

**MINUTES OF THE MEETING OF THE MAUI POLICE COMMISSION
WEDNESDAY, JUNE 17, 2009 AT 10:00 A.M.
CHIEF'S CONFERENCE ROOM, WAILUKU, MAUI, HAWAII**

PRESENT Doreen Gomes, Chair
Keone Ball, Vice-Chair
Sean Connolly, Member
Leil Koch, Member
Ron Vaught, Member
Jeffrey Ueoka, Deputy Corporation Counsel

ALSO PRESENT Gary Yabuta, Chief of Police
Sydney Kikuchi, Assistant Chief Investigative Services
Wayne Ribao, Assistant Chief Uniformed Services
Clayton Tom, Assistant Chief Support Services
Mr. Greg Takahashi, Business Manager
Ms. Geri Onaga, Department of Personnel Services
Jeffrey Murray, Chief, Maui Fire Department
Robert Shimada, Deputy Chief, Maui Fire Department
Lila Fujimoto, Reporter, The Maui News

DELAYED David Jorgensen, Member (Delayed)
Tina Gomes, Member (Delayed)

EXCUSED Kirk Tanaka, Member (Vacation)
John Ornellas, Member (Sick)

**CALL/
QUORUM** Chair Gomes called the meeting to order at 10:00 a.m. A quorum was ascertained with five Commissioners present to conduct business.

OPENING PRAYER The opening prayer was offered by Reverend Milton Fricke.

PRESENTATION **By the Public of Oral or Written Testimony on Agenda Items of the Commission:**

Mr. Dennis Jarvie read from a prepared statement regarding his dissatisfaction with the investigation conducted in the incident involving his son.

(10:05) Commissioner Jorgensen entered the meeting.

APPROVAL OF AGENDA **A motion was made by Commissioner Jorgensen to amend the the Executive Session agenda to include Item (e) MPC 09-07 and Item (f) MPC 09-08. The motion was seconded by Commissioner Koch and carried unanimously.**

APPROVAL OF MINUTES **A motion to approve the minutes of May 20, 2009 was made by Vice-Chair Ball and seconded by Commissioner Connolly. The motion carried unanimously.**

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MESSAGE OF CHAIR FOR 2008-2009

Chair Doreen Gomes read from a prepared statement, thanking the Commissioners for their confidence in her during the year and for their hard work during the Chief's Selection Process. Chair Gomes also thanked the Chief and members of his administration, Deputy Corporation Counsel Kim Sloper, Commission Secretary Jeanne Berrigan, Captain Danny Matsuura, Mr. Greg Takahashi and Secretary Connie Funari for their help with the Chief's Selection Process.

ELECTION OF POLICE COMMISSION CHAIR

Vice-Chair Keone Ball nominated Doreen Gomes as Chair for the 2009-2010 year. The nomination was seconded by Commissioner Connolly and carried unanimously.

A motion to close nominations for Chair was made by Commissioner Jorgensen and seconded by Commissioner Koch. The motion carried unanimously.

ELECTION OF POLICE COMMISSION VICE-CHAIR

Chair Doreen Gomes nominated Keone Ball as Vice-Chair for the 2009-2010 year. The nomination was seconded by Commissioner Koch and carried unanimously.

LETTERS OF COMMENDATION (6)

The following personnel received Letters of Commendation during the month: Lieutenant D. Kanemitsu; Sergeant W. Anzai; Officers S. Caparida, K. Masse, N. Pellazar, S. Yoshizawa

A motion to accept and file the Letters of Commendation was made by Commissioner Connolly and seconded by Vice-Chair Ball. The motion carried unanimously.

CHIEF'S REPORT Chief Yabuta officially announced that he has selected Assistant Chief Clayton Tom as the new Deputy Chief of Police. The swearing-in ceremony for Chief Yabuta and Deputy Chief Tom will be held on Thursday, July 2, 2009 at 10:00 a.m. in the Chief's Lobby.

Assistant Chief Clayton Tom gave the report for the Support Services Bureau A.C. Tom informed the Commissioners that the D.A.R.E. Summer Leadership Program, being held from June 15th through July 17th at Maui Waena School, still has vacancies and anybody interested can just walk in to register.

Assistant Chief Wayne Ribao gave the report for the Uniformed Services Bureau

Officers of the Month were:

District 1 – Officer Joy Medeiros
District 4 – Officer Matthew Bigoss
District 5 – Officer Lonnie Kaai
District 6 – Officer Gregg Katayama

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Assistant Chief Kikuchi gave the report for the Investigative Services Bureau

A.C. Kikuchi introduced Lt. Mollie Klingman, Commander of the Juvenile Section. Lt. Klingman announced that this year's Ka Huli Ola Award, presented to a juvenile who has turned their life around, would be given to Duke Kuhia.

(10:20) Commissioner Tina Gomes entered the meeting.

Duke Kuhia was presented with an award from the Maui Police Department as well as a bond from the Maui Soroptimist Club.

RECESS Chief Yabuta invited everyone outside for the blessing and a tour of the new
(10:30) Command Vehicle.

RECONVENE Deputy Corporation Counsel Kim Sloper entered the meeting and replaced
(11:10) Deputy Corporation Counsel Jeffrey Ueoka.

FINANCIAL Mr. Takahashi handed out a summary of the Fiscal Year 2009 Budget
BUDGET for the period July 1, 2008 through May 31, 2009 which reflects just over \$7 million or 15% of the budget remaining.

PERSONNEL Mr. Takahashi handed out the Staffing Report which reflects 43 sworn vacancies and 24 civilian vacancies. There are 36 conditional offers out for sworn personnel and nine for civilians. Also handed out was a Personnel Summary which reflects 19 police officers were hired during the year with 23 separations, and 9 civilians were hired with 11 separations.

Chief Yabuta announced that Sergeant David Silva of the Juvenile Section has been selected as the Maui County Officer of the Year for the Hawaii State Law Enforcement Officials Association. Sergeant Silva will be honored at the HSLEOA Conference on September 25, 2009 at the Ritz-Carlton, Kapalua.

Commissioner Koch wished to thank the Department for the honor guard they sent for the funeral of Sensei Suzuki.

CORRESPONDENCE

- a. PC 09-21 Hawaii County Commission Meeting Minutes of 02/20/09
- b. PC 09-22 Hawaii County Commission Meeting Minutes of 04/17/09
- c. PC 09-23 Mahalo Letter from Kauai Chief of Police Darryl Perry
- d. PC 09-24 Letter from Salary Commission dated 05/18/09
- e. PC 09-25 Copy of Letter from Salary Commission to Mayor Tavares

A motion to file the correspondence was made by Commissioner Connolly. The motion was seconded by Commissioner Koch and carried unanimously.

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NEW BUSINESS

- a. HSLEOA Conference September 23-25, 2009 at the Ritz-Carlton

All Commissioners are invited to attend the HSLEOA Conference

- b. NACOLE Conference October 31-November 3, 2009 in Austin, Texas

A motion was made by Commissioner Koch and seconded by Commissioner Vaught for Commissioner Tina Gomes and Commissioner Kirk Tanaka to attend the NACOLE Conference in Austin, TX. The motion carried unanimously.

- c. Review of the County of Maui Policy Against Discrimination by Department of Personnel Services

Department of Personnel Services Training Coordinator, Ms. Geri Onaga gave in-service training on the County of Maui Policy Against Discrimination.

A motion to move into Executive Session was made by Commissioner Connolly and seconded by Commissioner Vaught. The motion carried unanimously.

EXECUTIVE SESSION

- a. County of Maui Policy Against Discrimination

Ms. Cheryl Kelly, Equal Employment Opportunities Specialist for the County of Maui answered questions for Commissioners.

- b. Sub-Committee Recap of the Chief's Selection Process

A motion was made by Vice-Chair Ball and seconded by Commissioner Jorgensen to defer this item until the July meeting. The motion carried unanimously.

- c. Discussion for Change for Additional Information at Commission Meetings from Administrative Staff

Commissioner Tina Gomes stated she would like the Commission to be provided with more information than what is being given to them in the monthly highlights because the public is asking for information on things the Commission isn't aware of.

- d. Discussion for Change to Investigation Procedures (Inviting Officer to Speak to Commission, etc.)

Commissioner Tina Gomes suggested perhaps officers and/or the complainant could come to Commission meetings. The other Commissioners felt the process is working fine now.

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e. MPC 09-07

Chair Gomes denied investigation of this complaint based on Police Commission rules, Section 13-101-23(a) "The complaint is not filed within sixty calendar days of the occurrence of the event which is the basis of the complaint."

A motion was made by Commissioner Connolly to support denial of this complaint based on the time frame. However, the complaint should be referred to the Chief for investigation. The motion was seconded by Commissioner Koch and carried unanimously.

f. MPC 09-08

Chair Gomes denied investigation of this complaint based on Police Commission rules, Section 13-101-23(e) "The subject matter of the complaint is not within the jurisdiction of the Commission."

A motion was made by Vice-Chair Ball and seconded by Commissioner Tina Gomes to support denial of the investigation. The motion carried unanimously.

(12:30 p.m.) Commissioner Ron Vaught exited the meeting.

(12:40 p.m.) Chief Yabuta entered the meeting to answer questions regarding personnel matters.

(12:50 p.m.) Chief Yabuta exited the meeting.

REGULAR SESSION A motion to return to Regular Session was made by Commissioner Connolly and seconded by Commissioner Tina Gomes. The motion carried unanimously.

RATIFY A motion to ratify the actions taken in Executive Session was made by Commissioner Connolly. The motion was seconded by Vice-Chair Ball and carried unanimously.

ADJOURN (12:55) A motion to adjourn was made by Commissioner Connolly and seconded by Commissioner Jorgensen. The motion carried unanimously.

SUBMITTED BY

Jeanne L. Berrigan, Secretary

APPROVED

Doreen N. Gomes, Chair