

Rep. Della Belatti

From: Howard K.K. Luke <howard@hkkluke.com>
Sent: Monday, April 18, 2022 3:46 PM
To: Rep. Della Belatti
Cc: Rep. Mark Nakashima; Rep. Linda Ichiyama; Rep. Scot Z. Matayoshi; Rep. Lauren Matsumoto; Rep. Amy A. Perruso; Carolyn Golojuch; Mike Golojuch
Subject: Rep. Har's written responses to the Committee's Questions
Attachments: RESPONSES.pdf

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Aloha Rep. Belatti and fellow members of the Special Committee:

Please find attached Respondent Rep. Har's responses to questions presented by the members of the Special Committee at the April 13, 2022 hearing.

It is respectfully submitted that the Petitioners have not proved by clear and convincing evidence a violation of Rule 62 et seq. of the Rules of the House of Representatives.

We also thank the Committee's staff for informing us of the date and time of further proceedings, currently calendared for April 21, 2022 at 3:00 p.m. We would also like to extend our thanks for your invitation for us to be present at that time.

We would very much like to attend the committee's deliberation and any further action regarding the petition. However, my co-counsel and I commence court proceedings tomorrow, April 19, 2022, in a major federal trial that is expected to continue through the month of May, 2022. Because of this, we may not be able to be in attendance this coming Thursday at 3:00 p.m.

With appreciation for your anticipated careful consideration in this matter,

Howard K. K. Luke
Daniel K.K. Luke
Attorneys for Respondent Rep. Sharon Har

RESPONSES

1. Decision of the Administrative Driver's License Revocation Office ("ADLRO").

After conferring with the attorney representing me at administrative license revocation proceedings, I am informed that the ADLRO's decision is to require an ignition interlock in my vehicle for 2 years.

2. Context of the alleged "do you know who I am" statement.

The statement, which was attributed to me by the media, was wildly taken out of context and misstated what I actually said. I overheard one of the officers say, "she is in the House." I was embarrassed, as any person would be in that situation, then replied, "I am so sorry, because you know who I am." I firmly maintain that this statement was not made to improperly influence any of the officers present.

3. The Body Worn Camera ("BWC") footage and trial exhibits.

Following my acquittal, the Court returned all of the trial exhibits to their respective parties. My trial attorney will provide a copy of the BWC footage to the Committee. However, my trial attorney is not in possession of the trial exhibits admitted into evidence by the prosecuting attorney.

4. Did the medication have a warning not to consume alcohol?

The medication was an old prescription and had expired. I had taken the medication much earlier that day. I did not anticipate that it might still have an effect.

5. Whether I had an infectious disease at the restaurant on February 2, 2021.

My respiratory symptoms were a not result of an infectious disease but rather from an ongoing illness that produced a persistent, long-term cough. If I had any suspicion whatsoever that my illness was contagious, I would not have had dinner in a public place. Moreover, my understanding is that Anyplace Lounge was in full compliance with the health guidelines in place at the time. At trial, the restaurant staff testified about their efforts to keep their customers safe (this testimony is captured in the December 6, 2021 transcript at pages 188 (lines 23-25), 189 (lines 1-2), 199 (lines 17-25), 200-01, and 202 (lines 1-10).