

**From:** [Kat Brady](#)  
**To:** [Standards of Conduct](#)  
**Subject:** Community Alliance on Prisons' Testimony before CISC 8.24.22  
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**Attachments:** [8.24.22 CAP TESTIMONY BEFORE CISC.pdf](#)  
[democratic principles .pdf](#)

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Aloha e Chair Foley and CISC Commissioners,

Mahalo for the opportunity to share our thoughts today!

Much appreciated.

Kat

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**Advocacy for Justice Award to CAP**

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# COMMUNITY ALLIANCE ON PRISONS

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Testimony before the  
COMMISSION TO IMPROVE STANDARDS OF CONDUCT  
[StandardsofConduct@capitol.hawaii.gov](mailto:StandardsofConduct@capitol.hawaii.gov)  
Wednesday, August 24, 2022

Aloha e Chair Foley and CISC Commissioners,

Mahalo for this opportunity to present testimony today.

As you know, we don't believe that mandatory minimum laws or a host of other laws will change the behavior at the Legislature.

The Commission seems intent on more laws, rather than looking deeper into the motivation behind the wrong-doing at the legislature. We have laws, and some of the people who make those laws, broke those laws.

When people are encouraging bribes (in any form) it is not about the law – it's about the person's greed. Wouldn't it be better and more of a deterrent to levy a huge fine for people who abuse the public trust? I'm not talking about \$10,000 or \$20,000 – I'm talking about a whopping fine that impacts the personal finances of the corrupt person – not a fine paid by his campaign funds or from "special friends". These fines should be paid out of the person's personal finances.

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The real problem is the system that encourages greed, selfishness, and conflicts of interest – by allowing them to go unchallenged.

Today's Civil Beat has an article entitled, An 'Explosive' Report On The Former State Auditor Describes An Office In Turmoil

The legislature knew about these problems for many years – the legislative auditor was established under their authority! What did they (leadership, legislators) do to address the harassment and offensive workplace environment violations that were taking place at the Acting Auditor's office? The story ends with no comment from Senate President Kouchi and Speaker Saiki. The Acting Auditor, Jan Yamane, left the state and is now the head of the Honolulu Ethics Commission.

HAWAI`I NEEDS DEEP, SYSTEMIC CHANGE THAT COMPORTS WITH

## DEMOCRATIC PRINCIPLES AND OUR COMMUNITY VALUES

“Democracy is a form of government built on a foundation of ethical principles and it cannot survive unless those principles are honored and protected. Values matter because how we adopt laws is as important as the laws we adopt, and all of us are charged with protecting the self-governing principles that are the foundation of our great nation. Unethical leadership can undermine the democratic process, and even democracy itself.

Values-based leadership is essential to preserving and protecting democratic principles and there are at least three widely recognized moral virtues that are central to ensuring the governing process is democratic: truthfulness, justice, and temperance.”

*Source:* The Character of American democracy: Values-based leadership

<https://www.brookings.edu/blog/fixgov/2020/11/12/the-character-of-american-democracy-values-based-leadership/>

Community Alliance on Prisons has been researching world governments and a variety of other entities to glean the best ideas that demonstrate democratic principles and that reflect community values. It has been a process that has been marinating in my mind. It is almost distilled into something that I think you might find useful when working on and thinking about reform. I will be sending something soon. Mahalo for including the community and for hearing our thoughts.

Aloha pumehana,

*Kat Brady*

Kat Brady  
Coordinator

See attached:

PRINCIPLES OF DEMOCRACY – 3 pages

[https://www.crivitz.k12.wi.us/site/handlers/filedownload.ashx?moduleinstanceid=783&dataid=4003&FileName=democratic%20principles\\_.pdf](https://www.crivitz.k12.wi.us/site/handlers/filedownload.ashx?moduleinstanceid=783&dataid=4003&FileName=democratic%20principles_.pdf)

## **PRINCIPLES OF DEMOCRACY**

From "Democracy for All," Street Law, Inc.: <http://www.streetlaw.org/democlesson.html>

People from around the world have identified the basic principles, which must exist in order to have a democratic government. These principles often become a part of the constitution or bill of rights in a democratic society. Though no two democratic countries are exactly alike, people in democracies support many of the same basic principles and desire the same benefits from their government.

- 1. CITIZEN PARTICIPATION**
- 2. EQUALITY**
- 3. POLITICAL TOLERANCE**
- 4. ACCOUNTABILITY**
- 5. TRANSPARENCY**
- 6. REGULAR FREE AND FAIR ELECTIONS**
- 7. ECONOMIC FREEDOM**
- 8. CONTROL OF THE ABUSE OF POWER**
- 9. BILL OF RIGHTS**
- 10. ACCEPTING THE RESULTS OF ELECTIONS**
- 11. HUMAN RIGHTS**
- 12. MULTI PARTY SYSTEM**
- 13. RULE OF LAW**

### ***1. Citizen Participation***

One of the most basic signposts of a democracy is citizen participation in government. Participation is the key role of citizens in democracy. It is not only their right, but it is their duty. Citizen participation may take many forms including standing for election, voting in elections, becoming informed, debating issues, attending community or civic meetings, being members of private voluntary organizations, paying taxes, and even protesting. Participation builds a better democracy.

### ***2. Equality***

Democratic societies emphasize the principle that all people are equal. Equality means that all individuals are valued equally, have equal opportunities, and may not be discriminated against because of their race, religion, ethnic group, gender or sexual orientation. In a democracy, individuals and groups still maintain their right to have different cultures, personalities, languages and beliefs.

### ***3. Political Tolerance***

Democratic societies are politically tolerant. This means that while the majority of the people rule in a democracy, the rights of the minority must be protected. People who are not in power must be allowed to organize and speak out. Minorities are sometimes referred to as the opposition because they may have ideas which are different from the majority. Individual citizens must also learn to be tolerant of each other. A democratic society is often composed of people from different cultures, racial, religious and ethnic groups who have viewpoints different from the majority of the population. A democratic society is enriched by diversity. If the majority deny rights to and destroy their opposition, then they also destroy democracy. One goal of democracy is to make the best possible decision for the society. To achieve this, respect for all people and their points of view is needed. Decisions are more likely to be accepted, even by those who oppose them, if all citizens have been allowed to discuss, debate and question them.

### ***4. Accountability***

In a democracy, elected and appointed officials have to be accountable to the people. They are responsible for their actions. Officials must make decisions and perform their duties according to the will and wishes of the people, not for themselves.

### ***5. Transparency***

For government to be accountable the people must be aware of what is happening in the country. This is referred to as transparency in government. A transparent government holds public meetings and allows citizens to attend. In a democracy, the press and the people are able to get information about what decisions are being made, by whom and why.

### ***6. Regular, Free and Fair Elections***

One way citizens of the country express their will is by electing officials to represent them in government. Democracy insists that these elected officials are chosen and peacefully removed from office in a free and fair manner. Intimidation, corruption and threats to citizens during or before an election are against the principles of democracy. In a democracy, elections are held regularly every so many years. Participation in elections should not be based on a citizen's wealth. For free and fair elections to occur, most adult citizens should have the right to stand for government office. Additionally, obstacles should not exist which make it difficult for people to vote.

### ***7. Economic Freedom***

People in a democracy must have some form of economic freedom. This means that the government allows some private ownership of property and businesses, and that the people are allowed to choose their own work and labor unions. The role the government should play in the economy is open to debate, but it is generally accepted that free markets should exist in a democracy and the state should not totally control the economy. Some argue that the state should play a stronger role in countries where great inequality of wealth exists due to past discrimination or other unfair practices.

### ***8. Control of the Abuse of Power***

Democratic societies try to prevent any elected official or group of people from misusing or abusing their power. One of the most common abuses of power is corruption. Corruption occurs when government officials use public funds for their own benefit or exercise power in an illegal manner. Various methods have been used in different countries to protect against these abuses. Frequently the government is structured to limit the powers of the branches of government: to have independent courts and agencies with power to act against any illegal action by an elected official or branch of government; to allow for citizen participation and elections; and to check for police abuse of power.

### ***9. Bill of Rights***

Many democratic countries also choose to have a bill of rights to protect people against abuse of power. A bill of rights is a list of rights and freedoms guaranteed to all people in the country. When a bill of rights becomes part of a country's constitution, the courts have the power to enforce these rights. A bill of rights limits the power of government and may also impose duties on individuals and organizations.

### ***10. Accepting the Results of Elections***

In democratic elections, there are winners and losers. Often the losers in an election believe so strongly that their party or candidate is the best one, that they refuse to accept the results of the election. This is against democratic principles. The consequences of not accepting the result of an election may be a government that is ineffective and cannot make decisions. It may even result in violence which is also against democracy.

### ***11. Human Rights***

All democracies strive to respect and protect the human rights of citizens. Human rights mean those values that reflect respect for human life and human dignity. Democracy emphasizes the value of every human being. Examples of human rights include freedom of expression, freedom of association, freedom of assembly, the right to equality and the right to education.

### ***12. Multi-Party System***

In order to have a multi-party system, more than one political party must participate in elections and play a role in government. A multi-party system allows for opposition to the party, which wins the election. This helps provide the government with different viewpoints on issues. Additionally, a multi-party system provides voters with a choice of candidates, parties and policies to vote for. Historically, when a country only has one party, the result has been a dictatorship.

### ***13. The Rule of Law***

In a democracy no one is above the law, not even a king or an elected President. This is called the rule of law. It means that everyone must obey the law and be held accountable if they violate it. Democracy also insists that the law be equally, fairly and consistently enforced. This is sometimes referred to as "due process of law."