

# HAWAII STATE ETHICS COMMISSION

State of Hawaii • Bishop Square, 1001 Bishop Street, ASB Tower 970 • Honolulu, Hawaii 96813

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## Resolution of Charge 2017-7

(Charge No. 2015-Cg-6)

Adult Corrections Officer's Acceptance of \$4,000 from Inmate Under his Supervision

November 16, 2017

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Respondent Kimo Kanazawa-Yee ("Respondent Kanazawa-Yee") was employed by the Department of Public Safety ("DPS") as an Adult Corrections Officer ("ACO") at the Hawaii Community Correctional Center ("HCCC") on the island of Hawaii, from approximately December 2007 through January 31, 2010. On April 15, 2015, the Hawaii State Ethics Commission ("Commission") issued a Charge against Respondent Kanazawa-Yee for alleged violations of the State Ethics Code, Hawaii Revised Statutes ("HRS") chapter 84 ("Charge"). The Charge in redacted form is attached hereto as Exhibit A and made a part hereof.

Respondent Kanazawa-Yee denied the allegations in the Charge as set out in his Response to Charge dated June 15, 2015. The Response to Charge in redacted form is attached hereto as Exhibit B and made a part hereof.

The Commission and Respondent Kanazawa-Yee agreed to resolve the Charge with Respondent Kanazawa-Yee's payment of an administrative penalty of \$2,500 to the State of Hawaii; restitution of \$4,000 to a former inmate of HCCC ("Inmate"); and the publication of this Resolution of Charge document. The Commission believed that, based on the allegations detailed below, the terms of the resolution were fair and in the public interest.

### I. Alleged Facts

The Commission conducted an investigation of Respondent Kanazawa-Yee and issued the Charge against him for allegedly soliciting and/or accepting \$4,000 from Inmate. Respondent Kanazawa-Yee cooperated with the Commission's staff by voluntarily participating in an interview on December 4, 2015. The Commission's investigation revealed the following alleged facts:

A. Respondent Kanazawa-Yee's State Position and Authority Over Inmate

Respondent Kanazawa-Yee was an ACO at HCCC. His official duties and responsibilities included performing security and custodial duties relating to the maintenance and custody of inmates in HCCC. Respondent Kanazawa-Yee exercised supervisory and/or general authority and control over inmates at HCCC, including Inmate.

B. Misuse of Position to Obtain Power of Attorney from Inmate

In or around November 2009, Respondent Kanazawa-Yee and two other ACOs, ACO A and ACO B, planned to obtain money from Inmate. Respondent Kanazawa-Yee took part in a plan to cause Inmate to execute a Power of Attorney appointing ACO A as Inmate's attorney-in-fact for the purpose of making a one-time withdrawal of \$10,000 from Inmate's bank account with the intent that the money be divided and distributed between the three ACOs.

C. Soliciting and/or Accepting and/or Receiving \$3,000 from Inmate

On November 18, 2009, Inmate executed a Power of Attorney, which (1) was made effective from November 20, 2009 to December 20, 2009, (2) was witnessed by Respondent Kanazawa-Yee, and (3) gave Inmate's power of attorney to ACO A for the purpose of making a \$10,000 withdrawal from Inmate's bank account. On December 14, 2009, Respondent Kanazawa-Yee, ACO A and ACO B drove from Hilo to the bank branch in Kailua-Kona where, using the Power of Attorney, ACO A withdrew \$10,000 from Inmate's account. ACO A was issued a cashier's check in his name for this amount. On December 22, 2009, ACO A deposited the \$10,000 in his own bank account. Subsequently, on or about January 7, 2010, ACO A gave Respondent Kanazawa-Yee and ACO B cashier's checks, drawn on ACO A's bank account, in the amount of \$3,000 each. Respondent Kanazawa-Yee then cashed his check or caused it to be cashed.

D. Non-disclosure of \$3,000 Gift from Inmate

Respondent Kanazawa-Yee did not file a gifts disclosure statement with the Commission disclosing the \$3,000 that he received.

E. Soliciting and/or Accepting, and/or Receiving \$1,000 from Inmate

In or around January 2010, Respondent Kanazawa-Yee provided Inmate with his private post office box address. On or about January 28, 2010, Inmate directed his bank to issue a check for \$1,000 to Respondent Kanazawa-Yee and send the check to the post office box address. Respondent Kanazawa-Yee was then part of a DPS reduction in force that took effect on January 31, 2010, and ceased employment with DPS on this date. On or about February 4, 2010, Respondent Kanazawa-Yee received a check for \$1,000, drawn from Inmate's funds, and cashed his check or caused it to be cashed.

F. Non-disclosure of \$1000 Gift from Inmate

Respondent Kanazawa-Yee did not file a gifts disclosure statement with the Commission disclosing the \$1,000 that he received.

II. The State Ethics Code, HRS Chapter 84

A. Constitutional Mandate and Statutory Purpose

The State Ethics Code arises from the declaration contained in the State Constitution that “[t]he people of Hawaii 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.”<sup>1</sup> To this end, the State Constitution further directs that the legislature enact a code of ethics that applies to all appointed and elected state officers and employees.

In accordance with this constitutional mandate, the legislature enacted the State Ethics Code and charged the Commission with administering and enforcing the law “so that public confidence in public servants will be preserved.”<sup>2</sup> It is in this context that the Commission examines every employee’s actions, including the actions of Respondent Kanazawa-Yee.

B. Application of the State Ethics Code to Respondent Kanazawa-Yee

i. Fair Treatment Law

The State Ethics Code prohibits an employee from misusing his official position. Specifically, the “fair treatment” law, HRS section 84-13, states:

**§84-13 Fair treatment.** No . . . employee shall use or attempt to use the . . . employee’s official position to secure or grant unwarranted privileges, exemptions, advantages, contracts, or treatment, for oneself or others . . . .

As a state employee, Respondent Kanazawa-Yee was required to comply with all provisions of the State Ethics Code, including the fair treatment law. Respondent Kanazawa-Yee appeared to have violated HRS section 84-13 by using his official position to obtain unwarranted personal privileges and advantages for himself by:

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<sup>1</sup> Hawaii State Constitution, Art. XIV.

<sup>2</sup> HRS Chapter 84, Preamble.

- (1) Planning, discussing, and/or arranging with ACO A and ACO B to obtain the Power of Attorney from Inmate for Respondent Kanazawa-Yee's personal benefit;
- (2) Soliciting, accepting, and/or receiving a monetary gift of \$3,000 from Inmate for Respondent Kanazawa-Yee's personal benefit; and
- (3) Further soliciting, accepting, and/or receiving a monetary gift of \$1,000 from Inmate for Respondent Kanazawa-Yee's personal benefit.

ii. Gifts Law

The State Ethics Code prohibits an employee from soliciting, accepting, or receiving a gift if it is reasonable to infer the gift is given to influence or reward the employee in the performance of his or her state duties. HRS section 84-11, the gifts law, states:

**§84-11 Gifts.** No . . . employee shall solicit, accept, or receive, directly or indirectly, any gift, whether in the form of money, service, loan, travel, entertainment, hospitality, thing, or promise, or in any other form, under circumstances in which it can reasonably be inferred that the gift is intended to influence the . . . employee in the performance of the . . . employee's official duties or is intended as a reward for any official action on the . . . employee's part.

Respondent Kanazawa-Yee appeared to have violated HRS section 84-11 by:

- (1) Soliciting, accepting, and/or receiving a monetary gift of \$3,000 from Inmate; and
- (2) Further soliciting, accepting, and/or receiving a monetary gift of \$1,000 from Inmate.

iii. Gifts Disclosure Law

The State Ethics Code also requires all employees who, during a one year period, receive a gift or gifts valued singularly or in the aggregate in excess of \$200 to file a gifts disclosure report with the Commission disclosing the gift or gifts. Gifts disclosure reports are due by June 30 of each year. In relevant part, HRS section 84-11.5, the gifts disclosure law, states:

**§84-11.5 Reporting of gifts.** (a) Every . . . employee shall file a gifts disclosure statement with the state ethics commission on June 30 of each year if all the following conditions are met:

- (1) The . . . employee, or spouse or dependent child of a[n] . . . employee, received directly or indirectly from one source any gift or gifts valued singly or in the aggregate in excess of \$200, whether the gift is in the form of money, service, goods, or in any other form;
- (2) The source of the gift or gifts have interests that may be affected by official action or lack of action by the . . . employee; and
- (3) The gift is not exempted by subsection (d) from reporting requirements under this subsection.

(b) The report shall cover the period from June 1 of the preceding calendar year through June 1 of the year of the report.

Respondent Kanazawa-Yee's employment with DPS ended on January 31, 2010 as part of a DPS reduction in force, prior to the June 30, 2010 gifts disclosure report deadline. In the Commission's view, the fact that Respondent Kanazawa-Yee did not file a gifts disclosure statement to report the two gifts he received from Inmate was contrary to the gifts disclosure law, the purpose of which is to provide transparency regarding gifts accepted by individuals while they are employed with the State.

The State Constitution mandates the highest standards of ethical conduct by all state employees. These standards of conduct do not allow state employees to use their official positions to obtain unwarranted personal privileges or advantages, nor may they accept improper gifts. Respondent Kanazawa-Yee's alleged conduct is particularly disturbing given the power and authority Respondent Kanazawa-Yee had over Inmate in this situation: ACOs maintain control over virtually every aspect of a prisoner's life, and prisoners depend upon ACOs for the basic necessities of life. The idea that an ACO would abuse this authority to take a prisoner's personal funds is incomprehensible and indefensible.

ACOs have particularly difficult (and at times dangerous) jobs that can cause both physical and emotional stress and harm, but are nevertheless expected to demonstrate the highest ethical standards in their work. Most do. The overwhelming majority of state employees, including ACOs, perform their duties with the utmost integrity. In this case, Respondent Kanazawa-Yee's alleged conduct not only harmed Inmate, but damaged the public's trust in the many other ACOs who work hard every day to earn and keep that trust. When a state employee – particularly one entrusted with the care and custody of another – abuses his position, and jeopardizes the public's faith in government, he will be held accountable for his actions.


II. Resolution of Charge


This Resolution of Charge document is being issued pursuant to the Commission's agreement with Respondent Kanazawa-Yee to resolve the Charge without any further administrative proceedings. The agreement and this Resolution of Charge document do not constitute an admission of wrongdoing by Respondent Kanazawa-Yee or a determination by the Commission of any wrongdoing.

The Commission believes it was reasonable, fair and in the public interest to resolve the Charge by issuing this Resolution of Charge, by Respondent Kanazawa-Yee's payment of an administrative penalty of \$2,500 to the State of Hawaii, and by restitution of \$4,000 to Inmate.


HAWAII STATE ETHICS COMMISSION

  
Reynaldo D. Gaulty, Chair

  
David O'Neal, Vice Chair

  
Susan N. DeGuzman, Commissioner

  
Ruth D. Tschumy, Commissioner

  
Melinda S. Wood, Commissioner

# Exhibit A

BEFORE THE HAWAII STATE ETHICS COMMISSION  
STATE OF HAWAII

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HAWAII STATE ETHICS COMMISSION,	)	Charge No. 2015-Cg-6
	)	
Complainant,	)	
	)	CHARGE
vs.	)	
	)	
KIMO KANAZAWA-YEE,	)	
	)	
Respondent.	)	

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CHARGE

Under the authority of and pursuant to sections 84-31(a) and 84-31(b), Hawaii Revised Statutes ("HRS"), and section 21-5-2, Hawaii Administrative Rules, the HAWAII STATE ETHICS COMMISSION ("Commission") issues this Charge against KIMO KANAZAWA-YEE ("Respondent") for violations of the State Ethics Code, HRS chapter 84, based on the following:

GENERAL ALLEGATIONS

The State Ethics Code and The State Ethics Commission

1. The people of Hawaii believe that state employees must exhibit the highest standards of ethical conduct. To this end, the Hawaii State Constitution mandates that the legislature adopt a code of ethics applicable to all state employees. Haw. Const. Art. XIV.

2. In accordance with and pursuant to the constitutional mandate, the State Ethics Code establishes standards of conduct for state employees that the legislature deemed necessary to preserve the public's confidence in public servants. Preamble, HRS chapter 84.

3. The legislature further directed that the Commission "liberally construe[]" the provisions of the State Ethics Code "to promote high standards of ethical conduct in state government." HRS section 84-1.

4. All state employees, with the exception of judges and justices, are subject to, and must comply with, the State Ethics Code. HRS section 84-2.

Hawaii Community Correctional Center and  
Respondent's State Position

5. The Department of Public Safety ("DPS"), established under HRS section 26-14.6, is responsible for "the formulation and implementation of state policies and objectives for correctional, security, law enforcement, and public safety programs and functions, for the administration and maintenance of all public or private correctional facilities and services, for the service of process, and for the security of state buildings." HRS section 26-14.6(a).



6. The Corrections Division of DPS oversees a number of prisons and jails, including the Hawaii Community Correctional Center ("HCCC").

7. Respondent was employed as an adult corrections officer ("ACO") at HCCC from on or about October 2007 to January 31, 2010.

8. Respondent was responsible for performing security and custodial duties relating to the maintenance of custody and control of inmates in HCCC.

9. Pursuant to the State Ethics Code, chapter 84, HRS, specifically, section 84-3, DPS is a "state agency."

10. Respondent, at all times relevant herein, was an "employee," as defined by the State Ethics Code. HRS section 84-3.

11. Respondent, at all times relevant herein, was subject to and required to comply with the State Ethics Code.

#### Gifts Law

12. The gifts law prohibits an employee from soliciting, accepting, or receiving, directly or indirectly, any gift under circumstances in which it can reasonably be inferred that the gift is intended to influence the employee in the performance of the employee's official duties or is intended as a reward for any official action on the employee's part. HRS section 84-11.

13. A "gift" is anything of value, "whether in the form of money, service, loan, travel, entertainment, hospitality, thing, or promise, or in any other form." HRS section 84-11.

14. "Official action" means a decision, recommendation, approval, disapproval, or other action, including inaction, which involves the use of discretionary authority. HRS section 84-3.

15. As defined, "official action" is not limited to final decision making; it includes action exercised by employees who are not the ultimate decision makers.

#### Fair Treatment Law

16. The fair treatment law prohibits an employee from using or attempting to use the employee's official position to obtain unwarranted privileges, exemptions, advantages, contracts, or treatment for the employee or others. HRS section 84-13.

17. The fair treatment law also prohibits an employee from soliciting, selling, or otherwise engaging in a substantial financial transaction with a subordinate or a person or a business whom the employee inspects or supervises in the employee's official capacity. HRS section 84-13(4).

COUNT 1

December 2009 Monetary Gift from Inmate [REDACTED]  
(HRS sections 84-11 and/or 84-13)

18. The allegations contained in paragraphs 1 through 17 herein are repeated and realleged.

19. In or around November 2009, Respondent planned with two other then-HCCC ACOs [REDACTED] and [REDACTED], to obtain and/or exert control over then-HCCC inmate [REDACTED] [REDACTED] ("Inmate [REDACTED]") money.

20. On or about November 18, 2009, Inmate [REDACTED] executed a Power of Attorney, effective as of November 20, 2009, until December 20, 2009, witnessed by Respondent, appointing [REDACTED] as Inmate [REDACTED] attorney-in-fact to act in Inmate [REDACTED] place for the purpose of making a one-time withdrawal of Ten Thousand Dollars (\$10,000.00) from Inmate [REDACTED] Hawaii Community Federal Credit Union ("Hawaii Community FCU") account, and to act as Inmate [REDACTED] facilitator of the funds for the term of one month.

21. On or about December 14, 2009, [REDACTED] executed a notarized Affidavit of Attorney-in-Fact swearing that he was the attorney-in-fact for Inmate [REDACTED] under the Power of Attorney dated November 20, 2009.

22. On or about December 14, 2009, [REDACTED] obtained a Hawaii Community FCU cashier's check [REDACTED]

debited from Inmate [REDACTED] account, dated December 14, 2009, made payable to [REDACTED] in the amount of Ten Thousand Dollars (\$10,000.00), which [REDACTED] subsequently endorsed and deposited in his HFS Federal Credit Union ("HFS FCU") account on or about December 22, 2009.

23. On or about January 7, 2010, [REDACTED] obtained an HFS FCU cashier's check [REDACTED] debited from [REDACTED] [REDACTED] account, dated January 7, 2010, made payable to Respondent in the amount of Three Thousand Dollars (\$3,000.00), which Respondent subsequently endorsed and deposited in his HFS FCU account on or about January 9, 2010.

24. Respondent solicited, accepted and/or received Three Thousand Dollars (\$3,000.00) from Inmate [REDACTED].

25. Respondent violated HRS section 84-11 and/or HRS section 84-13 by soliciting, accepting and/or receiving a monetary gift from Inmate [REDACTED].

COUNT 2

December 2009 Monetary Gift from Inmate [REDACTED]  
(HRS section 84-13(4))

26. The allegations contained in paragraphs 1 through 25 herein are repeated and realleged.

27. Respondent solicited, accepted and/or received Three Thousand Dollars (\$3,000.00) from Inmate [REDACTED].

28. Respondent supervised and/or had control over Inmate

██████████ in his official capacity as an ACO at HCCC.

29. Respondent violated HRS section 84-13(4) by soliciting

or otherwise engaging in a substantial financial transaction  
with Inmate ██████████.

COUNT 3

February 2010 Monetary Gift from Inmate ██████████  
(HRS sections 84-11 and/or 84-13)

30. The allegations contained in paragraphs 1 through 29  
herein are repeated and realleged.

31. On or about January 28, 2010, Inmate ██████████ wrote  
a letter dated January 28, 2010, addressed to ██████████,  
requesting funds from his Hawaii Community FCU account be  
released to himself, ██████████ Respondent and ██████████  
██████████ (another inmate's girlfriend).

32. On or about February 1, 2010, Respondent was issued a  
Hawaii Community FCU cashier's check ██████████ debited from  
Inmate ██████████ account, dated February 1, 2010, made payable  
to Respondent in the amount of One Thousand Dollars (\$1,000.00),  
which Respondent subsequently endorsed and deposited in his HFS  
FCU account on or about February 4, 2010.

33. Respondent solicited, accepted and/or received One  
Thousand Dollars (\$1,000.00) from Inmate ██████████.

34. Respondent violated HRS section 84-11 and/or HRS section 84-13 by soliciting, accepting and/or receiving a monetary gift from Inmate [REDACTED]

COUNT 4  
February 2010 Monetary Gift from Inmate [REDACTED]  
(HRS section 84-13(4))

35. The allegations contained in paragraphs 1 through 34 herein are repeated and realleged.

36. Respondent solicited, accepted and/or received One Thousand Dollars (\$1,000.00) from Inmate [REDACTED].

37. Respondent supervised and/or had control over Inmate [REDACTED] in his official capacity as an ACO at HCCC.

38. Respondent violated HRS section 84-13(4) by soliciting or otherwise engaging in a substantial financial transaction with Inmate [REDACTED].

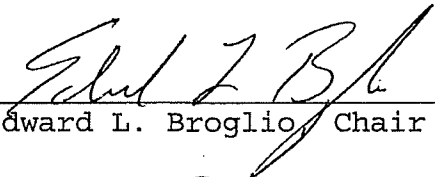
Respondent's Rights and Obligations


Pursuant to HRS section 84-31(b), Respondent may file a written response to the Charge to explain the conduct alleged in the Charge. The Commission shall investigate the allegations contained in the Charge on a confidential basis. HRS section 84-31(b). If a majority of the Commission determines that there is probable cause to believe that a violation of the State Ethics Code might have occurred, the Commission may issue a Further Statement of Alleged Violation and may subsequently set

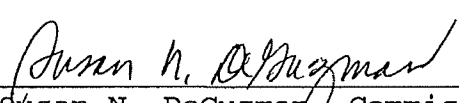
the matter for hearing. HRS section 84-31(b). Upon issuance of a notice of hearing, the Charge and the Further Statement of Alleged Violation and Respondent's responses thereto shall become public records. HRS section 84-31(c).

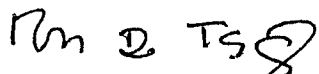
DATED: Honolulu, Hawaii, April 15, 2015.


HAWAII STATE ETHICS COMMISSION

  
\_\_\_\_\_  
Edward L. Broglio, Chair

  
\_\_\_\_\_  
David O'Neal, Vice Chair

  
\_\_\_\_\_  
Susan N. DeGuzman, Commissioner

  
\_\_\_\_\_  
Ruth D. Tschumy, Commissioner

  
\_\_\_\_\_  
Melinda S. Wood, Commissioner

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Attorney at Law  
899 Ululani Street, Suite 4  
Hilo, Hawaii 96720  
Tel. No. 808-961-5566  
Fax No. 808-961-5972  
email: halstedlaw@hawaiiantel.net  
Attorney for Respondent

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STATE OF HAWAII  
STATE ETHICS COMMISSION

BEFORE THE HAWAII STATE ETHICS COMMISSION

STATE OF HAWAII

HAWAII STATE ETHICS COMMISSION	)	Charge No. 2015-Cg-6
	)	
Complainant,	)	RESPONSE TO CHARGE;
	)	CERTIFICATE OF SERVICE
Vs.	)	
	)	
KIMO KANAZAWA-YEE,	)	
	)	
Respondent.	)	NO HEARING DATE SET
_____	)	

RESPONSE TO CHARGE

Comes now Kimo Kanaza-Yee, Respondent herein, by and through his attorney, and hereby responds to the charge as follows:

1. As to Counts I, II, III, and IV the Hawaii State Ethics Commission (hereinafter "Commission") lacks jurisdiction over Respondent (who is not a State employee).

2. As to Count 1 (Paragraphs No. 18-25), Respondent denies he solicited, accepted and/or received \$3,000.00 from Mr. [REDACTED].

3. As to Count II (Paragraphs No. 26-29), Respondent denies he solicited or otherwise engaged in a substantial financial transaction with Mr. [REDACTED].



4. As to Count III, (Paragraphs 30-34), Respondent denies he solicited, accepted and/or received a monetary gift from Mr. [REDACTED] in violation of section 84-11 and 84-13 HRS.

5. As to Court IV, (Paragraphs 35-38), Respondent denies he solicited and/or engaged in a substantial financial transaction with Mr. [REDACTED]. Further, at the time of this incident. Respondent alleges he was not working for Public Safety at the time and the Commission has no jurisdiction over the matter.

6. Further, in his defense as to all Counts, Respondent states:

- I did not solicit any money from Mr. [REDACTED].
- In November 2009, ACO [REDACTED] told me Mr. [REDACTED] was thinking of giving him ([REDACTED]) \$10,000.00.
- Some thereafter, ACO [REDACTED] asked me and ACO [REDACTED] if he should take the money and I told him it was up to him and I couldn't tell him what to do.
- Later, in January 2010, ACO [REDACTED] gave me and ACO [REDACTED] a check for \$3,000.00 each saying he had decided to give us some money. I never asked for the money.
- In January 2010, I was getting bumped from Public Safety and was going to be laid off. During that month, Mr. [REDACTED] asked for my address and I gave it to him. He said wanted to write me as a pen pal.
- In February 2010, I got an unsolicited check in the mail from Mr. [REDACTED] for \$1,000.00.
- At that time, I was not working for Public Safety.

7. As to the general allegations:

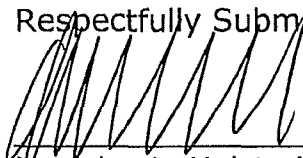
- A. Paragraphs #1, #2, #3, #4, #5, #6, #9, #10 #12, #13, #14, #15, #16, #17, are allegations pertaining to legal statements or legal principles and as such Respondent can neither admit or deny.

- B. Respondent denies Paragraphs #19 and all of the various paragraphs contained in the four charges pertaining to any allegations of wrong doing by him.
- C. Respondent lacks personal knowledge as to Paragraphs # 20, #21, #22, #23, and therefore denies the same.
- D. Respondent admits Paragraphs #7 and #8.
- E. Respondent denies each and every allegation not specifically admitted herein.

WHEREFORE, Respondent asks the Commission to dismiss the charges herein.

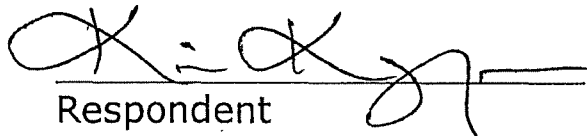
Dated: Hilo, Hawaii this 15th day of June 2015.

Respectfully Submitted,



\_\_\_\_\_  
Douglas L. Halsted  
Attorney for Respondent

APPROVED:



\_\_\_\_\_  
Respondent

BEFORE THE HAWAII STATE ETHICS COMMISSION

STATE OF HAWAII

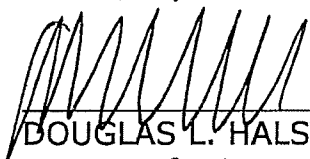
HAWAII STATE ETHICS COMMISSION	)	Charge No. 2015-Cg-6
	)	
Complainant,	)	CERTIFICATE OF SERVICE
	)	
vs.	)	
	)	
KIMO KANAZAWA-YEE,	)	
	)	
Respondent.	)	
_____	)	

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the Response to Charge was duly served upon MEGAN JOHNSON, Staff Attorney for Hawaii State Ethics Commission by mailing the copy, postage prepaid at the U.S. Post Office in Hilo, Hawaii on this 16th day of June, 2015.

MEGAN JOHNSON, ESQ.  
1001 Bishop Street  
ASB Tower 970  
Honolulu, Hawaii 96813

DATED: Hilo, Hawaii, this 16th day of June, 2015.

  
\_\_\_\_\_  
DOUGLAS L. HALSTED  
Attorney for Respondent  
KIMO KANAZAWA-YEE