

HCR-11

Submitted on: 3/21/2023 12:07:37 PM

Testimony for JHA on 3/23/2023 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|--|---------------------------|-------------------|
| Daniel Foley | Commission to Improve Standards of Conduct | Support | Remotely Via Zoom |

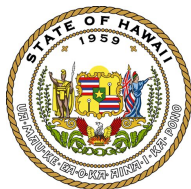
Comments:

Dear Mr. Chairman and members of the Judiciary and Hawaiian affairs Committee,

As Chair of the Commission to Improve Standards of Conduct, I support HCR 11 and HR 8 that urge counties to devote sufficient funding to their respective ethics boards or commissions. See Commission's December 1, 2022 Final Report at page 30.

The State has a vigorously funded and staffed state ethics commission but the same cannot be said of all the county ethics boards and commissions. The need at the county level for sufficient funding is no different than the state level if government ethics codes are to be observed and enforced.

Mahalo, Judge Daniel Foley (ret.)



HAWAI'I STATE ETHICS COMMISSION

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

Committee: House Committee on Judiciary & Hawaiian Affairs
Bill Number: HCR 11/ HR 8
Hearing Date/Time: March 23, 2:00 p.m.
Re: Testimony of the Hawai'i State Ethics Commission in **SUPPORT** of
HCR 11/HR 8, Urging Adequate Funding to County Ethics Boards or
Commissions

Aloha Chair Tarnas, Vice Chair Takayama, and Committee Members:

The Hawai'i State Ethics Commission (“Commission”) supports HCR 11/HR 8, which requests that county governments provide sufficient funding to their respective county ethics board or commission. Abolishing corruption at the city level requires the commitment of resources necessary for the seriousness and breadth of that work.

County budgets reflect their priorities. Currently, the county ethic boards on Kauai, Maui, and Hawai'i island lack adequate funding. Staff support is currently limited to a secretary and an attorney from the county corporation counsel office, both of whom have responsibilities outside of helping the all-volunteer ethics commission.¹

While county ethics commission and board members serve with distinction, providing these volunteers with adequate staff capacity would help ensure their ability to (1) provide timely advice to county employees, (2) offer educational classes on county ethics and (3) increase overall enforcement efforts. Considering the numerous public corruption cases at both the state and county-level, there is an evident need for systemic change. Demonstrating that ethics is a priority – with adequate funding -- is a clear step in the right direction.

Mahalo for your continuing support of the Commission's work and for considering its testimony on HCR 11/ HR 8.

Very truly yours,

/S/ Robert D. Harris
Executive Director and General Counsel

¹ See, e.g., <https://www.civilbeat.org/2022/11/county-ethics-watchdogs-need-more-money-to-do-the-job-right-state-panel-says/> (last reviewed on January 27, 2023).



holomua

COLLABORATIVE

OUR MISSION

To support and advance public policies that make Hawai'i affordable for all working families.

OUR VISION

Collaborative, sustainable, and evidence-based public policies that create a diverse and sustainable Hawai'i economy, an abundance of quality job opportunities, and a future where all working families living in Hawai'i can thrive.

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Page 1 of 1

Committee: House Committee on Judiciary and Hawaiian Affairs
Bill Number: HCR 11 / HR8, Urging the Counties to Devote Sufficient Funding to Their Respective County Ethics Boards or Commissions
Hearing Date and Time: March 23, 2023 at 2:00pm (Room 325)
Re: Testimony of Holomua Collaborative in support

Aloha Chair Tarnas, Vice Chair Takayama, and Committee Members:

We write in support of HCR 11 / HR 8, Urging the Counties to Devote Sufficient Funding to Their Respective County Ethics Boards or Commissions.

Many recent corruption cases have occurred at the county level, such as a former Hawai'i county housing official and a former Maui county director each separately pleading guilty to taking almost \$2 million in bribes, and a former Kaua'i councilmember being sentenced to 20 years in prison for leading a drug trafficking ring. And yet, as noted in this resolution, many of the county ethics boards or commissions lack the necessary resources to adequately meet their constitutionally mandated obligations.

This is particularly true of the county ethics boards of Kaua'i, Maui, and Hawai'i. While the volunteer board members and commissioners work hard, the limited (or zero) staff capacity with which they are faced prevents these county ethics boards or commissions from doing as much as they otherwise could to investigate complaints, provide advice to county employees, or offer trainings on how to follow the pertinent code of ethics. Indeed, the Hawai'i County Ethics Board chair has referred to their own operations as "shoestring."¹

As budgets reflect priorities, we think this resolution is a good way of urging county governments to underscore this work as a priority by providing sufficient funding to their respective county ethics boards or commissions.

As part of Holomua's mission, we aim to build cross-sector collaborative support to work alongside our appointed and elected government leaders and partners to co-create viable, sustainable solutions that benefit all working families in Hawai'i. We believe policies that help improve government functions, and public confidence in government, further that goal. We appreciate the opportunity to testify.

Sincerely,

Josh Wisch
President & Executive Director

¹ See, "[County Ethics Watchdogs Need More Money to Do The Job Right, State Panel Says](#)," Civil Beat, November 11, 2022.