



HAWAI'I STATE ETHICS COMMISSION

Komikina Ho'opono Kulekele o Hawai'i Moku'āina

NEWS RELEASE

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Ethics Commission Welcomes Supreme Court Decision in Akana Case

Honolulu, Hawai'i — The Hawai'i State Ethics Commission ("Commission") welcomes the Hawai'i Supreme Court's decision in *Rowena Akana v. Hawai'i State Ethics Commission* (SCWC-19-0000668), which reaffirms that trustees of the Office of Hawaiian Affairs (OHA) are subject to the State Ethics Code. The Court upheld the Commission's 2019 decision that former trustee Akana committed 47 ethics violations — including misuse of public funds and failure to disclose gifts — and imposed a \$23,106.53 fine.

Key Findings of the Decision:

- *Jurisdiction affirmed:* OHA is not a "political subdivision" requiring its own ethics code; OHA trustees are subject to Hawai'i Revised Statutes Chapter 84.
- *Ethics Code applies fully:* OHA trustees are "employees" under the Code and must comply with standards on fair treatment, gifts, and disclosure.
- *Violations upheld:* Akana misused trustee allowance funds, accepted legal fees from a beneficiary, and failed to disclose gifts and payments as required by law.

This ruling underscores Article XIV of the Hawai'i Constitution, which holds all public officials to the highest ethical standards to preserve public trust. By confirming that OHA trustees are not exempt from oversight, the Court strengthens accountability and ensures consistent ethical standards across state government.

“The Ethics Commission is gratified by today’s ruling, which reaffirms that no state official is above the public’s expectation for integrity,” said Wesley F. Fong, Chair of the Hawai‘i State Ethics Commission. “Our duty is to enforce the Ethics Code fairly and consistently. This decision strengthens the integrity of Hawai‘i state government and helps reaffirm that no state employee is above the law.”

The opinion of the Hawai‘i Supreme Court can be found at:

<https://www.courts.state.hi.us/wp-content/uploads/2025/09/SCWC-19-0000668.pdf>

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About the Hawai‘i State Ethics Commission:

The Hawai‘i State Ethics Commission is an independent state agency committed to promoting and ensuring ethical conduct in state government. Established to foster public trust, the Commission administers the state’s ethics code and lobbyists law. For more information, visit ethics.hawaii.gov.