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**Editorial | Our View**

# City ethics rules need clarification

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Clarity is key to ethical behavior in government.

Elected officials need to be clear with the public about what outside interests could potentially influence their decisionmaking. Someone's given a gift, for example. Someone's contributed to their campaign. And they need to demonstrate their willingness to be held to clear and rigorous standards of accountability.

All this helps to ensure that public servants understand what's expected and will not easily find an ethical escape hatch somewhere.

So it is good news that the Honolulu Ethics Commission has decided to clarify its rules about elected officials disclosing potential conflicts — and that this process will involve a lengthy public discussion.

The decision point was a ruling the commission issued Dec. 22 concerning the Honolulu City Council's votes on the rail project and the Ho'opili development. The genesis was a complaint from the community group Friends of Makakilo, critics of both projects, that sought to have the votes overturned.

Kioni Dudley, the group's president, argued that Council members should have first disclosed campaign contributions they received from developers or others who stood to profit from the projects.

Although the Ethics Commission members unanimously concluded that they lacked jurisdiction to invalidate the Council votes, they resolved to re-examine a 40-year-old

advisory opinion stating that campaign contributions were exempted from the disclosure requirement for gifts.

That earlier opinion, issued in 1977, derived from a misreading of a City Charter article on standards of conduct, Dudley said. An exemption contained therein allows elected officials to solicit and accept campaign contributions without disclosing them. However, Dudley said, the Charter also prohibits solicitation and acceptance of gifts “under circumstances in which it can reasonably be inferred that the gift is intended to influence the officer or employee.”

The commission now plans, rightly, to embark on rulemaking to spell things out more clearly.

Jan Yamane, executive director of the commission, said the commission hopes to conduct public meetings for developing rules over the next year. In addition to bringing campaign contributions more plainly under the disclosure requirement, she said, they could set limits on what would be considered gifts that must be disclosed.

That would be progress. Currently, Yamane said, a city ordinance focuses on regulating how the Ethics Commission operates and processes complaints. The law doesn’t define what boundaries the elected officials themselves should observe.

The public should welcome this process and weigh in. There are few opportunities for strengthening ethics oversight in this county and statewide. State lawmakers, for example, are held to the Legislature’s own ethics rules, not the more stringent state ethics codes, and oversight is generally lax.

Within Honolulu County, the hope is for rules that will illuminate what gifts and contributions affect decisionmaking. At some threshold, Council members should be advised to recuse themselves when the self-interest is strong.

But at the very least, voters should get liberal amounts of information on gifts and campaign contributions, the latter of which are very frequently “intended to influence.”

Sunshine is required here.

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