,

Darolyn H. Lendio

From: Sue Ann Wargo [sawargo@priorypride.net]
Sent: Monday, November 16, 2009 2:29 PM
To: JGO Testimony
Subject: Submitting for consideration and confirmation to the Circuit Court of First Circuit, State of Hawaii, Gubernatorial Nominee, EDWIN C. NACINO, for a term of ten years.

Importance: High

Submitting for consideration and confirmation to the Circuit Court of First Circuit, State of Hawaii, Gubernatorial Nominee, EDWIN C. NACINO, for a term of ten years.

To whom it may concern:

It is an honor to write on behalf of the confirmation of Edwin C. Nacino for the Circuit Court of the First Circuit.

I have known Ed and his family since 1998 when they enrolled their daughter in St. Andrew's Priory School's kindergarten. Over the ensuing years I have been struck by their close family ties — they enjoy each other's company! Ed is very supportive of his daughter and her many activities, attending band concerts, sporting events, and, when his daughter was in Lower School, her class' dramas. He has participated in our campus events such as our holiday fair.

Edwin Nacino exhibits the values we all want to see in our public officials. I endorse his confirmation.

Sincerely,
Sue Ann Wargo
Director of Admissions and Financial Aid

St. Andrew's Priory School
Direct phone: (808) 532-2418
email: sawargo@priory.net
website: www.priory.net

St. Andrew's Priory School will fulfill Queen Emma's vision for women by providing them an academically challenging Christian environment where they can develop respect, resourcefulness, and responsibility.

November 16, 2009

Committee on Judiciary and Government Operations

Senator Brian T. Taniguchi, Chair
Senator Dwight Y. Takamine, Vice Chair
State Capitol
415 South Beretania Street
Honolulu, HI 96813

Re: Consideration and confirmation to the Circuit Court of First Circuit, State of Hawaii,
Gubernatorial Nominee, EDWIN C. NACINO, for a term of ten years

Dear Senator Taniguchi and Senator Takamine:

It is my privilege to write you in full support of District Court Judge Edwin C. Nacino for the position of Judge in the Circuit Court of the First Circuit. I have known Judge Nacino personally for about ten years, and his background and varied life experiences speak for themselves in demonstrating just how qualified he is to serve as a judicial member of the First Circuit Court.

Judge Nacino is a true role model for our community. He is foremost a gentleman who is straightforward, fair, diligent, articulate, compassionate, responsible as well as levelheaded. He has an abundant wealth of knowledge and work experiences gained from his involvement in the criminal justice and legal system. From his rise from humble beginnings at Mayor Wright Housing to graduating from McKinley High School, then later serving as a Honolulu police officer for more than eight years while pursuing a bachelor's degree in sociology at the University of Hawaii, to earning a law degree, and then serving honorably in the legal profession as attorney and judge, these all attest to Judge Nacino's character and ambition to serve his community in the best possible way.

I ask that you strongly consider and confirm Edwin's C. Nacino's gubernatorial nomination to the Circuit Court of the First Circuit, as he will be a definite asset in the position for the next ten years and beyond. Thank you for this opportunity to speak on Judge Nacino's behalf.

Sincerely,
Shari Olores

MOSELEY BIEHL TSUGAWA LAU & MUZZI

A Hawaii Limited Liability Law Company

Michael L. Biehl
Alan K. Lau
Roger S. Moseley
Christopher J. Muzzi
Eric H. Tsugawa

ALAKEA CORPORATE TOWER
1100 ALAKEA STREET, 23RD FLOOR
HONOLULU, HAWAII 96813

TELEPHONE: (808) 531-0490
FACSIMILE: (808) 534-0202

Tedson H. Koja
Natalie F. Wilson

November 16, 2009

Via E-Mail & Facsimile (808) 586-6659

Senator Brian Taniguchi, Chairman
Members of the Chairman Senate Judiciary
and Government Operations Committee
415 S. Beretania St.
Honolulu, Hawaii 96813

Re: Confirmation Hearing of Judge Edwin Nacino
Date of Hearing: November 17, 2009
Time of Hearing: 10:30 a.m.

Dear Chairman and Members of the Senate Judiciary and Government Operations:

I am writing in support of the nomination of Judge Edwin Nacino as a Circuit Court Judge of the First Circuit Court, State of Hawaii.

I had the opportunity to meet Judge Nacino while he was in private practice at the law firm of Roeca Louie & Hiraoka. We represented opposing parties in a number of civil litigation matters and I found him to be a skilled litigator who always handled matters in a very professional manner, even in bitterly fought cases.

In my view, Judge Nacino possesses the type of personality traits which qualifies him for the position of circuit court judge. He is forthright, honest and fair and was always willing to consider opposing arguments. He also possesses good sound common sense. These are essential judicial traits that would be valuable as a Circuit Court judge.

I was extremely pleased to learn that Judge Nacino had been nominated to serve as a Circuit Court judge. The legal community and our State would be well-served by allowing him to exercise his talents and abilities in this capacity and I urge you to confirm his nomination.

If you have any questions, please do not hesitate to call me.

Very truly yours,



Eric H. Tsugawa

November 16, 2009

Senator Brian T. Taniguchi
Chair, Senate Judiciary and Government Operations Committee
State Capitol
Honolulu, Hawaii 96813

Re: Consideration of Edwin Nacino for the Circuit Court of the First Circuit
Hearing Date of November 17, 2009, 10:30 a.m.

Dear Senator Taniguchi,

Thank you for the opportunity to submit this letter in support of Judge Edwin Nacino's consideration for the Circuit Court of the First Circuit. I first had the opportunity to work with Judge Nacino when he was with the Department of the Prosecuting Attorney over ten years ago. He was a hard worker who did not hesitate to assist his colleagues. Most recently, as the Division Chief of the Misdemeanor/Traffic Division of the Honolulu Prosecutors Office, I have had the opportunity to appear before and observe Judge Nacino presiding in District Court.

Judge Nacino understands the law and the dynamics of dealing with an extremely high volume of cases in District Court. He does not hesitate in making decisions. In District Court, our newly admitted Deputy Prosecutors embrace their very first opportunities to appear in court and litigate. While Judge Nacino can be extremely firm and demanding to all parties, it is clear that he holds these new attorneys to high standards and provides learning opportunities for growth. I have heard of expressions of concern about Judge Nacino's temperament in the past, but I can say that he has taken strides to improve that perception.

Judge Nacino has proven that he is committed to serving the community. Thank you for the opportunity to provide input. If you have any questions, please do not hesitate to contact me at 768-7518.

Very truly yours,

Renee R. Sonobe Hong

November 16, 2009

The Honorable Brian T. Taniguchi, Chairman
Senate Committee on Judiciary and Government Operations
State Capitol, Room 229
415 South Beretania Street
Honolulu, Hawaii 96813

Re: Confirmation Hearing for Circuit Court of First Circuit Gubernatorial
Nominee Edwin C. Nacino
Date: November 17, 2009
Time: 10:30 a.m.

Dear Senator Taniguchi and Members of the Committee,

This written testimony is to express my support of the appointment of Edwin C. Nacino to the Circuit Court of the First Circuit. I have no doubt that Judge Nacino will prove to be an excellent circuit court judge as he has already shown his exemplary judicial capabilities as a district court judge.

I knew that Judge Nacino would serve our community well when he first became a judge in 2005. I have known him since 1992 when we worked together as deputies at the Department of the Prosecuting Attorney and then later at Corporation Counsel. Both at the prosecutor's and corporation counsel's office, Judge Nacino displayed his intelligence, integrity, courage and sense of fairness. I have seen him tackle difficult criminal and civil cases by way of trial and negotiated settlement. He will know exactly what it takes to resolve conflicts and disputes.

There could not be a more balanced and dedicated person to sit as a circuit judge for the benefit of the bar and society. Judge Nacino's humble upbringing and work experience has made him into a person who has strong work ethics, moral and family values and a keen sense of what is right and what is wrong. His leadership abilities and legal intelligence will garner respect for the law by both the public and practitioners. He has done well and will continue to do well for the judiciary.

Thank you for your consideration and attention.

Very truly yours,


Gary K. Senaga

From: Afong, Stanford P. K. [safong2@honolulu.gov]
Sent: Monday, November 16, 2009 5:50 PM
To: JGO Testimony
Subject: Senate JGO Hearing on 11-17-09

Aloha Senator Taniguchi and Committee on Judiciary Government Operations,

I want to thank-you for this opportunity to support the confirmation of First Circuit judicial nominee Edwin Nacino.

I have known Edwin for close to 30 years and throughout this time have admired his traits and accomplishments. He is truly a rag to riches story; raised in Mayor Wright Housing by a single parent, turning to music to keep himself out of trouble during his teenage years, becoming an officer with the Honolulu Police Department, working to support his family as he put himself through college.

He left his successful career in law enforcement to pursue his dream of becoming an attorney. Once an attorney he practiced in both the private and public sector; however his passion for public service led him back to his appointment as a District Court Judge in 2005.

In Edwin you will find an individual who struggled through economic conditions as a child and never forgot how it is to be one of the down and out. He was brought up in a world of harsh reality and truly appreciates the human struggle. All that he has accomplished he has done on his own; never asking or expecting assistance or pity.

His strength of character is reflects his up bringing and the lessons of life that he has endured. Edwin understands the importance of fairness, impartiality and honesty. He has demonstrated throughout his life his sense of responsibility and ability to fairly judge those who have been accused.

Edwin's integrity is beyond approach and his desire to do what is right is never in doubt. His compassion for truth and justice is reflected in his kindness and actions towards others. It is my hope he be confirmed for this position knowing he will surpass all expectations and forever be committed to the public he serves.

Sincerely,

Stanford Afong
Lieutenant, Honolulu Police Department

From: Daniel Shimizu [dshimizu8991@gmail.com]
Sent: Monday, November 16, 2009 8:21 PM
To: JGO Testimony
Subject: GM1, Hearing Date and Time: 11/17/09, 10:30 a.m.

Senator Brian T. Taniguchi
Chairperson, Senate Judiciary and Government Operations Committee
Hawaii State Capitol
Honolulu, HI 96813

Dear Chairperson Taniguchi and Members of the Judiciary and Government Operations Committee:

Re: GM 1; Hearing Date and Time: 11/17/09, 10:30 a.m.; Testimony in Support of Confirmation of Gubernatorial Nominee Edwin C. Nacino

This testimony is in support of the confirmation of Gubernatorial Nominee Edwin C. Nacino to the Circuit Court of the First Circuit, State of Hawaii, for a term of ten years. Please note that these comments represent my own personal opinion and are not made in any official capacity.

Over the past eighteen months, Judge Nacino has presided over numerous preliminary hearings in which I was the assigned deputy prosecuting attorney. Through that experience, I can attest to Judge Nacino's fairness, intelligence, knowledge of the law, and fine judicial temperament. I have no doubt that Judge Nacino will be a fine Circuit Court judge if confirmed by your Committee and the Senate. Thank you for your attention to these comments.

Daniel Shimizu