

From: [Kokua Council](#)
To: [Standards of Conduct](#)
Subject: Testimony Calling for a Permanent Commission
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Attachments: [2022 October 5 testimony to Commission to Improve Standards of Conduct.pdf](#)

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Aloha,

Please see the attached testimony which concurs with the testimony submitted by Kokua Council's past President, Jim Shon.

Mahalo.

Lila Mower, President
Kokua Council



Kokua Council

Kokua Council is one of Hawaii's oldest advocacy groups. Kokua Council advocates, informs, and educates to improve laws, policies, and practices impacting the well-being of seniors, their families, and our community.

Commission to Improve Standards of Conduct

Wednesday, October 5, 2022

2:00 p.m.

To: Judge Daniel R. Foley (Ret.), Chair
Robert D. Harris
Kristin E. Izumi-Nitao
Nikos Leverenz
Barbara C. Marumoto
Janet Mason
Florence T. Nakakuni

Aloha Chair Foley and Members of the Commission,

A 2015 study* by Professors and former Lab Fellows at the Edmond J. Safar Center for Ethics at the Illinois State University Oguzhan Dincer and Michael Johnston, defined

“Illegal corruption as the private gains in the form of cash or gifts by a government official, in exchange for providing specific benefits to private individuals or groups. It is the form of corruption that attracts a great deal of public attention.

“A second form of corruption, however, is becoming more and more common in the U.S.: legal corruption. We define legal corruption as the political gains in the form of campaign contributions or endorsements by a government official, in exchange for providing specific benefits to private individuals or groups, be it by explicit or implicit understanding.

“Legal corruption” might strike some as a vague or internally contradictory concept, but in fact it is a key aspect of the broader corruption perceptions and issues that are part of American politics today. It is one aspect of the broader issue of institutional corruption which, according to Lessig, “is manifest when there is a systemic and strategic influence which is legal, or even currently ethical, that undermines the institution’s effectiveness by diverting it from its purpose or weakening its ability to achieve its purpose, including, to the extent

relevant to its purpose, weakening either the public's trust in that institution or the institution's inherent trustworthiness."

Additionally,

"Legal corruption in the judicial branch is...more common than illegal corruption."

"...{And is] worrying since it is the judicial branch of the government that is expected to be above politics, and is supposed to try allegedly corrupt officials and convict the guilty."

Kokua Council is one of Hawaii's oldest advocacy organizations made of volunteer advocates, activists, and whistleblowers committed to good governance. For decades we sought to fulfill our mission to advocate, inform, and educate to improve laws, policies, and practices impacting the well-being of kūpuna, their families, and our community. Integrity in every branch and agency of government and Hawaii residents' trust in our government are key to and the focus of our efforts.

In the seven years since the aforementioned Illinois State University study, corruption in Hawaii's government has not been alleviated, only exposed, and we are concerned that that exposure is only the metaphorical "tip of the iceberg."

We support the testimony of Kokua Council's past-President, Jim Shon, to the October 5, 2022, meeting of the Commission to Improve Standards of Conduct.

Respectfully submitted,

Lila Mower, President
Kokua Council

*https://papers.ssrn.com/sol3/Delivery.cfm/SSRN_ID2606339_code2015429.pdf?abstractid=2579300&mirid=1&type=2