

BOARD OF ETHICS, County of Hawai‘i

101 Aupuni Street, Suite 325, Hilo, Hawai‘i 96720

Tel. No. (808) 961-8251

AGENDA

DATE: Friday, April 10, 2026

TIME: 10:00 a.m.

PHYSICAL LOCATION: Hawai‘i County Building, Council Chambers,
25 Aupuni Street, Hilo, Hawai‘i 96720

REMOTE MEETING LINK:

<https://www.zoomgov.com/j/1607741047?pwd=JXmvNEZRufEv7dIN7FArxzabhz5Ffy.1>

Login:

Meeting ID: 160 774 1047

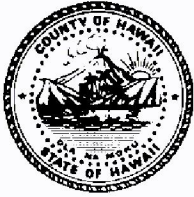
Passcode: 234655

The Board of Ethics (**Board**) will be meeting remotely using interactive conference technology pursuant to Hawai‘i Revised Statutes (**HRS**) § 92-3.7. The public may either attend and testify in person at the physical location or remotely using the Zoom remote meeting link above. If participating remotely, please set your settings to mute, except while testifying.

If audiovisual communication cannot be maintained with all members participating or with the public physical meeting location and quorum is lost, the meeting will be automatically recessed for up to thirty (30) minutes to attempt to restore audiovisual communication. The meeting will reconvene if either audiovisual communication or audio-only communication is restored within thirty (30) minutes. If the meeting is reconvened, remote participants may need to re-enter the meeting using the Zoom remote meeting link above. If the meeting cannot be reconvened within thirty (30) minutes, the meeting will be automatically terminated.

HOW TO TESTIFY:

Written Testimony: To ensure timely distribution and review by the Board Members before the meeting, it is requested that written testimony be received before 12:00 p.m. the business day prior to the meeting by: (1) email to boardofethics@hawaiicounty.gov; (2) mail to the Board of Ethics, 101 Aupuni Street, Suite 325, Hilo, Hawai‘i 96720; or (3) hand delivery during regular business hours to the Office of the Corporation Counsel, 101 Aupuni Street, Suite 325, Hilo, Hawai‘i 96720. All written testimony received prior to the meeting or at the meeting and prior to the Board’s action on the respective agenda item, will be provided to the Board and made a part of the record.



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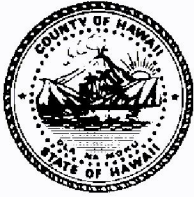
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Oral Testimony: Oral testimony will be accepted in person at the physical meeting location or remotely via the remote meeting link as provided on page 1. The Board will hear public testimony at the beginning of the meeting and when the respective agenda item is called, or as otherwise permitted at the sole discretion of the Chair. Public testimony is limited to three (3) minutes, please plan accordingly.

1. CALL TO ORDER
2. PUBLIC TESTIMONY ON AGENDA ITEMS
3. APPROVAL OF THE MINUTES
 - a. Regular session minutes of the March 11, 2026, meeting.
 - b. Executive session minutes of the March 11, 2026, meeting.
4. COMMUNICATIONS
 - a. Communication from Paul Yang, PhD, providing feedback on the County of Hawai‘i Police Commission’s Chief Selection Process.
5. OPEN PROCEEDINGS RELATING TO INFORMAL ADVISORY OPINIONS
 - a. New and Continued Review of Petitions:
None for open proceedings.
 - b. Consideration of Draft Informal Advisory Opinions for Approval:
None for open proceedings.
6. EXECUTIVE SESSION
 - a. Relating to Confidential Informal Advisory Opinions:
 - i. New and Continued Review of Petitions:

The Board anticipates going into executive session for the following petitions pursuant to HRS §§ 92-4 and 92-5(a)(2), to consider whether the conduct presented by a County employee may constitute a probable violation of the Code of Ethics and may result in disciplinary action, and to consider matters affecting that individual’s privacy; and pursuant to HRS § 92-5(a)(4), to consult with the Board’s attorney on the Board’s powers, duties, and liabilities:



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1. Petition 2026-08 (Closed Proceeding): County employee petition for an informal advisory opinion concerning whether their proposed outside employment violates the Code of Ethics.
2. Petition 2026-09 (Closed Proceeding): County officer who is a member of a County board and a private organization’s board, and is also the spouse of a County officer or employee, petition for an informal advisory opinion as to whether these statuses affect the private organization’s ability to contract with the County agency where their spouse is employed under HCC §§ 2-83 (fair treatment), 2-84 (conflicts of interest), and 2-85 (contracts) of the Code of Ethics.

ii. Consideration of Draft Informal Advisory Opinions for Approval:

The Board anticipates going into executive session for the following petitions pursuant to HRS §§ 92-4 and 92-5(a)(2), to consider whether the conduct presented by a County employee may constitute a probable violation of the Code of Ethics and may result in disciplinary action, and to consider matters affecting that individual’s privacy; and pursuant to HRS § 92-5(a)(4), to consult with the Board’s attorney on the Board’s powers, duties, and liabilities:

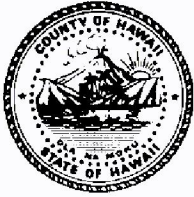
1. Petition 2026-07 (Closed Proceeding): Member of the public petition for informal advisory opinion alleging that County officers engaged in hiring practices that violated the Code of Ethics.
2. Petition 2026-05 (Closed Proceeding): Animal Control and Protection Agency, as the appointing authority, petition for informal advisory opinion concerning whether employing an applicant for a vacant position where an immediate family member is a supervisor would violate HCC § 2-91.7 (nepotism prohibited) of the Code of Ethics.

7. EXECUTIVE SESSION REPORT

Executive Session Report by the Board’s attorney pursuant to HRS § 92-4(b).

8. ANNOUNCEMENTS

The next monthly meeting of the Board of Ethics is scheduled for Wednesday, May 13, 2026 at 10:00 a.m., at the Hawai‘i County Building, Council Chambers, 25 Aupuni Street, Hilo, Hawai‘i, 96720.



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9. ADJOURNMENT

HOW TO REQUEST AN ACCOMODATION:



If you need an auxiliary aid/service or other accommodation due to a disability, please contact 808-961-8251 as soon as possible. Requests made as early as possible will allow adequate time to fulfill your request.

Upon request, this notice is available in alternate/accessible formats such as large print, braille, or electronic copy.

MEETING MATERIALS AND OTHER INFORMATION:

The board packet for this meeting will be available for public inspection at least three full business days before the meeting: (1) during regular business hours at the Office of the Corporation Counsel, 101 Aupuni Street, Suite 325, Hilo, Hawai‘i 96720; and (2) on the Board’s website at <https://www.hawaiicounty.gov/our-county/boards-and-commissions/boards-and-commissions-listings/board-of-ethics>. The minutes, agendas, and meeting materials for the Board’s past meetings are also available on the Board’s website.

NOTICE TO LOBBYISTS

If you are a lobbyist, you must register with the Hawai‘i County Clerk within five days of becoming a lobbyist (Article 15, Section 2-91.3(b), Hawai‘i County Code).

A lobbyist means “any individual engaged for pay or other consideration who spends more than five hours in any month or \$275 in any six-month period for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.” (Article 15, Section 2-91.3(a)(6), Hawai‘i County Code.)

Registration forms and expenditure report documents are available at the Office of the County Clerk-Council, 25 Aupuni Street, Hilo, Hawai‘i 96720.

From: [Dr. Paul Yang](#)
To: [Board of Ethics](#)
Subject: Ethics Complaint
Date: Wednesday, February 4, 2026 10:07:33 PM
Attachments: [Critique copy.pdf](#)

Aloha,
I am submitting a complaint about the Police Chief's Hiring Process, specifically the Police Commissioners' selection practice. Please see the attached PDF.

P.M. Yang, PhD.

Feedback on the Police Commissioner's Chief Selection Process

Executive Summary

This feedback is an unsolicited review of the Police Commissioner's selection process for the Chief position, evaluating whether it adhered to professional ethical standards and civil service requirements. The analysis reveals several procedural deficiencies that may have compromised the integrity and impartiality of the selection. The assessment is conducted impartially, based on my scholarly research experience, my understanding of ethics and professional standards as a PhD, and the Government Accountability Office (GAO) ethical standards. The opinion of this assessment is intended to inform and educate so that future selection processes may be improved.

Government officials must serve the public interest with integrity, objectivity, and independence; make decisions based on documented evidence rather than personal feelings; follow established procedures consistently; maintain professional boundaries; avoid conflicts of interest; and ensure all personnel actions are based solely on merit principles with proper documentation and transparency.

The review process began with defining professional standards and ethical breaches as follows:

Professional Ethical Standards:

Professional ethical standards are established principles and guidelines that govern conduct in professional settings to ensure:

- Integrity: Honesty and adherence to moral principles
- Impartiality: Fair treatment without bias or favoritism
- Transparency: Open processes with clear criteria and procedures
- Accountability: Responsibility for decisions and actions
- Objectivity: Decisions based on verifiable facts rather than personal feelings
- Confidentiality: Protection of sensitive information throughout processes

Indicators of Ethical Breaches:

A breach of professional ethical standards occurs when individuals:

- Show favoritism or bias toward specific candidates (public hugging)
- Make decisions based on personal relationships rather than qualifications (decision of the heart)
- Fail to maintain procedural consistency and transparency (last-minute changes)

- Compromise confidentiality in competitive processes (fail to sequester candidates)
- Disregard established rules and protocols (no clear procedures)
- Prioritize subjective feelings over objective criteria (established relationships)
- Allow conflicts of interest to influence decision-making (public/subordinate testimonies)

Assessment and analysis of the selection process

1. Sequestration and Confidentiality Failures

Issue Identified:

- Candidates were not sequestered during the interview process
- This allowed waiting candidates to hear the questions and prepare responses in advance, potentially giving them an advantage

Ethical Implications:

- Violates the principle of impartiality by creating unequal conditions
- Compromises procedural fairness, as not all candidates face identical circumstances
- Undermines the integrity of the competitive process
- Creates an opportunity for bias and advantage

Standard Practice:

When multiple candidates compete for the same position, sequestration ensures:

- Equal access to information
- Prevention of unfair preparation advantages
- Maintenance of process integrity

2. Absence of Structured Assessment Framework

Issue Identified:

- Unclear whether Human Resources was involved in question development
- No apparent rating anchors or rubrics to guide panelists
- Lack of standardized criteria for high versus low ratings

Ethical Implications:

- Compromises objectivity when evaluators lack clear standards
- Reduces accountability as decisions cannot be traced to specific criteria
- Undermines the transparency of the evaluation methodology
- Increases risk of subjective, inconsistent assessments

Best Practice Requirements:

- HR involvement in developing job-relevant questions
- Predetermined scoring rubrics with behavioral anchors
- Clear definitions of competency levels
- Documentation of evaluation criteria

3. Last-Minute Procedural Changes**Issue Identified:**

- Commissioners changed interview time allocations without notice
- The alphabetical interview order was altered unexpectedly

Ethical Implications:

- Violates transparency through undisclosed modifications
- Compromises fairness as candidates prepared based on original parameters
- Demonstrates a lack of procedural integrity
- Creates a perception of arbitrary decision-making

Impact:

- Candidates may have structured responses based on allotted time
- Order changes can affect candidate preparation and performance
- Lack of communication suggests poor process management

4. Subjective Decision-Making Criteria**Issue Identified:**

- Commissioners stated decisions were based on "personal values"
- Multiple commissioners expressed making "decisions from the heart"
- Six well-qualified candidates were recruited from distant locations

Ethical Implications:

- Critical Violation: Civil service positions require objective, qualification-based selection
- Contradicts impartiality principles
- Wastes organizational resources and candidate time/expenses
- Creates potential for discrimination claims
- Undermines public trust in the selection process

Civil Service Standards:

For civil service positions:

- Decisions must be based on documented qualifications
- Objective criteria must be established and followed
- Personal feelings should not influence selection
- Merit-based principles must govern appointments

5. Confusion Between Verifiable Qualifications and Testimonials**Issue Identified:**

- Selection may have relied on public and/or subordinate testimonies
- Potential failure to distinguish between verifiable skills and testimonial support

Ethical Implications:

- Compromises the objectivity of the assessment
- Testimony reflects popularity, not necessarily competence
- Creates an opportunity for bias and influence campaigns
- May not accurately reflect candidate capabilities

6. Public Display of Familiarity by Candidate**Issue Identified:**

- The Interim Chief publicly greeted and hugged Commissioners before the evaluation.
- This behavior occurred in a public forum before the selection process

Ethical Implications:

- Creates appearance of impropriety and favoritism
- Compromises impartiality of the evaluation process
- Suggests pre-existing relationships that may influence judgment
- Undermines public confidence in fair selection
- Demonstrates poor understanding of ethical boundaries

Professional Standards:

- Candidates should maintain professional distance during competitive processes
- Physical displays of familiarity with decision-makers create perception of bias
- Even if relationships are legitimate, appearance of fairness must be maintained
- Candidates bear responsibility for maintaining ethical boundaries

Summary

It is with great humility and courage that I provide this unsolicited assessment to the Police Commissioners in the hope that it may improve future selection processes. When well-qualified candidates traveled across the country to participate in the process and then dropped out of the running mid-selection, it should raise serious concerns about why. The selection process for the Police Chief position demonstrated significant departures from professional ethical standards and civil service requirements. The combination of procedural inconsistencies, subjective decision-making criteria, and failure to maintain professional boundaries compromised the integrity and perceived fairness of the selection.

For civil service positions, objective, merit-based selection is not optional—it is a legal and ethical requirement. Future processes must prioritize documented qualifications, standardized procedures, and impartial evaluation to maintain public trust and organizational integrity. Sometimes progress is disguised as discomfort or inconvenience to distract good intentions; we must always be self-aware and stay the course because public service is not only our responsibility but our duty.

Paul Yang, PhD