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## Editorial | Our View

# High standards of ethics needed

By [Star-Advertiser staff](#)

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Can one be too ethical? That seems to be the question now being asked, on one level, among state Ethics Commission members as they ponder the fate of their executive director, Les Kondo, who has ruffled some prominent feathers with his strict rulings. But plumb the question deeper, and it reveals the unsettling probability that Kondo's ouster is being sought because he's rightly shaking the status quo by raising the bar against potential misconduct.

To be sure, some of Kondo's rulings have been politically unpopular — including one that angered some legislators soon after his 2011 hiring that prohibited acceptance of free tickets from lobbyists to attend expensive charitable fundraisers. Just this February, he enforced bans and fines against high-ranking state employees accepting free golf outings and other gifts from government contractors. Rather than being derided, these actions should be hailed as positive strides for better, more open government. The laudable goals were to cultivate an open, fairer field for all, not just for those who use fancy events and gifts to gain access to decision-makers and curry favor.

Kondo's forceful directives have drawn the ire of powerful people, notably House Speaker Joe Souki. In a troubling four-page April 27 letter to the Ethics Commission, Souki wrote: "I continue to see unilateral imposition of restrictions, often based neither on historical practices nor prior Commission opinions, but justified on the basis that the Ethics Code is to be liberally construed."

But for Kondo to advise the commission with liberal interpretations of the state ethics code is exactly what state law prescribes: "This chapter shall be liberally construed to promote high standards of ethical conduct in state government."

For Souki in his letter to urge the commission to “disavow” its more-restrictive positions under Kondo is to condone behavior that, in many cases, should be stopped.

“I’m proud of the work we do,” Kondo told the five-member state Ethics Commission Wednesday. “It’s my job to do what’s right, not what’s popular.”

Any directive that upends long-accepted practice, though, is sure to meet with resistance, such as a recent one by Kondo that would have prevented candidates in teachers’ union elections from using school mailboxes for campaign materials. That was quickly rejected by the Hawaii Labor Relations Board.

And yes, Kondo’s hard lines have caused fallout and snagged even well-intentioned practices. Most disappointing is the harsh approach he’s taken about teachers accepting free travel for educational trips that benefit their students. We continue to question the rigidity of this ruling, knowing full well the eye-opening benefits to youths of such trips, which most teachers chaperone on their own time for the betterment of their students, not for self-gain. It’s hoped that the commission’s case-by-case, 41-question ethics checklist can be refined to lessen confusion and be done expeditiously.

Still, it is far better for our society to have a strong ethics panel advised by a vigilant chief — someone like Kondo — than a weak one that makes a mockery of its own ethics mission.

Sadly the latter applies to the Hawaii County ethics commission, which recently put off hearing a complaint about Mayor Billy Kenoi’s purchase-card spending.

Kenoi has twice apologized for “misuse” of his government-issued pCard, and after being found out, reimbursed more than \$31,100 for questionable charges.

Despite that, the county’s three-member, Kenoi-appointed ethics commission deferred the case pending the state attorney general’s criminal investigation. The stalling only feeds cynicism and distrust of government.

As for the state commission, it should back Kondo when it reconvenes June 9. If Hawaii is sincere about high standards for government conduct, we cannot delude ourselves into thinking that ethics can be taken lightly.

Any attempt to undermine high standards by arguing that things have long been done a certain way puts the lie to good government — and will leave us with a debased government that we will deserve.