

WELCOME TO THE ETHICS COMMISSION MEETING

Please sign in at the testimony table.

As a courtesy, please silence your cell phone.



Date: March 21, 2018
Time: 11:30 a.m.
Place: Kapālama Hale
925 Dillingham Boulevard
1st Floor Conference Room

ORDER OF BUSINESS

I. Call to Order, Public Notice, Quorum



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II. NEW BUSINESS

A. Chair's Report

1. Announcements, Introductions, Correspondence, and Additional Distribution



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II.A. CHAIR'S REPORT (cont'd)

2. For Action: Approval of Open Session Minutes of February 21, 2018
3. For Action: Approval of Executive Session Minutes of February 21, 2018

[exec/session if needed, HRS §92-5(a)(4)]



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II.B. EXECUTIVE DIRECTOR AND LEGAL COUNSEL'S (EDLC) REPORT

1. Staff Work Reports Summary



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II.B.1. STAFF WORK REPORTS – HIGHLIGHTS SENIOR CLERK TYPIST (P/T)

- Processing lobbyist registrations, annual reports
- Assisting with legal clerk functions



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II.B.1. STAFF WORK REPORTS – HIGHLIGHTS LEGAL CLERK I

- Assuming most Legal Clerk III responsibilities
- Processing meeting materials, financial disclosures, lobbyist forms; responding to UIPA and Auditor's Service Efforts and Accomplishments report requests
- Managing board/commission ethics training; troubleshooting City's learning management system issues
- Updating, redesigning, refreshing website
- Handling front-office intake, phones, other



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II.B.1. STAFF WORK REPORTS – HIGHLIGHTS INVESTIGATOR

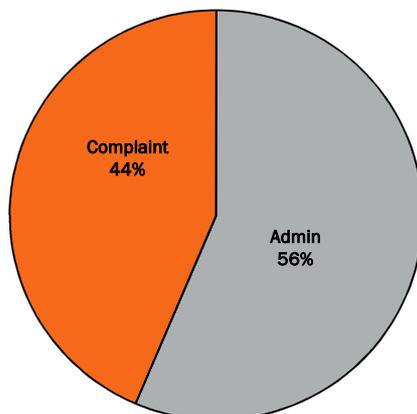
- Managing case load (interviews, investigation, research/analysis, reporting)
- Prepping for and attending case management meetings
- Assisting with EC minutes, meetings



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II.B.1. STAFF WORK REPORTS SUMMARY INVESTIGATOR – FEBRUARY TO MARCH 2018



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II.B.1. STAFF WORK REPORTS – HIGHLIGHTS ASSOCIATE LEGAL COUNSEL (ALC)

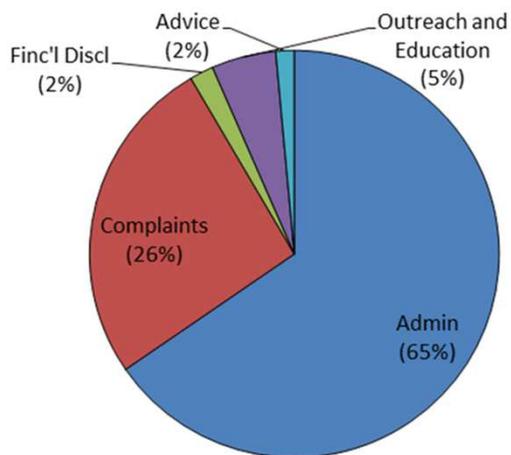
- Handling ongoing admin responsibilities
- Investigating/managing cases, strategy, training Investigator and Legal Clerk I
- Conducting outreach and education
- Reviewing financial disclosures
- Managing requests for advice



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II.B.1. STAFF WORK REPORTS SUMMARY ALC – FEBRUARY TO MARCH 2018



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II.B.2 STATISTICS

a. Website Sessions

- February 2018 - 511



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II.B.2. STATISTICS – FINANCIAL DISCLOSURES

CLERK’S OFFICE

(public disclosure)

Councilmembers

Mayor

Cabinet

~82

ETHICS COMMISSION

(confidential disclosure)

EForm – Employees, Officers
(399)

PDF – Board & Commission
Members (183)

~582



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II.B.2. STATISTICS – LOBBYISTS

2018 REGISTRATION

Hardcopy Filings

(by Organization)

~136

(by Lobbyist)

~111

2017 ANNUAL REPORT

Hardcopy Filings

(by Organization)

~164

(by Lobbyist)

~109



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II.B.3 BUDGET

b. FY2019 Operating Budget Request

Included:

- EDLC, ALC salary increases for FYs 2018, 2019
- Conflicts procurement moneys, laptop, conference travel

Note: Budget Briefing cancelled due to Council reorg



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II.B.4. EDUCATION AND OUTREACH

a. Ethics Training Program

- Feedback
- Begin developing course for next biennium:
July 1, 2018–June 30, 2020 (FY19–FY20)
 - ✓ Outreach – Cmmr. Kanda
- Non-domain (private) user interface pending



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II.B.4. EDUCATION AND OUTREACH

a. Ethics Training Program

- Mindflash – As of Feb. 14 the following completed
 - ✓ Civil Service Commission [3/4]
 - ✓ Grants in Aid Advisory Commission [4/5]
 - ✓ Salary Commission [7/7]
 - ✓ Board of Water Supply [5/7]



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II.B.6. LEGISLATION

State Legislature

- **House Bill 71, House Draft 1 (relating to ethics)**
Description: Prohibits a sitting governor or mayor from maintaining outside employment or receiving emoluments.
 - ✓ SEN Committee on Government Operations (GVO)
Passed, w/ Amendments (Tues., Mar. 13, 2018)



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II.B.7. EDUCATION OPPORTUNITIES

a. Administrative Hearings

Presenter: Office of Administrative Hearings
(Dept. of Commerce and Consumer
Affairs)

Date: **Wed., May 23, 2018**

Time: 1:00 p.m.

Place: Leiopapa A Kamehameha Building
State Office Tower (SOT), Rm. 204
235 S. Beretania Street



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II.B.7. EDUCATION OPPORTUNITIES

Other Commissioner Training (pending)

- Campaign Spending (Campaign Spending Commission)

[End – EDLC Report]



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III. EXECUTIVE SESSION

A. For Discussion and Action:

Request for Review of Staff's Amended Preliminary Determination of February 21, 2017, Ethics Commission Meeting Agenda Item III.C.: Whether Officer Knew or Should Have Known That Officer's Alleged Partisan Advocacy for Charter Amendment on the November 8, 2016, Ballot Violated RCH Section 11-104



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III. EXECUTIVE SESSION

B. For Discussion and Action:

Request for Review of Staff's Preliminary Determination of February 23, 2018, Regarding Alleged Violation of RCH Section 11-104 by City Employees



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III. EXECUTIVE SESSION

C. For Action:

Request for a Motion to Approve and Adopt
Staff's Draft Advisory Opinion No. 2018-1
Regarding Alleged Violation of RCH Sec. 11-104
Against a City Employee



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III. EXECUTIVE SESSION

D. For Discussion:

Case Brief – Kawananakoa v. City and County of Honolulu, No. CAAP-16-0000366 (App. Feb. 21, 2018) (mem.)



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IV. STRATEGIC PLANNING

- A. For Discussion and Action:
Exposure Draft (dated March 21, 2018)

- B. For Discussion:
Media Policy (dated July 23, 2015) and Crisis
Management



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IV. STRATEGIC PLANNING (cont'd)

Timeline:

- ✓ *Sept. 1, 2017 – Receive comments*
- ✓ *Sept. 20, 2017 – Ethics Comm. reviews comments*
- ✓ *Sept. 27, 2017 – Permitted Interaction Grp (PIG) reviews comments, amends draft*
- ✓ *Nov. 2017 – PIG's am'd draft to Ethics Comm. (1)*
- ✓ *Jan. 2018 – Ethics Comm. amended strategic plan*
- ✓ *Feb. 2018 – Ethics Comm. reviews strategic plan (2)*
- *Mar. 2018 – Ethics Comm. adopts strategic plan (3)*



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V. ADJOURNMENT

Honolulu Ethics Commission
Kapālama Hale
925 Dillingham Boulevard, Suite 190
Honolulu, Hawai`i 96817
Ph: (808) 768-9242

Website: www.honolulu.gov/ethics Email: ethics@honolulu.gov



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**Agenda Item II.B.6.,
Page 2
[HB71 HD1 – Status Sheet]**

HB71 HD1

Measure Title: RELATING TO ETHICS.
Report Title: Governor; Mayors; Outside Employment; Emoluments; Prohibited
Description: Prohibits any Governor or county Mayor, while serving in their respective individual capacities as Governor or county Mayor, to maintain any other employment or receive any emolument, beginning on the sixty-first calendar day after their election or appointment to office. (HB71 HD1)
Companion:
Package: None
Current Referral: GVO, JDC
Introducer(s): SAIKI, JOHANSON, LUKE

<u>Sort by</u> <u>Date</u>	<u>Status</u>	<u>Text</u>
1/18/2017	H	Pending introduction.
1/19/2017	H	Pass First Reading
1/27/2017	H	Referred to CPC, LAB, JUD, FIN, referral sheet 4
2/2/2017	H	Bill scheduled to be heard by CPC on Thursday, 02-09-17 2:00PM in House conference room 329.
2/9/2017	H	The committee(s) on CPC recommend(s) that the measure be deferred.
11/30/2017	D	Carried over to 2018 Regular Session.
1/26/2018	H	Re-referred to LAB, FIN, referral sheet 6
2/5/2018	H	Bill scheduled to be heard by LAB on Thursday, 02-08-18 10:30AM in House conference room 309.
2/8/2018	H	The committees on LAB recommend that the measure be PASSED, WITH AMENDMENTS. The votes were as follows: 7 Ayes: Representative(s) Johanson, Holt, Evans, Ichiyama, Keohokalole, Yamashita, Matsumoto; Ayes with reservations: none; Noes: none; and Excused: none.
2/15/2018	H	Reported from LAB (Stand. Com. Rep. No. 463-18) as amended in HD 1, recommending passage on Second Reading and referral to FIN.
2/15/2018	H	Passed Second Reading as amended in HD 1 and referred to the committee(s) on FIN with none voting aye with reservations; none voting no (0) and Representative(s) DeCoite, Ing, McDermott, Nakamura, Souki, Todd excused (6).
2/20/2018	H	Bill scheduled to be heard by FIN on Thursday, 02-22-18 1:30PM in House conference room 308.
2/22/2018	H	The committees on FIN recommend that the measure be PASSED, UNAMENDED. The votes were as follows: 13 Ayes: Representative(s) Luke, Cullen, Cachola, DeCoite, Fukumoto, Gates, Holt, Kobayashi, Lowen, Nakamura, Todd, Yamashita, Ward; Ayes with reservations: none; Noes: none; and 2 Excused: Representative(s) Keohokalole, Tupola.
3/2/2018	H	Reported from FIN (Stand. Com. Rep. No. 928-18), recommending passage on Third Reading.
3/2/2018	H	Passed Third Reading with none voting aye with reservations; Representative(s) Choy, Har, Ito, Kong, Souki, Tokioka voting no (6) and Representative(s) Cachola, Ing, San Buenaventura, Say, Yamane excused (5). Transmitted to Senate.
3/6/2018	S	Received from House (Hse. Com. No. 126).
3/6/2018	S	Passed First Reading.
3/6/2018	S	Referred to GVO, JDC.
3/9/2018	S	The committee(s) on GVO has scheduled a public hearing on 03-13-18 2:45PM in conference room 224.
3/13/2018	S	The committee(s) on GVO recommend(s) that the measure be PASSED, WITH AMENDMENTS. The votes in GVO were as follows: 4 Aye(s): Senator(s) Kim, Galuteria, Keith-Agaran, K. Rhoads; Aye(s) with reservations: none ; 1 No(es): Senator(s) Ruderman; and 0 Excused: none.

S = Senate | **H** = House | **D** = Data Systems | **\$** = Appropriation measure | **ConAm** = Constitutional Amendment

Some of the above items require Adobe Acrobat Reader. Please visit [Adobe's download page](#) for detailed instructions.

HB71 HD1

**Agenda Item IV.A,
Page 3
[Exposure Draft - D6]**

Ethics Commission – 2027

This strategic plan involved a review of current practices and procedures, and sets forth a blue print for the future.

This document sets out a longer-term strategy and is based on discussions held in 2017. It is a work in progress, a flexible and directional touchstone for Commissioners and Staff. It will be revisited periodically over the next several years—2020 (year three), 2022 (year five), and 2024 (year seven)—and as key assumptions change or as internal or external conditions require. As needed, we will use it as source material to drive specific changes in direction, laws and rules, procedures and activities.

As part of this strategy, we will examine other jurisdictions and determine best practices for ethics commissions and ethics oversight. Similar jurisdictions may have similar ethics laws, oversight and enforcement responsibilities, population size, demographics, geographic size, among other factors.

Finally, we commit to properly balancing transparency and openness with necessary and legally warranted confidentiality. Critical to our success, however, is the need for appropriate resources, including adequate budget, number and type of staff, and commissioner capacity proportionate to the overall workload.

Mission Statement

To ensure that elected officials, appointed officers and employees demonstrate the highest standards of ethical conduct so that the public may have trust and confidence in the integrity of government.

“We hold the public’s trust.”

I. Who We Are

Chartered by the Hawai'i State Constitution and Revised Charter of the City & County of Honolulu, we are the City & County of Honolulu's ethics watchdog agency. Our job is to ensure that all of the C&C's approximately 10,000 elected leaders, appointed officials, and employees understand and follow the highest ethical standards of conduct governing their work for the public.

In Fiscal Year 2017, we began to review our policies and procedures to determine where we were and then plan for the future. We filled our full complement of five budgeted staff—Executive Director and Legal Counsel, Associate Legal Counsel, Investigator, and two Legal Clerks—and assessed and debriefed our practices and began making adjustments for efficiency and effectiveness. The work is on-going, but in progress.

Skills training for Commissioners and Staff is also essential for success. While some training has been accomplished—for example, sunshine law and government records training, core computer application refresher training, and investigation training—there is much more to do.

II. What We Do

We have jurisdiction over education and enforcement of the following laws:

- Conflicts of interest, including gifts
- Disclosure of personal and financial conflicts of interest
- Preferential treatment and misuse of city resources
- Lobbyist regulation

III. Why We Are Working on a Forward-Facing Strategy

We are giving intentional forethought to shape the Commission's future. We have a new Executive Director, a competent and hardworking Staff, and a strong set of Commissioners, all of whom are dedicated to implementing the agency's mission. We anticipate a rising volume of work and cases of increasing complexity. With this

document, we want to further position ourselves so that our work is conducted with the greatest possible efficiency and integrity.

We recognize that a rising volume of work and cases of increasing complexity drive a need for budget and resources proportionate to workload. Meeting this need will be one of our strategic priorities.

IV. Dashboard

Here are the metrics and vital signs we plan to use to monitor ourselves. Wherever possible, we will apply “aging” reports to evaluate workload and stay alert for backlogs, gaps, and case-handling delays. This dashboard is meant to be a management and decision support tool for Commissioners and Staff.

Trailing Indicators (*Looking Back*)

1. Requests for training
2. Requests for advice
3. Advisory opinions
4. Preliminary determinations (reevaluate and address via future rule-making or policy adoption)
5. Investigations
6. Complaints filed
7. Requests for information via the Uniform Information Practices Act (UIPA), Hawaii Revised Statutes Chapter 92F
8. Hearings
9. Ethics Commission meetings that comply with Hawaii open meetings law, also known as the sunshine law, Hawaii Revised Statutes Chapter 92

Leading Indicators (*Looking Ahead*)

- 10. Anticipated population growth/decline in the C&C of Honolulu
- 11. Anticipated number of C&C employees and elected and appointed officials
- 12. Anticipated number of new employees and elected and appointed officials
- 13. Anticipated Ethics Commission budget and staff positions required to handle anticipated needs

V. Our Key Values

- 1. **Independence.** We will dispassionately appraise every circumstance that comes before us against pertinent laws and specific facts. We will play no political favorites, and let the chips fall where they may.
- 2. **Transparency.** We will strive for the greatest possible openness while honoring the rights of privacy and confidentiality. We endeavor to balance a user-friendly guidance and approach with sound procedures to vet, triage, and bring actions to enforce the City’s standards of conduct.
- 3. **Above Reproach.** We ourselves, as a Commission and as individuals, will continuously strive to exemplify the behaviors we enforce on others.

VI. The Current Situation

Here is how we evaluate ourselves at this moment:

Major Strengths	Major Weaknesses
<p>We now have a strong Staff in place and a cohesive and dedicated group of Commissioners.</p> <p>Our relationships with other agencies are continuously improving.</p> <p>We are developing increasingly better methods of training the City’s approximately 10,000 employees on their ethical duties.</p>	<p>Our budget is insufficient to meet our core needs and rising demands. Our existing staff is not large enough to fulfill all functions; that is, investigations, prosecutions, advisory opinions, ethics training, etc.</p> <p>We need to update and clarify our rules.</p> <p>We need to update our policies and procedures.</p>

<p>Our monthly data collection and reporting systems are steadily improving.</p> <p>Our meetings are more efficient with good opportunities for public testimony.</p>	<p>Staff and Commissioners lack sufficient opportunities for skills and ethics training and upward mobility and opportunities to interact with ethics commissions of other jurisdictions.</p> <p>The ordinances that direct and guide us require updating.</p> <p>We are not well understood by City elected officials, officers, employees, and the public at large.</p> <p>We remain entangled in litigation, which impedes our work and drains resources.</p> <p>Administrative support duties are blurry and need to be clarified.</p> <p>How we interpret and best function with sunshine law requirements is an on-going effort.</p>
<p style="text-align: center;">Opportunities</p> <p>We will eventually be audited, but we will undertake our own thinking on lessons learned and future efforts; knowledge gained from this effort will be supplemented by what external auditors recommend.</p> <p>We can define, operationalize, and make public our best practices.</p> <p>Rotation of Commissioners brings new perspectives and adds strength.</p> <p>We can utilize skilled volunteers who understand the Ethics Commission's work.</p> <p>There are opportunities to impact ordinances and adopt rules.</p> <p>We can position ourselves for inevitable future administrations and councils.</p>	<p style="text-align: center;">Challenges</p> <p>Turnover and rotation. Potential loss of Staff and Commissioners.</p> <p>Flat resources or budget cuts if the economy dips, which is expected.</p> <p>A small number of excessively time-consuming cases that pull us away from other required work.</p> <p>Physical location. Not close to other agencies.</p> <p>Scofflaws who ignore C&C ethical requirements, for which the Ethics Commission gets blamed.</p>

<p>We can explore coordinating ethics trainings, for mutual benefit, with other departments and agencies.</p> <p>We can explore collaborating with state and county agencies to harmonize requirements and forms.</p>	
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VII. Assumptions About the Next 10 Years

- Ethics Commission’s staffing needs will increase even as we gain efficiency, but our budget will always be determined by others.
- Our caseload will go up because:
 - C&C of Honolulu’s population increases about 10 percent every 10 years.
 - The more training and outreach we do, the more inquiries and cases are generated.
 - As the social fabric in Hawai’i changes because of demographic shifts and as O’ahu becomes more crowded and factionalized, we will receive more ethics inquiries and concerns. People are increasingly argumentative and litigious.
 - When the economy dips and city services are diminished, we will receive more ethics inquiries, concerns, and requests for advice.
 - As C&C employee ranks turn over, training will need to be continuously refreshed and delivered to new cohorts of employees.
- More employees will have electronic devices, enabling greater reach for ethics training. Computerized training delivery will become easier, faster, and cheaper.
- The “80/20” principle will continue to prevail; that is, 80 percent of our work and effort will tend to respond to 20 percent of our caseload. Some

of that 20 percent will be hot potatoes with high media visibility. As social media expands, there may be increasing numbers of hot potatoes.

- We will always be in some kind of “stretch mode” and likely never have all the resources our demands require.
- Over the next 5-10 years, federal and state funding will decline.
- The process of Commissioner appointments will stay the same: Mayor appoints, Council confirms.
- We will need to do more effective education and outreach to the Mayor and Council to ensure they understand what we do, what their unique ethical requirements are, and to secure the funds and positions we need to operate effectively.
- The Commission may on its own initiative initiate complaints.

VIII. Priority Objectives

Objective 1: Review, update, and realign ethics programs for compliance, effectiveness, and efficiency:

Areas to be Reviewed for Changes and Priorities	Charter/ Ordinance	Substan Admin Rules	Proced Admin Rules	SOPs	Training/ Education
Financial Disclosures	X	X		X	X
Lobbyist Regulations	X	X		X	X
Separation of Duties (intake, investigation, prosecution, adjudication)	X		X	X	
Gifts	X	X		X	X
Fair & Equal Treatment	X	X		X	X
Conflict of Interest Disclosures	X	X		X	X

In conjunction with the above:

- Examine procedures from: Hawai'i Office of Disciplinary Counsel (ODC); Regulated Industries Complaints Office (RICO), Hawai'i Department of Commerce and Consumer Affairs (DCCA); and other

ethics commissions, e.g., Austin, TX (population ~947,890); City and County of San Francisco, CA (population ~870,887); San Jose, CA (population ~1,025,350); Jacksonville, FL (population ~880,619); among others; and also review their staff-to-workload ratios.

- b. Review and revise, as needed, the definition of “complaint” and consider disallowing anonymous complaints to proceed to investigation without named complainant. Prior to that, it would be a “contact.”
- c. Provide opportunity to review proposed changes and offer comments and concerns.
- d. Analyze and potentially pursue having Corporation Counsel conduct certain prosecutions as a way of reducing internal conflicts between Commission functions.
- e. To ensure uniformity of practice and continuity to the future, develop an updatable set of policies and procedures available to the Commission, Staff, and the public. Collate existing Commission policies and procedures and develop new ones in conjunction with future changes to the ordinances and rules described above.
- f. Consider adopting as a policy that the Commission may not initiate or proceed with its own investigation if official investigations are being conducted by other agencies or tribunals with sufficient resources and enforcement powers. Any such policy must recognize that the Commission enforces ethics laws, which may be very different from those of other agencies or tribunals.

Objective 2: Further strengthen and expand the education and training of the City and County’s ~10,000 officers, employees, and elected officials.

- a. Develop and deliver improved outreach materials (brochures, FAQs, newsletters, etc.) that describe the Commission’s work and provide offers of assistance.
- b. Conduct additional outreach to all elected and appointed officials and to all agency employees to make them fully aware of the Commission’s capabilities and to provide regular or specialized trainings.

- c. Continue to refine, track, and regularly evaluate the use of training software as a core-training tool.
- d. Offer an annual training for lobbyists, possibly with the State Ethics Commission to avoid duplication of efforts.
- e. Continue to work with the City Department of Information Technology to develop an in-house ethics training application for both domain users (honolulu.gov) and non-domain users (e.g., board and commission members).

Objective 3: Strengthen the internal capabilities and procedures of the Ethics Commission.

- a. Acquire and implement a case management data base to enable tracking, dashboard monitoring, and reporting.
- b. Acquire and implement a comprehensive compendium of Ethics Commission Advisory Opinions and Ethics Commission-related Corporation Counsel Opinions that is easy to use when conducting legal research.
- c. Develop and implement training and professional development activities for Staff and Commissioners. Potential areas to be covered include sunshine law, information technologies, and data management. Mechanisms can include:
 - i. State Public Library's Gale Courses for computer application training (MS Word, Excel, Power Point, Access, others);
 - ii. Equal Opportunity Office Internal Investigation Training;
 - iii. Reid Investigator Interview Training; and
 - iv. Attendance at Council on Governmental Ethics Laws (COGEL) and/or the Society of Corporate Compliance and Ethics (SCCE) conferences.
- d. Review, revise as needed, and implement a simple written policy on who speaks publicly for the Commission.

Objective 4: Above and beyond our management “dashboard,” develop, implement, and use a simple set of overall effectiveness measures that will describe quantitatively the core efficacy of the Commission. The measures should reflect both inputs and outputs and the quantity and quality of both.

IX. Short Term Actions and Accelerators – Fiscal Year 2018

Actions completed or started in fiscal year 2017 are shown in Attachment 1, *Accomplishments - FY2017 (July 1, 2016–June 30, 2017)*.

Actions to be continued, completed or started in fiscal year 2018 will be reported at monthly Ethics Commission meetings in a format similar to Attachment 1.

Draft 6

Attachment 1
Accomplishments - FY2017
(July 1, 2016 - June 30, 2017)

Item	Timeframe
Ethics Commission - 7-Member Commission Fully Appointed	
	Aug 2016 - 1 new commissioner appointed (Adler)
	Apr 2017 - 2 holdover commissioners termed out (Silva, Yuen)
	May 2017 - 2 new commissioners appointed (Kanda, Monk)
Personnel - All Budgeted Vacant Positions Filled in FY2017, EC Fully-Staffed (5/5)	
	May 2016 - 2 legal clerks on staff (2/5 staff)
	Aug 2016 - ALC and EDLC hired (4/5 staff)
	Nov 2016 - INV hired (5/5 staff)
Interns, Fellows Assisted EC	
	Jan - Jul 2017 - 1 Pookela Fellow (12 hrs/wk)
	Mar - Sep 2017 - 1 MPA Intern (rules, guidelines)
	Jun - Aug 2017 - 2 law school interns (brief AOs)
Office Relocated to Kapālama Hale	
	Nov 2016 - relocated from South King Street to Kapālama Hale
	Feb 2017 - 1st EC meeting held in Kapālama Hale
Strategic Planning Commenced	
	Fall 2016 - began planning
	Apr, May, Sep 2017 - PIG meetings - Apr, May, Sep 2017
	June 2017 - draft discussed at EC meeting, posted to website, comments solicited
Ethics Training - Learning Management System (LMS) Development On-Going	
	Fall 2016 - began working with DIT to develop LMS
	Spring 2017 - create prototype LMS for all officers/employees, test pilot on Legislative Branch
	Spring 2017 - create prototype LMS for bd/comm member training, test pilot on select bds/comms
Advisory Opinions Issued (2)	
	AO 2017-1 (re: independent expenditures by Super Political Action Committees)
	AO 2017-2 (re: EC's jurisdiction to decide if a councilmember's receipt of 40% or more of campaign contributions by a special interest group creates a conflict of interest)
Ethics Inquiries	
	Total # inquiries - 278
	# inquiries closed - 261 (94%)
	# requests for advice - 189 (68%)
	# complaints - 87 (31%)

Attachment 1
Accomplishments - FY2017
(July 1, 2016 - June 30, 2017)

Ethics Commission Meetings (13)

Timely agendas filed, mins prepared, materials prepped/uploaded, post-meeting clean-up completed
Fall 2016 - Meeting format amended, utilize IT equipment for enhanced transparency
Spring 2017 - Website redesigned to feature agendas, minutes, meeting materials
Spring 2017 - Meeting materials posted to website when distribution made to Commission

Ethics Outreach - Newsletters Produced and Delivered

Winter (Dec) 2016
Spring/Summer (May) 2017

Office Procedures Reviewed, Amended, Implemented

Fall 2016/Spr 2017 - implemented new EC meeting procedures, timeframes, deadlines
Fall 2016/Spr 2017 - implemented weekly staff meetings, case management meetings
Fall 2016/Spr 2017 - implemented EC meeting calendar with relevant dates, deadlines
Fall 2016/Spr 2017 - posted EC meeting agendas, minutes, materials in more accessible format
Winter 2016 - amended financial disclosure forms and instructions
Spr 2017 - posted meeting materials to Commissioners and public at the same time
Spr 2017 - debriefed lobbyist reg'n, annual rpt; F/D; disclosure of interest (CC-8)
Spr 2017 - uploaded lobbyist summary, registration forms to website
Sum 2017 - revised intake form, procedures

Charter Amendment and Conforming Legislation Passed

Fall 2016 - track charter amendment through Nov 2016 general election
Nov 2016 - charter amendment passes
Spring 2017 - submit bill to conform ordinances to charter amendment
Summer 2017 - amended ordinance passes

Training Taken - 7 Commrs (6 hours)

OIP - training session @ EC meeting on UIPA and sunshine law

Training Taken - 5 Staff (400+ hours)

OIP - training session @ EC meeting on UIPA and sunshine law
OIP training and new rules
Reid Investigator Training
Internal Investigator Training
Management Development Training
Excel, Word, Power Point, other computer application training
Senior Management Training
State Ethics Training
Center for the Advancement of Public Integrity Training (online)
Benefits Processing
New Employee Orientation Training
LexisNexis Training
Prevention of Sexual Harassment Training

Attachment 1
Accomplishments - FY2017
(July 1, 2016 - June 30, 2017)

Lifting Hazards & Proper Lifting Techniques Training
DIT Video-Conferencing Training
Open Web Ethic Concerns Training
Leadership Seminar
Legislative Reference Bureau and Administrative Rules Drafting Manual
Native Hawaiian Peacemaking Concepts
DEM Disaster Training
Fire Extinguisher Training
Dbase Management Essentials

Statistics - Newly Compiled and Reported

EC complaints - by quarter, FYs, comparisons
RFAs - by quarter, FYs, comparisons
Budget - FY comparisons
Intake - category breakdown
Financial Disclosures - FYs, comparisons
Lobbyists - FYs, comparisons
Disclosure of Interests (CC-8)
UIPA requests
Website hits - FYs, comparisons

Managed Litigation

Managed Procurement for Conflict of Interest Cases

Document Management - EC Files Scanned and Archived, Hardcopies Shredded

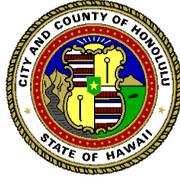
Hardcopy files prepped, scanned for archiving
Hardcopy files shredded
Target completion - FY2018

Last Updated: 2018-02-16

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[Media Policy;
Dated July 23, 2015]**

**ETHICS COMMISSION
CITY AND COUNTY OF HONOLULU**

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KIRK CALDWELL
MAYOR

CHARLES W. TOTTO
EXECUTIVE DIRECTOR &
AND LEGAL COUNSEL

**Media Policy
July 23, 2015**

Policy

One of the primary roles of the Honolulu Ethics Commission is to maintain and improve public confidence in government officials and employees. One of the ways in which it fulfills that role is by communicating with the public through the news media. The purpose of a news release from the Commission is to summarize and communicate to the public the important positions or actions taken by the Commission, as well as their impact on the public and the integrity of city government and city officials.

Procedure

The following procedures will be followed as reasonably practicable:

1. Media interaction will aim to educate and inform the public and city workforce about the City ethics program, including the standards of conduct governing the work of City officers and employees, ethics training, legislation, statistics and Commission priorities.
2. In news releases about formal advisory opinions and findings, staff should refrain from interpreting the opinions and findings. However, it is permissible to extrapolate from advisory opinions or findings of the Commission to comment on how those opinions or findings may affect future hypothetical situations.
3. All media enquiries should be directed to the Executive Director/Legal Counsel ("EDLC"). The EDLC will respond in the normal course. At the earliest reasonable opportunity, the EDLC will inform the Commission members by email of the content of comments made to the media. To avoid confusion and potentially contradictory information, Commission members and staff should not communicate with media on behalf of the Commission. However, Commission members and staff are permitted to comment publicly in their individual capacities.
4. Comments in a news release shall be attributed to either the Commission or the Commission staff, as consistent with the statement being reported.

5. All written media communications shall be sent to the following, in order:
 - Commission members
 - Complainant(s) and respondent(s), if applicable
 - City Administration (mayor, managing director, cabinet)
 - Councilmembers
 - Media
 - Members of the public who have asked to receive Commission news releases
 - Departmental administrative service officers
 - Any other Requestor

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**[Crisis Management –
Discussion Questions]**

Crisis Management - Discussion Questions

Ethics Commission Meeting – March 21, 2018

- What type of crisis?

Employee violence, embezzlement, hostage situation, board improper behavior, computer hacking, information leak by staff, etc. Be as complete as we can be, however unlikely the event.

- What steps should be taken?

Meet with Corporation Counsel? Other city officials? Emergency huddle to find out facts, etc.

- Who is the spokesperson?

Ethics Commission Chair? EDLC?

- What kinds of templates do we develop?

Develop template for each statement, including one where we state why we cannot give more information

Templates for what goes on the Ethics Commission website, city website

Social media actions

- Action steps?

News release distributed? by City? by Ethics Commission?

News conference?

In what situations do we defer to the police? City? Feds?

- What method of communication?

Telephone, fax, email, text, social media, in person meetings

Media distribution lists