

From: [Douglas and Shana Kukila](#)
To: [Standards of Conduct](#)
Subject: Testimony for August 17, 2022 Hearing
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Attachments: [Sk Testimony CSIS August 17 2022 Pono Policy.pdf](#)

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Aloha,

Please accept my testimony for your August 17, 2022 hearing.

Mahalo,
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TO: Commission to Improve Standards of Conduct
RE: Public Comment for August 17, 2022 Hearing

Dear Commission Members,

Mahalo for your time and efforts in these hearings on public corruption.

My comments both now and in the past are representative of myself and my 'ohana, and do not represent any agency or organization that I am a part of.

That being said, I present to you a workable idea to address the legislative process which is simply and aptly named, "*Pono Policy*." This is an original idea of mine which can hopefully be adopted by an interested government watchdog in Hawai'i such as yourselves.

It answers the question to what I believe is the underlying and overarching moral and ethical query many have asked in your hearings as well as in the broader community: *how do we restore and uphold public trust in government?*

It starts with the lawmakers, who have not been upholding their oaths of office here in Hawai'i. Their power is entrenched and blocks out those who question or deviate from the group norms. The outliers are ostracized and their voices muted. That's politics, but it's not ethical...it's not pono. What needs to happen is to refocus on the standards lawmakers follow and update these standards with a more strategic approach in dealing with "politics as usual." The powerful do not easily bend, but perhaps they can be held to a higher standard, based on our state motto, "*Ua ma ke ea o ka 'aina i ka pono*." This is our true standard of conduct in the islands.

Therefore, to implement *Pono Policy*, lawmakers will have to comply with several points to consider before putting new or amended legislation out for debate or public consideration. An entity such as SMA in the Senate (which currently reviews the technical and legal ramifications of all bills submitted), could be a mechanism to do this within the legislature itself. It should *not* be influenced by lawmakers in any way and be made up of those skilled and knowledgeable in constitutional and HRS laws. Perhaps this group can be called something like, the "*Pono Policy Review*," who can do a "*pono review*" of all proposed legislation throughout the year. They would be funded by the legislature itself with the highest standard of ethical, expert individuals put in place to do the job. If codified, only those laws that pass the review of this publicly funded legislative agency will move forward. The public can testify to them as well to alert them to any proposed or existing laws that need amending to become pono. If it's not pono, it must be amended to make it so. The points to consider in creating *Pono Policy* in state legislation and all official government policies are simple:

1. **Equitable** (balances interests of public vs. corporate interests)
2. **Constitutional** (follows the U.S./HI constitutions)
3. **Environmentally Sound** (does not negatively affect the air, water, or lands of Hawai'i)
4. **Sustainable** (sustainable in the long-term)

If you would like to contact me for more information about this idea, please do so at my email or address listed above. Mahalo.