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### 2005 0419 M Session-APP

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Sommers against Kauai  
Wong for filing a false p  
Threatening. Evidently th  
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Board of Ethics Meeting  
Board/Committee:  
4/19/05 page 2

Location

Meeting Room

Present

Chair Sarah



SUBJECT

at 9:32 a

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SUBJECT	DISCUSSION	ACTION
	<p>not just waived over because of the association between Attorney Wong and the Board.</p> <p>Attorney Sueoka pointed out that since Mr. Blair had not yet arrived, the Board might want to stay in Exec handle other cases and then move to Open Session when Mr. Blair arrives.</p> <p>Before excusing Attorney Wong, Mr. Clifford stated that he felt the Board had enough information and it did Attorney Wong may or may not have done, a terroristic threat is a terroristic threat and it is obvious that a threat the information the Board has received. Mr. Clifford further stated that he does not understand why the County case against that; they ought to press that simply for precedence sake to see that people don't do things like comment on that before we leave this session?</p> <p>Attorney Wong stated that the complaint was not properly handled and there was interference by the officials. if you look at my letter to the Mayor, why it was not dealt with the way it is supposed to. Any other jurisdiction they would be on this complaint immediately; they would be looking at it like a first priority. Regrettably in this jurisdiction happening and I think that question ought to be directed to the Prosecutor's Office; maybe it is a low priority to an email to him inquiring about the status but he has not responded to my inquiry and I am about to make a police report but I do intend to pursue the handling or mis-handling of this particular complaint. I understand Sommer person has moved out of the jurisdiction and so now he is not going to be able to be brought before Helmer pointed out that he had written to the Board that he would come back to testify. Attorney Wong said that had provided to the Board was a complete fabricated account and she would be more than willing to face this jurisdiction setting and is prepared to take it to as far as it needs to go, the Attorney General's Office, the Prosecutor's Office a false complaint; he had made a false oath in giving his account but whether or not the system will bring another story altogether. Attorney Wong said that she was offended by the claim and will do what needs to be the integrity of her good name and the office that she represents. Chair Helmer asked Attorney Sueoka allowed to write a letter saying that we have received a notice of an incident where someone was threatened official setting and that we want to know what is happening or is that not part of our jurisdiction? Attorney Sueoka that is depends on what is done with this existing complaint which the Board does not seem inclined to up Wong files a complaint against the Prosecutor, then it would be appropriate for you to do an investigation complaint, there is nothing to justify it. Mr. Farias pointed out that the Board's job was look at the complaint Wong had acted unethically. By (her) filing a complaint, that is by far not acting unethically.</p>	
VIII. Executive Session (resumes)	Executive Session resumed at 9:22 a.m.	Mr. Clifford moved to go back to Executive Session. Motion carried.
IX. Open Session (resumes)	Open Session resumed at 9:32 a.m.	Sam Blair and Attorney Carmen Wong were invited to the meeting at 9:33 a.m.
<p>BOE 05-002</p> <p>Chair Helmer stated that Carmen Wong and her husband, Sam Blair, had been invited to the meeting to review the case of BOE 05-002. After all members themselves to Mr. Blair, Chair Helmer asked Ms. Wong if there was anything she would like to add. Ms. Wong noted that she had nothing further to add.</p>		

# I. Call to Order

# II. Approval of Agenda

# VI. Executive Session

# III. Approval of Minutes

SUBJECT	DISCUSSION	ACTION
	<p>submitted and that she was not going to go point-by-point into the complaint from Tony Sommer. She did not know where the Gary Heu participation came from, even speculate. The whole account from Ms. Wong's perspective is recorded in the police report, a copy of which the Board has, and the supplemental statement from Craig DeCosta, the Prosecutor, and the email supplemental statement to Detective Larry Stem which have also been provided to the Board. From Ms. Wong's records, September 2 was the date of the incident, by September 16<sup>th</sup> as far as she knows the case in the Police Department was closed. When inquiring in October, some further work was done as Detective Stem had called around and got a statement from me, which I documented in an email, and he talked to me. Apparently, Detective Stem did not get a statement from Tony Sommer and to this day, as far as I know, no statement was taken from Tony Sommer except by Tony Sommer regarding a conversation between himself and the Chief of Police. The Chief of Police was simply calling to do quality assurance with the completely bizarre the way it was handled and to this day there is no resolution and the only additional point that I want to make is an account that is recited by my husband Sam Blair gave to you. I want to have Sam explain the conversation to you so there will be a record in these minutes.</p> <p>Chair Helmer asked Mr. Blair to give a quick overview of his relationship to Tony Sommer, he claims you are his friend and an acquaintance. Mr. Blair stated he had anything socially with Mr. Sommer but got to know him professionally when Mr. Blair was writing a column for The Garden Island. Mr. Blair mentioned that he has the same philosophical bent which was accountability and openness in government; the good ole boy system and trying to change the culture and so we have. When we would run into each, as I mentioned in my statement, we would chat about local government was doing this or whatever incident 'du jour' was or we talked about it – that was our relationship. Seeing each other socially, we were not really friends; never had a beer with him but it was always very cordial. I questioned if Mr. Sommer knew that Carmen Wong was Mr. Blair's wife. Mr. Blair responded that he did. The next incident that occurred was the call from Mr. Blair to Mr. Blair saying there was this incident with Tony Sommer and it was almost unbelievable – it was so bizarre; that was a side of him I had never seen. Mr. Blair is perfectly normal, rational and to hear that somebody you had this relationship with and this commonality did something bizarre, it's like – wow. My first inclination was to call the police because there was something going on here – may be he has a problem that is below the table, whether it is alcohol, anger management – when Lani told me about the background that she knew about, then I said by all means, she has to make a record of this. She has to get the police involved because really bizarre happens, we don't want to say we should have called the police so it is best to err on the side of caution, call the police, get statements from everybody about what occurred was this call from Tony Sommer and I said I am not going to get involved in this, this is Carmen's deal. She is a professional but I am not sure what happened and he said "Well, I just went off on Carmen. I probably shouldn't have, really I just lost it because I was looking for these records for so long and I shouldn't have. It was like..... this sounds weird. It was a non-apology or a rationalization with bizarre (...unintelligible). It is Carmen's affair and I am not supportive because it was emotionally really traumatizing for her. Chair Helmer noted that especially because the situation took place in an open Council Session where everybody just stand around and act like they didn't see it. Mr. Blair said he understood the dynamics of Tony Sommer and that he had some power because of his position about you and this is what he did, he is a reporter. However, his (Mr. Blair's) personal philosophy is that for public officials, there should be a zero tolerance for corruption, there isn't, then you are thinking your values are screwed up – so that is my take on what happened. It is a screwed up value system where they protect the perpetrator more than the victim. Most jurisdictions that I am aware of have automatic jail time for somebody that does terroristic threatening, or threatens a police officer, judge and it is automatic. There should be zero tolerance and to have a situation right in my own home where my wife – when someone points a finger at me and says 'you are a target' – it traumatizes her and nobody does anything. Chair Helmer asked if it was an accurate statement in Tony's rendition that JoAnn Yukimura told me to inform him that you had gone to the police. Ms. Wong stated that she did not know what transpired in his conversation with JoAnn Yukimura. I was present at the time, I saw, after the incident, I was stunned. I went into the break room and spoke to the Chair and told him what happened; I had a job to do and Executive Session started so I wasn't about to do anything right then and there. When I was waiting for Executive Session to start I saw Tony Sommer talking to Lani, I just avoided going to the other side of the room and then I saw him talking to JoAnn Yukimura. When she (JoAnn) came back into the room, she said she heard what happened in front of all the Council Members, and I was also there, that she asked Tony Sommer why do you have to take everything so personally? By then, I wasn't sure what people's opinion was, there was a criminal act that was done on me. Chair Helmer asked for clarification if JoAnn Yukimura was saying to Tony 'why do you take everything so personally' or to you? Ms. Wong said that the statement was made to Tony Sommer. The whole situation about this complaint to the Board of Ethics was all on the County letterhead, which is completely ridiculous, about me being the person who filed a false report and this person (Sommer) being able to file a notariation with this Board wasting everybody's resources and time and it has spun totally out of control. Mr. Fernandez replied that Ms. Wong had every right to use the County letterhead for everything that happened was on County time. Ms. Wong stated that she uses the letterhead very carefully and felt that she had every right and had even used the County letterhead for everything that happened was on County time.</p>	

## IV. Communication

# VII. Open Session (r

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