

ETHICS COMMISSION
CITY AND COUNTY OF HONOLULU

715 SOUTH KING STREET, SUITE 211, HONOLULU, HAWAII 96813-3091
Phone: (808) 768-7786 · Fax: (808) 768-7768 · EMAIL: ethics@honolulu.gov
Internet: www.honolulu.gov/ethics

PETER B. CARLISLE
MAYOR



CHARLES W. TOTTO
EXECUTIVE DIRECTOR & LEGAL COUNSEL

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NEWS RELEASE

HONOLULU ETHICS COMMISSION FINDS WINDWARD COUNCILMEMBER MISUSED CITY POSITION IN ATTEMPT TO OBTAIN PARKING PRIVILEGES

The Honolulu Ethics Commission found that Councilmember Ikaika Anderson misused his city position and authority when he tried to evade a parking violation warning and threatened retaliation against the Parking Office employees because they enforced city parking policies that apply to all who park in the Frank Fasi Municipal Building Parking Garage.

Councilmember Anderson parks his car in a reserved parking stall in the Garage which is under the jurisdiction of the City's Parking Office. The Parking Office oversees and carries out the day-to-day operations of the Garage which includes assigning stalls, maintenance, administration, and security.

On December 22, 2010, Councilmember Anderson entered the Parking Office to address a parking violation warning he had received for allowing a visitor to park in his stall and for parking his own car in an undesignated area.

According to all six witnesses present – 4 from the Parking Office and 2 from another City agency -- Councilmember Anderson addressed the Parking Office employees in a loud and threatening voice. He said that since he pays for the assigned stall, he can do what he wants with it including trading stalls with other councilmembers and having guests park there. He stated that the warnings and rule enforcement were “baloney” and that these warnings from the Parking Office need to stop, otherwise he will bring back Bill 62 and “we’ll see what happens to your job.”

Councilmember Anderson had introduced Bill 62 in 2009 following several disagreements he had with the Parking Office. The bill aimed to transfer the Parking Office's oversight to the Council Chair for Council parking.

The Commission found that Councilmember Anderson violated the City ethics law that prohibits favoritism or special treatment. He knew or should have known that he was using the

authority of his city position to intimidate the Parking Office personnel with legislation that Office personnel had opposed, and that may affect their jobs.

Based on the totality of the factors, the Commission believes that publication of the Advisory Opinion identifying Councilmember Anderson and his misconduct is sufficient punishment in lieu of a civil fine. “City officials are held to the highest standards of ethical conduct so that the public may have trust and confidence in the integrity of city government,” states Chuck Totto, Commission Executive Director and Legal Counsel. “Although this may seem like a relatively small matter, it is important for the public and City employees to know that high ranking government officials may not use their position to give themselves or anyone else favored treatment,” says Totto.

The Council may take disciplinary action, if it chooses to.

During the Commission hearings, Councilmember Anderson maintained that he did not intend for his words to be a threat, and did not threaten any employee’s job. He also denied asking for any special treatment, and stated that he regrets that city employees feel that he threatened them.

A copy of the advisory opinion is available at: <http://www1.honolulu.gov/ethics/01546fd8-c14d-4961-910c-3a4fa2a11270.htm>. The Commission speaks through its advisory opinions and staff members are not allowed to comment on the contents of an opinion. Questions about the Commission and its process may be directed to Chuck Totto at ctotto@honolulu.gov or (808) 768-7786.