

BEFORE THE HAWAII STATE ETHICS COMMISSION

STATE OF HAWAII

HAWAII STATE ETHICS COMMISSION,)	COMPL-C-17-00433
)	
Complainant,)	CHARGE
)	
vs.)	
)	
JOHANNA KAMAUNU,)	
)	
Respondent.)	
)	
)	

CHARGE

Pursuant to Hawaii Revised Statutes (“HRS”) §§ 84-31(a) and 84-31(b), the HAWAII STATE ETHICS COMMISSION (“Ethics Commission”) issues this Charge against JOHANNA KAMAUNU (“Respondent”) for violating the State Ethics Code, HRS chapter 84, based on the following allegations:

1. Respondent is, and was at all times relevant herein, a member of the Island Burial Council of Maui/Lanai (“Board”).
2. Respondent has served in this capacity since 2014.
3. As a member of the Board, Respondent is required to file an annual disclosure of financial interests (“financial disclosure statement”) with the Ethics Commission between January 1 and May 31 of each year. See HRS §§ 84-17(b)(1) and (c)(9).

4. The failure to file a financial disclosure statement as required by HRS § 84-17 constitutes a violation of the State Ethics Code HRS § 84-17(i).

5. While serving as a member of the Board, Respondent failed to file a 2017 financial disclosure statement between January 1, 2017, and May 31, 2017, as required by HRS § 84-17.

6. The Ethics Commission's staff sent courtesy notices to Respondent via email, reminding Respondent to file her financial disclosure statement prior to the May 31, 2017 deadline. Respondent did not respond to any of the notices from the Ethics Commission's staff.

7. Pursuant to HRS § 84-17(i), a Notice of Failure to File Financial Disclosure Statement and Assessment of \$50 Penalty ("Fine Notice") was sent to Respondent via registered mail in 2017 and then subsequently hand delivered to Respondent on May 16, 2018.

8. The Fine Notice notified Respondent that: (a) the Ethics Commission had not received her 2017 financial disclosure statement; (b) a \$50 penalty was assessed against Respondent for failure to file her financial disclosure statement; (c) the State Ethics Code still required Respondent to file her financial disclosure statement; and (d) if Respondent failed to file the delinquent financial disclosure statement by 4:30 p.m. on April 30, 2018, an additional penalty of \$10 per day would be assessed against Respondent for each day the financial disclosure statement remained unfiled.

9. As of the date of this Charge, Respondent has not filed her 2017 financial disclosure statement or paid the \$50 penalty assessed against her, which is accruing \$10 per day after May 29, 2018.¹

10. Respondent violated HRS § 84-17 by failing to file a financial disclosure statement between January 1, 2017, and May 31, 2017.

Notice of Respondent's Rights and Obligations

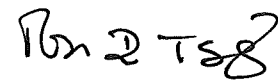
Pursuant to HRS § 84-31(b), Respondent may file a written response to the Charge after service of the Charge. If a majority of the Commission determines that there is probable cause to believe that a violation of the State Ethics Code might have occurred, the Commission may issue a Further Statement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

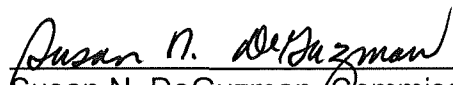
¹ May 29 is ten days after the Fine Notice was hand delivered to Respondent (not including the Memorial Day holiday).

Dated: Honolulu, Hawaii June 21, 2018.

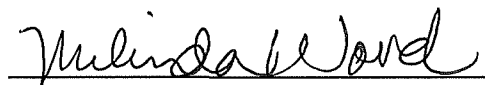
HAWAII STATE ETHICS COMMISSION


Reynard D. Graulty, Chair


Ruth D. Tschumy, Vice Chair


Susan N. DeGuzman, Commissioner


David O'Neal, Commissioner


Melinda S. Wood, Commissioner