

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

Commissioners:

Wesley Fong, Chair

Beverley Tobias, Vice-Chair • Robert Hong • Cynthia Thielen • Roderick Becker

Date: February 19, 2025

Time: 9:00 a.m.

Location: Zoom Videoconference or Phone:

Videoconference: Join Zoom Meeting

<https://us06web.zoom.us/j/88333040847?pwd=zAfGJP63ws897Z9WUp1tZheFijjbEv.1>

Phone: +1 (669) 900-6833 or +1 (719) 359-4580

Phone passcode: 144196

Meeting ID: 883 3304 0847

Passcode: xVhyw1

Public Meeting Location:

Hawai'i State Ethics Commission Conference Room
1001 Bishop Street
American Savings Bank Tower, Suite 970
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 visit 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.

AGENDA

CALL TO ORDER

I. Consideration and Approval of the Minutes of the January 15, 2025 Meeting

Attachment 1: Sunshine Law Meeting Minutes of the January 15, 2025, Hawai'i State Ethics Commission Meeting

II. Consideration and Approval of the Minutes of the January 15, 2025 Executive Session Meeting

Attachment 1: Sunshine Law Meeting Executive Session Minutes of the January 15, 2025 Hawai'i State Ethics Commission Meeting

III. Directors' Report

1. Education / Training Report

Attachment 1: 2025 Training Schedule

2. Guidance and Assignment Statistics – January 2025

Attachment 2: 2025 Guidance and Assignment Statistics / Website Traffic

3. Miscellaneous Office Projects / Updates

IV. Proposed 2025 Ethics Commission Goals

Attachment 1: Staff Overview

Attachment 2: Commission Staff Proposed 2025 Goals

V. Discussion of Media Reports Concerning Ethics or the Ethics Commission Since the Last Meeting

VI. 2025 Legislative Matters

New bills of interest, introduced in 2025, are described briefly below. The blue house or senate bill number is a clickable hyperlink that goes directly to the bill language online. If the hyperlink does not work, bills can be looked up at “capitol.hawaii.gov” by typing the bill number in the box located near the top of the window.

Budget

- [HB 1440 HD1](#). This bill proposes appropriations to cover the operational expenses of several key legislative bodies and offices, including the Legislature, the Auditor, the Legislative Reference Bureau, the Ombudsman, and the Ethics Commission. The proposed allocation to the Commission exceeds the requested amount by about 5%. As of February 10, 2025, HB1440 has been referred to the Senate Committee on Ways and Means (WAM) after passing the House.
- [HB 1439](#). This bill proposes appropriations to cover public employment cost items and cost adjustments for employees of the Senate, House of Representatives, and various legislative service agencies. No hearing has been scheduled yet.

Commission Procedures

- [HB 411](#). This bill proposes establishing uniform provisions for assessing administrative penalties under the State Ethics Code and the Lobbyist Law. The bill aims to create a streamlined process for the State Ethics Commission to impose administrative penalties for minor violations, thereby enhancing the efficiency and consistency of enforcement actions. The bill passed the House Judiciary and Hawaiian Affairs Committee and is likely to be sent to the Senate for consideration.
- [SB 289](#). Same measure as above. The Senate Judiciary Committee passed it unamended. It is likely to pass to the House.

Lobbyist Law

- [HB 412](#). This measure broadens the definition of "lobbying" in the state lobbying law to encompass specific communications with high-level government officials concerning procurement decisions.

Additionally, it establishes certain presumptions regarding testimony provided by a lobbyist and renders certain contracts voidable when entered into in violation of the state lobbying law. The House Committee on Judiciary and Hawaiian Affairs passed this measure with amendments that have not yet been made public.

- [SB 290](#). Same measure as above. The Senate Committee on Judiciary has not yet heard this bill.
- [HB 413](#). This bill clarifies the administrative oversight of statutory restrictions concerning prohibited lobbyist contributions during the legislative session. It also specifies that the regular or special sessions in which lobbyist contributions are banned are periods when both houses of the legislature are in session. The House Committee on Judiciary and Hawaiian Affairs passed this measure with amendments that have not yet been made public.
- [SB 291](#). Same measure as above. The Senate Committee on Judiciary has not yet heard this bill.

Nepotism

- [SB 1545](#). This bill repeals language in the code of ethics that exempts the Legislative Branch from prohibitions against nepotism in public employment. The Senate Committee on Judiciary passed this measure unamended. It will likely be referred to the House.

VII. Evaluation of Executive Director Robert D. 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 where consideration of matters affecting privacy will be involved, and/or under 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: Evaluation Summary Report

- VIII. *Akana v. Hawai'i State Ethics Commission and Daniel Gluck, Civil No. 18-1-1019-06 (JHA); Akana v. Hawai'i State Ethics Commission, Civil No. 19-1-0379-03 (JHA); State of Hawai'i, 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.

- IX. 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 Savings Bank Tower, Suite 970, Honolulu, Hawai'i 96813). Public testimony must be related to an item on the agenda, and the testifier must identify the 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/accessible formats.

SUNSHINE LAW MEETING
AGENDA ITEM I

CONSIDERATION AND APPROVAL OF THE MINUTES OF THE
JANUARY 15, 2025 MEETING

Attachment 1: Sunshine Law Meeting Minutes of the January 15, 2025
Hawai'i State Ethics Commission Meeting

SUNSHINE LAW MEETING
MINUTES OF THE HAWAI'I STATE ETHICS COMMISSION

STATE OF HAWAI'I

Date: January 15, 2025

Time: 9:00 a.m.

Location: Hybrid meeting held via Zoom video and audio conference

Recorded video available at

https://ethics.hawaii.gov/category/commissionmeetings/comm_videos/

Public Meeting Location

Hawai'i State Ethics Commission Conference Room
1001 Bishop Street
American Savings Bank Tower, Suite 970
Honolulu, Hawai'i 96813

Present: State Ethics Commission Members

Wesley F. Fong, Chair (present in the conference room)
Beverley Tobias, Vice Chair (via video conference)
Robert Hong, Commissioner (via video conference)
Cynthia Thielen, Commissioner (via video conference)
Roderick Becker, Commissioner (excused)

State Ethics Commission Staff

Robert D. Harris, Executive Director (present in the 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)
Jodi L. K. Yi, Staff Attorney (via video conference)
Patrick W.C. Lui, Computer Specialist (via video conference)
Jared Elster, Investigator (via video conference)
Barbara A. Gash, Investigatory Analyst (via video conference)

1 Myles A. Yamamoto, Administrative Assistant (present in the conference
2 room)

3
4 **CALL TO ORDER (0:00)**

5
6 Chair Fong called the meeting to order at 9:01 a.m. Chair Fong, Vice Chair Tobias,
7 Commissioner Thielen, Commissioner Hong, and Commission staff were present. All
8 Commissioners and staff participating via video or audio conference confirmed no one
9 was in the room with them at their respective remote locations. Commissioner Becker was
10 excused.

11
12
13 **Agenda Item No. I: Consideration and Approval of the Minutes of the December 18,**
14 **2024 Meeting (1:46)**

15
16 Vice Chair Tobias made a motion to approve the minutes from the December 18,
17 2024 meeting, which Commissioner Thielen seconded. The motion carried with
18 Commissioners Fong, Tobias, Thielen, and Hong voting in favor, while Commissioner
19 Becker was excused.

20
21
22 **Agenda Item No. II: Election of Officers (2:26)**

23
24 Executive Director Harris noted that while the election of officers must be included
25 in the January agenda, the Commission may defer this item until the July meeting.

26
27 Commissioner Hong made a motion, seconded by Vice Chair Tobias, to defer the
28 election of officers until the July meeting. The motion carried with Commissioners Fong,
29 Tobias, Thielen, and Hong voting in favor, while Commissioner Becker was excused.

30
31
32 **Agenda Item No. III: Directors' Report (4:00)**

33
34 Compliance Director Bonita Chang reported that two lobbyist training sessions
35 were held on January 2 and 10. She noted that an ethics refresher training for the House of
36 Representatives will be held on January 17. She reported that as of 12/31/2024, state
37 agencies' overall compliance rate was approximately 88%, and boards and commissions
38 have a 95% compliance rate. Director Chang stated that the primary focus for 2025 will be
39 updating the training content to ensure that training information is timely and useful. She
40 said that the Governor's Office is planning to conduct orientations for new board and
41 commission members and provide information regarding the Sunshine law, state

1 procurement rules, ethics and general board governance and has asked staff to participate
2 in the planning process. Director Chang indicated that the deadline for Legislators to file
3 annual financial disclosures is January 31. She noted a new section of the disclosure
4 where legislators must now disclose any lobbying affiliations. She further noted that
5 lobbying expenditure reports for May to December are due January 31.

6
7 Chair Fong congratulated staff on achieving an 88% overall compliance rate. He
8 asked if lobbyists are required to take ethics training. Director Chang replied that they are.
9 She noted that failure to register and/or report lobbying activities is a violation subject to
10 enforcement action.

11
12 Enforcement Director Kee Campbell reported that 424 matters were opened and
13 417 closed in 2024, compared to 329 new matters in 2023. Director Campbell also
14 reported that staff is examining enhanced statistical reporting, utilizing the updated case
15 management system's functions.

16
17 Chair Fong commended the staff for handling matters expeditiously.

18
19 Executive Director Robert Harris reported that, as of the second quarter,
20 approximately 48.4 percent of the allocated budget has been spent. He noted that
21 significant travel expenditures were related to commissioners and staff attending the
22 annual COGEL Conference. There was a \$3,400 expense for the installation of a new server
23 rack. He also mentioned that subscription expenses were due to payments for COGEL
24 memberships and state Bar Association registrations. Director Harris indicated that the
25 legislature's allocation for temporary hazard pay was for staff who worked during COVID.
26 The first installment has been paid, and the second installment is forthcoming.

27
28 Chair Fong inquired about the return of unspent funds. Director Harris pointed out
29 that the Commission has historically been financially prudent with its expenditures. For
30 instance, last year, the Commission returned around \$70,000.

31
32
33 **Agenda Item No. IV: Consideration of Draft 2024 Annual Report (14:50)**

34
35 Executive Director Harris discussed the draft 2024 Annual Report. He noted the
36 report is required by statute.

37
38 Chair Fong asked the commissioners to review the draft and provide any feedback
39 to Director Harris by the end of January.

40

1 Vice Chair Tobias acknowledged the excellent work of the staff in preparing the draft
2 report.

3
4
5 **Agenda Item No. V: Discussion of Media Reports Concerning Ethics or the Ethics**
6 **Commission Since the Last Meeting (18:21)**

7
8 Executive Director Robert Harris stated that there were no noteworthy reports.

9
10
11 **Agenda Item No. VI: Discussion of Ethics Oversight over the Judicial Branch (19:35)**

12
13 Executive Director Harris reported that the Judiciary is reviewing the Commission's
14 comments on the proposed rules. He noted that the Judiciary is currently in its public
15 comment period concerning those rules. He suggested removing this item from the agenda
16 until the Judiciary responds to the comments, at which point the Commission can add it
17 back to discuss.

18
19
20 **Agenda Item No. VII: Proposed Administrative Rules (21:50)**

21
22 Executive Director Robert Harris reported that these are the last of the proposed
23 revisions to the administrative rules.

24
25 Revisions to Chapter 8, which covers conflicts of interest, are as follows:

- 26
27
- 28 • Consider parent companies and subsidiaries as part of the same organization.
 - 29 • Clarification of the definition of an agency.
 - 30 • Clarification of official duties.
- 31

32 Revisions to Chapter 10, which covers lobbying, are as follows:

- 33
34
- 35 • Definition of Administrative Action.
 - 36 • Definition of a Trade Association.
 - 37 • Addition of provisions related to reasonable presumption of lobbying.
 - 38 • Clarification of registration requirements.
 - 39 • Creates the presumption of potentially lobbying on behalf of a private client.
 - 40 • Details regarding reporting and filing requirements.

1 Chair Fong asked if the Commission or the lobbyist has the burden of proof
2 regarding the reasonable presumption. Director Harris replied that the lobbyist has the
3 burden of proof to prove that they are not lobbyists when there is a presumption of
4 lobbying.

5
6 A new chapter of the Administrative Rules was proposed. This chapter covers the
7 recently passed Nepotism Law. Enforcement Director Kee Campbell reviewed each of the
8 proposed sections:

- 9
10
- 11 • Section 1 is a preamble that explains the purpose of the law.
 - 12 • Section 2 defines supervision and a mechanism for guidance related to
13 supervision. Commission decisions would be made public.
 - 14 • Section 3 covers disqualifications, with special attention given to smaller
15 agencies and issues with disqualification for those agencies.
 - 16 • Section 4 covers good cause exceptions and sets a list of factors the
17 Commission considers when looking at good cause exceptions.
 - 18 • Section 5 covers good cause exception applications
 - 19 • Section 6 covers decisions and appeals. It sets a process for staff to make an
20 initial determination, with appeals and novel issues being brought before the
21 Commission for consideration.
 - 22 • Section 7 addresses emergencies and natural disasters.
 - 23 • Section 8 covers “hanai” relationships.

24 Chair Fong asked about the enforcement of the nepotism law. Director Campbell
25 replied that violations would be considered enforcement matters like any other violations.
26 Chair Fong asked whether the law applies to the legislature. Executive Director Harris
27 replied that the law does not apply to the legislature.

28
29 Director Harris thanked staff for their work in updating the rules.

30
31 Chair Fong also thanked the staff.

32
33
34 **Agenda Item No. VIII: University of Hawai‘i Professional Assembly v. Board of Regents**
35 **of the University of Hawai‘i, S.P. No.: 1CSP-23-0000959 (36:45)**

36
37 Executive Director Robert Harris noted that the Commission’s Amicus Brief was
38 filed. The court gave the parties a chance to respond, and the briefs were provided as part
39 of the public materials.

1 Chair Fong asked if the decision ultimately impacts the Commission, as it seems to
2 be a dispute between the University of Hawai'i and UHPA. Director Harris responded that
3 the two main issues concerning the Commission are whether the ethics code is an
4 individual responsibility, and whether the state is obligated to provide counsel. He
5 indicated that if counsel is deemed necessary, it could potentially delay Commission
6 proceedings.
7
8

9 **Agenda Item No. IX: Evaluation of Executive Director Robert Harris (40:20)**
10

11 Executive Director Robert Harris noted that one of the Commission's most
12 important responsibilities is evaluating the Executive Director. He outlined a proposed
13 process similar to last year's. The goals for 2024 will serve as an evaluative tool, and a self-
14 evaluation will be conducted alongside a streamlined Commissioner poll. Director Harris
15 mentioned that staff input will not be part of the evaluation due to concerns regarding the
16 confidentiality of comments made during the process.
17

18 Commissioner Thielen proposed a motion to go into executive session to discuss
19 the evaluation of Executive Director Robert Harris, which Commissioner Hong seconded.
20 The motion passed with Commissioners Fong, Tobias, Thielen, and Hong voting in favor,
21 while Commissioner Becker was excused.
22

23 At approximately 9:45 a.m., the Commission recessed the Sunshine meeting and
24 held an executive session in accordance with Hawai'i Revised Statutes section 92-5(a)(2)
25 to discuss matters regarding the evaluation of an employee, and/or under section 92-
26 5(a)(4) to consult with the Commission's attorney on questions and issues related to the
27 Commission's powers, duties, privileges, immunities, and liabilities.
28

29 All staff and members of the public were directed to the waiting room. The
30 Commission met with Compliance Director Bonita Chang to discuss matters related to the
31 evaluation.
32

33 At around 10:20 a.m., the Commission adjourned its executive session and
34 reconvened the Sunshine Meeting.
35

36 Compliance Director Bonita Chang summarized the discussion held during
37 executive session in which commissioners had discussed legal issues relating to the
38 evaluation process. It was noted that the Commission values staff input as part of the
39 evaluation, but agreed to streamline the evaluation process this year.
40

1 Commissioner Hong made a motion to approve the evaluation process for the
2 Executive Director, which was seconded by Vice Chair Tobias. The motion passed with
3 Commissioners Fong, Tobias, Thielen, and Hong voting in favor, while Commissioner
4 Becker was excused.
5
6

7 **Agenda Item No. X: Akana v. Hawai'i State Ethics Commission and Daniel Gluck, Civil**
8 **No. 18-1-1019-06 (JHA); Akana v. Hawai'i State Ethics Commission, Civil No. 19-1-**
9 **0379-03 (JHA); State of Hawai'i, Ethics Commission v. Rowena Akana, Civil No. 20-1-**
10 **0453 (BIA) (47:12)**

11
12 Executive Director Robert Harris reported that there are no updates.
13
14

15 **Agenda Item No. XI: Adjournment of Sunshine Law Meeting (48:42)**
16

17 At around 10:24 a.m., Commissioner Hong moved to adjourn the meeting, and Vice
18 Chair Tobias seconded the motion. The motion passed, with Commissioners Fong, Tobias,
19 Thielen, and Hong voting in favor, while Commissioner Becker was excused.
20

21 The meeting was adjourned at 10:27 a.m.

22 Minutes approved on _____.
23

SUNSHINE LAW MEETING
AGENDA ITEM II

CONSIDERATION AND APPROVAL OF THE MINUTES OF THE
JANUARY 15, 2025 EXECUTIVE SESSION MEETING

Attachment 1: Sunshine Law Meeting Executive Session Minutes of the January 15,
2025 Hawai'i State Ethics Commission Meeting

****Executive Session Meeting Minutes not provided to the public.****

SUNSHINE MEETING
AGENDA ITEM III

DIRECTORS' REPORT
February 19, 2025

1. Education / Training Report

Attachment 1: 2025 Training Schedule

2. Guidance and Assignment Statistics – December 2024

Attachment 2: 2025 Guidance and Assignment Statistics / Website Traffic

3. Miscellaneous Office Projects / Updates

HAWAII STATE ETHICS COMMISSION			
2025 EDUCATION PROGRAM			
(Ethics Workshops and Presentations)			
DATE	PRESENTATIONS	IN PERSON PARTICIPANTS	WEBINAR PARTICIPANTS
1/2/2025	WEBINAR: Lobbyists Law Training	0	25
1/10/2025	WEBINAR: Lobbyists Law Training	0	22
1/17/2025	IN PERSON: Ethics Refresher, Capitol House Members	46	0
1/23/2025	WEBINAR: General Ethics Training	0	18
2/10/2025	WEBINAR: Universal Access Advisory Council, Custom Advisory	0	24
3/5/2025	WEBINAR: General Ethics Training		
5/8/2025	WEBINAR: General Ethics Training		
7/18/2025	WEBINAR: Ethics for State Board & Commission members		
8/6/2025	WEBINAR: General Ethics Training		
9/25/2025	WEBINAR: Ethics for State Board & Commission members		
10/22/2025	WEBINAR: General Ethics Training		
11/7/2025	WEBINAR: Ethics for State Board & Commission members		
TOTAL	12 Presentations	46 participants	89 participants

2025 Jan Feb Mar Apr May June July Aug Sept Oct Nov Dec Year to date

Training statistics

# of In-Person Trainings	1																1
# of People Trained In Person	46																46
# of On-Line Trainings (Self-Directed)	698																698
# of Lobbyists Law Trainings	180																180
# of Training Webinars	3	1															4
# of Participants in Training Webinars	65	24															89

Attorney of the Day

	98																98
--	----	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	----

New assignments

Advisory Opinion	0																0
Anti-Fraud	6																6
Complaint	21																21
Gifts/Invitations/Travel	46																46
Guidance	1																1
Judicial Selection Comm'n	2																2
Nepotism	0																0
Training Request	1																1
Record Request	0																0
Project/Other	9																9
Total	86	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	86

Closed Assignments

Advisory Opinion	0																0
Anti-Fraud	2																2
Complaint	25																25
Gifts/Invitations/Travel	46																46
Guidance	1																1
Judicial Selection Comm'n	2																2
Nepotism	0																0
Training Request	4																4
Record Request	0																0
Project/Other	5																5
Total	85	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	85

SUNSHINE LAW MEETING
AGENDA ITEM IV

PROPOSED 2025 ETHICS COMMISSION GOALS

Attachment 1: Staff Overview

Attachment 2: Commission Staff Proposed 2025 Goals

STAFF RECOMMENDATIONS ON 2025 GOALS

STAFF OVERVIEW

Commission staff propose the following 2025 goals for the Hawai'i State Ethics Commission:

- (1) Enhance the Commission's training programs,
- (2) Revitalize communication efforts within the state government system,
- (3) Strengthen public outreach,
- (4) Improve accessibility and transparency, and
- (5) Submit updated and modernized administrative rules.

These priorities ensure a clear and aligned vision for the Commission's work in 2025 while complementing its ongoing responsibilities (providing advice and training, receiving financial disclosures, and enforcing Hawai'i's ethics and lobbying laws).

Staff recommend these goals to enhance public understanding of ethics laws, streamline the complaint filing process, and increase transparency in government operations. Strengthening training and outreach efforts will provide clearer guidance to state employees and the public, while improved communication strategies and reporting will further accountability. Website upgrades will also play a key role in ensuring greater accessibility to ethics-related resources. Collectively, these initiatives align with the Commission's broader mission to uphold integrity and ethical standards in state government.

RDH/lo

2025 GOALS

HAWAI'I STATE ETHICS
COMMISSION



ENHANCE TRAINING PROGRAMS

Interactivity

Develop interactive, self-directed ethics training modules with tailored tutoring for correct/incorrect answers

Videos

Expand video training options to improve accessibility and engagement

Relationship

Establish ongoing communications with those participating in our training programs

REVITALIZE COMMUNICATION INITIATIVES



Relaunch The High Road newsletter in a digital format, delivered via:

Email distribution

Social media platforms (Facebook, X/Twitter, Bluesky, LinkedIn)



Highlight key ethics updates, “Question of the Month,” and upcoming training opportunities

STRENGTHEN PUBLIC OUTREACH



INCREASE PRESENCE AT PUBLIC EVENTS AND THROUGH MEDIA INTERVIEWS.



REVITALIZE THE HIGH ROAD AND MAKE IT WIDELY ACCESSIBLE.



POST AT LEAST 3-4 OP-EDS THROUGHOUT THE YEAR



DEVELOP METRICS OF ENFORCEMENT, ADVICE, LOBBYING, AND FINANCIAL DISCLOSURES FOR BROADER PUBLIC DISCLOSURE

SUBMIT ADMINISTRATIVE RULES

1

Complete rules and submit to the Department of the AG

2

Hold public hearing

3

Incorporate feedback

4

Get Commission approval

5

Submit to Governor

IMPROVE ACCESSIBILITY AND TRANSPARENCY

Update	Update the commission's website with user-friendly features
Introduce	Introduce an interactive FAQ section addressing common ethics queries
Make	Make forms more directive and helpful with interactivity built-in

SUNSHINE LAW MEETING
AGENDA ITEM V

DISCUSSION OF MEDIA REPORTS CONCERNING ETHICS OR THE ETHICS COMMISSION
SINCE THE LAST MEETING

No attachments.

SUNSHINE LAW MEETING
AGENDA ITEM VI

2025 LEGISLATIVE MATTERS

No attachments.

SUNSHINE LAW MEETING
AGENDA ITEM VII

EVALUATION OF EXECUTIVE DIRECTOR ROBERT D. 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 where consideration of matters affecting privacy will be involved, and/or under 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: Evaluation Summary Report

**HAWAI'I STATE ETHICS COMMISSION
2024 FINAL EVALUATION OF EXECUTIVE DIRECTOR ROBERT HARRIS**

The Hawai'i State Ethics Commission conducted its annual evaluation of Executive Director Robert Harris for the 2024 calendar year. The overall score was 9.33 (using a scale of 1 to 10). Table A lists the average scores for each of the nine categories. Table B lists the nine areas evaluated by the Commission and the specific feedback and comments concerning the subject area.

TABLE A: AVERAGE SCORE BY CATEGORY

CATEGORY	AVERAGE SCORE
A. Legal Counsel to the Commission	9.4
B. Meetings & Training	9.4
C. Administration & Enforcement of Ethics & Lobbying Laws	9.4
D. Education Program	9.6
E. Media	9.4
F. Relationships	8.8
G. Legislation	9.4
H. Budget & Fiscal Operations	9.6
I. Administration & Management	9.0
GRAND TOTAL	9.33

TABLE B: SURVEY QUESTIONS & FEEDBACK BY COMMISSION

- A. 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.
- *“Always looks at what is prudent for the commissioners and what may be [pitfalls]”*
- B. Meetings and training.** Develops positive, cooperative, and collaborative relationships; assists in conducting meetings in a timely manner; and receives input.
- *“Recognized improvement in training statistics, however, I would reserve a rating of 10 for 100% compliance.”*
- C. 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.
- No comments.
- D. 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.
- *“He oversees what the person who is responsible for this has done and it has made a great difference in compliance.”*
 - *“Excellent resource. I appreciate that the Commissioners have been forwarded relevant articles in the press.”*
- E. 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.
- No comments.

- F. 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 ethics and "good government" initiatives.
- *“While I am aware of Mr. Harris’ relationship with the Election Commission and COGEL, I cannot comment on other organizations such as Common Cause or the League of Women Voters.”*

- G. 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.

No Comments.

- H. 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.

- *“He is fiscally responsible and manages to be under budget while getting things done in a timely manner.”*
- *“The return of unused funding to the State’s General Fund is commendable.”*

- I. 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.

- *“Handles difficult situations well and listens to be able to glean the facts before commenting.”*
- *“Please note that I have not sought feedback from the staff personally and my rating is based upon my impression of the general situation.”*

SUNSHINE LAW MEETING
AGENDA ITEM VIII

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.