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Top News

Maui lawmaker pleads no contest in campaign spending case

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Maui Rep. Angus McKelvey appeared in District Court today.

Maui Rep. Angus McKelvey entered a no-contest plea today to two misdemeanor charges that include filing inaccurate campaign spending reports, and for allowing his mother to receive or spend campaign funds.

The deferred acceptance of no contest plea by McKelvey, one of the leading

Democratic leaders in the state House of Representatives, will place him on probation for a year, and requires that he pay two \$1,000 fines to the Crime Victim Compensation Fund.

McKelvey's lawyer Michael Green said the plea agreement also requires McKelvey to apologize to his constituents, and McKelvey told District Court Judge Clarence Pacarro he has already publicly apologized in a news article published Oct. 18 in the Maui News. Another apology will be forthcoming, Green said.

McKelvey told Pacarro that Maui News article "really explains the situation and gave me the chance to apologize to my constituents for what has happened, and to move forward to regain their trust."

McKelvey's campaign chairman prepared the reports is also a certified public accountant, "and he kind of took responsibility for the errors, which were clearly inadvertent," Green said after the court hearing. "He makes recommendations, and that's what we followed, and it turned out it was wrong ..."

However, McKelvey "understands his responsibility, and the buck stops with him, and he accepts responsibility," Green said. "The errors were clearly inadvertent. He's been a great representative, and he will continue to be."

Charges filed by the state attorney general's office allege that in July 2014 McKelvey recklessly filed campaign spending reports that did not accurately reflect the campaign donations he received.

He allegedly filed one pre-primary report on July 10, 2014, and then amended that report July 30 and Aug. 1, 2014, but the reports were not complete and accurate, according to the complaint.

Records on file with the state Campaign Spending Commission show McKelvey filed advance notices that he planned to hold a \$500-per-plate fundraiser at Ruth's Chris Steakhouse on Jan. 8, 2014, and another \$100-per-plate fundraiser at The Plaza Club on April 30, 2014.

However, campaign spending reports filed on McKelvey-as behalf on July 10, 2014, indicated the campaign had received no contributions from Jan. 1 to June 30, 2014.

An amended report filed on July 30, 2014, listed campaign donations of \$33,465 for the same period, and another amended report filed by the McKelvey campaign Aug. 1 listed contributions totaling \$33,295.

A second charge alleges McKelvey allowed his mother, Joan McKelvey, to receive contributions or spend campaign funds for the campaign although she was not the campaign treasurer or deputy treasurer. That prompted a charge of unauthorized receiving and expenditure of committee funds, according to the complaint.

Green said the issue there was that “money went to his mother, and the question is whether it should have been done, whether it should have been on the books, whether she earned it, and we believe she did.”

Each of the two charges carried a maximum penalty of up to a year in jail. Under the deferred no-contest plea, McKelvey is being placed on probation for a year, but will be able to ask the court in April to release him from probation after six months and clear his record.

Deputy Attorney General Albert Cook said the state’s campaign spending reporting requirements are important because they help the public to have confidence that elections are proceeding as they should. “The Attorney General’s office is going to continue to vigorously prosecute and investigate these type of crimes,” he said.

McKelvey (D, Lahaina- Kaanapali-Honokohau) is chairman of the House Consumer Protection and Commerce Committee, which controls legislation in the House that deals with banking, insurance, real estate and other consumer-oriented subjects.