

ETHICS COMMISSION*

Charles W. Totto, Executive Director and Legal Counsel

The purpose of the Ethics Commission is to ensure that City officers and employees understand and follow the standards of conduct governing their work for the public. The most common areas of inquiry are financial and personal conflicts of interest, gifts, political activities, post-government employment and the misuse of government resources or positions. The Commission implements its objectives through a balance of training programs, ethics advisory opinions and enforcement actions.

The ethics laws are found in Article XI of the Revised Charter and Chapter 3, Article 8, of the Revised Ordinances. To find out more about the Commission and its activities, visit our web site at www.honolulu.gov/ethics. The web site has information about the Commission's meetings, procedures, the standards of conduct, and useful guidelines for the public and employees and officers.

The seven Commission members are appointed by the Mayor and confirmed by the City Council. Commissioners serve staggered five-year terms. The members during Fiscal Year (FY) 2006 were:

	<u>Term Expiration</u>
Lex R. Smith, Esq., Chair	December 31, 2006
Raymond H. Fujii, Vice-Chair	December 31, 2006
Susan H. Heitzman	December 31, 2010
Matthew H. Kobayashi	December 31, 2009
Wayne T. Hikida	December 31, 2009
Cynthia M. Bond	December 31, 2008

The Commission is staffed with an executive director/legal counsel and a legal clerk. The Commission's budget for FY06 was \$158,404 and will be \$158,424 for FY07.

Education and Training

The Commission staff continued the mandatory ethics training for all elected officials, managers, supervisors and board and commission members. Honolulu's mandatory ethics training programs is one of the most ambitious in the United States. In FY06 we trained 401 officials, bringing the total to over 3,200 public servants trained since the law was enacted. In addition, the Commission staff presented our "Ethics Checklist" orientation to 531 new City officers and employees. As a result, almost all of the

*The Ethics Commission is attached to the Department of Corporation Counsel for administrative purposes only.

current City officials and more than half of the City's workforce have received some form of ethics training. Some agencies are taking advantage of the training beyond those who are mandated to attend. For example, all Council staff, Emergency Medical Services personnel and Fire Department recruits also attend training tailored to their work. These programs

continue to greatly reduce the number of unintentional ethics violations. In addition, these programs should increase public confidence in our City employees and officers.

Advice and Enforcement

In the past fiscal year, the Commission received 387 requests for advice and complaints. By the end of the FY06, we had responded to 372. The Commission also received and reviewed 413 financial disclosure statements from high-level City officials.

The Commission held eleven meetings and issued six formal advisory opinions, finding violations of the standards of conduct in three cases. In one violation case, a supervisor misused City resources by giving unearned overtime to some of his employees for five months, until the Commission investigated. The Commission recommended to the department director that the supervisor receive a two-week suspension without pay. In the second case, the Commission stopped an "Avon Lady" from using City time and other resources to sell her products to other City employees. In the third case, a supervisor was indirectly involved in purchasing products for the City from his live-in girlfriend, creating an appearance of a conflict of interest.

As to legislation, the Commission received jurisdiction over lobbyists and lobbying, and helped shape the new Council policy on gifts to the City. Also, the Commission continued its support of a proposed Charter amendment that would be authorize it to impose a civil fine on elected officials who violate the City's ethics laws. The voters will be presented this issue in the 2006 general election.

The Commission updated its web site to include all its formal advisory opinions, along with an updated index and other information. The Commission received 5,411 hits on its web site in FY06.

Goals for FY07 include:

1. Augment our budget to meet the increasing demand placed on staff by the number of complaints against City employees and officers;
2. Continue the mandatory training for City managers, supervisors, elected officials and board and commission members;
3. Offer training on the City's ethics laws to public employee unions and contractors, consultants and lobbyists to the City; and
4. Begin to implement the Commission's Three-Year Operating Plan, which, among other things, calls for closer working relations with other agencies, drafting new lobbying laws, and preparing the necessary legal framework in the likelihood that the Commission will be authorized to impose civil fines on elected officials who violate the ethics.

