



HAWAI'I STATE ETHICS COMMISSION

Komikina Ho'opono Kulekele o Hawai'i Moku'āina

Settlement of Investigation

2026-2

(REQ-2025-1862)

Department of Land and Natural Resources, Conservation and Resources Enforcement Officer III's Violation of the Fair Treatment Law

May 20, 2026

The Hawai'i State Ethics Commission ("Commission") hereby resolves an Investigation against Kapaihilaoukalani "Kapa" Umebayashi ("Respondent"), a Conservation and Resources Enforcement Officer ("CREO") III of the Department of Land and Natural Resources ("DLNR"), Division of Conservation and Resources Enforcement for alleged violations of the State Ethics Code, Hawai'i Revised Statutes ("HRS") Chapter 84.

I. Facts

Respondent admits and declares, under penalty of perjury, that the following facts are true and correct:¹

- a) DLNR is a state agency.
- b) Respondent was, at all times relevant herein, a CREO III employed by the DLNR.
- c) Respondent, at all times relevant herein, was a state "employee" as defined in HRS § 84-3 and was required to comply with the State Ethics Code ("Code").
- d) The Commission has jurisdiction to investigate and take appropriate action on alleged violations of the Code by current or former state employees.
- e) On or around November 2025, Respondent appeared in an Instagram reel advertising for clothing apparel. The video was posted on November 25, 2025. The video included images of Respondent, wearing his state-issued belt with holsters for his baton and other work instruments, and showed his state-issued truck. It was not made during his work time, or with state filming equipment. Respondent said he did it to generate goodwill and a favorable image of his agency.

¹ This Resolution does not make formal findings but relies on the facts admitted by Respondent.

- f) Respondent did not ask his supervisor nor anyone at DLNR for permission to use state resources in the video.
- g) The use of state resources in the video for private business purposes was prohibited by HRS § 84-13(a)(3).
- h) Respondent was not paid, nor did he receive any products or reimbursement to appear in the video.
- i) Respondent was forthright and fully cooperated with the investigation.
- j) When requested by commission staff, Respondent had his friend take down the video immediately.
- k) This is Respondent's first ethics violation, and he now understands and has agreed not to use state resources in future videos without permission.

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 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.”² To this end, the Hawai‘i Constitution further directs that the Legislature enact a code of ethics that applies to all appointed and elected state officers and employees.

Following this constitutional mandate, the Legislature enacted the State Ethics Code. It charged the Commission with administering and enforcing the law “so that public confidence in public servants will be preserved.”³ Additionally, the Legislature explicitly directed that the State Ethics Code be liberally construed to promote high standards of ethical conduct in state government. HRS § 84-1. It is in this context that the Commission examines every employee's actions.

² Hawai‘i State Constitution, Art. XIV.

³ HRS Chapter 84 Preamble

B. Application of the State Ethics Code to Respondent Umabayashi

Respondent Umabayashi is a state employee for purposes of the State Ethics Code,⁴ and is bound by the Fair Treatment law, HRS § 84-13(a).

The Fair Treatment law prohibits employees from using their “official position to secure or grant unwarranted privileges, exemptions, advantages, contracts, or treatment, for oneself or others.” Additionally, it specifically prohibits employees from using state equipment or resources for private business purposes. HRS § 84-13(a)(3). Respondent used his state-issued belt, holsters and truck in a video advertising clothing apparel (a private business purpose), which violates the Fair Treatment law.

III. Settlement of Investigation

The Commission investigated Respondent’s actions, and he admits that he violated the Fair Treatment law for the reasons stated above. He has not previously been the subject of a Commission charge or investigation and fully cooperated with the Commission’s investigation in this case. He was contrite when informed that his conduct violated the Ethics Code, and accepted responsibility for his actions. Additionally, Respondent took steps to immediately remediate the situation by having the video removed/taken down.

Given the violation of the State Ethics Code, as well as the remediating factors, the Commission believes it is reasonable, fair, and in the public interest to resolve this investigation by (1) issuing this Settlement of Investigation, and (2) requiring Respondent to pay an administrative penalty of \$300.00 to the State of Hawai‘i.

⁴ HRS § 84-3.