

From: Mike Johnson
September 28, 2009

Ethics Commission Procedures
Board of Ethics - Section 14-5

This may be a little too late for consideration in this round of Charter Amendments, but I would like to make a proposal regarding the actions of the Ethics Committee.

It is my understanding that the EC has only a capacity to recommend action to the Mayor and the Council, arising out of their findings in open inquiry. In the current instance, Councilperson Emily Naeole was brought before the EC on two charges, one of which (the 'thumbs down' complaint) was upheld with a decision of guilty as charged. I am informed that the guilty verdict is then referred to the Council and the Mayor for any further action.

Pardon me if I appear somewhat cynical, but does this not smack of allowing the fox to guard the henhouse? How objective will/can the Council and Mayor be in disciplining one of their own, since unless the person is impeached and removed from office, the Council members will be required to work in harmony with the censured party after their verdict is delivered.

How much more appropriate would it be to have another body, such as the EC, determine the appropriate penalty, and remove this function from the purview of the Mayor and Council. Since the ultimate aim is for transparency in Government, would it not appear much more equitable if the Mayor and Council were set at arms length from the deliberations and findings of the Ethics Committee?

Submitted for your attention, September 28 2009.

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