

We need better laws to make sure the STATE of HAWAII follows the law.

Date: Sun, Dec 19, 2021 at 6:01 AM

Aloha to the Senate Judiciary Committee,

We need better laws to make sure the STATE of HAWAII follows the law.

[HRS §662-15\(4\)](#) Exceptions to State Tort Liability Act is a good law. It is meant to ensure that the people of Hawaii do not have to foot the legal bill (tax dollars for the salaries of Attorneys General) for state employees who commit specific, illegal, tortious acts. These specific illegal activities are: assault, battery, false imprisonment, false arrest, malicious prosecution, abuse of process, libel, slander, misrepresentation, deceit, or interference with contract rights.

However, no one is telling me why the Department of the Attorney General is allowed to ignore this law. Why is a Deputy Attorney General representing an individual defendant that I am suing for defamation? Yes, [HRS §662-16](#) states that the DAG may defend any civil action or proceeding brought in any court against any employee of the State for damage resulting from an action by an employee while acting within the scope of the employee's employment. Nonetheless, **NONE** of the illegal actions listed in HRS §662-15(4) is **EVER** within the scope of a state employee's job duties!

Why isn't the State of Hawaii Department of the Attorney General following the law? Apparently HRS §662-15(4) is not clear enough to prevent this type of corruption.

Not even the Judiciary enforces HRS §662-15(4). When the 1st District Small Claims Judge Bautista (who's not even listed online) denied my motion to disqualify the DAG from representing the Defendant, he refused to explain why HRS §662-15(4) did not apply. The judge told me to go ask an attorney. I told him I *had* consulted an attorney prior to filing my motion, and he thought my legal argument was solid. Still, Judge Bautista made it quite clear it was not his job to explain to me why he thought HRS §662-15(4) didn't apply, and warned me that I was trying his patience by asking. Two days later, per the District Court Rules 23 and 24, I objected to the ruling and asked for the court's legal reasoning. I'm supposed to get a response "immediately." That was over a week ago and I've received nothing but a run around. Don't take my word for it. The court documents I've posted on my website confirm everything I've said. You can read them here: freespeech4us.com/defamation

The Department of the Attorney General and the Judiciary are supposed to protect the interests of the people of Hawaii -- ALL of the people of Hawaii, not just state employees. They are *not* supposed to protect the interest of state employees who commit bad acts against other citizens. Defending state employees when they break the law is unconscionable. HRS §662-15(4) is supposed to prevent this type of corruption. Why do I say corruption? Because if state employees are allowed to

commit bad acts against Hawaii's citizens, and we, the innocent victims have to pay our own legal bills and screw around with the incompetent Judicial support system while the bad actors do not, **a lot** of bad acts go unaddressed. Very few people have the tenacity I do to seek justice.

The Case Notes for HRS §662-15 lead one to many cases that support my interpretation of the law. I cited one of them in [a memo to the court about my motion](#). There are so many legal rulings and so much confusion about this law, I think it is time to revise this law to make it clear to our Attorneys General and Judges that state employees who commit the acts listed in HRS §662-15(4) DO NOT GET FREE LEGAL SERVICES FROM THE DEPARTMENT OF THE ATTORNEY GENERAL TO DEFEND THEM. Maybe with this stronger law, there will be many less bad acts by state employees, and more legal guidance from the DAG in following the law.

Please tell me. Am I misinterpreting the law?

- If yes, how?
- If no, what will the legislature do to fix this corruption?

Mahalo,
Vanessa Ott
808 - 854 -1018
MsVOtt@gmail.com
FreeSpeech4us.com