



ARE COUNTY BOARD OF ETHICS MEMBERS FUNDING THEIR MAYORS AND COUNCILMEMBERS?

An analysis of campaign contributions
by county Board of Ethics members
to their respective
Mayors and Councilmembers

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Common Cause Hawaii



In Hawaii, all government officials and employees are held to the highest ethical standards as mandated by law.¹ The State Ethics Commission administers and enforces the Ethics Code for all state officials and employees. County Ethics Codes are administered and enforced by each county's respective Board of Ethics.

Members of the State Ethics Commission are nominated by the Judicial Council and selected by the Governor. This 2 step process assures the "independence and impartiality"² of State Ethics Commissioners by preventing the Governor from having sole discretion over nominations to the board.

Unlike the State Ethics Commission, members of each county's Board of Ethics are appointed by its Mayor and confirmed by their respective County Councils. This process allows for a direct link between appointees Mayors, leaving open the possibility for appointments to be based on an appointee's relationship with the Mayor, rather than their qualifications. This has led members of the public to question the appointment process and whether county Board of Ethics members truly have the public's best interest at heart.

In response to the public's concerns, Common Cause Hawaii (CCHI) conducted an analysis of campaign finance data to see if there's any correlation between campaign contributions to Mayors and appointments made to a county's Board of Ethics.

Data

Using the Hawaii State Campaign Spending Commission's [campaign contributions database](#)³ Common Cause Hawaii identified campaign contributions made between November 8, 2006-June 30, 2015 by the current members of each county's Board of Ethics to their respective mayors. Campaign contributions made by family members of counties' Board of Ethics members to their respective mayors were also identified. Family members were identified using voter registration data. If the voter registration data listed an individual as having the same surname and address as a board member, Common Cause Hawaii listed them as a family member. Board members' biographies provided by the counties' Board of Ethics websites, were also used to identify family members. See the accompanying [spreadsheet](#)⁴ for the data.

Findings

Board members' contributions

Common Cause Hawaii found that there does not appear to be a correlation between campaign contributions to mayors and appointments made to their county's Board of Ethics. Of the 26 counties' Board of Ethics members only 2, or 7.7%, made campaign contributions to their respective Mayor. See *Table 1*.

¹ "HRS §84 Standards of Conduct." Hawaii State Legislature. Accessed August 29, 2015.

² "About the Hawaii State Ethics Commission." Hawaii State Ethics Commission. Accessed September 3, 2015. http://ethics.hawaii.gov/about_hsec/

³ "Campaign Contributions Received." Hawaii State Campaign Spending Commission. Accessed August 30, 2015. <http://ags.hawaii.gov/campaign/cc/view-searchable-data/campaign-contributions-received/>

⁴ <https://drive.google.com/file/d/0BwmhcJcveJegSWE5R2Y0SE9qVWs/view?usp=sharing>

The 2 contributors were retired Judge Riki May Amano and retired Judge Allene Suemori, both members of the Honolulu County Board of Ethics. This means that 28.6% or 2 out of the 7 members of the Honolulu County Board of Ethics made campaign contributions to Honolulu Mayor Kirk Caldwell.

Table 1

County	# of Board of Ethics Members	# of Board of Ethics Members who made donations to their Mayor	# of Board of Ethics Members' family members Identified	# of Board of Ethics Members' family members who made donations to their Mayor
Honolulu	7	2 (28.6%)	11	3 (27.3%)
Hawaii	3	0	3	0
Maui	9	0	11	0
Kauai	7	0	11	1 (9.1%)
Totals	26	2 (7.7%)	36	4 (11.1%)

Judge Amano contributed the most. During the 2008-2010 election period (November 5, 2008-November 2, 2010) she donated \$1,738.00 to Caldwell's campaign. Caldwell, then Acting Mayor of Honolulu following the resignation of Mufi Hannemann, lost the 2010 special election to complete Hannemann's term to Peter Carlisle.⁵ During the 2010-2012 election period (November 3, 2010-November 6, 2012) Judge Amano donated \$1,600.00 to Caldwell, who won the 2012 general election to become the current Mayor of Honolulu. On July 11, 2014 Caldwell [appointed](#) Judge Amano to the Honolulu County Board of Ethics and was confirmed by the Honolulu City Council on August 13, 2014.⁶

Judge Suemori donated \$250.00 to Caldwell during the 2010-2012 election period. On November 20, 2014 Judge Suemori was [appointed](#) to the Honolulu County Board of Ethics by Caldwell and was confirmed by the Honolulu City Council on December 10, 2014.⁷

Family members' contributions

Common Cause Hawaii also found that of the 36 family members of counties' Board of Ethics members identified, only 4 or 11.1% made a campaign contribution to their respective mayor. See Table 1. Three of these donations were from relatives of Honolulu County Board of Ethics members. The fourth is related to a Kauai County Board of Ethics member.

The largest contribution made by a family member was made by Jay Suemori, who is related to Judge Suemori. During the 2008-2010 election period, Jay Suemori donated \$1,000.00 to

⁵ Reyes, B.J. "Carlisle wins Honolulu mayor's race." Star Advertiser. September 19, 2010. Accessed September 8, 2015. http://www.staradvertiser.com/elections/2010/primary/20100918_Carlisle_leads_in_Honolulu_mayors_race.html?id=103225184.

⁶ "Resolution 14-162." City and County of Honolulu. July 11, 2014. Accessed September 8, 2015. <http://www4.honolulu.gov/docushare/dsweb/Get/Document-151240/dspage03359101896990415556.pdf>

⁷ "Resolution 14-281." City and County of Honolulu. November 20, 2014. Accessed September 8, 2015. <http://www4.honolulu.gov/docushare/dsweb/Get/Document-153616/dspage07659855614308584457.pdf>

Caldwell's campaign. He also donated \$2,000.00 to Caldwell's campaign during the 2010-2012 election period. Also of note, the law company [Suemori & Associates](#), which lists Jay Suemori as its attorney,⁸ also donated \$550.00 during the 2010-2012 election period.

Two members of Judge Amano's family also made campaign contributions to Caldwell's campaign. Donald Amano donated \$365.26 and \$750 during the 2008-2010 and 2010-2012 election periods respectively. Dori Amano-Mitsui donated \$150 to Caldwell during the 2006-2008 election period which ran from November 8, 2006-November 4, 2008.

Charlmaine Bulosan donated \$325 to Kauai Mayor Bernard Carvalho's campaign during the 2012-2014 election period which ran from November 7, 2012-November 4, 2014. Bulosan is related to Kauai County Board of Ethics member Addison Bulosan who was [appointed](#) by Carvalho and approved by the Kauai County Council on April 22, 2015.⁹

Update: October 9, 2015

To become a member of a county's Board of Ethics, appointments made by the Mayor must be confirmed by Councilmembers. In order to determine if campaign contributions play a role in not only the appointment, but also the confirmation of counties' Board of Ethics members, Common Cause Hawaii expanded its analysis of campaign contributions, to include contributions made by Board of Ethics members and their families to their current (2015) Councilmembers.

Unlike contributions made to the Mayors, Board of Ethics members and their families, made no contributions to any current Councilmembers. See the accompanying [spreadsheet](#)¹⁰ for data.

Conclusion

Despite the lack of safeguards in the appointment process, campaign contributions do not appear to be a factor when Mayors appoint new members to their county's Board of Ethics. The majority of county Board of Ethics members and their family members have not made any campaign contributions to their respective mayor. Campaign contributions also do not appear to be a factor when Councilmembers confirm appointees, as no contributions were made by Board of Ethics members or their families to current Councilmembers.

While money does not seem to influence these appointments and confirmations, counties should create an appointment process that does not allow the mayor to have so much discretion over the appointees, similar to the State Ethics Commission's appointment process. Hawaii State Senator Les Ihara, Jr. has been introducing legislation to add such safeguards since 2004, but none have yet been enacted into law. County Councils should take action now to update the appointment process to not only increase transparency and the public's confidence in government, but to also prevent money from becoming a factor in future appointments.

⁸ "Attorney Profile." Suemori & Associates. Accessed September 3, 2015.
<http://www.suemorilaw.com/attorney-profile.html>

⁹ "Resolution 2015-38." County of Kauai. April 22, 2015. Accessed September 8, 2015.
<http://www.kauaigovonline.org/weblink/0/doc/1562348/Electronic.aspx>

¹⁰ <https://drive.google.com/file/d/0BwmhcJcveJegcDYyVjdDZ3poQ2s/view?usp=sharing>



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