

SUNSHINE LAW MEETING



HAWAI'I STATE ETHICS COMMISSION

State of Hawai'i · Bishop Square, 1001 Bishop Street, ASB Tower 970 · Honolulu, Hawai'i 96813

NOTICE OF MEETING OF THE HAWAI'I STATE ETHICS COMMISSION

Date: October 18, 2023

Time: 9:00 a.m.

Location: Zoom Videoconference or Phone:

Videoconference: [Join Zoom Meeting](https://us06web.zoom.us/j/85749304077?pwd=X7QjSgkmdPevsr0GKYQlsaSoJ8UK64.1)
<https://us06web.zoom.us/j/85749304077?pwd=X7QjSgkmdPevsr0GKYQlsaSoJ8UK64.1>

Phone: +1 (669) 444-9171 or +1 (669) 900-6833

Meeting ID: 857 4930 4077

Passcode: 2uEFy2

Public Meeting Location:

Hawai'i State Ethics Commission Conference Room
1001 Bishop Street
American Savings Bank Tower, Suite 900
Honolulu, Hawai'i 96813

Pursuant to Hawai'i Revised Statutes section 92-3.7, the State Ethics Commission will meet remotely using interactive conference technology. The public may either attend the meeting in person, at the public meeting location above, or participate remotely by using the above Zoom meeting information. If participating remotely, please mute your phone/device except while testifying. If the Commission's videoconference connection is lost during the meeting, please go to the Commission's website (www.ethics.hawaii.gov) for more information, including reconnection information.

Public meeting materials for this meeting are available on the Commission's website at: www.ethics.hawaii.gov.

A G E N D A

CALL TO ORDER

I. Consideration and Approval of the Minutes of the September 20, 2023 Meeting

Attachment 1: Sunshine Law Meeting Minutes of the September 20, 2023 Hawai'i State Ethics Commission Meeting

II. Directors' Report

1. Education / Training Report

Attachment 1: 2023 Training Schedule

Attachment 2: Online Training Completions by Department and Board

2. Guidance and Assignment Statistics – September 2023

Attachment 3: 2023 Guidance and Assignment Statistics / Website Traffic

3. Miscellaneous Office Projects / Updates

Attachment 4: Q1 Financial Report

III. Discussion of Ethics Oversight over the Judicial Branch

IV. Evaluation of Executive Director Robert Harris

The Hawai'i State Ethics Commission may convene an executive session pursuant to Hawai'i Revised Statutes section 92-5(a)(2) to discuss matters relating to the evaluation of an employee, and/or pursuant to section 92-5(a)(4), to consult with the Commission's attorneys on questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities.

- V. *Akana v. Hawaii State Ethics Commission and Daniel Gluck*, Civil No. 18-1-1019-06 (JHA); *Akana v. Hawaii State Ethics Commission*, Civil No. 19-1-0379-03 (JHA); *State of Hawaii, Ethics Commission v. Rowena Akana*, Civil No. 20-1-0453 (BIA)

Discussion of case status.

The Hawai'i State Ethics Commission may convene an executive session pursuant to Hawai'i Revised Statutes section 92-5(a)(4) to consult with the Commission's attorneys and/or the Department of the Attorney General on questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities.

- VI. Adjournment

Public Testimony

Anyone wishing to testify may do so during the meeting or may submit written testimony in advance of the meeting by email (info.ethics@hawaii.gov), facsimile (fax) (808-587-0470), or U.S. postal mail (State Ethics Commission, 1001 Bishop Street, American Savngs Bank Tower, Suite 970, Honolulu, Hawai'i 96813). Public testimony must be related to an item that is on the agenda and the testifier must identify the agenda item to be addressed by the testimony. Pursuant to Hawai'i Revised Statutes section 92-3 and Hawai'i Administrative Rules section 21-1-6(c), oral testimony is limited to three minutes per testifier per agenda item, subject to the reasonable discretion of the Chair.

Auxiliary Aid or Accommodation Due to a Disability

If you require an auxiliary aid or accommodation due to a disability, please contact the State Ethics Commission at (808) 587-0460 or email the Commission at info.ethics@hawaii.gov as soon as possible, preferably at least 48 hours prior to the meeting. Last minute requests will be accepted but may be impossible to fill.

Upon request, this notice is available in alternate/accessibile formats.

SUNSHINE LAW MEETING
AGENDA ITEM I

CONSIDERATION AND APPROVAL OF THE MINUTES OF THE
SEPTEMBER 20, 2023 MEETING

Attachment 1: Sunshine Law Meeting Minutes of the September 20, 2023
Hawai'i State Ethics Commission Meeting

SUNSHINE LAW MEETING
MINUTES OF THE HAWAII STATE ETHICS COMMISSION

STATE OF HAWAII

Date: September 20, 2023

Time: 9:00 a.m.

Location: Held via Zoom video and audio conference

Link: Recorded video available at
https://ethics.hawaii.gov/category/commissionmeetings/comm_videos/

Public Meeting Location

Hawaii State Ethics Commission Conference Room
1001 Bishop Street
American Savings Bank Tower, Suite 960
Honolulu, Hawaii 96813

Present: State Ethics Commission Members

Wesley F. Fong, Chair (present in conference room)
Harry J. McCarthy, Vice Chair (via video conference)
Beverly Tobias, Commissioner (via video conference)
Cynthia Thielen, Commissioner (present in conference room)

Excused: Robert Hong, Commissioner

State Ethics Commission Staff

Robert D. Harris, Executive Director (present in conference room)
Kee M. Campbell, Enforcement Director (via video conference)
Bonita Y.M. Chang, Compliance Director (via video conference)
Nancy C. Neuffer, Staff Attorney (via video conference)
Jennifer M. Yamanuha, Staff Attorney (via video conference)
Patrick W.C. Lui, Computer Specialist (via video conference)
Jared Elster, Investigator (via video conference)
Myles A. Yamamoto, Administrative Assistant (present in conference room)

Members of the Public

Laurie Wong
Commissioner Riki May Amano, Honolulu Ethics Commission

1
2 **CALL TO ORDER (0:07)**
3

4 Chair Fong called the meeting to order at 9:03 a.m. Chair Fong, Vice Chair
5 McCarthy, Commissioner Tobias, Commissioner Thielen and Commission staff were
6 present. All Commissioners and staff participating via video or audio conference
7 confirmed no one was in the room with them at their respective remote locations.
8
9

10 **Agenda Item No. I: Consideration and Approval of the Minutes of the August 16,**
11 **2023 Meeting (2:34)**
12

13 Commissioner Thielen moved, and Commissioner Tobias seconded a motion to
14 approve the minutes of the August 16, 2023 meeting. The motion carried (Fong,
15 McCarthy, Tobias, Thielen, and voting in the affirmative and Hong excused).
16
17

18 **Agenda Item No. II: Directors' Report (3:32)**
19

20 Compliance Director Bonita Chang reported that Commission staff has increased
21 outreach efforts ahead of the December 31 training deadline. She noted that staff have
22 contacted the agency and board contacts to advise them of the training deadline. In
23 addition, the agencies and boards were asked to provide a percentage of their
24 employees and members who have completed training. Director Chang hopes to have
25 the information compiled by October.
26

27 Chair Fong noted that based on the comments at the Ethics Conference, the
28 county ethics commissions were impressed with the education and outreach programs
29 offered at the state level. He suggested reaching out to the other commissions to see
30 how we can help.
31

32 Commissioner Thielen noted that there are a couple of agencies and boards with
33 zero or very low completion rates. She asked if staff could reach out to those boards
34 and agencies to address this. Compliance Director Chang replied that staff can reach
35 out to these agencies and boards. She noted that there are 125 boards and 25
36 agencies that the commission is responsible for. Director Chang added that a recent set
37 of reminders was sent to the agency and board contacts. Commissioner Thielen asked
38 to reach out to the boards and agencies with low percentages and report back in
39 October. Director Chang replied that she expects to see increased participation
40 numbers in October.
41

42 Enforcement Director Kee Campbell reported that staff continues to close more
43 matters than are being opened. Chair Fong stated that he was happy that it appears
44 that most of the open matters before the Commission and staff are within the last two
45 years.
46

1 Executive Director Harris reported that staff have begun moving the Commission
2 offices from suite 970 to suite 900. The move should be final by the end of September.
3 Commission offices in suite 970 will undergo approximately two and a half months of
4 renovations. The hope is that staff will be back in suite 970 by December. Director
5 Harris commended staff for their efforts in making the move as smooth as possible. He
6 noted that the October commission meeting will take place in the Commission's
7 temporary offices in suite 900.

8
9 Director Harris reported that staff is working on Legislative recommendations.
10 He expects to have a draft by November with a final draft in December.

11
12
13 **Agenda Item No. III: Overview of Ethics in Hawai'i Conference (September 1, 2023)**
14 **(16:27)**

15
16 Executive Director Harris reported that the Ethics in Hawaii Conference held in
17 cooperation with the Honolulu Ethics Commission was successful. He reported that the
18 feedback was very positive along with recommendations for future improvements to the
19 event. He noted that there was interest in having continuing dialogue online similar to
20 COGEL.

21
22 Chair Fong congratulated both the State and Honolulu Ethics Commission staff.
23 He was pleased with the overall conference. He noted that one of the only items to
24 receive low marks was the lunch. He asked for thoughts about the frequency of hosting
25 the conference. He noted that the neighbor island commissions were in favor of having
26 the event yearly. He further noted that he thought the event was very beneficial to the
27 neighbor islands.

28
29 Vice Chair McCarthy shared his thoughts that an annual event may be beneficial
30 to all parties. He thought the roundtable discussions would be valuable to see what the
31 needs are and how the commissions can support each other.

32
33 Commissioner Tobias thought holding the event every year or at the very least
34 every other year would be valuable especially for the neighbor island commissions.

35
36 Commission Thielen shared that she felt that there were more topics that could
37 be included in the event.

38
39 Chair Fong wanted to commend the Commissioners for attending. He stated that
40 he would like to see the event held yearly if the budget is there. If not, he would like the
41 event held at least every other year. He would like a recommendation from staff as to
42 whether or not to hold the event annually or every other year.

43
44 Ms. Laurie Wong, speaking not in her official capacity but as a member of the
45 public, recognized Commissioner Riki May Amano of the Honolulu Ethics Commission.
46 She felt the event was a welcome sight especially after COVID. She expressed
47 appreciation to the State for funding the event. She noted that Maui's staffing is where

1 Honolulu's was in the past, in terms of just getting their staffing and independence up.
2 She agreed that online meetings quarterly would be a good idea.
3

4 Commissioner Amano asked what the cost of the conference was. Director
5 Harris replied that the conference cost approximately \$2,500. Commissioner Amano
6 noted that going to a two-day conference would significantly increase the cost. She
7 commended the staff for how well run the event was. Commissioner Amano expressed
8 her desire to hold the conference yearly. She suggested reaching out to the other
9 commissions to help fund future conferences. She hoped that the other commissions
10 would see the value of the conference and help to fund the event. Commissioner
11 Amano stated the reason why she advocates for a yearly conference, is her belief that if
12 one board slips up, it will have an impact on every other board. She feels that while the
13 commissions are different now, that in five to ten years from now, that the commissions
14 may be much more similar in nature. She noted that it is important for all the boards to
15 work together.
16

17 Commissioner Thielen suggested that the conference be held yearly with one
18 year having an in-depth discussion about a particular topic and a more robust event in
19 the second year.
20

21 Commissioner Amano stated that she would support any format. She noted that
22 ethics issues continue to evolve.
23

24 Chair Fong commented that he would also like to get feedback from staff.
25

26 Executive Director Harris noted the enthusiasm for more activities, the types of
27 activities is to be worked out.
28
29

30 **Agenda Item No. IV. Discussion of Ethics Oversight over the Judicial Branch**
31 **(40:57)**
32

33 Executive Director Harris reported that the Judiciary would like to meet to discuss
34 ethics topics with the Commission. The exact details of a meeting are being worked out.
35

36 Chair Fong expressed his happiness that the Judiciary is receptive to meeting.
37
38

39 **Agenda Item No. V: Akana v. Hawaii State Ethics Commission and Daniel Gluck,**
40 **Civil No. 18-1-1019-06 (JHA); Akana v. Hawaii State Ethics Commission, Civil No.**
41 **19-1-0379-03 (JHA); State of Hawaii, Ethics Commission v. Rowena Akana,**
42 **Civil No. 20-1-0453 (BIA) (43:00)**
43

44 No update
45
46
47

1 **ADJOURNMENT OF SUNSHINE LAW MEETING (44:25)**
2

3 At approximately 9:47 a.m., Commisioner Tobias made and Commissioner
4 Thielen seconded a motion to adjourn the meeting. The motion carried unanimously
5 (Fong, McCarthy, Tobias, and Thielen voting with Hong excused).
6

7 The meeting was adjourned at 9:47 a.m.
8

9 Minutes approved on _____.

DRAFT

SUNSHINE MEETING
AGENDA ITEM II

EXECUTIVE DIRECTOR'S REPORT
October 18, 2023

1. Education / Training Report

Attachment 1: 2023 Training Attendance / Schedule

Attachment 2: Online Training Completions by Department and Board

2. Guidance and Assignment Statistics – August 2023

Attachment 3: 2023 Guidance and Assignment Statistics / Website Traffic

3. Miscellaneous Office Projects / Updates

Attachment 4: Q1 Financial Report

HAWAII STATE ETHICS COMMISSION 2023 EDUCATION PROGRAM (Ethics Workshops and Presentations)		
DATE	PRESENTATIONS	NUMBER OF PARTICIPANTS
1/4/2023	Lobbyists Law Training, Zoom	50
1/5/2023	General Ethics Training, DOE, Kawananaoka Middle School	66
1/10/2023	Lobbyists Law Training, Zoom	19
1/13/2023	General Ethics Training, Senate, Zoom	80
1/20/2023	General Ethics Training, House, Capitol, Conference Room 325	47
1/24/2023	General Ethics Training, Zoom	227
2/10/2023	General Ethics Training, Zoom	68
2/21/2023	General Ethics Training, GOV, Capitol, 5th Floor	24
2/23/2023	General Ethics Training, Zoom	56
3/10/2023	General Ethics Training, Zoom	20
3/13/2023	General Ethics Training, UH - Hawai'i inuiakea School of Hawaiian Knowledge, Zoom	47
3/22/2023	Ethics for State Board and Commission members, Zoom	4
4/5/2023	General Ethics Training, DOE, PBS Hawaii Studio	29
4/5/2023	General Ethics Training, Zoom	30
4/20/2023	General Ethics Training, Zoom (CANCELLED)	0
4/26/2023	General Ethics Training, SPCSC	23
5/3/2023	General Ethics Training, Zoom	24
5/9/2023	General Ethics Training, DOE, Campbell-Kapolei Complex Area	21
5/18/2023	Ethics for State Board and Commission members, Zoom	8

HAWAII STATE ETHICS COMMISSION 2023 EDUCATION PROGRAM (Ethics Workshops and Presentations)		
DATE	PRESENTATIONS	NUMBER OF PARTICIPANTS
6/7/2023	General Ethics Training, Zoom	8
6/22/2023	General Ethics Training, Zoom (CANCELLED)	0
7/6/2023	General Ethics Training, Zoom (CANCELLED)	0
7/20/2023	Ethics for State Board and Commission members, Zoom (CANCELLED)	0
8/2/2023	General Ethics Training, Zoom (CANCELLED)	0
8/11/2023	General Ethics Training, Zoom	15
8/28/2023	General Ethics Training, DOE, Roosevelt High School	195
8/28/2023	General Ethics Training, DOE, Kawananaoka Middle School (CANCELLED)	0
9/7/2023	General Ethics Training, Zoom	3
9/12/2023	General Ethics Training, DOE, Pearl City (CANCELLED)	0
9/21/2023	Ethics for State Board and Commission members, Zoom	10
10/13/2023	General Ethics Training, Zoom	
10/25/2023	General Ethics Training, Zoom (CANCELLED)	0
11/16/2023	General Ethics Training, Zoom	
11/29/2023	Ethics for State Board and Commission members, Zoom	
12/7/2023	Ethics for State Government Attorneys, Zoom	
12/8/2023	Ethics for State Government Attorneys, Zoom	
12/21/2023	General Ethics Training, Zoom	
TOTAL	37 Presentations	1074 participants

State Employees

Department/Agency	2020		2021		2022		2023		Total		Total	No. of	%
	Live	Self	Live	Self	Live	Self	Live	Self	Live	Self	Completions	Employees*	Completed
Department of Accounting and General Services (DAGS)	4	60	3	4	8	56	2	163	17	283	300	644	47%
Department of Agriculture (DOA)	2	36	14	18	5	179	5	84	26	317	343	299	115%
Department of Budget and Finance (B&F)	26	1	25	1	127	103	10	187	188	292	480	385	125%
Department of Business, Economic Development and Tourism (DBED)	5	62	70	10	79	50	38	127	192	249	441	305	145%
Department of Commerce and Consumer Affairs (DCCA)	346	47	40		73	50	5	399	464	496	960	541	177%
Department of Corrections and Rehabilitation (DCR)						85	2	32	2	117	119		
Department of Defense (DOD)	1	82		1	20	44	4	341	25	468	493	497	99%
Department of Education (DOE)	35	167	73	76	25	164	271	15,029	404	15,436	15,840	22,159	71%
Department of Hawaiian Home Lands (DHHL)	1		1		2	16	3	124	7	140	147	111	132%
Department of Health (DOH)	7	193	3	38	143	314	18	2,159	171	2,704	2,875	2,447	117%
Department of Human Resources Development (DHRD)		4	6		4	7	1	62	11	73	84	65	129%
Department of Human Services (DHS)	35	201	270	6	4	6	5	1,182	314	1,395	1,709	1,686	101%
Department of Labor and Industrial Relations (DLIR)	2	41			137	186	18	280	157	507	664	847	78%
Department of Land and Natural Resources (DLNR)	1	63	29	10	15	59	4	656	49	788	837	792	106%
Department of Law Enforcement (DLE)					1	62	5	33	6	95	101	332	30%
Department of Public Safety (DPS)	3	39	5	5	245	525	18	227	271	796	1,067	3,002	36%
Department of Taxation (TAX)	4	1			33	299	4	231	41	531	572	309	185%
Department of the Attorney General (ATG)	73	97	190	22	297	149	21	471	581	739	1,320	646	204%
Department of Transportation (DOT)	12	209	71	72	112	107	7	429	202	817	1,019	2,255	45%
Hawai'i Health Systems Corporation (HHSC)	32	38	9	2	11	8		1,048	52	1,096	1,148	3,071	37%
Hawai'i State Ethics Commission (HSEC)	4		6		12	3	41	6	63	9	72	10	720%
Hawai'i State Public Library System (HSPLS)		1			1	2	1	603	2	606	608	429	142%
House of Representatives (REP)	28		52	1	54	2	55	110	189	113	302	166	182%
Judiciary (JUD)	1	38	7	18	209	85	50	1,151	267	1,292	1,559	1,727	90%
Legislative Reference Bureau (LRB)			1		1		3	24	5	24	29	44	66%
Office of Hawaiian Affairs (OHA)	11	5	12	57	25	46		8	48	116	164	145	113%
Office of the Auditor (AUD)	11	3	3		15		4	1	33	4	37	23	161%
Office of the Governor (GOV)	2	8		1	6	10	19	33	27	52	79	48	165%
Office of the Lieutenant Governor (LTG)		4			6	1	4		10	5	15	10	150%
Office of the Ombudsman (OMB)		2	2		3	3	1	6	6	11	17	12	142%
Public Charter School (SPCSC)	25	9	80	14	31	32	23	78	159	133	292	20	1460%
Research Corporation of the University of Hawai'i (RCUH)		6		3	35	684	3	440	38	1,133	1,171	2,631	45%
Senate (SEN)	20	3	77	1	132	3	87	8	316	15	331	109	304%
University of Hawai'i-Community Colleges (UOHC)	137		14		208	559	53	323	412	882	1,294	2,568	50%
University of Hawai'i-Hilo (UOHH)		1	1		42	90	10	90	53	181	234	864	27%
University of Hawai'i-Manoa (UOHM)			65		407	1,429	136	744	608	2,173	2,781	8,511	33%
University of Hawai'i-System (UOH)	117	245	43	67	103	296	16	172	279	780	1,059	502	211%
University of Hawai'i-West Oahu (UOHW)	2				45	113	13	90	60	203	263	399	66%
Total Employees Training Completed	947	1,666	1,172	427	2,676	5,827	960	27,151	5,755	35,071	40,826	58,611	70%

*Based on annual financial disclosure updates from departments collected in March/April 2023
As of October 4, 2023

State Boards and Commissions

Board/Commission	2020		2021		2022		2023		Total		Total	No. of	%
	Live	Self	Live	Self	Live	Self	Live	Self	Live	Self	Completions	Members*	Completed
Agribusiness Development Corporation	2				2	3	4		8	3	11	8	138%
Board of Acupuncture	1				1	1			2	1	3	5	60%
Board of Agriculture	1			1	4		1		6	1	7	10	70%
Board of Barbering and Cosmetology	1	1			1	2		1	2	4	6	7	86%
Board of Certification of Operating Personnel in Wastewater Treatment Plants					3	2			3	2	5	9	56%
Board of Chiropractic Examiners						1		2		3	3	5	60%
Board of Dentistry					1	8		2	1	10	11	12	92%
Board of Education	1	1	1	3	11	1	1		14	5	19	11	173%
Board of Electricians and Plumbers	3			1	2	2			5	3	8	7	114%
Board of Land and Natural Resources		2		2	1	2			1	6	7	7	100%
Board of Massage Therapy	1				2			1	3	1	4	5	80%
Board of Naturopathic Medicine	1								1		1	5	20%
Board of Nursing					4	1	1	2	5	3	8	9	89%
Board of Pharmacy					1	1		1	1	2	3	7	43%
Board of Physical Therapy						3		3		6	6	7	86%
Board of Private Detectives and Guards					2	1			2	1	3	7	43%
Board of Professional Engineers, etal	1					2		3	1	5	6	14	43%
Board of Psychology					2				2		2	7	29%
Board of Public Accountancy					4	1		1	4	2	6	9	67%
Board of Registration	1				2	2			3	2	5	12	42%
Board of Speech Pathology and Audiology	2				1	1			3	1	4	7	57%
Board on Geographic Names					6	2			6	2	8	7	114%
Boxing Commission	1			1					1	1	2	5	40%
Campaign Spending Commission						2				2	2	5	40%
Civil Rights Commission					3	1		1	3	2	5	5	100%
Commission on Status of Women	6				2			1	8	1	9	5	180%
Commission on Water Resource Management				1		2		1		4	4	7	57%
Contractors License Board	5				1	3		2	6	5	11	13	85%
Correctional System Oversight Commission					3				3		3	5	60%
Council on Revenues					3			2	3	2	5	7	71%
Crime Victim Compensation Commission							1	1	1	1	2	3	67%
Defender Council					2				2		2	5	40%

State Boards and Commissions

Board/Commission	2020		2021		2022		2023		Total		Total	No. of	%
	Live	Self	Live	Self	Live	Self	Live	Self	Live	Self	Completions	Members*	Completed
Deferred Compensation Plan Board of Trustees	1				6				7		7	7	100%
Disability and Communication Access Board						1	1	8	1	9	10	17	59%
Early Learning Board						1		2		3	3	13	23%
Elections Commission					4	2		1	4	3	7	9	78%
Elevator Mechanics Licensing Board					3	1			3	1	4	7	57%
Employees' Retirement System Board of Trustees			6		7	1			13	1	14	8	175%
Enhanced 911 Board	1							7	1	7	8	13	62%
Environmental Advisory Council					8	2		1	8	3	11	15	73%
Festival of the Pacific Arts & Culture					1	6			1	6	7	9	78%
Hawai'i Board of Optometry					2	3		1	2	4	6	7	86%
Hawai'i Board of Veterinary Medicine					2				2		2	7	29%
Hawai'i Climate Change Mitigation and Adaptation Commission					4	1		6	4	7	11	20	55%
Hawai'i Community Development Authority					1		2		3		3	17	18%
Hawai'i Employer-Union Health Benefits Trust Fund				1	1		1	7	2	8	10	10	100%
Hawai'i Green Infrastructure Authority					2				2		2	5	40%
Hawai'i Health Systems Corporation-Corporation				1				2		3	3	18	17%
Hawai'i Health Systems Corporation-East Hawai'i						2		3		5	5	12	42%
Hawai'i Health Systems Corporation-Kauai								4		4	4	10	40%
Hawai'i Health Systems Corporation-Maui											0	4	0%
Hawai'i Health Systems Corporation-Oahu			8			1			8	1	9	8	113%
Hawai'i Health Systems Corporation-West Hawai'i						4		1		5	5	9	56%
Hawai'i Historic Places Review Board					2				2		2	10	20%
Hawai'i Housing Finance and Development Corporation				1	6				6	1	7	9	78%
Hawai'i Hurricane Relief Fund Board	1								1		1	7	14%
Hawai'i Law Enforcement Standards Board	1				2	1		5	3	6	9	14	64%
Hawai'i Medical Board					12	2		4	12	6	18	11	164%
Hawai'i Paroling Authority	1					3		1	1	4	5	5	100%
Hawai'i Public Housing Authority	1				4	6	2		7	6	13	10	130%
Hawai'i Retirement Savings Board								2		2	2	9	22%
Hawai'i State Emergency Response Commission					1	1			1	1	2	9	22%
Hawai'i State Ethics Commission				1			3		3	1	4	5	80%
Hawai'i State Fire Council					2			1	2	1	3	4	75%

State Boards and Commissions

Board/Commission	2020		2021		2022		2023		Total		Total	No. of	%
	Live	Self	Live	Self	Live	Self	Live	Self	Live	Self	Completions	Members*	Completed
Hawai'i Teacher Standards Board					3	7		1	3	8	11	17	65%
Hawai'i Technology Development Corporation						3		1		4	4	9	44%
Hawai'i Tourism Authority						1				1	1	12	8%
Hawaiian Homes Commission					2	2	1		3	2	5	9	56%
Hoisting Machine Operators Advisory Board						1		1		2	2	5	40%
Island Burial Council - Hawai'i					1				1		1	7	14%
Island Burial Council - Kauai/Niihau				3						3	3	6	50%
Island Burial Council - Maui/Lanai							1		1		1	6	17%
Island Burial Council - Molokai						1				1	1	3	33%
Island Burial Council - Oahu				1	3	1			3	2	5	8	63%
Kaho'olawe Island Reserve Commission											0	7	0%
King Kamehameha Celebration Commission	1				6	3	2	1	9	4	13	15	87%
Land Use Commission	1				6	2	2	2	9	4	13	9	144%
Legacy Land Conservation Commission				1	2		1		3	1	4	9	44%
Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission											0	14	0%
Mauna Kea Stewardship and Oversight Authority								2		2	2	11	18%
Medical Education Council				1	2	1			2	2	4	13	31%
Merit Appeals Board								2		2	2	3	67%
Motor Vehicle Industry Licensing Board						3		3		6	6	7	86%
Motor Vehicle Repair Industry Board						1		1		2	2	7	29%
National and Community Service, Hawai'i Commission for	1				5			2	6	2	8	15	53%
Natural Area Reserves System Commission	1				1				2		2	12	17%
Natural Energy Laboratory of Hawai'i						1	2		2	1	3	10	30%
Oahu Metropolitan Planning Organization						3		3		6	6	14	43%
Other Board/Commission				3	25	49	2	36	27	88	115		0%
Pacific International Space Center for Exploration Systems	1							1	1	1	2	9	22%
Pest Control Board					3	3			3	3	6	9	67%
Public Water System Operators, Board of Certification of					2				2		2	5	40%
Radiologic Technology Board	3								3		3	5	60%
RCUH-Board of Directors	1				1	1			2	1	3	8	38%
Real Estate Commission	1				9	3			10	3	13	9	144%
School Facilities Authority Board						1				1	1	5	20%

State Boards and Commissions

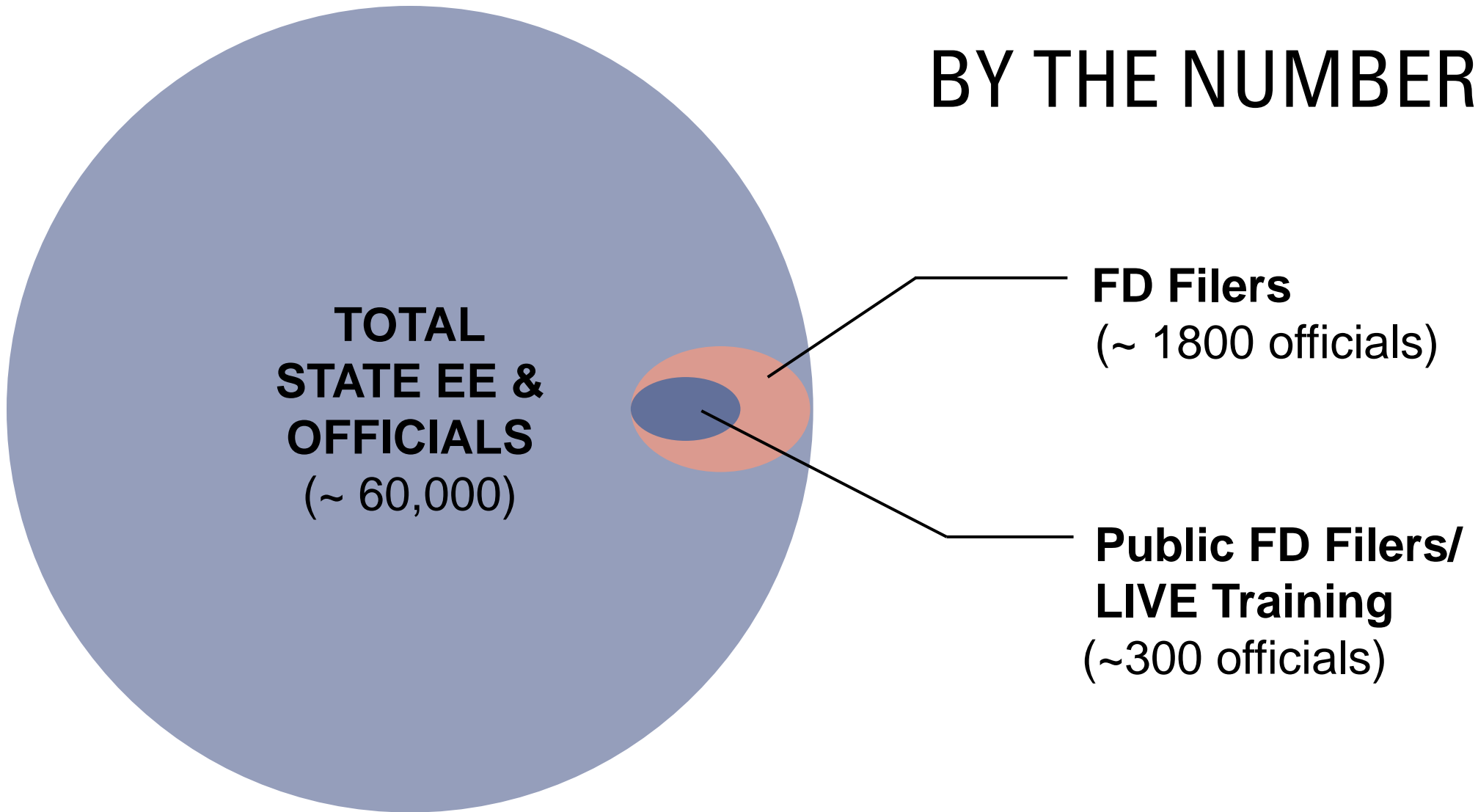
	2020		2021		2022		2023		Total		Total	No. of	%
Board/Commission	Live	Self	Live	Self	Live	Self	Live	Self	Live	Self	Completions	Members*	Completed
Soil and Water Conservation District Boards				2	34	10	1	4	35	16	51	84	61%
Stadium Authority Commission					4	3			4	3	7	8	88%
State Council on Developmental Disabilities	4				5	2		4	9	6	15	28	54%
State Foundation on Culture and the Arts					7	2	1		8	2	10	7	143%
State Public Charter School Commission					8	3	1	2	9	5	14	9	156%
Statewide Health Coordinating Council	2					2		1	2	3	5	9	56%
Tax Review Commission	2								2		2	7	29%
Transit Oriented Development Infrastructure Improvement District Board											0	5	0%
University of Hawai'i Board of Regents				2	4	4	4		8	6	14	11	127%
Women's Corrections Implementation Commission											0	5	0%
Total Board/Commission Members Training Completed	51	4	15	26	267	195	35	147	368	372	740	1,006	74%

*Membership number is based on full membership and may include vacant positions
As of October 4, 2023

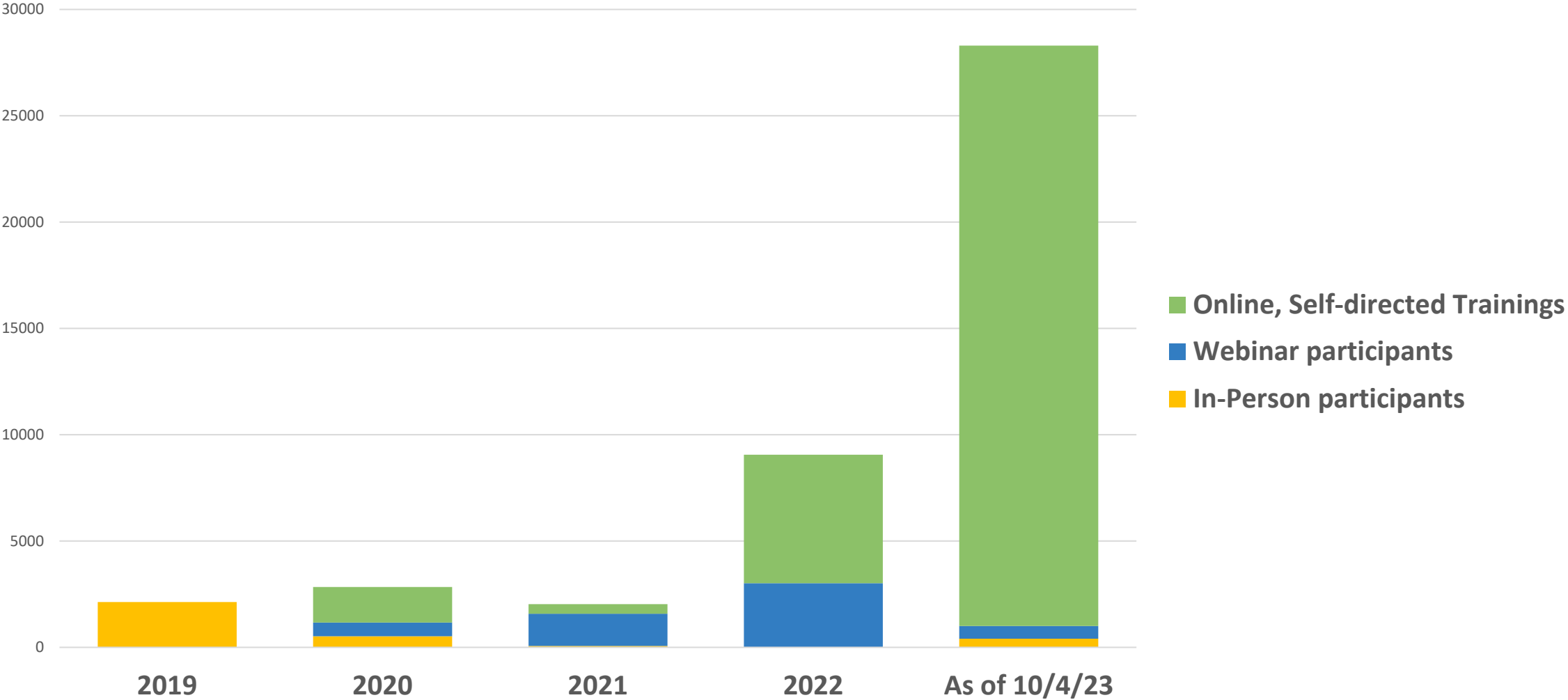
Act 165: Mandatory Ethics Training Law

Status Report
October 2023

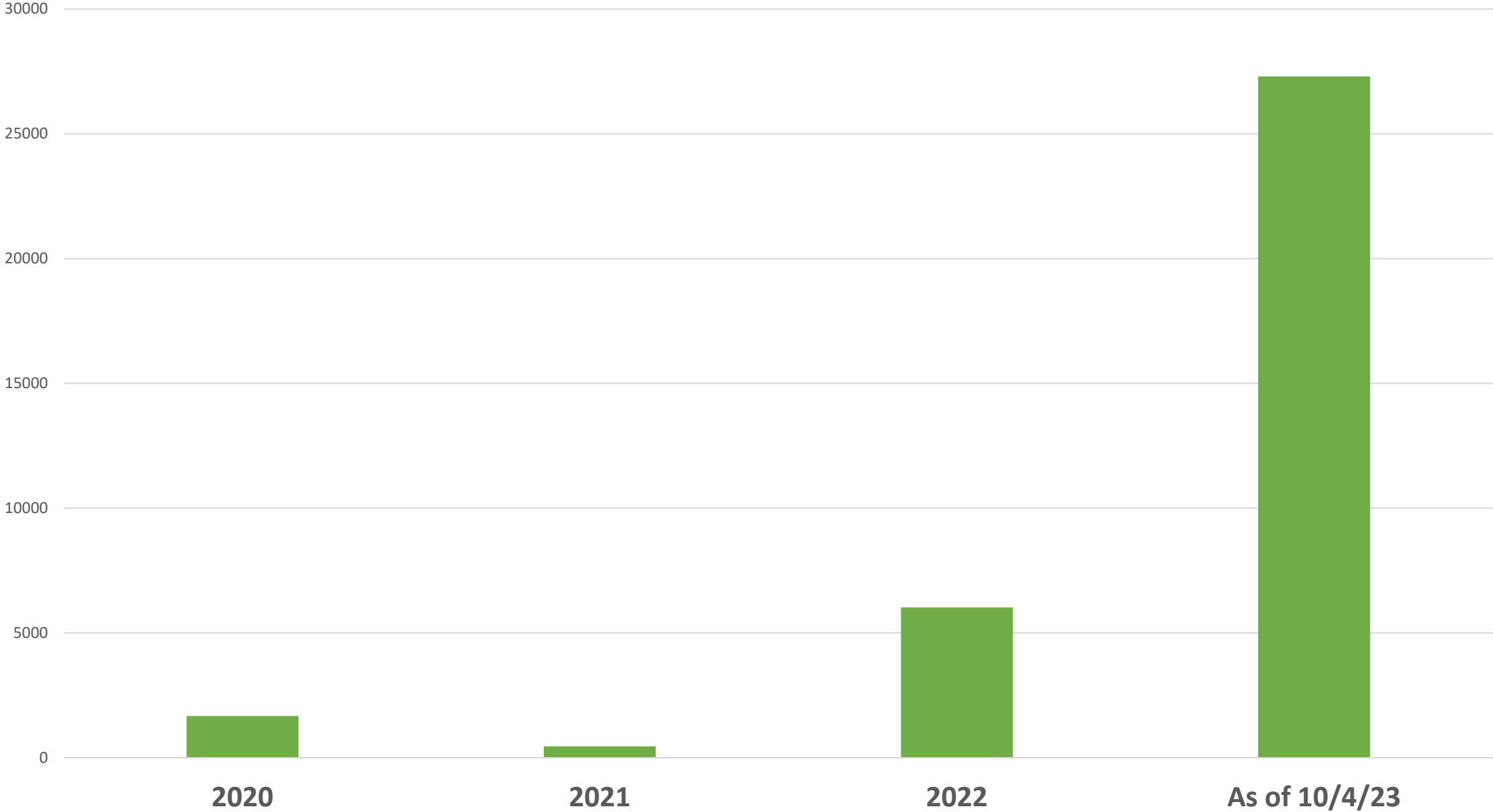
BY THE NUMBERS



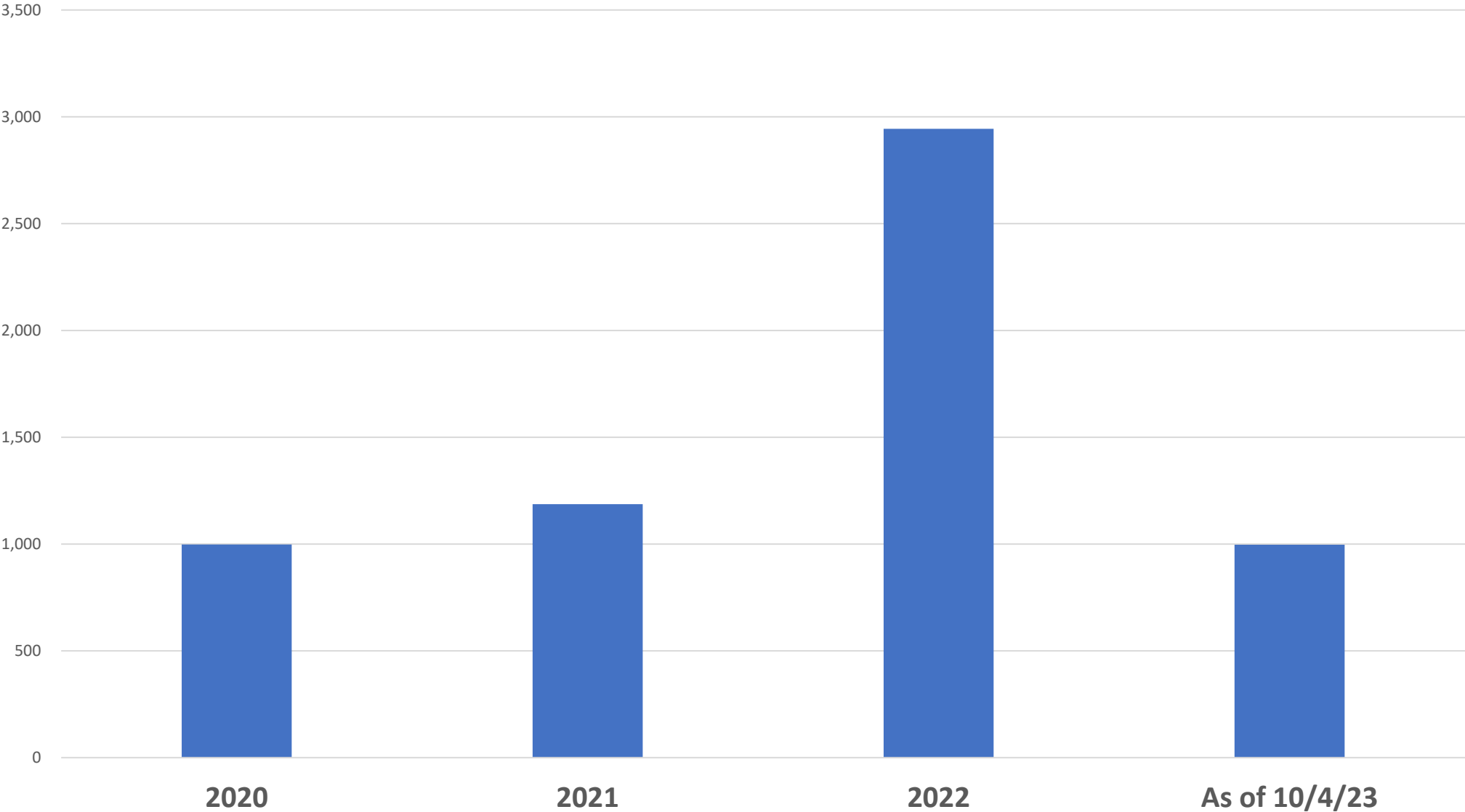
Training Stats by Year



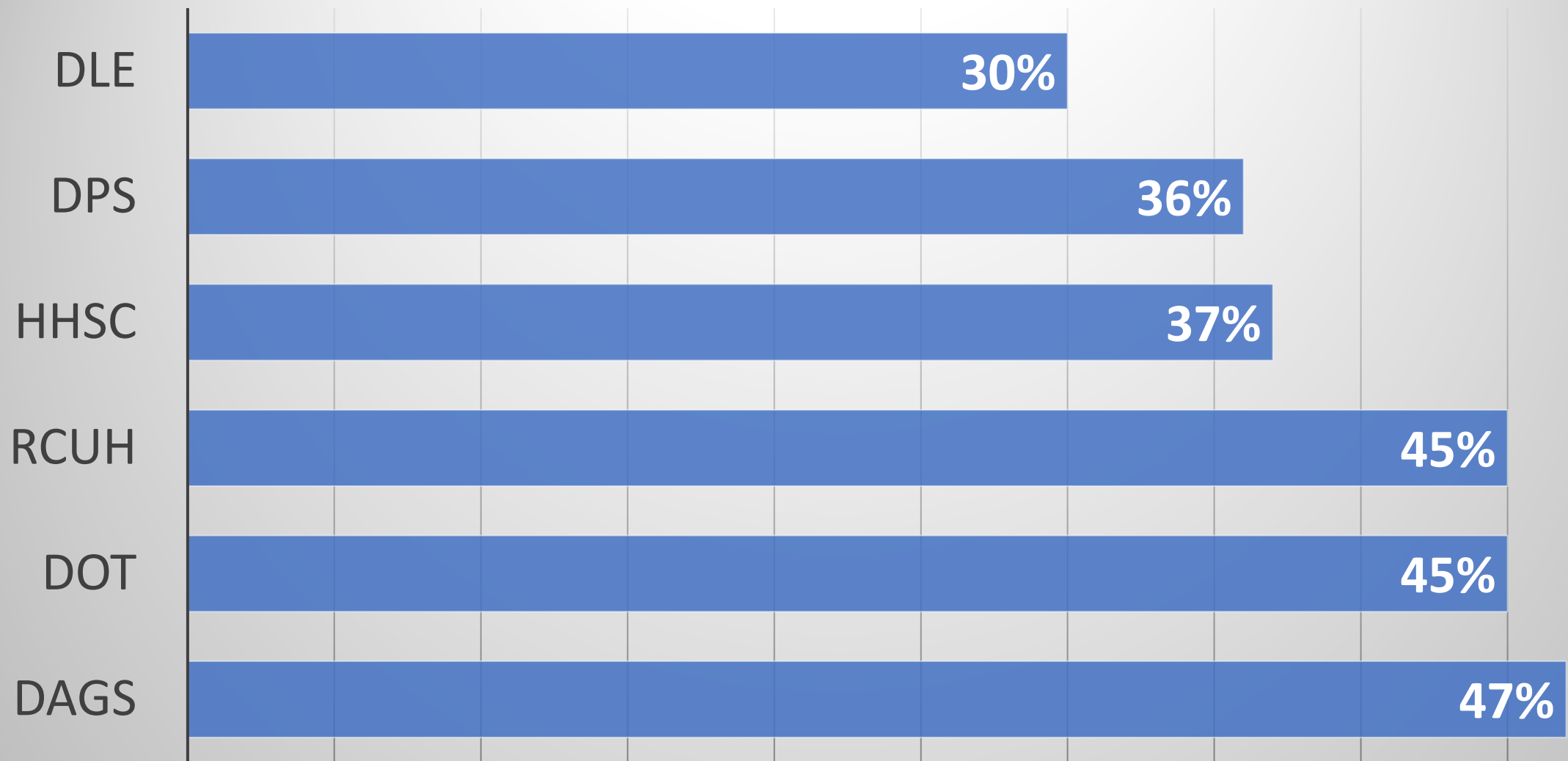
Self-Directed Trainings at a Glance



Live Ethics Trainings at a Glance



Departments Under 50%



Outreach Strategy

- Monthly reminders to HR/board contacts
- Social media & Website
- Courtesy calls re LIVE Trainings
- Outreach via GOV's office
- Directed Outreach to Targeted Agencies/Boards

2023	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Year to date
Training statistics													
# of In-Person Trainings	2	1	0	2	1	0	0	1	0				7
# of People Trained In Person	113	24	47	52	21	0	0	195	0				452
# of On-Line Trainings (Self-Directed)	1,051	522	4,042	1,454	1,793	1,438	1,849	13,166	2,053				27,368
# of Training Webinars	4	2	3	1	2	1	0	1	2				16
# of Participants in Training Webinars	376	124	71	30	32	8	0	15	13				669
Attorney of the Day	125	103	125	97	122	84	103	95	91				945
New assignments													
Advisory Opinion	0	0	0	0	0	0	0	0	0				0
Complaint	18	19	24	21	20	20	19	20	110				271
Gifts/Invitations/Travel	12	25	26	17	18	33	35	30	20				216
Guidance	4	2	1	0	3	2	2	0	0				14
Judicial Selection Comm'n	0	4	2	1	5	4	1	1	4				22
Training Request	0	0	0	0	0	0	0	0	0				0
Record Request	1	1	0	0	3	1	2	1	0				9
Project/Other	6	2	1	4	2	2	4	6	2				29
Total	41	53	54	43	51	62	63	58	136	0	0	0	561
Closed Assignments													
Advisory Opinion	0	0	1	1	1	0	0	0	0				3
Complaint	8	4	30	46	18	30	36	24	117				313
Gifts/Invitations/Travel	0	21	34	20	22	33	32	30	20				212
Guidance	0	0	2	4	1	1	6	0	1				15
Judicial Selection Comm'n	0	4	2	1	3	5	2	1	4				22
Training Request	0	0	0	0	0	0	0	0	0				0
Record Request	0	1	0	1	1	2	3	0	0				8
Project/Other	1	7	4	5	3	0	6	7	0				33
Total	9	37	73	78	49	71	85	62	142	0	0	0	606
Anti-Fraud	3	2	2	2	3	1	8	8	5				34

HAWAII STATE ETHICS COMMISSION FINANCIAL REPORT

FY 2024 (MONTH ENDING: September 30, 2023)

Appropriation Symbol: G-24-393-Y6

	Amount Appropriated FY 2023-2024	Expenditures for Qtr. End 9/30/2023	Expenditures for Qtr. End 12/31/2023	Expenditures for Qtr. End 3/31/2024	Expenditures for Qtr. End 6/30/2024	Expenditures Year-To-Date Totals	% of Budget Expended
A. PERSONNEL SERVICES							
Staff Salaries	\$ 1,229,623.00	\$ 282,204.76	\$ 0.00	\$ 0.00	\$ 0.00	282,204.76	23.0%
Total Personnel Services	\$ 1,229,623.00	\$ 282,204.76	\$ 0.00	\$ 0.00	\$ 0.00	\$ 282,204.76	23.0%
B. OTHER CURRENT EXPENSES							
Office Expenses	16,640.00	6,848.18	0.00	0.00	0.00	6,848.18	41.2%
Intrastate Transportation and Travel	9,250.00	530.50	0.00	0.00	0.00	530.50	5.7%
Out-of-State Travel	12,660.00	1,448.20	0.00	0.00	0.00	1,448.20	11.4%
Equipment Rental and Maintenance	34,100.00	5,107.60	0.00	0.00	0.00	5,107.60	15.0%
Dues, Subscriptions, Training	20,910.00	2,468.03	0.00	0.00	0.00	2,468.03	11.8%
Newspaper Advertisements	1,100.00	0.00	0.00	0.00	0.00	0.00	0.0%
Comm'n Mtgs, Investigations, Hrgs	12,400.00	3,693.86	0.00	0.00	0.00	3,693.86	29.8%
Consulting Services	42,500.00	0.00	0.00	0.00	0.00	0.00	0.0%
Office Rent	158,331.00	20,892.12	0.00	0.00	0.00	20,892.12	13.2%
Total Other Current Expenses	\$ 307,891.00	\$ 40,988.49	\$ 0.00	\$ 0.00	\$ 0.00	\$ 40,988.49	13.3%
C. CAPITAL OUTLAY							
Office Furniture and Equipment	4,000.00	6,282.72	0.00	0.00	0.00	6,282.72	157.1%
Total Capital Outlay	\$ 4,000.00	\$ 6,282.72	\$ 0.00	\$ 0.00	\$ 0.00	\$ 6,282.72	0.0%
GRAND TOTAL (A+B+C)	\$ 1,541,514.00 ¹	\$ 329,475.97	\$ 0.00	\$ 0.00	\$ 0.00	\$ 329,475.97	21.4%

General Fund Allocation \$ 1,541,514.00

Total Expenditures as of September 30, 2023 \$ 329,475.97

Balance as of September 30, 2023 \$1,212,038.03

¹ \$1,541,514 awarded by Act 1, SLH 2023 - Appropriation 393.

HAWAII STATE ETHICS COMMISSION FINANCIAL REPORT
FY 2024 (QUARTER ENDING: September 30, 2023)
Appropriation Symbol: G-23-396-Y6

	Amount Appropriated FY 2023-2024	Expenditures for Qtr. End 9/30/2023	Expenditures for Qtr. End 12/31/2023	Expenditures for Qtr. End 3/31/2024	Expenditures for Qtr. End 6/30/2024	Year-To-Date Expenditures Totals	% of Budget Expended
A. ACCRUED VACATION/VACATION TRANSFERS							
Vacation Payout	\$ 16,553.00 ¹	\$ 10,011.57	\$ 0.00	\$ 0.00	\$ 0.00	\$ 10,011.57	60.5%
Total Accrued Vacation/Vacation Transfers	\$ 16,553.00	\$ 10,011.57	\$ 0.00	\$ 0.00	\$ 0.00	\$ 10,011.57	60.5%
GRAND TOTAL	\$ 16,553.00	\$ 10,011.57	\$ 0.00	\$ 0.00	\$ 0.00	\$ 10,011.57	60.5%

Appropriation for Accrued Vacation/Vacation Transfer Payments	\$ 16,553.00
Total Expenditures as of September 30, 2023.	\$ 10,011.57
Balance as of September 30, 2023	\$ 6,541.43

¹ Funds for accrued vacation and vacation transfer payments appropriated by Act 3 (2023) HB 1514 HD1 SD1, for \$16,553.00.

SUNSHINE LAW MEETING
AGENDA ITEM III

DISCUSSION OF ETHICS OVERSIGHT OVER THE JUDICIAL BRANCH

No attachments.

SUNSHINE LAW MEETING
AGENDA ITEM IV

EVALUATION OF EXECUTIVE DIRECTOR ROBERT HARRIS

The Hawai'i State Ethics Commission may convene an executive session pursuant to Hawai'i Revised Statutes section 92-5(a)(2) to discuss matters relating to the evaluation of an employee, and/or pursuant to section 92-5(a)(4), to consult with the Commission's attorneys on questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities.

Attachment 1: Proposed Executive Director Evaluation Form

Hawai'i State Ethics Commission

2023 Executive Director Evaluation Survey

1. Are you a:

Mark only one oval.

- ☐ Staff Member
- ☐ Commission Member

2. **Legal Counsel to the Commission.** Advises Commissioners on legal issues; ensures Commissioners are aware of both sides of the issue; and applies ethics and lobbying laws in a fair and consistent manner.

Mark only one oval.

- ☐ 5 - Excellent
- ☐ 4 - Good
- ☐ 3 - Adequate
- ☐ 2 - Less than Adequate
- ☐ 1 - Poor
- ☐ 0 - No opinion/not applicable

3. Specific feedback (if any):

4. **Meetings and training.** Develops positive, cooperative, and collaborative relationships; assist in conducting meetings in a timely manner; and receives input.

Mark only one oval.

- ☐ 5 - Excellent
- ☐ 4 - Good
- ☐ 3 - Adequate
- ☐ 2 - Less than Adequate
- ☐ 1 - Poor
- ☐ 0 - No opinion/not applicable

5. Specific feedback (if any):

6. **Administration and Enforcement of Ethics and Lobbying Laws.** Oversees, plans, and implements effective complaint investigations; oversees the timely administration and compliance with disclosure requirements; and oversees enforcement proceedings.

Mark only one oval.

- ☐ 5 - Excellent
- ☐ 4 - Good
- ☐ 3 - Adequate
- ☐ 2 - Less than Adequate
- ☐ 1 - Poor
- ☐ 0 - No opinion/not applicable

7. Specific feedback (if any):

8. **Administration and Enforcement of Ethics and Lobbying Laws.** Oversees, plans, and implements effective complaint investigations; oversees the timely administration and compliance with disclosure requirements; and oversees enforcement proceedings.

Mark only one oval.

- ☐ 5 - Excellent
- ☐ 4 - Good
- ☐ 3 - Adequate
- ☐ 2 - Less than Adequate
- ☐ 1 - Poor
- ☐ 0 - No opinion/not applicable

9. Specific feedback (if any):

10. **Education Program.** Develops, conducts, and manages an educational program for state employees and government officials; develops educational materials to help ensure compliance; and helps with the development, design, and maintenance of the Commission's website.

Mark only one oval.

- ☐ 5 - Excellent
- ☐ 4 - Good
- ☐ 3 - Adequate
- ☐ 2 - Less than Adequate
- ☐ 1 - Poor
- ☐ 0 - No opinion/not applicable

11. Specific feedback (if any):

12. **Media.** Responds to the media in a clear, concise, and professional manner; and issues appropriate news releases, commentaries, and letters to the editor as necessary.

Mark only one oval.

- ☐ 5 - Excellent
- ☐ 4 - Good
- ☐ 3 - Adequate
- ☐ 2 - Less than Adequate
- ☐ 1 - Poor
- ☐ 0 - No opinion/not applicable

13. Specific feedback (if any):

14. **Relationships.** Maintains professional relations with other state, local, and federal agencies; maintains relations with local and national organizations, such as Common Cause Hawaii, the League of Women Voters, and the Council on Governmental Ethics Laws; and promotes ethical and "good government" initiatives.

Mark only one oval.

- ☐ 5 - Excellent
- ☐ 4 - Good
- ☐ 3 - Adequate
- ☐ 2 - Less than Adequate
- ☐ 1 - Poor
- ☐ 0 - No opinion/not applicable

15. Specific feedback (if any):

16. **Legislation.** Drafts, edits, and/or reviews legislative testimony; understands and actively engages in the legislative process; participates in legislative hearings in a professional manner; engages with key government decision-makers; and works collaboratively with community groups and members of the public on matters of common interest.

Mark only one oval.

- ☐ 5 - Excellent
- ☐ 4 - Good
- ☐ 3 - Adequate
- ☐ 2 - Less than Adequate
- ☐ 1 - Poor
- ☐ 0 - No opinion/not applicable

17. Specific feedback (if any):

18. **Budget and Fiscal Operations.** Plans, prepares, and manages the Commission's budget; ensures fiscal operations of the office are in accordance with applicable laws; and negotiates and executes office lease agreements and other agreements and contracts on behalf of the Commission.

Mark only one oval.

- ☐ 5 - Excellent
- ☐ 4 - Good
- ☐ 3 - Adequate
- ☐ 2 - Less than Adequate
- ☐ 1 - Poor
- ☐ 0 - No opinion/not applicable

19. Specific feedback (if any):

20. **Administration and Management.** Handles conflicts and disagreements with sensitivity and tact; communication is clear, effective, and respectful, demonstrates high standards of integrity and fairness; treats everyone with dignity and respect; works to develop and foster high morale and positive relationships with staff; and fosters effective teamwork.

Mark only one oval.

- ☐ 5 - Excellent
- ☐ 4 - Good
- ☐ 3 - Adequate
- ☐ 2 - Less than Adequate
- ☐ 1 - Poor
- ☐ 0 - No opinion/not applicable

21. Specific feedback (if any):

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Google Forms

SUNSHINE LAW MEETING
AGENDA ITEM V

AKANA v. HAWAII STATE ETHICS COMMISSION AND DANIEL GLUCK,
CIVIL NO. 18-1-1019-06 (JHA); AKANA v. HAWAII STATE ETHICS COMMISSION,
CIVIL NO. 19-1-0379-03 (JHA); STATE OF HAWAII, ETHICS COMMISSION v.
ROWENA AKANA, CIVIL NO. 20-1-0453 (BIA)

Discussion of case status.

The Hawai'i State Ethics Commission may convene an executive session pursuant to Hawai'i Revised Statutes section 92-5(a)(4) to consult with the Commission's attorneys on questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities.

No attachments.