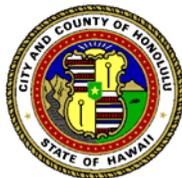


ETHICS COMMISSION  
**CITY AND COUNTY OF HONOLULU**

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PETER B. CARLISLE  
MAYOR

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EXECUTIVE DIRECTOR & LEGAL COUNSEL

**KEY ETHICS RULES EVERY CITY BOARD OR COMMISSION MEMBER NEEDS  
TO KNOW**

- The decision of a board or commission should be based only on relevant information and what best serves the public interest.
- The ethics laws prevent the perception, as well as the reality, that a public official's personal interest may influence a decision.
- Having a conflict of interest does not mean you have done something wrong; it means you have a personal interest that disqualifies you from the decision making process.
- Violating an ethics law may result in invalidating a board or commission decision, fines, public embarrassment and removal from office.

**CONFLICTS OF INTEREST**

A conflict of interest occurs when a city official has a personal interest that may affect how the official carries out his or her city duties. The test is whether a reasonable person would question the official's impartiality. A conflict of interest occurs even if the official is not actually influenced by the personal interest.

Typical conflicts of interest include, but are not limited to:

- Financial or business interests of the official or his/her immediate family;
- Gifts from someone whose interest could be affected by the official;
- Family relationships; and
- Close personal friendships.

As soon as a conflict of interest arises, each city board or commission member is **required to disclose** the conflict in writing to the Mayor's office and the Ethics Commission. The Disclosure of Conflict of Interest form is available at [www.honolulu.gov/ethics](http://www.honolulu.gov/ethics).

The conflict of interest **requires recusal** – that is, the board or commission member may not discuss, deliberate, vote or participate in the matter. To ensure there is no violation of the ethics laws, the member must physically absent him/herself from the meeting on the conflicted matter.

## **RESTRICTIONS ON APPEARING BEFORE CITY AGENCIES OR AGAINST CITY INTERESTS**

A board or commission member may appear before any city agency except for the board or commission upon which they serve. In addition, members may not represent private interests before an agency or court against the city's interests or involving the city as a party.

## **RESTRICTIONS ON GIFTS**

Board and commission members are prohibited from soliciting or accepting gifts from any one whose interests may be affected by the performance of the member's duties to the city that exceed the \$200 gift cap or, if less than \$200, are such that a reasonable person would infer the gift is offered to influence or reward you. An exception is made for nominal gifts and tokens of aloha.

## **PROPER USE OF CITY RESOURCES; FAVORITISM BAN**

City resources, such as labor, equipment, premises, etc. may be used only for city purposes. Furthermore, a city official may not give special treatment – whether advantageous or disadvantageous -- to any one that is not available to all persons.

## **RESTRICTIONS ON EMPLOYMENT AFTER CITY SERVICE**

Board and commission members, like other city officials, are prohibited for 1 year after leaving city service from being compensated for working on any matter in which they were involved or to which they had access to confidential information as a city officer. A significant exception to this rule is that the former officer may contract with the city on any matter or project.

## **MANDATORY TRAINING ON ETHICS LAWS AND SUNSHINE LAW**

Board and commission members are required to attend ethics training and Sunshine law training within 6 months of becoming a city officer. Ethics retraining occurs every two years.

## **ANNUAL FINANCIAL DISCLOSURE**

Board and commission members must submit an annual financial disclosure statement to the Ethics Commission. The disclosure is not available for public review. The purpose of the financial disclosure is to alert the member to personal interests that might create a conflict of interest.

*This list is a summary of important provisions in the ethics laws. It is not a comprehensive description of all ethical standards. For advice about how the ethics laws apply to a specific case, contact:*

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