

**ETHICS COMMISSION
CITY AND COUNTY OF HONOLULU**



Advisory Opinion No. 286

This is an advisory opinion in response to Chief Nakamura's letter of November 20, 1997, requesting advice from the Ethics Commission as to whether the Honolulu Police Department [HPD] may include its name on Keiki ID cards with the name of the private entity that co-sponsors the program.

The Commission understands the facts relative to your inquiry to be as follows:

HPD and Chevron Hawaii [Chevron] work together on a project to provide photo identification cards for children on Oahu. Chevron has donated to HPD the cameras, film, laminating supplies, and card stock necessary for the program. Interested schools or groups arrange a Keiki ID event through Chevron or HPD's Community Relations Division. HPD provides the necessary equipment and materials, and trains community volunteers to make the cards. HPD will send a few of its personnel to the event to assist and to take advantage of the opportunity to meet with the public.

The donated card stock has the following words, "A community service from Chevron Hawaii and Honolulu Police Department," in small print on the front. On the reverse, the word "Chevron" appears in large print at the top of the page and is accompanied by the corporate logo.

The ethical question presented is whether HPD may link its name with a commercial business in printed materials distributed to the public.

The general rule in relation to your question is found in the Revised Charter of the City and County of Honolulu 1973 (1994 Ed.), Section 11-104 which states as follows:

Elected or appointed officers or employees shall not use their official positions to secure or grant special consideration, treatment, advantage, privilege or exemption to themselves or any person beyond that which is available to every other person.

Based on the evidence presented, the Commission finds that HPD may use its name and/or logo in conjunction with a business that is co-sponsoring a community program, as long as HPD's acknowledgment is equal in size to that of the private entity. The Commission finds that the size of the City's recognition must equal that of the acknowledgment given a donor in order to avoid providing a special advantage for the donor. However, in order to prevent waste the Commission finds that HPD may use the existing printed card stock until the supply is exhausted, despite the fact that it violates this rule.

Dated: January 20, 1998

FAY M. UYEMA
Chair, Ethics Commission