



HAWAI'I STATE ETHICS COMMISSION

State of Hawai'i · Bishop Square, 1001 Bishop Street, ASB Tower 970 · Honolulu, Hawai'i 96813

Committee: Committee on Finance
Bill Number: H.B. 2678, H.D.1
Hearing Date/Time: February 19, 2020, 3:00 p.m.
Re: Testimony of the Hawai'i State Ethics Commission with **COMMENTS**
on H.B. 2678, H.D.1, Relating to the Government Employees

Dear Chair Luke, Vice Chair Cullen, and Committee Members:

The Hawai'i State Ethics Commission ("Commission") has not had an opportunity to discuss H.B. 2678, such that it does not take a position on this measure at this time. However, the undersigned submits the following comments for the Committee's consideration.

The Commission has, at times, discussed the possible need for increased penalties – including forfeiture of accrued benefits – for employment-related misconduct. Although employment-related felonies for State employees are quite rare, an increased penalty may serve as an additional deterrent that will help promote the public's trust in government officials. Furthermore, I believe the Commission would support the requirement that forfeiture of other accrued benefits occur only after a court concludes that an employee committed a felony, and not upon a lower standard.

Thank you for your continuing support of the Commission's work and for considering this testimony on H.B. 2678.

Very truly yours,

Daniel Gluck
Executive Director and General Counsel

Statement Before The
HOUSE COMMITTEE ON FINANCE
Wednesday, February 19, 2020
3:00 PM
State Capitol, Conference Room 308

in consideration of
HB 2678, HD1
RELATING TO GOVERNMENT EMPLOYEES.

Chair LUKE, Vice Chair CULLEN, and Members of the House Finance Committee

Common Cause Hawaii supports HB 2678, HD1, which requires forfeiture of state or county officer's or employee's compensation and fringe benefits upon A felony conviction.

Common Cause Hawaii is a nonprofit, nonpartisan, grassroots organization dedicated to reforming government and strengthening democracy. Common Cause Hawaii works to restore faith in our government and our democracy that has been shattered in the last few years through ethics, accountability, and transparency reforms. These reforms are probably the most important tools to restoring the people's trust in their elected leaders and government – to show people that their government is acting for the people's interest versus serving their own interests.

In a recent [Honolulu Star-Advertiser poll](#) published on Sept. 22, 2019, a majority of local residents feel that Hawaii's elected officials do not care what they think and generally do not have high ethical standards. This must change for people to have confidence in our government.

HB 2678, HD1 will show that government takes ethics seriously. Public employees are also public servants. They cannot defraud the public and destroy our confidence in government and still reap the benefits of their criminal misconduct. If this were to occur, then the only losers are the people and democracy.

HB 2678, HD1 is **not** about punishment or retribution. It is about ethics and restoring the public's trust in government. Due process is afforded, and compensation and fringe benefits are only forfeited upon conviction.

Much concern is given to what may be lost by a convicted government employee. We also need to consider that much is lost by the public - the people - when a government employee abuses his/her position of power, trust, and authority. As we have seen, democracy is fragile; people need to have confidence in our government. Please act to restore that trust through ethics reform.

Thank you for the opportunity to testify in support of HB 2678, HD1 and Common Cause Hawaii respectfully urges the Committee members to pass HB 2678, HD1 out of your Committee. If you have further questions of me, please contact me at sma@commoncause.org.

Very respectfully yours,

Sandy Ma
Executive Director, Common Cause Hawaii



HB-2678-HD-1

Submitted on: 2/17/2020 2:58:50 PM

Testimony for FIN on 2/19/2020 3:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Shimei	Indivisible Hawaii	Support	No

Comments:

IN SUPPORT

Public trust in government is low and sinking lower. In these trying times, it is critical to restore confidence in the ethics of our government.

Holding an office of public trust is not the same as a job in the private sector. We cannot endorse the deliberate abuse of government position and power by permitting retention of a benefit paid by taxpayer dollars, at the expense of the people the government was created to serve.

The corruption addressed in this bill is rare but it clearly does exist and all steps must be taken to eradicate it.

HB-2678-HD-1

Submitted on: 2/15/2020 4:59:35 PM

Testimony for FIN on 2/19/2020 3:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Caroline Kunitake	Individual	Support	No

Comments:

Dear Chair Luke and Members of the Committee on Finance,

I am writing in support of HB2678 HD1.

- In a recent [Honolulu Star-Advertiser poll](#) published on Sept. 22, 2019, a majority of local residents feel that Hawaii's elected officials do not care what they think and generally do not have high ethical standards. This must change for people to have confidence in our government.
- HB 2678, HD1 will show that government takes ethics seriously. Public employees are also public servants. They cannot defraud the public and destroy our confidence in government and still reap the benefits of their criminal misconduct. If this were to occur, then the only losers are the people and democracy.
- HB 2678, HD1 is **not** about punishment or retribution. It is about ethics and restoring the public's trust in government. Due process is afforded, and compensation and fringe benefits are only forfeited upon conviction.
- Much concern is given to what may be lost by a convicted government employee. We also need to consider that much is lost by the public - the people - when a government employee abuses his/her position of power, trust, and authority. As we have seen, democracy is fragile; people need to have confidence in our government. Please act to restore that trust through ethics reform.

Please pass this bill.

Mahalo,

Caroline Kunitake

HB-2678-HD-1

Submitted on: 2/16/2020 1:36:36 AM

Testimony for FIN on 2/19/2020 3:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Best	Individual	Support	No

Comments:

Common Cause of Hawaii has researched this & I am in agreement with their testimony.

Mahalo

HB-2678-HD-1

Submitted on: 2/17/2020 9:25:09 PM

Testimony for FIN on 2/19/2020 3:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Donna Ambrose	Individual	Support	No

Comments:

Hawai'i residents have lost faith in our public officials. Events of the past few years have brought to light the unethical behavior of some of them. Perhaps the potential loss of compensation and fringe benefits will cause appointed and elected public servants to think twice before committing serious crimes. We need this measure to restore the public's faith in government. Mahalo.