

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

STATE OF HAWAI'I

Date: October 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

Attendance: State Ethics Commission Members
Wesley F. Fong, Chair (in person)
Robert Hong, Commissioner (via Zoom)
Cynthia Thielen, Commissioner (via Zoom)
Roderick Becker, Commissioner (in person)

Excused: Beverley Tobias, Vice Chair

State Ethics Commission Staff

Robert D. Harris, Executive Director (in person)
Bonita Y.M. Chang, Compliance Director (via Zoom)
Kee Campbell, Enforcement Director (via Zoom)
Nancy C. Neuffer, Staff Attorney (via Zoom)
Jennifer M. Yamanuha, Staff Attorney (via Zoom)
Jodi L. K. Yi, Staff Attorney (via Zoom)
Jared Elster, Investigator (via Zoom)
Barbara A. Gash, Investigatory Analyst (via Zoom)
Patrick Lui, Computer Specialist (via Zoom)
Melissa Vomvoris, Administrative Assistant (in person)

Guests and Members of the Public

Lauren Akitake, Executive Director Maui Board of Ethics (via Zoom)
Candace Park, Deputy Attorney General (via Zoom - joined at 9:23 a.m.)
N. Bernal (Zoom profile name)

Peter Fritz (Zoom profile name – joined at 9:50 a.m. left at 9:52 a.m.)

CALL TO ORDER (0:02)

Chair Fong called the meeting to order at 9:00 a.m. Chair Fong and Commissioner Becker attended in person, and Commissioners Thielen and Hong participated via Zoom. Vice Chair Tobias was excused. All Commissioners participating remotely confirmed that no one else was present at their respective locations. Executive Director Harris reminded participants that the meeting was being recorded for the official record and would be posted online.

Agenda Item No. I: Consideration and Approval of the Minutes of the August 20, 2025, Meeting (2:33)

Upon a motion by Commissioner Thielen, seconded by Commissioner Hong, the Commission unanimously approved the minutes of the August 20, 2025, meeting, with all Commissioners present (Fong, Thielen, Hong, and Becker) voting in the affirmative.

Agenda Item No. II: Consideration and Approval of the Minutes of the August 20, 2025, Executive Session Meeting (3:11)

Upon a motion by Commissioner Thielen, seconded by Commissioner Becker, the Commission unanimously approved the minutes of the August 20, 2025, Executive Session meeting, with all Commissioners present (Fong, Thielen, Hong, and Becker) voting in the affirmative.

Agenda Item III: Recognition of Vice Chair Beverley Tobias (4:17)

The Commission recognized Commissioner Beverley Tobias for her four years of distinguished service on the Hawai'i State Ethics Commission. Her term concluded on June 30, 2025, and she continued to serve as a holdover member until October 2025. Chair Fong read a resolution honoring Vice Chair Tobias for her service. Commissioners expressed appreciation for her leadership and significant contributions to the Commission.

Agenda Item IV: Introduction of the New Executive Director, Maui Board of Ethics (8:47)

Chair Fong introduced Lauren Akitake, the new Executive Director of the Maui Board of Ethics. Ms. Akitake shared her background and outlined the initiatives underway at the Maui Board of Ethics, including rule revisions, lobbyist regulations, and updates to the gift policy. Commissioners and staff welcomed Ms. Akitake and expressed their support for her ongoing efforts.

Agenda Item No. V: Directors' Report (19:31)

1. Education & Disclosures – Report/Updates (19:41)

Compliance Director Bonita Chang reported outreach to agencies and boards to ensure training and financial disclosure compliance. She noted that further updates will be provided at the December or January meeting.

2. Guidance and Assignment Statistics – September 2025 (20:40)

Enforcement Director Kee Campbell reported:

- 53 complaints were opened and 39 were closed in September.
- Year-to-date, 307 complaints have been opened, with a median of 23 days to close. Most complaints involved fair treatment issues or were outside the Commission's jurisdiction.
- Approximately 41% of complaints did not involve state employees.
- Attorney of the Day program issued 41 written summaries during the period. Most inquiries concerned gifts, fair treatment and conflicts of interest.

3. Miscellaneous Office Projects/Updates (22:41)

Executive Director Harris emphasized the progress in improving transparency and accountability through enhanced data reporting. He noted that the ability to provide detailed public reports stems from last year's update to the Commission's computer system, which now allows the Commission to track and share complaint statistics to the public while maintaining the confidentiality of underlying investigations. The data are also instrumental in shaping the Commission's training programs by identifying frequent questions and topics through Attorney of the Day trends.

Mr. Harris also highlighted the quarterly financial report, noting that the Commission is on track with its budget.

Agenda Item No. VI: Discussion of Media Reports Concerning Ethics or the Ethics Commission Since the Last Meeting (27:11)

Executive Director Harris reported on several media articles:

- October 12, 2025, Civil Beat article regarding replacing Sen. Henry Aquino
<https://www.civilbeat.org/2025/10/the-sunshine-blog-the-choices-to-replace-sen-henry-aquino-are-interesting/>

- October 9, 2025, Civil Beat article titled “Campaign Commission Will Push Again For Reforms Lawmakers Keep Rejecting” with mention to Commission salaries.
<https://www.civilbeat.org/2025/10/campaign-commission-will-push-again-for-reforms-lawmakers-keep-rejecting/>
- October 5, 2025, Civil Beat article titled “Senator Voted For Bills Backed by Lobbyists He’s Going to Work For” <https://www.civilbeat.org/2025/10/senator-voted-for-bills-backed-by-lobbyists-hes-going-to-work-for/>
- October 3, 2025, Civil Beat article titled “Investigation Clears State Utility Official in Toxic Workplace Case” <https://www.civilbeat.org/2025/10/investigation-clears-state-utility-official-in-toxic-workplace-case/>
- September 26, 2025, Citizen Portal article titled “Board of Ethics Expands Staff with New Investigator and Assistant Roles”
<https://citizenportal.ai/articles/5837005/Maui-County/Hawaii/Board-of-Ethics-Expands-Staff-with-New-Investigator-and-Assistant-Roles>
- September 17, 2025, Civil Beat coverage of on the Akana decision
<https://www.civilbeat.org/2025/09/hawaii-supreme-court-oha-trustees-bound-by-state-ethics-code/>
- August 31, 2025, Civil Beat Sunshine Blog mentions the UHERO’s detailed look at the data collected by the State Ethics Commission
<https://www.civilbeat.org/2025/08/the-sunshine-blog-state-officials-are-heading-to-new-zealand-again/>
- August 29, 2025, Maui Now article on UHERO’s published report
<https://mauinow.com/2025/08/29/uhero-data-shows-how-politics-shape-hawai%CA%BBis-legislative-agenda-from-housing-to-wildfire-recovery/>

Agenda Item No. VII: Potential Effects of a Longer Legislative Session – Discussion (29:49)

Executive Director Harris presented a draft response with a conservative estimate of a one-time cost of \$50,000 for database and rule updates should the financial and lobbyist disclosure filing requirements change. Commissioner Becker raised concerns about operational impacts related to tracking legislation. Commissioner Hong moved to approve the letter as written, with Chair Fong’s authorization to sign, seconded by Commissioner Thielen. The motion passed unanimously, with all Commissioners present (Fong, Thielen, Hong, and Becker) voting in the affirmative.

Agenda Item VIII: Discussion of Possible Legislative Proposals within the Commission’s Jurisdiction (34:05)

1. *Proposed Bill Restricting an Employee from Taking Official Action on Pre-Employment Matters.*

Executive Director Harris explained the intent of the legislation is to establish a “revolving door” restriction much like the existing post-employment restriction, which would prohibit individuals entering state service from working on matters in which they were previously involved on behalf of a former client or employer. Commissioners discussed broadening the definition of “matter” and extending the restriction period from one (1) to two (2) years. Staff were directed to revise the draft and return with updated language.

2. Proposed Bill Relating to Nepotism.

Executive Director Harris reiterated that this is the same bill from last year, which amends the existing nepotism law to extend its coverage to the legislative and judicial branches. Recommendation is to amend the bill by adding “legislator or employee” consistently throughout. Commissioner Hong moved to approve recommended amendment, seconded by Commissioner Becker. The motion passed unanimously with all Commissioners present (Fong, Thielen, Hong, and Becker) voting in the affirmative.

3. Proposed Bill Relating to Political Fundraising by State Employees

Executive Director Harris explained that the bill would prohibit executive branch employees appointed by the Governor and confirmed by the Senate from actively engaging in or conducting fundraising activities. Commissioner Thielen moved to approve the proposed legislation, seconded by Commissioner Becker. The motion passed unanimously with all Commissioners present (Fong, Thielen, Hong, and Becker) voting in the affirmative.

Agenda Item No. IX: 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) (55:18)

Executive Director Harris reported that the Hawai‘i Supreme Court issued a decision in favor of the Commission. The Attorney General’s office is proceeding with the collection of the assessed fines. The Commission agreed to remove this item from future agendas.

Agenda Item No. IX: Adjournment of Sunshine Law Meeting (58:35)

At approximately 10:00 a.m., Commissioner Hong moved to adjourn the meeting, seconded by Commissioner Becker. The motion passed unanimously with all Commissioners present (Fong, Thielen, Hong, and Becker) voting in the affirmative.

The meeting was adjourned at 10:00 a.m.

Minutes approved on November 19, 2025.