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Molokai Advertiser-News

Volume 26 Number 9 The Militia of Molokai's Community Newspaper—Every Wednesday March 3, 2010

Who Owns Molokai ?

Aloha Aina Violators Should Correct Their Violations So Opio Learn that Bulldozing Can Damage Mauka to Makai

report by George Peabody

The Waialua photos show DLNR enforcement Apo and bulldozer operator



Chucky Miguel looking over his bulldozing forest adjacent to the Waialua Stream that empties into sensitive reef fishing grounds. The Waialua Stream is a conservation resource which Miguel crossed with his bulldozer to grub the lots abutting the river and is visible from the Waialua Bridge MP-19 Kamehameha Hwy.

Maui county's enforcement agent Tammy Osurman said there were no permits issued for this bulldozing. Maui County Code: No person shall commence or perform any grading or stockpiling without a grading permit; and No person shall commence or perform any grubbing without a grubbing permit, except where grubbing concerns land for which a grading permit has been issued. ... all grading, grubbing and stockpiling activities shall provide bmps to the maximum extent practicable to prevent damage by sedimentation to streams, watercourses, natural areas and the property of others. It shall be the permittee's and the property owner's responsibility to ensure that the bmps are satisfactorily implemented.

Is it obvious the site is in the FLOODWAY, affects COE navigable waters, and an issue for Clean Water Act and Molokai Stream Protection Plan enforcement.

AND, photo below shows Naehu's an overgrown water dam of dirt bulldozed to the very edge of a streambed that runs floodwaters into Waialua River. It is not



yet know if grading/grubbing permits were issued for this work. The inset photo is of the installed casing for Naehu's water well next to the dam. If the pipe shows a well casing, it was installed without any permits according to Charley Ice of State Water Conservation, although permit applications were requested, he said.

These examples of major changes to the environment of Waialua Valley that can exacerbate the frequent flooding experienced by valley residents many times per year if the dam side were eroded like on Kauai. And, bulldozing without bmps near Waialua Stream in the floodway poses more flood hazards to adjacent property owners, and pollution from runoff waters and silt contaminates the Waialua River waters, and kills reef fishing grounds off shore. **Aloha Aina, anyone?**

Cops Coverup Own Crimes Destroy Evidence demanded in FOIA

report by George Peabody

I received a response from Maui Corp Counsel Kimberly Sloper dated 3-2-10 as a reply to my most recent FOIA request for copy of Internal Affairs report IA 99-26 which was again unlawfully denied to me by MPD captain Victor Ramos of I.A. on Feb.19, 2010. [The Freedom of Information law requires MPD to provide this report, which contains approximately 908 pages of evidence of criminal acts by MPD ranking officers, to me for review and copying in the public interest.]

I have put in ten years and many attempts to obtain and review and copy this report that is denied to me every time because, according to MPD that would violate privacy of the subject MPD officers, and obviously it contains evidence of criminal violations of the firearms laws, illegal hunting, and trespassing by ranking MPD officers who were also violating MPD rules of using MPD weapons. None of the high ranking officers caught red handed were criminally prosecuted as then MPD chief Thomas Phillips' Internal Affairs orders unlawfully kept their information out of reach of the Molokai Advertiser News, as well as out of the legal vortex into which police and prosecutors normally condemn United States Citizens on Molokai who are not MPD employees.

MPD's attorney, Kimberly Sloper wrote "The requested report has been purged from MPD Internal Affairs records as it is over ten years old. Thus, MPD has nothing to produce in response to your request.

So MPD chief Yabuta, who continues the Citizen-hostile policies of his predecessor to coverup crimes committed by MPD higherups this week allowed the evidence of the numerous crimes committed by the six MPD officers that is portrayed in sworn testimony and admissions and fact-finding by Lt. Bell of I.A. who authored that IA 99-26 report to be purged from MPD records because "the records are over 10-yr's old", even though he KNEW that I was seeking those records for past ten years and that I was the original complaint filer against the guilty officers and initiated the I.A. investigation !! Maybe he was one of them?

Destruction of evidence of criminal acts of police is a major crime. There is without doubt, a copy of that IA99-26 report somewhere, even OIP had a copy and the Molokai District Office had a copy. Where are the hard copies archived, and the archives of the computer records of this case? The public has a right !

Now it is time to prosecute those who destroyed the evidence that was titled IA99-26 by Lt. Bell for tampering with evidence, obstruction of justice, conspiracy to obstruct justice.....etc., and the prosecutors, chief Yabuta and former MPD chief Thomas Phillips, and Corp. Counsels involved are all a complicit and liable for the crimes they have apparently committed with knowledge and malice.

OIP should assist in finding this report, and turn it over to me, or a good cop at MPD who will provide it to The MAN in a plain brown wrapper by mail, or has the MPD Elite et al committed the perfect crime under color of law: CoverUP ?



MPD chief Yabuta

Dunbar SMA Exemption on MPC 3-10 What about Dunbar's Boatramp, etc?

DATE: March 10, 2010 (Wednesday) TIME: 12:00 noon

PLACE: Mitchell Paule Center, Meeting Hall, Kaunakakai, Molokai

AGENDA

MR. JEFFREY S. HUNT, Planning Director, requesting that SMA exemption can be issued for Kip Dunbar's Wetland Habitat project in order to dredge a grassy wetland at TMK: 5-7-004: 008, Kainalu, Molokai, \$25, 000. [Refund by NRCS? Investigate this boatramp! Investigate Stream Diversion Waialua, COE denied.

Oral, written, e-mailed, or faxed testimony may be submitted.



Kamalo Grubbing & Fencing Wetlands Investigated for Violations of County, State and Federal and Historic Preservation Rules and regulations

report by George Peabody



About 1/2 mile east of Kamalo Harbor, the mangrove wetlands in a large waterfront lot of about 8-acres fronting Kapualei Ranch buildings was attacked with a giant track machine with a long arm to which is attached a giant mowing apparatus. The tracks from the large excavator and smashed and mowed mangrove were evident along the east side of a new row of fence posts visible from the oceanside mudflats going toward the Kapualei buildings where the excavator was parked when these photos were taken last week at low tide. Additional evidence of the double tracks and smashed and mowed mangrove and other wetland vegetation was visible along the makai edge of the vegetation to the lone coconut tree there, and continuing east then north [mauka] along the eastern edge of the disturbed wetland.

Kamalo disturbance area was 'mowed' and it is evident that there are wetland conditions. BEFORE doing any of the heavy equipment activity evident here, requires the filing of an application and a Best Management Practices Plan and is then authorized by the ACOE if it meets all requirements for Aloha Aina and environmental, navigational, water quality, and historical protection requirements, but apparently no permit applications were made nor approved.

While the fence line MAY be on the boundary line of the landowners property, and if the fence is correctly placed on the Kapualei boundary, then the land makai of their boundary and any makai submerged wetlands would be state-owned. Historic Preservation Division also needs to be notified, as work was done on an ancient submerged fishpond there, most likely without an archaeological inventory survey. The site is also within the SMA and would have required a state Shoreline Certification, and Molokai Plan Commission action.

Photos above right show: top, the yellow excavator machine parked and folded down makai side of the white buildings at Kapualei Ranch; middle, mowed mangrove visible over most of this lot east of the new fence line, and makai of the buildings of Kapualei Ranch and the yellow excavator; bottom, the lone coconut tree seems a flag of distress in the mangrove wetlands that had been recently mowed down by the excavator machine.



[Editor's opinions: Seems to be a lot of BIG MACHINES in EAST MOLOKAI lately, and the standards of Aloha Aina ignored when some people with the power of these machines behind them decide to use these machines to expedite bulldozing projects at Waialua streambanks and dam and well by Naehu and Miguel, and stream diversion far back on stateland of Waialua valley by Dunbar and his previous fishpond fraud and boatramp at Kainalu, and now Kapualei Ranch's makai area mangrove wetlands mowed at Kamalo. Mangrove wetlands is what protects Kapualei waterfront from erosion, so why remove that safety barrier? Big Machines, Big Power! Forget about Aloha Aina?

Violators of Aloha Aina should act sovereign to control themselves to respect Aloha Aina so we don't need so many government rules and enforcers; and, correct themselves of their violations and then educate community and youth about their mistake, and encourage youth to respect and sustain the aina because its where we all live. Lack of sovereign will power to respect Aloha Aina will be the call for more enforcement agents and more of a Police State. Aloha Aina !]

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Obama on Trial May 14: Charged with FRAUD and Conspiracy with Columbia U.

The Moloka'i Advertiser-News



Susan

George

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AUS Supreme Court of Appeals to Hear Chicago Gun Ban Case Affecting all States

On Tuesday, March 2, the U.S. Supreme Court will hear arguments in McDonald v. Chicago, a case that hinges on whether Chicago's handgun ban is constitutional, and applies to all states under 14th Amendment. The Bill of Rights was originally intended to prevent tyranny by government agency or department.

In District of Columbia v. Heller, the USSC determined that individuals have a right to keep and bear arms, but Does the Second Amendment guard against infringements by state and local governments?

In a new op-ed, legal scholar Stephen P. Halbrook argues that the ban violates the Constitution's guarantee of the "right to keep and bear arms." (In its 2008 Heller decision, the Supreme Court noted that Halbrook had written the leading historical account of why the Fourteenth Amendment prohibits states and their political subdivisions from prohibiting the ownership and the carry of firearms by ordinary citizens--a book the Independent Institute will re-release in April under the title, Securing Civil Rights: Freedmen, the Fourteenth Amendment, and the Right to Bear Arms.)

The historical record, according to Halbrook, clearly shows that the Fourteenth Amendment was created and ratified so that states and their political subdivisions would respect protections provided by the Bill of Rights, including the "right to keep and bear arms" guaranteed by the Second Amendment. The advocates of the Fourteenth Amendment considered its passage necessary due to firearm bans in the Black Codes, which various states and cities passed after the Civil War and which made former slaves less secure from violent reprisals by members of the Ku Klux Klan.

That same year [1866], Congress passed legislation protecting the 'full and equal benefit' of laws for 'personal liberty' and 'personal security,' 'including the constitutional right to bear arms. 'Full,' not just 'equal.'" Introducing the 14th Amendment in Congress, Senator Jacob M. Howard of Michigan referred to "personal rights" like "the right to keep and bear arms," explaining that the amendment would compel the states "to respect these great fundamental guarantees." Without these rights, "a people cannot exist except as slaves, subject to a despotism," Howard argued.

"Today, Chicago has its own equivalent of the Black Codes, which it argues is constitutional because everyone is equally deprived of rights, which of course is obviously no protection of rights at all, and violates the 2nd Amendment right of the people to keep and bear arms," Halbrook writes.

Obama and Chicago mayor Richard M. Daley join other Illinois officials in supporting the handgun ban, the 2nd Amendment notwithstanding. Mayor Daley argues that it does not apply there, and that in "an urban landscape, the Second Amendment becomes the enemy of ordered liberty, not its guarantor."

We'll see what the USSC judges thinks of Mayor Daley's disrespect for constitutional rights.

Bill of Rights 2nd Amendment:
"A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed."
Wake up militia! Use it , or lose it ! Got your gun, yet?

"...with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, or fortunes and our sacred honor."

(Unanimous Declaration of Independence)

If you will not fight for the right when you can easily win without bloodshed, and, if you will not fight when your victory will be sure and not too costly, you may come to the moment when you will have to fight with all the odds against you and only a precarious chance of survival. There may even be a worse case. You may have to fight when there is no hope of victory, because it is better to perish than live as slaves.

"The people cannot delegate to government the power to do anything which would be unlawful for them to do themselves."- John Locke

"Those who make peaceful change impossible, make violent change inevitable." -- Robert F. Kennedy

"Rebellion against tyrants is obedience to God." T.J.

Enforce the Bill of Rights !

"And how we burned in the camps later, thinking: What would things have been like if every Security operative [insert your favorite alphabet Gang DEA, BATFE, H.S., TSA, FBI, IRS, NSA, CIA, LEOs etc. here], when he went out at night to make an arrest, had been uncertain whether he would return alive and had to say goodbye to his family? Or if, during periods of mass arrests, as for example in Leningrad, when they arrested a quarter of the entire city, people had not simply sat there in their lairs, paling in terror at every bang of the downstairs door and at every step on the staircase, but had understood they had nothing left to lose [neither do you now] and had boldly set up in the downstairs hall an ambush of half a dozen people with axes, hammers, pokers, or whatever else was at hand. The Organs would very quickly have suffered a shortage of officers and transports and, notwithstanding all of Stalin's thirst; the cursed machine would have ground to a halt!" -- The Gulag Archipelago, Aleksandr Solzhenitsyn

Gun Rights Refresher

1. An armed man is a citizen. An unarmed man is a subject.
2. A gun in the hand is better than a cop on the phone.
3. If guns cause crime, then pencils cause misspelled words.
4. "Free" men do not ask permission to bear arms.
5. If you don't know your rights you don't have any.
6. Those who trade liberty for security have neither.
7. What part of "shall not be infringed" do you not understand?
8. The Second Amendment is to enforce the other 9 Amendments.
9. 64,999,987 firearms owners killed no one yesterday.
10. Guns only have two enemies; rust and politicians.
11. Know guns, know peace, know safety.
12. No guns, no peace, no safety.
13. You don't shoot to kill; you shoot to stay alive.
14. 911 - government sponsored Dial-a-Prayer.
15. Assault is a behavior, not a gun device.
16. Criminals love gun control -- it makes their jobs safer.
17. If guns cause crime, then matches cause arson.
18. Only a government that is afraid of citizens prohibits guns.
19. You only have the rights you are willing to fight for.
20. Remove the people's right to bear arms, you create slaves.
21. The American Revolution was about gun control.

Crimes of Politicians Must Be Stopped by The People (You are The Militia)

The crime on our streets is a tiny fraction of the crime in the offices of our politicians and bureaucrats - the massive majority of crime is committed by the criminal classes in power. Just look at the constant abuse of power in our State government offices and you will realize the extent of crime in Government. Just consider just how many BILLIONS of dollars a day Government extorts from the people and how little WE get in return; and just how comfortable the politicians make themselves at the expense of the peoples they extort!

The goal of the founders of America was to restrict government within severe limits and to protect the rights of sovereign individuals. Government has NO rights!

Judges are impeachable. Furthermore, judges may be removed immediately for violating oaths of office, involvement in conspiracies, extortion, and failing to uphold their duty to the common law. Judges can also be arrested, they are not exempt from this nor are any other officials, including the President of the United States.

Do the people have the power to do this? Yes, the people have the power to do everything to defend our country against all enemies foreign or domestic politician, and government has no power to say otherwise. Fascist bureaucrats might send out its armed marauders, but a huge group of The People (Militia) armed with guns as guaranteed their Right to keep and bear arms by the 2nd Amendment is likely to stop them unless the governments decide that it is time to begin mass killings of all people who believe in the rights of Man.

Wake up ! Enforce the Bill of Rights !

"A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed." Exercise the 2nd Amendment.

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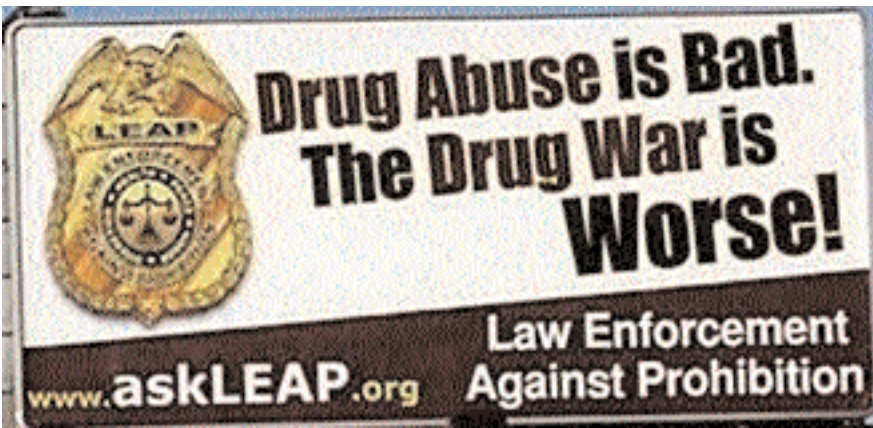
**Militia Of Molokai
SUPPORTS**

AGAINST ALL ENEMIES

Bill of Rights
2nd Amendment:
**"A well regulated Militia,
being necessary to the
security of a free State,
the right of the people
to keep and bear arms,
shall not be infringed."**

Use it or lose it !
ph. 558-8253
Join the club! N.R.A.

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Molokai High School News Mock Car Crash at MHS...March 5

MHS Senior Prom April 17

Tickets will go on sale February 24. Any parents interested in helping please contact Donna Puaa, Lisa Takata or Linda Yonemura at 567-6950.

Molokai High School Community Council Meeting

The next Molokai High School Community Council meeting will be held on Wednesday, March 3, 2010 at 3:15 pm in the Molokai High School Library. Public is welcome. Contact Julia De George at 567-6950 regarding any questions.

Tutoring available for school age students

Supplemental Educational Services (SES) Tutoring is available for students who meet criteria. Please contact your school at anytime to discuss your student's needs and ask about the services! Molokai High School, Molokai Middle School, and Kaunakakai Elementary School students who meet criteria are eligible for services. **DON'T MISS OUT!!**

Foodland's Shop for Higher Education for MHS

Foodland's Shop for Higher Education will award (100) \$2,000 college scholarships to deserving high school seniors across the state. During February and March each year, Maika'i members can help support our college bound seniors by designating Molokai High school at any Foodland or Sack N Save statewide. By designating your Maika'i points to Molokai high school, you'll help them earn more points towards receiving scholarships as well as rewards for you. The more points a school earns, the more scholarships it will receive. Shop for Higher Education will begin on Wednesday, February 10, 2010 and end on Tuesday, March 23, 2010. Please support Molokai High School to help earn scholarships.

Senior Project

Aloha Parents and Community.

Senior project is well underway. Students should have submitted their research papers and begin implementing their action plans. Please check with your child to ensure that they have turned in their research papers and help to support them with their action plan process. Listed below are important senior project due dates. Please remind students to turn in their work and meet the deadlines. Please remind them to do their weekly learning journals and meeting logs as well. Thank you for your time and support,

Paula Friel and Karen Harada Senior Project Coordinators

SY 2009-2010 Molokai High Athletic Home Schedule

The Athletic Department would like to congratulate our Girls Basketball team and coaches for placing first in the MIL (Maui Interscholastic League) and second in the State HHSAA Tournament. We'd also like to congratulate all our Winter sport teams and coaches on their great performances this season. Our Wrestlers have qualified 14 student-athletes for the State HHSAA Wrestling Tournament Feb. 26-27th on Oahu.

A big Mahalo to all our supporters who continue to come and watch our games and support through donations to our athletic program. We want to invite you to continue your support for our Spring sports; Boys Volleyball, Tennis, Track & Field, Softball and Baseball.

DATE	DAY	SPORT	OPPONENT	TIME
3/12	Fri	Tennis	Maui Prep Acad	MHS/K'kai 2:30 pm
3/13	Sat	Tennis	Maui Prep Acad	MHS/K'kai 10:00 am
3/26	Fri	Tennis	Maui	MHS/K'kai 2:30 pm
3/27	Sat	Tennis	Maui	MHS/K'kai 10:00 am



Obituary

ALLEN K. KAHUE, 51, of Nanakuli, died Feb. 27, 2010 in Ewa Beach. Born in Honolulu, January 23, 1959. He was a janitor with Kleenco. Survived by his wife, Ernestine; step-son, Patrick Kamelamela; step-daughters, Jessica Kirkland and Renee

Wong; 11 grandchildren; 1 great grandson; brothers, Paul and John; sisters, Stephanie, Kehaulani, Kanoe and Beetle.

Visitation 10:00 a.m. to 3:00 p.m., Saturday (3/13) at Borthwick Mortuary; service 11:00 a.m. with cremation to follow. Flowers welcome and aloha attire

Arrangements by Borthwick Mortuary

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