

## **Comments on Ing's Response to Our Complaint (September 27, 2012)**

### **Accusation No. 1:**

In his response to Accusation No. 1, Ing writes:

"I double checked my qualified contributions with Tony who audited and confirmed the qualifying contributions and that I have completed all other steps necessary for public funding. However between the time-of the audit and the date the check was sent, I updated my contribution report with a few more qualifying contributions that I figured would not be included in the same check. Because of the timing of these contributions, they were unexpectedly counted in the matching funds check without first being verified by the CSC."

The explanation is not credible. If Ing had "figured (the \$225 in non-qualified contributions) would not be included in the same check," he would have expected \$1670 from the CSC and not \$1895. But Ing confirmed that he was expecting \$1895 in both versions of his August 11, 2012 CSC report and "about \$1900" to the Maui News:

- 1) Ing told the the Maui News in an article dated July 23, 2012, a copy of which is attached as Exhibit A, that the Friends of Kaniela Ing received "about \$1900" in matching funds under the State public campaign funding program. This was apparently before the check had arrived.
- 2) According to the original and revised versions of the Friends of Kaniela Ing July 28-August 11, 2012 CSC Report, Friends of Kaniela Ing on August 9, 2012 accepted a loan of \$1895.00 from one Robert Wintner while "waiting on partial public funding check."

Confronted with his violation, Ing has offered an incredible explanation.

### **Accusation No. 2:**

In his response to Accusation No. 2, Ing states:

I have provided receipts of payments directly from Friends of Kaniela Ing to listed vendors, to clear up any speculation or confusion and to show that the \$5923.76 were not "cash payments to the candidate" at all, but rather just a single online filing system misunderstanding.

Ing has identified 19 expense items in his reports but has provided only two receipts, both of which have discrepancies. One of the receipts (Cardinal Services \$1291.54) has no date, making it useless for verification of Ing's claim that an illegal campaign loan was not made. It is reported to the CSC as being paid July 16, 2012. The other invoice (Double Portion Banners \$1041.60) is dated June 19, 2012 but is reported to the CSC as paid on July 10, 2012. Without cancelled checks, the CSC cannot determine whether Friends of Kaniela Ing paid Ing or paid the vendor.

The time periods are critical here because under HRS 11-371b advances are not considered loans if "expenditures do not exceed \$1500 within a thirty (30) day time period." Ing's failure to provide sufficient documentation and the discrepancies warrant further investigation by the CSC.

### **Accusation No 3:**

In his response to Accusation No. 3, Ing writes: "We have not filed any 'Intent to Hold a Fundraiser' reports because we held no fundraisers so far. But Ing provides no documentation to show that the suggested ticket prices were at or below the \$25.01 trigger for an "Intent to hold" filing.

On the contrary, his campaign website Ing announces a suggested donation of "\$100 or less" for his September 5 Maui Meadows Friendraiser. \$100 is in excess of \$25 and the use of "or less" does not make \$100 not be the "suggested" ticket price. Thus the September 5, 2012 'friendraiser' triggered the requirement that Ing file an "Intent to Hold a Fundraiser" report. (see attached website printout)

### **Accusation No 4:**

In his response to Accusation No. 4, Ing asserts that he has held numerous fundraising events without incurring expenses at any of them except the Pacific Club. But Ing offers no evidence to substantiate the assertion. Without evidence, the CSC cannot credit Ing's assertion.

### **Summary:**

Ing suggests that he tried to comply with the law but he is a "a young, first-time candidate." On the other hand, Ing's campaign touts his public consideration for an open Maui OHA trusteeship, his ASUH Presidency, experience on Neighborhood Board, lobbying work in Washington DC, and his work on a Honolulu councilmember's staff. All candidates must comply with the law. Ing's experience offers every indication that he should be able to comply with the law.

<http://kanielaing.com/events>

"Maui Meadows Friendraiser – cocktails, pupus, and fun!" @ Kumulani St.

Wednesday, 9/5 (5:30p-9:00p) or whenever you finish work!

<https://www.facebook.com/events/417834674939637/>

Leslie Granat, a renown fine artist and supporter, will be hosting an evening get-together on Wednesday 9/5 in Maui Meadows, pupus and cocktails provided, to meet Candidate Kaniela Ing, and share with him your ideas for Maui's future.

Kaniela sees this opportunity as a friendraiser/idearaiser, to listen and learn how he can better represent you, but you are definitely welcome to bring your checkbook.

Kaniela is running a special-interest free, grassroots campaign with expenditure limit requirements, so smaller donations of \$100 or less are encouraged and needed to win in November!

RSVP here and we will message you with directions and more info if you are interested in attending.