

Profile in Public Integrity:

Jan Yamane

Executive Director and Legal Counsel, Honolulu Ethics Commission



Jan Yamane is the Executive Director and Legal Counsel of the [Honolulu Ethics Commission](#), a position she has held since August 2016. Before joining the Ethics Commission, Yamane worked for over ten years in the Office of the Hawai‘i State Auditor, most notably as acting Hawai‘i State Auditor from 2012-2016. Yamane holds a Juris Doctorate from the University of Hawai‘i at Mānoa and a master’s degree from Harvard University.

Both in your current position with the Honolulu Ethics Commission and as Hawai‘i State Auditor, you’ve been tasked with overseeing the conduct of government officials. How did you become interested in issues of public integrity, and why did you decide to devote your career to integrity enforcement?

I was attracted to public integrity work because I wanted to make a difference—to make things better for my community. I was born and raised in Honolulu, Hawai‘i, and have lived here most of my life. Honolulu is my home, and community and family are very important to me. I have always felt a responsibility to my community. In Hawaiian, this is *kauleana*—a reciprocal relationship between the person who is responsible, and the thing for which they are responsible.

Prior to your current position in the Honolulu Ethics Office, you served for several years as the acting Hawai‘i State Auditor. How did your experience in the Auditor’s Office shape your understanding of anti-corruption issues? In what ways do the two offices differ?

The two offices are different, yet similar. In general, auditor’s offices conduct post-audits of a state’s transactions, programs, and performance of all departments. Audits look *back*—through the rear-view mirror—and identify ways to improve based on past performance.

Similarly, ethics investigations look through the rear-view mirror to review past conduct and practice, and determine whether established standards of conduct were met. On the other hand, ethics education, advice, and outreach look *forward*—through the windshield—and, if done correctly and timely, can anticipate and guide future behavior. The opportunity for ethics offices to affect prospective conduct is exciting work.

What are the most serious challenges you have faced since joining the Honolulu Ethics Office? In dealing with these challenges, what insights have you gained that could benefit other municipal ethics bodies?

Funding and resources are in short supply, so planning for the future is paramount. For municipal bodies with ethics boards and commissions, harness your members to lead your program into the future. Fortunately, Honolulu’s Ethics Commission has taken a hands-on leadership approach. The commission’s seven members are retired judges and mediators, a former state attorney general, marketing executive, and federal official, who collectively bring a wide range of experiences, strengths, and talents to the table. The commission has undertaken strategic planning, a draft of which is currently under review. The draft plan took almost a year to develop and provides a road map and dashboard for the next ten years.

Of which of your office's achievements are you most proud?

In addition to the draft strategic plan, we're especially excited to roll out online ethics training for city officers and employees in August 2017. We partnered with the city's IT and human resources departments to develop an in-house learning management system application to deliver ethics training to city workers' desktops. The online system will invite employees to participate, deliver and track training, issue completion certificates, and return ethics training data analytics to the Ethics Commission. In time, we plan to develop a compendium of ethics courses on gifts, use of city resources, preferential treatment, post-employment, and other topics.

What changes could the city of Honolulu make to encourage government accountability and reduce the likelihood of public ethics violations?

We need to clarify ethics laws so City officers and employees are aware of their responsibilities under the standards of conduct. For decades, Honolulu's ethics laws have been interpreted in advisory opinions, which are arranged numerically and by subject matter on our website. Such opinions are neither easy to access nor understand. To address this concern and as one of its strategic objectives, the commission is undertaking review, update, and alignment of key ordinances, rules, and advisory opinions. This includes amending laws and rules and adopting new rules and directives. This effort will take time, but alignment is an important first step in improving the city's standards of conduct. Once aligned, next steps would include issuing simplified guidance documents and updating training.

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What is the most interesting or important thing you have learned about public integrity or corruption so far in your career?

The Hawai'i State Constitution establishes state and county ethics commissions, so public integrity is fundamental to state and local government.

But public integrity comes not only from the *tone at the top*—that is, management's leadership and commitment towards openness, honesty, integrity, and ethical behavior—but also from the personal integrity of each individual. The Hawai'i State Constitution also recognizes this truism in the preamble to its code of ethics:

The people of Hawai'i believe that public officers and employees must exhibit the highest standards of ethical conduct and that these standards come from the personal integrity of each individual in government. To keep faith with this belief, the legislature, each political subdivision and the constitutional convention shall adopt a code of ethics... Each code of ethics shall be administered by a separate ethics commission...

Hawai'i is fortunate to have public integrity as a constitutional mandate, especially since many state and local governments continue debate over whether to adopt such standards. Although budgets may rise and fall with the economy, there is comfort in knowing that, in Hawai'i, public integrity cannot be written out of the law or defunded.