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COUNTY OF MAUI, STATE OF HAWAII

MINUTES OF THE MEETING OF THE MAUI POLICE COMMISSION

APRIL 21, 2021 AT 2:01 P.M.

BLUEJEANS VIDEO CONFERENCE

REGULAR MEETING

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

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APPEARANCES

COMMISSION MEMBERS PRESENT:

- Frank De Rego, Jr., Chair
- Janet Kuwahara
- Randol Leach
- Mark Redeker
- Emmett Rodrigues

STAFF PRESENT:

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

1 (APRIL 21, 2021, 2:01 P.M.)

2 \* \* \*

3 CHAIR DE REGO: Thank you. I call to order the  
4 April 21st, 2021, meeting of the police commission. I will  
5 now -- at 2:01 p.m. I will now do the roll call. Vice Chair  
6 Patnode is excused.

7 Commissioner Kuwahara.

8 COMMISSIONER KUWAHARA: Here.

9 CHAIR DE REGO: Commissioner Leach.

10 COMMISSIONER LEACH: Here.

11 CHAIR DE REGO: Okay. Commissioner Mano is excused.  
12 Commissioner Redeker.

13 COMMISSIONER REDEKER: Here.

14 CHAIR DE REGO: Commissioner Rodrigues.

15 COMMISSIONER RODRIGUES: Here.

16 CHAIR DE REGO: And Commissioner Tancayo is excused.  
17 And the chair is here, of course. Okay. So that's  
18 the roll call, so we have quorum today.

19 Move on to public testimony. Written or oral  
20 testimony must relate to an item on the agenda. Testifiers  
21 will state their name and what agenda item they will be  
22 testifying on for the record. The maximum time is three  
23 minutes per agenda item, and our secretary, Amy Lau, will be  
24 the timekeeper on that and let us know when time -- your time  
25 is up.

1           Okay. So, Amy, do we have any testifiers?

2           MS. LAU: Yes, we do. I guess we can start off with  
3 Keisa Liu, who wants to testify on Agenda Item 10b.

4           CHAIR DE REGO: Okay.

5           MS. LAU: Followed by Julia Chin, Agenda Item 6a.

6           CHAIR DE REGO: Okay. Go ahead.

7           MS. LIU: Mahalo, Chair and Commissioners. My name  
8 is Keisa Liu, and I am currently an EA for Councilmember Dave  
9 Johnson, but I am testifying on my own behalf and on my own  
10 time as a community organizer with a special interest in the  
11 Maui Police Department. I'm testifying on Item 10b, hiring of  
12 the new police chief.

13           I just want the police commissioners here to  
14 recognize the position that you're in right now. You will be  
15 choosing our next police chief, who will set the tone and the  
16 direction for our Maui Police Department, and that's a lot of  
17 power. And understand with that power, though, comes an  
18 opportunity. For me, it's an opportunity to listen to the  
19 next generation and keep our future in mind because until we  
20 can move into the positions that you guys are in, we will be  
21 watching to see how invested you are in our future. And I  
22 want to know if you are -- are going to listen to what we  
23 need, because today I'm actually going to tell you what we're  
24 looking for in the next police chief.

25           We want someone who is not afraid to hold themselves

1 and their officers accountable for their mistakes. We want  
2 someone who is actually experienced in moving a department  
3 towards a holistic and wrap-around model. We want someone who  
4 has years of experience but also has the degree to back it up.  
5 And we want someone who has demonstrated that they have the  
6 cultural competency and emotional intelligence so they can  
7 truly understand the community and make a good change for us.

8 But, most importantly, more than anything, we want  
9 change. We don't want what we've been seeing in the past. We  
10 don't want to see any more of the same old boy network, the  
11 same type of individuals coming through. We want something  
12 different, so we're asking you to take this opportunity to be  
13 proactive and to invest in our future.

14 Mahalo for your time.

15 CHAIR DE REGO: Thank you very much for your  
16 testimony, and thank you for taking the time to be here.  
17 Mahalo.

18 Okay. Next testifier.

19 MS. CHIN: Aloha and good afternoon. Oh, I'm sorry.  
20 Go ahead.

21 MS. LAU: Go ahead, Julia.

22 MS. CHIN: Thank you.

23 And good afternoon, Commissioners. My name is Julia  
24 Chin. I'm just waiting for that background noise to stop.

25 First off, thank you for the opportunity to speak

1 today, and I'd like to offer testimony on Item 6. There are  
2 currently and have been in the past -- I'm just pausing  
3 because there's the background noise. Does somebody have  
4 their microphone on?

5 Okay. I'm gonna start again. Thank you.

6 There are currently and have been in the past  
7 correspondence items that have inadvertently been left out of  
8 the agenda. I'm sure this is simply an oversight; however,  
9 I'm sure the members of this commission and the public would  
10 like to be sure that all items are sent -- that are sent to  
11 the commission are being included for the sake of full  
12 disclosure and transparency. Additionally, none of the agenda  
13 items were uploaded to your website prior to this meeting  
14 today, making it very difficult for us citizens to offer  
15 testimony.

16 A letter has been shared with me that was mailed to  
17 the commission office on April 13th, and it reads as follows:  
18 Dear Honorable Commission Members, the complainant for Maui  
19 Police Commission Complaint No. 20-05 is indisposed and unable  
20 to follow up on their complaint. This complaint was filed on  
21 July 17th, 2020, and has been on the agenda almost every month  
22 since then. A group of Maui citizens are formally requesting  
23 on the complainant's behalf for an investigation to be  
24 conducted outside the County of Maui on this complaint. This  
25 is signed by Citizens Group For Transparency. This citizen's

1 group is also requesting that the Maui Police Commission  
2 include this correspondence on next month's agenda since it  
3 was left out of the current agenda. Thank you again for your  
4 time.

5 CHAIR DE REGO: Thank you very much. Thank you for  
6 your time.

7 Next testifier, Amy.

8 MS. LAU: I have someone logging in as Student Maya  
9 Marquez, testifying on Agenda Item 10b. As well as Tanama  
10 Colibri, Agenda Item 10b.

11 CHAIR DE REGO: Thank you.

12 MS. MARQUEZ: Aloha.

13 CHAIR DE REGO: Aloha.

14 MS. MARQUEZ: I am here to testify on Item 10b  
15 regarding the chief of police. Thank you for hearing me out  
16 today. Strong relationships of mutual trust between police  
17 agencies and the communities they serve are critical to  
18 maintaining public safety and effective policing.

19 Transparency is essential to positive police-community  
20 relationships. It is imperative that MPD make improving  
21 relationships with our communities a top priority. The  
22 environment cops operate in today is unlike any other time in  
23 history. As use-of-force incidents are broadcast and  
24 scrutinized nationally, we, the community, are watching.

25 What makes a great police leader, what attributes am

1 I looking for in a police chief that will help MPD be strong  
2 in these difficult times, and why are these characteristics so  
3 important? I believe today -- today's modern officers and  
4 community need a chief with these traits -- traits in order to  
5 prosper and thrive.

6 Experience: I want someone who has been there, done  
7 that, and seen it all. I want someone with experience who  
8 knows what officers go through on a daily basis, leaders who  
9 don't just sit behind a desk all day.

10 Supportive: Support goes beyond trusting your cops;  
11 it also needs to (inaudible). The chief should know each and  
12 every officer and have an open-door policy for those officers  
13 in any need of assistance.

14 Education: As someone who has gone back to school  
15 later in my life, I appreciate higher learning and all the  
16 (inaudible) through the discipline that it takes to earn these  
17 degrees reflects a lot on one's character.

18 Forward-thinking and open-minded: As the world  
19 advances from a technological, political, and legal  
20 standpoint, a chief needs to be able to evolve with the  
21 environment. Stagnant chiefs stuck in the past and old ways  
22 of doing things can hinder growth in a department. Chiefs  
23 need the ability to relate to both the younger and new  
24 generation coming in; the middle ground, ten- to 15-year  
25 officers; and the salty veterans.



1           Transparency: Another important characteristic I  
2 want in the chief is being transparent and inclusive in major  
3 departmental decisions. While the chief may have the final  
4 authority, officers don't want to feel blindsided. One that  
5 clearly articulates expectation guidelines and parameters.

6           Inspiring: An attribute of any great leader is the  
7 ability to inspire. Chiefs need to bring out the best in  
8 their officers and the community they serve. Chiefs who go  
9 beyond their day-to-day work and try to connect with people  
10 inside the department and outside of it are well received. Be  
11 out in the community communicating with business owners,  
12 citizens, and schools.

13           Great leaders can be hard to come by, and in today's  
14 difficult environment, cops need strong leadership more than  
15 ever. Thank you for your time.

16           CHAIR DE REGO: Thank you very much for your time.

17           Next testifier.

18           MS. LAU: That will be Tanama Colibri.

19           MS. CLAUDIO: Hi. Good afternoon. My name is  
20 actually Jennifer Claudio, and I'm here to testify on the  
21 Agenda 10b as well. If I may say, I would like to second what  
22 Keisa Liu and what Maya Marquez has said and also add that I'm  
23 the sister of a police officer in the Virgin Islands, so I get  
24 to also learn a bit about the inside world of what it is to be  
25 a police officer through her.

1           And I feel that it is very important for our next  
2 police chief to -- yes, to have a higher education, to have  
3 extensive experience as a police officer, to demonstrate  
4 cultural competency and emotional intelligence, to be an  
5 active community member where they live, and to have the skill  
6 to de-escalate situations, because I think that, as we've seen  
7 nationwide, that is something that's imperative for the safety  
8 of -- of all citizens and -- yeah, and just (inaudible) for  
9 the police of Maui as well, you know. We have -- we have  
10 children growing up here, and we want to make sure that our  
11 children will be safe in the years to come and that -- that we  
12 hold each other accountable. You know, we're a very small  
13 island. So thank you for listening.

14           CHAIR DE REGO: Thank you very much for being here  
15 today and for your testimony.

16           MS. CLAUDIO: You're welcome.

17           CHAIR DE REGO: I -- just as a reminder, could  
18 everyone please, if you're not speaking, please mute your  
19 phones and your video as well, and your sound online 'cause it  
20 does create background noise, and it doesn't really give a  
21 chance for the testifiers to get their message to be heard not  
22 only by the commissioners but by the rest of the public.  
23 Okay? Thank you for that indulgence.

24           Okay. So, Amy, next testifier.

25           MS. LAU: Lisa Darcy, Agenda Item 10b, followed by

1 Kanani Higbee, Agenda Item 10b.

2 MS. DARCY: Good afternoon, Commission, and thank  
3 you very much for this opportunity to speak with you. My name  
4 is Lisa Darcy, and many of you may know me as the founder of  
5 Share Your Mana, which works directly with people who are  
6 unhoused.

7 I testify today on 10b as a -- as a citizen and in  
8 that capacity, and I recognize that as a commission, you  
9 inherit all of the problems that came before you and also all  
10 of the accomplishments. And we're at that intersection in  
11 time right now in selecting a new police chief, and as we  
12 know, the community is getting much more engaged and much more  
13 interested, and it is -- I believe, seeks solutions and being  
14 part of solutions and not being alienated from solutions. And  
15 so, at this juncture, I urge you to consider many of the  
16 previous qualifications for a new police commissioner. We're  
17 in a new era, and as an individual, I was named to the newly  
18 formed Commission on Healing Solutions For Homelessness.  
19 Having a police chief that is transparent, that is  
20 communicative, that has emotional intelligence, is driven by  
21 data, and evidence-based practices will exponentially serve  
22 our entire community. I would like to see these areas  
23 improved upon in the current state of our -- our relationship.

24 I -- I have a lot of difficulty communicating with  
25 this department, and we have so many solutions to offer. And

1 I really urge you to take this very seriously, and it's not an  
2 easy task. It's not an easy task, but to consider these  
3 values in education and, really, to communicate with our --  
4 openly with our community and take accountability. Our police  
5 get put on the spot more than almost any of us, and that's a  
6 very difficult position to be in. And many community members  
7 want to support them, and they partly don't have the  
8 information on how to do that.

9 So I'm looking to this commission. Good luck in  
10 selecting somebody who really rises above and really embodies  
11 the spirit of this Maui community. So thank you very much for  
12 this opportunity to testify.

13 CHAIR DE REGO: Thank you very much for being here  
14 today and for sharing your manao with us. Okay? Mahalo.

15 Next testifier.

16 MS. HIGBEE: Aloha, aloha kakou. My name is Kanani  
17 Higbee, and I work at Lahainaluna High School for ten years  
18 now; and I'm also involved in the community at Lahainaluna.  
19 I'm a club co-advisor for Hui O Kalana Hanua, for Stewardship  
20 Club, and I'm also a club advisor for Best Buddies, a special  
21 ed friendship club, and I get involved with a lot of  
22 activities here on Maui. I'm Native Hawaiian from Maui; my  
23 family's from (inaudible) and other areas like Kahakuloa,  
24 Kaupakalua.

25 And the reason why I'm speaking today is on Agenda

1 10, Item 10b, and it's very important for me that we pick the  
2 right police chief. I have a lot of respect for police chiefs  
3 in the past. I really liked Gary Yabuta; I was a big fan of  
4 his. I witnessed him at a meeting in which he addressed the  
5 public, and he -- he did a really great job at bridging the  
6 gap between the community and the police. I attended a  
7 meeting in which he addressed the Mexican community during the  
8 recession when a lot of them were getting deported, a lot of  
9 families were being torn apart, and they were very concerned  
10 because sometimes they would just be driving in their vehicle  
11 and everybody's ID would be checked, and people would just be  
12 torn apart, you know. I like to advocate for family and  
13 children, I also am a part of Parent Leadership Training  
14 Institute here on Maui, and family and children are very  
15 important to me. I don't think anybody should be marginalized  
16 in this community. Even undocumented immigrants have rights,  
17 you know. Children should be respected, family should be  
18 respected. And I really liked how he addressed the community,  
19 faced up to them, you know, he didn't have anything to hide.  
20 And he told them, You know what, I do respect immigrants. And  
21 that's why when one -- when one police officer sexually  
22 assaulted an immigrant who was from Mexico, he didn't allow  
23 that. He corrected that officer, that was important for him.  
24 He had very good morals. You know, it was unfortunate he was  
25 scapegoated for poor decisions done by his officers. However,

1 you know, I just wanted to say that that was one chief, police  
2 chief, that I did like in many ways.

3 And this past police chief, I actually tried to  
4 contact him many times because -- just for different reasons,  
5 and it had to do with me not being able to live in a community  
6 that was safe. It's not -- it wasn't an option for me to move  
7 'cause it's so expensive to find affordable housing.

8 MS. LAU: Kanani, that's three minutes.

9 MS. HIGBEE: Okay. Well, just wrapping up, please,  
10 if you can also consider somebody who -- you know, just take  
11 into consideration affirmative action with women because women  
12 have faced a lot of glass ceilings in the Maui Police.  
13 They've been denied promotions by the deputy chief, Rickard.  
14 There was a \$600,000 lawsuit in which the county had to pay  
15 because he denied a promotion. So because women have been  
16 oppressed in there, I feel that it would be great if we could  
17 have a female as well as not just somebody with degrees, but  
18 somebody who has degrees in sociology, African American  
19 studies, or, you know, black studies, Native Hawaiian studies,  
20 studies in which they've done research on, you know, how these  
21 marginalized communities are affected. You know, it's not  
22 enough to have a criminal justice degree. People need to  
23 understand --

24 MS. LAU: That's four minutes.

25 MS. HIGBEE: -- (inaudible) communities. Because

1 it's not the minorities that are being looked out for, it's  
2 those with money. And we need to look out for everybody, not  
3 just point fingers and say you guys belong in jail when that  
4 affects generations of families. So, please, if you can,  
5 consider all of that. Thank you very much for your time.

6 CHAIR DE REGO: Mahalo. Thank you for testifying  
7 and being out here today. Mahalo.

8 MS. HIGBEE: Thank you.

9 CHAIR DE REGO: Next testifier.

10 MS. LAU: I have Faith Chase, Agenda Item 10b,  
11 followed by Aja Eyre, Agenda Item 10b also.

12 CHAIR DE REGO: Okay. Go ahead.

13 MS. CHASE: Aloha, Chair. Aloha, chair, aloha,  
14 Commission. My name is Faith Chase. Thank you for this  
15 opportunity to speak about this.

16 I would like to say, first off, that the -- what I'd  
17 like to see in the new chief is an important piece of  
18 correspondence that Chief Tivoli produced this last year.  
19 It's MT No. 8400, and it's correspondence that helps Native or  
20 Aboriginal Hawaiians that are having land title disputes. The  
21 subject matter was County of Maui's Role in Land Disputes and  
22 Other Racially Sensitive Conflicts. It was a very amazing  
23 piece of correspondence that came from Councilmember Paltin,  
24 went through Mayor Victorino's office, and -- and then Tivoli  
25 replied. In that is language that is -- that protects the

1 native peoples or the people of this place and it's very  
2 important. So I'd like to see his signature, her signature,  
3 the newly appointed police chief to produce something similar  
4 to that.

5 I'd also like to -- I'd also like to express concern  
6 on my experiences over the last two years. In being a legal  
7 rights advocate, it demands me to -- it demands me to really  
8 impress that we need an elevated level of de-escalation  
9 tactics. I've heard poor language, poor behavior, sadly  
10 enough, a lot of it is recorded, and instead of -- instead of  
11 taking a smear campaign approach, I decided to try to -- to  
12 cultivate the -- cultivate a relationship within the  
13 department, and I feel like I'm -- it's been a slow growth,  
14 but I do feel that it is progressing. And I think there's a  
15 meeting on Friday that will really seal the deal for me in  
16 feeling a little bit more comfortable and in command for our  
17 county on some real issues about de-escalation.

18 I actually attended a credit class, a university  
19 credit class specifically regarding community policing. I  
20 feel like I have a strong knowledge base in this area because  
21 of that class. I learned a tremendous amount of instruction  
22 in the classroom with other police department -- police  
23 officers, but I don't see them being implemented within our  
24 Maui County and our safety officers. So I'd really like to,  
25 of course, see the community policing division embellish,



1 increase, improve in all those areas.

2 It's also important for me to -- to actually just  
3 mention that there needs to be improved protocol in using body  
4 cams. While we have this technology, I know rural areas  
5 sometimes have some hiccups, but we need that process a little  
6 bit more streamlined, and I'd just like that to be on the  
7 record.

8 And I also have the unfortunate duty to mention that  
9 Maui County doesn't -- Maui County Police Department doesn't  
10 actually have a very favorable national rating, and I truly  
11 believe that our county can relearn, can recalibrate, and  
12 change course where MPD can actually be a model, eventual --  
13 an eventual model, a soon eventual model of best practices.

14 Thank you for your time today.

15 CHAIR DE REGO: Mahalo for your testimony.

16 Next testifier.

17 MS. EYRE: Aja Eyre. This is -- aloha, Commission  
18 Members, and other people listening in. My name is Aja Eyre,  
19 and I would like to testify on Item 10b, which is the choosing  
20 of the new police chief. And I would like to add my voice to  
21 the already given, very eloquent and well-rounded and  
22 heartfelt testimonies of the people that have talked about  
23 this already.

24 I know it sounds like the public is asking for a  
25 unicorn, like something that doesn't exist, when we ask for a

1 new police chief that is both well educated and has sought  
2 further training, education and training, but also has a lot  
3 of experience as a police officer. It's -- it might seem like  
4 a lot to ask for someone who demonstrates cultural competency  
5 and emotional intelligence and is an active community member  
6 wherever they live, but is also maybe not someone who's from  
7 Maui County. You know, someone who is sympathetic and  
8 understanding of our cultural nuances here, even if they are  
9 not from here. It also seems like a lot to ask that they be a  
10 master de-escalator and that they have experience in moving a  
11 police department towards a holistic wraparound model and also  
12 has a record of holding bad cops accountable.

13 It seems like a lot to ask, but when we have an  
14 entire department of hardworking and mostly well-meaning  
15 officers and the lives of the public at stake, I think it's  
16 something that we need to really put our best effort towards  
17 and to be demanding that we are able to find a -- a candidate  
18 who meets most if not all of these qualifications and then  
19 some.

20 As just a member of the public and a mother and a  
21 citizen here of Makawao, I ask that the commission be very  
22 transparent with the entire process and that the names of the  
23 possible candidates for the position be released, and that  
24 out-of-state and in-state candidates are pursued fully. I  
25 appreciate your time and wish you the best in this very

1 difficult process. And we are so grateful for your service on  
2 the commission. Thank you.

3 CHAIR DE REGO: Mahalo.

4 Next testifier, Amy.

5 MS. LAU: I have Jordan Hocker, Agenda Item 10b,  
6 followed by Jason Medina, Agenda Item 10b.

7 CHAIR DE REGO: Okay. Mahalo.

8 MS. HOCKER: Hello, Commissioners. Thanks for  
9 hearing us today. Yes, I am testifying on Agenda Item 10b  
10 regarding the police chief. It's nice to see all of you again  
11 because the last time I was before you, I was filing a  
12 complaint regarding some officers that even though they  
13 responded to a civil dispute, according to the police chief,  
14 over a land issue, there were still arrests made. So, you  
15 know, the police department has obvious issues to contend  
16 with, and I will mirror what others -- others are saying is  
17 that the community is more involved than ever, you know.

18 The issues that I see very clearly within the  
19 department are pushing, whether intentional or not, you know,  
20 aiding to the school-to-prison pipeline. Officers are being  
21 sent out to violate human rights of unsheltered people. We  
22 have officers not getting the mental health care that they  
23 need for what is a very stressful and dangerous position. And  
24 we have police officers who are violating the rights of Native  
25 Hawaiians. And what we need is a chief to step forward to

1 (inaudible) refuse to criminalize our -- refuse to criminalize  
2 our unsheltered citizens and refuse to violate the rights of  
3 Native Hawaiians.

4 We need someone to step forward with transparency  
5 and recognize they don't have all the answers, and be open to  
6 outside expertise on issues that police alone cannot solve.  
7 We need a chief who is willing to step forward with a lot of  
8 (inaudible) to address but is no longer an accepted form of  
9 (inaudible). I'm asking you to thoroughly vet and investigate  
10 (inaudible) to background, look at family dynamics. When you  
11 look into the statistics of how (inaudible), and that reflects  
12 as well. We need a chief who is refusing to accept these  
13 (inaudible) as a standard in Maui County, and we needed it  
14 yesterday. So I know, again, you don't have an easy job and I  
15 appreciate the time and effort, energy (inaudible) going to  
16 put into this decision. Thank you so much (inaudible).

17 CHAIR DE REGO: Mahalo.

18 Next testifier.

19 MR. MEDINA: Yes, Jason Medina here. I'd like to  
20 speak on my own behalf as an organizer, a resident of Paia,  
21 but also as a citizen on item -- Agenda Item 10b.

22 This police chief, I know -- to agree with Aja Eyre,  
23 I -- she was talking about a police chief -- you may be  
24 looking for what is like a unicorn with so many things that  
25 we're asking of it, but it is possible and searching outside

1 of Maui is still a good option. But such a position of power  
2 should also be held to a high standard, and it's really  
3 important that -- I agree with the emotional intelligence an  
4 officer should have, a chief, and it's a -- all in all, making  
5 us feel safe. And this chief should also do community  
6 outreach and be invested in the wellbeing of neighborhoods  
7 that are outside of his own. And that's really important to  
8 me that the same kind of policing that's done in, say, Maui  
9 Lani is done in Happy Valley, and there's a thread that goes  
10 along the same way.

11 And as far as education is concerned, yes, I believe  
12 that she should have at least a bachelor's, maybe even a  
13 master's, but definitely be a master of -- master of  
14 de-escalation because of the climate of police state today and  
15 many examples are being taken from the mainland in different  
16 states and then being applied here on Maui with a much more  
17 sensitive and smaller climate. And I think when it's so ohana  
18 oriented, that it should be treated with a more gentle hand  
19 where you say, Hey, that's the police chief, you see him out  
20 there on the street, and he's out of uniform, and you can  
21 actually say thumbs comes up and feel comfortable about that.  
22 So a chief that makes us feel safe and holds his fellow  
23 officers accountable, and is not afraid to discipline them.  
24 That's important. So ethnic studies and getting their  
25 cultural history studies in and kind of remembering how the

1 whole police force got here to this island and how order has  
2 been established on this island and the humble beginnings of  
3 -- starting with annexation. So more than a GED and a  
4 criminal justice degree, like Kanani said. And I also echo  
5 those sentiments of Keisa Liu and Maya Marquez, I believe,  
6 like they were a very -- had some very strong demands, but  
7 these are -- we should expect nothing less with such a  
8 position of power.

9 And so thank you for listening to me, and that's  
10 what I have to add, that we, the public, will be watching and  
11 hoping that you can answer our requests and find somebody that  
12 really fits the bill. Mahalo nui.

13 CHAIR DE REGO: Mahalo.

14 MS. LAU: I have Kaupena Kalima, Agenda Item 10b.  
15 Carol Kamekona, Agenda Item 10b.

16 CHAIR DE REGO: Go ahead.

17 MS. KALIMA: Aloha and good afternoon. My name is  
18 Kaupena Kalima, and I thank you for listening and hearing  
19 my -- my testimony. So for me, I would like to have a police  
20 chief who has at least a master's degree, has extensive  
21 experience as a police officer, has demonstrated cultural  
22 competency and emotional intelligence, and also one that will  
23 be an active member of our community where they live and also  
24 of our islands here on Maui, Lanai, and Molokai 'cause we're  
25 all one. Is a master de-escalator. I ask this person to have

1 experience in moving the department towards a holistic,  
2 wraparound model. And also having their bad cops held  
3 accountable, so through -- and also thoroughly investigate.  
4 If you yourself can thoroughly investigate these candidates  
5 with any unprofessional behavior or misconduct. And not only  
6 with those things if complaints was filed against them,  
7 (inaudible) with your eyes, looking to those things too. Be  
8 transparent and -- with the public and the -- one thing I  
9 wanted to know if -- can you also release the names of the  
10 possible candidates, you know? I wanted you to be  
11 transparent, you are our eyes in that position, and share  
12 what's going on in your office. And also pursue out-of-state  
13 candidates.

14 And I appreciate your time in listening to my  
15 testimony. Any questions?

16 CHAIR DE REGO: Any commissioners have any  
17 questions?

18 (No response.)

19 CHAIR DE REGO: Okay. Seeing none, thank you very  
20 much for your testimony.

21 MS. KALIMA: Aloha. Have a good day.

22 CHAIR DE REGO: Aloha.

23 MS. LAU: Carol Kamekona.

24 CHAIR DE REGO: Hello?

25 What was the name, Amy?

1 MS. LAU: Carol Kamekona.

2 CHAIR DE REGO: Carol Kamekona, are you here?

3 MS. LIU: If I may, Commissioner, I believe that she  
4 might have to be bumped to the end of the list.

5 CHAIR DE REGO: Okay.

6 MS. LIU: But she's still here.

7 CHAIR DE REGO: Okay. So she's working on some  
8 technical difficulties. I understand that totally. So we'll  
9 come back to her.

10 Okay. So next testifiers.

11 MS. LAU: I have Tiare Lawrence, I'm not sure what  
12 she's wanting to testify on. Tiare.

13 MS. LAWRENCE: Aloha. Can you hear me okay?

14 CHAIR DE REGO: Yes.

15 MS. LAWRENCE: Okay. I'm testifying on 10b. Aloha,  
16 Commissioners. My name is Tiare Lawrence, born and raised  
17 Maui girl. I wanted to testify on 10b and just share a little  
18 bit of my manao with you.

19 When I personally look for qualities in the next  
20 police chief, I would like someone with experience, community  
21 engagement, you know, somebody who has experience in our -- in  
22 our local community, Maui community, and leadership qualities.  
23 I mean, that's everything to me. A wise person will teach you  
24 what they have experienced and learned along the road. I feel  
25 that the requirements for a master's degree will



1 disenfranchise a lot of our veteran local officers currently  
2 in the department and will attract out-of-state applicants,  
3 which I'm somewhat opposed, and I can elaborate more on that.

4 But as far as the training mentioned before me, I  
5 think MPD could hire consultants to train the entire  
6 department with various training, including Native Hawaiian  
7 law, de-escalation training, etc., that that way we give the  
8 opportunity to educate and train all of our officers as  
9 opposed to only the guys that can afford college. And as you  
10 know, you know, that's not the easiest thing to accomplish, is  
11 seeking your master's degree.

12 I am against out-of-state candidates. You know,  
13 with the cost of living so high and us feeling pushed out and  
14 just lacking the cultural integrity here -- you know, I've had  
15 personal situations where perhaps the officers weren't from  
16 Maui, you know, maybe have not lived here for a long time,  
17 and -- and they struggle, you know, they struggle with  
18 relating to a lot of like local issues here. And so people --  
19 I personally would like to see somebody from Maui, you know,  
20 that's been living here for a while. And I -- and I honestly  
21 believe that, you know, besides the chief of police, that a  
22 requirement to getting into the police department would at  
23 least be some -- some type of residency, years of residency  
24 here on Maui so that you -- you have candidates or police  
25 officers that have an understanding of Maui and its cultural

1 issues that can sometimes be very troubling out in the field.

2 So I just wanted to share that mana'o with you guys,  
3 yeah, and I trust you guys will make the right decision.

4 CHAIR DE REGO: Mahalo, Tiare.

5 Next testifier.

6 MS. LAU: I have Zhan Lindo on Agenda Item 10b.

7 MS. LINDO: Aloha. Thank you. My name is Zhan  
8 Lindo, I'm from the island of Molokai, and I'm testifying on  
9 my own behalf as a citizen of Maui County and a resident of  
10 Molokai. I am testifying on Item 10b.

11 And I just wanted -- first and foremost, I've had  
12 the opportunity for the last few years, maybe ten or more  
13 years, to be intimately involved in community advocacy and  
14 support for our emergency services on island and for our  
15 disaster relief group, our EOC, so I know firsthand that the  
16 qualities the community is asking for is absolutely the most  
17 desirable qualities and they're so awesome and I'm pretty sure  
18 we could find somebody who is like, aaah, and you have all  
19 that great qualities.

20 I just wanted to reinforce to the commission how --  
21 and re-instill the confidence that I have as a community  
22 member in your diligence and your integrity to do the job and  
23 pick us a great police chief. I think it's important for us  
24 to support our commission members, and I just wanted to come  
25 out on the record and say that I trust that you take the

1 community's best interests to heart, that you too will benefit  
2 from the most informed and -- decision that you can make, and  
3 so I want to just speak some life into that.

4 The second thing is that I do oppose the required --  
5 requirement for degrees or a higher degree as a requirement  
6 for the police chief. You know, for places like Molokai, the  
7 textbook doesn't work, and so when you're talking about rural  
8 areas where we don't have the support staff that is required  
9 and the readily available resources to support the department,  
10 our department people are being restricted of doing things  
11 because, you know -- and especially if they have a leader that  
12 can only function according to intellectual ability. So we  
13 need -- I agree with Tiare that the Native Hawaiian law is --  
14 is something that should be offered throughout the department  
15 just to be able to have this consistency in supporting the  
16 host culture, to understanding where people come from and  
17 being able to -- to truly empathize with our local community.

18 I think, though, most importantly, we need to hire a  
19 police chief that has integrity and courage. I see plenty  
20 value in hiring a chief that has had experiences through the  
21 ranks of different departments and sections of the department  
22 in order to see the picture and the leadership on the whole.  
23 And I do agree that -- do oppose the requirement of a degree.  
24 I do think that there is some need for the person being  
25 selected to have served in an administrative capacity within

1 the department, to be able to see the picture from a  
2 leadership standpoint as opposed to bringing somebody from  
3 down in the ranks that may not have had that opportunity.

4 And then, lastly, I just wanted to state that we  
5 need a police chief that is willing to do the work and -- and  
6 I think our community needs to have little bit more education  
7 on the limitations and parameters by which --

8 MS. LAU: Three minutes.

9 MS. LINDO: -- the police department is able to  
10 operate. So I would -- I would just like to reinforce that  
11 confidence that I have with you guys and thank you very much  
12 for your volunteerism and -- and your dedication. Mahalo.

13 CHAIR DE REGO: Mahalo and thank you for your  
14 confidence.

15 Next testifiers, Amy.

16 MS. LAU: I have Tina Oman, Agenda Item 10b.

17 CHAIR DE REGO: Okay.

18 MS. OMAN: Hi. Hi, I'm Tina Oman, and I just wanted  
19 to say that, you know, I -- I have a master's degree, and it's  
20 not that hard to get. And I didn't come from a family where  
21 anybody gave that to me. My dad never finished high school.  
22 You know, there's something to be said for somebody who's  
23 willing to go after something, you know, and pay those student  
24 loans back. It shows guts, determination, and a willingness  
25 to get the job done. So, you know, this is the United States

1 of America, and anybody can go to college. There's no excuse.  
2 If you want that job, go get what you need so you can get it.

3 Okay. The other thing I want to say is, is that I  
4 want us to be very cautious about limiting the choice of a  
5 police chief based on any kind of thing that's like racial.  
6 If they are qualified, they have the experience, and they have  
7 the ability, then I think they need to be chosen, you know.  
8 You know, I can hear both sides of the street, right? I'm a  
9 haole girl and -- and I got treated poorly by a police  
10 officer, came to my door and threatened me, filed a police  
11 report against me saying that I'm a crazy white woman. And,  
12 you know, all I did was ask for the police to come and take  
13 care of the meth lab that continues above me in my  
14 condominium, Kamaole Beach Royale. I have asked countless  
15 times for help. I emailed the police chief, no response.  
16 What did the police chief say? Oh, it's a civil matter.

17 So when we look for a police chief, I hope that we  
18 can get a clear understanding what the difference is between  
19 illegal behavior, criminal behavior, and a civil problem. And  
20 I don't ever want to have an officer ever come to my door  
21 again and threaten me because I was asking the police for  
22 help. And just because I'm a haole girl who works in the  
23 schools and has helped countless keiki in 15 years doesn't  
24 mean that I shouldn't be treated fairly because I don't have  
25 ohana here. I have every right. I am a citizen of this

1 community, and I have given more of my heart and soul than  
2 plenty people who've grown up here.

3 MS. LAU: Three minutes.

4 MS. OMAN: That's all I have.

5 CHAIR DE REGO: Mahalo for your testimony. Thank  
6 you for being here today.

7 Next testifiers.

8 MS. LAU: Is Carol Kamekona here?

9 MS. LIU: I'm sorry, Chair, I just wanted to point  
10 out that Carol Lee is having difficulties using her own phone,  
11 so she's asked to call my phone and use my speakerphone in  
12 order to -- to be able to testify today. And I just want to  
13 ask if that's okay.

14 CHAIR DE REGO: Oh, that's fine. Yeah, yeah. Go  
15 ahead. As long as we get her testimony, I think that's cool.

16 MS. LIU: Go ahead, Auntie.

17 MS. KAMEKONA: Aloha. Can you guys hear me?

18 CHAIR DE REGO: Yes, we can. Mahalo for calling in  
19 in spite of the difficulties.

20 MS. KAMEKONA: Oh, mahalo for allowing me this  
21 opportunity.

22 So, aloha, Chair, Vice Chair, and Commissioners. My  
23 name is Carol Lee Kamekona. I am not a paid lobbyist;  
24 however, for disclaimer purposes, I must let you know that I  
25 am on staff for a council member, and this testimony is coming

1 from me and me only.

2 With regard to your kuleana in appointing the police  
3 chief for Maui County, I offer you the following testimony:

4 In reference to Title MC 13, Department of Police,  
5 Subtitle 01, Rules of the Police Commission, I do not anywhere  
6 in there see where the requirements or qualifications are  
7 listed for you to choose a qualified applicant. I, therefore,  
8 submit my request to those qualifications.

9 First and foremost, be highly versed and  
10 knowledgeable in Native Hawaiian rights and traditional and  
11 customary practices as stated in the State of Hawaii  
12 Constitution, Chapter 12, Section 7. Understand the  
13 difference between civil and criminal acts with regard to  
14 those Native Hawaiian rights and traditional and customary  
15 practices.

16 Have a degree or related experience in social work  
17 and de-escalation procedures.

18 Provide justice, equality, and accountability across  
19 the board amongst the department.

20 Hold themselves to a higher standard of integrity and  
21 accountability.

22 Have zero connections in exhibiting favoritism to  
23 one entity or another based on personal bias.

24 Be an active member within the entire community of  
25 Maui Nui.

1           And look at ways for transparency, possibly with the  
2 usage of body cams, etc., to make and bring forth the trust  
3 that is needed between community and the police department.

4           And as mentioned by Tiare Lawrence, I am totally  
5 against out-of-state candidates, reason being we live on an  
6 island, living on an island requires a certain mindset.

7           MS. LAU: Three minutes.

8           MS. KAMEKONA: There are many that come from out of  
9 state that are unknown to our culture and very unsympathetic;  
10 therefore, I ask that you do look for someone if not from Maui  
11 County, from Kupa'aina Hawaii Nei.

12           Mahalo for allowing me this opportunity to testify.  
13 You have a blessed day. Aloha.

14           CHAIR DE REGO: Mahalo and same to you. Take care  
15 now.

16           Amy, next testifier.

17           MS. LAU: Chair, that's all I have, unless I've  
18 missed someone, please identify yourself and the agenda item  
19 you would like to speak on.

20           (No response.)

21           CHAIR DE REGO: Okay. Hearing none, without  
22 objection, we'll close oral testimony. For the record, our --  
23 so I hear no objection, so we're closing oral testimony.  
24 Thank you for all the testifiers for being here and for giving  
25 of your time and manao for the commission, yeah.



1           Okay. And then for the record, our secretary has  
2           emailed the commissioners written testimony and without  
3           objection, we will file that testimony. Also, I'd like to  
4           make a clarification. So without objection, we will file the  
5           written testimony.

6           (No response.)

7           CHAIR DE REGO: Hearing none, it's filed.

8           I just want to just clarify something with Julia  
9           Chin that -- in regards to her testimony, that letter wasn't  
10          agendized because it was received after the agenda was posted.  
11          So the letter was provided to the commissioners as written  
12          testimony for today's meeting, and that all the commissioners  
13          did receive the letter. It's the policy of the commission  
14          that all letters and emails received addressed to the  
15          commission are agendized under correspondence if received  
16          prior to posting the agenda unless it's clearly stated it is  
17          written testimony and would be distributed to the commission  
18          as such. But I just wanted to make that clarification about  
19          the testimony. And we're sorry that your letter did not  
20          receive in time after the agenda has been posted, but after  
21          that, we do send it to the commissioners as written testimony.  
22          So mahalo.

23          Okay. So let's move on to the approval of police  
24          commission regular meeting minutes of March 17th, 2021. I'll  
25          entertain a motion to approve the police commission regular

1 minutes.

2 COMMISSIONER REDEKER: (Gesturing.)

3 CHAIR DE REGO: Okay. I see Mark Redeker's hand is  
4 up for March 17, 2021. So I have a motion on the floor, do I  
5 have a second?

6 COMMISSIONER KUWAHARA: (Gesturing.)

7 CHAIR DE REGO: Okay. So Commissioner Kuwahara has  
8 seconded the motion. Is there any discussion or corrections  
9 on the testimony?

10 (No response.)

11 CHAIR DE REGO: Hearing none, that -- let's do the  
12 vote 'cause we always vote on the minutes. Okay. So Vice  
13 Chair Patnode is excused.

14 Commissioner Kuwahara.

15 COMMISSIONER KUWAHARA: Aye.

16 CHAIR DE REGO: Commissioner Leach.

17 COMMISSIONER LEACH: Aye.

18 CHAIR DE REGO: Okay. Commissioner Mano is excused.  
19 Commissioner Redeker.

20 COMMISSIONER REDEKER: (Gesturing.)

21 CHAIR DE REGO: Okay. Aye. That's a thumbs up.  
22 Commissioner Rodrigues.

23 COMMISSIONER RODRIGUES: Aye.

24 CHAIR DE REGO: Okay. And since we're a bare  
25 quorum, I also vote aye. So the motion to approve the police

1 commission regular minutes of twenty -- March 17, 2021, is  
2 passed.

3 Okay. Let's move on to the next thing in the  
4 agenda, the letters of commendation.

5 COMMISSIONER REDEKER: (Gesturing.)

6 CHAIR DE REGO: Commissioner Redeker.

7 COMMISSIONER REDEKER: Move to file.

8 CHAIR DE REGO: Okay. Thank you very much.

9 Do I have a second on -- to the motion to file?

10 COMMISSIONER KUWAHARA: (Gesturing.)

11 CHAIR DE REGO: Okay. So seconded by Commissioner  
12 Kuwahara. Any discussion on the letters of commendation? I  
13 was very, very encouraged by the -- the actions of the  
14 officers and employees of the department, for their fine work,  
15 especially during the severe weather that occurred up in Haiku  
16 and for the other officers who had attended to other people  
17 like in Hana, you know, when their cars got stuck. And, you  
18 know, it was -- it was really heartwarming to see the  
19 department in action, both civilian employees and sworn  
20 officers. So I just wanted to make that comment on the record  
21 as a part of the discussion.

22 So if there's no more discussion, I'd like to take  
23 the vote. Vice Chair Patnode is excused.

24 Commissioner Kuwahara.

25 COMMISSIONER KUWAHARA: Aye.

1 CHAIR DE REGO: Commissioner Leach.

2 COMMISSIONER LEACH: Aye.

3 CHAIR DE REGO: Commissioner Mano is excused.

4 Commissioner Redeker.

5 COMMISSIONER REDEKER: Aye.

6 CHAIR DE REGO: Commissioner Rodrigues.

7 COMMISSIONER RODRIGUES: Aye.

8 CHAIR DE REGO: Okay. And the chair also votes aye.

9 So the letters of commendation are filed.

10 Okay. We'll just move on to correspondence. Why

11 don't we do this with the letters of correspondence? Without

12 objection, we will file all correspondence.

13 (No response.)

14 CHAIR DE REGO: Okay. Hearing no objections, all

15 letters --

16 COMMISSIONER REDEKER: (Gesturing.)

17 CHAIR DE REGO: Oh, Commissioner Redeker.

18 COMMISSIONER REDEKER: Yeah, I just a want to make

19 sure that -- I don't have a problem taking them all as a

20 group, but I want to make sure E, F, and G were referred to

21 the department.

22 CHAIR DE REGO: Okay.

23 COMMISSIONER REDEKER: Instead of just being filed.

24 CHAIR DE REGO: So would you like to take a vote and

25 have a discussion?

1           COMMISSIONER REDEKER: No. I just want to make sure  
2 E, F, and G, those -- these would generally be referred, but  
3 with the chief getting ready to step down, I just want to make  
4 sure that E, F, and G went to the department for action.

5           CHAIR DE REGO: Amy?

6           MS. LAU: Those items are usually done after the  
7 meeting.

8           CHAIR DE REGO: Okay. Yeah, we have to file them  
9 first, Mark, Commissioner Redeker, and then we pass them on to  
10 the police chief. But in this case, there's enough time to  
11 pass it on to Commissioner Faaumu, but I'm sure Deputy Chief  
12 Rickard will also be involved in that as well. Okay?

13           COMMISSIONER REDEKER: Okay.

14           CHAIR DE REGO: Okay. Mahalo. And thank you for --  
15 for making that observation.

16           Okay. So without objection, we will file all  
17 correspondence.

18           (No response.)

19           CHAIR DE REGO: Okay. Hearing none, all letters of  
20 correspondence will be filed.

21           Okay. Now we move on to No. 7 on our agenda, the  
22 chief's report. So, Chief, are you here? Ah, there he is.  
23 We never see you unless you pop up.

24           CHIEF FAAUMU: Yes.

25           CHAIR DE REGO: Before we begin, I would like to

1 wish you all the best to you and your family on your  
2 retirement. This is gonna be your last meeting with us, and  
3 we really wish you all the best. And thank you for your  
4 service to Maui County and the citizens of Maui County.  
5 You've been here for what, as a police officer over 35 years?  
6 Correct? Yes.

7 CHIEF FAAUMU: Yes. Well, 36, yes.

8 CHAIR DE REGO: Thirty-six years. There we go.  
9 So -- but I was right when I said over, right? So go ahead  
10 and -- and give us your report. Mahalo.

11 CHIEF FAAUMU: Thank you. Good afternoon, Chair,  
12 and good afternoon, Commissioners. Thank you for your kind  
13 words.

14 So I will go on with my report. Basically, right  
15 now, what we are focusing on is handing on the duty and  
16 responsibility, the rules and orders as we see -- we see an  
17 influx on our transpacific travelers. Right now, we estimate  
18 at about 5,000 daily arrivals here to our county. So we are  
19 working with our districts and making sure that, you know, the  
20 rules and orders are in compliance and, hopefully, everybody  
21 will have a good time if they visited, if they are visiting  
22 the island, and then get to go home safely. And also for all  
23 our residents, to make sure that we try to limit the new cases  
24 that we develop daily.

25 With that, I will go on to the budget. We did a

1 presentation to the council, to the budget committee on  
2 Tuesday, April 13, and we present our budget, the version of  
3 our budget that came from the mayor to us. I know  
4 Ms. Magonigle has put forward a summary of that to your  
5 office. So right now is -- it's a waiting game; we'll wait  
6 and see. I know they do have some questions they might want  
7 to ask us, so we'll be prepared to respond.

8           And I know you folks have your -- received the  
9 highlights of everything that is -- that is going on. Just a  
10 bill that will be of interest to you folks right now is Senate  
11 Bill 540. What we are looking for is to basically  
12 decriminalize the citation that we issue for rules and orders;  
13 that's kind of in a nutshell. Similar to a traffic citation.  
14 So right now, it's being introduced; we are supporting that.  
15 We talked to the prosecutor's office, they also support that,  
16 but there will be a protocol that need to be in place if the  
17 bill pass.

18           And with that, Chair, that's all I have. And,  
19 again, thank you for the commissioners and I know you folks  
20 have a tough challenge. I heard it through the testifier  
21 earlier on what they are looking for and I wish you all the  
22 best. Thank you.

23           CHAIR DE REGO: Thank you, Chief.

24           Are there any questions for the chief and the  
25 report, or any comments?

1 (No response.)

2 CHAIR DE REGO: Okay. Hearing none, thank you,  
3 Chief. We'll move on to the next agenda item. I guess,  
4 Melissa, are you here to give us our financial report and --  
5 of budget and expenditures? And we might as well just move  
6 straight into the personnel report and vacancies. We'll do 8  
7 and 9 together. Is that okay?

8 MS. MAGONIGLE: Yeah. That sounds good. Okay.

9 CHAIR DE REGO: Okay. Mahalo.

10 MS. MAGONIGLE: So we'll -- thanks. Good afternoon,  
11 everybody. So we'll go over the financial report. So the  
12 financial report was as of February 28, 2021. Overall,  
13 there's a 40 percent remaining balance, so we're tracking for  
14 the -- the fiscal year. There's still some equipment. We're  
15 still closing out some vehicle purchases, so that's all been  
16 sent out, so we're just waiting for those to close out. But  
17 we are doing well and staying within budget.

18 For the grants, again, we have listed all the grants  
19 that the police department has with the grant amounts, the  
20 term, time frames, and the balances. Not listed on here, we  
21 also had the CARES Act grant, so we had received \$4.9 million  
22 from the CARES Act. 4.4 million of that was to reimburse us  
23 for overtime expenses. We also received the Corona Virus  
24 Emergency Supplemental Funding Grant, and that was \$111,000.  
25 It also assisted with programs related to COVID-19. As you



1 can see, we have all the traffic grants, and those are related  
2 to a lot of the campaigns. I think recent -- the most recent  
3 one was the U Text/U Pay. It also covers a lot of the  
4 roadblocks that the Traffic Section does.

5 We're also working with HIEMA to try to get some  
6 federal assistance with the recent flooding to cover the  
7 premium pay for the officers with those most recent events in  
8 the beginning of March.

9 For CIP projects, we're working on the fuel tank  
10 project and the parking lot. A survey was just sent out today  
11 trying to get in more information about the shuttle. So we're  
12 gonna be having a shuttle service while the parking lot  
13 renovations are going on. The survey is just to, I guess,  
14 narrow down the timelines on when people go to lunch and  
15 things like that. So that's going on.

16 We also have -- in the FY '21 budget, we have money  
17 to fix the roof of the Molokai Police Station. We will be  
18 submitting a budget amendment to request additional funds for  
19 the roof for the Molokai Police Station.

20 So that's for the grants, the CIP, and the  
21 financial.

22 Also, just going over the budget I had -- for FY  
23 '22, I sent all the budget documents over, so I had also sent  
24 over the questions that council had asked and our responses to  
25 it. We will be going up tomorrow for deliberations and

1 decisions, so we don't know what the final cuts are. Some of  
2 the main areas: For the vehicles, we did request 75,  
3 vehicles, and 29 vehicles were approved out of the 75 that we  
4 requested. Of the 29 that were approved, 12 are marked patrol  
5 vehicles, and 17 are unmarked vehicles. So we pretty much  
6 request our vehicles based upon our rotational policy. I  
7 mean, our vehicle policy, sorry about that. So where once  
8 they hit a certain mileage, we try to replace them. So for FY  
9 '22, 39 percent of the vehicles -- 39 percent of the vehicles  
10 we requested were approved, so we're hoping council doesn't  
11 cut any more, basically.

12 For the expansion positions, there's the police  
13 evidence custodian for the Kihei Police Station and a public  
14 safety aide for Molokai Patrol that are currently up at the  
15 council. And then the rest is on the operating expenses and  
16 the equipment that was sent to the police commission.

17 And then for staffing, for sworn personnel, we're at  
18 81 percent staffing; for nonsworn personnel, we're at 72  
19 percent staffing; and overall, we're at 78 percent total. I  
20 do just want to bring up these stats are as of March 31st, so  
21 we actually have two police -- new police officer 1 hires that  
22 began April 16th. We also have four nonsworn. We have two  
23 PSAs that were hired for Kihei Patrol. We have one police  
24 warrants clerk and one statistics clerk that were all -- that  
25 all began April 16th. So, in addition to this, we have four

1       nonsworn new hires, and two police officer hires.

2               For the dispatchers, we're at 48 percent staffing.  
3       We did just post for the supervisor ESD position on Molokai,  
4       so that promotion opportunity is available. We also received  
5       an eligible list, so we have 31 police officer applicants. So  
6       right now, we're scheduling the date for the next agility test  
7       and interviews for the police officer applicants, so that'll  
8       be coming up shortly.

9               And that's all I have for the financial and staffing  
10       report.

11              CHAIR DE REGO: Mahalo. Are there any questions?

12              COMMISSIONER REDEKER: (Gesturing.)

13              CHAIR DE REGO: Commissioner Redeker.

14              COMMISSIONER REDEKER: Yes. Ms. Magonigle, good to  
15       see you again. The \$100,000 plus for the COVID that we're  
16       getting in, does that go to the PD budget or does that go to  
17       the general fund?

18              MS. MAGONIGLE: No, those were for specific  
19       programs. So for the one --

20              COMMISSIONER REDEKER: Okay.

21              MS. MAGONIGLE: The \$111,000, that was for -- we got  
22       the Coplogic, so that's the online police reporting, the one  
23       where you can just go to the website. We also got the  
24       PoliceOne Academy and Street Smart. So those go -- we had  
25       requested specific programs that we wanted in relation to the

1 pandemic, and that's what the money went directly to --

2 COMMISSIONER REDEKER: So it went directly --

3 MS. MAGONIGLE: -- on that.

4 COMMISSIONER REDEKER: It didn't go to the general  
5 fund, it went to the police department --

6 MS. MAGONIGLE: Yes, correct.

7 COMMISSIONER REDEKER: -- for their -- for the  
8 funding?

9 MS. MAGONIGLE: Yes.

10 COMMISSIONER REDEKER: Okay. Thank you.

11 MS. MAGONIGLE: You're welcome.

12 CHAIR DE REGO: Are there any other questions?

13 'Cause I have a couple. Yeah. One question is in terms of do  
14 you get an idea there's a numerical target that the council is  
15 looking after for cuts to the budget? I mean, I've heard  
16 percentages being tossed around, but I wasn't quite sure if  
17 that had been communicated to the department in terms of  
18 looking for cuts, so --

19 MS. MAGONIGLE: One of the questions that we were  
20 asked is if we could propose an 11 percent cut to our program  
21 for our budget, but then it also asked if it would affect the  
22 community, and there's pretty much nothing that we can cut  
23 that wouldn't affect the community and the residents. Right  
24 now, we're at 2 percent less than we were last year in our  
25 budget, so there's a 2 percent cut already in our budget. And

1 our budget does include contractual salary increases, so  
2 that's in there. And then as I mentioned, we also took a  
3 reduction in the vehicles in our equipment as well. Yeah, but  
4 as far as a target percentage, I'm not -- I'm not sure.

5 CHAIR DE REGO: Okay.

6 MS. MAGONIGLE: Or a target amount.

7 CHAIR DE REGO: So -- so you're not expecting -- my  
8 second question following on that is: Are you expecting any  
9 further cuts other than what has already been proposed in the  
10 first round of deliberations, or are you expecting more?

11 MS. MAGONIGLE: I hope we don't have any more cuts.

12 CHAIR DE REGO: Yeah, I know.

13 MS. MAGONIGLE: But, yeah, we did respond as best as  
14 we could. I see the chief coming on, if he wants to respond  
15 as well.

16 CHAIR DE REGO: Yeah. Go ahead, Chief.

17 MS. MAGONIGLE: We responded as best as we could.  
18 Chief can give more on that.

19 CHAIR DE REGO: I watched that, by the way.

20 CHIEF FAAUMU: Yeah. Thank you, Chair. I know we  
21 had been requested by -- by council to look at our -- at all  
22 our programs, as Ms. Magonigle had mentioned to you, to find  
23 any area where we can cut. I know they have -- I guess we  
24 used to call it proviso in the past, but they have -- now it's  
25 priority, you know, for the councils, they need some funding

1 to fund the priority. And so right now we -- my response to  
2 them is we -- we don't have any area that we need to cut.  
3 Even our vehicles, we -- we are behind as far as the rotation  
4 of our -- rotation of our vehicles. And our answer was no, we  
5 don't have any, but, again, they can cut our budget if they  
6 want to. Thank you, Chair.

7 CHAIR DE REGO: Mahalo. Any other questions?

8 (No response.)

9 CHAIR DE REGO: Okay. Hearing none, thank you,  
10 Ms. Magonigle.

11 MS. MAGONIGLE: Thank you.

12 CHAIR DE REGO: Thank you for your report.

13 Okay. So let's move on to No. 10, Old Business, the  
14 TIG, which is disbandment of chief's evaluation temporary  
15 investigative group. The TIG has completed its work. We  
16 forwarded the charted mandate -- mandated report on the  
17 chief's evaluation to the council and the mayor. I will now  
18 entertain a motion to disband the chief's evaluation temporary  
19 investigative group for this past calendar year.

20 COMMISSIONER KUWAHARA: (Gesturing.)

21 CHAIR DE REGO: Okay. Motion made by Commissioner  
22 Kuwahara. Do I have a second?

23 COMMISSIONER REDEKER: (Gesturing.)

24 CHAIR DE REGO: Commissioner Redeker seconds the  
25 motion.

1 Is there any discussion?

2 (No response.)

3 CHAIR DE REGO: Okay. Hearing none, let's take the  
4 vote. Commissioner Patnode is excused.

5 Commissioner Kuwahara.

6 COMMISSIONER KUWAHARA: Aye.

7 CHAIR DE REGO: Commissioner Leach.

8 COMMISSIONER LEACH: Aye.

9 CHAIR DE REGO: Commissioner Redeker.

10 COMMISSIONER REDEKER: Aye.

11 CHAIR DE REGO: Commissioner Rodrigues.

12 COMMISSIONER RODRIGUES: Aye.

13 CHAIR DE REGO: And the chair also votes aye. So  
14 the chief's evaluation temporary investigative group is  
15 disbanded for this year.

16 Okay. We'll now move on to 10b, which is the hiring  
17 of the new police chief. I just want to go through each of  
18 these documents in turn, and then I'll have a little preamble.

19 I think the first one was more for your information  
20 purposes. I included this General Order 202.11 on higher  
21 education in your packet because, at our last meeting, we had  
22 a somewhat lengthy discussion on whether we should require a  
23 four-year degree as a qualification for the chief. The last  
24 commission to hire a chief stated in the position notice the  
25 minimum requirements as outlined in the charter, which

1 included five years in law enforcement, three of which were in  
2 an administrative capacity, but also the notice went on to say  
3 what they were seeking from an applicant, which was 15 years  
4 experience as a law enforcement officer, five years of which  
5 had to be in an administrative position, and/or a  
6 bachelor's -- oh, wait. And a bachelor's degree from an  
7 accredited four-year college or university and/or a  
8 graduate -- being a graduate out of the FBI National Academy.

9 I remember that one of the commissioners observed  
10 that it was not fair to penalize someone who could not afford  
11 to go to college, and I -- so I found this general order that  
12 says MPD will pay for four-year degrees for officers as long  
13 as the degree pertains to their work. I thought this was  
14 important information for the commissioners to have in terms  
15 of the general orders of the department. So that's just in  
16 terms of information, okay, which you had in your packet last  
17 week.

18 In terms -- so let's move on to Item B, small ii or  
19 small double i, the discussion and adoption of the job  
20 description, and the minimum qualifications. A lot of this  
21 has to do with something you received previously, I'll hold it  
22 up, which was the advertisement that has to go in the  
23 newspaper, but I think it's larger than that. I think you  
24 also received our two-pager, right, with not only the minimum  
25 requirements, but the job descriptions, the descriptions of



1 the chief's duties and responsibilities, the police chief's --  
2 chief's skills, and also the discussion of the educational  
3 requirement, and the police chief's minimum qualifications.  
4 Okay? What has to go at the very least in the position  
5 description that is posted on various media platforms is the  
6 job description, the minimum requirements, and the -- what the  
7 commission is seeking in an applicant.

8 Now, just because the commission is seeking someone,  
9 doesn't -- seeking certain applicants, doesn't mean that other  
10 people can't reply. Right? We're seeking certain  
11 requirements. It does not preclude other people from  
12 applying. So, of course, the commission can follow the  
13 previous commission's example in terms of the position  
14 description, which included the minimum requirements of the  
15 charter, but also included additional requirements sought by  
16 the commission. The commission did not require a four-year  
17 degree but expressed their preference for a four-year degree,  
18 that's what they were seeking, and/or graduation from the FBI  
19 academy, and 15 years of law enforcement experience with five  
20 years in administration. So I would imagine anyone who  
21 satisfies the minimum qualifications can apply. These  
22 preferences would not prevent anyone without a four-year  
23 degree or -- and/or graduation from the FBI academy and 15  
24 years of law enforcement experience, with five years in  
25 administration, from applying.

1           So I guess this is where the discussion is gonna be  
2 important. Okay? So exactly what we're seeking in terms of  
3 educational requirements. I think we've heard some of the  
4 testimony. It seemed that several of the testifiers believed  
5 that credentialed qualifications were important, such as a  
6 bachelor's degree or -- and/or FBI, you know, Academy  
7 graduation or graduate.

8           So I'm gonna leave it up to you now. I've -- I'm  
9 presenting these documents as we go along because we're  
10 gonna -- to move the process along, we're gonna have to  
11 discuss this, solidify what our minimum requirements are,  
12 which are already in the charter, right, and -- and also in  
13 HRS, by the way. That's why the citizen of the United States  
14 is one of the -- the basic requirements, 'cause that -- that's  
15 what's in the Hawaii Revised Statutes for the police chief in  
16 the law in the state of Hawaii, that's the basic requirement.  
17 Right? Okay? So there's no residency requirement, according  
18 to HRS.

19           So any discussion on this?

20           COMMISSIONER KUWAHARA: (Gesturing.)

21           CHAIR DE REGO: Go ahead, Commissioner Kuwahara.

22           COMMISSIONER KUWAHARA: I have a question because  
23 you just said that no residency requirement, but on the  
24 minimum requirements on this paper that we're looking at, it  
25 does state that they have to reside -- resident of the state

1 of Hawaii for at least one year preceding the appointment. So  
2 which one is it?

3 CHAIR DE REGO: Yeah.

4 COMMISSIONER KUWAHARA: Jennifer?

5 CHAIR DE REGO: Jennifer.

6 MS. OANA: So the law changed between the time that  
7 Chief Faaumu was hired and now, and they took out the one-year  
8 residency requirement, Hawaii residency requirement.

9 COMMISSIONER KUWAHARA: Thank you, Jennifer.

10 And then my other thing is, you know, I heard all  
11 the testimony, you know, there was a lot of mixed things going  
12 on, they wanted education, but yet they wanted somebody that  
13 was from Hawaii, you know, that knows the ways of Hawaiian  
14 culture and how the people are. But we also have a lot of  
15 written testimony that is saying it's not always required to  
16 have a four-year college degree, and I have to agree. I just  
17 hate to see us put ourselves in the corner where we get a  
18 really good applicant, and maybe they don't have a four-year  
19 college degree, but they shine on everything, and we have to  
20 turn them away because we've made that a requirement. I feel  
21 that we should keep it as the commission is seeking applicants  
22 with the following, so we are not backed into a corner if we  
23 do get a really good applicant that doesn't have a four-year  
24 college degree. That's my stance.

25 CHAIR DE REGO: So let me clarify. What you're

1 saying is you're not having problems with the bachelor's  
2 degree being something that we're seeking and/or the FBI  
3 Academy, but as I said before, it doesn't -- it doesn't negate  
4 anybody else from qualifying for us looking at the  
5 applications, which would be what -- as we're gonna see later,  
6 what the TIG would be looking at.

7 Commissioner Redeker.

8 COMMISSIONER REDEKER: I agree with what she just  
9 said. I mean, I -- it's -- you know, it's great to have all  
10 these wants, but I think we're looking at establishing the  
11 minimum responsibilities, the FBI Academy, the 15 years of  
12 experience. If they have some kind of an AA to go with it or  
13 something else to go with it, it's wonderful, but I -- I too  
14 do not want to lose out on a potentially good candidate that  
15 might meet a lot of other stuff simply because they don't have  
16 that four-year college degree.

17 CHAIR DE REGO: So are you saying you'd rather not  
18 see it in terms of what we're seeking at this point as well?

19 COMMISSIONER REDEKER: We can seek --

20 CHAIR DE REGO: Okay.

21 COMMISSIONER REDEKER: My comment is we can seek  
22 anything we want, but I think we should be looking at these  
23 are the absolute minimum requirements.

24 CHAIR DE REGO: Correct.

25 COMMISSIONER REDEKER: And, you know, you can put

1 down, I seek a master's, but people would look at that and  
2 say, Well, I don't have a master's, and if that's what they  
3 want, I'm not gonna apply. I'm afraid we might lose out on a  
4 good candidate that may not have a master's, but he might --  
5 but he or she might have -- that candidate may have some other  
6 good -- other good things that would be equal to that.

7 CHAIR DE REGO: So I'm gonna ask again, other than  
8 the minimum requirements and the change of the law, do you  
9 have any problems with the announcement for recruitment the  
10 way it reads? And would you have any other problems with the  
11 chief's responsibilities, the skills, and the minimum  
12 requirements in terms of, you know, 15 years of experience?  
13 So -- so are we keep -- I guess I have to say this. Are we  
14 keeping in the -- the seeking minimum qualifications and  
15 keeping in the bachelor's degree as something we're seeking,  
16 but not necessarily -- you know, that's not determinative.  
17 Right? I mean, anybody can apply, even though we're seeking,  
18 as long as they meet the minimum requirements. That's --  
19 that's what I'm asking. I just want -- need that  
20 clarification.

21 Commissioner Redeker.

22 COMMISSIONER REDEKER: Well, again, we're seeking a  
23 bachelor or the FBI Academy, correct?

24 CHAIR DE REGO: And/or. And/or, yeah.

25 COMMISSIONER REDEKER: And/or.

1 CHAIR DE REGO: Yeah. Or and/or.

2 COMMISSIONER REDEKER: I would say -- if you want a  
3 motion, I would say I put a motion on the floor to go with the  
4 job description, the duties and responsibilities and skills  
5 and education requirements, all these documents that you gave  
6 us, minimum qualifications. I would say the documents you  
7 gave us, my motion is that we go with it.

8 CHAIR DE REGO: Okay. Commissioner Rodrigues.

9 COMMISSIONER RODRIGUES: I second that motion. I  
10 agree with Ms. Kuwahara and Mr. Redeker.

11 CHAIR DE REGO: Okay.

12 COMMISSIONER RODRIGUES: I was the one that brought  
13 up that about the schooling and couldn't afford it. Now I see  
14 the general order, but also it's -- I look at it like all the  
15 officers now, they're working, and they have this -- all this  
16 overtime and stuff, and families at home. I mean, you know,  
17 they're gonna have to just sacrifice, I guess, like the woman  
18 said, to get this degree, but I didn't know that they had  
19 these and -- yeah. But I agree that (inaudible).

20 CHAIR DE REGO: What's in here. Okay. And then  
21 we're seeking that requirement, but it's not necessarily  
22 excluding anyone from applying.

23 Okay. Commissioner Kuwahara.

24 COMMISSIONER KUWAHARA: Yeah. When I'm looking at  
25 the police chief job description, it does say --

1 CHAIR DE REGO: Yeah.

2 COMMISSIONER KUWAHARA: -- (inaudible) four-year  
3 degree, but it has so many specific it has to be in a certain  
4 field like law enforcement, criminal justice, political  
5 science.

6 CHAIR DE REGO: Okay.

7 COMMISSIONER KUWAHARA: Security. So there's other  
8 things. So I don't think we need to be so specific about what  
9 degree it has to be.

10 CHAIR DE REGO: Yeah.

11 COMMISSIONER KUWAHARA: And I also -- and I also  
12 feel that even though it says, and/or graduate of the Federal  
13 Bureau of Investigation --

14 CHAIR DE REGO: Academy.

15 COMMISSIONER KUWAHARA: Can we put something in  
16 there that -- yeah, that says something along the lines where  
17 and/or equal training or something where it's not so specific?  
18 I just hate to see us put ourselves in a corner where we can't  
19 back out of it, and we have to turn somebody down that we're  
20 really bummed about, you know. So I really feel that we -- we  
21 shouldn't get so specific. That's my feedback, you know.

22 And I -- I agree with Commissioner Rodrigues, you  
23 know, that's great that they can get paid to go to college and  
24 stuff and get their degree, but, you know, the way we've been  
25 so short-staffed -- I mean, I've been working with them for 20

1 years and we've always been short-staffed, hugely short-  
2 staffed, you know, and these guys are working overtime all the  
3 time. You know, they do have a life, and they do have  
4 families, so another thing added to their plate is not always  
5 feasible. Thank you.

6 CHAIR DE REGO: Okay. Thank you.

7 So there's a motion on the floor, there's a second.  
8 I think a lot of these things that we can do is adapt this,  
9 you know, 'cause this is just a -- kind of a paper that we  
10 kind of looked on and maybe checked some boxes, you know,  
11 those kind of things. If we want to just make it more -- in  
12 terms of skills, I think you -- where -- where were you  
13 mentioning the -- the listing of the degrees? I'm sorry.

14 COMMISSIONER KUWAHARA: It's under Police Chief  
15 Educational Requirements.

16 CHAIR DE REGO: Oh, okay. There you go. Okay.  
17 Yeah. We can just say what it says in the -- in this thing.  
18 It just says bachelor's degree from -- we're seeking a  
19 bachelor's degree from an accredited four-year college or  
20 university, just drop the -- the listings of where -- what  
21 it's in. And/or related -- and/or related -- a related field.  
22 It actually says a related field, so that gives you a whole,  
23 you know, gamut of stuff, right?

24 COMMISSIONER REDEKER: It gives a large leeway, it  
25 really does.



1           CHAIR DE REGO: Yeah, yeah. So the listing is one  
2 thing, it's targeted, but it also says or related field, so  
3 that gives you a large leeway in terms of what you see as  
4 related. Right? It could be human resources. Right? It  
5 could be, you know, all kinds of stuff. Right? But you would  
6 like to add something, and/or a graduate of the Federal  
7 Investigation National Academy or -- how could we put this?  
8 Or --

9           COMMISSIONER KUWAHARA: (Inaudible) training,  
10 certifications, or other police training. Or, you know,  
11 there's -- or other training related to the position.

12           CHAIR DE REGO: Okay.

13           COMMISSIONER KUWAHARA: I -- yeah, I just think we  
14 should leave it a little bit more broad.

15           CHAIR DE REGO: Yeah. I guess my problem with that  
16 would be it's gotta be equal certifications. Right? I mean,  
17 one can get a certification in a particular thing, right, but  
18 it may not be rigorous. Okay.

19           I think police chief is -- will we give permission  
20 for the chief to be an expert witness on this? Does any --  
21 are there any objections to hearing the police chief on this?

22           (No response.)

23           CHAIR DE REGO: Okay. So, Commissioner Redeker, you  
24 have your hand first, so you get precedence over the chief,  
25 unfortunately.

1           COMMISSIONER REDEKER: Well, my only -- my only  
2 thought on this -- on that is this: After being a police  
3 officer for 15 years in California, I attended -- according to  
4 my current post document I attended no --

5           CHAIR DE REGO: Right.

6           COMMISSIONER REDEKER: -- no less than 59 training,  
7 training seminars/classes.

8           CHAIR DE REGO: Right.

9           COMMISSIONER REDEKER: I just -- I just want to make  
10 sure that we're not in a position where we're trying to -- we,  
11 the commission, would have to be trying to figure out which  
12 ones of those -- of those potentially large numbers of  
13 training classes --

14          CHAIR DE REGO: Right.

15          COMMISSIONER REDEKER: -- might be applicable to the  
16 job --

17          CHAIR DE REGO: Yeah.

18          COMMISSIONER REDEKER: -- of chief of police and  
19 which ones would not.

20          CHAIR DE REGO: Yes, I understand.

21          COMMISSIONER REDEKER: Now, the -- the Federal  
22 Bureau of Investigation National Academy is specifically  
23 geared toward administration and the high administration of  
24 each -- of each command officer. So I would just -- I think  
25 what Commissioner Kuwahara is saying is -- is true, we don't

1 want to limit ourselves, but at the same time, I feel it would  
2 be very difficult for us to try to figure out if -- if a  
3 candidate came to us with a tremendous number of classes they  
4 had attended, which ones are applicable and which ones aren't,  
5 that's all.

6 CHAIR DE REGO: Okay.

7 COMMISSIONER REDEKER: But I agree with her that we  
8 want to leave this as broad as possible.

9 CHAIR DE REGO: Okay. So -- so what would you  
10 suggest for the wording for the "or" in terms of police  
11 training, certifications, or -- so it would be, and/or the  
12 Federal Bureau of Investigation National Academy or?

13 COMMISSIONER REDEKER: Or an equivalent.

14 CHAIR DE REGO: Or equivalent training. How's that?  
15 Mahalo.

16 COMMISSIONER REDEKER: That works for me.

17 CHAIR DE REGO: Or equivalent training.

18 COMMISSIONER KUWAHARA: (Inaudible) training.

19 CHAIR DE REGO: Thank you, Commissioner Redeker.  
20 You gave us the word. There we go. Or equivalent training.  
21 So with that amendment to this document -- that would be a  
22 friendly amendment to this, Commissioner Redeker, correct?

23 COMMISSIONER REDEKER: Yes.

24 CHAIR DE REGO: Okay. I want to give a chance to --  
25 since we gave permission for the chief to speak, go ahead,

1 Chief.

2 CHIEF FAAUMU: Yeah. Thank you, Chair, and thank  
3 you, Commission Members, for allowing me to put -- to have an  
4 input to -- that hopefully will help you in your decision-  
5 making. I think, Chair, you mentioned it earlier on at one of  
6 our meetings, and you said what you're looking for the  
7 education is your backing. Because there are times there are  
8 complex situations and the only way to do that decision-making  
9 as a chief, you have to rely on something. And the FBI  
10 National Academy was something that I rely on, and with my  
11 network of people there that I attend the academy with, was my  
12 classmate. To give you an example, the chief of San Diego  
13 Police Department, the undersheriff for Metropolitan Police  
14 Department in Vegas. So I reach out to them, and they  
15 provide. So the FBI National Academy, there is another  
16 training that is available out there. It's equivalent to  
17 that, but it's very expensive, so that is one of the reasons  
18 why the Maui Police Department follows the FBI National  
19 Academy to help us out.

20 Applicants, the applications, you know, folks that  
21 apply for the positions, it's not very much. I mean, you're  
22 gonna have a lot -- you're gonna have more retirees and  
23 outsiders that will apply for the positions than acting  
24 members. When I apply for the positions, there were four of  
25 us, only four of us that applied for the positions. Active

1 members, now. The fourth person was -- didn't make it to the  
2 top five, and then the three acting members was where the --  
3 the top three. And then, as you know what the decision was  
4 making, what happened with the decisions.

5           With my employees, as a chief, there are close  
6 people that work with you. Our business administrator, that's  
7 one. The -- the analysts, the information education  
8 specialists that work very, very closely with the chief.  
9 Those individuals, the minimum qualification is four years  
10 college degree, you must have that before you can even put in  
11 for the positions, so they are all college graduates. What  
12 I'm just saying -- what I'm trying to say, sometimes  
13 experience plus educations, and then you can be able to have a  
14 dialogue with this -- these subordinates that I just mentioned  
15 to you. They're also not police officers; they have a  
16 different look at things than me as a law enforcement, than  
17 what I've been trained on. They look at things differently,  
18 and they provide it to me based on their experience and also  
19 their educations. In fact, two of them, they have their  
20 master's, one is Ms. Magonigle, and the other one is Ms. Greer  
21 Prince. So you have that, and it's -- it's gonna be a  
22 tough -- a tough run for a chief, now you having your  
23 subordinate that requires college educations before they even  
24 apply because that's what the minimum qualification by civil  
25 service to apply, and then you have to work with that.

1           As you can see what's going on nationwide, it's  
2 tough, what's going on, and you have to be able to deal with  
3 it and work with it and work through it, you know. And I can  
4 tell you, with my experience, OJT came to an end in March of  
5 2020. The pandemic was something nobody ever known of. What  
6 is it? The last time was 1918 or something like that; that  
7 was the last. It was not in our playbook. So OJT came to an  
8 end, and then education carried me through; that's all I'm  
9 trying to say. And I just wanted to -- I just wanted to share  
10 my manao with you folks so it can give you an idea on what you  
11 do and how you're gonna make a decision.

12           You heard the testifiers and all of that, but just  
13 to share my experience from someone who's sitting in the seat  
14 that you are looking for candidates to fill that positions,  
15 for me, OJT came to an end in -- they did play a role in it as  
16 I move forward in the pandemic, as I reach out and use other  
17 things, but they asked me to do a COOP. I don't have a COOP,  
18 Continuity of Operation Plan, and there was -- I don't have a  
19 COOP. I have an emergency plan and things like that, so I was  
20 able to reach out and change that and, working with my  
21 analysts, was able to -- to work it and make it fit for what  
22 the managing director wanted for all directors to present  
23 to -- to the mayor and him by a period of -- by a certain  
24 time.

25           So it is there, the opportunity to take your

1 education is there. Yes, you're right, Commissioner Kuwahara.  
2 I did it. I did it when I was still working. In fact, I --  
3 when my kids were out of college, then what -- then I  
4 continued to continue for higher educations, and I did it  
5 while I was still working and then -- so it was tough. The  
6 opportunity was there, I seek mine through the military, and I  
7 didn't take advantages of what the department has to offer.

8 And I hope my -- what I share with you as someone  
9 that's sitting on the seat will help you with your decision-  
10 making. Thank you, Chair, and thank you for your -- for the  
11 opportunity. Thank you.

12 CHAIR DE REGO: Okay. Commissioner Leach, you have  
13 your hand up. Go ahead.

14 COMMISSIONER LEACH: Yes, I'd like to --

15 CHAIR DE REGO: I think you've got -- is Kahalakai  
16 also your -- 'cause you're up twice, I think, that's why  
17 you're getting the feedback. Can't hear you.

18 COMMISSIONER LEACH: Hear me?

19 CHAIR DE REGO: Yeah. Now I can hear you.

20 COMMISSIONER LEACH: I wanted to ask the chief --

21 CHAIR DE REGO: Amy, is there a way we can mute  
22 Kahalakai and keep Randol on there? Because he's showing up  
23 twice.

24 MS. LAU: I'm checking. I'm checking on it.

25 CHAIR DE REGO: I think that's where the feedback is

1 coming. While we're waiting for you, we'll go to Commissioner  
2 Rodrigues.

3 COMMISSIONER RODRIGUES: Can I have a fast excuse  
4 for a while, a timeout?

5 CHAIR DE REGO: Go for it, Commissioner Rodrigues,  
6 while we're fixing this. Oh, yeah. You need a timeout?  
7 Yeah, go ahead. We'll take a recess. Two minutes. You can  
8 stop the recording 'cause we're taking a two-minute recess  
9 without objection.

10 (Pause in Proceedings: 3:38 p.m.-3:43 p.m.)

11 CHAIR DE REGO: Okay. It's 3:43 p.m. and this  
12 meeting of the police commission is called back to order.  
13 We'll continue with our business and we'll call on  
14 Commissioner Leach.

15 COMMISSIONER LEACH: Yes. Thank you, Chair Frank.  
16 Yeah, I had a question for the chief. I don't know if he's  
17 still with us.

18 CHAIR DE REGO: Yes, he is.

19 COMMISSIONER LEACH: Oh, okay. I wanted to ask him  
20 what his take was on the FBI Academy. Is that a good  
21 substitute for a four-year college degree? You know, what his  
22 thoughts on that is.

23 CHAIR DE REGO: Okay. Chief, go ahead.

24 CHIEF FAAUMU: Thank you, Chair and Commissioner  
25 Leach. The -- the FBI National Academy every class that you



1 take there is a credit by the University of West Virginia --  
2 University of Virginia, that's where the program is come  
3 under. In fact, when I attended, because I already had my  
4 four-year college degree, I must take graduate classes. So I  
5 did that and when I graduated, I have credits from there that  
6 were able to transfer to help me with my education. So anyone  
7 that attends the FBI Academy, if you do not have a four-year  
8 college degree, you can transfer those credits that you --  
9 from the FBI National Academy and you can apply that to --  
10 towards your degree of whatever nature that you're working on.  
11 University of Virginia will give you a transcript for that.  
12 Thank you, Chair.

13 CHAIR DE REGO: Okay.

14 COMMISSIONER LEACH: Thank you.

15 CHAIR DE REGO: Any other questions?

16 (No response.)

17 CHAIR DE REGO: Okay. So there was a motion on the  
18 floor to accept the document as it was written. Okay. During  
19 the discussion, there was a friendly amendment, okay, that  
20 would've added the phrases, "or equivalent training." Okay?  
21 And I think the motioner agreed to that, right, the one  
22 who did it.

23 COMMISSIONER REDEKER: (Thumbs up.)

24 CHAIR DE REGO: Okay. So the motion on the floor is  
25 to accept this document --

1 MS. OANA: (Gesturing.)

2 CHAIR DE REGO: Oh, go ahead. So maybe we're gonna  
3 get some parliamentary lessons here about how we can do this  
4 since the motion on the floor was to accept the document.  
5 Okay.

6 MS. OANA: That wasn't gonna be my comment, but  
7 because there was a friendly motion, then you can accept  
8 the -- the motion will be to adopt the document with the  
9 addition of saying "or equivalent training" after the first  
10 bullet point under Police Chief Educational Requirements.

11 CHAIR DE REGO: Okay. Just to be more specific, but  
12 I was on the right direction, correct?

13 MS. OANA: Yeah. But the reason why I wanted to  
14 interrupt was because the motion was to adopt the document as  
15 is, and I do feel we need to kind of change things around. I  
16 kind of want to know from the commission whether they are  
17 going to require the four-year degree as part of the minimum  
18 qualifications, or whether you're gonna do how the -- the  
19 prior commission did with just the minimum qualifications  
20 being the residency, citizen of the United States, and the  
21 five year's experience with three years of which shall be in  
22 an administrative capacity, which is the charter requirements?  
23 And then have it that the commission is seeking applicants  
24 with 15 years experience as a law enforcement officer, five of  
25 which shall be in an administrative position, and the -- and

1 the bachelor's degree? 'Cause, right now, the document reads  
2 that you are requiring the bachelor's degree.

3 CHAIR DE REGO: Okay. And I think the intention.

4 MS. OANA: It says Police Chief's Educational  
5 Requirements, and at the -- the next section, Police Chief  
6 Minimum Qualifications, the second bullet point says, Must  
7 possess police chief educational requirements as stated above.  
8 So I just wanted to point that out to you. If you're fine  
9 with that as is, then that's good, but if you're -- if like  
10 Commissioner Kuwahara isn't, then you guys have to discuss  
11 what you want changed with regard to those two sections.

12 CHAIR DE REGO: Okay. So we can accept the  
13 substance of the document, but we have to rearrange what --  
14 where we want things, Jennifer?

15 MS. OANA: Yes.

16 CHAIR DE REGO: Corporation counsel?

17 MS. OANA: Yes.

18 CHAIR DE REGO: Okay. So I would like to --

19 MS. OANA: So I'm not entirely sure where -- where  
20 you guys have settled on with regard to the four-year degree.

21 CHAIR DE REGO: Okay. My -- my understanding from  
22 our discussion is that we wanted to put the four-year degree  
23 and/or the graduate of the Federal Bureau of Investigation  
24 National Academy or equivalent training. Right? Which was  
25 the addition under seeking, right? The commission is seeking,

1 right? But not put it under the minimum requirements, is --  
2 Commissioners, is that what I'm hearing? Commissioner  
3 Kuwahara.

4 COMMISSIONER KUWAHARA: Well, I think the confusion  
5 is, is, you know, the police job description, police chief job  
6 description is saying it's a requirement, whereas on the back  
7 page, when you're looking at the ad, it's saying, The  
8 commission is seeking applicants. So one is seeking, and one  
9 is requiring. It can't be both ways; it has to be --

10 CHAIR DE REGO: Okay.

11 COMMISSIONER KUWAHARA: -- all one way or all the  
12 other way is what Jen is saying.

13 CHAIR DE REGO: Okay. There we go. So that's  
14 the -- can you point out where in the job description?

15 COMMISSIONER KUWAHARA: In the job description on  
16 the second page, it says, Chief -- Police Chief Educational  
17 Requirements.

18 CHAIR DE REGO: Oh, okay. I see what you're saying.

19 COMMISSIONER KUWAHARA: And then on the ad, it says.  
20 The police commission is seeking applicants with the  
21 following. So one is seeking, saying it doesn't have to be,  
22 and one is saying --

23 CHAIR DE REGO: Right.

24 COMMISSIONER KUWAHARA: -- it's a requirement. So  
25 they both have to say --

1 CHAIR DE REGO: Okay.

2 COMMISSIONER KUWAHARA: -- the same thing, verbiage.

3 CHAIR DE REGO: Right. So I'm trying to put this  
4 under -- so, yeah, I think also we need to take out the 15  
5 years out of minimum qualifications, right?

6 COMMISSIONER KUWAHARA: Yep. They have to jibe  
7 because they're --

8 CHAIR DE REGO: They have to jibe.

9 COMMISSIONER KUWAHARA: (Inaudible.)

10 CHAIR DE REGO: Right. Exactly.

11 COMMISSIONER KUWAHARA: They're contradicting each  
12 other right now.

13 CHAIR DE REGO: Right. Okay. So why don't we amend  
14 the Police Chief Educational Requirements, the title of that,  
15 to, let's see, Seeking applicants with the following, as it  
16 says in the -- in the ad? Right?

17 COMMISSIONER KUWAHARA: So change it to police  
18 education -- or just change it to police -- seeking police  
19 chief require -- I don't know.

20 CHAIR DE REGO: Yeah.

21 COMMISSIONER KUWAHARA: Do it like the ad, yes.

22 CHAIR DE REGO: Do it like the ad. Seeking -- the  
23 commission is seeking -- oh, let's see. Seeking  
24 qualifications -- okay. Go ahead, Jennifer. I'm not good at  
25 the --

1 MS. OANA: So how about this: Let's take -- make it  
2 easy to explain as possible. Let's take out the Police Chief  
3 Educational Requirements, so that would be deleted.

4 CHAIR DE REGO: Right.

5 MS. OANA: And then the next section, Police Chief  
6 Minimum Requirements. We just list --

7 CHAIR DE REGO: Right.

8 MS. OANA: -- citizen of the United States, five  
9 years experience in law enforcement, at least three of which  
10 shall be in an administrative capacity.

11 CHAIR DE REGO: Okay.

12 MS. OANA: We can keep the must possess driver's  
13 license and have a clean record.

14 CHAIR DE REGO: Right.

15 MS. OANA: Okay. Then we add a second -- a section  
16 after that and follow the notice. The commission is seeking  
17 applicants with the following. And where you originally had  
18 that Police Chief Educational Requirements.

19 CHAIR DE REGO: Right.

20 MS. OANA: That will go into that new section, the  
21 bachelor's degree and/or FBI National Academy and/or  
22 equivalent training.

23 CHAIR DE REGO: Right. And put the --

24 MS. OANA: And then in that next new section add the  
25 experience that you're seeking, 15 years as a law enforcement

1 officer, five of which was -- must be -- have been in an  
2 administrative position.

3 CHAIR DE REGO: Okay. So --

4 MS. OANA: Kind of just rearranging things.

5 CHAIR DE REGO: Right. And putting in there a new  
6 heading.

7 MS. OANA: A new heading with what you're seeking.

8 CHAIR DE REGO: Okay.

9 MS. OANA: I do want to clarify with regard to  
10 Commissioner Kuwahara's specific degree concern, did you want  
11 to keep that? Because it does say "or related field," or do  
12 you want to eliminate all of those specific degrees?

13 CHAIR DE REGO: No, I would say "or related field"  
14 is -- covers a whole bunch of stuff. But Commissioner  
15 Redeker.

16 COMMISSIONER REDEKER: I agree with the "or related  
17 field." And I am amending my motion -- my motion to these  
18 friendly recommendations by our -- by our chief attorney to  
19 bring all those into line so we can move forward.

20 CHAIR DE REGO: Okay.

21 COMMISSIONER KUWAHARA: I'll second it.

22 CHAIR DE REGO: So let me get this clear. So the  
23 minimum qualifications will be citizen of the United States of  
24 America, minimum charter requirement five years of experience  
25 in law enforcement -- did you include the successful

1 completion of all pre-employment evaluations including but not  
2 limited to physical examination, drug test, psychological  
3 assessment, and background investigation in that?

4 MS. OANA: Yeah.

5 CHAIR DE REGO: Okay. Must possess a valid driver's  
6 license and must have a clean criminal record. So those are  
7 the minimum qualifications, correct?

8 COMMISSIONER REDEKER: Correct.

9 CHAIR DE REGO: Okay. But we would be seeking,  
10 right, somebody with a bachelor's degree and/or graduate of  
11 the Federal Bureau of Investigation National Academy or  
12 equivalent training. Okay? So that means we'd be seeking  
13 that first.

14 COMMISSIONER KUWAHARA: And I second that motion.

15 CHAIR DE REGO: Okay.

16 COMMISSIONER REDEKER: Thank you.

17 CHAIR DE REGO: So there we go. Okay. So -- so we  
18 have a motion, a second, we've kind of discussed this, kind of  
19 sorted everything out, so let's take the vote. Okay.

20 Commissioner Kuwahara.

21 COMMISSIONER KUWAHARA: Aye.

22 CHAIR DE REGO: Commissioner Leach.

23 COMMISSIONER LEACH: Aye.

24 CHAIR DE REGO: Commissioner Redeker.

25 COMMISSIONER REDEKER: Aye.



1 CHAIR DE REGO: Commissioner Rodrigues.

2 COMMISSIONER RODRIGUES: Aye.

3 CHAIR DE REGO: And Commissioner De Rego also votes  
4 aye. Okay.

5 Okay. Let's move on to discussion of -- and  
6 decision on the application period and application deadline.  
7 Okay. So let's talk about the application period and what the  
8 deadline is. The rules state the deadline shall be no sooner  
9 than 30 days nor later than 60 days after the publication of  
10 the notice. Okay? And also, according to the rules, the  
11 notice should be published at least once in a newspaper of  
12 general circulation in the state. As you can see from the  
13 copy that you received earlier -- I apologize that it wasn't  
14 included again in your packet again -- they went above and  
15 beyond the rules of only one publication. If you look at Maui  
16 News, it actually was published three times. Okay?

17 So when we discuss publication locations, you also  
18 see that we might want to use more than just the Maui News.  
19 The previous commission, who was hiring the chief at the time,  
20 they set the deadline 45 days from the first publication of  
21 the -- of the notice. Okay? And then published the notice  
22 two times after that. Right? So they -- the original  
23 publication, okay, the 45-day clock started, but then within  
24 that 45-day period, they published the notice two more times.  
25 Okay? So would you like to follow this practice as well? You

1       wanna give it 60 days? Do you want to --

2                   COMMISSIONER KUWAHARA: (Gesturing.)

3                   CHAIR DE REGO: Okay. So, Commissioner Kuwahara, do  
4 you -- you raised your hand first. Do you want to say  
5 something?

6                   COMMISSIONER KUWAHARA: Yeah. I think we should  
7 publish it three times to get, you know, as much applications  
8 as possible. And I think that we should do it on all the  
9 venues that they did previously. And I had written from our  
10 last meeting that we did it in -- they did it in Honolulu  
11 Star, Maui News, the Maui County website, and also they put it  
12 on MPD Facebook, so I think we should do it on all of it and  
13 give it --

14                   CHAIR DE REGO: Okay.

15                   COMMISSIONER KUWAHARA: -- three times on the  
16 newspapers.

17                   CHAIR DE REGO: Okay. So let's keep it to the  
18 deadline first, and then we can get into the publication,  
19 which is the next bullet item. Okay?

20                   COMMISSIONER KUWAHARA: I said 45 days.

21                   CHAIR DE REGO: So --

22                   COMMISSIONER KUWAHARA: Forty-five days from the --

23                   CHAIR DE REGO: Forty-five?

24                   COMMISSIONER KUWAHARA: Yeah, from the first  
25 publication.

1 CHAIR DE REGO: Are you -- okay. First publication.

2 So Commissioner Kuwahara has made the motion, the --

3 COMMISSIONER REDEKER: (Gesturing.)

4 CHAIR DE REGO: Seconded by Commissioner Redeker.

5 Any discussion on that? So you're saying 45 days and

6 published three times within that 45 days, correct?

7 COMMISSIONER KUWAHARA: (Gesturing.)

8 CHAIR DE REGO: Okay. Just to --

9 COMMISSIONER KUWAHARA: Right.

10 CHAIR DE REGO: -- clarify the motion. So any --

11 without any further discussion, let's take the vote.

12 Commissioner Kuwahara.

13 COMMISSIONER KUWAHARA: Aye.

14 CHAIR DE REGO: Commissioner Leach.

15 COMMISSIONER LEACH: Aye.

16 CHAIR DE REGO: Commissioner Redeker.

17 COMMISSIONER REDEKER: (Gesturing.)

18 CHAIR DE REGO: Commissioner Rodrigues.

19 COMMISSIONER RODRIGUES: Aye.

20 CHAIR DE REGO: And Commissioner De Rego also says

21 aye. Okay. So the motion passes, 45 days and published

22 within that period three times. Okay.

23 Now let's move on to the previous commission --

24 let's move on to the discussion and decision on notice

25 publication locations. The previous commission published the

1 notice in the Maui News, as Commissioner Kuwahara has told us,  
2 the Honolulu Star Advertiser, they also published it in the  
3 International Association of Chiefs of Police. Okay? They  
4 did it on the Maui County website, the MPD Facebook page, and  
5 also Maui Now.

6 COMMISSIONER REDEKER: (Gesturing.)

7 CHAIR DE REGO: Commissioner Redeker, would you have  
8 any other suggestions for places to publish? I mean, I was  
9 gonna ask that, if anybody has any suggestions.

10 COMMISSIONER REDEKER: I was just gonna move -- I  
11 was just gonna move to go with the same one.

12 CHAIR DE REGO: Okay. Does anybody else -- okay.  
13 Can we have a second? Then we can have a discussion.

14 COMMISSIONER LEACH: (Gesturing.)

15 CHAIR DE REGO: Okay. Second from Commissioner  
16 Leach. So does anybody have any other -- as a part of the  
17 discussion, any other venues, right, that we can amend the  
18 motion? Right? Maybe make it a friendly amendment to add to  
19 this.

20 (No response.)

21 CHAIR DE REGO: Okay. So we're just gonna go ahead  
22 with that, with the motion. Okay? So I'll just take the vote  
23 on this. Okay? Commissioner Kuwahara.

24 COMMISSIONER KUWAHARA: Aye.

25 CHAIR DE REGO: Commissioner Leach.

1 COMMISSIONER LEACH: Aye.

2 CHAIR DE REGO: Commissioner Redeker.

3 COMMISSIONER REDEKER: Aye.

4 CHAIR DE REGO: Commissioner Rodrigues.

5 COMMISSIONER RODRIGUES: Aye.

6 CHAIR DE REGO: And Commissioner De Rego also says  
7 aye. Okay.

8 Okay. Let's move on to discussion and adoption of  
9 application form. I think you had a chance to look at that.  
10 If we accept the substance of this, you know, just the dates  
11 and things would change. But I found the application to be  
12 pretty straightforward. Okay? So if -- the motion would be  
13 that we would accept the substance of the -- the application  
14 and the letter, but any stylistic changes or changes of dates  
15 because this is, you know, older information, like the letter  
16 and stuff, we would allow, you know, the department -- or, I  
17 mean, our secretary and the chair to make those changes, which  
18 would be stylistic and not substantive. Okay? So do I hear a  
19 motion to that effect?

20 COMMISSIONER REDEKER: (Gesturing.)

21 CHAIR DE REGO: Okay. Commissioner Redeker, are you  
22 making the motion?

23 COMMISSIONER REDEKER: Yeah. I'm making the motion.

24 CHAIR DE REGO: Okay. Do I have a second?

25 COMMISSIONER KUWAHARA: I'll second it.

1 CHAIR DE REGO: Okay. Commissioner Kuwahara. So  
2 discussion on the application?

3 COMMISSIONER KUWAHARA: (Gesturing.)

4 CHAIR DE REGO: Commissioner Kuwahara.

5 COMMISSIONER KUWAHARA: I feel very comfortable with  
6 the application. I think it's very thorough, I think it's  
7 gonna give us a lot of information that we're requesting, and  
8 I -- I'm very -- I accept it. I think it's a great  
9 application. That's all.

10 CHAIR DE REGO: Okay. Good. Okay. Including the  
11 letter, right?

12 COMMISSIONER KUWAHARA: Correct.

13 CHAIR DE REGO: In terms of the substance of the  
14 letter.

15 COMMISSIONER KUWAHARA: Correct.

16 CHAIR DE REGO: Yeah, okay. Good.

17 Any other -- oh, Commissioner Leach.

18 COMMISSIONER LEACH: Yeah. I have one question. On  
19 No. 6 it says, Have you ever been convicted of any criminal  
20 offense and traffic violations? So would that be like a  
21 speeding ticket?

22 CHAIR DE REGO: Where are you at now, sir?

23 COMMISSIONER LEACH: Number 6 on the application.

24 CHAIR DE REGO: 6 on the application. Yeah, I  
25 remember seeing that.

1           COMMISSIONER LEACH: And then -- and if that is a  
2           yes, would that negate a clean criminal record as we were  
3           looking at earlier?

4           CHAIR DE REGO: Okay. Corporation counsel.

5           MS. OANA: So I think the question was: What's the  
6           difference between a criminal record and a traffic violation?  
7           So from what I understand of it, traffic violations -- traffic  
8           matters are not criminal when they do not impose a possible  
9           jail sentence. So for things like speeding, expired safety  
10          ticket, failure to use your blinker when you turn, driving  
11          left of center, all of those things, I believe, are just  
12          fineable as opposed to imposing any possible jail time. Some  
13          offenses say, you know, maximum penalty is 30 days jail or one  
14          year jail, so for those -- those are petty misdemeanors and  
15          misdemeanors, I'd call those criminal offenses. And those  
16          could be traffic things too. Like reckless driving,  
17          inattention to driving, those are misdemeanors, and those  
18          would be, I believe, criminal offenses because jail is  
19          attached. But things like speeding and -- speeding, left of  
20          center, all of those kinds of things that are just the maximum  
21          penalty is a fine, I don't believe that qualifies as criminal.  
22          A clean criminal record, I think, could have a speeding ticket  
23          on there. If you wish to add, you know, that qualification,  
24          must have a clean criminal record and traffic record, that  
25          would be more clear if that's what your intent is to have it

1 completely clean.

2 CHAIR DE REGO: Does that answer your question,  
3 Commissioner Leach?

4 COMMISSIONER LEACH: Yeah, that -- yes. As long as  
5 everyone else is on the same page with that, I'm okay.

6 CHAIR DE REGO: Yeah, yep. Okay. So are we ready  
7 to vote here?

8 Oh, Chief, would you like to get involved in this  
9 discussion as well? I noticed you turned on your camera, so  
10 it's just -- so from -- permission from the commissioners to  
11 allow our expert witness here, so -- go ahead.

12 CHIEF FAAUMU: Thank you, Chair. Probably what will  
13 help you is you get a criminal records check and also a  
14 traffic abstract. That will help you, that way you can look  
15 at both documents. I remember when I applied, I had to get my  
16 traffic abstract and I also had to get my criminal records and  
17 turn both of -- both of them in. So hope that will help you,  
18 Commissioner Leach.

19 CHAIR DE REGO: Okay. Thank you, Chief, for that  
20 clarification. Thank you. Thank you for still being here.

21 Okay. So I think we're ready to take the vote on  
22 this. Okay. Commissioner Kuwahara.

23 COMMISSIONER KUWAHARA: Aye.

24 CHAIR DE REGO: Commissioner Leach.

25 COMMISSIONER LEACH: Aye.



1 CHAIR DE REGO: Commissioner Redeker.

2 COMMISSIONER REDEKER: Aye.

3 CHAIR DE REGO: Commissioner Rodrigues.

4 COMMISSIONER RODRIGUES: Aye.

5 CHAIR DE REGO: And Commissioner -- Chair De Rego  
6 says aye, so that's unanimous.

7 Okay. So let's move on to small Roman numeral vi.  
8 Okay? Discussion and decision of number of final candidates  
9 to be interviewed by the commission. As you can see from the  
10 final agenda item, I will be proposing the creation of a TIG  
11 to review all of the applications and to come up with a  
12 shortlist. I'm asking the commission to decide on the number  
13 of candidates to be included in the shortlist. So I will  
14 entertain a motion on the number of candidates to be  
15 interviewed by the whole commission. Okay? Maybe we can talk  
16 a little bit, you know, is it three? Is it five? I think the  
17 previous one, I think there were five candidates, from what I  
18 gather.

19 Is that correct, Chief? Ah, he left the call. He  
20 clicked himself off.

21 But I think there were five candidates. As he  
22 mentioned in his rundown, there were -- oh, there we go. Here  
23 we go. There we Go, Chief. (Inaudible.)

24 CHIEF FAAUMU: Can you reask -- repeat the question  
25 so I may give comments?

1 CHAIR DE REGO: Okay. So the final -- at the last  
2 police commission, there were five final candidates, correct?

3 CHIEF FAAUMU: That is correct.

4 CHAIR DE REGO: To be interviewed -- to be  
5 interviewed by the commission.

6 CHIEF FAAUMU: That's correct. If I can -- if I  
7 recall, the TIG, they had 24 candidates, the applicants, and  
8 then out of the 24, the TIG reviewed it and presented to the  
9 main panel five applicants for interview.

10 CHAIR DE REGO: Okay. Good. Thank you, Chief.

11 So we're discussing now --

12 COMMISSIONER REDEKER: (Gesturing.)

13 CHAIR DE REGO: Commissioner Redeker?

14 COMMISSIONER REDEKER: (Gesturing.)

15 CHAIR DE REGO: Five. Okay. So would you like to  
16 make the motion? You're making the motion that the final  
17 shortlist that's determined by the TIG for interview by the  
18 commission would be five, by the whole commission would be  
19 five. Okay. Do I have a second?

20 COMMISSIONER KUWAHARA: (Gesturing.)

21 CHAIR DE REGO: Commissioner Kuwahara seconds.  
22 Okay. Any discussion on that number?

23 (No response.)

24 CHAIR DE REGO: Okay. So we'll take the vote.

25 Commissioner Kuwahara.

1 COMMISSIONER KUWAHARA: Aye.

2 CHAIR DE REGO: Commissioner Leach.

3 COMMISSIONER LEACH: Aye.

4 CHAIR DE REGO: Commissioner Redeker.

5 COMMISSIONER REDEKER: Aye.

6 CHAIR DE REGO: Commissioner Rodrigues.

7 COMMISSIONER RODRIGUES: Aye.

8 CHAIR DE REGO: And the chair votes aye.

9 Okay. Here's the next one. Okay. I would like to  
10 create -- this is Roman numeral vii, small Roman numeral vii,  
11 Creation of a temporary investigative group for the hiring of  
12 the police chief. Commission will determine the TIG members  
13 and the scope of the TIG. Okay? So I would like to create a  
14 TIG to handle the review and scoring of applications and  
15 determine the applicants to be interviewed by the whole  
16 commission. They will also be responsible for determining  
17 when the notice will be published. Okay? So we're gonna come  
18 up with the TIG; part of this motion would be the TIG members.  
19 I'm actually volunteering to be a part of the TIG.

20 COMMISSIONER REDEKER: (Gesturing.)

21 CHAIR DE REGO: All right. Commissioner Redeker,  
22 are you also volunteering to be a part of the TIG?

23 COMMISSIONER REDEKER: Yes.

24 COMMISSIONER KUWAHARA: (Gesturing.)

25 CHAIR DE REGO: Commissioner Kuwahara, you're also

1 volunteering to be part of the TIG. So we can have not more  
2 than four, so -- because our commission is nine, so we can  
3 have one more member of the TIG.

4 COMMISSIONER RODRIGUES: (Gesturing.)

5 CHAIR DE REGO: Okay. Commissioner Rodrigues has  
6 volunteered to be on the TIG. So would somebody like to make  
7 a motion that we create a temporary investigative group for  
8 the hiring of the new police chief that will handle the review  
9 and scoring of applications and determine the applicants to be  
10 interviewed by the whole commission and they will also be  
11 responsible for determining when the notice will be published?  
12 Okay?

13 COMMISSIONER REDEKER: (Gesturing.)

14 CHAIR DE REGO: So, Commissioner Redeker, make the  
15 motion. Can you say so moved, sir?

16 COMMISSIONER REDEKER: So moved.

17 CHAIR DE REGO: Okay. Do I have a second on that  
18 motion?

19 COMMISSIONER RODRIGUES: Second.

20 CHAIR DE REGO: Commissioner Rodrigues seconds the  
21 motion. Is there any -- is there any discussion?

22 (No response.)

23 CHAIR DE REGO: Okay. Hearing none, Commissioner  
24 Kuwahara.

25 COMMISSIONER KUWAHARA: Aye.

1 CHAIR DE REGO: Commissioner Leach.

2 COMMISSIONER LEACH: Aye.

3 CHAIR DE REGO: Commissioner Redeker.

4 COMMISSIONER REDEKER: Aye.

5 CHAIR DE REGO: Commissioner Rodrigues.

6 COMMISSIONER RODRIGUES: Aye.

7 CHAIR DE REGO: And Commissioner -- Chair De Rego

8 also says aye. So as far as our Item No. 10, we have

9 completed all the business for that particular item.

10 Okay. Let's move on to No. 11, New Business.

11 Proposed charter amendments and/or recommendations to the

12 charter commission. See correspondence PC 21-12. So the

13 charter commission sent this to us and they want us to review

14 the charter. I would suggest we review the charter and bring

15 this back as old business the next meeting. Okay? And come

16 back with any suggestions you have for a charter amendment.

17 Since we just got this letter not too long ago, I think it was

18 the 28th of March, and we're just discussing it now --

19 COMMISSIONER REDEKER: (Gesturing.)

20 CHAIR DE REGO: Commissioner Redeker.

21 COMMISSIONER REDEKER: Move to defer this to the

22 next meeting where we have a chance to look at it over the

23 next 30 days.

24 CHAIR DE REGO: Okay. So do I have a second to that

25 deferment?

1 COMMISSIONER KUWAHARA: (Gesturing.)

2 CHAIR DE REGO: Okay. We're seconding. I guess I  
3 should've done this out without objection, correct? Can we --  
4 can you withdraw your motion, Commissioner Redeker?

5 COMMISSIONER REDEKER: I withdraw my motion.

6 CHAIR DE REGO: Okay. So without objection, can we  
7 defer this to the next meeting? There we go. That's a lot  
8 easier.

9 (No response.)

10 CHAIR DE REGO: Okay. Good. Hearing none, we're --  
11 it will be deferred.

12 Okay. So now we move into executive session. The  
13 following agenda items will be reviewed in executive session  
14 pursuant to HRS 92-5(a), Subsections (2), (4), (6), and (8);  
15 to consider the hire, evaluation, dismissal, or discipline of  
16 an officer or employee or of changes brought -- charges  
17 brought against the officer or employee, where considerations  
18 of matters affecting privacy will be involved; to consult with  
19 the commissioners' attorney on questions and issues pertaining  
20 to the commission's powers, duties, privileges, immunities,  
21 and liabilities; to consider sensitive matters related to  
22 public safety or security; or to deliberate or make a decision  
23 upon a matter that requires the consideration of information  
24 that must be kept confidential pursuant to state or federal  
25 law, or a court order.

1           The chair will now entertain a motion to move into  
2 executive session.

3           COMMISSIONER KUWAHARA: (Gesturing.)

4           CHAIR DE REGO: Commissioner Kuwahara. Can you say  
5 so moved so we can have something on --

6           COMMISSIONER KUWAHARA: I make a motion to move into  
7 executive session.

8           CHAIR DE REGO: Okay. Do I have a second?

9           COMMISSIONER RODRIGUES: Second.

10          CHAIR DE REGO: Commissioner Rodrigues, okay,  
11 seconds the motion. I think we now have lost quorum. Randol  
12 left. Oh, you're there. Oh, my God.

13          MS. OANA: No, he's there.

14          CHAIR DE REGO: Okay. You're there. I'm sorry.

15          COMMISSIONER LEACH: I'm here.

16          CHAIR DE REGO: Oh, you're here. Okay. So we have  
17 a second. So I'll do the roll call vote. You moved  
18 somewhere. I was looking for you. You weren't on the same  
19 part of my screen. I'm sorry.

20          Commissioner Kuwahara.

21          COMMISSIONER KUWAHARA: Aye.

22          CHAIR DE REGO: Commissioner Leach.

23          COMMISSIONER LEACH: Aye.

24          CHAIR DE REGO: Commissioner Redeker.

25          COMMISSIONER REDEKER: Aye.

1 CHAIR DE REGO: Commissioner Rodrigues.

2 COMMISSIONER RODRIGUES: Aye.

3 CHAIR DE REGO: And the chair also says aye. We'll  
4 move into executive session. So we'll move into our other  
5 room.

6 (Pause in Proceedings: 4:17 p.m.- 4:52 p.m.)

7 CHAIR DE REGO: Okay. So it is now 4:52 p.m. on  
8 April 21st, 2021. I call this session, regular session of the  
9 Maui Police Commission back into order. We'll take roll call  
10 again. Okay. Commissioner Kuwahara.

11 COMMISSIONER KUWAHARA: Aye.

12 CHAIR DE REGO: Okay. Commissioner Leach.

13 COMMISSIONER LEACH: Here.

14 CHAIR DE REGO: Commissioner Redeker.

15 COMMISSIONER REDEKER: Here.

16 CHAIR DE REGO: You're here. Okay.

17 Commissioner Rodrigues.

18 COMMISSIONER RODRIGUES: Here.

19 CHAIR DE REGO: Okay. And the chair is here. So we  
20 have quorum.

21 The chair will entertain a motion at this point to  
22 ratify all actions taken in executive session. Do I have a  
23 motion?

24 COMMISSIONER REDEKER: (Gesturing.)

25 CHAIR DE REGO: Commissioner Redeker, so moved,



1       okay, to ratify all actions taken in executive session. Do I  
2       have a second?

3               COMMISSIONER KUWAHARA: (Gesturing.)

4               CHAIR DE REGO: Commissioner Kuwahara seconds the  
5       motion to ratify all actions taken in executive session.

6               Any discussion?

7               (No response.)

8               CHAIR DE REGO: Hearing none, we'll take the vote.  
9       Commissioner Kuwahara.

10              COMMISSIONER KUWAHARA: Aye.

11              CHAIR DE REGO: Commissioner Leach.

12              COMMISSIONER LEACH: Aye.

13              CHAIR DE REGO: Commissioner Redeker.

14              COMMISSIONER REDEKER: Aye.

15              CHAIR DE REGO: Commissioner Rodrigues.

16              COMMISSIONER RODRIGUES: Aye.

17              CHAIR DE REGO: And Commissioner De Rego also says  
18       aye, so the motion passes.

19              Okay. Just an announcement, the next -- okay,  
20       Commissioner Redeker.

21              COMMISSIONER REDEKER: I have a question. Maybe for  
22       the next -- the next meeting we can put this on the agenda to  
23       discuss. We moved our meetings to two o'clock in the  
24       afternoon so that the chief could make the meetings.

25              CHAIR DE REGO: Right.

1           COMMISSIONER REDEKER: And the two o'clock in the  
2 afternoons have been a real problem for me, I don't know about  
3 anybody else.

4           CHAIR DE REGO: Yeah.

5           COMMISSIONER REDEKER: But we keep going till five,  
6 six, seven o'clock, and it's awful late.

7           CHAIR DE REGO: Right.

8           COMMISSIONER REDEKER: So maybe -- maybe two-fold,  
9 put this on the next agenda, one, move it back to mornings or  
10 some -- some better time than two o'clock.

11          CHAIR DE REGO: Right.

12          COMMISSIONER REDEKER: And, number two, let's look  
13 at going back to face-to-face now that -- the Honolulu Police  
14 Commission is doing face-to-face on their selection. We've  
15 seen them on the news all the time. The -- the conference  
16 room at the Kihei Station is 27 by 43 feet, that's over 1,100  
17 square feet. We could certainly do social distancing. And  
18 since probably most of us have all had the vaccine, it may not  
19 affect us. So I'd like to put this on the meeting agenda for  
20 next -- next meeting.

21          CHAIR DE REGO: Okay.

22          COMMISSIONER REDEKER: And because we're gonna be  
23 making a lot of discussions on the police chief and things  
24 like that, these meetings, I'm sure, are gonna start going  
25 real long, so I think we should be looking at moving them more

1 toward the mornings.

2 CHAIR DE REGO: Okay. That's a fair -- that's a  
3 fair question, Commissioner Redeker. I was wondering when  
4 that discussion was gonna happen in the county anyway. So  
5 maybe what we can do is put that on the agenda, but maybe in  
6 preparation maybe we could get our -- either corporation  
7 counsel or I'll -- I can do it myself, actually, and get a  
8 sense from the administration, maybe call Director Baz, right,  
9 from the department of management and see when things in terms  
10 of boards and commissions will be opening up in terms of  
11 permission to -- through the county, 'cause that -- that  
12 direction comes from them, not from us. Okay. Go ahead,  
13 Commissioner Redeker.

14 COMMISSIONER REDEKER: Well, you know, and I  
15 understand that they have a concern and what would be good for  
16 one needs to be good for all --

17 CHAIR DE REGO: Yeah.

18 COMMISSIONER REDEKER: -- but the selection of chief  
19 of police is gonna require a lot of conversation and --

20 CHAIR DE REGO: Right. No, I agree.

21 COMMISSIONER REDEKER: -- to do this via BlueJeans  
22 is gonna run for hours and hours and hours. So --

23 CHAIR DE REGO: So -- yeah.

24 COMMISSIONER REDEKER: I think this is -- this is  
25 a -- a kind of special circumstance, if you want to call it

1 that.

2 CHAIR DE REGO: Right. No, I understand totally.  
3 So let me do some spadework first, if that's okay with the  
4 commission.

5 COMMISSIONER REDEKER: Yep.

6 CHAIR DE REGO: And have some conversations and  
7 then, you know, better to come back with some information on,  
8 you know, where they're at with that right now than -- than  
9 not. Okay. Commissioner Kuwahara.

10 COMMISSIONER REDEKER: Thank you.

11 CHAIR DE REGO: Yeah. Thank you.

12 COMMISSIONER KUWAHARA: And I would like to --  
13 because our TIG is only four people --

14 CHAIR DE REGO: Yeah.

15 COMMISSIONER KUWAHARA: -- I have a conference room  
16 at -- at my office that we could use for the TIG 'cause I  
17 suggest we do not do that in a police station.

18 COMMISSIONER REDEKER: Yes.

19 CHAIR DE REGO: Okay.

20 COMMISSIONER REDEKER: I agree.

21 CHAIR DE REGO: Mahalo for that offer and that --  
22 that -- thank you very much.

23 COMMISSIONER KUWAHARA: And it's big enough,  
24 everybody can distance. It's not a problem at all for four  
25 people. It's more than enough.

1 CHAIR DE REGO: Okay. Mahalo, mahalo. And if -- if  
2 your conference room for any reason is not available, I think  
3 I could get MEDB to use our Malcolm Center, which is a huge  
4 room and we could easily social distance as well. So give us  
5 two options. Except mine's in Kihei, so -- so we get --

6 COMMISSIONER KUWAHARA: Half/half. How about half/  
7 half?

8 CHAIR DE REGO: Half/half, yeah. Have breakfast at  
9 Cafe O'Lei and then go to go have our meeting, right? So --

10 COMMISSIONER KUWAHARA: Who's gonna set up our --  
11 our TIG meeting so we can get that first publication date set  
12 up?

13 CHAIR DE REGO: Okay. I -- I'm willing to take that  
14 responsibility to start setting that up and getting contact  
15 with everybody and organizing that, if you don't mind.

16 COMMISSIONER KUWAHARA: No, I don't mind.

17 CHAIR DE REGO: Unless you want to do it. Do you  
18 want to do it?

19 COMMISSIONER KUWAHARA: No, that's fine. I was just  
20 gonna say that, if you guys noticed, the chief of -- the fire  
21 chief had a big thing about his retirement, but they already  
22 had an ad in the paper. I mean, it was like boom. So I just  
23 think we need to get on it with the chief of police already.

24 CHAIR DE REGO: Yeah, yeah.

25 MS. OANA: Just add to that little discussion.

1 CHAIR DE REGO: Go ahead.

2 MS. OANA: I believe they did -- they did that, the  
3 department did that without the commission's, the fire  
4 commission's knowledge.

5 COMMISSIONER KUWAHARA: The ad? Wow.

6 MS. OANA: I believe so.

7 CHAIR DE REGO: Ouch. Violation of the charter.  
8 Okay. There we go. I'm sorry, I -- we're on -- this is part  
9 of the official -- the official meeting, so -- ouch.

10 Okay. So, okay, so we'll put that on the agenda,  
11 okay, for the next time. But, yeah, I think we have to start  
12 looking to -- to do that, but -- but I'm trying to give us  
13 more options in terms of places to meet personally, so --  
14 okay. But, thank you, Commissioner Kuwahara, for that offer,  
15 and, yeah, we definitely take you up on it, and I'll -- I'll  
16 contact everybody in regards to that.

17 COMMISSIONER KUWAHARA: And my office is in Kahului.

18 CHAIR DE REGO: Your office is in Kahului. Okay.

19 COMMISSIONER KUWAHARA: Yes.

20 CHAIR DE REGO: Awesome. Okay. You'll have to give  
21 us the address so we can get there.

22 Okay. So is there anything else that anybody else  
23 would like to bring up?

24 (No response.)

25 CHAIR DE REGO: Okay. Good. Well, thank you for

1 that. Thank you for your time today. Again, as I said, the  
2 next meeting of the Maui Police Commission is scheduled for  
3 May 19th, 2021, at 2:00 p.m.

4 So do I hear a motion to adjourn?

5 COMMISSIONER REDEKER: (Gesturing.)

6 CHAIR DE REGO: Okay. Commissioner Redeker moves to  
7 adjourn the meeting. Do I have a second?

8 COMMISSIONER RODRIGUES: (Gesturing.)

9 CHAIR DE REGO: Okay. Commissioner Rodrigues  
10 seconds the motion. Any discussion? Probably not.

11 (No response.)

12 CHAIR DE REGO: So let's go on to the vote.

13 Commissioner Kuwahara.

14 COMMISSIONER KUWAHARA: Aye.

15 CHAIR DE REGO: Commissioner Leach.

16 COMMISSIONER LEACH: Well, let me think about it.

17 (Laughter.)

18 COMMISSIONER LEACH: Aye.

19 CHAIR DE REGO: Commissioner Redeker.

20 COMMISSIONER REDEKER: Yeah. Good-bye.

21 CHAIR DE REGO: Good-bye.

22 Commissioner Rodrigues.

23 COMMISSIONER RODRIGUES: Aye.

24 CHAIR DE REGO: And the chair also says aye. Thank  
25 you, guys, so much. Actually, this is probably the earliest

1 we've gotten out in a long time, so thank you very much for  
2 your efficientness and -- you know, efficiency and everything  
3 else. So you guys have a good rest of the day.

4 (The proceedings were adjourned at 5:00 p.m.)  
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C E R T I F I C A T E

STATE OF HAWAII                    )  
  )     SS.  
COUNTY OF MAUI                 )

I, Sandra J. Gran, Certified Shorthand Reporter for the State of Hawaii, hereby certify that on April 21, 2021, at 2:01 p.m., the proceedings were taken down by me in machine shorthand and was thereafter reduced to typewritten form under my supervision; that the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings had in the foregoing matter.

I further certify that I am not an attorney for any of the parties hereto, nor in any way concerned with the cause.

DATED this 5th day of May, 2021, in Maui, Hawaii.



\_\_\_\_\_  
Sandra J. Gran, RPR  
Hawaii CSR 424