

BEFORE THE HAWAII STATE ETHICS COMMISSION

STATE OF HAWAII

HAWAII STATE ETHICS COMMISSION,)	COMPL-C-15-00236
)	
Complainant,)	CHARGE
)	
vs.)	
)	
ROWENA AKANA,)	
)	
Respondent.)	
)	

CHARGE

Pursuant to Hawaii Revised Statutes (“HRS”) §§ 84-31(a) and 84-31(b), and Hawaii Administrative Rules (“HAR”) § 21-5-2, the HAWAII STATE ETHICS COMMISSION (“Commission”) issues this Charge against ROWENA AKANA (“Respondent AKANA”) for violations of the State Ethics Code, HRS chapter 84, based on the following allegations:

The State Ethics Code

1. The people of Hawaii have declared that state employees must exhibit the highest standards of ethical conduct. To this end, the Hawaii State Constitution mandates that the legislature adopt a code of ethics applicable to all state employees. Haw. Const. Art. XIV.

2. In accordance with and pursuant to the constitutional mandate, the State Ethics Code, HRS chapter 84, establishes standards of conduct for state employees that the legislature deemed necessary to preserve the public’s confidence in state

employees, and authorizes the Commission to administer and enforce those standards.

Preamble, HRS chapter 84; HRS § 84-31.

3. The legislature explicitly directed that the State Ethics Code be liberally construed to promote high standards of ethical conduct in state government.

HRS § 84-1.

4. For purposes of investigation and taking appropriate action on alleged violations of the State Ethics Code by an employee or former employee, the Commission has jurisdiction in all proceedings commenced within six years of an alleged violation. HRS § 84-31(a)(6).

The Gifts Law

5. The Gifts Law, HRS § 84-11, prohibits a state employee from soliciting, accepting, or receiving, directly or indirectly, any gift under circumstances in which it can reasonably be inferred that the gift is intended to influence the employee in the performance of the employee's official duties or is intended as a reward for any official action on the employee's part.

The Gifts Reporting Law

6. The Gifts Reporting law, HRS § 84-11.5, requires a state employee to file a gifts disclosure statement with the Commission on June 30 of each year if all the following conditions are met:

- (1) The employee, or spouse or dependent child of the employee, received directly or indirectly from one source any gift or gifts valued singly or in the aggregate in excess of \$200, whether the gift is in the form of money, service, goods, or in any other form;

- (2) The source of the gift or gifts has interests that may be affected by official action or lack of action by the employee; and
- (3) The Gifts Reporting law does not exempt the gift from reporting requirements.

HRS § 84-11.5(a).

7. The gifts disclosure statement covers the period from June 1 of the preceding calendar year through June 1 of the year of the report. HRS § 84-11.5(b).

8. The gifts disclosure statement must contain the following information:

- (1) A description of the gift;
- (2) A good faith estimate of the value of the gift;
- (3) The date the gift was received; and
- (4) The name of the person, business entity, or organization from whom, or on behalf of whom, the gift was received.

HRS § 84-11.5(c).

9. The following items are excluded from the reporting requirements of the Gifts Reporting law:

- (1) Gifts received by will or intestate succession;
- (2) Gifts received by way of distribution of any inter vivos or testamentary trust established by a spouse or ancestor;
- (3) Gifts from a spouse, fiance, fiancee, any relative within four degrees of consanguinity or the spouse, fiance, or fiancee of such a relative. . . .;
- (4) Political campaign contributions that comply with state law;
- (5) Anything available to or distributed to the public generally without regard to the official status of the recipient;
- (6) Gifts that, within thirty days after receipt, are returned to the giver or delivered to a public body or to a bona fide educational or charitable organization without the donation being claimed as a charitable contribution for tax purposes; and
- (7) Exchanges of approximately equal value on holidays, birthday[s], or special occasions.

HRS § 84-11.5(d).

10. The failure of an employee to file a gifts disclosure statement as required by the Gifts Reporting Law is a violation of the State Ethics Code. HRS § 84-11.5(e).

The Fair Treatment Law

11. The Fair Treatment Law, HRS § 84-13, prohibits a state employee from using or attempting to use the employee's official position to secure or grant unwarranted privileges, advantages, benefits, or treatment for the employee or others.

Respondent AKANA's Employment

12. Respondent AKANA, at all times relevant herein, was employed with the Office of Hawaiian Affairs ("OHA"), a state agency, as an elected member of the OHA Board of Trustees.

13. OHA's Board of Trustees governs OHA and is responsible for establishing OHA policy and managing the agency's trust for the benefit of current and future beneficiaries.

14. Respondent AKANA was, at all times relevant herein, a state employee as defined in HRS § 84-3.

15. As a state employee, Respondent AKANA was, at all times relevant herein, required to comply with the State Ethics Code.

OHA Trustee Annual Allowance

16. Pursuant to OHA's executive policies, each OHA Trustee is provided with an annual allowance ("Trustee Annual Allowance") to use for purposes that include: developing and maintaining a communications network with OHA beneficiaries and the

general public; promoting a broader understanding of, and encouraging participation in, Hawaiian issues within the Hawaiian community; covering the costs of social and charitable functions that a Trustee is expected to attend or support; covering costs associated with attending conferences, seminars, or meetings; providing OHA beneficiaries support for self-improvement and education; providing funding to support schools and organizations; and providing compassionate assistance to OHA beneficiaries and their families in emergencies and times of need.

Expenditures from Trustee Annual Allowance:
Political Contributions

17. On or about February 11, 2014, Respondent AKANA used Trustee Annual Allowance funds to make a political contribution to the Hawaii County Democrats, in the amount of \$50.00.

18. On or about February 11, 2014, Respondent AKANA used Trustee Annual Allowance funds to make a political contribution to the Democratic National Committee, in the amount of \$50.00.

19. On or about December 5, 2017, Respondent AKANA used Trustee Annual Allowance funds to make a donation of \$500.00 to pay for entertainment for Kanaka Maoli, a Political Action Committee event.

Trustee Annual Allowance Expenditures:
Home Cable Television Services

20. On or about each of the following dates, Respondent AKANA used Trustee Annual Allowance funds to pay Oceanic Time Warner Cable ("Oceanic") for

home cable television service for her personal use, at a cost of approximately \$80.00 to \$90.00 a month:

- a. November 20, 2015;
- b. December 20, 2015;
- c. January 22, 2016;
- d. February 15, 2016;
- e. March 5, 2016;
- f. April 10, 2016;
- g. May 9, 2016;
- h. June 6, 2016; and
- i. June 30, 2016.

Trustee Annual Allowance Expenditures:
Services Above and Beyond Basic Home Internet Service

21. On or about each of the dates listed below, Respondent AKANA used Trustee Annual Allowance funds to pay \$80.00 or \$82.00 to Oceanic or Spectrum for monthly home internet service, which she represents was for OHA-related purposes. Even if the use of Trustee Annual Allowance funds for home internet service was proper, however, the actual approximate cost of basic home internet service was only \$47.89 per month:

- a. October 22, 2016 (payment of \$80.00 to Oceanic);
- b. November 24, 2016 (payment of \$80.00 to Oceanic);
- c. December 20, 2016 (payment of \$80.00 to Oceanic);
- d. January 20, 2017 (payment of \$80.00 to Oceanic);

- e. February 13, 2017 (payment of \$80.00 to Oceanic);
- f. March 13, 2017 (payment of \$80.00 to Oceanic);
- g. April 20, 2017 (payment of \$80.00 to Oceanic);
- h. May 20, 2017 (payment of \$80.00 to Oceanic);
- i. June 25, 2017 (payment of \$80.00 to Oceanic);
- j. July 21, 2017 (payment of \$80.00 to Spectrum);
- k. August 24, 2017 (payment of \$80.00 to Spectrum);
- l. September 10, 2017 (payment of \$82.00 to Spectrum);
- m. October 10, 2017 (payment of \$80.00 to Spectrum);
- n. November 20, 2017 (payment of \$80.00 to Spectrum);
- o. December 13, 2017 (payment of \$80.00 to Spectrum); and
- p. December 30, 2017 (payment of \$80.00 to Spectrum).

Trustee Annual Allowance Expenditures:

iTunes Gift Card; Hawaiian Airlines "Premier Club" Membership; Home Security System

22. On or about September 18, 2013, Respondent AKANA used Trustee Annual Allowance funds to purchase an Apple iTunes gift card from the Apple Store, Kahala, valued at \$50.00.

23. On or about July 15, 2014, Respondent AKANA used Trustee Annual Allowance funds to purchase a "Premier Club" membership with Hawaiian Airlines for \$249.00. Such membership provided benefits including but not limited to check-in luggage allowance of up to two pieces at no charge, priority pre-boarding, "Premier Club Lounge" access at various airports, and a complimentary "Unlimited TV & More Pack" on certain air routes.

24. On or about September 9, 2015, Respondent AKANA used Trustee Annual Allowance funds to purchase a "Canary" home security system from Verizon Wireless for her home for \$209.41.

Trustee Annual Allowance Expenditures:
Food for Parties for OHA Personnel

25. Respondent AKANA used Trustee Annual Allowance funds to purchase food for parties for herself and/or OHA personnel, as follows:

- a. On or about July 3, 2014, Respondent AKANA used Trustee Annual Allowance funds pay for food from 1132 Café & Catering in the amount of \$268.59, for a "going away party" for a staff member;
- b. On or about February 10, 2015, Respondent AKANA used Trustee Annual Allowance funds in the amount of \$61.83, to pay for food from Zippy's, for a staff "birthday celebration";
- c. On or about February 17, 2017, Respondent AKANA used Trustee Annual Allowance funds in the amount of \$25.00 for food that was purchased for a party for a staff member's "last day";
- d. On or about December 5, 2017, Respondent AKANA used Trustee Annual Allowance funds to pay for food from Royal Kitchen, in the amount of \$23.72, for a "pot luck" OHA Trustees' holiday party.

Trustee Annual Allowance Expenditures:
Donations to Hawaiian Humane Society

26. On or about February 20, 2014, Respondent AKANA used Annual Trustee allowance funds to make a donation of \$50.00 to the Hawaiian Humane Society, an animal welfare organization that has no connection to OHA.

27. On or about August 8, 2017, Respondent AKANA used Annual Trustee allowance funds to make a donation of \$25.00 to the Hawaiian Humane Society.

Receipt of Gifts from OHA Beneficiary (Payment of Legal Fees);
Reporting of Gifts from OHA Beneficiary

28. During the time period of approximately 2015 through 2017, Respondent AKANA was engaged in a lawsuit she filed against OHA ("Akana-OHA Lawsuit"). The legal fees incurred by Respondent AKANA in the Akana-OHA Lawsuit were paid in part by Abigail Kawanakoa, an OHA beneficiary.

29. From approximately February 2017 up to and including September 2017, OHA Trustees, including Respondent AKANA, were engaged in a lawsuit filed by Kawanakoa against OHA. Respondent AKANA participated in at least one Executive Session meeting of the OHA Trustees regarding the Kawanakoa-OHA Lawsuit.

30. On or about June 22, 2017, Respondent AKANA filed a gifts disclosure statement with the Commission, reporting that she had received a gift of legal fees from Kawanakoa, valued at \$15,960.43. Respondent AKANA did not report the date that she received this gift.

31. On or about August 29, 2017, Commission staff notified Respondent AKANA, through her counsel, that the June 22, 2017 gifts disclosure statement was

deficient because it failed to provide all of the information required by HRS § 84-11.5 -- notably, the date on which she received each gift. Commission staff likewise notified Respondent AKANA's counsel that the Commission had not received any gifts disclosure statements from 2012 through 2016 disclosing previous gifts of legal fees, and inquired as to whether Respondent AKANA had any reportable gifts during that time period.

32. On or about September 8, 2017, Respondent AKANA filed an amended gifts disclosure statement with the Commission for the period of June 1, 2016 through June 1, 2017 to report that she had received the following gifts from Kawananaoia:

- a. Legal fees, valued at \$447.28, on December 16, 2016;
- b. Legal fees, valued at \$15,513.15, on April 28, 2017; and
- c. Legal fees, valued at \$6,000.00, on June 17, 2017.

33. On or about September 26, 2017, Respondent AKANA filed a gifts disclosure statement with the Commission to report that she had also received the following, previously unreported gifts from Kawananaoia:

- d. Legal fees, valued at \$10,478.52, on July 1, 2015;
- e. Legal fees, valued at \$9,521.48, on August 10, 2015;
- f. Legal fees, valued at \$6,000.00, on March 24, 2016; and
- g. Legal fees, valued at \$24,125.50, on April 19, 2016.

34. The deadline by which Respondent AKANA was required to report the gift valued at \$10,478.52, reportedly received on July 1, 2015, was June 30, 2016.

35. The deadline by which Respondent AKANA was required to report the gift valued \$9,521.48, reportedly received on August 10, 2015, was June 30, 2016.

36. The deadline by which Respondent AKANA was required to report the gift valued at \$6,000.00, reportedly received on March 24, 2016, was due June 30, 2016.

37. The deadline by which Respondent AKANA was required to report the gift valued at \$24,125.50, reportedly received on April 19, 2016, was due June 30, 2016.

Trustee Annual Allowance Expenditure:
Floral Gift to Kawanankoa

38. On or about August 17, 2017, Respondent AKANA used Annual Trustee allowance funds to purchase a floral gift for Kawanankoa when Kawanankoa suffered an illness. The floral gift, which was purchased from Jr. Lou & T, cost \$125.65.

COUNTS 1 TO 7

Violations of Gifts Law, § 84-11 and/or Fair Treatment Law, HRS § 84-13
Acceptance of Gifts from OHA Beneficiary
(Legal Fees)

39. The allegations contained in the paragraphs above are repeated and realleged.

40. Respondent AKANA, as an OHA Trustee, was involved in official action affecting the interests of Kawanankoa, an OHA beneficiary.

41. Respondent AKANA received gifts from Kawanankoa in the form of Kawanankoa's payment of Respondent AKANA's legal fees. These gifts were due to Respondent AKANA's status as an OHA Trustee.

42. Respondent AKANA, by accepting a gift from Kawanankoa on or about July 1, 2015, in the form of Kawanankoa's payment of \$10,478.52 in legal fees

incurred by Respondent AKANA in the Akana-OHA Lawsuit, violated HRS § 84-11 and/or HRS § 84-13.

43. Respondent AKANA, by accepting a gift from Kawananaoka on or about August 10, 2015, in the form of Kawananaoka's payment of \$9,521.48 in legal fees incurred by Respondent AKANA in the Akana-OHA Lawsuit, violated HRS § 84-11 and/or HRS § 84-13.

44. Respondent AKANA, by accepting a gift from Kawananaoka on or about March 24, 2016, in the form of Kawananaoka's payment of \$6,000.00 in legal fees incurred by Respondent AKANA in the Akana-OHA Lawsuit, violated HRS § 84-11 and/or HRS § 84-13.

45. Respondent AKANA, by accepting a gift from Kawananaoka on or about April 19, 2016, in the form of Kawananaoka's payment of \$24,125.50 in legal fees incurred by Respondent AKANA in the Akana-OHA Lawsuit, violated HRS § 84-11 and/or HRS § 84-13.

46. Respondent AKANA, by accepting a gift from Kawananaoka, on or about December 16, 2016, in the form of Kawananaoka's payment of \$447.28 in legal fees incurred by Respondent AKANA in the Akana-OHA Lawsuit, violated HRS § 84-11 and/or HRS § 84-13.

47. Respondent AKANA, by accepting a gift from Kawananaoka on or about April 28, 2017, in the form of Kawananaoka's payment of \$15,513.15 in legal fees incurred by Respondent AKANA in the Akana-OHA Lawsuit, violated HRS § 84-11 and/or HRS § 84-13.

48. Respondent AKANA, by accepting a gift from Kawananaoia on or about June 17, 2017, in the form of Kawananaoia's payment of \$6,000.00 in legal fees incurred by Respondent AKANA in the Akana-OHA Lawsuit, violated HRS § 84-11 and/or HRS § 84-13.

COUNTS 8 TO 12

Violations of Gifts Reporting Law, HRS § 84-11.5
Incomplete and Late Reporting of Gifts
(Legal Fees)

49. The allegations contained in the paragraphs above are repeated and realleged.

50. Respondent AKANA, in filing a gifts disclosure statement with the Commission on or about June 22, 2017 to report gifts of legal fees she received from Kawananaoia totaling \$15,960.43, failed to report the dates that she received these gifts, in violation of HRS § 84-11.5.

51. Respondent AKANA, by failing to report a gift of legal fees from Kawananaoia received on July 1, 2015 (\$10,478.52) by the statutory deadline of June 30, 2016, violated HRS § 84-11.5.

52. Respondent AKANA, by failing to report a gift of legal fees from Kawananaoia received on August 10, 2015 (\$9,521.48) by the statutory deadline of June 30, 2016, violated HRS § 84-11.5.

53. Respondent AKANA, by failing to report a gift of legal fees from Kawananaoia received on March 24, 2016 (\$6,000.00) by the statutory deadline of June 30, 2016, violated HRS § 84-11.5.

54. Respondent AKANA, by failing to report a gift of legal fees from Kawananao received on April 19, 2016 (\$24,125.50) by the statutory deadline of June 30, 2016, violated HRS § 84-11.5.

COUNT 13

Violation of Fair Treatment Law, HRS § 84-13
Use of Official Position to Accord Another Special Treatment
(Trustee Annual Allowance Expenditure for Floral Gift to Kawananao)

55. The allegations contained in the paragraphs above are repeated and realleged.

56. Respondent AKANA, by using Trustee Annual Allowance funds on or about August 17, 2017 to purchase a \$125.65 floral gift from Jr. Lou & T for Kawananao, after Kawananao had gifted Respondent AKANA more than \$72,000.00 towards Respondent AKANA's legal fees, misused her official position by expending Trustee Annual Allowance funds to accord Kawananao special treatment, in violation of HRS § 84-13.

COUNTS 14 TO 16

Violations of Fair Treatment Law, HRS § 84-13
Use of Official Position to Secure Unwarranted Personal Benefits
(Trustee Annual Allowance Expenditures for Apple iTunes Gift Card;
Hawaiian Airlines Premier Club Membership; Canary Home Security System)

57. The allegations contained in the paragraphs above are repeated and realleged.

58. Respondent AKANA, by using Trustee Annual Allowance funds to purchase an Apple iTunes gift card valued at \$50.00 on or about September 18, 2013,

used or attempted to use her official position to secure an unwarranted personal benefit for herself, in violation of HRS § 84-13.

59. Respondent AKANA, by using Trustee Annual Allowance funds to purchase a Premier Club membership with Hawaiian Airlines costing \$249.00, used or attempted to use her official position to secure an unwarranted personal benefit for herself, in violation of HRS § 84-13.

60. Respondent AKANA, by using Trustee Annual Allowance funds to purchase a Canary home security system from Verizon Wireless costing \$209.41, used or attempted to use her official position to secure an unwarranted personal benefit for herself, in violation of HRS § 84-13.

COUNTS 17 TO 25

Violations of Fair Treatment Law, HRS § 84-13

Use of Official Position to Secure Unwarranted Personal Benefits (Trustee Annual Allowance Expenditures for Home Cable Television Service)

61. The allegations contained in the paragraphs above are repeated and realleged.

62. Respondent AKANA, by using Trustee Annual Allowance funds of approximately \$80.00 to \$90.00 on or about each of the dates listed below, used or attempted to use her official position to secure unwarranted personal benefits for herself -- specifically, monthly home cable television service from Oceanic for her personal use -- in violation of HRS § 84-13:

- a. November 20, 2015;
- b. December 20, 2015;

- c. January 22, 2016;
- d. February 15, 2016;
- e. March 5, 2016;
- f. April 10, 2016;
- g. May 9, 2016;
- h. June 6, 2016; and
- i. June 30, 2016.

Each expenditure made by Respondent AKANA from the Trustee Annual Allowance fund for monthly home cable television service constituted a separate violation of HRS § 84-13.

COUNTS 26 TO 41

Violations of Fair Treatment Law, HRS § 84-13

Use of Official Position to Secure Unwarranted Personal Benefits
(Trustee Annual Allowance Expenditures for Services Above and Beyond
Basic Home Internet Service)

63. The allegations contained in the paragraphs above are repeated and realleged.

64. Respondent AKANA, by using Trustee Annual Allowance funds of \$80.00 or \$82.00 on or about each of the dates listed below to purchase monthly home internet service from Oceanic or Spectrum, when the approximate cost of basic home internet service was only \$47.89 per month, used or attempted to use her official position to secure unwarranted personal benefits for herself, in violation of HRS § 84-13:

- a. October 22, 2016 (payment of \$80.00 to Oceanic);
- b. November 24, 2016 (payment of \$80.00 to Oceanic);
- c. December 20, 2016 (payment of \$80.00 to Oceanic);
- d. January 20, 2017 (payment of \$80.00 to Oceanic);
- e. February 13, 2017 (payment of \$80.00 to Oceanic);
- f. March 13, 2017 (payment of \$80.00 to Oceanic);
- g. April 20, 2017 (payment of \$80.00 to Oceanic);
- h. May 20, 2017 (payment of \$80.00 to Oceanic);
- i. June 25, 2017 (payment of \$80.00 to Oceanic);
- j. July 21, 2017 (payment of \$80.00 to Spectrum);
- k. August 24, 2017 (payment of \$80.00 to Spectrum);
- l. September 10, 2017 (payment of \$82.00 to Spectrum);
- m. October 10, 2017 (payment of \$80.00 to Spectrum);
- n. November 20, 2017 (payment of \$80.00 to Spectrum);
- o. December 13, 2017 (payment of \$80.00 to Spectrum)
- p. December 30, 2017 (payment of \$80.00 to Spectrum).

Each expenditure made by Respondent AKANA out of the Trustee Annual Allowance that was higher than the cost of basic internet service constituted a separate violation of HRS § 84-13.

COUNTS 42 TO 45

Violations of Fair Treatment Law, HRS § 84-13

Use of Official Position to Secure Unwarranted Personal Benefits
(Trustee Annual Allowance Expenditures for Food for Parties)

65. The allegations contained in the paragraphs above are repeated and realleged.

66. Respondent AKANA, by using Trustee Annual Allowance funds to pay for food for parties for herself and/or OHA personnel as described below, used or attempted to use her official position to secure unwarranted personal benefits for OHA personnel, including herself, in violation of HRS § 84-13:

- a. July 3, 2014, \$268.59 for food from 1132 Café & Catering for a “going away party” for a staff member;
- b. February 10, 2015, \$61.83 for food from Zippy’s, for a staff “birthday celebration”;
- c. February 17, 2017, \$25.00 for food purchased for a party for a staff member’s “last day”;
- d. December 5, 2017, \$23.72 for food from Royal Kitchen, for a “pot luck” OHA Trustees’ holiday party.

Each expenditure made by Respondent AKANA out of Trustee Annual Allowance funds to pay for food for parties for herself and/or OHA personnel constituted a separate violation of HRS § 84-13.

COUNTS 46 TO 48

Violations of Fair Treatment Law, HRS § 84-13
Use of Official Position for Political Purposes
(Trustee Annual Allowance Expenditures for Political Contributions)

67. The allegations contained in the paragraphs above are repeated and realleged.

68. Respondent AKANA, by using Trustee Annual Allowance funds to make a political contribution of \$50.00 to the Hawaii County Democrats on or about February 11, 2014, used or attempted to use her official position for political purposes -- that is, to unfairly benefit a political party -- in violation of HRS § 84-13.

69. Respondent AKANA, by using Trustee Annual Allowance funds to make a political contribution of \$50.00 to the Democratic National Committee on or about February 11, 2014, used or attempted to use her official position for political purposes -- that is, to unfairly benefit a political party -- in violation of HRS § 84-13.

70. Respondent AKANA, by using Trustee Annual Allowance funds on or about December 5, 2017 to make a donation of \$500.00 to pay for entertainment for the Kanaka Maoli Political Action Committee event, used or attempted to use her official position for political purposes -- that is, to unfairly benefit one or more political action committees -- in violation of HRS § 84-13.

COUNTS 49 TO 50

Violations of Fair Treatment Law, HRS § 84-13
Use of Official Position to Grant Unwarranted Benefits
(Trustee Allowance Expenditures for Donations to Hawaiian Humane Society)

71. The allegations contained in the paragraphs above are repeated and realleged.

72. Respondent AKANA, by using Trustee Annual Allowance funds to make a donation of \$50.00 to the Hawaiian Humane Society on or about February 20, 2014, used or attempted to use her official position to unfairly benefit the Hawaiian Humane Society, an animal welfare association that had no connection to OHA, in violation of HRS § 84-13.

73. Respondent AKANA, by using Trustee Annual Allowance funds to make a donation of \$25.00 to the Hawaiian Humane Society on or about August 8, 2017, used or attempted to use her official position to unfairly benefit the Hawaiian Humane Society, in violation of HRS § 84-13.

Notice of Respondent AKANA's Rights and Obligations

Respondent AKANA may file a written response to the Charge. HRS § 84-31(b). The Commission shall investigate the allegations contained in the Charge on a confidential basis. HRS § 84-31(b). If a majority of the Commission determines that there is probable cause to believe that a violation of the State Ethics Code might have occurred, the Commission may issue a Further Statement of Alleged Violation and may subsequently set the matter for hearing. HRS § 84-31(b). Upon issuance of a notice of hearing, the Charge and the Further Statement of Alleged Violation and the Respondent's responses thereto shall become public records. HRS § 84-31(c).

Dated: Honolulu, Hawaii, April 19, 2018.

HAWAII STATE ETHICS COMMISSION



Reynard D. Gaulty, Chair



Ruth D. Tschumy, Vice Chair

EXCUSED

Susan N. DeGuzman, Commissioner



David O'Neal, Commissioner



Melinda Wood, Commissioner