



THE HIGH ROAD

"Preserving public confidence in public servants."

No. 2011-1

Hawaii State Ethics Commission

April 2011

Hawaii State Ethics Commission Welcomes New Executive Director



The Hawaii State Ethics Commission welcomed its new executive director, Leslie H. Kondo, in January of 2011. Mr. Kondo has a Bachelor of Science degree in Industrial Engineering from Northwestern University and a Juris Doctor degree from the William S. Richardson School of Law at the University of Hawaii, where he was a member of the University of Hawaii Law Review. Following his graduation from law school, Mr. Kondo served as a law clerk to Chief Justice Herman T. F. Lum of the Supreme Court of Hawaii. He then entered the private practice of law as a litigation attorney.

Mr. Kondo served as the director of the State Office of Information Practices from 2003 to 2007, where he was responsible for administering Hawaii's open meetings law and public records law. In 2007, he was appointed to the Hawaii Public Utilities Commission (PUC). Mr. Kondo left the PUC to become the executive director of the Hawaii State Ethics Commission.

"We are excited to have Mr. Kondo join the Commission as the executive director. He has demonstrated his commitment to public service and has been a respected leader in state government," said Commission chairperson Maria Sullivan. "Mr. Kondo previously led a 'good government' office, and from that experience, he understands the unique challenges and satisfaction of helping to foster public confidence in government."

New State Officials Complete Mandatory Ethics Training

The State Ethics Code requires top-ranking elected and appointed state officials to complete two hours of education and training in the state ethics laws, set forth in Chapter 84, Hawaii Revised Statutes, and the lobbying laws, set forth in Chapter 97, Hawaii Revised Statutes. Early this year, over fifty newly elected and appointed state officials, including the Governor, state department heads and their deputies, legislators, and members of the Office of Hawaiian Affairs and Board of Education, completed this mandatory course. Attendees received an overview of the laws administered and enforced by the State Ethics Commission; participated in solving hypothetical cases involving ethics issues; and engaged in lively question-and-answer discussions on topics including conflicts of interests, gifts, and misuse of government office.



Helping the Victims of Japan's Earthquake and Tsunami

Businesses and organizations in Hawaii are participating in humanitarian relief efforts to assist the victims of Japan's earthquake and tsunami. State employees are also helping to raise money for the victims in Japan through the statewide "Aloha for Japan" relief effort. Some state offices have asked whether it is permissible under the State Ethics Code to collect donations for the relief effort from state employees at work.

The State Ethics Code does not prohibit state employees from collecting voluntary donations within their agencies for the humanitarian Japan relief effort. If your agency has any questions about the collection of donations for Japan relief, contact the Commission's office.

Ethics Bill Sparks Public Debate About Gifts to State Officials



Should legislators and other state officials be allowed to accept free tickets to charity fundraiser events from nonprofit organizations? This question emerged as a hot topic of debate at the State legislature this year. **SB 671, SD 2, proposed HD 1, Relating to Ethics**, created an exception to the State's gifts law by allowing legislators and employees to accept unlimited invitations from nonprofit organizations to charity fundraiser events. The proposed HD 1 of SB 671 also allowed legislators and employees to accept unlimited invitations to events from government entities. The proposed changes to the gifts law sparked debate among legislators, public watchdog and good government groups, nonprofit organizations, and the public. The State Ethics Commission testified against the proposed changes to the gifts law. To view the Commission's written testimony on this bill, visit our website at www.hawaii.gov/ethics. ("Testimony on 2011 Legislation Relating to Ethics and Lobbying"). On March 31, 2011, the House Judiciary Committee voted to defer the proposed bill. The bill appears to be dead for this session.

Ethics Quiz



True or False: A state legislator or employee may accept any gift as long as it is reported to the State Ethics Commission on a gifts disclosure statement.

Answer: False! The State Ethics Code prohibits state legislators and employees from accepting any gift if it is reasonable to infer that the gift is intended to influence or reward official action. To determine whether a gift is acceptable, consideration is given to the value of the gift; the relationship between the donor and the recipient; and whether the gift will provide a legitimate State benefit or will serve a bona fide State purpose. A gift does not become acceptable merely because it is reported on a gifts disclosure statement. Not sure whether you can accept a gift? Not sure whether you must file a gifts disclosure statement? Contact the State Ethics Commission for advice.

The High Road is a publication of the Hawaii State Ethics Commission.

Commissioners: Maria J. Sullivan, Esq., Chair
David J. Randell, M.D., Vice Chair
Cassandra J. Leolani Abdul
Les M. Knudsen

Executive Director: Leslie H. Kondo, Esq.

Address: P.O. Box 616
Honolulu, HI 96809

Telephone: (808) 587-0460

Fax: (808) 587-0470

E-mail: ethics@hawaiiethics.org

Internet URL: <http://www.hawaii.gov/ethics>