

BUDGET AND FINANCE COMMITTEE

Council of the County of Maui

MINUTES

April 9, 2014

Council Chamber

CONVENE: 9:05 a.m.

PRESENT: Councilmember Mike White, Chair
Councilmember Gladys C. Baisa, Member (out 12:02 p.m.)
Councilmember Elle Cochran, Member
Councilmember Donald G. Couch, Jr., Member
Councilmember Stacy Crivello, Member
Councilmember Don S. Guzman, Member

EXCUSED: VOTING MEMBERS:
Councilmember G. Riki Hokama, Vice-Chair
Councilmember Robert Carroll, Member
Councilmember Michael P. Victorino, Member

STAFF: Michele Yoshimura, Legislative Analyst
Chancy Hopper, Legislative Analyst
Jordan Molina, Legislative Analyst
Yvette Bouthillier, Committee Secretary

Ella Alcon, Council Aide, Molokai Council Office (via telephone conference bridge)
Denise Fernandez, Council Aide, Lanai Council Office (via telephone conference bridge)
Dawn Lono, Council Aide, Hana Council Office (via telephone conference bridge)

ADMIN.: Sananda Baz, Budget Director, Office of the Mayor
Gary Yabuta, Chief, Department of Police
Clayton Tom, Deputy Chief, Department of Police
Greg Takahashi, Business Administrator, Department of Police
Jeffrey Amaral, Captain, Department of Police
John Kim, Prosecuting Attorney, Department of the Prosecuting Attorney
Kay Tesoro, Administrative Officer, Department of the Prosecuting Attorney

OTHERS: Others (25)

PRESS: Akaku: Maui Community Television, Inc.

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CHAIR WHITE: ... *(gavel)* ... Good morning. This meeting of the Budget and Finance Committee will please come to order. We've got a full day today and we're going into the evening this evening, so let's get started. I'd like to start with welcoming Council Chair, Gladys Baisa.

COUNCILMEMBER BAISA: Good morning.

CHAIR WHITE: Good morning. And Members Stacy Crivello.

COUNCILMEMBER CRIVELLO: Good morning, Chair.

CHAIR WHITE: Aloha. Elle Cochran.

COUNCILMEMBER COCHRAN: Aloha, good morning, Chair.

CHAIR WHITE: Good morning. Don Couch.

COUNCILMEMBER COUCH: Aloha and good morning, Chair.

CHAIR WHITE: Good morning. And Don Guzman.

COUNCILMEMBER GUZMAN: Good morning, Chair.

CHAIR WHITE: And excused this morning are Vice-Chair Riki Hokama, Bob Carroll and Mike Victorino. So, without objection, we'll open public testimony.

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR WHITE: And so far we have no one here in the Chambers to testify so we'll go right to the District Offices. We'll check in first with Hana. Dawn, do you have any testifiers this morning?

MS. LONO: Good morning, Chair. This is Dawn Lono at the Hana Office and there is no one waiting to testify.

CHAIR WHITE: Thank you, Dawn. And we'll go to Denise on Lanai. Any testifiers?

MS. FERNANDEZ: Good morning, Chair. This is Denise Fernandez on Lanai and there is no one waiting to testify.

CHAIR WHITE: Thank you very much. And we'll go to Ella on Molokai.

MS. ALCON: Good morning, Chair. This is Ella Alcon on Molokai and there is no one here waiting to testify.

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CHAIR WHITE: Thank you very much, ladies. Is there anyone here in the Chambers wishing to testify this morning? Seeing none, without objection, the Chair will close public testimony.

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR WHITE: Thank you. And before we proceed with the review of the Police Department, we had a long discussion about water development rates, monthly meter fees and water rates yesterday, and there was a request for us to proceed with, giving the public an opportunity to share their thoughts and concerns. So we are posting today for a meeting to be held at six o'clock on the 15th of April here in the Chambers, and so we will be posting that today. And I wanted to do it early enough so that it doesn't get us any more jammed up later on as we try to finalize the Budget. So please put that on your calendars, and I think that's the only announcement for this morning, right? And we will be in Paia tonight. There was some confusion in the newspaper this morning basically saying if you have concerns about the, about your water rates or water meters, that the night to discuss it is in Paia tonight. So please pass the word that we've got lots of other things to discuss in Paia tonight and we will be most focused on the water issues on the 15th and we will begin the meeting with a presentation by Water Director Taylor to outline what the options are, because if we have a lower development fee for initial meters installation, then that increases the monthly meter fee. So it's a pay me now or pay me later question that the Department will outline for us at that meeting. So, and just for the public's information, also I'm sure that we'll get some testimony this evening since it's in the district regarding the potential purchase of land owned by A&B in the Maui Business Park and the, and tied to that is a, is a donation or I'm not sure if donation is a correct term for it but a commitment of 35 acres surrounding Baldwin Beach Park. So I think that is not part of this Budget so the appropriate time to testify for that would be at the hearings when we bring it up following Budget. So just to let the public know where we're coming from on that. If there, we will likely accept testimony on that subject but I just want to let people know that that will not be a part of this Budget and does not need to be a focus of this evening's meeting.

**ITEM BF-1: PROPOSED FISCAL YEAR 2015 BUDGET FOR THE
 COUNTY OF MAUI (CC 14-31)**

CHAIR WHITE: So with that, I want to welcome Chief Yabuta, and Deputy Chief Tom and Mr. Takahashi from the Police Department. We look forward to a review. It's always one of the more fun days that we have. So, welcome.

DEPARTMENT OF POLICE

MR. YABUTA: Thank you. Yeah, let's make it fun. Sir, do you want me to begin?

CHAIR WHITE: Yes, please proceed.

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MR. YABUTA: Oh, okay. Good morning, everybody. Good morning, Council. In the background, I don't know if the camera will be scanning, but those are the Commanders of the Maui Police Department and we're so very proud of 'em for the job that they're doing for all the islands of Maui County, Lanai, Molokai, Hana, the rural districts, very hard working people and it's good that they're here just so the Council could recognize them. They're working extremely hard.

CHAIR WHITE: Let's give them a round of applause. Thank you for joining us today.

MR. YABUTA: And before you, Council, is our Maui Police Department Fiscal Year 2015 Budget Proposal. And the total that we're asking for is \$52,736,495, in contrast to our Fiscal Year 2014 appropriated budget of \$45,021,583. So that's a change amount of approximately \$7.7 million, an increase. We attributed this difference to the salary and wages increases that was combination of the Collective Bargaining Agreement raises, SHOPO, HGEA, UPW, a realistic pay, a premium pay, overtime request. We had non-funded positions in 2014 and I want to thank the Council for giving us those positions. Now we have to fund them. And we're also asking for 2015 expansion positions. We have an equipment increase of about 976,000, and lastly we have an operations increase of about 461,000 from last year. Our projected overtime for this year will in all likelihood be over \$5 million. Our budgeted overtime for Fiscal Year 2014 is about \$3.9 million, and so Fiscal Year 2015, we're proposing a \$4.7 million premium pay or overtime budget. Bear in mind, 27 percent of all overtime is fixed. It's holiday pay and night differential. So that's something that is, you know, you work a 24-hour, 7-day a week type of work environment that police officers and dispatchers do, 27 percent of their overtime is fixed. Our operations budget for Fiscal Year 2015 budget proposal, almost 9 million, 8.9 million. And that's about \$461,000 more than our current budget. We attributed this increase as a result of the Kihei Station, electricity, maintenance, janitorial. I'm proud to say we only have one leased facility request for Fiscal Year 2015. We only have one left from our current budgets. I don't want to go into the location of this particular leased facility but we'll be paying about \$65,000 annually for this one remaining leased facility and we are looking at incorporating this into our current facilities. So maybe by next year, we can say we don't have any leased facilities utilized and expended by the Maui Police Department. Our equipment budget for Fiscal Year 2015, we're asking for \$2.2 million. We want to replace our current depleting vehicles both marked and unmarked within our Department. Our officers deserve decent vehicles for their operations and for their duties. We are asking for 16 patrol vehicles, 8 patrol SUV vehicles, which come really in handy for our rural districts, Molokai, Lanai, Hana because of the four-wheel drive capability and the rural districts have off-roading. That's a necessity. So we need to maintain our capabilities to go off marked roads and provide public safety in our rural districts. We're asking for three unmarked SUV vehicles. We're asking for 14 unmarked vehicles for investigative services for our detectives. Our investigative JCPD, Juvenile Crime Prevention Division officers, they're in need of replacement vehicles as well. This is something that's new and it's a goal and it's an objective for the Maui Police Department for the upcoming year, fiscal year. We're asking

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for 5 motorcycles and the motorcycles will be used for Traffic Enforcement Unit. And this isn't anything new, we had a Traffic Enforcement Unit using motorcycles before and some of you remember that. In fact, Captain Klingman, who's probably the last officer in the Maui Police Department that was part of that team, is here in the audience. So we want to revive that but we have a different strategy with this. We want to be proactive. We want to do smart policing. We're gonna target those areas where we know we have a high degree of accidents, motor vehicle accidents and speeding violations and distracted driving violations and we're going to target those areas. That's a goal of the Maui Police Department, to make our streets safer, our roadways safer and we believe that a significant impact would be with the motorcycle unit. We're asking for four video vehicle camera systems. We've had that for the last two fiscal years. We know that it would probably be too expensive to replace, well to equip every vehicle with an in-car camera system, but eventually, and this is technology and this is happening throughout the United States, more and more law enforcement agencies are equipping their vehicles with in-car camera systems. And this is an officer safety issue, it's a liability issue and it protects the officers who make these traffic stops, which are the most dangerous points and it records the actions of the engagement between the driver, the motorist and the officers, and it keeps the officers on our toes as well. We're asking for three traffic message speed display trailers. Now this isn't your normal type of speed-monitoring trailers which just flashes your speed or the speed of the vehicle as they approach the trailer on the roadway. These are message trailers so we want three so we can locate them in Lahaina, Kihei and Wailuku. And with these three locations, if we have a major motor vehicle accident which stops traffic, gridlocks traffic at any location, we can prepare these trailers at the entry points and exit points to warn motorists to deviate their normal type of driving route to a safer route or a logical route that would get them to their location. So this is more than just a speed-monitoring trailer, this is an informational monitoring trailer device. Capital Improvement Projects, we're asking for the Molokai Police Development Project. This is something that we feel that is necessary, as we explained in previous budget proposal meetings, deliberations, and we have what I feel is a logical place to build a Molokai Police Station and so we're asking for funding for land acquisition for that particular location. Lahaina Police Station Development Project, we're asking for a footprint to begin the development of a Lahaina Police Station which is so dearly needed. Our current Lahaina Police Station is adjacent to the Lahaina Civic Center where there's multiple events, a lot of events that pretty much fills up the entire parking lot utilized by the Police Station and the routes, the entry routes and the exit routes from the Station. The building itself is useable for future County facilities but not for policing. And so we need to think about the future and get that footprint now so we can think about, well not think about, but move towards developing a Lahaina Station for that particular community. Our Grant Revenue for Fiscal Year 2015 comes in at about \$3.4 million and that's a great job by these Commanders out here and their people. One of the highlights of the grant funding that's not included in your booklet but we just received it after we put in our budget proposal, is \$100,000 grant, Byrne Justice Assistance Grant for active shooter training and equipment. So that's pretty much a summary of our Budget proposal and I forgot to include, yes, we need a third prisoner transport van for our Kihei Station, our new station. And thank you for giving us a prisoner transport van for our Lahaina Station last year. But, you know, the

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nature of police work is that more people are being arrested, in custodies, and we need these vehicles to transport them to court. So I'm hoping for any questions that the Council may have regarding our Budget.

CHAIR WHITE: Thank you, Chief. Members, we'll start with the questions regarding the Department's summary and then move into the Administration Program. So we'll start on Page, well, probably don't need to start on Page 525. Let's just move straight to the Administration Program. So any questions regarding the description or the Key Activities and Goals and Measures on Pages 528 and 529? Ms. Baisa.

COUNCILMEMBER BAISA: Yes, thank you very much, Chair, and thank you, Chief, for the overview. I listened to the facilities that of course you'd like to have and I'm curious, do you have any kind of prioritization of what you'd like first?

MR. YABUTA: Absolutely. Our priorities is the Molokai Police Station. Secondly it would be the Lahaina Police Station development footprint. Those are our two priorities in the CIP environment. As far as equipment environment and personnel development, we really want to begin developing our motorcycle enforcement team.

COUNCILMEMBER BAISA: Okay, thank you.

CHAIR WHITE: Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you. Thank you for being here. And I'd like to take this time to thank you and your Department for all that you do to keep us safe. In regards to your proposed Budget, Page 529, your Goal No. 2, Objective 1, regarding the actual expenditures, can you tell us how much were you under in Fiscal Year '13 and how much do you expect to save in this Fiscal Year '14?

MR. YABUTA: Well, I will tell you this, Council member, we've given back savings every year since I've been the Chief and the previous Chief as well. I believe last year we gave one...do you remember, Greg...off hand we don't know, but we can find out for you, but it was, I'm thinking between 1 million and \$2 million.

CHAIR WHITE: My recollection is it's about 2 million.

MR. YABUTA: About \$2 million, okay. This year, of course the Collective Bargaining increases were equated into our current fiscal year budget with the assurance from our Budget Director that should we need money available, 'cause they were funded for the raises, that we could ask for it. We haven't been in a position to ask for anything. So in answer to your questions, I think we're gonna have to wait 'til the end of the fiscal year before we can determine how much savings we'll be giving this year. But every year we have faithfully given our savings back to the County, except for unbudgeted item expenses that naturally come up in law enforcement.

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COUNCILMEMBER CRIVELLO: Thank you. I think it's important for us to be reminded of that, on the savings that comes back. You know, sometimes we get overwhelmed with what is before us. Also, if I may, Chair, with the, on the same page, Goal 3, Objective 1, would you know offhand what sort of energy saving ventures that the Department introduced in Fiscal Year '13 and '14?

MR. YABUTA: First of all, in the County of Maui, our Maui Police Department facility, our Lahaina Police Station was the first facility to go photovoltaic. We were going to implement photovoltaic for our Lahaina Station; however, the roofing structure wouldn't accommodate it. So we had to repair the roofing and now, we're in a position now where we can accept the photovoltaic system for Lahaina. So that's coming next too. The Wailuku Station, are basically, that's a very fragile facility and we're having roofing problems with that particular facility. So, and I'm not an engineer, but I would be very reluctant to rush into a photovoltaic system for our main station in Wailuku. Kihei Station, if we're going to go photovoltaic, because we have so much of a unused land mass, we can actually have an adjacent photovoltaic farm, and that's what we plan on doing, or we can use the existing roofing, which is structurally sound. So that's down the plan as well, but our next venture will be the Lahaina Station because that was actually supposed to be the first, I believe, but because of the roofing repairs that were needed to be done, we had to hold off on that. But we're going to continue to go photovoltaic. Our cars now, if you see them on the road, they're the Chevy Caprice's, Chevrolet Caprice's, well, and that's because the Crown Victoria's are no longer manufactured, but they're smaller, they're lighter, they're 6-cylinder as opposed to what we've been buying is 8-cylinder Crown Victoria's, so they're more gas-saving vehicles, and that will continue, that trend will continue as well. So we're doing our efforts and, you know, if you look at our electricity and our gas consumption, relatively stable and now in Kihei we have our own gas pump facility so we're saving money as far as gas purchases. We don't have to go retail on that. And these Commanders here have partnered with the Department of Public Works and we use their gas facilities as well. So that's been a big asset too, as far as saving money for gas. We're going to continue to look at all ventures, you know, and technology is really changing rapidly too and that has a lot to do with our expenses as well but, you know, everything that we're looking at, we're putting a price tag, an environmental price tag on it of course.

COUNCILMEMBER CRIVELLO: Thank you. Thank you, Chair.

CHAIR WHITE: Uh-huh. Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. And thank you, Chief and Officers, for being here. Thank you for thinking about West Maui and Lahaina. As we know, it's quite antiquated in a sense and small for the services 'cause of the growth of West Maui, so thank you. But I'd like you to elaborate on what that means, development footprint? What exactly is that and the dollar amount you're asking for?

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MR. YABUTA: Yeah, I believe, and maybe, Budget Director Baz could elaborate more on that, but I think in the next fiscal year we have an investment of \$75,000. What we're doing as we speak, and we have been doing for quite some time now, is negotiating with property, a specific property owner in West Maui, and I, you know, I think you know who we're talking about. But, you know, it's, we're just, we were revitalizing talks with him and they're very enthusiastic and they want to help the County, they want to help the Maui Police Department. So Assistant Chief Dean Rickard, who has replaced Assistant Chief Lawrence Hudson, is begun that negotiations and it's very, very optimistic. And so hopefully we can determine where we're going to put the police station and with the \$75,000, which we can use for conceptual design or, you know, begin the development of the project where we can come before the Council and say we're going to need to have land acquisition funds now. But we just invigorated the talks with this specific property owner and we'll be more than willing to have you involved with that as the Council member for West Maui, so, and thank you for offering beforehand, too. And I know it's a topic that's very close to your heart and you know that, you know, West Maui is growing as we speak all the way to, you know, the Kapalua area and so forth, behind, you know, below the airport, subdivisions and so forth, and Olowalu expansions and so forth. So you know the need the community has to have for efficient public safety and it's our goal as well, it's our priority as well. And so I'm confident that our people, Assistant Chief Dean Rickard and his staff, Captain Kaupalolo, are going to make a great achievement on this and we're gonna come before the Council and we'll be talking about grand opening one day.

COUNCILMEMBER COCHRAN: That's right. Well, thank you very much, Chief. And yes, I do appreciate the openness of the Department to dialogue and work with and always, you know, keeping me in the loop. Officer Klingman has been awesome in West Maui. She's a welcome, yeah, person now to oversee the command there. And then, my second question, Chair?

CHAIR WHITE: Sure.

COUNCILMEMBER COCHRAN: It's in regards to the savings, which is excellent, and I wish every department came back and could say the same, but for me a lot of times it's like monies were tied up in a sense then, where it could have been utilized other ways. I mean we have a lot of nonprofits and, you know, entities of that nature that want so much and their piece of the pie kind of thing. So the 2 million that was, sort of, savings of last year, what, from, where did that come from and was that, it was just like anticipated to spend more for whatever projects or equipment or whatever?

MR. YABUTA: Yeah, and, you know, of course, there was unbudgeted items that we purchased through the approval of the Council for some of the savings, but the savings comes from vacancies, from positions that we were unable to fill during that current, that active fiscal year. Everything else, and again I give Mr. Takahashi all the credit, he reminds us to make sure that what we ask for during that fiscal year is spent but the savings comes directly from

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the vacancies that we have, the positions that we were unable to fill in that particular fiscal year.

COUNCILMEMBER COCHRAN: Oh, okay. Well, thank you for that clarification, Chief. And thank you, Chair.

CHAIR WHITE: Uh-huh.

MR. YABUTA: And the money goes straight to the General Fund, back to the County.

COUNCILMEMBER COCHRAN: Thank you.

CHAIR WHITE: And then back to the Department again. Are you done, Ms. Cochran?

COUNCILMEMBER COCHRAN: Oh, yes.

CHAIR WHITE: Okay. Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair, and thank you, Chief, for being here. Question I have for you on the photovoltaic. I know you were concerned about it, the photovoltaic at the Wailuku because the roof at the Wailuku Station. Have you thought of doing a part, covering of the big parking area that you have there, similar to what we have at the Kihei Community Center? That might help ... *(inaudible)* ...

MR. YABUTA: No, you know, I haven't thought of it and that's a great idea.

COUNCILMEMBER COUCH: And also I'm assuming you're thinking about that at Kihei too. You said you have extra area and you've got the impound yard in the back --

MR. YABUTA: Yeah.

COUNCILMEMBER COUCH: --all that parking and I know you have it kind of set up for that already.

MR. YABUTA: Yeah. Absolutely.

COUNCILMEMBER COUCH: We're just waiting on MECO, I guess, to allow us to tie in with the photovoltaic. Is that what ... *(inaudible)* ...

MR. YABUTA: You know what, I don't want to guess here. We can ask. No we can't because Captain Kaupalolo isn't here. I can get you that answer but I know that when we opened up the station in December, it was built in a manner that will easily --

COUNCILMEMBER COUCH: Uh-huh.

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MR. YABUTA: --accept a photovoltaic system, the piping being very, very course here, is installed --

COUNCILMEMBER COUCH: Right.

MR. YABUTA: --to plug it in.

COUNCILMEMBER COUCH: Okay.

MR. YABUTA: Those ideas that you gave are good ideas, excellent ideas for the Wailuku Station and if the County is willing to invest in that, we'd certainly look at it. And on top of which, you get some covering for our vehicles.

COUNCILMEMBER COUCH: For the vehicles, right, that helps --

MR. YABUTA: Yeah.

COUNCILMEMBER COUCH: --with the wear --

MR. YABUTA: Sure.

COUNCILMEMBER COUCH: --and tear on the vehicles as well.

MR. YABUTA: Sure.

COUNCILMEMBER COUCH: The question I would have too is you're looking at Molokai and then Lahaina for a station. That's pretty much it for a while, isn't it? Or are you planning other stations elsewhere further down the line? 'Cause it's, I mean, --

MR. YABUTA: You know...

COUNCILMEMBER COUCH: --these stations are very expensive and it's ...

MR. YABUTA: Yeah. And in our lifetime I'm confident that that will be sufficient for the growth of Maui County but you never know --

COUNCILMEMBER COUCH: Right.

MR. YABUTA: --Council member, you know, I can never say yeah that's absolutely it, we're never going to need anything else.

COUNCILMEMBER COUCH: No, I mean in the near --

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MR. YABUTA: Right.

COUNCILMEMBER COUCH: --foreseeable future --

MR. YABUTA: Right.

COUNCILMEMBER COUCH: --20-30 years.

MR. YABUTA: Yeah, exactly. So, you know, I'm very confident and, you know, we always talked about when and if the bypass roads connects Upcountry to Kihei, then the Kihei Station will be also a South Maui/Upcountry Station or portions Upcountry as well.

COUNCILMEMBER COUCH: Okay.

MR. YABUTA: But I'm confident, realistically looking at our growth pattern, which, you know, can change at any time, Lanai is a big question mark as well. But I'm confident with the Molokai Station and Lahaina Station, which those communities deserve, we are going to be well equipped in our lifetime, in the next 20 years.

COUNCILMEMBER COUCH: Okay. Thank you, Chair.

CHAIR WHITE: Uh-huh. Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair. I would also like to thank the Chief and his staff, as well as his personnel, for being here today. I've always believed that our Maui Police Department is very vital to our society. It is the heart, base, and security of our public safety. It incorporates everything, including the services and our businesses economically as well as the visitor industry. There's a difference between going to Jamaica and coming to Maui. One pure fact is that people that come to Maui know that they're going to be safe, they're going to be in the United States, the police department is not corrupt. Working as a deputy prosecutor for the last, for six years, working close with MPD, doing several ride-alongs, doing, teaching couple of the recruit classes, my heart is always with you guys out on the road and for the safety of our, of your men and your personnel. And so anything that I can do to support MPD, I'm right there. I have a few questions to ask. Number one would be the equipment. If you were to prioritize the equipment, what categories would you first off like, let's just name the top three in terms of equipment.

MR. YABUTA: Absolutely. And first of all, thank you for your support with the initiative of reforming the Alarm Response proposition. I really appreciate that and that'll save our officers time from running around to false alarms. So we appreciate your initiative in that particular matter. Getting back to your question, it's vehicles, the vehicles are a priority. The vehicles signify the wellbeing of the community and wellbeing of our government. Our vehicles are important because today's vehicle actually looks like an airplane, a jet. The equipment that's installed in the vehicles with today's technology, the computer system, the

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communication system, it's vital to the functions of a police officer. The vehicles are needed because the detectives have to do their investigations outside of the police station. The vehicles are needed because they need to be in response to an emergency or catastrophes. Our officers deserve the vehicles. They deserve a good vehicle because they don't benefit from a car allowance and that's a second income for departments like the Honolulu Police Department, Kauai Police Department now, and the Big Island Police Department. So they deserve a decent vehicle, but more so we need those vehicles because they allow us to do our jobs and they, like all vehicles, you know, we have a vehicle replacement policy, the wear and tear of the vehicles, especially in Maui County, they have to be replaced routinely. But if we shortchange our Department's vehicles then we're gonna be paying more for repair. And, again, we're giving you a realistic request for our vehicle replacements but that's so vital to our operations. We don't want our officers to be in the station. They have to be on the roads and the streets for which they have to enforce and prevent crime and that's why we need good vehicles to keep them from doing, well to keep them, to do their job. So that would be my main objective as far as equipment, that we, that, you know, that we maintain our vehicle fleet. You know we're asking for five motorcycles, you know, we're asking for a parking enforcement vehicle for Lahaina, like Office Taguma has, because of the graciousness of this Budget Committee, to get him a good vehicle for the officer in Lahaina as we have here in Central so we can do parking enforcement effectively in Lahaina and West Maui. Because what that particular officer is using now is falling apart and one day very soon it won't be able to be operated. So we need that to be replaced as well. So, again, we need our vehicles and we have a prudent and realistic replacement request.

COUNCILMEMBER GUZMAN: Chair, if any of the Council members have opportunity or spare time, I would suggest that they make arrangements to do a ride-a-long. A few years back when I did my ride-a-longs back in 2002, the vehicles are, they would shake when you would go at the certain speed, and so it is important to really get out there in the field and see what our men in blue have to face in terms of their vehicles. Chief is absolutely correct, it is the vital part of the Police Department to have vehicles that are running and well maintained. And to, for anybody in the normal life, their vehicles, they would change out every five years, every six years. They've got vehicles there that are more than 10 years old and they're supposed to be out there enforcing the laws and protecting the people with these old type of vehicles. I completely agree with the Chief. That is one of the top priorities, is the vehicles. Another question, Chief, would be the motorcycle division. I remember vaguely last Budget session when we were talking about motorcycles and establishing a motorcycle division and I wasn't sure whether you were supportive or not supportive. I think you were, I don't recall you being that supportive of the motorcycle division, and now I'm hearing something different this Budget session.

MR. YABUTA: Absolutely. I was always very reluctant to reinvigorate the motorcycle program. However, these Commanders brought the idea to me and it was a good idea and was a good concept so, you know, as a leader I'm going to listen to my people. And they believe, and I believe now too based on what they've told me, that a motorcycle team or a unit would be beneficial, extremely beneficial to the County of Maui. My concern was, of course, that the

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Honolulu Police Department lost two motorcycle officers probably in the last seven years, one of was, the last one was a Maui boy. And so yes there's a certain amount of danger, riding a motorcycle; however, our job is dangerous whatever you do. That comes with the nature of our work. We accept the danger. I think public safety will improve with the implementation of a motorcycle unit because of the versatility, the agility of a motorcycle and that'll outweigh the danger, and we're not going to get involved with some of the activity that increases the danger of riding a motorcycle for police duty, you know, having to travel at a high rate of speed, to maintain a brigade, a procession, an escort procession, you know, we're not going to get involved with that type of activity. It's not for parades, although they'll be in parades, but the primary focus will be traffic enforcement. Along with, you know, we're in gridlock here if we have a major motor vehicle accident or fatality on Honoapiilani for example. How can we get our people there when there's gridlock traffic? And the only way we can get there is with a motorcycle who can travel and weave in between the stalled vehicles and get to the scene and facilitate assistance and help more effectively. So it's not just about traffic enforcement, it's about versatility, agility, and yes, there's a certain amount of danger riding a motorcycle but that's where policy comes in. Policy will save lives. So I did change my mind, yes, absolutely, I admit it, because I listened to these Commanders here and they know more about public safety than I do and that's their job is to come up with ideas and bring it to the Deputy and myself, and we feel that this is good idea, absolutely a good idea.

COUNCILMEMBER GUZMAN: Chair, when Chair Baisa and I were in the Philippines last summer, we were escorted by a brigade of police officers on motorcycle. It was absolutely amazing how they weave in and out of traffic and quite a skill to see and hopefully we'll see that here on Maui. I have one more question before I yield...

CHAIR WHITE: I assume the two of you weren't on the backs of the motorcycles.

COUNCILMEMBER COUCH: I have the video of that.

COUNCILMEMBER GUZMAN: Yeah, Mr. Couch has a video of these skilled motorcycle officers. In regards to efficiency and savings, I'm proposing a false alarm ordinance that will be coming up to the Council shortly, within the month. Can you state what, how much the Department spends in terms of responding to false alarms, like how many officers are sent to the scene and, you know, the salary or the economic loss when MPD does have to respond to false alarms?

MR. YABUTA: You know, I can't give you a specific measurement at this time. We can get you that. We can work on that. We'll send it to the Council. But I can tell you it's way too much. And, you know, it's, you know, it's, I would say over 90 percent of all alarms are false and, you know, it takes an officer, for example here in Central Maui, it takes an officer to deviate his or her beat and go to a remote location, say in, past Waikapu, and attend the response to the alarm and to validate that it's a false alarm after doing a building security check and so forth. And so, you know, the time spent going from the beat to that location,

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the amount of fuel used, going back and forth, and it's the same, same places that happen over and over and over. But it's over 90 percent that these alarms are false. And we get no real credible assistance from the alarm companies. Basically, we're their response. So, you know, it's something that we have to address because it affects public safety, which is why we appreciate you supporting this particular act. But, you know, the cost is just one thing, it's just affecting public safety by, you know, moving our people to take them away from their responsibilities, the patrol's responsibilities to handle these alarms over and over and over again. That hurts our abilities to protect their beats at a given moment.

COUNCILMEMBER GUZMAN: Thank you, Chair. Can I ask one more question? Just one more, one more. On Page, Chief, I'm gonna refer to Page 526 on the Department Summary, Equivalent Personnel Summary by Program, and I'm looking at Technical and Support Services Program. You have from 2014, 107, and proposed for 2015, 110, change in amount is 3. What are the three? Is that, three personnel and what are they going to be doing in the Technical and Support Service program?

CHAIR WHITE: Actually, we'll be reviewing that --

COUNCILMEMBER GUZMAN: Oh.

CHAIR WHITE: --a little bit later.

COUNCILMEMBER GUZMAN: A little later, okay. Thank you. I am now yielding to my colleagues. Thank you.

CHAIR WHITE: Thank you. Any other questions on Administration? Ms. Baisa.

COUNCILMEMBER BAISA: Yeah, just one last thing and I know we're gonna cover it in depth as we get deeper but just as an overall administrative question. Chief, any comments on your vacancies? This becomes an issue every year so I figure we might as well get it.

MR. YABUTA: Yeah, of course. Recruiting and hiring is our number one goal but recruiting and hiring qualified police officers and dispatchers, emergency services dispatchers, remain our number one goal and we cannot compromise on our qualifications for that. We're doing everything we can and as we speak we're at 90 percent. So, you know, it's a good, yes, we did have retirements, like we have every year, and one of our goals is to one day have a fully staffed police department. But as we speak we have 24 hired officers who are either in training or will be in training when we start a recruit class later on this month. So we are making progress but bear in mind, Maui County's population's about 160,000 and to hire officers from our community, it takes a lot of effort for Department of Personnel Services, for our Department, our recruitment efforts, to get a collective body that is willing to accept the duties and responsibilities and the sacrifices that encompasses policing. You know, there've been some really good benefits for police officers in the State of Hawaii. Of course, you know and I know the Collective Bargaining raises that they have received and the step

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movements is one step in the right direction but, however the police officer today as of July 1st of last year, he or she has to work 30 years before they are eligible for retirement. So, you know, these are things that offset enticing recruits or candidates to become police officers where now they are faced to work with 30 years as opposed to 25 years. So we're doing the best we can and, you know, we're trying new recruiting options. We want to speak to the community, especially at the high school levels, at the college levels. So these are things that we've been doing and we're gonna do some more as far as advertisements and so forth but I always felt that the best recruiter is a police officer. I always felt that. You know, even myself, when I go to a restaurant and I see somebody that serves the public well no matter what they do in private industry, we always try to encourage that person to become a police officer. And when you see that happening, it's just a terrific feeling. So we're our best advocates for advertisement and for recruiting and we have to continue that. But, yes, we do have a vacancy problem and, but again, we're making progress and we're in the right direction with the continuous recruiting that we have. Thank you, Department of Personnel Services, Carol, Robyn, all the people there. We want to come back one day and say we're a 100 percent filled, absolutely.

COUNCILMEMBER BAISA: Thank you very much. I'm glad to hear that, you know, it's better than it has been, you know, this is my eighth round now on this so kinda got the, you know, history. It's been better and it's been worse, much worse at times. So I can see that you're doing the best you can and I certainly understand how difficult it would be to take a police job. You know, having been a member of a police family, I know exactly just what you're talking about when you talk about sacrifices and we really admire the people that take this on. You know, recently, as everybody knows I had a slip and fall accident and some of the first people that were there, of course, were the police to see how they could assist. And, you know, we never really appreciate our police until we need them. It's a funny thing. It's like everything else in your life that you take for granted, it's gonna be there, and when it happens you're so, so thankful and grateful. So, you know, although I haven't sat here giving you guys a lot of kudos, please know that this Council member totally understands the dedication of policemen and their families, and I'm so proud of your policewomen who have come into your Department and I know they're treated very, very well and that's a credit to you. And so I know you're doing the best you can but it does, it would, wouldn't it be nice if you had a full force and your policemen wouldn't have to work so much overtime? I know how hard it must be on them to go out when they're tired and they haven't had enough rest because they have to work. So thank you very much. I figured we might as well get to it now. Thank you.

MR. YABUTA: Well, thank you for your comments. I really appreciate that.

CHAIR WHITE: Yeah, I think this Council's been very supportive of your increases because I think we recognize the recruitment and retention challenges the Department has, and to allow those challenges to continue is not in the best interest of the County, of the visitor industry or of the public at large. So we appreciate what you do and I think we've shown in just about every Budget session our level of concern and support. So, to Mr. Guzman's comment regarding

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the equipment, we've put, I believe, about \$8½ million into equipment over the last couple of years, and that, again, I don't think you addressed the time frame within which you've been able to replace vehicles but I know we've supported quite a bit of vehicle replacements. So could you share with us roughly the length of service that you are getting out of your vehicles and I'm sure you have a standard by which you replace the vehicles.

MR. YABUTA: Yes, we have a vehicle policy for the Maui Police Department and basically for our patrol vehicles, it's every four years of service, 90,000 miles or more of service, and when the repair cost exceeds the value of the vehicle. For unmarked fleet vehicles, it's nine years of service, 60,000 miles or more of service, and when the repair cost exceeds the value of the vehicle.

CHAIR WHITE: Okay. I knew you had specifics on that. Mr. Couch.

COUNCILMEMBER COUCH: That lead right into the question I was going to ask. Is it whichever comes first or whichever comes last on that? Because if you get four years of service and you only have about 50,000 miles, do you extend it or...

MR. YABUTA: No, we don't. It's whatever comes first but the four years of service, I've never been in a position where the miles didn't also --

COUNCILMEMBER COUCH: Okay.

MR. YABUTA: --qualify for that --

COUNCILMEMBER COUCH: Or if --

MR. YABUTA: --replacement.

COUNCILMEMBER COUCH: --if it gets over, you know, if in three years you're at 90,000, you're gonna get rid of it then or you gonna let it go for another year? Or how does that work?

MR. YABUTA: We would get rid of it then.

COUNCILMEMBER COUCH: Okay.

MR. YABUTA: Yeah. And, you know, if you look, you know, when we put in for vehicle replacement, it was done probably in September, August of last year. So, you know, these vehicles since then have accumulated a lot more miles and when they're eventually replaced it'll probably be outside of the fiscal year. So I can anticipate some of these vehicles' miles to be doubled by the time they're actually replaced.

MR. BAZ: Mr. Chair and Members.

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CHAIR WHITE: Mr. Baz.

MR. BAZ: I did just want to express, you know, that while the Administration completely supports the vehicle policy of the Police Department, you know, being prudent, we actually didn't give them everything they requested. So we did trim their budget a little bit in the vehicles as well. You know, we want to make sure that they're using vehicles that are safe and that are, can provide the service needed but, you know, understanding our budgetary constrictions, we did trim a little bit of their vehicle request as well.

COUNCILMEMBER COUCH: Okay.

MR. BAZ: Just so that you understand that.

COUNCILMEMBER COUCH: Sure. And when the vehicle reaches the end of its lifetime, what do you guys do with it? Do you sell it off? Do you --

MR. YABUTA: We trade it in.

COUNCILMEMBER COUCH: --use it as parts? Oh, you trade it in.

MR. YABUTA: Right. So we try to get as much as we can from the vehicle.

COUNCILMEMBER COUCH: Okay. And you use that offset on the price of the new...

MR. YABUTA: It comes out, yeah, right. It's deducted from the cost.

COUNCILMEMBER COUCH: Okay. Thank you, Chair.

CHAIR WHITE: Okay.

COUNCILMEMBER COCHRAN: Chair?

CHAIR WHITE: Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you. And following up, I guess, on this discussion in regards to vehicles and then hearing what Mr. Baz just stated. If you're not able to receive replacements and there are vehicles currently that possibly need them because they've hit one of those benchmarks that you just mentioned for, you know, the policy, what happens? I mean, is this part of accreditation? You know, you gotta try and keep that scores up in regards to that and...

MR. YABUTA: Well, it's not affected by accreditation. But if I heard your question correctly, is we have no choice but to use vehicles outside of the standards of the policy and, again, the

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likelihood of repairs will be, will increase and the cost factor for repairs will correspond to those repair needs.

COUNCILMEMBER COCHRAN: Right.

MR. YABUTA: Yeah.

COUNCILMEMBER COCHRAN: And a follow up. And that also can be a safety issue in regards to your force and the person driving the vehicle and other, you know, innocent bystanders too. But, and that leads me into my main question, Chair, at this point in regards to workman's compensation, yeah, workman's comp claims. This Department has the highest filed claims and possibly due to the sheer just numbers of your force, but in your goals, so I just wanted to know, it's not reflected in your goals and if you folks have been discussing how to drop that number down or how to address the high incident rates or --

MR. YABUTA: Uh-huh.

COUNCILMEMBER COCHRAN: --you know, it doesn't state on the sheet exactly what the claims are about but...

MR. YABUTA: Well, it's related to our training goals. That's our primary purpose of training is to better train our officers to prevent injuries and accidents. Also we have policies like vehicle pursuit policies where officers can get hurt as well. So there are a multitude of policies within our Department, that is accredited related, to protect the officers from becoming involved in accidents and injuries. As far as injuries, they're, again, that's symptomatic of policing. You know, our officers can get hurt from patting down a suspect who has a needle, from a drug addict, pricked by a needle, and that's something that's very, very, very serious. It's not just being pricked by the needle but contracting the disease that may be associated to that needle, that used needle, and, but that's part of the job, that's a part of the job and but we try to train, we try to educate our officers to expect those things to happen, especially with the rise in heroin throughout our nation. Just the nature of the job, when you arrest somebody, it gets physical and we train our officers in self-defense and arrest and defense tactics but accidents unfortunately are part of our job. We may be the highest and, again, but, you know, I'm very proud of our figures because our officers are accomplishing their task without injuries in an acceptable ratio. So, you know, if one officer's too much getting injured, however I'm glad that we don't have officers, and knock on wood, that are succumb to very serious injuries and we try to prevent all injuries through training.

COUNCILMEMBER COCHRAN: Thank you. Thank you, Chief, and yeah, I definitely don't doubt that. And lastly, Chair, if you don't mind, in regards to the motorcycle enforcement team you're hoping to beef up. So normally they're the big, like Harley type motorcycles for on-road. Is there any talk into getting off-road, Enduros, of that nature in motorcycles at all?

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MR. YABUTA: No, but if you look at our equipment inventory, we're fully staffed with ATVs, which are highly effective off-roading. We've used them for a number of cases. We use them on Kaanapali Beach even though that's not our jurisdiction. We use them, I don't know if you remember many, many years ago we had a severe storm where parts of our Upcountry residents were blockaded and we were able to get assistance and needs to them through our ATV sources. So for off-roading, ATVs, for roads, the motorcycles will be highly effective. They're Harley Davidson's is what we want to look at. Of course, we have to put it out to bid but we have to not only look at the motorcycle but we have to look at the servicing capabilities of the vendor. So nationwide, Harley Davidson is a major motorcycle supplier for law enforcement. The Honolulu Police Department uses BMW. But, again, we have to look at the servicing. We feel that Harley Davidson is a good American company that makes competent motorcycles effective for law enforcement.

COUNCILMEMBER COCHRAN: Okay, very good. Thank you, Chief. Thank you, Chair.

CHAIR WHITE: Any other questions on Administration? The Chair has a couple of questions on some of the details under the Administration Program and I'm looking at the Detail Page 15-7. Chief, you might not have it but I'm sure Mr. Takahashi's got it.

MR. YABUTA: Okay.

CHAIR WHITE: In the, about three-quarters of the way down the page, under Professional Services, there were two years of expense at about 85 or 86,000. Then last year's budget we increased that to 124 and usually when we have that kind of a jump there's a specific project or need that's reflected there. Can you tell us whether that, all those monies are likely to be utilized and whether they need to be repeated at the same level next year?

MR. YABUTA: Yeah, that particular increase is in result of our needs for legal costs relating to arbitration hearings and also the psychological examinations that are needed for our police and applicants.

CHAIR WHITE: Okay. So now that the contract has been settled and I believe it's a four-year contract, right?

MR. YABUTA: I'm sorry?

CHAIR WHITE: I believe it's a four-year contract. So are we able to reduce the 124,000 in this year's...

MR. YABUTA: No, these were, yeah, these were related to employee grievances that --

CHAIR WHITE: Oh, okay --

MR. YABUTA: -- may go to arbitration.

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CHAIR WHITE: --so not contract negotiations?

MR. YABUTA: No.

CHAIR WHITE: Not that arbitration? Okay. And the next one is under, on Page 15-8, about a third of a way down the page, the item is Confidential and for two years you're in the \$37,000 range and last year we went up to 60.

MR. YABUTA: Yes, sir, those were confidential funds. We're asking for an increase. Confidential funds are used for drug interdiction purposes, and I really don't want to elaborate --

CHAIR WHITE: Oh, no, no, no.

MR. YABUTA: --more than that but --

CHAIR WHITE: I don't expect you to.

MR. YABUTA: --yeah, we are asking for an increase in that particular category.

CHAIR WHITE: Okay. And if we could just, and we'll send you a note on this, we'll be requesting just the year-to-date expenditures for the Professional Services and then again in the Confidential line item. Same thing down about two-thirds of the way down the same page under Moving Expenses. I'm not sure how much of that has to do with the move to Kihei but, again, we had \$30,000 in the budget for last year and I'm wondering if now that I believe most of the moving is done, whether we can reduce that.

MR. YABUTA: Okay. Well, what that pertains, moving expenses, is that pursuant to the Collective Bargaining Agreement, when we have officers that are assigned to the rural districts for a limited time period, the provisions allow them moving expenses to ship their goods, their vehicles, their household items to their temporary residential location in the district for which they're assigned to. So that, we've seen an increase in that, so that's the reason why we're asking for more funding.

CHAIR WHITE: Okay, but this is under the Administrative Program though.

MR. YABUTA: That's where we charge those expenses that I described.

CHAIR WHITE: Okay, so they are not charged, the moving expenses, if it's a person that's in the Patrol Division, it's not charged in the Patrol Division?

MR. YABUTA: No, no. It's specifically for rural district assignments where the contract says, and we support, that the Department pays for the officer's moving expenses, again, transport the household goods, couches, furnitures and so forth.

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CHAIR WHITE: No, I totally agree with --

MR. YABUTA: Okay.

CHAIR WHITE: --the intent. I just thought that the Administrative, I just assumed that it would be charged in the department that the officer that's being transferred was assigned so.

MR. YABUTA: Yeah.

CHAIR WHITE: So.

MR. YABUTA: Right. And that's, you know, and when they come back to, when they return after that, their tour of duty in a rural district, say for example Molokai, Hana and Lanai, then pursuant to the Collective Bargaining Agreement, we pay for their expenses, their moving expenses, back to their permanent residency.

CHAIR WHITE: Uh-huh. Yeah, that's understood. Thank you.

MR. BAZ: Mr. Chair?

CHAIR WHITE: And then, yeah, Mr. Baz.

MR. BAZ: Did you want actuals of, as of --

CHAIR WHITE: If you've got them handy.

MR. BAZ: --March 31st? For the Moving Expenses category that you just brought up, the actual expenditures are \$10,943 year-to-date. For the Confidential category that you brought up, the actual expenditures year-to-date are 47,500. And then, what other category were you looking at?

CHAIR WHITE: The other one was Professional Services.

MR. BAZ: Professional...

CHAIR WHITE: 910018, 6132.

MR. BAZ: Professional Services looks like \$37,610 expended year-to-date.

CHAIR WHITE: Okay. And then under Administration, the Vehicle Replacement. I'm actually hoping that's for your car.

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MR. YABUTA: No, it's not. I wish it was. No, under Administration, it's our Criminal Intelligence Unit.

CHAIR WHITE: Okay, all righty, thank you very much. And we'll move on to the Investigative --

COUNCILMEMBER COCHRAN: Chair?

CHAIR WHITE: --Services Program, and let's...

COUNCILMEMBER COCHRAN: Sorry, I have one --

CHAIR WHITE: Sure, go ahead.

COUNCILMEMBER COCHRAN: --question I forgot to ask Chief under Administration Program, and other costs in regards to increase in firearms allowance mandated by SHOPO. And so does that mean that you folks were under equipped or, I mean, now you need more than what you, obviously they're saying you need more than what you have or --

MR. YABUTA: Well --

COUNCILMEMBER COCHRAN: --how did that come up?

MR. YABUTA: --yeah, that was, that was pursuant to the Collective Bargaining Agreement. The new contract raised each officer's gun allowance from \$720, \$80 more to 800 per fiscal year. So they got an increase to maintain their firearms pursuant to the contract, so from \$720 from the previous contract, they now earn \$800 a year for gun allowance, so that's the increase. And it's money for them to use to care for their firearms and so forth, purchase ammunition to practice on and so forth.

COUNCILMEMBER COCHRAN: Oh, okay. Okay, that clarifies it. I just thought now they're, you're allowed an extra gun, you know, or...

MR. YABUTA: Oh, no.

COUNCILMEMBER COCHRAN: So, okay, just for maintenance of the existing firearms, got it. Sorry, I didn't...

MR. YABUTA: No, no, good question, yeah.

COUNCILMEMBER COCHRAN: Okay, thank you.

MR. YABUTA: No, good.

CHAIR WHITE: It would be for the purchase of a new weapon if they chose?

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MR. YABUTA: No, it isn't.

CHAIR WHITE: Oh, it is not, okay. Mr. Guzman.

COUNCILMEMBER GUZMAN: Yeah.

CHAIR WHITE: Oh, I'm sorry, before you...Mr. Baz, did you have something to add?

MR. BAZ: Yeah, just on the actual expenditures for the Police Administration Program. I know you're looking at individual sub object codes. I just wanna also give the actual expenditures for, as of March 31st, which would be approximately 75 percent of the year gone by. They have 26.1 percent of their budget remaining. So they're actually right at, pretty much, budgeted expenditures in the Administration Program.

CHAIR WHITE: I'm sorry, I didn't hear, was that for the overall Program?

MR. BAZ: Yes.

CHAIR WHITE: Okay, thank you. Okay. Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair. In reference to Mr. Couch's district in South Maui. Since the Kihei Station is now complete, which is elaborate and beautiful and it's awesome, the Community Officer post that's near Foodland, is that going to be active in terms of having a in-town police presence?

MR. YABUTA: No, that's no longer a leased facility --

COUNCILMEMBER GUZMAN: Okay.

MR. YABUTA: --by the Maui Police Department. In fact, they weren't going to extend the lease. They were very gracious to extend it as far as they did but they needed that particular unit for commercial purposes. So one way or the other, we would've had to have left that particular facility.

COUNCILMEMBER GUZMAN: Okay. Thank you, Chair.

CHAIR WHITE: Okay. All right, well, if there are no further questions, we'll move into the Investigative Services Program, you could provide us the overview.

MR. YABUTA: Investigative Services Program, the bureau is headed by Assistant Chief Danny Matsuura. Within the Investigative Services Program is our Criminal Investigation Division, our Special Response Team, our Juvenile Crime Division Program. It's expanded under the concept, the JCPD to the School Resource Officers and our Vice Division as well.

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So those are the primary core units of the Investigative Services. We're open to any questions regarding this particular program.

CHAIR WHITE: Okay. Start off with Ms. Baisa.

COUNCILMEMBER BAISA: Actually, Chair, not a burning question about this area. The goals are wonderful. And, of course, I'm always happy to see a goal about enhancing personnel development, because, you know, that's my thing. I think it's so important. Let me ask the Chief this question in that area. Chief, I know that you folks are into progression for your employees and that you try to move them up, they come in as patrol officers and you try to move them up. Do you have a structured program to do that or is it that as people emerge, you try to give them the opportunity to move up?

MR. YABUTA: And I agree with you. I think a majority of our police officers wanna move up, but then you have some really good officers that just love what they're doing in patrol and the essence of policing, I agree with 'em in some sort because being a patrol officer is probably the greatest feeling that I have ever had --

COUNCILMEMBER BAISA: Really.

MR. YABUTA: --in my police career. And, but, you know, it's very taxing on the body and the mind. But, yes, majority of the officers do want to move up and we encourage them to do a good job through the evaluation process, annual evaluation process, and we give our officers an opportunity to transfer and promote based on the merit principle. And when it comes to training, I wish we could give our officers more training at the patrol level to facilitate their entry into moving up. For example, we have really good patrol officers that are doing an outstanding job and vice interdiction, narcotics interdiction, at the street level, at the traffic stop level. And so we're trying to give them training as far as narcotics enforcement, basic narcotics instructions, to help them because these are our future vice officers of tomorrow. But basically, we need training and we need to maintain our thorough evaluation system. That's how we develop officers for the future, absolutely. The merit principle, again I refer to that because, you know, the core values of promotion and transfer is based on the person's ability, and there's many components of merit. There's good work ethic.

COUNCILMEMBER BAISA: Uh-huh.

MR. YABUTA: There's ethical and moral values. There's work production. There's seniority. There's education, knowledge and experience. So we have to look at these values and nurture these values, again through training, evaluation, peer support. These are all components of leadership and so that is what we have to do to prepare and what we have been doing, prepare our future of moving up our officers to assume leadership and more complex duties.

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COUNCILMEMBER BAISA: Thank you. You know, I'm really happy to hear you talk about evaluation because many people look at evaluation as some necessary evil, fill out this form. But you know it's such an opportunity to note people's, you know, wonderful qualities and to help them where they need improvement. So I'm really excited to hear you say that. Thank you.

MR. YABUTA: No, thank you, and you're right, especially in government work. You know, we've seen it, where an agency may be lax or so forth but we also see, you know, the destruction of the employee, his self or herself, because we all want to be told what a good job we've been doing or how we can improve, and how we can be better and the only way we can do that is through an effective evaluation process, absolutely.

COUNCILMEMBER BAISA: Thank you, Chief. Thank you, Chair.

CHAIR WHITE: Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you, Chair. In regards to, on Page 536, on your, in line of your Personnel Development, what are your examples of time-sensitive equipment on Goal 1, Objective 2?

MR. YABUTA: I'm sorry, where are you at Council member?

COUNCILMEMBER CRIVELLO: Page 536 --

MR. YABUTA: Uh-huh.

COUNCILMEMBER CRIVELLO: --Goal 1, I guess Objective 2, it says inspect and ensure that all time-sensitive equipment is replaced as required. I'm just curious what are the, considered time-sensitive equipment?

MR. YABUTA: Okay, I'm looking for time-sensitive equipment here. Yeah. That's our inventory of a specialized equipment and also our confidential fund booklets, you know, making sure that, you know, the balance is correct and so forth. And some of the instrumentation that we have in Investigative Services Bureau is complex and expensive so we maintain inspections and auditing of those periodically.

COUNCILMEMBER CRIVELLO: Okay, so that has to do more with your sort of confidential kind of investigation?

MR. YABUTA: Not necessarily. You know, there are elements of confidential funding that we maintain under that particular objective but there's also equipment, valuable equipment in Investigative Services that we make sure that it's inventoried, that it's accounted for --

COUNCILMEMBER CRIVELLO: I see.

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MR. YABUTA: --and that it's operable.

COUNCILMEMBER CRIVELLO: Okay, okay, thank you. Chair, in line of the goals also. I think it's, well, I'm quite impressed with all prevention methods to educate our public, especially our youth on reducing crime. So can you kind of basically tell me who goes out and conducts these presentations, and are those done in the schools or do you go to different entities, how is that kind of...

MR. YABUTA: We have, and I give all the Commanders credit, all the credit in the world again. You know, to begin with, we have our D.A.R.E. program --

COUNCILMEMBER CRIVELLO: Oh, yes.

MR. YABUTA: --and that comes out of another bureau that we'll be talking about, that comes out of Support Services Bureau, under our Community Relations environment, and D.A.R.E. is highly effective, and the critics always say well how can you measure the success of D.A.R.E. But at the very least, at the very least our officers are engaged with our children and we show them that we're human, that we're a friend and you can trust us and you can talk to us and come to us with your problems at any time and we'll be there for you. And that engagement alone is priceless. And that'll prevent crime because we begin our relationship with the community while, at a childhood level. So that's one of our crux of the Maui Police Department is to maintain a D.A.R.E. program, even though departments throughout the nation, including the Los Angeles Police Department, who pioneered D.A.R.E. no longer practice D.A.R.E. We no longer get Federal funding, as you can see in the budget.

COUNCILMEMBER CRIVELLO: Uh-huh

MR. YABUTA: We do get assistance now from the HIDTA program, High Intensity Drug Trafficking Areas program, which is funding out of the Office of Drug Control out of the White House. So we do get funding from that but it's year to year. Within the Investigative Services Bureau, you look at our Juvenile Crime Prevention Division and they have Project POI, you know, who work with at-risk children and they teach them through a curriculum about the criminal justice system, the consequences of anti-social behavior, but most of all teach them responsibility. Taking them into the community, giving them work assignments where they work together as a team and they can sit back at the end of the day and see the benefits, the rewards of teamwork, by the beauty of the garden that they made or the area that they have cleaned up. And they can see success in that and that's a step as far as learning how to be a good, productive citizen or person in the community as we grow older. And I give my counselors and my officers all the credit in the world for Project POI, which is our part of a comprehensive strategy that was invested by the State many, many years ago and I'm proud to say that our people are the only ones that maintained that part, that partnership of the comprehensive strategy as far as reducing crime violence associated to anti-social

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youthful behavior. And I can go on and on. We have youth counselors that are visiting, you know, the schools, the communities, our rural districts, Molokai, and to be there for any, any, child for any, any need. We take children that are sometimes brought to by their parents, sometimes they come alone, and we work with anybody that needs help. We don't require a police report. All we require is that if you want to change something in your life then you have to make that decision. We can only help you if you want to make a change. But our counselors are there and that's really something that a lot of organizations don't see, you know, the love that our counselors have for our children. And that's, so it could be a one-on-one situation, it could be a program like Project POI, Second Chance program where we talk to any child, any youth, any school organization and, again, we try to provide tools to make our children make the right choices in their lives. So that's part of our Prevention, we have our Police Chaplain's program who just do everything for us, I mean, unbelievable. We have a Peer Support program that Captain Klingman was a big part of the development of it and carrying it on to another supervisor when she became Commander of Lahaina District. So I'm very proud of the prevention efforts and it's something that we don't want to give up. Our school resource officers, you know, we're in the schools and we're not just security people, in fact, we're not security people but we're engaged with the development of our children. And again it stems from good people being in those position. You just can't have a program or a policy but you gotta have very caring people and we do.

COUNCILMEMBER CRIVELLO: Thank you, Chief. I'd like to also add that, you know, back home on Molokai we have officers that our young people see them in uniform and also see them out of uniform but with a coach's uniform or coach's hat when they're working with the young people. I've seen that change. Recently, for a while, they were not, we did not have that presence too much but I think now, you know, they're just stepping out further to help our young people. It's not part of a program but as individuals. And, of course, the young people look at them first of all as police officers and, like you say, get to know them on a different level. So I want to personally say thank you to the officers back home. I'm sure they are here also on Maui and Lanai. So thank you.

MR. YABUTA: You know, thank you. And my favorite D.A.R.E. rally is, you know, the Molokai D.A.R.E. rally and, you know, we're trying to give the Molokai children an opportunity, and I can't promise you anything, but we're looking for funding to bring them to Maui here and have one collective D.A.R.E. rally. But, you know, the people that put that D.A.R.E. rally together on Molokai were those officers you were talking about, you know, and it has a uniqueness to it, it has a certain flavor to it and the children are the happiest children that I've seen in all the D.A.R.E. rallies that I've been to and those are from Molokai. So we want to bring the Lanai children, we want to bring the Hana children and the Molokai children to our D.A.R.E. rally here on Maui. So, again, funding is everything but we're not going to give up.

COUNCILMEMBER CRIVELLO: Thank you.

CHAIR WHITE: Okay. Thank you. With that, we'll take our morning recess.

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COUNCILMEMBER GUZMAN: Are we done with this section?

CHAIR WHITE: No, we're not done with this section.

COUNCILMEMBER GUZMAN: Okay.

CHAIR WHITE: We're just taking our morning break to let the Staff take a bit of a break. So we'll be, please be back at 10:40. We're in recess. ...*(gavel)*...

RECESS: 10:29 a.m.
RECONVENE: 10:45 a.m.

CHAIR WHITE: ...*(gavel)*... The Budget and Finance Committee will reconvene. And we'll proceed with questions on the Investigative Services Program. And since Ms. Crivello is finished with her questions, we'll move onto Ms. Cochran. Ms. Cochran, questions --

COUNCILMEMBER COCHRAN: Oh.

CHAIR WHITE: --for the Investigative Services program?

COUNCILMEMBER COCHRAN: Right, right, right. Yes. And let me gather my thoughts here. So I guess I was looking at the materials and supplies in regards to, in reference to Ms. Crivello's question about time-sensitive things, would that be in relation to your tactical ballistic vests also because there's like an expiration on those? Would that be, or no? Would that be part of that description?

MR. YABUTA: That's part of our inventory inspections, which is tangible to Councilmember Crivello's question. And because, and you're absolutely right, all ballistic vests have an expiration date of five years, hence the reason why every year it's included in our budget. But, yeah, they're inspected by the inspection authority on a monthly basis, yearly basis and we make sure that our officers have vests that are within the expiration date.

COUNCILMEMBER COCHRAN: Right. And I see this year you're looking for, there's tactical headsets and a breaching system, which are all under your Special Response Team.

MR. YABUTA: Yes, that's our tactical team. Do you want me to try to...

COUNCILMEMBER COCHRAN: Yeah, and what those are in, I guess, being they're new items and then if they're also, expirations on those and we'll be looking for this added cost annually or whenever they expire, if any.

MR. YABUTA: Of course, you know, beginning with the tactical ballistic vests, yes there is an expiration on that. And these are not the issued ballistic vests that every officer has. These

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are vests that are used for high profile, high execution purposes. So they have a higher threat level protection on these particular vests and they do have a shelf life of five years. The headsets are radio headsets that enable communications in a tactical environment without having to manually push any buttons with your hand. They can communicate with a microphone device that's associated to the hearing device all in one. It's wireless and it's, then it's incorporated into...oh, it's not wireless, it's incorporated into your hand, your radio that's either in a pocket or it's hooked to your belt so you have free hands during a tactical execution. Does that have a shelf life? Technology will make this particular item obsolete within three to five years. The breaching system is something that we need, our tactical people need. Say we have to do an entry into a hostile environment, a search warrant environment where there's possibility of an adversarial threat and we need an equipment to basically knock down the entry door that cannot be opened through conventional means, crow bar or physical ability of the tactical officer or officers. So we need a mechanism, and in today's world the drug dealer or the adversary is going to have their entry points fully fortified to make it even tougher for law enforcement to enter and so we need a device to overcome that and that's what the breaching system is.

COUNCILMEMBER COCHRAN: Thank you. And so that's one particular item --

MR. YABUTA: That's correct.

COUNCILMEMBER COCHRAN: --that's 6,000...

MR. YABUTA: That's correct.

COUNCILMEMBER COCHRAN: Okay.

MR. YABUTA: And, again, getting back to your earlier comment about preventing injuries to officers. We had officers dislocate their shoulder trying to ram themselves into a locked door.

COUNCILMEMBER COCHRAN: Right. And I guess the, a tactical headset is not the ballistic helmet --

MR. YABUTA: No.

COUNCILMEMBER COCHRAN: --'cause you're looking for replacements for that, which would, that would probably be more in line with the vest?

MR. YABUTA: Yeah, this is a communication device. It's a microphone, earphone --

COUNCILMEMBER COCHRAN: Right.

MR. YABUTA: --the device.

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COUNCILMEMBER COCHRAN: I'm sorry, Chief. The ballistic helmet, is that like a hard hat, I mean, like, you know, a safety helmet for the officers?

MR. YABUTA: I'm trying to locate that right now.

CHAIR WHITE: It's on Page 15-26.

MR. YABUTA: It's an operating expense, but the ballistic helmets do, you're right, they have, first of all, they have the same capabilities as a ballistic vest as far as protection but they also have a shelf life. Yeah.

COUNCILMEMBER COCHRAN: And this is, it says one-time appropriation. So what does that mean? That they're...

CHAIR WHITE: It means they'll come back and request replacements after the shelf life expires.

MR. YABUTA: Right, we're asking for 31 ballistic helmets now and we'll probably, in all likelihood, ask for another 31 in a future budget proposal.

COUNCILMEMBER COCHRAN: Okay. Thank you. And, Chair, can I go to Goals?

CHAIR WHITE: Yes.

COUNCILMEMBER COCHRAN: Okay. On Page 537, Chief, Goal 4, in reference to 1, promote community programs and activities. We did discuss the D.A.R.E. program and you mentioned vacancies is a challenge to fill and so going out to the schools, colleges, what have you to promote, you know, wanting to get fellow officers on board, and it looks like you're dropping the amount of community outreach. Is that what I'm looking at here? There's an actual of eight.

MR. YABUTA: If you could refer to a specific page and number.

COUNCILMEMBER COCHRAN: Yeah, 537. Does he have the same booklet as we do, okay...under, bottom of the page, Goal 4, foster outside agency and community partnerships.

MR. YABUTA: Uh-huh.

COUNCILMEMBER COCHRAN: And then 1. So it looks like eight community outreach programs were conducted and then you're looking to get just a couple in?

MR. YABUTA: Well, we certainly achieved our goal and more some, you know, we were only estimating one, and for Fiscal Year 2013 it's not located in your booklet. However, I commend my people for doing eight, and for Fiscal Year 2014, our current fiscal year, we

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have also estimated only one but I know we probably did, offhand...anybody from Investigative Services know how many we've done?

MR. BAZ: Mr. Chair, and Chief. Your quarterly report ending December 31st shows six done in the first six months.

MR. YABUTA: There you go. Okay. So we're overachieving in those particular areas.

COUNCILMEMBER COCHRAN: Okay. Very good. And then, same goal, but Item 2, in regards to the MOUs. It looks like actual, so maintained by each section annually then we'll use maintained, four and then it looks like to drop down to two. And I would think that MOUs are sort of assigned contract or understanding amongst government entities or public safety entities such as yourselves or DLNR.

MR. YABUTA: Yeah, you know, we're going to reexamine that but, you know, we've maintained three and you're probably right, we should've estimated three for 2015; however, for practical reasons, you know, we didn't anticipate three to begin with and that's the reason why we estimated three for 2015. Good catch on your part because these MOUs are becoming more and more popular because we're working with more and more agencies. In fact, I think you were exposed to one several months ago with a Federal agency. But I can see more and that's something that we'll reevaluate for 2016, absolutely. MOUs and MOAs are great partnerships with other Federal agencies and we want to encourage that and we need to measure those more accurately.

COUNCILMEMBER COCHRAN: Right. Thank you. Thank you very much, Chief, 'cause I know up by, on Haleakala Crater and also the Coast Guard Station in Maalaea, so we, definitely collaboration is key in a successful, yeah ... *(inaudible)* ...

MR. YABUTA: Yeah, I agree, you're right. Collaboration is everything, especially with Coast Guard because we live on an island surrounded by ocean.

COUNCILMEMBER COCHRAN: That's right. Thank you, Chief, and good surf.

MR. YABUTA: Yes, you got that right.

CHAIR WHITE: Mr. Couch. No questions. Mr. Guzman.

COUNCILMEMBER GUZMAN: Just a couple questions. Chief, on our school resource officers, are we complete in terms of all of the schools?

MR. YABUTA: No, we're not. Again, and that's the result of vacancies. We want to fill all our SRO positions at one point in time but again before we do that we have to make sure we have an adequate supply of officers, staffing of officers, in our patrol element. So something

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we're working on, you know, the Commander of Juvenile Crime Prevention Division, Lt. Ed Ferreira, wants to staff more in the middle schools --

COUNCILMEMBER GUZMAN: Right.

MR. YABUTA: --and understandably so because they'll have the greatest impact on our children at the middle school level. So, again, that's something we're looking forward to. This current calendar year, you know, we have a recruit class starting in April, we have officers that'll be full-fledged working officers within this month. So we'll reexamine in our school resource staffing and, again, hopefully, we hope to fill those vacancies in our school resource officer environment, in particular, our middle schools.

COUNCILMEMBER GUZMAN: Yes. Thank you. Yeah, it's such a resource in terms of having them on campus. On the, what schools are lacking in terms of, how many of them, schools, are vacant --

MR. YABUTA: Sure.

COUNCILMEMBER GUZMAN: --and not having an SRO?

MR. YABUTA: If you can standby, I'll try to get you that answer right now. Do you want us to divert that question ... *(inaudible)* ...

COUNCILMEMBER GUZMAN: Yeah, I can just get a follow up on that.

MR. YABUTA: Yeah, unfortunately I don't have the Commander for Juvenile Crime Prevention Division here so, and Mr. Takahashi is trying to look up the answer.

COUNCILMEMBER GUZMAN: Yeah, while he's looking up the answer, I wanted to talk a little bit about the D.A.R.E. program. It looks as though there's only \$1,000 that the County puts into it. And you're saying that you're getting...

MR. YABUTA: Yeah, we don't have any money.

COUNCILMEMBER GUZMAN: There's no money at all?

MR. YABUTA: We used to have Federal funding. We used to have Federal funding of about \$13,000 but that ran out nationwide. And the problem with the funding for D.A.R.E. is that not even the Department of Education funds the materials, the teaching materials, for our, for their own students. And so, you know, police departments in the State of Hawaii are doing everything by themselves except for the classroom. So that's what we're faced with but again it's a good investment. Again, we are getting funding from the High Intensity Drug Trafficking Areas and that's been a benefit. So we're doing it on our own and, you know, we feel it's a good investment.

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COUNCILMEMBER GUZMAN: Right. I agree with you as well. I'm just kind of concerned about, you're saying that you're getting a Federal grant or funding for it and then using a portion of that for it to...

MR. YABUTA: Yeah, for example, we saved \$10,000 this current fiscal year from the High Intensity Drug Trafficking Areas and we used that money to train several of our officers to be certified D.A.R.E. instructors by sending them to the mainland and having them certified so that \$10,000 went out. We're negotiating, all law enforcement agencies in the State of Hawaii, in particular the police departments are negotiating with HIDTA right now as we speak to try to get an immediate funding source from that organization. We're looking at 50 grand total, 50,000 total. Twenty-thousand will go to the Honolulu Police Department because they are the largest department and they need, have the most needs, and \$10,000 for each other neighbor island police department, the Big Island, Hawaii County Police Department, Kauai and the Maui Police Department. From 2014, it becomes a line item for HIDTA so we'll get the \$50,000 each year from that particular organization. It's not located in your grant funding, I don't believe so but.

COUNCILMEMBER GUZMAN: No, it's not. It's just indicated as ... *(inaudible)* ...

MR. YABUTA: Eventually it will be, okay, so. And in the Hawaii HIDTA II who helps fund all D.A.R.E. programs throughout the State, it's a nonprofit organization, it's not part of any police department, and they seek funding from the communities and from the business organizations and we get funding from them too as well. So, you know, we're scratching and, just like a lot of nonprofits do, you know, trying to find sources but the bottom line is we're using our officers and our payroll and our equipment to train our students, the D.A.R.E. program.

COUNCILMEMBER GUZMAN: Thank you, Chair.

CHAIR WHITE: Okay. Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you, Chair. If I may, can I refer to some of the details?

CHAIR WHITE: Yes, you may.

COUNCILMEMBER CRIVELLO: Page, under Details on Page 15-18, under Investigative Services Program, go kind of in the middle, there's a PD-xxxx, Police Lieutenant, and right below that, the Office Operations Assistant II. So these are, if I understand it, unfunded expansion positions in addition to others that were requested in Fiscal Year '14 with the justification that they would be paid with, through savings from vacant positions. So this year you're asking us to fund these positions. I wanted to know how many positions were funded through savings from vacancies this year?

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MR. YABUTA: That was appropriated by the Council for Fiscal Year 2014 to include this Office Operations Assistant. And that was for the expansion of the Kihei Criminal Investigation Division, a branch staffing for the Kihei district. So that encompassed a Police Lieutenant and Office Operations Assistants to handle the clerical duties. So we now have, and thanks to the Council, branch detectives or Criminal Investigation Division staffing in District of Kihei. We were given the positions but we weren't funded those positions, so, yes, we did, had to, we were forced to use savings because we didn't want to wait. We wanted to get those positions on board as, and working --

COUNCILMEMBER CRIVELLO: Right.

MR. YABUTA: --as soon as we can, could. The other positions that were under the expansion for Fiscal Year 2014, but again weren't funded, was the six Police Officer positions for Kihei that we received the first three years of funding from the COPS program, the Community Oriented Policing program out of the Department of Justice. So we were able to get funding for the initial three years and before we even got that particular grant, or received that particular grant, we had to get permission from the Mayor and the Council and we were able to staff those positions but now it's time to fund it by County funds. So that also was somewhat like an expansion positions that now we have to ask for funding for and that's to increase the beats in Kihei district with one additional beat. We added a Police Officer II position in Hana District because we wanted to have 24-hour, 7-days-a-week police coverage in Hana.

COUNCILMEMBER CRIVELLO: Yes.

MR. YABUTA: And before that, there was actually a time gap where there was no officers on duty in the Hana District and you just cannot operate that in today's world. And so with that additional expansion position, we now have 24/7 coverage in Hana districts and all districts throughout Maui County. Again, that was an expansion positions that we had to use funding from, or savings to incorporate but again we didn't want to wait. Now we have to ask for funding for Fiscal Year 2015.

COUNCILMEMBER CRIVELLO: So currently, do you know how many vacancies you have?
And, well --

MR. YABUTA: Sure.

COUNCILMEMBER CRIVELLO: --like Chair Baisa mentioned, you know --

MR. YABUTA: Yeah.

COUNCILMEMBER CRIVELLO: --we want to have it all filled. And hopefully...

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MR. YABUTA: As of April 4th there's 383 positions available, sworn officer positions. Actually employed is 344. So that's 39 vacancies, 90 percent staff full, but again, like I said earlier, we have 24 conditional officers, offers. So these are eligible, potential officers to hire to make up for those 39 vacancies as we speak.

COUNCILMEMBER CRIVELLO: Okay.

MR. YABUTA: Do you want to go into the civilian staffing too, or, yeah, civilian staffing --

COUNCILMEMBER CRIVELLO: If you have it.

MR. YABUTA: --oh, okay. As of April 4th there's 136 authorized civilization staffing, staff positions. Actually employed is 106, so we have 30 vacancies. So that's a 78 percent staffing percentage for civilian employees and most of that is from our ESD, our Emergency Services Dispatching environment and it's a tough job. We've spoken to that about before, it's hard to find people that are willing to make that commitment to do that type of multitasking and demanding job. We're trying our best and, again, and that's one of the reasons why we're asking for in Fiscal Year 2015, an additional ESD Supervisor, a working supervisor position for Molokai, 'cause they only have five. And we have learned that you a staff of six per position whether it's dispatching or a police beat, you need at least six to compensate for sick leave, or family leave, or holidays, and so on and so on, vacation, where you can have a rotation of employees without incurring as much overtime as possible. So you're actually saving money by having an adequate --

COUNCILMEMBER CRIVELLO: Right.

MR. YABUTA: --staffing of six --

COUNCILMEMBER CRIVELLO: Right.

MR. YABUTA: --rather than what we have now of five.

COUNCILMEMBER CRIVELLO: Paying overtime.

MR. YABUTA: So that's our vacancy rate and that's what we're trying to do. And we're never going to give up and that's again our emphasis. And getting back to your question as far as expansion positions granted to us in Fiscal Year 2014, our current fiscal year, we also were given two building repair positions which we're currently trying to fill right now as we speak, we have a list, an eligibility list. And, again, we only have one right now so with three, we have seven police facilities throughout the County of Maui --

COUNCILMEMBER CRIVELLO: Uh-huh.

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MR. YABUTA: --and this will enable us to service all seven facilities. And remember we take care of the forensic duties, the pathology duties, for the County of Maui and even, like for example, the airplane crash, Director Fuddy who was killed in the ocean off of Kalaupapa, that fell under the, it didn't fall under the jurisdiction of Maui County but we made sure that we provided safety and we performed the autopsy for Director Fuddy. So that's all encompassed in our forensic facility and it's a beautiful facility but, again, it's expensive. We already have incorporated a request to have the roofing repaired. So we need the building repairs and we, and with three we can hopefully manage the responsibilities of maintaining these seven facilities throughout our counties, our County. And lastly, we ask for a part-time Service Station Attendant. And this was taken away from us by the Council, and rightfully so, this was during the recession period and I don't think there was, any of you were on the Council at that particular time but the County of Maui felt it was necessary to dissolve vacant positions and at the moment that that decision was made, the Service Station Attendant was vacant and so that was taken away from us. But the Service Station Attendant, like all service station attendants, it's more vital than what the perception intends to think and basically we want to make sure, as much as possible, that our patrol vehicles are fully gassed, fully equipped and ready to go so the officers don't have to do that before he or she hits the road and goes to their beat to perform police service. We want that to be, as much as possible, taken care of so they can go to their beats and their duties and their assignments as fast as possible. So that's why the service station, even if it's part-time, is extremely important because it's a preparation, it's a preparation to prepare the patrol vehicles so that the officers, when they leave the squad room after their roll call, they don't have to waste time being in a line, a collective line, waiting to gas up their cars. Their cars hopefully, optimally, are fully gassed, fully equipped, washed and cleaned so they can serve the community faster and longer. So those are the expansion positions for Fiscal Year 2014. Again, I want to thank the Council for giving us those positions last year and I understand that the reasons why it couldn't be funded. I thought that was a good compromise but now we have to staff them, now we have to fund them in our current budget request.

COUNCILMEMBER CRIVELLO: Thank you. Two more Details --

CHAIR WHITE: Uh-huh.

COUNCILMEMBER CRIVELLO: --questions, Chair, if I may. On Page 15-24 and, you know, I can understand if you, you're not able to give this to us. As far as the 910026-6207, the Confidential expenditure. Can you tell me, tell us what this is, what this pays for, and if, 'cause it's confidential, if not, that's understood.

MR. YABUTA: Yeah, I'll, you know, without getting into too much detail, police cannot rely on investigative success without the cooperation of the community and some community people will do this willingly without compensation. On the other hand, some do not, and they need incentives and they need monetary incentives but it's controlled by the Police Department. And so without getting into too much detail --

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COUNCILMEMBER CRIVELLO: Okay.

MR. YABUTA: --that's what this funding is specifically for.

COUNCILMEMBER CRIVELLO: Okay. Okay, understood. And if we can move little bit further and, I guess, in line to what we talk about earlier, on Details, Page 15-26, on the 910422-6132, Professional Services, for Fiscal Year '14, what did this pay for and we're asking a increase of 40,000? Can you share what the addition or what the Professional Services is entailed for Fiscal Year '15?

MR. YABUTA: Yeah, if you could look that, above there, there was a minus 40,000 at 6124, Janitorial Services. So that was transferred to Professional Services. So it was taken out of one budget line item and placed in another.

COUNCILMEMBER CRIVELLO: Oh, okay, so the Professional Service, this includes Janitorial Services, for a total of 490,000?

MR. YABUTA: Yeah, it was moved from Janitorial Services for the forensic facilities and it was moved into Professional Services to perform the increase in autopsies performed at the forensic facility.

COUNCILMEMBER CRIVELLO: Oh, okay, so it's actually like a coroner's or --

MR. YABUTA: Right, uh-huh.

COUNCILMEMBER CRIVELLO: --performance of--

MR. YABUTA: Right.

COUNCILMEMBER CRIVELLO: --autopsies, or what have you?

MR. YABUTA: Yeah.

COUNCILMEMBER CRIVELLO: Oh, okay, okay. That's, I thought, janitorial. Okay, thank you.

MR. YABUTA: Yeah, the cost, you know, we didn't need as much money for Janitorial Services --

COUNCILMEMBER CRIVELLO: So it's moved into...

MR. YABUTA: --but we needed more money for...

COUNCILMEMBER CRIVELLO: Okay, so the Professional Services are, such as --

MR. YABUTA: Right.

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COUNCILMEMBER CRIVELLO: --for autopsies --

MR. YABUTA: Right.

COUNCILMEMBER CRIVELLO: --and what have you. Okay, thank you.

MR. YABUTA: Okay.

COUNCILMEMBER CRIVELLO: I'm okay, Chair, thank you.

CHAIR WHITE: Okay, any other questions, Members?

MR. YABUTA: Council Chair, can I, Committee Chair --

CHAIR WHITE: Sure.

MR. YABUTA: --White, can I go back to Councilmember Guzman's questions about what vacant School Resource Officer positions we have?

CHAIR WHITE: Sure.

MR. YABUTA: Lokelani School, Lahaina Intermediate, Maui High School, St. Anthony, Iao School and Maui Waena.

CHAIR WHITE: Okay, thank you.

COUNCILMEMBER COCHRAN: Chair?

CHAIR WHITE: Ms. Cochran.

COUNCILMEMBER COCHRAN: Can I go back to the grants in the section?

CHAIR WHITE: Yes.

COUNCILMEMBER COCHRAN: Okay. So I'm looking at the Pages 544 and 545. Chief, you mentioned earlier I think, or Mr. Baz, the Edward Byrne Memorial Justice Assistance Grant, as of printing there, since the printing there's been 100,000 additional you folks have received?

MR. YABUTA: What page are you...five...?

COUNCILMEMBER COCHRAN: I'm on Page 545.

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MR. YABUTA: Okay, let me get there.

COUNCILMEMBER COCHRAN: And, 544 and 545 breakdown all the grant --

MR. YABUTA: Yeah.

COUNCILMEMBER COCHRAN: --money.

MR. YABUTA: We received that particular grant after we submitted our budget data for this particular proposal. And that was through the Byrne's Justice Assistance Grant so it's not located in this particular --

COUNCILMEMBER COCHRAN: Right.

MR. YABUTA: --proposal.

COUNCILMEMBER COCHRAN: Okay, and so, well, 'cause, there's, I guess it breaks down into five different allocations such as the Electronic Enticement of a Child, Narcotics Task Force, Police PASS, Marijuana Eradication, and so on. So the 100 grand now breaks up into these...

MR. YABUTA: No, next year, yeah, next year it'll be located, it'll be described in here.

COUNCILMEMBER COCHRAN: Oh, for next --

MR. YABUTA: Yeah.

COUNCILMEMBER COCHRAN: --for following...

MR. YABUTA: And I can provide details for you beforehand, and rightfully so 'cause that's quite a reward --

COUNCILMEMBER COCHRAN: Chunk.

MR. YABUTA: --and, but we didn't get that grant until after we submitted the grant revenue for this particular proposal.

COUNCILMEMBER COCHRAN: Oh, okay.

MR. YABUTA: And so that's why, hence the reason why it's not published in this particular manual, but I can give you the details of that.

CHAIR WHITE: Yeah, if you can provide us the details.

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MR. YABUTA: Sure.

CHAIR WHITE: We'll include it in the ... *(inaudible)* ...

MR. YABUTA: And roughly, it's a \$100,000 grant, Edward Byrnes Grant, Justice Assistance Grant and it's specifically used for active shooter training and active shooter equipment and a portion of it is for overtime expenses incurred during the training phase.

COUNCILMEMBER COCHRAN: Okay. So it's mainly for training of the, your officers. 'Cause I'm looking at the breakdown here and it's a lot to do with, I guess, prevention or disruption, suppression of drug trafficking and dealing and what have you. So I guess this falls into a kind of different category in a sense.

MR. YABUTA: Yeah, well, you know, the history behind the Edward Byrne's Grant, and it's, and through evolution it has changed its meaning but the true essence of the Edward Byrne's Grant, and we see this term a lot but, you know, unfortunately a lot of people don't know. Edward Byrne was a young officer, I believe he was in his '20s, only several years on the job, a New York City police officer, and he was in a patrol car and he was parked in front of a witness who was going to testify in a large-scale Jamaican drug organization and so his job, Edward Byrne, Officer Byrne was, his job was to protect the witness who was ready to testify in the Jamaican drug deal criminal proceedings and he was shot and killed. He was assassinated while he was standing guard. And so the Department of Justice, well the Federal government, dedicated in his memorial, funding for law enforcement throughout the nation to better train us, to better teach us and to better equip us to prevent tragedies like Officer Byrne, whom unfortunately people don't know who is Officer Byrne. And what you're seeing now is that, and rightfully so, you know, money is tight everywhere, social services prevention, rehabilitation, demand reduction, supply reduction, now everybody wants a piece of the Edward Byrne's Grant. Even though there's specific details and portions that are specifically dedicated to law enforcement, now you see prevention, social services fighting for this money, this type of funding because money is tight. But that's the true essence of the Edward Byrne's Grant so within a police department, yes, you see elements of prevention, but, you know, I can't think of a more meaningful purpose to Officer Byrne than an active shooter training.

COUNCILMEMBER COCHRAN: Right. Thank you very much, Chief, for that enlightenment on who Officer Byrne was. And so, yeah, the additional monies and what it's being used for seems most appropriate but these others, of course, too, but I was just trying to, Chair, look at all the other grants in reference to the dollar amounts to what they're provided for as in the type of drug it's looking to suppress or disrupt and what have you. And so I see a lot being, putting towards marijuana and I was just trying to divvy it all up, and I know your stand, you know, on marijuana itself, Chief, and looking in reference to other narcotics such as ice and heroin, as you mentioned is on the rise. And there just seems to be a whole lot more towards marijuana and looking at several states have even gone legal, medical marijuana is prevalent. So it just seems like it's heading, you know, there's a lot of prevention for that particular

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drug where I see a lot of crime being responsible from other types. So, you know, I was just trying to break it down to see if that's done by priority, you know, DEA only gives, I guess, for marijuana. So they're not even involved in assisting with any other type of narcotic it seems.

MR. YABUTA: And my response is marijuana is still a Schedule I drug by the Federal government. It's still illegal. Our enforcement duties and responsibilities to curtail the distribution of marijuana and the cultivation of marijuana doesn't interfere, doesn't negate our targets of harder drugs, crystal methamphetamine, heroin, pharmaceutical drugs, and so on and so on. It's not taking away our time and energy away from these other threats to our society. As far as marijuana, I know our State is being challenged with loosening laws on marijuana, but, again, as far as I know, it's still against Federal law and it's still a Schedule I drug classification. We can go and talk about the philosophical and medical pros and cons of marijuana, we abide by the medical marijuana laws but in my opinion and the philosophy of the Maui Police Department, marijuana is medically harmful to our children. It affects their intelligence level, even as much as eight points on the IQ that studies have shown us when used at a childhood age. It's also addictive, medically proved, and because it's medically addictive, I believe it's life threatening and that's why our Department considers it a drug and a crime and I would hate the day, because of our beautiful climate and our water source, that pineapple industry and the depleting sugar cane industry is overcome with the celebration of becoming the marijuana industry of the world. I would really hate to see that day and I don't know if the public of Hawaii, community of Hawaii, wants to see that either but there's a reason why people want to grow corn here, GMO corn, they get an additional crop out of it per year. Our environment is optimal for marijuana production. Do we really want to see that? And, again, it's really not a choice made singly by the Chief of Police, it's something that we all have to comprehensively look, government, politicians, medical, the community. But these are questions that we're gonna have to answer but we have to see what's beyond the scope of just marijuana, how it's gonna affect our community, our culture, our way of life. These are things that we really, really have to study. I believe it's a gateway drug and if we look at our crystal methamphetamine deaths in the State of Hawaii, they're poly drug nowadays. They have marijuana in their systems as well. So that's my position. And we do receive Federal funding to enforce marijuana and that's through our eradications efforts, but again it doesn't take us away from our details to go after the ice distributors, the crystal methamphetamine distributors, and prevent heroin from coming back to Maui County. At one time we had a needle exchange program, I know some of you remember that. West Maui has their clientele and, you know, we had Operation Powerball in the year 2000 and it was a _____ case, you know, these are things that we have to prevent and our enforcement with marijuana will never take us away from that, I guarantee you that.

COUNCILMEMBER COCHRAN: Thank you. Thank you for your services again, Chief, thank you. Thank you, Chair.

CHAIR WHITE: Any other questions, Members? Okay. Just a couple of items, Chief. It appears that the ballistic helmets are tied to the headsets, there's 31 of each, and this might be a

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question for Mr. Baz more than you, but I'm wondering why we have those listed under Miscellaneous Supplies as opposed to putting them in Equipment along with the headsets?

MR. BAZ: Yeah. Thank you, Mr. Chair. The reason why they're listed in Operations versus Equipment is because they're under a \$1,000 each.

CHAIR WHITE: Okay. But they're kinda tied to each other, you're not, you're buying both of 'em together.

MR. BAZ: I suppose but the Finance Department will see it as Operational expenditure not Equipment expenditure.

CHAIR WHITE: Okay, it just seems like it would be easier to track the other way but since it's a one-time purchase. The other one, I have questions for the Chief but in the meantime if, Mr. Baz, if you could check on the Confidential spent year-to-date on the 150,000 under Confidential on Page 15-24. And then, Chief, on the Vehicle Replacement I show, the total is 15 vehicles for this section. Can you share with us what the total vehicle inventory is for that Investigative Services Division?

MR. YABUTA: Standby, please.

MR. BAZ: Mr. Chair, for Index Code 910026, Confidential, the current year-to-date expenditures are, is \$90,000, leaving a balance of 60,000 or 40 percent.

CHAIR WHITE: Thank you.

MR. YABUTA: For Investigative Service Bureau it's, they have 88 cars in their inventory.

CHAIR WHITE: Okay, great, thank you. So that's roughly one-sixth that we're replacing, correct? Okay, that's all the questions I have for that section. Are we ready to move onto the Uniformed Patrol Services Program, Members? Okay, please proceed, Chief. Oh, and I did want to clear one thing up.

MR. YABUTA: Sure.

CHAIR WHITE: I, the positions that were granted last year, my recollection was that you were requesting the positions but not the funding and you, there was something you said that seemed to infer that you had asked for the funding and not received it last year, but my recollection was that you were asking just for the positions.

MR. BAZ: Mr. Chair?

CHAIR WHITE: Yeah.

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MR. BAZ: He did request the funding for those positions. The Administration proposed not to fund those positions.

CHAIR WHITE: Ah, okay, so when it got to us...

MR. YABUTA: I was blaming the wrong, the wrong...

CHAIR WHITE: Yeah, I just want to...

MR. YABUTA: And I apologize for that.

CHAIR WHITE: No, no, I just wanted to make it clear that we, as far as we knew --

MR. YABUTA: Okay.

CHAIR WHITE: --you weren't asking for it. Okay, please proceed. Thank you.

MR. YABUTA: Good morning, it's, the description of our Uniformed Patrol Services Program. We incorporate six patrol districts throughout the Maui County. Our Traffic Unit is part of Uniformed Services. Within the patrol element, we have our Crime Reduction Unit. No longer do we have our School Resource Officer program, that has been moved from Uniformed Services Bureau to Investigative Services Bureau under the Juvenile Crime Prevention Division. Doing a great job as far as all the District Commanders, Captain Klingman with the Halloween operation every year, you know, Captain Kenui just did a terrific job with the Color Run, the County Fairs, they're just, these Commanders out here, Captain Faamu, Kihei District, with the new station, the bike patrol now being used by Lahaina district. Molokai, I'm very proud, Councilmember Crivello, of the Molokai officers that are residents there, the Molokai officers are just doing a terrific, terrific --

COUNCILMEMBER CRIVELLO: Right.

MR. YABUTA: --job.

COUNCILMEMBER CRIVELLO: Thank you.

MR. YABUTA: And, you know, gosh, I can't, I can't thank our Uniformed Services Bureau and their people that are working right now, 24/7, young officers, young officers, two to three years on the job. When we talked about active shooters, young officers that are the ones that are a majority of the patrol and when we have an active shooter situation, who's gonna be there first, running into the danger not walking into danger, it's these new officers, two to three years. Even our Special Response Teams and our detectives won't be able to get there in time because they're not on the road at the moment. So again, nothing but praise for our Uniformed Patrol Services. They're doing a terrific job. Lanai, you know, Lieutenant Gannon's out there in Lanai. He's not here but, you know, with the airplane crash

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on Lanai, it was his people that were able to take care of business, along with our great Fire Department and what a tragedy that we are still suffering from. But, again, I really praise our people in our rural districts as well. Hana with the flooding and the, you know, the assistance that they give to the Parks services there, you know, it's all working together and fully appreciate them. And with that, I want to just open this up for any questions regarding Uniformed Patrol Services.

CHAIR WHITE: Okay, we'll start in the middle this time. Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. I have a couple questions and a comment. The first comment is I really want to compliment Captain Faaumu and his crew for the Kihei Fourth Fridays. They do a heck of a job and they've got the --

MR. YABUTA: Yeah.

COUNCILMEMBER COUCH: --routine down, closing down the street and very cordial and friendly with the people and the volunteers so just wanted to get that on the record that they're doing a great job there.

MR. YABUTA: And I want to thank you for your support for South Maui. I know you represent South Maui, and everybody here on the Council you really represent your communities well, each and every one of you.

COUNCILMEMBER COUCH: Thank you, sir. Wanted to go with the bike program for a little bit. Thank you for bringing that to South Maui and I'm glad it's going back to West Maui as well. Is there any chance, or what do you need to get that kind of a full-time situation, at least during the day, where they're going all the time? I know you have to, the officers have to kind of mix and match when they can go on the bikes and when they can't. Or is it even worth doing something like that?

MR. YABUTA: You know, I think we're finding, our success right now...and first of all, the person to thank is working right now and she's Officer Emily Kibby who developed that and received a grant from that, a Byrne's grant. And, again, we just nurture ideas from these terrific officers. But we're finding success because it's a collateral duty, because of the design of the bicycle program enables the bicycle to actually be attached to the patrol car so the officer can either respond according to patrol duties and also when time available, perform the bicycle patrol either individually or in unicy [sic] with the other bike patrol officers. So at this moment in time, we like it because it's collateral duty --

COUNCILMEMBER COUCH: Okay.

MR. YABUTA: --and it's not a specific, full-time duty. And we had that before in Lahaina and I think that was one of the problems with that is because without that flexibility, you're limited to only a small amount of geographic area even though you're very mobile with the bicycle

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and, of course, being exposed in the public is much more meaningful than being in a patrol car.

COUNCILMEMBER COUCH: Right.

MR. YABUTA: But we're finding success as collateral duties and as we speak we want to keep it that way. Of course, when we become fully staffed we can look at full-time duties as an avenue but right now the flexibility is our fundamental purpose.

COUNCILMEMBER COUCH: Okay. And you mentioned in your list of equipment, cameras for the cars. I noticed that several jurisdictions on the mainland now are starting to do individual cameras on the officers. You guys have any, first of all, desire to do that and second of all, if you do, what are your plans on that?

MR. YABUTA: You know, I think, again, when we're looking down the future, it'll be a standard equipment item for every officer, law enforcement item. And you see that, it's becoming more and more prevalent throughout these law enforcement agencies throughout our nation. If you look at the cost, it's coming down. It's becoming more and more affordable. And at this point in time, it's still a heavy cost item. And, you know, with cloud technology too, storing the data is another thing. That question really hasn't been answered thoroughly.

COUNCILMEMBER COUCH: Right.

MR. YABUTA: So, you know, one day when technology makes it more affordable for departments like us, I see the writing on the wall where it will benefit us too and it'll be a standard operating item. You're going to have to have policy on this like anything else. And, of course, you have to get the cooperation with the Collective Bargaining agent because you're talking about recording a whole officer's workday or work night. And so there's tangible concerns about that --

COUNCILMEMBER COUCH: Uh-huh.

MR. YABUTA: --as well, and understandable so, you know, you don't have the privacy that you would normally have. But then, again, you're not supposed to be doing anything wrong. But it does protect the officer and, you know, and some of the studies that you've probably seen too, it reduced the amount of community complaints dramatically.

COUNCILMEMBER COUCH: Right. And that's --

MR. YABUTA: Yeah.

COUNCILMEMBER COUCH: --one of the biggest --

MR. YABUTA: Right.

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COUNCILMEMBER COUCH: --concerns --

MR. YABUTA: Uh-huh.

COUNCILMEMBER COUCH: --I mean --

MR. YABUTA: Right.

COUNCILMEMBER COUCH: --reasons I would --

MR. YABUTA: Absolutely.

COUNCILMEMBER COUCH: --think you you'd wanna do it.

MR. YABUTA: Yeah.

COUNCILMEMBER COUCH: Okay.

MR. YABUTA: So we are looking at that and, in fact, you know, the deputy and myself, we go to the International Associations of Chief of Police conferences every year and it's like a demonstration show. And you see those items becoming more and more prevalent. You know, and not only that, one day we'll have drones too, you know, drone technology as well. So there's a lot of technology that's really, really benefiting law enforcement now and it's going to be applicable to the Maui Police Department in the near future.

COUNCILMEMBER COUCH: Okay. That's it for now, Chair. I have a couple more but I'll wait.

CHAIR WHITE: Okay. Mr. Guzman. Okay. Ms. Baisa.

COUNCILMEMBER BAISA: Nothing in particular at this point. Thank you.

CHAIR WHITE: Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you. Chief, you mentioned earlier about just having five dispatchers or emergency services dispatchers for the Molokai Police Station and you would like to see a supervisor. Is it someone...

MR. YABUTA: That's correct.

COUNCILMEMBER CRIVELLO: Is that, so that would be five plus an additional position which will serve as...

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MR. YABUTA: No, with the caveat that the supervisor would be a working supervisor so that particular position, that ESD Supervisor, Emergency Services Dispatcher, will be one of the six rotating staff members available every shift.

COUNCILMEMBER CRIVELLO: Okay.

MR. YABUTA: And, again, that'll cut down on overtime in the long run because, again, to officially run a 24/7 position, you need, optimally, at least six people.

COUNCILMEMBER CRIVELLO: So who has jurisdiction over their supervision at the present time?

MR. YABUTA: Right now it's under Uniformed Services Bureau because the Molokai dispatchers are under the scope of the Uniformed Service Division, Bureau, excuse me, and that comes under the District Commander of Molokai. Now we've moved, and Captain Amaral was responsible for this, we moved the Communications Operations out of the Molokai Police Station to the fairly new Molokai Fire Station and we did that because as we speak the Molokai Police Station is in a flood zone and every time we had a flood, which happens all the time commonly on Molokai, we would have to move the dispatchers out to do their communications duty at a higher level. But, you know, Captain Amaral was able to negotiate with the Fire Department because we all, you know, communications just doesn't serve police.

COUNCILMEMBER CRIVELLO: Right.

MR. YABUTA: They serve the Fire Department, Emergency Services, Civil Defense, State agencies as well. He was able to negotiate with the Fire Department where now the operation has since been moved at a higher ground at the Fire Station and it's, when you go back to Molokai, you should take a look at that. It's a wonderful facility and they're very, very happy with that, the dispatchers are.

COUNCILMEMBER CRIVELLO: So I understand. So the District Captain is presently supervising your five dispatchers?

MR. YABUTA: Yes.

COUNCILMEMBER CRIVELLO: Okay.

MR. YABUTA: Yeah.

COUNCILMEMBER CRIVELLO: Okay.

MR. YABUTA: And, you know, that's one of the more important needs of having a supervisor because, we're lucky, we're very fortunate that we have very reliable dispatchers on Molokai

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and they're basically monitoring themselves. But, you know, in all fairness to one of the senior dispatchers there, not saying that that particular dispatcher is eligible for this position should it be granted by the County Council, but you have to have at least one of those dispatchers regulating the time sheets, the work schedule, and making sure that it's always covered as far as the work schedule. So the supervisor will be in charge of that and responsible for that, all the while assuming the duties of a dispatcher during his or her particular shift.

COUNCILMEMBER CRIVELLO: Okay. Thank you.

CHAIR WHITE: Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. Yeah, and looking, there's quite a few things in regards to Lahaina and West Maui area. And the first one is this Public Safety Aide for Traffic section or is, I guess, is that for Lahaina, this particular position?

MR. YABUTA: No.

COUNCILMEMBER COCHRAN: Or there is a Public Safety Aide...what does it say...Public Safety Aide for Lahaina Police Station.

MR. YABUTA: Yeah.

COUNCILMEMBER COCHRAN: But it doesn't say for traffic.

MR. YABUTA: And I'll try to, I will explain this. Again, if you remember earlier during this deliberation, I explained that there was a time where the County of Maui had to remove vacant positions and it was during the time of the recession and was decisions made by a Council, before the existing Members, and they did so when there was a step shot of the existing vacancies throughout the County government. And at that particular moment, we had PSA, Public Safety Aide vacancies, in Lahaina and I believe Kihei as well, maybe Kihei, but there was several or maybe two positions that were vacant at the time. So County Council removed those positions from our personnel inventory. We're trying to recover for that as we speak. And the reason why we need a traffic PSA is because Lahaina, for example, you have to have a PSA there, optimally 24 hours, 7 days a week. If not, then I'm gonna have to hold an officer, a much higher paid officer, to assume the duties of the Public Safety Officer, Aide, excuse me, in Lahaina, because you have prisoners there and you can't have a police station with prisoners abandoned. So it's cost saving to have a PSA there, it's efficient. And because we didn't have enough PSAs in Lahaina and we had an existing PSA in Traffic Section, we moved the Traffic Section PSA position into Lahaina to try to facilitate the 24/7 coverage needed by the Public Safety Aide environment. Now we want to replace, well not replace, but we wanna recover and return to having a Public Safety Aide in Traffic and also a Public Safety Aide position in Lahaina to recover from what was taken away from us, again rightfully so, a few years ago.

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COUNCILMEMBER COCHRAN: Okay, thank you. And I guess what I'm trying to get at is the issue and concerns, especially around Kamehameha III School and the crossing and the parents dropping off their children and the whole situation that happens there day in and day out with school hours. I know Officer Hodgens does the best he can but, so if this person were able to maybe assist in enforcing, you know, loading zone issues and dropping and picking, it just gets, a whole mess.

MR. YABUTA: Yeah, you know, first of all, no, that position is dedicated strictly within the police facility of Lahaina and primarily it's to make sure that we have somebody there at all times when there's in custodies. Quite frankly, and maybe I'm wrong, we haven't had any complaints about Kamehameha III recently because we have been working with the school and the community and, you know, it used to be a regular item and a regular concern but my office, and I gotta thank the Commander and also concur with the Commander of Lahaina District, Captain Klingman, we haven't had any calls about that lately and it seems like the problem has been rectified. Correct me if I'm wrong, but we'll look into it again, but again, we have a good cooperation there now.

COUNCILMEMBER COCHRAN: Right. Well you know, and thank you, Chief, and thank you, Captain Mollie, for their efforts because it was an ongoing, every day phone call.

MR. YABUTA: Yeah.

COUNCILMEMBER COCHRAN: Now, as you've said, not as much, so hopefully, yeah, things have been addressed. I know signage is, you know, going to happen --

MR. YABUTA: Right.

COUNCILMEMBER COCHRAN: --soon to address a lot of things.

MR. YABUTA: Yeah.

COUNCILMEMBER COCHRAN: So that situation but --

MR. YABUTA: And I think --

COUNCILMEMBER COCHRAN: --I just was curious.

MR. YABUTA: --we had to get cooperation from the parents as well --

COUNCILMEMBER COCHRAN: Oh, yeah.

MR. YABUTA: --and that was fundamental.

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COUNCILMEMBER COCHRAN: Right. And then also in regards to COPS, the grant award Community Oriented Policing Services program. I guess that, I was reading the description where, I guess, it funds salary and benefits for up to three years of, so for new E/P...

MR. YABUTA: And again, several years ago we received six positions from the COPS program, and it wasn't the first time, we had 'em back probably in the 1990s when President Clinton took Administration which developed the COPS program and we received COPS positions for the Community Oriented Policing program that we have to this day. And so we applied for, subsequently we applied for six positions in Kihei to accommodate an additional beat several years ago. And with the permission of the Mayor and the County, we were granted that by the Federal government through the COPS program. We funded the programs for three years and now it becomes a permanent, regular fixture within our personnel inventory. So we benefited for three years and now we have to abide by the rules of that particular grant by funding those positions ourselves.

COUNCILMEMBER COCHRAN: Right. And so obviously a needed count of people but it seems, so maybe budget, but it grows our government in a sense. So first three years, yay, you know, it's funded, it's taken care of. Then, oh, now the County's responsible in perpetuity. Well it says the County must then keep the position funded for additional 12 months after the end of the grant. So that means after that 12-month period?

MR. YABUTA: Yeah, you know, the County has the opportunity to dissolve those positions. I don't think that would be wise because that would remove the additional beat that we established in Kihei. And that's one of the reasons why I asked for Council's approval several years ago, with the understanding that we would keep and retain these positions. They're needed positions permanently but the Federal government was able to facilitate the first three years. It was a great deal, I mean, we certainly needed an additional beat in Kihei because of the growth in Kihei and we were able to get three years of funding free for that. And not only funding for the positions but what also comes with that particular six positions, a car, the radios, everything that is needed for them, those six officers, to perform their duty.

COUNCILMEMBER COCHRAN: Okay. And so how many of our positions were created this way?

MR. YABUTA: There were, six --

COUNCILMEMBER COCHRAN: Just, oh...

MR. YABUTA: --positions created.

COUNCILMEMBER COCHRAN: Okay.

MR. YABUTA: Yeah.

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COUNCILMEMBER COCHRAN: And utilizing...

MR. YABUTA: Yes, but again, it takes at least six positions to maintain an efficient beat or a particular police assignment --

COUNCILMEMBER COCHRAN: Okay.

MR. YABUTA: --for 24 hours a day, 7 days a week coverage. So that's why we asked for six 'cause that would accommodate the additional beat for the Kihei District. That was our goal.

COUNCILMEMBER COCHRAN: Okay, thank you, Chief. But maybe for Mr. Baz, Chair, I was just wondering just in historical, you know, how many, was this the first time we ever utilized this type of grant to create these extra E/Ps ... *(inaudible)* ...

MR. YABUTA: Again, we did this back in the '90s when it was first developed by the President Clinton Administration. We used this funding strategy, like a lot of departments did throughout the nation, including the Honolulu Police Department, the Kauai Police Department, the Hawaii County Police Department, we used this for our Community Oriented Policing program. And we used those positions and we were funded for the positions for three years and then we assumed the responsibility, the fiscal responsibilities to maintain these positions after the expiration of the grant. So this isn't anything new. We've been doing this for, oh, 20, 20-something years now. And, in fact, we can still apply for COPS grant. I don't think we're in a position where we can or we want to, to get another, well, to get any amount of positions for funding for three years. I don't think we need to do that anymore but the grants are out there. But we've used it before, historically, and we last used it for the six positions in Kihei and I don't think we need to use it again but it was a great opportunity that was given to our Department.

COUNCILMEMBER COCHRAN: Okay, thank you. Thank you.

CHAIR WHITE: Uh-huh. Any further questions? Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. Along those same lines, I guess, on the same Page 555, the grants, the Edward Byrne Memorial Justice Assistance Grant, it looks like we're getting cut heavily on the "Choices" Mentorship and the, I guess we don't need to really deal with the Kihei District Bicycle Patrol 'cause that was for the bikes, wasn't it?

MR. YABUTA: Yeah, the term of the "Choices" Mentorship Program--which you came to the graduation --

COUNCILMEMBER COUCH: Uh-huh.

MR. YABUTA: --I appreciate that Councilmember Couch--ended. We put it in the budget just in case there's a possibility of renewing it, like a lot of these grants. This way we don't have to

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come to Council for approval and bother you folks. When it's incorporated into our budget, there's always that possibility we might get a renewal, so we don't have to come to you to ask for acceptance of that particular grant.

COUNCILMEMBER COUCH: Okay. And now a little bit of a touchy subject. We have an issue at our parks with several things. And right now we have, kind of a park ranger program. Is there any kind of level, you know, not full on police officer, but any kind of position level that you would have that if we wanted to suggest possibly moving those folks underneath your Department. Mainly because if somebody sees a park ranger walking into the park, they're gonna just say, yeah, whatever, but if they see somebody in a police uniform, they're gonna pay attention more, but maybe not be a full on patrol officer or maybe become one and then kinda incorporate that as part of your patrols. Are you, have you been approached about that or is that something we can kinda look at and talk about?

MR. YABUTA: First of all, I haven't been approached by that, incorporating the park ranger program into the policing. I don't think it's necessary. I think the problem with the park ranger program is you don't have any staffing. I think you're down to one park ranger.

COUNCILMEMBER COUCH: Right.

MR. YABUTA: I think that's the biggest problem. When you have a fully staffed park ranger program, when it first was incorporated, we had a great relationship. In fact, we did some of the training for them. Basically they're the eyes and ears for the police.

COUNCILMEMBER COUCH: Uh-huh.

MR. YABUTA: And they've done an effective job when they were fully staffed. The partnership included them to call us when there was a problem or trouble. And at one point in time they were also giving out traffic citations before that responsibility was taken away from. So they maintain parking control as well. I don't think you want police officers fully maintaining a park --

COUNCILMEMBER COUCH: Yeah.

MR. YABUTA: --as responsibility. I think the eyes and ears philosophy is more, more efficient but you need fully staffing for a park ranger operation and once the County does that, and we have talked to the Parks Department, we'll be willing to work with them again and again and again, yeah. I think that's the key.

COUNCILMEMBER COUCH: Okay.

MR. YABUTA: We also have Park Patrol Officers --

COUNCILMEMBER COUCH: Right.

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MR. YABUTA: --within our, and we, you know, we haven't had that since Officer Jimmy Gapero probably but, and I know the Uniform Services Bureau Commander, Assistant Chief Ramos, is very eager to fill those positions and to get them working again with a trailer, with an ATV
--

COUNCILMEMBER COUCH: Uh-huh.

MR. YABUTA: --just like we had before. So again that comes down to staffing but we are looking at it and we know it's a concern. It's a viable concern. We see the troubles, the problems that have existed especially in your --

COUNCILMEMBER COUCH: Yeah.

MR. YABUTA: --in your district. And, again, I commend Captain Faaumu and his group for taking care of business as a form of special assignment or collateral duties. But, again, this is something that we're looking at permanently and the relationship with the park rangers when they become fully staffed. I think that's a great investment.

COUNCILMEMBER COUCH: Okay, thank you.

CHAIR WHITE: Ms. Cochran. Oh, I'm sorry.

COUNCILMEMBER COCHRAN: I'm sorry, Chair, real quick. Oh sorry, go ahead.

CHAIR WHITE: Ms. Baisa had her hand up earlier.

COUNCILMEMBER COCHRAN: The other end of the room.

COUNCILMEMBER BAISA: Thank you very much, Chair. Quick question. This is relevant because we've been talking about all the different departments and every department we talked to we talk about grants. And as I've been watching as we go through these different department, divisions of the Police Department, it's really impressive to see the list of grants. You know, there's a tremendous amount of activity going on with getting money and I wanted to ask the Chief how they handle this grant writing and how do they handle grants management? You know, this seems to be a issue for us. We get grants, we give grants, and then we have to manage them. So what's your secret? How do you get 'em and how do you manage 'em?

MR. YABUTA: You know, yeah, and I thank you for your compliment. You know, for example, Fiscal Year 2015 we have at least \$3.4 million in grant revenue and that's not even counting the 100,000 from active shooter training. First of all, grants are becoming less and less and more and more scarce. You know, the Omnibus Bill that we try to fight for every year is

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being reduced. The philosophy of Federal government today has taken a toll on our grant opportunities. Grants are competitive --

COUNCILMEMBER BAISA: Uh-huh.

MR. YABUTA: --you know, it's not something that we apply for and we get, we have to compete with the other law enforcement agencies, the other social services, other people, other communities in the criminal justice system, so it's very, very competitive. And we rely on our Commanders and our leadership to be creative, to be students and go out there and see what other municipalities are doing throughout their nations, their models and to either copy them, these grants, or modify them to our benefit. So I give our leadership all the credit in the world for being creative and for coming up with things that are very, very successful. And not only our Command staff but for nurturing, Officer Kibby, Officer Joey Medeiros in Plans and Training who wrote the, who authored the active shooter application for the grant that we received. So again, getting the grant is one thing. Using the money in a specific time period is another. And so if you're going to ask for a grant, you know, I make sure that it's managed and it's used properly and we're very fortunate, again, to have Mr. Greg Takahashi and his staff to make sure that the money's appropriated and to make sure that we cooperate with the Department of the Attorney General, State of Hawaii, who brokers the grants, and we do so magnificently because of our leadership and I give them all the credit in the world.

COUNCILMEMBER BAISA: So you actually grow your own grant writers and management --

MR. YABUTA: Yes.

COUNCILMEMBER BAISA: --managers?

MR. YABUTA: Yeah. You know, I think that, you know, I would love to come in front of Council and say, can we have a grant writer position?

COUNCILMEMBER BAISA: You'd find sympathy from some of us.

MR. YABUTA: Yeah. Because, that, you know, it pays for itself. However, you know, the \$3.4 million in grant funding, you know, as a municipality that is very much in competition with other municipalities, we've done very, very well. And it's these people out here, their leadership. It's their ideas. I just say this is a great idea and let's go for it.

COUNCILMEMBER BAISA: Well I've...

MR. YABUTA: These people out here nurture those ideas and their people are coming up with their ideas so the credit goes to these people, certainly not the Chief.

COUNCILMEMBER BAISA: Thank you. Well I really think it's notable and we're going to remember when we're talking about grants managers, where they are. Thank you.

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MR. YABUTA: No, thank you. You know, and you know, we gotta give a lot of credit to the Department of Attorney General, the administrators there, Julia _____. The State really, really, really looks out for the counties as well and sometimes they get the, they get a lot of criticism but the people that we work with are really, really good people, you know, the Violence Against Women Act grant, you know the--

COUNCILMEMBER BAISA: Uh-huh.

MR. YABUTA: --unbelievable stuff that's coming out.

COUNCILMEMBER BAISA: Thank you.

CHAIR WHITE: Thank you, Ms. Baisa. With that, we will take our lunch break. We will recess and return at 1:30. ...*(gavel)*...

RECESS:	12:02 p.m.
RECONVENE:	1:35 p.m.

CHAIR WHITE: ...*(gavel)*... The Budget and Finance Committee will reconvene so that we can continue with our review of the Uniformed Patrol Services Program and I believe we were on Ms. Cochran's.

COUNCILMEMBER COCHRAN: No.

CHAIR WHITE: One of you had raised your hand --

COUNCILMEMBER COCHRAN: I was, I'm through.

CHAIR WHITE: --to be after Ms. Baisa. I can't remember who it was.

COUNCILMEMBER COCHRAN: Oh, wait.

COUNCILMEMBER GUZMAN: Chair, where are we?

CHAIR WHITE: I have...on Uniformed Services.

COUNCILMEMBER COCHRAN: Oh, sorry, yes, I did. Okay --

CHAIR WHITE: Okay, so it was your memory --

COUNCILMEMBER COCHRAN: --now I'm back to my page.

CHAIR WHITE: --not mine.

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COUNCILMEMBER COCHRAN: Thank you. Thank you. It's in regards to the DUI check points, Chief, and it looks like the number, actual was 133 and now you folks are estimating about 52. So a definite decline or is that just, again, estimation and you more than likely will exceed that --

MR. YABUTA: Okay.

COUNCILMEMBER COCHRAN: --estimation?

MR. YABUTA: Can you direct me to a page?

COUNCILMEMBER COCHRAN: Oh, sure, it's on Page 547. And it's Goal 1, No. 2, sub block, whatever, 2, the middle section there.

MR. YABUTA: Yeah.

COUNCILMEMBER COCHRAN: Number of DUI checkpoints conducted.

MR. YABUTA: Yeah, the actual was, the actual far exceeded our estimated goals. We're gonna retain that particular estimate and I retain those estimates because I trust the Command staff to never _____ the outcome goal, you know, I mean, we have grant funding for that, they do the best that they can, they maximize their efforts with the time they have allotted, you know, minus the traffic accidents, investigations that they have to take care of and so forth. So, you know, I'd rather have them exceed it at whatever capability they can achieve rather than saying well hey we're going to hit 52, that's it, we're gonna stop.

COUNCILMEMBER COCHRAN: Uh-huh.

MR. YABUTA: So it's just a good example of the Command Staff saying we'll do as best as we can regardless of the outcome goal.

MR. BAZ: And, Mr. Chair, Member Cochran, they've completed 56 as of December 31st.

COUNCILMEMBER COCHRAN: Oh, excellent. Okay, very good. And so with that being said in regards to the amount you get from your grant, it looks like in 2013, 129,000 for that amount 133 checkpoints and it looks like you're going to bump up to 233,000 this year --

MR. YABUTA: I believe so.

COUNCILMEMBER COCHRAN: --for grants, which is a nice increase and thereby perhaps you could do, conduct even more if need be with that kind of money. But the money, it looks like it also goes for youth deterrents. It's road block enforcement/youth deterrents and the funding that goes to checkpoints also goes to whatever this youth deterrents program is.

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MR. YABUTA: Yes, hand-in-hand, yeah, the road block, the DUI taskforce, too, underage drinking and so forth, yeah.

COUNCILMEMBER COCHRAN: Okay.

MR. YABUTA: Right.

COUNCILMEMBER COCHRAN: Okay, very good.

MR. YABUTA: No, no problem.

COUNCILMEMBER COCHRAN: Thank you, Chief. Thank you, Chair.

CHAIR WHITE: Uh-huh. Other questions, Members? One of the questions that I had was on your request for the Supervising Emergency Services Dispatcher on Molokai. You've explained the need but we'll send you a request just for Mr. Takahashi to provide us the relative costs of covering it the way we're covering it now versus hiring a new staff.

MR. YABUTA: Okay. We have some of that available, we'll send everything that...

CHAIR WHITE: Yeah, no, I'm sure he's got all the numbers --

MR. YABUTA: Sure.

CHAIR WHITE: --rather than --

MR. YABUTA: Yeah.

CHAIR WHITE: --take the time now. And then on Page...I'm told they can't hear me even if I'm speaking into the mic so I have to get a little closer. On Page 15-61, near the bottom of the page, Professional Services, you're asking for an increase for additional funding due to drug testing and blood draw based on actual expenditure. What other items come out of Professional Services on, within that, within the Traffic Section?

MR. YABUTA: I think that's it. For that particular case, the blood extractions which is a choice by law when we arrest a suspected impaired driver, the operator has an opportunity to either take a breath test or a blood test or both. And there's another section of the law where blood tests are mandatory if there's substantial injury involving a motor vehicle accident. But that's specifically for that purpose, for the blood extraction.

CHAIR WHITE: Okay, so that item is just simply due to an increase in the requirement?

MR. YABUTA: Excuse me, and chemical testing as well.

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CHAIR WHITE: Okay, when you, related to drug testing or...

MR. YABUTA: For DUI --

CHAIR WHITE: Right.

MR. YABUTA: --for driving under the influence --

CHAIR WHITE: Okay.

MR. YABUTA: --or suspected controlled substance.

CHAIR WHITE: Okay so that line item is solely for that purpose?

MR. YABUTA: That's correct.

CHAIR WHITE: Okay.

MR. YABUTA: Yeah.

CHAIR WHITE: Great. Thank you. And then, one of the things that I noted is that the Operating Expenses for the Kihei Police Station amount to about--I wrote it down here somewhere--about \$572,000, \$400,000 of which is increase in electricity. And then for Janitorial and Maintenance there's a total of 182,500 and that breaks down to about \$500 a day. So, would you be able to provide us some details as to how those costs will be, how those costs will be split up?

MR. YABUTA: Well, I can do that right now.

CHAIR WHITE: If you have the detail now, that would be great.

MR. YABUTA: Okay. Do you want me to hand it to you or...

CHAIR WHITE: No, you can read it off.

MR. YABUTA: Sure.

CHAIR WHITE: Unless it's a, if it's a long list --

MR. YABUTA: No, no. no.

CHAIR WHITE: --we'll make a copy of it for the Members.

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MR. YABUTA: Primarily, the gasoline, we're anticipating about \$1,430 more than last fiscal year, \$11,000 more in Miscellaneous Supplies, \$125,000 increase from Janitorial Services, \$57,500 for R&M, that's grounds keeping, the gardening, Sewer, \$5,000 increase, the Electricity is a 399,345 but that's a new, that's not an increase, that's the sum total we're asking for, Water, \$5,000 increase, and we do have one positive note, minus \$11,000 for rental that we no longer need for the storefront.

CHAIR WHITE: Okay, just, as we have been discussing, some of the other CIP items that are being requested by other departments, you'll recall that we requested an update or an expansion on the numbers included in the CIP notes regarding cost impacts of the, of new buildings and we went back and checked and the initial application, CIP application for this police station, said no impact. So here we are with an added operating cost of 572,000. So that's nothing against you guys, Chief, it's just that we need to be more mindful of once we build it, we maintain it and we use more electricity and so on. So it's, we're just asking the Administration to be a little bit more specific with their estimates for the ongoing operating costs because they're significant and they're just another part of the growth and the cost of operations. So, and do you have a comparison of the floor space between Wailuku and the Kihei Station and what that, what your total electrical cost is in the Wailuku Station versus Kihei?

MR. YABUTA: I believe the floor spaces is, for all practical purposes, equal. As far as energy costs, yeah, for the Wailuku police facility we came at, we're budgeted for, we're asking for 756,000. Our actual in 2013 was 687,000. So pretty much, it's more, Wailuku Police Station is, appears to be maybe 150,000 more than the current energy expenses for the Kihei Station.

CHAIR WHITE: And is the, how long was the, how long have we been in operation?

MR. YABUTA: I believe since 1988.

CHAIR WHITE: No --

MR. YABUTA: Oh.

CHAIR WHITE: --I'm sorry, in Kihei.

MR. YABUTA: Since December of 2013.

CHAIR WHITE: Okay, so we don't really have a full year's...

MR. YABUTA: No, we don't. No, we don't.

CHAIR WHITE: So how did you, Mr. Baz, how did you arrive at your energy estimate for the Kihei Police Station?

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MR. YABUTA: We just took the best guess we could.

CHAIR WHITE: A wild guess?

MR. YABUTA: No, not a wild guess.

CHAIR WHITE: No, I know, but I'm just...

MR. YABUTA: Yeah. You know bear in mind too, you know, the Kihei Station also, one component of the Kihei Station is a radio tower --

CHAIR WHITE: Uh-huh.

MR. YABUTA: --a radio site. And, you know, and again, that serves not only the Police Department but all public safety --

CHAIR WHITE: Right.

MR. YABUTA: --and that's a significant part of the Kihei Station but, you know, we did the best we can as far as accommodating the request for energy expenses and in Maintenance too, you know, the Janitorial Services and the Landscaping and so forth. So it's a good investment though, you know, it's paying off. We're doing our training there, recruit training. So it's more than just a police facility.

CHAIR WHITE: Mr. Takahashi, what is the most current month's electrical cost that you have?

MR. TAKAHASHI: Twenty-five thousand.

CHAIR WHITE: Okay. Because if it's the same square footage, that just goes to show what energy efficiency can generate in the way of savings.

MR. TAKAHASHI: Yeah.

CHAIR WHITE: And have you gone, have you had an energy audit on the Wailuku Station? To see...

MR. YABUTA: I believe we did quite a while ago, quite a while ago, and as a result of that, they changed the light bulbs throughout the building. And quite frankly, I don't believe it really changed much but, you know, the chiller tower, I know there's new technology in that specific area. I think the Cameron Center has a chiller tower system that's much more energy efficient.

CHAIR WHITE: Uh-huh.

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MR. YABUTA: It's a decaying building, a decaying station, and you know, it's limited as far as what we can do for energy savings. And, again it holds our communication system, so, you know, you're operating with about six dispatchers in there too, so the consumption of electricity is not equivalent to that of Kihei Station at this point in time.

CHAIR WHITE: Okay. Members, any questions on the Equipment detail?

COUNCILMEMBER COCHRAN: Yeah, Chair.

CHAIR WHITE: Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you. And, Chief, in regards to the mobile video camera and recording equipment, each unit is 14,000 and it looks like you're looking for one for Lahaina and one in Kahului. And this is just a single unit, and this goes on the car, what you were describing earlier --

MR. YABUTA: That's correct.

COUNCILMEMBER COCHRAN: --when you do traffic stops?

MR. YABUTA: That's correct. We have 'em in our, in some of our Traffic units, specifically our DUI Taskforce units. We have four. We encumbered four from our current fiscal year and what we want to do is we want to expanded that into, you know, patrol functions throughout all the districts. So one in Lahaina, one in Kihei, one in Wailuku, and one back to Traffic is our goal for this Fiscal Year 2015.

COUNCILMEMBER COCHRAN: Okay so out of your fleet in each district, just one of the cars --

MR. YABUTA: At this point --

COUNCILMEMBER COCHRAN: --has it set up?

MR. YABUTA: --in time, yeah.

COUNCILMEMBER COCHRAN: At this point.

MR. YABUTA: One day it's going to be part of the equipment order for every car but, you know, at \$14,000, it'd be pretty much impractical if I ask for 150 of these, yeah.

COUNCILMEMBER COCHRAN: Okay. Thank you, Chief. Thank you, Chair.

CHAIR WHITE: Uh-huh. Other questions, Members, on the Equipment? Mr. Guzman.

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COUNCILMEMBER GUZMAN: Thank you, Chair. Just wanted to follow up on 15-61 on the Professional Services. On the, it looks as though on FY 2012 it was at 170,000 and then it shot up to 211 and then went back down to 180 and then going back up to 200,000. Is this because there's been more mandatory blood draws due to the HRS requirement or is it because--well, are we still sending the blood to Honolulu for testing and it coming back? And, I guess, the other question is are we, do we still have an internal lab, chemical lab in-house?

MR. YABUTA: We go through Clinical Labs. But as you can see in the actual for Fiscal Year 2013, we spent \$211,546. Yeah, we were only budgeted 180,000 --

COUNCILMEMBER GUZMAN: Right.

MR. YABUTA: --which is why we're asking for the additional 20,000 for this upcoming fiscal year.

COUNCILMEMBER GUZMAN: Do we, Chief, do we still have an internal clinical lab or lab within the Police Department?

MR. YABUTA: No, we outsource --

COUNCILMEMBER GUZMAN: We outsource.

MR. YABUTA: --with Clinical Labs.

COUNCILMEMBER GUZMAN: Did we at one point have...

MR. YABUTA: Never had, no.

COUNCILMEMBER GUZMAN: I mean, not the lab, not the blood lab but the drug testing.

MR. YABUTA: We did our own drug testing.

COUNCILMEMBER GUZMAN: Yeah. We don't do that anymore?

MR. YABUTA: We do our own drug testing. We are in the process of training a criminalist that we have on board for certification so we can do our own.

COUNCILMEMBER GUZMAN: Okay.

MR. YABUTA: Yeah. Temporarily, we're not, unable to. With previous staffing, trained staffing, we were able to. So it's just a little window period that we're going to go through right now.

COUNCILMEMBER GUZMAN: Okay, very good. Thank you.

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MR. BAZ: And, Member Guzman, the year-to-date, well to March 31st, expenditures for Professional Services under that category is \$192,100, so they've already exceeded --

COUNCILMEMBER GUZMAN: Oh, year-to-date.

MR. BAZ: --their budgeted amount.

COUNCILMEMBER GUZMAN: Okay, expended. Thank you.

MR. YABUTA: And I will say, too, our traffic enforcement, because we are drug recognition experts, our DREs, they have been increasingly making more arrests in drug, drug driving, driving under the influence of drugs arrests and hence the reason for more drug testing. That's outside of the scope of our criminalist, who test for drugs as far as narcotic seizures.

CHAIR WHITE: Okay, other questions? Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. I was looking at the message boards. Are those the same ones that you're asking for in the CDBG grant as well?

MR. YABUTA: No, these are much more elaborate. These are, again, these will have actual narratives as far as the conditions of a traffic situation, a road closure. You know, if it's in compliance with the provisions of a Maile Alert, then we can use that as a message carrier as well. And having three in the, you know, Lahaina District, Kihei District and Wailuku Districts, we can provide information at both points before and after, well at the ends of the traffic congestion. That's our goal, to work together with the three units, we can educate the drivers who are stuck in traffic and try to accommodate them to get to their appropriate designation.

COUNCILMEMBER COUCH: Okay, thank you. Thank you, Chair.

CHAIR WHITE: Uh-huh. Other questions, Members? Chief, maybe, if you wouldn't mind having Mr. Takahashi provide us with a list of the vehicles that are being replaced and their age, like we've done in the past, and then just if you could provide us with the total number of vehicles in each section. I know you provided us the count of 88 in the other, and knowing Mr. Takahashi, he's already got it put together.

MR. YABUTA: Do you wanna, are we in a position to give it to them? We'll take care of that.

CHAIR WHITE: Yeah. And we'll send you a note.

MR. YABUTA: Yeah. We always done that in the past but --

CHAIR WHITE: Right.

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MR. YABUTA: --with the changing in the format, we no longer have, but we'll have that information for you.

CHAIR WHITE: I know he's got it so.

MR. YABUTA: Yeah.

CHAIR WHITE: Thank you very much. If there are no further questions, we'll move on to the Technical and Support Services program. Chief, please proceed.

MR. YABUTA: Good afternoon. Our Technical and Support Services Program. The program serves all of the Department personnel and public. The Technical and Support Services is responsible for providing clerical, logistical and technical support for the entire Department. Components of the Support Services Bureau are the Communication Section, which is comprised of our dispatch and receiving desk, the Community Relations Section, the Plans and Training and Development Section, which is responsible for all training, and the Records and Documents Section, which is the designated repository for all criminal and civil reports and investigations. Therein lies the components of the Technical and Support Services Program and I open it for questions.

CHAIR WHITE: Okay, we'll start with Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. And just looking over the services provided, you do have a Community Relations section it looks like, and thereby there's a Commander of that particular branch in a sense who's also, I guess, a public information officer or is this person go out into the community as the voice of the Department per se, like PR type stuff?

MR. YABUTA: That's entirely correct. The Communications Section Commander is Lieutenant William Juan and he also serves as the public information officer for the Maui Police Department.

COUNCILMEMBER COCHRAN: Okay. Yeah, and, yeah, Chair, I don't have a whole lot of questions at this time but it's definitely a, I guess obviously, a support system that's needed in the Department and, yeah, I'm just trying to, there were some, I don't, not to rehash unpleasant experiences if it was, I wasn't there, but at the Kihei Community Association meeting, which turned into something other than what it was intended. It was a association meeting for the community but it turned into the big missing persons, you know, discussion, I guess, at the time. And I guess, being, kinda, in a sense caught off guard as to what the subject matter had become, I guess people were saying that perhaps, you know, a head, a public, a PR type thing could've been, I guess, better diffusing the situation at the time but, I mean, you do have one. And, again, you know, it was a situation that had occurred that wasn't intended.

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MR. YABUTA: Well, you know, I look at it in an entirely different perspective. I'm very proud of Captain John Jakubczak who's in the audience, who represented the Maui Police Department, and we certainly didn't hide from questions from the public, we took it right on, head on and Captain Jakubczak and Lieutenant Peter DeLima did an outstanding job. And that opportunity, you're not always gonna hear good comments about the Police Department, and it's our duty and responsibility to take the heat too and to take the criticism and so that, you know, we can work together with the community. And so, you know, we wanted to give the community, it was, that's just the way the stars lined up. We advocate town meetings every year and Captain Faamu did his job when I assigned the District Commanders to seek these town organizations, these community organizations, we'll take the topic to them rather than inviting them to our community town hall meetings and we weren't getting the numbers basically, we were not getting the numbers.

COUNCILMEMBER COCHRAN: Yeah.

MR. YABUTA: So it's just a matter of timing that we had two important investigations going on at the same time when we were scheduled to have that particular community association meeting. But we weren't going to change our position, we weren't going to cancel our presence. Instead, we opened up the dialogue with the community and it was, it was heated but, again, that's part of our job, is to listen to the community under circumstances that are adversarial at times and try to come to a conclusion at the end. And I think we did, I think we accomplished that because we shook a lot of hands at the end of that particular meeting. And, again, I want to commend Captain Jakubczak, who's the Commander of our Investigations Division, to answering every question, not only to that public hearing but to the press as well. And so I come out with a smile on my face that we were able to answer all the questions and my people maintained their composure throughout it all. So it was a good thing in my opinion.

COUNCILMEMBER COCHRAN: Very good, Chief. Thank you for those comments and that, you know, the learning experience for all of us, the community and interaction with our departments is very key and important. So thank you for those efforts. Thank you, Chair.

CHAIR WHITE: Uh-huh. Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair, and to dovetail on Ms. Cochran's comments and the Chief's response, I want to commend the group that was there that night as well. Not only did they answer the questions on stage and whatnot in front of probably 200 people plus. I don't know, you guys are better at estimating crowd sizes but then afterwards, they stayed afterwards for almost, what two hours after, still answering questions and taking interviews on TV stations and whatnot so they went above and beyond. One of the things that I got out of that, and maybe you might want to take a look at in line with what Ms. Cochran said, is that it seems that more information at the front or continual communications with at least the chief people involved might have prevented that type of situation. I'm sure you learned that through that process and so are you, do you have

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anything in your budget to kinda do a little bit more community relations as far as PR on “big events”?

MR. YABUTA: No, we don't have anything in our budget but we, like anything else, no matter what type of phenomena that affects the Department, we're going to look from it and learn from it and we certainly learned a lot from this. And on one hand, we don't have these type of tragedies very often and we move forward, we have moved forward. Not only do we have Lieutenant Juan as the PIO but we have now a Sergeant Audra Sellers, who's a vivacious person and an energetic and intelligent person and we're already moving forward on that. And we know the significance of dialoging with the community and our media. I'm very proud of our social media. That's something that people of my generation still have to come to grasp but the impact is so powerful that it also has negative ramifications as well to the point where it could affect an investigation. And so we're very cognizant about this and it's not a new art form, it's been out for quite a while but we all have to understand it and I have good, capable people handling that. And, in fact, the Maui Police Department is pretty much a pioneer in the social media capabilities in the State of Hawaii but we still need to work on that. And yes, I'm expecting a lot out of Sergeant Sellers and I believe Lieutenant Juan is doing a great job. But we've learned a lot from that and we're, you know, we always were sincere, but we learned how to express ourselves more efficiently.

COUNCILMEMBER COUCH: Thank you. Thank you, Mr. Chair.

CHAIR WHITE: Uh-huh. Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair. Chief, earlier on in the beginning of today's session I was asking about the three additional support personnel in the Technical and Support Services Program. So I'm looking at Page 561 and if you could look at Facilities Services Manager, it looks as though you're adding one here and it never existed before. And then you're deleting a Fingerprint & ID Technician or, I guess, you never had one, or you had one in 2013 looks like. And if you could, Chief, if you can explain the Facilities Services Manager and why you would need to add one and then from there I would be looking at Page 562, the next page, and you have...

MR. YABUTA: We just moved that, the ID to, from Support Services to Investigative. So it's now under the authority of the Investigation Bureau --

COUNCILMEMBER GUZMAN: Oh.

MR. YABUTA: --Investigative Bureau --

COUNCILMEMBER GUZMAN: Oh, so this is a transfer.

MR. YABUTA: --which makes much more sense.

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COUNCILMEMBER GUZMAN: Okay.

MR. YABUTA: You know, that particular position's effort is to identify prints associated to the particular crime scene or person. So it's more investigative that it is support services.

COUNCILMEMBER GUZMAN: Oh, okay, okay.

MR. YABUTA: So that's why we made that move. As far as the Operations office, excuse me, the Facilities Services Manager, we no longer have Assistant Chief Larry Hudson.

COUNCILMEMBER GUZMAN: Oh, okay.

MR. YABUTA: And, you know, we talk about government efficiency. Very rarely will you be able to find a police officer who also has the capabilities of building a police facility other than Captain Amaral. Those are very, very rare. So, and it's also costly, I mean, you know, Assistant Chief Lawrence Hudson was making a Commander's salary and primarily he was doing civilian CIP work. So what we'd like to do is design a Facilities Services Manager position, a civilian position, which is at a much lower pay rate, yet with, equipped with the knowledge and experience necessary to build facilities and maintain facilities. So hence the reason we want to change the skills of a Larry Hudson into a civilian position known as a Facilities Services Manager.

COUNCILMEMBER GUZMAN: Manager.

MR. YABUTA: Okay.

COUNCILMEMBER GUZMAN: And then on Page 562, looks like you're adding an Office Operations Assistant II, and why the need?

MR. YABUTA: That's for the radio shop because Captain Amaral is wearing about 20 million hats and what he doesn't have, while serving the entire Maui County in far as communication, he doesn't have a clerical person, not one. So deservedly so, the radio shop and Captain Amaral deserve a clerical personnel. So that's that position.

COUNCILMEMBER GUZMAN: Okay. And then last one, number three, would be Police Sergeant. Can you explain, I thought they would just rise in the ranks. Do you add on a position for this?

MR. YABUTA: Okay, well that's --

COUNCILMEMBER GUZMAN: How does that work?

MR. YABUTA: --that's our receiving desk, that's our in custody sergeant who's responsible for the in custody facilities and incoming bails, releases and so forth. So there's one sergeant always

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on duty in receiving desk but we only have five positions right now. And as we explained the need for a sixth ESD Molokai Dispatcher position, same theory applies to this. We'll save money in overtime by having a six-person rotation in the receiving desk system than what we currently have with five. So that's why we're asking for one more receiving desk sergeant. If you have any questions, go ahead and ask.

COUNCILMEMBER GUZMAN: What is the cost savings if we do it this way in terms of adding on as opposed to --

MR. YABUTA: Yeah.

COUNCILMEMBER GUZMAN: --rotating?

MR. YABUTA: We have some figures and Greg provided with, to the Department. We don't really have a cost saving analysis but we do have an estimate to justify six positions rather than the five. And for example, the receiving desk sergeant, we anticipate, well it's estimated that we need 8,766 total hours per year. With the equivalent personnel, that comes out to 2,080 hours but then you have to take into consideration, on average, 440 annual paid leave entitlements. That includes vacation, sick leave and holidays. Also, because they're sworn personnel, there's mandatory training they have to go to every year. They have to go to annual recall training, they have to go to annual firearms qualification and annual active shooter training. So the bottom line is there's a lot of dates that the staff, like all sworn staff, won't be able to come to work on their normal work schedule. They take vacations, they get sick, they have to go to training. So to compensate for that, we have to have a sufficient amount of staff so that we don't have to hold somebody over and maintain the receiving desk supervisory duties, which you have to have --

COUNCILMEMBER GUZMAN: Uh-huh.

MR. YABUTA: --without incurring overtime. So that's why, what it comes out to, to make it work, to make it work, Mr. Takahashi's figures come out to 5.5 receiving desk sergeants.

COUNCILMEMBER GUZMAN: Okay.

MR. YABUTA: So that's why we're asking for six. So do I have an exact figure? We can probably, you know, go based on our fiscal years, but we really don't have anything to compare it to because we never had a six-man, a six-person rotation.

COUNCILMEMBER GUZMAN: So...

MR. YABUTA: I can turn, I can give, well, I might want to do a spelling check first but then we can provide this for the Council.

COUNCILMEMBER GUZMAN: Sure.

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MR. YABUTA: ... *(inaudible)* ...

COUNCILMEMBER GUZMAN: That would be great, Chief. I just wanted to make sure that we're actually somewhat at cost or saving ... *(inaudible)* ...

MR. YABUTA: No, I totally agree, you know, Councilmember, I totally agree. Our perception of this particular request and that of the ESD for Molokai is to save money, not because of an increase of more workload or anything relevant to a need for more work to be done. This is strictly because it's a 24/7 operation and we don't have enough people to staff it efficiently without holding somebody over or calling back. Based on circumstances, it always will happen, sick leave, vacation leave and training.

COUNCILMEMBER GUZMAN: Okay, very good. Thank you. Thank you, Chair.

CHAIR WHITE: Uh-huh. Ms. Crivello, any questions?

COUNCILMEMBER CRIVELLO: Nothing right now.

CHAIR WHITE: Okay. Mr. Couch or Ms. Cochran?

COUNCILMEMBER COCHRAN: No.

CHAIR WHITE: Okay. Chief, could you give us a run down on how we're progressing with the equipment purchases in each of the areas for Fiscal Year '14?

MR. YABUTA: I believe we're still in the process of buying the vehicles, we, the bid process came...we've purchased everything in Fiscal Year 2014 except the mobile cameras, the four mobile cameras. So we only have a few months to go but we're on top of it.

CHAIR WHITE: Okay.

MR. YABUTA: Yeah. So that's \$14,000 a piece times four. Other than that, everything else has been purchased.

CHAIR WHITE: I was referring to all, in Investigative, Administrative and Patrol.

MR. YABUTA: So was I.

CHAIR WHITE: Everything's on track?

MR. YABUTA: Everything has been purchased.

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CHAIR WHITE: Okay. I got a couple of questions on this area but not much. In, on Page 15-81, what are the professional services that are covered by the \$384,000 request? I see that some of it has been shifted to Repairs and Maintenance.

MR. YABUTA: I'm going to refer that to Captain Amaral. That involves radio shop. Can I ask Captain Amaral to come to the podium?

CHAIR WHITE: Sure.

MR. AMARAL: Good afternoon. Good afternoon, Chair --

CHAIR WHITE: Good afternoon.

MR. AMARAL: --and Members. Captain Jeff Amaral, Maui Police. Some of the Professional Services deals with professional contracts with EFJohnson, having to maintain the current radio system that we have now and trying to wean off of that and trying to time this thing correctly so that we are not paying, you know, the full annual fees. So number one, that's part of it, and the other thing is for some of the emergency operating vehicle costs such as the satellite program, we have to pay annual costs on those things but we have our communications consultant on board, which is, again, starting to come toward an end hopefully over the next six months that we've ended up paying professional services to. We have some architect services and some biological services that we run into in some of our projects that we have to hire consultants on. So that have made some of the costs that gets involved here. Obviously over the years, I think we're up to about \$509,000 and that's been, being readjusted because there's less professional services being involved, but we still have operational expenses that we need to pay for.

CHAIR WHITE: So as we move forward with the finalization of the radio system project, will these fees come down or will they likely increase?

MR. AMARAL: Professional Services fees will always end up being there. We will have to come back to Council as the years go on because there's no way that this radio system that we're putting in now will be able to be maintained by a County base, it's gonna require vendor support. The good part with that right now though is that we have two years of maintenance included in the current contract once we get to the point of acceptance. If we get to the point of acceptance by the end of this year, so we're talking two years from that in order before maintenance issues become a payable expense, we're still going to have other expenses at sites. But as far as to maintain the electronics on the radio system side--I'm not talking generators, I'm not talking buildings and towers and so forth, we're always going to have that reoccurring--but as far as on the radio side, we will have an expense. I believe it is in our six-year plan, we've talked about it. That's somewhere in the area of about 700 plus thousand dollars in order to maintain this new radio system once we have completed the two years of warranty after we reach the point of acceptance.

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CHAIR WHITE: And will we be able to look forward to any cost sharing since this is a public safety, not just a police radio system? I know the Coast Guard are on it and...

MR. AMARAL: Chair, the members that share this system are relatively small.

CHAIR WHITE: Uh-huh.

MR. AMARAL: You know, you're talking five or six radios, it's not going to make a big dent. The cost sharing is actually within the County itself, where the big users are, whether it be Public Works, Water Department, Wastewater Management and so forth. So if we wanted to look at, to cost sharing, you know, within our own group, I know it all comes out of the same bucket, but from our budget within the Police Department and the radio shop, we are carrying the full load for the entire County, whether it be Fire --

CHAIR WHITE: Uh-huh.

MR. AMARAL: --Public Works, Highways, whatever it is.

CHAIR WHITE: And the shift of 125,000 from Professional Services to Repairs and Maintenance, what cost do you, have you incurred for this year out of the 125,000 that's currently in Repairs and Maintenance? Do you have that number? If not, I'm sure Mr. Baz can...

MR. AMARAL: We're talking about 6138 on Repairs and Maintenance?

CHAIR WHITE: 6135.

MR. AMARAL: Is that Building Maintenance?

CHAIR WHITE: It's Repairs and Maintenance Buildings, yeah.

MR. AMARAL: Okay. As far as that goes, that is costs incurred for building maintenance. We have 17 various radio facilities of which we had 125,000 there and part of, I think, that reallocation of the Professional Services is to assist us with increasing the costs that is associated with the building maintenance that goes on. Every so many years, we have to re-fabricate or refurbish all of our towers--in fact, right now I have a CIP project out to bid, a project out to bid to refurbish three locations. This is a continual thing that goes on because of all of the salt content and so forth that we have to keep our towers in good condition. We have to paint our buildings. We have air conditioning systems that need to be serviced and go out on us and so forth. So that is monies to maintain the physical huts, buildings, whatever you want to call, and the towers that are associated with those. And remember now too, we're on three separate islands with a lot of facilities. We're going up from 17 facilities now and when we're done with this, we're going to end up with 22 facilities.

CHAIR WHITE: Okay. Thank you very much. Mr. Baz, did you pull up the amount spent thus far?

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MR. BAZ: I have actuals for different sub object codes. For the Radio Shop, for 6132, Professional Services, the actual expenditures to date are 348,127. They did have some encumbrances from the prior year so that kinda helped to cover that. 6135, Repairs and Maintenance to buildings, there's no current expenditures but I think it's being charged to 6138, Repairs and Maintenance Service Contracts, year-to-date expenditures are \$297,563.

CHAIR WHITE: Okay. So where we have, I'm assuming that 6138 is the line right below that, both in the same --

MR. BAZ: Yes.

CHAIR WHITE: --radio shop?

MR. BAZ: 6138 is the R&M - Service Contracts.

CHAIR WHITE: Okay.

MR. BAZ: Yeah. Like I said, it just, it could be just charged to a different sub object code 'cause right not there's not, very little expenditures on 6135, which is Repairs and Maintenance Program.

CHAIR WHITE: Yeah, it looks as though for, a budgeted amount of approximately 640,000, we've only had less than \$300,000 expenditure. Is that correct?

MR. BAZ: You're talking about all three of those categories?

CHAIR WHITE: If I combine 6135 and 6138, I get a total for this year of 640,000 and you stated that there were no expenditures in 6135 and that it was probably charged to 6138 and the total so far this year is 297?

MR. BAZ: Yes, that's correct.

CHAIR WHITE: Okay.

MR. AMARAL: Mr. Baz. On some of the record keeping that I have, I'm showing about 118,9- of expenditures on 6135. So unless some of the coding is being modified, on Building Repairs and Maintenance alone for this fiscal, I've done about 119,000 so far in that area.

MR. BAZ: Yeah, according to the finance records, like I said it's probably being charged to a different sub object code because 910182 is your index code, right? 6135 shows actual expenditures of \$1,468. So yeah, a little discrepancy there.

CHAIR WHITE: What did your accounting show for 6138?

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MR. AMARAL: My accounting of records that I keep is 118,916.

CHAIR WHITE: For 6135 or 6138?

MR. AMARAL: For 6135.

CHAIR WHITE: What about 6138?

MR. AMARAL: Let's see. About, I want to say 148,9-, somewhere in that area.

CHAIR WHITE: Okay. So that would...

MR. BAZ: It makes sense.

CHAIR WHITE: Yeah, it makes sense, 'cause that's about the number you gave us.

MR. BAZ: Right.

CHAIR WHITE: Okay. And then, I think those are my only questions for the Radio area. Thank you very much.

COUNCILMEMBER COCHRAN: Chair, wait, hang on, sorry --

CHAIR WHITE: Oh, I'm sorry --

COUNCILMEMBER COCHRAN: --Captain, Chair.

CHAIR WHITE: --Ms. Cochran.

COUNCILMEMBER COCHRAN: Can I ask Captain Amaral some questions?

CHAIR WHITE: You sure may.

COUNCILMEMBER COCHRAN: Okay, thank you. Nice to see you, Captain Amaral.

MR. AMARAL: Same here.

COUNCILMEMBER COCHRAN: And my question, so I'm looking at the State E911 Wireless Commission grants. Are you, is that part of your...

MR. AMARAL: No, it's not.

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COUNCILMEMBER COCHRAN: Oh, okay, never mind. But, so, hopefully a more pertinent question to you then. Having...thank you for the tour up at Pu'u Mahoe, number one, and enlighten me on the, you know, what goes on up there, but we had a brief discussion in regards to Lanai 'cause you reiterated that we are three island wide and towers here and there and the challenges. But on Lanai at this time there's a new tower that went up or there's a currently a tower there that's been renovated or upgraded?

MR. AMARAL: In association with this project that I'm working on --

COUNCILMEMBER COCHRAN: Yes.

MR. AMARAL: --we have two current construction projects. One is up in Lanai Hale, which is up on the ridge that faces Maui and both Central Lanai. That is currently under construction; we just broke ground about two weeks ago. By the way, if I may add, that project went out to bid twice during the past fiscal. The first bid came in at over \$6 million. We decided to redesign, put it out to bid, it came in at 4.271, oh 4.1 million, somewhere around there. So we were able to shave off \$2 million on that project, which we were very happy to do. The second project you're talking about on Lanai is at, above Kaunalapau Harbor. That project has already gone out to bid and is awarded. It was supposed to break ground last weekend but due to weather it was postponed. So currently, we're going to have two construction projects going on on the island of Lanai.

COUNCILMEMBER COCHRAN: Thank you for that update. And in reference to the Lanai Hale one up there on that ridge, the, I think the Pulama Lanai declined watershed protection monies and thereby has that affected this project at all in any way or is there potential for something to be affected?

MR. AMARAL: I'm not familiar with that to comment either one way or the other. We are working and we'll be closely working with Pulama Lanai because our project up at Lanai Hale is going to require us to do a habitat conservation plan. We're working right now with the U.S. Fish and Wildlife Service along with the State DOFA people in putting that plan together. So in some facet or another, if it's not the water conservation, we will be faced with protecting the Hawaiian Petrel.

COUNCILMEMBER COCHRAN: Uh-huh, okay, well thank you.

MR. AMARAL: Sure.

COUNCILMEMBER COCHRAN: Thank you, Chair.

CHAIR WHITE: Just one other thing. I'm assuming that the other County departments that will be using the radio system will include the Water Department, Highways Division of Public Works and, I'm trying to think of other special funds that would be involved there. Could

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you put together a list of the other departments that will be using them and roughly how many users there might be?

MR. AMARAL: Sure, that can be done.

CHAIR WHITE: And I'm sure we won't have very many special funded users but, and I guess a question for Mr. Baz is whether this radio system would be considered as covered by the overhead charges that are charged to those departments by the Administration or whether we can go and ask or get funds out of the special funds for this purpose?

MR. BAZ: I'd have to review the cost allocation plan to see if that was included in that plan. We can take a look at that.

CHAIR WHITE: Okay. Thank you very much, Captain Amaral.

MR. AMARAL: And if I could just add --

CHAIR WHITE: Sure.

MR. AMARAL: --one final note to Ms. Cochran because I know that is of importance to your district. We did have a construction project in Honokohau and that, as of last month, has been completed.

COUNCILMEMBER COCHRAN: Oh, very good. Thank you very much.

MR. AMARAL: That's all I have, Chair, thank you.

COUNCILMEMBER COCHRAN: Thanks for the update.

CHAIR WHITE: It's referred to as the Cochran tower. Just kidding.

COUNCILMEMBER COCHRAN: Yeah.

CHAIR WHITE: Okay, any further questions on the Technical Support section? We do have the Grant Revenue Fund section of Technical Support. Any questions on that area?

COUNCILMEMBER COCHRAN: Yeah, Chair.

CHAIR WHITE: Ms. Cochran.

COUNCILMEMBER COCHRAN: I guess this is where that State E911 Wireless Commission funding is located at 1.3 million and I'm looking at, it's, I guess, for a six-year contract between MPD and the Pictometry Corporation, which I know our Planning Department definitely has been utilizing. So is that a collaboration? As Captain Amaral says, I mean,

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we're all part of the same team but funding's coming from different departments and sources to help one another in a sense. So is this where the monies is and goes to?

MR. BAZ: Member Cochran, from my understanding, this assists to pay for the flyovers. The Pictometry data that is utilized by the County, including the Real Property Tax Division.

COUNCILMEMBER COCHRAN: Okay. And, sorry, and for I guess, for the Department, and this is in particular for your flyovers, is that --

MR. YABUTA: I'm sorry.

COUNCILMEMBER COCHRAN: --top secret or, I mean --

MR. YABUTA: What was the question?

COUNCILMEMBER COCHRAN: --the flyovers for you, for your folks' references, is that just to show where populations are, or illegal growing, or...

MR. YABUTA: No. I'm sorry, the flyover.

COUNCILMEMBER COCHRAN: The Pictometry. The flyovers for the Pictometry --

MR. YABUTA: I'm going to have Deputy...

COUNCILMEMBER COCHRAN: --Pictometry photographic system.

MR. YABUTA: I'll refer that to Deputy Chief Tom.

COUNCILMEMBER COCHRAN: Okay. Thank you.

CHAIR WHITE: Actually I can help answer that. The Pictometry that, the Pictometry is used in their dispatch programming so it's all loaded in to, into their computer so they can guide officers responding to challenges, whether it's Police or Fire. I believe the Fire have access to it as well. And so their system requires that all the Pictometry be loaded all at once. So it's not until it's loaded there that other departments like RPT can access it. So that's why it's generally about 18 months after the flyover that we actually have access to it in other departments. We did talk to Pictometry about seeing if there was, what would the added cost be if we were able to get the flyover data downloaded into RPT as they were flying because that's how it's done if it's not being loaded into a dispatch system like the one we have. I'm sure you can probably add a bit more to that.

MR. TOM: Okay, Chair, Council members, the Pictometry was contracted through the Enhanced 911 Board several years ago and working with the tax office, they're doing flyovers alternate years so we do one year, tax office does one year, so they'll have the most current

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information. So it's funding that may go to the next, maybe two years, I think, I believe. It may end. So and it's up to the Enhanced 911 Board to resubmit or to continue to provide funding. And it is useful, our mapping, and it's good because, it's not always the newest information but it'll give us a general idea on terrain, especially areas where hikers may be lost or even subdivisions whereby we can see how, their fencing and stuff, but like I said, it's every year, a flyover. So it's renewed every year.

COUNCILMEMBER COCHRAN: Okay, thank you, Chair.

CHAIR WHITE: Uh-huh.

COUNCILMEMBER COCHRAN: Thank you.

CHAIR WHITE: Any other questions in this section? Mr. Guzman.

COUNCILMEMBER GUZMAN: Chair, I'm not sure whether this the appropriate section but this is for Deputy Chief Tom. I know last Budget session, they were requesting a robot and I actually had an opportunity to look at the tactical S.W.A.T. team in Kihei and I got a chance to actually see the robot, I guess it was on loan, and I was inquiring whether you guys were still requesting that type of technical robot. I know you couldn't show us pictures last time, so I was really intrigued to actually see it and see it operate and I had another follow up question on the S.W.A.T. team. Why are they not being paid hazardous pay as part of the S.W.A.T. team?

MR. TOM: The robot has been purchased. And as far as the S.W.A.T. team, you know, the Chief just signed a MOA with SHOPO, so that's coming.

COUNCILMEMBER GUZMAN: Okay.

MR. TOM: Yeah.

COUNCILMEMBER GUZMAN: Very good. Thank you.

CHAIR WHITE: I missed one of my questions. On Page 15-84, R & M - Services/Contracts, 6138 again, there's a, that line shows that in 2012 and 13 we had a expense of 93,000 and 86,000 and last year it was increased to 553,000 in order to cover the repainting of the Hale Makai facility. And that has been taken out and then there's an additional 80,000, I'm understanding that's for the forensic facility roof repainting, or is that... *(inaudible)* ...

MR. YABUTA: That's correct. Bear in mind, the forensic facility was not a new building when we assumed ownership of that operation and it's in need of repainting. So that's the reason why we're asking for \$80,000.

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CHAIR WHITE: Okay. But if I add the prior years, 80,000 or so to the 80,000 expansion, that's significantly less than the 300,000. Could you share with us what the funds were spent on this year, the \$553,000 level?

MR. YABUTA: Probably not right now, but we can research that and give you a listing of what that was spent for.

CHAIR WHITE: Okay, that would be great.

MR. YABUTA: Sure.

CHAIR WHITE: And the other question that came up in yesterday's discussion with MIS had to do with the replacement of the mobile communication devices. I'm not, the ones that are in the police vehicles.

MR. YABUTA: Yeah.

CHAIR WHITE: I believe there were, there are a total of 174 or something in that neighborhood, and the request was for the replacement of 130 units at a cost of \$500,000. So the question that came up yesterday was whether we need to replace, whether there are technical reasons why we need to replace all of those units this year or whether we can replace a portion of them this year and the remainder next year or the following year. And there was some concern that there was an incompatibility with the dispatch system that would render it difficult to utilize all the features of the new dispatch system. So if you can help us --

MR. YABUTA: Sure.

CHAIR WHITE: --understand.

MR. YABUTA: And, you know, we're asking for, well through the IT environment, we're asking for 130 units, mobile laptop units at \$4,000 each. So the total is \$520,000. And these are to replace our existing laptops in our vehicles because they are approximately eight years old and they are outdated, like any computers, an eight-year-old computer, and also because they are equipped with Windows XP, which as of yesterday I believe, Microsoft will no longer service.

CHAIR WHITE: I think it was the day before.

MR. YABUTA: The eighth, excuse me, the day before.

CHAIR WHITE: Okay.

MR. YABUTA: So, you know, if you look at the, you know, the Star Bulletin, Nation and the World side, it says XP users wide open to attacks but the bottom line is, is that these are

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antiquated computers and they're eight years old and they were very good computers, they're still working for the limited function that they have. But like any technology, you know, we need faster and better --

CHAIR WHITE: Uh-huh.

MR. YABUTA: --computers with at least Windows 7 so, and with more RAM as well.

CHAIR WHITE: Uh-huh.

MR. YABUTA: So it's just time that we replace the eight-year-old computers with new ones.

CHAIR WHITE: Okay, so these were all purchased pretty much at the same time then?

MR. YABUTA: Pretty much when we first began our procurement of the equipment necessary for the new RMS and CAD systems.

CHAIR WHITE: Okay. Okay, any further questions, Members, before we move onto CIP? Seeing none, we'll go onto the CIP projects, Chief.

MR. YABUTA: Okay, good afternoon. Our CRP [*sic*] requests is pretty pure and simple, like we talked before. Our primary concern is the development of the Molokai Police Station. And so there's funding for the cost of appraisal, which was 1.2 million and the second one is, and I'll have, I'll ask Budget Director Baz to explain, but a footprint for the Lahaina Police Station Development Project, \$75,000, not this fiscal year but next year's fiscal year request. So, you want to go ahead and explain that, Director Baz?

MR. BAZ: Sure. Mr. Chair and Members, the desire for the, or the need I should say, for a replacement station in Lahaina takes planning process. We're working, you know, with the Department of Management CIP Coordinator as well as the Police Department. They're, you know, like he mentioned earlier, trying to negotiate with the landowner in the West Side. We are asking for, you know, money in Fiscal Year 2016 for that due diligence process, probably an appraisal, maybe some other environmental requirements in Fiscal Year 2016, then, you know, we'd be coming back at a later time for acquisition and then design, construction and all of that. I don't currently have a projected opening date of a new facility but I assume it's beyond the 2020 schedule at this point. As far as the Molokai, Kaunakakai replacement police station, the Council did appropriate \$5,000 in Fiscal Year 2014 to do an appraisal. The appraisal came in at \$820,000. The landowner does not want to sell it for \$820,000 so we're still in negotiations with that. I did, we did put in \$1 million in Fiscal Year 2015. That would be the \$820,000 for the land acquisition and \$160,000 for design and \$20,000 for planning. That's what we have proposed in this item. Should a purchase price be negotiated that's different than this, you know, we would ask for a budget amendment along with the resolution to authorize acquisition of the land. So that would be having to come back to Council anyway at a later point.

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CHAIR WHITE: How many other options are there as to the siting of the station? It strikes me that, you know, we have --

MR. BAZ: Yeah.

CHAIR WHITE: --we're needing to move out of the present facility because of flooding.

MR. BAZ: Right.

CHAIR WHITE: We have a project in Public Works that was supposed to fix the flooding problem, if I'm not mistaken. Isn't that correct?

MR. BAZ: I'm not sure.

COUNCILMEMBER CRIVELLO: I don't know where that is though.

CHAIR WHITE: They said they had to, they had to re-engineer to, I guess, change the direction of the flow at some juncture.

MR. YABUTA: You know --

MR. BAZ: It's...

MR. YABUTA: --that would be going against the laws of physics in my opinion to try to remedy the flooding situation at the Molokai Police Station.

MR. BAZ: Yeah, also, Mr. Chair, the...

CHAIR WHITE: It wasn't just the police station --

MR. YABUTA: Oh, okay.

CHAIR WHITE: --area. 'Cause the police station is not the only area that floods in Kaunakakai.

MR. BAZ: Yeah, the flooding is an issue. The Police Department has outgrown their current facility. They have other issues in there, like no female locker rooms, no separate juvenile section as part of the requirements. And so there are some other concerns with the Molokai Police Station. As far as alternate land is concerned, when I was working with Assistant Chief Hudson on this, he, they did do some searches for land. Nothing had the zoning and utilities available that the property that we're looking at has. So major concern for commercial, available, you know, commercial-type land in Molokai.

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CHAIR WHITE: Well, I might remind you that the Council can initiate a Change in Zoning for you. So if you have a land owner that's not terribly willing to sell, we may be able to help you find another location.

MR. BAZ: Zoning is an issue but infrastructure is a larger and more costly issue.

CHAIR WHITE: Right.

MR. BAZ: This land already has the infrastructure in place for that.

CHAIR WHITE: I'm not questioning the need for upgrading the facilities. It's...

MR. YABUTA: Well, you know, the Kihei Station too was rezoned and it took us over two years --

CHAIR WHITE: Uh-huh.

MR. YABUTA: --to rezone it.

CHAIR WHITE: Well I think that was before, well, what we had been told by, and this is relatively recently 'cause it, you know, when we go through the General Plan and Community Plans, this Council makes zoning changes, community plan updates and general plans without the requirement of an EA or an EIS. So we ask the question, if that's the case then why do small projects, well, the issue that came up was we had, during the community planning in Kuau, a number of properties were incorrectly mapped into a, one was a Residential and it was put in Public/Quasi-Public, well when they came to the County and wanted to change, and wanted to add to their structure, they were told you can't because you don't have consistent zoning or community plan. And so they were told, in order, that they would have to go through a community plan amendment in order to use the house the way they wanted to and that they would have to do EA at their expense to correct our error. So we sent, Director Spence sent a request to the Office of Environmental Quality Control saying if this is our error, can't we fix it ourselves without an EA? And their response wasn't a narrow, yes you can do this particular one, it was much broader, it basically said, any Council-initiated change in zoning or community plan or general plan can be done without an EA because the overall planning process is done without an EA. So we can make adjustments without that additional expense. So just something for everybody... *(inaudible)* ...

MR. YABUTA: Yeah, I understand. Thank you. I think another consideration is the infrastructure, the water, especially on Molokai. You know we're in need of a station, with all due respect, as soon as possible. And the area that we looked at and surveyed, it's visible to the public because it's adjacent to the highway, it's more centered and closer to the airport where a lot of things can go wrong, and to the Westside of Molokai too. So it's an ideal location. It's flat, level, infrastructure and close the public works site. We have the support of the community as well. So, and like Director Baz said, it's just more than a flooding zone. It's the fact that it's an old station that can no longer serve the community. And that's why the

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Fire Department moved out. But the Maui Police Department was left behind and maybe we're partially responsible for that but the bottom line, if we have officers there, that whenever it does flood, they have to evacuate their own building. I've been there and I know how often that happens. It's not once in a lifetime or once every ten years, it's on a regular basis. So I agree with you and I want to thank you and again I'm not trying to argue a different perspective, it's just that there is a dire need for a station in Molokai, and that's why the Fire Department is no longer occupying the same facility that we're still using today.

MR. BAZ: Yeah.

CHAIR WHITE: Yeah, no, the Chair's only concern is being held up by --

MR. BAZ: Yeah.

CHAIR WHITE: --someone who wants a significant amount of money for a piece of land on Molokai.

MR. BAZ: Yeah, and Mr. Chair, I'm not sure what the current difference is between the request to the landowner and the appraisal. This was last revisited towards the end of the last calendar year. So negotiations will start up again should this CIP project be approved.

CHAIR WHITE: Okay, thank you. Any questions on this --

COUNCILMEMBER CRIVELLO: Chair?

CHAIR WHITE: --project?

COUNCILMEMBER CRIVELLO: I do.

CHAIR WHITE: Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you. I guess this would be for Director Baz, I think, and regarding the existing police station. I think we, there was \$300,000 at one point for renovations because of what you mentioned. The people's in a single office and the female locker was a broom closet. So am I to understand that that project is, is a done, because we're looking at building a new one? And then, are the funds then to lapse?

MR. BAZ: I'm not sure. I'd have to verify that. Yeah, since we don't have Assistant Chief Hudson anymore, the historical knowledge is...

MR. YABUTA: Yeah, I don't recall that renovation project. I know that the Department has invested in renovations for probably --

COUNCILMEMBER CRIVELLO: ... *(inaudible)* ...

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MR. YABUTA: --since 1990. Oh --

COUNCILMEMBER CRIVELLO: Yeah.

MR. YABUTA: --I think, are you referring to the cottages?

COUNCILMEMBER CRIVELLO: No, it's the Kaunakakai Police Station renovations. It's capital improvement program and the, it's an ensuing funds for Fiscal Year 2013 and it's renovations of the old Kaunakakai --

CHAIR WHITE: I'm sorry, we have to --

COUNCILMEMBER CRIVELLO: --Fire Station.

CHAIR WHITE: -- we have to, we have to recess.

COUNCILMEMBER CRIVELLO: Oh, I'm sorry.

CHAIR WHITE: ...(*gavel*)...

RECESS: 2:49 p.m.
RECONVENE: 3:05 p.m.

CHAIR WHITE: ...(*gavel*)... The Budget and Finance Committee will reconvene. And, Members, we do have the Prosecutor's Office to take a look at after we're done with the Police. So we have two more projects to review with the CIP program. So I'd like now to go the Countywide Police Facilities if you can give us a rundown on the projects you intend to accomplish with the 300,000, I'm sorry \$395,000 request.

MR. YABUTA: Yes, sir, we're asking for an additional 95,000. As a supplement from our previous \$300,000 from the other fiscal years, the previous fiscal years, and with the \$95,000 in addition to our Countywide funding, we need to rebuild our existing Molokai cottages, there's two of 'em. They're extremely old. I occupied one as a sergeant and I believe Deputy Chief Tom occupied one as an officer, a lot of Commanders here as well. They're old Hicks Homes, single wall construction, and they're in dire need of repair. So that's the reason why we're asking for an additional \$95,000 from our normal \$300,000 Countywide funding, which we need, especially at the Wailuku Station because it's an order building and repairs always manifest and so forth. I'm open for questions about this particular item.

CHAIR WHITE: Okay. Members, questions? Mr. Guzman.

COUNCILMEMBER GUZMAN: Chief, how many officers does it house?

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MR. YABUTA: You know what, I gave you the wrong information. I take that back. The \$300,000 is used, that portion of the \$300,000 will be used to renovate the Molokai police cottages. The additional \$95,000 is for the reroofing of the forensic facility.

COUNCILMEMBER GUZMAN: Oh, okay.

MR. YABUTA: So I'm open for questions there.

CHAIR WHITE: How large are the two cottages?

MR. YABUTA: Well, they're both three-bedroom, one bath cottages. I'm looking at about maybe 800 square feet per cottage.

CHAIR WHITE: Okay. Almost seems like we could replace them.

MR. YABUTA: That would be wonderful.

CHAIR WHITE: For that amount of money. Anyway, you might want to take a look at that as an option. Members, questions? Seeing none, let's move on to the Public Safety Radio System replacement. If Captain Amaral could give us an update on that.

MR. YABUTA: Yeah, I believe that'll be the best interest if Captain Amaral can...

CHAIR WHITE: I know he can do it without looking at any notes.

MR. AMARAL: Good afternoon, Chair, Members. On the Public Safety Radio System, as everybody knows, we are replacing that because the current EFJohnson system is out of or has come over technical obsolescence. So because of that in 2012 we went out to bid. Motorola Solutions is now the current vender. We're in the process right now of installing all of the infrastructure on four different islands. We should be done with the infrastructure installation sometime within the next month or so. At that point, we will be moving into coordinating the installation of mobile and portable radios throughout the County and we look at getting onto the new system sometime toward the Q4 of this year. So during the summer we'll be testing and kind of seeing how the system performs as the installation takes place. Chair, I had some accomplishments that we've done for 2013 and 2014 on what's been kind of happening. I don't know if you want to hear that or you just want to go into...

CHAIR WHITE: If you could give us a brief summary, that would be alright.

MR. AMARAL: Just a brief summary, okay. For 2013--I'm just going to go through some of the things that we've done in preparation. We configured two new radio sites in the Kaanapali area, both in north and south Kaanapali. That's always been a problematic area for, especially the non-public areas that police or fire need to respond to. So that's gonna fix that area of coverage. We've done some pretty big grounding projects. One of 'em was here at

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the Kalana O Maui building, you've probably seen them around, and also at the two hotels. Obviously what we do, we're normally the highest point on buildings. We attract lightning strikes and we know how that works sometimes. So those projects have been done so that we would have an electrical ground should we take a lightening hit and protect our equipment. In 2013 we had contracted the Honokohau Repeater site. We also went out to bid, like I said earlier in my testimony, for Waiakeakua, which is currently under construction and we also did the factory acceptance test in Schaumburg, Illinois last August to accept the radio equipment prior to it being shipped to Maui, where they actually physically showed us the equipment in working condition and so forth. As far as for 2014 so far, we have accomplished, like I mentioned, we're installing the infrastructure at the radio sites on four different islands. We also have a site on the Big Island, that's why we have Maui, Molokai, Lanai and the Big Island of Hawaii in order to provide coverage for our community. We also finished the Honokohau Radio site in West Maui. As I mentioned in earlier testimony, we started construction up at Lanai Hale. We're about to break ground at Kaunalapau on Lanai. In May of this year, we will break ground for a site that will cover Kahakuloa, which has been a very challenging communications area for many, many years. As far as project timing goes, we're on time for the most part. Some of the construction has slipped a little bit but it hasn't done anything to affect the schedule or turn on of our what we call our like for like, our replacement radio system. We're still on time for that. And if we do slip on the construction, we'll just bring up those nodes as they become available. And they're in relatively, in relative areas where we don't have that much traffic or have just been dead spots for a long time so it'll correct itself as we go. We still installing a tower, tower antennas and electronics. Over the next several months, like I mentioned, we're going to be coordinating the mobile and portable installations. We're going to follow up with some pretty intense training. One of the areas that we've been talking to our counterparts is you can have all the best equipment in the world but if your training program to bring everybody on board is not up to snuff, then we'll not have a successful project and we want to make sure that we do. So we're going to have a very planned out training program. We're going to start, as we've done this multiple times before, we're probably going to start in East Maui and work ourselves to the West until we cover all of the three islands and all districts. One of the things I can report is that this project has been within budget and some of it even below budget and that's kinda how we expect to keep it. There have been some changes that we have done from the original contract but I can say that that has been County-driven changes and not vendor-driven changes. Panel member White, Chair White, you always mentioned in previous testimonies that I've done before you regarding some of the funds that we may still have current in our CIP.

CHAIR WHITE: Uh-huh.

MR. AMARAL: If you look at that, there's still a bunch of money there but we are working on negotiating some of our design projects for a replacement radio tower up at, in the Hosmer's Grove area.

CHAIR WHITE: Uh-huh.

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MR. AMARAL: We've talked about that in the past, and also for two radio facilities in Lahaina, both at Water facilities. That would allow us to work with Water Department and so forth. And those are in motion as we speak.

CHAIR WHITE: Could you share with us, you had mentioned that you reduced the bid price of 6 million down to 4 million something, what was the original budgeted amount for that particular facility?

MR. AMARAL: We always looked at that facility to be in the \$4 million range internally. We had additional funding but that was for some of the equipment that we need for facilities and so forth. So we wanted to stay within that \$4 million avenue that we had set for that project.

CHAIR WHITE: Okay, great. Members, any questions? This is something that everyone is pretty well familiar with and it's a huge project and we thank you for keeping it on track and on budget.

MR. AMARAL: Thank you.

CHAIR WHITE: So congratulations. It's a \$30 million project over roughly a five year, five or six-year time frame, right?

MR. AMARAL: Correct.

CHAIR WHITE: Yeah. Okay, if there are no other questions, I want to thank the Department and thank all of you for joining us for this fun event. Right, Chief?

MR. YABUTA: I always look forward to this every year. I want to thank the Council, seriously. I know tough decisions have to be made. I want to thank the Mayor's Office and Budget Director, Sandy Baz, for doing a terrific job in structuring our budget but we know tough decisions have to be made but my part of the bargain is this, and it always will be, is to give you a prudent budget every year. We understand that, you know, economic times are fragile and so when we present a budget to this Council, it's what we need to provide essential public safety and law enforcement service. So that's my commitment to you, Committee Chair White and the Council. Thank you very much.

CHAIR WHITE: Thank you, Chief.

COUNCILMEMBER CRIVELLO: Thank you.

CHAIR WHITE: And we'll take a quick recess and, oh, no, we don't need to, Mr. Kim is right here. So we'll move along with the review of the Prosecutor's Office budget. We'll just take a one-minute recess. . . .(gavel). . .

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RECESS: 3:17 p.m.
RECONVENE: 3:22 p.m.

DEPARTMENT OF THE PROSECUTING ATTORNEY

CHAIR WHITE: . . . *(gavel)*. . . The Budget and Finance Committee will reconvene so that we can proceed with the review the Office of the Prosecuting Attorney. We'd like to welcome J D Kim. Good afternoon.

MR. KIM: Good afternoon, Chair White.

CHAIR WHITE: Go ahead and proceed.

MR. KIM: Thank you. I'm JD Kim, Prosecuting Attorney for the Department of the Prosecuting Attorney, Maui County, good afternoon. As you all know, we're charged with the responsibility of prosecuting all criminal offenses that occur in the County of Maui, including Molokai, Lanai, Kahoolawe and Maui. We have asked for two positions in this year's budget to increase our number of Deputy Prosecuting Attorneys. We pointed out to our administration that national average for a county of our size, counties with a population of 100,000 to 250,000, the average caseload for the prosecutors there or deputy prosecuting or district attorneys, is 500 cases. Currently, each of our, if we average out our cases, we carry 530 per deputy. So if you take that number, it'll come out to about 930 cases extra. So we believe two extra bodies would assist us and be able to serve the County. Currently, the increase of cases or transmittals from the Maui Police Department and other agencies have increased in the misdemeanor level, so in the District Court area. So we are asking for at least one more District Court attorney and we still have not been able to get our numbers down. In the felony screening department, we still carrying about 500 cases that have yet to be looked at so we carry those over. Referrals from the felony Criminal Investigation Division of the Maui County Police Department is about 6,000 cases a year, and so, well those are reported, and then whatever they send to us is holding about the same. But we need to get those numbers down. Most of the increase in the felony level cases are coming from our traffic stops where drugs are found and those become automatic felonies and those cases just pile up. They're not complicated, there may be some search and seizure issues but we need another deputy to help assist us. So at this time, if there is any questions regarding our budget requests.

CHAIR WHITE: Thank you. Mr. Guzman, we'll start with you.

COUNCILMEMBER GUZMAN: Thank you, Chair. Thank you JD, for coming down. Of course, my heart is always with your office, so.

MR. KIM: Thank you.

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COUNCILMEMBER GUZMAN: I know, being a former deputy prosecutor, the workload is tremendous and back in the day I think we only had 25 or 26 and I'm sure that the workload has very much increased. So, JD, Mr. Kim, sorry, you're asking for one line deputy in District Court and an additional line deputy in Circuit?

MR. KIM: That's correct.

COUNCILMEMBER GUZMAN: Okay, in felony. What divisions are we looking at for the Circuit Court?

MR. KIM: Well that would be in Screening Division.

COUNCILMEMBER GUZMAN: Oh, the Screening Division.

MR. KIM: That's correct.

COUNCILMEMBER GUZMAN: How many do we, do you have for screening right now?

MR. KIM: Currently we have a supervisor, who does screening. We have four plus one dedicated screener from the drug unit who can always take on trials. But right now that deputy is doing most of the screening. The larger cases, we still have a drug unit that other deputies will take on cases. And we also have a deputy who's dedicated to Drug Court. But --

COUNCILMEMBER GUZMAN: Okay.

MR. KIM: --that Drug Court deputy must also assist in screening cases, carry a caseload, besides doing, attending Drug Court for the court system.

COUNCILMEMBER GUZMAN: So currently you have four but it sounds like two of 'em do vertical prosecution. They go screening all the way to pretrial.

MR. KIM: No, no. The two that do the vertical prosecution are violent crimes --

COUNCILMEMBER GUZMAN: Oh.

MR. KIM: --our Violent Crimes Unit who do the child sex assault and sex assault cases.

COUNCILMEMBER GUZMAN: Okay.

MR. KIM: They screen their own cases. I'm talking about the Screening Division headed by Deputy Prosecutor John Tam, they do the other types of assault cases and property cases.

COUNCILMEMBER GUZMAN: Okay so the additional line deputy that will be going into felony will only be for screening?

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MR. KIM: That's correct.

COUNCILMEMBER GUZMAN: Okay. So, it, would there be any movement up to different divisions if you added...I mean, for instance, could, if you needed extra bodies in, let's say, Family Court, would then, would you then use that person to shift over to that division?

MR. KIM: If those cases come out that way, the volume of cases that come up from the Police Department, we could always adjust. Our deputies are not, we have deputies that are trained in a wide field of criminal prosecution and so they're not all stuck in one type of prosecution.

COUNCILMEMBER GUZMAN: Yeah.

MR. KIM: So we try to train them and develop them into prosecutors that can do all types of cases.

COUNCILMEMBER GUZMAN: Yeah, thank you. Chair, that's just pointed out that if the Prosecuting Office is gaining a prosecutor, it doesn't mean that they're going to stay in that division. There's cross training so there is that ability to move from one division, one section to another. It's just about adding another line deputy for that support. The case load is tremendous over there and I guess I'm going to ask an additional follow up, Mr. Kim. How is the electronic filing of the Judiciary, how are you guys handling it now 'cause I know last year when they were implementing, it was causing a lot of overtime for your staff.

MR. KIM: Yes. The learning curve was steep. However, we had some retirements in the support staff and with the newer support staff coming in, they're more amenable to the computer age and scanning and electronic filing. So now we've been able to keep up with the workload. It seems to be easier for them physically they don't have to cross the street, go over, run over to court, file the documents and come back to work. They can do it all from the office. So it appears that for, at least at the District Court level, they love that electronic filing. We're going to see it come down and wait for the Judiciary. Their gearing up to go and do Circuit Court electronic filing, and with the, with our office, their history and their work within that electronic filing and their experience level has gone up. So we've been able to work out the bugs and work with the Judiciary to get it done. So, yeah, it's been a tremendous help.

COUNCILMEMBER GUZMAN: Thank you.

MR. KIM: Thank you.

COUNCILMEMBER GUZMAN: Can I ask a few more questions --

CHAIR WHITE: You...

COUNCILMEMBER GUZMAN: --Chair? In reference to Page 581, in regards to the Services, you went from an actual of 2013 to 74,000 and it dropped down to 53,000 in the proposal. Is

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there something in the Services that you're lacking or you're getting rid of, or? Right here on Page 581 you went from 74,000 to 53. I know you run a tight ship over there, JD, but I wanted to know, are you really, is this something necessary that you're cutting out?

MR. KIM: Oh, this is for Services under Operation?

COUNCILMEMBER GUZMAN: Oh, let's see, where am I?

CHAIR WHITE: Correct.

MR. KIM: Yeah.

MR. BAZ: Are you looking at the General Fund, Mr. Guzman?

COUNCILMEMBER GUZMAN: Yeah, General, General Prosecution Program.

MR. BAZ: But the General Fund or overall? 'Cause there was some grant revenue that was lost.

COUNCILMEMBER GUZMAN: Oh, okay, maybe that's where it's at.

CHAIR WHITE: No, he's looking at the General Fund --

COUNCILMEMBER GUZMAN: The General Fund --

CHAIR WHITE: --Page 581.

COUNCILMEMBER GUZMAN: --Expenditures.

MR. BAZ: 581 shows a flat 53,000?

COUNCILMEMBER GUZMAN: Yeah.

CHAIR WHITE: No, but he was suggesting that in the two previous years it was close to 74.

MR. BAZ: Oh, I can look up the actual expenditures.

COUNCILMEMBER GUZMAN: And then, while you're looking that up. On the, Page 583 on the Equipment, you have Machinery & Equipment in 2012, 75,000 and then now, proposed is zero.

MR. KIM: The Machinery & Equipment, that involved upgrades. What happened was, the prior Administration, I believe, bought equipment, and we decided to lease. And so when they get old, what was happening was we were paying maintenance costs so that was skyrocketing as

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the machines gets older. And so instead of paying that maintenance costs, we decided to lease those machines and that brought it down considerably.

COUNCILMEMBER GUZMAN: Very good, thank you.

MR. KIM: And we're getting to the Services --

COUNCILMEMBER GUZMAN: Yeah.

MR. KIM: --on this \$20,000 difference.

COUNCILMEMBER GUZMAN: Not that saving money is a bad thing, Chair, it's just that I want to make sure that our people in the Prosecuting Office are well equipped with services.

MR. BAZ: So General Prosecution Program Services, \$53,000 is appropriated, year-to-date expenditures was \$26,988. So I'm not sure what the previous years' expenditures, why they were so high but the current year's expenditures line up pretty well.

COUNCILMEMBER GUZMAN: Okay. Okay, very good. Thank you.

MR. KIM: Thank you.

CHAIR WHITE: Okay. Mr. Couch. No questions? Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. Yeah I don't profess to know all about prosecuting attorneys but, so my question is about that vertical prosecution method. What is that? I can tell that Mr. Guzman knows exactly what it is but I've never heard of it and was just curious as to what that meant.

MR. KIM: When we first started our Administration, we decided because there was a back log of felony screening cases, we wanted each of the deputies from six to seven, six deputies prosecuting, reading the cases and then passing it on once they decided to file charges to another set of deputies. My initial thought was be more efficient to take all of the deputies in the Circuit Court level to screen cases as well as prosecute. What happened on the back end, once we did that was we had deputies in every other, they would have to attend cases in every courtroom. We could not get the Judiciary or the Public Defenders or the private bar, defense bar, to agree that, allow a team of deputies to only file cases in a certain courtroom. So say I would take Mr. Baz, Ms. Tesoro and myself and every time we file a case, we'd ask for a courtroom designation. The answer came back says that sounds like a good idea however it sounds like forum shopping so we're not going to allow you to do that. And so we had to step back and the secretaries who attend and actually run the courtrooms in our office were going crazy 'cause they had to deal with seven to eight deputies at a time. And so we went back to a team approach where we have the Screening Division who would screen cases and file charges. Those cases would then be sent to court for filing and they do

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it on a rotational basis so it's, doesn't matter which courtroom you're in, they just go down the line, one, two, three, four, and they assign it. And so if we prosecuted a defendant A and he got his first case assigned in Courtroom 1, his next case when we filed it, say he committed two or three crimes that month, his next case might end up in Courtroom 2 and then another case in Courtroom 3. And so we would have to move to consolidate to be more efficient. But the court did not bend on that, they still do that. So what we did to keep the vertical prosecution model, only with those very serious and sensitive cases, so our child sex assault cases, our sex assault cases, our murders, attempted murders, our homicide, negligent homicide, our manslaughter cases, those are vertically prosecuted. So we'll take one deputy, assign him or her to that case with the police, work the case up, file it, charge it, and they go from beginning to end and that's the vertical model. The horizontal model would be done at different levels. And so we have a modified horizontal model. With our more serious cases, it's still victim sensitive, victim centered, victim driven, and those cases are prosecuted vertically.

COUNCILMEMBER COCHRAN: Okay, yeah, that gives me a better picture of what that means. Okay, thank you.

MR. BAZ: And, Mr. Chair --

CHAIR WHITE: Uh-huh.

MR. BAZ: --I had pulled out the wrong date for that report that I read before. That was as of November 30th for some reason instead of March 31st. So they have actually spent \$43,438 year-to-date for services out of the General Prosecution Program. So they only have a small balance left over, \$9,500 balance left over. For the whole General Prosecution Program, they're running at about a 26.9 percent balance left over, which is, it's supposed to be 25 percent for the last quarter. So they're right at expenditures.

CHAIR WHITE: Thank you for that. Ms. Cochran, further questions?

COUNCILMEMBER COCHRAN: No, that's all. Thank you, Chair.

CHAIR WHITE: Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you, Chair. On Page 579, Goal 1, Objective 2, on the increase the rate of victim/witness. The percentage increases in Fiscal '14 from 73 to 85 but decreases in Fiscal '15. Can you explain why your estimate is at a decrease with...

MR. KIM: That takes into account the, our Victim/Witness Division losing two counselors that are on grant funds from the Justice --

COUNCILMEMBER CRIVELLO: Oh, okay.

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MR. KIM: --Reinvestment Initiative. That was the Governor's, one of the Governor's planks in his platform, and in an effort to bring back and stop, bring back the convicted felons who are being housed in the mainland and to get them back to Hawaii for their families. We spoke up at those hearings and said, look in order for them to come back and be whole and to be a contributing member to society, we have to also have them make the victims whole. And so we need victim/witness counselors to track these guys to make sure that they're paying back, doing the restitution, doing their fines, making sure that it's done for our victims. And so we got release funds from that initiative to hire two victim/witness counselors specifically assigned to property crime victims to make sure that they get their restitution. Not only that, to follow the procedure under the law to have those free-standing restitution orders filed as civil judgments against these defendants in case they come into some money.

COUNCILMEMBER CRIVELLO: So I guess that sort of ties in with your, the Goal 2, Objective 1, under Measurements, is, your actual in Fiscal '13, 82 and then '14 and '15 are 77 percent.

MR. KIM: That's correct. It does not appear that this legislation will be releasing those funds to the counties. And so I think we can hang on to that...we have one position now because nobody wants to be hired for ... (*inaudible*) ... that's going to end couple months after the fiscal year --

COUNCILMEMBER CRIVELLO: Uh-huh.

MR. KIM: --to August. And so, we're trying to hang on. We're working with the Attorney General's Office to see if they're going actually release more funds for that project.

COUNCILMEMBER CRIVELLO: Oh, okay, thank you. Chair, one more question, if I may?

CHAIR WHITE: Sure.

COUNCILMEMBER CRIVELLO: In the Details under Administration Program, Page 16-6, we're paying rentals? Where are you renting?

MR. KIM: We're renting at the old Ueoka Building. We're using the top floor as a Victim/Witness Center --

COUNCILMEMBER CRIVELLO: Okay.

MR. KIM: --the first in the State. And that's where we do most of our preparation for our Special Victims Unit, the sex assault, the children who become victims, also our adults. I've asked our deputies that they prepare their victims down at that building.

COUNCILMEMBER CRIVELLO: Okay.

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MR. KIM: You may or may not know, when you're around lawyers doing this type of work, they grow very thick skin, their sense of humor is kind of off. And so, and they blow off steam in various ways and we don't want to have that perception or have our victims be exposed to that. So instead of walking on eggshells, we have a special place for them to go --

COUNCILMEMBER CRIVELLO: Okay.

MR. KIM: --and be prepared and be professional.

COUNCILMEMBER CRIVELLO: Thank you. Thank you, Mr. Kim.

COUNCILMEMBER COCHRAN: Chair? Sorry.

CHAIR WHITE: Oh.

COUNCILMEMBER COCHRAN: Sorry.

CHAIR WHITE: Go ahead.

COUNCILMEMBER COCHRAN: Just a follow-up in regards to the Ueoka Building. Were we in discussion of purchasing? 'Cause --

MR. KIM: We were --

COUNCILMEMBER COCHRAN: --it was up for sale at one time.

MR. KIM: --with Administration...we warned Administration to have that building appraised and that sort of helped us out with the rent, that lowered the rent about a thousand dollars or so per month when we found out what the square footage we were paying for and what the appraisal value of that building was.

COUNCILMEMBER COCHRAN: Okay.

MR. KIM: And so we're still, I believe we're still trying to get that building. Because, if we, we can use actually, this is the idea of our First Deputy, Robert Rivera, that if we get that building we can also now try to get some of the police officers and maybe the Children's Justice Center to occupy the bottom floor.

COUNCILMEMBER COCHRAN: Okay.

MR. KIM: So it would be like a one-stop shopping.

COUNCILMEMBER COCHRAN: Right. Okay, yeah, that'd be wonderful. I was, had the privilege of getting a tour there and also your offices and saw where the children were, I

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guess, interviewed or whatever at the building next door in the vault and it was like, so it's much better and a nice center that you have provided with the paintings and the stuffed animals and what have you. So it's definitely a needed service and much more pleasant. So thank you for that service.

MR. KIM: Thank you.

COUNCILMEMBER COCHRAN: Thank you, Chair.

CHAIR WHITE: Uh-huh. Other questions, Members? What positions are currently vacant in your operation?

MR. KIM: We have one vacant position.

CHAIR WHITE: Which is that? Do you recall?

MR. KIM: The Director of the Victim/Witness Division. She retired last --

COUNCILMEMBER GUZMAN: Oh, yeah.

COUNCILMEMBER COCHRAN: Oh.

MR. KIM: --last year, Lena Lorenzo. So we are currently recruiting for that position.

CHAIR WHITE: Okay. In our printout from the Personnel Services Department, they list a couple of others that are on your funded list, PAF, a Deputy Prosecuting Attorney position that was vacated in January 15th of this year and they're noting that there's no request to fill. And another one, the Community Violence Prevention Program Manager position, PAF-0010, vacated on 8/15 of 2013 also no request to fill. Then another, they also list the Victim/Witness Counselor, PAT-0048, vacated January 15th and possibly to be filled via intergovernmental transfer.

MR. KIM: Taking the last first, that is the JRI position and we've been, we had an offer out to someone from Oahu who wanted to move to Maui. But I believe the handwriting was on the wall with respect to the JRI money not coming forward from the Legislature.

CHAIR WHITE: When you say, JRI, what is that?

MR. KIM: That's the Justice Reinvestment Initiative.

CHAIR WHITE: Okay.

MR. KIM: Now the Prosecuting Attorney's position were grant-funded positions that ran out. And as we were recruiting to fill the position that had been vacated, those monies ran out and so

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we just put them into the positions that we had that was vacated. And so they replaced the permanent positions from the grant positions.

CHAIR WHITE: Okay so the Deputy Prosecuting Attorney and the Community Violence Prevention, those were Federally funded and the Federal funds ran out?

MR. KIM: One was for OUI prosecution and that went into District Court, and that monies ran out. That was one of the last grants we got from Senator Inouye.

CHAIR WHITE: Okay. The reason for my questions is I'm just, I'm trying to get a sense of what your previous staffing level was, if you've lost funding for a couple of positions.

MR. KIM: Yeah, what was happening was we were recruiting for those positions and as deputies left, we were able to slide those people in once the grant funding went out 'cause we were recruiting on both levels.

CHAIR WHITE: Uh-huh.

MR. KIM: We've had recruitment for a sex assault attorney. We filled that position, she got ill, or her partner got ill. We replaced her with another deputy who had extensive training and then she left the office, and then the money ran out.

CHAIR WHITE: Uh-huh.

MR. KIM: And so we could not fill that position.

CHAIR WHITE: Okay. So your only position that is General Funded is the Victim/Witness Program Director?

MR. KIM: That's correct.

CHAIR WHITE: Okay. And from, Mr. Guzman understands what you go through better than any of us ever will but I, my question is, you mentioned that the average case load for municipalities of our size is roughly 500 cases per --

MR. KIM: Year.

CHAIR WHITE: --per year, per prosecutor.

MR. KIM: That's correct.

CHAIR WHITE: And that the, that we're at about 530. Is that correct?

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MR. KIM: Yeah. When we do our stats it's about 530 per year and they carry approximately, at least the Circuit Court attorneys, they carry anywhere from 30 to 40 cases at a time that is active and the rest are sentence. And then every month or every week they'll get new cases as they come along.

CHAIR WHITE: Right.

MR. KIM: We've been able to increase our filings from last, the year before was 811 felony filings. Last year our last case number was 975 or 74, so about a hundred more cases even with the staffing. So that was one of the reasons why we went back to the vertical prosecution for our general cases that we see.

CHAIR WHITE: How many of the people that you see coming through your system are repeat offenders because we, they get convicted and they're essentially released? And I know that's a frustration for the police, it's a frustration for the public. It's gotta be a bit of a additional tax on you all as well.

MR. KIM: We have kept those statistics. We count them as Career Criminal Program. We've been tasked by the State to have a career criminal prosecuting program. They fund one position and the County funds the rest. When it first came out, when the legislation first came out, they funded, I believe, three prosecutors 'cause we had three Circuit Court attorneys doing the Career Criminal Program. Now we have one. With respect to the numbers, I can't tell you right off the top of my head. I was, just been told from our stats, about 250 are career criminals, repeat offenders.

CHAIR WHITE: And of those 250 individuals, how many cases are they involved in? You mentioned that there was one person that had three cases going on in three different courtrooms at the same time.

MR. KIM: Yeah. In that case, she wasn't a repeat offender, she was just a multiple offender. So the 250 are not individuals, it's the cases.

CHAIR WHITE: Oh, I see, okay. So it's not, so...

MR. KIM: I can't tell you. I didn't break it down into how many defendants are doing 250 crimes--

CHAIR WHITE: No, that's fine.

MR. KIM: --250 filings.

CHAIR WHITE: Okay. Any further questions, Members? Mr. Guzman.

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COUNCILMEMBER GUZMAN: Thank you, Chair. So, Mr. Kim, if we were to add the additional two deputies, would your facility have enough room over there to house them, or I mean to supply an office because I know it's pretty tight right now with 29 --

MR. KIM: Right now --

COUNCILMEMBER GUZMAN: --deputies over there?

MR. KIM: --we have, and I can count the desks, we have two vacant offices and upstairs in the District Court, we have two vacant cubicles.

COUNCILMEMBER GUZMAN: Right.

MR. KIM: And so I, yeah, we have the space.

COUNCILMEMBER GUZMAN: Are we still, are you guys still renting from --

MR. KIM: We're still renting.

COUNCILMEMBER GUZMAN: --main, One Main Plaza?

MR. KIM: No, not in One Main Plaza.

COUNCILMEMBER GUZMAN: No more. So you're, all the deputies are right there in ... *(inaudible)* ...

MR. KIM: All the deputies except for the two that do the child sex assault cases. They're down at the Victim/Witness Center.

COUNCILMEMBER GUZMAN: Okay.

MR. KIM: And so currently our office can hold, we have three more desks, oh four more desks open. Oh, and including the basement. We have room down in the basement. We can still put deputies there. When I was a deputy initially back in 1990, when I came back to the office, I had two office space, one down at the police station to assist them with prescreening cases and then I had a desk down in the basement 'cause that's where the Westlaw terminal was. And so I occupied that space.

COUNCILMEMBER GUZMAN: And I'm sure Ms. Cochran has taken a tour of the facility and I'm still waiting for a budget proposal to maybe expand the office over there sometime to give those guys a little bit more elbow room.

MR. KIM: Well the issue there is it's a historical site --

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COUNCILMEMBER GUZMAN: Right.

MR. KIM: --so we have to go through the Historic Society if we wanted to do any more renovations. Right now we're in the process of repairing and redoing the tile roof 'cause it still leaks, or it's starting to leak. But as far as doing any extra construction and adding on, that would be another major task with the Historic Society.

COUNCILMEMBER GUZMAN: Thank you, Chair.

CHAIR WHITE: Uh-huh. Looking at the Grant Revenues, the Highway Safety grant has dropped from 150,000 to 40,000 projected for this coming year. Do you know what the reason is for that?

MR. KIM: The one Highway Safety plan that we had filled with, was the one I mentioned from Senator Inouye -

CHAIR WHITE: Oh, okay.

MR. KIM: --to fill that position on DUI prosecution and that monies ran out. We still have, I'm reminded that we also had a position from the DOT but we used those funds because that grant was pretty flexible into general prosecution.

CHAIR WHITE: Uh-huh. And are there, do you see any other chances for grants that would allow you to expand the two new positions by generating additional grant revenues?

MR. KIM: That grant was specifically written or given to us for the Justice Reinvestment Initiative. As far as carrying that load, what happened was the two that got hired, we had two that retired and one moved. And so those JRI counselors applied for those permanent positions and got in. So we now have a new JRI counselor, a Justice Reinvestment counselor, but the ones that have taken the permanent positions have been trained in this restitution issues and we hopefully can carry it forward and have them do the same type of service that they were doing, trained to do when the first came into the County. As far as expanding those positions, I believe most of our counselors are under either Violence Against Women's Act funded by them or Victims of Crime Act.

CHAIR WHITE: Uh-huh.

MR. KIM: And so they take care of mostly our violent crime victims. So we still need to be more sensitive to our victims of property crimes. We can see if there's grants out there but with monies becoming scarce in the Federal level, the, I guess the attitude is that, you know, with the property crimes, you got insurance, you can sue and that kind of attitude. But with the victims of violent crimes, that's the emphasis, has been throughout.

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CHAIR WHITE: Okay, thank you. Any further questions, Members? Staff, do we have any other follow-up questions for the Prosecutor? Okay. Any further comments from the Prosecutor himself?

MR. KIM: No. Thank you, Mr. Chair. Thank you, Committee members. I appreciated following the Police. It's...

CHAIR WHITE: I'm sure JD's happy he didn't come in the morning.

MR. KIM: Thank you very much.

CHAIR WHITE: Thank you.

COUNCILMEMBER CRIVELLO: Thank you.

CHAIR WHITE: And, Members, with that we conclude our reviews for today. We will be back here at ten o'clock tomorrow morning and we will see you all in Paia at six o'clock and there will be kaukau ahead of time. So with that we are adjourned. . . .(gavel). . .

ACTION: DEFER pending further discussion.

ADJOURN: 3:55 p.m.

APPROVED:



MIKE WHITE, Chair
Budget and Finance Committee

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CERTIFICATE

I, Annette L. Perkett, hereby certify that the foregoing represents to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 2nd day of May, 2014, in Haiku, Hawaii.


Annette L. Perkett