

HONOLULU

# Here's The Deal Honolulu Made With Its Departing Ethics Director

Chuck Tutto got two months' severance pay, but the city says it might punish him if it finds he committed ethics violations.

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ABOUT 8 HOURS AGO · By Nick Grube   

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Chuck Tutto received two months' severance pay — or about \$18,000 — as part of his deal with the city to walk away from his role as executive director of the Honolulu Ethics Commission.

Tutto also agreed that he would not sue the commission, and in return the agency would defend him in any litigation stemming from his employment with the city.

The commission, however, reserved the right to punish Tutto for any ethics violations committed by Tutto that might come to light after his departure.

Anthony Quintano/Civil Beat



*A settlement agreement between Chuck Totto and the Honolulu Ethics Commission says that his resignation will be held in “good standing.”*

All these terms are laid out in a 10-page settlement agreement between Totto and his former employer that was released to Civil Beat this week in response to a public records request.

Neither Totto nor Ethics Commission Chairwoman Victoria Marks responded to a request for comment Wednesday.

Totto abruptly [quit the commission](#) after spending nearly 16 years as its executive director, saying that he disagreed with the direction the agency was headed.

For several years, Totto had been at odds with Honolulu Mayor Kirk Caldwell and his administration over how best to enforce the city’s ethics laws.

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Totto complained that Caldwell's cabinet members were [blocking investigations](#) and [manipulating](#) the commission's budget in an attempt to exert control over his agency, which is supposed to be an independent body.



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His work life became more difficult once Caldwell began appointing his own people to the commission, specifically Marks, Allene Suemori and Riki May Amano, all of whom are retired Hawaii judges.

Totto was prevented from [speaking to the media](#) about commission actions and was publicly admonished with a [30-day suspension](#) for alleged workplace violations that were [never fully explained](#).

Both sides agreed a joint press release, which was issued June 15, the same day Totto announced he was stepping down.

The settlement agreement says the commission won't speak out about his departure unless it is to respond to Totto's own statements.

The commission also agreed that Totto's resignation would be held in "good standing," and that the agency would keep [a list](#) of his accomplishments on [its website](#) for six months, although the list would include a caveat that it "does not necessarily reflect the position of the Ethics Commission."

The settlement agreement requires Totto to work with the commission on cases he was involved in that haven't yet been resolved. The agreement specifically references Honolulu Police Chief Louis Kealoha and his wife, Katherine, who is a city prosecutor. The ethics commission had been investigating the Kealohas for numerous alleged violations of city rules. But that investigation appears to have fizzled.

The Kealohas sued the commission at least three times in an attempt to halt its investigation. According to [the latest lawsuit](#), Totto and his chief investigator, Letha DeCaires, "conducted a series of unfounded, vindictive, unsubstantiated and illegal investigations" into the Kealohas.

The Kealohas had also lodged their own ethical complaints against Totto.

*Here's the settlement agreement:*

*HERE'S THE SETTLEMENT AGREEMENT.*

To print the document, click the "Original Document" link to open the original PDF. At this time it is not possible to print the document with annotations.

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**Natalie Iwasa**

*51 minutes ago*

What's the point of having a nondisclosure clause if the entire agreement is going to be posted online for everyone to see? Isn't this a personnel matter?



**Wade Rhein**

*3 hours ago*

Hey Nick, thanks for following up this story! Thank you too Chuck, perhaps you'll return with a new administration? Hmm, I wonder if Republicans value ethics?

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