

## **7/21/26 UPDATE ON ETHICS COMPLAINT FILED AGAINST TOM COOK ON 6/30/25**

Leslie Iczkovitz has been a Hawaii attorney and resident for 47 years, a Maui resident for seven years, is the President of the Maui Meadows Neighborhood Association, and is a Board Member at Maui Tomorrow Foundation. Acting and speaking only as a private citizen who cares about the ethical conduct of Maui County employees, Iczkovitz filed an Ethics Complaint against Cook with the County of Maui Board of Ethics (MBOE) on June 30, 2025.

The MBOE meetings scheduled for August, September, and October 2025, were cancelled due to Sunshine Law Complaints which had been submitted by Iczkovitz. The Ethics Complaint was discussed only in Executive Session (over the objections of Iczkovitz) at the November 12, 2025 MBOE Meeting.

During the November 12 meeting, the MBOE Executive Director, Lauren Akitake, confidentially in executive session, verbally presented her Report and Recommendation telling the MBOE why the MBOE should not process the Iczkovitz Ethics Complaint against Tom Cook. Based upon this report and recommendation, the MBOE voted to refuse to process the Ethics Complaint. This Report has been withheld from Iczkovitz. Iczkovitz will be asking the ICA to order the MBOE to produce the Minutes of the Executive Session of the November 12 meeting, to be included in the Record on Appeal to obtain this critical information.

On December 1, 2025, the County of Maui Board of Ethics formalized its refusal to process the Ethics Complaint that Leslie Iczkovitz had filed against Councilman Tom Cook on June 30, 2025. Iczkovitz then appealed the MBOE's decision to the Second Circuit Court. Judge Kristin Hamman, unsurprisingly, issued an Order affirming the MBOE's decision on June 8, 2026. Iczkovitz appealed Judge Hamman's Order to the Intermediate Court of Appeals, creating CAAP 26-0000493. The current projection as to how long it will take for the case to wind through the ICA system, is two to three years. Iczkovitz has very recent experience with the ICA.

Under the Rules of the Appellate Courts, Iczkovitz is authorized to file a Motion to Expedite the Hearing of this Appeal, which could possibly expedite it. Iczkovitz has agreed to draft and file such a Motion, provided that he receives some community support for his appeal to the ICA, and possibly his other efforts in support of Maui over the years.

### **THESE ARE THE ANTICIPATED ISSUES TO BE RAISED ON APPEAL**

1. The Board erred in treating Advisory Opinion 23A-15 and Charter§ 10-2.5 as categorical bars to processing the complaint, rather than evaluating whether the complaint alleged conduct outside or contrary to the advisory opinion, or presented new or expanded factual circumstances warranting investigation and adjudication. The Board's December 1, 2025 letter relied on the prior advisory opinion and Charter§ 10-2.5 as a basis not to process Complaint No. 25-13. Appellant's filings identified additional and expanded issues beyond the fact pattern

addressed in the 2023 advisory opinion and the 2024 complaint.

2. The Board failed to comply with procedural requirements for adjudicatory decisions adverse to a party by not issuing written findings of fact and conclusions of law upon its denial to process the complaint, despite Appellant's request and stated position that such findings and conclusions are required.

3. The Board's handling and agenda practices impaired Appellant's ability to participate and the public's right to notice concerning the complaint, further undermining the fairness of the proceedings

4. Appellant's October 3 and November 11, 2025 letters identified alleged Sunshine Law deficiencies as to the executive-session agenda items, and the identification of the subject of Appellant's ethics complaint the agenda listing for the complaint, including to post relevant documents.

5. Continued practice of deficient public notice by the Board of Ethics concerning meetings at which Appellant's complaint was scheduled.

6. Improper handling of Appellant's complaint in executive session despite claims that relevant information was not confidential.

7. Conflict of interest of Maui Corporation Counsel undermined the Board's decisions and advice.

8. Board's failure to consider statutory "financial interest" and related ethics provisions in evaluating conflicts.

9. Appellant alleges a years-long pattern by the Board of Ethics of Sunshine Law violations in meeting agendas and continued reliance on conflicted legal advice from Corporation Counsel.

10. During the MBOE November 12, 2025 meeting, the MBOE chairman did not orally identify all of the people who participated in the Executive Session, in violation of the MBOE rules. The MBOE minutes of the November 12, 2025 meeting also did not disclose all of the participants in the Executive Session portion of the meeting, in violation of the MBOE Rules.

11. During the November 12 meeting, the MBOE Executive Director Lauren Akitake verbally presented her Report and Recommendation why the MBOE should not process my ethics complaint against Tom Cook. Iczkovitz will be asking the ICA to order the MBOE to produce the Minutes of the Executive Session of the November 12 meeting, to be included in the Record on Appeal.

Please send an email to [les.iczkovitz@gmail.com](mailto:les.iczkovitz@gmail.com) to let him know you support his efforts, or if you have any questions.