

June 3, 2006

To the Citizens of the County of Kauai:

I have been in public service for the County of Kauai for over 23 years and I have learned much. In my late years into public service, I have found to my amazement that the County governance body, Administration and the Council, care little about the public's desires. This was evident in the Ohana Amendment and police service.

The County of Kauai Administration sued the County of Kauai citizens. This act has such an acrid taste in the minds of our citizens that it has become a battle cry, "I will vote for anyone but the incumbents." Does not the governance body know that this government is of the people, by the people, and for the people? It does not take a genius to find a solution to satisfy the people of this County. It surely does not need to take the people's money to sue the same people who provide for the government.

In police service of this County, the people look at the Police Chief to provide peace and security. They care little how the Chief tightens discipline or moves the personnel within the Police Department to accomplish that task. The people do care about the results which keep the peace and security. Despite the results of my leadership, the governance body decided to cancel my employment contract, and in my opinion, violated the Kauai County Charter.

The cancellation of my employment contract came at the heel of my protest. I provided the reason that it is contrary to the County Charter and Kauai County Code, but it had no avail.

I am honored to be your Police Chief and worked with the finest group of officers and civilian personnel for the last 23 ½ years. We have accomplished much in the war on ice as mandated by the Police Commission who hired me. Because of the untenable hostile working environment created by the governance body which started from the day of my swearing in, no normal person would believe that I can still be effective in my position as Chief of Police. Therefore, I am announcing my retirement from the Kauai Police Department.

The May 30, 2006 letter canceling my employment contract with the County of Kauai stated "there was no finding of misconduct on the part of Lum.... the cancellation of Lum's Employment Agreement was not in any way based on Lum's performance of his duties and responsibilities as Chief of Police for the Kauai Police Department." The justification for the cancellation was "that the selection of Lum as Chief of Police was the result of a tainted and/or compromised selection process."

(For the charge "by failing to conduct the selection process in a fair and impartial manner," the hearing officer Judge E. John McConnell stated "the Hearing Officer declines to conclude that the findings of fact set forth in Section D of Complainant's proposed findings establish a particular violation of the Charter or Code by Commission Ching." Hearing Officer's Report BOE No. 94-001(a) at 2, 5.)

As I read again the hearing officer's report the letter referred to, I do not agree with the conclusion for the justification.

My employment contract will be cancelled on June 8, 2006 by Mike Tresler, the County Finance Director. A telephone discussion on May 30, 2006 with Ms. Carol Furtado, Chair of the Police Commission, revealed that the Police Commission had no knowledge of this action prior to our discussion. A telephone conversation on May 31, 2006 with Gary Heu, the Mayor's Executive Assistant, revealed that I will no longer be considered an employee of the County on June 8, 2006. I must request reinstatement to my former rank of lieutenant before I can continue to be an employee of the County. When I asked Heu about the legality of the action, he stated "the attorneys just have to beef it out."

As such, I will retire from police service at the close of business on June 7, 2006.

My family and I thank all who have supported me through my police career. And to the members of the public who have written numerous letters of support for me to the *Garden Island*, voiced their support in front of the various County boards and commissions, I humbly apologize for this quick exit for which I have no choice.

With Warmest Aloha,

A handwritten signature in black ink, appearing to read 'K.C. Lum', with a long horizontal flourish extending to the right.

K.C. Lum
Chief of Police