

DECLARATION OF KANAMU BALINBIN

I, Kanamu Balinbin, (hereinafter “Declarant”) make the following Declaration and state as follows:

1. I am a resident and citizen of the Island and County of Maui, State of Hawaii.
2. I am a citizen and resident of the United States of America.
3. I am over 21 years of age.
4. In the GREAT Committee meeting and hearing of June 29th, 2021 my testimony

included:

“MR. BALINBIN: For the Planning Department. I not going mention names. I can tell you names later, Tamara, if you like call me up, and the specific name that...that...that had bribed...had offered my friend to...to take away his fines if...if she got help, say, with her credit card bills. It...it’s...I...I...I seen things like this happen before, and it seems like it’s...it’s more rampant now. I...I...you know, it...I...I don’t know things can get approved and then later get turned over by the Supreme Court. It’s frustrating for us because...because we have no...we have no really...you know, we’re waiting for Pulelehua, we’re waiting for something so...so we can get by with...it’s hard for us here on the West Side. You know we’re dealing with all these....”

5. I raised the issue of the possible bribery, *again*, of a County of Maui Planning Department Official in the GREAT Committee meeting and hearing of November 24th, 2021
6. Then in the GREAT Committee meeting and hearing of March 22nd, 2022 the following exchange took place which is in the recorded testimony:

“CHAIR MOLINA: Okay. Corp. Counsel, can you provide a more detailed response as it relates to the allegation of bribery? I guess it was stated that there was no evidence found. Can you elaborate a bit more on that, Corporation Coun sel Lutey?

MS. LUTEY: From the investigation that was performed by our office, there was nothing found to substantiate any of the claims made by Mr. Balinbin.”

7. I would like to add that on Dec 15th, 2021 Director Michelle McLean responded to my request for information that Rulan Waikiki signed-off on the building permit B2020-0448 for the dwelling in the Greg Brown Development in Napili.
8. I spoke by phone with Lisa Kahuhu of the Office of the Department of the Corporation Counsel who informed me that there had been **no investigation** by their department of allegations of bribery.
9. I spoke to Moana Lutey by phone who informed me that an investigation had been done internally by the Department of Planning and that the Criminal Investigative Division (CID) of the Maui Police Department would have the records.
10. I then spoke to the CID who told me that there was no known investigation done by their Division, by the Planning Department or by the Dept. Corporation Counsel that they were aware of; that they had no records of any investigation, or referral for an investigation, by either the Planning Department, or by the Department of the Corporation Counsel; and, that if there had been an investigation done, I would have been contacted for my statements and information.
11. Given Corporation Counsel Lutey's representation to me, and given the representation by Lisa Kahuhu; and, given the response to me by the CID; I can only conclude that Ms. Lutey's statement to the GREAT Chair Molina that an investigation was performed by her office **was false**.
12. Given my conversation with a representative of the CID, Ms. Lutey's further representation to me that an investigation was conducted by the Planning Department is **also false**.

13. The fact that the Director of the Department of the Corporation Counsel made a false representation to her client and to the public, in a public hearing is alarming.
14. The fact that it appears that no actual investigation of the allegations of bribery has ever been made and documented is alarming.
15. I therefore request that the Maui County Council GREAT Committee initiate an investigation pursuant to 3.6 of the Maui County Charter of both the Department of the Corporation Counsel and of the Department of Planning relating to the above referenced issue.
16. I would like to add that when now Judge Kristin M. Hamman was a Council Services Attorney, she wrote a memo explaining that the Maui County Council has the power to issue subpoenas to County Officials, who would be terminated from their employment for the County, should they refuse to testify.

I state nothing further.

I state the all the above statements in this Declaration are True, accurate and correct to the best of my knowledge and belief. I make all the above statements in this Declaration pursuant to the laws of perjury of the State of Hawaii.

Dated: May 24th, 2022

Napili, HI

Kanamu Balinbin

Kanamu Balinbin, Declarant