



# HAWAII STATE ETHICS COMMISSION

State of Hawaii • Bishop Square, 1001 Bishop Street, ASB Tower 970 • Honolulu, Hawaii 96813

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January 18, 2012

Via Email ([sentsutsui@capitol.hawaii.gov](mailto:sentsutsui@capitol.hawaii.gov))

The Honorable Shan S. Tsutsui  
Senate President  
Hawaii State Capitol, Room 409  
Honolulu, Hawaii 96813

Dear Senator Tsutsui:

Thank you for inviting Commissioner Jackie Kido and me to meet with you and the other Senators. From many of your and the Senators' statements as well as comments that have been attributed to other legislators, it seems that there is a misimpression that the Commission's Executive Director and staff are interpreting the State Ethics Code and issuing guidance to state employees, including legislators, without the Commission's knowledge and in ways that may be objectionable to the Commission. I want to assure you that the Executive Director and the Commission's staff attorneys regularly inform the Commission of their work, including the advice offered to legislators and state officials. I also assure you that, if the Commission disagreed with the Executive Director and legal staff's analysis of an ethics issue, including whether a legislator may accept a gift, objected to advice offered, or had concerns about the manner in which staff was proactively communicating with state employees about matters that implicate the State Ethics Code, the Commission would immediately address its concerns with the Executive Director and the legal staff.

If you and the other Senators are interested in continuing our discussion, I would welcome that opportunity; however, because one of the Commission's duties may require us to consider issues as a quasi-judicial body, I think that it is necessary and prudent for any further discussion to be as part of a public Commission meeting. As you know, much of government ethics is premised on public perception. For that reason, I am concerned that we may harm the public's confidence in the Commission's ability to perform its statutory responsibilities if there is any suggestion that the private meetings with you and the other Senators have compromised the Commission's ability to be objective and impartial. Please let me know if you and the other Senators would like to meet with the Commission so that we can include the discussion on the Commission's meeting agenda. I also invite you to talk with the Executive Director and

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staff about any concerns that you and the other Senators may have or for advice with respect to any specific ethics-related questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Maria J. Sullivan". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Maria J. Sullivan, Esq.  
Chair

c: Cassandra J. Leiolani Abdul, Vice Chair  
Les Knudsen, Commissioner  
Edward L. Broglio, Commissioner  
Jacqueline B. Kido, Esq., Commissioner  
Leslie H. Kondo, Executive Director