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COUNTY OF MAUI, STATE OF HAWAII

MINUTES OF THE MEETING OF THE MAUI POLICE COMMISSION

JULY 15, 2020 AT 2:06 P.M.

VIA BLUEJEANS VIDEO CONFERENCE

REGULAR MEETING

REPORTED BY: SANDRA J. GRAN, RPR/CSR #424

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APPEARANCES

COMMISSION MEMBERS PRESENT:

- Roger Dixon, Chair
- Roberta Patnode, Vice Chair
- Frank De Rego, Jr.
- Janet Kuwahara
- Randol Leach
- Mark Redeker
- Eugene Santiago
- Sharen Sylva

STAFF PRESENT:

- Chief Tivoli Faaumu
- Melissa Magonigle, Business Administrator
- Jennifer Oana, Deputy Corporation Counsel
- Amy Lau, Commission Secretary

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(JULY 15, 2020, 2:06 P.M.)

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CHAIR DIXON: Good afternoon. July 15th, 2020, the time is 2:06 p.m. This is the monthly meeting for the Maui Police Commission done via BlueJean app and I'll do a roll call. Chair is here. Vice chair?

VICE CHAIR PATNODE: Here.

CHAIR DIXON: Okay. Frank?

COMMISSIONER DE REGO: Here, Chair. Thank you.  
Aloha.

CHAIR DIXON: Janet.

COMMISSIONER KUWAHARA: I'm here. Thank you.

CHAIR DIXON: Okay. And Randol.

COMMISSIONER LEACH: I'm here. Thank you.

CHAIR DIXON: And Matt is excused.  
Mark.

COMMISSIONER REDEKER: Here, audio.

CHAIR DIXON: Okay. And Eugene?

COMMISSIONER SANTIAGO: Here. Present.

CHAIR DIXON: Good to see your picture, Eugene.  
And Sharen.

COMMISSIONER SYLVA: Here.

CHAIR DIXON: Where's Sharen? There's Sharen.  
Okay.

COMMISSIONER SYLVA: Here.

1 CHAIR DIXON: Gotcha. Okay.

2 Okay. We're going to begin with Presentation of  
3 Public -- By the Public of Oral and Written Testimony on  
4 Agendized Items and we'll start with written testimony. Amy,  
5 do we have any written testimony?

6 MS. LAU: No written testimony today.

7 CHAIR DIXON: Okay. So all written testimony, which  
8 included none at this -- today's date is concluded. We'll  
9 move on to oral testimony and/or video. Do we have anyone  
10 signed up to testify, Amy?

11 MS. LAU: I have not had a chance to inquire, but it  
12 looks like we may have two people.

13 Patricia Hunt, are you there?

14 MS. HUNT: Yes, I am.

15 MS. LAU: And will you be testifying?

16 MS. HUNT: Yes, please.

17 MS. LAU: We'll have --

18 CHAIR DIXON: Okay. And, I'm sorry, I didn't get  
19 the last name.

20 MS. HUNT: Hunt, H-U-N-T.

21 MS. LAU: Hunt.

22 CHAIR DIXON: Okay. And, madam, would you go ahead  
23 with your three-minute testimony.

24 And, Amy, would you start the clock.

25 MS. LAU: Yes.

1 MS. HUNT: First and foremost, I want to thank the  
2 Chief Faaumu and his specific law enforcement for acting so  
3 quickly with the drive-through with COVID and, second, the  
4 mayor, who I think has done a phenomenal job under the  
5 circumstances. But my reason why I'm asking for this meeting  
6 and I -- and I hate to have to go public on this, but I would  
7 like to have a meeting with Chief Faaumu and I'll be happy to  
8 have his corporate counsel present along with the mayor. I  
9 have been harassed by specific police officers and it's  
10 illegal to chalk tires and I've gotten three tickets, which  
11 affects my employment, my type of work, and my FA license.

12 Now, I came to the police for help when mistakes  
13 were made and now I'm the one being harassed. I want it to  
14 stop. So I am requesting publicly to have a meeting with  
15 Chief Faaumu, corporate counsel can be present, and with the  
16 mayor, because this is ridiculous. I have -- was pulled over  
17 on a dark road and I will get into the details with the chief  
18 because I -- this was brought to his attention with public  
19 records requests. He can't do anything unless him and the  
20 mayor -- as far as -- unless they know that there's a problem  
21 and the part of the problem is with specifics, but it's  
22 illegal to chalk tires, it's a U.S. Supreme Court case, April  
23 2019, and I'm tired of being harassed. I've been through hell  
24 during this pandemic.

25 Now, I've been more than nice, but because of

1 negligence and incompetence, this has cost me not only a job,  
2 but now I feel my life's at risk, so I would appreciate, Chief  
3 Faaumu, if I would be able to have a meeting with you and  
4 Mayor Victorino that is not on camera --

5 CHAIR DIXON: Ma'am.

6 MS. HUNT: -- out of respect to both of them  
7 because --

8 CHAIR DIXON: Ma'am, the speaker.

9 MS. HUNT: I don't think it's part of --

10 CHAIR DIXON: Speaker, this is --

11 MS. HUNT: -- they're part of the problem.

12 CHAIR DIXON: Ma'am, this is the chair. We're  
13 regulated, you can't have a direct conversation with the chief  
14 at this meeting, that's not part of it. If you have a  
15 specific complaint about one or more officers or civilian  
16 employees of the police department, you're encouraged to  
17 contact either the police commission secretary and there's a  
18 way to do that to fill out complaint form, which we can  
19 then --

20 MS. HUNT: I have.

21 CHAIR DIXON: -- officiate. Okay?

22 MS. HUNT: I have.

23 CHAIR DIXON: Okay.

24 MS. HUNT: And I've also filed an internal affairs  
25 and nothing's been done.

1 CHAIR DIXON: Okay. And let's not assume nothing's  
2 been done yet, because it's a --

3 MS. HUNT: Well, I'm trying to give the chief, out  
4 of respect, because I think if he was aware of the situation,  
5 I don't believe that he would allow this to continue.

6 CHAIR DIXON: I think he's pretty aware right now  
7 and I thank you very much.

8 MS. HUNT: He is now, but it's illegal to chalk  
9 tires.

10 CHAIR DIXON: Okay.

11 MS. HUNT: And I've had enough. I've been through  
12 hell during this pandemic.

13 CHAIR DIXON: Okay. We'll have -- we'll have to cut  
14 you off --

15 MS. HUNT: Thank you.

16 CHAIR DIXON: -- because you're off topic --

17 MS. HUNT: All right.

18 CHAIR DIXON: -- of the agenda. Thank you, though.

19 MS. HUNT: Thank you.

20 CHAIR DIXON: Thank you.

21 MS. HUNT: All right. Thank you.

22 CHAIR DIXON: And, Amy, who do we have next on  
23 testimony?

24 MS. LAU: Larry, will you be testifying?

25 MR. FEINBERG: Definitely.

1 CHAIR DIXON: Okay. That -- okay, Larry. Okay.

2 Larry, I lost you on the screen. Go ahead, Larry.

3 MR. FEINBERG: Okay. First, I want to congratulate  
4 all the new board members and commission members and  
5 congratulate you, Roger, for chair and Bobbie for vice chair.

6 I had an extensive conversation the other day with  
7 the new corp. counsel and she told me exactly what I'm allowed  
8 to say and not say and how the meeting works as far as my  
9 testimony. And like you just told this other lady, that you  
10 can't ask the chief anything directly, but on the agenda, it  
11 does have the chief's report and I request from the committee  
12 members that if you could ask a question of the chief that now  
13 with this new COVID-19 and they've been doing a terrific job,  
14 but it's going to come a time when unemployment runs out and  
15 all the thousands and thousands of people that are law-abiding  
16 citizens will not have any money. And for years, it's always  
17 been the police's job to -- you know, we're very fortunate on  
18 this island that it is the haves and the have nots. And when  
19 the have nots realize that they don't have any money, I wanted  
20 to know if the police department has any contingency plans on  
21 any kind of -- for rioting and looting, if they're geared up  
22 for that. You know, we've had major fires where they've put  
23 barriers up and police cars out for choke points and directing  
24 traffic and keeping people out of Hana, keeping people safe,  
25 so I just wanted to know if the police department at this

1 point in time -- not that I want it to happen, but just to be  
2 on the safe side for how things might turn out. You know,  
3 we've been very, very --

4 CHAIR DIXON: Okay. Larry, I think we've -- I think  
5 we've got the gist --

6 MR. FEINBERG: I'm only (inaudible) --

7 CHAIR DIXON: I think we've got the gist of what  
8 you're asking and I know the chief is -- is plugged into this,  
9 into the program right now. So if we have a commission member  
10 who wants to field that question and then ask the chief during  
11 his chief's presentation, we'll be more than happy to. And I  
12 didn't recognize you with the beard.

13 MR. FEINBERG: Hey, what can I tell ya. My COVID  
14 beard.

15 CHAIR DIXON: Okay. Thank you, Larry, very much.

16 MR. FEINBERG: Okay. Thank you very much.

17 CHAIR DIXON: Amy.

18 You betcha.

19 Amy, do we have anyone else signed up for public  
20 testimony?

21 MS. LAU: Is there anyone else that would like to  
22 provide public testimony? Please unmute yourself and identify  
23 yourself.

24 (No response.)

25 CHAIR DIXON: Okay.

1 MS. LAU: I see no one signed up.

2 CHAIR DIXON: Apparently not. And no one signed up,  
3 so this would conclude the public testimony portion of the  
4 police commission meeting.

5 Moving on to an agendized item of Approval of Police  
6 Commission Regular Minutes From June 17th. You all recall  
7 that, everybody received that in their packet. Prepared by  
8 Sandra Gran, our stenographer, she does quite a job given this  
9 video system. And I'll hear a motion for approval of that.

10 COMMISSIONER DE REGO: So moved. This is De Rego.

11 CHAIR DIXON: Okay. Frank made the motion, who  
12 seconds? Who's the second on that motion?

13 COMMISSIONER LEACH: (Gesturing.)

14 COMMISSIONER LEACH: That would be Randol. Okay.  
15 All in favor of the motion, let's start with -- try to do this  
16 by roll call. Bobbie.

17 VICE CHAIR PATNODE: Aye.

18 CHAIR DIXON: Okay. Frank made the motion, of  
19 course.

20 COMMISSIONER DE REGO: Aye.

21 CHAIR DIXON: And Janet.

22 COMMISSIONER KUWAHARA: Aye.

23 CHAIR DIXON: And Randol.

24 COMMISSIONER LEACH: Aye.

25 CHAIR DIXON: Mark Redeker.

1 COMMISSIONER REDEKER: Aye.

2 CHAIR DIXON: Eugene.

3 COMMISSIONER SANTIAGO: Aye.

4 CHAIR DIXON: And Sharen.

5 COMMISSIONER SYLVA: Aye.

6 CHAIR DIXON: Okay. Motion is passed and approved.

7 Moving on, Letters of Commendation. Once again, we  
8 have a number of letters from both outside the police  
9 department and internally generated by -- for a number of  
10 officers and civilian employees for jobs well done.  
11 Everyone's received those letters in their packet. So a  
12 motion to move to file?

13 COMMISSIONER KUWAHARA: I'd like to make a comment  
14 on that.

15 CHAIR DIXON: Yes, Janet.

16 COMMISSIONER KUWAHARA: This is Janet. Some of  
17 those letters still have Mayor Alan Arakawa on them, so I  
18 think they all need to be changed.

19 CHAIR DIXON: Okay. Point taken. Point taken.

20 A motion to approve?

21 COMMISSIONER DE REGO: So moved, Chair. De Rego.

22 CHAIR DIXON: Thank you, Frank. I'm going to you  
23 every time.

24 Second? Who's the second?

25 COMMISSIONER KUWAHARA: I'll second. Kuwahara

1 seconds.

2 CHAIR DIXON: Okay. Do -- let me put it this way  
3 for these simple motions: Is anybody opposed to this?

4 COMMISSIONER DE REGO: Without objection, yes.

5 CHAIR DIXON: Okay. Nobody objects. Okay. So all  
6 in favor, we'll call it unanimous. Everyone's in favor.

7 Okay. Letters moved to file.

8 Correspondence, you'll see Item No. 6, we have one,  
9 two, three, four separate correspondence communicated to us on  
10 a variety of matters. Those letters were included in your  
11 packet, PC 20-08, 20-09, 20-10, and 20-11. I'd like to make  
12 a -- hear a motion to move those to file.

13 COMMISSIONER DE REGO: So moved, Chair. De Rego.

14 CHAIR DIXON: Frank. Who's the second?

15 COMMISSIONER SYLVA: I second.

16 CHAIR DIXON: Okay. That would be Sharen. Anybody,  
17 anybody opposed to putting these to file?

18 COMMISSIONER REDEKER: Discussion from Mark.

19 CHAIR DIXON: Mark, discussion.

20 COMMISSIONER REDEKER: Okay. PC-08, -09, and -10,  
21 -08, the chief has already answered, it wasn't addressed to  
22 us, it went through other channels. -09 and -10 appear to be  
23 the same letter with a different name on them and they're  
24 asking for the same thing that -08. If we just file these,  
25 we -- and we answer -08, are we gonna have a problem with -09

1 and -10 because we didn't answer them when -08 got answered by  
2 the chief from a different place? I'm -- the only reason I'm  
3 asking this is, obviously, there's a playbook here that's  
4 in -- that's in effect and some -- somebody is driving this  
5 and if we give a slightly different response from one to the  
6 other, will that open us up or open the city -- or the county  
7 up to, in other words, someone saying, Oh, you didn't tell the  
8 truth because you answered it this way on this one and this  
9 way on that one.

10 CHAIR DIXON: Thank you, Mark. I'm glad you noticed  
11 that. I'll give you my take, the chair's take, but first let  
12 me ask Amy.

13 Amy, the response from PC 20-08, that was directly  
14 from the chief to the letter writer; correct?

15 MS. LAU: Hold on one second, please.

16 CHAIR DIXON: Yes.

17 MS. LAU: It went to the mayor for transmittal to  
18 Tamara Paltin, council member.

19 CHAIR DIXON: Then I had you send it to the chief,  
20 as I recall. 20-08, 20-09, 20-010, all these matters  
21 contained in these letters are operational matters outside the  
22 purview of the Maui Police Commission. These are the sole --  
23 under the sole umbrella of the chief of police for a very good  
24 reason instead of having nine policymakers. So, Mark, your  
25 comment was well taken and well thought out. Mark, did you

1 say something else there?

2 COMMISSIONER REDEKER: No. I just -- my only  
3 thought on this is that, as I stated, there is -- there's a  
4 movement afoot here to see how we're going to answer this or  
5 if we're going to answer. Quite possibly, these gotta be  
6 forwarded over to the chief so that the same answer can be  
7 given to every person, but that's just -- even though they  
8 were sent to us, these really, as you just stated, are not a  
9 privy of ours, but they certainly, you know, can be answered  
10 by the chief and I think we need to make continuity the rule  
11 here, not the exception.

12 CHAIR DIXON: Yeah. Well, my -- my standing to Amy  
13 is when we receive something that's similar to this or  
14 anything in this nature, we -- we retain it, but we also  
15 forward it to the chief, because it's under his auspices and  
16 not ours. So that's the continuity that --

17 COMMISSIONER REDEKER: Good.

18 CHAIR DIXON: -- that I've set up for this, if that  
19 is satisfactory to everybody.

20 Yes, Frank.

21 COMMISSIONER DE REGO: Chair.

22 CHAIR DIXON: Yes, Frank.

23 COMMISSIONER DE REGO: So I just wanted to -- De  
24 Rego.

25 CHAIR DIXON: Yes.

1           COMMISSIONER DE REGO: I want to echo your remarks.  
2 Filing these is just saying that we've taken appropriate  
3 action to make sure whoever knows, knows and that we can take  
4 no further action on it, that's my understanding of filing,  
5 and that we --

6           CHAIR DIXON: Thank you.

7           COMMISSIONER DE REGO: -- intend to take no further  
8 action, so...

9           CHAIR DIXON: Yeah. Thanks, Frank, for the  
10 clarification, that's well put. Well put.

11           Okay. So did we take -- yeah, we took the vote  
12 on -- no, we didn't. Okay. Anybody opposed to sending this  
13 to file?

14           (No response.)

15           CHAIR DIXON: Okay. I take that as no. Everybody's  
16 in favor, I assume. Everybody in favor of putting this to  
17 file, aye?

18           (No response.)

19           CHAIR DIXON: That's unanimous. Okay. That's a  
20 unanimous vote.

21           Okay. Let's move on to the very, very interesting  
22 portion of our meeting. We have the chief's report. Chief,  
23 are you -- are you there? I see you're logged on.

24           CHIEF FAAUMU: Yes. Good afternoon, Chair. Good  
25 afternoon, Members. I hope everybody's doing well and stay

1 safe. Anyway, before I start my presentation, I'm pretty sure  
2 each one of you should have the highlights from the -- the  
3 bureau commanders.

4 Amy, I think they should have all of that.

5 So what I can do is, you know, basically give you a  
6 recap on what is going on now and where are we going with it.  
7 I know Mr. Feinberg had asked some questions about that and  
8 addressed those issues. So I'll start off with -- with our  
9 personnel. Right now the assistant chiefs and -- and the  
10 deputy, they are doing interviews for sergeants and captains.  
11 They started this morning and they should complete that and  
12 turn the result to Mr. -- to Ms. Melissa Magonigle.

13 So moving on to -- the next item that I have is  
14 COVID-19 and I know that is a big concern to all of you and  
15 even to public testimony individuals. Where the department is  
16 doing with it, basically we comply with the orders from the  
17 governor's office that is funneled down to the mayors. As you  
18 all know, right now we are working with the National Guard to  
19 augment our manpower at the roadblock to Hana. That roadblock  
20 will end today as of July 15, that will be the last time we --  
21 we'll be out there, and then we're going to do an assessment  
22 to see where we are with the concern from the public and we  
23 will adjust accordingly.

24 As I mentioned, the National Guard has been  
25 supporting us, they support us really well with handling our

1 food drives, the testing site, and even some of the other  
2 administrative issues that require our attention at the  
3 airport, they are working with us on that and they had augment  
4 our manpower in that.

5 The other area of concern, too, is the preparation  
6 for the transpacific travelers. As you all know, we open our  
7 state June 16 and up to this point, Maui County is really --  
8 we're pretty much low with new cases. I believe we are maybe  
9 at 15 to 16, that's an estimation on my part, on new cases  
10 since we opened the state, so that contribute to the hard work  
11 of those and even the stakeholders in our community that work  
12 with us on it. Right now we are preparing for the  
13 transpacific, once it's opened. As you know, the governor had  
14 announced August 1st, but had pushed back. So there will be  
15 challenges with us when that happens.

16 One area that is gonna be a big challenge for us is  
17 to follow up with quarantine violators and so right now where  
18 we are is we have what we refer to as a call center at the  
19 police station and it's run by our intelligence unit. So any  
20 violators of the quarantine, once they call the police  
21 department, an officer will respond to that and if it is the  
22 violators, then they will contact the center for us to assign  
23 officers to handle that. We also work very closely with the  
24 Maui Visitors Bureau. When they contact the call center, we  
25 do follow up on some of the possible violators.

1           Though, as you know, once they increase the flights  
2 coming on to the islands, then that is one area. We've been  
3 talking with the National Guard to see how they can augment  
4 our -- our personnel in that area because I believe that will  
5 be an area of concern for us scheduling. Right now we have  
6 all the districts with the exceptions of Central District back  
7 to normal. They are back to their normal schedule and they --  
8 based on their situation report that they submit to the chief  
9 on a daily basis, so far, so good as far as the report from  
10 the districts. District 1 or Central District, they're still  
11 on the 12 hours and it is due to manpower. We also do the  
12 same thing with our emergency service dispatchers, they are on  
13 12-hour shift to -- to make sure that we have enough coverage.

14           We continue our recruitment and we -- we are doing  
15 well with it. You know, right now we have one class that is  
16 going on, they are getting close to the end of the academy and  
17 we are looking at starting another class, another academy.

18           Let's see. Did that, did this.

19           Again, Mr. Feinberg's concern. We do, we have a  
20 unit that is prepared at all times in case we have -- as far  
21 as unruly protests or things like that. As you can see, we  
22 had worked very, very closely with our -- with the public  
23 addressing those issues and the other thing we do is we allow  
24 our community relations to work very closely with the  
25 organizers of any protest that is coming up. It is their

1 right, their First Amendment right, but we want to make sure  
2 that everybody involved, including those that are not  
3 involved, are protected in that case.

4 Let's see. Last thing I wanted to do is to cover  
5 the Uniform Crime Report that the Maui Police Department  
6 received for calendar year 2018 and calendar year 2019. So  
7 what I'll do is I'm just gonna give you a -- I'll read, read  
8 to you the email that I received from the attorney general's  
9 office analyst that prepare this. So for 2018 there's been  
10 some notable reports, but --

11 You know, Mr. Chair, if you don't mind, if I can  
12 just kind of give everybody a quick snapshot of what is the  
13 Uniform Crime Report. The Uniform Crime Report is managed by  
14 the FBI and they break down to different categories and they  
15 refer to it as index code, index crime. And then in those  
16 categories, we're talking about homicide, murder, robbery,  
17 aggravated assault, burglary, larceny theft, motor vehicle  
18 theft, and arson, so those are the areas that the Uniform  
19 Crime Report fall under and they have Part 1 and Part 2.

20 So for Maui Police Department for the year 2018,  
21 read verbatim straight out from the attorney general's office,  
22 Maui County's record low total index crime rate was reached in  
23 2018 and was then surpassed in 2019 driven by record low  
24 property crimes in both, both years. And so which means we  
25 had addressed a lot of those issues that the community has.

1 Among the individual property crimes we're including are  
2 burglary, theft, and -- that were reported in 2018 and also  
3 record low on robbery that was reached for 2018. And then  
4 2019, we fell lower than that in 2019 and, basically, the  
5 lowest -- those two years, some category we recorded the  
6 lowest in the reporting since the Uniform Crime Report started  
7 in 1975. So it is kudos to our officers, regardless of the  
8 manpower, but they're allowing our -- the supervisors and the  
9 commanders to address those issues that are in the community  
10 and -- ensure our public that -- that our community is a safe  
11 place to be in. So kudos to our department for doing that.  
12 And, again, the records is so low, it's in comparisons to all  
13 the years and it is as low as crime started reporting in 1975  
14 when the Uniform Crime Report was submitted.

15 Anyway, other than that, we continue our  
16 recruitment. We're looking at some of the personnel from the  
17 National Guard, we do have some of their folks sign up with  
18 us. Other than that, I don't have anything else in my note  
19 here. You folks should have the highlights. And with that,  
20 unless there is any questions, Mr. Chairman, this conclude my  
21 report.

22 CHAIR DIXON: Thank you, Chief.

23 Does anybody have any questions on the commission?

24 (No response.)

25 CHAIR DIXON: Okay. Chief, go ahead with your next,

1 please.

2 CHIEF FAAUMU: Okay. So hearing none,  
3 Mr. Commissioner, I am gonna --

4 CHAIR DIXON: Hang on, Chief. Hang on just a  
5 second.

6 CHIEF FAAUMU: Excuse me. (Inaudible.) Yes.

7 CHAIR DIXON: Vice Chair Bobbie.

8 COMMISSIONER PATNODE: I just.

9 CHAIR DIXON: Vice Chair Patnode.

10 VICE CHAIR PATNODE: I was able to get a copy of the  
11 unified crime report from the chief last month and I'm  
12 wondering if we could have Amy send that out to all the  
13 commissioners.

14 CHAIR DIXON: A question, Chief: Is that PDF  
15 available?

16 CHIEF FAAUMU: Yes, Mr. Chairman. I just forward  
17 that email to Ms. Amy Lau so that information can pass on to  
18 the members to see what I'm talking about.

19 CHAIR DIXON: Great.

20 VICE CHAIR PATNODE: Thank you.

21 CHAIR DIXON: Great. We'll make sure that happens,  
22 Vice Chair. Thank you. Thank you.

23 CHIEF FAAUMU: And hearing --

24 CHAIR DIXON: Any other questions for the chief?

25 (No response.)

1 CHIEF FAAUMU: Hearing none, Mr. Chair, I know -- is  
2 Melissa Magonigle on the line?

3 MS. MAGONIGLE: Yes, I'm on, Chief.

4 CHIEF FAAUMU: Okay. Mr. Chair, we can continue  
5 with Ms. Magonigle.

6 CHAIR DIXON: Thank you.

7 MS. MAGONIGLE: Okay. Good afternoon, everybody.  
8 For the staffing and financial reports: For staffing, it's as  
9 of June 30th, so we're at 82 percent staffing for sworn, 67  
10 percent staffing for non-sworn, and 78 percent total. We  
11 have -- as of June 30th, we had 22 conditional offers that  
12 were outstanding. So we have another one that moved into the  
13 physical phase, so because of the constraints on the doctors  
14 and with making appointments, that's been taking a bit longer  
15 to get their medical clearance, so hopefully we'll have some  
16 new hires soon. But, yeah, 22 conditional offers in the MPD  
17 process.

18 There was an increase in salary as of July 1st for  
19 SHOPO, so that is listed there. Effective July 1st they  
20 received a 2 percent across-the-board salary increase.

21 For dispatchers, 26 vacancies, so 46 percent  
22 staffing for the dispatchers. And with HGEA, there's no  
23 contract finalized yet, so there haven't been any increases in  
24 pay for any HGEA employees.

25 For the financial report: As of May 31st, the

1 departmental balance is at 16 percent, so next month I'll have  
2 the end of the fiscal year, I'll provide the report on fiscal  
3 year.

4 For the grants, all the grants are annotated with  
5 the terms, the grant amount and how much has been expended and  
6 the balances.

7 For CIP, the report has all the balances listed.  
8 Just some updates on some of the CIP projects: For the  
9 forensic facility air-conditioning, we -- there was an  
10 agreement made with the hospital that the autopsies can be  
11 done at the hospital while we work on the air-conditioning at  
12 the morgue, so we're looking that the project to begin at  
13 the -- later this month or beginning of August.

14 For the fuel tank replacement, the bids will be  
15 going out at the end of this month with a bid opening August  
16 26th.

17 The Wailuku Station parking lot, we put that on  
18 hold. We're waiting for the stadium parking lot to be  
19 completed, 'cause that was our backup plan for our parking, so  
20 that one got put on hold a little bit. The bid opening is  
21 planned for October 2020 with construction to start in  
22 November of this year.

23 The car wash, we're doing an environmental  
24 assessment on that right now, so that's still being defined.  
25 They want the water to be recycled water, that's a new federal

1 requirement, so that's something that we're working on, is  
2 doing an environmental assessment on MS4 to have the recycled  
3 water for our car wash facility or car wash replacement. So  
4 those are the CIP.

5 I do have a summary of the FY '21 budget that I can  
6 provide. And, also, I'll send this -- I'll give this to Amy  
7 in PDF also so it'll have all the details in there, but just  
8 to go over from -- the change from FY '20 to '21, overall  
9 there was a 2.6 percent increase in our budget overall.

10 Just to recap: We had pre-budget meetings, so we  
11 meet with all the commanders from every bureau, we met with  
12 the commanders of the Investigative Services Bureau September  
13 16th, 2019, Support Services Bureau September 17, and  
14 Uniformed Services Bureau September 22nd, 2019. So this is  
15 pretty much where they give the chief what they need for  
16 them -- for their budget, what they are requesting for their  
17 budget. We presented the budget to the police commission on  
18 Wednesday, October 23rd, 2019, and submitted it to the county  
19 November 8th.

20 Some of the changes that were implemented in the A  
21 account, which is salary and wages, as I mentioned, with SHOPO  
22 there's a 2 percent across-the-board pay raise, so all sworn  
23 officers received the 2 percent. Sworn officers with SHOPO in  
24 the collective bargaining agreement also received a lump-sum  
25 payment ranging from \$1,800 at Step A to \$2,000 at Step L5.

1 So depending on what step they were on, they received a lump  
2 sum. And that's -- that remained the same as FY '20. Council  
3 went -- reduced our premium pay by 25 percent across the  
4 board, so, of course, we're making cuts, so that was the cut  
5 made is the 25 percent across-the-board reduction in premium  
6 pay.

7 Also in salary and wages, eight expansion positions  
8 were approved in FY '21 budget, those positions include a  
9 police psychologist, a grants management operations assistant,  
10 a public safety aide for Molokai Patrol, a public safety aide  
11 for Lanai Patrol, a police sergeant for Receiving Desk, one  
12 OUI police officer for the Traffic Section and two solo bike  
13 officers for the Traffic Section.

14 Going into our operating expenses, into our B  
15 account, we requested about \$91,000, that amount was reduced  
16 to 37,000, so there were a few items that were cut in there.  
17 When I send the PDF to Amy, it'll list exactly what was cut.

18 And for the C account, the equipment account, the  
19 department requested 2.2 million increase and it was reduced  
20 to 1.9 million. And, again, I'll list the equipment that was  
21 cut. So with those items that were cut, we will look for  
22 grants or maybe different avenues where we can purchase the  
23 items that were cut.

24 For the vehicles, the police department requested  
25 108 vehicles and 57 vehicles were approved. So this was the

1 largest increase was because last year 25 vehicles were  
2 approved, this year 57 vehicles were approved, so that was a  
3 larger increase in our equipment. In addition to the 57  
4 approved vehicles, we also -- it was approved for one  
5 replacement trike and two replacement motorcycles for the solo  
6 bike unit. And I'll get this sent out to Amy with all the  
7 details.

8 And that's all I have, Chair and Chief.

9 CHAIR DIXON: Thank you, Melissa. I have a question  
10 for you.

11 MS. MAGONIGLE: Yes.

12 CHAIR DIXON: The chair is speaking. You have a  
13 graduating class within the next few weeks; is that correct?

14 MS. MAGONIGLE: I'm not sure of the date. I don't  
15 know if the chief has the specific date.

16 CHAIR DIXON: Okay. How many -- how many will be  
17 graduating, do you know?

18 MS. MAGONIGLE: I believe it's ten we have  
19 graduating.

20 CHAIR DIXON: Yeah, okay. Okay.

21 Anybody have any questions for Melissa on the budget  
22 and staffing? Mark. Excuse me, Frank.

23 COMMISSIONER DE REGO: I just wanted to thank  
24 Ms. Magonigle for teasing out the premium pay in this report,  
25 that was very instructive, I think, seeing what's sort of

1 going on there, so -- but I wanted to thank you for the extra  
2 work in teasing that out.

3 MS. MAGONIGLE: Okay. You're welcome.

4 COMMISSIONER DE REGO: Thank you.

5 MS. MAGONIGLE: Thank you.

6 CHAIR DIXON: Anyone else? Mark, you're on audio,  
7 anything?

8 COMMISSIONER REDEKER: No. I'm good.

9 CHAIR DIXON: Oh, okay.

10 Okay, Melissa. Thank you so much.

11 Turn it back to the chief.

12 MS. MAGONIGLE: Thank you.

13 CHIEF FAAUMU: Thank you. Thank you, Mr. Chairman,  
14 and let me conclude my report. I'll start off with the  
15 graduation with the questions you have. We are looking at  
16 least tentative date, August 28. As you know, the rules is no  
17 more than 50 people indoors and no more than 100 outdoors, so  
18 our Plans and Training Section are working with the -- the  
19 academy folks to come up with the -- a venue as far as  
20 graduation. They are close to the end of their training right  
21 now, so that they have a few -- a little over a month left to  
22 finish.

23 I know Ms. Magonigle talked about recruitment, I  
24 wanted to add we also have nine cadets that we hired -- we  
25 offer, conditional offer of employment. What we are doing

1 with this program is we allow them to sign up from wherever  
2 they are and then they will report to the districts that --  
3 close to where they live. We're going to develop a training  
4 program, it will be managed by our -- our Community -- our  
5 Community Section Outreach Program and they -- we're hoping  
6 that we can -- with the cadets, they can slowly graduate into  
7 moving to become a police officer.

8 As Melissa mentioned to you folks about the budget,  
9 our budget was geared more to the need of the community. As  
10 you see, the expansion positions was more in the traffic area,  
11 increase in the solo bike detail and other -- the OUI, and  
12 that is in line with the mayor's Vision Zero program that he  
13 put out. As you know, knock on wood, right now we have six in  
14 comparison, six fatalities compared to 12 the same time last  
15 year. So hopefully we can continue our recruitment and the  
16 cadet program will move forward and we can at least get a  
17 turnout from our cadet program to -- to become police  
18 officers.

19 That is the end of my report, that concludes my  
20 report, Mr. Chairman, unless someone has a question.

21 CHAIR DIXON: Anybody have any questions? Frank.

22 COMMISSIONER DE REGO: Chief, just a question about  
23 the Vision Zero and some of the outcomes from that. I -- have  
24 you noticed during COVID-19 that there's been an increase in  
25 speeding citations during this period? 'Cause there's been a

1 lot of reports in the news, so I wanted to confirm facts  
2 instead of just reporting that -- that there's actually been  
3 an increase in speeding violations during this -- this period.

4 CHIEF FAAUMU: Thank you. Thank you there,  
5 Mr. Chair, if I can respond to commissioner. Yes, there is.  
6 To answer your questions, there have been an increase. And  
7 during the COVID-19, we had other campaign nationwide, Like  
8 Distraction Campaign and Seatbelt Campaign. What we did with  
9 that, we -- we defer those campaign and focus on the speeding.  
10 And you're right, I guess we're so used to driving in the  
11 congested traffics and then now the road is open and -- and  
12 sometimes we forget to slow down. Yes, we had our Traffic  
13 Section out there a lot to -- to monitor and also to get  
14 compliance from our community.

15 CHAIR DIXON: Any other questions?

16 CHIEF FAAUMU: I hope that answered your question.

17 COMMISSIONER DE REGO: Thank you, Chair. Thank you,  
18 chief.

19 CHAIR DIXON: Anyone, any other commissioners have a  
20 question for the chief?

21 (No response.)

22 CHAIR DIXON: Okay. We'll conclude that portion.  
23 Chief, thank you again and thank you, Melissa, for attending,  
24 we very much appreciate it.

25 CHIEF FAAUMU: Thank you.

1 MS. MAGONIGLE: Thank you.

2 CHAIR DIXON: Have a good day.

3 COMMISSIONER DE REGO: Chair, one go back, sorry,  
4 for the chief. Oh, I'm sorry.

5 CHAIR DIXON: Let's undo what I just said.

6 COMMISSIONER DE REGO: I just wanted to ask him  
7 about the Ride Along Program.

8 CHAIR DIXON: Okay. Hang on, Frank.

9 COMMISSIONER DE REGO: Okay.

10 CHAIR DIXON: Frank, for -- for the stenographer,  
11 this is Frank speaking. Okay.

12 COMMISSIONER DE REGO: De Rego. Chief, what's the  
13 status of the Ride Along Program for the commissioners at this  
14 point? I know COVID-19 has prevented any close contact, do  
15 you have any idea when that would be resumed?

16 CHIEF FAAUMU: Thank you, Chair. Let me follow up  
17 on that and get back with you to see where we are with it.  
18 This may be -- 'cause I know the county rules is if -- no more  
19 than two people in the vehicles and that still fit within. It  
20 depends on -- on what district he wanted to ride along in  
21 'cause of the schedule. But, Ms. Amy, what I can do is have  
22 our Community Relation reach out to you and work out the  
23 detail on that, if that's -- to answer your question there,  
24 Commissioner De Rego.

25 COMMISSIONER DE REGO: Thank you very much.

1 COMMISSIONER KUWAHARA: Thank you, Chief.

2 COMMISSIONER DE REGO: The other commissioners have  
3 recommended that the new commissioners take advantage of that,  
4 but I didn't know what the status was because of COVID-19.  
5 But thank you very much, Chief, for your answer.

6 CHAIR DIXON: Well, you know, we can solve that  
7 simply by giving you and Janet each -- just give you one car  
8 and you guys go out.

9 (Laughter.)

10 CHAIR DIXON: Okay. That won't work, either. Okay.  
11 Thank you, Chief, once again. Appreciate it.

12 CHIEF FAAUMU: Thank you.

13 CHAIR DIXON: Okay. Moving on, Item No. 10, New  
14 Business. The only item we have is sub A, is Discussion,  
15 Appointments of -- and I'm not going to use the word  
16 subcommittee. In consultation with corp. counsel, who's  
17 listening to us, but not -- not on our viewfinders, instead of  
18 calling it a subcommittee, we're going to call it a temporary  
19 interaction group, permitted interaction group under Hawaii  
20 Revised Statute 92-25. and we can also, if we slip into the  
21 word subcommittee, the intent is for it to be a TIG, temporary  
22 interaction group. And that statute gives us authority to  
23 have no more than four, being that we have nine on -- nine  
24 members, to be in the subcommittees -- correction, in these  
25 TIGs without having to follow the rules and regulations of the

1 Sunshine Law, but the subcommittee is responsible to report  
2 back in session to the full committee. To the full  
3 commission, I should say.

4 So I'm looking for volunteers to start with, before  
5 we get down to the finger pointing. We have two subcommittees  
6 that are standing that we fill every year and some of you have  
7 served on those. One is the budget review committee and that  
8 requires meeting with Melissa and being schooled by her, and  
9 she's a great one to explain budget process and kind of the  
10 goals that the department's trying to achieve with it, and  
11 then us -- we as a commission go in and discuss the highlights  
12 of the budget and support the department in their request for  
13 funding for the -- for the operation.

14 So, first off, do I see any volunteers? Now,  
15 remember, we can only have four. Frank, is that your hand?

16 COMMISSIONER DE REGO: Yes.

17 CHAIR DIXON: Frank De Rego is volunteering. Who's  
18 the second person? Anybody else? I'd like to see a minimum  
19 of -- I'm not seeing hands shoot up, so I'd like to see a  
20 minimum of two. We're allowed four max, I'd like to see two  
21 on this subcommittee. Do we have someone else that can be --  
22 sit with Frank? The time is not real difficult, it's not  
23 labor intensive. A lot of it can be done online or by phone,  
24 especially given COVID-19. So one more person to volunteer?

25 (No response.)

1 CHAIR DIXON: I see a lot of anxiety there on the  
2 screen. One more? Eenie meenie, okay.

3 Frank, do you want to be a committee of one or do  
4 you want to select one of your best friends here?

5 COMMISSIONER DE REGO: That would make them my  
6 enemies. De Rego.

7 (Laughter.)

8 COMMISSIONER DE REGO: Maybe we should give them  
9 some time to think and then maybe --

10 CHAIR DIXON: If I wanted to be on a subcommittee,  
11 this would be it and I was.

12 COMMISSIONER DE REGO: Yeah.

13 CHAIR DIXON: Because it's less time than the other  
14 subcommittee, if that helps anybody's decision.

15 (No response.)

16 CHAIR DIXON: Okay. Let's give it -- since it's not  
17 paramount this month to have a decision on it, we'll give it  
18 one more month and then we'll look for another volunteer next  
19 month.

20 Amy, could you make a side note to put this on the  
21 agenda for open session under -- call it old business. Thank  
22 you.

23 Okay. The next one is the chief's evaluation  
24 committee, subcommittee, which is really a TIG. We had a lot  
25 of discussions this past several months on chief's evaluation,

1       how we do it, how it's built and how it's framed, and actually  
2       how we score it, how we arrive at the conclusions we do. So I  
3       had a lot of -- I heard a lot of discussion, now would be the  
4       time to stand up if you want to be part of that, that subgroup  
5       to influence that and make solid recommendations to the  
6       commission as a whole. Do I see volunteers?

7                       (No response.)

8                       CHAIR DIXON: And, once again, we can do this by  
9       phone --

10                      COMMISSIONER DE REGO: Chair, this is Frank De Rego.

11                      CHAIR DIXON: We can do this by phone and email.  
12       Frank, go ahead.

13                      COMMISSIONER DE REGO: Is it possible with the  
14       subcommittee to still make recommendations or to have input  
15       for other commissions outside the subcommittee in terms of --

16                      CHAIR DIXON: Yeah, you can --

17                      COMMISSIONER DE REGO: -- process and things like  
18       that, maybe evaluation.

19                      CHAIR DIXON: If you want to seek -- yeah. And  
20       we've done that before, if you want seek counsel from other --  
21       other groups, maybe something they used that works real well,  
22       we'd love to entertain that.

23                      COMMISSIONER DE REGO: Okay. Good. So, yeah, I  
24       just wanted to --

25                      CHAIR DIXON: Yeah, definitely so.

1 Oh, I'm sorry, I just -- I didn't look at the  
2 screen. Did I see a couple hands go up?

3 (No response.)

4 CHAIR DIXON: God, I'm hopeful. Okay. Remember  
5 now, when we do the chief's evaluation, we're gonna have the  
6 entire commission doing the subgroup's work, which is gonna be  
7 time for everybody to participate, so keep that in mind too.  
8 If we can't fill it today, we're going to fill it next month  
9 with at least two, if not four members.

10 Amy, same with the last topic, would you move this  
11 on to old business for next month and we'll fill this. In the  
12 meantime, we'll make some very pointed contacts with our  
13 commissioners to see if we can get a volunteer or two.

14 COMMISSIONER REDEKER: Mark Redeker here.

15 CHAIR DIXON: Yes, Mark.

16 COMMISSIONER REDEKER: Yeah. For the chief's  
17 evaluation --

18 CHAIR DIXON: Is that like a yes, you're going to do  
19 it?

20 (No response.)

21 CHAIR DIXON: So, Mark, was that you're saying  
22 you're going to do it?

23 COMMISSIONER REDEKER: Yeah. I keep getting muted  
24 by the -- by the moderator, so I'm having difficulties on my  
25 end.

1 CHAIR DIXON: Okay.

2 COMMISSIONER REDEKER: I would like to be on the  
3 chief's subcommittee.

4 CHAIR DIXON: Okay. You're on the chief's and you  
5 get two free drink tickets to your nearest McDonald's.  
6 Anyway, thank you, Mark, and we'll have somebody else join you  
7 soon with that group.

8 COMMISSIONER REDEKER: Great.

9 CHAIR DIXON: And right now there's nothing that we  
10 have to really --

11 COMMISSIONER REDEKER: Nothing pending, I know.

12 CHAIR DIXON: -- in the next 60 days, so...

13 Okay. Moving on, it is time to go into executive  
14 session. I'd love to get a motion to move to executive  
15 session from someone.

16 COMMISSIONER KUWAHARA: This is Kuwahara. I make a  
17 motion to move to executive session.

18 COMMISSIONER SANTIAGO: I second.

19 CHAIR DIXON: Janet's making the motion and the  
20 second is from Eugene. Okay. Does anybody not want to go to  
21 executive session?

22 (No response.)

23 CHAIR DIXON: Thank you. So I'll take that  
24 everybody's -- this is unanimous. We're gonna go to executive  
25 session, but before we do, remember, we're logging off the

1 regular session, we're going into the executive session on the  
2 other format and you all have that -- that link. So we'll  
3 give you -- I'll give you five minutes to get there. Make it  
4 seven to stretch and do whatever you need to do. You're home,  
5 so relax. Okay. We'll see you in -- see you in a few  
6 minutes.

7 COMMISSIONER DE REGO: I'll be making my exit now,  
8 then, from the meeting 'cause it's almost three o'clock and I  
9 have to leave.

10 CHAIR DIXON: Yeah, Frank, let's do that. Frank,  
11 you're -- you're out the door and thanks for all your  
12 participation today.

13 COMMISSIONER DE REGO: Okay.

14 CHAIR DIXON: It's well noted.

15 COMMISSIONER DE REGO: Thank you very much. Mahalo.

16 CHAIR DIXON: Thank you. Mahalo.

17 (Pause in Proceedings: 2:53 p.m.-3:09 p.m.)

18 CHAIR DIXON: Okay. We're back to regular session,  
19 July 15th, 2020; the time is 3:09 p.m.; meeting on BlueJeans  
20 app. And I would entertain a motion from someone to the  
21 effect of that all actions taken during executive session be  
22 ratified in open session.

23 COMMISSIONER PATNODE: I move.

24 COMMISSIONER SYLVA: I move.

25 CHAIR DIXON: Bobbie moved it, Sharen seconded it.

1 So that language, Bobbie, is acceptable to you?

2 COMMISSIONER PATNODE: It's perfect.

3 CHAIR DIXON: Thank you. I thought you would say  
4 so.

5 Okay. All in favor of ratifying all the actions  
6 taken in executive session. Bobbie.

7 VICE CHAIR PATNODE: Aye.

8 CHAIR DIXON: Janet.

9 COMMISSIONER KUWAHARA: Aye.

10 CHAIR DIXON: Randol.

11 COMMISSIONER LEACH: Aye.

12 CHAIR DIXON: Matt -- excuse me. Mark.

13 COMMISSIONER REDEKER: Aye.

14 CHAIR DIXON: Eugene.

15 COMMISSIONER SANTIAGO: Aye.

16 CHAIR DIXON: And Sharen.

17 COMMISSIONER SYLVA: Aye.

18 CHAIR DIXON: Okay. Actions all ratified.

19 Move on to Item 12, Agenda Setting, August 19th will  
20 be our next meeting at 2:00 p.m. unless you hear differently  
21 on the time, I think this is pretty much accepted that this  
22 mode of meeting will continue in August. I don't hesitate to  
23 believe that whatsoever. So agenda setting, Commissioners,  
24 anybody want to see something on the agenda they want to float  
25 to the chair specifically?

1 (No response.)

2 CHAIR DIXON: If you do in your interim between now  
3 and, say, three weeks from now, please send Amy and I an email  
4 so we can take a look at it. That would be appreciated.  
5 Okay.

6 And for the good of the order, anybody have anything  
7 else? We did well today, we got through this technology  
8 without too much of a hiccup, and would somebody please have  
9 an extra set of keys made for Amy for that lock on the door.

10 (Laughter.)

11 CHAIR DIXON: Thanks, Amy.

12 Okay. Do I hear a motion to -- to adjourn?

13 COMMISSIONER SANTIAGO: So move.

14 COMMISSIONER KUWAHARA: (Gesturing.)

15 COMMISSIONER REDEKER: Mark. Mark seconds.

16 CHAIR DIXON: Okay. Mark doesn't get to see us, so  
17 Janet is -- okay. Mark is the second.

18 Okay. Let's do a unanimous vote, all in favor of  
19 adjournment. Anybody not in favor of adjourning today and  
20 going back to your lives?

21 (No response.)

22 CHAIR DIXON: I didn't think so. Okay. Unanimous  
23 vote, we are adjourned. Thank you, everybody. The time is  
24 3:11 p.m.

25 (The proceedings were adjourned at 3:11 p.m.)

