

# **WELCOME TO THE ETHICS COMMISSION MEETING**

*Please sign in at the testimony table.*

*As a courtesy, please silence your cell phone.*



Date: May 16, 2018  
Time: 11:30 a.m.  
Place: Kapālama Hale  
925 Dillingham Boulevard  
1<sup>st</sup> 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

- Joseph Pakgalinawan, Sr. Clerk Typist



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

#### 2. For Action: Approval of Open Session Minutes of April 18, 2018

#### 3. For Action: Approval of Executive Session Minutes of April 18, 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

- Sr. Clerk Typist
- Legal Clerk III (TA)
- Investigator
- Associate Legal Counsel



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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
- End – May 31, 2018
- Begin – mid-July 2018



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## **II.B.1. STAFF WORK REPORTS – HIGHLIGHTS LEGAL CLERK III (TA)**

- Processing meeting materials, lobbyist forms, case intake
- Managing board/commission ethics training; trouble-shooting City's learning management system issues
- Updating, redesigning, refreshing website
- Managing front-office, phones, other



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

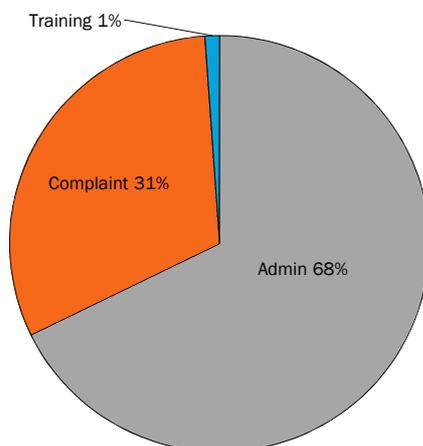
- Managing case load (interviews, investigation, research/analysis, reporting)
- Prepping for and attending case management meetings
- Assisting with EC minutes, meetings



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### II.B.1. STAFF WORK REPORTS SUMMARY INVESTIGATOR



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

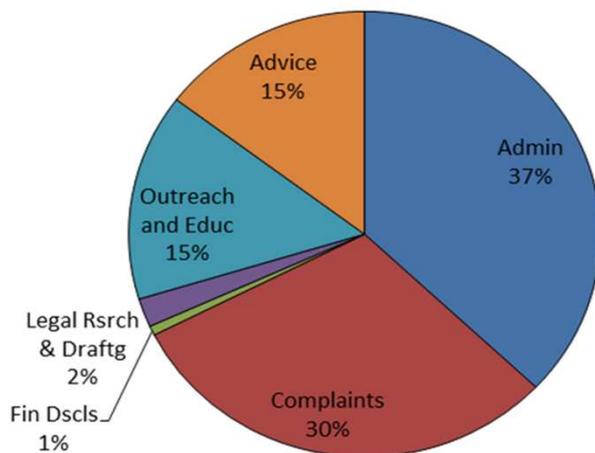
- Handling ongoing admin responsibilities
- Investigating/managing cases, strategy, training Investigator and Legal Clerk III (TA)
- Conducting outreach, tweeting; drafting newsletter
- Drafting financial disclosures legislation
- Managing requests for advice
- Preparing program of work for UH law student
- Creating new biennium ethics program
- Conducting multi-jurisdictional research



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### II.B.1. STAFF WORK REPORTS SUMMARY ASSOCIATE LEGAL COUNSEL



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### II.B.2 STATISTICS

#### a. Website Sessions

- April 2018 - 476



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## II.B.3 BUDGET

### b. FY2019 Operating Budget Request

- Bill 15 (2018) CD2 – EC funding requests for salaries, one out-of-state travel, contract monies
- Special CD2 Budget Meeting – May 15, 2018



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## II.B.4. EDUCATION AND OUTREACH

### a. Ethics Training Program

- Feedback
- Developing course for next biennium:  
July 1, 2018–June 30, 2020 (FY19–FY20)
  - ✓ Outreach – Cmmr. Kanda
- Non-domain (private) user interface pending, but DIT said online soon



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## II.B.4. EDUCATION AND OUTREACH

### a. Ethics Training Program

- Mindflash – Last group; Completed (as of May 11, 2018):
  - ✓ Property Tax, Board of Review I, II, & III [14/15]
  - ✓ Ethics Board of Appeals [5/5]
  - ✓ Neighbor Island Managing Directors [1/3]



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## II.B.6. LEGISLATION

### a. Sunshine Law

- Act 64 (2017) eff. Date – July 1, 2018
- EC in compliance since Jan. 2018

### b. Resolution 18-71

- Requests review of salaries of exempt, excluded officials not covered by the Salary Commission



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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.8. EVALUATION FORM – EXECUTIVE DIRECTOR AND LEGAL COUNSEL

For Discussion and Action:

Motion to accept EDLC evaluation form and  
establish implementation timetable

[End – EDLC Report]



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### III. EXECUTIVE SESSION

A. For Discussion:

Kealoha vs. Totto



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### IV. STRATEGIC PLANNING

A. For Discussion and Action:

Motion to amend *Ethics Commission – 2027*  
(adopted March 21, 2018)

B. For Discussion:

Media Policy (dated July 23, 2015) and Crisis  
Management



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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](http://www.honolulu.gov/ethics) Email: [ethics@honolulu.gov](mailto:ethics@honolulu.gov)



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Page 2  
[OIP Newsletter]**



DAVID Y. IGE  
GOVERNOR

**STATE OF HAWAII  
OFFICE OF INFORMATION PRACTICES**

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250 SOUTH HOTEL STREET, SUITE 107  
HONOLULU, HAWAII 96813  
Telephone: (808) 586-1400 FAX: (808) 586-1412  
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[www.oiip.hawaii.gov](http://www.oiip.hawaii.gov)

CHERYL KAKAZU PARK  
DIRECTOR

**WHAT'S NEW: MAHALO FOR FUNDING AND  
UPDATES ON RULES AND SUNSHINE LAW REVISIONS**

April 25, 2018

The state Office of Information Practices would like to thank the Legislature for its vote of confidence in our office by providing OIP with money, not unfunded mandates. Today, the Legislature passed the budget (H.B. 1900, H.D. 1, S.D. 1, C.D. 1), which provides OIP with \$100,000 in supplemental funding for FY 2019 that starts on July 1, 2018. Although OIP did not receive authorization or funding to add personnel, the \$100,000 appropriation is a big morale booster for OIP's current legal and administrative staff, and it will help provide salary parity to retain their expertise and services at OIP.

As an update, OIP is still awaiting completion of the Attorney General's Office's review of the proposed administrative rules before OIP can finalize them for public hearing. OIP no longer expects to be able to complete the rulemaking process before the start of the next fiscal year in July 2018.

While training on the new rules will necessarily be delayed until new rules are adopted, OIP is preparing updated training materials for the Sunshine Law revisions that will go into effect on July 1, 2018, which will require, among other things, the electronic posting of board notices on State and County calendars, emailing of notices to people on a board's notification list, the public's ability to inspect board packets before meetings, and the posting of meeting minutes on the board's website. Keep an eye out for future What's New articles that will soon announce the availability of new training materials.

For the latest in open government news, please check for archived copies of What's New articles that are posted here or can be e-mailed upon request. To be added to OIP's e-mail list, please e-mail [oiip@hawaii.gov](mailto:oiip@hawaii.gov). Also, if you would like to receive What's New articles or attachments in a Word format, please contact OIP at (808) 586-1400 or [oiip@hawaii.gov](mailto:oiip@hawaii.gov).

**Agenda Item II.B.6.b.,  
Page 2  
[Resolution 18-71]**



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## RESOLUTION

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REQUESTING THE MAYOR TO REVIEW THE SALARIES OF EXEMPT, EXCLUDED OFFICIALS OF THE EXECUTIVE BRANCH NOT COVERED BY THE SALARY COMMISSION AND TO ADJUST SALARIES WHERE APPROPRIATE.

WHEREAS, Section 3-122 of the Revised Charter of the City and County of Honolulu 1973 (2017 Edition) ("Charter") provides that the salaries of all elected officials and certain appointed officials be established by an independent salary commission in accordance with the principles of adequate compensation for work performed and preservation of a sensible relationship with the salaries of other City employees; and

WHEREAS, pursuant to Charter Section 3-122, the appointed officials of the City and County of Honolulu ("City") to be covered by the Salary Commission's recommendations are the Managing Director, Deputy Managing Director, Department Heads, Deputy Department Heads, and the Band Director; and

WHEREAS, several appointed officials of the City's Executive Branch are omitted from this list, including the heads of offices that are specially designated within the Office of the Mayor and who report to the Managing Director; and

WHEREAS, Charter Section 6-1103 exempts from the City's civil service system, among other positions, the Executive for Housing, the Executive for Climate Change, Sustainability and Resiliency, and appointed positions within the Office of the Mayor; and

WHEREAS, Section 89-6 of the Hawaii Revised Statutes excludes from collective bargaining, among other individuals, appointed officials, top-level managerial and administrative personnel, including department heads, deputies or assistants to department heads, administrative officers, directors, or chiefs of a State or county agency or major division, and employees of the executive offices of county mayors; and

WHEREAS, the salaries of exempt, excluded officials of the Executive Branch are set and adjusted at the discretion of the Mayor; and

WHEREAS, these officials of the Executive Branch carry out demanding functions that are critical to the City and that require considerable managerial skill and professional expertise; and

WHEREAS, based on publicly available salary data, the City Council ("Council") has reason to believe that some exempt, excluded officials of the Executive Branch are not being adequately compensated in relation to the value they bring to the City; and



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## RESOLUTION

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WHEREAS, for example, the Fiscal Year 2018 salaries of the executive heads of certain offices specially designated within the Office of the Mayor are nearly 50 percent less than those of department heads, whose salaries are established by the Salary Commission; and

WHEREAS, inadequate compensation may undermine the City's efforts to attract talented public servants and to retain them in key leadership roles; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that the Mayor is requested to review the salaries of exempt, excluded officials of the Executive Branch not covered by the Salary Commission and to adjust their salaries where appropriate; and

BE IT FURTHER RESOLVED that the Mayor is requested to consider as benchmarks the salaries of appointed officials covered by the Salary Commission and the salaries of comparable positions in the private sector; and



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

No. 18-71

**RESOLUTION**

BE IT FINALLY RESOLVED that copies of this resolution be transmitted to the Mayor, the Managing Director, and the Director of Human Resources.

INTRODUCED BY:

*[Handwritten signature]*

\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

DATE OF INTRODUCTION:

MAR 20 2018  
Honolulu, Hawaii

Councilmembers

**Agenda Item II.B.8.,  
Page 2  
[DRAFT EXECUTIVE  
DIRECTOR AND LEGAL  
COUNSEL EVALUATION  
FORM]**



**EC EDLC 2016 Performance - Commission Member Input**

**Work Quality and Quantity in Major Duties:** *Knowledge of ethics laws and administrative and legislative processes; Respond to request for ethics advice; Conducting investigations of alleged misconduct, probable cause and contested hearings; Presentations at training meetings; Manages legal research; Negotiations and settlements; Developing legislation, rules and guidelines; Provide education and training; Displays positive attitude. Shows good work habits. Willing to improve job knowledge.*

[Redacted area]

**Trusted Face/Voice of EC -** *Build strong relationships with the Council, Administration, City agencies, community and City employees and officers through: Education programs; News media interaction; Public access to public reports and filings by officials, candidates, lobbyists; Working with other Federal, State and City agencies, including law enforcement; Gains trust and confidence of others. Promotes positive relationship with the public.*

[Redacted area]

**Supervising Subordinates:** *Create team-based, cooperative work environment that allows for professional growth and advancement; Clearly communicate plans, policy, initiatives and directives to staff; Conduct timely staff appraisals. Effective delegation of written staff responsibilities and evaluation. Promotes high degree of morale. Leads staff to excellence. Provides organization chart of workload flow and caseload. Provides formal functionality and responsibility within budget interests. Provides employees responsibilities & evaluations - hiring and firing; oversight of workload flow and case flow.*

[Redacted area]

**EC EDLC 2016 Performance - Commission Member Input**

**Effective Planning, Procedures and Priorities** - *Develop and maintain an effective organization supported by policies and procedures protected by law, sufficient resources and funding, a strong team and case and project priorities. Demonstrate managerial skills, goals, and objectives, and training and development, which assume timely caseflow and resolution. Effective in review of and oversight of financial and budgeting responsibilities.*

[Yellow input area for Effective Planning, Procedures and Priorities]

**General - Overall Performance & Improvement Areas**

[Yellow input area for General - Overall Performance & Improvement Areas]

**Agenda Item IV.A.,  
Page 2  
[Exposure Draft - D7]**

## **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.*

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### **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:

| <b>Major Strengths</b>   | <b>Major Weaknesses</b>   |
|--|---|
| <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;"><b>Opportunities</b></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;"><b>Challenges</b></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&amp;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> |  |
|---|--|

**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/<br>Ordinance | Substan<br>Admin<br>Rules | Proced<br>Admin<br>Rules | SOPs | Training/<br>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.

- e. Ensure the Commission is adequately staffed and staff are adequately and fairly compensated.

**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)*.

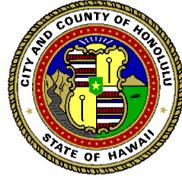
Actions to be continued, completed or started in fiscal year 2018 will be reported at monthly Ethics Commission meetings in a format similar to Attachment 1.

Draft

**Agenda Item IV.B.,  
Page 3  
[Media Policy;  
Dated July 23, 2015]**

**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](mailto:ethics@honolulu.gov) • INTERNET: [www.honolulu.gov/ethics](http://www.honolulu.gov/ethics)



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

**Agenda Item IV.B.,**

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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