

*Tyler J. Benner*

County Auditor  
County of Hawai'i  
Office of the County Auditor  
Ph 808.961.8386

County of Hawai'i  
Office of the County Auditor  
120 Pauahi St., 309  
Hilo, HI 96720  
F 808.961.8905



[www.hawaiicounty.gov](http://www.hawaiicounty.gov)

---

May 24, 2024

Honorable Heather L. Kimball, Council Chair  
and Members of the Hawai'i County Council  
Hawai'i County Council  
25 Aupuni Street  
Hilo, Hawai'i 96720

RE: Whistleblower Investigation Report 24-004

Aloha Chair Kimball and Council Members:

We are pleased to submit the results of our whistleblower investigation for your review and acceptance regarding unfair hiring practices and allegations suggesting nepotism.

This report is also available on our website <https://www.hawaiicounty.gov/our-county/legislative/office-of-the-county-auditor/fraud-waste-abuse-hotline-reports>.

Fraud, waste, abuse are often discovered thanks to employees and the public. To submit a concern through our hotlines please call:

(808) 480-8213 (Fraud/Waste) or  
(808) 961-8379 (Abuse of Authority)

Or visit us at: <https://www.hawaiicounty.gov/our-county/legislative/office-of-the-county-auditor/inquiry-and-complaint>

With Aloha,

Tyler J. Benner  
County Auditor



Enclosures

cc. Mitchell D. Roth, Mayor  
Deanna Sako, Managing Director  
Sommer Tokihiro, Director of Human Resources

# UPHOLDING A CULTURE OF INTEGRITY

MAKE A DIFFERENCE CALL IT OUT, CALL IT IN

# FRAUD WASTE & ABUSE

IN GOVERNMENT

WHISTLEBLOWER INVESTIGATION REPORT

Report No. 24 -004



Office of the County Auditor

County of Hawai'i

120 Pauahi St., 309 Hilo, HI, 96720

**Abuse of Authority: 808.480.8279**  
**Waste of Resources: 808.480.8213**  
**Fraudulent Practices: 808.480.8213**



Submit an inquiry at [concern@hawaiicounty.gov](mailto:concern@hawaiicounty.gov)

Report Confidentially

*Hawai'i County is an Equal Opportunity Provider and Employer*

## **About the Hotline.**

The Office of the County Auditor (OCA) enhances transparency and accountability by operating a hotline for reporting waste, fraud, and abuse. Tips to the hotline by employees or citizens support the County's commitment to integrity and responsible governance.

## **What was reported.**

Multiple reports were received regarding unfair hiring practices and allegations suggesting nepotism.

## **What we did.**

OCA conducted an investigation, interviewed personnel, gathered and reviewed documentation, identified process gaps, and provided recommendations.

## **What we found.**

- While the State of Hawai'i Ethics Commission enacted a Nepotism<sup>1</sup> Law on July 11, 2023, the County of Hawai'i does not have a similar policy.
- Neither the Department in question nor the County has a formal process to address conflicts of interest during hiring.
  - Interview panels have insufficient time (sometimes 30 minutes or less) to identify and declare potential conflicts when receiving applicant lists.
  - A Supervisor did not declare a potential conflict of interest, seek clarification, or recuse themselves from the hiring/interview panel.
  - Hiring staff had an inconsistent understanding of how to seek clarification for potential conflicts of interest.
  - Departments could limit the applicant pool by field-testing candidates before interviewing them. In the investigation's case, only the single employee with the potential familial relationship advanced to the interview panel, circumventing competitive recruitment.

---

<sup>1</sup> State of Hawaii State Ethics Commission. New State Nepotism Law Effective July 11, 2023. House Bill 717  
[https://www.capitol.hawaii.gov/sessions/session2023/bills/HB717\\_.HTM](https://www.capitol.hawaii.gov/sessions/session2023/bills/HB717_.HTM) Date accessed: 5-23-24

## **What we recommend.**

To ensure all candidates are hired based on merit ability and are free from actual or perceived bias, we recommend the Department of Human Resources (DHR):

1. Develop a comprehensive Countywide policy to ensure that the hiring and promotion of relatives are conducted fairly and impartially, in compliance with the new state nepotism law.
2. Update Countywide hiring processes to include:
  - Applicants must clearly state any familial connections or conflicts of interest they know or should know about.
  - Employees evaluating candidates must also clearly state any familial connections or conflicts of interest they know or should know about.
3. Set clear rules for all hiring steps to ensure that candidates are chosen based on their qualifications, skills, and suitability for the job, consistent with the merit principle.

## **Closing.**

Adopting these recommendations ensures merit-based hiring free from bias. A clear policy in line with state nepotism laws, will improve fairness. Requiring applicants and evaluators to disclose family connections and conflicts of interest will enhance transparency. Clear rules for all hiring steps will ensure candidates are chosen based on qualifications and suitability, fostering public trust and promoting fairness in the County's hiring practices.

We look forward to the County implementing our recommendations in good faith. Fraud, waste, and abuse are often discovered due to employees or the public taking an active interest. We encourage anyone knowledgeable about bad practices or behavior to contact our hotline. Mahalo.