



DEPARTMENT OF THE ATTORNEY GENERAL

News Release

LINDA LINGLE
GOVERNOR

Mark J. Bennett, Attorney General
Phone: (808) 586-1282
Fax: (808) 586-1239

For Immediate Release: November 10, 2004 News Release No. 2004-45

SEPTIC TANK TRUCK DRIVER INDICTED BY KONA GRAND JURY

HONOLULU-Attorney General Mark Bennett announced today that: A joint effort between the Environmental Crimes Unit of the Department of the Attorney General, the State of Hawaii Department of Health and the Department of Land and Natural Resources resulted in an indictment against David W. Kerwin of Kailua-Kona. On, November 8, 2004, a Kona Grand Jury charged Mr. Kerwin with knowingly discharging wastewater from his septic truck into the Hilo Forrest Reserve. Mr. Kerwin is alleged to have partially emptied the contents of his septic truck, which included human feces and urine.

Attorney General Bennett stated: "This case is another in a series of cases brought by our Environmental Crimes Unit. We will continue to vigorously act to protect the environment."

Knowingly allowing or causing the discharge of wastewater onto the ground is a class C felony punishable by up to three years in prison or by a fine of not less than \$5000.00 nor more than \$50,000.00, or both. An indictment is an accusation only. Mr. Kerwin is presumed innocent until proven guilty at trial.

The public is encouraged to report crimes against the environment to the Attorney General's Investigation Division (808-586-1240).

For more information, contact:
Office of the Attorney General
Phone: (808) 586-1500

For detailed information, contact:
Kathleen Ho
Deputy Attorney General,
Health and Human Services Division
Telephone: (808) 587-3050

Email: hawaiiag@hawaii.gov