

**MINUTES OF THE MEETING OF THE MAUI POLICE COMMISSION
WEDNESDAY, MAY 18, 2011 AT 10:00 A.M.
CHIEF'S CONFERENCE ROOM, WAILUKU, MAUI, HAWAII**

- PRESENT** Leil Koch, Chair
Kirk Tanaka, Vice-Chair
Pancho Alcon, Member
Roger Dixon, Member
David Jorgensen, Member
Gregg Lundberg, Member
Kelly Ruidas, Member
Ron Vaught, Member
- ALSO PRESENT** Gary Yabuta, Chief of Police
Clayton Tom, Deputy Chief of Police
Wayne Ribao, Assistant Chief Investigative Services
Larry Hudson, Assistant Chief Support Services
Dean Rickard, Acting Assistant Chief Uniform Services
Jeffrey Ueoka, Deputy Corporation Counsel
Mark Vickers, Sergeant, Community Police Officer Program
- DELAYED** Tina Gomes, Member
- EXCUSED** Danny Matsuura, Assistant Chief Uniform Services (Molokai D.A.R.E.)
Greg Takahashi, Business Manager (Vacation)
- CALL/
QUORUM** Chair Koch called the meeting to order at 10:00 a.m. A quorum was ascertained with eight Commissioners present to conduct business.
- OPENING
REMARKS** The opening remarks were offered by Chaplain Arza Brown of Grace Baptist Church
- PRESENTATION** **By the Public of Oral or Written Testimony on Agenda Items of the Commission:** None
- APPROVAL OF
MINUTES** **A motion to approve the minutes of April 20, 2011 was made by Commissioner Vaught and seconded by Commissioner Lundberg. The motion carried unanimously.**

LETTERS OF COMMENDATION (17)

Officers K. Badayos, J. Casio, N. Krau, J. Sang, S. Singh, J. Terry, S. Waiohu; Recruits D. Belen, A. Cabral, R. Cabral, K. Dunn, A. Krau, N. Laga, A. Maldonado, A. Mark, S. Sanchez; RTO R. Shim

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

MINUTES OF THE MEETING OF THE MAUI POLICE COMMISSION
WEDNESDAY, MAY 18, 2011
PAGE 2

CHIEF'S REPORT Chief Yabuta introduced Patrol Officer Terence Gomez of the Wailuku District. Chief Yabuta informed the Commission that in March, Officer Gomez responded to a residence that was engulfed in flames, where an 82 year-old woman was trapped inside. Officer Gomez entered the burning residence and carried the woman to safety. His bravery and courageous feat saved the life of the woman. For exceptional performance of duty, Chief Yabuta presented Officer Gomez with the Silver Medal of Honor.

The budget request process has concluded for FY 2012 and Chief Yabuta wished to thank the Commissioners who were there for their support.

(10:10 a.m.) Commissioner Gomes entered the meeting.

Chief Yabuta informed the Commission that all requested positions have been funded and new vehicles were approved. Building of the Kihei station is moving forward. They are working on the funding, and will be meeting with the Budget Director later today to discuss the funding process. Chief Yabuta thanked Assistant Chief Hudson for his energy and hard work on this project.

Deputy Chief Tom announced that of the two bills of interest, the one that passed the legislature is the one that combines wireless and wire line under one board. They also approved raising the cap an additional \$5 million for the next fiscal year.

The other bill of interest is regarding compassion centers. Legislators did not pass it this year, but the issues regarding medical marijuana will come up again next year.

Chief Yabuta then introduced Sergeant Mark Vickers who did a brief presentation on his duties as supervisor for the newly re-formed Community Police Officer Program. Once his staff comes on board June 1st, two officers will be assigned to Central Maui and two will be assigned Upcountry, to include Paia and Haiku, but the Program will not have boundary limits. He stated he has already met with various community associations and is establishing community contacts. When the officers hit the streets, one of their priorities in the initial weeks will be to go out and meet people and build up a basic data base with their contacts information.

Assistant Chief Wayne Ribao gave the report for the Investigative Services Bureau.

Acting Assistant Chief Dean Rickard gave the report for the Uniform Services Bureau.

Assistant Chief Larry Hudson gave the report for the Support Services Bureau.

**MINUTES OF THE MEETING OF THE MAUI POLICE COMMISSION
WEDNESDAY, MAY 18, 2011
PAGE 3**

FINANCIAL REPORT Mr. Takahashi is on vacation and no financial report was provided.

PERSONNEL Chief Yabuta handed out the Staffing Report as of May 18th which reflects 35 vacant sworn positions with 24 conditional offers pending. There are currently 13 civilian vacancies with one conditional offer pending.

The 75th Recruit Class is scheduled to begin mid-July and seven recruits have been hired to date.

NEW

BUSINESS a. 2011 Police Commission Conference

Eight Commissioners and the Police Commission secretary will be attending the conference on May 26-27, 2011 hosted by the Honolulu Police Commission. Honolulu Police Commission has asked for input for the round-table discussion which will be led by each Commission. The Maui Police Commission has submitted their topics to the Honolulu Police Commission secretary.

a. NACOLE Conference in New Orleans September 12-15, 2011

Commissioner Chair Koch, as well as Commissioners Dixon and Lundberg have expressed interest in attending this conference. Two Commissioners will be approved to attend. The conference attendees will be announced at the June meeting.

RECESS 11:15 A.M.

RECONVENE 11:20 A.M.

EXECUTIVE SESSION

A motion to move into Executive Session was made by Vice-Chair Tanaka and seconded by Commissioner Jorgensen. The motion carried unanimously.

a. MPC 11-03

This complaint was reviewed by Chair Koch and denied for investigation based on Police Commission Rules 13-101-23 d) and e).

On the Police Commission Complaint form, the complainant had checked that they have contacted an attorney regarding this complaint. Because it is not clear whether or not the complainant intends to file a civil suit, it was suggested that the complaint not be denied to include 13-101-23 (d), and only be denied based on 13-101-23 (e).

**MINUTES OF THE MEETING OF THE MAUI POLICE COMMISSION
WEDNESDAY, MAY 18, 2011
PAGE 4**

A motion was made by Commissioner Jorgensen to support denial of the investigation by the Police Commission based solely on Police Commission Rule 13-101-23 (e). The motion was seconded by Commissioner Dixon and carried unanimously.

The Police Commission Complaint Registration form currently has the question "Have you contacted an attorney regarding this complaint" but this question does not clearly show whether the complainant intends to file a law suit.

A motion was made by Vice-Chair Tanaka that the complaint form be amended to specifically ask if it is the intention of the complainant to seek remedies through a civil suit. The motion was seconded by Commissioner Gomes and carried unanimously.

- b. Request for Legal Representation in Civil No. 09-1-009(1)

A motion to provide legal representation was made by Commissioner Dixon and seconded by Commissioner Jorgensen. The motion carried unanimously.

REGULAR SESSION A motion to return to regular session was made by Vice-Chair Tanaka and seconded by Commissioner Jorgensen. The motion carried unanimously.

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

ADJOURN A motion to adjourn was made by Commissioner Jorgensen and seconded by Commissioner Lundberg. The motion carried unanimously.

SUBMITTED BY

Jeanne Berrigan, Police Commission Secretary

APPROVED

Leil Koch, Chair