

BEFORE THE HAWAII STATE ETHICS COMMISSION

STATE OF HAWAII

'18 SEP 10 P1:43

HAWAII STATE ETHICS COMMISSION,)

Complainant,)

vs.)

ROWENA AKANA,)

Respondent.)

COMPL-C-15-00236

STATE OF HAWAII
STATE ETHICS COMMISSION

NOTICE OF HEARING;
CERTIFICATE OF SERVICE

NOTICE OF HEARING

On April 19, 2018, the Hawaii State Ethics Commission ("Commission") issued Charge No. COMPL-C-15-00236 ("Charge") against Rowena Akana ("Respondent"), a member of the Board of Trustees of the Office of Hawaiian Affairs ("OHA").

On July 19, 2018, the Commission, pursuant to Hawaii Revised Statutes ("HRS") section 84-31(b), issued a Further Statement of Alleged Violation against Respondent.

On July 20, 2018, copies of the Charge and the Further Statement of Alleged Violation were served upon Respondent through her counsel pursuant to HRS section 84-31(b). Thereafter, on August 1, 2018, Respondent filed an Answer to the Further Statement of Alleged Violation.

Having concluded that there is probable cause to believe that a violation of HRS chapter 84, the State Ethics Code, has been committed, the Commission issues this Notice of Hearing pursuant to HRS section 84-31(c).

NOTICE IS HEREBY GIVEN that a formal contested case hearing on the Further Statement of Alleged Violation will be held before the Commission on **Monday, October 22, 2018, beginning at 9:00 a.m., and continuing, if necessary, through Friday, October 26, 2018**, and/or on subsequent days as ordered or directed by the Commission. The hearing shall be held at Bishop Place, Conference Room 611, 1132 Bishop Street, Honolulu, Hawaii 96813.

The hearing is being held under the authority of HRS section 84-31 and will be subject to the procedures set forth thereunder, in particular HRS section 84-31(c). The hearing shall also be subject to the relevant procedures set forth in Hawaii Administrative Rules, Title 21 (Administrative Rules of the Hawaii State Ethics Commission).

The issues before the Commission involve whether Respondent has violated HRS section 84-11 (Gifts law), HRS section 84-11.5 (Gifts Reporting law), and HRS section 84-13 (Fair Treatment law). Specifically:

- (1) With respect to HRS section 84-11, the Gifts law of the State Ethics Code, the issues involve whether Respondent accepted prohibited gifts of legal fees from Abigail Kawananaoia ("Kawananaoia") when the OHA Board of Trustees, including Respondent, was engaged in a lawsuit filed by Kawananaoia against OHA;
- (2) With respect to HRS section 84-11.5, the Gifts Reporting law of the State Ethics Code, the issues involve whether Respondent failed to report gifts of legal fees from Kawananaoia by the statutory deadline for gifts disclosure statements; and

- (3) With respect to HRS section 84-13, the Fair Treatment law of the State Ethics Code, the issues involve whether Respondent used her official position to secure unwarranted personal benefits or to grant unwarranted benefits to others by using her OHA Trustee Annual Allowance to pay for expenditures including: an Apple iTunes gift card; Hawaiian Airlines "Premier Club" membership; a home security system; home cable television service; meals and food for herself, other OHA Trustees, and/or OHA staff; political contributions; and donations to the Hawaiian Humane Society.

The above-stated issues and the facts alleged in support thereof are set forth in the Further Statement of Alleged Violation, dated July 19, 2018, which is incorporated herein by reference.

Pursuant to HRS section 84-31(c), the hearing shall be held in accordance with HRS chapter 91 and shall be open to the public. The parties may retain counsel; an individual may appear on the individual's own behalf; a member of a partnership may represent the partnership; and an officer or authorized employee of a corporation, trust, or association may represent the corporation, trust, or association.

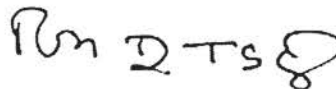
Signatures on next page

Dated: Honolulu, Hawaii, September 10, 2018.

HAWAII STATE ETHICS COMMISSION



Reynard D. Graulty, Chair



Ruth D. Tschumy, Vice Chair



Susan N. DeGuzman, Commissioner



Melinda S. Wood, Commissioner



Wesley F. Fong, Commissioner

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)	
Complainant,)	CERTIFICATE OF SERVICE
)	
vs.)	
)	
ROWENA AKANA,)	
)	
Respondent.)	

CERTIFICATE OF SERVICE

I hereby certify that on this date, a true and correct copy of the foregoing document, Notice of Hearing, was sent via electronic mail and served upon the following individuals by certified mail, return receipt requested, as noted below:

James J. Bickerton, Esq.
Bridget G. Morgan, Esq.
Stephen M. Tannenbaum, Esq.
BICKERTON DANG
745 Fort Street, Suite 801
Honolulu, Hawaii 96813
Email: bickerton@bsds.com; morgan@bsds.com; tannenbaum@bsds.com

Attorneys for Respondent

I also hereby certify that on this date, a true and correct copy of the foregoing document, Notice of Hearing, was sent via electronic mail and personally served upon the following individual as noted below:

COMPL-C-15-00236
Certificate of Service
Page 2

Daniel M. Gluck, Esq.
1001 Bishop Street
American Savings Bank Tower, Suite 970
Honolulu, Hawaii 96813
Email: Aka-ChargeCounsel@hawaiiethics.org

Charge Counsel for Complainant

DATED: Honolulu, Hawaii, September 10, 2018.

Susan D. 

Susan D. Yoza
Kee M. Campbell
Commission Counsel for
Hawaii State Ethics Commission